

**CITY OF SHERMAN
CITY COUNCIL CALLED MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, AUGUST 27, 2007
12:00 NOON**

A.1 [CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN](#)

Other Business

B.1 [OTHER BUSINESS](#)

Appeal of the Planning and Zoning Commission's Denial of a Request for Site Plan and Building Design Approval for a Duplex at 514-516 East Brockett Street (Rakesh Demla, Owner; and Rick Lavin, Agent) under Chapter 14, Exhibit A, Section 6.8.3 (9)(d)

B.2 [OTHER BUSINESS](#)

Appeal of the Planning and Zoning Commission's Denial of a Request for Site Plan and Building Design Approval for Two Duplexes at 611-613 and 615-617 North Cleveland Street (Benny R. Risner, Owner; and David Kight, Agent) under Chapter 14, Exhibit A, Section 6.8.3 (9)(d)

C.1 [ADJOURNMENT](#)

[COUNCIL CALENDAR](#)



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 8-27-2007

Subject: Agenda Item No. A.1

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 8-27-2007

Subject: Agenda Item No. B.1

OTHER BUSINESS

Appeal of the Planning and Zoning Commission's Denial of a Request for Site Plan and Building Design Approval for a Duplex at 514-516 East Brockett Street (Rakesh Demla, Owner; and Rick Lavin, Agent) under Chapter 14, Exhibit A, Section 6.8.3 (9)(d)

Issue

To consider the appeal of the Planning and Zoning Commission's denial of a request for site plan and building design approval for a duplex at 514-516 East Brockett Street in an R-1 (One and Two Family Residential) District and the College Park Overlay District

Background

Mr. Rick Lavin (Agent) and Mr. Rakesk Demla (Owner) would like to construct a duplex at 514 -516 East Brockett Street. The duplex will have a total of eight bedrooms on a 75' X 150' lot. The same duplex has been built at 609-611 East McGee; and there have been no complaints. There will be four parking spaces in the rear and additional parking in the front with a garage on each side of the duplex. The duplex will be ninety nine percent (99%) brick; red brick with off-white trim. Gil Randall, 622 N. Cleveland, appeared in opposition of the request before the Planning and Zoning Commission; Jerry Lincecum, 608 N. Cleveland, inquired about drainage issues, and David Kight, 860 Brown Road (contractor for the duplexes on Cleveland) appeared to question the requirements for the duplex which was denied.

The site plan meets all of the College Park Overlay District requirements. The Planning and Zoning Commission's denial of this request has been appealed to the City Council.

Origination

Rakesk Demla (Owner) and Rick Lavin (Agent)

Board Recommendation

At the August 21st regular meeting, the Planning and Zoning Commission voted 3/5 to approve the site plan and building design. Commissioners Davis, Bethel and Sofey voted to approve the request. Commissioners Plyler, Jacobs, Thompson, Jones, and Nix voted against the request. The request was denied.

Attachments

Letter of Appeal; Location Map; Photographs; Site Plan; P&Z Communications Form; and Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

CITY PROPERTIES
RICK LAVIN
2005 SKYLINE
SHERMAN, TX 75092
903-744-3600



August 22, 2007

TO WHOM IT MAY CONCERN:

The request of Rakesh Demla (Owner) and Rick Lavin (Agent) concerning the property at 514 and 516 East Brockett, being the West 75 ft. of Lot 1 and Lot 4, Block 8 of Bond's 2nd Addition, Site Plan and Building design was denied by the Planning and Zoning Commission and we wish to appeal that decision.

CITY PROPERTIES



RICK LAVIN



LEGEND

	R-A	SINGLE FAMILY AGRICULTURAL DISTRICT		M-2	HEAVY MANUFACTURING DISTRICT
	SF-1	SINGLE FAMILY RESIDENTIAL DISTRICT		M H	MANUFACTURED HOUSING DISTRICT
	R-1	ONE AND TWO FAMILY RESIDENTIAL DISTRICT		O-1	BLALOCK INDUSTRIAL PARK OVERLAY DISTRICT - 75 & 82
	R-2	MULTI-FAMILY RESIDENTIAL DISTRICT		O-1.1	OVERLAY DISTRICT - 1417
	C-1	RETAIL BUSINESS DISTRICT		O-1.2	OVERLAY DISTRICT -SAM RAYBURN FREEWAY
	C-2	GENERAL COMMERCIAL DISTRICT		CPO	COLLEGE PARK OVERLAY
	CO	OFFICE DISTRICT		A&C	ARTS & CULTURAL OVERLAY DISTRICT
	M-1	LIGHT MANUFACTURING DISTRICT		CBD	CENTRAL BUSINESS DISTRICT
	M-1.5	MEDIUM MANUFACTURING DISTRICT			



