

STATE OF TEXAS §
COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, was begun and held on June 16, 2009.

**MEMBERS PRESENT: CHAIRMAN JASON SOFEY;
COMMISSION MEMBERS: DAVIS, MORGAN, HICKS,
TANKERSLEY, JONES, JACOBS, PLYLER AND ATHERTON**

MEMBERS ABSENT: NONE

CALL TO ORDER

Chairman Sofey called the meeting to order at 5:00 p.m.

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the May 19, 2009 Meeting. Motion by Commission Member Jacobs to approve the Minutes as written. Second by Commission Member Davis. All present voted AYE.

MOTION CARRIED.

BOARD OF ADJUSTMENT

The members of the Board of Adjustment: DAVIS, SOFEY, PLYLER, JONES AND JACOBS.

VARIANCE

THE REQUEST OF DANIEL-GRAY CME CHURCH (OWNERS), MORGAN BROWN (REPRESENTATIVE) AND TODD BASS, NORTH TEXAS SERVICES (SIGN CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 2002 SOUTH EAST STREET, BEING LOT 1 AND PART OF LOT 2, BLOCK 45, SOUTHSIDE ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14) TO ALLOW A 0 FOOT FRONT YARD SETBACK FOR A 4' X 8' SIGN IN LIEU OF THE REQUIRED 25 FOOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

**Todd Bass, North Texas Services, 4408 Texoma Parkway,
Sherman, Texas**

Mr. Bass appeared to represent the request and answer any questions. The property is located at the corner of East Street and Wilson Street; Daniel-Gray CME Church is the tenant. They would like to erect a 4'x8' freestanding lighted sign on the property line. The sign will be visible to traffic going north and south on Branch Street and also east and west on Wilson Street, the sign will be far enough away from the corner of East Street and Wilson Street that the visibility would not be hindered. Mr. Bass explained the church was built very close to the property line and this is

CALL TO ORDER

APPROVE MINUTES

BOARD OF ADJUSTMENTS

**VARIANCE – FRONT
SETBACK FOR SIGN
2002 S. EAST ST.
(DANIEL-GRAY CME
CHURCH)**

the only option for the sign.

No other citizens appeared before the Planning and Zoning Commission to discuss the variance.

ACTION TAKEN.

Motion by Commission Member Davis to approve the variance to allow a 0 foot front yard setback for a 4'x8' sign. Second by Commission Member Jones.

VOTING AYE: DAVIS, SOFEY, JONES, JACOBS AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

TEMPORARY USE PERMIT

THE REQUEST OF CHARLES E. ANDERSON (OWNER) AND BARRY TRAVIS (REPRESENTATIVE) CONCERNING THE PROPERTY AT 1400 WEST TAYLOR STREET, BEING A 1.6890 ACRE TRACT IN THE J. B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS;

BOARD OF ADJUSTMENTS

(RENEW) TEMPORARY USE PERMIT UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) TO ALLOW A HAUNTED HOUSE FROM SEPTEMBER 25TH THROUGH NOVEMBER 5TH, 2009 IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

TUP – HAUNTED
HOUSE
1400 W. TAYLOR
(CHARLES
ANDERSON & BARRY
TRAVIS)

Commission Member Morgan came in at 5:05 p.m. in the middle of this request. Mr. Morgan was not on the Board of Adjustments to vote on this request.

Barry Travis, 1809 Ridgeway, Sherman, Texas

Mr. Travis appeared to represent the request and answer any questions. He explained the property is located at 1400 West Taylor Street, the old Anderson Slaughter House. They would like to renew their Temporary Use Permit to allow a haunted house the weekends of September 25, 2009 through November 5, 2009. Mr. Travis explained this will be their third year to open the haunted house. He had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Commission Member Jacobs asked Scott Shadden, Director of Developmental Services if any problems had been reported for the haunted house.

Mr. Shadden explained they have had some items that needed to be cleaned up; they were contacted and corrected the problem quickly. They also received comments regarding the sign painted on the north side of the building staying up for extended periods of time. Chairman Sofey explained one of the things they would like to see is covering the sign after the haunted house

closes for the season. The haunted house is not open year round and the way it is painted to attract for the haunted house is great, but 52 weeks a year is a little tough.

