

ACTION MINUTES

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman held a regular meeting Tuesday, February 20, 2024, 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.

The Planning and Zoning Commission and Board of Adjustment meetings are Video and Audio recorded and can be viewed at: <https://www.ci.sherman.tx.us/701/Agendas-and-Minutes>

1. **CALL TO ORDER**

Bookmarked at 01:53

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

2. **APPROVE ACTION MINUTES OF THE REGULAR JANUARY 9, 2024 PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT MEETING.**

Bookmarked at 03:01

The Planning and Zoning Commission reviewed the minutes of the January 9, 2024, Regular Meeting. Motion by Commission Member Manley to approve the Minutes as written. Second by Commission Member Whitaker. All present voted AYE.

3. **ANNOUNCEMENTS**

Bookmarked at 04:04

4. **CITIZEN COMMENTS**

Bookmarked at 04:42

Open Public Hearing

5. **CONSENT AGENDA (ITEMS 6, 7, 8, 9, 10, 11 AND 12)**

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.

Bookmarked at 08:04

The Commission reviewed the Consent Agenda. Commission Member Sims moved to approve Items 6, 7, 8, 9, 10, 11 and 12 on the Consent Agenda as presented subject to the Staff Review Letter. Second by Commission Member Manley.

Vice Chairman Downtain Abstained.

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

VOTING NAY: NONE.

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

6. * **213 NORTH TRAVIS STREET (Project No. 24-000098)**

The request of David Downtain (Owner), RP Sherman Properties (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 213 North Travis Street, consisting of 0.078 acres being a portion of Lot 4 in Block D of T.J. Shannon's Supplement Addition and currently zoned C-1 (Retail Business) District/Central Business District Overlay, as follows:

Planning and Zoning Commission

Site Plan of Modern Building Lofts

7. * **330 WEST LAMAR STREET (Project No. 24-000099)**

The request of David Downtain (Owner), RP Sherman Properties (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 330 West Lamar Street, being Lot 15 of A.R. Loving's Addition and currently zoned C-1 (Retail Business) District/Central Business District Overlay, as follows:

Planning and Zoning Commission

Site Plan of Porterfield Lofts

The request of David Downtain (Owner), RP Sherman Properties (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 124 South Crockett Street, consisting of 0.091 acres being in the J.B. McAnair Survey, Abstract No. 763 and being part of Lot 6 in Block 4 of the Original Town Plat and currently zoned C-1 (Retail Business) District/Central Business District Overlay, as follows:

Planning and Zoning Commission

Site Plan of La Piazza Restaurant

9. * **413 SOUTH WILLOW STREET (Project No. 24-000310)**

The request of Gladiator Build (Owner) and Underwood Drafting & 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 and currently zoned R-5 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Final Plat of Gladiator Addition

10. * **900 SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 24-000311)**

The request of FL Country Village, LTD (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located at 900 South FM 1417 (Heritage Parkway), consisting of 8.680 acres in the Elizabeth Jones Survey, Abstract No. 625 and currently zoned MF-30 (Multi Family Residential) District/F.M. Highway 1417 Overlay District, as follows:

Planning and Zoning Commission

Final Plat of Country Village Addition

11. * **2601-2701 BLOCK SOUTH FM 1417 (HERITAGE PARKWAY) AND 3001 BLOCK WEST TRAVIS (Project No. 24-000312)**

The request of Jeff Harkinson, Bearcat Crossing, LTD (Owners), Chris LaRocco (Developer), Jim Riley, Brockette/Davis/Drake, Inc. (Engineer) and Vortex 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 Lots 1-4, Block 1

12. * **4601 NORTH TRAVIS STREET (Project No. 24-000318)**

The request of Howard Akin Jr., Residences of Sherman, LLC (Owner) and BGE, Inc (Surveyor) concerning the property located at 4601 North Travis Street, consisting of 21.800 acres in the John Jennings Survey, Abstract No. 647 and currently zoned MF-30 (Multi-Family Residential) District/75 & 82 Overlay District, as follows:

Planning and Zoning Commission

Final Plat of Residences of Sherman Lots 1 and 2, Block A

13. **2901 BLOCK TEXOMA PARKWAY (Project No. 24-000315) WITHDRAWN**
AN EMAIL WAS RECEIVED BY CLAY CRISTY ON TUESDAY FEBRUARY 13, 2024 AT 8:33 A.M. REQUESTING TO WITHDRAW THIS ITEM.

