

AGENDA

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a regular meeting Tuesday, March 17, 2020 at 5:00P.M. in the Council Chambers at 220 W. Mulberry to consider the following:

All requests are under Ordinance No. 2280, unless otherwise stated.

1. **CALL TO ORDER**
2. **APPROVE MINUTES OF THE REGULAR FEBRUARY 18, 2020, PLANNING AND ZONING COMMISSION MEETING AND FEBRUARY 26, 2020 TRAINING WORKSHOP.**
3. **APPOINT BOARD OF ADJUSTMENTS**
4. **CONSENT AGENDA (ITEMS 8, 12, 13 & 14)**
5. **1802 EAST HOUSTON STREET**
The request of Seraj Ali (Owner) concerning the property located at 1802 East Houston Street, being Lot 1R, Block 16 of the Replat of Lots 1, 3, 5 & 7, Block 16, Christian College Addition, as follows;
Board of Adjustments
Renew Temporary Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (4)(a) to allow a snow cone stand in a C-1 (Retail Business) District.
6. **1735 TEXOMA PARKWAY, SUITE 105**
The request of Eisenhower Texoma LTD (Owners) and Erinn Teague, (Tenant/Applicant) concerning the property located at 1735 Texoma Parkway, Suite 105, being 5.34 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:
Planning and Zoning Commission
Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow permanent makeup/micro-blading in a C-2 (General Commercial) District.
7. **1211 BLANTON DRIVE**
The request of Delmar Hill (Owner), Chiniqua Hill (Representative), Little Zebra Child Development Center (Tenant) and Underwood Drafting and Surveying (Surveyor) concerning the property at 1211 Blanton Drive, being Lot 5, Block 8, Western Hills Addition, as follows;
Planning and Zoning Commission
Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Preschool Learning Center in an R-1 (One Family Residential) District.

8. * **515 BETHANY ROAD**

The request of Stone Castle Investors, LLC (Owners) and Preston Trail Land Surveying, LLC (Surveyor) concerning the property at 515 Bethany Road, being 2.301 acres in the Aaron Burleson Survey, Abstract No. 61, also being all of Lot 5 of Bethany Road Estate No. II, as follows:

Planning and Zoning Commission

Replat Approval of Bethany Road Estates, No. II, Lots 5R-1 & 5R-2 in the City of Sherman's Extra Territorial Jurisdiction (ETJ)

9. **820 SOUTH CROCKETT STREET**

The request of Michael E. Rainey (Owner) and Underwood Drafting and Surveying (Surveyor) concerning the property at 820 South Crockett Street, being a part of Block 12 of the Hare and Randolph Addition, containing 0.424 acres, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow a 1' side yard setback for an attached garage in lieu of the required 8'6" in an R-2 (Multi-Family Residential) District.

10. **910 SOUTH SAM RAYBURN FREEWAY**

The request of 6M Holdings, LTD (Owners), Sunbelt Rentals, Inc. (Tenant), Dustin Tippetts (Representative), UPI Builders (Contractors) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 910 South Sam Rayburn Freeway, being 9.27 acres in the Samuel Blagg Survey, Abstract No. 56, as follows:

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.8.2, Subsection (7)(c) to allow a 4' wood fence, 25' from the front property line in lieu of the required 40' in a C-2 (General Commercial) District/O-1.2 (Sam Rayburn Overlay) District.

Planning and Zoning Commission

Specific Use Permit amendment and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow heavy equipment sales and rentals and wash bay with stucco and metal finishes as shown in the exhibit in a C-2 (General Commercial) District/O-1.2 (Sam Rayburn Overlay) District.

11. **5900 NORTH U.S. HIGHWAY 75**

The request of Stanley Blythe (Owner) and Bryan Weisgerber, Cross Engineering Consultants, Inc. (Representative/Civil Engineer), Dairy Queen (Tenant) and Underwood Drafting & Surveying, Inc. (Surveyor) concerning the property located at 5900 North U.S. Highway 75, being 1.18 acres in the W.S. Thurman Survey, Abstract No. 1265, as follows;

Board of Adjustments

Exception and Variance under Ordinance No. 2280, Section 6.8, Subsection (5) (a) and Section 7, Subsection (14)(i) to allow a 379 square foot, 75' tall freestanding sign, 13' from the property line along U.S. Highway 75 in lieu of the required 100' setback and the allowed 300 square foot, 50' tall freestanding sign in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District/O-1.3 (F.M. Highway 691) Overlay District.

12. * **1493 FM 697**
The request of George Hancock (Owner), Plain and Simple Investments, LLC (Developer) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 1493 FM 697, being 11 acres in the Winifred Bailey Survey, Abstract No. 66, as follows:
Planning and Zoning Commission
Final Plat approval of Hancock Ranch in the City of Sherman's Extra Territorial Jurisdiction (ETJ)
13. * **300-400 BLOCKS OF EAST SHERMAN STREET**
The request of Kirk and Karl Allen (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property in the 300-400 blocks East Sherman Street, being 10.25 acres in the Preston Kitchen Survey, Abstract No. 667 Samuel Blagg Survey, Abstract No. 56, as follows:
Planning and Zoning Commission
Preliminary and Final Plat approval of Post Oak Place in the City of Sherman's Extra Territorial Jurisdiction.
14. * **2701 DRIPPING SPRINGS ROAD**
The request of Tobar Properties LLC (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 2701 Dripping Springs Road, being 0.817 acres in the J. Hendrix Survey, Abstract No. 503, also being all of Lot 6, Block 31, Hilltop Estates, as follows:
Planning and Zoning Commission
Replat approval of Lot 6, Block 31, Hilltop Estates.
15. **1000 NORTH TRAVIS STREET, SUITES P & S**
The request of Villasenor Santoyo Properties, LLC (Owners), Alberto Villasenor (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1000 North Travis Street, Suites P and S, being 4.296 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;
Planning and Zoning Commission
Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow two event centers in a C-1 (Retail Business) District/O-1.2 (Sam Rayburn) Overlay District.
16. **823 NORTH TRAVIS STREET**
The request of Dr. James Olin (Owner) and Daniel Worrell, (Prospective Buyer) concerning the property located at 823 North Travis Street, being a part of the J.B. McAnair Survey, Abstract No. 763, containing 94 x 150 feet of land, as follows;
Board of Adjustments
Variances under Ordinance No. 2280, Section 8, Subsection (9) to allow the following:
- Proposed Lots 2 & 3 – 30' lot widths, 2820 sq. ft. in lieu of the required 40' lot width, 4,000 square foot for patio homes in a C-1 (Retail Business) District.
 - Proposed Lot 4 – 35' lot width, 3290 sq. ft. in lieu of the required 40' lot width, 4,000 square foot for patio homes in a C-1 (Retail Business) District.
 - Proposed Lots 1-4 – to allow a 30' front setback in lieu of the maximum 25' for patio homes in a C-1 (Retail Business) District.
- Planning and Zoning Commission***
Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow attached patio homes in a C-1 (Retail Business) District.

17. **ADJOURNMENT**

18. **OVERALL LOCATION MAP**

By direction of the Planning and Zoning Commission and Board of Adjustment of the City of Sherman.

Clay Mahone, Chairman

ATTEST: Scott Shadden, Secretary

Meetings of this advisory board are open to the public.

Note: The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; or requires consultations with City Attorney.

Certification

I, the undersigned authority, do hereby certify that the above Agenda of the Regular Meeting of the Board of Adjustments and Planning and Zoning Commission of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall, of said City of Sherman, Texas, a place convenient to the public and said notice was posted on March 12, 2020 at 4:00 p.m. and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 12th day of March, 2020
City of Sherman, Texas

Patsy Reeves,
Developmental Services Coordinator





**Planning & Zoning Commission and Board of
Adjustments**

2.

Meeting Date: 03/17/2020

Prepared By: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director Developmental Services

Issue:

**APPROVE MINUTES OF THE REGULAR FEBRUARY 18, 2020, PLANNING AND ZONING
COMMISSION MEETING AND FEBRUARY 26, 2020 TRAINING WORKSHOP.**

List of Agenda Items:

Attachments

February 18, 2020 Draft Minutes

February 26, 2020 Training Workshop Minutes

STATE OF TEXAS §

February 18, 2020

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustments of the City of Sherman, was begun and held on February 18, 2020.

MEMBERS PRESENT: CHAIRMAN MAHONE, VICE-CHAIRMAN ELLIOTT
COMMISSION MEMBERS: DOWNTAIN, SIMS, DAVIS,
WOOD AND MANLEY

MEMBERS ABSENT: NONE

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:01 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the January 14, 2020 regular meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Vice-Chairman Elliott. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Chairman Mahone appointed the members of the Board of Adjustments: ELLIOTT, DAVIS, MAHONE, DOWNTAIN AND WOOD.

BOARD OF
ADJUSTMENTS

CONSENT AGENDA (ITEMS 5, 7, 8, 9, 10, 11 & 18 10)

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

CONSENT AGENDA

A member of the audience, Linn Cates, 1102 N. Cleveland Avenue requested Item #10 "Replat approval of College Park Addition, Block 1, Lot 7R & 8R" be removed from the consent agenda.

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Consent Agenda Items 5, 7, 8, 9, 11, 18, 20 and 22 subject to the Staff Review Letters. Second by Vice-Chairman Elliott. All present voted AYE. All present voted AYE.

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF MAYFIELD MCCRAW (OWNER), SAM HOSCH, ZACHRY CORPORATION (APPLICANT) CONCERNING THE PROPERTY LOCATED AT 5901 SOUTH U.S. HIGHWAY 75, BEING 35 ACRES IN THE JOHN CHRONISTER SURVEY, ABSTRACT NO. 248, AS FOLLOWS;
PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A CONSTRUCTION OFFICE & YARD, HEAVY EQUIPMENT, STORAGE & REPAIR FOR THE U.S. HIGHWAY 75 RECONSTRUCTION PROJECT.

The property is located at 5901 South U.S. Highway 75 between FM 1417 and Akers Road, across from Texas Instruments; Texoma Home Health was the former tenant. The property is zoned an M-1.5 (Medium Manufacturing) District.

Improvements to U.S. Highway 75 will bring the highway up to current standards making the highway eligible for Interstate highway standards. They will begin construction soon and the Texas Department of Transportation estimate that it could take three years to complete the improvements. The project will see the roadway widened to six lanes for a four-mile stretch of highway from FM 1417 to State Highway 91. The project will also include the reconstruction of bridges throughout the route and the intersection with U.S. Highway 82. Ramps and approaches along the route will also be rebuilt to account for modern traffic.

The contract for the project was awarded to San Antonio-based Zachry Construction. The contractor wants to start on the project as soon as possible and they would like to locate their construction office and yard for heavy equipment, storage, earth moving and repair at this location for the duration of the project. 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, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 3100-3600 BLOCKS SOUTH U.S. HIGHWAY 75, BEING PART OF THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, CONTAINING 9.950 ACRES, ALSO BEING A PART OF LOT 1R, BLOCK 2, SHERMAN CROSSROADS, PHASE II, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF SHERMAN CROSSROADS, PHASE II, LOTS 1R-1 AND 6, BLOCK 2, BEING A REPLAT OF LOT 1R, BLOCK 2, SHERMAN CROSSROADS, PHASE II.

The property is located in the 3100-3600 blocks of South U.S. Highway 75; the northwest corner of FM 1417 and U.S. Highway 75. The property is located in the Blalock Industrial Park and Blalock Commercial Overlay District.

SITE PLAN –
CONSTRUCTION
OFFICE & YARD,
HEAVY EQUIPMENT,
STORAGE & REPAIR
FOR HIGHWAY 75
RECONSTRUCTION
PROJECT
5901 SOUTH U.S.
HIGHWAY 75
(MAYFIELD
MCCRAW)

REPLAT – SHERMAN
CORSSROADS,
PHASE II, LOTS 1R-1
& 6, BLK. 2
3100-3600 BLKS.
SOUTH U.S.
HIGHWAY 75
(SHERMAN
CROSSROADS, LTD)

The owner would like to Replat 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 OUR LEASING COMPANY (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 2201 & 2203 NORWOOD STREET, BEING LOTS 1 AND 2, UNDERWOOD ADDITION, ALSO BEING A PART OF THE FIELDING BACON SURVEY, ABSTRACT NO. 120, CONTAINING 3.157 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOTS 1 AND 2, UNDERWOOD ADDITION.

REPLAT – LOTS 1 & 2, UNDERWOOD ADDITION
2201 & 2203 NORWOOD STREET
(OUR LEASING COMPANY)

The property is located at 2201 and 2203 Norwood Street in the Carriage Estates Subdivision off West Lamberth Road. The property is zoned an R-1 (One Family Residential) District. The owners would like to replat two lots 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF JOSE & MARIA LARA (OWNERS) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 802 EAST HOUSTON STREET, BEING LOTS 23 & 24, BLOCK 11, CHAFFIN'S FIRST ADDITION, ALSO BEING A PART OF THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, CONTAINING 0.164 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF CHAFFIN'S FIRST ADDITION, BLOCK 11, LOT 23R.

REPLAT – CHAFFIN'S FIRST ADDITION, BLOCK 11, LOT 23R
802 EAST HOUSTON STREET
(JOSE & MARIA LARA)

The property is located at 802 east Houston Street; the southeast corner of Houston and Maxey Streets. The property is zoned an R-1 (One Family Residential) District. The owners would like to replat two lots 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 FRANK AVANTINO (OWNER) AND VILBIG & ASSOCIATES, INC. (CIVIL ENGINEER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR)

PRELIMINARY PLAT – MUSTANG 53 ADDITION

CONCERNING THE PROPERTY IN THE 2200 BLOCK OF BAKER DRIVE, BEING 7.063 ACRES IN THE G.W. MCGLOTHLIN SURVEY, ABSTRACT NO. 827, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF MUSTANG 53 ADDITION.

2200 BLK. BAKER
DR.
(FRANK AVANTINO)

The property is located in the 2200 block of Baker Drive between Duke Drive and U.S. Highway 82. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into sixteen lots 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.

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF NORTH PARK BAPTIST CHURCH (OWNERS) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 2605 REX CRUSE DRIVE, BEING ALL OF LOTS 1-6, AND ALL OF THE PLATTED J. FIELDING CIRCLE OF THE JOE E. PRICE SUBDIVISION, ALSO BEING 4.198 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF NORTH PARK BAPTIST CHURCH, A REPLAT OF LOTS 1, 2 3, 4, 5 & 6 OF THE JOE E. PRICE SUBDIVISION.

REPLAT – NORTH
PARK BAPTIST
CHURCH, A REPLAT
OF LOTS 1-6, JOE E.
PRICE SUBDIVISION
2605 REX CRUSE DR.
(NORTH PARK
BAPTIST CHURCH)

The property is located at 2605 Rex Cruse Drive, the northeast corner of Rex Cruse Drive and West Lamberth Road; North Park Baptist Church is the tenant. The property is zoned an R-1 (One Family Residential) District with a Specific Use Permit to allow a church in an R-1 (One Family Residential) District. North Park Baptist Church would like to replat six lots into one lot and an abandoned right-of-way of the J. Fielding Circle for an addition to the church. 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 STANLEY BLYTHE (OWNER) AND BRYAN WEISGERBER, CROSS ENGINEERING CONSULTANTS, INC. (REPRESENTATIVE/CIVIL ENGINEER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 5900 NORTH U.S. HIGHWAY 75, BEING 1.18 ACRES IN THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF SHERMAN LANDING, PHASE II

FINAL PLAT –
SHERMAN LANDING,
PHASE II
5900 NORTH U.S.
HWY. 75
(STANLEY BLYTHE)

The property is located at 5900 North U.S. Highway 75; the southwest corner of U.S. Highway 75 and FM Highway 691, the vacant lot south of the existing QuikTrip. The property is zoned an SF-1 (Single Family Residential) District and also located in the O-1 (75 & 82) Overlay District and O-1.3 (FM Highway 691) Overlay District.

The owners 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.

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF WILLIAM & JUDY SMITH (OWNERS) AND COX LAND SURVEYING COMPANY (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 600 BLOCK OF BROWN ROAD AND THE 100 BLOCK OF BARBARA LANE, BEING 2.109 ACRES IN THE JOHN MCCLENIHAN SURVEY, ABSTRACT NO. 789, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF PECAN ACRES IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ).

FINAL PLAT –
PECAN ACRES
600 BLK. BROWN
RD. & 100 BLK.
BARBARA LN. (ETJ)
(WILLIAM & JUDY
SMITH)

The property is located in the 600 block of Brown Road and the 100 block of Barbara Lane in northeast Sherman in the City of Sherman extra territorial jurisdiction (ETJ). The 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.

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF MIGUEL A. AVALOS (OWNER), MIGUEL AVALOS (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 207 AND 209 SOUTH DEWEY AVENUE, BEING 1.091 ACRES IN THE G. B. PILANT SURVEY, ABSTRACT NO. 963 DESCRIBED AS LOTS 3, 4 & PART OF 5 INCLUDING THE ALLEY LYING BETWEEN LOTS 3 & 4, BLOCK 3, J. P. LOVING'S 2ND ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW NEW AND USED TIRE SALES AND REPAIR, GENERAL MAINTENANCE WITH ALIGNMENTS AND OIL CHANGES IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

SUP – TIRE SALES &
REPAIR, GENERAL
MAINTENANCE
207 & 209 S. DEWEY
AVE.
(MIGUEL A. AVALOS)

Miguel A. Avalos, 207 S. Dewey, Sherman, TX

Mr. Avalos appeared to represent the request and answer any questions. The property is located at 207 and 209 South

Dewey Avenue between Lamar and Cherry Streets, formerly Tom's Auto Body Center. The property is zoned a C-2 (General Commercial) District.

Mr. Avalos explained he recently purchased the property and would like to open a business providing new and used tires sales, service and repair, as well as general maintenance with alignments and oil changes. He had seen the Staff Review Letter and would abide by the Recommendations.

Darrell Cheek, 1905 Jones Circle, Sherman, TX

Mr. Cheek explained he lives behind the proposed tire shop. Mr. Cheek provided some pictures and a letter from Linda Robertson, 311 S. Dewey Avenue. "We have three tire and repair shops within a block to two blocks; we don't really need another one right there at that intersection. If you turn onto Dewey Avenue from Lamar Street; it is one of the busiest intersections on that side of town. One of the first things you will see is the tire shop with old cars sitting around. At the moment, I believe we have plenty of tire and repair shops right there at that corner. What we need is a grocery store on that side of town. We just don't need another tire and repair shop. When Tom's Paint and Repair Shop was there and it rained, all the debris would go down to Mrs. Robertson's yard. That is our main concerns, we have plenty tire and repair shops already located there; we just don't need another one."

Mary Nelson, 1920 Jones Circle, Sherman, TX

Ms. Nelson appeared and requested an official traffic study. "Traffic is already a problem and you want to add something else. In the evening there is a taco bus there and the traffic at night is bad. They are allowing their children to go up and down the sidewalk, which is crazy with all that traffic. We don't need another tire place, we have one around the corner and we were promised back then that they would keep it up and it would look nice; it has turned into a dump."

Chairman Mahone asked if she had reported any of the violations to the City on the other shops.

Ms. Nelson responded, "yes sir, I have and I have gotten nowhere with it. I reported it to Code Enforcement several times. Today and every day; it happens usually at 2-3 p.m., I can see the bay doors open and I hear subwoofers, where the noise is just roaring where the windows in the house are shaking. This is what's coming! If you allow them to do this, make them put a barrier around the fence, so you don't see anything."

Janice Hawkins, 909 Patricia, Sherman, TX

Ms. Hawkins explained she provided a letter and pictures of some of the tire shops in the area already. "There are four tire stores in that same area, one block from this location. Those are areas that are supposed to be where the City

welcomes people into the area. I would hate to think of what people think when they come into town on those particular streets to see that. I love that the people are starting a new business; that is wonderful, but there are certain things that are health issues because of all the tires around there, the water standing every time it rains, the mosquitos have a happy place there. It's not that I don't want someone to have a business, but that's not the right location. "

Chairman Mahone asked Scott Shadden if he had any information of the Code Enforcement Office and what they have been made aware of.

Scott Shadden, Director of Developmental Services explained, "Code Enforcement has a copy of the pictures and letter from Ms. Hawkins."

Commission Member Manley asked Mr. Shadden if Item #8 "All requirements of the Floodplain Ordinance shall be followed" on the Staff Review Letter addresses the runoff issues.

Mr. Shadden responded, "yes, it would."

Mr. Avalos explained, "We want to be different from everyone else, we don't ever plan to have vehicles stay out, as well as all of our inventory will be inside the bays, nothing outside for mosquitos. We will not have tires or wheels stacked outside, all the used tires will be inside, we don't water to get in them causing mosquitos. The noise will not be an issue; we can put a stop to that. We were just playing music while we cleaned up, we have a lot of cleanup to do. All the issues mentioned will be taken care of."

Vice-Chairman Elliott asked, "what do you plan to do with the used tires."

Mr. Avalos explained, "they will be stored in a bay area until they are taken to be properly disposed of. We don't plan on having the place dirty at all. We will properly dispose of all tires and oils."

Commission Member Davis explained, "usually you have a barrel labeled for used oil to be stored in until it is properly disposed of."

Commission Member Davis asked if all the cars were gone.

Mr. Avalos responded, "yes, we are trying to clean it up; it is a lot of clean up. The previous owner had a towing business and the cars were left there. We have removed all the cars and are in the process of cleaning everything up."

Commission Member Manley asked if they would be selling wheels, "if so would you be displaying them on a rack outside the building."

Mr. Avalos responded, “not at the moment, just new and used tires. If we decided to sell wheels, we would have them inside the bay area.”

Commission Member Manley asked about screening.

Mr. Shadden explained, “they will need to screen between the residential areas; at least a six-foot privacy fence or green screen.”

Chairman Mahone explained to Mr. Avalos that the Staff Review Letter states “Violations of the conditions of the SUP will terminate the Specific Use Permit”. “I know you are saying here you have certain intentions and if those intentions were not followed out and someone complained about that, it has the potential that the Specific Use Permit could go away and you would not be able to continue business; do you understand.”

Mr. Avalos responded, “yes.”

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

A letter was received from:

Janice Hawkins, 909 Patricia, Sherman, TX

“A scheduled meeting, February 18, 2020, will have one item on the agenda requesting a permit for the above mentioned property. I, along with some neighbors, would appreciate you taking some of our concerns into consideration before you make a decision regarding this request. Mr. Avalos would like to open a new and used tire shop, repairs, oil changes and maintenance. Four such businesses are located in a 4 block radius of the business he would like to open. On the corner of Lamar and Harrison, one block west of the Dewey location, there is a tire store with new and used tires. Used tires are stacked in the back as tall as the fence and cars are parked around the location. Three blocks east of Dewey, on Lamar, are 3 more businesses. Tires sold, garage repairs and junk cars are around these locations to the Dairy Queen. One garage is well taken care of. Three more garage and tire shops are located on east Lamar closer to downtown. I can see a health issue with water standing in the old tires which would make a breeding ground for mosquitoes. Why not use a different location such as west or south of town?”

“It is my understanding that Lamar and Dewey Avenues are considered as a gateway into Sherman from the east and south. People driving in from neighboring cities get their first impression of our town. The airport has been in the process of making more room for planes and possibly homes. New homes are being considered east of Leslie that would be a nice addition to this area.”

Linda Robertson, 311 S. Dewey, Sherman, TX

"My house is downhill from this area. What I am worried about is when it rains, what's is keeping the oil, gasoline and the effects from old tires form coming to my home. When the wrecking services was there I was finding items from there in my yard from the flowing of rain. We already have tire repairs in the surrounding area. Why do we need another one? What we need is a grocery store."

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow new and used tire sales and repair, general maintenance with alignments and oil changes in a C-2 (General Commercial) District located at 207 and 209 South Dewey Avenue subject to the Staff Review Letter and limited to Mr. Avalos. Second by Commission Member Manley.

VOTING AYE: ELLIOTT, DAVIS, MAHONE, DOWNTAIN, SIMS, MANLEY AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT

THE REQUEST OF MUNAZZA JABEEN AND ANJUM KARIM (OWNERS) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 1024 NORTH CLEVELAND AVENUE, BEING A PART OF THE C. CARTER SURVEY, ABSTRACT NO. 229, CONTAINING 0.389 ACRES, ALSO BEING ALL OF LOTS 7 AND 8, BLOCK 1, COLLEGE PARK ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF COLLEGE PARK ADDITION, BLOCK 1, LOTS 7R & 8R

REPLAT – COLLEGE
PARK ADDITION,
BLOCK 1, LOTS 7R &
8R
1024 NORTH
CLEVELAND AVE.
(JOSE & MARIA
LARA)

Chris Noah, Preston Trail Land Surveying, 83439 SH 289,
Ste. 5, Pottsboro, TX

Mr. Noah appeared to represent the request and answer any questions. The property is located at 1024 North Cleveland Avenue; the southwest corner of Cleveland Avenue and Richards Street. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District.

Mr. Noah explained, "this is a replat of two existing lots that face on Cleveland Avenue, they are approximately 50x170. The replat will divide the lots so they face on Richards Street; they will be wider and more accommodating for construction." They had seen the Staff Review Letter and would abide by the Recommendations.

Linn Cates, 1102 N. Cleveland, Sherman, TX

Mrs. Cates explained, "I appeared before the board in January when the property owner had asked for a zone change to put in two duplexes on the property. The request was denied and the neighbors were glad. This property is in the College Park Overlay District that governs how things develop. We love the ordinance, it says that property owners, the City, the College can all work together to have a nice neighborhood. The district respects socioeconomic diversity by encouraging a variety of home styles and sizes that are sympathetic to the neighborhood's historical diversity of design and fosters a cooperative atmosphere in the college park neighborhood between the City of Sherman, Austin College and private landowners to jointly realize the potential of the district. When we moved here in 1979, the College was encouraging faculty to live in the neighborhood, not many people are doing that anymore. This zoning ordinance that created the College Park Overlay District was just passed in March 2019. I am concerned with the two lots that are going to be owned by absentee home owners. On those lots are a storm cellar, there is a foundation that they were unable to get off that exist there. There is a driveway already that comes out onto Richards Street and sidewalks along Richards Street that are interrupted by that driveway; those are things that they might not show you when they come to approve the site plan."

Javier Gonzales and Marcos Cordova, 1528 E. Pecan, Sherman, TX

Mr. Gonzales explained he would be translating for Mr. Cordova. "When they went to do the survey, he bought the house with the original property, when they did the survey, they took more than a foot of his property. He was told he has to move his fence."

Brandon Shelby, City Attorney explained, "the Surveyor is a professional licensed by the State. If you think they made an error in the survey, that is not something this board can address, but you should contact your own surveyor or an attorney to resolve the dispute between land owners."

ACTION TAKEN.

Motion by Commission Member Davis to approve the Replat of College Park Addition, Block 1, Lots 7R & 8R located at 1024 North Cleveland Avenue subject to the Staff Review Letter. Second by Vice-Chairman Elliott.

VOTING AYE: ELLIOTT, DAVIS, MAHONE, DOWNTAIN, SIMS, MANLEY AND WOOD.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE & FINAL PLAT

THE REQUEST OF ROBERTO MERAZ (OWNER), LISSETH LARA (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 519 SOUTH MONTGOMERY STREET, BEING 0.547 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW THE FOLLOWING LOTS OF THE PROPOSED MERAZ ADDITION:

LOT 1 – 53.25' LOT WIDTH

LOT 2 – 53.24' LOT WIDTH

LOT 3 – 53.24' LOT WIDTH

IN LIEU OF THE REQUIRED SIXTY (60) FOOT LOT WIDTH IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF MERAZ ADDITION.

VARIANCE – LOT
WIDTHS
FINAL PLAT –
MERAZ ADDITION
519 S.
MONTGOMERY
(ROBERTO MERAZ)

Liseth Lara, 3264 Dripping Springs Rd., Sherman, TX

Ms. Lara appeared to represent this request and answer any questions. The property is located at 519 South Montgomery Street between Magnolia and King Streets. The property is zoned an R-2 (Multi-Family Residential) District.

Ms. Lara explained, "we would like to plat the property into three lots for residential development. We are also requesting variances to allow smaller lot widths than the required 60' to put more houses in the neighborhood. We have plans for three homes to fit on each of the lots. A lot of the lots in the neighborhood are 50' wide." They had seen the Staff Review Letter and would abide by the Recommendations.

Carl Tolar, 529 S. Montgomery, Sherman, TX

Mr. Tolar explained he just recently purchased the property next door to this property. "I'm not sure three lots could fit on this property; it is not a very big space. The property is also located in the floodplain and how that might impact future buildings."

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

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a variance to allow the following lots of the proposed Meraz Addition:
Lot 1 – 53.25' lot width, Lot 2 – 53.24' lot width and Lot 3 – 53.24' lot width in lieu of the required sixty (60) foot lot width in an R-2 (Multi-Family Residential) District at 519 South Montgomery Street. Second by Vice-Chairman Elliott.

VOTING AYE: MAHONE, DOWNTAIN, ELLIOTT, DAVIS, AND WOOD
VOTING NAY: NONE
MOTION CARRIED

Planning and Zoning Commission
ACTION TAKEN.

Motion by Commission Member Davis to approve the Final Plat of Meraz Addition at 519 South Montgomery Street. Second by Commission Member Manley.

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

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

ZONE CHANGE & CONCEPTUAL SITE PLAN

THE REQUEST OF CHRISTOPHER BANCROFT AND LLOYD PLYLER CONSTRUCTION, LLP (OWNERS) AND JAMES BERTAKIS, BERTAKIS DEVELOPMENT, INC. (PROSPECTIVE BUYER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2400-2800 BLOCKS EAST U.S. HIGHWAY 82 AND THE 2800-3500 BLOCKS OF NORTH FRISCO ROAD, BEING TRACT 1: 74.412 ACRE TRACT IN THE SAMUEL M. MCGLOTHLIN SURVEY, ABSTRACT NO. 811 AND THE R. HENDRIX SURVEY, ABSTRACT NO. 504 AND TRACT 2: 19.949 ACRE TRACT IN THE SAMUEL M. MCGLOTHLIN SURVEY, ABSTRACT NO. 811, AS FOLLOWS;
PLANNING AND ZONING COMMISSION

ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL FOR THE EASTWOOD RESIDENTIAL COMMUNITY UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT, R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT, C-2 (GENERAL COMMERCIAL) DISTRICT AND AN M-1 (LIGHT MANUFACTURING) DISTRICT TO AN M-H (MANUFACTURED HOUSING) DISTRICT.

James Bertakis, 5750 Claude Dr., Ste. 2101, Plano, TX

Mr. Bertakis appeared to represent the request and answer any questions. The property is located in the 2400-2800 blocks of East U.S. Highway 82 between Frisco Road and Baker Road. The property is zoned an R-1 (One Family Residential) District, R-2 (Multi-Family Residential) District, C-2 (General Commercial) District and M-1 (Light Manufacturing) District. The owners would like to change the zoning on the property to an M-H (Manufactured Housing) District.

Mr. Bertakis explained, "Bertakis Development, Inc. is a family operation, we have been five decades in development

ZONE CHANGE – R-1
(ONE FAMILY
RESIDENTIAL)
DISTRICT, R-2
(MULTI-FAMILY
RESIDENTIAL)
DISTRICT, C-2
(GENERAL
COMMERCIAL)
DISTRICT, & M-1
(LIGHT
MANUFACTURING)
DISTRICT TO M-H
(MANUFACTURED
HOUSING) DISTRICT
2400-2800 BLKS. E.
U.S. HWY 82 & 2800-
3500 BLKS. N.
FRISCO RD.
(CHRISTOPHER
BANCROFT & LLOYD
PLYLER CONST.)

(DENIED)

of affordable housing. We have been a proven industry leader nationally in design, management and customer service. We would like to develop the property for the Eastwood Residential Community, an affordable, single-family, modern manufactured home, land-leased community. It will provide affordability for home ownership which will fill a much needed niche that is not being serviced in Sherman, that seems to be an epidemic nationally where people are trying to hit a price range of homes to be affordable that are being priced right out of the market. It will keep the traffic and keep Sherman residents in Sherman for many years to come."

"A lot of people are here tonight because they oppose a trailer park, we stand with them in that, we are not proposing a trailer park, we are not proposing a mobile home park, we are not proposing a manufactured home park. What we are proposing is a modern manufactured home development for affordable housing. The residents in this community will be home owners, but they will be leasing a lot, that is a very important distinction as opposed to apartment level and grind when they lease the lot, we own the entire community with a very strict set of standards for management plus the housing laws of Texas. We submitted the rules and regulations to you so you could see the level of control we have; that is how we maintain and operate our communities and how we have for forty years. People will not have to finance another forty to fifty thousand dollars with their home because we are leasing the lot and that is what keeps it affordable. We set a price range from seventy to one-hundred, tack another fifty grand on it that will be in the marketplace. We submitted how affordable it is with the local rates along this line."

"We submitted a preliminary site plan with our professional management and operational structure and stressed the importance of it. The development will include: extra-large lots (60' x 100'), a clubhouse with swimming pool and sundeck, community office, resident's great room and exercise room, recreational open areas, featuring children's playscapes, picnic tables, benches, walking and exercise paths. All Eastwood Homes will be modern, new manufactured homes. Dedicated 2-3 car parking per home-site, optional driveways, carports and 1-2 car garages. As a model of affordability, Eastwood will not be selling, but leasing the lots to residents who will own their own home. Eastwood will retain ownership of the entire development. Why rent when you can own your own home; it makes a ton of sense. We have carefully studied the Staff Review Letter and we are here to say we agree one hundred percent."

"We met with fifteen of the neighbors of the development that borders this property. I think we addressed a lot of the concerns."

Chairman Mahone asked, “what happens when you are leasing the lot and someone else puts a house on it and they don’t pay their lease.”

Mr. Bertakis explained, “we have the same rights as a landlord. They are leasing the lot from us, so they can be evicted. They can sell their home in place to a new resident that gets approved, we do credit and criminal checks on every resident; we can legally do that because this is our project, or their home could be relocated, which could be expensive. We have a three strike rule; if they are not cutting their lawn, three notices within twelve months for the same thing, you could be asked to leave. If you are standing outside your home, if we hear your music, that’s a noise violation, too loud. If you have items stored outside, violation, every home has a storage unit on it, 10x10 and they can have carports and garages. Because we are leasing, we have a huge element of control.”

Chairman Mahone asked if they had any control on the design of the home.

Mr. Bertakis responded, “absolutely, we have specs for the siding, the roofing, windows, how many windows on the street side, where the doors can go, on certain lots we determine where the drives can go and a certain size. The pictures I showed in the package are twenty-five years old and that is how it looks now.”

Commission Member Wood asked the process for approving a home before it comes, “do you have someone that goes to look at it.”

Mr. Bertakis explained, “they are all new homes and we have already talked to local dealers and they are very excited about this, they have nowhere to put homes but private lots and a lot of them are out of Sherman. We spec the homes for the particular lot, they have the look that we want and people see the home before they order it and the manufacturer will bring it in and set it.”

Chairman Mahone asked about traffic, “do you have any concerns about entrances or egress from Frisco Road and Highway 82.”

Mr. Bertakis explained, “it is a challenge, we have looked at coming off of the service road on Highway 82 and that is where we are planning to start our development and moving north and we also want to access off of Graystone Road. This is one of the residences biggest concerns. We are having issues with even trying to get this road even fixed. We stand by the residences because if we can’t have good roads, that’s not good for us, if people can’t get to the site, we can’t sell homes for a traffic issue, they will go somewhere else. We have met with Kevin Winkler, Public Works Manager, he has shown us that Graystone Road,

Baker Road are all on the 2020-2025 City Road Improvement Plan for repaving, not just resurfacing. They plan to do ten miles of road each year, five years, they don't have a particular schedule which roads are first, but they are going to go where it is needed."

Chairman Mahone asked Christopher Armstrong, Assistant City Engineer if he had any information on any updates on a schedule.

Mr. Armstrong explained, "we did notice the road past Baker in our review and it is something we have done before in the past for other developments to have a traffic analysis done to make sure it can handle all the traffic they are talking about and look what needs to be done on our end or the developers end. That would be one of the next steps that happens after approval."

Mr. Bertakis explained, "we want to have good roads for us and everyone in the area; we are on the same page with that. There is a huge tree line behind the homes in the Cedar Park Village that abuts this property, it is almost a solid wall, we want to keep that with the permission of the City; that is the best screening you could ask for and we will also voluntarily put a 60-70-foot buffer on our side of those trees. So I showed them from the back of their homes to the back of the proposed homes will be and the adjacent lot is nearly a football field, almost 280 feet; so imagine looking from the back of their homes through trees if you could even see plus an 80' buffer; you won't even see it, it will also control noise and everything else, you won't even know we are there."

Chairman Mahone stated, "I know this is a conceptual site plan, but if most of these lots on the straight-a-way are sixty-foot-wide, then on some of the corners you are going to have some lots that are not sixty foot on the road side and may require a variance for the lot width."

Mr. Bertakis explained, "we will work with the site plan to accommodate the lot width if need be."

Mr. Shadden explained, "he is also proposing private streets; not city streets."

Mr. Bertakis explained, "this is preliminary site plan approval; we will have to go for final site plan approval before development begins. We took some time to prepare the preliminary site plan, we didn't do it on the back of a napkin, we have several sites and streets instead of just blocking it in; our density is reduced twenty percent because we have never built sixty foot lots, the most we have done is fifty or fifty-three foot lots. We are paying for the installation of the roads, curbs and gutter, utility lines, street lights, water and sewer lines, we install that and maintain all that; we don't lean on the City for any of that."

Commission Member Manley asked, “how many different communities do you currently own and operate.”

Mr. Bertakis responded, “we have seven communities that we have built and operated and we have a relationship with another company that has forty-two communities, they are financial partners on some of ours, right now it is seven communities. We are fifty years in the business and we have never sold a community.”

Chairman Mahone asked Mr. Shadden, “they are asking for this to be labeled a manufacturing housing district, so they can maintain ownership of it and lease the lots, if they did not want it to be that way and they wanted to just sell the lots traditionally; could people put these same manufactured homes on these same lots.”

Mr. Shadden responded, “in a city subdivision, yes they could.”

Mr. Bertakis added, “we can’t change midstream and sell the lots because that would require platting the lots, we are not doing a subdivision plat, just a parcel plat.”

Appearing from the audience:

Janet Karam, 316 W. McGee, Sherman, TX

Ms. Karam explained “I am very passionate for the need of affordable housing in our community; this has been a conversation and on the radar in our community for a long time; thus far there has been no significant progress in a long time. I am very grateful for Bertakis Development that they are coming with a project that developers in our area cannot build houses between \$65,000-\$130,000 in this volume. As a Realtor, I have people calling at the time that are prequalified for loans, they have letters that we cannot find them homes. This is our working class, our work force, it supports our employers, supports our viability as a community to have our residents close to the employers that supports in a symbiotic way. If you look in the MLS right now, we have nine homes that are priced between \$65,000-\$130,000; they are not one’s that I would recommend for families to move into. This is a solution that I am grateful to have on the table, I hope we can look at this as a humanitarian prospective rather than a self-interest prospective. I know we will hear a lot of comments this evening, this is something our community desperately needs.”

Thad Thompson, 3706 Heatherwood, Sherman, TX

“We met with Mr. Bertakis a week ago last Saturday, I told him I don’t disagree with his concept, but he picked the wrong piece of property to put this project on. My presentation is on the entrance and exits to this property, applications to the road, the number of people in a confined area, the number of cars in a confined area, the number of school children having to walk to the pick-up area, I could

go on and on. The proposal says we have approximately four-hundred sites, he told us four-hundred and eighty-six. The road in front of the development, the access road is in poor condition, Graystone is in bad condition; it is down to one lane, the stations across the railroad track on the east side have fallen into the ditch, the road has given away. The road on the south side has them coming out onto Graystone from the entrance across the railroad track heading to Frisco Road, that will create a bottleneck of people going to work at 7 and 8 o'clock in the morning. There will probably be a 100-200 cars trying to get out that way. If you take the south entrance and go all the way down to FM 1417, you get onto Highway 82 coming back west. If you take Graystone, you go 100 yards off Graystone onto Frisco and then onto a rough road. I would ask the board which entrance would you take, it won't be Highway 82, so there is going to be a great number of cars going back through there. Graystone you can't drive more than 5 miles per hour. Even if you pave Graystone, it is still going to be a traffic problem."

