

STATE OF TEXAS

§

May 16, 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 May 16, 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 5:08 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the April 18, 2023, regular meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Whitaker. All present voted AYE.

APPROVE MINUTES

MOTION CARRIED.

ANNOUNCEMENTS

There were no announcements.

ANNOUNCEMENTS

CITIZEN COMMENTS

There were no citizen comments.

CITIZEN COMMENTS

CONSENT AGENDA (ITEMS 6, 7, 9, 10, 11, 12 AND 13)

Consent Agenda items are considered routine and non-controversial items.

CONSENT AGENDA

Item 8 was removed from the Consent Agenda per Citizen request.

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve Items 6, 7, 9, 10, 11, 12 AND 13 on the Consent Agenda as presented subject to the Staff Review Letter. Second by Commission Member Manley. All present voted AYE.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF WILLIAM HARKINSON, SHERMAN CROSSROADS, LTD (OWNER), ALEK STRIMPLE, P.E. (REPRESENTATIVE), DAVID LAPP, LEVEL 5 (DEVELOPER) AND QUIDDITY (ENGINEER/LAND SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3600 BLOCK CROSSROADS BOULEVARD, CONSISTING OF 1.00 ACRE IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AND IS CURRENTLY LOCATED IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT/PD (PLANNED DEVELOPMENT), AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT OF SHERMAN CROSSROADS COMMERCIAL ADDITION

FINAL PLAT –
SHERMAN
CROSSROADS
COMMERCIAL
ADDITION
3600 BLOCK
CROSSROADS
BOULEVARD
(WILLIAM
HARKINSON,
SHERMAN
CROSSROADS, LTD)

The property is located at 3600 Block Crossroads Boulevard between West Travis Street and West FM 1417 and located in the Blalock Industrial Park Planned Development/Blalock Commercial Overlay District. The owner is requesting to plat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF JAMES AND LEAH HARRISON (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1411 EAST CHAFFIN STREET, CONSISTING OF 0.273 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT OF 1411 EAST CHAFFIN ADDITION

FINAL PLAT – 1411
EAST CHAFFIN
ADDITION
1411 EAST CHAFFIN
STREET
(JAMES AND LEAH
HARRISON)

The property is located at 1411 East Chaffin between North Lee Street and North Grand Avenue. The owner is requesting to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF MICHAEL BELL, DARRYL JOHNSON, HMI – SHERMAN 592, LLC AND TERRI ANN JOHNSON (OWNERS), RLG ENGINEERING (ENGINEER) AND WALKER, WARREN & JORDAN SURVEYING & MAPPING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 592 LUELLA ROAD, CONSISTING OF 174.85 ACRES, BEING A PART OF PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AND IS CURRENTLY LOCATED IN THE ETJ (EXTRA TERRITORIAL JURISDICTION), AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT OF HMI – SHERMAN NO. 1

The property is located at 592 Luella Road in the ETJ (Extra Territorial Jurisdiction) at the intersection of Cliff Hestand Rd and Luella Road. The property owner would like to plat the property into three lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF JOSE MENJIVAR (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 50 HIGH COUNTRY ROAD, CONSISTING OF 2.255 ACRES, BEING A PART OF ALFRED HUME SURVEY, ABSTRACT NO. 522, AND IS CURRENTLY LOCATED IN THE ETJ (EXTRA TERRITORIAL JURISDICTION), AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT OF MENJIVAR HIGH COUNTRY ADDITION, LOT 1, BLOCK A

The property is located at 50 High Country Road in the ETJ (Extra Territorial Jurisdiction) between Plainview Road and Mountain Climb Road. The property owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT –
HMI – SHERMAN NO.

1
592 LUELLA ROAD
(MICHAEL BELL,
DARRYL JOHNSON,
HMI – SHERMAN 592,
LLC AND TERRI ANN
JOHNSON)

PRELIMINARY PLAT –
MENJIVAR HIGH
COUNTRY ADDITION,
LOT 1, BLOCK A
50 HIGH COUNTRY
ROAD
(JOSE MENJIVAR)

PUBLIC HEARING AND REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF A-S 71 SHERMAN-PHASE III, LP AND PANINA, INC. (OWNERS), GREYSTAR DEVELOPMENT CENTRAL, LLC (DEVELOPER) AND KIMLEY-HORN AND ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 601-701 BLOCK GRAHAM DRIVE, CONSISTING OF 20.196 ACRES IN THE JAMES H. CLARK SURVEY, ABSTRACT 273 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1137, BEING ALL OF LOT 1A, BLOCK 1 OF SHERMAN TOWN CENTER SECTION TWO, AND CURRENTLY ZONED MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:

PLANNING & ZONING COMMISSION

PUBLIC HEARING AND REPLAT FOR SHERMAN TOWN CENTER 3.

PUBLIC HEARING

**AND REPLAT –
SHERMAN TOWN
CENTER 3**

**601-701 BLOCK
GRAHAM DRIVE (A-S
71 SHERMAN-PHASE
III, LP AND PANINA,
INC.)**

The property is located at 601-701 Block Graham Drive at the corner of Graham Drive and Town Center Street. The owner would like to plat the property into two lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN CROSSROADS, LTD (OWNERS) AND A&W SURVEYORS (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3320-3550 BLOCK CROSSROADS BOULEVARD, CONSISTING OF 5.65 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AND BEING LOT 6R, BLOCK 2, OF SHERMAN CROSSROADS, PHASE II, AND IS CURRENTLY ZONED PD (PLANNED DEVELOPMENT)/ BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT OF SHERMAN CROSSROADS, PHASE IV, LOTS 28, 29, 30, & 31, BLOCK 2

**REPLAT – SHERMAN
CROSSROADS,
PHASE IV, LOTS 28,
29, 30, & 31, BLOCK 2
3320-3550 BLOCK
CROSSROADS
BOULEVARD
(SHERMAN
CROSSROADS, LTD)**

The property is located at 3320-3550 Block Crossroads Boulevard between West FM 1417 and West Travis Street. The owner would like to plat the property into four lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF DOUGLAS LAMB, SHERMAN MACHINE, INC. (OWNER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1622 SOUTH FIRST STREET, CONSISTING OF 1.355 ACRES, BEING A PART OF PRESTON KITCHEN SURVEY,

**PRELIMINARY PLAT –
SHERMAN MACHINE
ADDITION**

**1622 SOUTH FIRST
STREET (DOUGLAS**

ABSTRACT NO. 667, AND IS CURRENTLY ZONED M-1 (LIGHT MANUFACTURING) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT OF SHERMAN MACHINE ADDITION

LAMB, SHERMAN
MACHINE, INC.)

The property is located at 1622 South First Street between East Lake Street and East Centennial Street. The property owner would like to plat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN

THE REQUEST OF GOURI JOSHI, MANOVA PROPERTIES, LLC (OWNER), GREG GUERIN, EAST STAR DESIGN (REPRESENTATIVE/ARCHITECT) AND L-R SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 5100 LIBERTY HILL TRAIL, CONSISTING OF 2.153 ACRES, BEING ALL OF LOT 1, BLOCK G AUSTIN LANDING, PHASE ONE IN THE ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42, AND CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN FOR A FUEL STATION

SITE PLAN – FUEL
STATION
5100 LIBERTY HILL
TRAIL
(GOURI JOSHI,
MANOVA
PROPERTIES, LLC)

The property is located at 5100 Liberty Hill Trail between Wisteria Lane and North Travis Street. The owner is requesting Site Plan approval for a Fuel Station. This item was removed from consent.

REMOVED FROM
CONSENT

Greg Guerin, P.O. Box 53, Forney, TX 75126

Mr. Guerin explained, "The owner is requesting a Site Plan approval for a fuel station. The layout we chose was in response to Staff's concern about the back of the building facing the corner. The first submittal had the building on the corner and fuel canopy screened. We have a 200' electrical easement at the top right corner that is non-buildable. I did a redesign and rotated the canopy to provide more storm water detention."

Terrance Steele, 5200 Ambergate Lane, Sherman, TX 75092

Mr. Steele explained, "I am the Homeowners Association President for Austin Landing. Tonight, I am not speaking on the zoning because the property is correctly zoned C-1 (Retail Business) District, I am speaking about fit. Mr. Rae is aware that I am the President of the Homeowners Association, and he presented me their first Site Plan which had the building facing the Sherman residents. Today around eleven o'clock I got another plan that included the detention pond. I am not saying that the property owner shouldn't develop something on that property, I am saying he shouldn't be allowed to develop this project. Just because the property is zoned appropriately doesn't mean anything should be allowed to go there when it

creates health and safety issues. That is why Site Plans are called for being approved through this Planning and Zoning Commission.

There are several scientific studies that have documented an increased risk of cancer and other adverse health effects among those living within 500' to 1,000' of a gas station. The risk is due to Benzene and other harmful compounds released from underground gasoline storage tanks, vents and pumps.

We are all aware the biggest financial investment that a person can make is in buying a home. We believe that once we buy our homes, they will increase in property value. This gas station in this residential neighborhood could depress the value of the homes not only within view site of those homes but even with distance. The United States Department of Housing and Urban Development will not allow an FHA (Federal Housing Administration) insurance of a property within three hundred feet of a gas station that has storage tanks with the compacity of 1,000 gallons or more of flammable or expansive material. All gas stations have tanks with the capacity of over 1,000 gallons therefore those who own homes within 300' are likely to experience greater difficulty in selling their homes and in some cases, getting insurance on their homes."

Susannah Strocher, 5006 Liberty Hill Trail, Sherman, TX 75092

Ms. Strocher explained, "My property is located at the corner of Liberty Hill Trail and Wisteria Lane. The entrance and exit that they have on Wisteria Lane concerns me for the young children in the neighborhood. We have a green belt that runs behind the homes. People are walking, riding bikes and walking dogs. That exit into our neighborhood should not be allowed. Keep our kids safe."

Geddy Grady, 411 Woodbine Drive, Sherman, TX 75092

Mr. Grady explained, "I turn onto Wisteria Lane a lot. I know we can't stop progression; I agree that the gas station is the wrong fit in the wrong area. I am not sure if there has been a traffic study done. We have major accidents between that intersection and Northcreek Drive which are the two major entrances into our neighborhood. The entrance on Wisteria Lane is a horrible idea. This neighborhood is very active."

Kyle Rogers, 506 Woodbine Drive, Sherman, TX 75092

Mr. Rogers explained, "My concern is that we have grandchildren, kids playing, and we already have traffic through there of people that don't live in that community. We feel this will bring a larger capacity from the people who can't get out on Travis Street."

Mr. Guerin stated, "In response to the fuel tank it will be designed per the National standards UL-142 tanks."

Chairman Mahone asked Mr. Guerin, "How many gallons is it expected to be?"

Mr. Guerin replied to Chairman Mahone, “1,000 gallons.”

Commission Member Manley asked Mr. Guerin, “Do you know if the owner is going to sell alcohol or tobacco out of this location?”

Mr. Guerin replied, “Usually there is.”

Commission Member Manley asked Mr. Rae, “Is there anything in the C-1 (Retail Business) District that requires a Specific Use Permit?”

Mr. Rae replied, “Not for a convenience store. They are required to get an alcohol permit from the City Clerk’s office.”

Chairman Mahone requested an Executive Session and stated, “The Planning and Zoning Commission will now hold a closed Executive Session pursuant to the Texas open meetings act at Section 551.001 to consult with the City Attorney.”

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned for an Executive Session at 5:32 p.m.

ADJOURNMENT

RECONVENE

The Executive Session closed, and the meeting reconvened at 5:35 p.m.

RECONVENE

Commission Member Blagg asked Mr. Lee, “Is there any other solution for the second egress that is required?”

Mr. Lee replied to Commission Member Blagg, “They are going to need two egresses. TxDOT has rules of how close the driveway can be to an intersection. Having a second egress on Travis Street would violate TxDOT requirements. We don’t have much distance between Wisteria Lane and Travis Street to put something on Liberty Hill Trail.”

Commission Member Blagg replied, “Is there any process with TxDOT for Variances?”

Mr. Lee replied to Commission Member Blagg, “Occasionally, but you’d have to get closer to that intersection. That existing driveway may be close to begin with. With the other development to the north, we are recommending both developments create one shared driveway to Travis Street.”

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance and Site Plan.

ACTION TAKEN.

Planning and Zoning Commission

Motion by Commission Member Davis to approve the Site Plan located at 5100 Liberty Hill Trail subject to the Staff Review letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, BLAGG, WHITAKER AND MANLEY
VOTING NAY: NONE.
MOTION CARRIED.

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

PUBLIC HEARING, VARIANCE AND SITE PLAN

THE REQUEST OF VEIN CENTER OF NORTH TEXAS PROPERTIES, LLC (OWNER), DAVID BACA (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1325 NORTH TRAVIS STREET, CONSISTING OF 0.626 ACRES, BEING A PART OF J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED C-O (OFFICE) DISTRICT/SAM RAYBURN OVERLAY AS FOLLOWS:
BOARD OF ADJUSTMENT

- A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.03.003(5)(A) TO ALLOW A 11'4" SIDE YARD SETBACK FOR THE EXISTING STRUCTURE LINE IN LIEU OF THE REQUIRED 15'.

PLANNING AND ZONING COMMISSION

- B. SITE PLAN FOR VEIN CENTER OF NORTH TEXAS

The property is located at 1325 North Travis Street at the intersection of West Belden Street and North Travis Street.

David Baca, 100 North Travis Street, Sherman, TX 75090

Mr. Baca explained, "The owner is requesting a Variance for a side yard setback for the existing structure. They are also requesting Site Plan approval for Vein Center of North Texas."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Baca replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance and Site Plan.

ACTION TAKEN.

Board of Adjustment

Motion by Vice Chairman Downtain to approve the Variance located at 1325 North Travis Street subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS AND MANLEY
VOTING NAY: NONE.
MOTION CARRIED.

**PUBLIC HEARING,
VARIANCE – SIDE
YARD SETBACK**

**SITE PLAN –
VEIN CENTER OF
NORTH TEXAS**

**1325 NORTH TRAVIS
STREET
(VEIN CENTER OF
NORTH TEXAS
PROPERTIES, LLC)**

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Site Plan located at 1325 North Travis Street subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

PUBLIC HEARING, VARIANCE AND REPLAT

THE REQUEST OF JAVIER MONTANO, JDM BUILDERZ, LLC (OWNER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 921 SOUTH WILLOW STREET, CONSISTING OF 0.173 ACRES, BEING A PART OF LOT 3 AND LOT 4, BLOCK 5 OF THE EPPSTEIN ADDITION, AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT

- A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006 TO ALLOW A 94.20' LOT DEPTH IN LIEU OF THE REQUIRED 100 LOT DEPTH.

PLANNING AND ZONING COMMISSION

- B. PUBLIC HEARING AND REPLAT OF MONTANO ADDITION

PUBLIC HEARING,
VARIANCE – LOT
DEPTH

REPLAT – MONTANO
ADDITION

921 SOUTH WILLOW
STREET
(JAVIER MONTANO,
JDM BUILDERZ, LLC)

The property is located at 921 South Willow Street between East Epstein Street and East Thomas Street.

Javier Montano, 914 East Spring Street, Sherman, TX 75090

Mr. Montano explained, "The owner is requesting a Variance for the lot depth for a new structure. The owner would also like to plat the property into one lot for residential development."

Chairman Mahone asked Mr. Montano, "Is this an empty lot?"

Mr. Montano replied to Chairman Mahone, "Yes."

Chairman Mahone asked Mr. Rae, "The Ordinance says that the lot has to be at least 100' deep. Is there a certain requirement for square footage of the lot?"

Mr. Rae replied to Chairman Mahone, "It is 6,000 square feet in an R-6 (Single Family Residential) District."

Mr. Montano stated, "It is 7,400 square feet."

Commission Member Davis asked Mr. Montano, "How many lots is this?"

Mr. Montano replied, "It is one lot."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Montano replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment

Motion by Commission Member Manley to approve the Variance located at 921 South Willow Street subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Replat located at 921 South Willow Street subject to the Staff Review letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

PUBLIC HEARING, VARIANCE AND REPLAT

THE REQUEST OF JOSE LUIS HERNANDEZ AND DAVID BACA (OWNERS) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 211 AND 215 NORTH RICKETTS STREET, CONSISTING OF 0.311 ACRES, BEING A PART OF THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:

BOARD OF ADJUSTMENT

- A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006 TO ALLOW A 50' LOT WIDTH IN LIEU OF THE REQUIRED 60' LOT WIDTH FOR LOT 14R-2.

PLANNING AND ZONING COMMISSION

- B. PUBLIC HEARING AND REPLAT OF LOT 14 PARKVIEW ADDITION, BEING A REPLAT OF LOT 14 AND THE ADJACENT 15' ALLEY, IN THE PARKVIEW ADDITION.

The property is located at 211 and 215 North Ricketts Street between West Laurel Street and West Pecan Street.

David Baca, 100 North Travis Street, Sherman, TX 75090

**PUBLIC HEARING,
VARIANCE – LOT
WIDTH**

**REPLAT –
PARKVIEW
ADDITION**

**211 AND 215 NORTH
RICKETTS STREET
(JOSE LUIS
HERNANDEZ AND
DAVID BACA)**

Mr. Baca explained, "We are requesting a Variance for the lot width. We would also like to plat the property into one lot for residential development. There was an alley that we got abandoned through the City. We are Replatting the lots to take that alley in. In the Replat of these two lots we have one lot that conforms to the current zoning and the other lot which is currently a 45' wide lot that we are expanding to 50'."

Chairman Mahone asked Mr. Baca, "Are there structures on the lots."

Mr. Baca replied, "Not on the north lot, but there is an existing house on the south lot."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Baca replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment

Motion by Vice Chairman Downtain to approve the Variance located at 211 and 215 North Ricketts Street subject to the Staff Review letter. Second by Commission Member Manley.

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

VOTING NAY: NONE.

MOTION CARRIED.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Replat located at 211 and 215 North Ricketts Street subject to the Staff Review letter. Second by Commission Member Manley.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

PUBLIC HEARING AND ZONE CHANGE

THE REQUEST OF KEVIN ELDRIDGE, INVESTMENT CATALYST, LLC (OWNERS), DAVID KALHOEFER, PELTON LAND SOLUTIONS (REPRESENTATIVE) AND PELTON LAND SOLUTIONS (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 1901-2501 BLOCKS EAST PECAN ROAD AND THE 4801-4901 BLOCKS PARK VISTA BOULEVARD,

**PUBLIC HEARING
AND ZONE CHANGE
– PD (PLANNED
DEVELOPMENT) OF
PECAN GROVE
ESTATES**

CONSISTING OF 252.52 ACRES BEING A TRACT OF LAND SITUATED IN THE THOMAS J. SHANNON SURVEY, ABSTRACT NO. 1136, THE R.O. BARRETT SURVEY, ABSTRACT NO. 186, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE HILLARD JENNINGS SURVEY, ABSTRACT NO. 639, AND THE SAMUEL M. MCGLOTHLEN SURVEY, ABSTRACT NO. 811, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND ZONE CHANGE FOR A PD (PLANNED DEVELOPMENT) OF PECAN GROVE ESTATES.

The property is located at 1901-2501 East Pecan Road and 4801-4901 Park Vista Boulevard between North Highway 75 and Texoma Parkway.

David Kalhoefer, 11000 Frisco Street, Suite 400, Frisco, TX 75033

Mr. Kalhoefer explained, "The owner is requesting a Zone Change for the Planned Development of Pecan Grove Estates. We are proposing a mixture of uses based on the requirements of the Planned Development. Currently the whole property is zoned R-6 (Single Family Residential) District. We are looking at providing R-12 (Single Family Residential) District, R-6 (Single Family Residential) District, R-5 (Single Family Residential) District, R-4 (Patio Home Residential) District, MF-15 (Multi-Family Residential) District, MF-30 (Multi-Family Residential) District and about 4 acres of Commercial."