The request of Club Car Wash Sherman Texoma, LLC (Owner), Clay Moore Engineering (Engineer) and Eagle Surveying, LLC (Surveyor) concerning the property located in the 2901 Block Texoma Parkway, consisting of 1.119 acres in the Reuben Hendrix Survey, Abstract 504, as follows:

Planning and Zoning Commission

Final Plat of Sheraden Mall Addition Lot 3, Block A

Bookmarked at 09:49

This item was withdrawn.

14. **200 BLOCK PLAINVIEW ROAD (Project No. 23-006746)**

TABLED FROM JANUARY 9, 2024

The request of Sherman Independent School District (Owner), Philip Varughese (Representative), VLK Architects (Architect) and Teague Nall & Perkins (Surveyor) concerning the property located in the 200 Block Plainview Road, consisting of 23.764 acres being in the Uriah Burns Survey, Abstract No. 121 and in the Heritage Ranch PD (Planned Development), as follows:

Planning and Zoning Commission

Site Plan for an Elementary School

Bookmarked at 10:10

Planning and Zoning Commission

Motion by Commission Member Manley to untable the Site Plan located in the 200 Block Plainview Road. Second by Commission Member Sims.

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

This item was untabled by the Commission.

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Site Plan located in the 200 Block Plainview Road subject to the Staff Review letter. 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.

15. 6104 TEXOMA PARKWAY (Project No. 24-000354)

The request of Texoma Area Paratransit System (TAPS) (Owner), Clay Barnett (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 6104 Texoma Parkway, consisting of 4.317 acres in the J.B. Shannon Survey, Abstract No. 1085 and currently zoned C-2 (General Commercial) District, as follows:

Board of Adjustment

- A. Public Hearing and Variance and under Section 14.02.017 to allow a 10.4' side setback in lieu of the required 15' for the existing silo and 7.3' in lieu of the required 15' for the covered parking structure along the South property line.

Planning and Zoning Commission

- B. Site Plan of TAPS Operation Facility Addition

Bookmarked at 21:52

Board of Adjustment

Motion by Vice Chairman Downtain to approve the Variance located at 6104 Texoma Parkway. Second by Commission Member Sims.

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

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Site Plan located at 6104 Texoma Parkway. 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.

16. 533 EAST BROCKETT STREET (Project No. 24-000102)

The request of Deloris Rockins (Owner), Luveter Peters (Representative) and Copley Land Surveying (Surveyor) concerning the property located at 533 East Brockett Street, consisting of 0.224 acres being a part of the J.B. McAnair Survey, Abstract No. 763, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-4 (Single Family Residential) District.

Bookmarked at 29:14

Planning and Zoning Commission

Motion by Commission Member Sims to approve the Zone Change located at 533 East Brockett Street. 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.

17. **3400 TEXOMA PARKWAY (Project No. 23-006723)**

TABLED FROM JANUARY 9, 2024

The request of Tony Alleman (Owner), Kent Hughlett (Representative) and Sartin & Associates, Inc. (Surveyor) concerning the property located at 3400 Texoma Parkway, consisting of 3.61 acres being a part of the Hillard Jennings Survey, Abstract No. 639, being a part of Lots 10, 12, 13 and 14 and all of Lot 11 in Block 1 of Redick Addition and currently zoned C-2 (General Commercial) District, as follows:

Board of Adjustment

- A. Public Hearing and Variance and under Section 14.02.017 to allow a 11' side setback in lieu of the required 15' for the existing structure.
- B. Public Hearing and Variance and under Section 14.02.017 to allow a 8' rear setback in lieu of the required 25' for the existing structure.

Planning and Zoning Commission

- C. Public Hearing, Specific Use Permit and Site Plan approval under Section 14.06.009 to allow Commercial amusement centers, indoor only and office/storage in a C-2 (Retail Business) District and repeal Ordinance No. 6553.