Mr. Travis explained that would be fine, but he would like to cover it with sheet metal because an artist painted the sign on the building and it would be difficult and costly to repaint each year.

Kristi Travis, 1809 Ridgeway, Sherman, Texas

Mrs. Travis explained she helps her husband with the haunted house. She was concerned that covering the sign would hinder the advertising of their business; “the owners of the property do not care if the sign is up all year. You would not ask Sonic to cover up their sign.”

Chairman Sofey explained Sonic is open 365 days a year and is located in a commercial district; this is located in a residential district. He was not saying they uncover the sign the day they open the business, they would allow advance time to uncover their sign to advertise the haunted house opening.

No other citizens appeared before the Planning and Zoning Commission to discuss the Temporary Use Permit.

ACTION TAKEN.

Motion by Commission Member Jones to approve the Temporary Use Permit subject to the Staff Review Letter and removing or covering the sign on the building 30 days after closing the business. Second by Commission Member Jacobs.

VOTING AYE: DAVIS, SOFEY, JONES, JACOBS AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

VARIANCE

THE REQUEST OF CHRISTIAN LIFE CHURCH (OWNERS) AND CLINT SYLVESTER (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 2005 SOUTH DEWEY AVENUE, BEING 8.00 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (5) TO ALLOW A 2' FRONT YARD SETBACK FOR A 9' X 15' MONUMENT SIGN IN LIEU OF THE REQUIRED 25 FOOT FOR A SPECIAL BUILDING SETBACK STREET IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

VARIANCE – FRONT
SETBACK FOR SIGN
2005 S. DEWEY
(CHRISTIAN LIFE
CHURCH)

Clint Sylvester, 2005 S. Dewey, Sherman, Texas

Mr. Sylvester appeared to represent the request and answer any questions. The property is located at 2005

South Dewey Avenue; just north of Ida Road, Christian Life Church is the tenant. They would like to replace an existing pole sign with a 9'x15' lighted monument sign. They would like to place the sign closer to the road so people will see it when they are traveling down Dewey Street; the sign will not block the view of traffic.

No other citizens appeared before the Planning and Zoning Commission to discuss the variance.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Jones to approve the variance to allow a 2' front yard setback for a 9'x15' monument sign. Second by Commission Member Davis.

VOTING AYE: DAVIS, SOFEY, JONES, JACOBS AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

EXCEPTION & VARIANCE

THE REQUEST OF SPARE ROOM JOINT VENTURE, MICHAEL C. MCRAE (OWNERS) AND JOHN KINMAN (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 5009 F.M. 1417 NORTH (HERITAGE PARKWAY), BEING 2.65 ACRES IN THE ALFRED HUMES SURVEY, ABSTRACT NO. 522, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (5)(A) TO ALLOW A 0' FRONT YARD SETBACK FOR AN 8' PRIVACY/SECURITY FENCE IN LIEU OF THE REQUIRED 40' FRONT YARD SETBACK AND A 6' CHAIN LINK FENCE ALONG THE SIDES OF THE PROPERTY LINES WITH A 0' FRONT YARD SETBACK IN LIEU OF THE REQUIRED 40' FRONT YARD SETBACK IN A C-2 (GENERAL COMMERCIAL) DISTRICT AND THE O-1.1 (FM 1417) OVERLAY DISTRICT.

**EXCEPTION &
VARIANCE – FENCE
5009 FM 1417 NORTH
(SPARE ROOM JOINT
VENTURE)**

Dan McRae, 5009 FM 1417 N., Sherman, Texas and John Kinman, John Kinman Fence Company, 506 E. Hayes, Savoy, Texas

Mr. McRae and Mr. Kinman appeared to represent the request and answer any questions. The property is located at 5009 FM 1417 North (Heritage Parkway); a mini-warehouse facility is located at this location. A tornado swept through the mini-warehouse facility earlier this year and demolished nine units and the fence along F.M. 1417. The owner would like to replace the fence along the front of the units with an 8'privacy/security fence and a 6' chain link fence along the sides.

Chairman Sofey explained basically they would like to replace the fence at the same location it was and add a

fence along the front to cover the western side of the storage units.