Mr. Kalhoefer presented the following:

1901-2501 BLOCKS
EAST PECAN ROAD
AND THE 4801-4901
BLOCKS PARK
VISTA BOULEVARD
(KEVIN ELDRIDGE,
INVESTMENT
CATALYST, LLC)



PECAN GROVE ESTATES

1901-2501 E PECAN & 4801-4901 PARK VISTA
BLVD, SHERMAN TX

#23-002212

DAVID KALHOEFER | 469.213.1800



LOCATION MAP

PECAN GROVE ESTATES
LOCATION MAP

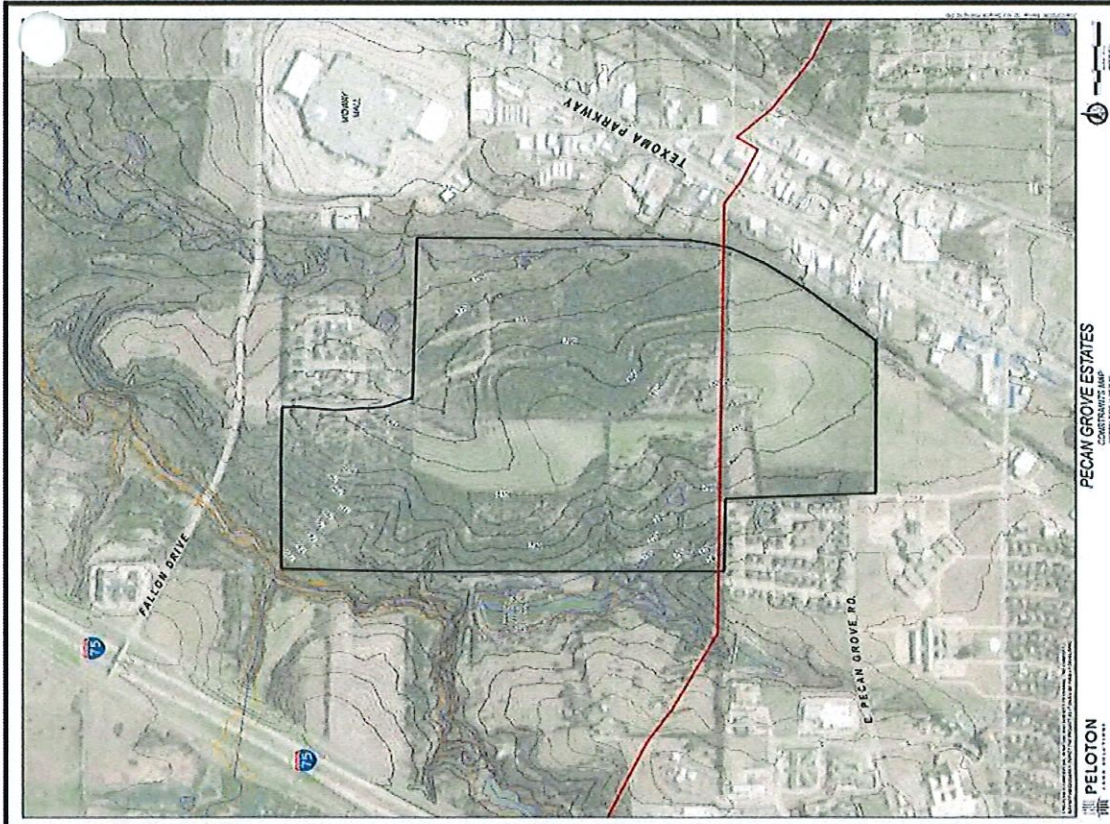
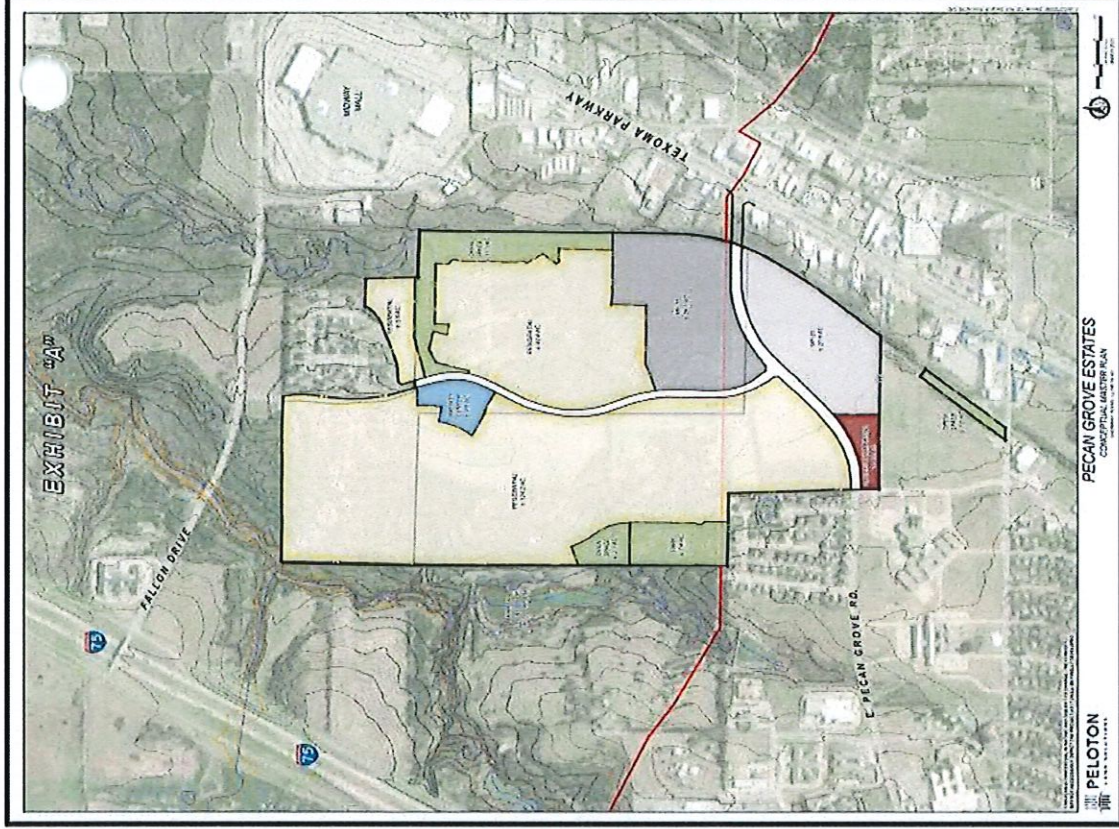


EXHIBIT A MASTER PLAN

PECAN GROVE ESTATES
CONCEPTUAL MASTER PLAN

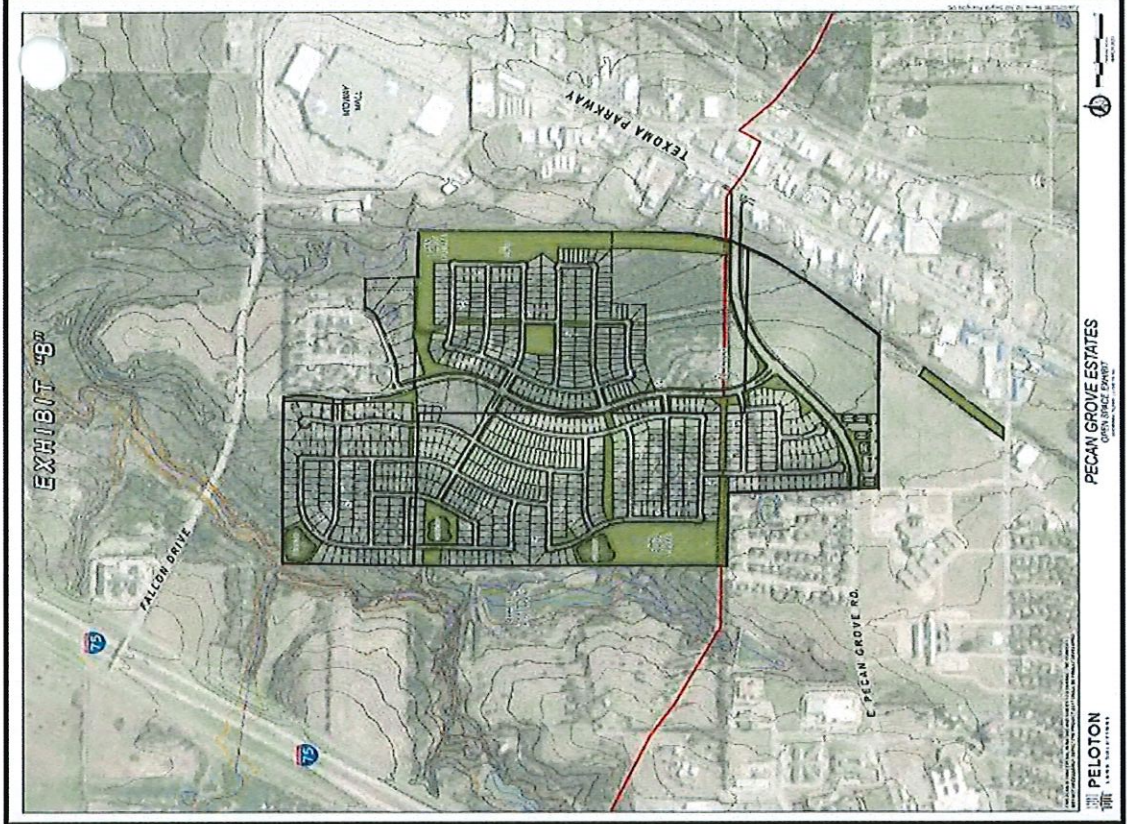


PECAN GROVE ESTATES PROPOSED SITE PLAN



EXHIBIT B OPEN SPACE PLAN

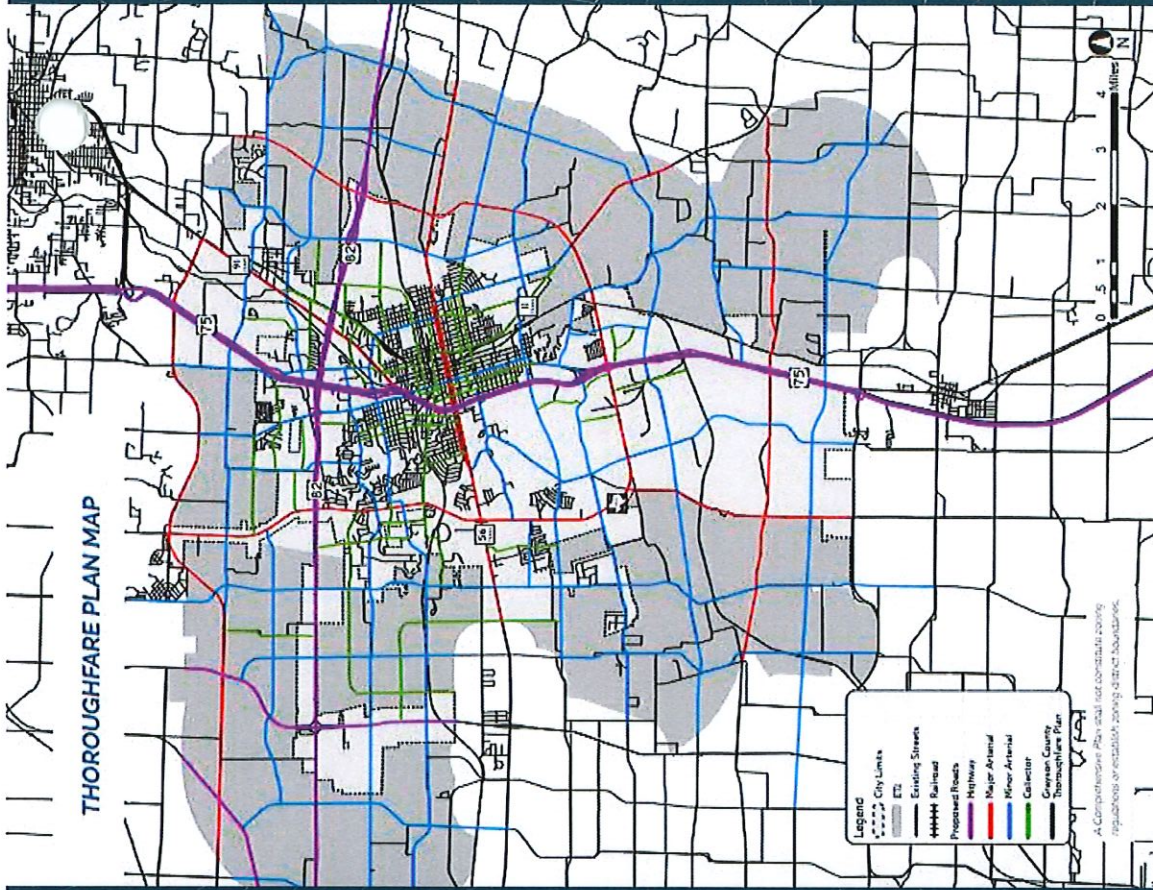
PECAN GROVE ESTATES
OPEN SPACE EXHIBIT



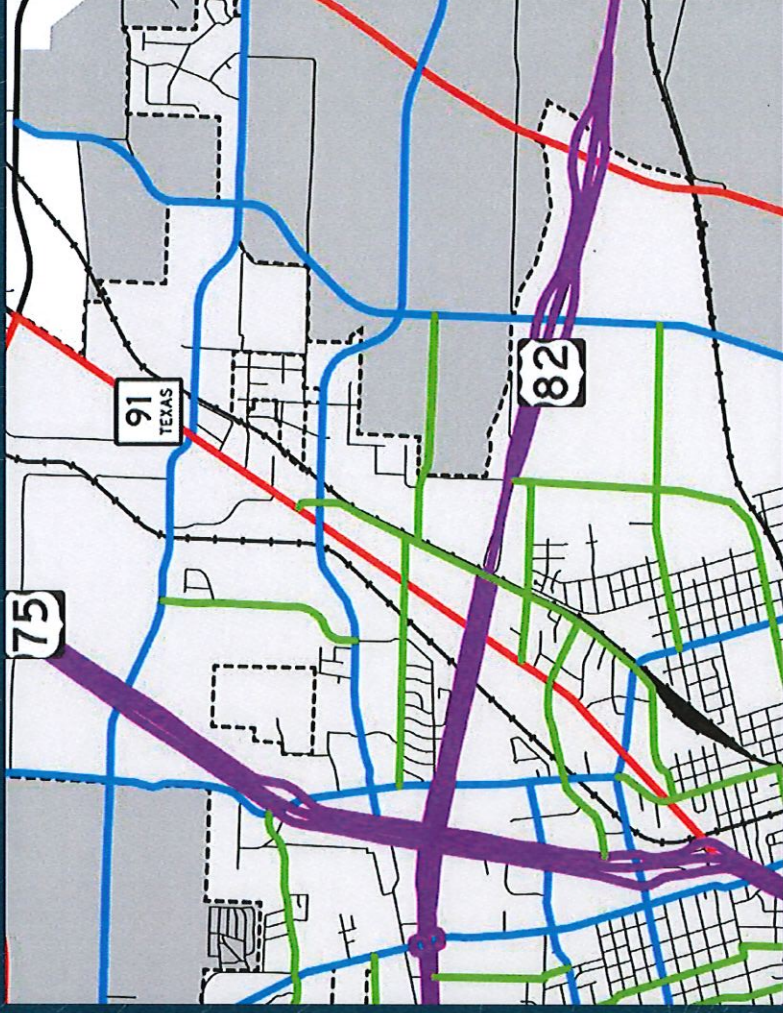
SHERMAN MASTER THOROUGHFARE PLAN(MTP)

PER CITY OF SHERMAN 2022
COMPREHENSIVE PLAN

THOROUGHFARE PLAN MAP



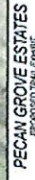
SHERMAN MASTER THOROUGHFARE PLAN(MTP)



PECAN GROVE ESTATES
THOROUGHFARE PLAN



PECAN GROVE ESTATES PROPOSED TRAIL PLAN





QUESTIONS?

Becky Burtner, 1801 East Pecan Grove Road, Sherman, TX 75090

Ms. Burtner explained, “I am not opposed to growth. My house is going to be the closest one to the apartments and commercial development. I do not want a vape shop or tattoo parlor catcorner from my house. The property value would tank in a heartbeat. It would be a better use of the commercial area to be closer to where it is already commercial instead of in the middle of our residential area.

Besides the value of our property, traffic is also a concern. Luther Knox is not passible going or coming. You approved the apartments where Medical Plaza used to be, which is a minute from my house. That is more than 400 places for cars, not counting the visitors and you granted an exception. They don’t have enough parking spaces planned for all the units that they have. If they fill the spaces up, they will end up on the street. Calais Street is not passible most of the day because the employees of the hospital park there. We worry about anyone needing any medical attention with the ambulance having a hard time getting down the street. There are only two streets, Luther Knox which will dead end in my front yard and Calais which is already backed up. If we are building for the Texas Instruments Engineers none of them are going to move into a 1,000 square foot house.”

Virginia Smith, 4807 Vivaldi Crossing, Sherman, TX 75090

Ms. Smith explained, “I live in the subdivision north of the pink lots and there is a pond. I am not sure how they are going to make that go away. 719 lots and everyone has two cars, that is over 1,400 cars, and that does not include apartments. There is one fire station with one truck and one ambulance, it is frightening. 40’ lots are too small so let’s pause on this. There is so much going on in the city right now.”

Russell Spears, 4808 Park Vista Boulevard, Sherman, TX 75090

Mr. Spears explained, “When I bought my lot where the pink lots are, there was supposed to be a park in Phase Two of that development. They ended up selling all that land. I appreciate the size of the lots, but we want bigger lots instead of the regular size lots.

What is the event center?”

Robert Cox, 4811 Vivaldi Crossing, Sherman, TX 75090

Mr. Cox explained, “I am not against the project but the way it was presented. With 719 houses coming in and the school zones for Dillingham Middle School and Neblett Elementary School there is not really an approved exit on Highway 91 and Fallon Drive is full of hills. When you are trying to get in and out on Pecan Grove Road there could be cars coming as you pull out, but you won’t see them until they are on that hill. If this is going to happen, then there needs to be a way to control

that. My other concern is there is only one water tower and utilities area by the schools. There has to be a plan in place that we can count on that we will continue to have water and sewage.”

Dr. Ron Nieman, 1809 Verdi Lane, Sherman, TX 75090

Mr. Nieman explained, “My biggest concern is that I have seen this in the past, in Texas, where the city will begin the build out, which is understandable, and right now there is a lot of pressure to do that with how fast Texas Instruments is moving. We don’t have the infrastructure in place. The roads we have today won’t handle the traffic, Fallon Drive would have to be redone. I worry about water rationing which I have seen in the past, and I worry about electricity. I don’t think our power grid is where it should be. If we get too far ahead of ourselves, we won’t have enough power. It would be nice if we could see more green belts around the area as well as a separate entrance on to Fallon Drive for the subdivision that is coming in adjacent to Vista Norte.”

Blair Weaver, 3803 Merrimac Drive, Sherman, TX 75090

Mr. Weaver said, “Have there been any traffic studies done by the proposed developer or the city? Does the city have any current plans for the expansion of the roads? We have a major issue with traffic now.”

Kathy Beckhem, 4803 Vivaldi Crossing, Sherman, TX 75090

Ms. Beckhem said, “What size home does an R-12 (Single Family Residential) District need to be? My concerns are like the others with traffic from 700 plus homes and infrastructure. I believe infrastructure needs to come before anything. That is a lot of development before the infrastructure. Has an environmental assessment study been done on the land where the pink lots are for water control?”