Bookmarked at 34:20

Planning and Zoning Commission

Motion by Commission Member Sims to untable the Specific Use Permit and Site Plan located at 3400 Texoma Parkway. Second by Commission Member Manley.

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

VOTING NAY: NONE.

This item was untabled by the Commission.

Board of Adjustment

Motion by Commission Member Manley to approve the Variances located at 3400 Texoma Parkway subject to the Staff Review letter. 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 Specific Use Permit and Site Plan located at 3400 Texoma Parkway 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.

18. **1915 AND 1921 WEST HOUSTON STREET (Project No. 24-000103)**

AN EMAIL WAS RECEIVED BY HALEIGH ARNOLD-BLACK ON THURSDAY FEBRUARY 1, 2024 AT 10:40 P.M. REQUESTING TO TABLE THIS ITEM UNTIL APRIL 16, 2024.

The request of Rick Arnold (Owner), Haleigh Arnold-Black (Representative) and Sartin & Associates, Inc. (Surveyor) concerning the property located at 1915 and 1921 West Houston Street, consisting of 3.61 acres being Lot 1, Block 1 of the Spavinaw Addition and currently zoned C-2 (General Commercial) District and R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Specific Use Permit approval under Section 14.06.009 allow Schools; elementary, high, college and universities, public, private, or denominational in a C-2 (General Commercial) District and R-6 (Single Family Residential) District.

Bookmarked at 39:31

Planning and Zoning Commission

Motion by Commission Member Sims to table the Site Plan and Specific Use Permit located at 1915 and 1921 West Houston Street. Second by Commission Member Manley.

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

VOTING NAY: NONE.

This item was tabled by the Commission.

19. 200 BLOCK WEST PARK AVENUE (Project No. 24-000104)

The request of Ram Tatineni (Owner), Joe Sherwin (Representative) and Copley Land Surveying (Surveyor) concerning the property located in the 200 Block West Park Avenue, consisting of 1.32 acres being Lots 1-8, Block 31, Replat of Southside Addition, as follows:

Planning and Zoning Commission

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

Bookmarked at 40:36

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Zone Change located in the 200 Block West Park Avenue. Second by Commission Member Blagg.

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

VOTING NAY: MAHONE AND DOWNTAIN

MOTION CARRIED.

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

20. 310 EAST BROCKETT STREET (Project No. 24-000105)

The request of Zach Adlof (Owner), Rodney Martinez, Centro Resources, LLC (Representative) and Burns Surveying (Surveyor) concerning the property located at 310 East Brockett Street, consisting of 0.103 acres being in the J.B. McAnair Survey, Abstract No. 763 being part of Lot 1, Block 6 Bond's Second Addition, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-4 (Single Family Residential) District.

Bookmarked at 52:09

Planning and Zoning Commission

Motion by Commission Member Manley to table the Zone Change located at 310 East Brockett Street. Second by Vice Chairman Downtain.

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

VOTING NAY: NONE.

MOTION CARRIED.

This item was tabled by the Commission.

21. 700 BLOCK NORTH BRANCH STREET (Project No. 24-000128)

The request of M & G Home Builders (Owner) and Rockstar Land Surveying, LLC (Surveyor) concerning the property located in the 700 Block North Branch Street being the South one-half of Lot 2, Block 2, G.W. Bond's Supplement No. 2, 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.

Bookmarked at 57:04

Planning and Zoning Commission

Motion by Commission Member Whitaker to approve the Zone Change located in the 700 Block North Branch Street. Second by Commission Member Manley.

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.

800 NORTH MONTGOMERY STREET (Project No. 24-000129)

The request of M & G Home Builders (Owner) and Rockstar Land Surveying, LLC (Surveyor) concerning the property located at 800 North Montgomery Street, consisting of 0.172 acres being in the J.B. McAnair Survey, Abstract No. 763, 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.

Bookmarked at 59:18

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Zone Change located at 800 North Montgomery Street. 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.