Debbie Osborne, 2716 Cedar Park Dr., Sherman, TX

"It was a very good story about the housing community, I do believe we need it, but as a community, should we be selective how we do that. What I have found out, if low income people don't own their property, their odds of being able to sustain their home, being the ultimate home owner in the end is very slim; it statistically does not happen. He mentioned \$8,000-\$10,000 to move the trailer out when you can't afford to pay your light bill. That is how they make their money, they're in business to make a profit. They are exploiting low income and there are a lot of States and Cities putting ordinances in so that they make them own their property and not lease them for this reason. Why would you want to put them by the tracks; do you know how loud those train tracks are. I would think you would want to do a health and welfare study on the noise just by children being right there and if they don't bolt them down, they will vibrate them right off their stands."

Buddy Cvitanovich, 3709 Crimsonwood, Sherman, TX

"Just last week the City Council granted \$150,000 for a company to do a study on the impact fees affecting the City. When you have new development, it cost the City money from water, sewer, drainage and so forth. This study should be done in August. One of the recommendations I have is to delay the decision on this zoning until that time so the City can construct their impact fees when the company starts to put in their development, Sherman can be reimbursed for the costs of some of the things we have paid for. The traffic concerns I have is on the development, you wanted two exits to come out of each one of those developments; on their conceptual plan, I only see one. They are going to develop the south part which I think is 88 acres and then there is 19 acres, I have a recommendation that if this is approved, if they start on the 88 acres, you don't give them the approval on the zoning for the other one until they show

you that it is successful; that way we won't have that building going on."

Larry Solma, 3710 Heatherwood, Sherman, TX

"I'm against the request, I don't really want manufactured homes next to me. We have a nice community. I talked to two people and told them Plyler was involved in this, they told me if he is involved in this, you are going to have problems beating it. We are concerned, they said I'm sure it is going to go through. If it does, it will lower my property values, the traffic is going to be unbelievable, cars, trucks going in and out. I know all these people are against it. We got ninety-six names on a petition and they are all concerned about their homes. We all own property and we have a lot invested in our homes. We all get along really well and everybody works hard to look nice out there. If this comes in, I'm worried about the traffic and crime. I do not want to see it go in."

Chris Millhollon, 2622 Village Dr., Sherman, TX

"No matter how this request is worded, it is going to be mobile homes, that they can be trailered in, set up on blocks and trailered out; they are mobile homes. They are not going to be comparable to our neighborhood, which are all one acre lots, houses that are \$200,000 and up. We are immediately going to see a decrease in property values, an increase in crime. We have a train that comes by multiple times a day, maybe ten times a day and at times it parks for twenty minutes, blocking every entrance and exit to this neighborhood. So what is going to happen when you have four-hundred additional homes. It is impossible to fathom what is going to happen with the traffic trying to get in and out because of the train. Part of our neighborhood is already low lying, when it rains, the water goes over the street, so it is a partial flood area. If you take these fields out and add concrete and houses, there is going to be more water going down to this area. Increase in crime, people will let their dogs run around the neighborhood. I have been a taxpayer for years, devoting your life savings trying to increase the property value and know that it could drop overnight 25-50% because of someone else trying to make an investment trying to make themselves rich."

Tiffany Langton, 2602 Village Dr., Sherman, TX

"We built our house and have lived there for almost fourteen years. With the railroad track and switching station to the south, so they switch lanes, going back and forth. The biggest concern I have is the location. The zoning change is to put four-hundred houses right there; I don't think it is a wise use for the space. The access, coming in on Graystone with the railroad crossing is basically the only road that makes sense to access that area because of the limited access on Highway 82. I am a teacher at Niblett Elementary; this makes me think of the impact on the community; just to the south is Sherman Housing Authority. This would add another four-hundred houses and then there are several

other lower income housing options around that area and it would have a very big impact to have so many lower income housing so close together.”

Shane Vaughn, 2601 Juniper, Sherman, TX

“I have been working since I was 14. I have a house that they are valuing at \$300,000 and being taxed \$6,000 a year; that’s my dues, I understand that. The houses in the neighborhood are worth \$230,000 to \$325,000. The City of Sherman is going to lose \$62,500 a year just as soon as three houses sell. If you have ever ridden in a car with a realtor, going to see your house, it is bad enough if you cross a railroad track, if you go through a trailer park right before you get there, you are not going to look at the house anymore, you will move on to the next one. Low income housing is needed, I understand that, but with the value of the houses, \$150,000 house I sold last year and they only put four percent down, it definitely was not ten percent; that \$1,223 a month, mortgage insurance, everything. This will tax the schools, police and fire, no one has even talked about water supply, streets are cheap, compared to putting in water lines. We are talking about criminal backgrounds, I have seen the rules of what we are going to accept and not accept.”

Alec Anderson, 2512 Village Dr., Sherman, TX

“I am the first house that comes into the subdivision on the corner; we have a beautiful piece of property. Why here, why Sherman, how did you find us, how did you show up here. He showed us three properties, the one’s in Michigan do look nice, but over a period of about three to four years is when you start having issues where people are going to get evicted, it takes a while for anybody to get evicted, sometimes nearly a year. Crime starts developing, they start lowering their standards with the criminal background check. People who have the trailer houses cannot exactly sell them, they really can’t really get rid of them, if they do sell them it is at a really cheaper rate which means you attract a different prospective of people there. The one in Manville, Texas has only been there a short period of time, they have already started in three years having criminal problems down there. He depends on his property managers, the property managers are just somebody as an apartment complex manager, they will do a limited amount, it is an inconvenience for them, they have too many complaints, they have too many things to address and all those things go by the wayside. I have a friend that lives down there and he visited the project he was talking about to just drive right in haphazardly, talked to people that was in the neighborhood, you are going to have some positive events and some negative events. They are already getting criminal activity, drug dealerships, your nice little 13-year-old daughter can’t go down the street because she is being harassed on the street by these type of people.”

Tracie Coffel, 3707 Heatherwood, Sherman, TX

"Mr. Bertakis did an excellent job with his presentation. If you haven't seen our neighborhood, I encourage you to visit. I would ask are there manufactured homes in Plano, are they behind his neighborhood, would you want them behind yours. I moved into this community two years ago, I didn't even know it was back there, I drove across the railroad tracks, wow there is this awesome neighborhood and bought a house. We love it, we haven't had any crime, we haven't had any problems with the neighbors and they have welcomed us in; it has been fantastic. The railroad tracks and the traffic is huge, but the values of our houses is going to go down tremendously. If you had a trailer park right behind your house, it is going to drop whether the trees are up and the big privacy fence, but the facts are the facts. I have worked very hard."

Ken Chestnut, 2605 Sherwood Dr., Sherman, TX

"I am concerned about the procedure, we recently had a large subdivision occur in the southwest side of the community in response to the construction of the new high school and as a result of that, we have been blindsided as a City by some unexpected expenses relating to roads and school needs and it has raised a red flag and I think that is why the Council decided we need to look at impact fees for housing development in the City and that should be a consistent policy. Right now, we have a consulting firm that has been retained to look into this and come up with some appropriate fees and look at the responsibilities the City has but it should not be those of us that are already here taking the hickies to advance development; that's not the purpose of the City of Sherman. The City of Sherman has the duty to provide for residents that are already here that have already made the investment. The red flag to me and should be to you is the history according to the paper I read was that this operation that has been presented to you was presented once in Phoenix, once in the Houston area and once in Michigan but it was never repeated in any of those areas. That tells me that there was something that was not quite right or they would have continued with that real estate development of the same nature. You need to look at it in terms of nature of a cluster of manufactured housing of a smaller number is more appropriate."

Mary Anderson, 2512 Village Dr., Sherman, TX

"One of my main concerns is the City fixing things that are broken already before we bring more problems in because I have come here to the City Hall and complained about that culvert breaking off where we have seen cars almost roll I, so can we please be proactive; can we fix this before someone gets hurt, no one has returned my three phone calls and I thought when I saw a cable across the street, oh great they are finally going to come and fix the street, now it is apparently because of this rezoning. We also need to think about the wildlife, we have coyotes, rabbits, bobcats right in our front yard. We are going to be affected by two

sides, we are the very first lot when you come into the subdivision, we will have the south and west side facing this property. I read about a fence around the property and I know we addressed tree lines and we do want to keep them. What is to keep people from walking right through their back yard to our neighbors that are right there also or right into our yard. When we first moved to Sherman we had to put a "no trespassing" sign in our yard because people feel that they can just pass right through yards; don't have to walk to the corner. We have no signs in our subdivision, no yield, no stop signs, our streets are not curbed, they are not wide, we like to walk so we feel we are in the country, that is why we moved here. It is still a country life, but still in the City and it is beautiful, but you want to bring this in and when people can't go down Graystone to get out, they are going to come through our neighborhood, how are we going to walk, how are our children going to be safe having all this traffic."

Jane Clinton, 2816 Cedar Park Dr., Sherman, TX

"My husband and I built a house in that area three years ago. I am opposed to having this development because of all the reasons mentioned before. I would like to ask Mr. Bertakis what the average rent that the homeowner would be paying and will he be receiving government money."

Sherry Sipe, 2516 Village Dr., Sherman, TX

"I held the meeting in my home and invited people that received a letter to come to find out, everyone in the community was interested in this. We have ninety-six signatures on our petition, all of those opposed to this and actually we had twenty more, a couple of ladies brought them to me yesterday. I want you to be aware, this is not just a few people opposed, it is all of Cedar Park Village and what I heard from the people that took the petitions around, only two people refused to sign. All the other issues I am concerned about have already been spoken to."

Sam Hogue, 3700 Heatherwood, Sherman, TX

"In 2000, I bought this lot, the City would not let me build a house because there was no road; I started building in 2006, we built this nice neighborhood that everybody else moved in and we are a good neighbor, we always look out for each other. Mr. Bertakis mentioned there is going to be a football field space in between his homes and our homes, actually from the porch to our porch. I have an acre and one-half, my fence is the tree line and I am the first house when you go into the subdivision on the left hand side. My property line is about 353 feet long. My concern is if he says football field, he is actually measuring it from the trees to the back of his house is probably 25-30 feet, so he is actually counting my porch and my land as a distance between the developments. He said he is not going to put a fence in between. He mentioned something about 24/7 security, what happens after 4 p.m. when we have a noise violation, who do we call, we always call the police, but if we have to call on eighty

houses behind my house, three hundred or four hundred. If I want anyone after 5 p.m., there is not going to be anyone there. We will be calling the police every other day, especially on the weekends. We don't want it."

John Simmons, 1511 St. James Way, Frisco, TX

"My company I represent, Chris Bancroft the property owner. It is no secret from everything we have heard, this property has a lot of issues, access issues. I know he has owned it for over thirty years and has actively tried to sell it for years. He contacted us a year ago to work on this for him. My main concern is this is going to be a hickey for a very long time, these issues. You have a developer that has taken a hands on approach from Day 1. There has been no question what he has been working on from the beginning. I would strongly urge the committee to take into consideration the affordable housing issue. Discussion about lower income, crime rates, that issue; I don't think we base the morality of someone on their income."

Mike Clement, 97 Mountain View, Sherman, TX

"I work for Clayton Homes. Fifteen to twenty times a month people come in and because either of the price of the home or where they want to be in their budget, the increased cost of buying land; it either prices them out or they don't want to spend an extra \$50,000-\$60,000 for a lot. These are folks that want to live in Sherman whether for the school district or they are already in and renting. Whether it is Clayton Homes or Freedom Homes, I would invite the commission or anyone to come and look at these houses; they are not what they were thirty years ago."

Winston McCollum, 2708 Cedar Park Dr., Sherman, TX

"I just bought my house three months ago and I'm in the process of moving in. It is a beautiful neighborhood now. I don't have opposition to having this in Sherman; I think it is a horrible place to put it. I have waited on the train to clear the tracks at Dripping Springs and Graystone for sometimes 20 minutes. You cannot cross on Frisco, you put that many people out there on that tract; it is going to be pure chaos. Just say no; that's all you have to do."

Bill Smith, 111 Barbara Lane, Sherman, TX

"I wondering how the tax base, if they are not going to own the property. Are they going to be subject to the same property taxes that all the rest of us are; I don't think so."

Chairman Mahone explained, "that is not part of the zoning request today."

Mr. Bertakis

Mr. Bertakis showed a zoning map of what is currently on this property; C-2 (General Commercial) District, R-2 (Multi-Family Residential) District and M-1 (Light Manufacturing) District. "All these uses are much more intense, much more dense; on this particular property you could do 8-10 units

per acre. On this piece you could have as many residents as you could on this whole piece. These are apartments, they aren't homeowners. So if you are talking about traffic and property values. Apartments alone would be two and one-half times the density. The types of uses that could be on that property right now as it exists; no rezoning, no public meeting: muffler shops, bowling alleys, construction material storage yards, institutional correctional, penal or insane. I understand about seven years ago there was a jail proposed on the C-2 (General Commercial) District property for seventeen hundred beds. A lot of people want vacant land, a lot of people signed the petition because they just don't want development at all. Not that we submit to you that we are the best of two evils but we are the lowest density, the lowest density, the lowest possible use that has come around in a long time and we willing to take control of the challenges of the traffic."

"Another question that came up was property values and we get this all the time. There is a community called Knollwood, it is in the Sherman area. Knollwood Village, it was built in the '70's, so it's forty or fifty years old and that was there for a long time. What happened is a subdivision built right up against it, they knew Knollwood was there; sold out all the homes, it was about 25-30 homes and they are \$150,000-\$200,000 homes. You had Austin Landing come in, they are building 600 homes, \$250,000-\$450,000, still building, still developing. Keep in mind Knollwood was here first, building right across the street, so why the concern about property values; it's not supported."

"I want to stress these are affordable homes, not low income homes. These are not government subsidized homes. These are loans from local lenders, you can go to any bank you want, if you have a job that supports the loan, you will qualify for it."

"There was talk about impact fees; it's a year away at least, they have just hired a consultant. We are willing to abide by everything that was in that review letter, one hundred percent."

"A second exit was mentioned; we could put a second exit on the final site plan. Can we do this in phases, interesting idea, but the problem is to do a critical mass of four hundred sites is how we can offer this amenity package as we have, we can't offer that for two hundred sites. The amenities will be built first, but what if we don't get the rest of the phases; you can't be top-heavy, you have to know what you got going in or it doesn't become feasible."

"The drainage will be addressed with the detention area. We are going to provide drainage for our own site, we are not going to add to anyone's, we may be helping them with drainage depending how we configure. Those items will be reviewed at final site plan approval."

"Criminal activity is totally unfounded. You can go on the internet and see our customer reviews. It is a gated community, so it is not open 24/7; we do have the gate open during the day."

"People can list and sell their homes as people do with any regular home; right in place and we have experienced the values of homes are going up, not down. It all depends on location, if you are in a neighborhood where people are taking care of things, it's going to happen."

"There was talk about development done here and never in the same spot. We had our award winning community, Hidden River, Adrian, Michigan that we started in 1993 finished in 1997, based on our performance there, the neighboring township two miles away gave us approval hands down for the job that we did. Talk about repeat performance right smack in the neighboring community we did it in River South."

"They talked about fencing. Mrs. Anderson talked about this big tree line. We are going to examine all that; our goal is to keep it. We are willing to work with the neighbors so that it is basically an award. We are going to put a buffer in between the neighboring lots; at least one hundred feet."

"The rental amounts; we expect the rent to be between \$450 and \$550, we have not determined that yet. The rental amounts and the home payments will have a starting budget of \$1,000 - \$1,200 a month, all in. Two bedroom apartments average, I might add they are 96% rented in the Sherman area. If you take the apartments from 2008 to 2019, the new ones, the average two-bedroom rent is \$1,320, the average three-bedroom rent is \$1,650 a month. If you can get a bigger home, three-bedroom for less than you are going to pay for an apartment; why would you want to rent an apartment. Would you want more apartments with more density, more traffic?"

"We have onsite management; it is not absentee management. It is 24/7 management; you are not going to find any residential development with 24/7 onsite management. If there is a problem, you can call our hotline and management will address the problem."

"We will be paying taxes; we are taxed on all of our improvements, the roads, the street lights, that's all improvements. The homeowner does pay personal property tax on their home every year. This is not where someone is not paying their fair share of taxes."

"We have looked at the water and sewer lines; we have access to them for our site. We know we have eight-inch water lines, which is more than sufficient."

Mr. Armstrong explained, "that would be something the Engineering Department would look at in the next phase and in the development."

Mr. Bertakis explained, "we have sewer running through our site; we did not want to do septic for a development like this."

"We are here standing saying this is what we want to do, it is a quality development, we have a track record; we are going to be a good use for a lot of years."

Commission Member Wood asked about the background checks; "are you doing them on just the homeowner or all of the residents of the home."

Mr. Bertakis responded, "everybody in the home. We take pictures of the vehicles and pets. We want to be a good neighbor, safe for everyone that lives there."

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

A petition was received with 95 signatures opposing the request.

ACTION TAKEN.

Motion by Commission Member Davis to deny the request for a zone change from an R-1 (One Family Residential) District, R-2 (Multi-Family Residential) District, C-2 (General Commercial) District, and M-1 (Light Manufacturing) District to an M-H (Manufactured Housing) District and conceptual site plan in the 2400-2800 blocks East U.S. Highway 82 and the 2800-3500 blocks North Frisco Road based on the outpour of the community and the concerns with traffic. Second by Commission Member Wood.

VOTING AYE: DAVIS, MANLEY, SIMS, DOWNTAIN, WOOD AND ELLIOTT.

**VOTING NAY: MAHONE
MOTION CARRIED**

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

VARIANCE

THE REQUEST OF ROGER MUDGETT (OWNER) CONCERNING THE PROPERTY AT 219 NORTH WILLOW STREET, BEING LOT 23R, BLOCK 18 OF THE REPLAT OF LOTS 13, 14, 15 AND PART OF LOT 16, BLOCK 13 AND LOTS 22, 23 & 24, BLOCK 18, CHAFFIN'S FIRST ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 20' REAR SETBACK FOR A

**VARIANCE – REAR
SETBACK
219 N. WILLOW
(ROGER MUDGETT)**

RESIDENTIAL DWELLING IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Ron Barton, 715 S. Sam Rayburn Freeway, Sherman, TX

Mr. Barton appeared to represent the request and answer any questions. The property is located at 219 North Willow Street between Pecan and Chaffin Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Barton explained, "the owner is requesting a variance to allow a 20' rear setback to allow a small cottage home to fit on the small lot." 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.

Motion by Commission Member Downtain to approve the request for a variance to allow a 20' rear setback for a residential dwelling in lieu of the required 25' in an R-1 (One Family Residential) District at 219 North Willow Street subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DOWNTAIN, WOOD, DAVIS AND ELLIOTT.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION, VARIANCE & SITE PLAN

THE REQUEST OF SHERMAN CROSSROADS, LTD (OWNERS), PANDA EXPRESS RESTAURANT (TENANT), JOHN HENDERSON, BANNISTER ENGINEERING, (REPRESENTATIVE/CIVIL ENGINEER) JIMMY HUNKAPPERPR, IDGROUP (ARCHITECT) AND A&W SURVEYORS, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3150 SOUTH U.S. HIGHWAY 75, BEING 1.012 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, ALSO BEING A PORTION OF LOT 1, BLOCK 2, SHERMAN CROSSROADS, PHASE II, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- EXCEPTION APPROVAL UNDER ORDINANCE NO. 2280 SECTION 6.8.4, SUBSECTION (11) TO ALLOW FIBERON COMPOSITE DECKING IN LIEU OF THE REQUIRED MASONRY FOR A PANDA EXPRESS RESTAURANT WITH DRIVE THRU IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.
- VARIANCE APPROVAL UNDER ORDINANCE NO. 2280 SECTION 6.8.4, SUBSECTION (7) TO ALLOW A 20' SETBACK ON THE SOUTH PROPERTY LINE IN

**EXCEPTION –
FACADE**

**VARIANCE –
SETBACK SOUTH
PROPERTY LINE**

**SITE PLAN – PANDA
EXPRESS
RESTAURANT
3150 SOUTH U.S.
HWY. 75
(SHERMAN
CROSSROADS, LTD)**

LIEU OF THE REQUIRED 55.7' FOR A PANDA EXPRESS RESTAURANT WITH DRIVE THRU IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.

- SITE PLAN APPROVAL UNDER ORDINANCE NO. 2252 ARTICLE IV SECTION 410 (2) (J) AND (2)(G)(2) FOR A PANDA EXPRESS RESTAURANT WITH DRIVE THRU IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.

Tom Rudd, IdGroup, 2641 Irving Blvd., Dallas, TX

Mr. Rudd appeared to represent the request and answer any questions. The property is located at 3150 South U.S. Highway 75; the northwest corner of FM 1417 and Highway 75. The property is located in the Blalock Industrial Park.

Mr. Rudd explained, "the developer would like to construct a 2,300 square foot, single-story Panda Express Restaurant with Drive Thru on the proposed Lot 1R-1, Block 2 of the Sherman Crossroads, Phase II Subdivision. Parking will be provided for 44 spaces. They are requesting a variance to allow a 20' setback from the south property line in lieu of the required 55.7'. They are also requesting an exception to allow Fiberon Composite Decking in lieu of the required masonry. Fiberon composite decking is made up of wood and plastic." They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Manley asked if they plan to participate in signage, multi-tenant signage that is being proposed on a different item.

Mr. Rudd did not have an answer for that question. "There is a proposed 8' tall monument sign on the site plan."

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

ACTION TAKEN.

Motion by Commission Member Downtain to approve the exception to allow Fiberon Concrete Decking, a variance to allow a 20' setback on the south property line and site plan for Panda Express Restaurant located at 3150 South U.S. Highway 75 subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DOWNTAIN, WOOD, DAVIS, ELLIOTT, SIMS AND MANLEY.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION & VARIANCE

THE REQUEST OF SHERMAN CROSSROADS, LTD AND QUIKTRIP CORPORATION (OWNERS), SHERMAN CROSSROADS, LTD (APPLICANT) AND JOSEPH S. FAUST, QUIKTRIP (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 3624 SOUTH U.S. HIGHWAY 75, BEING LOT 4, BLOCK 2, SHERMAN CROSSROADS, PHASE II, LOTS 1R, 4 & 5, A REPLAT OF AMENDING PLAT LOT 1, BLOCK 2, SHERMAN CROSSROADS, PHASE II, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.8.4, SUBSECTION (8) AND ORDINANCE NO. 2252, SECTION 410 (2)(N) TO ALLOW AN 860 SQUARE FOOT, 50' TALL MULTI-TENANT FREESTANDING SIGN, 32' FROM THE SOUTH HIGHWAY 75 PROPERTY LINE FOR THE SHERMAN CROSSROADS DEVELOPMENT AND A 100 SQUARE FOOT, 8.6' TALL MONUMENT SIGN, 20' FROM THE FM 1417 (HERITAGE PARKWAY) PROPERTY LINE FOR QUIKTRIP IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.

Jeff Harkinson, 4560 Beltline Road, Ste. 400, Addison, TX

Mr. Harkinson appeared to represent the request and answer any questions. The property is located at 3624 South U.S. Highway 75, the northwest corner of U.S. Highway 75 and FM 1417 (Heritage Parkway), QuikTrip is the proposed tenant. The property is in the Blalock Industrial Park and the Blalock Commercial Overlay District.

Mr. Harkinson explained, "after discussion with QuikTrip, we would like to table the request for the multi-tenant sign."

"The owners are requesting a 100 square foot, 8.6' tall monument sign, 20' from the FM 1417 (Heritage Parkway) property line for QuikTrip. In our covenants and conditions for the Sherman Crossroads Development, we limit each user to an 8' tall, ground monument sign; we don't want any pole signs that have to connect to the ground; the City allows 12'. We would prefer to lower that requirement to 8'. I am not going to measure each sign to the precise inch, so the 8.6' sign is fine with us. The City has a requirement of 65 square feet monument sign. If you take the length of theirs which is appropriately 11' 5 1/2" it is going to create a larger sign than the 65 square feet. From the Developer's standpoint, we can live with that, this is a prototypical sign QuikTrip uses throughout Texas. We would support the request for QuikTrip for the sign and hope that the Commission will also for this variance for this specific use. The other request is to modify the setback to 20'; the reason QuikTrip indicated that desire is because there is a tree there near the pond and we have installations by Lone Star Gas and they feel from the eastbound traffic on FM 1417 (Heritage Parkway) the setback as it is required would limit visibility to the sign." They had seen the Staff Review Letter and would abide by the Recommendations.

EXCEPTION &
VARIANCE - SIGNS
3624 S. U.S. HWY. 75
(SHERMAN
CROSSROADS &
QUIKTRIP)

(MULTI-TENANT
SIGN TABLED)

(MONUMENT SIGN
DENIED)

Chairman Mahone asked Mr. Shadden the requirements for signs in the Blalock Commercial Overlay District.

Mr. Shadden explained, “they are allowed a 65 square foot monument sign, 12’ tall, 25’ from the property line.”

Commission Member Davis asked, “what was hindering your signs.”

Mr. Harkinson explained, “you come eastbound on FM 1417 (Heritage Parkway) and you have all the pipes and installation of gas lines on the west side of Crossroads Boulevard plus there is landscaping and a big tree there and it inhibits the view for the customers coming from the west to the east to see the sign if it is setback that far.”

Jack Sears, Douglass Distributing, 325 Forest Avenue, Sherman, TX

Mr. Sears explained, “we recently completed construction of a new Valero and Lone Star Food Convenience Store on the southeast corner of Highway 75 and FM 1417 last year. It is in the Blalock Industrial Park and directly across the intersection from the QuikTrip location. The intent of the Blalock ordinance is to ensure the quality and visual appeal of the development. We designed and constructed our facility to be one-hundred percent to be fully compliant with all of the restrictions. We have not requested or received any exceptions for our project. We strongly object to granting any exceptions to QuikTrip to install this sign or to the setback. Our company has a thirty-nine-year history of a partnership with the City of Sherman, we have always played by the rules and we simply ask that you require QuikTrip to play by the same rules.”

Chairman Mahone asked Mr. Sears about the sign on the south end of the development.

Mr. Sears explained, “we have no signage on our property. Schulman’s has a multi-tenant sign on the south end of their property.”

Andy Olmstead, 102 W. FM 1417 (Heritage Parkway), Sherman, TX

Mr. Olmstead explained, “we own the Shell Station across the street from the QuikTrip. We built by the same ordinances. You have McDonald’s coming behind you, Braum’s, Panda Express; you have the ordinances in place, respect the ordinances.”

Mr. Harkinson wanted to address the issue quality was used; “we have gone to extreme expense and lengths to ensure the quality of Sherman Crossroads. For example; all of our utilities are going to be underground, no overhead wires, we had to come overhead one time for FM 1417 (Heritage Parkway) to get service. The entire 130 acres is going to be underground utilities. We require all concrete parking, no

asphalt, we require sixty-five percent masonry, we have standards much higher than the City ordinances require. I really don't want anybody suggesting the quality of our development is going to be substandard."

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

A letter was received from:

Bill Douglass, 325 W. Forest, Sherman, TX

"I object to the granting of this request for an exception to permit by Quick Trip to erect a 50 foot sign on their property. We are also in the Blalock subdivision and understand the restrictions. We designed our store across the freeway in accordance with the sign restrictions, and not have asked for nor received any exceptions to the restrictions."

"After we purchased and built our convenience store, Quick Trip comes in and wants to break the code and erect a 50-foot sign. We would have built a high rise on our site if the Blalock sign restrictions were not in place. They are now trying to gain an unfair advantage over a local firm who, plays by the rules."

ACTION TAKEN.

Motion by Commission Member Manley to table the request for the exception and variance to allow an 860 square foot, 50' tall multi-tenant freestanding sign, 32' from the South Highway 75 property line for the Sherman Crossroads Development at 3624 South U.S. Highway 75 subject to the Staff Review Letter. Second by Commission Member Downtain.

VOTING AYE: MAHONE, DOWNTAIN, WOOD, ELLIOTT, SIMS AND MANLEY.

VOTING NAY: DAVIS

MOTION CARRIED

THE REQUEST WAS TABLED.

ACTION TAKEN.

Motion by Commission Member Wood to deny the request for a 100 square foot, 8.6' tall monument sign, 20' from the FM 1417 (Heritage Parkway) property line for QuikTrip in the Blalock Industrial Park/Blalock Commercial Overlay District at 3624 South U.S. Highway 75 subject to the Staff Review Letter. Second by Commission Member Davis.

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

VOTING NAY: ELLIOTT

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST DID CONFORM TO THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF MACK BROILES (OWNER), MICAELA HOOPS (APPLICANT) AND EC STANTON COMMUNITY SCHOOL (PROPOSED TENANT) CONCERNING THE PROPERTY LOCATED AT 214 WEST BROCKETT STREET, BEING LOT 4, BLOCK 2, BROILES ADDITION, A REPLAT OF PART OF LOT 1, BLOCK 1 OF THE REPLAT OF LOTS 19-21, L.C. CHAPMAN'S ADDITION, AND ALL OF LOT 9 AND PART OF LOT 12, TOGETHER WITH AN ALLEY RUNNING SOUTHERLY FROM BROCKETT STREET AND LYING WEST OF AND ADJACENT TO THE WEST LINE OF LOTS 9-11, L.C. CHAPMAN'S ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A PRIVATE SCHOOL IN A C-1 (RETAIL BUSINESS) DISTRICT.

**SUP & SITE PLAN –
PRIVATE SCHOOL
214 W. BROCKETT
(MACK BROILES)**

Micaela Hoops, 402 N. Grand Ave., Sherman, TX and Brian Prichard, 975 Desvoignes Rd, Denison, TX

Ms. Hoops and Mr. Prichard appeared to represent the request and answer any questions. The property is located at 214 West Brockett Street between Elm and Crockett Streets. The property is zoned a C-1 (Retail Business) District.

Ms. Hoops explained, "EC Stanton Texoma Community School is requesting a Specific Use Permit to allow a private school at 214 W Brockett Street. We have 17-19 students Kindergarten through 12th grade and six staff members. Students are required to attend a minimum of 20 hours per week and 3 days a week, but can attend up to 40 hours and 5 days a week. They hold classes both on campus and in the community. Their hours of operation are 8 a.m. - 4 p.m., Monday through Friday. They have a sister school in Fort Worth and are part of the North Texas Progressive Schools Organization." They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if they are currently at another location.

Ms. Hoops explained, "we are currently using all the public resources right now."

Mr. Prichard stated, "we were previously graced the privileged to use Leap of Faith Church as a building and we have the intention of renting this property and moving into that building but we were hit with a surprise; we didn't realize we needed a Specific Use Permit, so we were left with this process and students that were already enrolled in our school."

Chairman Mahone stated, "I assume you are holding class in a temporary location."

Ms. Hoops responded, "yeah, we are operating like a co-op, we go to the library, we plan activities every week, we keep our community engaged, we hold classes at our houses, we go to museums and such."

Chairman Mahone asked, "how long they have been in operation".

Mr. Prichard explained, "this chapter of EC Stanton is the second branch, the original is in Fort Worth."

Ms. Hoops thought it has been going for three years now, "2020 will be the fourth year; the Fort Worth location. We began the operations for planning the Sherman location last year in the spring and we opened up in the fall."

Commission Member Davis asked, "how many students they had enrolled."

Ms. Hoops explained, "17, possibly 19 depending on if we manage to house ourselves."

Chairman Mahone asked if they had any State organization that oversees how many kids or how many students you have.

Mr. Prichard explained, "we are going to be limited to the building size, fire codes and such things as that in this particular area."

Chairman Mahone stated, "I assume you have to have a certain number of staff per number of children."

Ms. Hoops explained, "our school philosophy, we attempt to have a high staff ratio; for example, 17 students and 6 staff, that would make us 2.5 students per staff member."

"We have five parking spaces drawn out on our site plan and we will not be able to exceed that in this location because of the parking requirement for 1 space for every 1.5 staff members."

"We have contacted the Fire Marshal and looked into a fire alarm system for the building."

Commission Member Davis asked if a private school requires the 20 mph school zone signs and all that too.

Mr. Shadden explained, "a private school which when we first visited they weren't sure if it was a school or not because they asked for a school and then said what if we don't call it a school; I don't know where we're going."

Commission Member Sims asked about the street, “the pictures look less than fantastic; what is the completion date, do we know.”

Ms. Hoops explained, “there is some construction; it is still possible to access the building, it just a little bit of a headache. You have to be aware of the area and how to access the lot.”

Commission Member Davis asked if this was a Monday thru Friday, 8 a.m. – 3:30 p.m. school.

Ms. Hoops explained, “our hours are Monday thru Friday, 8 a.m. – 4 p.m.”

Mr. Prichard explained, “their drop off and pick up varies, so our students can be dropped off anywhere between 8 a.m. and 10 a.m. and picked up any time before 4 p.m. We just ask that the parents commit to twenty hours a week.”

Ms. Hoops stated, “basically what he is saying the drop off pick up rate is never high traffic; it is usually one car at a time with some buffer time between.”

Vice-Chairman Elliott stated, “so there is not a scheduled start, it is kind of fluid.”

Ms. Hoops responded, “we feel it is very fluid because we have a school meeting every day at 10 a.m. and we require students if they are going to attend that day to be there by 10 a.m. Yes, there is a little bit more flexibility, they don’t have to be there at 8 a.m. or 7:30 a.m.”

Chairman Mahone asked Brandon Shelby, City Attorney if there is a State Organization that oversees opening a small school like this that they would have to comply with.

Mr. Shelby responded, “that is not my level of expertise, so no I don’t know. I did see in their packet that they are a member of the Texas Progressive Schools Organization.”

Ms. Hoops explained, “North Texas Progressive Schools Organization is an organization started in the decade to support and organize all the progressive schools in the area. You would consider our school a progressive school, it is based on the separary school model, where a separary school model is a self-directed education style. We as staff members, we have skills, we all are degreed, but we act more as mentors and guides to the students in helping them achieve their educational goals. Also, it is a democratic school, so every student and staff member has a vote in how this school governs itself. Because we are progressive, this idea is taking place in a number of places throughout the United States, even in North Texas especially, there have been some learning centers that have opened up and of course the Fort Worth School, the sister school that we

mentioned earlier; they are all a part of the organization. We network and provide experiences for our students, we organize a trade for furniture for example we were offered some furniture from a school that is moving out. We make ourselves a stronger community."

Commission Member Davis asked, "who accredits you or governs you or comes in to say you are doing right by the kids; who oversees your school."

Ms. Hoops responded, "the community, the parents that are involved are the overseer."

Commission Member Davis stated, "so you are not accredited."

Ms. Hoops responded, "no, we are not accredited and we are not required to be accredited by law."

Chairman Mahone asked, "would most of these students be home-schooled otherwise if they weren't coming together at this location and learning together."

Ms. Hoops explained, "we do tend to attract a lot of home-schooled families, especially families that would home-school if they could as well; some families are not able to home-school."

Chairman Mahone asked, "by being a co-op, does everyone pitch in to keep the school and the classes going or do people pay a tuition to go to this school?"

Ms. Hoops explained, "people pay tuition, we charge about \$250 for the initial student and if there is a sibling they get a discounted rate. We try to keep our tuitions low so we fundraise and are a nonprofit. Right now the staff are all volunteer."

Chairman Mahone asked if they had a 501c3 status.

Ms. Hoops responded, "yes, we do."

Commission Member Manley asked, if the school typically involves outside activities or would it at this location.

Ms. Hoops stated, "we love to be outside."

Chairman Mahone asked if their school was year round.

Ms. Hoops responded, "yes, we try to operate like a traditional school."

Mr. Prichard stated, "we do take a summer break, winter and spring break. When the rest of the kids are out of school, we try to be out of school at the same time."

Chairman Mahone asked, “how long is your summer break for instance.”

Ms. Hoops explained, “we are going to start summer break in June and return in September.”

Chairman Mahone stated, “you won’t be operating the business at least with students for the most part during that time.”

Ms. Hoops stated, “we have discussed having a summer school.”

Commission Member Davis asked Mr. Shadden, “would they would be issuing the Specific Use Permit to Ms. Hoops or the actual school out of Fort Worth.”

Chairman Mahone stated, “if they are a 501c3, then that is the operator of the school, the organization.”

Ms. Hoops explained, “they have a board of directors; I guess it would be our organization. I am the applicant and staff member; a very committed and involved staff member and I don’t mind being given the responsibility, but I think probably it should go to EC Stanton Community School; the organization, itself.”

Mr. Mahone explained, “we very often have people ask for Specific Use Permits and sometimes we would like to tie the Specific Use Permit to a specific person who has presented information to us, that way if that person tries to leave, it leaves a different set of people running or operating the location and they would have to come back and ask for their own Specific Use Permit.”

Ms. Hoops stated, “sure, I don’t mind taking on that responsibility; I don’t plan on leaving.”

Mr. Shadden explained, “it could be tied to the applicant or organization.”

Mr. Mahon asked, “if the 501c3 status was named as EC Stanton Community School.”

Ms. Hoops stated, “it is actually named something else, but I can’t quit remember what it is right now.”

Chairman Mahone stated, “that might be helpful to know; do you think you could call somebody.”

Ms. Hoops stated, “I could bring you the address and contact information to the office. You can’t find it if you are looking at 501c3.”

Chairman Mahone stated, “so it is not granted status as a 501c3 by the IRS.”

Ms. Hoops responded, "it is, but it is not by the name EC Stanton Community School."

Chairman Mahone asked if they could find out by what name it is tied to.

Ms. Hoops responded, "yes because I had to write a donation letter this December and I had to get the actual name and address and I did that through a search. The person that we worked with, she started EC Stanton Community School in Fort Worth, we are connected to her but she is working mostly in Fort Worth. We started our own branch, so the legal part that we are connected to are under the organization, it's just that all the information is not on our fingertips; she is the one that filed it."

Chairman Mahone called an 8 minute recess at 7:52 p.m. The meeting was reconvened at 8:00 p.m.

Chairman Mahone asked if they found out the official name of the 501c3 organization that would be running the school.

Ms. Hoops responded, "it is EC Stanton Community School Texas 4H. We have a letter from the Internal Revenue Service confirming our status as a 501c3, it has our employee information number and our address. To answer your question earlier about who governs us; we follow all the laws. We know that we are a new idea, so we tend to expect a little bit of resistance."

Chairman Mahone explained, "the reason I asked the question is because I am a layman, I am not in the education world, so I don't know who governs what; I was just wanting a little bit of education for us on that. We are trying to look at the total picture."

Ms. Hoops explained, "Texas is very friendly to many types of schools."

Appearing from the audience:

Jerry Collins, 321 W. McGee, Sherman, TX

Mr. Collins wanted to know what grade levels they support, "will it be K thru 12 and if they do, then will a curriculum be in position for the kids to go on to college or what kind of issues that would create."

Ms. Hoops responded, "we teach K through 12 grade, a high percentage of students that are involved in separary schools go on to college education, we are already supporting a few of our teenagers to go on to colleges. We have already met with Grayson College, the students and even Austin College; we are exploring all kinds of college possibilities. I don't know if this necessarily has to do with Planning and Zoning of how you will make your decision, but to give you a little information. A lot of students who take different tracks of education that are not necessarily public

education find ways to go to college, the reason why we have such a high percentage rate in the sepy school model of students going on to college is because we respect the student and we enable them to pursue their own educational goals and a lot of them do decide to pursue higher education because they are simply curious and in love with learning; that is part of the philosophy of our schools. If there is a curriculum involved, it is by the student's choice. We are there to enable them; they make the decisions to learn the things that are important to society that the research shows a high percentage of the students go on to be entrepreneurs, problem solvers and creative people in the community and pursue higher education and trade school.

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the request for a Specific Use Permit and site plan approval to allow a private school in a C-1 (Retail Business) District at 214 West Brockett Street subject to the Staff Review Letter and tied to EC Stanton Community School Texas 4H with a 2-year time limit. Second by Vice-Chairman Elliott.

VOTING AYE: MAHONE, DOWNTAIN, WOOD, ELLIOTT, SIMS AND MANLEY.

