

STATE OF TEXAS §

June 13, 2023

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustment of the City of Sherman, was begun and held on June 13, 2023.

MEMBERS PRESENT: CHAIRMAN MAHONE
COMMISSION MEMBERS: DAVIS, MANLEY, DOWNTAIN,
BLAGG, SIMS AND WHITAKER

ALTERNATE: NONE

MEMBERS ABSENT: NONE

STAFF PRESENT: ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES, KERRI
TURNER, DEVELOPMENT SERVICES PLANNING
TECHNICIAN, WAYNE LEE, DIRECTOR OF ENGINEERING
AND LAUREN MARLOW, DEVELOPMENT SERVICES
COORDINATOR

CITY ATTORNEY: ALICESON COTTON

CALL TO ORDER

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

CALL TO ORDER

MOTION CARRIED.

ANNOUNCEMENTS

There were no announcements.

ANNOUNCEMENTS

CITIZEN COMMENTS

There were no citizen comments.

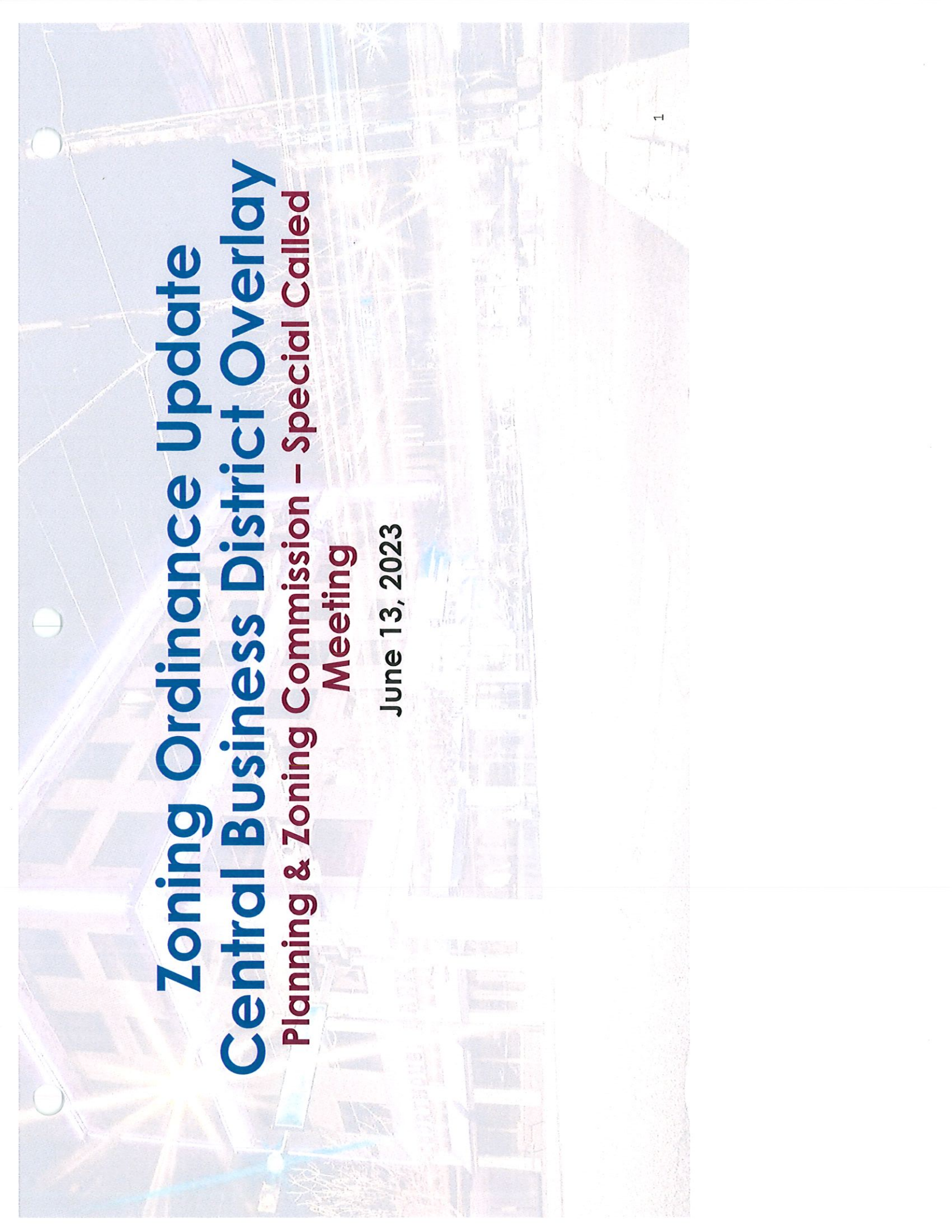
CITIZEN COMMENTS

CONSIDERATION OF AMENDMENTS TO THE CENTRAL
BUSINESS DISTRICT OVERLAY

Public Hearing and Consideration of an Ordinance of the City Council of the City of Sherman, Texas, amending the Code of Ordinances of the City of Sherman, Texas, Chapter 14 (Zoning Ordinance), Sections 14.02.001 (Zoning Districts Established), 14.02.002 (Zoning Equivalency Table), 14.03.008 (Arts and Cultural Overlay District), 14.03.009 (Central Business District Overlay District), 14.10.001 (Use Chart); repealing the Arts and Cultural Overlay District; modifying certain existing regulations and prescribing new regulations relating to the Central Business District Overlay District and establishing new subdistricts; providing a penalty clause with a maximum fine of \$2,000, savings/repealing clause, severability clause and an effective date; providing for the publication of the caption hereof; finding and determining that the meeting at which this ordinance is passed was noticed and is open to the public as required by law

CONSIDERATION OF
AMENDMENTS TO
THE CENTRAL
BUSINESS DISTRICT
OVERLAY

Rob Rae, 220 West Mulberry Street, Sherman, TX
Mr. Rae presented the following:

The background of the slide is a photograph of a city street. On the left, there is a multi-story brick building with a street sign that reads "COURTHOUSE AREA". The street is paved and has some trees and utility poles visible. The overall scene is in a slightly desaturated, vintage style.

