

STATE OF TEXAS §
COUNTY OF GRAYSON § February 22, 2022

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 22, 2022.

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

ALTERNATE: NONE

MEMBERS ABSENT: SIMS

STAFF PRESENT: ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES,
 PATSY REEVES, DEVELOPMENT SERVICES
 COORDINATOR, KERRI TURNER, DEVELOPMENT
 SERVICES ADMINISTRATIVE ASSISTANT AND WAYNE
 LEE, DIRECTOR OF ENGINEERING.

CITY ATTORNEY: ALICESON COTTON

CALL TO ORDER

Chairman Mahone called the meeting to order at 5:02 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the January 11, 2022 regular meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Manley. All present voted AYE.

APPROVE MINUTES

MOTION CARRIED.

ANNOUNCEMENTS

Rob Rae, Director of Development Services, announced, "The Planning and Zoning Commission has legal training tomorrow, February 23, 2022, from 11:00 AM to 1:00 PM. We will be joined by City Council. Ryan Pittman, City Attorney will be doing that training."

ANNOUNCEMENTS

APPOINT BOARD OF ADJUSTMENTS

Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, DOWNTAIN, DAVIS, MANLEY AND WHITAKER.

BOARD OF
ADJUSTMENTS

CITIZEN COMMENTS

There were no citizen comments.

CITIZEN COMMENTS

CONSENT AGENDA (ITEMS 8, 12, 13, 16, 17, 20, 22, 23, 24, 26, 28, 29, 30 & 33)

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

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Items on the Consent Agenda as presented subject to the Staff Review Letter. Second by Commission Member Downtain. All present voted AYE.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF JOHN C. DANNEL FUNERAL HOME INC. (OWNER), CHARLES DANNEL (REPRESENTATIVE), AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 302 SOUTH WALNUT STREET, BEING 0.683 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING ALL OF LOTS 2 AND PART OF LOTS 4 AND 6, BLOCK 11, ORIGINAL TOWN PLAT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF ORIGINAL TOWN PLAT, BEING A REPLAT OF BLOCK 11, LOT 2 AND PART OF LOT 4 AND 6, ORIGINAL TOWN PLAT.

The property is located at 302 South Walnut Street between East Jones and East Cherry Streets and is zoned a C-1 (Retail Business) District. The owner would like to Replat three lots into one lot for commercial use. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF MANDEEP SINGH, 2017 GK ASSOCIATES, LLC (OWNER), GHASSEM GANJI (REPRESENTATIVE), HELVEY-WAGNER SURVEYING, INC. AND PATRICK AHEARNE (ARCHITECT) CONCERNING THE PROPERTY AT 2416 SWAMY DRIVE, BEING LOT 6A-R AND LOT 6B-R, IN THE REPLAT OF LOT 6, BLOCK A, DR. SWAMY ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

SITE PLAN APPROVAL FOR TWO MEDICAL OFFICE BUILDINGS.

The property is located at 2416 Swamy Drive, the southeast corner of U.S. Highway 75 and FM 691 and is zoned a C-2 (General Commercial) District. The owner would like a site plan approval for two medical offices. They had seen the Staff Review Letter and would abide by the Recommendations.

CONSENT AGENDA

REPLAT – ALEMAN
ADDITION
302 S WALNUT ST
(JOHN C. DANNEL
FUNERAL HOME
INC.)

SITE PLAN –
MEDICAL OFFICE
BLDGS
2416 SWAMY DR.
(MANDEEP SINGH,
2017 GK
ASSOCIATES, LLC)

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF RANDY AND AMY THOMPSON (OWNER/APPLICANT) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 3000 LUELLA ROAD, BEING 4.020 ACRES IN THE WINIFRED BAILEY SURVEY, ABSTRACT NUMBER 64 AND BEING ALL OF LOT 2 OF THOMPSON ADDITION ON LUELLA ROAD, LOTS 1 AND 2, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF THE HILL ADDITION, BEING A REPLAT OF LOT 2 OF THOMPSON ADDITION ON LUELLA ROAD, LOTS 1 AND 2 IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ).

REPLAT – THE HILL
ADDITION
3000 LUELLA RD.
(RANDY AND AMY
THOMPSON)

The property is located at 3000 Luella Road between State Highway 11 and U.S. Highway 75 in Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like to replat the property into 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.

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF ZULA INVESTMENTS (OWNER), ADRIANA ALVAREZ (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 5116 TEXOMA PARKWAY, BEING 0.72 ACRES IN THE D.C. SHELP SURVEY, ABSTRACT NO. 1097, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF THE ALVAREZ ADDITION.

FINAL PLAT –
ALVAREZ ADDITION
5116 TEXOMA PKWY
(ZULA
INVESTMENTS)

The property is located at 5116 Texoma Parkway, the northwest corner of Fallon Drive and Texoma Parkway and is zoned a C-2 (General Commercial) District. The owner would like final plat approval of the Alvarez Addition. 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 CHAPMAN TILLET CONSTRUCTION, LLC (OWNER), PHILIP TILLET (REPRESENTATIVE) AND WILLIAM DAVIS FINNEY, DATA LAND SERVICES (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 100-500 BLOCKS OF SCHNEIDER ROAD, BEING 23.071 ACRES IN THE JEREMIAH MCDANIEL SURVEY, ABSTRACT

PRELIMINARY PLAT
– SCHNEIDER FARM
SUBDIVISION
100-500 BLKS OF
SCHNEIDER RD.

NO. 774, AND THE R. M WILLIAMSON SURVEY, ABSTRACT NO. 1300 AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL FOR SCHNEIDER FARM SUBDIVISION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ).

(CHAPMAN TILLET
CONSTRUCTION,
LLC)

The property is located in the 100-500 Blocks of Schneider Road between Harrell Road and Luella Road in Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like preliminary plat approval of the Schneider Farm Subdivision 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 & SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF ARTISAN DEVELOPMENT CO. INC. (OWNERS), SIVA PALCHURU (DEVELOPER), KAZ SURVEYING (SURVEYOR), VIZUAL ARCHITECTURE (ARCHITECT) AND LA TERRE ENGINEERING, LLC (CIVIL ENGINEER) CONCERNING THE PROPERTY AT 3401 STEEPLE CHASE DRIVE, BEING 10.30 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. PRELIMINARY PLAT APPROVAL OF LOT 1, BLOCK A, ARTISAN ADDITION.
- B. SITE PLAN APPROVAL OF PEBBLECREEK APARTMENTS.

PRELIMINARY PLAT
- ARTISAN ADDN.
SITE PLAN –
PEBBLECREEK
APTS
3401 STEEPLE
CHASE DR.
(ARTISAN
DEVELOPMENT CO.
INC.)

The property is located in the 3300-3500 blocks Steeple Chase Drive across from the new Sherman High School. The property is zoned an R-2 (Two-Family Residential) District.

The owner would like to plat the property for residential development of a 300-unit apartment complex. The complex consists of seven (7) buildings in total; Four (4) three-story, 60-unit, 21,350 square foot buildings, Two (2) three-story, 30-unit, 10,675 square foot buildings, and a one-story, 5,854 square foot office/clubhouse and pool. 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 WYLDEWOOD HOMES, LLC (OWNER/DEVELOPER), PRESTON TRAIL LAND SURVEYING (SURVEYOR) AND CEC CORPORATION (ENGINEER) CONCERNING THE PROPERTY AT 2100 EAST LAMAR STREET, BEING 13.00 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NUMBER 963, AS FOLLOWS:

PRELIMINARY PLAT
- SWEETWATER GAP
ADDN.
2100 E. LAMAR ST.
(WYLDEWOOD
HOMES, LLC)

**PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL FOR SWEETWATER GAP
ADDITION.**

The property is located at 2100 East Lamar Street, the intersection of East Lamar and South Colbert Streets and is zoned R-2 (Multi-Family Residential) District. The owner would like preliminary plat approval for the Sweetwater Gap Addition to build Two-Family Dwellings (Duplexes). They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF HP INVESTMENTS (OWNERS), JOHN FLIPPO (REPRESENTATIVE), DRAWING THE LINE (ARCHITECT) AND CHANEY ENGINEERING, INC. (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY AT 2112 SOUTH TRAVIS STREET, BEING 1.352 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AS FOLLOWS:

**PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A DOLLAR GENERAL STORE.**

The property is located at 2112 South Travis Street, the intersection of South Travis and South Crockett Streets and is zoned a C-1 (Retail Business) District. The owner would like site plan approval for Dollar General Store. 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 SCOTT WEISMANN III (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR), CONCERNING THE PROPERTY AT 6350 THERESA DRIVE, BEING 8.418 ACRES IN THE DANIEL C. SHELP SURVEY, ABSTRACT NO. 1097, AS FOLLOWS:

**PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL FOR GARSON RETREAT.**

The property is located at 6350 Theresa Drive, the southwest corner of FM 691 (Grayson Drive) and Theresa Drive and zoned an R-1 (One Family Residential) District. The owner would like preliminary plat approval of Garson Retreat. They had seen the Staff Review Letter and would abide by the Recommendations.