VOTING NAY: DAVIS

MOTION CARRIED

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

ZONE CHANGE & SITE PLAN

THE REQUEST OF NORTH PARK BAPTIST CHURCH (OWNERS), KENT SALISBURY, DAVID BACA STUDIOS (ARCHITECT) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 2605 REX CRUSE DRIVE, BEING LOTS 1-6, BLOCK 1, JOE E. PRICE SUBDIVISION, ALSO BEING 4.198 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

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

**ZONE CHANGE – R-1
(One Family
Residential) District
TO C-1 (Retail
Business) District**

**SITE PLAN –
ADDITION TO NORTH
PARK BAPTIST
CHURCH
2605 REX CRUSE DR.
(NORTH PARK
BAPTIST CHURCH)**

**Kent Salisbury, David Baca Studios, 100 N. Travis, Ste. 500A
Sherman, TX**

Mr. Salisbury appeared to represent the request and answer any questions. The property is located at 2605 Rex Cruse Drive, the northeast corner of Rex Cruse Drive and West Lamberth Road; North Park Baptist Church is the

tenant. The property is zoned an R-1 (One Family Residential) District. A Specific Use Permit was approved in 1973 to allow a church in an R-1 (One Family Residential) District. An amendment to the Specific Use Permit was approved in 2011 to allow the addition of three portable classroom buildings with the time limit of five years, providing an 8' privacy fence, 80' along the north property line where the portable buildings will be placed and providing shrubs/hedges in front of the portable buildings on the west side of the property.

Mr. Salisbury explained "North Park Baptist Church is requesting a zone change to a C-1 (Retail Business) District to align how the property has been used in the past 40-50 years. The site plan is for a 14,10 square foot sanctuary building addition with 479 seating capacity at the south end of the existing facility. The exterior will be brick, siding, windows and composite roofing to match the existing church. One hundred parking spaces will be added to an asphalt parking lot. The parking to the east is all of their existing lot and will be restriped. The other buildings that are there will be repurposed; the project is to connect all of the components of this property together. Security is an issue we always work with churches to try to work out how to unify an entrance." They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Downtain asked, "why not a Specific Use Permit like it has been done in the past."

Mr. Salisbury explained, "in the past, it has just been an extra step, they have had to go through every time they wanted to do anything and I think this cleans up the process for them, makes it a little bit easier to do expansions or anything else; it's one less step for them to go through each time they try to do something."

Appearing from the audience:

Kim Harmon, 2602 Dover, Sherman, TX

Ms. Harmon explained, "we live directly behind this property and love having the church as our neighbors. Our only concern is changing of the zoning because it is a commercial property; how will that affect us in the future if they decide to do something else in the future. We kind of like that we only have to come for one issue and we have come in the pass for one issue. If it does change the zoning they have free reign to do whatever in the future without residential input. How does this effect our property in the future, what kind of issues are we going to deal with; we haven't seen a site plan, that is what I was most curious about and what is it going to look like. (Mrs. Harmon was given a copy of the site plan and elevations of the addition.) We were thinking about things like noise, lights, how big is this going to get. We have been there 31-years and we have never had any issues, we have loved having the church as our neighbors. We were just curious of what this means for

us in the future. We know the church has been there for a long time, ever since we have lived there; if that were to happen there are no guarantees for us that the church is always going to be there.”

Chairman Mahone stated, “if this was rezoned, potentially the church could sell that property to another commercial business as long as they conform to the ordinance.”

Mr. Shadden explained, “anything that complied with the C-1 (Retail Business) District.”

Chairman Mahone stated, “this is currently zoned R-1 (One Family Residential) District with a Specific Use Permit for a church.”

Mr. Shadden explained, “churches usually are granted a Specific Use Permit in an R-1 (One Family Residential) District, if they want to go in a shopping center they are permitted in a C-1 (Retail Business) District.”

Mr. Shelby explained, “if a piece of property is zoned a C-1 (Retail Business) District, the church wouldn’t ask to change it.”

Mr. Shadden explained, “the motion could be to allow a church in an R-1 (One Family Residential) District if you were so inclined.”

Chairman Mahone stated, “we could change it to allow a Specific Use Permit for a church in an R-1 (One Family Residential) District.”

Mr. Shelby responded, “yes.”

Mr. Shadden explained, “and granting a Specific Use Permit down on the corner where the parking lot will be; it would cover the whole property.”

Chairman Mahone asked if the church had any plans for fencing.

Mr. Salisbury explained, “they do not currently show a fence on the site plan, but I did see that on the Staff Review Comments if it were granted a C-1 (Retail Business) District. This plan is tied to a masterplan, it’s not on the documents we have, but it includes an addition for a future classroom. I only say that to provide a little insight to the church’s intentions for the site, I know that does not influence anyone, but that is their intentions for growth. There is a C-1 (Retail Business) District zoned property in this area across Lamberth Road, so it wouldn’t be the only C-1 (Retail Business) District in that neighborhood.”

Commission Member Downtain stated, “you have had to come twice in fifty years or something for a Specific Use Permit.”

Mr. Salisbury responded, “I don’t know all the history but I guess that is correct.”

Commission Member Sims explained, “the background shows the Specific Use Permit was granted in 1973 and there was an amendment in 2011.”

Vice-Chairman Elliott stated, “it’s not necessarily a hardship.”

Mr. Salisbury responded, “it is true too that a C-1 (Retail Business) District does allow a usage to continue and typically we try to align the usage and site with what is allowed by right, if possible.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve a Specific Use Permit to allow a church in an R-1 (One Family Residential) District, extending it to the rest of the property and site plan approval for an addition to North Park Baptist Church at 2605 Rex Cruse Drive subject to the Staff Review Letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, WOOD, DAVIS, ELLIOTT, SIMS AND MANLEY.

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE & SITE PLAN

THE REQUEST OF STANLEY BLYTHE (OWNER) AND BRYAN WEISGERBER, CROSS ENGINEERING CONSULTANTS, INC. (REPRESENTATIVE/CIVIL ENGINEER), LAY DESIGN/BUILD (ARCHITECT) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 5900 NORTH U.S. HIGHWAY 75, BEING 1.18 ACRES IN THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265, AS FOLLOWS;
PLANNING AND ZONING COMMISSION

- ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.
- SITE PLAN APPROVAL FOR A DAIRY QUEEN RESTAURANT

ZONE CHANGE – SF-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-1 (RETAIL BUSINESS) DISTRICT

**SITE PLAN – DAIRY QUEEN RESTAURANT
5900 N. U.S. HWY. 75
(STANLEY BLYTHE)**

Stanley Blythe, 1105 Emerald Court, Colleyville, TX and Bryan Weisgerber, Cross Engineering Consultants, 1720 W. Virginia, McKinney, TX

Mr. Blythe and Mr. Weisgerber appeared to represent the request and answer any questions. The property is located at 5900 North U.S. Highway 75; the southwest corner of U.S. Highway 75 and FM Highway 691, the vacant lot south of the existing QuikTrip. The property is zoned an SF-1 (Single Family Residential) District and also located in the O-1 (75 & 82) Overlay District and O-1.3 (FM Highway 691) Overlay District.

Mr. Blythe explained, “we are requesting a zone change to a C-1 (Retail Business) District to construct a Dairy Queen Restaurant on the site. The restaurant will be approximately 3,321 square foot and will seat approximately 99 people. Parking will be provided for 53 spaces.” They had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Weisgerber explained, “I am the Civil Engineer on the project.” He wanted clarification on the Staff Review Comment #9 “The trash dumpster will need to be located inside the main building area and screened.” “We were mirroring the same concept at QuikTrip who is our neighbor to the north of us, if you see their southwest property corner, they have their dumpster located adjacent to the right-of-way. We have it right now at our southwest corner, just trying to keep it away from the main building because a lot of garbage goes in there, the last thing they need is flies and odors when people walk the dumpster.”

Chairman Mahone asked if the front of this building would be facing Blythe Road.

Mr. Weisgerber explained, “the front will actually face the mutual access easement in between QuikTrip and Dairy Queen which is just to the north.”

Mr. Shadden explained, “15’ would be the setback from the rear property line and 5’ on the side.”

Mr. Weisgerber wanted to point out one other thing, “we will be following up with a sign variance, on the right hand corner we have a monument sign, so we are actually going to propose one sign.”

Mr. Shadden explained, “that could not be considered at this meeting.”

Chairman Mahone asked, “what is considered the main building area.”

Mr. Shadden explained, “it is called out in the ordinance; the setbacks from the property lines.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a zone change from an SF-1 (Single Family Residential) District to a C-1 (Retail Business) District and site plan approval for a Dairy Queen Restaurant at 5900 North U.S. Highway 75 subject to the Staff Review Letter. Second by Commission Member Downtain.

VOTING AYE: MAHONE, DOWNTAIN, WOOD, DAVIS, ELLIOTT, SIMS AND MANLEY.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION, VARIANCE & SITE PLAN

THE REQUEST OF JASON OGLETREE (OWNER) AND ARTHUR LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 315 NORTH CARR AVENUE, BEING LOT 7, BLOCK 3, CHRISTIAN COLLEGE ADDITION, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION, VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 5 AND SECTION 6.2, SUBSECTION (1) TO ALLOW A 324 SQUARE FOOT ADDITION TO AN EXISTING NONCONFORMING STRUCTURE LOCATED 3.5' FROM THE SIDE PROPERTY LINE IN LIEU OF THE REQUIRED 6' AND 24' FROM THE FRONT PROPERTY LINE IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

EXCEPTION/VARIANCE – ADDITION TO NONCONFORMING STRUCTURE
315 N. CARR
(JASON OGLETREE)

Jason Ogletree, 861 Robinson Creek Drive, Prosper, TX

Mr. Ogletree appeared to represent the request and answer any questions. The property is located at 315 North Carr Avenue between Mulberry and Pecan Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Ogletree explained, “the house is a two-bedroom, one bath house and I would like to rebuild a 324 square foot bedroom addition to the existing house; I am only adding 4.5' to the existing house. The house is considered to be an existing nonconforming structure because it is located 3.5' from the side property line and 24' from the front property line.” They had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if he knew when this house was built.

Mr. Ogletree responded, “1940.”

Chairman Mahone stated, “we did not have those requirements for setbacks at that time.”

Mr. Ogletree explained, “the garage will be demolished and I plan to rebuild it to meet the setback requirements. I want to rebuild the garage, it is 32’ deep, so I can have as much room as I want; I’m not going to rebuild it 32’ deep.”

Mr. Shadden explained, “the garage will need to be 6’ away from the house.”

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

ACTION TAKEN.

Motion by Commission Member Wood to approve the request for an exception, variance and site plan approval to allow a 324 square foot addition to an existing nonconforming structure located 3.5’ from the side property line in lieu of the required 6’ and 24’ from the front property line in lieu of the required 25’ in an R-1 (One Family Residential) District at 315 North Carr Avenue subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: MAHONE, DOWNTAIN, WOOD, DAVIS, AND ELLIOTT.

**VOTING NAY: NONE
MOTION CARRIED**

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 8:31 p.m.

ADJOURNMENT

CHAIRMAN



SECRETARY

PLANNING & ZONING COMMISSION MINUTES – FEBRUARY 26, 2020

STATE OF TEXAS

§

February 26, 2020

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Called Meeting of the Sherman Planning and Zoning Commission and Board of Adjustments was begun and held in the City Council Chambers at City Hall, 220 W. Mulberry Street, Sherman, Texas, on February 26, 2020, when a quorum of Planning and Zoning Commission and Board of Adjustment Members attended the Training Seminar given by E. Allen Taylor, Jr.

MEMBERS PRESENT:

Vice-Chairman Eric Elliott
Commission Members: David Downtain, Trish Bridges, Leigh Ann Sims and Paul Manley

MEMBERS ABSENT:

Chairman Clay Mahone, and Commission Member Shawn Davis

CITY STAFF PRESENT:

Scott Shadden, Director of Developmental Services and Patsy Reeves, Developmental Services Coordinator.

PURPOSE:

Planning and Zoning Commission and Board of Adjustments Training Workshop to receive Training and Legal Updates Regarding Developmental Regulations and Parliamentary Procedure

There was a quorum of City Planning and Zoning Commission and Board of Adjustments Members present at the Planning and Zoning Commission and Board of Adjustments Training Seminar on February 26, 2020, at 11:25 a.m.

Scott Shadden, Director of Developmental Services introduced Mr. Allen Taylor, Jr., Founding Partner, Taylor, Olson, Adkins, Srala and Elam, LLP.

Mr. Taylor presented issues that emerged from the most recent Texas Legislative Session, and what that means for those in a planning and development role.

He added that there is a major political issue. There is leadership at the State level, that has publically stated on numerous occasions, that they are not supportive of the local government control. The Governor has announced he wants to eliminate home rule authority for cities. The Lieutenant Governor has said he doesn't think local governments should do zoning regulations because they get it all wrong and they take away people's rights. We got a very rural mind set in a lot of the Legislators both in the House and the Senate that are not familiar with the problems the cities urbanization, rapid growth, the need to try to how deal with the cities that are getting close to one another, mixing in and they are very anti-local government. They do not trust local elected officials to make decisions regulating local development. He said the Governor has said it, the Lieutenant Governor has said it, the soon to be late Speaker of the House has said it, and they have made it very clear that they want to remove the ability of local government to make local based decisions. They want Austin to develop the rules and leave it to the local governments to carry out Austin's decisions. However, he said, there needs to be local control of local decision

PLANNING & ZONING COMMISSION MINUTES – FEBRUARY 26, 2020

making. If local citizens do not feel that these decisions are in their best interest, they are in a position to make a change. Apparently the State leadership is not of that mind.

We got (SB 2) which was the Senate Bill that restructured how we manage local revenue. It was the roll back cap on ad valorem taxes from 8% to 3.5%. That restricts the ability for growing cities like Sherman to increase revenue if we have a lot of growth we are trying to support quickly. We don't have the ability to necessarily bring in the revenue we may need to support growth. Is that the end of the world; no, most of the time cities never got their 8% cap, most cities operate in the 3-5% range. The reason it was important to have the flexibility is when the time comes when you need a new Fire Substation, or a Police Substation or you have to make a major expansion to a water or sewer treatment plant or to install a series of major collective roadways because of the increased cost of construction, those are monster expenses to incur in one budget year and they require you to go to the bond market. Public debt can bring in new resources in order to support your growth needs and that can be traumatic for the local government. It can limit your ability and your flexibility to respond to development.

We have not been active enough at the local government level on the most critical tasks that's before us and that is educating our State Elected Officials on the reality of development and the cost of development at the local level. That's just a problem we all face; we have not done the job that we need to do. We haven't taken care of it, we are not talking to them enough. We are not talking to our State Senators or State Representatives and they go down there and get bombarded by lobbyist. The lobbyist tell them sad tales of why their wonderful green projects have been unfairly and unreasonably thwarted by local government bureaucrats and it needs to change, so we get an array of new pieces of legislature that in many ways are killing us.

Mr. Taylor said the biggest issue that the City is dealing with is HB 2439, or the construction materials bill. At the time, no one knew what the implications were from that bill, and it appeared to be a minor amendment. The bill says a local government may not adopt or enforce a rule, regulations, or ordinance, Charter provision, or anything that prevents a builder, developer or property owner from using a building material that has been approved in the last three code cycles.

Building codes are updated about every two to three years. If a builder wants to use a material that was approved nationwide in a code issued within the last three cycles, a City cannot enforce a rule that prohibits its use.

The requirement that hit cities the hardest was the exterior façade requirement. Many cities have a requirement that a certain percentage of the exterior of structures be masonry or at least conform to certain types of appearance. The people who forced through HB 2439 partially were representatives of the Hardie Plank Industry. They went to the Legislature, they said Hardie Plank is just as good as masonry, it's cheaper, it's more efficient, it's easier to install, it's aesthetic prejudice by those rich folks in the cities that won't allow it to be used. So Legislature adopted legislations saying if it's an approved material within the last three code cycles, you can use it. But it also meant that if someone in a residential neighborhood wanted to put galvanized sheet metal as the exterior façade of their house, they can.

When we are talking about internal structures, certain types of wiring, there are wiring harnesses that may be aluminum based, versus copper based, some are safety risk or pose a greater safety risk than others, but they have been approved within the last three code cycles, it doesn't matter what our local experience has been, we are required to allow it to be used because the State has preempted our authority and taken that away from us.

PLANNING & ZONING COMMISSION MINUTES – FEBRUARY 26, 2020

Another portion of HB 2439 doesn't just talk about materials, it says a local government cannot have a restriction or limitation on the method of construction or an aesthetic requirement of construction if it is permitted within the normal construction codes.

However, the bill also included the prohibition of a requirement for any aesthetic elements to construction, such as roof pitch. There are other "aesthetic" elements that have been adopted as local code amendments for things that work locally. Different construction techniques and materials are required based on the area in which they are used. These local code amendments are not allowed under HB 2439.

This is impacting us all across the board. The safety of the structures, the suitability of the structure, the economic development impact of trying to redevelop areas and improve appearances. It is creating ripple effects all over the development world and that came out of the Legislature.

Texas Municipal League is our municipal resource, they are the consortium of cities; there are 1,200 members, we join together to make our voice heard all through the State Government that talk about concerns of the cities. Texas Municipal League has a limited staff to analyze all the bills that are put before the Legislature for decisions. Apparently 7,600 bills were filed and 3,100 were adopted into law, of those 1,800 affected cities, there were too many to analyze the consequences.

Bill filing for the new Legislative Session will open soon, the third week in November of this year, it convenes January 4, 2021. In this window of time from November to the last filing date; the end of March, all that Legislation is going to hit hard and many of these development issues will be revisited. Mr. Taylor said it is very important that local elected officials be active, involved, and vocal in letting the elected officials at the State level know what their positions are. Some of the decisions previously made by the Legislature created major problems at the local level.

There are a couple of exceptions of HB 2439. Mr. Taylor said if an area has unusual artistic, cultural, or historic requirements, and restrictions have been adopted to protect those, then that area of your City is exempt from limitations of HB 2439.

If there are overlay districts or planned developments, where there is an evidentiary record before the Planning and Zoning Commission or the City Council, and there are restrictions such as aesthetic elements or architectural items, then those are enforceable. These are enforceable because it was done with the intent to create an integrated community, and the aesthetics were part of it.

However, if there was no conversation about architecture, or the cultural import, or the history, it may not be a defensible position. Most overlay districts frequently involve travel corridors or downtowns, preserving the old, historic appearance. The ordinance that adopted it and the plan on which it is based would state that they are preserving the historic character of the community, and that they want to preserve a part of history and culture to pass on to new generations. This type of documentation would make restrictions exempt from the limitations of HB 2439.

Mr. Taylor urged them to consider this as they move forward with planned developments in the future. But according to HB 2439, if a City is on the National Historic Register for some of these issues, they are exempt from everything. If it's not on the Register, if these things existed as part of the planned development, prior to April 2019, it's part of it. Mr. Taylor said they believe the next Legislative Session will expand that to say there is no time limit on it, as long as it acknowledges the aesthetic elements or architectural restrictions are part of the agreement to produce the

PLANNING & ZONING COMMISSION MINUTES – FEBRUARY 26, 2020

planned development.

Mr. Taylor recommended that the City not alter their current code regulations. Because of the problems caused from this bill, he expected that the upcoming Legislature would make some changes. If you have a masonry requirement, leave it in place, if you have a restriction on certain materials, leave them in place. Everybody knows they went too far. They know going back to Austin, they are going to have to make some changes. We don't know how it is going to change. If you have a regulation in place, if HB 2439 is modified, we are going to calculate non-conforming from the date certain regulation is in place. If your regulation has remained in place the whole time, we have an argument that you should be able to continue to enforce it. Don't mess with it until we see what the next session is going to do. Get through the next session before we alter anything.

Mr. Taylor addressed HB 3167, which is the "development shock clock" bill. It is a subdivision regulation rewrite about the procedural process of how we manage plats. It says if a developer or owner submits a subdivision plat, there is a 30-day window in which the City can disapprove a plat or approve it by operation of law. However, HB 3167 says you can approve it, disapprove it, or conditionally approve it. If they disapprove it or conditionally approve it, they are required to give the applicant a written report, explaining the basis upon which it was disapproved or conditionally approved. This means the reason for disapproval or conditional approval needs to be stated in the actual motion.

They are then given an unlimited window of time to review the comments. They can come back and submit a letter and documentation showing how they have addressed the issue and fixed the problem with the plat. The City must then act on that within 15 days. Within 15 days it must be on an agenda and must be acted upon. They can reject it again, approve, conditionally approve, or disapprove.

If it's disapproved or conditionally approved again, they must get written notice. They have as long as they want to review it, but when they send it back to the City, the City must react within 15 days. He added that, in providing your written information for the denial, when you tell them why the plat was not approved, you are "locked into" the list you give them. You cannot add any additional deficiencies, so the staff must be very vigilant in finding all problems.

Another development issue is HB 2840, which changed the meeting structure. In the past, the meeting agenda had items listed for consideration. Certain items required public hearings, but most items only required that the government body take action in an open, public forum. Many meetings had an item on the agenda allowing citizen's comments.

The Legislature adopted HB 2840 which specifically says, any citizen has the right to address a governmental body, on an item to be considered by that body, before or during the consideration of that item. In most cities this isn't a problem and the board makes time for the citizens because it's important. But in other cities these comments start out and degenerate into three hundred people screaming about items that aren't on the agenda.

So with HB 2840, it says any citizen has the right to speak to the board on any item on the agenda that the board is going to consider, before or during. The board still holds the public hearing; in which everyone has a right to speak. However, on non-public hearing items, the question is, does the board have to let them speak during the individual item. Mr. Taylor said the answer is no.

At the beginning of the meeting, there would be a designated citizen's comment section where a

PLANNING & ZONING COMMISSION MINUTES – FEBRUARY 26, 2020

citizen can address the board on any item on the agenda, other than the public hearing. On the public hearing items, the Chairman will ask for citizen's comments. Be aware, if it is not a public hearing item, this is your only opportunity to speak. The Chairman will say "do we have anyone that would like to speak under citizen' comments for a matter that is not scheduled for a public hearing. If they want to speak they speak at that time. He said this is the most efficient way to make it work.

Commission Member Downtain asked if this was what is considered the consent agenda items. Mr. Taylor explained yes, but they have to do it during citizen's comments, before you approve the consent agenda. It is important that you pay attention to your meeting management issues.

Mr. Taylor said HB 2497 changed the structure of the Zoning Board of Adjustments, and made it clear that the Board can adopt its own rules. It also limited the individuals that can file appeals from Zoning Board of Adjustment cases. The Zoning Board of Adjustments grants variances to the performance standards of the ordinance where an applicant can show a hardship, they grant special exceptions where authorized by the Council within the text of the Zoning Ordinance, and it rules on appeals of interpretations made by the Zoning Administrator.

The change limited the appeals for the Zoning Board that were used to create zoning delays that could kill a project for developers. Many times neighborhood groups would file these appeals in order to delay the project. Even though the Zoning Administrator and the Zoning Board would make a perfectly good ruling, the delays could cause the developer to walk away from the project. This HB limits the people that can appeal the decision to the property owner, someone that lives within the 200-foot radius, or the local government. It removed the neighborhood associations.

Mr. Taylor also addressed HB 852, which is the building permit change. For many years, building departments based their fees upon the value of the structure. The Legislature said that could not be the basis for the fees anymore. They said a City should base their permit fee on the time it takes the City to do the elements of the permit itself. They said a City needs to develop a system, either based on square footage or on some method of calculating a uniform time it takes to provide the staff's inspection. The City of Sherman is already complying with this requirement.

Mr. Taylor said there are two issues that he is concerned about becoming an issue in North Texas. One is low-income housing and the other is short-term rentals. He said these issues are coming up in every City.

Under low-income housing, he said cities are seeing "tax subsidy units" being located in many areas throughout Texas, and is a very lucrative endeavor for multi-family developers.

The Texas Department of Housing and Community Affairs has a program under which they rate project proposals for low-income tax credit housing. They can get valuable tax credits to help with securing their financing, developing the project, and marketing it correctly. In order to do this, they must qualify for the credits. In order to get these tax credits, they must score points on a scorecard for certain things, such as accessibility to grocery shopping, accessibility to public transportation, accessibility to health care facilities, and points for how they are structured.

They also get points if they have a resolution from the local government announcing its support for the development of this type of housing at this site. They can still get funded without it, if they have enough points. They will tell the City they can't make it work without the City's support, but the local government is not required to do this.

PLANNING & ZONING COMMISSION MINUTES – FEBRUARY 26, 2020

The approval of the City's support for a project like this is strictly a policy decision for the Council to make, and there are not negative consequences. Adopting a resolution of support is a voluntary choice that the Council makes.

There is another check-off on the project where the developer might want financial assistance from the local government for the project. They don't actually want money for the housing project, they want money "to support" the housing project by building a sewer line or a road in front of the project, or some other type of public work project that is attributable to the project. Mr. Taylor said the City is not required to do it, it is not a violation of the Federal Fair Housing Act, it is not a discriminatory decision to not agree to do this. You should make an individual decision, looking at the project proposal, the communities housing stock and housing needs, where the project is, does it serve a legitimate purpose and would it be in the community interest to do that.

He added that it is prudent, that a City address their housing situation and need on a regular basis, as part of the ongoing planning process. The City needs to have an inventory of their housing units, so they actually know what is needed to make intelligent decisions.

Zoning is a subjective discretionary legislative act. The factors you can consider are; the need to separate buildings to avoid the danger of fire and explosion, to allow the circulation of light and air, you zone in order to preserve property values, to separate incompatible uses that would impact one another, to preserve neighborhood character, to establish or preserve neighbor boundaries, you zone to implement the City's master land use plan, to implement economic development plans, to protect historically significant structures or areas, to preserve architectural significant areas, to preserve environmentally sensitive areas, you zone for aesthetic purposes, you must zone in conformance with the comprehensive plan. There is no mathematical formula of what weight you give to each of these items, in every community it is different based on the needs of the community.

Mr. Taylor explained you do not talk about low-income people who live there, if crooks or criminals live there. Citizens will get up and say this stuff. You do have to have a plan and your zoning should logically be an implementation step in that plan. You talk about the characters of the land use, density, number of vehicles, vehicle movements in and out, noise, height, light that illuminates out from higher buildings or more structured buildings; impacts of land uses, that is what is important in your review of a multi-family land situation.

Mr. Taylor said the other big issue is short-term rentals, which is owners listing homes for vacation rentals, for weekends, for parties, or similar things. Most of the time it is done reasonably and responsibly. But it could be rented for a "frat party" with alcohol, loud music, and vehicles parked everywhere. The neighbors aren't happy and the police have been called.

Some cities have prohibited short-term rentals completely, while other cities have not enacted any regulations. Then there are "owner-occupied" homes where the owner actually lives there but might go away for "Super Bowl" weekend and rent their home out for a short-term rental. This is an owner occupied, short-term rental versus rental property that has never been lived in by the owner and is actually a business operation for short-term rentals.

The City of Austin adopted a very complex set of regulations related to short-term rentals. They have been sued, and the lawsuit is focused on non-owner occupied, short-term rentals. The decision rendered by the court is that Austin's regulations prohibit in requiring the amortization and closure of non-owner occupied, short-term rentals was unconstitutional. They said with the ownership of a single-family home, you buy it as a single-family home in a residential area and it's not a business. But when the court considered the history of Texas law, which said when you buy a single-family home, it comes with inherent ownership elements and rights. One of which is the

PLANNING & ZONING COMMISSION MINUTES – FEBRUARY 26, 2020

right to rent that property. A property owner has a "fundamental right to rent their property," and a government can't interfere with a property owner's right to use their property, except to the extent that they can show that they are substantially advancing a legitimate State interest and they are doing it in the minimum method necessary to achieve the public purpose. He discussed the merits of the Austin lawsuit, and the court's question about why they were trying to take away the inherent rights of property owners. Ultimately, there was no indication that adopting the regulations they were adopting would achieve the things they said they wanted to achieve.

Mr. Taylor said you need to talk through this problem before you get hit with it." Don't open your mouth and let your brain fall out on the table without thinking first." When you get caught by something you don't see coming. Take the time to listen carefully to what the audience is saying, what the applicant is saying, what the people in support of the issue are saying, what the people in opposition are saying, what their positions are, and what they're laying out. The board should make sure their comments are consistent with the Master Plan. What does the Master Plan say about that area and the planned use? Don't let the audience control the conversation. He said to listen, but to be careful not to adopt the things they say.

Mr. Taylor asked the commission members if they had any concerns they would like to discuss.

Commission Member Downtain said they recently had a request for a zone change to manufactured housing and a lot of the opposition is exactly what you described; who would live there and most of that had nothing to do with the adjoining property within the 200-foot radius except for one. We have a need for some affordable housing, so on many levels it made sense but there was so much opposition; it was really challenging to get behind it.

Mr. Taylor explained that is a very legitimate concern and one of the reasons I stressed earlier to take a look at the housing stock and housing opportunities. No one is building the entry level homes for the first time home buyer and there is a huge shortage; that is the upward pressure on building multi-family, there isn't enough housing to get young families in reasonably. So manufactured housing is going to be a larger part of the solution.

There is a provision in the Texas Code, Occupation Code, Chapter 1200, that says a modular home can go on any lot upon which a conventional single-family home can be located. Modular means it is manufactured in a factory in components and assembled onsite.

Commission Member Downtain explained in this case the owner of the property was not going to sell the property into lots, they were going to be a rental community. They would own the home but not the lot.

Mr. Taylor explained the rental community issue is a legitimate concern. Remember, if you are dealing with manufactured housing, you have the authority to restrict manufactured housing to certain designated zoning districts; modular housing, you don't. The big issue is trying to decide whether or not the use is in some way a low density, lower density multi-family operation. The land areas, the space of the rental, much like an apartment, rental units and people move in their rental equipment. You have to make the determination, is this type of use appropriate for that site. You talk about traffic, traffic in and out, are the supporting roadways adequate to handle more, does it have access to collective roads to get the traffic in and out, access to shopping, all the other things that would be supportive of a major rental type community; those are the factors you consider.

Mr. Taylor explained part of the role you play as a commissioner is you serve as an educator of the public. Most citizens don't know if their city has a comprehensive plan, if there is an ordinance

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regulating subdivision, most do not know what zoning district their house is located in or the permitted uses or the setback requirements for the zoning districts. Sometimes, the most important role for a Planning Commissioner performs is to say "we need to talk for a minute, we know you are all here because Sherman is important to you, you care about the community and we appreciate the fact that you are here. You need to understand the world we work in, everybody has rights, you have rights as neighbors, but the property owner has rights. You have to balance the rights of all the different stake holders in the contest." The laws both Federal and State in Texas say, "you can't decide a case based on who will live in rental units". Our business is to deal with, is the house appropriately constructed and located and will it be a safe addition to the community. The community needs to start thinking about where do we go.

Sherman is at the point where you are going to get hit with the growth wave; it's going to happen, it will start slowly, pickup and you will get more and more pressure. The idea of planning these things in advance, thinking these things through, planning how you are going to deal with it before it hits is the critical thing, so you don't get caught blind sighted.

Commission Member Elliott asked when considering things with a lot of opposition, what is a good way to approach in making a motion when most of what has been presented could be seen as a discriminatory nature and you want to make sure that is it clear that you are not basing your decision on something that is discriminatory at the same time not backing yourself into a corner.

Mr. Taylor explained, "the appropriate thing to say is Mr. Chairman I would like to make a motion but before I do I would like to make it clear I have listened carefully to each and everything that was said and I am trying to sort those items that are relevant from those that are clearly not." Conversations about who might live there and their behavior really isn't an appropriate issue for this decision, but the land use impacts of this activity are important and how it will impact the surrounding area and based upon what I have heard tonight I am going to make a motion to deny, approve, whatever, second and go. You can disassociate yourself from the comments about who would live there and things like that. As long as you are saying I am basing it on the land use impact, traffic, noise, property value impacts; you do not have to be specific with one.

Commission Member Downtain explained they sometimes serve a dual role on the Board of Adjustments and Planning and Zoning Commission. From previous training, I have learned we don't want to come in with any previous research or knowledge of any of the items on the agenda.

Mr. Taylor explained this is the unusable thing about Sherman. "I don't think there are four cities in the State that have the P&Z serving as the Board of Adjustments." The Planning and Zoning Commission was created pursuant to the provisions of Chapter 212 of the Local Government Code. That is an advisory body on zoning, master planning and platting issues. That means it is legislative for a significant portion of its actions. The Board of Adjustment is created under one section of Chapter 211 that says "the board is a Quasi-Judicial Body" and you are in a judicial role. The only thing you can premise your decision on is evidence presented at the hearing. That is why when somebody appeals the decision, they appeal it by "writ of certiorari", which means the record of your proceedings and all of the evidence of your exhibits be sent to the court and the court reviews them to say "could a reasonable decision maker have reached the same decision they did on this record" and if the answer is yes, they sustain your decision.

I wouldn't do any personal investigations on any of the items on the Board of Adjustments. Reading the packets and simply reading the material that was submitted to you, that is the first thing that is offered in the record. It will be the record on which a court would review your decision. Where we

PLANNING & ZONING COMMISSION MINUTES – FEBRUARY 26, 2020

get into trouble with the Board of Adjustments is where a member later admits they got into the car and drove out to the site where the variance was requested and they went and talked to a couple of the neighbors who were outside and they got all this extraneous information. You then become a fact finder rather than the issue decided. You are the judiciary body when you are on the Board of Adjustments, you base it on the information that was provided and that goes to the court if it is appealed. You are not a judicial body on the Planning and Zoning Commission level.

The Board of Adjustments can hear appeals from an executive decision made by the Zoning Administrator. They can grant variances to the performance standards of the ordinance; never use, there is no variance for use. Special exceptions, the board can grant special exceptions where expressly authorized within the zoning ordinance text, meaning there has to be a section in your ordinance says "the zoning board of adjustments is authorized to grant the following special exceptions". If it is one of those, the Board of Adjustments can hear them, if not, it has to go to the Planning and Zoning Commission and City Council.

Scott Shadden explained the Board of Adjustments decision is final, it would have to go to a court of law for appeals.

The meeting was adjourned at 1:05 p.m.

CHAIRMAN



SECRETARY



**Planning & Zoning Commission and Board of
Adjustments**

4.

Meeting Date: 03/17/2020

Prepared By: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director Developmental Services

Issue:

CONSENT AGENDA (ITEMS 8, 12, 13 & 14)

List of Agenda Items:

8. * 515 BETHANY ROAD

The request of Stone Castle Investors, LLC (Owners) and Preston Trail Land Surveying, LLC (Surveyor) concerning the property at 515 Bethany Road, being 2.301 acres in the Aaron Burleson Survey, Abstract No. 61, also being all of Lot 5 of Bethany Road Estate No. II, as follows:

Planning and Zoning Commission

Replat Approval of Bethany Road Estates, No. II Lots 5R-1 & 5R-2 in the City of Sherman's Extra Territorial Jurisdiction (ETJ)

12. * 1493 FM 697

The request of George Hancock (Owner), Plain and Simple Investments, LLC (Developer) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 1493 FM 697, being 11 acres in the Winifred Bailey Survey, Abstract No. 66, as follows:

Planning and Zoning Commission

Final Plat approval of Hancock Ranch in the City of Sherman's Extra Territorial Jurisdiction (ETJ)

13. * 300-400 BLOCKS OF EAST SHERMAN STREET

The request of Kirk and Karl Allen (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property in the 300-400 blocks East Sherman Street, being 10.25 acres in the Preston Kitchen Survey, Abstract No. 667, as follows:

Planning and Zoning Commission

Preliminary and Final Plat approval of Post Oak Place in the City of Sherman's Extra Territorial Jurisdiction.

14. * 2701 DRIPPING SPRINGS ROAD

The request of Tobar Properties LLC (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 2701 Dripping Springs Road, being 0.817 acres in the J. Hendrix Survey, Abstract No. 503, also being all of Lot 6, Block 31, Hilltop Estates, as follows:

Planning and Zoning Commission

Replat approval of Lot 6, Block 31, Hilltop Estates.



Planning & Zoning Commission and Board of Adjustments

5.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1802 EAST HOUSTON STREET

The request of Seraj Ali (Owner) concerning the property located at 1802 East Houston Street, being Lot 1R, Block 16 of the Replat of Lots 1, 3, 5 & 7, Block 16, Christian College Addition, as follows;

Board of Adjustments

Renew Temporary Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (4)(a) to allow a snow cone stand in a C-1 (Retail Business) District.

Background:

The property is located at 1802 East Houston Street, the southeast corner of Houston and Carr Streets. The property was zoned a C-1 (Retail Business) District in 1970. The snow cone stand has been at this location since 2008.