James Wright, 3707 Merrimac Drive, Sherman, TX 75090

Mr. Wright explained, “A lot of folks don’t realize the storm drain system that goes on the East side of Pecan Grove Village. It all runs from the school properties. With the other development we are going to have a lot more going that way as well. We get a large rush of water every time it rains behind our homes. There needs to be a wider easement for the storm drain system to go. When there was three inches of rain it had overflowed the section where the creek is.”

The following opposition emails and letters have been received for 1901-2501 East Pecan Road and 4801-4901 Park Vista Boulevard Zoning request:

Marlow, Lauren

From: Planning
To: Scott Sanford
Subject: RE: concerning 1901-2501 Blocks East Pecan Road and the 4801-4901 Blocks Park Vista Boulevard zone change

From: Scott Sanford
Sent: Thursday, May 4, 2023 4:27 PM
To: Planning
Subject: concerning 1901-2501 Blocks East Pecan Road and the 4801-4901 Blocks Park Vista Boulevard zone change

Dear City Officials,

As a concerned resident of Vista Norte and the city of Sherman, I am writing to express my strong opposition to the proposed zone change request for the property adjacent to the Vista Norte neighborhood. The purpose of this letter is to provide you with detailed information about the negative impacts that the proposed plan may have on our community and to propose alternatives that would help to preserve the integrity of our neighborhood.

The elimination of appropriate buffers between larger and smaller single-family lots and multi-family units, as proposed in the plan, will have a significant negative impact on property values in the area. The rezoning will lead to the devaluation of the area instead of maximizing the assessed valuation and creating a win-win scenario for both homeowners and the city.

Therefore, we are requesting that the multi-family component be moved to only the south side of Pecan Grove Road to provide a buffer zone between it and the single-family component, to not negatively impact property values. Leaving the seven larger home sites alone as a buffer would help increase the green space to a more appropriate amount.

We also want to emphasize that the pond on the south side of Vista Norte serves as a run-off in heavy rain. Water from the creek on the east side of Vista Norte has significant water flow during heavy rain periods. Leaving the pond area intact will help with rain run-off, as it fills up with run-off in heavy rains.

As residents of the Vista Norte neighborhood, we invested a higher premium to live here, which is reflected in our property taxes. Our privacy and surrounding zoning were key drivers in our home purchases. We believe that the proposed plan has too much density for the area and will negatively impact the area with lower-valued homes. Therefore, we request that the single-family lots be no less than 9,000 sq ft to keep the integrity of the area more appropriate and desirable to future residents.

Given the notable business development taking place in Sherman, such as the growing medical practices, technology sector, and professional services, along with the influx of future residents from out of state who will occupy high-wage positions in this new work-from-home environment, it is reasonable to believe that larger single-family homes will be more appealing to potential buyers in this area in the future. Therefore, it is essential for the city to maintain Vista Norte as a special place and a shining example of what Sherman developers can accomplish. Doing so will not only preserve the city's sense of pride but also serve its best interests.

In summary, we request that the plan be revised to leave a larger buffer area from the Vista Norte subdivision on the south side, create larger single-family lots, and limit multi-family development to the south side of Pecan Grove Road. We also ask that Fallon Road is not an entry point into the proposed subdivision and that a retaining wall separates the development from Vista Norte. Homeowners have also expressed interest in allowing Vista Norte to become a gated community as well. We believe that these changes will benefit the homeowners and the city in the long run.

Thank you for your time and consideration.

Sincerely,

Scott Sanford
4801 Park Vista Blvd.
Sherman, TX. 75090

Marlow, Lauren

From: Planning
To: russell spears
Subject: RE: 252.52 acre planned development Pecan Grove Estates by Kevin Eldridge, Investment Catalyst LLC (owner)

From: russell spears
Sent: Monday, May 15, 2023 3:00 PM
To: Planning
Subject: Re: 252.52 acre planned development Pecan Grove Estates by Kevin Eldridge, Investment Catalyst LLC (owner)

Lauren, After talking with my attorney and a developer friend I hereby revoke my protest of the 252 acre Pecan Grove Estates planned development. On the development plan the developer made an effort to transition from the large 100'+ lots in my subdivison with 100', 80' & 60' lots around the Vista Norte subdivision.

The 50' and 40' lots do not adjoin our subdivision and are further to the south.

Best regards, Russell Spears

Marlow, Lauren

From: Planning
To: russell spears
Subject: RE: 252.52 acre planned development Pecan Grove Estates by Kevin Eldridge, Investment Catalyst LLC (owner)

From: russell spears
Sent: Friday, May 5, 2023 1:28 PM
To: Planning
Subject: 252.52 acre planned development Pecan Grove Estates by Kevin Eldridge, Investment Catalyst LLC (owner)

Planning and Zoning Commissioners City of Sherman:

My name is Russell Spears, my wife and I live and own 4808 Park Vista Blvd., Sherman TX.

We are protesting this development in general because it is way too dense in that lots are 40, 50, 60 foot wide. Traffic will be heavy and a traffic light at Fallon Dr. and Pecan Grove Rd will be needed. Existing water and sewer could be overwhelmed.

Specifically our Vista Norte addition phase 1 are all large lots, ours is 100 ft x175 ft. I have a plat of phase 2 to the west of Pecan Grove Rd approx 35 acres and phase 3 approx 80 acres south of our subdivision (these two tracts now purchased/ owned by Kevin Eldridge, Investment Catalyst LLC) . All show R-1 single family residential zoning (no multifamily or apartments). All large lots maybe even bigger than our subdivision. We are for this property being developed R-1 single family but with lot sizes similar to our existing subdivision.

Other comments: The 7 large pink lots (nice size) on the conceptional site plan was to be a park on Phase 3 to our south. There is a creek and pond on this site. Our Phase 1 existing subdivision has no roads or driveways south off of Park Vista Blvd. That land is not part of our homeowners regulations and restrictions. I believe our minimum square footage requirement for homes is 2,600 sq ft (I'm out of state and don't have access to my files).

The 16.5+- acres on the SW corner of Pecan Grove Rd and Fallon Dr recently sold and has recorded deed restriction against multifamily/apartments.

Respectfully submitted, Russell Spears

Marlow, Lauren

From: Planning
To: Shaw, Phyllis
Subject: RE: P & Z meeting 5/16/23 Re: Pecan Grove Estates

From: Shaw, Phyllis
Sent: Monday, May 8, 2023 9:07 AM
To: Planning
Subject: P & Z meeting 5/16/23 Re: Pecan Grove Estates

My name is Phyllis A. Shaw and my address is 1703 Moreland Drive, Sherman, TX 75090. I will be unable to attend the meeting on May 16, 2023 so I am sending my comments here. I was impressed by the meeting the developer had with us on May 4, 2023 and I hope they will stay true to their word about building upscale homes and not allow builders to build "cookie cutter houses". I have a few concerns: 1. I do not want apartments built. I have no objection to small homes for seniors or a senior complex but not apartments for anyone. There are enough new apartments being built close to our neighborhood as it is, and without adequate parking for the ones on Gallagher. 2. Traffic - there will be SO MUCH traffic on Pecan Grove Road. I would hope the city would consider building another road to Texoma Parkway besides the one off of Pecan Grove and / or another one to Fallon Drive. 3. I do not think anything should be built, including a walking trail, on top of the high powered gas line north of my property - I think it's too dangerous. 4. I request that the trees north of the gas line remain and not be cut down. 5. I am also concerned about the creek north of the gas line - I hope adequate studies will be done to prevent flooding.

Thank you,

Phyllis A. Shaw, PhD



received
5-8-23 @ 2:13p

Development Services

SMITH PATRICIA
3908 MELROSE TRAIL
SHERMAN, TX 75090

Mailing Address: P.O. Box 1106, Sherman, TX 75091
Phone Number: (903) 892-7229
Email: Planning@cityofsherman.com

April 27, 2023

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a public hearing on the day of Tuesday, May 16, 2023, at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Kevin Eldridge, Investment Catalyst, LLC (Owners), David Kalhoefer, Pelton Land Solutions (Representative) and Peloton Land Solutions (Surveyor) concerning the property located in the 1901-2501 Blocks East Pecan Road and the 4801-4901 Blocks Park Vista Boulevard, consisting of 252.52 acres being a tract of land situated in the Thomas J. Shannon Survey, Abstract No. 1136, the R.O. Barrett Survey, Abstract No. 186, the W.F. Patterson Survey, Abstract No. 969, the Hillard Jennings Survey, Abstract No. 639, and the Samuel M. McGlothlen Survey, Abstract No. 811, and currently zoned R-6 (Single Family Residential) District and C-2 (General Commercial) District

The request is as follows:

Planning and Zoning Commission

Public Hearing and Zone Change for a PD (Planned Development) of Pecan Grove Estates.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you cannot attend the public hearing but wish to have your comments presented to the Planning and Zoning Commission or Board of Adjustment, you may do so by emailing planning@cityofsherman.com or comment in the space provided below and mail to: Development Services, P.O. Box 1106, Sherman, TX 75091. If you wish to have your views published in the online agenda, they must be received in the Development Services office by 5:00 p.m. on Wednesday, the week prior to the Planning and Zoning Commission meeting, otherwise, your comments will be provided to each Commission member at the meeting.


Acting Secretary, Planning & Zoning Commission

I object to the population density of this project and the problems it will cause. We are already facing problems of a new apartment complex that is being built to our west!

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

Marlow, Lauren

From: Planning
To: m candy
Subject: RE: Planning concerns

From: m candy
Sent: Monday, May 8, 2023 7:07 PM
To: Planning
Subject: Planning concerns

Dear Committee

As a resident being affected by the development behind our house, we are concerned about the traffic along Pecan Dr. It is already an ordeal to get in and out of the neighborhood in the morning and afternoon with school traffic and will only get worse if it opens up to Texoma Pkwy and with new development.

Additionally, we bought the house we are in due to the woods behind us and beautiful trees. The new developer wants to cut the trees on the north side of the gas line and that is HUGE concern. Why can't the trees be preserved to buffer our property and maintain the natural beauty that exists behind us instead of tear them down ? Attached is a picture of the tree line.

Please strongly consider our concerns and help the developers understand they don't have to destroy the area around us and can still achieve their end goal and build homes in a nicely wooded area.



Thank you.
Sincerely,
A concerned citizen of Pecan Grove Neighborhood

Marlow, Lauren

From: Planning
To: Chantal Gage
Subject: RE: P&Z Meeting May 16, 2023 Re: Pecan Grove Estates

From: Chantal Gage
Sent: Tuesday, May 9, 2023 5:16 AM
To: Planning
Subject: P&Z Meeting May 16, 2023 Re: Pecan Grove Estates

My name is Chantal Gage and my address is 1703 Moreland Drive, Sherman, TX 75090.

I will be unable to attend the meeting on May 16, 2023 so I am submitting my comments here. I was impressed by the meeting the developer had with us on May 4, 2023 and I hope they will stay true to their word about building upscale homes and not allow builders to build "cookie cutter houses". I have no objection to this developer being granted permission to build. However, I have a few concerns:

1. I do not want apartments built. I have no objection to small homes for seniors or a senior complex but not apartments for anyone. There are enough new apartments being built close to our neighborhood as it is, and without adequate parking for the ones on Gallagher.
2. Traffic - there will be SO MUCH traffic on Pecan Grove Road. I would hope the city would consider building another road to Texoma Parkway besides the one off of Pecan Grove and / or another one to Fallon Drive.
3. I do not think anything should be built, including a walking trail, on top of the high powered gas line north of my property - I think it's too dangerous.
4. I request that the trees north of the gas line remain and not be cut down.
5. I am also concerned about the creek north of the gas line - I hope adequate studies will be done to prevent flooding.

Thank you,
Chantal Gage

Marlow, Lauren

From: Planning
To: Bob Hague
Subject: RE: Response to Planned Development Adjacent to Vista Norte

From: Bob Hague
Sent: Tuesday, May 9, 2023 5:55 PM
To: Planning **Subject:** Response to Planned Development Adjacent to Vista Norte

Dear City Officials,

As a longtime resident of Vista Norte Subdivision, I am very concerned about the proposed Pecan Grove Development adjacent to our neighborhood. I realize that new development is inevitable over time, but I also realize that it can be done without offending or creating issues with established homeowners in the area.

To accomplish this, we need to assess what impact the new development will have on the surrounding area with respect to:

- 1) traffic patterns,
- 2) city services (water, sewer, street maintenance, law enforcement),
- 3) utilities (electricity, gas),
- 4) emergency services (ambulance, fire department), and
- 5) home values.

The Pecan Grove Development Plat suggests that there will be over 700 new homes, not to mention a proposed apartment complex. Master-planned, multi-use developments such as this are normally and wisely developed on the outskirts of town as urban sprawl where new infrastructure and utility lines are extended to meet the need, not tied into decades-old, existing infrastructure designed to accommodate far fewer households. In the interest of saving time and money, the developer has expressed the desire to tie into the existing infrastructure and utilities, despite the fact that such an accommodation by the city could very well create more problems than it solves. The city should proceed proactively by acting in the interests of its citizens instead of yielding to the anxious wishes of the developer risking a myriad of issues likely to occur due to poor planning.

Has the city assessed whether it has the capacity to accommodate such a dense development? Does the city care whether our home values are detrimentally impacted?

Apart from the 7 estate-sized lots in the northeast corner of the development, Pecan Grove's proposed lot and home sizes are not compatible with the homes in Vista Norte. This can only translate into diminished property values in Vista Norte. That 7-lot section was originally designated as a park area to be used exclusively for the residents of Vista Norte. Can you explain how this section was sold to the Pecan Grove developers without first notifying the residents of Vista Norte?

Has the city vetted this developer and reviewed its prior developments? If so, please provide that information so that Vista Norte residents can be fully informed before any damage is done.

Bottom line, I don't want the new development to detrimentally impact
1) traffic patterns, 2) city services, 3) utilities, 4) emergency services, or
5) the value of my home.

If the Pecan Grove developers persist at this location, then the Vista Norte homeowners should probably demand the following concessions:

- a. Create a new entry off Fallon Road into the north end of Pecan Grove Estates as indicated in the attached plat. Failing to require this new entrance effectively forces Vista Norte to become part of Pecan Grove Estates. You can bet that their signage at their Fallon Road entrance will read "PECAN GROVE ESTATES", not "VISTA NORTE". We don't

want to be associated in any way with Pecan Grove Estates, and we don't want their traffic wandering through our neighborhood.

b. Since the 7-lot section on the northeast corner of the development is more compatible with the lots in Vista Norte, those lots may be allowed access via the current Fallon Road entrance (now called "Pecan Grove", but perhaps it would be better to rename it "Vista Norte Drive"). If this isn't acceptable, then you can create a new frontage street on the back side of those 7 lots, just off the main north/south street running through the center of Pecan Grove Estates.

c. Fallon Road will need to be widened to accommodate the increased population resulting from the new development. There is already a lot of truck traffic flowing from Texoma Parkway to Hwy 75. When was the last traffic impact analysis performed on Fallon Road?

d. Buffers need to be incorporated into the plat design to reduce noise pollution, to maintain some natural beauty, to create neutral spaces between incompatible sections of the development, and to create wildlife habitats, resulting in a more pleasing, healthy environment for everyone.

By incorporating these concessions, I believe we may all be able to coexist in relative peace.

Thank you for your time and consideration.

Kind regards,
Bob & Lisa Hague

Mr. Kalhoefer replied, "In regard to the tattoo parlor under our land use requirements in the development plan we listed six items that will be prohibited uses: community homes, halfway house, electric plant, municipal wastewater treatment plant, sexually oriented businesses and tattoo parlors. There are uses that are allowed but the majority of those require a Specific Use Permit. We are in the process of doing a Traffic Impact Analysis, it is not required for this purpose, but we are hoping to have it completed prior to City Council. We did meet with Mr. Rae and Staff to get the logistics of what our Traffic Engineer needs to study. Currently the entire property is zoned R-6 (Single Family Residential) District. The standard is a 60' lot. If you do a straightforward zoning on that, the parks and the open space goes away because that is not a requirement. We've purposely done a Planned Development to create those amenities not just for our residents but for those around. We are proposing 719 lots with a mixture of uses. Phase Two, the old plat shows that was to be a park. The other thing that was mentioned on the old plat was an entrance going to 60' wide lots. We are proposing 80' lots as a buffer. There is already a 50' landscape strip in place along Fallon Drive, 125' of lot, a 50' street, and another 125' before you get to our proposed 60' lots which are 7,200 square feet.

In a master plan community, we do an amenity/event center with pools, cabanas, restrooms and features for the kids such as a playground. It could be pickle ball. All the roadways are on the Master Thoroughfare Plan. We are following that. The only thing we have done is deviate from the intersection at Luther Knox and Pecan Grove Road to help alleviate the traffic. I am aware there is a heavy flow of water coming through there. From the intersection at Gallagher going all the way back to the north, water drains from that point all the way back down. We are going to capture our water and divert it. Regarding utilities, we are doing a master water plan. and We know there is a potential upgrade to the lift station. The R-12 (Single Family Residential) District lot size is 12,000 square feet."

Chairman Mahone asked Mr. Kalhoefer, "Did you already address the pond?"

Mr. Kalhoefer replied, "What we purposely did was put the lot line through the center of the pond so we could go around either way to develop or build a house on the other side."

Chairman Mahone asked Mr. Kalhoefer, "Have you discussed the impact fees with the city?"

Mr. Kalhoefer replied, "We have not."

Chairman Mahone asked Mr. Rae, "Do you have any comments on the impact fees?"

Mr. Rae replied, "They will be required to pay the impact fees on the single-family homes when the homeowners pull the

permit and the multi-family when they get a permit for the multi-family development.”

Commission Member Blagg asked Mr. Rae, “Are we just approving the residential and multi-family or are we locking in the lot type?”

Mr. Rae replied, “The request for a Planned Development District is a Zone Change from what is currently an R-6 (Single Family Residential) District to a Planned Development District. The Planned Development District allows for more flexibility for the developer, so they don’t have to come back every time they fix their plan to get a revision on the plot plan. This is something that is allowed for developers that have over 200 acres of property that they want to develop.”

Vice Chairman Downtain asked Mr. Rae, “With the Planned Development approval, what ties them to the R-12 (Single Family Residential) District lots and the location they are describing now?”

Mr. Rae replied, “That was one comment we had in our review. We were concerned that if they got approval for R-4 (Single Family Residential) District through R-12 (Single Family Residential) District lots, what would stop them from coming in and doing all R-4 (Single Family Residential) District lots. They came back on a revision and said they would max out their R-4 (Single Family Residential) District and R-5 (Single Family Residential) District lots to 200 units for R-4 (Single Family Residential) District and 360 units for R-5 (Single Family Residential) District. That is their max for those lot sizes. They are required to come back before the Commission whenever they get a more detailed Site Plan and at that point, a Traffic Impact Analysis is required by our Zoning Ordinance. That would be the next step for them if this was to get approved.”

Vice Chairman Downtain asked, “My question is more specific to the specific location of the larger lots. If we approve the zoning for the Planned Development District and these guys sell the property, someone else could come in and do something different. What assurance do we have that there would be the R-12 (Single Family Residential) District type homes or lot sizes?”

Mr. Kalhoefer replied, “One of the things we did to help alleviate that concern was require a forty-foot setback.”

Commission Member Manley asked Mr. Rae, “In regard to the questions about what could go into the commercial piece at the southwest corner, being across from Dillingham, I am unsure of the distance but there are some prohibited uses that are that close to an elementary school. Could you remind us of what they are?”

Mr. Rae replied, “Any alcohol sales would be restricted, vape shops have some legal requirements for smoking sales, and I

would also recognize that in their permitted uses for that commercial district is considered Neighborhood Commercial. It is more neighborhood centric uses like daycares, laundromat, and convenience store.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Kalhoefer replied, “Yes, they had seen the Staff Review Letter and would abide by the Recommendations.”