Zoning Ordinance Update Central Business District Overlay

**Planning & Zoning Commission – Special Called
Meeting**

June 13, 2023

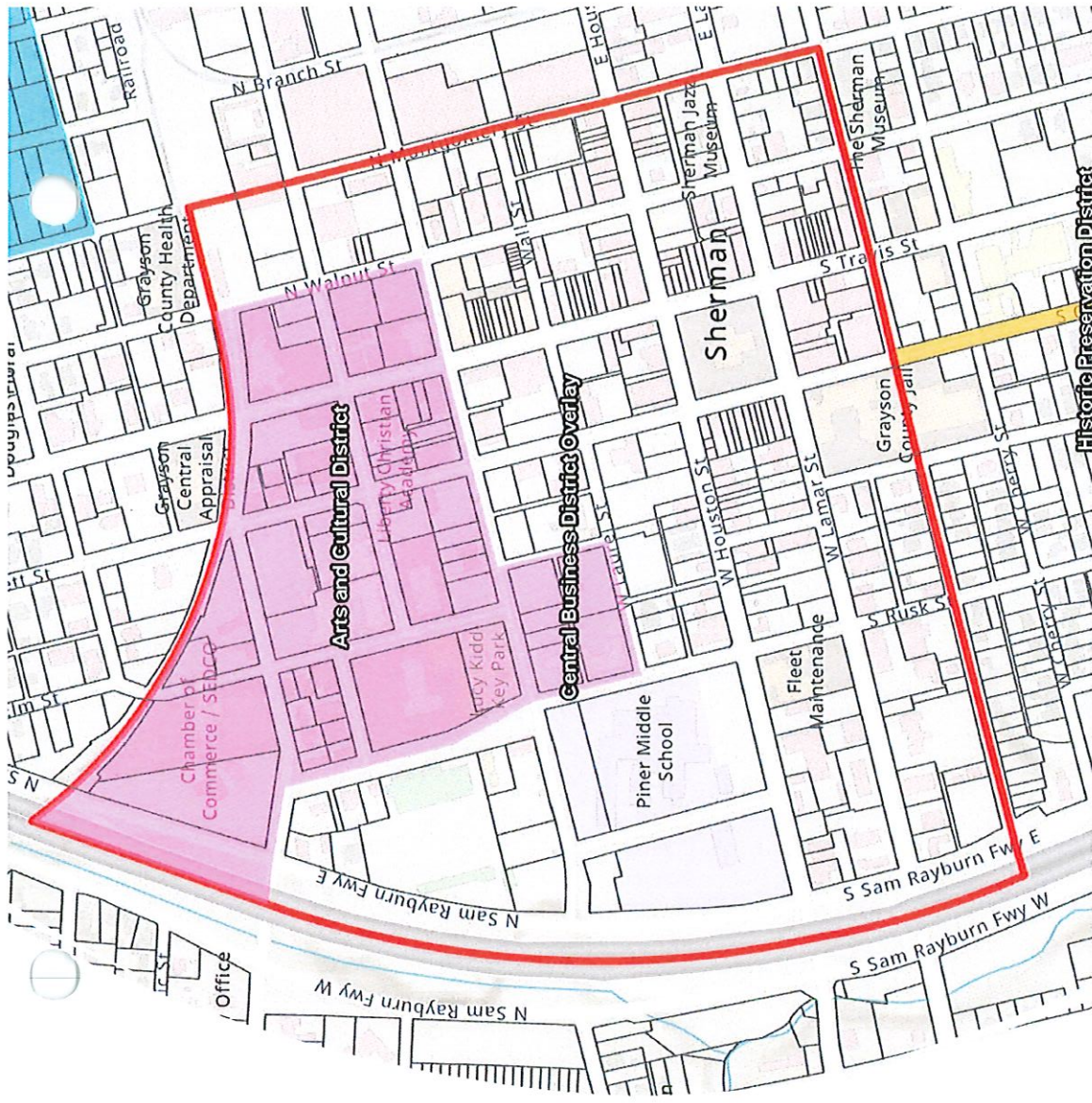
Chapter 14.03 Overlay Zoning Districts

- P&Z Subcommittee met on April 12, 2022 to discuss changes to the Overlay Zoning Districts.
- P&Z meeting on May 16, 2023, update to Central Business District Overlay tabled. Jail text amendment was approved
- Main Street Board meeting held on May 23, 2023
- Staff to include additional changes based on P&Z Subcommittee discussion and Main Street Board feedback.