Adjacent Zoning:

C-1 (Retail Business) District

R-1 (One Family Residential) District

Origination:

Seraj Ali (Owner)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

14

Objections Received:

1

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Plat

Site Plan

Building Elevations

Staff Review Letter

Letter from Hassan Family LP

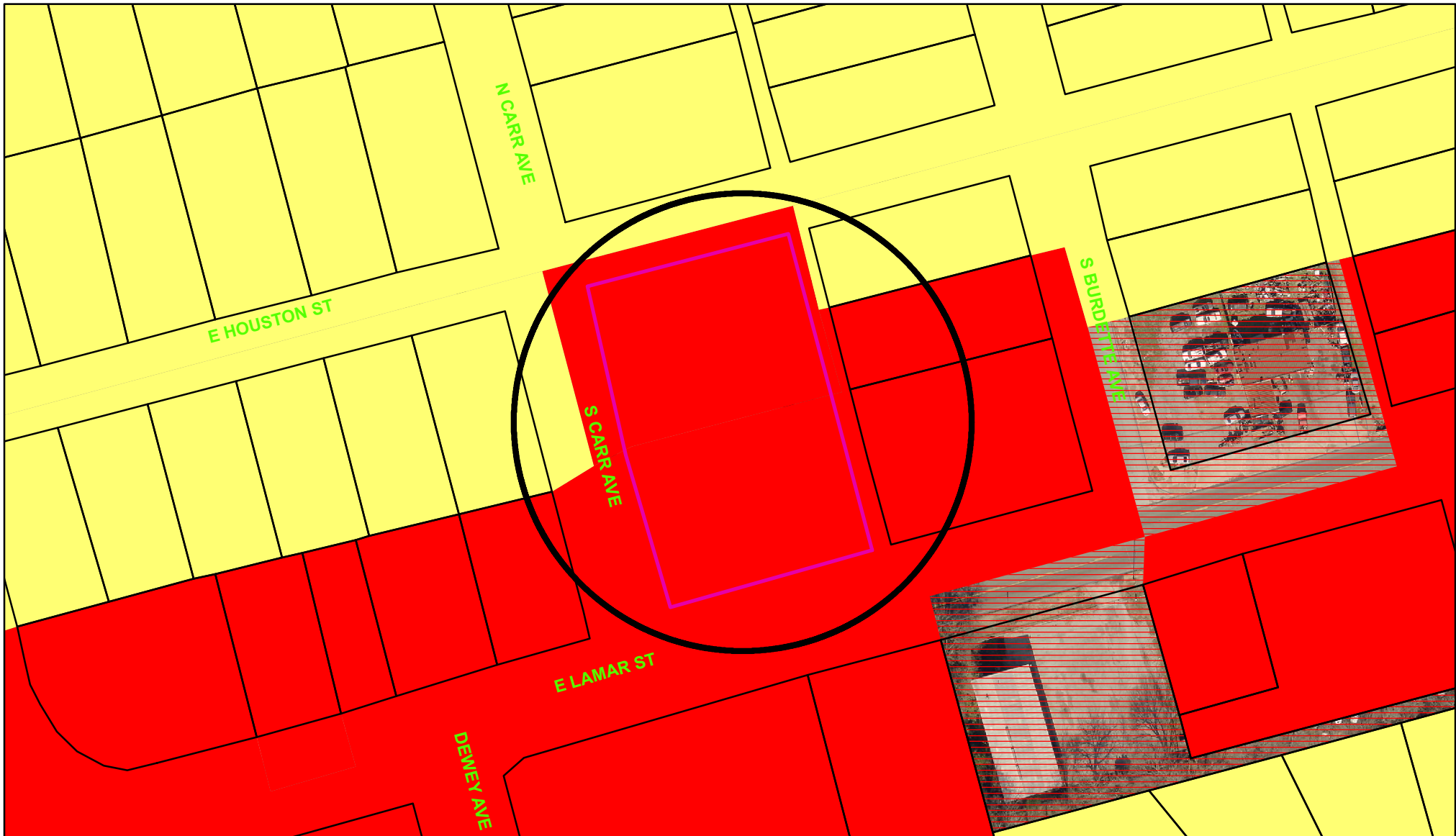


1802 East Houston Street



City of Sherman, Texas
Developmental Services Department

1 in = 400 ft



Zoning - 1802 East Houston Street

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development



City of Sherman, Texas
Developmental Services Department

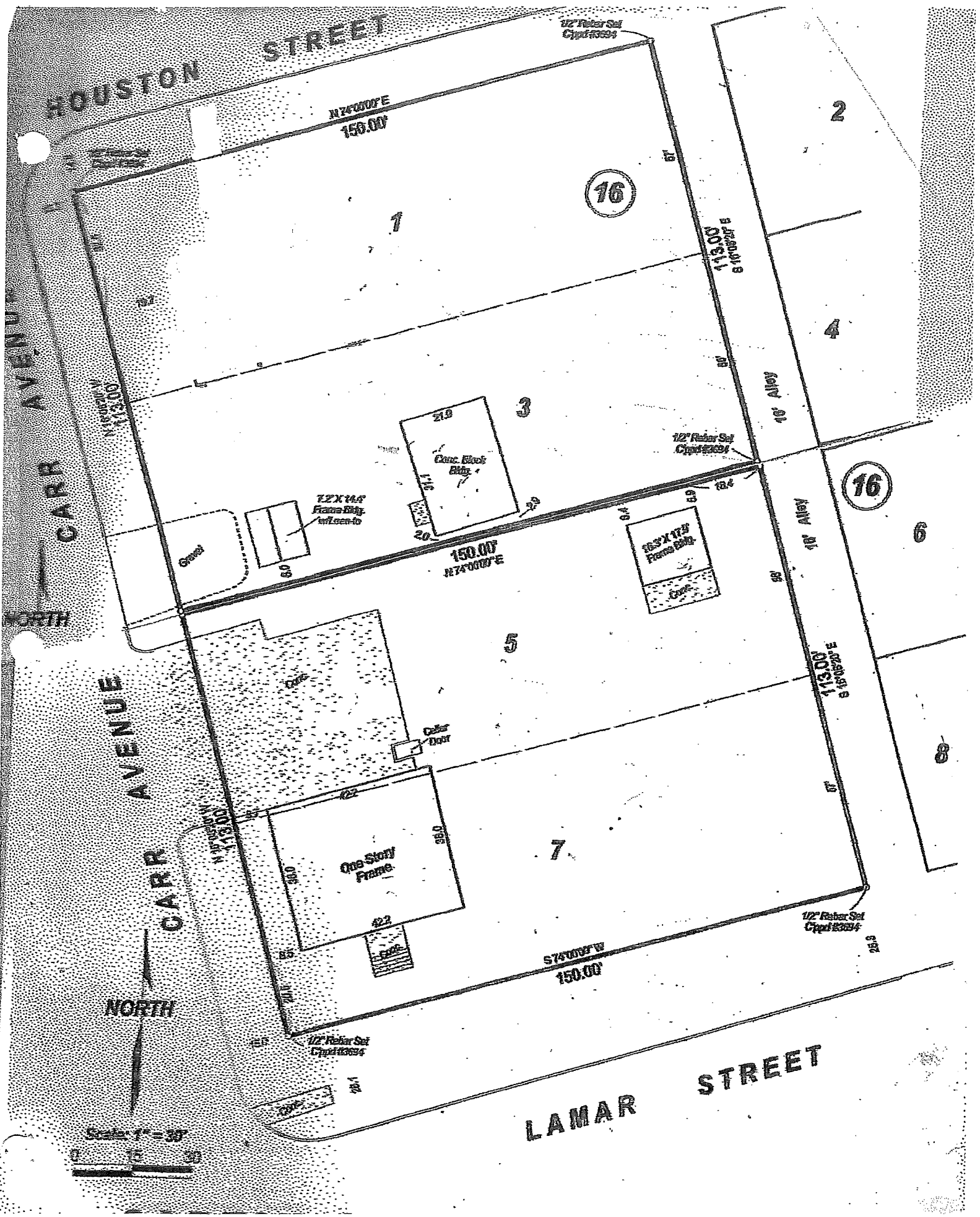


NOT TO SCALE

1 in = 100 ft

1802 East Houston Street





Scale: 1" = 30'

0 15 30



ZONING
REQUESTED
AT THIS LOCATION
ADDITIONAL
INFORMATION
903-892-7229

STAFF REVIEW LETTER

March 9, 2020

Seraj Ali
1113 Lakota Place
Carrollton, TX 75010

Dear Applicants,

The request to Renew the Temporary Use Permit and site plan approval to allow a snow cone stand in a C-1 (Retail Business) District for the property located at 1802 East Houston Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-1 (Retail Business) District must be followed.
2. Area must be kept neat and clean at all times; no outside storage allowed.
3. Must comply with all Grayson County Health Department requirements.
4. If ice is stored in container outside of the building, the container must be kept locked at all times.
5. Off-street parking must be on an improved surface (asphalt or concrete).
6. The Temporary Use Permit is valid May through September.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

9. Parking will be permitted on private property only.
10. Structures/Trucks must be on private property and will not be permitted within the right-of-way. Right-of-way is typically 10' behind curb.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator

February 28, 2020

Aziz UL Hassan Family LP
18 Links Estates
Denison, TX 75020

RECEIVED
MAR 06 2020

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, March 17, 2020 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Seraj Ali (Owner) concerning the property located at 1802 East Houston Street, being Lot 1R, Block 16 of the Replat of Lots 1, 3, 5 & 7, Block 16, Christian College Addition

The request is as follows:

Board of Adjustments

Renew Temporary Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (4)(a) to allow a snow cone stand in a C-1 (Retail Business) District.

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 views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

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.

I'd like to open by firmly presenting an observation over the last few years. Traffic management is increasingly becoming a concern and the locals are baring the constraints of this state, especially during school seasons. The opening of this stand will undoubtedly exploit this issue as vehicles have been seen parked on the road next to the establishment just south of the proposed property.

Furthermore, I'd like to bring to light the vision we share for this intersection. Currently, we are executing a restructuring initiative with the goal of introducing a contagious, fresh image and a truly branded experience for our locals. In order to stimulate this behavior, we have acquired/are acquiring nearby properties to introduce upscale retail developments that we hope one day will flourish this intersection. A snow cone stand will only hinder this vision as properties tend to depreciate. I urge the good-natured people of Sherman to make the right decision.

Thank you for your time.

Sincerely,

Saad Hassan,

Aziz UL Hassan FLP



Planning & Zoning Commission and Board of Adjustments

6.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1735 TEXOMA PARKWAY, SUITE 105

The request of Eisenhower Texoma LTD (Owners) and Erinn Teague, (Tenant/Applicant) concerning the property located at 1735 Texoma Parkway, Suite 105, being 5.34 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow permanent makeup/micro-blading in a C-2 (General Commercial) District.

Background:

The property is located at 1735 Texoma Parkway, Suite 105 between Broughton Street and North Grand Avenue; Big Apple Salons. The property is zoned a C-2 (General Commercial) District. Erinn Teague would like to offer permanent makeup and microblading to her clients at the salon.

Adjacent Zoning:

C-1 (Retail Business) District

C-2 (General Commercial) District

R-1 (One Family Residential) District

M-1 (Light Manufacturing) District

Origination:

Eisenhower Texoma LTD (Owners)

Erinn Teague, (Tenant/Applicant)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

20

Objections Received:

0

Attachments

Location Map

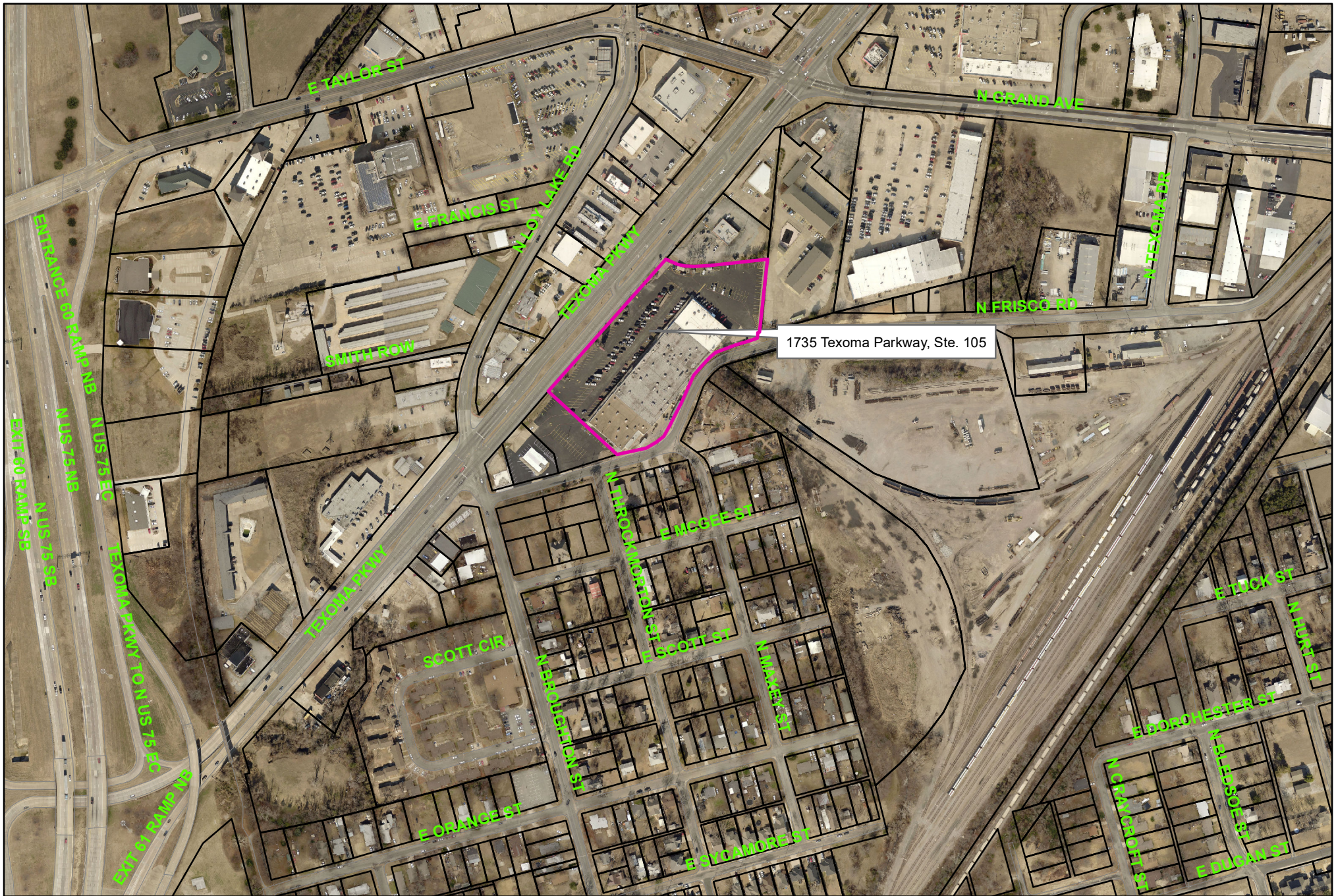
Zoning Map

Zoning Sign Photo

Site Plan

Elevations

Staff Review Letter



1735 Texoma Parkway, Ste. 105



City of Sherman, Texas
Developmental Services Department

1735 Texoma Parkway, Ste 105



1 in = 400 ft



Zoning - 1735 Texoma Parkway, Ste 105

Legend

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Pavement



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

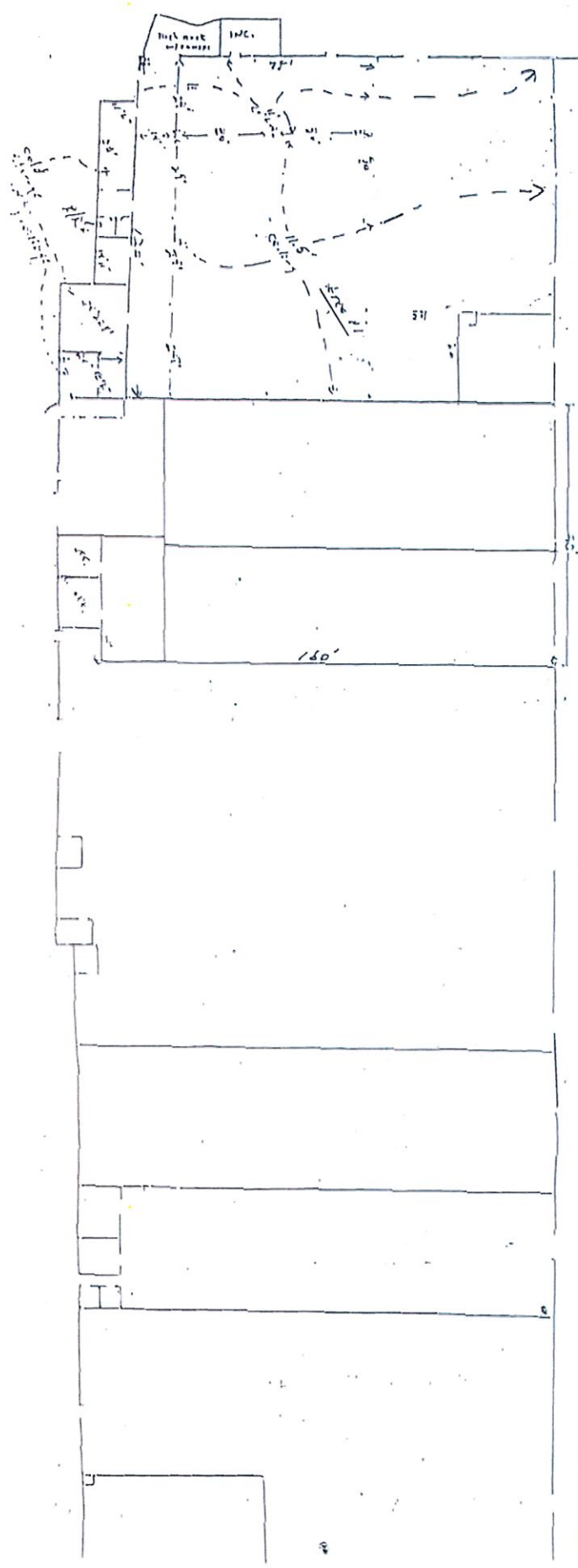
1 in = 200 ft

1735 Texoma Parkway, Suite 105



Exhibit "A"





15,500 sq. ft. health club

Nautilus

Red Wing Boots

Milano's Tools

Crisis Center Thrift Store

Yes! Less

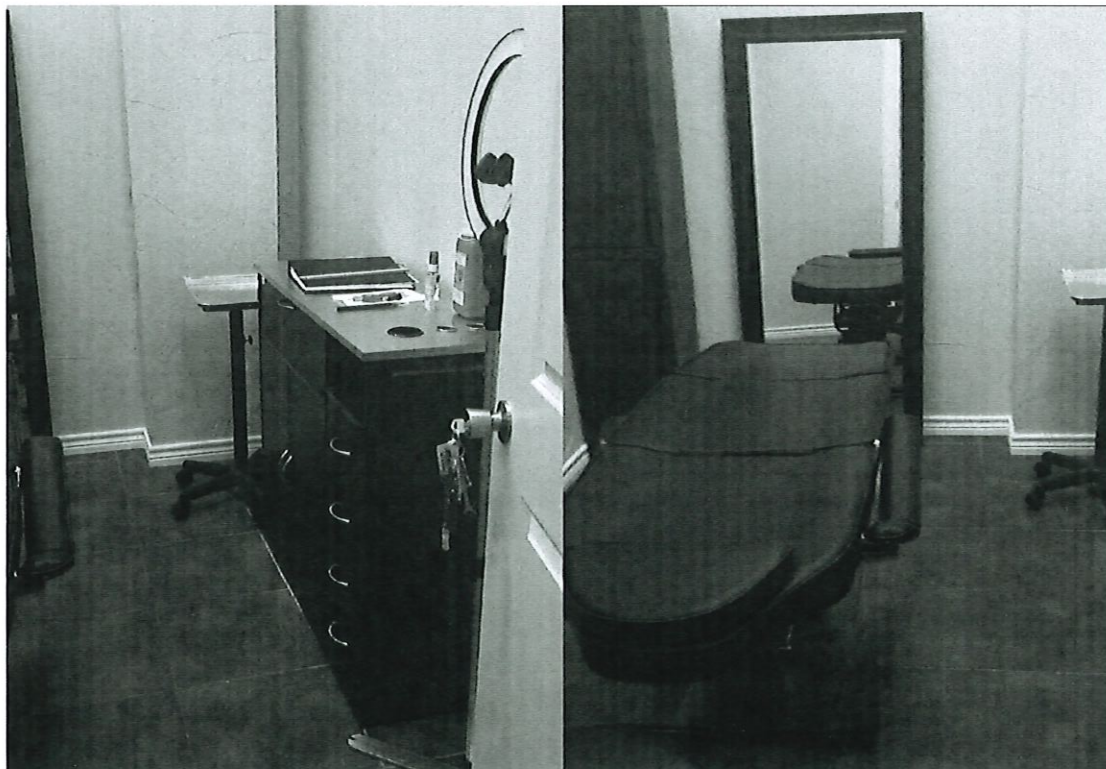
Pam's Dig Apple

EZ Pawh

Breath of Life

Wash Zone

Arkway Village Shopping Center



STAFF REVIEW LETTER

March 9, 2020

John Munson
1717 Texoma Parkway
Sherman, TX 75090

Erinn Teague
1735 Texoma Parkway, Ste. 105
Sherman, TX 75090

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow permanent makeup/micro-blading in a C-2 (General Commercial) District for the property located at 1735 Texoma Parkway, Suite 105 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. Shall comply with all EPA, City, Federal and State regulations for this use.
4. Review the zoning and development ordinance for additional requirements.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator



**Planning & Zoning Commission and Board of
Adjustments**

7.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1211 BLANTON DRIVE

The request of Delmar Hill (Owner), Chiniqua Hill (Representative), Little Zebra Child Development Center (Tenant) and Underwood Drafting and Surveying (Surveyor) concerning the property at 1211 Blanton Drive, being Lot 5, Block 8, Western Hills Addition, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Preschool Learning Center in an R-1 (One Family Residential) District.

Background:

The property is located at 1211 Blanton Drive between Hunt and Belden Streets. The owner purchased the property in 2015 to open a licensed child care facility (Little Zebra Child Development Center) to be used for the care and educational development of young children from zero to five years of age. Hours of operation are 6 a.m. to 6 p.m., Monday through Friday. The maximum number of students is 15 (per Ordinance 6014). They are a registered Child Care Home licensed by the Texas Department of Family and Protective Services.

At the February 16, 2016, Planning and Zoning Commission Meeting, Mr. and Mrs. Delmar Hill requested a Specific Use Permit to allow a Daycare/Preschool/Educational Development Center in an R-1 (One Family Residential) District. After hearing the opposition in regard to the incompatibility of the proposed use from the neighborhood, the Planning and Zoning Commission voted 8/0 to deny the Specific Use Permit to allow a Daycare/Preschool/Educational Development Center in an R-1 (One Family Residential) District at 1211 Blanton Drive.

On February 23, 2016, Mr. Hill filed an appeal of the Planning and Zoning Commission's denial of the proposed Specific Use Permit as allowed by City Code. The City Council heard the appeal at the March 21, 2016 meeting and adopted Ordinance No. 5943 to allow a daycare/preschool/ educational development center effective for one year, subject to reapplication in one year and the Staff Review Letter.

They reapplied to the February 21, 2017, Planning and Zoning Commission and the request was denied 3/2. They appealed to the City Council and was approved subject to the Staff Review Letter and a three

year expiration (Ord. 6014)

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Delmar Hill (Owner)

Chiniqua Hill (Representative)

Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

21

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Narrative

Site Plan

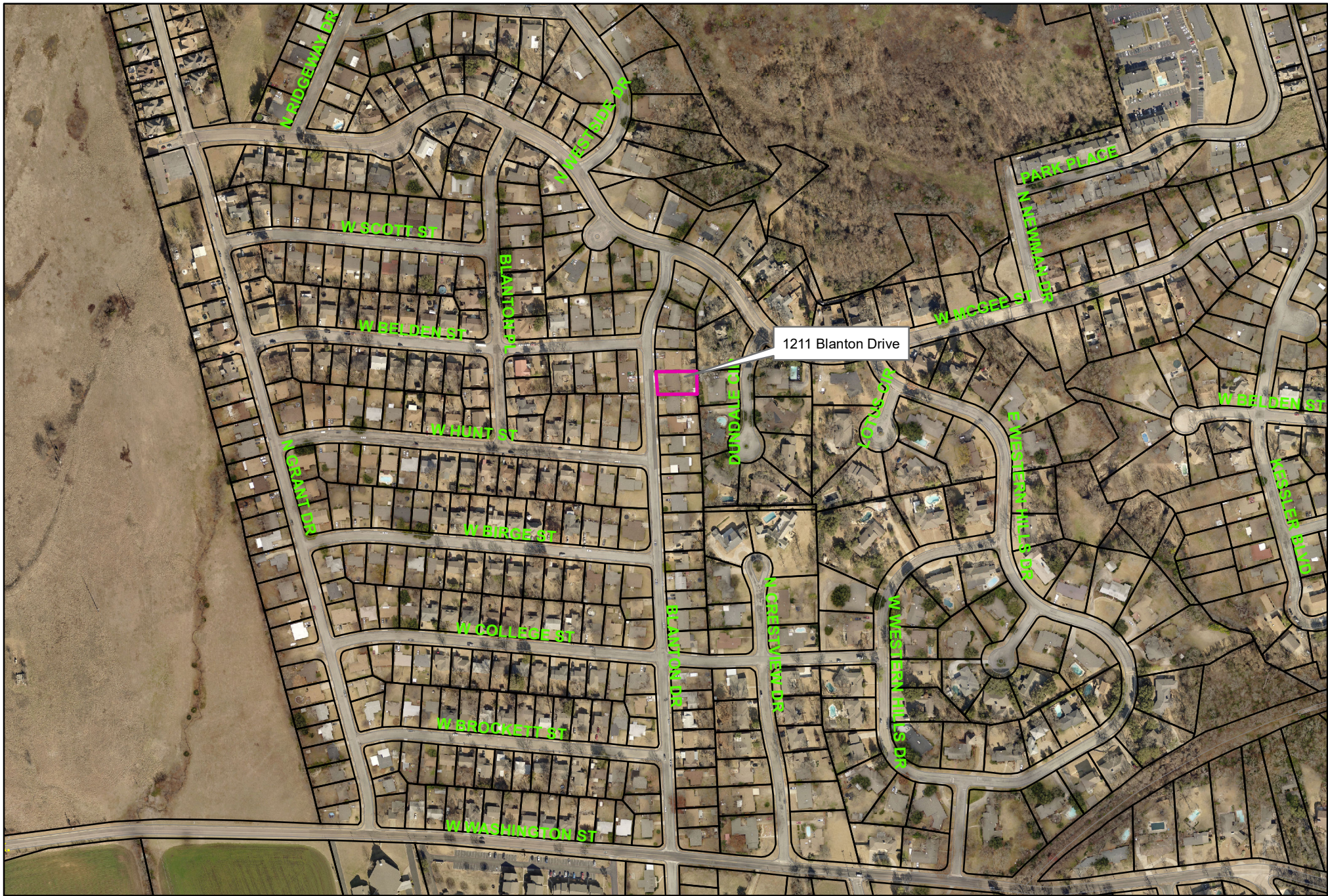
Elevations

Ordinance 6014

Staff Review Letter

Letter from Bo Bond

Letter from Karen & Bert Bond

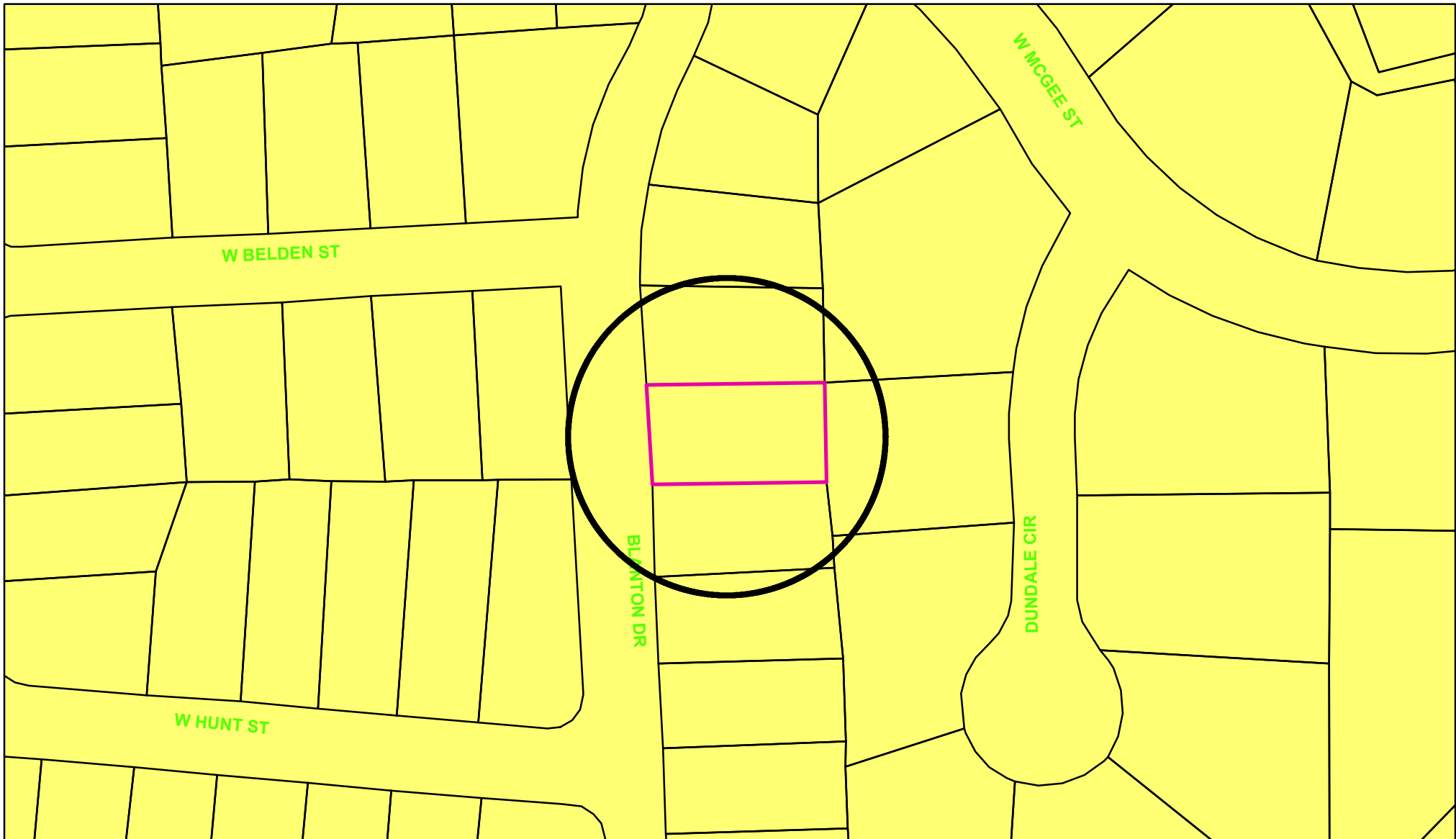


1211 Blanton Drive



City of Sherman, Texas
Developmental Services Department

1 in = 400 ft



Zoning - 1211 Blanton Drive



City of Sherman, Texas
Developmental Services Department

Transportation Corridor

Representation: SHERMGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Legend

Representation: SHERMGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Pavement



NOT TO SCALE

1 in = 100 ft

1211 Blanton Drive



Little Zebra's Operations

Little Zebra's goal is for each child to feel good about themselves, to feel safe and loved, and to have tons of fun learning. Little Zebra Child Development Center provides a safe learning experience for our children in a Christian atmosphere to prepare them to enter Kindergarten.

The age range for Little Zebra's is 0 to 5 years of age. Maximum number of students is 20. Little Zebra's Child Development Center will be properly staffed. Hours of operation Monday through Friday 6:00AM – 6:00PM

Little Zebra teachers have many qualities, but their best gift is that they love each and every child as their own. The staff has an average of 20 plus years of experience at the head start/preschool level. Each teacher is certified in CPR and First Aid and receives continuing education annually.

Little Zebra Child Development Center is a registered Child Care Home licensed by the Texas Department of Family and Protective Services.

SCALE
1" = 30'

~ BASIS OF BEARINGS ~
GPS OBSERVATION
TEXAS COORDINATE SYSTEM
NORTH CENTRAL ZONE
NAD 83

THE SUBJECT PROPERTY IS NOT AFFECTED BY EASEMENT AGREEMENT WITH TEXAS POWER & LIGHT COMPANY RECORDED IN VOLUME 886, PAGE 441, D.R.G.C.T.

THE SUBJECT PROPERTY IS THAT AFFECTED BY PARTIAL RELEASE OF EASEMENT RECORDED IN VOLUME 893, PAGES 252 AND 254, D.R.G.C.T. AS SHOWN.

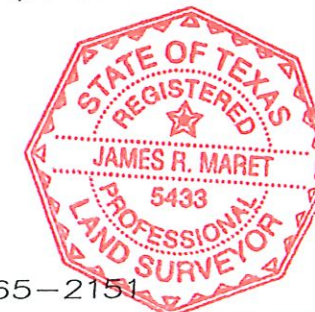
LOCATION OF EASEMENT TO TEXAS POWER & LIGHT COMPANY RECORDED IN VOLUME 825, PAGE 455, D.R.G.C.T. IS UNDETERMINED.

THE SUBJECT PROPERTY IS AFFECTED BY EASEMENT TO THE CITY OF SHERMAN RECORDED IN VOLUME 888, PAGE 202, D.R.G.C.T.

I, James R. Maret, Registered Professional Land Surveyor, do hereby certify that on the 30th day of June, 2015, a survey was made on the ground of the property shown hereon, described as Lot 5 in Block 8 of Western Hills Addition Section Two to the City of Sherman, Texas, as shown by plat of record in Volume 1, Page 87, Plat Records, Grayson County, Texas, and is correct, and that there are no conflicts, overlapping of improvements, easements or rights of way, except as shown on the plat herewith, and that the plat herewith is a correct representation of the property legally described hereinabove;

The building on said lot is known as 1211 Blanton Drive, Sherman, Texas, and is wholly located on said lot; there are no encroachments or protrusions from buildings on adjoining lots or tracts of land except as shown.

James R. Maret
Registered Professional
Land Surveyor No. 5433



This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.
This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:

Copyright © 2015
Underwood Drafting & Surveying, Inc.
All rights reserved.
FIRM #10006300

UNDERWOOD
DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021

(903)465-2151

BLANTON DRIVE

25' BUILDING LINE

CONCRETE DRIVE

ONE STORY BRICK RESIDENCE

PARTIAL RELEASE OF EASEMENT VOL. 893, PGS. 252 & 254 D.R.G.C.T.

1/2" STEEL ROD FOUND

6' UTILITY EASEMENT

6' UTILITY EASEMENT

EAST BASE CLF COR POST

CLF COR POST

N 89°32'57" E 130.12'

N 02°42'07" W 72.00'

S 89°32'57" W 130.12'

S 02°42'07" E 72.00'



ORDINANCE NO. 6014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DAYCARE/PRESCHOOL/EDUCATIONAL DEVELOPMENT CENTER IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1211 BLANTON DRIVE, BEING LOT 5, BLOCK 8, WESTERN HILLS ADDITION (DELMAR HILL, OWNER; CHINIQUA HILL, REPRESENTATIVE; AND UNDERWOOD DRAFTING & SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Delmar Hill (Owner), Chiniqua Hill (Representative) and Underwood Drafting & Surveying, Inc. (Surveyor) are granted a Specific Use Permit to allow a Daycare/Preschool/Educational Development Center in an R-1 (One Family Residential) District at 1211 Blanton Drive, and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 5, Block 8, Western Hills Addition

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the R-1 (One Family Residential) District must be followed.
2. Signs advertising the business will not be allowed.

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: Brandon S. Shelby
BRANDON S. SHELBY,
CITY ATTORNEY

3. Shall maintain the residential look of the property.
4. Off-street parking is permitted on paved surfaces only (concrete or asphalt).
5. All parking shall be on private property and shall not encroach into Blanton Drive right-of-way; drop off and pick areas should be provided to eliminate stacking of vehicles in the street.
6. The maximum number of children shall be (15) fifteen between the ages of 0-5 years of age.
7. Hours of operation shall only be allowed from 6 a.m. to 6 p.m., Monday thru Friday.
8. The Specific Use Permit is contingent on the ownership and residency of the adjacent property (1215 Blanton Drive).
9. Violation of the conditions of the SUP will terminate the Specific Use Permit.
10. Review the zoning and development ordinance for additional requirements.
11. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the 20th day of March, 2017.

ADOPTED on this the 20th day of March, 2017.

EFFECTIVE DATE on this the 20th day of March, 2017.

CITY OF SHERMAN, TEXAS

BY:



DAVID PLYLER, MAYOR

STAFF REVIEW LETTER

March 9, 2020

Delmar Hill
1215 Blanton Dr.
Sherman, Texas 75092

Dear Applicants,

The request to Renew a Specific Use Permit and site plan approval to allow a Preschool Learning Center in an R-1 (One Family Residential) District for the property located at 1211 Blanton Drive, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Signs advertising the business will not be allowed.
3. Shall maintain the residential look of the property.
4. Off-street parking is permitted on paved surfaces only (concrete or asphalt).
5. All parking shall be on private property and shall not encroach into Blanton Drive right-of-way; drop off and pick areas should be provided to eliminate stacking of vehicles in the street.
6. The maximum number of children shall be (15) fifteen between the ages of 0-5 years of age.
7. Hours of operation shall only be allowed from 6 a.m. to 6 p.m., Monday thru Friday.
8. The Specific Use Permit is contingent on the ownership and residency of the adjacent property (1215 Blanton Drive).
9. Violation of the conditions of the SUP will terminate the Specific Use Permit.
10. Review the zoning and development ordinance for additional requirements.
11. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in cursive script, reading "Scott Shadden". The signature is fluid and elegant, with a large initial "S" and a long, sweeping underline.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator

Bo Bond

1208 Western Hills Dr.

Sherman, TX 75092

March 5, 2020

RECEIVED

MAR 11 2020

To:

Sherman Planning and Zoning Board

220 W. Mulberry St.

Sherman, TX 75090

Dear Sherman Planning and Zoning Board,

My name is Bo Bond, and my youngest son Warren Bond attends the Pre-School for Little Zebras located at 1211 Blanton Dr. in Sherman. He just turned 3, and has attended the school for almost a year now. Warren absolutely loves Mrs. Hill, her staff, and all his friends at the school. It's come to my family's attention that there may be some concerns with regards to the school, its location, and possible traffic issues. I hope my input below helps you resolve any possible concerns.

To our knowledge, there's never been a complaint against the school for street congestion or issues with traffic. The street doesn't seem to be a place for high traffic, and I've never personally witnessed any traffic congestion myself. My family lives in Western Hills, just two streets over, so we're certainly familiar with the streets in this area. Given the limited number of kids attending the school, and the fact that parents are dropping off (and picking up) their kids within a 1-2 hour window every morning and afternoon, we rarely even see another parent while dropping off (or picking up) our child. All of the teachers park their cars in the drive way, so there's no congestion there either. From what I've seen and witnessed every day, without exception, there are no traffic issues related to the Pre-School for Little Zebras.

My wife (Andrea Bond) and I absolutely love this school and what it's done for our son (as well as other kids we know and go to church with). Little Zebras has helped Warren become more independent and accountable, even at such a young age. He's has learned to respect others in his class, respect authority, control his tone and volume with others, how to play well with others, learned what teamwork is, prays for his friends and food every day, along with all the specific curriculum that will prepare him for kindergarten. We're truly blessed to have found a spot for our child at this school. My family fully supports Mrs. Hill and her staff, and needs this school to continue teaching and preparing our child in the God fearing way that they do. It is my request that you allow this school to continue to function in the same capacity that they've always functioned, and in an even great capacity than before if possible. My wife and I appreciate your time and attention to this letter, and look forward to many great days ahead at the Pre-School for Little Zebras.

Sincerely,

Bo Bond

bobond@cableone.net / 214-243-0779

Sherman Planning and Zoning Board

PO Box 1106

Sherman, TX 75091

RECEIVED

MAR 11 2020

Dear Board,

My husband and I have a 3-year-old grandson (Warren) who attends Little Zebras Pre-School at 1211 Blanton Drive. Compared to the other Sherman pre-schools that our 4 older grand children have attended this school is undoubtedly the best. I have been impressed by what Warren has learned: Respect, discipline, and good Christian values, along with all the regular school lessons.

We have never had any problems with traffic or parking at the school.

We support Little Zebras and hope it's allowed to remain in operation at its current location.

Regards,

A handwritten signature in cursive script that reads "Karen Bond".

Karen & Bert Bond

2301 Canyon Creek Dr

Sherman, TX 75092



**Planning & Zoning Commission and Board of
Adjustments**

8.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

* **515 BETHANY ROAD**

The request of Stone Castle Investors, LLC (Owners) and Preston Trail Land Surveying, LLC (Surveyor) concerning the property at 515 Bethany Road, being 2.301 acres in the Aaron Burleson Survey, Abstract No. 61, also being all of Lot 5 of Bethany Road Estate No. II, as follows:

Planning and Zoning Commission

Replat Approval of Bethany Road Estates, No. II, Lots 5R-1 & 5R-2 in the City of Sherman's Extra Territorial Jurisdiction (ETJ)

Background:

The property is located at 515 Bethany Road in northeast Sherman in the City of Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like to replat the property into two lots.

Adjacent Zoning:

Outside City

Origination:

Stone Castle Investors, LLC (Owners)

Preston Trail Land Surveying, LLC (Surveyor)

Master Plan Designation:

Not included in the Masterplan

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Bethany Road Estates No II Replat

Staff Review Letter



515 Bethany Road (ETJ)

City of Sherman, Texas
Developmental Services Department



1 in = 900 ft



STAFF REVIEW LETTER

March 06, 2020

Stone Castle Investors, LLC
10804 Sexton Drive
McKinney, TX 75072
Attn: Curt Eley

Preston Trail Land Surveying
83493 N. State Hwy. 289, Suite 5
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Replat of Bethany Road Estates No. II, Lots 5-R1 & 5-R2 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
6. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

A handwritten signature in black ink, appearing to read "Wayne E. Lee", written in a cursive style.

Wayne E. Lee, P.E., CFM,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager



Planning & Zoning Commission and Board of Adjustments

9.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

820 SOUTH CROCKETT STREET

The request of Michael E. Rainey (Owner) and Underwood Drafting and Surveying (Surveyor) concerning the property at 820 South Crockett Street, being a part of Block 12 of the Hare and Randolph Addition, containing 0.424 acres, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow a 1' side yard setback for an attached garage in lieu of the required 8'6" in an R-2 (Multi-Family Residential) District.

Background:

The property is located at 820 South Crockett Street between Tennessee and Moore Streets. The property is zoned an R-2 (Multi-Family Residential) District and located in the Heritage Row Historical District.

The owner currently has a deteriorated 2-car garage along the northern property line; he would like to replace it with a new garage in the same location. Due to the location of the driveway on the property, there is no other feasible location to construct a new building. The replacement building will be a one-story, two-car garage; approximately 630 square feet. Access to the garage will be through the existing driveway from South Crockett Street. The exterior will be LP Smart Side composite siding with a 50-year warranty. Paint colors and roofing will match the existing single-family dwelling. An insulated white, carriage house, double garage door with windows will be installed. If approved by the Planning and Zoning Commission, approval will also be needed by the Historical Preservation Board.