Mr. Kinman explained that was correct; “you will not be able to see inside the mini-warehouse facility at all from F.M. 1417.”

No other citizens appeared before the Planning and Zoning Commission to discuss the exception and variance.

One letter was received from Glenn & Mary Goode, 1651 F.M. 371, Gainesville, Texas

Mr. Goode was in favor of the request.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the exception and variance to allow a 0' front yard setback for an 8' privacy/security fence and a 6' chain link fence along the sides of the property lines with a 0' front yard setback. Second by Commission Member Jones.

VOTING AYE: DAVIS, SOFEY, JONES, JACOBS AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

ZONE CHANGE & EXCEPTION

THE REQUEST OF PAUL & SHEILA RYAN (OWNERS) AND HILLARY LINDSEY (PROSPECTIVE BUYER) CONCERNING THE PROPERTY AT 1120 WEST HOUSTON STREET, BEING A 90' X 140' LOT IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 CONTAINING 0.29 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW EXISTING BUILDING FINISHES IN LIEU OF THE REQUIRED MASONRY OR EQUIVALENT ON THE SIDES OF ALL COMMERCIAL BUILDINGS IN A C-1 (RETAIL BUSINESS) DISTRICT.

Hillary Lindsay, 886 Anderson Road, Van Alstyne, Texas

Ms. Lindsay appeared to represent the request and answer any questions. The property is located at 1120 West Houston Street, the southeast corner of Houston and Bryant Streets. She explained they would like to change the zoning from an R-1 (One Family Residential) District to a C-1 (Retail Business) District and open a birth clinic at this location. They would like to leave the building as it is

ZONE CHANGE – R-1
TO C-1

EXCEPTION –
EXTERIOR FINISH
1120 W. HOUSTON
(PAUL & SHEILA RYAN
& HILLARY LINDSEY)

(DENIED)

with a wood siding exterior finish. Ms. Lindsay has been a midwife for over twenty years, offering maternity care and out-of-hospital birth for low-risk women. She has practiced in the surrounding area since 1990 as a Licensed Midwife with a home-based maternity service and has also attended births in some area birth centers. Her practice has continued to grow and consumer demand for a birth center has arisen. She had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Commission Member Davis asked what some of the reasons for choosing this location were.

Ms. Lindsay explained it is right across the street from Wilson N Jones Hospital; the location is perfect in case there needs to be a transfer and it satisfies the State regulations as far as distance that is required, which is within 30 minutes from a hospital.

Chairman Sofey explained in the packet there were examples of other birthing clinics in residential settings, is there not an option that is existing in a C-1 (Retail Business) District in the same proximity.

Ms. Lindsay explained she had not really looked at any other properties, the Ryan's were clients of hers, she had done two births in their home, she found out their house was for sale and it seemed like the perfect place.

Commission Member Hicks asked how many births per year she expected.

Ms. Lindsay expected 4-10 births per month, they would be very happy if they were doing 10 births a month. She explained it will not have high traffic, they normally schedule appointments an hour apart, the parking lot up front may have two or three cars in it at a time, besides staff which would be herself and another employee. They may have two births going at the same time, but it was unlikely more than that. The patients usually stay there for six hours after the birth. Most of the couples they deal with want a private birth, very seldom do they invite other family members to come during the birth, usually that celebration happens after they go home.

Commission Member Davis asked if other birth clinics were operating out of strip centers or commercial type locations.

Ms. Lindsay thought there was a clinic in Hurst that was in a commercial type shopping center, most of them are in homes. A lot of them are tucked away in a residential type setting.

Commission Member Atherton asked about noise.

Ms. Lindsay explained it will not be very noisy, it is not like what you see on television, women go into birth really prepared of what is going to happen and they know up front they are going to have an un-medicated delivery, they are fully educated beforehand. Prenatal appointments will be done during the day and deliveries as they come. Right now, Ms. Lindsay does home visits and she does two or three visits per day.

Chairman Sofey explained “his biggest concern is not what your practice may bring into that facility which may be a fairly low impact but to request a zone change from R-1 (One Family Residential) District to C-1 (Retail Business) District is a permanent change, if you are only there for a year the property will be zoned commercial from now on, unless someone comes back and wants to downgrade the zoning. It is open to anything that falls into the C-1 (Retail Business) District category if the zone change is approved.”