514 & 516 E BROCKETT SITE PLAN

Department of Developmental Services



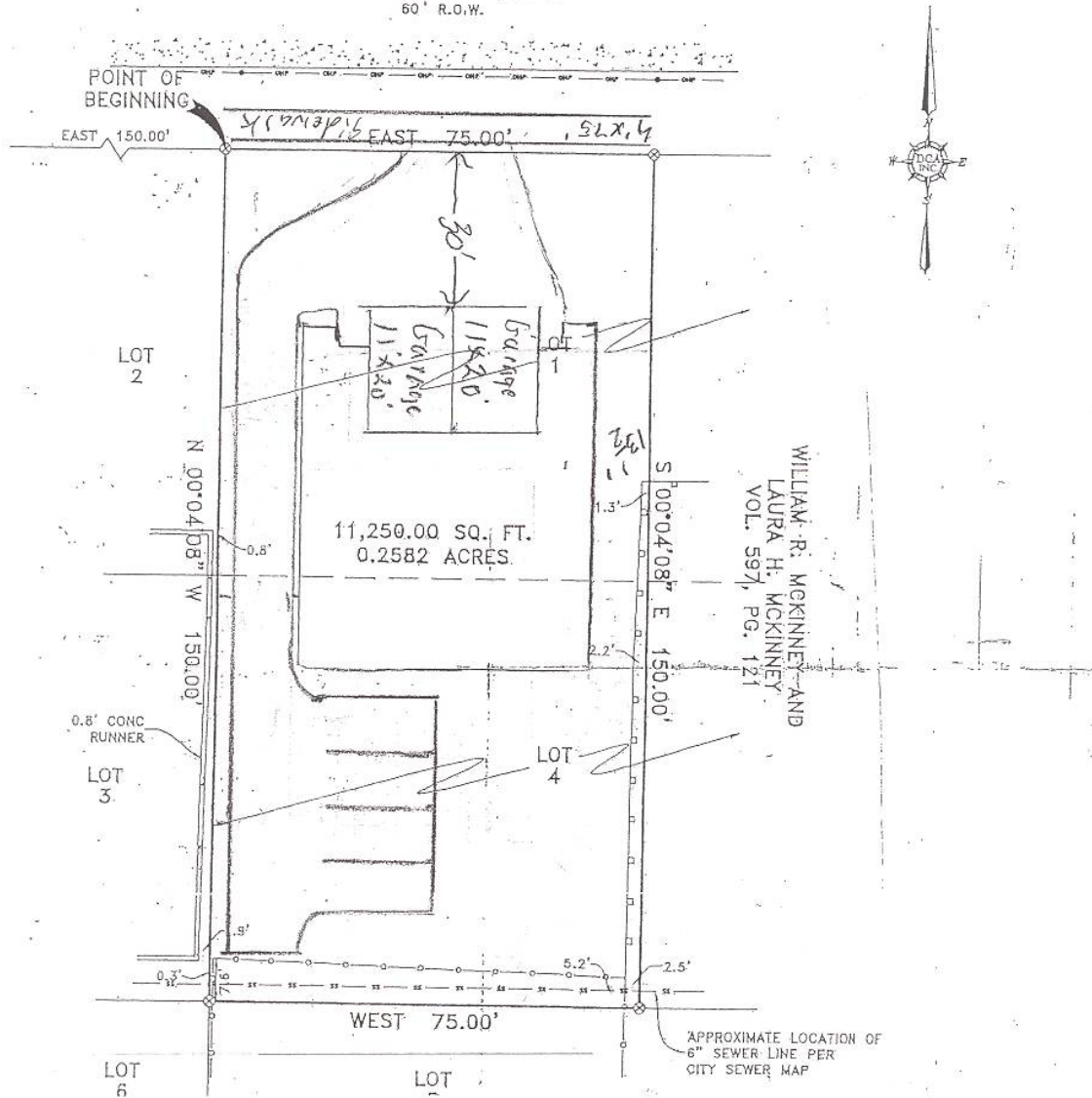


off white trim

williamsburg brick

514 E Brockett

514
E. BROCKETT STREET
60' R.O.W.



City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
August 21, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Kelsel Thompson, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

Jason Bethel, Commissioner
John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner

514 & 516 East Brockett
west 75 feet of Lot 1 and Lot 4, Block 8 of Bond's 2nd Addition, as follows;
Site Plans

Requested Action/Proposed Use:

Site plan and building design approval for a duplex in a R-1 (One and Two Family Residential) District the College Park Overlay District being the west 75 feet of Lot 1 and Lot 4, Block 8 of Bond's 2nd Addition.