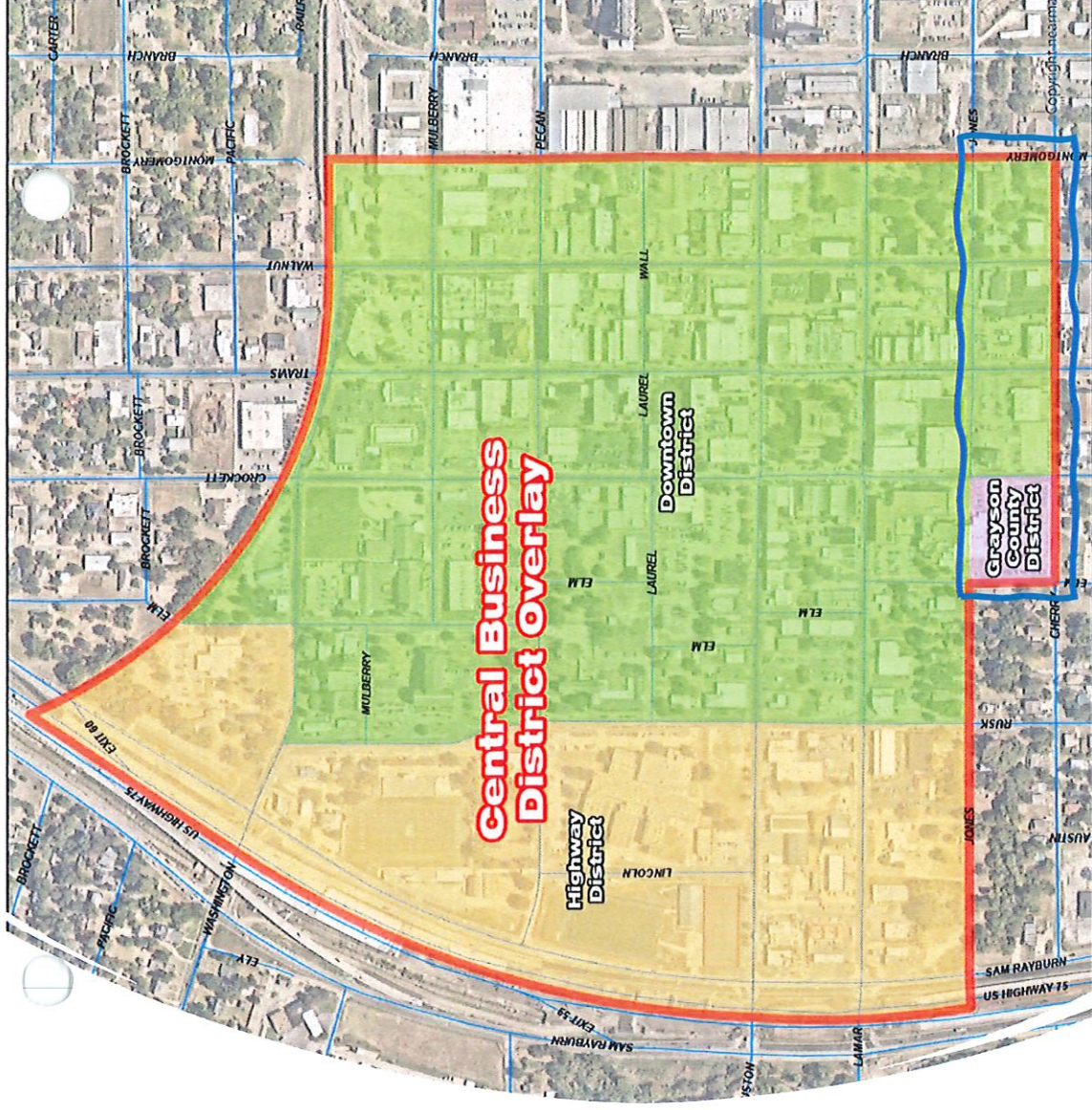
Arts & Cultural Overlay District

- Staff recommends removing the Arts and Cultural District
- Include the standards and permitted uses in the Arts & Cultural District in the Central Business District.



Central Business District Boundary Areas

- Staff recommends to extend the boundary south from Jones Street to Cherry Street.
- Staff recommends to create three sub-districts within the Central Business District Overlay
 - Downtown District
 - Highway District
 - Grayson County District (Requested by Grayson County)



Sherman
CLASSIC TOWN, BROAD HORIZON.



1 inch = 500 feet

Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

Building Design

- The purpose is to maintain the historical architecture and character of Sherman's Central Business District.
- As buildings are remodeled or newly constructed, these historical elements need to be preserved or enlarged.
- Building design standards are similar to the requirements of Sherman's other overlay district requirements.
- Masonry required, no metal or wood siding.
- "Distinctive architectural features, finishes, and construction techniques or examples of craftsmanship that characterize a building or structure should be preserved."
- "All buildings shall be architecturally finished with the same materials and details on all sides **that are visible from the public roadway.**"
- Additional architectural features: "If an existing historical building does not satisfy the requirements in this sub-section, it is exempt from these requirements."



Building Placement

■ Downtown District/Grayson County District

- 0 foot building setbacks
- 25 foot minimum lot width
- 2,000 sq. ft. minimum lot area
- 80 foot maximum building height
- Encroachment of balconies, awnings and canopies

■ Highway District

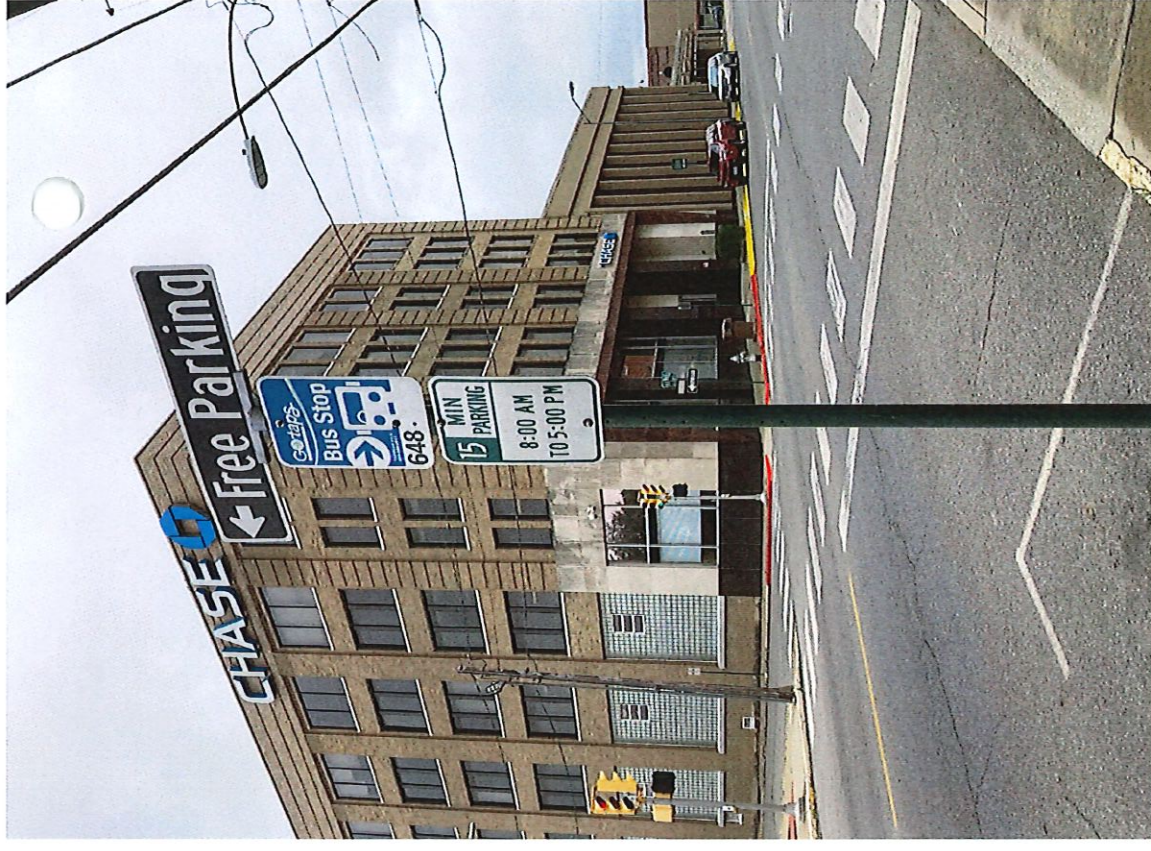
- 40 foot setback from US 75
- 25 foot setback from Houston/Lamar
- 15 foot setback from other streets
- 0 foot side and rear setbacks
- 50 foot minimum lot width
- 10,000 sq. ft. minimum lot area
- 50 foot maximum building height