Ms. Lindsay was told a doctor purchased the property across the street from this property and had changed the zoning but she did not think he had started his business.

Commission Member Atherton explained she did not think anyone wanted to discourage the operation of this type of business, the biggest decision is going to be that it could be this now and in two years it could be a convenience store or something that is a higher impact on the neighborhood.

Ms. Lindsay understood, but there are no guarantees in any business but her intentions are to be there for a long time because she will be investing a lot of money into making it the clinic. Right now she has clients in Paris, Gainesville and southern Oklahoma and they would all travel to Sherman to the birthing clinic. “Midwives are hard to find, they are plentiful around Oklahoma City, but not any in southern Oklahoma, a lot of the women now go to Allen for the use of a clinic.”

Those appearing from the audience:

Shiloh Bradford, 307 W. Steadman, Sherman, Texas

Mr. Bradford explained Ms. Lindsay and her staff have delivered three of their children. This is more of a homelike feeling than what they have seen in McKinney. He understood their concerns with changing the zoning, but this would be the perfect location, you are steps away from the hospital in case you need to transport the mother or baby to the hospital.

Pam Holland, 10811 CR 505, Anna, Texas

Ms. Holland explained she is proposing to help Ms. Lindsay with the birth clinic. The reason they are proposing to locate in Sherman is because it is a hub of

trade for this large area. Last year she had three or four women from Gainesville that traveled to McKinney for prenatal care, she knew they would come to Sherman. This would augment the medical and birth options to women not only in Sherman but in the trade center. The house is located on West Houston and it is also State Highway 56, there is a lot of traffic on there and it is close to Highway 75. It is across the street from Wilson N Jones, it is a safety and convenience issue. Their intent is to support the family and strengthen the family; they give personalized care for low-risk women.

Bob Mears, 112 Laurel Creek Dr., Sherman, Texas

Mr. Mears explained he and his wife own the duplexes at 1108 and 1110 West Houston, they believe it should continue to be residential for the welfare of their tenants and their children, therefore they are opposed to the request. Mr. & Mrs. Mears were opposed to the zone change for the following reasons:

- Negative impact on property values.
- This address is surrounded by duplexes and other single family residences.
- There is no demand for an additional facility of this type in the area. WNJ (Not for profit hospital) is less than 2 blocks away and it is already licensed and regulated. It is staffed with medical professionals equipped to perform the delivery of newborn babies at any hour of the day or night, under most all emergencies conditions..... It also operates 24 hr/day without disrupting the neighborhood.
- The site plan indicates the addition of 7 parking places on the utilities easement of Houston Street. The plan also eliminates any available street parking on Bryant Street because of the proposed parking lot entrance.
- I don't believe this is adequate parking. I doubt it would take family and friends long to fill seven parking spaces, once a baby is born.
- The location of the parking presents a safety problem for traffic at the intersection of Houston Street and the north bound traffic on Bryant Street.
- There is always heavy traffic on Houston Street and the speed limit going down the hill at this intersection is 30 mph going to 40 mph within a block. One to seven parked cars blocking a driver's vision of oncoming traffic down Houston Street would be dangerous.
- Since there is no street parking allowed on Houston Street or Lamar Street, adequate parking is already limited for the families living in the area.
- If the property at 1120 W. Houston Street is changed from R-1 (One Family Residential) District to C-1 (Retail Business) District, any retail business in the future could move in, regardless of the homeowners objections.

- Per the current real estate ads, there appears to be an abundant supply of C-1 (Retail Business) District property on the market, with changing the zoning of existing residential R-1 (One Family Residential) District property.

Wally Johnson, 1602 Glenway, Sherman, Texas

Mr. Johnson explained they are looking at an area that is zoned residential, granted it is a major thoroughfare, but when they made the investments on their properties; he owns four separate buildings 1100, 1102, 1104, 1106 West Houston, 110, 114 South Highland and 111 and 113 South Bryant, so he has a major investment in the property surrounding this property. He felt this would negatively affect his properties. When he has tenants and vacancies, one of the first things they will look at is whether or not it is next to a business establishment; that will affect the quality of tenant he is going to attract. "Please consider my point of view when you make your decision, I am adamantly opposed to this change."