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

**SITE PLAN –
DOLLAR GENERAL
STORE
2112 S. TRAVIS ST.
(HP INVESTMENTS)**

**SITE PLAN –
GARSON RETREAT
6350 THERESA DR.
(SCOTT WEISMANN
III)**

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF TRI-COUNTY SENIOR NUTRITION PROJECT, INC. (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR), CONCERNING THE PROPERTY AT 2626 HILLTOP DRIVE BEING 3.662 ACRES IN THE JOHN HENDRIX SURVEY, ABSTRACT NUMBER 503, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL FOR MEALS ON WHEELS ADDITION.

PRELIMINARY PLAT
– MEALS ON
WHEELS ADDITION
2626 HILLTOP DR.
(TRI-COUNTY
SENIOR NUTRITION
PROJECT, INC.)

The property is located at 2626 Hilltop Drive, between Texoma Parkway and Cox Street next to the Burlington Northern Santa Fe Railroad track and is zoned C-2 (General Commercial) District. The owner would like preliminary plat approval for the Meals on Wheels Addition. 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 PRESTON TRAIL PARTNERS, LLC (OWNER), COVENANT DEVELOPMENT, LLC (DEVELOPER) AND UNDERWOOD SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 1000 BLOCK OF EAST PECAN GROVE ROAD, BEING 3.383 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND BEING LOT 2, JACKSON WALKER ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LOT 2 OF THE JACKSON WALKER ADDITION.

REPLAT – JACKSON
WALKER ADDITION
1000 BLK OF E.
PECAN GROVE RD.
(PRESTON TRAIL
PARTNERS, LLC)

The property is located in the 1000 block of East Pecan Grove Road at the southwest corner of East Pecan Grove Road and North Calais Drive and is zoned a C-1 (Retail Business) District. The owner would like replat approval of the Jackson Walker Addition. 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 HOME PLACE PARTNERS, LP (OWNER), ERIC L DAVIS ENGINEERING, INC. (ENGINEER) AND LARRY PROBECK, RPLS (SURVEYOR), CONCERNING THE PROPERTY AT 2309 GALLAGHER DRIVE, BEING 1.041 ACRES IN THE SAMUEL MCGLOTHLIN SURVEY, ABSTRACT NUMBER 811, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL FOR LOT 1, BLOCK A,
DAVID H. BROWN ADDITION.

PRELIMINARY PLAT
– DAVID H. BROWN
ADDN.
2309 GALLAGHER
DR.
(HOME PLACE
PARTNERS, LP)

The property is located at 2309 Gallagher Drive, the northwest corner of Gallagher Drive and Frisco Road and is zoned an M-1 (Light Manufacturing) District. The owner would like preliminary plat approval for the David H. Brown Addition. 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 LARRY MUELLER (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 5100 AND 5104 MARSHALL STREET, BEING 11.216 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085, AND BEING PART OF LOT 4, BLOCK 1, MIDWAY INDUSTRIAL PARK ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF MIDWAY INDUSTRIAL PARK ADDITION.

REPLAT – MIDWAY INDUSTRIAL PARK ADDN.

5100 & 5104 MARSHALL ST.
(LARRY MUELLER)

The property is located at 5100 and 5104 Marshall Street between Woodlake Road and Fallon Drive and is zoned an M-1 (Light Manufacturing) District. The owner would like replat approval of the Midway Industrial Park Addition. 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 TBJB1, LLC (OWNER), BEN MCKAY (DEVELOPER), ASHLEY BICE, PE (CIVIL ENGINEER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR), CONCERNING THE PROPERTY IN THE 2800-3500 BLOCKS OF NORTH TRAVIS STREET, BEING 31.475 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NUMBER 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL FOR WILLOW BRANCH SUBDIVISION.

PRELIMINARY PLAT – WILLOW BRANCH SUBDIVISION
2800-3500 BLKS OF N. TRAVIS ST.
(TBJB1, LLC)

The property is located in the 2800-3500 Blocks of North Travis Street between Highway 82 and West McLain Drive and is zoned R-1 (One Family Residential) District. The owner would like preliminary plat approval for the Willow Branch Subdivision. 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.

ZONE CHANGE

ZONE CHANGE – C-1 TO C-2

THE REQUEST OF LAUREL ACRES, LTD (OWNER), JONATHAN HALLFORD, DESTINY'S HEATING AND AIR (TENANT) AND JERRY MONTGOMERY (SURVEYOR) CONCERNING THE PROPERTY AT 1410 WEST HOUSTON STREET, BEING LOT 1, BLOCK 3 OF THE REPLAT OF LOTS 1, 2, 3, 4 AND THE NORTH 15 FT. OF LOT 5, BLOCK 3 OF ELLIOTT'S GRAY'S HILL ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
ZONE CHANGE APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT.

1410 W. HOUSTON
ST.
(LAUREL ACRES,
LTD)

Jonathan Hallford, 1505 Linda Lane, Sherman, TX

Mr. Hallford appeared to represent the request and answer any questions. The property is located at 1410 West Houston Street between South Tolbert and South Holly Avenues.

Mr. Hallford explained, "We are requesting a zone change from a C-1 (Retail Business) District to a C-2 (General Commercial) District for an HVAC (heating, ventilation, and air conditioning) contractors office with no outside storage. We will be conducting business in the same manner as the previous business. We will have a warehouse and an office. Eventually we would like to put up a 6' privacy fence around the back for safety."

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

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

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

Planning and Zoning
ACTION TAKEN.

Motion by Commission Member Davis to approve the Zone change under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to a C-2 (General Commercial) District at 1410 West Houston Street subject to the Staff Review letter. Second by Commission Member Manley.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

VARIANCE

THE REQUEST OF NASER YACIOUB (OWNER), DAVID BACA STUDIO (ARCHITECT) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 2205 TEXOMA PARKWAY, BEING LOTS 4 & 5, BLOCK 9, HIGHLAND PARK 1ST ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (6) TO ALLOW A 6' FRONT SETBACK FOR AN 80 SQUARE FOOT MONUMENT SIGN IN LIEU OF THE REQUIRED 25' IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

VARIANCE – FRONT
SIGN SETBACK
2205 TEXOMA PKWY
(NASER YACIOUB)

David Baca, 100 N. Travis St., Sherman, TX

Mr. Baca appeared to represent the request and answer any questions at 2205 Texoma Parkway between Peyton and Nall Streets and is zoned a C-2 (General Commercial) District

Mr. Baca explained, "The owner requesting a variance to allow a 6' front setback for an 80 square foot monument sign in lieu of the required 25'. The retail center is L-shaped and the tenants at the back do not have visibility. The sign out front would give them visibility. We are wanting a 3' stone base to compliment the building with the sign sitting on top."

Peter Tracy, 700 S. Valentine Dr., Sherman, TX

Mr. Tracy asked, "Is the 6' setback from the street?"

Chairman Mahone replied, "from the property line."

Mr. Rae stated, "The property line is about 20' from the curb."

Mr. Tracy asked, "Is there ample distance there so that when cars pull up, they can see oncoming traffic and it won't block the view?"

Chairman Mahone replied, "It does not appear so. It would be no different than if a car were parked there."

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

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

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

ACTION TAKEN.