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

Origination:

Michael E. Rainey (Owner)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

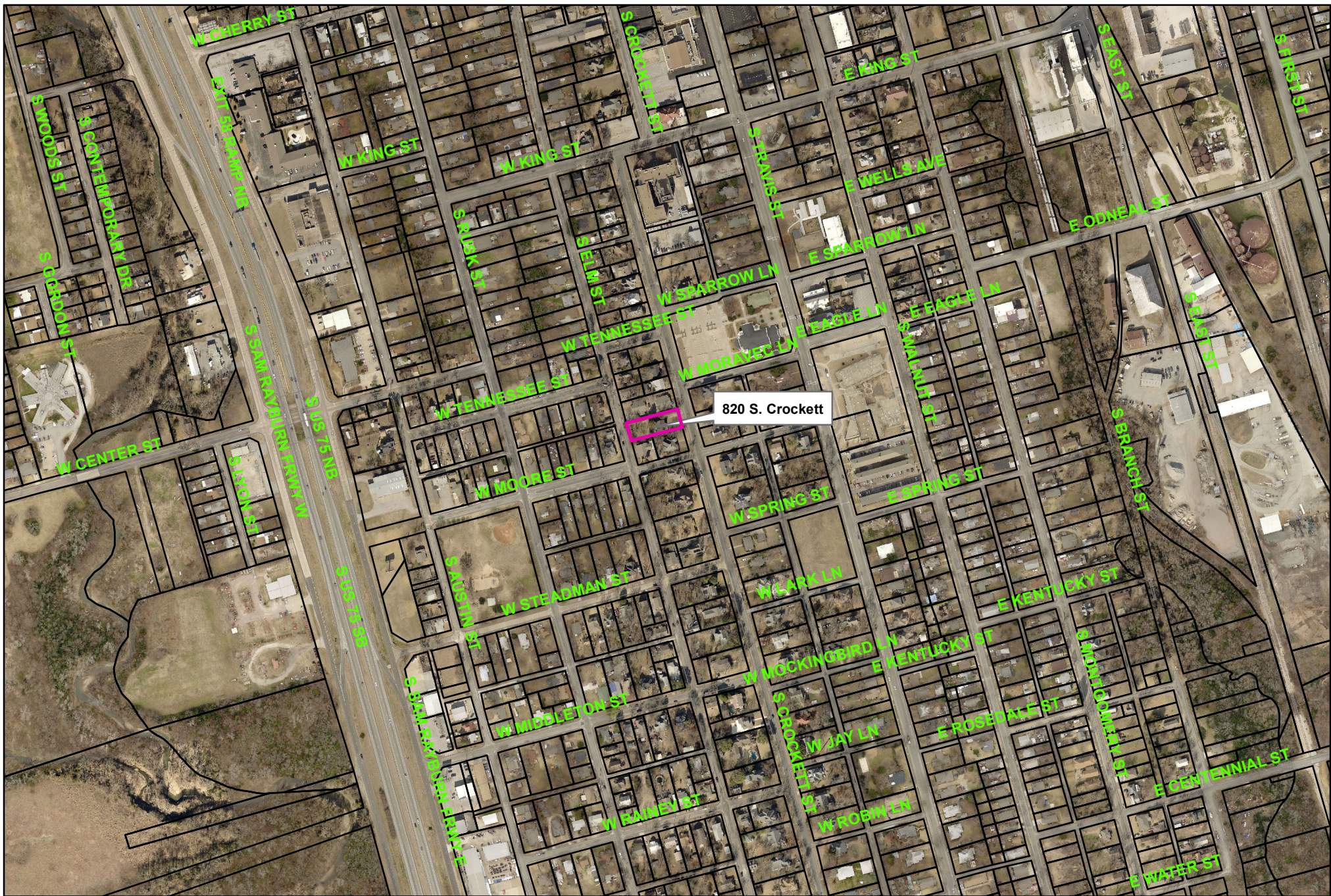
19

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Site Plan
Building Elevations
Photos/Paint Colors
Staff Review Letter

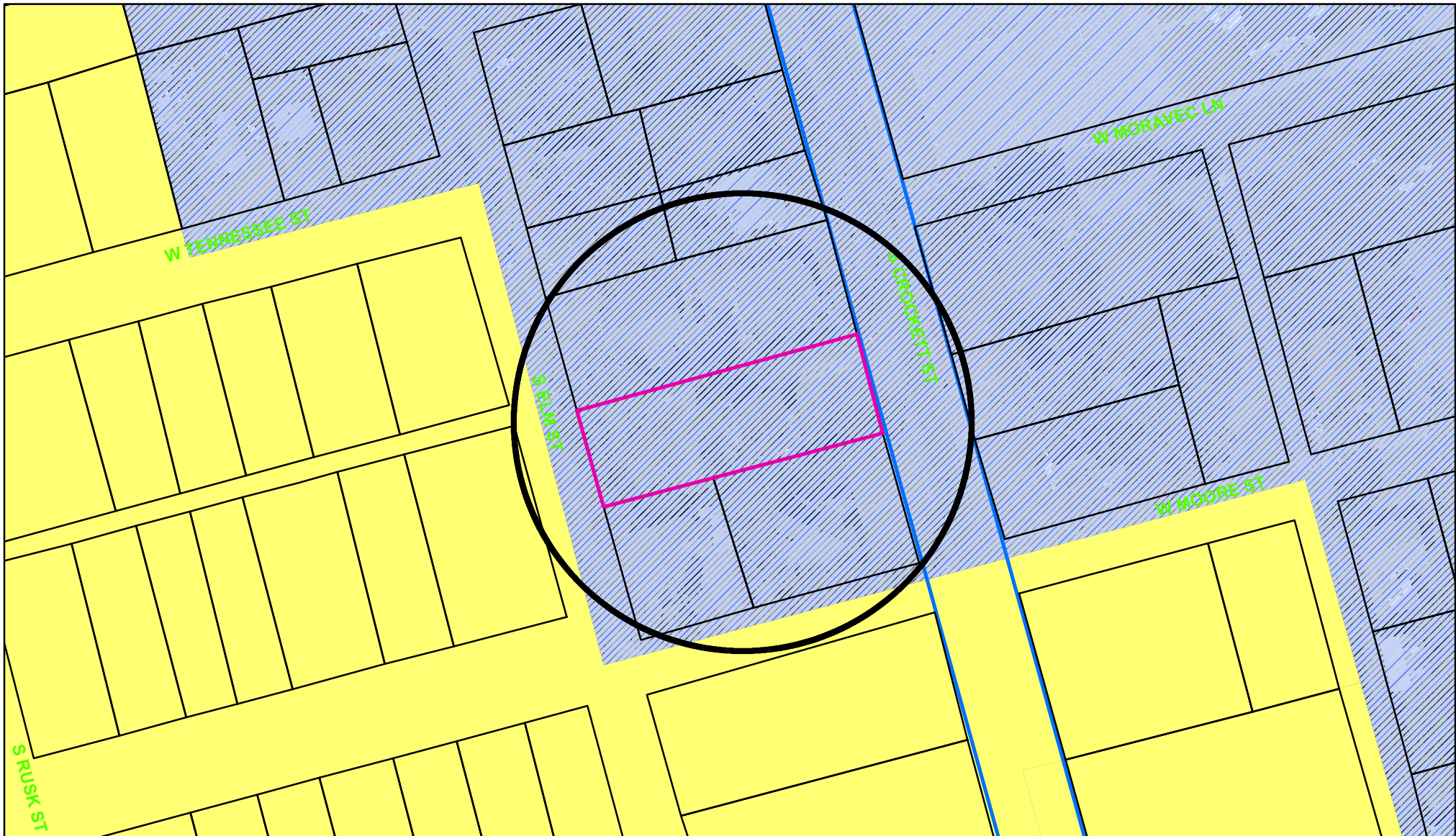


820 South Crockett Street



City of Sherman, Texas
Developmental Services Department

1 in = 500 ft



Zoning - 820 South Crockett Street

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 100 ft

820 S. Crockett



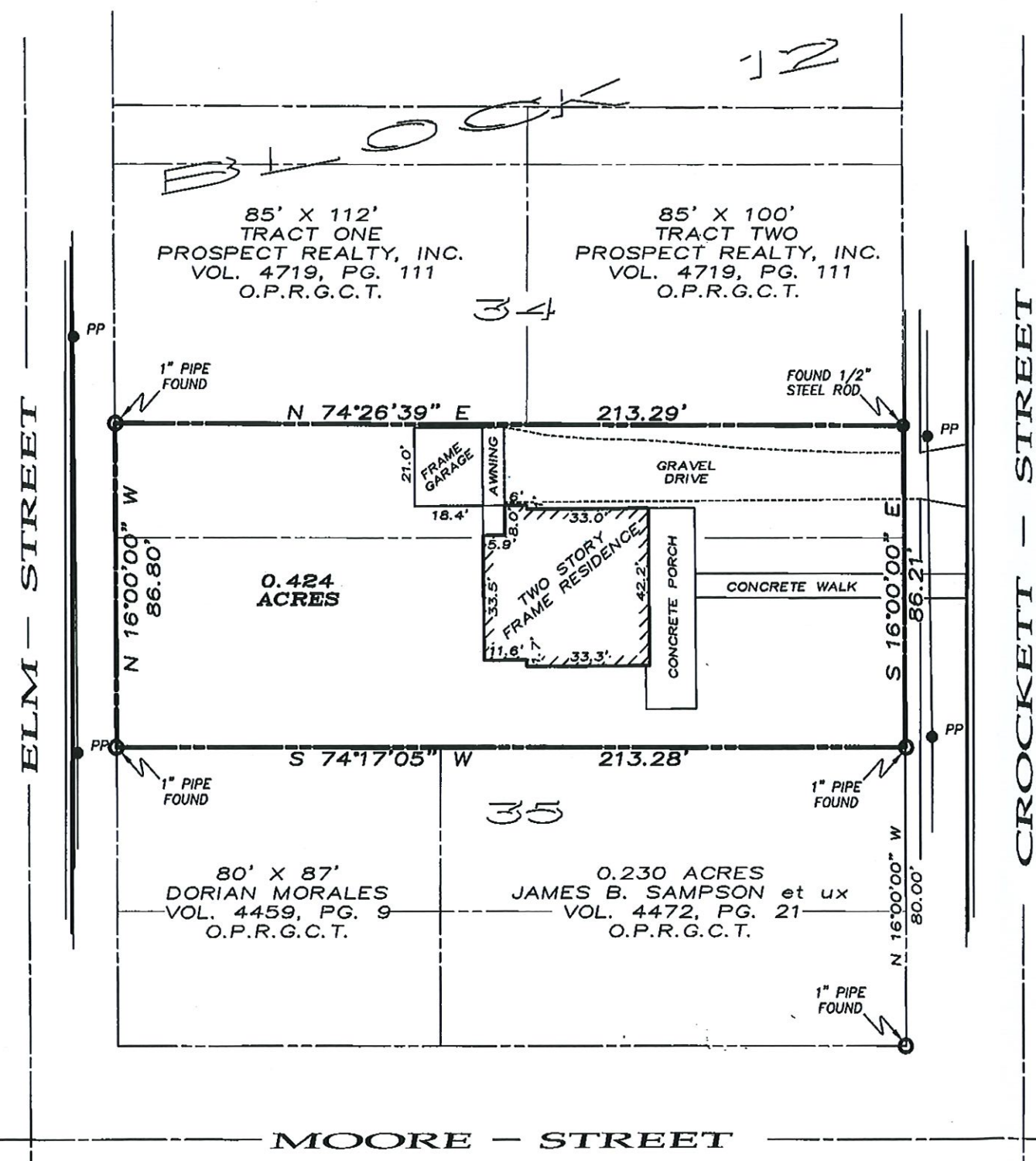
Michael E. Rainey, DVM
820 S. Crockett St
Sherman, Tx 75090

PROJECT NARRATIVE

This is a request for an exception / variance to allow construction of a new garage along the property line at the residential address of 820 South Crockett Street, Sherman, Texas 75090. Currently, an old, rotten, unsafe, and unappealing 2-car garage is present along the northern property line of this lot. Due to the location of the driveway on the northern aspect of the property there is no other feasible location to construct a new building. Ultimately, our goal is to encourage and promote responsible development in the Sherman historical district that meets the opportunities of Sherman's future.

This application seeks approval to demolish the existing garage that is unsafe and unappealing, and allow construction of a newer and safer building. The replacement building will also be a one-story, 2-car garage building of approximately 630 square feet. Access to the garage will be through the existing gravel driveway via South Crockett Street that is located on the northern aspect of the property. LP Smart Side composite siding with 50-year warranty will be used to construct the exterior of the new garage. Paint colors and roofing will match the existing single-family dwelling on the property. The roof shingles will consist of 30-pound synthetic, sierra gray, shingles with a 30-year warranty. Additionally, an insulated white, carriage house, double garage door with windows will be installed. Construction of the new garage will be performed according to all codes and guidelines.

If approved by the zoning committee, the requested building project will also be approved by the Sherman historical district. The current structure lessens the value of the entire Sherman historical district, and ultimately, our goal is to not only improve our personal home value, but also the value of the entire historical district, and Sherman's potential as a whole.



LEGAL DESCRIPTION

Situated In the City of Sherman, Grayson County, Texas, being a part of Block 12, of the Hare and Randolph Addition, as shown on plat of record in Volume "U", Page 425, of the Deed Records, Grayson County, Texas, and being the same tract of land conveyed to McGraw and Associates, Inc. by deed of record in Volume 5230, Page 41, of the Official Public Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a 1" steel pipe found in the west right-of-way line of Crockett Street at the northeast corner of the 0.230 acre tract of land conveyed to James B. Sampson, et ux, by deed of record in Volume 4472, Page 21, of said Official Public Records, said pipe being North 16°00'00" West 80.00 feet from the intersection of said west right-of-way line with the north right-of-way line of Moore Street;

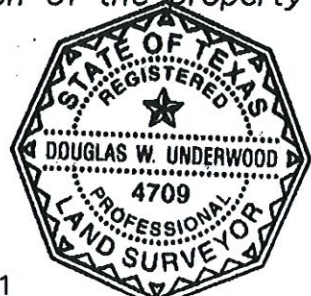
Thence South 74°17'05" West with the north line of said 0.230 acre tract, passing its northwest corner and continuing with the north line of the 80' X 87' tract of land conveyed to Dorian Morales, by deed of record in Volume 4459, Page 9, of said Official Public Records, a total distance of 213.28 feet to a 1" steel pipe found in the east right-of-way line of Elm Street at the northwest corner of said 80' X 87' tract, also being the southwest corner of said McGraw Tract;

Thence North 16°00'00" West with said east right-of-way line, a distance of 86.80 feet to a 1" steel pipe found at the southwest corner of the 85' X 112' tract of land described as Tract One as conveyed to Prospect Realty, Inc. by deed of record in Volume 4719, Page 111, of said Official Public Records, said pipe also being the northwest corner of said McGraw Tract;

Thence North 74°26'39" East with the south line of said Tract One, passing its southeast corner and continuing with the south line of the 85' X 100' tract of land described as Tract Two in said Volume 4719, Page 111, a total distance of 213.29 feet to a 1/2" steel rod found in the west right-of-way line of said Crockett Street, said rod being the southeast corner of said Tract Two, the northeast corner of said McGraw Tract;

Thence South 16°00'00" East with said west right-of-way line, a distance of 86.21 feet to the Point-of-Beginning and containing 0.424 acres of land.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.



[Signature]
Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
DATE OF SURVEY: 6-30-16

SCALE
1" = 40'

This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.
This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:
Copyright ©2015
Underwood Drafting & Surveying, Inc.
All rights reserved.

~ BASIS OF BEARINGS ~
COURSE ALONG THE WEST LINE
OF CROCKETT STREET
(ASSUMED S 16° E)

~ PROPERTY ADDRESS ~
820 S. CROCKETT STREET
SHERMAN, TEXAS 75090

UNDERWOOD
DRAFTING & SURVEYING



MICHAEL RAINERY

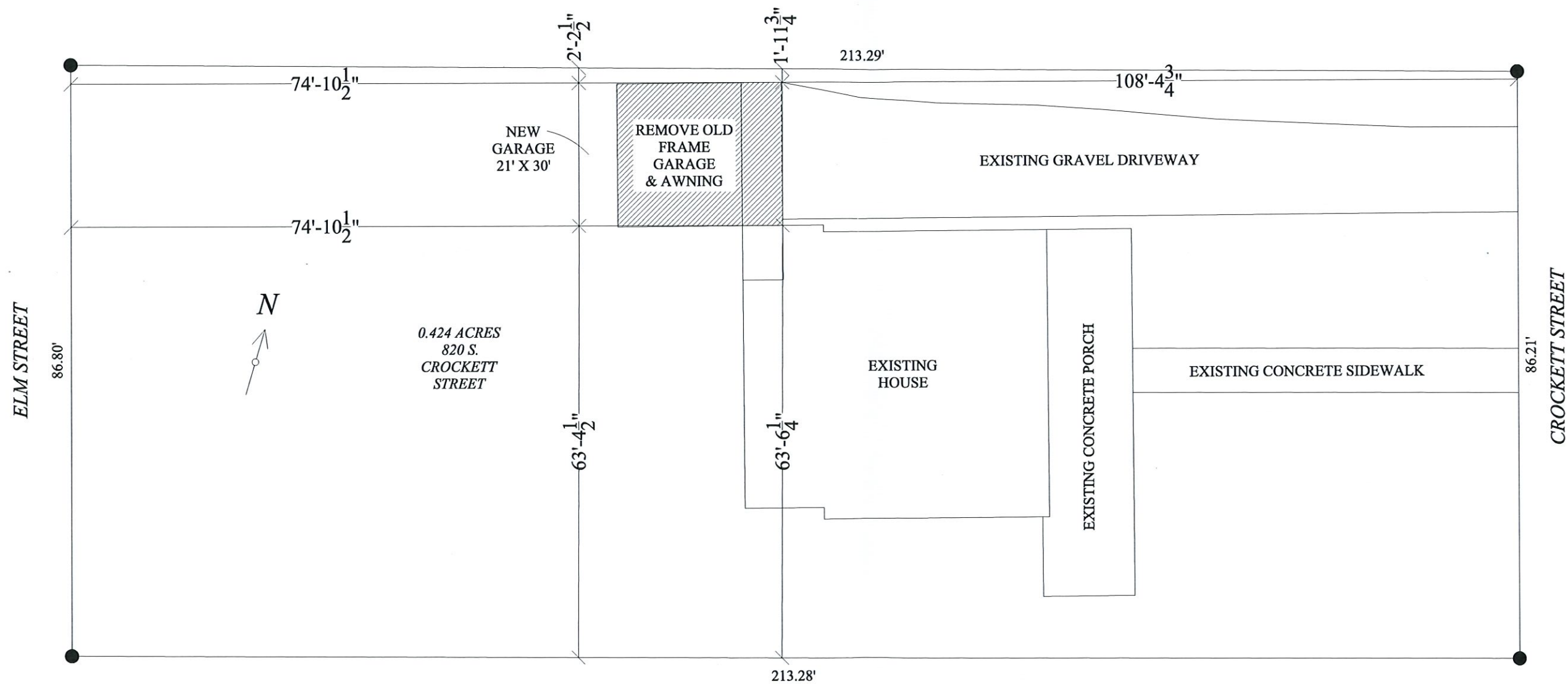
820 S. CROCKETT ST.
SHERMAN, TX

D2LDESIGNS@YAHOO.COM

DATE
01/31/20

SHEET
SITE

SCALE
1/8" = 1'



SITE PLAN

NOTES:

- OWNER & CONTRACTOR TO REVIEW AND APPROVE ALL PLANS PRIOR TO CONSTRUCTION.
- GARAGE TO BE BUILT BY DIMENSIONS WITH LINES, NOT BY DIMENSIONS ON ROOM LABELS.
- GARAGE TO BE BUILT PER 2017 IRC CODES.
- IF A DOOR OR WINDOW IS NOT DIMENSIONED, IT IS EITHER 6" OFF A WALL OR CENTERED IN A WALL.

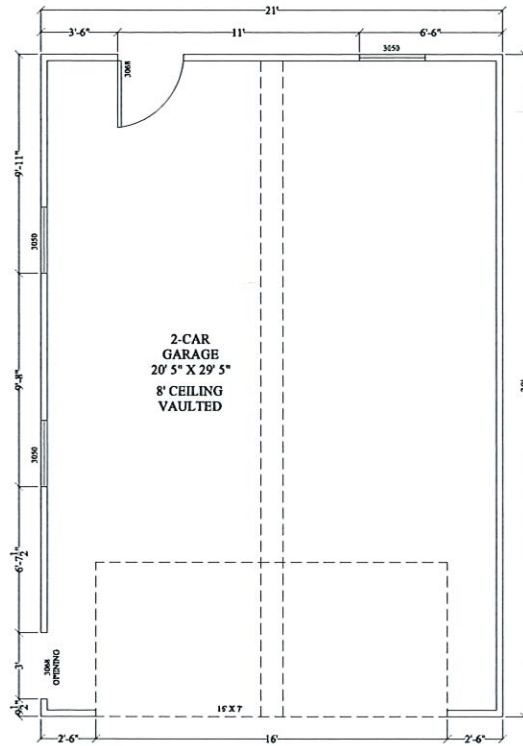
SQUARE FOOTAGE
GARAGE: 630

PLAN DESIGNER:
D2L DESIGNS, LLC
D2LDESIGNS@YAHOO.COM
903.267.1284

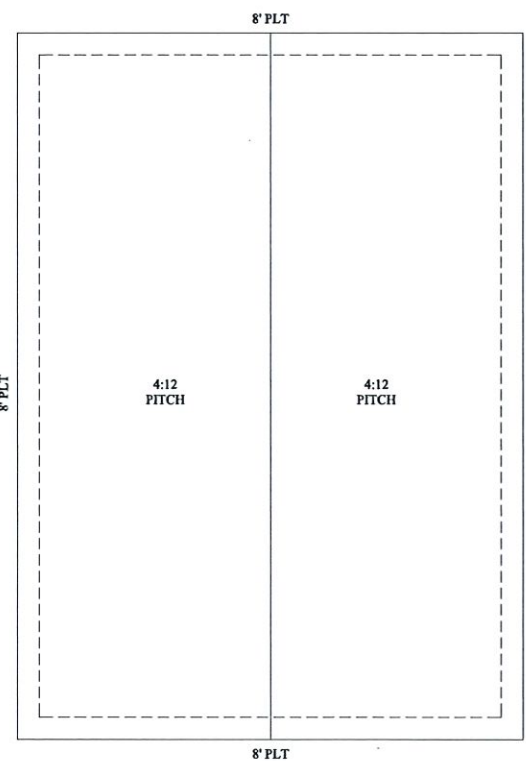
ELECTRICAL SCHEDULE

	CEILING FAN		HOCKEY PUCK LIGHTS		DOOR JAMB SWITCH		EVE PLUG
	CEILING FAN W/ LIGHT KIT		UNDERCABINET FLUORESCENT		SWITCH		WEATHER PROOF, ARC-FAULT GROUND-FAULT, 110-V OUTLET, 220-V OUTLET
	HANGING FIXTURE		ROPE LIGHTING		THREE WAY SWITCH		ARC-FAULT, GROUND-FAULT, 110-V OUTLET
	CEILING OR WALL MOUNTED FIXTURE		CEILING MOUNTED FLUORESCENT		DIMMER SWITCH		ARC-FAULT, FLOOR 110-V OUTLET
	PENDANT		DOUBLE FLOOD LIGHTS		ARC-FAULT, 110-V OUTLET		EXHAUST FAN W/ LIGHT
	RECESSED INCANDESCENT		MOTION SENSOR		ARC-FAULT, GROUND-FAULT, QUADPLEX, 110-V OUTLET		EXHAUST FAN
	RECESSED INCANDESCENT EYEBALL		LANDSCAPE LIGHTS		GROUND-FAULT, ARC-FAULT, 110-V OUTLET		GARAGE DOOR KEY PAD
			PHONE / DATA		GROUND-FAULT, CEILING, 110-V OUTLET		CEILING HEATER
			TV / DATA		WEATHER PROOF, ARC-FAULT GROUND-FAULT, 110-V OUTLET		SMOKE DETECTOR
			DOORBELL				SINK DISPOSAL
			DOORBELL CHIME				

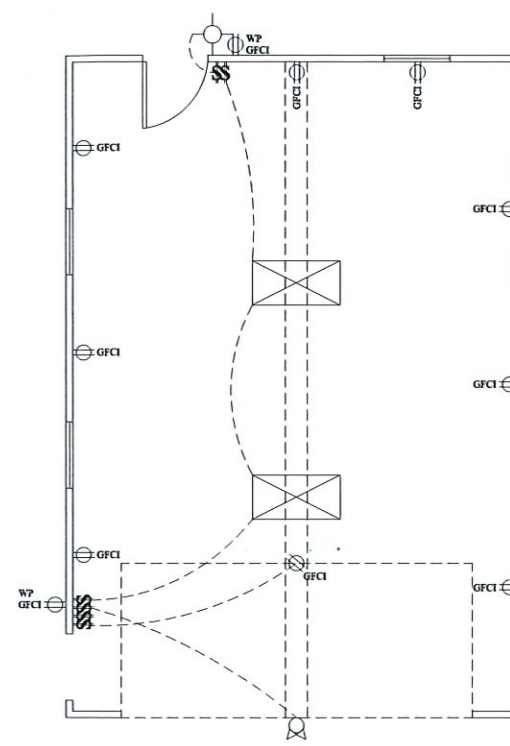
FLOOR PLAN



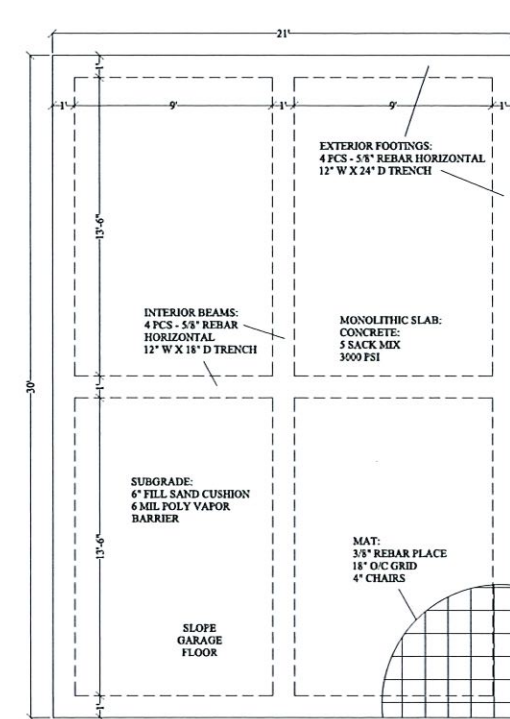
ROOF PLAN



ELECTRICAL PLAN



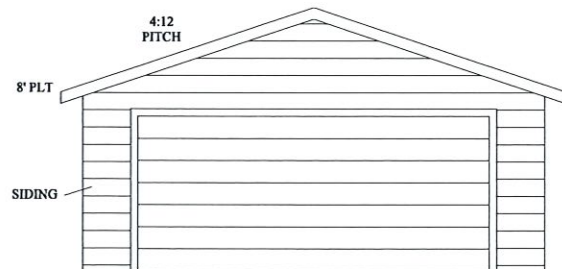
SLAB PLAN



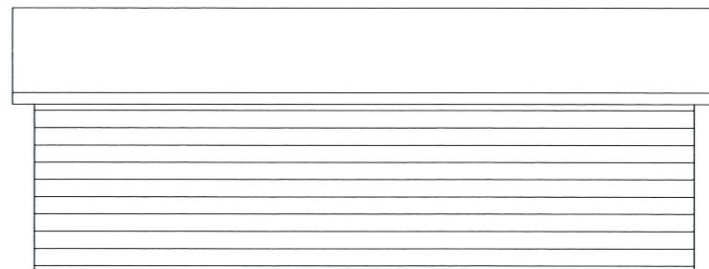
NOTE: THIS IS A BASIC SLAB DESIGN. CLIENT UNDERSTANDS THAT D2L DESIGNS, LLC IS NOT AN ENGINEER AND WILL NOT BE HELD LIABLE FOR ANY FOUNDATION ISSUES.

ELEVATION PLAN

NOTE: 1' ROOF OVERHANG



FRONT ELEVATION



RIGHT SIDE ELEVATION

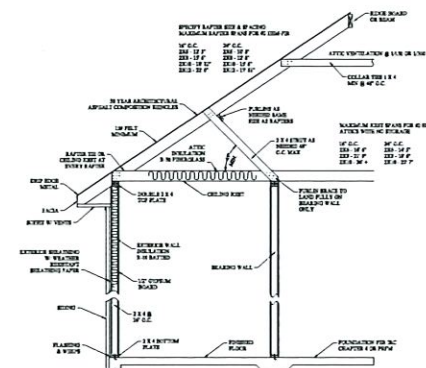


LEFT SIDE ELEVATION



BACK ELEVATION

FRAMING PLAN



MICHAEL RAINNEY

820 S. CROCKETT ST.
SHERMAN, TX

D2LDESIGNS@YAHOO.COM

DATE
01/31/20

SHEET
FP
ROOF
SITE
ELEVATIONS
FRAMING

SCALE
1/4" = 1'

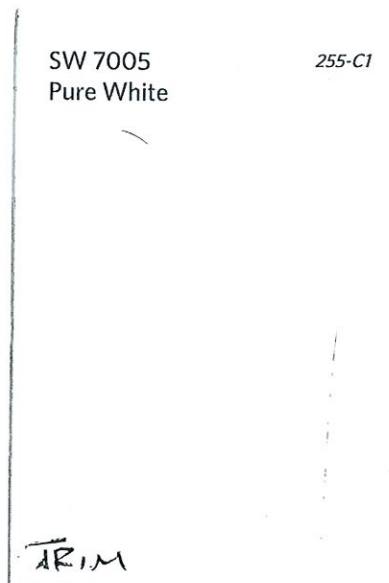
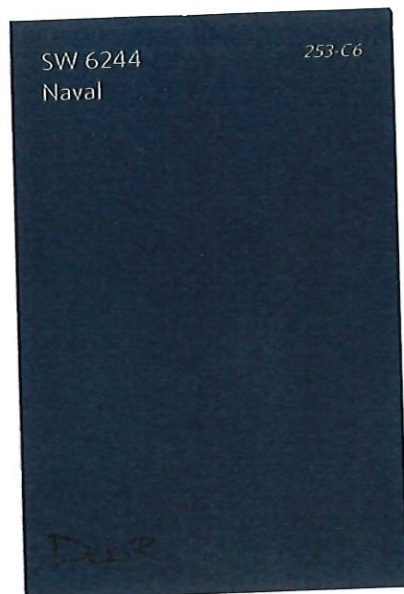












STAFF REVIEW LETTER

March 9, 2020

Michael Rainey
820 S. Crockett St.
Sherman, TX 75090

Dear Applicants,

The request for a variance to allow a 1' side yard setback for an attached garage in lieu of the required 8'6" in an R-2 (Multi-Family Residential) District for the property located at 820 South Crockett Street, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the R-2 (Multi-Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit per dwelling; a parking space is considered to be 9' x 20'.
4. Drive access, driveway and parking is permitted on paved surfaces only; concrete or asphalt.
5. A Certificate of Appropriateness will be required from the Historical Board before construction begins.
6. Review the zoning and development ordinance for additional requirements
7. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

8. New drive approaches and sidewalks must conform to city standards and a permit is required from City of Sherman Engineering Department.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission. You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in cursive script, reading "Scott Shadden". The signature is written in dark ink and is positioned to the right of the word "Respectfully,".

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator



Planning & Zoning Commission and Board of Adjustments

10.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

910 SOUTH SAM RAYBURN FREEWAY

The request of 6M Holdings, LTD (Owners), Sunbelt Rentals, Inc. (Tenant), Dustin Tippetts (Representative), UPI Builders (Contractors) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 910 South Sam Rayburn Freeway, being 9.27 acres in the Samuel Blagg Survey, Abstract No. 56, as follows:

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.8.2, Subsection (7)(c) to allow a 4' wood fence, 25' from the front property line in lieu of the required 40' in a C-2 (General Commercial) District/O-1.2 (Sam Rayburn Overlay) District.

Planning and Zoning Commission

Specific Use Permit amendment and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow heavy equipment sales and rentals and wash bay with stucco and metal finishes as shown in the exhibit in a C-2 (General Commercial) District/O-1.2 (Sam Rayburn Overlay) District.

Background:

This item was tabled at the December 17, 2019 and January 14, 2020, Planning and Zoning Commission Meetings.

The property is located at 910 South Sam Rayburn Freeway between Center Street and Gateway Drive; Sunbelt Rentals is the tenant. The property is zoned an R-1 (One Family Residential) District and C-2 (General Commercial) District. A Specific Use Permit to allow heavy equipment sales for Grayson County Equipment in a C-2 (General Commercial) District was approved July 21, 1997 by Ordinance No. 4626.

Sunbelt Rentals recently purchased the property at 910 South Sam Rayburn Freeway. There is an existing 5,200 square foot showroom and retail building for the heavy equipment sales and rentals and they would like to construct a 20' x 40' wash bay to clean the heavy equipment. They plan to stucco the front of the existing building, improve the parking lot, and erect a wood fence, 25' from the property line to protect the building and heavy equipment.

Adjacent Zoning:

R-1 (One Family Residential) District

C-2 (General Commercial) District

Origination:

6M Holdings, LTD (Owners)

Sunbelt Rentals, Inc. (Tenant)

Dustin Tippetts (Representative)

UPI Builders (Contractors)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

11

Objections Received:

1

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey

Aerial

Site Plan

Building Elevations

Fence Elevations

Staff Review Letter

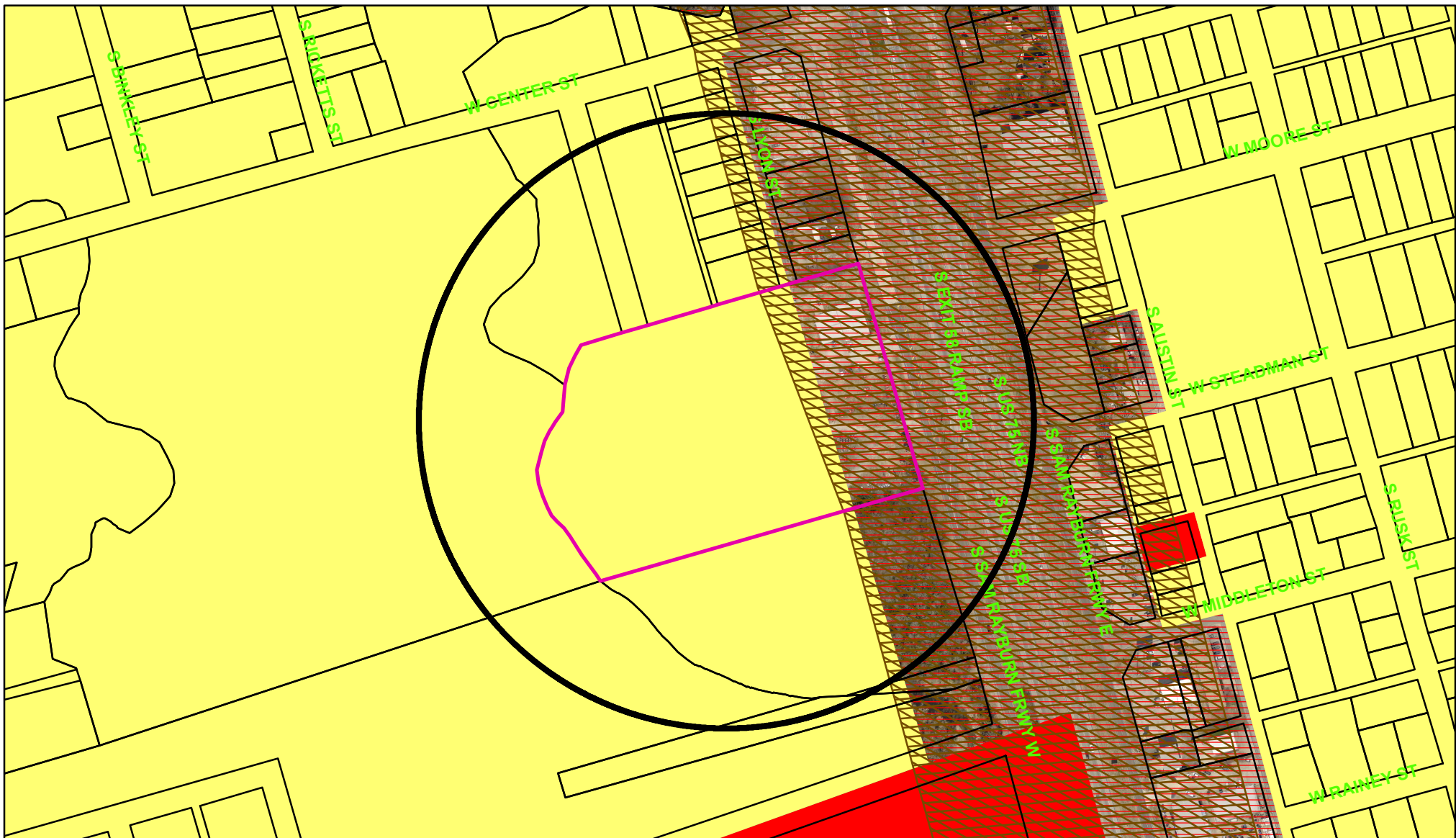
Letter from SSCGC Holdings LLC



NOT TO SCALE

NOT TO SCALE

1 in = 500 ft



Zoning - 910 South Sam Rayburn Freeway

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

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- BIIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 300 ft

910 South Sam Rayburn Freeway



LAND TITLE SURVEY
9.27 ACRES
S. BLAGG SURVEY
ABSTRACT NO. 56
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS
DATE: FEBRUARY 12, 2016
SCALE 1" = 50'
910 S. SAM RAYBURN FREEWAY
SHERMAN, TEXAS 75090
CLIENT: DAVID R. SIX

NOTE: ALL MONUMENTS SHOWN HEREON ARE IN GOOD CONDITION

Google Maps



Imagery ©2019 Google, Imagery ©2019 Maxar Technologies, Map data ©201 50 ft

AREA CALCULATIONS

PROP. BUILDING AREA (COVERED)	1300 SF
CONCRETE PAVING EXISTING	1300 SF
CONCRETE PAVING NEW	8358.0
ASPHALT	0 S.F.
BLED SLAB	1300 S.F.

