

ACTION MINUTES

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a regular meeting Tuesday, December 12, 2023, at 5:00 P.M. in the City Council Chambers at 220 W. Mulberry to consider the following:

All requests are subject to the Zoning Ordinance/Code of Ordinance Chapter 14, unless otherwise stated.

1. **CALL TO ORDER**

Chairman Mahone called the meeting to order at 5:05 p.m.

2. **APPROVE ACTION MINUTES OF THE REGULAR NOVEMBER 14, 2023 PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT MEETING.**

The Planning and Zoning Commission reviewed the minutes of the November 14, 2023, Regular Meeting. Motion by Commission Member Sims to approve the Minutes as written. Second by Vice Chairman Downtain. All present voted AYE.

3. **ANNOUNCEMENTS**

Chairman Mahone stated, "Mr. Davis has served on the Board for nine years. We would like to give you a gift as an appreciation of the City and thank you for serving."

4. **APPOINT BOARD OF ADJUSTMENT**

5. **CITIZEN COMMENTS**

There were no citizen comments.

Open Public Hearing

6. **CONSENT AGENDA (ITEMS 7, 8 AND 9)**

Asterisked (*) items are considered to be routine and non-controversial items. These items will be enacted in one motion without discussion unless a Commission Member or a member of the audience requests a specific item be discussed and voted on separately prior to a motion and vote.

The Commission reviewed the Consent Agenda. Vice Chairman Downtain moved to approve Items 7, 8 AND 9 on the Consent Agenda as presented subject to the Staff Review Letter. Second by Commission Member Whitaker. All present voted AYE.

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

7. * **3801 NORTH HIGHWAY 75 (Project No. 23-006299)**

The request of The Saxton Group (Owner) and Sherry Irick (Representative) for the property at 3801 North Highway 75, consisting of 0.87 acres and currently zoned C-1 (Retail Business) District/75 & 82 Overlay District, as follows:

Planning and Zoning Commission

Site Plan for a pick-up lane at McAlister's Deli restaurant

8. * **110-120 BLOCKS WEST MULBERRY STREET (Project No. 23-006074)**

TABLED FROM NOVEMBER 14, 2023

The request of Ricardo Alvarez and Dianna Torres (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located at 110-120 Blocks West Mulberry Street, consisting of 0.67

acres being a part of the J.B. McAnair Survey, Abstract No. 763 and being a part of Lots 1-3 and 8, Block B of the T.J. Shannon Supplement, as follows:

Planning and Zoning Commission

Final Plat of Liberty Lighthouse Addition

9. * 900 SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-005928)

TABLED FROM NOVEMBER 14, 2023

The request of Steve Dietrich (Owner) and Gregg Davidson, Alliance GC Group, Inc. (Representative) concerning the property located at 900 South FM 1417 (Heritage Parkway), in the Elizabeth Jones Survey, Abstract No. 625 and currently zoned MF-30 (Multi Family Residential) District/F.M. 1417 Overlay District, as follows:

Planning and Zoning Commission

Site Plan for the Country Village Office Addition

10. 2601-2701 BLOCK SOUTH FM 1417 (HERITAGE PARKWAY) AND 3001 BLOCK WEST TRAVIS (Project No. 23-006136) TABLED FROM NOVEMBER 14, 2023

AN EMAIL WAS RECEIVED BY CHRIS LAROCO ON WEDNESDAY NOVEMBER 22, 2023 AT 10:39 A.M. REQUESTING TO WITHDRAW THIS ITEM.

The request of Chris LaRocco, Bearcat Crossing, LTD. (Owner), Jim Riley (Applicant) and Votex Surveying Company (Surveyor) concerning the property located in the 2601-2701 Blocks South FM 1417 (Heritage Parkway) and 3001 Block West Travis, consisting of 15.264 acres in the Elizabeth Jones Survey, Abstract No. 625 and currently zoned C-1 (Retail Business) District/FM Highway 1417 Overlay District, as follows:

Planning and Zoning Commission

Final Plat of Bearcat Crossing Addition

Chairman Mahone stated, "There was an email received by Chris LaRocco requesting to withdraw this item."

Planning and Zoning Commission

Motion by Vice Chairman Downtain to withdraw the Final Plat located in the 2601-2701 Blocks South FM 1417 (Heritage Parkway) and 3001 Block West Travis. Second by Commission Member Sims.

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

VOTING NAY: NONE.

This item was withdrawn by the Commission.

11. 5000 BLOCK HOWE DRIVE (Project No. 23-006295)

The request of Sam Sampson, Oncor Electric Sharp (Owner) and Rob Myers (Representative) for the property in the 5000 Block Howe Drive consisting of 6.31 acres, being in the William Martin Survey, Abstract No. 765, and currently zoned Blalock Industrial Park PD (Planned Development) District, as follows:

Planning and Zoning Commission

Site Plan for Oncor Howe Substation

Rob Myers, 6160 Warren Parkway, Frisco, TX

Mr. Myers explained, "The reason for the project is for the growing demand and to help reinforce the grid in the area. We are still going through a few city comments but it is my understanding that staff has approved this Site Plan with the condition of addressing their comments."

Planning and Zoning Commission

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

VOTING NAY: NONE.

MOTION CARRIED.

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

12. 910 SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-006296)

The request of J.A. Properties, LLC (Owner) and Roderick Tatchio (Representative) for the property at 910 South FM 1417 (Heritage Parkway) and currently zoned C-1 (Retail Business) District/F.M. 1417 Overlay District, as follows:

Planning and Zoning Commission

Site Plan for a Commercial Development

Rod Tatchio, 3512 Frisco Road, Sherman, TX

Mr. Tatchio stated, "We would be glad to accept conditional approval as long as we satisfy the staff with all of their comments and anything they find necessary. This is a 10,000 square foot office facility with parking on both sides. It is designed to have the appearance of the other FM 1417 office complexes. It is divided into spaces for retail and office space. The parking is based off office occupancy."

After discussion on the item for 910 South FM 1417 (Heritage Parkway) Mr. Tatchio has requested to table the item.

Planning and Zoning Commission

Motion by Commission Member Manley to table the Site Plan located at 910 South FM 1417 (Heritage Parkway). Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

This item was tabled by the Commission.

13. 3000 BLOCK WEST OB GRONER ROAD AND 4500 BLOCK WEST PARK AVENUE (Project No. 23-005675) TABLED FROM NOVEMBER 14, 2023

The request of Shakir Rehmatullah, Flato Development, Inc. (Owner), Rick Leisner, Norris Design (Representative) and Atwell-Group (Surveyor) concerning the property located in the 3000 Block West OB Groner Road and the 4500 Block West Park Avenue consisting of 220.18 acres being a part of the Elizabeth Jones Survey, Abstract No. 625 and the Jason Stamps Survey, Abstract No. 1115, and located in the ETJ (Extra Territorial Jurisdiction), as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from an R-A (Residential Agriculture) District to a PD (Planned Development) of Greenway.

Rick Leisner, 208 North Market Street, Suite 250, Dallas, TX

Mr. Leisner stated, "A month ago we received comments and made adjustments. This project is roughly 220 acres and is a master plan community. All of the components for residential and commercial would be designed with similar detail and character. The open space in essence will bind and unify the development together."

Mr. Leisner presented a PowerPoint for the public to view.

Greenway PD

Flato Developments Inc.
Shakir Rehmatullah, President

Norris Design
Rick Leisner, Principal

Atwell
Jorge Garay, PE

Developer

Planning and Site Design

Engineering



GREENWAY | SHERMAN, TX
11/30/2023

DRAFT DEVELOPMENT PLAN

FLATO
DEVELOPMENTS INC.

ATWELL

NORRIS DESIGN

FLATO
DEVELOPMENTS INC.



Greenway PD – Vision

**Greenway Planned Development
totals 220.18 acres.**

Master Planned Community

The community will be designed and branded to be similar in design detail and character. Open space and family amenities will unify the development.