Motion by Vice Chairman Downtain to approve the variance under Ordinance No. 2280, Section 7, Subsection (6) to allow a 6' front setback for an 80 square foot monument sign in

lieu of the required 25' in a C-2 (General Commercial) District at 2205 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Manley.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

VARIANCE

THE REQUEST OF MONTE AND HELEN IAMS (OWNER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3117 PRESTON CLUB DRIVE, BEING LOT 9, BLOCK 10 OF PRESTON CLUB, THE LEGENDS SUBDIVISION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1)(C)(1) TO ALLOW A 3' SETBACK FROM THE MAIN STRUCTURE FOR A SWIMMING POOL IN LIEU OF THE REQUIRED 6' IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

VARIANCE –
SETBACK FROM
MAIN STRUCTURE
3117 PRESTON
CLUB DR.
(MONTE & HELEN
IAMS)

Brad Iams, 3117 Preston Club Dr., Sherman, TX

Mr. Iams appeared to represent the request and answer any questions. The property is located at 3117 Preston Club Drive between Highway 82 and Eagle Ridge Trail and is zoned an R-1 (One Family Residential) District.

Mr. Iams explained, "We are requesting a 3' setback from the covered patio for an 8' wide swimming pool. We do not want to get into the easement and still get the 8' width of the pool."

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

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

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the variance under Ordinance No. 2280, Section 7, Subsection (1)(c)(1) to allow a 3' setback from the main structure for a swimming pool in lieu of the required 6' in an R-1 (One-Family Residential) District at 3117 Preston Club Drive subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

SPECIFIC USE PERMIT AND SITE PLAN

THE REQUEST OF TAVA PROPERTIES, LLC (OWNER), INFINITY AND BEYOND (TENANT), NOUMAN MUHAMMAD (REPRESENTATIVE) AND SANDS SURVEYING CORPORATION (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2916 NORTH HIGHWAY 75, SUITE 110, BEING LOT 4 OF SHAFER PLAZA, 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 SMOKE/VAPE SHOP IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

SUP & SITE PLAN –
SMOKE/VAPE SHOP
2916 N. HWY. 75 #110
(TAVA PROPERTIES)

Nouman Muhammand, 2916 N. Highway 75, Ste. 110, Sherman, TX 75204

Mr. Muhammad appeared to represent the request and answer any questions. The property is located at 2916 North Highway 75, Suite 110, between Highway 82 and Michelle Drive. The property is zoned a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District.

Mr. Muhammad explained, “We are requesting a Specific Use Permit to allow a vape and smoke shop. There will be no smoking inside the building and no lounge area.

Infinity and Beyond is a high end retail store that delivers an array of novelty, hookah, glassware, CBD (cannabidiol) and vape products. Our principles dictate that our customers always receive the highest quality service available. By following our own policies, Infinity and Beyond has proved to be a successful and growing company within all of its located respected cities.

Our research indicates Sherman will be a successful location for our business model. Currently we have 300-350 customers that reside in Sherman, Denison, Pottsboro and other surrounding cities that are traveling to our Plano location.”

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

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

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit and site plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Smoke/Vape Shop in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 2916 North Highway 75, Suite 110. Second by Commission Member Manley.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

TEMPORARY USE PERMIT AND SITE PLAN

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 A 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 FOR A ONE YEAR PERIOD.

TEMPORARY USE
PERMIT AND SITE
PLAN – SNOW CONE
STAND
1802 E. COLLEGE
ST.
(SERAJ ALI)

(TABLED)

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.

An email was received from Seraj Ali on February 1, 2022 at 12:31 p.m. requesting to table the request for a Temporary Use Permit and site plan approval at 1802 East Houston Street.

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

ACTION TAKEN.

Motion by Commission Member Davis to table the request to renew a 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 for a one-year period at 1802 East Houston Street. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

THE REQUEST WAS TABLED.

EXCEPTION

THE REQUEST OF EMAG AUTOMOTIVE SHERMAN TX P1 LLC (OWNER), MICHAEL CARLISLE (REPRESENTATIVE) AND CDI DOUGLASS-PYE, INC. (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2300 NORTH HIGHWAY 75, BEING 5.364 ACRES AND ALSO BEING LOT 1, BLOCK 1, INDEPENDENCE SQUARE ADDITION SECTION 3, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.13.1 (5)(C) TO ALLOW OVERHEAD DOORS FACING THE HIGHWAY IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A FREEDOM JEEP SHOWROOM ADDITION.

EXCEPTION –
OVERHEAD DOOR
SITE PLAN – JEEP
SHOWROOM
2300 N. HWY. 75
(EMAG AUTOMOTIVE
SHERMAN TX P1
LLC)

Michael Carlisle, 260 E. Davis St., Ste. 100, McKinney, TX
and Bill Pye, 5065 Westheimer Rd., Houston, TX

Mr. Carlisle and Mr. Pye appeared to represent the request and answer any questions. The property is located at 2300 North Highway 75, between East Lambeth Road and East Taylor Street and is zoned a C-1 (Retail Business District).

Mr. Carlisle explained, “We are requesting site plan approval for a showroom addition with overhead doors facing the highway.”

Commission Member Manley asked, “What will the doors be used for?”

Mr. Carlisle replied, “so that vehicles can pull forward and go through the structure.”

Mr. Pye explained, “The doors are for customers bringing their car in for service. Typically, these doors are open in the morning and closed after business hours. They stay open the entire day. The doors are also there for climate purposes so a customer can have a warm climate to come into. It is not a showroom or a service bay, rather an intake, drop-off area.

The showroom is a separate entity to emphasize the Jeep product.”

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

Mr. Carlisle and Mr. Pye replied, “yes, we have seen the Staff Review Letter and would abide by the Recommendations.”

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

Board of Adjustments

ACTION TAKEN.

Motion by Vice Chairman Downtain to approve the exception under Ordinance No. 2280, Section 6.13.1 (5)(c) to allow overhead doors facing the highway in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 2300 North Highway 75 subject to the Staff Review Letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

Planning and Zoning Commission

ACTION TAKEN.

Motion by Vice Chairman Downtain to approve the site plan for the Freedom Jeep Showroom Addition at 2300 North Highway 75 subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

EXCEPTION

THE REQUEST OF FRHP LINCOLNSHIRE, LLC (OWNER), CAMPING WORLD (TENANT), TRISHA MOLLEN (APPLICANT) AND BO GREEN, SYMONDS FLAGS & POLES, INC. (CONTRACTOR) CONCERNING THE PROPERTY LOCATED AT 2005 SOUTH SAM RAYBURN FREEWAY, BEING LOT 1, BLOCK 43R OF THE REPLAT OF BLOCK 43R, LOT 1 SOUTH SIDE ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (6)(C) TO ALLOW A 130' TALL FLAGPOLE IN LIEU OF THE ALLOWED 100' IN AN M-1 (LIGHT MANUFACTURING) DISTRICT.

EXCEPTION –
130' TALL
FLAGPOLE
2005 S SAM
RAYBURN FWY.
(FRHP
LINCOLNSHIRE, LLC)

(TABLED)

Bo Green, Symonds Flags & Poles, Inc., 8533 Ellis Dr., North Richland Hills, TX; Steve Symonds, Symonds Flags & Poles, Inc., 250 W. Airport Fwy., Irving, TX and Robert Burns, Camping World, 2005 S. Sam Rayburn, Sherman, TX

Mr. Green, Mr. Symonds and Mr. Burns appeared to represent the request and answer any questions. The property is located at 2005 South Sam Rayburn Freeway, the southeast corner of Wilson Avenue and South Sam Rayburn Freeway; Camping World is the tenant. The property is zoned an M-1 (Light Manufacturing) District.

Mr. Green explained, "Camping World would like to install a 130' tall flagpole to fly a 40' by 80' American Flag to keep in

proportion with all their other locations. It is like a signature or landmark of Camping World.”

Chairman Mahone stated, “We have seen this before, can you tell us how this is different from last time we saw it?”

Mr. Green replied, “The first location was too close to the powerlines. We moved it more toward the middle of the lot to get the clearance away from those powerlines.”