GENERAL NOTES

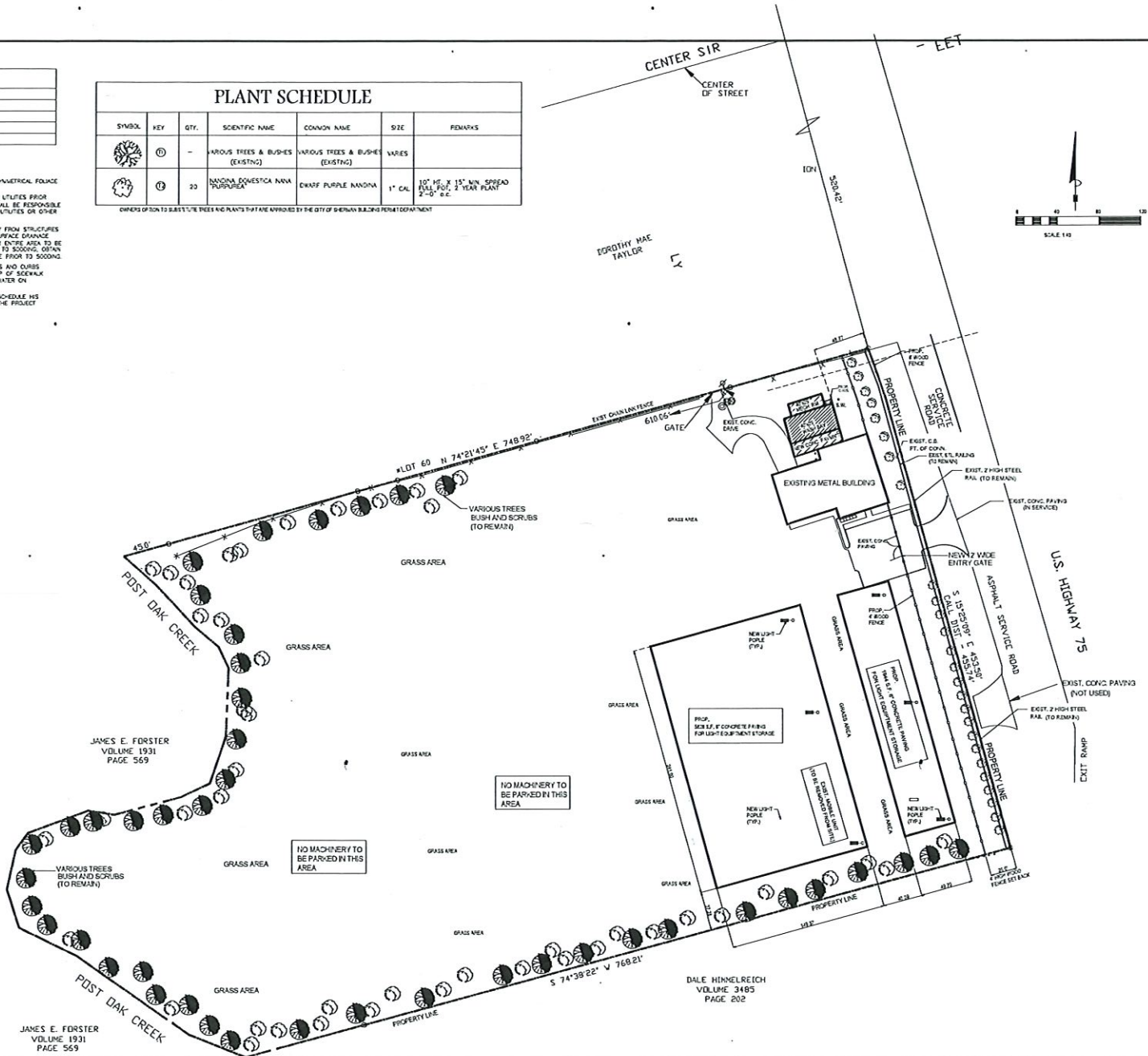
1. ALL PLANTS SHALL BE FULL POT AND HEAD, SYMMETRICAL FOLIAGE AND BRANCHING STRUCTURE.
2. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO EXCAVATION OR TRENCHING. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING ANY DAMAGE TO UTILITIES OR OTHER IMPROVEMENTS.
3. GRADE SURFACE TO ENSURE AREAS DRAIN AWAY FROM STRUCTURES AND TO PREVENT FLOODING AND PROBLEMS OF SURFACE DRAINAGE. SPREAD AND AVERAGE OF 1" SHARP SAND OVER ENTIRE AREA TO BE SOLED SOOED. FINE SAND OVER ENTIRE AREA PRIOR TO SOOING. OTHER OWNER'S REPRESENTATIVE'S APPROVAL OF GRADE PRIOR TO SOOING.
4. ALLOW FOR FINISHED GRADE AT EDGE OF WALKS AND CURBS TO BE A MINIMUM OF 1" TO 1 1/2" BELOW TOP OF SIDEWALK AND CURBS AREAS SO GRASS WILL NOT HOLD WATER ON WALK AND SHALL BE CONSISTENT ALONG EDGE.
5. LANDSCAPE CONTRACTOR TO COORDINATE AND SCHEDULE HIS WORK WITH OTHER CONTRACTORS WORKING ON THE PROJECT SITE.

NOTE: ALL DIMENSIONS ARE IN FEET (F.T.)

PLANT SCHEDULE

SYMBOL	KEY	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE	REMARKS
	①	-	VARIOUS TREES & BUSHES (EXISTING)	VARIOUS TREES & BUSHES (EXISTING)	VARIES	
	②	22	NANDINA DOMESTICA NANA YUPEPURA	ORANGE PURPLE NANDINA	1" CAL	10" Ht. x 15" Wn. SPREAD ROLL POT, 2 YEAR PLANT 2'-0" E.C.

OWNERS OPTION TO PLANT TREES AND PLANTS THAT ARE APPROVED BY THE CITY OF SHERMAN BUILDING PERMIT DEPARTMENT



REVISIONS	NO.	DATE	DESCRIPTION
	1		
	2		
	3		
	4		

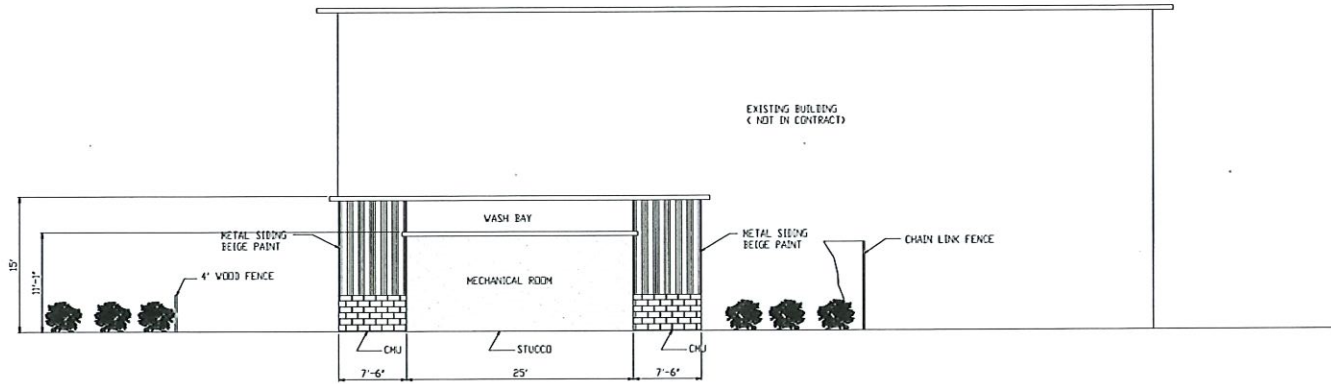
THIS DRAWING IS THE PROPERTY OF SUNBELT RENTALS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION FROM SUNBELT RENTALS. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO OR LOSS OF THIS DRAWING. SHERMAN, TEXAS 75090



SUNBELT RENTALS
PROPOSED WASH BAY
ARCHITECTURAL SITE PLAN
610 S SAM RAYBURN Fwy
SHERMAN, TEXAS 75090

DATE: 10-14-19
CHECKED BY: T. SOPER
DESIGNED BY: T. SOPER
SCALE: NOTED
JOB NO.: XXX-XXX
FILE: FILE LOCATION

SHEET
A-1
04 OF 07



RIGHT SIDE ELEVATION

FENCE REMOVED FOR CLARITY

REVISIONS	
DATE	DESCRIPTION
1	
2	
3	
4	

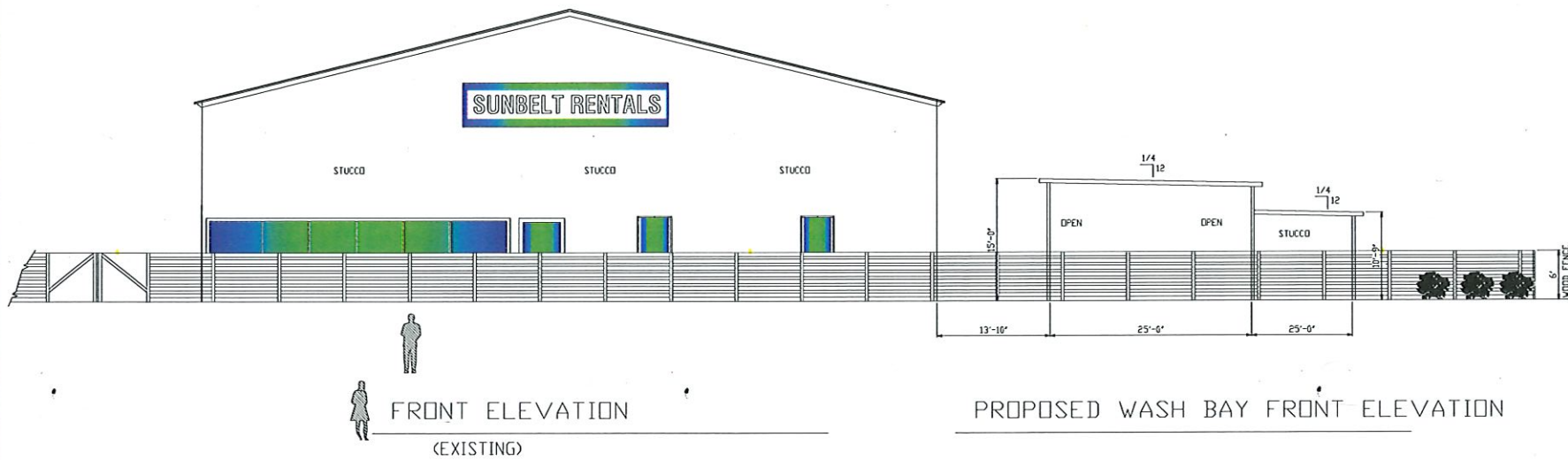
THIS DRAWING IS THE PROPERTY OF SUNBELT RENTALS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION FROM SUNBELT RENTALS. CONTRACTOR IS RESPONSIBLE FOR ANY CHANGES TO THIS DRAWING. ANY CHANGES MUST BE APPROVED BY SUNBELT RENTALS. SUNBELT RENTALS SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO OR LOSS OF ANYTHING CAUSED BY OR RESULTING FROM THE USE OF THIS DRAWING.



SUNBELT RENTALS
WASH BAY-SHERMAN
910 S SAM RAYBURN FWY
SHERMAN, TEXAS 75090

DATE: 10-14-19	CHECKED BY: -
DESIGNED BY: SUPER	SCALE: NOTED
JOB NO: XXX-XXX	FILE INFORMATION

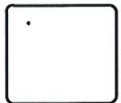
SHEET:	A-2
04 OF 07	



REVISIONS	
NO.	DESCRIPTION
1	
2	
3	

THE DRAWING IS PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

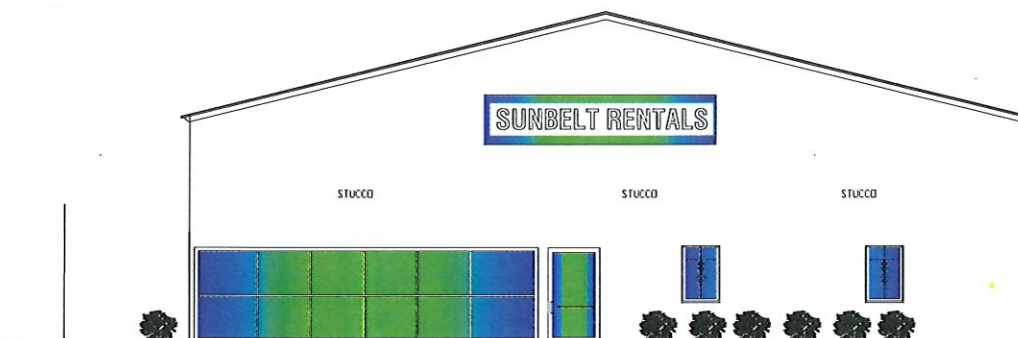
CONTRACTOR IS RESPONSIBLE FOR ANY CHANGES TO THE DRAWING. THE ARCHITECT WILL NOT BE RESPONSIBLE FOR ANY CHANGES TO THE DRAWING.



SUNBELT RENTALS
WASH BAY-SHERMAN
WOOD FENCE ELEVATION
910 S SAM RAYBURN FWY
SHERMAN, TEXAS 75090

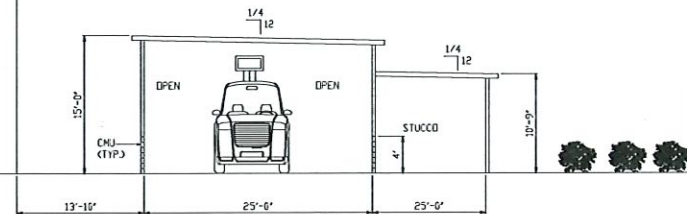
DATE: 10-14-19
CHECKED BY: -
DESIGNED BY: T.SOPR
SCALE: NOTED
JOB NO: XXX-XXX
FILE/FIELD LOCATION

SHEET:
A-2
04 OF 07



FRONT ELEVATION

FENCE REMOVED FOR CLARITY



PROPOSED WASH BAY FRONT ELEVATION

REVISIONS	DATE	DESCRIPTION
1		
2		
3		
4		

THE SHOWN IS PROPERTY OF
SUNBELT RENTALS AND IS NOT TO BE
REPRODUCED OR COPIED IN ANY
MANNER WITHOUT THE WRITTEN
PERMISSION FROM SUNBELT RENTALS.
CONTRACTOR IS RESPONSIBLE FOR ANY
DISCREPANCIES OR ERRORS IN THE
DRAWINGS AND SHALL BE CONTACTED
FOR CLARIFICATION.



SUNBELT RENTALS
281-288-2800
5008 FULBURN STREET
HOUSTON, TEXAS

SUNBELT RENTALS
WASH BAY-SHERMAN Fwy
910 S SAM RAYBURN Fwy
SHERMAN, TEXAS 75090

DATE: 10-14-19
CHECKED BY: -
DESIGNED BY: T.S.D.P.P.
SCALE: NOTED
JOB NO: XXX-XXX
FILE/FOLDER LOCATION

SHEET:
A-2
04 OF 07

CUSTOM COMMERCIAL CHAINLINK CANTILEVER / SLIDE GATE ORDER <>

Customer Name UPI BUILDERS - Frank Sharmah ☒ Customer pickup / ☐ To Be Delivered / ☐ Other _____
 Phone # 281-286-2000 Email Address _____

DATE ORDERED 10/03/2019 ESTIMATED LEAD TIME _____ BUS.DAYS DATE FINISHED ____/____/____

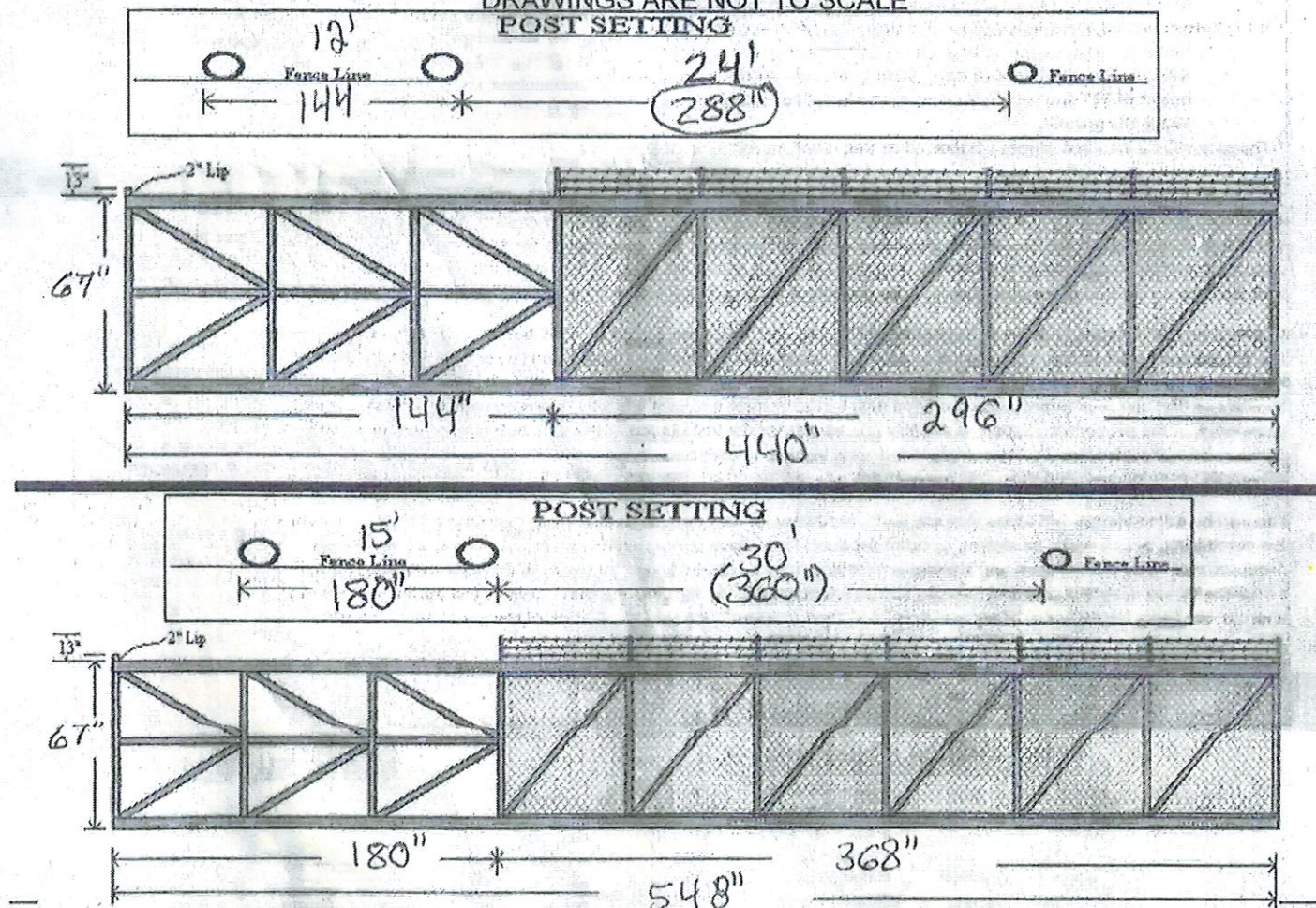
PART # 030 - CLG247 QUANTITY 1 SELLING\$ 1274⁰⁰
 PART # 030 - CLG307 QUANTITY 1 SELLING\$ 1562⁰⁰ SALES PERSON ERIC G.

☐ PARTS SOLD SEPARATE: _____ ; _____ ; _____ ; _____

Actual Gate Opening (Inside Post To Inside Post)	<u>288"</u> <u>360"</u>	Fabric height : 4' 5' <u>6'</u> 7' 8'
Cantilever Style ☒ Roller Post Spacing Outside to Outside	<u>144"</u> <u>180"</u>	☐ STRAIGHT UP / ☐ 3 STRAND <u>2PT</u> <u>24PT</u> ☐
Additional Length for Cantilever Gate (8")	<u>+8"</u> <u>+8"</u>	Chainlink Ga. <u>9GA</u> / ☐ Points up / ☒ Knuckles up
V-Track Style ☐ / Roller Box Size ☐ 4" ☐ 6"		Top / Bottom frame size & gauge <u>2 1/2" sch 40</u>
Add Length Main Section(5") _____" / Add for Tail(26") _____" / TOTAL(41") _____"		Vertical Member size & gauge <u>1 1/2" sch 20</u>
Total Gate Frame Length	<u>440"</u> <u>548"</u>	Diagonal Member size & gauge <u>1 1/2" sch 20</u>

SLIDE OPEN DIRECTION >>>Outside Looking In<<< Slide Open Left <u>(2)</u> Slide Open Right _____ Double Drive Gate _____	If any adjacent fencing or structure within 16" of the path of this sliding gate has vertical openings wider than 2.25" always cover the adjacent fencing of structure with safety screening up to a height of 6' Always purchase and use only rollers with safety covers for this gate Always install auxiliary support post to prevent gate from falling over more than 45 degrees ***GATE SLIDES ON INSIDE OF FENCELINE UNLESS OTHERWISE NOTED***	Quantity To Build As Per Drawing <u>X 2 total</u>
---	--	---

DRAWINGS ARE NOT TO SCALE



I hereby acknowledge that by executing my signature hereon I am ordering a custom built, non-stock gate from American Fence & Supply Co., Inc. and I agree that I will purchase and pay the agreed price listed hereon for the gate built to the size and specifications indicated hereon. I understand that there are no returns or refunds allowed on this custom built gate. I further acknowledge that I have read and understand the customer / purchaser acknowledgement, agreement, and acceptance of responsibility concerning gate safety and gate operator safety printed on the reverse side of this order form.

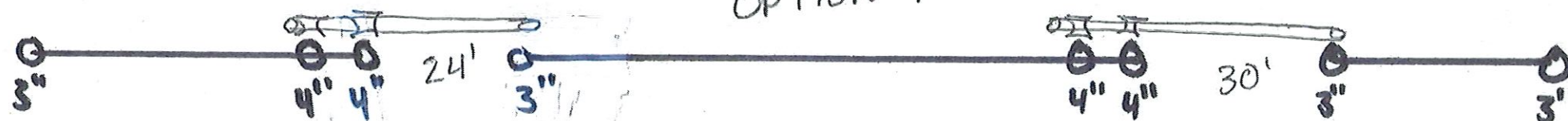
Customer / Purchaser Signature: _____ Print Name Frank farshad

Doc ID: ae87027a7813221a7bd5d716905b34b04ae61e1d

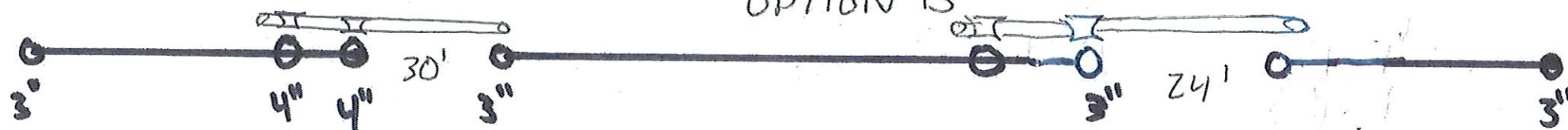
Qty: 4 -	4" $\times$ 10 1/2' sch 40	Roller Posts
Qty: 4 -	3" $\times$ 10 1/2' sch 20	Catch Posts + End Posts
Qty: 48 -	2" $\times$ 8' sch 20	Line Posts (every 10')
Qty: 25 -	5/8" $\times$ 21' sch 20	TOP RAIL

Not To Scale
LAYOUTS ARE APPROX.

LAYOUT
OPTION A



LAYOUT
OPTION B



STAFF REVIEW LETTER

March 9, 2020

6M Holdings, LTD
6440 Danbury Ln.
Dallas, TX 75214

UPI Builders
5008 Fuqua St.
Houston, TX 77048

Sunbelt Rentals
Dustin Tippetts
2341 Deerfield Dr.
Fort Mill, SC 29715-8298

Underwood Drafting and Surveying
3404 Interurban Rd.
Denison, TX 75020

Dear Applicants,

The request for a Specific Use Permit amendment and site plan approval to allow heavy equipment sales and rentals and wash bay with stucco and metal finishes as shown in the exhibit in a C-2 (General Commercial) District/O-1.2 (Sam Rayburn Overlay) District for the property located at 910 South Sam Rayburn Freeway has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the O-1.2 (Sam Rayburn Overlay) District, the fence ordinance, the sign ordinance and the Commercial Tree and Landscaping Ordinance shall apply to all new and existing structures and improvements.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All parking shall be on private property and shall not encroach into the right-of-way.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, equipment, wrecks, tires or parts is allowed.
5. The lifts on the front-end loaders shall be stored in the down position.
6. Parking of heavy equipment shall be on an improved surface; concrete.
7. Parking is permitted on paved surfaces only (concrete); a parking space is considered to be 9'x20'.
8. Service bays shall be screened from all thoroughfares.
9. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.
10. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
11. Chain link fences are not an approved material approved for screening in the O-1.2 (Sam Rayburn) Overlay District.
12. Shall comply with all EPA, City, Federal and State regulations for this use.
13. Violation of the conditions of the SUP will terminate the Specific Use Permit.
14. All requirements of the Floodplain Ordinance shall be followed.
15. Review the zoning and development ordinance for additional requirements.
16. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

17. All discharges from wash bays must be contained on-site per City and State regulations.
18. All requirements of the Floodplain Ordinance shall be followed.
19. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator

December 17, 2019

RECEIVED

DEC 17 2019

Mr. Scott Shadden
Director of Development Services
City of Sherman
220 W. Mulberry
Sherman TX. 75092

RE: SSCGC Holdings, LLC opposition to exception allowing a chain link fence in the Sam Rayburn Overlay District

Dear Scott,

I am writing on behalf of SSCGC Holdings, LLC, the owner of Stone Creek Golf Club and the adjacent property to oppose the requested variance of a chain link fence in the Sam Rayburn Overlay District. SSCGC has a sizable investment along highway 75. This variance will undermine the efforts to upgrade and bring high-quality development to the "Gateway of Sherman".

This property is in plain sight of the highway. SSCGC Holdings, the City of Sherman, TxDOT and other parties have made, and will continue to make, significant investments in this corridor. SSCGC Holdings believe that all future development should comply with the current standards in the overlay district which does not allow chain link fencing. Furthermore, the equipment should be stored in the "down" position.

Thank you for your consideration of position.

Sincerely,



Bill Magers
Member
SSCGC Holdings, LLC

Mc: Chairman Mahone and Planning and Zoning Commissioners



Planning & Zoning Commission and Board of Adjustments

11.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

5900 NORTH U.S. HIGHWAY 75

The request of Stanley Blythe (Owner) and Bryan Weisgerber, Cross Engineering Consultants, Inc. (Representative/Civil Engineer), Dairy Queen (Tenant) and Underwood Drafting & Surveying, Inc. (Surveyor) concerning the property located at 5900 North U.S. Highway 75, being 1.18 acres in the W.S. Thurman Survey, Abstract No. 1265, as follows;

Board of Adjustments

Exception and Variance under Ordinance No. 2280, Section 6.8, Subsection (5) (a) and Section 7, Subsection (14)(i) to allow a 379 square foot, 75' tall freestanding sign, 13' from the property line along U.S. Highway 75 in lieu of the required 100' setback and the allowed 300 square foot, 50' tall freestanding sign in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District/O-1.3 (F.M. Highway 691) Overlay District.

Background:

The property is located at 5900 North U.S. Highway 75; the southwest corner of U.S. Highway 75 and FM Highway 691, the vacant lot south of the existing QuikTrip. The property is zoned an SF-1 (Single Family Residential) District and also located in the O-1 (75 & 82) Overlay District and O-1.3 (FM Highway 691) Overlay District.

The owners requested a zone change to a C-1 (Retail Business) District to construct a Dairy Queen Restaurant on this property at the February 18, 2020 Planning and Zoning Commission Meeting. They are requesting a sign variance for a 379 square foot pylon sign, 75' tall, 13' from the Highway 75 property line.

Adjacent Zoning:

SF-1 (Single Family Residential) District

R-1 (One Family Residential) District

C-1 (Retail Business) District

Origination:

Stanley Blythe (Owner)

Bryan Weisgerber, Cross Engineering Consultants, Inc. (Representative/Civil Engineer)

Underwood Drafting & Surveying, Inc. (Surveyor)

Master Plan Designation:

Suburban Commercial - Suburban character primarily from reduced site coverage relative to more auto-oriented commercial development. Especially at key community entries and along high-profile corridors, may also involve other criteria to yield less intensive and more attractive development outcomes relative to auto-oriented areas, including higher standards for landscaping (along street frontages and within parking areas), signs, and building design. Range of commercial retail and service uses, at varying scales and intensities depending on the site.

Number of notices mailed:

3

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey

Site Plan

Sign Elevations

Staff Review Letter



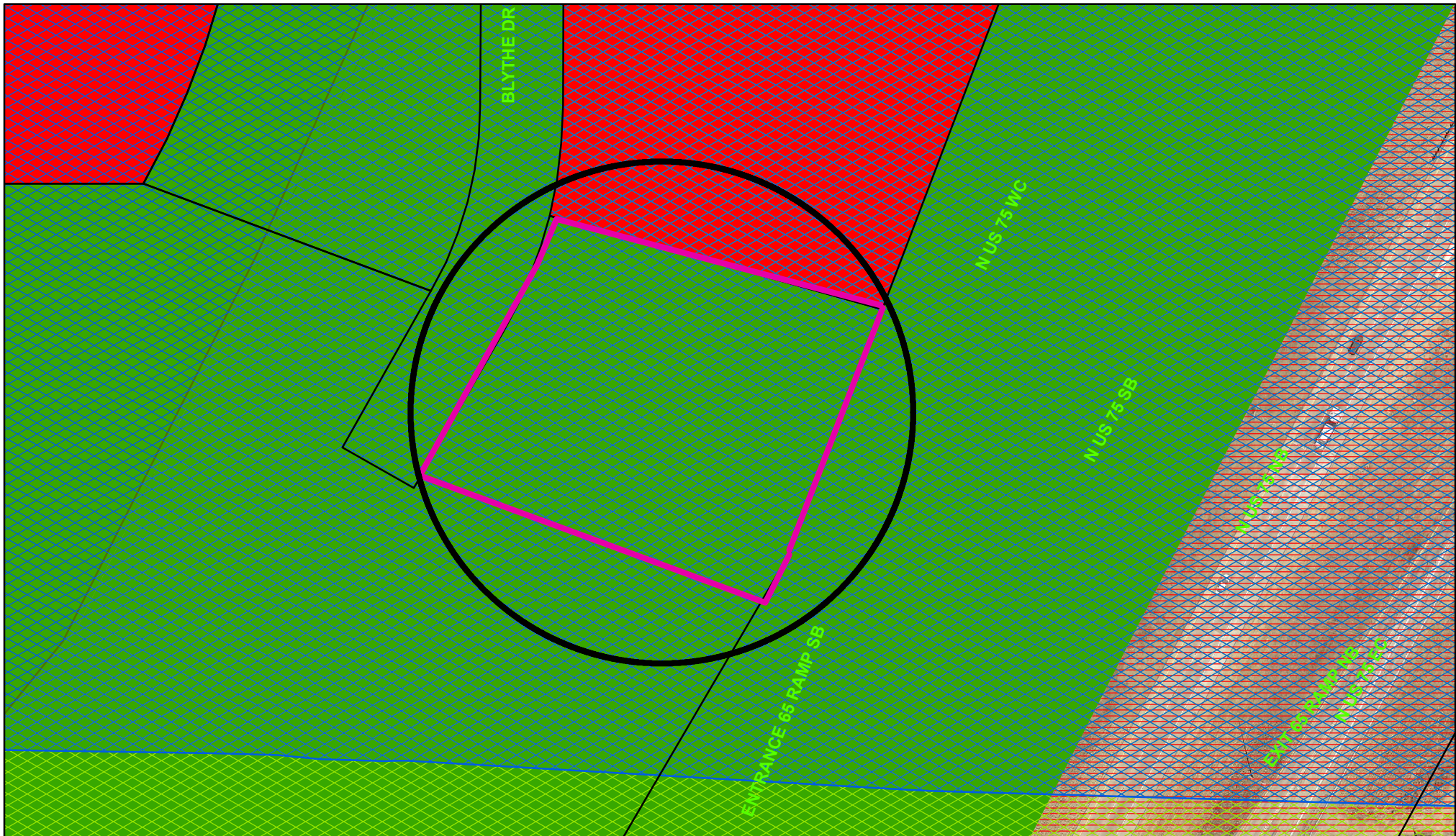
5900 North U.S. Highway 75

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 472 ft



Zoning - 5900 North U.S. Highway 75

Legend

Special Districts Overlay

DISTRICT_NAME	
Arts and Cultural District	
Balock Commercial Overlay District	
Central Business District	
College Park District	
Downtown Overlay District	
Historic Preservation District	
Transportation Corridor	

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

	FM 1417
	Sam Rayburn Freeway
	US Hwy 82 and 75
	SH 289
	FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

	Unknown
	BIP Blalock Industrial Park
	C-1 Retail Business District
	C-2 General Commercial District

	CO Office District
	Lakes
	M-1 Light Manufacturing District
	M-1.5 Medium Manufacturing District
	M-2 Heavy Manufacturing District
	MH Manufacturing Housing District
	R-1 One Family Residential District
	R-2 Multi-Family Residential District
	R-A Single Family Agricultural District
	SF-1 Single Family Residential District
	PD Planned Development



City of Sherman, Texas
Developmental Services Department

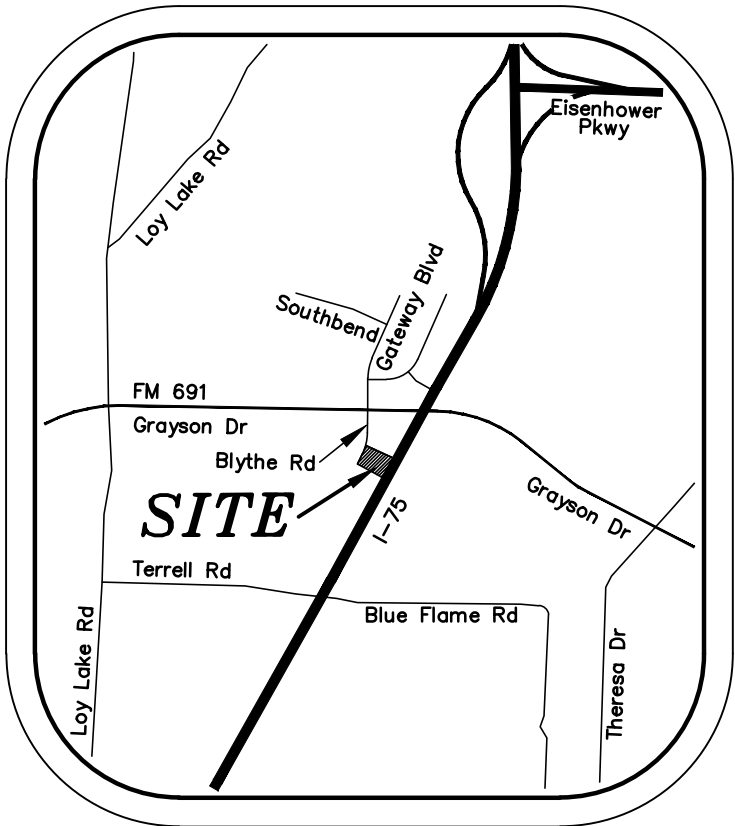
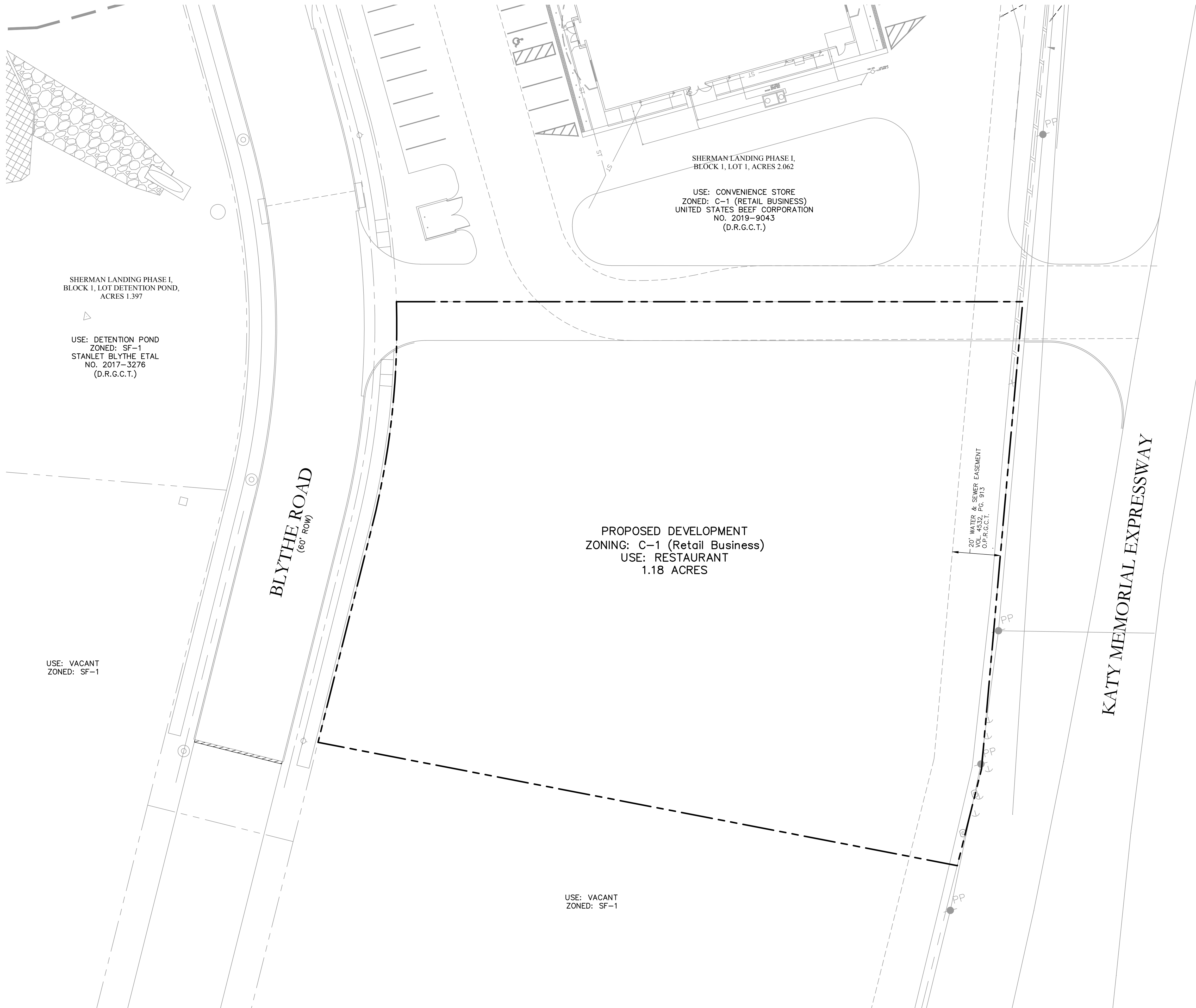


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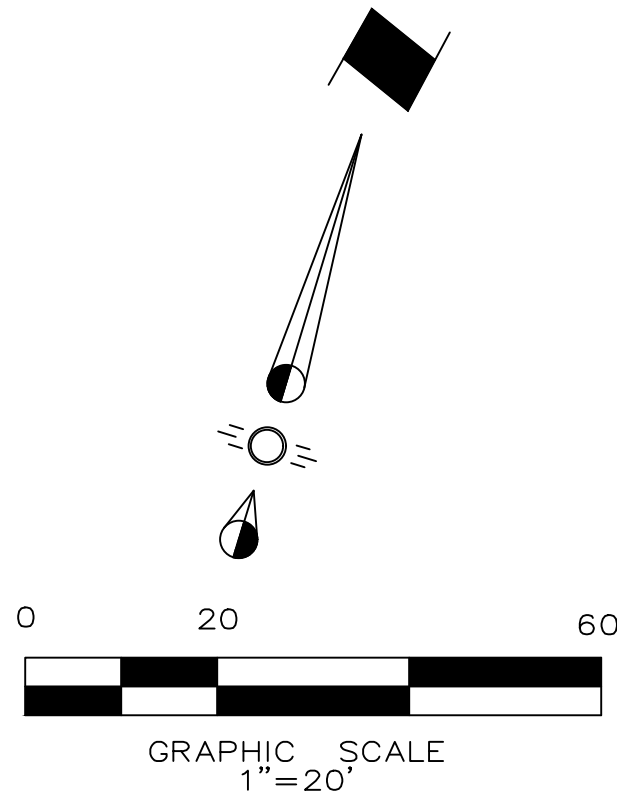
1 in = 100 ft

5900 North U.S. Highway 75





VICINITY MAP
NTS



ENGINEER:

Cross Engineering Consultants, Inc.
1720 W. Virginia Street
McKinney, Texas 75069
Phone (972) 562-4409
Contact: Jon David Cross, P.E.