The three (3) guiding principles for development of Greenway are:

1. Pedestrian walkability,
2. Preservation and connection to nature,
3. With residential and commercial villages.



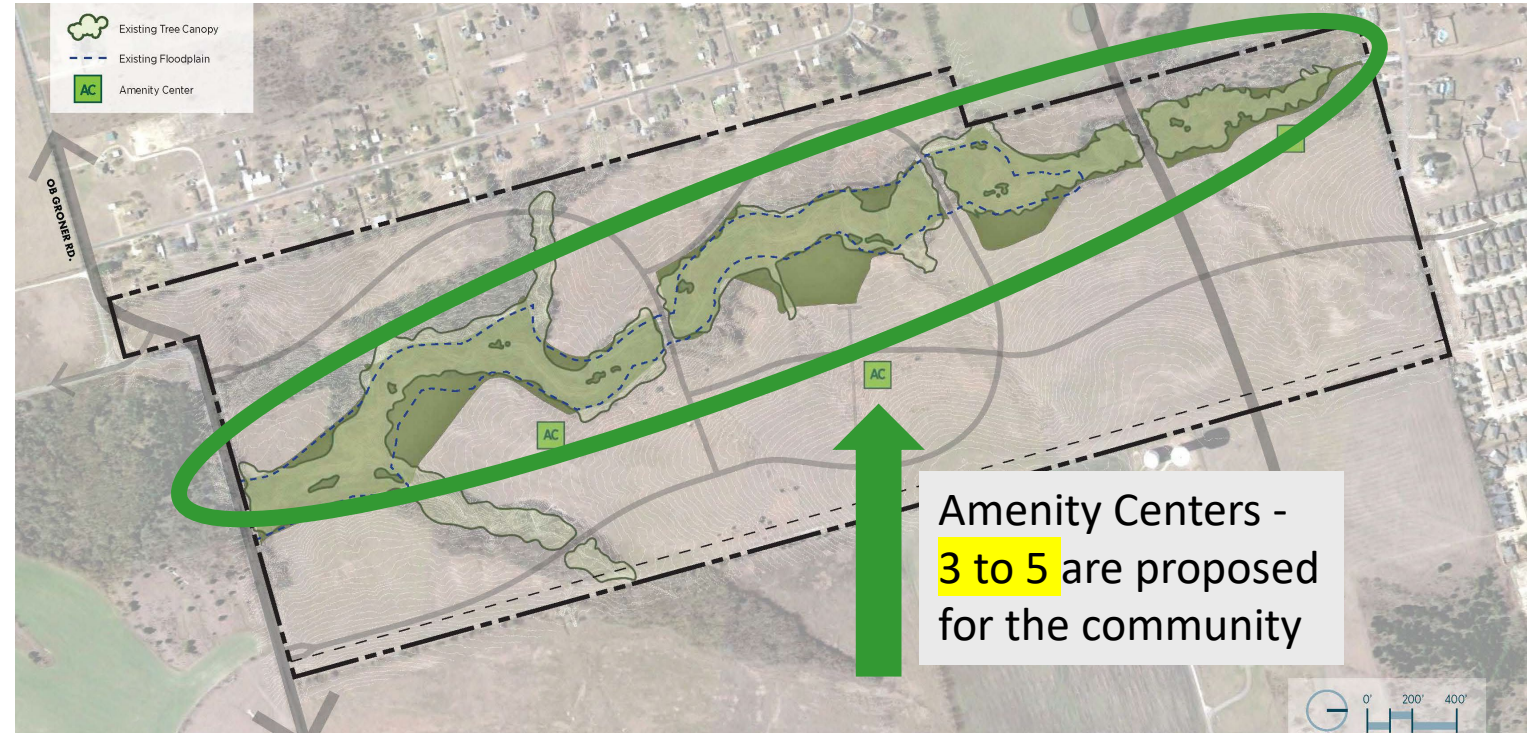
Existing Conditions



Existing Mature Trees

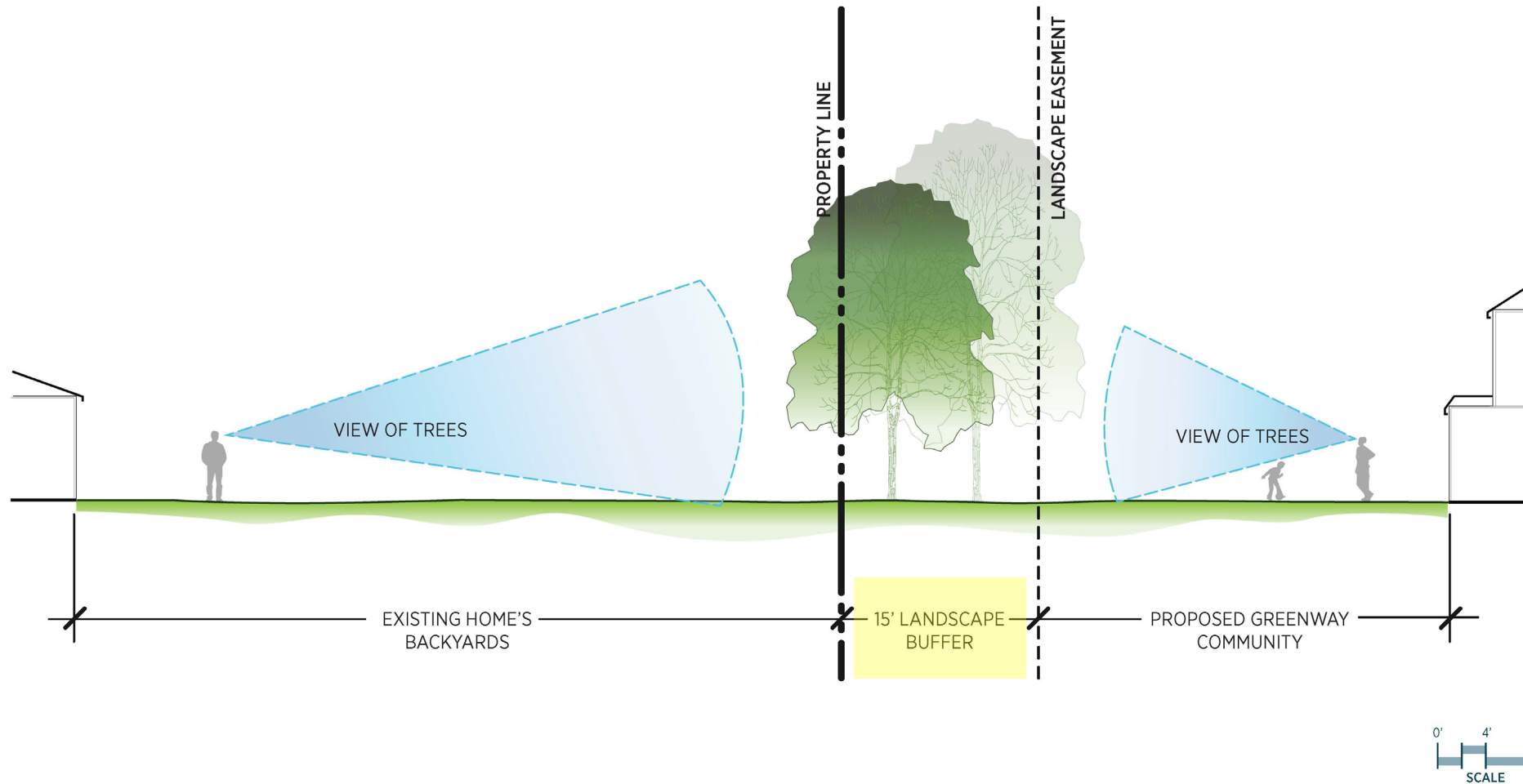
The trees on the site are fantastic and can provide great value to the community and their residents. Flato plans to provide pedestrian improvements within the canopy and access to the central open space to all residents.

Greenway – Planned Together with Trees



Use	Size	Percentage
Open Space / Trees	37.3 ac.	17.0 % <i>(not including multiple pocket parks)</i>
Major Roadways	31.28 ac.	14.2 %
Development Villages	142.1 ac.	64.5 %
Water Easement (open area)	9.5 ac.	4.3 %
Total Acreage:	220.18 ac.	100 % <i>(all acreage is gross calculation)</i>

Greenway – Landscape Buffer



Program – Residential and Commercial

Residential Development

Single Family
(60', 50', and 40' SF lots)
Townhome
Mixed Use
Multi-Family



Prototypical Development Images

Commercial Development

Neighborhood Commercial



GREENWAY | SHERMAN, TX
11/30/2023

DRAFT DEVELOPMENT PLAN

FLATO DEVELOPMENTS INC. ATWELL NORRIS DESIGN

Phase One

Preliminary areas for Phase One development.

- Utilities
- Access
- Additional phases to the north

Phase 1B

Phase 1A



Marlow, Lauren

From: Planning
To: sylvia pearson; Planning
Cc: Jeff Pearson
Subject: RE: Comments in Opposition to Zone Change @3000 Block West OB Groner and 4500 Block West Park Ave

From: sylvia pearson
Sent: Monday, December 11, 2023 7:54 AM
To: Planning
Cc: Jeff Pearson
Subject: Comments in Opposition to Zone Change @3000 Block West OB Groner and 4500 Block West Park Ave

Sylvia and Jeff Pearson
 5009 W Country Lane
 Sherman, TX 75092

December 11th, 2023

Dear Planning and Zoning Commission and Board of Adjustment of the City of Sherman,

We are writing to express strong opposition to the proposed land zoning change from R-A (Residential Agricultural) to PD (Planned Development) in our community. While we understand the need for growth and development, we firmly believe that this particular zoning change would have detrimental effects on our neighborhood and the quality of life for its residents.