#ShermanArts
@ShermanArts

Use Chart

- Separate Use Chart for the Central Business District Overlay
 - Downtown District and Grayson County District have same permitted uses with the exception of the jail use.
 - A Jail is permitted in the Grayson County District with an SUP.
 - Highway District has a different list of permitted uses including SUPs and Conditional Uses. (See separate sheet)
 - **Tattoo shops are permitted in the Downtown District with an SUP**



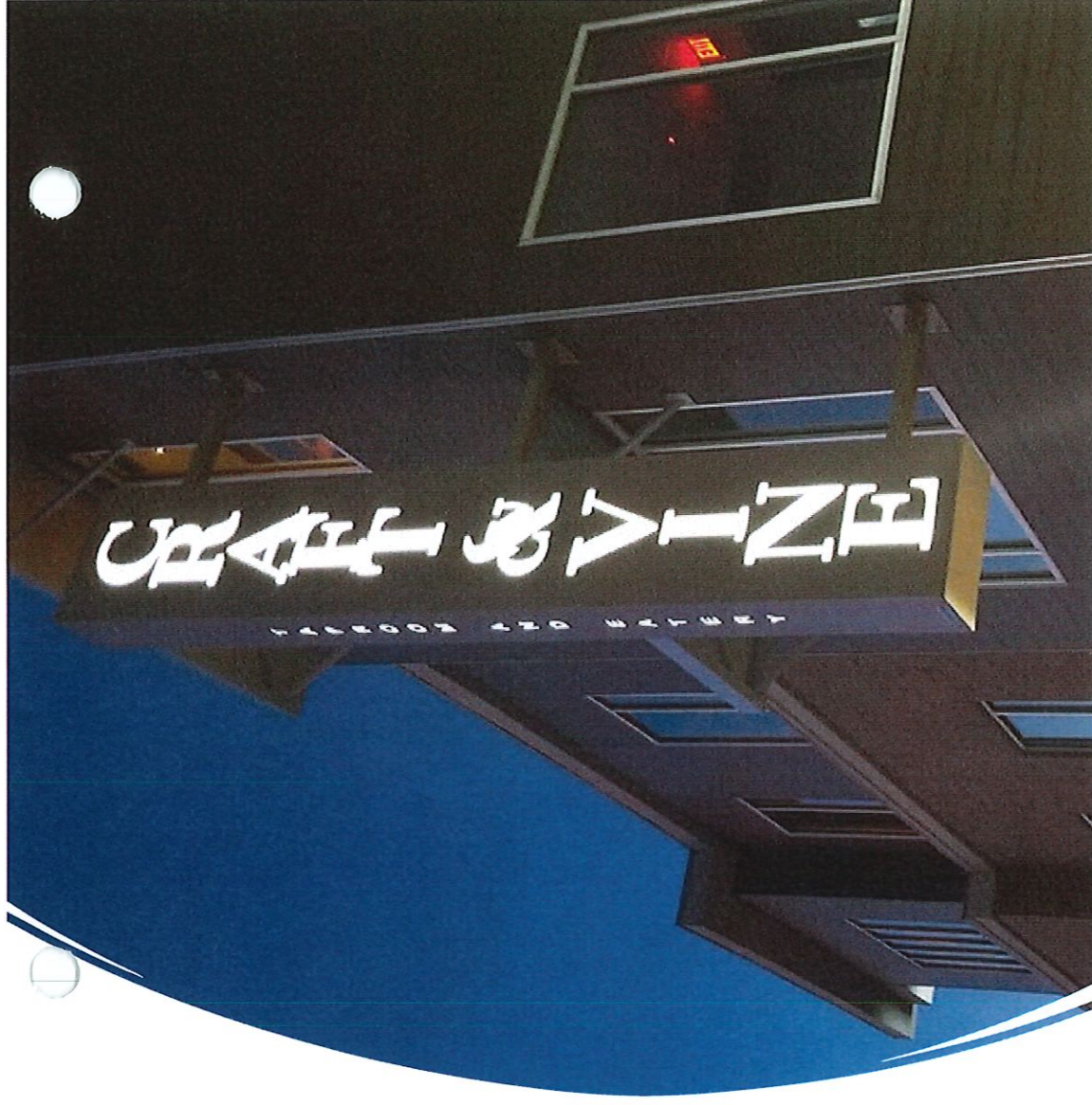
Signs

Downtown and Grayson County District

- No pole or pylon signs allowed
- Monument signs permitted
- Wall signs are permitted
- Projecting signs are permitted