ARCHITECT:

Lay Design/Build
PO Box 5300
Tyler, Texas 75712
Phone (903) 877-4128
Contact: Scott Lay

SURVEYOR:

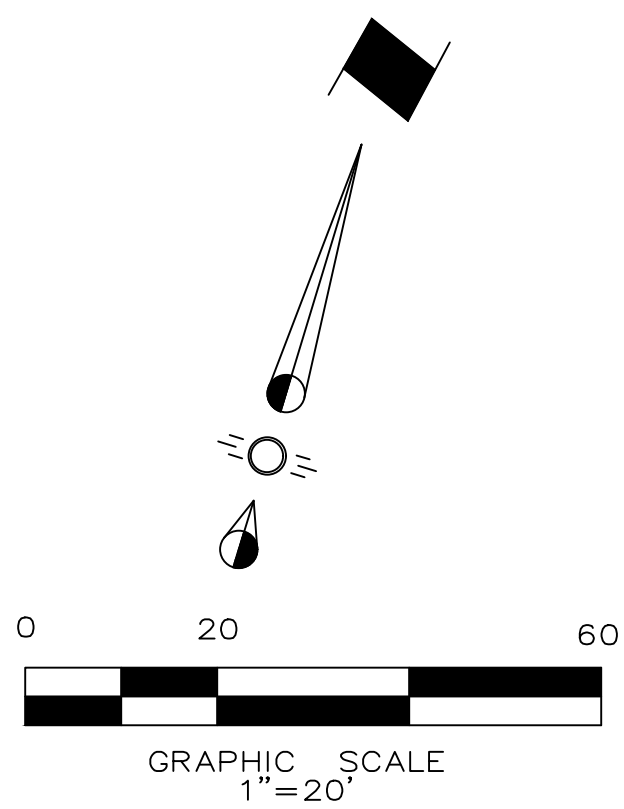
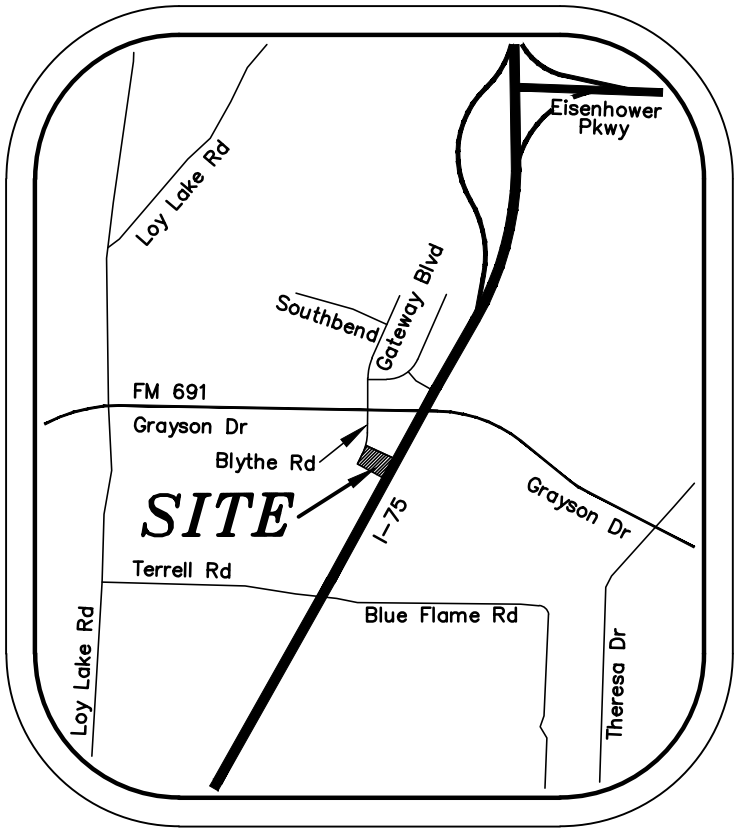
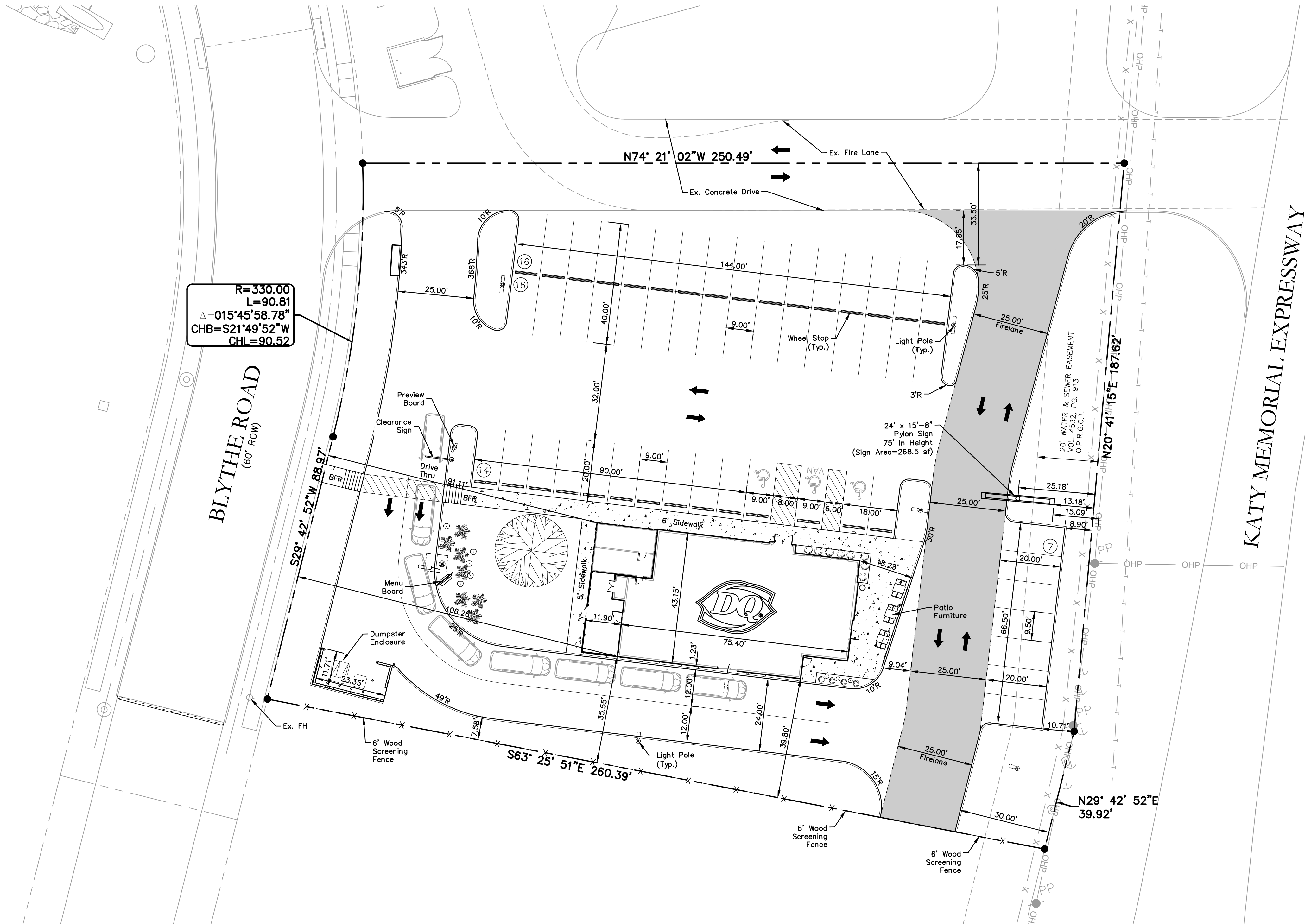
Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Denison, Tx 75021
Phone (903) 465-2151
Contact: Doug Underwood

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY.

Issue Dates:	Revisions:	Date:	CROSS ENGINEERING CONSULTANTS		
1 01/23/2020	1		1720 W. Virginia Street 972.562.4409 McKinney, Texas 75069 Texas P.E. Firm No. F-5935 Drawn By: C.E.C.I. Checked By: C.E.C.I. Scale: 1"=20'		
2	2				
3	3				
4	4				
5	5				
6	6				

The seal that originally appeared on this document was authorized by Bryan J. Weisgerber, Texas No. 126777 on 01/23/2020. Alteration of a sealed document without proper notification of the responsible Engineer is an offense under the Texas Engineering Practice Act.

ZONING EXHIBIT		Sheet No.
DAIRY QUEEN		ZE
SHERMAN LANDING		
City of Sherman, Texas		Project No. 19135



VICINITY MAP
NTS

- LEGEND
- Firelane
 - Proposed Sidewalk
 - Proposed Wheel Stop Typical
 - Existing Fire Hydrant
 - BFR Barrier Free Ramp

SYNOPSIS

Address: 6200 North HWY 75
Sherman, Texas 75090
Zoning: C-1 (Retail Business) District
Proposed Use: Restaurant
Lot Area: 1.18 Acres 51,415 sf)
Building Area: 3,321 sf
Lot Coverage: 64.59%
Floor Area Ratio: 0.65 : 1
Building Height: 24'
Impervious Area: 0.96ac or 81.2%
Required Parking: Eating Place (Inside Service) 1:4 Seat (99/4) = 25 Spcs.

Parking Required Total:	25 Parking Spaces
Parking Provided Total:	53 Parking Spaces (3 HC)

Variance:
Monument Sign to be the same height as the existing QT sign and have the ability to add a electronic message center on the pole sign at a height determined at a later date

ENGINEER:
Cross Engineering Consultants, Inc.
1720 W. Virginia Street
McKinney, Texas 75069
Phone (972) 562-4409
Contact: Jon David Cross, P.E.

ARCHITECT:
Lay Design/Build
PO Box 5300
Tyler, Texas 75712
Phone (903) 877-4128
Contact: Scott Lay

SURVEYOR:
3404 Interurban Road
Denison, Tx 75021
Phone (903) 465-2151
Contact: Doug Underwood

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY.

Issue Dates:	Revisions:	Date:
1 01/23/2020	1	
2 02/19/2020	2	
3	3	
4	4	
5	5	
6	6	

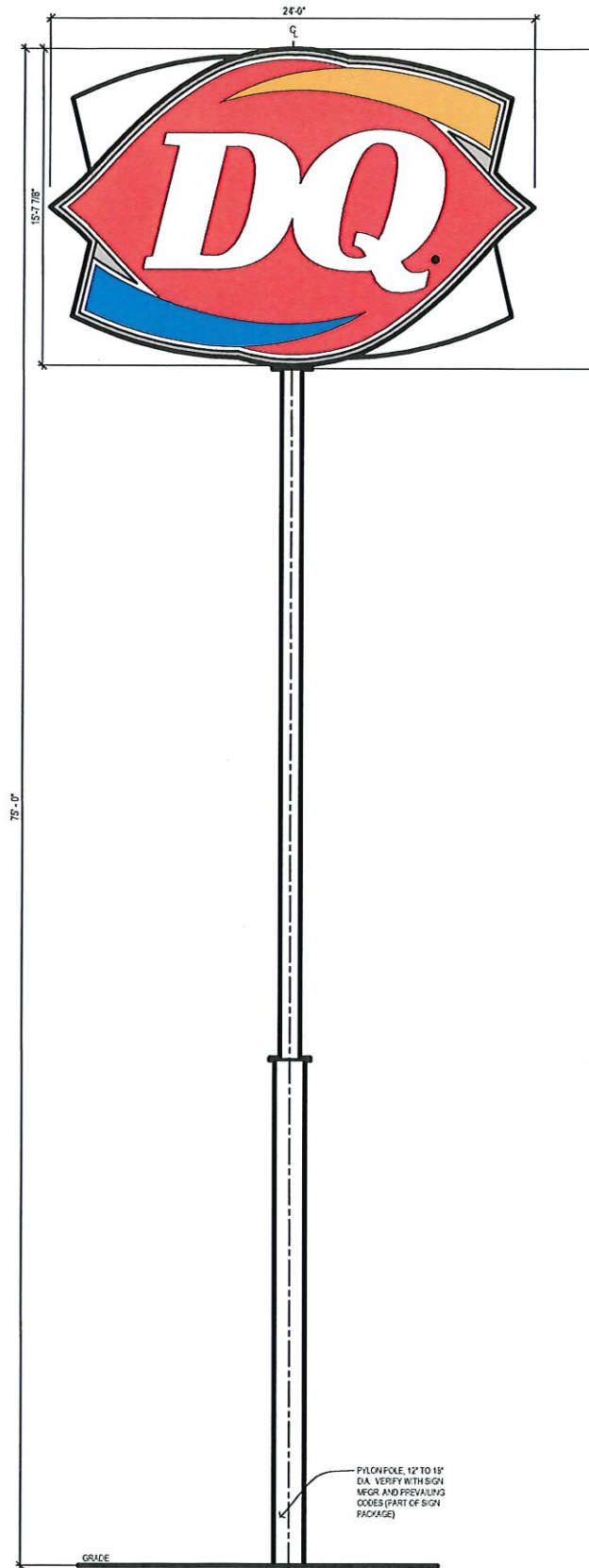
CROSS ENGINEERING CONSULTANTS		
1720 W. Virginia Street McKinney, Texas 75069 972.562.4409 Texas P.E. Firm No. F-5935		
Drawn By:	Checked By:	Scale:
C.E.C.I.	C.E.C.I.	1"=20'

The seal that originally appeared on this document was authorized by Bryan J. Weisgerber, Texas No. 126777 on 02/19/2020. Alteration of a sealed document without proper notification of the responsible Engineer is an offense under the Texas Engineering Practice Act.

SITE PLAN
DAIRY QUEEN
SHERMAN LANDING
City of Sherman, Texas

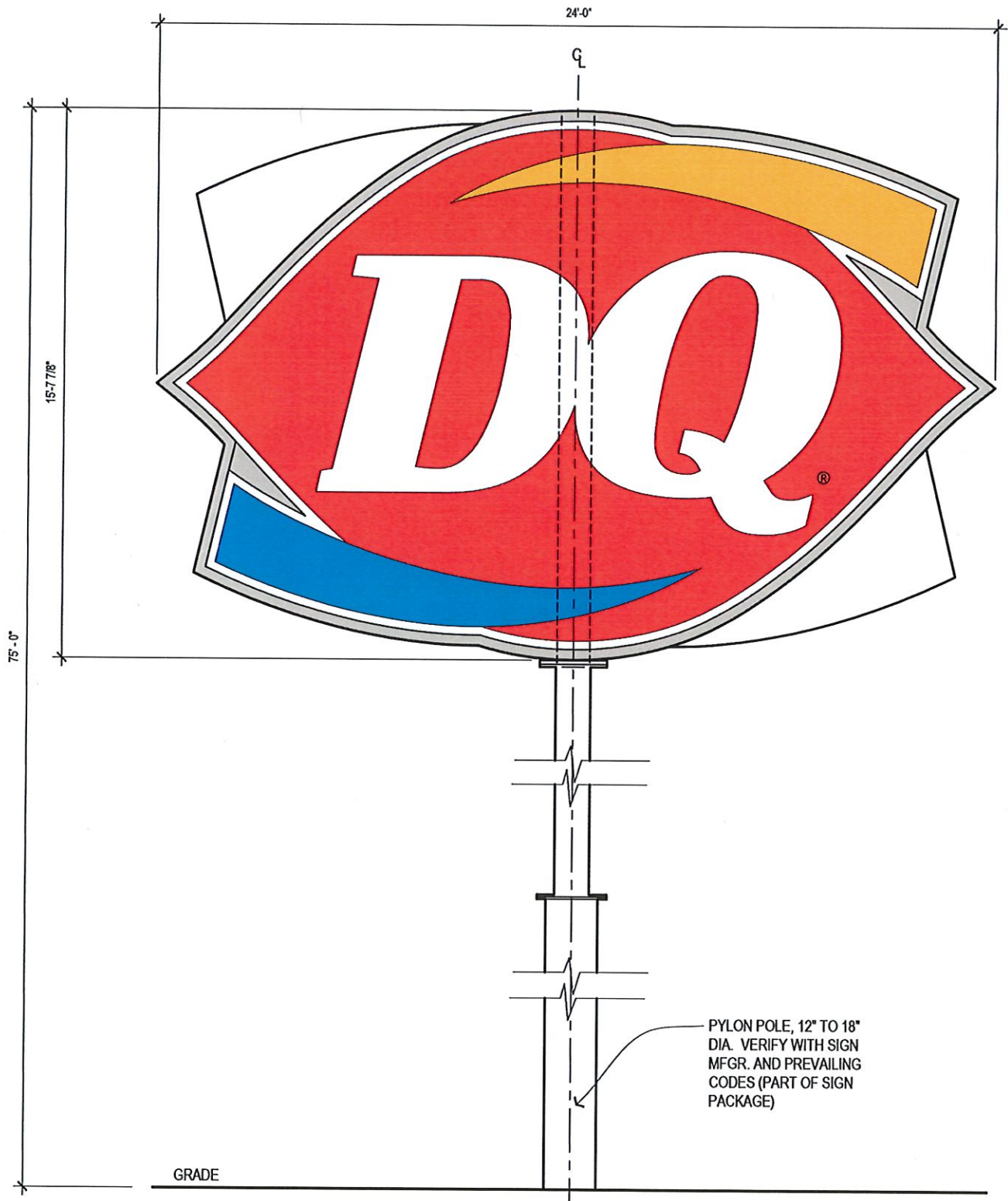
Sheet No.
SP
Project No.
19135

DAIRY QUEEN



1 PYLON SIGNAGE (75')

SCALE: NTS



1
A3.3

PYLON SIGNAGE (75')

SCALE: 3/8" = 1'-0"

STAFF REVIEW LETTER

March 9, 2020

Stanley Blythe
1105 Emerald Ct.
Colleyville, TX 76034

Underwood Drafting & Surveying, Inc.
3404 Interurban Rd.
Denison, TX 75021

Cross Engineering Consultants
Bryan Weisgerber
1720 W. Virginia
McKinney, TX 75069

Dear Applicants,

The request for an exception and variance to allow a 379 square foot, 75' tall freestanding sign, 13' from the property line along U.S. Highway 75 in lieu of the required 100' setback and the allowed 300 square foot, 50' tall freestanding sign in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District/O-1.3 (F.M. Highway 691) Overlay District for the property located at 5900 North U.S. Highway 75 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1 (75 & 82) Overlay District, the O-1.3 (FM Highway 691) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance shall apply to all new and existing structures and improvements.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Any structures or signs built over any of the easements on the property will require approval for an encroachment easement from the City Council.
4. All parking shall be on private property and shall not encroach into the right-of-way;
5. Shall comply with all EPA, City, Federal and State regulations for this use.
6. Review the zoning and development ordinance for additional requirements.
7. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with a long horizontal line extending from the end.

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator



**Planning & Zoning Commission and Board of
Adjustments**

12.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

* **1493 FM 697**

The request of George Hancock (Owner), Plain and Simple Investments, LLC (Developer) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 1493 FM 697, being 11 acres in the Winifred Bailey Survey, Abstract No. 66, as follows:

Planning and Zoning Commission

Final Plat approval of Hancock Ranch in the City of Sherman's Extra Territorial Jurisdiction (ETJ)

Background:

The property is located at 1493 FM 697 in southeast Sherman off Ida Road (FM 697) in the City of Sherman's Extra Territorial Jurisdiction (ETJ) . The owner would like to plat the property into two lots.

Adjacent Zoning:

Outside City

Origination:

George Hancock (Owner)

Plain and Simple Investments, LLC (Developer)

Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Not included in Master Plan

Number of notices mailed:

Not required.

Objections Received:

0

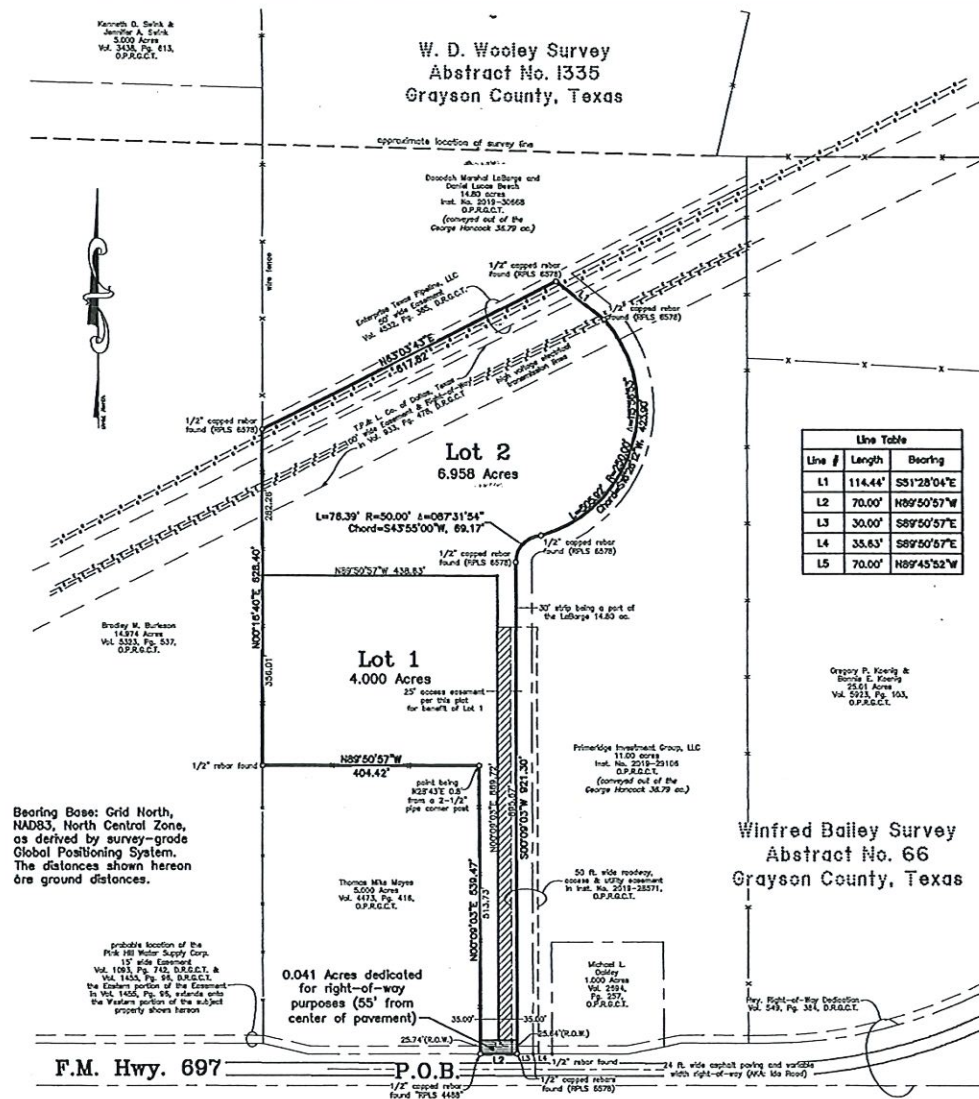
Attachments

Location Map
Hancock Ranch Estates
Staff Review Letter



1493 FM 697 (ETJ)


$$1 \text{ in} = 2,000 \text{ ft}$$

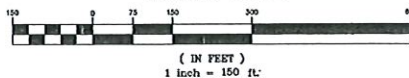


Hancock Ranch Estates to Grayson County, Texas 11.000 Acres

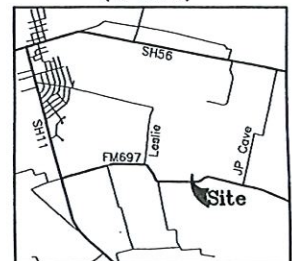
in the
**Winifred Bailey Survey
Abstract No. 66**

Job No. CGS430220

GRAPHIC SCALE



Location Map
(not to scale)



General Notes:

1. Water Supply to be provided by Pink Hill Water Supply.
2. Sewer service to be provided by on-site sewage facility study approved by Grayson County.
3. Electrical service is provided by Onco Electric Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plot hereon lies within a Zone "X" (area determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0425 F, Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Email: helveywagnersurveying@gmail.com
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

Owner:
George Hancock
1018 Creekwood Drive
Garland, Texas 75044



STAFF REVIEW LETTER

March 06, 2020

George Hancock
1018 Creekwood Drive
Garland, TX 75044

Helvey-Wagner Surveying, Inc.
222 W. Main Street
Denison, TX 75020

Dear Applicants,

The request for approval of the Final Plat for Hancock Ranch Estates has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Dedicate 15' Utility Easement along new Right-of-Way location off of F.M. 697.
6. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
7. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

A handwritten signature in black ink, appearing to read "Wayne E. Lee". The signature is fluid and cursive, with the first name "Wayne" being more prominent.

Wayne E. Lee, P.E., CFM,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager



**Planning & Zoning Commission and Board of
Adjustments**

13.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 300-400 BLOCKS OF EAST SHERMAN STREET**

The request of Kirk and Karl Allen (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property in the 300-400 blocks East Sherman Street, being 10.25 acres in the Preston Kitchen Survey, Abstract No. 667 Samuel Blagg Survey, Abstract No. 56, as follows:

Planning and Zoning Commission

Preliminary and Final Plat approval of Post Oak Place in the City of Sherman's Extra Territorial Jurisdiction.

Background:

The property is located in the 300-400 blocks of East Sherman Street in south Sherman, off South Montgomery Street in the City of Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like to plat the property into fifty-one lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Kirk and Karl Allen (Owners)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Not included in Master Plan

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Post Oak Place

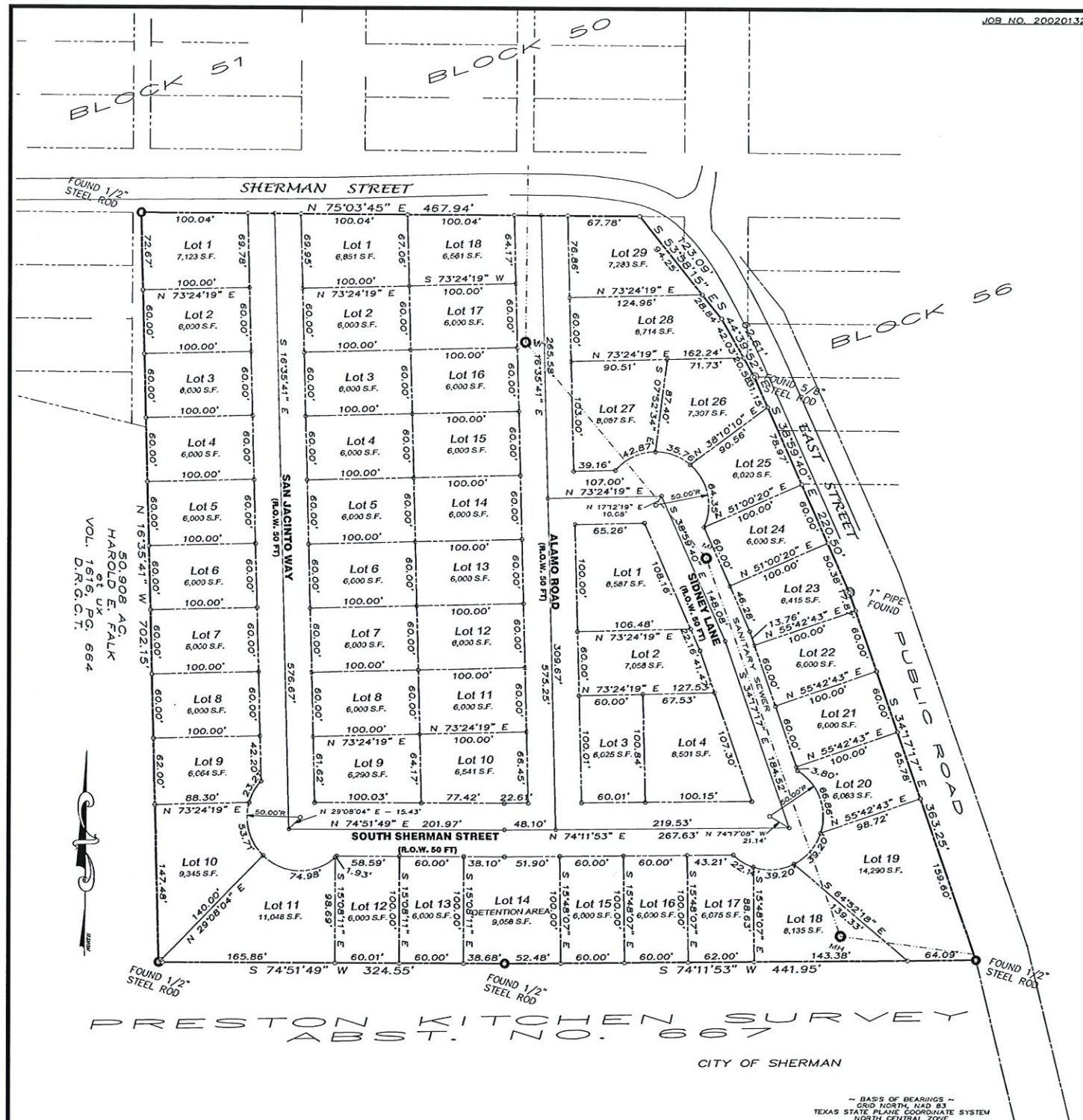
Staff Review Letter



NOT TO SCALE

NOT TO SCALE

$$1 \text{ in} = 800 \text{ ft}$$



FINAL PLAT
POST OAK PLACE
AN ADDITION TO THE CITY OF SHERMAN, TEXAS
SITUATED IN THE PRESTON KITCHEN SURVEY,
ABSTRACT NO. 667
GRAYSON COUNTY, TEXAS
CONTAINING 10.25 ACRES OF LAND

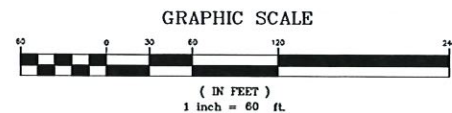
PREPARED 02-20-20

OWNERS/DEVELOPER
KIRK ALLEN/KARL ALLEN
418 E. SHERMAN
SHERMAN, TEXAS 75090

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS



3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151



SHEET 1 OF 2

JOB NO. 20020132

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchen Survey, Abstract No. 667, and being all of the same tract of land described as 5.00 acres conveyed by Centex Home Equity Company to Karl Allen by deed dated April 10, 2003, recorded in Volume 3435, Page 641, Official Public Records, Grayson County, Texas, and also being the same tract of land described as 4.714 acres, Save & Except 0.252 acres, conveyed by Dale R. Gouge to Kirk D. Allen by deed dated June 26, 2003, recorded in Volume 35501, Page 795, said Official Public Records, and also being all of the same tracts of land referred to as Tract One, described as 0.546 acres, and Tract Two, being the above mentioned 0.252 acre tract, as conveyed by Donald W. Sloan et ux to said Kirk D. Allen et ux by deed dated March 31, 2004, recorded in Volume 5442, Page 370, said Official Public Records, and including a portion of Blocks 54, 55, and 56 and platted streets and alleys through said Blocks of South Side Addition to the City of Sherman as shown by plat of record in Volume 94, Page 135, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" steel rod found maintaining the Northwest corner of the said 5.00 acre tract in the South line of Sherman Street, also being the most Northerly Northeast corner of the same tract of land described as 50.908 acres conveyed by Karl S. Morris to Harold E. Falk et ux by deed dated August 26, 1982, recorded in Volume 1616, Page 684, said Deed Records;

Thence North 75°03'45" East with said South line of Sherman Street a distance of 352.00 feet to a 1/2" steel rod found maintaining the Northeast corner of the said 5.00 acre tract in the West line of an alley;

Thence South 14°56'15" East with said West line of alley a distance of 200.00 feet to a 1/2" steel rod found maintaining an angle point in the East line of the said 5.00 acre tract and the most Westerly Northwest corner of the said 4.714 acre tract;

Thence North 75°03'45" East a distance of 16.00 feet to a 1/2" steel rod set marking an inside "L" corner to the said 4.714 acre tract in the East line of said alley, said rod also marking the Southwest corner of said Tract Two (2.52 acre tract);

Thence North 14°56'15" West with said East line of alley, passing the Northwest corner of said 4.714 acre tract and Tract Two; and the Southwest corner of the said 0.546 acre tract and continuing for a total distance of 200.00 feet to a 1/2" steel rod set marking the Northeast corner of the said 0.546 acre tract in the Westerly line of a public road locally known as East Street;

Thence South 53°58'15" East with said West line of East Street and East line of the said 0.546 acre tract a distance of 123.10 feet to a 1/2" steel rod found at an angle point;

Thence South 44°39'52" East continuing with said West line of East Street a distance of 62.62 feet to a 5/8" steel rod found maintaining the Southeast corner of the said 0.546 acre tract and the Northeast corner of both said 4.714 acre tract and Tract Two;

Thence South 38°59'40" East continuing with said West line of East Street, passing the Southwest corner of said Tract Two and continuing for a total distance of 220.53 feet to a 1" pipe found at an angle point;

Thence South 34°17'17" East continuing with said West line of East Street a distance of 363.29 feet to a 1/2" steel rod found maintaining the Southeast corner of the said 4.714 acre tract;

Thence South 74°11'53" West with the general course of a fence along the South line of the said 4.714 acre tract a distance of 442.00 feet to a 1/2" steel rod found maintaining the most Easterly Northeast corner of the said Falk tract;

Thence South 74°51'49" West continuing with said general course of fence, passing the Southwest corner of the said 4.714 acre tract and the Southeast corner of the said 5.00 acre tract and continuing for a total distance of 324.59 feet to a 1/2" steel rod set marking the Southwest corner of the said 5.00 acre tract and an inside "L" corner to the said Falk tract;

Thence North 16°35'41" West with the general course of a fence along the West line of the said 5.00 acre tract and East line of the said Falk tract a distance of 702.23 feet to the Point-of-Beginning and containing 10.25 acres of land more or less.....

GENERAL NOTES

- Water Supply to be provided by the City of Sherman.
- Sewer Service to be provided by the City of Sherman.
- Electrical service is provided by Onco Electrical Delivery.
- Blocking the flow of water or construction of improvements in drainage easements, and filling or obstructing the flow of the same, is prohibited.
- Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
- The City of Sherman shall not be responsible for the design, construction, installation, maintenance, operation and operation of said drainage ways or drainage easements for the control of erosion.
- Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
- The owners and builders must comply with all other local, state and federal regulations regarding development of this type.
- Bearings are based on the City of Sherman Control Monument Network.
- The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.
- Part of the subject property lies within a Federal Emergency Management Agency (FEMA) designated flood plain as shown by FEMA Map No. 48181C0405P, Dated September 29, 2010.

OWNERS/DEVELOPER
KIRK ALLEN/KARL ALLEN
418 E. SHERMAN
SHERMAN, TEXAS 75090

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS



3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

SHEET 2 OF 2

JOB NO. 20020132

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT We, Kirk Allen and Karl Allen do hereby adopt this plat designating the hereinabove property as the POST OAK PLACE, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this _____ day of _____, 2020

Kirk Allen

Karl Allen, by Kirk Allen (by Power of Attorney)

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Kirk Allen known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2020.

Notary Public in and for
the State of Texas
Commission Expires: _____

ACCEPTANCE

Approved this _____ day of _____, 2020, by the
City Planning Commission to the City of Sherman, Texas.

Chairman Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas Date

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, POST OAK PLACE, an addition to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2020, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this _____ day of _____, 2020.

Clerk, City of Sherman, Texas

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

Date



STAFF REVIEW LETTER

March 06, 2020

Kirk Allen / Karl Allen
418 E. Sherman
Sherman, TX 75090

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Post Oak Place has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Show Point of Beginning on drawing.
6. Metes and bounds do not match drawing.
7. Dedicate 20' Sanitary Sewer Easement around existing sanitary sewer line. Remove line from plat.
8. Dedicate 10' Waterline Easement around existing water line. Remove line from plat.
9. Platted Rights of Way and alleys must be abandoned by Ordinance or prior abandonment information must be shown.
10. Annexation into City of Sherman limits and Pro-Rata required in order to receive City water and sewer services.
11. Water and sewer must be extended to serve the development. Relocations may be required upon review of civil plans.
12. Development Agreement required for Public Infrastructures.
13. Public utilities may require public infrastructure upgrades to ensure capacity for subject property.
14. South Sherman Street will need to be renamed. New street name will need to be approved by Developmental Services Department prior to filing plat.
15. Minimum lot width requirement is 60.'
16. Addition name to be shown as acreage and a Replat of South Side Addition.
17. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
18. Detention area shall be shown on plat as owned and maintained by HOA.

19. A utility, drainage, storm water, and grading plan shall be provided and approved by City Engineering Department upon annexation of property. A site development meeting is recommended.
20. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
21. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,



Wayne E. Lee, P.E., CFM,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager



**Planning & Zoning Commission and Board of
Adjustments**

14.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 2701 DRIPPING SPRINGS ROAD**

The request of Tobar Properties LLC (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 2701 Dripping Springs Road, being 0.817 acres in the J. Hendrix Survey, Abstract No. 503, also being all of Lot 6, Block 31, Hilltop Estates, as follows:

Planning and Zoning Commission

Replat approval of Lot 6, Block 31, Hilltop Estates.