Chairman Mahone asked, “Does it create a hardship for you to do a 100’ pole?”

Mr. Green replied, “That is not staying in the regulations Mr. Lemonis (Marcus Lemonis, CEO of Camping World) has put us in trying to keep everything uniform at all his locations.”

Chairman Mahone asked Ms. Cotton, City Attorney, “Are we allowed to restrict this to a certain kind of flag?”

Ms. Cotton replied, “When you are reviewing these, you can put that in your motion since that is what they are asking for. I do not think it would be out of step in saying this is what it is going to be.”

Mr. Rae stated, “If it were anything but an American flag, it would be considered a sign which has different regulations.”

Mr. Green said, “We will only fly the United States flag, nothing else will ever be on that pole.”

Chairman Mahone asked, “Are there any other flags this tall in our area?”

Mr. Rae replied, “Anything close to this is in the City of Denison, not in the City of Sherman.”

Mr. Lee asked, “How far is this from Wilson Street?”

Mr. Green replied, “It is at the center of the lot, so at least 250’ to 300’.”

Mr. Lee replied, “Graphically, it is not shown that way.”

Mr. Rae said, “It looks to show about 40’ to 50’ from Wilson Street.”

Mr. Lee said, “Certainly less than 130’.”

Chairman Mahone asked, “Is this depiction to scale?”

Mr. Green presented a document to Mr. Lee, and Mr. Lee stated, “The submitted site plan does not match that.”

Commission Member Blagg stated, "It really helps us to have correct documentation."

Chairman Mahone explained, "We have requirements to make this public for a certain amount of time. If what was made public is not accurate, it can put us in a hard spot."

Chairman Mahone stated, "I would love to see a giant American Flag. I think 100' would be just fine. Even if we were to go larger, we would need an accurate drawing. I do not have confidence in these drawings."

Mr. Burns stated, "The concern was it was 90' from the powerlines. The flagpole collapses every 30' if it was to go at a certain angle. It was requested that we bring it back not to hit those powerlines."

Chairman Mahone stated, "From the picture, it does not look like it can fall and touch Wilson Street, but from the plat, if that 200' that goes toward Sam Rayburn Freeway is to scale, doesn't that look like less space to go to Wilson?"

Mr. Green replied, "I was looking at this wrong, it should be over here."

Chairman Mahone asked, "Did you put the dot in the wrong spot?"

Mr. Green replied, "yes, I marked it on the wrong spot."

Vice Chairman Downtain asked, "Do we know the distance to Wilson Street?"

Mr. Green replied, "I did not do that. I did not know to do that."

Mr. Symonds stated, "Our Flagpoles are designed by engineers so that if something were to happen, such as a tornado or big windstorm, they bend right below the top of the flag. They are warrantied up to 100 mile per hour winds without the flag, however with the flag on it, it will not stay on in a 60 mile per hour wind or higher, it is just going to get torn up or torn off."

Chairman Mahone asked Ms. Cotton, "If this isn't accurate, are we okay to pass this with verbal language with the footage from Wilson Street?"

Ms. Cotton replied, "I would urge caution because the drawings are what you used to make your decisions and have enough opportunity to vet out other concerns that come up with other things. At this point you have to assess whether or not you have enough information to act on this, to approve or deny."

Chairman Mahone stated, "There is nothing in the language of our document that specifies how far the flagpole is from Wilson Street, so we do not have that to fall back on."

Mr. Green stated, "When I do the permit with the City of Sherman, we will get a better site plan."

Commission Member Blagg read from the Staff Review Letter, "'The flagpole shall have a minimum setback from all property lines of 128'. (Chapter 14, Exhibit A, Section 6.8 (6)(d)).' That would include the Wilson Street side of the property."

Commission Member Davis asked, "Was that Staff Review Letter comment set up for a 100' flagpole or a 130' flagpole? Was it amended based on if this was approved?"

Mr. Rae replied, "based on the size of this flagpole."

Chairman Mahone asked Ms. Cotton, "Does that comment in the Staff Review Letter cover us?"

Ms. Cotton replied, "I would stick with my concerns regarding what you have so far."

Chairman Mahone explained, "This has been advertised to the public, so if we approve it based on this drawing, someone could come back later and say, 'this did not end up where the drawing was, if I would have known, I would have come and spoke against it'."

Chairman Mahone asked, "Can you make a more accurate drawing if we table this and come back with an accurate drawing with accurate dimensions?"

Mr. Green replied, "I can get an updated site plan."

Chairman Mahone asked the applicants, "What would you like us to do? Do you want us to consider action on this or table it?"

Mr. Green replied, "Table it."

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

ACTION TAKEN.

Motion by Vice Chairman Downtain to table the exception under Ordinance No. 2280, Section 6.8, Subsection (6)(c) to allow a 130' tall flagpole in lieu of the allowed 100' in an M-1 (Light Manufacturing) District at 2005 South Sam Rayburn Freeway. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

THE REQUEST WAS TABLED

SPECIFIC USE PERMIT AND SITE PLAN

THE REQUEST OF EISENHOWER TEXOMA LTD. (OWNER) AND JOHN MUNSON (REPRESENTATIVE) CONCERNING THE PROPERTY AT 1729 TEXOMA PARKWAY, BEING 5.341 ACRES IN THE J.B. MCANAI 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 A COMMERCIAL AMUSEMENT CENTER (BINGO HALL) IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

SPECIFIC USE
PERMIT AND SITE
PLAN –
BINGO HALL
1729 TEXOMA PKWY.
(EISENHOWER
TEXOMA LTD.)

John Munson, 1127 W. Morton St., Denison, TX and Cindy Robertson, 1131 E. Bullock, Denison, TX

Mr. Munson and Ms. Robertson appeared to represent the request and answer any questions. The property is located at 1729 Texoma Parkway between Broughton Street and Grand Avenue and is zoned a C-2 (General Commercial) District.

Mr. Munson explained, "I would like approval for a Specific Use Permit to allow a commercial amusement center (bingo hall). This is a 6300 square foot space that the VFW (Veterans of Foreign Wars) is interested in leasing."

Ms. Robertson explained, "The VFW (Veterans of Foreign Wars) Auxiliary Bingo has been operating bingo since 2003. We are a 501 entity that donates toward veterans and veteran projects. We are regulated by the Texas State Lottery and are required to donate a major portion of our proceeds within the State of Texas. Taxes are paid to the State of Texas, Grayson County, and the City of Sherman.

There will be no beer, alcohol or BYOB (bring your own beer). We will not entertain a snack bar, other than sodas, chips and candy bars."

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

Mr. Munson and Ms. Robertson replied, "yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit and site plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a commercial amusement center (bingo hall) in a C-2 (General

Commercial) District at 1729 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

ZONE CHANGE AND SITE PLAN

THE REQUEST OF SHERMAN NEC TEXOMA & 82, L.P. (OWNERS), DAVID BOND (REPRESENTATIVE), SPIARS ENGINEERING, INC. (ENGINEER/SURVEYOR) AND HDEK ARCHITECTS (ARCHITECT) CONCERNING THE PROPERTY AT 3209 TEXOMA PARKWAY, BEING 31.116 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT NO. 811, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
ZONE CHANGE AND SITE PLAN APPROVAL FOR SHERDEN MALL MULTI-FAMILY COMPLEX UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-2 (GENERAL COMMERCIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

ZONE CHANGE – C-2
TO R-2
SITE PLAN –
SHERDEN MALL
MULTI-FAMILY
3209 TEXOMA PKWY.
(SHERMAN NEC
TEXOMA & 82, L.P.)

David Bond, Spiars Engineering, 501 W. George Bush Turnpike, Ste. 200, Richardson, TX

Mr. Bond appeared to represent the request and answer any questions. The property is located at 3209 Texoma Parkway between Gallagher Drive and Highway 82.

Mr. Bond explained, “The owner is requesting a zone change and site plan approval from a C-2 (General Commercial) District to an R-2 (Multi-Family Residential) District for a multifamily complex. This was the site of the previous Sherden Mall. The development of this property sets up the retail pads along Texoma Parkway.”

Chairman Mahone asked, “How many points of ingress and egress do you have to this lot?”