1. **Impact on Property Values:** Changing the zoning from Residential-Agricultural to Planned Development could potentially lead to a decline in property values. The character of our neighborhood is primarily residential, and introducing a planned development may result in increased noise, traffic, and other nuisances that can negatively impact property values.
2. **Overcrowding and Strain on Infrastructure:** Planned developments often bring an influx of residents and businesses, leading to increased strain on local infrastructure such as roads, schools, and utilities. Our community is not equipped to handle the additional demands that a planned development would impose on these essential services.
3. **Loss of Community Character:** The proposed zoning change threatens the unique character and charm of our residential-agricultural area. It is crucial to preserve the identity of our neighborhood and resist changes that may compromise the qualities that attracted residents in the first place.
4. **Environmental Concerns:** A shift to Planned Development may involve clearing large areas of land, disrupting local ecosystems and wildlife habitats. We should prioritize environmental sustainability and conservation efforts, especially in areas with agricultural significance.
5. **Traffic Congestion:** Planned developments often bring increased traffic, creating congestion on our local roads. This not only poses a safety risk but also diminishes the peaceful and serene environment that makes our neighborhood desirable.

6.

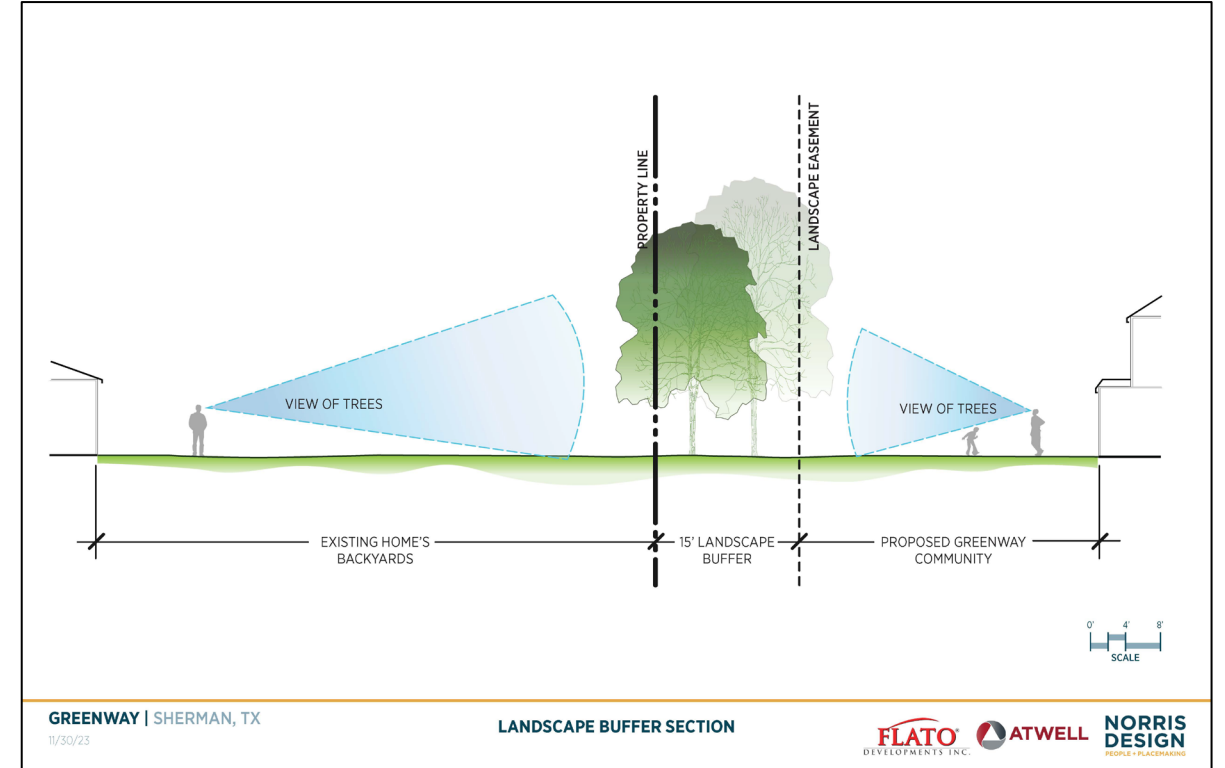
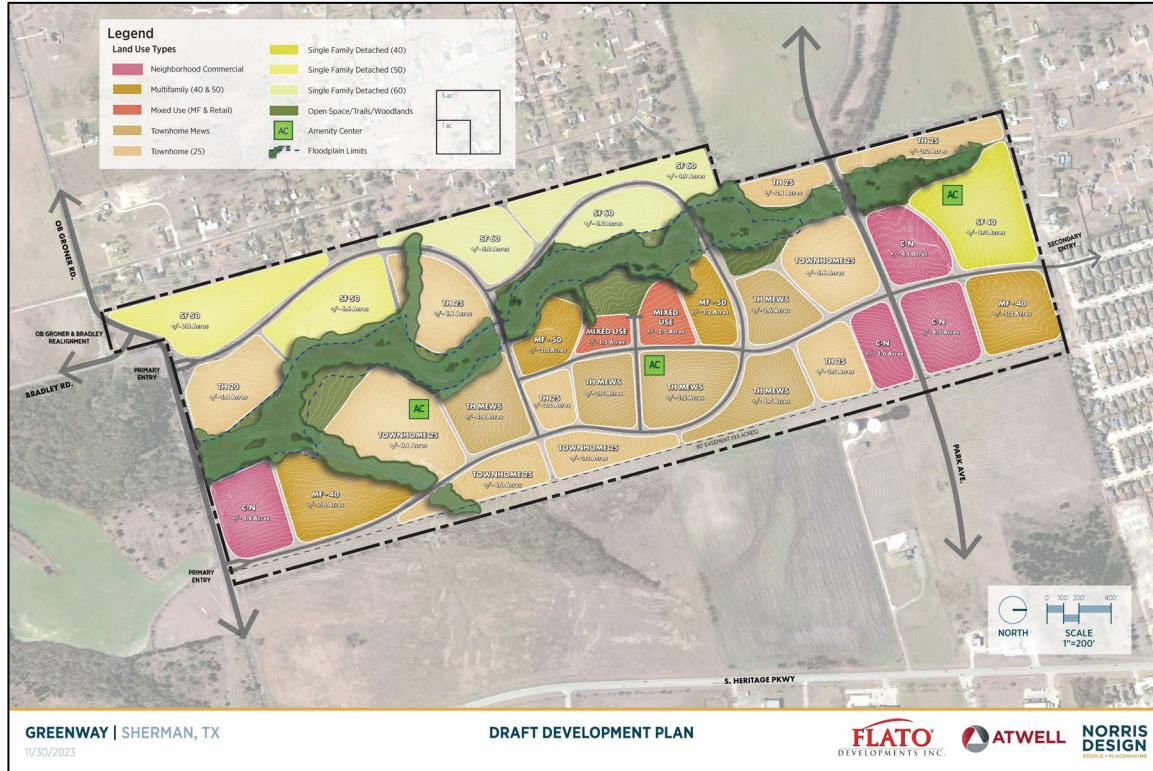
It is essential that the community's voice is heard in matters that directly impact our lives, we urge the Planning and Zoning Commission to reconsider the proposed land zoning change. It is crucial to prioritize the long-term well-being and happiness of the existing residents and to ensure that any development aligns with the values and character of our community.

Thank you for your time and consideration.

Sincerely,

Sylvia and Jeff Pearson

Development Plan / Q&A



We are here asking for your approval tonight.

Our changes from last month: larger SF lots, landscape buffer, amenity centers, and (2 areas) MF density.

Happy to answer any questions.

Thank You!

Marlow, Lauren

From: Planning
To: Rae, Rob
Subject: RE: 3000 Block West OB Groner Road & 4500 Block West Park Ave (220.18 acres)

From: Linda Robertson
Date: December 10, 2023 at 4:39:33 PM CST
To: "Plyler, David"
Subject: 3000 Block West OB Groner Road & 4500 Block West Park Ave (220.18 acres)

I am sending this email to you because a person in my neighborhood came to my door Sunday morning, explaining to me the City of Sherman is planning to let "a person" (from Canada no less) change the zoning in my area from residential to commercial. Really??