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

ACTION TAKEN.

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Zone Change located at 1901-2501 East Pecan Road and 4801-4901 Park Vista Boulevard subject to the Staff Review letter and the Halff letter and the R-12 (Single Family Residential) District modifications submitted by the applicant. Second by Commission Member Davis.

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

VOTING NAY: NONE

MOTION CARRIED.

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

PUBLIC HEARING AND VARIANCE

THE REQUEST OF GARY CORLEY (OWNER) CONCERNING THE PROPERTY LOCATED AT 108 NORTH TRAVIS STREET IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT, AS FOLLOWS:

BOARD OF ADJUSTMENT

PUBLIC HEARING AND VARIANCE UNDER SECTION 14.07.013 TO ALLOW A WALL SIGN THAT IS 726 SQUARE FEET IN LIEU OF THE ALLOWED 300 SQUARE FEET AND 52% OF THE WALL SPACE IN LIEU OF ALLOWED 20%

The property is located at 108 North Travis Street between West Laurel Street and West Houston Street.

Gary Corley, 108 North Travis Street, Sherman, TX 75090

Mr. Corley explained, “I am requesting a Variance for a wall sign that is 726 square feet and 52% of the wall size. The wall art isn’t the issue, when I put the firm name, it made it a sign.”

Chairman Mahone asked Mr. Corley, “If you drew a sign around Corley Law Firm, did you figure out what square footage that would be?”

**PUBLIC HEARING
AND VARIANCE –
WALL SIGN
108 NORTH TRAVIS
STREET
(GARY CORLEY)**

Mr. Corley replied to Chairman Mahone, "The artist had done the math work and it was within the 20%."

Chairman Mahone asked Mr. Rae, "How are you measuring the square feet of this?"

Mr. Rae replied, "Mr. Corley is correct. If it is just a mural we don't regulate that. It becomes a sign when it is advertising any business. Since it is all connected as one big sign, we would measure that all together. If it was separated there would be a way to administer that differently, but I don't know how much the square feet of just the text would be and if that would exceed 300 square feet. It is possibly less than twenty percent of the wall area which is our current regulations."

Commission Member Manley asked Mr. Rae, "Do murals require any approval?"

Mr. Rae replied, "No, we do not have any regulations for murals."

ADJOURNMENT

The meeting adjourned for a Recess at 6:51 p.m.

RECONVENE

The Recess closed, and the meeting reconvened at 7:01 p.m.

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Corley replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment

Motion by Commission Member Manley to approve the Variance located at 108 North Travis Street subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, SIMS AND MANLEY

VOTING NAY: DAVIS

MOTION CARRIED.

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

PUBLIC HEARING AND ZONE CHANGE

THE REQUEST OF JERMAINE CLARKE (OWNERS) AND CBG SURVEYING TEXAS, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1407 SOUTH TRAVIS STREET,

ADJOURNMENT

RECONVENE

PUBLIC HEARING
AND ZONE CHANGE
– R-6 TO R-2F

CONSISTING OF 0.21 ACRES, BEING A PORTION OF LOT 12, OF THE M.B. MOORE ADDITION, AND CURRENTLY ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND ZONE CHANGE FROM A R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO AN R-2F (DUPLEX RESIDENTIAL) DISTRICT.

1407 SOUTH TRAVIS
STREET
(JERMAINE CLARKE)

The property is located at 1407 South Travis Street between East Martin Lane and East Olive Street.

Dr. Jermaine Clarke, 1407 South Travis Street, Sherman, TX 75090

Mr. Clarke explained, "I recently purchased this property and the previous owner had turned the property into a duplex. It is not in compliance with the city. I wanted to get everything up to code and use it as a duplex."

Chairman Mahone asked Mr. Clarke, "If you rezoned this to a duplex there would be some parking requirements, could you tell us how you would deal with the parking?"

Mr. Clarke replied, "The front border of the property is about 60'. The current parking area is about 22' by 24' wide and we would add a second parking spot."

Chairman Mahone asked Mr. Clarke, "If the lot is 60' wide, how wide would the driveways be combined?"

Mr. Clarke replied, "Driveway B is 22' wide and 24' long. Driveway A, I would make that 22' wide and 36' long, so I have enough room to make driveway space."

Chairman Mahone stated, "That would be 44' total."

Commission Member Manley asked Mr. Clarke, "Is Driveway A not to scale?"

Mr. Clarke replied, "It is not. I just bought it so I didn't have time to get the numbers corrected. I did meet with a contractor and if we connect both of those driveways it would be wide enough with 14' left over."

Commission Member Manley stated, "So concrete all across."

Mr. Clarke replied, "Yes."

Commission Member Davis asked Mr. Clarke, "What is the square feet of this house?"

Mr. Clarke replied to Commission Member Davis, "It is 1,900 square feet."

Commission Member Sims asked Mr. Clarke, "It is currently operating as a duplex?"

Mr. Clarke replied, "Correct."

Chairman Mahone asked Mr. Clarke, "Is there a reason why you wouldn't turn it back into a single-family home?"

Mr. Clarke replied to Chairman Mahone, "The floor plan wouldn't make sense at this point because it has a full kitchen in each unit. I would have to redo everything to get it back to a single-family home."

Chairman Mahone asked Mr. Clarke, "Are there any other duplexes on that block?"

Mr. Clarke replied to Chairman Mahone, "Yes, towards the southern part of the block there are at least four or five duplexes on South Travis Street."

Harly Keller, 1424 South Travis Street, Sherman, TX 75090

Mr. Keller explained, "There was a guy after COVID-19 that came in and bought this house and undercover he made this house a duplex. How can a person come in and do this to our community? There were two couples that the house was rented out to and the sewer system for that house was not designed for that many people."

Karen Tooley, 1202 South Travis Street, Sherman, TX 75090

Ms. Tooley explained, "On our block we have three single family homes, and we have fourteen duplexes being seven groups of two. If you do the math that comes out to 36 bedrooms on our block, and it is a lot. To follow an illegal action, they didn't get city approval. The previous owners didn't do the due diligence before they started changing the house. To approve it because it has already been done seems to be the wrong direction to take. When they started tearing down these beautiful homes and replacing them with duplexes it was a sad day for Sherman."

Robin Phillips, 1126 South Crockett Street, Sherman, TX 75090

Ms. Phillips explained, "I drove by this today and what I noticed first was the amount of concrete in the front yard, so if the solution to this is to pave more of the front yard to bring it into compliance, that is not a good solution. I agree with Ms. Tooley, it was done illegally to begin with. I am sorry for the gentleman that purchased this thinking he was purchasing a duplex. The point is this is a property that is not in compliance with our rules and ordinances, and I am going to fight for my neighborhood all day long so that we are not encroached with things that don't follow the rules and that create such a density problem."

Mr. Clarke replied, "I understand the concern with the community however I am here to make sure that we are in compliance to ensure that parking is available, and the home is appropriate for renters."

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

ACTION TAKEN.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to deny the Zone Change located at 1407 South Travis Street. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

PUBLIC HEARING AND VARIANCE

THE REQUEST OF MARTIN AND LINDA JAVOR (OWNERS) AND DAVID FITE SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1826 NORTH RICKETTS STREET, BEING LOT 1, BLOCK G OF MAXEY'S SECOND ADDITION, AND CURRENTLY ZONED R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT
PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006
(1) TO ALLOW A 5' FRONT SETBACK IN LIEU OF THE REQUIRED 20' FRONT SETBACK AND AN 8' SIDE SETBACK IN LIEU OF THE REQUIRED 25' SIDE SETBACK FOR A CARPORT.

PUBLIC HEARING
AND VARIANCE –
FRONT AND SIDE
SETBACK
1826 NORTH
RICKETTS STREET
(MARTIN AND LINDA
JAVOR)

The property is located at 1826 North Ricketts Street at the corner of West Taylor Street and North Ricketts Street.

Linda Javor, 1826 North Ricketts Street, Sherman, TX 75092

Mrs. Javor explained, "First and foremost I would like to deeply apologize for my behavior in the office that was mentioned in the notes, and I was incorrect in doing that. I was caught off guard when told no to all carports, I tried to explain when the driveway was poured in September that I was told by Tom Pruitt in Engineering that we did not need a permit if it was not attached to the house. I was told that Engineering did not have anything to do with building permits and I apologize I misunderstood that. This has been a very stressful project; I did not intentionally tell the contractor, as was stated, to start work without a permit on the carport. In addressing the Zoning Ordinance, I would like guidance to find where the setbacks are listed. In the Ordinance listed in Mr. Rae's letter I have the numbers 14.06.006 and Section 211.009 of the Texas Local Government neither one lists setback requirements. None of the Ordinances list an easement for the property line. You noted that we were asking for extra feet, and it is only a foot from one side if you consider the easement which was not mentioned in the Ordinance. We are seventeen feet from the front and twenty-four from the side, but we believe that denial of our carport would continue to result in unnecessary hardship for both Marty and myself. When we were researching getting a carport, we discovered quite a few in the neighborhood and upon research I have found over 150 carports in my neighborhood alone."

Martin Javor, 1826 North Ricketts Street, Sherman, TX 75092

Mr. Javor explained, “We recognize we made some serious mistakes obviously doing work without a permit based on somebody else’s word. We also recognized Mr. Rae has recommended denial on our Variance in a very strong way. We are looking for a sympathetic ear and I want to point out a few things that are important to us. Are you aware of Ricketts Street and Taylor Street? Generally, when it is brought up people refer to it as the busiest intersection in Sherman. From a safety perspective we believe that Taylor Street and Ricketts Street is nothing less than a dangerous place. With the type of traffic, we believe that living in our house is unsafe. Some of the things we have seen are dangerous violations: speeding, rolling stops, over accelerations and collisions with photo and video proof. There are two things we are looking for from a carport, car protection and home protection. The carport will protect our cars from the weather and would be our first line of defense if a car was to be rolling towards our house. From a mental health standpoint, my wife and I have been diagnosed with anxiety and depression so moving into our house and being exposed to this type of traffic and danger has really set us on the edge. I have been on Social Security Disability for two years diagnosed with general anxiety disorder and the lack of safety in our home has weighed heavy on us. If our request for a carport is denied it will create an ongoing hardship as our fears will continue.”

Chairman Mahone stated, “It looks like you have two driveways. The driveway off Taylor Street, does it pull into a garage?”

Mr. Javor replied, “It used to, but the garage was converted.”

Chairman Mahone asked Mr. Javor, “The driveway that goes to Ricketts Street, is this driveway an improved or expanded driveway?”

Mrs. Javor replied, “Yes, it is a brand-new driveway.”

Wesley McBride, 1610 North Ricketts, Sherman, TX 75092

Mr. McBride explained, “Ricketts Street is a dangerous street, and the west side of Ricketts Street has always been no parking however it is never enforced. Most of the time that street is a one lane street from how many cars are parked on the side.”

Mr. Javor explained, “We bought the property and have invested a tremendous amount and if you look at the old pictures and our house now it is a complete transformation. We have done it selfishly because we want a nice house but also to elevate the neighborhood because, quite frankly, the neighborhood is depressed and if we can inspire some other people to do the same, all the better.”

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

ACTION TAKEN.

Board of Adjustment

Motion by Commission Member Davis to deny the Variance located at 1826 North Ricketts Street subject to the Staff Review letter. Second by Commission Member Manley.

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

VOTING NAY: NONE

MOTION CARRIED.

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

PUBLIC HEARING, ZONING TEXT AMENDMENT, PRELIMINARY PLAT, SITE PLAN AND SPECIFIC USE PERMIT
THE REQUEST OF JEFF HARKINSON (OWNERS), JIM RILEY (REPRESENTATIVE), TEKMAK DEVELOPMENT COMPANY (DEVELOPER), TYPE SIX DESIGN & DEVELOPMENT SERVICES (ARCHITECT), BROCKETTE/DAVIS/DRAKE, INC. (ENGINEERS), SMR LANDSCAPE ARCHITECTS, INC. (LANDSCAPE ARCHITECT) AND VOTEX SURVEYING COMPANY (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 301 BLOCK WEST TRAVIS STREET, CONSISTING OF 5.464 ACRES, BEING A TRACT OF LAND SITUATED IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667 AND CURRENTLY IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT/PLANNED DEVELOPMENT DISTRICT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. PUBLIC HEARING AND ZONING TEXT AMENDMENT TO ADD REGULATIONS TO ALLOW A HOTEL USE WITH A SPECIFIC USE PERMIT IN THE BLALOCK COMMERCIAL OVERLAY DISTRICT.
- B. PRELIMINARY PLAT OF CROSSROADS – SPRINGHILL SUITES, LOTS 1 & 2, BLOCK 1
- C. PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW A HOTEL OR MOTEL IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT/PLANNED DEVELOPMENT DISTRICT, BEING LOT 1, BLOCK 1 OF THE PRELIMINARY PLAT, CROSSROADS SPRINGHILL SUITES, CONSISTING OF 3.024 ACRES.

The property is located at 301 Block West Travis Street between Northgate Drive and Crossroads Boulevard and is in the Blalock Industrial Park/Blalock Commercial Overlay District/Planned Development District.

Tom Kirkland, 3021 Ridge Road, A-120, Rockwall, TX 75032

PUBLIC HEARING,
ZONING TEXT
AMENDMENT – ADD
REGULATIONS FOR
A HOTEL

PRELIMINARY PLAT
- CROSSROADS –
SPRINGHILL SUITES,
LOTS 1 & 2, BLOCK 1

SITE PLAN AND
SPECIFIC USE
PERMIT – HOTEL

301 BLOCK WEST
TRAVIS STREET
(JEFF HARKINSON)

Mr. Kirkland explained, “The owner would like to plat the property into two lots for commercial development and a Specific Use Permit for a development of Marriott Springhill Suites. My understanding is that a hotel in Sherman Crossroads needed an addendum to the Blalock Industrial Park/Blalock Commercial Overlay District/Planned Development District to allow that.”

Chairman Mahone asked Mr. Kirkland, “What do you expect this timeline for this building to be?”

Mr. Kirkland replied, “Eighteen months once we get the plat approved, purchase of the lot and architecture design.”

Mr. Rae explained, “Currently the Blalock Commercial Overlay District does not list a hotel as a permitted use. They are requesting the Text Amendment to allow that as a use with a Specific Use Permit. It would change the Blalock Commercial Overlay District so that anyone in the future that wanted to build a hotel/motel in the Blalock Commercial Overlay District would be able to with a Specific Use Permit.”

Jeff Harkinson, 4560 Belt Line Road, Suite 400, Addison, TX 75001

Mr. Harkinson explained, “We agreed that we would deed restrict the property where the only location within Sherman Crossroads a hotel/motel would be permitted would be the area north of West Travis Street. The eighty-five acres south of Sherman Crossroads does not permit my hotel/motel use. In our plans with the hotel, we have about 9,000’ of conference space. It would be important to the tenant mix of the overall Sherman Crossroads development.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Kirkland replied, “Yes, they had seen the Staff Review Letter and would abide by the Recommendations.”

No other citizens appeared before the Planning and Zoning Commission to discuss the Zoning Text Amendment, Preliminary Plat, Site Plan and Specific Use Permit.

ACTION TAKEN.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Zoning Text Amendment, Preliminary Plat, Site Plan and Specific Use Permit located at 301 Block West Travis Street subject to the Staff Review letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

PUBLIC HEARING, SITE PLAN AND ZONE CHANGE

THE REQUEST OF HARIBABU KANCHARLA & GAYATRI GOUNI (OWNER), CARLOS CASAS, PE, STRAND (ARCHITECT/ENGINEER), CORINTHIAN DESIGN ASSOCIATES, LLC (DESIGNER) AND STRAND (LAND SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 5101 BLOCK NORTH TRAVIS STREET, CONSISTING OF 3.812 ACRES IN THE ALEXANDER RICHARDS SURVEY, ABSTRACT NO.42, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM A R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO A C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT.

PUBLIC HEARING,
SITE PLAN AND
ZONE CHANGE – R-6
TO C-N
5101 BLOCK NORTH
TRAVIS STREET
(HARIBABU
KANCHARLA &
GAYATRI GOUNI)

The property is located at 5101 Block North Travis Street between Kreager Road and Liberty Hill Trail.

Ashley Williams, 10003 Technology West Boulevard, Dallas, TX 75231

Ms. Williams explained, “The owner is requesting a Zone Change from an R-6 (Single-Family Residential) District to a C-N (Neighborhood Commercial) District and Site Plan approval for a neighborhood commercial building. We have completed a Traffic Impact Analysis and submitted that to the city.”

Chairman Mahone asked Mr. Rae, “Could you tell us some of the uses that are allowed in Neighborhood Commercial.”

Mr. Rae explained, “Neighborhood Commercial has narrower setbacks than C-1 (Retail Business) District or C-2 (General Commercial) District. It is a benefit to be a little more restrictive on which uses are permitted. Tattoo parlors and vape/smoke shops are not permitted in the C-N (Neighborhood Commercial) District. The things that are permitted would be grocery stores, restaurants, health club and studios, a gas station, bakery, barbershop and other smaller neighborhood related uses.”

David Brown, 5201 Ambergate Lane, Sherman, TX 75092

Mr. Brown explained, “When it rains, the water from the neighborhood goes to the detention. As of now there is no water in our backyards, if this is passed would it then create an issue with flooding? When we moved here, we were promised by the builder that there would be nothing built behind us. It is currently zoned for residential. If they wanted to build homes, I have no problem with that. What is the size or the height of the buildings? Am I going to be looking out at buildings? Are there restrictions on lighting? I don’t want to be up all night with light shining at the back of my house. Are our homes going to be rezoned or just that section. Will it affect our taxation?”

Ms. Williams explained, "That is an existing detention pond that we are resizing that will accommodate our flow in addition to accommodating the flow that already goes there. There will be no water that goes towards the residential houses."

Chairman Mahone asked Mr. Rae, "What is the maximum height?"

Mr. Rae replied, "The maximum height for this location is thirty-five feet same as the R-6 (Single Family Residential) District."

Chairman Mahone asked, "What about lighting?"

Ms. Williams replied, "We will meet every Ordinance on the lighting requirement; we will also work with the adjacent residents. The lighting is intended for safety. It is not there to light up the residential neighborhood. It is intended to light up the commercial area. We will have to do a lighting plan to show the illumination and how far that does go out. That will be part of the detailed Engineering as well."

Mr. Rae stated, "We do have a section in our Zoning Ordinance that addresses the lighting, and that no commercial property is allowed to light an adjacent residential property. Any site lighting that is on the commercial property has to stay on that property."

Chairman Mahone asked Mr. Lee, "Once the lighting is put up, does Engineering go out and inspect?"

Mr. Lee replied to Chairman Mahone, "Engineering does not."

Mr. Rae replied, "In the past we have enforced it through complaints."

Chairman Mahone asked if they had seen the Staff Review Letter.

Ms. Williams replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Site Plan and Zone Change.

ACTION TAKEN.

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Site Plan and Zone Change located at 5101 Block North Travis Street subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

PUBLIC HEARING, ZONE CHANGE, SITE PLAN AND SPECIFIC USE PERMIT

THE REQUEST OF STAR MIDWAY, LLC (OWNER), DAVID PETREE, BLUE SKY SURVEYING AND MAPPING (SURVEYOR) AND OLD REPUBLIC (SITE MANAGEMENT SERVICES) CONCERNING THE PROPERTY LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 43.9389 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136 AND BEING A PORTION OF BLOCKS 1, 2 AND 4 AND ALL OF BLOCK 5, OF MIDWAY MALL, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. PUBLIC HEARING AND ZONE CHANGE, CONSISTING OF 43.9389 ACRES, TRACT ONE, BEING 42.8134 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, THE DANIEL SHELP SURVEY, ABSTRACT NO. 1097 AND THE T.J. SHANNON SURVEY, ABSTRACT NO. 1136, LOTS 1 AND 3, BLOCK 1, MIDWAY MALL AND TRACT TWO, CONSISTING OF 1.1255 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503 AND THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969, LOTS 5 AND 7, BLOCK 1, MIDWAY MALL
- B. PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW A MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT.
- C. PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW WAREHOUSING IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

The property is located at 4800 Texoma Parkway between Fallon Drive and North Frisco Road and is zoned M-1 (Light Manufacturing) District and C-2 (General Commercial) District.