Highway District

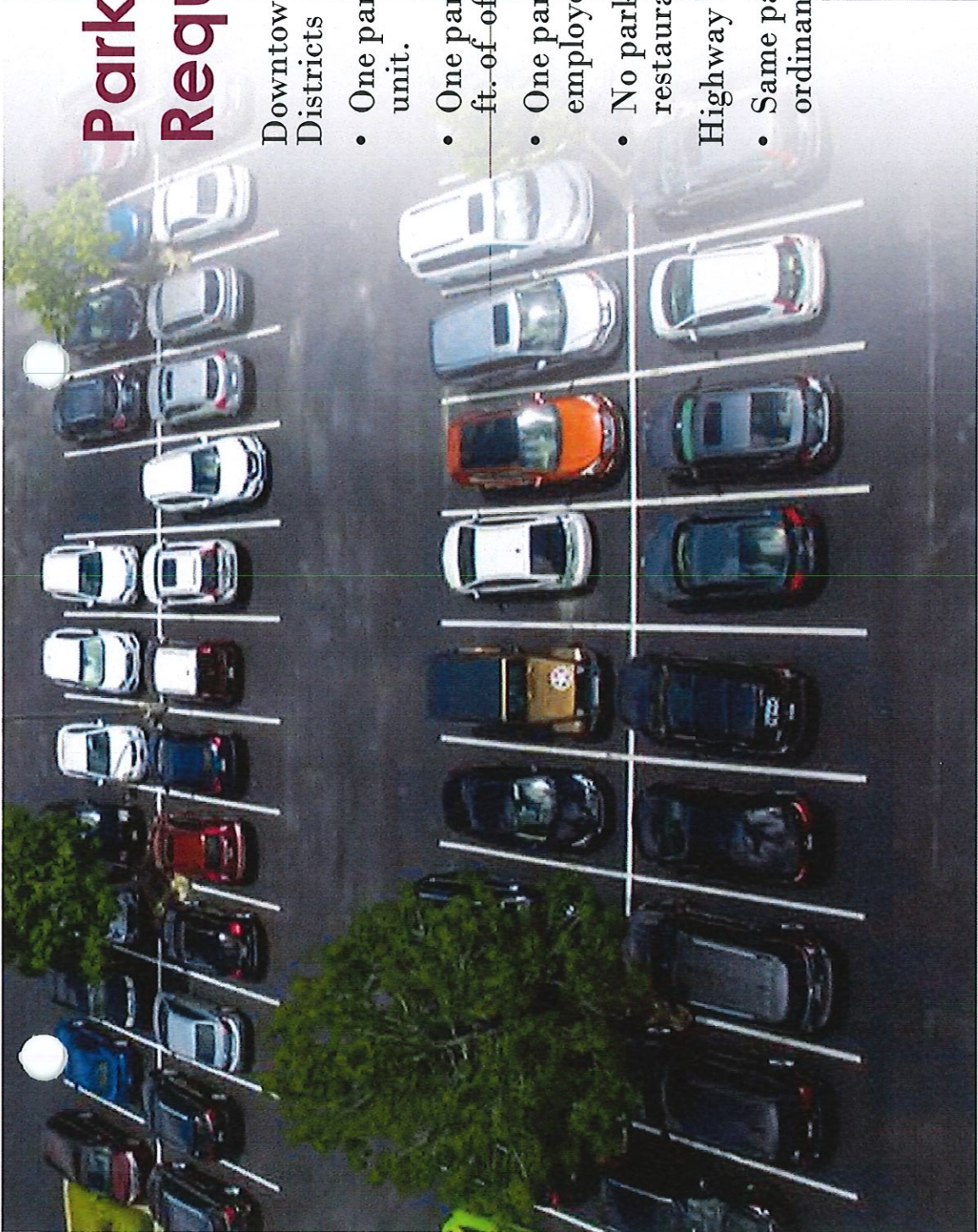
- One freestanding sign per lot
 - 25 feet setback
 - 300 sq. ft max area
 - 50 feet max height
- Corner lots may have one pole sign and one monument sign
 - Monument signs can be 10 feet setback
 - 8 feet in height
 - 80 sq. ft. max area
- Wall signs are permitted



Murals

- Only one mural per building
- Can cover then entire wall area but not above 40 feet high
- Murals cannot cover windows, doors and vents
- Must be painted with weather-resistant paint
- If the mural becomes faded, peeled and severely weathered, it must be repaired or removed within 60 days
- Murals may display the name or logo of the on-site tenant but cannot exceed more than 20% of the mural area. A sign permit is required for the advertisement portion of the mural.