I have lived in this neighborhood for 31 years. We moved to this location because it was in the country. Quiet and peaceful. But apparently a total of 7 people on the City Council are going to decide whether or not our quiet and peaceful neighborhood will remain such.

If you let this development take place, it will not be the neighborhood we moved in to. From our prospective, it appears the City of Sherman is only interested in one thing: Revenue the city will get in taxes.

Have you not given any thought as to what will become of the neighborhoods in this area?

The crime will increase. The traffic will increase. Some of us will not feel comfortable in our own homes.

I do worry about the water supply. When the new High School and all the surrounding apartments were built (and being continuously built), we notice a change in the water pressure. Not the pressure we had when we first moved here. I don't know if this area can support the number of apartments that may be built.

Depending on the council's decision, I will consider to move out of Sherman to a smaller town.

Unfortunately, I will not be able to attend the public hearing on December 12, 2023. This is the reason for my email. Perhaps it will be registered a "NO", please do not let this happen to our neighborhood.

Thank you for your time,

Linda Robertson
 2507 S. Westridge Trail
 Sherman, TX 75092

Against Zona Change

29 total attached

81 total on file

110 Total

8
NAME: Stephen L. Harris Nephew

ADDRESS: 2401 Friendship rd.

NAME: Carolyn Spencer Harris

ADDRESS: 2401 Friendship 75092

NAME: Roger D. Robertson

ADDRESS: 5214 Trailridge rd 75092 RDR

NAME: Janet Robertson

ADDRESS: 5214 Trailridge rd 75092

NAME: Edward Lindv

ADDRESS: 2701 valley Ridge Ln.

NAME: SHERRY HUSTER

ADDRESS: 2701 VALLEY RIDGE LN SHERMAN TX

NAME: Robert Vanne 172

ADDRESS: 2704 S. Rolling Hills Sherman TX

NAME: Thomas W. Gysert

ADDRESS: 5208 W. Meadow Ridge Rd. Sherman

NAME: B. Harry Wilson

ADDRESS: 5105 Rolling Hills Dr. Sherman, TX 75092

NAME: Kris Morris

ADDRESS: 5011 Rolling Hills Dr. Sherman TX 75092

NAME: Thomas Gladden

ADDRESS: 5108 W. Rolling Hills Dr. Sherman TX 75092

NAME: Carolyn Gladden

ADDRESS: 5108 W Rolling Hills Dr Sherman TX 75092

NAME: NIELS MICHAELSEN

ADDRESS: 5100 ROLLING HILLS SHERMAN TX 75092

NAME: Kenneth Rousseau Sherman, TX 75092

ADDRESS: 5201 Trailridge Rd.

NAME: BRETT WALSER SHERMAN TX 75092

ADDRESS: 2611 S. WESTRIDGE TRL.

NAME: Brennan Waiser Sherman TX 75092

ADDRESS: 2611 S. Westridge Trl.

NAME: Juan Medina

ADDRESS: 2617 S Westridge Trail Sherman Tx 75092

NAME: Princess Brown

ADDRESS: 2511 Valley Ridge Lane, Sherman, TX 75092

NAME: Brenda Roberts

ADDRESS: 2817 Rolling Hills Sherman Tx 75092

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

11 citizens spoke on this item.

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Zone Change located in the 3000 Block West OB Groner Road and the 4500 Block West Park Avenue subject to the Staff Review letter and Half Concurrence Letter with the Staff Recommendations of a 25-foot landscape buffer required along the west and north property lines and only 1-story buildings and structures being permitted within 100 feet of the west and north property lines."

This motion fails for the lack of a second.

Planning and Zoning Commission

Motion by Commission Member Blagg to deny the Zone Change located in the 3000 Block West OB Groner Road and the 4500 Block West Park Avenue. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, BLAGG, RAMIREZ, SIMS AND WHITAKER

VOTING NAY: MANLEY AND DOWNTAIN

MOTION CARRIED.

This item was denied by the Commission.

14. 2505 NORTH HICKORY STREET (Project No. 23-005932)

TABLED FROM NOVEMBER 14, 2023

The request of Sarika Mandavilli (Owner), Vamsi Krishna Chitluri (Representative) and Burns Surveying (Surveyor) concerning the property located at 2505 North Hickory Street, consisting of 1.673 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Board of Adjustment

- A. Public Hearing and Variance under Section 14.02.012 to allow a lot area of 1.673 acres in lieu of the required 2 acres in an MF-15 (Multi-Family Residential) District.

Planning and Zoning Commission

- B. Public Hearing and Zone Change from MF-30 (Multi Family Residential) District to an MF-15 (Multi Family Residential) District.
- C. Site Plan for The Fab Townhomes

Benjamin Ford, 1430 South Broadway, Carrollton, TX

Mr. Ford explained, "We currently do not comply with the MF-30 (Multi Family Residential) District due to being under 2 acres. We are looking at changing to an MF-15 (Multi Family Residential) District to reduce the density to something that works. The issue that came up during the last meeting was parking. All of the homes have two car driveways as well as the garage with an addition six parking spots off of the hammerhead for the firetruck turnaround."

Board of Adjustment

Motion by Commission Member Manley to approve the Variance located at 2505 North Hickory Street. Second by Commission Member Whitaker.

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

VOTING NAY: NONE.

MOTION CARRIED.

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Zone Change and Site Plan located at 2505 North Hickory Street subject to the Staff Review letter. Second by Commission Member Sims.

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

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

15. 1200 SOUTH DEWEY AVENUE (Project No. 23-006297) ~~WITHDRAWN~~

The request of City of Sherman (Owner) and Weaver Consultants Group (Surveyor) concerning the property located at 1200 South Dewey Avenue, consisting of 101.638 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Planning and Zoning Commission

- A. Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-E (Estate Residential) District.
- B. Public Hearing, Site Plan and Specific Use Permit approval under Section 14.06.009 to allow an Airport or landing field, and aircraft hangar in an R-E (Estate Residential) District.

16. 2276 SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-006298)

The request of Sherman Developers, LLC (Owner), Michael Carlisle, P.E. (Applicant) and Kimley-Horn and Associates, Inc. (Engineer/Surveyor) concerning the property located at 2276 South FM 1417 (Heritage Parkway), consisting of 10.0030 acres in the E. Jones Survey, Abstract No. 625, as follows:

Planning and Zoning Commission

- A. Public Hearing and Specific Use Permit approval under Section 14.06.009 to allow Schools; elementary, high, college and universities, public, private, or denominational in a C-1 (Retail Business) District/F.M. 1417 Overlay District.
- B. Site Plan for Sherman Charter School

Michael Carlisle, 260 East Davis Street, Suite #100, McKinney, TX

Mr. Carlisle stated, "We have a 10-acre tract on the west side of FM 1417 (Heritage Parkway) and the current zoning is C-1 (Retail Business) District. The Zoning Ordinance states for the proposed use we are required to submit for a Specific Use Permit. The grades for the school will be Kindergarten through 12th grade."

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Specific Use Permit located at 2276 South FM 1417 (Heritage Parkway) subject to the Staff Review letter being tied to Sherman Inspire Academy. Second by Commission Member Whitaker.

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

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

17. 415 EAST HOUSTON STREET (Project No. 23-006306)

The request of Justin Ellis, Ellis Truck and Auto, Inc. (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located at 415 East Houston Street, consisting of 1.526 acres being a part of the J.B. McAnair Survey, Abstract No. 763 and being all of Tract One, Tract Two and Tract Three, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Specific Use Permit approval under Section 14.06.009 to allow a Junk, salvage yard, or wrecking service in an M-2 (Heavy Manufacturing) District.

Ed Richardson, 118 South Crockett Street, Sherman, TX

Mr. Richardson stated, "I am the attorney for the entity Mr. Ellis. We have come tonight to ask you to table this for the time being. There are legal issues that have arisen being whether or not a business that has been in the same location providing the same services since 1986 is required to get a Special Use Permit or if they are whether or not they are required to comply with Ordinances that came into being after the existence of the business. The City Attorney Ryan Pittman from the Abernathy Firm and I have been exchanging correspondence on this. I understand it is our burden to show that we have been an existing towing business in that location. There is no salvage yard; there is an autobody shop, tow trucks and an impound yard in fact the Ellis family is multi-generational business owners in Sherman for even longer than 1986. They have been in that location providing those services, they have been on the Sherman rotation for wrecker service all that time. There have been times when they were the only ones in town so we would like to work through those legal issues before any decision is made here about Special Use Permits because obviously we are not legally required to get one. We don't want to waste your time and if we are not legally obligated to comply with staff recommendations, well we certainly don't want to agree to make changes to the existing property. Respectfully we are asking that we table so we can work out those legal issues."