Mr. Bond replied, “We are proposing to develop this in two phases. The southern half near Highway 82 would be developed first. In phase one, we would have three points of entry. Phase two would have two additional points of entry. We are considering gating the project, but the entry points would be free and clear to the public. We did not get the fencing shown on the plan and may need to come back to you with a variance to fence the property. We will discuss this with Staff.”

Mr. Rae stated, “We have worked with the developer and landowner on this site and feel it is a good use of the land since it has been vacant for decades.”

Mr. Lee stated, "The only concern engineering has is we have not seen where the right-of-way lands compared to the existing road. It scales off really close to the curb lines, less than 6' or 3', which is not our normal parkway. They are requesting additional right-of-way and it is platted on Gallagher and Frisco Roads. That may affect the site plan some."

Mr. Rae stated, "The applicant will have to replat before any building permits are issued for this site and that will come up when that happens."

Chairman Mahone asked, "What about Engineering's comments about the sign, number 19, the Monument sign encroach onto easements, is that something you can deal with?"

Mr. Lee replied, "yes, it is just a matter of getting an encroachment agreement."

Commission Member Davis stated, "There is a big utility easement running through the middle."

Mr. Bond replied, "We are proposing to abandon that waterline that ran around the mall. There are storm and sanitary sewer lines that ran under the mall that we are having to rework to develop the project."

Mr. Rae stated, "The signage they have on the site plan is on the Texoma Parkway entrance. They have a couple of monument signs shown. Planning's comment is that signs are not allowed in an R-2 (Multi-Family Residential) District development and if they did want to put up a sign, they would have to get an exception for that."

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

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

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Zone change and site plan for Sherden Mall Multi-Family Complex under Ordinance No. 2280, Section 12, from a C-2 (General Commercial) District to an R-2 (Multi-Family Residential) District at 3209 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Blagg.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

SPECIFIC USE PERMIT AND SITE PLAN

THE REQUEST OF SHAWN MACDONALD (OWNER), RICHARD STRAUB (REPRESENTATIVE), BACA ARCHITECTURE (ARCHITECT) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 2450 NORTH TRAVIS STREET, BEING 3.03 ACRES IN THE J.B. MCANAI SURVEY ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL FOR FIVE STAR STORAGE UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A SELF-STORAGE FACILITY IN A C-1 (RETAIL BUSINESS) DISTRICT.

SUP AND SITE PLAN

– SELF STORAGE FACILITY
2450 N. TRAVIS ST.
(SHAWN MACDONALD)

David Baca, 100 N. Travis St., Sherman, TX

Mr. Baca appeared to represent the request and answer any questions. The property is located at 2450 North Travis Street, the southwest corner of West Lamberth Road and North Travis Street and is zoned a C-1 (Retail Business) District.

Mr. Baca explained, “The owner is requesting a Specific Use Permit and site plan approval for Five Star Storage, a self-storage facility. Five Star Storage is across the street from this location, and they are wanting to put in an expansion. It is designed around oil wells and tanks. There is a phase one site plan. If the owner of the well abandons the well in the future, we want to get the Specific Use Permit set for the full build out. That is what you see with the phase two and maybe phase three at some point. That would be where they would be removing the well head, tank and lines”

Chairman Mahone asked Mr. Rae, “If this were approved, could he do phase one now and phase two could be 10 or 20 years in the future?”

Mr. Rae replied, “That is correct. I spoke with Mr. Baca about that. He had submitted phase two, but we also wanted to show what phase one was in this submittal and the setbacks from those oil wells and oil tanks.”

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

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

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the Specific Use Permit and site plan for Five Star Storage under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Self-Storage Facility in a C-1 (Retail Business) District at 2450 North Travis Street subject to the Staff Review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

RECESS

On Motion duly made and carried, the meeting adjourned at 6:06 p.m.

RECONVENE

Chairman Mahone called the meeting to order at 6:16 p.m.

ZONE CHANGE AND SITE PLAN

THE REQUEST OF 1530 TEXOMA OZ, LLC (OWNER), BACA ARCHITECTURE (ARCHITECT) AND COPLEY LAND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1530 TEXOMA PARKWAY, BEING 2.995 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

ZONE CHANGE AND SITE PLAN APPROVAL FOR TEXOMA GATEWAY APARTMENTS UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-2 (GENERAL COMMERCIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

David Baca, 100 N. Travis St., Ste. 500, Sherman, TX

Mr. Baca appeared to represent the request and answer any questions. The property is located at 1530 Texoma Parkway, the northwest corner of Highway 75 and Texoma Parkway.

Mr. Baca explained, "The owner is requesting a zone change from a C-2 (General Commercial) District to an R-2 (Multi-Family Residential) District for the Texoma Gateway Apartments. The owner is wanting to take this old hotel that has been abandoned and convert it to one-bedroom apartments and add two new three-story buildings that will have some one-bedroom and two-bedroom apartments. We will be ripping out concrete and putting in more permeable areas with a lot more landscaping and an amenities center."

Commission Member Davis stated, "This is saying you are going to abandon North East Street. I don't see a street there."

Mr. Baca replied, "It has not been maintained."

RECESS

RECONVENE

ZONE CHANGE – C-2
TO R-2
SITE PLAN –
TEXOMA GATEWAY
APARTMENTS
1530 TEXOMA PKWY.
(1530 TEXOMA OZ,
LLC)

Mr. Lee stated, "To make it work the way the street would need to be abandoned. The City of Sherman has no use for that street. It is not maintained as a street."

Mr. Rae stated, "Staff asks that if there is a motion to approve the site plan, it be contingent on the abandonment of that right-of-way since the site plan does extend into our current right-of-way as it sits now."

The process they would need to take to abandon that street is to make the request to the engineering department and ask for that abandonment through City Council."

Mr. Lee added, "The property owner on the other side of that street has to agree to that as well."

Mr. Baca added, "Verbally, that property owner has agreed, we just need to get it in writing."

Mr. Rae stated, "We have met with Mr. Baca and the owners of this property for a few development meetings. Our building official and fire marshal have gone to the site to inspect the building. We will expect a structural engineering report as part of the permit to make sure the existing structures are safe."

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

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

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

ACTION TAKEN.

A. Motion by Vice Chairman Downtain to approve the zone change under Ordinance No. 2280, Section 12, from a C-2 (General Commercial) District to an R-2 (Multi-Family Residential) District at 1530 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Manley.

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

VOTING NAY: NONE.

MOTION CARRIED.

B. Motion by Vice Chairman Downtain to approve the site plan for Texoma Gateway Apartments subject to the abandonment of North East Street and the subject to the Staff Review letter. Second by Commission Member Manley.

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

VOTING NAY: NONE.
MOTION CARRIED.