Bobbie McDonald, 307 Altra Blvd, Gunter, Texas

Ms. McDonald explained she is a client of Hillary Lindsay. She has known Hillary since she was 14 and always wanted to have her children at home because of her. A couple of years ago, she moved to West Texas and had her second baby at another birthing center in a shopping center, it was not fun, it's not comfortable because you can hear and people in the other businesses can hear you. To have this atmosphere, it is very different from a hospital, it is a different option, to her it is safer, it is more comfortable because they are very attentive to them, they are very well trained. The women are not loud in this setting. They suggest that no family members come to see the mother and child until they are home. Houston Street is right off Highway 75 and Highway 56 which makes it easy to get to.

Richard Oglesby, 2415 Meadows Lane, Sherman, Texas

Mr. Oglesby explained this is an emotional issue for them, he understood that and could sympathize, but what the board is having to vote on a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District and he hoped that it would not be approved because once you change it, that's it, and they would rather not have that commercial in their property areas.

No other citizens appeared before the Planning and Zoning Commission to discuss the zone change and exception.

Letters were received from:

G.F. Johnson, 1602 Glenway Dr., Sherman, Texas

Mr. Johnson was opposed to the zone change for the following reasons:

- It will devalue his properties; he owns four duplexes in the area.

- Retail activity generates additional traffic and noise.
- Retail/commercial establishments in the area have had a high turnover rate such as: strip center at W. Houston and South Woods Streets has numerous vacancies, 700 Block of West Houston, property is for sale, 100 Block of South Woods, vacant real estate and 1400 Block of West Houston, large lube change building currently vacant and for sale.

Nathan & Brenda Gray, 122 S. Bryant, Sherman, Texas

Mr. & Mrs. Gray were opposed to the zone change. “I believe there will be insufficient parking spaces and cars will have to park along side of Bryant. There is already a problem now with vehicles along both sides of Bryant causing congestion.”

Robert & Paula Mears, 112 Laurel Creek Dr., Sherman, Texas

Mr. & Mrs. Mears opposed the zone change.

Ralph Courtney, 214 Iowa, Sherman, Texas

Mr. Courtney was opposed to the zone change. He wrote “Residents whose driveways access Houston are already facing heavy traffic when entering and exiting their homes. Adding a business to the residential neighborhood would only increase traffic and safety concerns. Residents will be disturbed by a 24 hour business that could receive ambulance traffic. I would also question whether a business that is converted from a house would be good for the neighborhood. New residential building is taking place as shown by several new residences built in the last few years in this area. Allowing a business to enter the neighborhood, while undesirable, is made worse by the fact that they don’t want to improve the property and meet the minimum standards for building exteriors.”

Richard & Irene Oglesby, 2415 Meadows Lane., Sherman, Texas

Mr. & Mrs. Oglesby explained they own property adjacent to the property. This has been a quiet residential neighbor for the 13 years we have owned the duplex property at 1112, 1114 West Houston. However, parking has been a problem at times for the current residents in the duplexes. Allowing for more activity that would necessitate more vehicles seems to be offering more problems on an already heavy traveled street. Allowing a 24/7 facility would increase more traffic flow and parking problems, parking in the rear of the building which would access the alley, this is a main drive for the duplexes in the 1100 block of Houston thus creating more traffic flow problems and conflict with tenants. If the parking lot across the street is used, owned by the hospital, it would put pedestrians at risk crossing a busy street at all hours of the day and night. “We do not see the usefulness, to the city, for a birthing center in this location when a fully equipped hospital is two blocks away.”

Planning & Zoning Commission

ACTION TAKEN.

Motion by Commission Member Jones to deny the zone change. Second by Commission Member Jacobs.

VOTING AYE: JACOBS, JONES, HICKS, TANKERSLEY, DAVIS, SOFEY, MORGAN, ATHERTON AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST DID NOT CONFORM TO THE INTENT OF THE ORDINANCE.