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

ADJOURNMENT

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

RECONVENE

The Executive Session closed, and the meeting reconvened at 7:05 p.m.

Chairman Mahone asked if there is a Motion to table this item.

No Motion was made to table. This request moves forward.

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Site Plan and Specific Use Permit located at 415 East Houston Street subject to the Staff Review letter. Second by Vice Chairman Downtain.

Commission Member Blagg abstained from the motion.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

ADJOURNMENT

The meeting adjourned for a Recess at 7:15 p.m.

RECONVENE

The Recess closed, and the meeting reconvened at 7:22 p.m.

18. 3551 EAST HIGHWAY 82 (Project No. 23-006308)

The request of Wendy Ferguson, KWLTL Assets, LLC (Owner), Todd Evans, Lanterra Group, LLC (Applicant) and North Texas Surveying, LLC (Surveyor) concerning the property located at 3551 East Highway 82, consisting of 10.586 acres in the Samuel M. McGlothlin Survey, Abstract No. 811, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Specific Use Permit approval under Section 14.06.009 to allow a Recreational Vehicle Resort (Travel Trailer Park) in a C-1 (Retail Business) District/75 & 82 Overlay District.

Lance Koth, 4504 Lakeview Drive, Frisco, TX

Mr. Koth explained, "This was a Specific Use Permit back in 2020 but expired for a variety of reasons. We sat down with staff and showed them a layout that had been developed in 2020. We have made some changes to the plans following some changes at county level as far as septic service and areas required. The Recreational Vehicle slips have dropped from 78 slips to 63 slips. If we can work certain things out the faded lines on the Site Plan would become slips to get to the goal of 78 slips. The onsite septic services changed some regulations. The water is across the road so a part of this is participating in bringing the water across the road or underneath Highway 82 then extending it around. The sewer services are far enough away that it is cost prohibited but I have heard it is up to two million dollars to bring it where it is right now. It is not an option for this piece of land. We are at 9.50 acres which it started at 10.50 but we have right-of-way dedication for both Baker Ridge and Skaggs. There is a distinction between and Recreational Vehicle Park and an Recreational Vehicle resort. This would be a Recreational Vehicle Resort and the difference is that the amenities are in the middle. The owner Wendy Ferguson is here and has been adamant about saving or replanting trees. If we stick with the 63 slips it is well over an acre. The right side has a community center, pool, pickle ball courts and a playground. The left side would be for a playground or dog park.

Planning and Zoning Commission

Motion by Commission Member Manley to deny the Site Plan and Specific Use Permit located at 3551 East Highway 82.

This motion fails for the lack of a second.

Planning and Zoning Commission

Motion by Commission Member Whitaker to approve the Site Plan and Specific Use Permit located at 3551 East Highway 82 being tied to Wendy Ferguson, KWLTL Assets. Second by Commission Member Blagg.

VOTING AYE: MAHONE, DOWNTAIN, BLAGG, RAMIREZ, SIMS AND WHITAKER

VOTING NAY: MANLEY.

MOTION CARRIED.

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

19. 413 SOUTH WILLOW STREET (Project No. 23-006309)

The request of Gladiator Build (Owner) and Barton Chapa Surveying (Surveyor) concerning the property located at 413 South Willow Street, consisting of 0.115 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-5 (Single Family Residential) District.

Simka LP
16311 Ranchita Drive
Dallas, Texas 75248

December 7, 2023

Sherman Development Services
P.O. Box 1106
Sherman, Texas 75091
planning@cityofsherman.com

This communication aims to state that We CANNOT SUPPORT the specific use permit approval to allow a Recreational Vehicle Resort in a C-1 District on the property at 3551 East Highway 82. Unfortunately, we cannot attend the public hearing on December 12, 2023, to express our concerns in person.

Our property abuts the proposed RV park with the park immediately east of ours. Our land is zoned for residential use. When we purchased this property in 2007, we intended to invest in it with hopes of developing it. The property was not zoned at the time of our purchase and was outside the City of Sherman planning zone. The property did not even have municipal water. We had anticipated that our property would be zoned commercial because of its location on the frontage road of Highway 82.

The prospect of building a recreational vehicle resort adjacent to zoned land for residential purposes raises legitimate concerns about its potential impact on the future potential of our parcel. We are very disturbed by this proposal and feel it would negatively affect the value of our property. When we choose to sell our property or build, having an RV park next door to a residential zone will negatively affect our investment.

The quality of the area could be diminished. Our property is zoned for single-family dwellings. Permitting the Recreational Vehicle Resort next door will adversely impact a developer's decision on the types and quality of the homes to place in this location. Lower-cost housing increases the impact on the City of Sherman's infrastructure. A community with improved amenities and access to Highway 82 makes this desirable for larger, more expansive homes. We need to preserve the appropriate growth of this area to allow for flexible residential and retail development.

Our opposition would be tempered if our parcel was also zoned C-1. Our parcel now has the potential to be between Enderby Gas to the west and a recreational vehicle park to the east. What single-family housing developer would want to invest in this site?

Another concern with RV parks is the potential for increased noise levels. Recreational vehicles often come equipped with generators and air conditioners. The transient nature of their customers generates noise associated with large vehicles coming and going at all hours of the day. Noise associated with an RV resort could reduce the tranquility of residents in a single-family residential community. Recreational Vehicle Resorts increase road traffic. They can also cause disturbances from numerous lights needed to illuminate the site. The transient nature of RV parks, where people come and go frequently, may present challenges for maintaining a strong sense of community and security.

The placement of RV parks next to land zoned for residential development demands careful consideration of the potential drawbacks for our land and all neighboring landowners.

Respectfully,

Howard Mintz, Partner

Howard Mintz, Partner

Sheryl Mintz, Partner

Sheryl Mintz, Partner



Development Services

November 20, 2023

SIMKA LIMITED PARTNERSHIP
16311 RANCHITA DRIVE
DALLAS, TX 75248

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a public hearing on the day of Tuesday, December 12, 2023, at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Wendy Ferguson, KWLT Assets, LLC (Owner), Todd Evans, Lanterra Group, LLC (Applicant) and North Texas Surveying, LLC (Surveyor) concerning the property located at 3551 East Highway 82, consisting of 10.586 acres in the Samuel M. McGlothlin Survey, Abstract No. 811

The request is as follows:

Planning and Zoning Commission

Public Hearing and Specific Use Permit approval under Section 14.06.009 to allow a Recreational Vehicle Resort (Travel Trailer Park) in a C-1 (Retail Business) District/75 & 82 Overlay 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 comments presented to the Planning and Zoning Commission or Board of Adjustment, you may do so by emailing planning@cityofsherman.com or comment in the space provided below and mail to: Development Services, P.O. Box 1106, Sherman, TX 75091. If you wish to have your views published in the online agenda, they must be received in the Development Services office by 5:00 p.m. on Wednesday, the week prior to the Planning and Zoning Commission meeting, otherwise, your comments will be provided to each Commission member at the meeting.

Rob Rae
Acting Secretary, Planning & Zoning Commission

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.

Dane Janes, 3104 North McDonald Street, McKinney, TX

Mr. Janes explained, "Currently the property is zoned R-6 (Single Family Residential) District and we are requesting to go to R-5 (Single Family Residential) District because our lot 50 foot by 100 foot. We will be keeping the setbacks but this would allow us to build on the lot."

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Zone Change located at 413 South Willow Street subject to the Staff Review letter. Second by Commission Member Sims.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

20. 3314 AND 3318 TEXOMA PARKWAY (Project No. 23-006331)

The request of Thomas Hardin II (Owner) concerning the property located at 3314 and 3318 Texoma Parkway, Tract One consisting of 5.34 acres being a part of Lots 12, 13, 14, all of Lots 15 and 16, 17, Block 1 of the Redick Addition and Tract Two, consisting of 2.927 acres being a part of the Reuben Hendrix Survey, Abstract No. 504, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Specific Use Permit approval under Section 14.06.009 to allow an Automobile repair, body work, or painting in a C-2 (General Commercial) District.

Thomas Hardin II, 1755 Meadowlake Drive, Sherman, TX

Mr. Hardin II stated, "We are requesting approval for a Specific Use Permit to add in a paint booth. Currently we have a paint booth, but we would like to install a new one. This will allow us to accommodate more vehicles."

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Site Plan and Specific Use Permit located at 3314 and 3318 Texoma Parkway subject to the Staff Review letter. Second by Vice Chairman Downtain.

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

VOTING NAY: NONE.

MOTION CARRIED.