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

REPLAT, ZONE CHANGE, SPECIFIC USE PERMIT AND
SITE PLAN

THE REQUEST OF HOUSE OF ELI (OWNER), TAWNI
HODGE (APPLICANT) AND COPLEY LAND SURVEYING,
INC. (SURVEYOR) CONCERNING THE PROPERTY AT 316
AND 320 NORTH WOODS STREET, BEING 0.482 ACRES IN
THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND
BEING ALL OF LOTS 1R AND 3R, BLOCK 5, REPLAT OF
LOTS 1, 2, AND 3, BLOCK 5, EXSTEIN'S MAPLE ADDITION,
AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. REPLAT APPROVAL OF LOTS 1R & 3R, BLOCK 5,
EXSTEIN'S MAPLE ADDITION, BEING A REPLAT
OF LOTS 1, 2 AND 3, BLOCK 5, EXSTEIN'S MAPLE
ADDITION.
- B. ZONE CHANGE APPROVAL UNDER ORDINANCE
NO. 2280, SECTION 12, FROM A C-1 (RETAIL
BUSINESS) DISTRICT TO AN R-1 (ONE-FAMILY
RESIDENTIAL) DISTRICT, BEING 0.150 ACRES IN
THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763
AND BEING A PART OF LOT 1R, BLOCK 5, REPLAT
OF LOTS 1, 2 & 3, BLOCK 5, EXSTEIN'S MAPLE
ADDITION, ALSO BEING THE PROPOSED LOT 1R
OF THE REPLAT OF LOTS 1R & 3R, BLOCK 5,
EXSTEIN'S MAPLE ADDITION.
- C. ZONE CHANGE APPROVAL UNDER ORDINANCE
NO. 2280, SECTION 12, FROM AN R-1 (ONE-FAMILY
RESIDENTIAL) DISTRICT TO A C-1 (RETAIL
BUSINESS) DISTRICT, BEING 0.332 ACRES IN THE
J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND
BEING A PART OF LOT 1R AND ALL OF LOT 3R,
BLOCK 5, REPLAT OF LOTS 1, 2 & 3, BLOCK 5,
EXSTEIN'S MAPLE ADDITION, ALSO BEING THE
PROPOSED LOT 3R OF THE REPLAT OF LOTS 1R
& 3R, BLOCK 5, EXSTEIN'S MAPLE ADDITION.
- D. SPECIFIC USE PERMIT AND SITE PLAN
APPROVAL UNDER ORDINANCE NO. 2280,
SECTION 8, SUBSECTION (5)(A) TO ALLOW A
SECURITY OFFICE WITH LIVING QUARTERS FOR
HOUSE OF ELI ON THE PROPOSED LOT 3R OF THE
REPLAT OF LOTS 1R & 3R, BLOCK 5, EXSTEIN'S
MAPLE ADDITION, BEING A REPLAT OF LOTS 1, 2
AND 3, BLOCK 5, EXSTEIN'S MAPLE ADDITION,
ALSO BEING 0.332 ACRES IN THE J.B. MCANAIR
SURVEY, ABSTRACT NO. 763 IN A C-1 (RETAIL
BUSINESS) DISTRICT.

REPLAT – EXSTEIN'S
MAPLE ADDITION
ZONE CHANGE – C-1
TO R-1
ZONE CHANGE – R-1
TO C-1
SUP AND SITE PLAN
– SECURITY OFFICE
WITH LIVING
QUARTERS
316 & 320 N. WOODS
ST.
(HOUSE OF ELI)

Tawni Hodge, 123 S. Ricketts St., Sherman, TX

Ms. Hodge appeared to represent the request and answer any questions. The property is located at 316 and 320 North Woods Street between West Ellis and West Pecan Streets.

Ms. Hodge explained, "We are requesting zone changes and replat approval to divide the property into two lots, one for a storage and workshop and the other for a new home to rent or sell. We are also requesting a Specific Use Permit and site plan approval to allow a tiny house (10' x 40') for an office space to include living quarters for security for our landscaping equipment. One person will be living in the tiny house."

Chairman Mahone asked, "Is there a driveway?"

Ms. Hodge replied, "no."

Commission Member Davis stated, "Would the Specific Use Permit only go with the House of Eli?"

Mr. Rae replied, "That motion can be made for if they were to sell it in the future. A Specific Use Permit can have conditions."

Chairman Mahone asked Ms. Hodge, "Which measurement is accurate for the tiny house, the narrative or drawing."

Ms. Hodge replied, "the drawing."

Chairman Mahone asked Ms. Cotton, "Does that discrepancy cause an issue for us?"

Ms. Cotton replied, "I have looked at the site plan and we care more that is what you actually posted, so I am not concerned about the discrepancy."

Mr. Rae added, "The site plan would hold more weight in this case. The Specific Use Permit does not specify the size of the structure. Your motion could include that measurement, based on the site plan, that is what is allowed to give confidence that is what they will put in and not a larger house with more bedrooms."

Ms. Cotton stated, "I would go with limiting language. You want to limit it so that it doesn't exceed a certain size."

Commission Member Blagg asked, "Does the corner lot needed to be wider?"

Mr. Rae clarified, "The surveyor submitted a revised plat to show the 60' wide lot. It does not show the right-of-way. That is the only concern, based on the Staff review, is the requirement for additional right-of-way."

Mr Lee replied, "We will be asking for 5' of right-of-way on Ellis Street."

Mr. Rae added, “since they are replatting, that comes into play.”

Commission Member Manley said, “The lot meets all the minimum requirements, I do not understand the question.”

Mr. Rae explained, “The way it is laid out now works for an R-1 (One-Family Residential) District as a 60’ lot, but if engineering requires a 5’ right-of-way off Ellis Street, that would shrink it down to 55’ which would be lower than our district regulations for lot width.”

Part of the challenge is they put up a fence in advance trying to figure out where that 60’ wide lot is. I told her then that we don’t like doing that because if the lot line does change, they would have to move their fence line.”

Mr. Lee stated, “It looks like all of Lot 3R is in the flood plain. The tiny home would have to sit higher than the flood plain elevation. You would have to work with the flood plain manager on that.”

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

Ms. Hodge replied, “yes, they had seen the Staff Review Letter and would abide by the Recommendations.”

No other citizens appeared before the Planning and Zoning Commission to discuss the replat, zone changes, Specific Use Permit or site plan.

ACTION TAKEN.

- A. Motion by Commission Member Davis to approve the Replat approval of Lots 1R & 3R, Block 5, Exstein’s Maple Addition, being a Replat of Lots 1, 2 and 3, Block 5, Exstein’s Maple Addition; the zone change under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District, being 0.150 acres in the J.B. McAnair Survey, Abstract No. 763 and being a part of Lot 1R, Block 5, Replat of Lots 1, 2 & 3, Block 5, Exstein’s Maple Addition, also being the proposed Lot 1R of the Replat of Lots 1R & 3R, Block 5, Exstein’s Maple Addition; the zone change under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District to a C-1 (Retail Business) District, being 0.332 acres in the J.B. McAnair Survey, Abstract No. 763 and being a part of Lot 1R and all of Lot 3R, Block 5, Replat of Lots 1, 2 & 3, Block 5, Exstein’s Maple Addition, also being the proposed Lot 3R of the Replat of Lots 1R & 3R, Block 5, Exstein’s Maple Addition; and the Specific Use Permit and site plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a security office

with living quarters not to exceed 600 square feet and with the condition that the Specific Use Permit is restricted only to the House of Eli on the proposed Lot 3R of the Replat of Lots 1R & 3R, Block 5, Exstein's Maple Addition, being a Replat of Lots 1, 2 and 3, Block 5, Exstein's Maple Addition, also being 0.332 acres in the J.B. McAnair Survey, Abstract No. 763 in a C-1 (Retail Business) District at 316 and 320 North Woods Street subject to the Staff Review Letter. Second by Commission Member Manley.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

REPLAT AND ZONE CHANGE

THE REQUEST OF HOUSE OF ELI (OWNER), TAWNI HODGE (APPLICANT) AND COPLEY LAND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 119 AND 123 SOUTH RICKETTS STREET AND 825 WEST LAMAR STREET, BEING 0.517 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND BEING LOTS 10, 11 AND LOT 12, BLOCK 2, G.Y. GRAY'S 2ND ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. REPLAT APPROVAL OF LOTS 10R & 11R, BLOCK 2, G.Y. GRAY'S 2ND ADDITION, BEING A REPLAT OF LOTS 10, 11 AND 12, BLOCK 2, G.Y. GRAY'S 2ND ADDITION.
- B. ZONE CHANGE APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT ON THE PROPOSED LOT 11R OF THE REPLAT OF G.Y. GRAY'S 2ND ADDITION, A REPLAT OF LOTS 10, 11 AND 12, BLOCK 2, G.Y. GRAY'S 2ND ADDITION, ALSO BEING 0.230 ACRES OF THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING THE SOUTH 100 FEET OF LOTS 10 AND 11, BLOCK 2, G.Y. GRAY'S 2ND ADDITION.

REPLAT – G.Y.
GRAY'S 2ND ADDN.
ZONE CHANGE – R-1
TO R-2
119 & 123 S.
RICKETTS ST. & 825
W. LAMAR ST.
(HOUSE OF ELI)

Tawni Hodge, 123 S. Ricketts St., Sherman, TX

Ms. Hodge appeared to represent the request and answer any questions. The property is located at 119 and 123 South Ricketts Street and 825 West Lamar at the northeast corner of South Ricketts and West Lamar Streets.