Scott Cresswell, 900 Linden Avenue, Rochester, NY 14625

Mr. Cresswell explained, "The owner would like to renovate the retail and modernize it from its current 1970s look. We will have the middle section as indoor climate-controlled storage. You will be able to drive in the building, park, turn your vehicle off next to your storage unit and unload your belongings in a safe and secure environment. You would drive in the old Belk and straight towards Dillards then turn to exit. There will be no turning around inside the building, it would be one way in and one way out. The back part of the building would be for warehousing. We do plan on putting some out parcels along the front part of Texoma Parkway and near the road; we plan on adding additional stand-alone retail buildings. We own a

PUBLIC HEARING,
ZONE CHANGE – M-1
AND C-2 TO C-2

SITE PLAN AND
SPECIFIC USE
PERMIT – MINI-
WAREHOUSE

SITE PLAN AND
SPECIFIC USE
PERMIT -
WAREHOUSING

4800 TEXOMA
PARKWAY
(STAR MIDWAY, LLC)

parcel across the street and are in preliminary conversations about building a hotel. This is just Phase One of our master design to redevelop the mall.”

You would drive in the old Belk and straight towards Dillards then turn to exit. There will be no turning around inside the building, it would be one way in and one way out.”

Peter Tracy, 705 Valentine Drive, Sherman, TX 75090

Mr. Tracy explained, “With it being a one-way flow will it allow two cars to go through there at one time?”

Mr. Cresswell replied to Mr. Tracy, “Yes. It will be wide enough for a car to park and a car to pass to get out of the building.”

Bryan Wilson, 176 Snap Road, Sherman, TX 75092

Mr. Wilson explained, “For the health and safety standpoint, are the cars going in idling or do you have to turn the cars off? You have retail customers in the front and warehousing in the back. Are there any kind of special aerators to get fumes out of there? Does it create a combustion problem for other vehicles with there being any fires from restaurants or retail?”

Mr. Cresswell replied, “There is going to be demising walls built according to code that will separate the retail from storage and storage from warehouse. The rules of the storage facility are you drive in and immediately turn your car off. We will be putting in an air system that will monitor CO2 levels as well as continuing flowing fresh air through the building.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Cresswell replied, “Yes, they had seen the Staff Review Letter and would abide by the Recommendations.”

No other citizens appeared before the Planning and Zoning Commission to discuss the Zone Change, Site Plan and Specific Use Permit.

ACTION TAKEN.

Planning and Zoning Commission

Motion by Commission Member Davis to approve the Zone Change, Site Plan and Specific Use Permit located at 4800 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Manley.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

PUBLIC HEARING, VARIANCE AND FINAL PLAT

THE REQUEST OF RAY JEAN HANKEY, TRUSTEE (OWNER), STACEY OLMSTEAD (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 820 NORTH SAM RAYBURN FREEWAY, CONSISTING OF 3.648 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BOARD OF ADJUSTMENT

- A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.012 TO ALLOW A LOT AREA OF 3.648 ACRES IN LIEU OF THE REQUIRED 5 ACRES IN AN MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT/SAM RAYBURN OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

- B. FINAL PLAT OF CONCORD VILLAGE ADDITION.

PUBLIC HEARING,
VARIANCE – LOT
AREA

FINAL PLAT –
CONCORD VILLAGE
ADDITION

820 NORTH SAM
RAYBURN FREEWAY
(RAY JEAN HANKEY,
TRUSTEE)

The property is located at 820 North Sam Rayburn Freeway between West Brockett Street and West Birge Street.

Stacey Olmstead, 185 Double D Ranch Road, Sherman, TX 75092

Ms. Olmstead explained, “The owner would like to plat the property into one lot for the existing multi-family development. The owner is also requesting a Variance for the lot size. The lender for the buyer needed it to be platted with the city. There are no plans for site change”

Commission Member Sims asked Ms. Olmstead, “Are the new owners planning to operate the property as is?”

Ms. Olmstead replied, “Yes.”

Chairman Mahone asked Mr. Rae, “Do you have any background for us?”

Mr. Rae replied, “The property is in good standing with the City of Sherman and if they were to get denied the property would fall under nonconforming status and they would still be able to continue but their lenders are requesting that they get these things cleaned up to be able to close the sale.”

Steve Showalter, 608 West Birge Street, Sherman, TX 75092

Mr. Showalter explained, “I like the property that is there, it fits our neighborhood that is there. It is two stories I would guess about twenty-four feet high and about twenty-eight units there. When I saw MF-30 (Multi-Family Residential) District I went to the computer and started doing calculations and what it said to me is that the property could go from about 25 units to 115 units. It would go from about 56 cars on two little streets to 224 cars if it was developed fully to the MF-30 (Multi-Family Residential) District standpoint. I don't have a problem with this rezone at all if the property stays the way it is. I am asking if you approve this that you put stipulations on it.”

Commission Member Whitaker stated, “It is not a rezone. We are not rezoning anything.”

Mr. Showalter replied, “I am a homeowner, I don’t understand the whole development process. You are going to approve something and if this is approved, I would like for there to be stipulations like the number of units that are on the property be approximately the same number that are there, if I do my calculations correctly that would be seven units per acre. I would love to have the building height go from fifty feet to approximately two stories and the part that is owned by the railroad company be switched back to what is there instead of MF-30 (Multi-Family Residential) District going all the way to the middle of the property.”

Megan Simpson, 921 North Woods Street, Sherman, TX 75092

Ms. Simpson explained, “I understand the nature of the request that they are requesting a Variance and the purchaser has no plans to alter the property. If we allow the Variance, it is not specific to the purchaser; the next purchaser could come in and max out the MF-30 (Multi-Family Residential) District restrictions, add more units and add a 50’ building. If you stand on my back porch and I pointed at a 55’ building, even with the 25’ setback, the top of the roof would be imposing onto our property. If this was approved and this purchaser was to expand, we would be looking at crowding.”

Reid Wightman, 927 North Woods Street, Sherman, TX 75092

Mr. Wightman explained, “I am concerned about the residents of this unit. They are generally older people living on fixed incomes and I am concerned the future owner would go in and completely remodel and triple the rent. The other problem I have is in front of my house. I have been denied the use of my driveway for the last three months this winter because they were tearing up the city streets to replace sewers. They had promised that they would come back sometime two years from now. That is a long time for such increased traffic coming down Woods Street which I am thinking that type of development would increase traffic because the Highway 75 traffic is now coming up and down our street. If there is an approval, we ask that there be some stipulations to keep our neighborhood how it is and to keep the residents where they are.”

Kelvin Gentry, 921 North Woods Street, Sherman, TX 75092

Mr. Gentry explained, “Everything that horseshoes the apartment complex is single family residential and they are all historic homes except for what is on College Street. It is quiet in the neighborhood and the reason being, it is a senior living complex. If you approve this without any stipulations, then they could come in and demolish this. What about the building time we would have to deal with? What if the dynamic on the people come in and change? You would be condemning everybody in that horseshoe to terrible sale values and terrible lives.”

Nate Rodriguez, 710 West Birge Street, Sherman, TX 75092

Mr. Rodriguez explained, "Recently the roof was being replaced on a one-story building and we could hear all the noise. The big concern for us is this change would be in perpetuity to this land. This property is 56 years old and has been a retirement community since it was first built. The developer is out of Dallas, Texas and it is very likely, maybe not now but in the future, that he would want to build something else on this property. This MF-30 (Multi-Family Residential) District designation would allow him to build to the max of his property. While we are being told that is not his intention it is not necessarily today, it is the future. If we have a hailstorm or a tornado this property could be demolished and paid by insurance which would allow this MF-30 (Multi-Family Residential) District to rebuild a much larger property."

Valerie Kvestad, 711 North Woods Street, Sherman, TX 75092
Ms. Kvestad explained, "I am not opposed to the development of the area. There have been duplexes and townhomes built down the street and I would want to encourage you to keep in mind that there already are some multi-family complexes there. When I bought my house 22 years ago, I had every expectation when I sold it that it would have to be sold as a single family residence. I don't understand why someone would want to buy a property knowing what it is used for and knowing what it says and then the lender not give financing if it is not zoned something different because if it is still zoned the same way they could rebuild it as it is which is proper for the neighborhood. That neighborhood has a lot of character and people have put a lot of work in their homes. I would encourage you to leave the zoning as it is."

Ms. Olmstead stated, "We are not asking for a Zone Change we are just asking for a Variance for the size of lot we are currently on. There are 68 units on the property, there are not 24. The apartment complex is not low income, it is strictly senior living. The apartment manager keeps a very tight ship over there and we have a 0% delinquency rate at the apartment complex. All these things make it attractive to a buyer and we are selling because the owner passed away and this is part of a trust."

Vice Chairman Downtain asked Mr. Rae, "Anything that was multi-family before the ordinance changed became MF-30 (Multi-Family Residential) District, some of them didn't do MF-15 (Multi-Family Residential) District, what is the criteria for them being MF-15 (Multi-Family Residential) District or MF-30 (Multi-Family Residential) District?"

Mr. Rae replied to Vice Chairman Downtain, "R-2 (Multi-Family Residential) District was the previous classification for MF-30 (Multi-Family Residential) District that recently changed. The density for R-2 (Multi-Family Residential) District was 34.5 units per acre but we simplified it to make it 30 units per acre. They have the same entitlements as before December 5, 2023 when our Zoning Ordinance was updated to the entitlements that they have now for multi-family."

Chairman Mahone asked Ms. Cotton, "Being that it is Board of Adjustment if we wanted could we restrict it to remain no more than 68 units?"

Ms. Cotton replied to Chairman Mahone, "I would caution limiting the property owners right to go forward with the entitlements they have under this regulation."

Mr. Rae stated, "In our new Zoning Ordinance update we did add more restrictions for multi-family that is adjacent to single family residential. There is a requirement for more of a buffer if this were to be rebuilt. They have that right by law to develop the way it is entitled to. If it were to be demolished and rebuilt, they would have to get Site Plan approval from this board and conform to all the Ordinances that are currently in place. If they wanted to remain as it is right now, they would be existing nonconforming."

Commission Member Manley asked Ms. Cotton, "Is there any legal mechanism that you are aware of that carries across the sale to restrict occupancy?"

Ms. Cotton replied to Commission Member Manley, "Not through the authority of the board."

Chairman Mahone asked if they had seen the Staff Review Letter.

Ms. Olmstead replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance and Final Plat.

ACTION TAKEN.

Board of Adjustment

Motion by Commission Member Davis to approve the Variance located at 820 North Sam Rayburn Freeway subject to the Staff Review letter. Second by Commission Member Manley.

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

VOTING NAY: NONE

MOTION CARRIED.

Planning and Zoning Commission

Motion by Commission Member Whitaker to approve the Final Plat located at 820 North Sam Rayburn Freeway subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

PUBLIC HEARING, VARIANCE SITE PLAN AND ZONE CHANGE
THE REQUEST OF TOURAJ SHADMAN (OWNER), GHASSEM GANJI (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1804 NORTH LOY LAKE ROAD, CONSISTING OF 0.274 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT AND M-1 (LIGHT MANUFACTURING) DISTRICT, AS FOLLOWS:

BOARD OF ADJUSTMENT

- A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.04.003(E)(1) FOR A CLINIC, MEDICAL AND DENTAL TO ALLOW 11 PARKING SPACES IN LIEU OF THE REQUIRED 12 PARKING SPACES IN A C-2 (GENERAL COMMERCIAL) DISTRICT.
- B. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.017 TO ALLOW A 10' SIDE SETBACK IN LIEU OF THE REQUIRED 15' SIDE SETBACK IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

- C. PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM A M-1 (LIGHT MANUFACTURING) DISTRICT AND C-2 (GENERAL COMMERCIAL) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT.

PUBLIC HEARING,
VARIANCE –
PARKING AND SIDE
SETBACK

SITE PLAN AND
ZONE CHANGE – M-1
AND C-2 TO C-2

1804 NORTH LOY
LAKE ROAD
(TOURAJ SHADMAN)

The property is located at 1804 North Loy Lake Road between East Francis Street and East Taylor Street.

Ghassem "Gus" Ganji, 2601 Meadows Lane, Sherman, TX 75092
Mr. Ganji explained, "The owner is requesting a Variance for the parking spaces and side setback, a Site Plan and Zone Change from a M-1 (Light Manufacturing) District and C-2 (General Commercial) District to a C-2 (General Commercial) District for the proposed medical/dental office. I was working on this project last year and then they changed the requirement for a C-2 (General Commercial) District. I tried to change the site plan but the best I could come up with was 10' for the side setback and 11 parking spaces."

Commission Member Davis asked, Mr. Ganji, "Could you make your building smaller?"

Mr. Ganji replied to Commission Member Davis, "No. Since this is a medical/dental office, they require x-ray rooms. I tried to squeeze it, but you need a good hallway."

Chairman Mahone asked Mr. Ganji, "Could you point out the ingress and egress of the parking lot?"

Mr. Ganji replied, "that is the main driveway. Originally, we had another driveway off Loy Lake Road, but we closed that one

down. The only issue is going to be the corner with two parking spaces which will be reserved for the doctor and one employee.”

Commission Member Sims asked Mr. Ganji, “So there is only going to be one doctor and one hygienist?”

Mr. Ganji replied to Commission Member Sims, “Yes and the driveway would be off Francis Street.”

Mr. Rae stated, “To be able to back out you would almost have to back all the way out to Francis Street.”

Commission Member Manley stated, “We are cramming a lot into a small space.”

Mr. Ganji stated, “The problem was that the owner bought this property at 0.348 acres, and he didn’t know that. We looked at the property and it was good until I requested a survey and at that time, we found out the property was 0.274 acres.”

Commission Member Manley replied to Mr. Ganji, “Are you saying the owner bought the property without knowing how big it was?”

Mr. Ganji replied, “The copy of the deed doesn’t mention nothing about that.”

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance, Site Plan and Zone Change.

ACTION TAKEN.

Board of Adjustment

Motion by Commission Member Manley to deny the Variances located at 1804 North Loy Lake Road. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

Planning and Zoning Commission

Motion by Commission Member Manley to deny the Site Plan and Zone Change located at 1804 North Loy Lake Road. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

PRELIMINARY PLAT, PUBLIC HEARING, ZONE CHANGE AND SITE PLAN

THE REQUEST OF MERRILL KALISER AND DOSTI PARTNERS (OWNERS), INVESTWELL ARCHITECTS, LLC (ARCHITECT) AND BOHLER (CONSULTING ENGINEERS & SURVEYORS) CONCERNING THE PROPERTY LOCATED IN THE 301-401 BLOCKS EAST SHEPHERD ROAD AND 7001-7201 BLOCK SOUTH HIGHWAY 75, CONSISTING OF 105.837 ACRES, BEING A PART OF THE BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. PRELIMINARY PLAT OF SHERMAN GATEWAY ADDITION, LOTS 1-6, BLOCK 1
- B. PUBLIC HEARING AND ZONE CHANGE, LOT 1 CONSISTING OF 17.284 ACRES IN THE SHERMAN GATEWAY ADDITION LOTS 1-6, BLOCK 1 IN THE BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733 FROM A MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT AND M-1 (LIGHT MANUFACTURING) DISTRICT TO AN MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT/75 & 82 OVERLAY DISTRICT.
- C. PUBLIC HEARING AND ZONE CHANGE, LOT 6, BLOCK 1 CONSISTING OF 39.775 ACRES IN THE SHERMAN GATEWAY ADDITION LOTS 1-6, BLOCK 1 IN THE BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733 FROM A M-1 (LIGHT MANUFACTURING) DISTRICT AND MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO AN M-1 (LIGHT MANUFACTURING) DISTRICT/75 & 82 OVERLAY DISTRICT.
- D. SITE PLAN OF SHERMAN GATEWAY, PHASE 1

PRELIMINARY PLAT
- SHERMAN
GATEWAY
ADDITION, LOTS 1-6,
BLOCK 1

PUBLIC HEARING,
ZONE CHANGE LOTS
1-6, BLOCK 1 MF-30
AND M-1 TO MF-30

ZONE CHANGE - LOT
6, BLOCK 1 M-1 AND
MF-30 TO M-1

SITE PLAN –
SHERMAN
GATEWAY, PHASE 1

301-401 BLOCKS
EAST SHEPHERD
ROAD AND 7001-
7201 BLOCK SOUTH
HIGHWAY 75
(MERRILL KALISER
AND DOSTI
PARTNERS)

The property is located in the 301-401 Blocks East Shepherd Road and 7001-7201 Blocks South Highway 75 near the Southeast corner of South Highway 75 and East Shepherd Road in the 75 & 82 Overlay District.

Dean Cardwell, 2600 Network Boulevard, # 310, Frisco, TX 75034

Mr. Cardwell explained, "The owner would like to plat the property 6 lots for multi-family and commercial development. The owner is requesting a Zone Change for Lot 1 from a MF-30 (Multi-Family Residential) District and M-1 (Light Manufacturing) District to an MF-30 (Multi-Family Residential) District and Lot 6, Block 1 from a M-1 (Light Manufacturing) District and MF-30 (Multi-Family Residential) District to an M-1 (Light Manufacturing) District. The owner would also like Site Plan approval for Sherman Gateway, Phase 1. After planning this property out and working with the city, we wanted to make an interconnection between the two parcels and the way the exit ramp coming off Highway 75 onto the service road is we couldn't come across the purchase line. The purchase line divides between the curved road which is why we are trying to rezone the part below the curve and the part above the curve on either side. We are not changing the zoning on the rest of the parcels on either side.

Lot 2 will be Phase One. The Site Plan is Phase 2, the four lots north of the road will each be a different phase of multi-family

with the commercial lot in the corner and everything to the south will be M-1 (Light Manufacturing) District.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Cardwell replied, “Yes, they had seen the Staff Review Letter and would abide by the Recommendations.”

No other citizens appeared before the Planning and Zoning Commission to discuss the Preliminary Plat, Zone Change and Site Plan.

ACTION TAKEN.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Preliminary Plat, Zone Change and Site Plan located at 301-401 Blocks East Shepherd Road and 7001-7201 Block South Highway 75 subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

ADJOURNMENT

The meeting adjourned for a Recess at 8:50 p.m.

RECONVENE

The Recess closed, and the meeting reconvened at 8:57 p.m.

PUBLIC HEARING, VARIANCE SITE PLAN AND SPECIFIC USE PERMIT

THE REQUEST OF JEFF HARKINSON, BEARCAT CROSSING, LTD. (OWNERS), JEREMY GRAY (REPRESENTATIVE), VORTEX SURVEYING COMPANY (SURVEYOR), A&W SURVEYORS, INC (LAND SURVEYOR) AND MAULDIN ARCHITECTS (ARCHITECT) CONCERNING THE PROPERTY LOCATED IN THE 3600 BLOCK STEEPLE CHASE DRIVE CONSISTING OF 3.002 ACRES, IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 AND BEING LOT 5, BLOCK 1 OF BEARCAT CROSSING ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENT

- A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.016 TO ALLOW A 5’ SIDE YARD SETBACK ON THE WEST SIDE PROPERTY LINE IN LIEU OF THE REQUIRED 15’ SIDE YARD SETBACK IN A C-1 (RETAIL BUSINESS) DISTRICT/FM HIGHWAY 1417 OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

ADJOURNMENT

RECONVENE

PUBLIC HEARING,
VARIANCE – SIDE
YARD SETBACK

SITE PLAN AND
SPECIFIC USE
PERMIT – MINI-
WAREHOUSE

3600 BLOCK
STEEPLE CHASE
DRIVE

(JEFF HARKINSON,
BEARCAT
CROSSING, LTD.)

B. PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW A MINI-WAREHOUSE IN A C-1 (RETAIL BUSINESS) DISTRICT/FM HIGHWAY 1417 OVERLAY DISTRICT.

The property is located at 3600 Block Steeple Chase Drive between South Heritage Parkway and West Moore Street.

Jeremy Gray, 4300 McArthur Avenue, Suite 200, Dallas, TX 75209

Mr. Gray explained, "We are trying to buy the 3 acres on the back portion of Bearcat Crossing for overall development of mini warehouses. We are planning on four buildings consisting of climate controlled and non-climate controlled in each building with 24/7 access. We are requesting a Variance to allow a 5' setback on the back of the pad sites."

Commission Member Manley stated, "On the Site Plan it shows a 6' fence on the east property line, is that correct?"

Mr. Gray replied to Commission Member Manley, "There will not be a 6' fence that goes across the entire property, we will have fences between each building. There is a proposed 15' utility easement that comes inside our property line on the east side so we will not have fencing there."

Jeff Harkinson, 4560 Belt Line Road, Suite 400, Addison, TX 75001

Mr. Harkinson explained, "The reason for this is because of the depth of the property. It was too deep for the typical retail development across the front. We were looking for a use that would be a bridge use for the back side of the property and we felt this was the perfect use. I believe that the 6' fence was the existing school district fence."

Mr. Gray stated, "In our preliminary meeting with the Fire Chief he did mention a concern for having to back up the fire trucks the entire way back out. We decided to make a second turn around at the end so the fire trucks could go all the way down to turn around and head out."

Mr. Harkinson stated, "Another thing I want to comment on is the quality of the overall development for Bearcat Crossing. We have instituted conditions and restrictions similar to Sherman Crossroads. All the internal utilities will be underground, concrete parking, signage that is no more than 8' tall and must be a monument sign. Pole signs will not be allowed."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Gray replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance, Site Plan and Specific Use Permit.

ACTION TAKEN.

Board of Adjustment

Motion by Commission Member Manley to approve the Variance located at 3600 Block Steeple Chase Drive subject to the Staff Review letter. Second by Vice Chairman Downtain.

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

VOTING NAY: NONE.

MOTION CARRIED.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Site Plan and Specific Use Permit located at 3600 Block Steeple Chase Drive subject to the Staff Review letter. Second by Commission Member Blagg.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

PUBLIC HEARING, VARIANCE, SITE PLAN AND REPLAT

THE REQUEST OF SAPPHIRE STOCKHOME, LLC (OWNER), BLUESTONE PARTNERS, LLC (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 304 PROGRESS DRIVE, CONSISTING OF 9.023 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 AND BEING ALL OF LOT 4, OF THE REPLAT OF SHERMAN INDUSTRIAL DEVELOPMENT ADDITION, AND CURRENTLY ZONED BLALOCK INDUSTRIAL PARK PD (PLANNED DEVELOPMENT), AS FOLLOWS:

BOARD OF ADJUSTMENT

- A. PUBLIC HEARING AND VARIANCE UNDER SECTION 2.3.2 TO ALLOW 2.582 ACRES IN LOT 4R-1 IN LIEU OF THE REQUIRED 5 ACRES IN THE BLALOCK INDUSTRIAL PARK/PD (PLANNED DEVELOPMENT).
- B. PUBLIC HEARING AND VARIANCE UNDER SECTION 2.3.5(A) TO ALLOW PARKING WITHIN THE 50' FRONT SETBACK IN LIEU OF THE REQUIRED AREA TO BE USED FOR LAWNS, LANDSCAPING AND GREEN AREAS.
- C. PUBLIC HEARING AND VARIANCE UNDER SECTION 2.3.5(B)(5) TO ALLOW 1' ¾" SIDE SETBACK FOR THE EXISTING STRUCTURE IN LIEU OF THE REQUIRED 25'.

PLANNING AND ZONING COMMISSION

**PUBLIC HEARING,
VARIANCE – LOT
AREA**

**VARIANCE –
PARKING**

**VARIANCE – SIDE
SETBACK
SITE PLAN –
SHERMAN
INDUSTRIAL
DEVELOPMENT
ADDITION**

**REPLAT – LOT 4,
SHERMAN
INDUSTRIAL
DEVELOPMENT
ADDITION (REPLAT)**

**304 PROGRESS
DRIVE
(SAPPHIRE
STOCKHOME, LLC)**

- D. SITE PLAN FOR SHERMAN INDUSTRIAL DEVELOPMENT ADDITION
- E. REPLAT OF LOT 4, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION (REPLAT)

The property is located at 304 Progress Drive at the corner of Progress Drive and Howe Drive.

Barry Boothe, 4708 North FM 1417, Sherman, TX 75092

Mr. Booth explained, “The owner is requesting a Site Plan for Sherman Industrial Development Addition and would like to plat the property into two lots for commercial development. Part of the replat would also include the addition of a 1-acre lot that we purchased to the south of this property. A large portion of the property, being 2 acres, is in the flood zone and another acre and a half is separated by the rest of this property. The reason we thought to add these Variances, specifically less than 5 acres on a replat is that we respect the Blalock Overlay Districts purpose and intent. We have a rare case that is right in the middle of SEDCO owned land, Tyson and the lumber company. We are trying to bring in something that would work for the smaller tenants.”

Commission Member Davis asked Mr. Boothe, “Are you having to give up landscape to meet the parking?”

Mr. Boothe replied to Commission Member Davis, “Due to our design it was said that if we would do landscaping on the hard corner and additional landscaping in front of the existing building, we could possibly be able to get a Variance for parking in the setback. The building will be industrial, but it will have store front glass and a parking lot out front for staff because at the back will be nothing but a truck court. You would not be able to park staff in the back. On Building C, the buildings that are abutting up to the property line are almost like temporary structures.”

Chairman Mahone asked Mr. Rae, “The 50’ setback on Item B, is that from all roads or all lot lines?”

Mr. Rae replied, “The Blalock Industrial Park language specifies the setback area along public streets needs to be reserved for landscaping. You’ve seen an item similar to this for GlobalWafers where they wanted to locate parking in that setback with enhanced landscaping.”

Commission Member Manley asked Mr. Boothe, “Do you own both lots 4R-1 and 4R-2?”

Mr. Boothe replied, “Yes.”

Commission Member Manley asked Mr. Boothe, “Why do they have to be two separate lots and reduce it under 5 acres?”

Mr. Boothe replied to Commission Member Manley, “I already own a lot that is one acre, so I could just build on that one acre.

What I want to do is add that one acre to what would be a new construction business and take this one property that has its own address and an old building on it and separate that from what would be a brand-new ground up project. It would be beneficial to not have those properties as one parcel.”

Mr. Rae stated, “As Staff we don’t have an issue with the Site Plan as it is laid out. We have had development meetings the applicant and have communicated that we would not support the subdivision because of the regulations in our ordinance.”

Chairman Mahone asked Mr. Rae, “Do we currently have any properties that are less than 5 acres in the Blalock Industrial Park?”

Mr. Rae replied, “Not anything recent. Some sections of the Blalock Industrial Park used to have a minimum of 5 acres, and some had a minimum of 25 acres. We just reduced that across the board to 5 acres.”

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Boothe replied, “Yes, they had seen the Staff Review Letter and would abide by the Recommendations.”

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance, Site Plan and Replat.

ACTION TAKEN.

Board of Adjustment

Motion by Commission Member Davis to deny Items A, B and C located at 304 Progress Drive.

Motion Failed for a lack of a Second.

Motion by Commission Member Manley to deny Items A and C located at 304 Progress Drive.

Motion Failed for a lack of a Second.

Motion by Vice Chairman Downtain to approve Items A and B and allow a 20’ setback on Item C instead of 1’ ¾” setback located at 304 Progress Drive. Second by Commission Member Sims.

VOTING AYE: DOWNTAIN AND SIMS

VOTING NAY: MAHONE, DAVIS, AND MANLEY

Motion Failed.

Motion by Commission Member Manley to approve Item B located at 304 Progress Drive subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, SIMS AND MANLEY
VOTING NAY: DAVIS
MOTION CARRIED.

Motion by Commission Member Davis to deny Items A and C located at 304 Progress Drive. Second by Commission Member Manley.

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

Motion Failed

Motion by Vice Chairman Downtain to approve Item C with the adjustment to a 20' setback instead of 1' $\frac{3}{4}$ " setback located at 304 Progress Drive. Second by Commission Member Manley.

Chairman Mahone stated, "That is contingent on what happens with Item A."

Vice Chairman Downtain replied to Chairman Mahone, "I will withdraw it."

Motion Withdrawn.

Ms. Cotton stated, "The applicant could request to table at this point."

Chairman Mahone asked Mr. Boothe, "We have approved B. We have not acted on Items A or C. Would you like to table?"

Mr. Boothe replied to Chairman Mahone, "With the Planning and Zoning Commission those are contingent on these Variances. If you fail to take action on Items A and C, is it just a reapplication?"

Mr. Rae replied, "If you table the item, you would have 30 days to revise your Site Plan and your Plat and come back for the June meeting with the revision to keep the process moving."

Mr. Boothe replied to Chairman Mahone, "We will table."

Planning and Zoning Commission
Motion by Commission Member Sims to table Items A, C, D and E. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, BLAGG, WHITAKER AND MANLEY
VOTING NAY: NONE.
MOTION CARRIED.

PUBLIC HEARING, ZONE CHANGE, SPECIFIC USE PERMIT
AND ZONING TEXT AMENDMENT
THE REQUEST OF GRAYSON COUNTY, TEXAS (OWNER),
MYRON DORNIC, JACKSON WALKER, LLP

PUBLIC HEARING,
ZONE CHANGE – MF-
30 TO C-1

(REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 200 SOUTH CROCKETT STREET, CONSISTING OF 1.767 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING A PART OF GRAYSON COUNTY JUSTICE CENTER, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. PUBLIC HEARING AND ZONE CHANGE, BLOCK 9 OF ORIGINAL TOWN PLAT CONSISTING OF 1.767 ACRES IN THE GRAYSON COUNTY JUSTICE CENTER FROM A MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.
- B. PUBLIC HEARING AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW A CORRECTIONAL OR DETENTION FACILITY OR JAIL IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT OVERLAY.
- C. PUBLIC HEARING AND ZONING TEXT AMENDMENT TO ADD REGULATIONS FOR A NEW SUBAREA A OF THE CENTRAL BUSINESS DISTRICT OVERLAY (CBD-A).

SPECIFIC USE
PERMIT –
CORRECTIONAL OR
DETENTION
FACILITY OR JAIL

ZONING TEXT
AMENDMENT – ADD
REGULATIONS

200 SOUTH
CROCKETT STREET
(GRAYSON COUNTY,
TEXAS)

The property is located at 200 South Crockett Street between West Lamar Street and West Cherry Street and is in the Central Business District Overlay.

Myron Dornic, 2323 Ross Avenue, Dallas, TX 75231

Mr. Dornic explained, "The owner is requesting an addition to the Justice Center. The Zoning Text Amendment would allow for a Correctional Facility in the Subarea of the Central Business District Overlay with a Specific Use Permit. It would also allow for parking to be diagonally across the street, directly across the street and separated by an alley. We are also requesting a Zone Change from an MF-30 (Multi Family Residential) District to a C-1 (Retail Business) District to the area where the addition would go, and the Central Business District New Subarea be applied to the property to allow this Specific Use Permit request. We have volunteered deed restrictions to the city that would prevent any further additions to any of the property on the Justice Center block to be used as a Jail or Correctional Facility. Those deed restrictions would be a benefit to the City and only the City Council could allow them to be amended. We have agreed to work on relocating the probation office and the election office from Downtown in a 5 to 10-year time period and to work in good faith to relocate the Justice Center from Downtown in a 15 to 20-year time period. We were made aware of Item 30, and we have revised elevations to share with you."

Commission Member Sims asked Mr. Dornic, "Are we going to move the probation office and the election office within 5 to 10 years and only the jail or the jail and the Justice Center?"

County Judge Bruce Dawsey, 200 S Crockett, Sherman, TX 75090

Mr. Dawsey explained, "We are looking at moving the adult probation as quickly as we can. As far as the elections office that is within the time plan, we just need a new location for it. The timeline for relocating the jail and Justice Center we are looking at is anywhere from 10 to 15 years. I don't see it being 20 years, I don't believe we will last that long."

Commission Member Sims replied, "I wasn't questioning the timeline, I was making sure the jail and the Justice Center were going to go together not just the jail."

Mr. Dawsey replied, "We are going to work at relocating the entire Justice Center, maybe not all at one time but in phases. We are going to outgrow everything even with the jail expansion. The reason adult probation has come up so quickly is because we have a good viable solution to be able to get that off Sherman square, off Downtown and still have adequate access to the jail and Justice Center. As far as moving the election office we are looking for different locations, but it also has to be something that fits with their needs."

Chairman Mahone asked Mr. Dawsey, "Do you know what the capacity is for the current Justice Center?"

Mr. Dawsey replied, "The jail and the Justice Center are two different functions. The jail is self-contained, the Justice Center is just connected to it with the court systems. I don't have numbers for the court system. The jail itself is 368 to 390 and the expansion is going to push it up to around 700 in total capacity. The Justice Center is going to create more need for bigger courts which is why in 10 to 15 years we are going to have to look at the next solution. We have formed a committee to start seeking out locations. We are having to ship inmates out of county to other locations. We may go from 360 prisoners one day to 420 the next. It is a up and down thing."

Vice Chairman Downtain asked, "I understand how the deed restrictions would limit future development of that property but as far as the other moving in 5 to 10 years or 10 to 15 years, are those some sort of binding agreements or is that just a verbal agreement?"

Mr. Dornic replied, "That is a verbal commitment. I don't think we feel that the future Commissioner's Courts could be bound on agreement. We expect them to honor verbally."

Commission Member Davis asked, "With a Specific Use Permit can the county sell this to a private jail?"

Mr. Rae stated, "That is a valid question, if you found another location and had this empty jail what could you reuse it for? It wouldn't be a terrible idea for the Specific Use Permit to be tied to Grayson County so that it could not be privatized in the future based on Commission Member Davis' concern."

Mr. Dornic replied, "Your regulations provide that if the property under the Specific Use Permit is vacant for more than 30 days then the Specific Use Permit is extinguished."

Commission Member Manley asked Mr. Dornic, "My drawing has the jail addition in quotes Option A. Does that imply that there is an Option B or C?"

Mr. Dornic replied, "There was an Option B, but we understood that this was the preference of City Staff, so we went with Option A."

Commission Member Manley asked Mr. Dornic, "Could you describe what Option B?"

Mr. Dornic replied, "Option B was in the northeast corner where it says 44 spaces."

Commission Member Davis stated, "By the way it is written they can do it."

Commission Member Davis asked Mr. Dornic, "How tall is the courthouse?"

Mr. Dornic replied, "It is going to be under 60' tall. The new building is 80'. The boardwalk building is not 80'."

Chairman Mahone asked, "How high is the existing building?"

Charles Goodman, 5000 Quorum Drive, Suite 600, Dallas, TX 75254

Mr. Goodman replied, "The new addition would be at 78' tall so what you see now will have an additional 24'."

Mr. Rae asked Mr. Goodman, "You are saying it is 24' above the existing building?"

Mr. Goodman replied, "Correct."

Karen Tooley, 1202 South Travis Street, Sherman, TX 75092

Ms. Tooley explained, "I work with the Downtown Merchants and I am very passionate about Downtown. It is no secret to the County that everyone Downtown opposes this. It is within your power to say no to this Zone Change. It is going to kill our Downtown with this big cinder block. It is going to be windowless and have barbed wire as you are driving into Downtown. They have admitted that they didn't plan for this 10 years ago and are just thinking about this now. If you say no, then they will have to make a decision on where to move it because that has got to happen. We are going to outgrow it. We have all sorts of problems with the jail Downtown. People are being released then walking around with checks that they can't cash, they are thirsty and hungry, or their phones don't work."

Commission Member Davis stated, "They can go to those 44 spaces off Lamar Street, and they can build this and not have to ask anyone."

Ms. Tooley replied, "Okay, let's call their bluff."

Commission Member Davis stated, "They are going to build a jail."

Ms. Tooley replied, "Right, but it shouldn't be downtown. We are the only city with our size in Texas that has a jail downtown."

Commission Member Sims added, "Respectfully if we call their bluff, they will do it downtown anyways on a major corridor."

Angela Wilson, 176 Snap Road, Sherman, TX 75092

Ms. Wilson explained, "I would like a commitment from the County if possible because we have raised concerns about the safety of people Downtown. People are scared and it is changing. When you add 300 beds to this jail there will be more people released. I spoke to a merchant Downtown, and they had someone come by and lick their windows. A man standing outside with two women inside and he was licking the windows. When this subject was broached to Sheriff Tom Watt, he said that is the City of Sherman's problem not his. I would like a commitment from the County to protect the citizens of Sherman."

Courtney Mitchell, 217 South Travis Street, Sherman, TX 75090

Ms. Mitchell explained, "A lot of business owners are worried this is going to kill our business and we don't feel safe with the jail. I know this is probably the best worst pick, but I feel like a handshake agreement isn't the best way to go on moving the elections and probation offices; maybe we could put in a legal stipulation? I know we are in a bad situation because the county didn't plan ahead, and they admitted that they would be out of room by the time it is built and maybe they should plan sooner."

Michelle Wells, 1408 Andy Drive, Sherman, TX 75092

Ms. Wilson explained, "As a concerned citizen and an advocate for progress I would like to express my thought regarding the proposed jail expansion in our Downtown area. While change can often feel unfamiliar and unsettling it is imperative that we recognize the need to evolve and grow as a community. It is precisely this perspective that prompts me to voice my concerns about the jail expansion and explore alternative solutions for a brighter future. Our downtown historic charm and the diverse array of businesses is the heart and soul of this city. It serves as a gathering place for residents and visitors alike fostering the sense of connection and pride. Expanding the jail in the downtown location would undoubtedly cast a shadow over the spirit of progress and revitalization we all have worked so hard to cultivate. To fully understand the implications of this expansion let's consider the impact it will have on our community dynamics. Expanding the jail in such

closeness to the residential areas and thriving businesses can create an environment that feels unwelcoming and perpetuates negative perceptions of our downtown. This in turn may deter potential investors, inhibit economic growth and hinder the overall development that we all aspire to achieve for our downtown area. It is essential for us to genuinely acknowledge the matter of the incarceration demands with a comprehensive approach. While expanding the jail may temporarily alleviate the overcrowding, currently it fails to tackle the growth that is coming and the reason behind the crime. How can we prioritize proactive measures that address the root of these causes? Is there a way we can earnestly invest in community-based initiatives like mental health support and restorative justice programs? By whole heartedly reflecting all our focus towards these proactive measures one that foster growth and personal development we can sincerely cultivate a safer and more inclusive town that benefits every individual. Change can be uncomfortable, but it is through embracing the unfamiliar that we pave the way for progress. Let us explore innovative alternatives to the jail expansion that aligns with our shared vision for a thriving downtown. In conclusion I implore you to carefully consider the long-term implications of the jail expansion in our downtown area. Let us be forward thinking as we seek solutions to support the growth and progress we are going to have and prioritize community base initiatives, invest in mental embrace restorative justice so we can build a stronger, safer and more prosperous city that we can all be proud to call home.”