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

21. OTHER BUSINESS

Amending the Code of Ordinances of the City of Sherman, Texas, Chapter 14 (Zoning Ordinance), Section 14.04.006 (Residential and Commercial Landscaping Requirements); Modifying Certain Existing Regulations Relating to Residential and Commercial Landscaping Requirements and the Preservation and Addition of Plants and Trees; Providing a Penalty clause with a Maximum Fine of \$2,000, Savings/Repealing Clause, Severability Clause and an Effective Date; Providing for the Publication of the Caption Hereof

Rob Rae, 220 West Mulberry Street, Sherman, TX

Mr. Rae presented a PowerPoint for the public to view.

Sherman, Texas

Sherman Tree Ordinance

December 12, 2023 – Planning and Zoning Commission



TREE ORDINANCE

SCHEDULE UPDATE

- In August 2023 Council directed staff to begin looking into an update to the Tree Ordinance
- Staff contracted with Halff Associates (Planning On-Call Consultant) to assist in developing a draft tree ordinance
- City hosted a developer workshop on September 8, 2023
- Public Open House held on September 8, 2023
- Special Called City Council Meeting held on September 9th, 2023 to discuss Tree Ordinance feedback
- Halff Associates provided a draft tree ordinance for staff review on October 31, 2023
- City hosted a follow up developer meeting on November 15th, 2023 to present the draft recommendations

ENGAGEMENT TAKEAWAYS



TREE ORDINANCE COMMUNITY ENGAGEMENT SUMMARY

The City of Sherman is currently considering the development of an ordinance for tree protection requirements on sites of new development. On Wednesday, September 13, 2023, the City of Sherman hosted two meetings to gather feedback regarding such requirements within the City. A developer workshop included attendees who are involved in private development, mainly for single-family residential developments. A public open house was held for all members of the public to attend. Key takeaways from each of these meetings are provided below.



Developer workshop



Public Open House

DEVELOPER WORKSHOP

- Sherman has a lot of advantages (desirable, affordable, smooth City process)
- Concern that a strict tree ordinance will drive up costs, no longer make Sherman affordable
- Don't want to stop development in Sherman
- Grading and drainage is a challenge (particularly W/SW Sherman) = hard to save trees
- There are examples of good ordinance components out there (simple, clear, flexible, good process)
- There need to be exceptions and off-ramps in the ordinance
- Saving trees doesn't work with denser development (building pads, streets)
- Need to consider regulatory equity as not all sites are similar, will greatly impact sites with trees vs. pasture land
- If ordinance does not apply in ETJ, landowners will clear out trees prior to development process/sale of land
- Alternatives, review/appeal process, administrative discretion, Council consideration all important

PUBLIC OPEN HOUSE

- Clear direction from citizens is they want action
- Most visceral reaction to clear-cutting
- Concern about changing character of Sherman
- Desire to be different than suburban Dallas communities
- Preserving some trees on sites, in public locations, is primary desire
- Don't want to stop development in Sherman, but removals are occurring too quickly
- Want this ordinance to move fast and stop what is occurring now



TREE ORDINANCE COMMUNITY ENGAGEMENT SUMMARY

On Thursday, September 14, 2023, the input gathered at the Developer Workshop and Public Open House was presented to the Sherman City Council. Key takeaways from the City Council meeting and staff recommendations, derived as a result of the public engagement, are provided below.

CITY COUNCIL MEETING TAKEAWAYS

- Council would like to understand how Ordinance tiers 2 and 3 apply to land that has no trees at the start to avoid developers having to pay out of pocket for trees that were not present in the first place
- An ordinance will also impact the City's projects – will need to "practice what they preach"
- Most of the conversation has been related to residential development; commercial development would likely stay closer to a Tier 1 ordinance requirement (landscaping only)
- Council would like to balance tree preservation requirements between low density areas and already urbanized or higher-density areas, such as Downtown or infill lots
- Consideration should be given to topography, steep slopes, and a minimum land size for which the preservation regulation applies
- Consideration should be given to different requirements for hardwoods and ornamental trees
- Include options for on-site and off-site replacement or payment into a city tree fund
- In development of an ordinance, legal compliance for certain issues must be followed, such as who the ordinance applies to once in place (can't retroactively apply) and delaying or denying development and annexation requests
- Ordinance needs to be written in a way that disincentivizes clear-cutting in ETJ prior to requesting an annexation

STAFF RECOMMENDATIONS

- Require Tree Survey for new development (some exceptions to be considered)
- Survey 16" hardwood trees and greater (credit offered for smaller trees)
- Mitigation and replacement trees required for 16"+ that are removed
- Credits and regulatory incentives provided for preserving trees on-site
- Priority locations to be considered for tree protection (floodplains, trail plan corridors, street perimeters)
- Consider options and credits for open spaces and parkland pending (subdivision ordinance)

At the conclusion of the City Council meeting, the Council provided directive to Sherman Development Services and the consultant team, Halff, to immediately move forward with drafting a tree ordinance. Per the Council's direction, the ordinance will not prohibit the use of clear-cutting, but should provide requirements for Tier 2 tree replacement and regulatory incentives to meet Tier 3 tree preservation. Additional opportunities will be provided for future engagement with various community stakeholders.



PEER CITIES

The following six communities were reviewed for context.

Denison

*Preservation of
trees measuring 7
inches at diameter
breast height*

Anna

*Preservation of
trees measuring 6
inches at diameter
breast height*

Marble Falls

*Preservation of trees
measuring 12 inches
diameter at breast
height*

McKinney

*Preservation of trees
6 inches diameter at
breast height*

Georgetown

*Preservation of
trees measuring 12
inches at diameter
breast height*

Frisco

*Preservation of trees
measuring 6 inches at
diameter breast
height*

GENERAL

1

Applicability

All development within the City limits and its ETJ

2

Protected Tree

Any species listed as a shade tree that measures 12 caliper inches or larger.

3

Exemptions

- Subdivisions that total five (5) acres or less
- Trees that are dead, diseased, declining, or determined to be a safety hazard
- Public streets, utility easements, and required fire lanes

TREE SURVEY

A tree survey shall be submitted concurrent with the submittal of a preliminary plat application.

Required survey size: trees that measure **12 caliper inches** or larger.

Recommended survey size: trees that measure ***8 caliper inches*** or larger in order to retain eligibility for Preserved Tree credits.

SHADE TREE SPECIES

Existing species list: 56 species listed, including shade and ornamental trees.

Updated species list: 19 shade trees and 15 ornamental trees

- Pecan
- Black hickory
- Walnut
- Southern magnolia
- Texas oak
- Red oak*
- Bur oak*
- Chinkapin oak*
- Shumard red oak
- Post oak
- Live oak*
- Bald cypress
- American elm
- Cedar elm*
- Lacebark elm*
- Chinese pistachio*
- Bigtooth maple
- Caddo maple
- Red mulberry



* Trees that are recommended as appropriate for Street Trees within public rights-of-way or in close proximity.

|| TREES APPLICABLE TO SURVEY



Counts as Preservation Credit Trees

Eight (8) caliper inches



Protected Tree

Twelve (12) caliper inches



Heritage Tree

Thirty-six (36) caliper inches

SURVEY ALTERNATIVES

1

Certify that there are no protected trees on site

2

No Disturbance Area Option

To avoid a tree survey, the applicant may select to set aside no-disturbance areas for 20% of the site

- Floodplains/riparian corridors
- Street Perimeter Buffer Areas
- Trail corridors
- Park land, open spaces, and outdoor amenity spaces