Mr. Hodge explained, "We are requesting replat approval to combine the properties into two lots. We are also requesting a zone change for 123 South Ricketts and 825 West Lamar Streets from an R-1 (One Family Residential) District to R-2 (Multi-Family Residential) District for the

House of Eli. We want to do an addition to the home at 123 South Ricketts and rehab the building at 825 West Lamar for living quarters or an auxiliary building.”

Mr. Rae explained, “A portion of Lots 10, 11, and 12 are recommended to be replatted into one lot and the remainder of 10 and 11 will be platted separately as a lot.

The challenge was that when Ms. Hodge came in, that house was right on the property line, so it is nonconforming. We recommended that she get a variance or replat it all into one lot.”

Chairman Mahone asked, “Is there enough parking? How many bedrooms are there?”

Ms. Hodge replied, “House of Eli has four bedrooms and there are four parking spaces at the main house. We propose turning the house behind it into a one-bedroom and that driveway we would use for parking. There is parking in the back of 119 South Ricketts.”

Mr. Rae asked, “That driveway is currently graveled and our ordinance states that it needs to be paved to count as parking.”

Ms. Hodge replied, “That will be a huge expense, but we will make it a 9’ by 20’ driveway.”

Joe Gloria, 122 S. Ricketts Street, Sherman, TX

Mr. Gloria said, “I love everything the House of Eli is doing. My biggest issue with this is turning this from a one-family to a multi-family residential is if a study has been done on how this will affect our market value.”

Commission Member Davis replied, “Nothing is really going to change other than the platting and zoning. No one will see a difference other than this place getting nicer.”

Mr. Gloria said, “My second issue would be parking. With guest parking along the street and traffic going to Lamar Street, it is making it difficult for anyone to get into our driveway.”

Ms. Hodge replied, “I want to be a good neighbor. Please come to me and we will work this out. We have done a lot to alleviate the problem by parking in our driveway. It is a problem with all the construction. Everyone living on South Ricketts Street parks on the street because there are not many driveways and parking is allowed on the street.”

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

Ms. Hodge replied, “yes, they had seen the Staff Review Letter and would abide by the Recommendations.”

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

ACTION TAKEN.

Motion by Vice Chairman Downtain to approve the replat of Lots 10R & 11R, Block 2, G.Y. Gray's 2nd Addition, Being a Replat of Lots 10, 11 and 12, Block 2, G.Y. Gray's 2nd Addition and the zone change under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District on the proposed Lot 11R of the Replat of G.Y. Gray's 2nd Addition, a Replat of Lots 10, 11 and 12, Block 2, G.Y. Gray's 2nd Addition, also being 0.230 acres of the J.B. McAnair Survey, Abstract No. 763 and being the south 100 feet of Lots 10 and 11, Block 2, G.Y. Gray's 2nd Addition at 119 and 123 South Ricketts Street and 825 West Lamar Street subject to the staff review letter. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

REPLAT AND EXCEPTION

THE REQUEST OF ROBERTO MERAZ (OWNER), LISSETH LARA (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY IN THE 600 BLOCK OF NORTH FRISCO ROAD, BEING 0.826 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND BEING ALL OF LOTS 1 THROUGH 4, BLOCK 1, LAS CASITAS ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

- A. REPLAT APPROVAL OF LOTS 1 THROUGH 4, BLOCK 1, OF LAS CASITAS
- B. ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

REPLAT - LAS CASITAS
ZONE CHANGE – R-1 TO R-2
600 BLOCK OF NORTH FRISCO ROAD
(ROBERTO MERAZ)

(TABLED)

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

Ms. Lara appeared to represent the request and answer any questions. The property is located in the 600 Block of North Frisco Road between North Broughton and North Throckmorton Streets.

Ms. Lara explained, "We are requesting a replat, zone change and site plan approval for the Las Casitas subdivision to build two-story, three-bedroom per unit duplexes with a one car garages."

Chairman Mahone asked, "There are currently four lots. Are there going to be five lots or ten lots?"

Mr. Rae replied, "The way the lots are laid out now, there are two fronting Throckmorton Street and two fronting Broughton Street. The change requests five lots facing Frisco Road."

Chairman Mahone asked, "Is the whole front yard concrete?"

Ms. Lara replied, "yes, pretty much."

Chairman Mahone asked, "How many 9' by 20' parking spots are in the front?"

Ms. Lara replied, "four."

Commission Member Davis asked, "Will all these parking spots be pulling out onto Frisco Road?"

Ms. Lara replied, "yes."

Mr. Rae stated, "At that intersection, Staff would prefer to have driveways on Frisco Road rather than Broughton Street."

Commission Member Davis stated, "I have a proposed one-story duplex on the site plan, but when I look at the elevations, it is two-story duplexes. What are you building?"

Ms. Lara replied, "It is supposed to be two-story duplexes."

Chairman Mahone asked, "Does the site plan take precedence over the elevation?"

Ms. Cotton replied, "Since they are all incorporated in there, if she wants to say that those that are one-story are an error, you can leave out the two-story and take action on the one-story."

Vice Chairman Downtain asked, "What is that 20' section in the middle of Lot 3R?"

Mr. Lee replied, "That is a sewer line easement. I do not know why that is there. Staff has looked that up and has not found any record of that. If it does exist, it is going to have to be abandoned and the City of Sherman has no objection."

Ms. Lara replied, "We are not planning on building on that lot yet."

Ms. Cotton stated, "Mr. Chairman, I am going to adjust my last bit of advice on the discrepancy on the one-story and two-story. Looking at what the applicant has submitted, and since we have been consistently looking at site plans today, in this meeting, I think it might be appropriate to ask the applicant to update those site plans because you can't really

make a decision on the site plans as they are currently before you. The two-story building renderings we have are elevations and not site plans.”

Mr. Lee stated, “I am curious, the maximum driveway allowance is 27’ wide, but you need 36’ for four cars. I am also concerned about how close that drive approach is on the corner lots to the intersections.”

Mr. Rae stated, “Sometimes duplex developers separate out those drive approaches so there will be two driveways per lot with a green space in between.”

Mr. Lee replied, “On those corner lots it is going to be difficult to stay far enough away from the intersection.”

Ms. Lara said, “I would like to table the replat, zone change and site plan approval to discuss the layout with my father.”

Mr. Rae asked Ms. Cotton, “If the applicant requests the replat to be tabled are we okay on that? There are some shot clock issues with state law that we want to be in compliance with on the plat. It does not apply to zone changes, so we want to make sure that is okay.”

Ms. Cotton replied, “We have to approve within 30 days so if she comes to the next meeting, we should be good to table.”

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

ACTION TAKEN.

Motion by Commission Member Manley to table the replat approval of Lots 1 through 4, Block 1, of Las Casitas and the zone change and site plan approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District. Second by Commission Member Davis.

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

VOTING NAY: NONE.

MOTION CARRIED.

THE REQUEST WAS TABLED.

TEMPORARY USE PERMIT & SITE PLAN

THE REQUEST OF TNP SITES, LLC (OWNER), ROYALE PROPERTY MANAGEMENT COMPANY (LEASING AGENT), AND IRFANULLA YUSUFZAI (TENANT) FOR THE PROPERTY LOCATED AT 4800 TEXOMA PARKWAY, BEING 11.97 ACRES AT MIDWAY MALL, LOTS 5 THROUGH 7, PART OF LOT 1, BLOCK 1, AS FOLLOWS:
BOARD OF ADJUSTMENTS

TUP & SITE PLAN –
COVID TESTING SITE
4800 TEXOMA
PARKWAY
(TNP SITES, LLC)

TEMPORARY USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (4) TO ALLOW A MOBILE COVID TESTING SITE IN A C-2 (GENERAL COMMERCIAL) DISTRICT/M-1 (LIGHT MANUFACTURING) DISTRICT.

Tammy Peters, 403 N. Highland Ave., Sherman, TX

Ms. Peters appeared to represent the request and answer any questions. The property is located at 4800 Texoma Parkway; Midway Mall. The proposed COVID Testing Site will be on the east side of Midway Mall in the parking lot on Texoma Parkway. The property is zoned a C-2 (General Commercial) District and M-1 (Light Manufacturing) District.