PRELIMINARY & FINAL PLAT

THE REQUEST OF CLAIRE REHMET (OWNER) AND SARTIN AND ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY LOCATED IN THE 200-600 BLOCKS OF NORWOOD DRIVE, BEING 21.19 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 120 AND THE WILLIAM THOMPSON SURVEY, ABSTRACT NO. 1209, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF KINGS RIDGE ADDITION, A 21.19 ACRE ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ)

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF KINGS RIDGE ADDITION, A 21.19 ACRE ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ)

PRELIMINARY & FINAL
PLAT – KINGS RIDGE
ADDITION (ETJ)
200-600 BLKS
NORWOOD DRIVE
(CLAIRE REHMET)

Marshall Sartin, Sartin & Associates Surveying, 109 S. Travis, Sherman, Texas

Mr. Sartin appeared to represent the request and answer any questions. The property is located on the east side of the 200-600 blocks of Norwood Drive off of West Lamberth Road across from Carriage Estates in the City of Sherman's extra territorial jurisdiction. The owner would like to plat the property into 20 lots for residential development. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Chairman Sofey explained the owner withdrew this request from the agenda last month, they were requesting an exception to allow the minimum street right-of-way to be 60' in lieu of the required 70' and Preliminary and Final Plat approval. They are not requesting any variances or exceptions at this time; just Preliminary and Final Plat approval, so it cannot really be turned down by State Regulations. The City of Sherman is responsible to oversee the development guidelines for property being platted in the extra territorial jurisdiction.

Those appearing from the audience opposed to the request because of drainage issues, easements, water service and property values were:

Mark Deans, 427 Norwood Dr., Sherman, Texas

Tom Stevens, 873 Norwood Dr., Sherman, Texas
Shirley Stevenson, 876 Norwood Dr., Sherman, Texas
Kris Stevens, 873 Norwood Dr., Sherman, Texas
Henry Stevenson, 876 Norwood Dr., Sherman, Texas

Robert Tate, 76 Chateau Circle, Sherman, Texas

Mr. Tate explained his daughter, Claire Rehmet owns the property. He explained to the audience what the development would consist of and what type of houses would be built in the development.

No other citizens appeared before the Planning and Zoning Commission to discuss the Preliminary and Final Plats.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Preliminary and Final Plats subject to the Staff Review Letter. Second by Commission Member Jacobs.

VOTING AYE: JACOBS, JONES, HICKS, TANKERSLEY, DAVIS, SOFEY, MORGAN, ATHERTON AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN

THE REQUEST OF SHERMAN ISD (OWNERS), CHUCK EDWARDS (REPRESENTATIVE) AND PLYLER CONSTRUCTION (CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 2701 LOY LAKE ROAD, BEING 17.73 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A NEW ADMINISTRATION BUILDING/SERVICE & SUPPORT FACILITY.

SITE PLAN –
ADMINISTRATION
BLDG/SERVICE &
SUPPORT FACILITY
2701 LOY LAKE RD.
(SHERMAN ISD)

Commission Member Plyler abstained from this item because of a conflict of interest.

Chuck Edwards, Sherman ISD, 120 W. King, Sherman, Texas

Mr. Edwards appeared to represent the request and answer any questions. The property is located at 2701 Loy Lake Road; formerly Dillingham Middle School. They would like to construct a new Administration Building/Service and Support Facility. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan.

ACTION TAKEN.

Motion by Commission Member Jones to approve the site plan subject to the Staff Review Letter. Second by Commission Member Jacobs.

VOTING AYE: DAVIS, SOFEY, JONES, JACOBS, TANKERSLEY, HICKS. MORGAN, AND ATHERTON.

VOTING NAY: NONE

ABSTAIN: PLYLER

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF JACK HOPPER (OWNER) AND AIR EVAC, HELICOPTER AMBULANCE SERVICE (TENANT) CONCERNING THE PROPERTY LOCATED AT 8111 U.S. HIGHWAY 75 SOUTH, SUITES 100 AND 200, BEING LOT 1, BLOCK 1, CEDAR LAKE ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8 (5)(A) TO ALLOW LIVING QUARTERS IN A C-1 (RETAIL BUSINESS) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A 30'X50' BASE HANGAR AND A 40'X40' CONCRETE LANDING PAD.