23. 4401 TEXOMA PARKWAY AND 4451 BLOCK LINDLEY DRIVE (Project No. 24-000130)

The request of Ramanan Moorthy (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 4401 Texoma Parkway and 4451 Block Lindley Drive, consisting of 0.997 acres being a part of the W.F. Patterson Survey, Abstract No. 969 and the John Hendrix Survey, Abstract No. 503 and currently zoned C-2 (General Commercial) District, as follows:

Board of Adjustment

- A. Public Hearing and Variance and under Section 14.02.017 to allow a 5.1' side setback in lieu of the required 15' for the existing building.
- B. Public Hearing and Variance and under Section 14.02.017 to allow a 5' side setback in lieu of the required 15' for the 4' high proposed loading dock.

Planning and Zoning Commission

- C. Site Plan of a warehouse building.
- D. Final Plat of Moorthy Addition

Bookmarked at 01:02:29

Board of Adjustment

Motion by Commission Member Manley to approve the Variances located at 4401 Texoma Parkway and 4451 Block Lindley Drive. 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 Site Plan and Final Plat located at 4401 Texoma Parkway and 4451 Block Lindley Drive. 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.

24. OTHER BUSINESS

An Ordinance Of The City Council Of The City Of Sherman, Texas, Amending The Code Of Ordinances Of The City Of Sherman, Texas, Chapter 14 (Zoning Ordinance), Section 14.03.007 (Blalock Commercial Overlay District); Modifying Certain Existing Regulations And Prescribing New Regulations Relating To The Blalock Commercial Overlay District And Expanding The Blalock Commercial Overlay District Boundaries; Providing A Penalty Clause With A Maximum Fine Of \$2,000, Savings/Repealing Clause, Severability Clause And An Effective Date; Providing For The Publication Of The Caption Hereof; Finding And Determining That The Meeting At Which This Ordinance Is Passed Was Noticed And Is Open To The Public As Required By Law

Bookmarked at 01:24:29

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Amendment of the Blalock Commercial Overlay District limiting Multi-Family Residential to 1000' on the South side of Travis Street.

This motion fails for the lack of a second.

Planning and Zoning Commission

Motion by Commission Member Manley to approve the Amendment of the Blalock Commercial Overlay District with a strike through Multi-Family Residential from the Ordinance. Second by Commission Member Sims.

VOTING AYE: MAHONE, BLAGG, RAMIREZ, MANLEY AND SIMS.

VOTING NAY: DOWNTAIN AND WHITAKER.

MOTION CARRIED.

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

Close Public Hearing

25. ADJOURNMENT

Bookmarked at 01:53:44

Chairman Mahone adjourned the meeting at 6:53 p.m.



CHAIRMAN



ACTING SECRETARY

Marlow, Lauren

From: Planning
To: Kurt Himmelreich
Subject: RE: Comments for 2/20/2024 P&Z Meeting - Re: 4401 Texoma Parkway and 4451 Lindley Drive