Ms. Peters explained, "The owner is requesting a Temporary Use Permit and site plan approval for a COVID Testing Site at Midway Mall. It would be out of the way and there is plenty of parking."

Chairman Mahone asked, "What is the time limit on the Temporary Use Permit?"

Mr. Rae replied, "Currently, our ordinance states six months. After six months, they would have to come get it renewed."

The Temporary Use Permit is for the container and not the COVID testing site and when they put the container out, that is what triggers the response to get a Temporary Use Permit."

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

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

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the Temporary Use Permit and site plan under Ordinance No. 2280, Section 8, Subsection (4) to allow a Mobile COVID Testing Site in a C-2 (General Commercial) District/M-1 (Light Manufacturing) District at 4800 Texoma Parkway subject to the Staff Review Letter. Second by Commission Member Whitaker.

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

VOTING NAY: NONE

MOTION CARRIED.

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

EXCEPTION AND VARIANCE

THE REQUEST OF SHERMAN NEC TEXOMA AND 82 LP (OWNER), COREY VAUGHAN, QUIKTRIP (PROSPECTIVE BUYER) AND VILBIG AND ASSOCIATES, PLLC (CIVIL ENGINEER/SURVEYOR) CONCERNING THE PROPERTY AT 2801 TEXOMA PARKWAY, BEING 3.115 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT NO. 504, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION 6.13.1, SUBSECTION (5)(A) AND SECTION 7, SUBSECTION (14)(1)(1) AND SUBSECTION (6) TO ALLOW AN ADDITIONAL 392 SQUARE FOOT, 85' TALL FREESTANDING SIGN, 14' FROM THE SOUTHWEST PROPERTY LINE ALONG U.S. HIGHWAY 82 IN LIEU OF ONE FREESTANDING SIGN PER DEVELOPMENT LOT, THE REQUIRED 110' SETBACK AND THE ALLOWED 300 SQUARE FOOT, 50' TALL IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

EXCEPTION &
VARIANCE –
ADDITIONAL, 85'
TALL POLE SIGN, 14'
SETBACK
2801 TEXOMA PKWY
(SHERMAN NEC
TEXOMA AND 82 LP)

Corey Vaughan, 1120 N. Industrial Blvd., Euless, TX

Mr. Vaughan appeared to represent the request and answer any questions. The property is located at 2801 Texoma Parkway, the northeast corner of U.S. Highway 82 and Texoma Parkway. The property is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District.

Mr. Vaughan explained, "QuikTrip is asking for an exception and variance to allow an additional 392 square foot, 85' tall freestanding sign, 14' from the southwest property line along U.S. Highway 82. We will accept 75' tall, but we are going to present the need for 85' tall. The driving force behind this is safety."

Chairman Mahone asked, "Is the location of the sign different from last time we saw this?"

Mr. Vaughan replied, "no. I hope to show the need and hardship for an 85' tall sign for safety maneuvers getting to the exit. The way we sit at this location, the elevation is way below the highway. We provide fuel for 18 wheelers as well as regular automobiles and as you can see from the slide, at 50' tall, you cannot see that sign. At 75' tall, the fuel pricers are right below the line of site. At 85' tall, you can see the sign and pricers at that exit in a timely fashion to make a good decision to get off the exit safely without causing a whole lot of disturbance."

Chairman Mahone asked, "Why do you need 392 square feet instead of the allowed 300 square feet?"

Mr. Vaughan replied, "The extra 92 square feet is for the pricer of the diesel offer and it is the same font size of the regular sign. If we changed it in any way that we looked at with the engineers, we would have to decrease the button to where you would not be able to see our brand and pricing. The font size is the minimum you can have so that you can see it from that distance."

Chairman Mahone asked, "Do you have some sort of data on what font sizes can be read at certain speeds?"

Mr. Vaughan replied, "Yes, that is what we had looked at."

Commission Member Davis stated, "Nothing has changed since the last time you were here."

Mr. Rae responded, "Mr. Vaughan had reached out to me after the last meeting asking what was next. I said they could come back with a resubmittal since there was not action taken on the item at the last meeting and I recommended a different submittal. They wanted to do the same 85' tall, 392 square foot sign. I instructed him that if that is the case, they need to show more information on where those signs need to be and if they will be willing to go lower, to be prepared for that. If they are approved on a pole sign, they will have to be approved on an additional sign since the monument sign had already gotten approved."

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

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

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the Exception and Variance under Ordinance No. 2280, Section 7, Subsection 6.13.1, Subsection (5)(a) and Section 7, Subsection (14)(i)(1) and Subsection (6) to allow an additional 392 square foot, 75' tall freestanding sign, 14' from the southwest property line along U.S. Highway 82 in lieu of one freestanding sign per development lot, the required 110' setback and the allowed 300 square foot, 50' tall in a C-2 (General Commercial) District./O-1 (75 & 82) Overlay District at 2801 Texoma Parkway subject to the Staff Review Letter. There was no second for this motion.

MOTION FAILED FOR LACK OF A SECOND.

ACTION TAKEN.

Motion by Vice Chairman Downtain to approve the Exception and Variance under Ordinance No. 2280, Section 7, Subsection 6.13.1, Subsection (5)(a) and Section 7,

Subsection (14)(i)(1) and Subsection (6) to allow an additional 392 square foot, 85' tall freestanding sign, 14' from the southwest property line along U.S. Highway 82 in lieu of one freestanding sign per development lot, the required 110' setback and the allowed 300 square foot, 50' tall in a C-2 (General Commercial) District./O-1 (75 & 82) Overlay District at 2801 Texoma Parkway subject to the Staff Review Letter. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN AND WHITAKER.

VOTING NAY: DAVIS AND MANLEY.

MOTION FAILED.

ACTION TAKEN.

Motion by Commission Member Manley to approve the Exception and Variance under Ordinance No. 2280, Section 7, Subsection 6.13.1, Subsection (5)(a) and Section 7, Subsection (14)(i)(1) and Subsection (6) to allow an additional 392 square foot, 75' tall freestanding sign, 14' from the southwest property line along U.S. Highway 82 in lieu of one freestanding sign per development lot, the required 110' setback and the allowed 300 square foot, 50' tall in a C-2 (General Commercial) District./O-1 (75 & 82) Overlay District at 2801 Texoma Parkway subject to the Staff Review Letter. There was no second for this motion.

MOTION FAILED FOR LACK OF A SECOND.

ACTION TAKEN.

Motion by Vice Chairman Downtain to approve the Exception and Variance under Ordinance No. 2280, Section 7, Subsection 6.13.1, Subsection (5)(a) and Section 7, Subsection (14)(i)(1) and Subsection (6) to allow an additional 392 square foot, 80' tall freestanding sign, 14' from the southwest property line along U.S. Highway 82 in lieu of one freestanding sign per development lot, the required 110' setback and the allowed 300 square foot, 50' tall in a C-2 (General Commercial) District./O-1 (75 & 82) Overlay District at 2801 Texoma Parkway subject to the Staff Review Letter. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN AND WHITAKER AND MANLEY.

VOTING NAY: DAVIS.

MOTION CARRIED.

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

OTHER BUSINESS

APPOINT ZONING ORDINANCE UPDATE SUBCOMMITTEE.

OTHER BUSINESS

Mr. Rae explained, "Currently there is a Comprehensive Plan Advisory Committee that the Mayor and City Council has appointed. That is about 15 to 16 people. Commission Member Manley and Commission Member Sims are on that

committee. This would be separate from the Comprehensive Plan update. At the same time that we are doing the Comprehensive Plan, Staff is wanting to update the zoning ordinance so that when the Comprehensive Plan is adopted, we also have a new zoning ordinance that we would adopt at the same time. The purpose of the Zoning Ordinance Subcommittee would be to help Staff develop changes for the zoning ordinance.”

A Zoning Ordinance Update Subcommittee was appointed by Chairman Mahone, February 22, 2022; the members include Clay Mahone, David Downtain and Glen Whitaker.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 7:52 p.m.

ADJOURNMENT

CHAIRMAN



ACTING SECRETARY