SUP & SITE PLAN –

**LIVING QTRS.,
HANGAR & LANDING
PAD
8111 HWY 75 SOUTH
(JACK HOPPER & AIR
EVAC, HELICOPTER
AMUBLANCE
SERVICE)**

Sam Hix, 2212 Bridge St., Gatesville, Texas

Mr. Hix appeared to represent the request and answer any questions. The property is located at 8111 U.S. Highway 75 South, Suites 100 and 200; Jim Walter Homes was formerly the tenant. Air Evac, Helicopter Ambulance Service is proposing to develop the property for a medical air ambulance base. They would use the existing two story house for crew quarters, construct a 30'x50' hangar with a stone and lap siding exterior finish on three sides, and construct a 40'x40' concrete pad to be used as a landing pad. A fuel tank will be enclosed by a 6' privacy fence. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Commission Member Jacobs asked Mr. Shadden if the request is approved if they could rent out the house for living quarters.

Mr. Shadden explained they could put a condition to limit it to the Air Evac, Helicopter Ambulance Service.

No other citizens appeared before the Planning and Zoning Commission to discuss the Specific Use Permit and site plan.

A letter was received from: Bonnie West, PO Box 338, Howe, Texas

Ms. West wrote "sounds like an excellent addition to the community."

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the

Specific Use Permit and site plan subject to the Staff Review Letter and restrict the residential living quarters to be used in conjunction with the Air Evac, Helicopter Ambulance Service. Second by Commission Member Tankersley.

VOTING AYE: DAVIS, TANKERSLEY, HICKS, SOFEY, MORGAN, JONES, JACOBS, ATHERTON AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

REPLAT & SITE PLAN

THE REQUEST OF 1002 SOUTH TRAVIS, LP (OWNERS), TEAGUE, NALL & PERKINS (ENGINEERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 1002 SOUTH TRAVIS STREET, BEING LOT 18R OF THE REPLAT OF M.B. MOORE'S ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF TRAVIS STREET PATIO HOMES, A REPLAT OF LOT 18R OF M.B. MOORE'S ADDITION.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR PATIO HOMES

TRAVIS STREET
PATIO HOMES, A
REPLAT LOT 18R, M.B.
MOORE'S ADDN.
SITE PLAN – PATIO
HOMES
1002 S. TRAVIS
(1002 SOUTH TRAVIS,
LP)

Chris Schmitt, Teague, Nall & Perkins, 200 N. Travis, Ste. 500, Sherman, Texas

Mr. Schmitt appeared to represent the request and answer any questions. The property is located at 1002 South Travis Street between Spring and Lark Streets, The owners were approved for a zone change from an R-2 (Multi-Family Residential) District to an R-1 (One Family Residential) District and a Specific Use Permit to allow patio homes in November 2008, subject to a more detailed site plan being submitted and the property replatted into lots. They were also approved for a variance to allow lots with no public street frontage and an exception to allow a six (6) foot privacy fence in the front yard of a front line street with a 17' setback. They would like to replat the property into eleven lots for residential development. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Tony Stephens, 929 S. Crockett, Sherman, Texas

Mr. Stephens asked to see a copy of the site plan.

Mr. Schmitt showed Mr. Stephens a copy of the site plan and explained there will be eleven patio homes, a fire lane a center access drive, a parameter fence around the development, a gated entry with a turnaround.

No other citizens appeared before the Planning and Zoning Commission to discuss the Replat and site plan.

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the Replat and site plan subject to the Staff Review Letter. Second by Commission Member Jones.

VOTING AYE: DAVIS, JACOBS, JONES, TANKERSLEY, HICKS, SOFEY, MORGAN, ATHERTON AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

REPLAT

THE REQUEST OF WWF MOTORS, INC, BARRY FONTAINE (OWNER) AND SARTIN & ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 4505 & 4509 TEXOMA PARKWAY, BEING LOTS 2 & 3, BLOCK 1 OF TEXOMA CENTER ADDITION, CONTAINING 4.15 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT OF LOTS 2 & 3, BLOCK 1, TEXOMA CENTER ADDITION

REPLAT LOTS 2 & 3,
BLK. 1, TEXOMA
CENTER ADDN.
4505 & 4509 TEXOMA
PARKWAY
(WWF MOTORS, INC.
BARRY FONTAINE)

Marshall Sartin, Sartin & Associates Surveying, 109 S. Travis, Sherman, Texas and Barry Fontaine, 7171 Dripping Springs Rd., Denison, Texas

Mr. Sartin and Mr. Fontaine appeared to represent the request and answer any questions. The property is located at 4505 and 4509 Texoma Parkway; Credit Choice Motors is the tenant. They would like to replat the property into two lots for commercial development. Mr. Fontaine explained they would like to sell one of the lots. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the Replat.