Parking Requirements

Downtown and Grayson County Districts

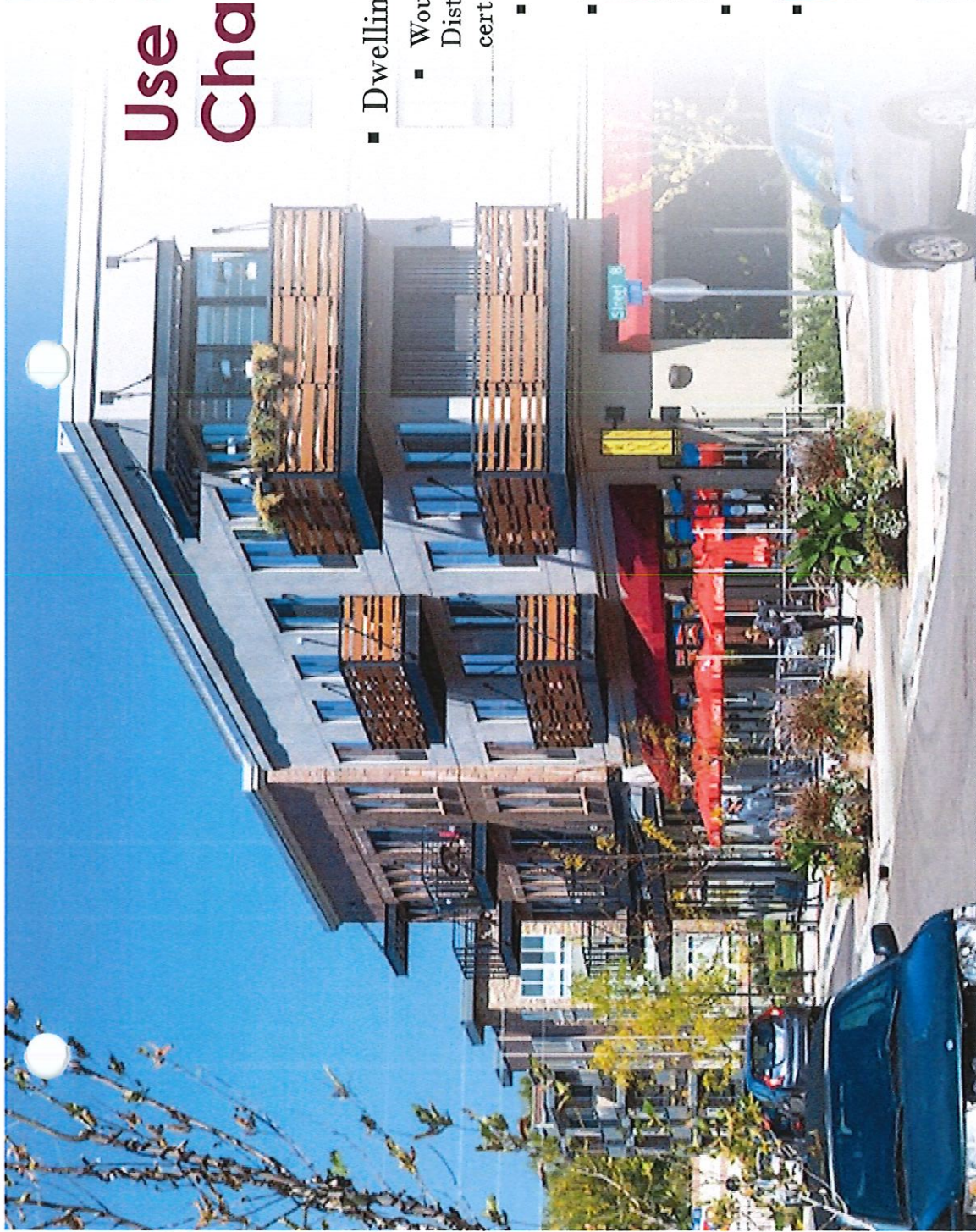
- One parking space for each residential unit.
- One parking space for every 400 sq. ft. of office floor area.
- One parking space for every 3 employees for the jail.
- No parking requirement for retail and restaurant uses.

Highway District

- Same parking requirement as zoning ordinance Section 14.04.003

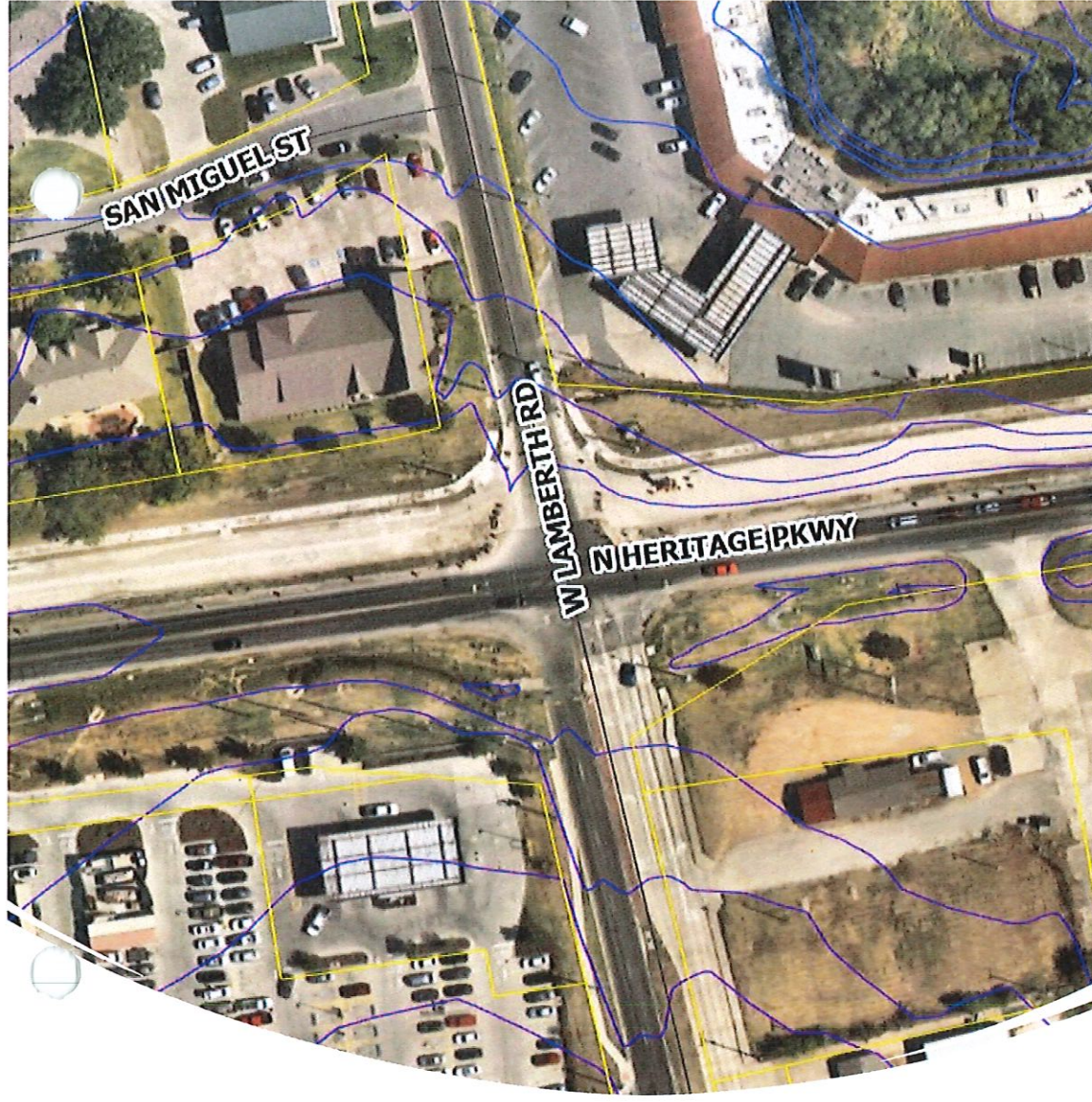
Use Chart Changes

- Dwelling, Multi-Family
 - Would be permitted in a C-1 District with an SUP based on certain conditions
 - To allow for vertical mixed use in urban settings
 - To allow for commercial on the first floor and residential units on the 2nd floor and above
 - Parking to follow the requirements of each use
 - No minimum number of residential units are required