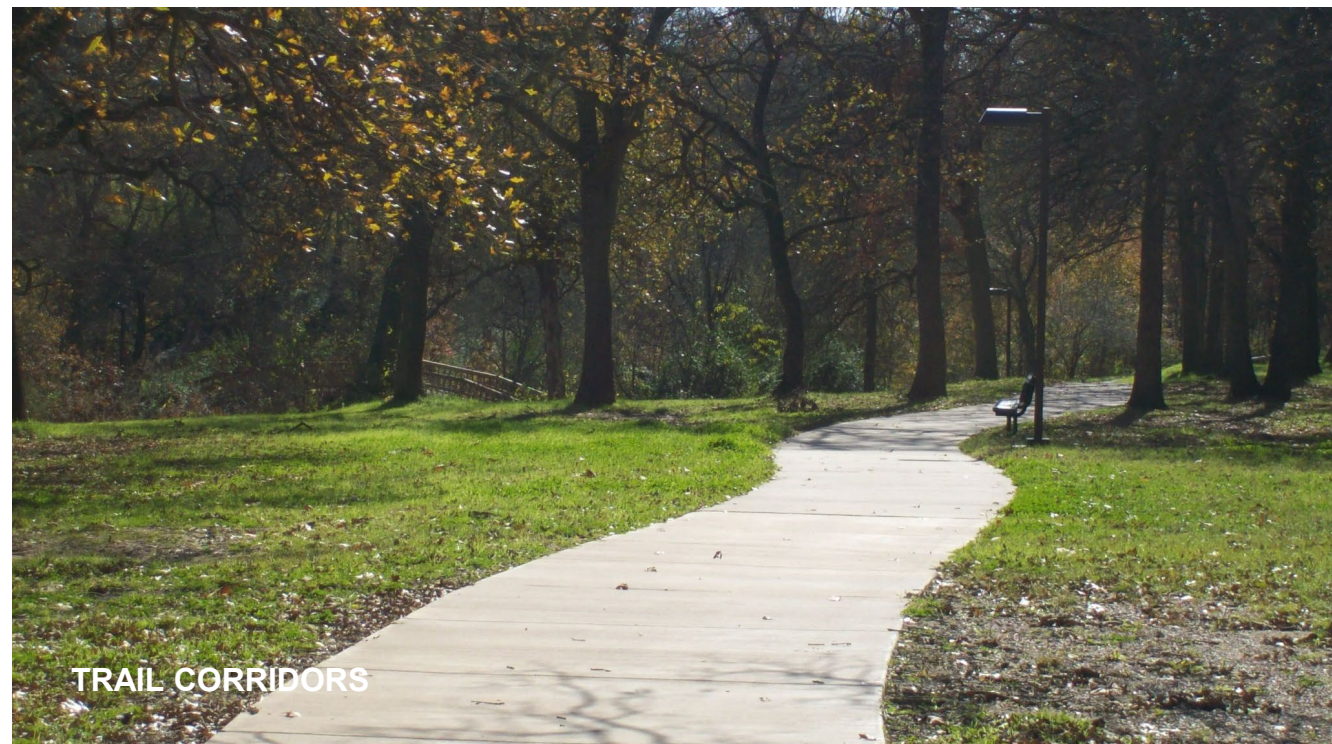
**FLOODPLAINS / RIPARIAN
CORRIDORS**



**STREET PERIMETER
BUFFER AREAS**



**PARK LAND, OPEN SPACES, AND
OUTDOOR AMENITY SPACES**



TRAIL CORRIDORS

TREE REPLACEMENT

Minimum Tree Caliper	Mitigation Ratio
12" or greater and less than 24"	Replace 1" for every 2" removed
24" or greater and less than 36"	Replace 1" for every 1" removed
36" or greater	Replace 2" for every 1" removed

Replacement Trees sized three (3) caliper inches or greater.

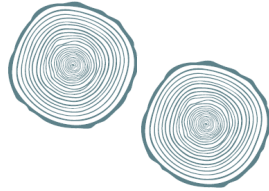
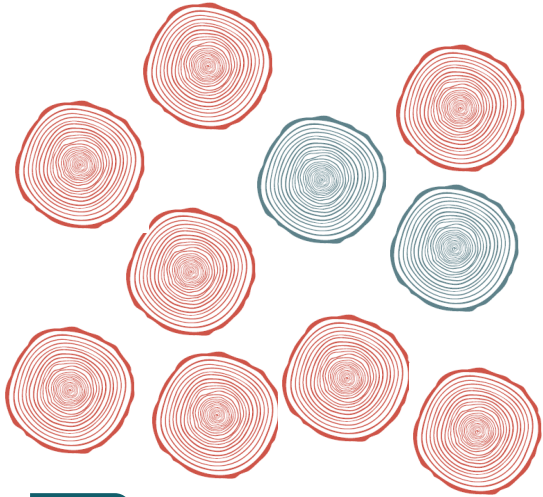
Replacement Trees planted on site are eligible to be counted towards landscaping requirements

TREE PRESERVATION

Preserved Tree Size	Credits towards Replacement Trees
8" – 11"	8 inches
12" – 23"	12 inches
24" – 35"	24 inches
36" and greater	36 inches

Shade trees preserved on site that measure eight (8) caliper inches or greater may be credited toward Replacement Trees

TREE REPLACEMENT EXAMPLE



1

Your site has ten 12" trees (120" total)

2

You've *removed* 8 trees (96") and *preserved* 2 trees (24")

3

You need to replace the removed 96" with 48" of new trees (16 trees)

4

The 2 preserved trees reduce the mitigation by 24"

**16 required new trees minus 24" credit trees
= 8 - 3" REPLACEMENT TREES**

New Ordinance Requirements

Min. Tree Caliper	Mitigation Ratio	Preserved Tree Caliper	Replacement Credits
12" or greater and less than 24"	Replace 1" for every 2" removed	12" - 23"	24"

REPLACEMENT ALTERNATIVES

1

Fee-in-Lieu

Payment to the City of Sherman Tree Fund on a per inch basis.

Payments are to be used for the sole purpose of planting trees and maintenance of those trees.

2

Off-site Mitigation

Replacement Trees may be proposed to be planted in a location mutually agreed upon by the City Manager and the developer, including local parks and public places.

Replacement Trees and fee-in-lieu payments may be combined to satisfy the requirement.



LANDSCAPING ORDINANCE

RESIDENTIAL TREE & LANDSCAPING

1. Residential Lots

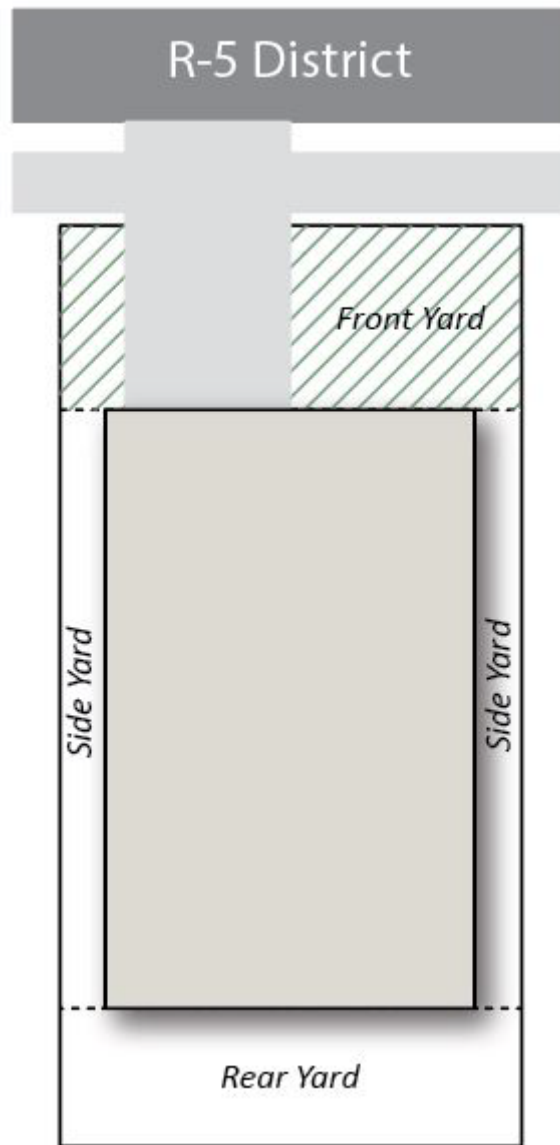
- Increase tree size to 3-inch trees instead of 2-inch; shade trees only

2. Credits

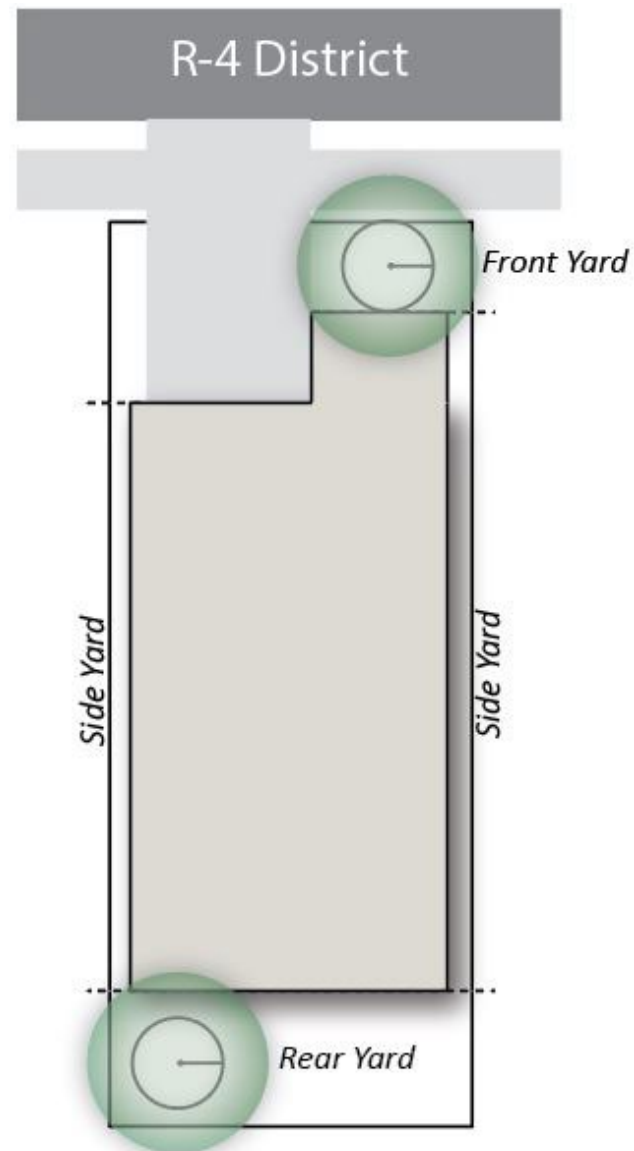
- Replacement Trees and Preserved Trees may be counted towards this requirement