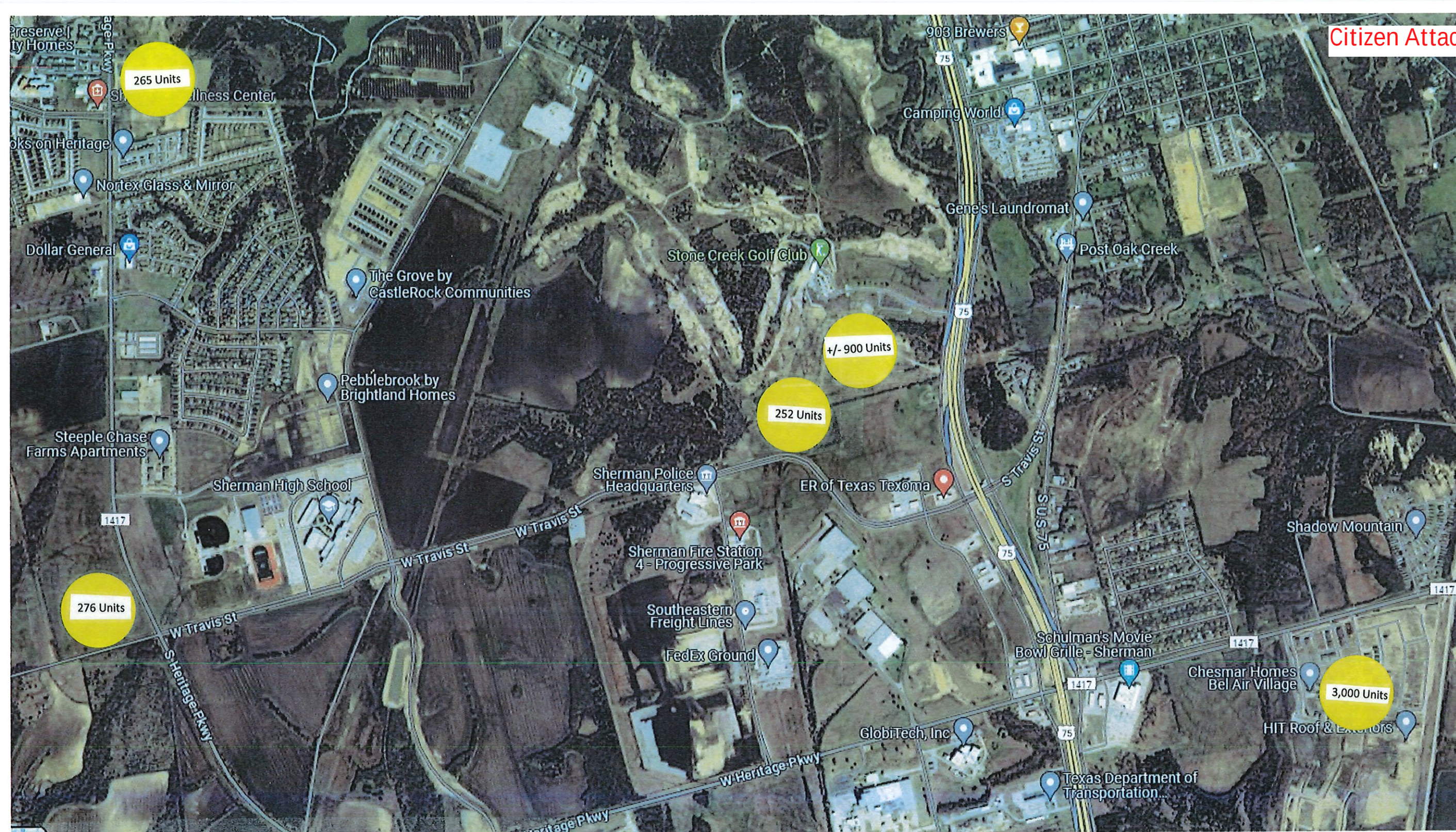
From: Kurt Himmelreich
Sent: Monday, February 19, 2024 11:10 AM
To: Planning
Subject: Comments for 2/20/2024 P&Z Meeting - Re: 4401 Texoma Parkway and 4451 Lindley Drive

Thank you for the opportunity to provide comments on the subject variance request.

My wife and I are the owners of the property to the north of the proposed development (across Lindley Drive). We purchased this property with the expectation to build offices or other commercial improvements in the grassy area shown on the left in the attached picture. It's a little over 1 acre. Our concern, therefore, is primarily with the north side of the proposed building and property use. Please consider the following comments:

1. The drawings indicate that the variance requests are for the south side, although the text in the letter I received doesn't specify that it would ONLY apply to the south side. I would request not reducing setbacks along Lindley, if that is part of the request.
2. If it's part of P&Z, please consider appearances of the building and landscaping along Lindley. The drawings do not seem to show that side of the building.
3. Please consider the impact of trucks trying to back up and turn around along Lindley. This is already an issue due to the narrow street. As can be seen in the picture attached, even when the trucks have the full empty lot to turn around, they are damaging the right of ways on both sides of the street. I expect this could be a significant problem when the proposed building blocks their ability to turn around and they are trying to back into a relatively narrow space from a relatively narrow street. I realize there are improvements to the street shown in the drawings, but it looks highly likely that the trucks will be overshooting the road regularly and entering the grass and my paved area, which wasn't meant to handle heavy trucks.

Respectfully,
Kurt Himmelreich



Stone Creek Flats (1417) - 265 Units

O.B. Groner and 1417 - 276 Units

Travis Crossing (W. Travis) - 252 Units

Stone Creek Golf Club area (approx. 30 acres) - +/- 900 Units

Bel Air Village - approx 3,000 units

#24 - Other locations