Use Chart Changes

- Automobile Service Station
 - Would be permitted in a C-N District with an SUP
- Would be permitted in a C-1 District with certain conditions.
 - Fuel pumps and fuel tanks are not located within 300 feet of a single-family zoned property boundary.



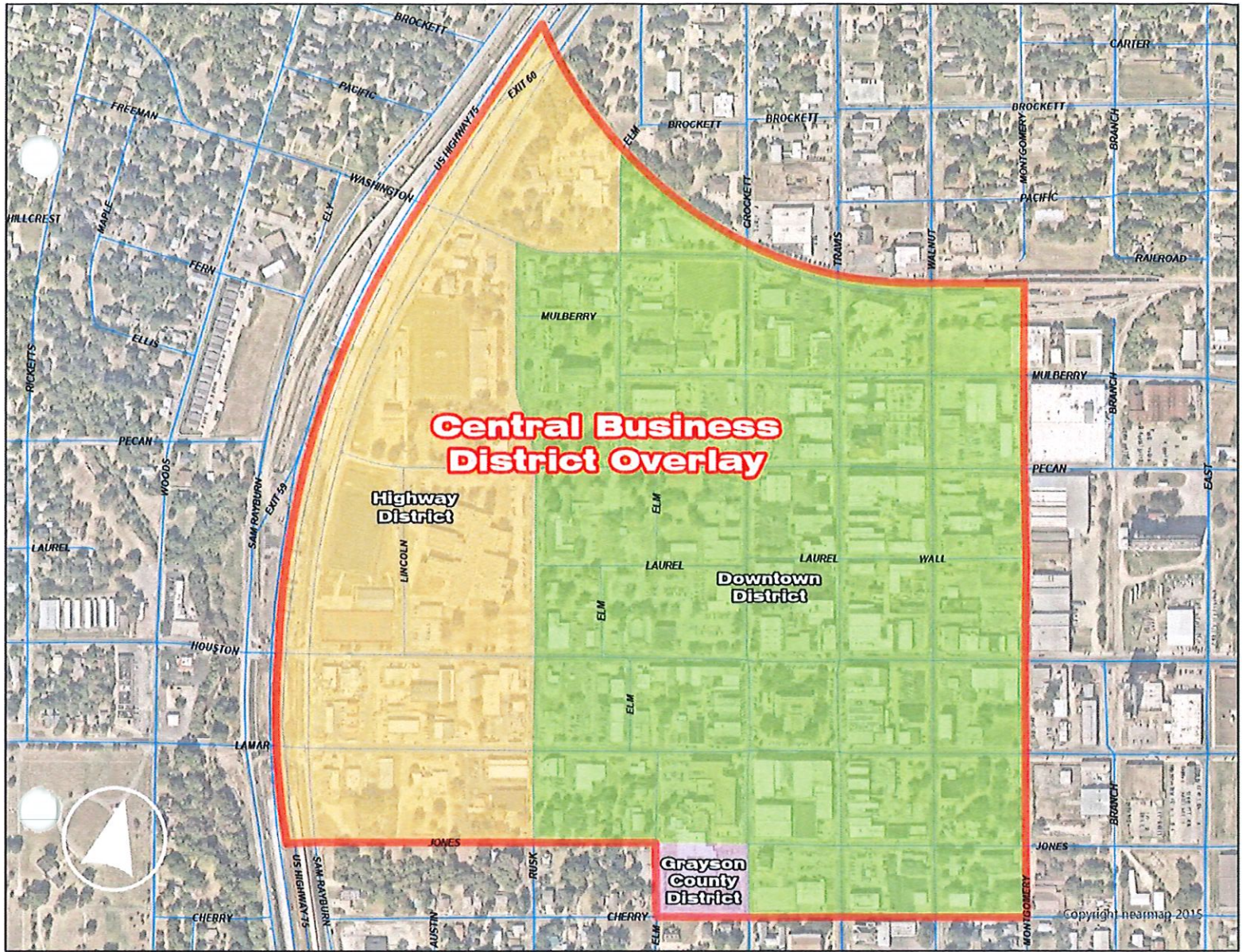
Central Business District Overlay Update

Next Steps

- July 17th – City Council Action

Questions & Discussion





Commission Member Manley asked Mr. Rae, “At what point does it trigger something greater than normal building maintenance?”

Mr. Rae replied, “Any building permits for remodels or renovations on the inside of the building would not apply to these regulations. It would only apply for the front façade and the outside part of the building.”

Chairman Mahone asked Mr. Rae, “Is there a reason why tattoo shops wouldn’t be allowed in the Highway District?”

Mr. Rae replied, “The Downtown District is our revised Arts and Cultural District which is why I added it back to the Downtown District and not to the Highway District.”

Chairman Mahone stated, “Tattoo shops should be eligible in the Highway Districts with a Specific Use Permit.”

Commission Member Manley asked Mr. Rae, “If a developer came in with a unique new idea to re-purpose a significant space that doesn’t add value to the downtown area, they could ask for a Variance?”

Mr. Rae replied, “That is correct.”

Commission Member Davis stated, “I would like the murals to have a maximum.”

Vice Chairman Downtain replied, “We could consider saying 20% not to exceed 300 square feet or 400 square feet.”

Commission Member Manley asked Mr. Rae, “If we put a limitation on a maximum square footage, 20% up to a maximum, it would only apply to a mural that included an advertisement for a business?”