Background:

The property is located at 2701 Dripping Springs Road the northeast corner of Dripping Springs Road and Cox Street. The property is zoned an R-1 (One Family Residential) District. The owner would like to replat the property into two lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Tobar Properties LLC (Owners)

Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

Number of notices mailed:

24

Objections Received:

0

Attachments

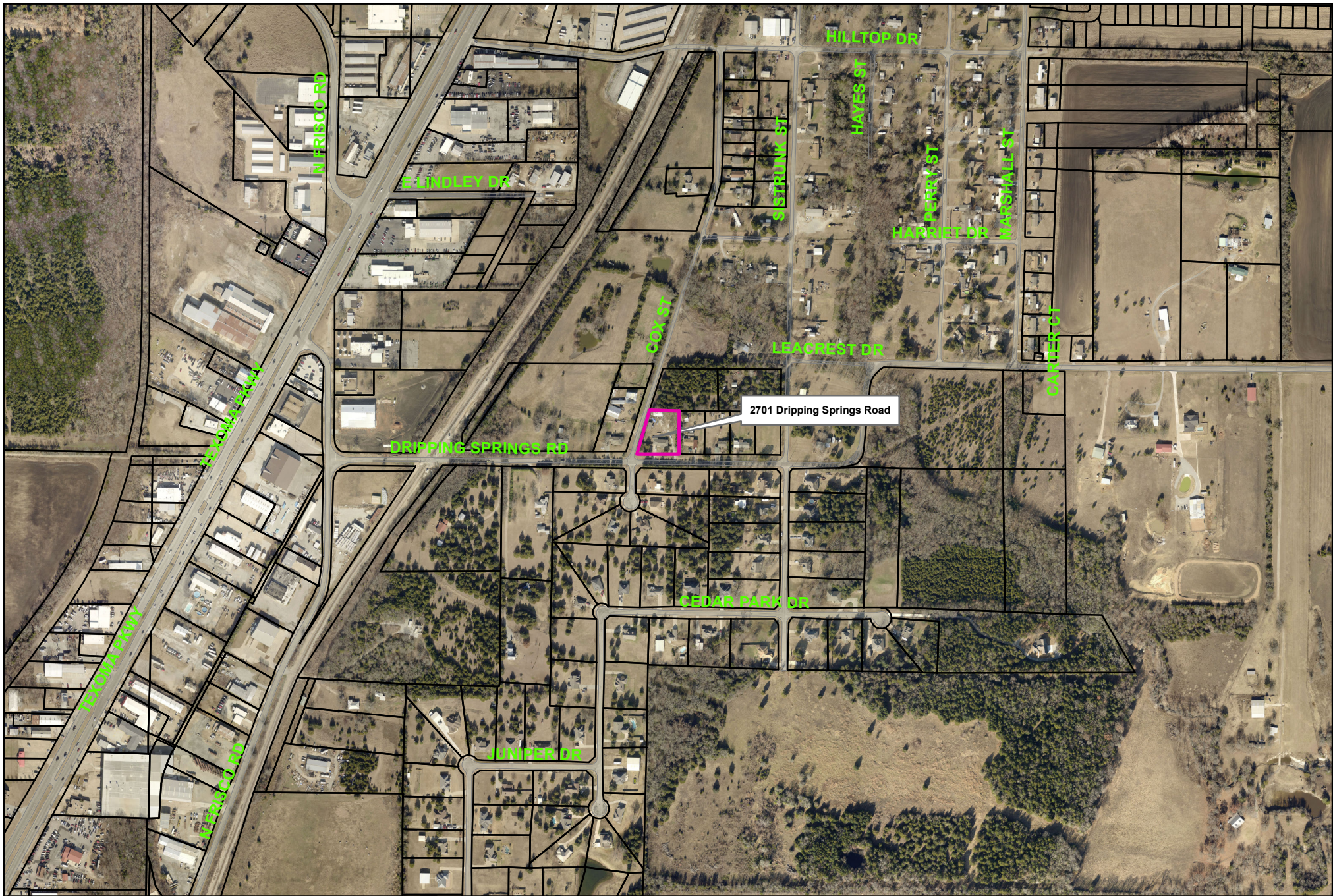
Location Map

Zoning Map

Zoning Sign Photo

Hilltop Estates Replat

Staff Review Letter



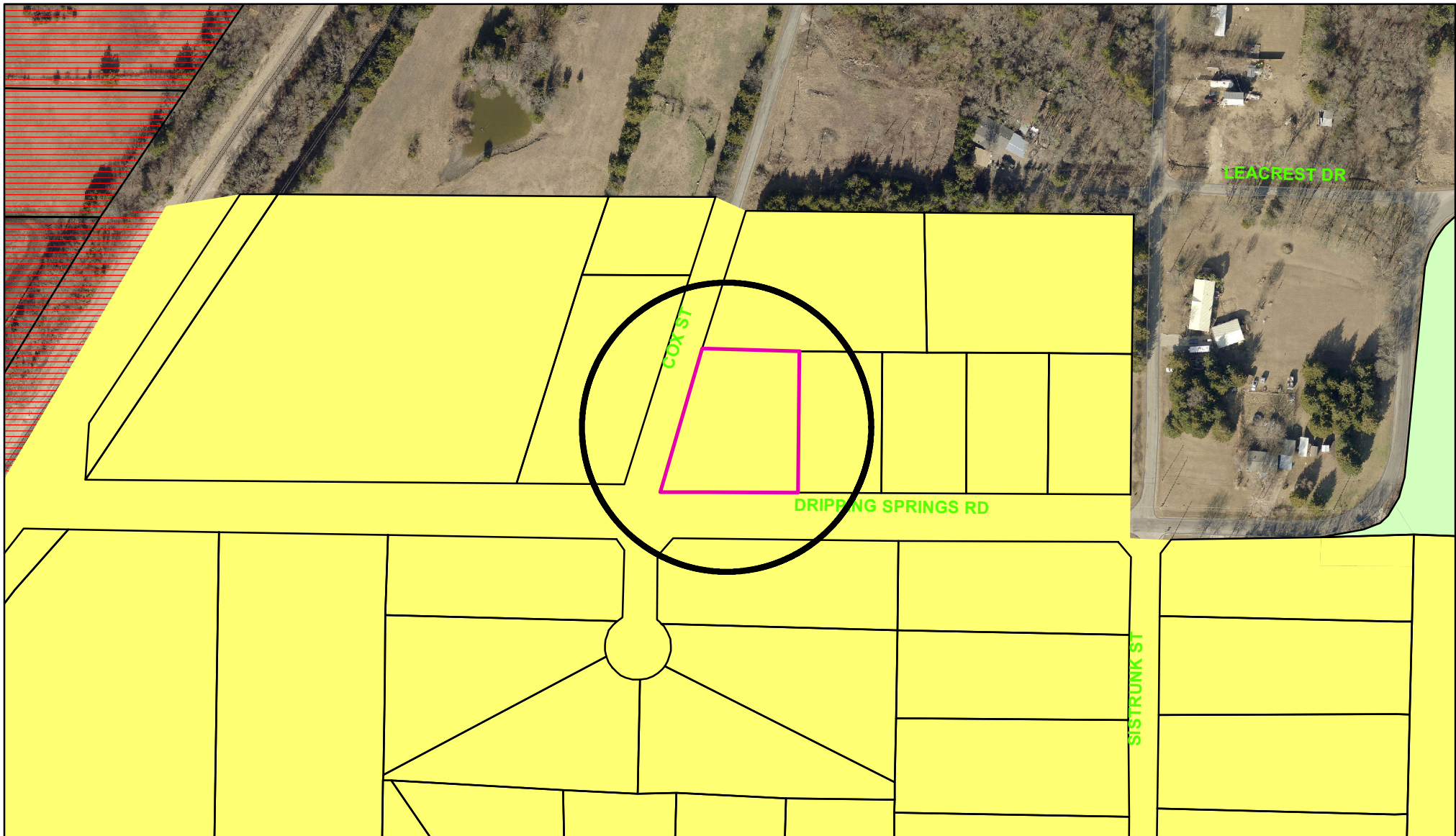
2701 Dripping Springs Road

City of Sherman, Texas
 Developmental Services Department



NOT TO SCALE

1 in = 600 ft



Zoning - 2701 Dripping Springs Road

Legend

Special Districts Overlay

DISTRICT_NAME

-  Arts and Cultural District
-  Blalock Commercial Overlay District
-  Central Business District
-  College Park District
-  Downtown Overlay District
-  Historic Preservation District

Transportation Corridor

Representation: SpermGIS.DBO.TransportationCorridor_Rep_1

-  FM 1417
-  Sam Rayburn Freeway
-  US Hwy 82 and 75
-  SH 289
-  FM 691

Zoning Districts

Representation: SpermGIS.DBO.ZoningDistrict_Rep

-  BIP Blalock Industrial Park
-  C-1 Retail Business District
-  C-2 General Commercial District

CO Office District

-  Lakes
-  M-1 Light Manufacturing District
-  M-1.5 Medium Manufacturing District
-  M-2 Heavy Manufacturing District
-  MH Manufacturing Housing District
-  R-1 One Family Residential District
-  R-2 Multi-Family Residential District
-  R-A Single Family Agricultural District
-  SF-1 Single Family Residential District
-  PD Planned Development



City of Sherman, Texas
Developmental Services Department

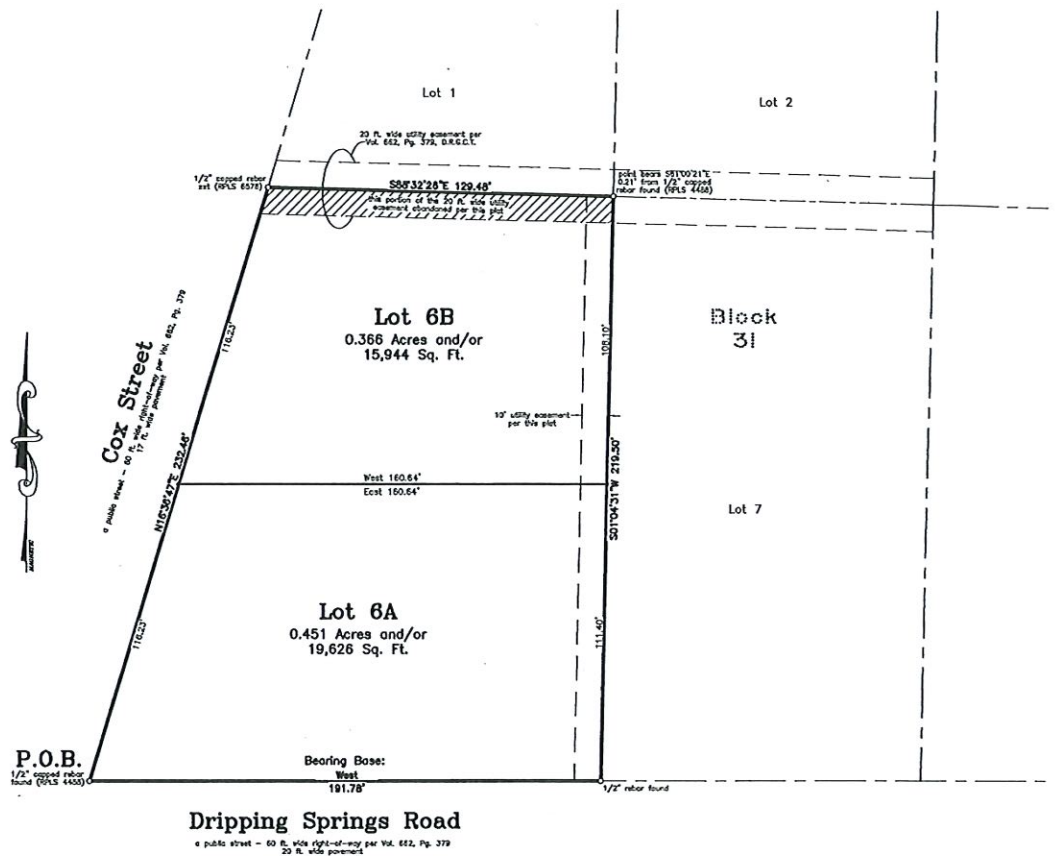


NOT TO SCALE

1 in = 200 ft

2701 Dripping Springs Road





Replat of Lot 6, Block 31, Hilltop Estates to the City of Sherman, Texas 0.817 Acres

General Notes:

1. Water Supply to be provided by City of Sherman, Texas.
2. Sewer service to be provided by City of Sherman, Texas.
3. Electrical service is provided by Oncor Electrical Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0290 F, Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Job No. CGB460220

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Email: helveysurvey@comcast.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

in the
**J. Hendrix Survey
Abstract No. 503**

Job No. CGB460220

Tobar's Properties
Owner
635 Preston Meadows Road
Sherman, Texas 75092
Phone: 903-816-0416

Vicinity Map (not to scale)





STAFF REVIEW LETTER

March 06, 2020

Tobar's Properties
635 Preston Meadows Road
Sherman, TX 75092

Helvey-Wagner Surveying, Inc.
222 W. Main Street
Denison, TX 75020

Dear Applicants,

The request for approval of the Final Plat for Replat of Lot 6, Block 31, Hilltop Estates has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Water and sewer must be extended to serve the development.
6. Development Agreement required for Public Infrastructures.
7. Dedicate 13' Right of Way along Dripping Springs Road per the Grayson County Thoroughfare Plan.
8. Dedicate 10' Utility Easement along Cox Street.
9. 10' Utility Easement on north side of proposed Lot 6B must be abandoned by City Council and Resolution must be filed of record prior to filing plat.
10. Bearings must be shown on all boundary call-outs.
11. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
12. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,



Wayne E. Lee, P.E., CFM,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager



**Planning & Zoning Commission and Board of
Adjustments**

15.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1000 NORTH TRAVIS STREET, SUITES P & S

The request of Villasenor Santoyo Properties, LLC (Owners), Alberto Villasenor (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1000 North Travis Street, Suites P and S, being 4.296 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow two event centers in a C-1 (Retail Business) District/O-1.2 (Sam Rayburn) Overlay District.

Background:

The property is located at 1000 North Travis Street, Suites P and S in the KAM KORNER'S Shopping Center. The property is zoned a C-1 (Retail Business) District and also located in the O-1.2 (Sam Rayburn) Overlay District. The owners would like to operate two events centers to be rented for parties and special meetings at this location; one in Suite P and the other in Suite S.

Adjacent Zoning:

C-1 (Retail Business) District

Origination:

Villasenor Santoyo Properties, LLC (Owners)

Alberto Villasenor (Representative)

Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Urban/Downtown – Buildings are two to five stories and are built right up to the sidewalk, creating a sense of enclosure. Sidewalks provide pedestrian access and streetscape amenities. Parking is available along the street or in small parking lots in the rear of the buildings.

Number of notices mailed:

12

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey

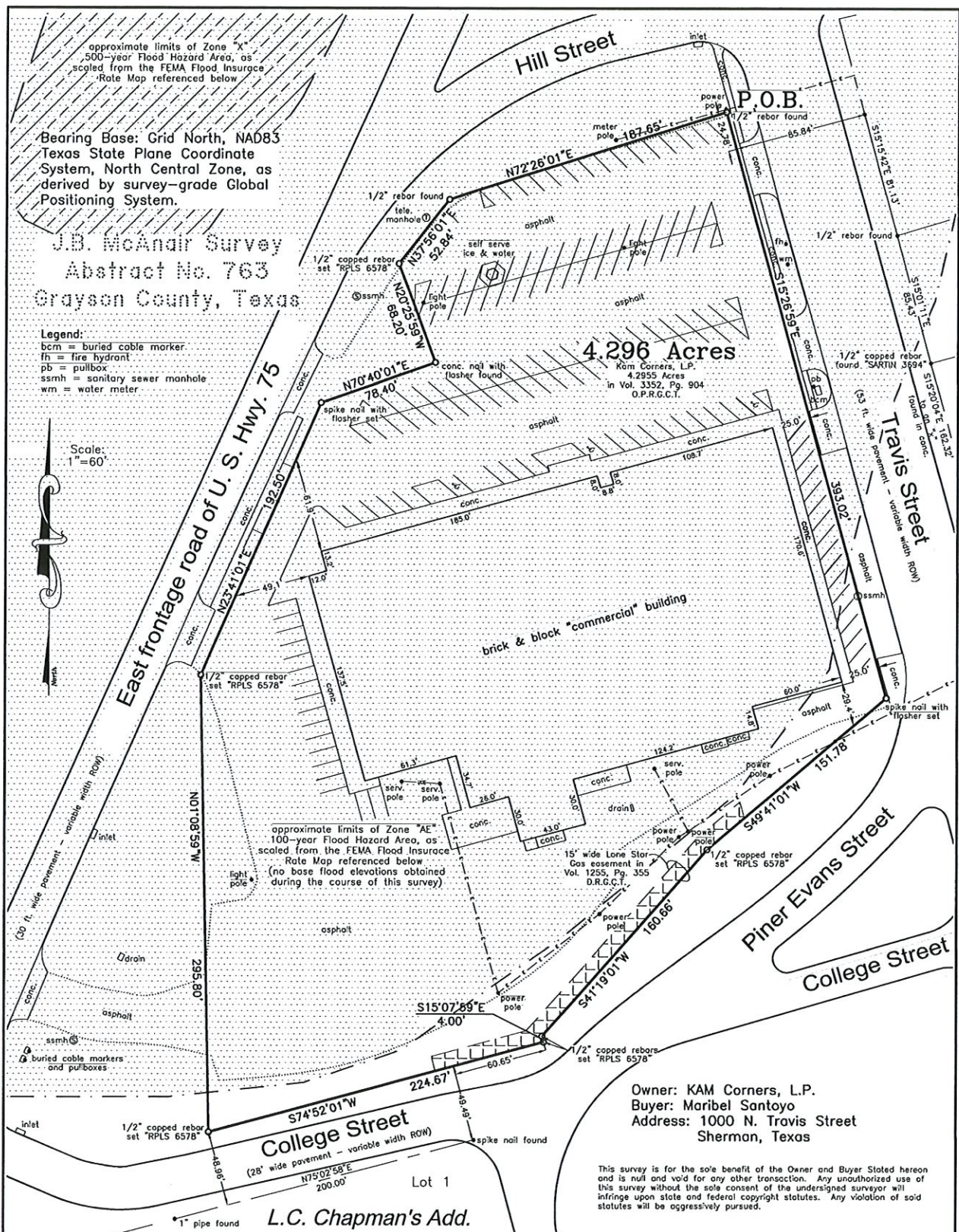
Site Plan

Building Elevations

Staff Review Letter

1000 North Travis Street, Suites P&S





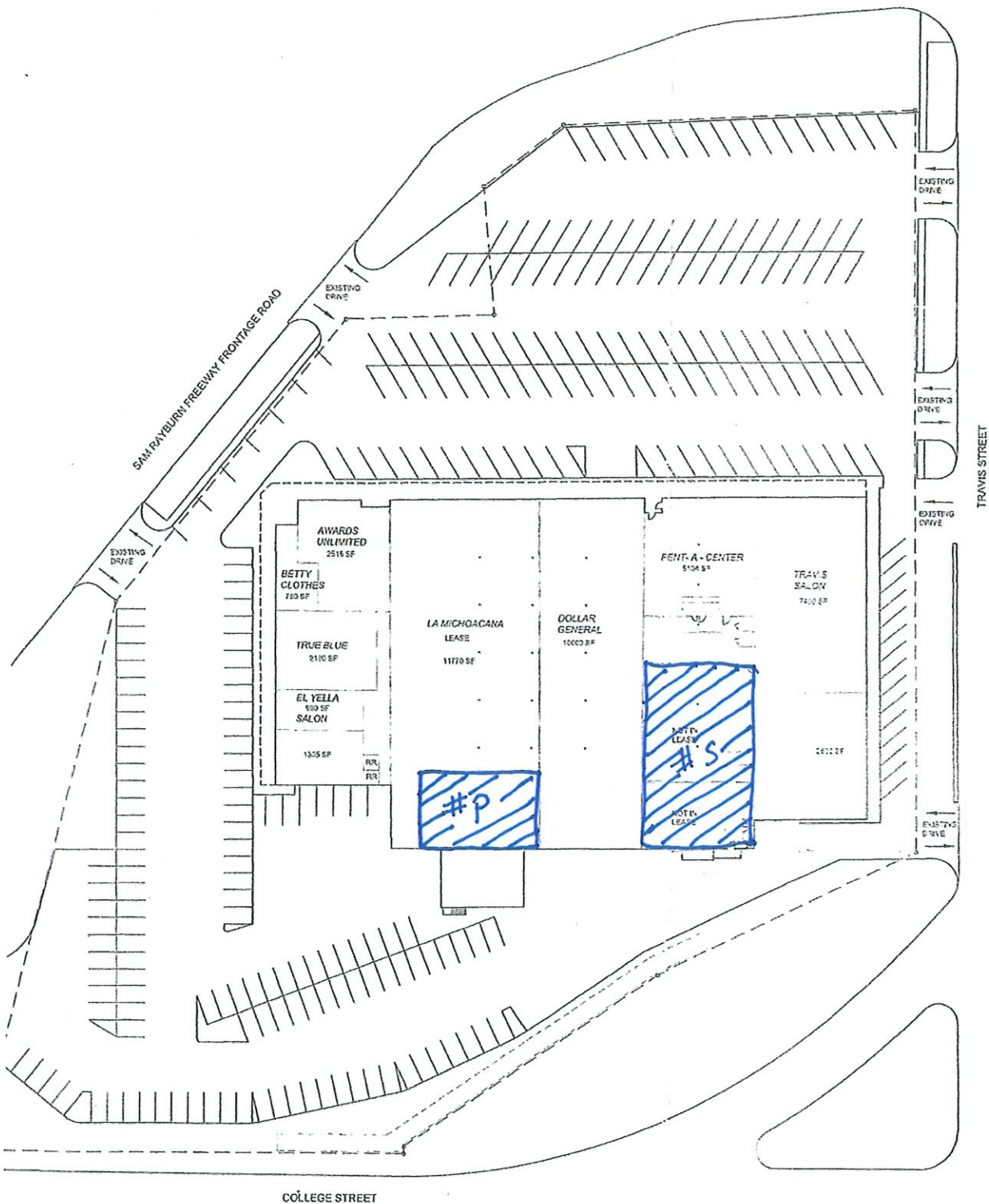
I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with both the General Rules of Procedures and Practices as adopted by the Texas Board of Professional Land Surveying and the current Texas Society of Professional Surveyors standards and is a true and correct to the best of my knowledge and belief. See Field Notes attached herewith.

A portion of the subject property shown hereon lies within the limits of a Zone "AE", 100-year Flood Hazard Area, as scaled from the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 F, Revised Date: September 29, 2010.

Job No. BGS91018

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (903) 463-6191 Fax: (903) 463-4088
Email: helveysurvey@comcast.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: October 4, 2018





STAFF REVIEW LETTER

March 9, 2020

Villasenor Santoyo Properties, LLC
1043 Hawkwood Way
Allen, TX 75013

Alberto Villasenor
1043 Hawkwood Way
Allen, TX 75013

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow two event centers in a C-1 (Retail Business) District/O-1.2 (Sam Rayburn) Overlay District for the property located at 1000 North Travis Street, Suites P and S has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1.2 (Sam Rayburn) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance shall be followed.
2. All illegal signage on the premises must be removed and in compliance with the sign ordinance.
3. A site plan showing all the required parking for the shopping center and parking ratios required shall be provided before a Certificate of Occupancy will be issued.
4. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
5. Parking and access drives are permitted on paved surfaces only (concrete or asphalt).
6. A parking space is considered to be 9'x20'.
7. All parking shall be on private property and shall not encroach into the right-of-way.
8. Parking ratio required unless an exception is approved: Commercial Amusement Center – 1 space per 200 square foot.
9. No outside storage or displays are allowed at any time.
10. Blocking of Streets or sidewalks is prohibited.
11. Violation of the conditions of the SUP will terminate the Specific Use Permit.
12. Shall comply with all EPA, City, Federal and State regulations for this use.
13. Review the zoning and development ordinance for additional requirements.
14. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

15. All requirements of the Floodplain Ordinance shall be followed.
16. Parking will be permitted on private property only.
17. Internal water and sewer lines will be privately owned and maintained.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator



Planning & Zoning Commission and Board of Adjustments

16.

Meeting Date: 03/17/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

823 NORTH TRAVIS STREET

The request of Dr. James Olin (Owner) and Daniel Worrell, (Prospective Buyer) concerning the property located at 823 North Travis Street, being a part of the J.B. McAnair Survey, Abstract No. 763, containing 94 x 150 feet of land, as follows;

Board of Adjustments

Variances under Ordinance No. 2280, Section 8, Subsection (9) to allow the following:

- Proposed Lots 2 & 3 – 30' lot widths, 2820 sq. ft. in lieu of the required 40' lot width, 4,000 square foot for patio homes in a C-1 (Retail Business) District.
- Proposed Lot 4 – 35' lot width, 3290 sq. ft. in lieu of the required 40' lot width, 4,000 square foot for patio homes in a C-1 (Retail Business) District.
- Proposed Lots 1-4 – to allow a 30' front setback in lieu of the maximum 25' for patio homes in a C-1 (Retail Business) District.

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow attached patio homes in a C-1 (Retail Business) District.

Background:

The property is located at 823 North Travis Street; the southeast corner of Travis and College Streets. The property is zoned a C-1 (Retail Business) District.

The prospective buyer would like to construct four attached patio homes on four proposed lots in the downtown Sherman area. He is requesting smaller lot widths and size variances to create small (1,200-1,600) square foot uniform units of 30' widths with xeriscape back yards that will virtually eliminate maintenance but still provide enough room for pets and children to play. He is also requesting larger front setbacks in order to cut down on the slope of the proposed driveways to allow safer backing out and guest parking. The exterior finish on the patio homes will be siding. The patio homes will have 3-bedrooms per unit and parking will be provided in the 2-car garage and driveway.

Adjacent Zoning:

R-1 (One Family Residential) District
R-2 (Multi-Family Residential) District
C-1 (Retail Business) District

Origination:

Dr. James Olin (Owner)
Daniel Worrell, (Prospective Buyer)

Master Plan Designation:

Urban/Downtown – Buildings are two to five stories and are built right up to the sidewalk, creating a sense of enclosure. Sidewalks provide pedestrian access and streetscape amenities. Parking is available along the street or in small parking lots in the rear of the buildings.

Number of notices mailed:

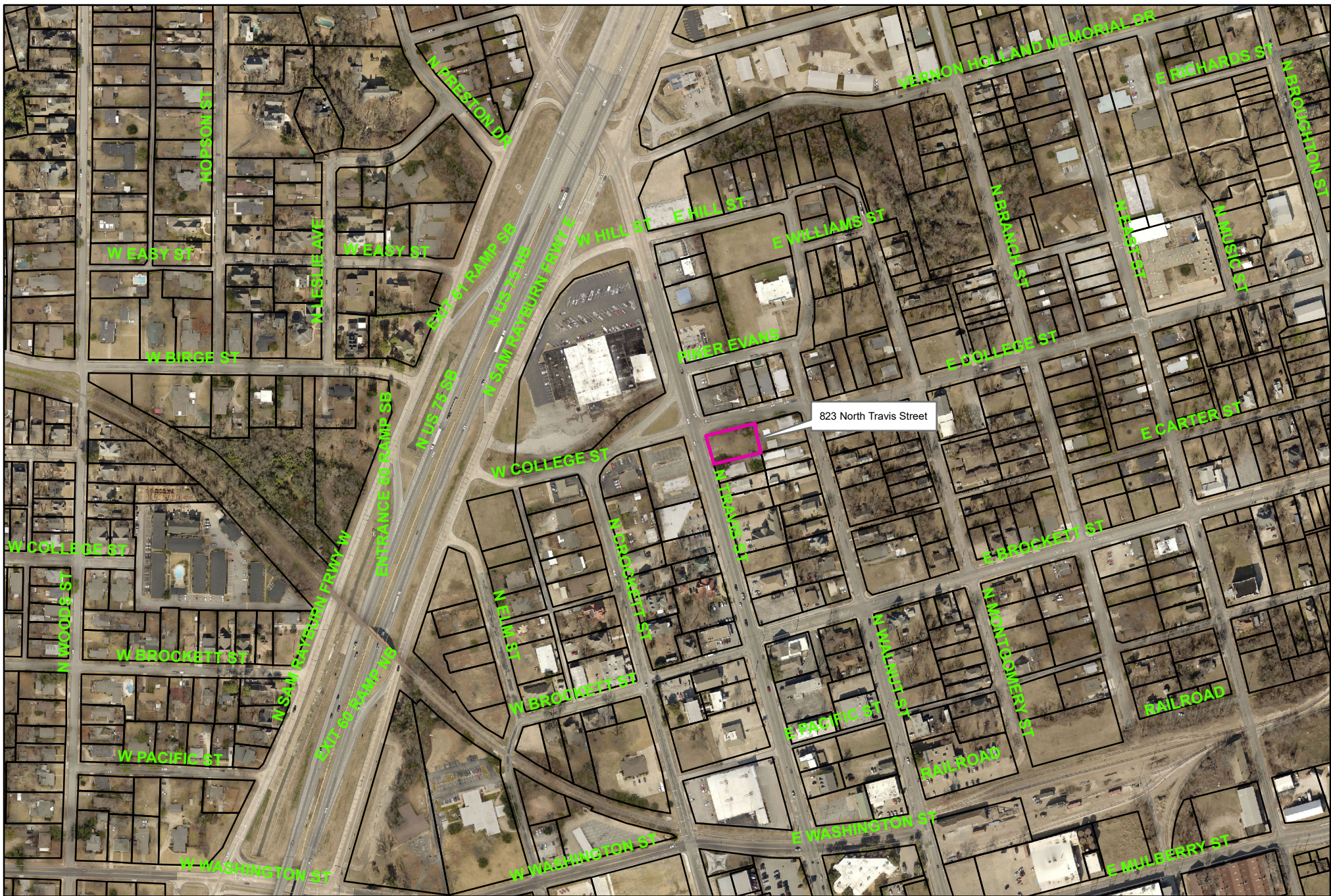
14

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Site Plan
Building Elevations
Building Elevations Color
Staff Review Letter

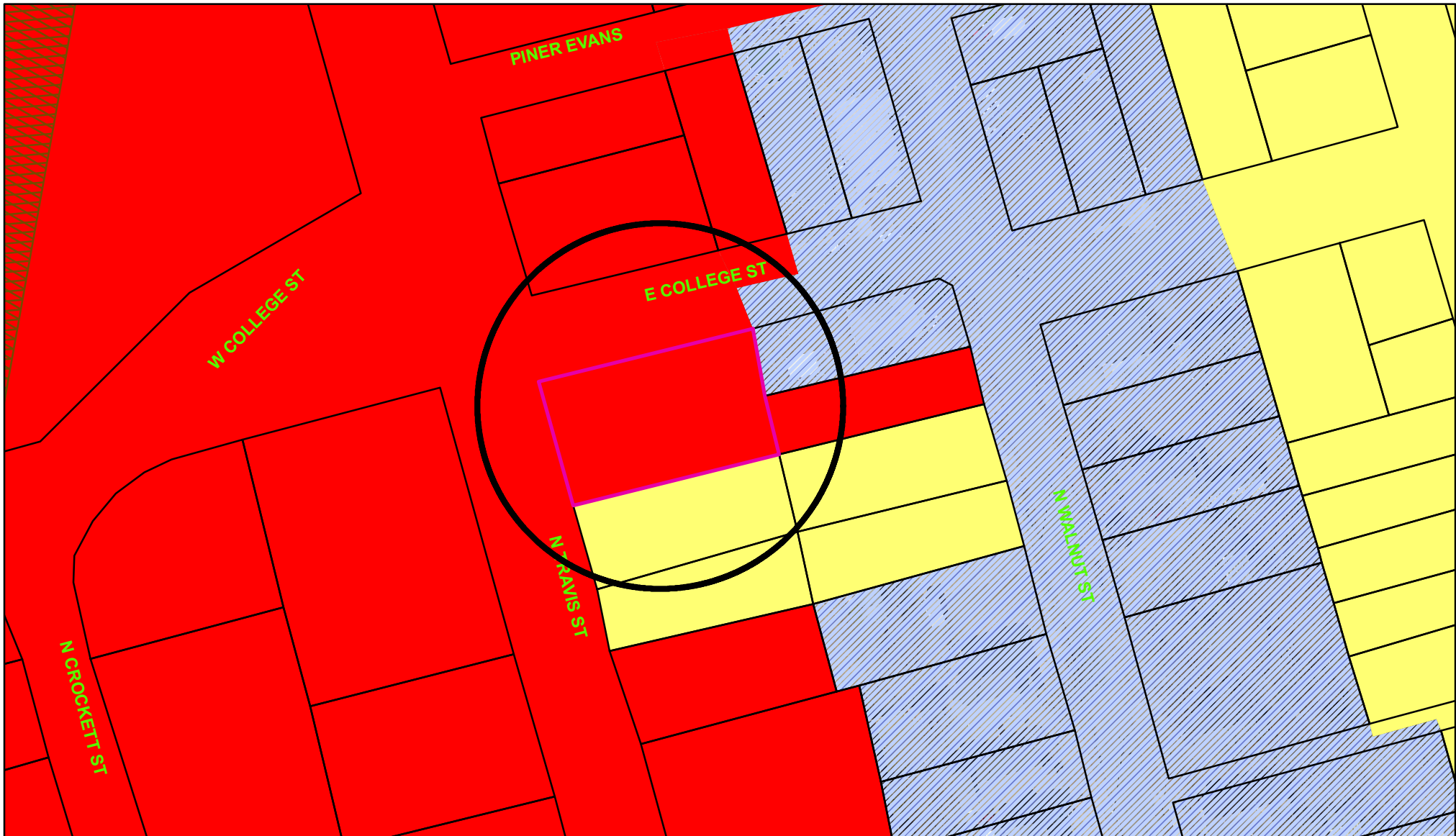


823 North Travis Street



City of Sherman, Texas
Developmental Services Department

1 in = 400 ft



Zoning - 823 North Travis Street

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 100 ft

823 North Travis Street



W
★
DEVELOPMENT

Project Details

823 N Travis St

Items Being Requested:

- Specific Use Permit
 - Single Family Attached Patio Homes
- Variance
 - Proposed Lots 2 & 3
 - 30' width in lieu of 40' min
 - Approx. 2820sf lot in lieu of 4000sf min
 - Proposed Lot 4
 - 35' width in lieu of 40' min
 - Approx. 3290sf lot in lieu of 4000sf min
 - Proposed Lots 1-4 – a front setback greater than the 25' max in order to decrease the slope of the driveways from College St.

Project Narrative:

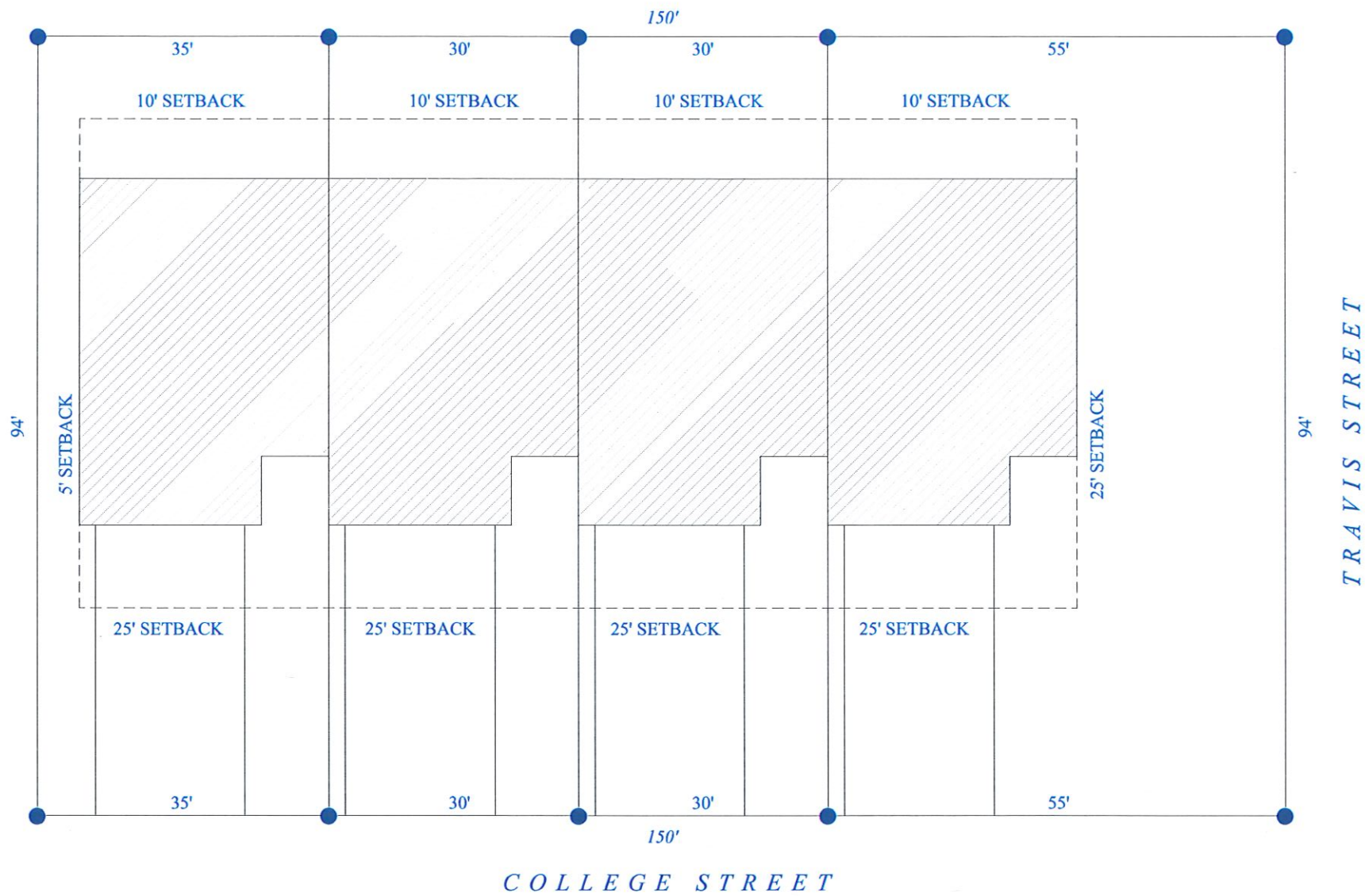
For downtown Sherman to grow and thrive, we need increased residential density and exciting new housing options to support the small businesses located there. Outside of apartments or lofts which cater to renters, another way to accomplish that goal is the "townhouse" model, which has numerous benefits to homeowners, cities, and businesses. Ideally, this type of housing is located in a relatively walkable area with access to restaurants, shopping, workplaces, and parks or other outdoor spaces. This provides convenience to the homeowner/tenant, and promotes foot traffic over vehicular traffic – a benefit to surrounding business owners and the safety of pedestrians. Additionally, the smaller lot size provides a much lower-maintenance lifestyle to residents of Sherman who want the privacy of their own home without the hassles of maintaining a large yard. It is our opinion that we should be encouraging this type of housing model in our downtown area if we want it to improve and attract transplants considering multiple North Texas communities.

We are requesting the lot width and size variances in order to create small (1200-1600sf) uniform units of 30' widths, with xeriscape back yards that virtually eliminate maintenance but still provide enough room for a dog or kids to play. In exchange for the narrower lots, we want to provide a larger front setback in order to cut down the slope of the proposed driveways and allow for safer backing out and guest parking under icy conditions. We anticipate this project would constitute a nearly \$750,000 investment in our community,

Sincerely,



Katiebeth Womell







STAFF REVIEW LETTER

March 9, 2020

Dr. James Olin
3832 Fawn Meadow Trail
Denison, TX 75020

Daniel Worrell
2509 Remuda Dr.
Sherman, TX 75092

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow attached patio homes in a C-1 (Retail Business) District for the property located at 823 North Travis Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. All aspects of the C-1 (Retail Business) District, the patio home ordinance, the screening ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
3. A parking space is considered to be 9'x20'.
4. Parking ratio required: 1 space per bedroom, minimum two per unit.
5. Side yard setbacks must be uniform for all homes within a given block.
6. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
7. All parking shall be on private property and shall not encroach into the right-of-way;
8. Violations of the conditions of the SUP will terminate the Specific Use Permit.
9. Review the zoning and development ordinance for additional requirements.
10. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

1. Platting of the property is required.
2. Additional Right of Way and Easements may be required upon platting of the property.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
5. Drive approach off of Travis Street must be removed and curb replaced at the time of development.
6. Sanitary Sewer to be extended to serve the development. Sewer capacity shall be verified for proposed use.
7. Verify fire requirements with Fire Marshall.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink that reads "Scott Shadden". The signature is fluid and cursive, with the first name "Scott" and last name "Shadden" clearly legible.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator



**Planning & Zoning Commission and Board of
Adjustments**

18.

Meeting Date: 03/17/2020

Prepared By: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director Developmental Services

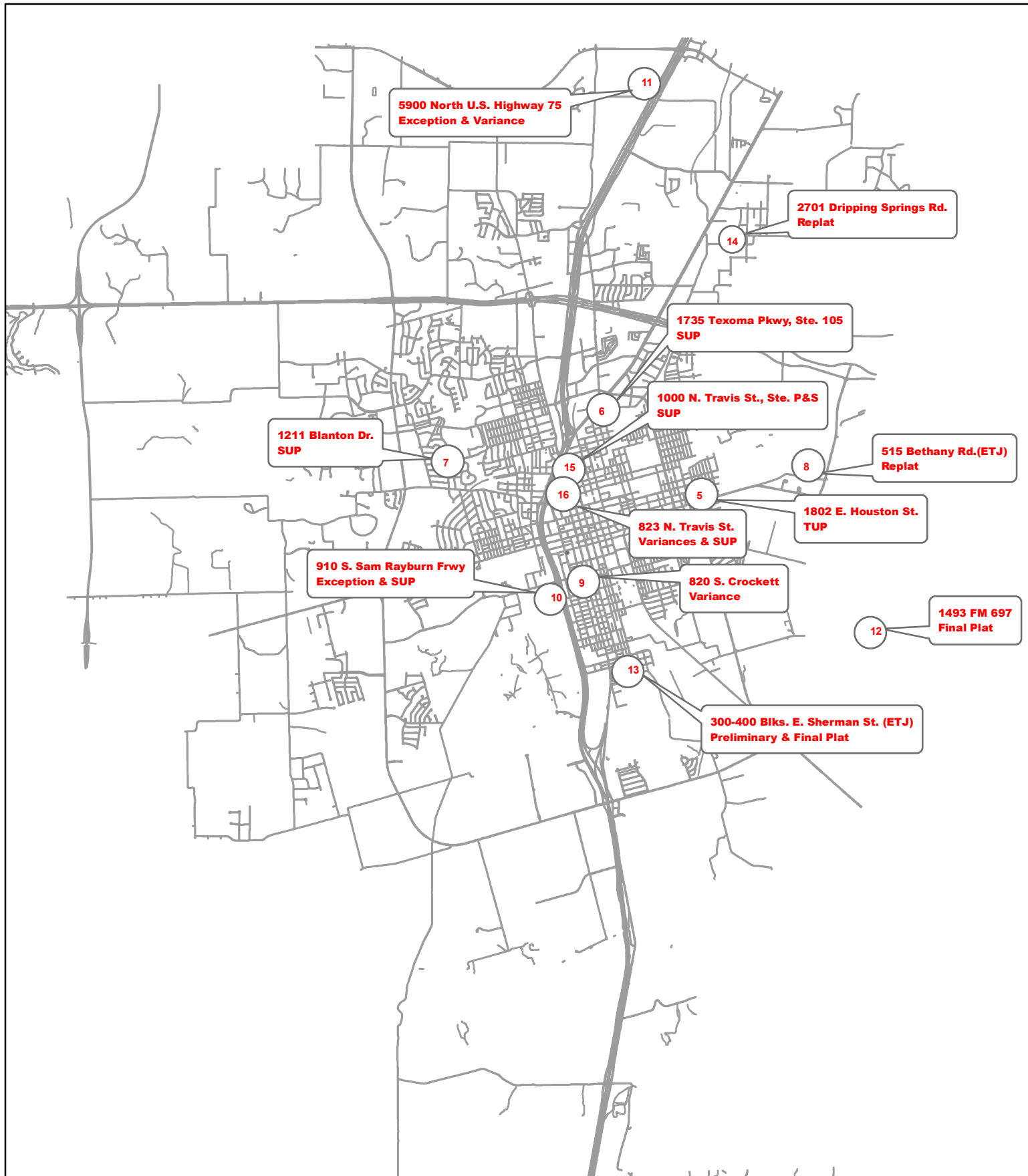
Issue:

OVERALL LOCATION MAP

List of Agenda Items:

Attachments

Overall Location Map



Planning and Zoning and Board of Adjustments Meeting March 17, 2020



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 inch = 7,000 feet