Alisha Rosenthal, 114 South Crockett, Sherman, TX 75090
(Read by Michelle Wells)

Ms. Rosenthal explained, “The jail expansion is the perfect way to kill my business that employees eight Grayson County citizens and generates \$40,000 a month in revenue as well as kill other thriving businesses in downtown Sherman. If all businesses are doing the same numbers as mine and I suspect a lot are doing more, we are providing 320 local jobs and generating over twenty million dollars a year within a few city blocks. The jail space along with other county businesses is already hindering our growth immensely. Adding to the jail would completely cripple unending potential we have to bring resources, services, jobs and revenue into the County and the City of Sherman.”

Mr. Dornic stated, “I can’t address any of the antidotes that people have. I do think people also have failed to consider all the benefits to having the jail employees downtown, all the Grayson County Sheriffs, the personnel and what a hole that would leave in terms of some of the business profits that come from that.”

Chairman Mahone asked Mr. Dornic, “We talked about Option B earlier being those 44 spaces. What would you do for parking if you went with that plan? Would the parking be similar?”

Mr. Dornic replied, “Yes.”

Chairman Mahone asked Mr. Dornic, "When you release people from the jail where do they come out?"

Mr. Dawsey replied, "There is a release door."

Commission Member Manley asked Mr. Dawsey, "I know a lot of downtown businesses complain about the ones who are released wandering down to a business and asking to use a phone or bathroom. Is there anything that the county can do to alleviate that and not put the burden on downtown businesses?"

Mr. Dawsey replied to Commission Member Manley, "That is a question I would have to ask the Sheriff. I can't speak to that specifically; he is in control of the jail itself. I do know that a lot of the downtown traffic that the merchants are concerned with does stem from adult probation because we have 200 clients a day come through. As far as the merchants, the jail has been downtown longer than most of the businesses that are concerned."

Jeff Whitmire, 100 West Houston, Sherman, TX 75090

Mr. Whitmire stated, "The original jail has been downtown since 1846."

Commission Member Manley asked Mr. Dawsey, "Do you know how much the County spends annually on prisoners that are housed outside of the county?"

Mr. Dawsey replied to Commission Member Manley, "We are spending \$60 a day to house them outside of the county not including transportation cost per inmate."

Mr. Rae stated, "The County Commissioners know this, but you wouldn't find anyone more opposed to the jail expansion being in the downtown than me as an Urban Planner. In 1920 our first Comprehensive Plan recommended the jail be removed from downtown. This has been going on a long-time. We worked in good faith with the county to come up with an option that worked for both parties. We really liked the thought that they would have a deed restriction that would say they can't expand the jail anymore. Another thing we heard from county was that commitment to remove the probation office, election office and the Justice Center. These are steps forward in the right direction to change the way our downtown is."

Mr. Dornic stated, "By State Law the County Jail has to be in the City of Sherman unless we have more than one jail."

Chairman Mahone asked Mr. Goodman, "How long does it take to build this expansion?"

Mr. Goodman replied to Chairman Mahone, "We will have to complete the drawings which will take another 3 months then the expansion could take about 18 months."

No other citizens appeared before the Planning and Zoning Commission to discuss the Zone Change, Specific Use Permit, and Zoning Text Amendment.

ACTION TAKEN.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve Item A as is, Item B with an expiry of 5 years being tied to Grayson County as owner and operator being the primary facility with no sublet and Item C as is, located at 200 South Crockett Street subject to the Staff Review letter. Second by Commission Member Sims.

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

VOTING NAY: MAHONE.

MOTION CARRIED.

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

PUBLIC HEARING AND CONSIDERATION OF AMENDMENTS TO THE CENTRAL BUSINESS DISTRICT OVERLAY

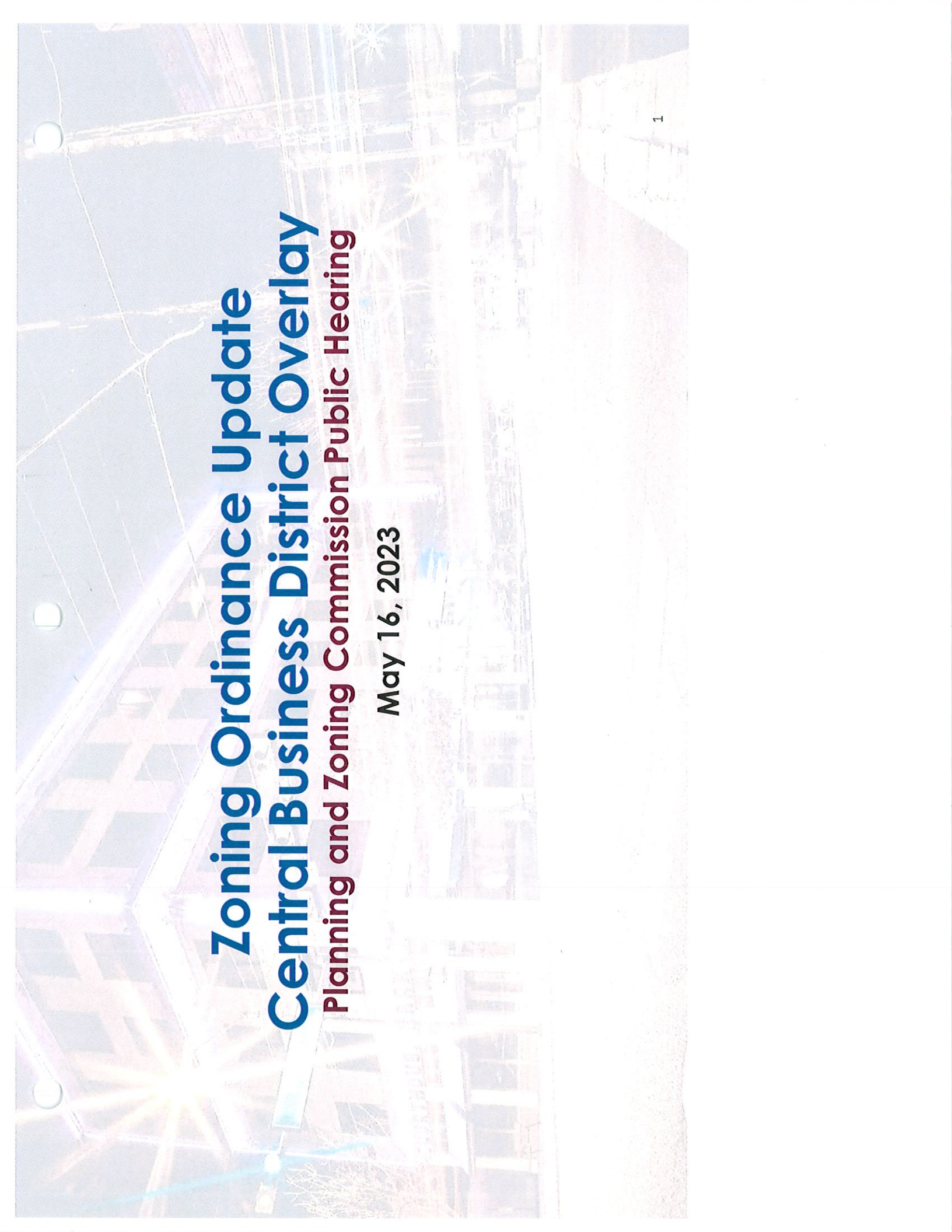
PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 14 (ZONING ORDINANCE), SECTIONS 14.02.001 (ZONING DISTRICTS ESTABLISHED), 14.02.002 (ZONING EQUIVALENCY TABLE), 14.03.008 (ARTS AND 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

PUBLIC HEARING
AND
CONSIDERATION OF
AMENDMENTS TO
THE CENTRAL
BUSINESS DISTRICT
OVERLAY

Rob Rae, 220 West Mulberry Street, Sherman, TX 75090

Mr. Rae explained, "Because of the County's request to expand the boundaries of the Central Business District we were required to notify everyone within the Central Business District. We thought it would be a good time to update the Ordinance at the same time."

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 "COLUMBIA". The street is paved and has some trees and utility poles visible. The overall scene is a typical urban environment.

Zoning Ordinance Update Central Business District Overlay

Planning and Zoning Commission Public Hearing

May 16, 2023

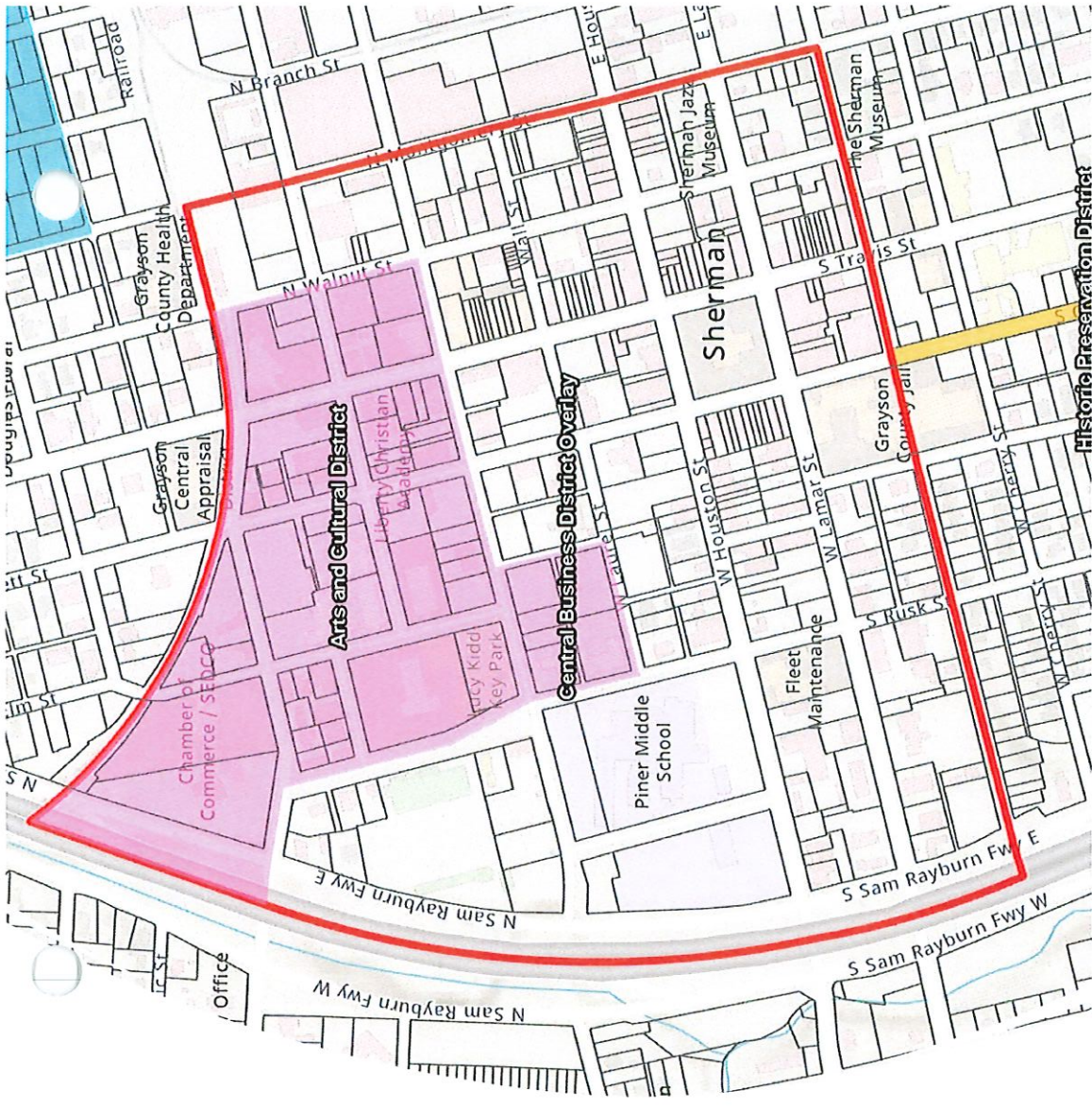


Chapter 14.03 Overlay Zoning Districts

- P&Z Subcommittee met on April 12, 2022 to discuss changes to the Overlay Zoning Districts.
- State law requires property owner notification
- Staff elected to delay updating the overlay districts until proper notification could be made.
- Grayson County has requested an Central Business District Overlay text amendment
- Staff to include additional changes based on P&Z Subcommittee discussion.

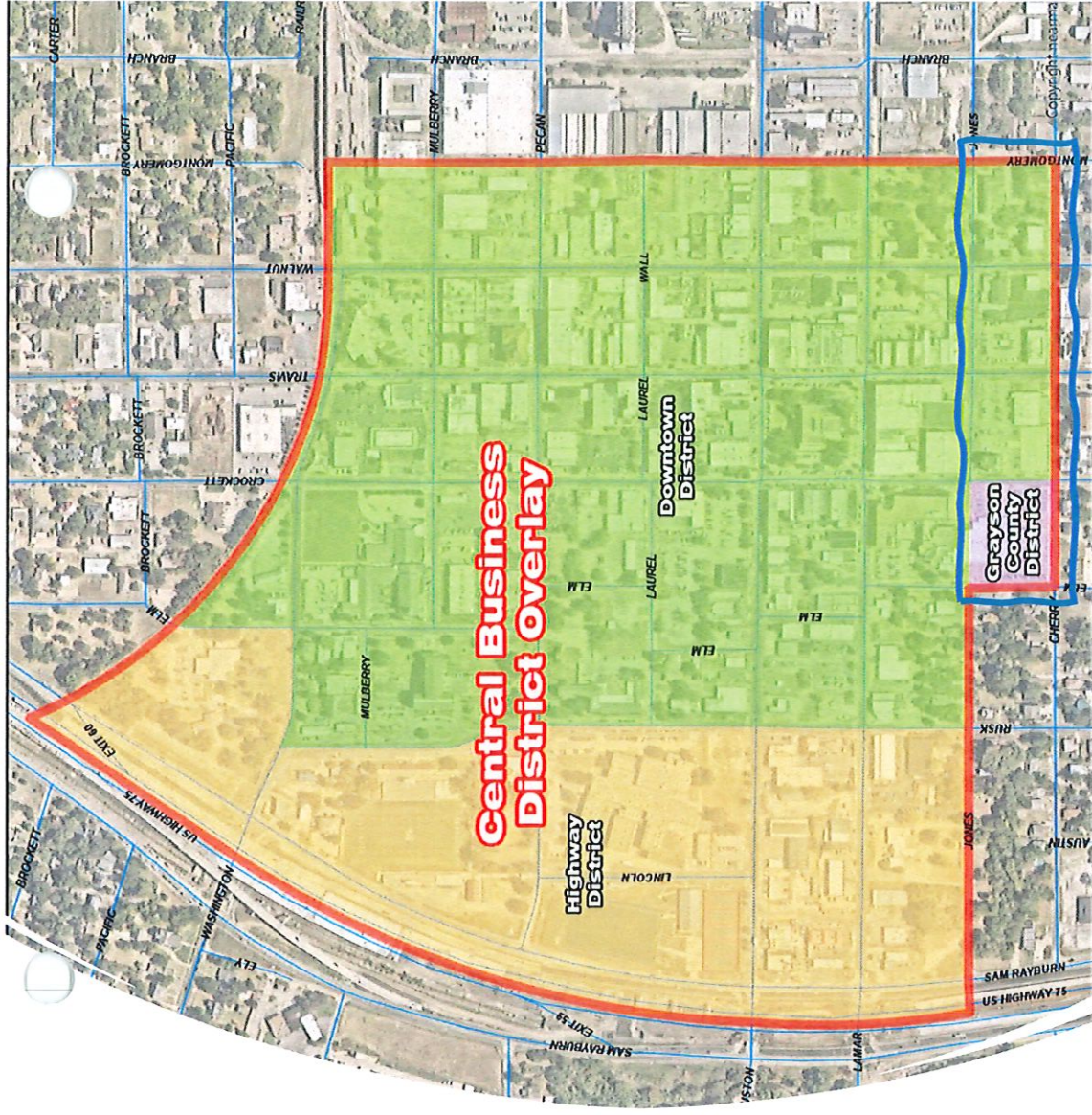
Arts & Cultural Overlay District

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



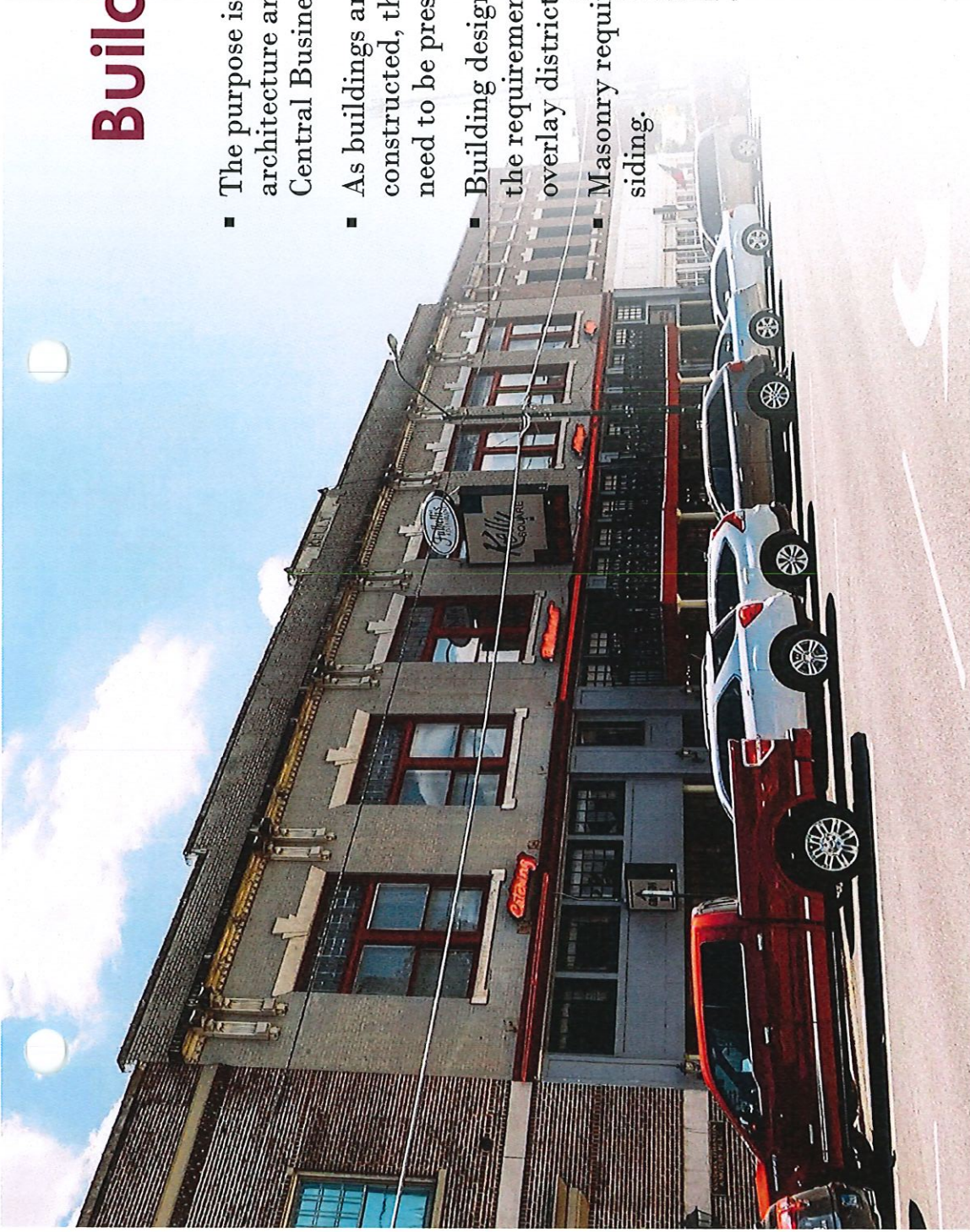
Central Business District Boundary Areas

- 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)



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.