ACTION TAKEN.

Motion by Commission Member Jones to approve the Replat subject to the Staff Review Letter. Second by Commission Member Atherton.

VOTING AYE: DAVIS, JACOBS, JONES, TANKERSLEY, HICKS, SOFEY, MORGAN, ATHERTON AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

REPLAT

THE REQUEST OF GRAYSON COUNTY PHYSICIANS PROPERTY, LLC (OWNERS) AND SARTIN & ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 3603 CALAIS DRIVE, BEING ALL OF LOTS 6

REPLAT LOTS 6 & 7,
BLK. 1, HERITAGE
PARK ADDITION,
PHASE TWO
3603 CALAIS DR.

& 7, BLOCK 1, HERITAGE PARK ADDITION, PHASE TWO
CONTAINING 6.50 ACRES IN THE HILLARD JENNINGS
SURVEY, ABSTRACT NO. 639, AS FOLLOWS:

(GRAYSON COUNTY
PHYSICIANS
PROPERTY, LLC

PLANNING AND ZONING COMMISSION

**REPLAT OF LOTS 6 & 7, BLOCK 1, HERITAGE PARK
ADDITION, PHASE TWO**

**Marshall Sartin, Sartin & Associates Surveying, 109 S.
Travis, Sherman, Texas**

Mr. Sartin appeared to represent the request and answer any questions. The property is located at 3603 Calais Drive; the Ambulatory Surgery Center is the tenant. They would like to Replat the property into one lot to add on to the existing building. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the Replat.

ACTION TAKEN.

Motion by Commission Member Morgan to approve the Replat subject to the Staff Review Letter. Second by Commission Member Jacobs.

VOTING AYE: DAVIS, JONES, JACOBS, TANKERSLEY,
HICKS, SOFEY, MORGAN, ATHERTON AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO
THE INTENT OF THE ORDINANCE.

OTHER BUSINESS

**REVIEW DRAFT 2009 SHERMAN COMPREHENSIVE PLAN
AND CONSIDER RECOMMENDATION TO CITY COUNCIL.**

**2009 DRAFT
COMPREHENSIVE
PLAN**

The City Council approved a project, as part of the fiscal year (FY) 2007-2008 budget, to update the City's Comprehensive Master Plan. Kendig Keast Collaborative was retained at the City Council's January 22, 2008 meeting to prepare the Comprehensive Master Plan Update. The public was invited to two Community Forums to gain input from citizens and a Comprehensive Plan Advisory Committee was formed to refine the plan. The City Council and the Planning and Zoning Commission held a workshop on February 25, 2009 to review the overall draft Comprehensive Master Plan and the plan's implementation priorities.

Chairman Sofey explained at the February 25, 2009 meeting, City Council, Staff and Planning and Commission Members set priorities to demonstrate the value of considering plan implementation priorities. The top priorities were:

- Updated and enhanced development regulations
- City Geographic Information System (GIS)

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- enhancements
- Storm drainage studies and planning
- Revitalization of older neighborhoods
- Maintenance and enhancement initiative for existing parks
- Strategic annexation planning
- Downtown development/revitalization
- Trail, Bikeway & Greenway Master Plan and initial trail network development
- Roadway system maintenance, upgrades, and safety improvements

Scott Shadden explained these items will be reviewed and considered in the near future.

ACTION TAKEN.

Motion by Commission Member Jacobs to recommend to the City Council the Comprehensive Plan be adopted as presented. Second by Commission Member Tankersley.

VOTING AYE: DAVIS, JONES, JACOBS, TANKERSLEY, HICKS, SOFEY, MORGAN, ATHERTON AND PLYLER.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:55 p.m.

ADJOURNMENT

CHAIRMAN _____

SECRETARY