3. Small Lots

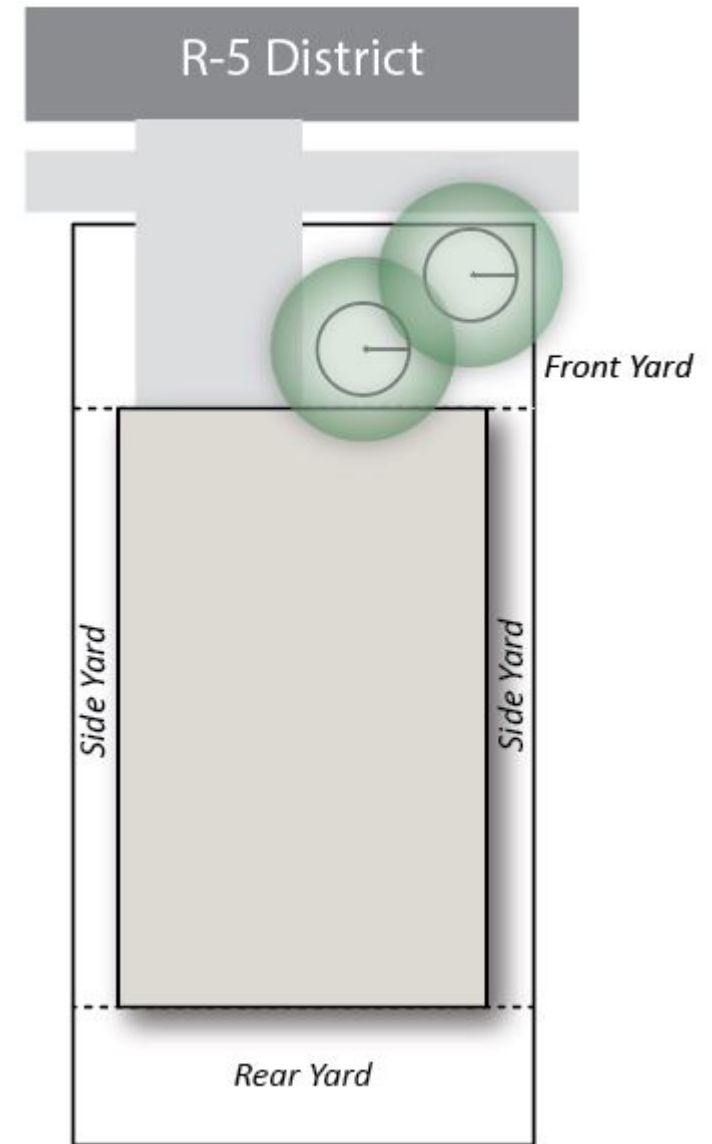
- Under 50' lots, only one tree in front yard
- Minimum 40% landscape space in front yard



Minimum 40% landscaping
area in front yard



Only one tree allowed in front
yard for lots less than 50' wide



Two trees allowed in front
yard for lots at least 50' wide



COMMERCIAL TREE & LANDSCAPING

1. Parking Lot Landscape Areas

- Landscape island at the end of parking rows and throughout the lot for every twelve (12) parking stalls in a row
- Landscape areas shall not contain more than 50% of a non-vegetative landscape material

2. Shade Trees

- One shade tree in each landscape island



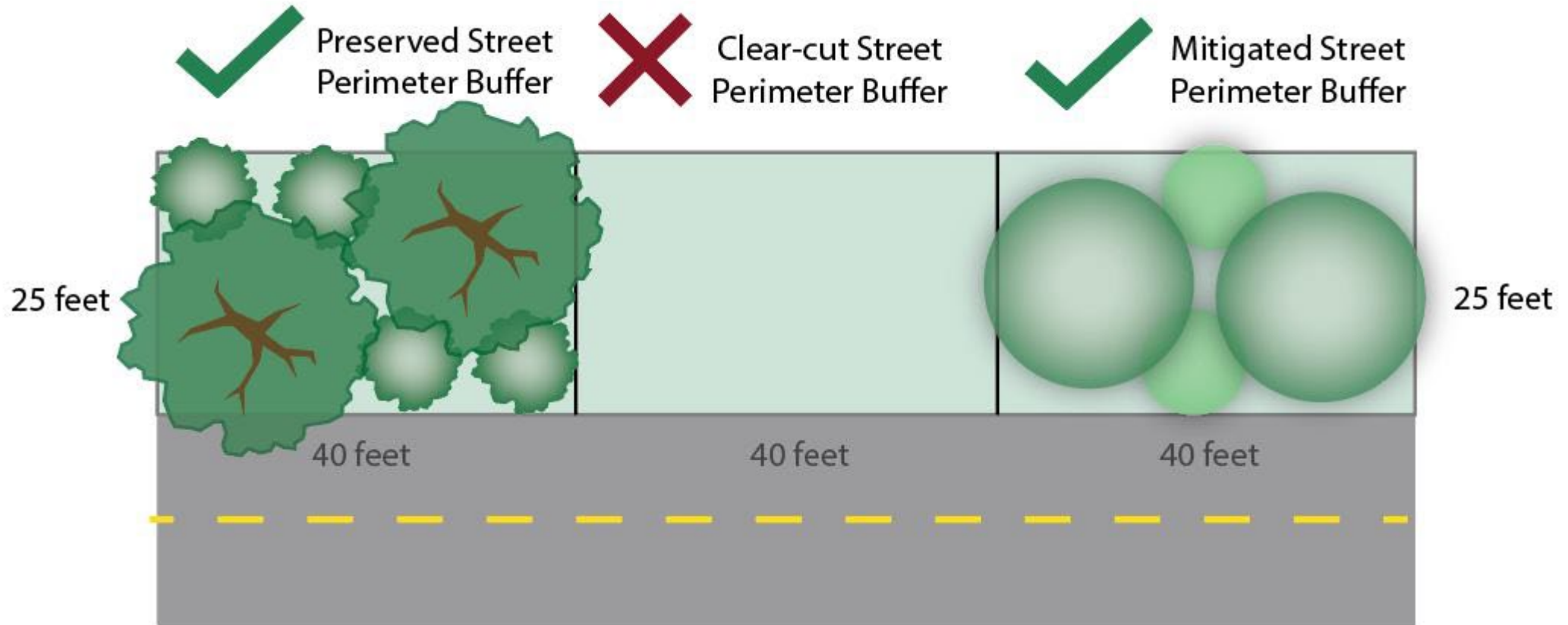
STREET PERIMETER BUFFER

Buffer area intended for preserved trees, replacement trees and amenity space. Two (2) shade trees and two (2) ornamental trees per 1,000 square feet of buffer area.

Street Classification	Minimum Buffer Width
Highway	25 feet
Major Arterial	25 feet
Minor Arterial	25 feet
Collector (residential use)	25 feet
Collector (non-residential use)	15 feet
Local (residential, perimeter only)	25 feet
Local (non-residential use)	15 feet



STREET PERIMETER BUFFERS



BUFFERYARDS

Green space transitions to facilitate compatibility. Can include preserved vegetation or new plantings.

1. Compatibility buffer: 15' landscape buffer
2. Stormwater ponds: 15' landscape buffer
3. Planting requirements for 1,000 sq ft area:
 - One (1) shade tree
 - Two (2) ornamental trees



A large, mature tree with dense green foliage dominates the center of the image. In the background, a small white gazebo with a dark roof is visible. The foreground is a grassy area with some shadows. A blue semi-transparent banner is overlaid across the middle of the image.

QUESTIONS?

No action was needed for this item.

Close Public Hearing

ADJOURNMENT

Chairman Mahone adjourned the meeting at 8:19 p.m.



ACTING SECRETARY



CHAIRMAN