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

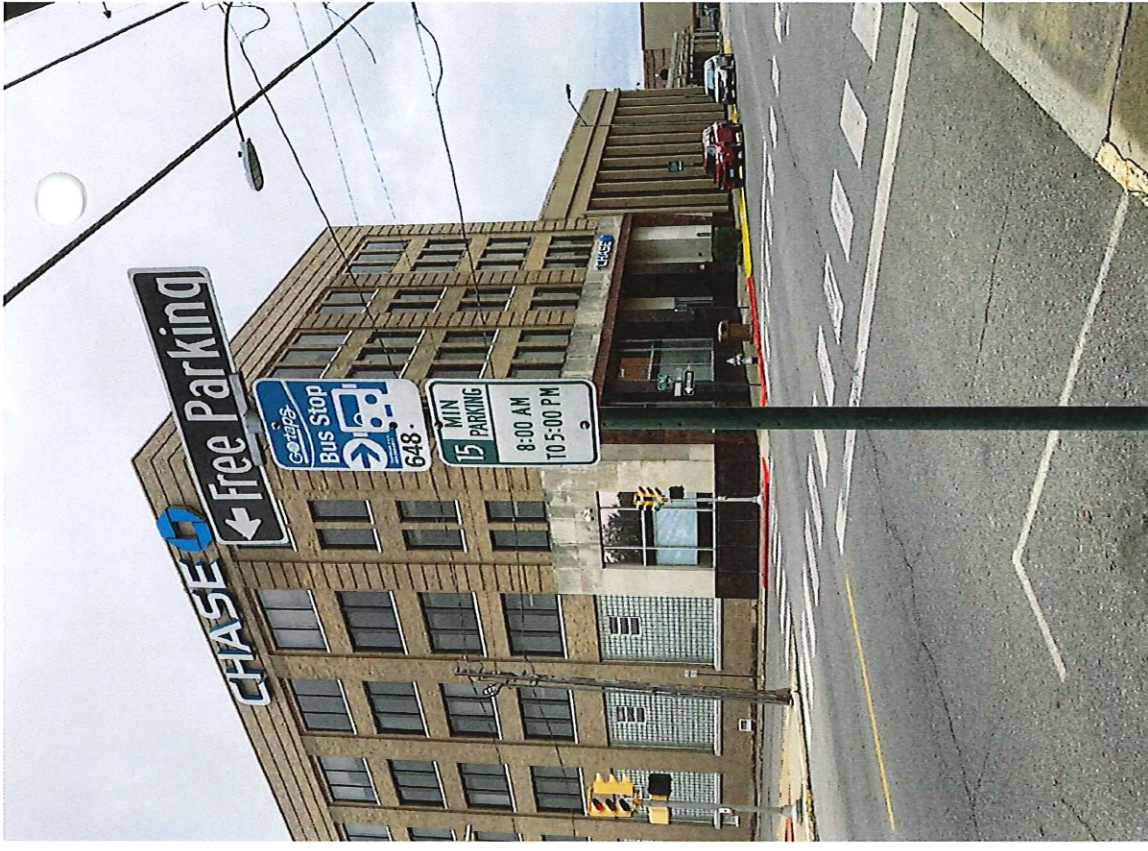
■ Highway District

- 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



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)



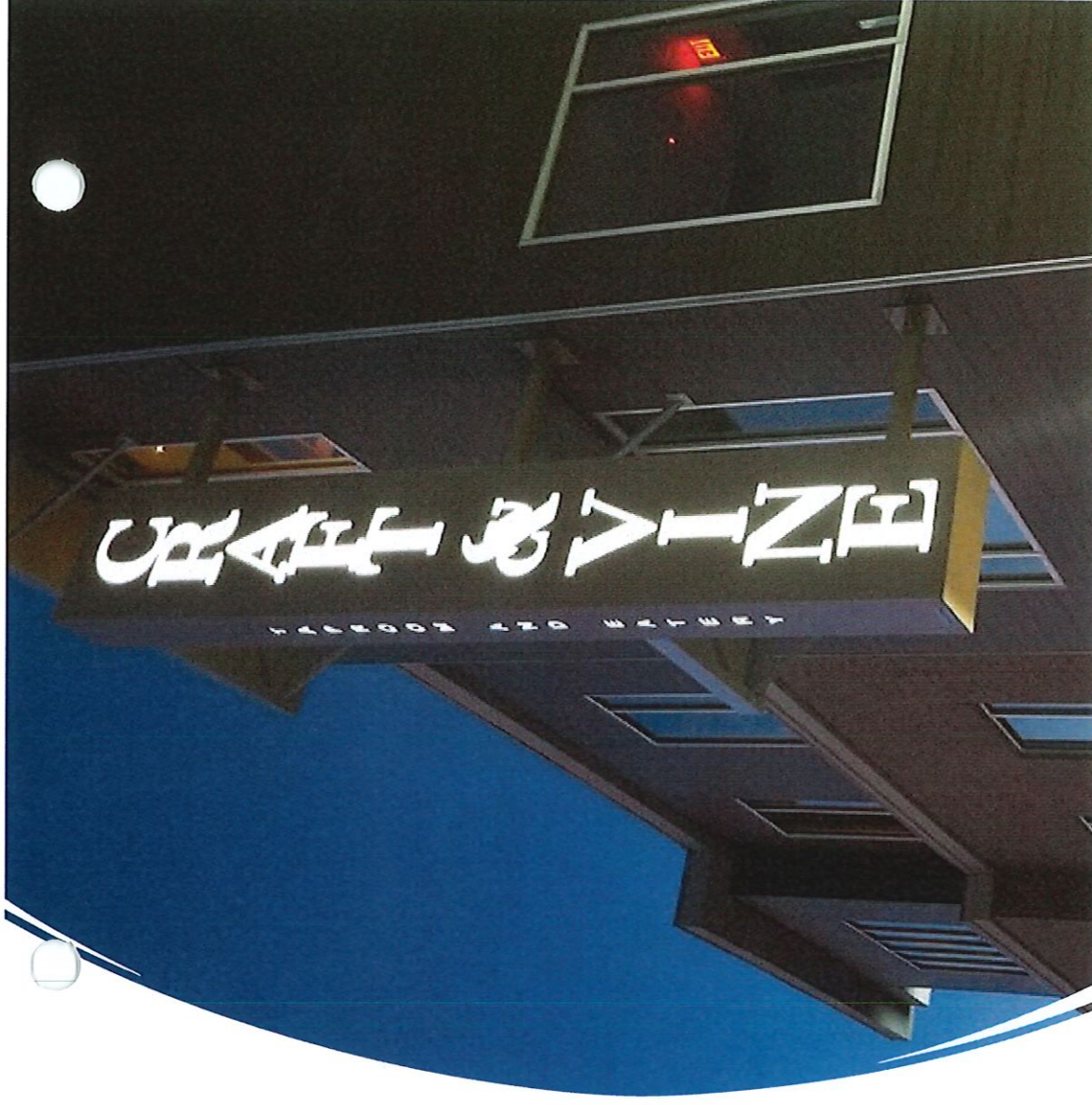
Signs

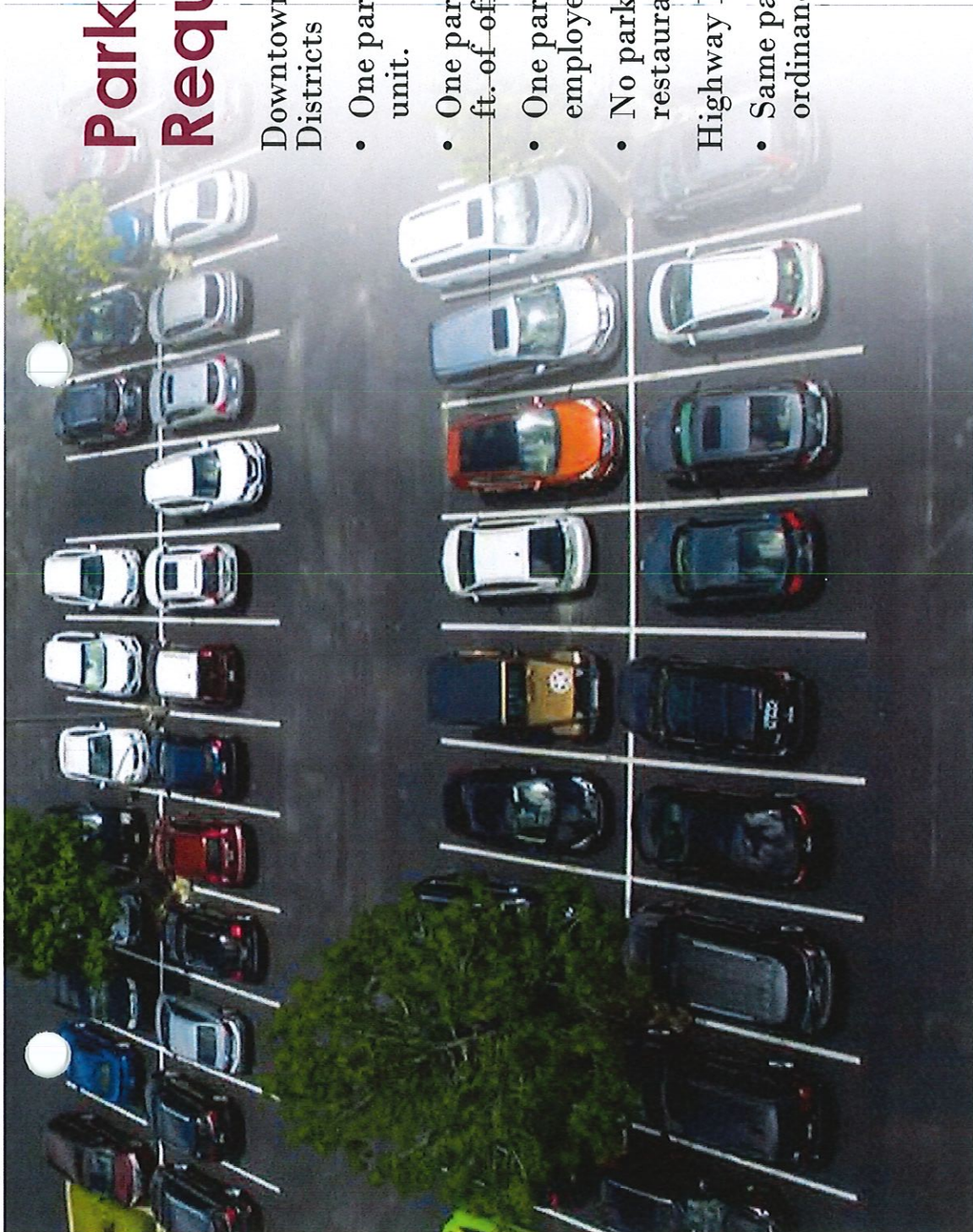
Downtown and Grayson County District

- 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





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

Central Business District Overlay Update

Next Steps

- June 5th – City Council Action

Questions & Discussion



- (5) Use Chart. The use of land or buildings within the Central Business District Overlay shall be in accordance with those listed in the following Use Chart. No land or building shall hereafter be used and no building or structure shall be erected, altered or converted other than for those uses specified in sub-district in which it is located.

Use Type	Downtown District	Highway District	Grayson County District
Alcoholic beverage establishments	P	P	P
Assisted living facility or nursing home		SUP	
Auditorium, arena, coliseum, theater, or amphitheater	SUP	SUP	SUP
Automobile accessory and supply store		P	
Automobile laundry, carwash		SUP	
Automobile rental or taxi storage and repair		SUP	
Automobile repair, body work, or painting		SUP	
Automobile service station		SUP	
Bakery, confectionery, or similar (retail)	P	P	P
Bank, credit unions, and financial institutions	P	P	P
Barbershop, beauty parlor or permanent makeup	P	P	P
Bed and breakfast establishments	P	P	P
Caterer	P	P	P
Christmas tree sales	P	P	P
Church or other place of worship	SUP	SUP	SUP
Civic club, fraternal organization, or lodge	SUP	SUP	SUP
Clinic, medical or dental	P	P	P
Commercial amusement center, indoor only	SUP	SUP	SUP
Community center	P	P	P
Correctional or detention facility or jail			SUP [1]
Department store	P	P	P
Drug-store or pharmacy	P	P	P
Dwelling, multi-family	[2]	SUP	[2]
Dwelling, single-family		P	
Dwelling, townhome		SUP	
Farmer's market, indoor or outdoor	P	P	P
Florist shop	P	P	P
Food or grocery store, retail	P	P	P
Food truck lot	SUP	SUP	SUP
Funeral home, mortuary, or crematory	P	P	P
Furniture and appliances sales, custom upholstery, not automobile related	P	P	P
Governmental office	P	P	P

Use Type	Downtown District	Highway District	Grayson County District
Greenhouse, plant nursery, or garden center	P	P	P
Hardware store and small tool rental, but not including sales or lumber or industrial hardware	P	P	P
Health club or studio	P	P	P
Hookah bar, smoking lounge, smoke shop, or vape shop	SUP	SUP	SUP
Hotel	SUP	SUP	SUP
Laundry, pickup station or self-service	P	P	P
Meeting halls	SUP	SUP	SUP
Municipal Uses Operated by the City	P	P	P
Museum, library, art gallery	P	P	P
Nursery, kindergarten, or daycare for children	P	P	P
Office, any type	P	P	P
Parking, surface or structured	P	P	P
Personal service (accounting, travel, attorney, or similar)	P	P	P
Pet shop (indoor only)	P	P	P
Printing, publishing, or reprographics, including engraving or photoengraving	P	P	P
Private clubs when required to obtain a permit from the Texas Alcoholic Beverage Commission	SUP	SUP	SUP
Radio or television broadcasting transmitter or tower, microwave relay tower	SUP	SUP	SUP
Restaurant (inside and/or outside service)	P	P	P
Retail store (indoor)	P	P	P
Schools; elementary, high, college and universities, public, private, or denominational	SUP	SUP	SUP
Secondhand store or rummage shop	SUP	SUP	SUP
Snow cone stand	P	P	P
Studio for professional work or teaching (fine arts, photography, music, drama, radio, television, or recording)	P	P	P
Swimming pool, commercial	P	P	P
Tailor shop, seamstress, altering, and repairing of apparel	P	P	P
Veterinarian or animal hospital (indoor soundproof kennels only)	P	P	P

Legend for Use Chart

P – Use is permitted by right in sub-district indicated

[Blank] – Use is prohibited in sub-district indicated

SUP – Use is permitted in sub-district only upon approval of a Specific Use Permit

[#] – The use is permitted with certain conditions

- [1] Correctional or detention facility or jail: A correctional, detention facility or jail along with receiving a Specific Use Permit, must also provide all of the required parking by lease or ownership on site or on directly adjacent or diagonally adjacent properties.
- [2] Dwelling, Multi-family: Multi-family units are permitted within the Downtown District and the Grayson County District of the Central Business District Overlay subject to the following conditions:
 - Residential units shall not be allowed on the first floor of any building.
 - Residential units shall conform to all adopted building codes.
 - There is no minimum number of residential units to be considered multi-family in the Downtown District.
 - Parking shall be provided for one (1) off-street parking space for each residential unit. Parking requirements may be met on-site, on-street, or by lease from a site directly adjacent or diagonally adjacent to the subject property.

Commission Member Blagg asked Mr. Rae, “You limited Automobile Services, but we have Good Year around the corner.”

Mr. Rae replied, “That would be maintained as a nonconforming use.”

Chairman Mahone asked Mr. Rae, “What happens if someone secures a lease and then 4 or 5 years later, they lose a lease?”

Mr. Rae replied, “They would be in conflict with our Zoning Ordinance and if someone came in for a new Certificate of Occupancy, they would have to confirm that they have the required parking for the Certificate of Occupancy.”

Vernon Krueger, 219 West Pecan Street, Sherman, TX 75090

Mr. Krueger said, “What is the necessity of repealing the Arts and Cultural Overlay District? How does moving our property into the Downtown Sub District of the proposed Central Business District affect the property owners in the Arts and Cultural Overlay District? There are different architectural requirements according to the new proposed Ordinance as to what we currently have in the Arts and Cultural District, things that don’t exist now we may be subject to. Does repealing the Arts and Cultural Overlay District have any effect on the city’s use of property currently located in the Arts and Cultural Overlay District? What is the proposed repeal of the Arts and Cultural Overlay District?”

Robin Phillips, 1126 South Crockett Street, Sherman, TX 75090

Ms. Phillips stated, “This comes as a surprise that the Arts and Cultural Overlay District would be removed. I remember over the years all the work it took in creating this district and creating an environment for things like the murals and cultural events. How is this impacted? Why would we undo something we worked so hard to do? We might have some unintended consequences in repealing that.”

Sean Vanderveer, 113 North Travis Street, Suite 300, Sherman, TX 75090

Mr. Vanderveer asked, “This is for moving from this point forward. It is not retroactive to an existing already used Certificate of Occupancy building, correct?”

Mr. Rae replied, “That is correct.”

Harold Rogers, 3119 Redbud Trail, Sherman, TX 75090

Mr. Rogers asked, “Why is the Arts and Cultural Overlay District being removed? Most of the time the cities are trying to expand their Arts and Cultural Overlay District and here we are trying to completely remove it. What does it mean if my building being a part of the Arts and Cultural Overlay District is now part of the Central Business District?”

Stewart Holcomb, 1524 East Magnolia Street, Sherman, TX 75090

Mr. Holcomb said, "I am the Director of the Sherman Museum, and we have two 107-year-old buildings both are State Historical Board Markers, and the museum building is National. For the restrictions on improvements, we are tied to different restrictions, would we follow the City as well as the State and Federal Reserves?"

Gail Utter, 2610 Shenandoah Circle, Sherman, TX 75092

Ms. Utter said, "The community would benefit from a lot more discussion about it, so I am not sure if there is a way to table this at all. I've heard rumors about the city wanting to expand the campus on this block and I think that is what the suspicion is as to why this is happening. I am all for the City getting a new campus but those are some of the stories going around. As a community, why did we have the Arts and Cultural Overlay District in the first place? Are we really thinking this through?"

Mr. Rae explained, "This item to remove the Arts and Cultural Overlay District is separate from the Sherman Cultural District which has a different set of boundaries that Cary Wacker is involved with. That is a separate designation that is separate from zoning. In the three years that I have been here we have not had one situation where we've utilized the Arts and Cultural Overlay District zoning regulations for a development project. We are trying to simplify it so that we can understand what the regulations are. It wasn't the intention to get rid of the Arts and Cultural Overlay District except for consolidating two different overlay districts. Nonconforming rights we have to follow State Law; we don't require anybody to redo their building, we want people to maintain the historical nature of their buildings. We don't want that to go away. The only time you would be required to bring your building up to standard in this Ordinance is if you were having a significant increase in development. Whether the City Hall is rebuilt on this block, it has Central Business District and Arts and Cultural Overlay District regulations and it is not related."

Commission Member Sims stated, "I think you will have some push back from City Council."

Commission Member Manley stated, "I think the name part of Arts and Cultural Overlay District is important to some people."

Mr. Rae explained, "If there was another subdistrict, that I had originally proposed, that was the Arts and Cultural Subdistrict, it essentially takes what was in the other Ordinance, the other overlay and incorporates it into this, would that work?"

Commission Member Sims replied to Mr. Rae, "I say you have this conversation with City Council, so you just have to do this one more time."

Mr. Rae stated, "I request to table this item to allow for more discussion."

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

ACTION TAKEN.

Planning and Zoning Commission

Motion by Vice Chairman Downtain to table the Consideration of Amendments to the Central Business District Overlay. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 11:06 p.m.



CHAIRMAN



ACTING SECRETARY