Mr. Rae replied, “Yes, 40’ high, and as wide as the building on one side of the building.”

Chairman Mahone asked Mr. Rae, “What’s the idea of the doors not being painted? For example, if someone has a garage door and they wanted to paint something nice on it, is that a problem?”

Commission Member Blagg asked, “I don’t understand why the vents were excluded?”

Mr. Rae replied, “We can strip out the doors and vents and leave the windows.”

Vice Chairman Downtain stated, “At gas stations, it is no longer a pump where you fill up your car. The pump is in the tank, that is a dispenser.”

Mr. Rae replied, “I will update the language.”

Commission Member Sims asked Mr. Rae, "What happens with the gas station that was just approved?"

Mr. Rae explained, "It becomes existing non-conforming. As long as they are in a C-1 (Retail Business) District it is still permitted. The only difference is they would have to make sure the dispensers and the tanks are 300' away."

Vice Chairman Downtain replied, "You may want to add the language for the vent stats too as those could be at the rear of the building."

Commission Member Manley asked Mr. Rae, "Is this consistent with other municipalities?"

Mr. Rae replied, "I don't know the answer to that, but I do know that the International Fire Code has certain distance regulations for oil wells and gas wells that are less than this. Other cities have adopted more stringent regulations of 200' to 300' away from gas wells."

Luz Leszczynski, 407 West Cherry Street, Sherman, TX

Ms. Leszczynski stated, "I don't see why Cherry Street isn't in the Highway District. There is some potential commercial space in the corner. It was a previous gas station and there is a hotel in the area. Is it possible to extend the Highway District down to Cherry Street so it is covered in the future?"

Peter Tracy, 705 Valentine Drive, Sherman, TX

Mr. Tracy explained, "Ever since I was a little kid, we tried doing away with cigarette smoking and there's a cigarette on the Corley Law Firm mural. If we're trying to get our kids to stop or not take interest in that, we shouldn't have it depicted on the side of the building like that."

Vernon Krueger, 219 West Pecan Street, Sherman, TX

Mr. Krueger explained, "If they put these restrictions on my building it is going to cost a lot of money. If I want to redo my building, why are we changing this and having to come back down here and get a variance? As an individual business owner who looks at this ordinance in detail, I find two or three things that are going to cost me a whole lot of money either in time to come down here and go through a variance or to make these changes that are required to this proposed ordinance."

Chairman Mahone asked, "When do you think that these requirements would be imposed on your building?"

Mr. Krueger replied, "It is vague and ambiguous. Does this apply when I put a new roof on my building or have air conditioning work?"

Mr. Rae replied, "No."

Sarah McRae, 100 North Travis, Suite D, Sherman, TX

Ms. McRae explained, "Other Main Street cities have a Mural Review Board that covers ghost murals which are historically relevant murals to your city. They cover all the mural questions and if we ever wanted to entertain having one, I'm sure Main Street would help suggest people. There are other cities that share ordinances that have a lot of great advice on murals that have been doing it a lot longer than we have."

Stewart Holcomb, 1524 East Magnolia Street, Sherman,

Mr. Holcomb asked, "Can we get a definition for a historical building? There are historical designations on some of these buildings. Will that supersede whatever City Council comes up with?"

Mr. Rae explained, "As far as extending the boundaries along Cherry. The reason we decided not to include that in the proposed ordinance is because the current land uses along that are single family and there really isn't any other part of the downtown that has as much single family as that block does."

For the building requirements as mentioned last meeting these are all architectural standards. Most of those requirements would be on new development. Any existing building that's not being changed or renovated, they are not required to make any changes, and will not face any penalties. They are existing non-conforming, and they have those rights. It would fall into play when they want to improve the building and do something different."

Vice Chairman Downtain replied, "If you were to improve the building, how is that defined? Is a new roof improvement?"

Mr. Rae replied, "Yes, if they are re-shingling, re-taring the roof, they would get a roof permit. There are no requirements if it is regular maintenance."

As for the historical definition, we didn't include one. If this board has something that they would like us to enforce for that historical definition, for example any buildings over 50 years old or any buildings built before 1950, I would be open to a suggestion to include that in our recommendation to City Council."

Peter Tracy, 705 Valentine Drive, Sherman, TX

Mr. Tracy explained, "I went online to look up what the State of Texas and the National Historical Society considers a historical building, and they have a 50-year element on it. What the State of Texas and National Historical consider is that a 50-year-old structure, whether it's residential or commercial, must have had some sort of significant historical value whether it was in the construction of the building, or the structure was owned by someone who had historical significance. The stipulation that they put on it was that it would have to be returned to its original condition and could not be modified or changed in any manner."

Commission Member Manley asked Mr. Rae, “If the existing historical building does not satisfy the requirements in this subsection, it is exempt from these requirements. Why do we need the statement?”

Mr. Rae replied, “The reason I included that was because some of the buildings may have wood or metal.”

Chairman Mahone asked Ms. Cotton, “We have several topics, can we take single motions on each item, with the last motion being whether we accept or approve this or not, based on the previous motions?”

Ms. Cotton replied, “Yes then give a general representation based on the previous motions.”

No other citizens appeared before the Planning and Zoning Commission to discuss the Consideration of Amendments to the Central Business District Overlay and Use Chart.

ACTION TAKEN.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to modify the Tattoo Studio to include the Highway District with a Specific Use Permit. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY, SIMS AND WHITAKER

VOTING NAY: NONE.

MOTION CARRIED.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to consider a Mural Review Board, murals would not cover glass and signage not to exceed 300 square feet. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY, SIMS AND WHITAKER

VOTING NAY: NONE.

MOTION CARRIED.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to include ventilation stacks and ventilation systems. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, MANLEY, SIMS AND WHITAKER

VOTING NAY: DAVIS.

MOTION CARRIED.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Consideration of Amendments to the Central Business District

Overlay and Use Chart subject to the prior motions. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY, SIMS
AND WHITAKER
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
6:45 p.m.



CHAIRMAN



ACTING SECRETARY