Adjacent Zoning:

R-1 (One and Two Family Residential) District and the College Park Overlay District.

Origination:

Rakesk Demla (Owner) and Rick Lavin (Agent)

Considerations:

Master Plan Designation: Residential

Attachments:

Location map
Photographs
Site Plan
Staff Review

Prepared by:
Rita Gaither,
Development Coordinator

Approved by:
Scott Shadden,
Development Services Director

STAFF REVIEW LETTER

August 16, 2007

Rick Lavin
2005 Skyline Dr.
Sherman, Texas 75092

Rakesh Demla
2105 Texoma Parkway
Sherman, Texas 75090

Dear Applicant,

The request for approval of a site plan and design standards concerning the property located at 514 and 516 East Brockett has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, August 21, 2007 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. It is recommended that the runoff from the site not be directed onto adjoining properties.
2. Parking and driving surfaces shall be concrete or HMA.
3. Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission

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

Respectfully,

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

CC: George Olson, City Manager
Mark Gibson, Director of Utilities
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Perry Elliott, Fire Marshal
Jeff Miller, Director of Public Works and Engineering
James Shankles, Jr., P.E., City Engineer



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 8-27-2007

Subject: Agenda Item No. B.2

OTHER BUSINESS

Appeal of the Planning and Zoning Commission's Denial of a Request for Site Plan and Building Design Approval for Two Duplexes at 611-613 and 615-617 North Cleveland Street (Benny R. Risner, Owner; and David Kight, Agent) under Chapter 14, Exhibit A, Section 6.8.3 (9)(d)

Issue

To consider the appeal of the Planning and Zoning Commission's denial of a request for site plan and building design approval for two duplexes at 611-613 and 615-617 North Cleveland Street in an R-1 (One and Two Family Residential) District and the College Park Overlay District

Background

Mr. David Kight (Agent) and Mr. Benny R. Risner (Owner) would like to construct two duplexes at 611-613 and 615-617 North Cleveland Street. Each duplex will have 2,480 total square feet with eight bedrooms, five baths, and a two-car garage. The exterior will be red brick with hardy board on the other three sides. The lots were replatted last year from two and a half lots to two lots so that they could enlarge the lots to have more green area. There will be eight parking spaces in the back of the duplexes with additional parking in the front and garage. A common access will be between the lots to get to the rear parking. The alley egress/access will only be for emergency use. At the Planning and Zoning Meeting, citizens appearing in opposition of the request included: Peggy Redshaw, 608 N. Cleveland; Phyllis Riser, 1015 N. Grand; Tom Nuckols, 2341 Canyon Creek Drive; Winnie Jones, 609 N. Cleveland; Henry Bucher, 1123 N. Cleveland; Jerry Lincecum, 608 N. Cleveland; Keith Kisselle, 1302 N. Cleveland; Pat Phillips, 841 Hillside; Pat Lowry, 1008 N. Harrison; Robert Cape, 523 N. Cleveland; Cathy Garlit Bucher, 1123 N. Cleveland; and Gil Randall, 622 N. Cleveland.

The site plan meets all of the College Park Overlay District requirements. The Planning and Zoning Commission's denial of this request has been appealed to the City Council.

Origination

Benny R. Risner (Owner) and David Kight (Agent)

Board Recommendation

At the August 21st regular meeting, the Planning and Zoning Commission voted 5/3 to deny the site plan and building design. Commissioners Thompson, Jacobs, Jones, Plyler, and Nix voted to deny the request. Commissioners Sofey, Bethel, and Davis voted against the motion. The request was denied.

Attachments

Letter of Appeal; Location Map; Photographs; Site Plan; P&Z Communications Form; and Staff Review Letter

Prepared by:
Scott Shadden, Development Services Director

Approved by:
George Olson, City Manager

TXA Holdings Properties, LP
12651 Briar Forest Drive, Suite 190
Houston, TX 77077
281-808-1213 Phone 281-496-3384 Fax

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustments
P O Box 1106
Sherman, TX 75091-1106

Re: Formal Appeal of Planning and Zoning Board Ruling

Delivered Via Fax: 903-892-7274

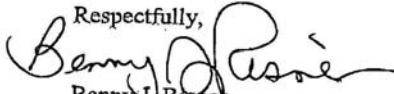
Mr. Shadden,

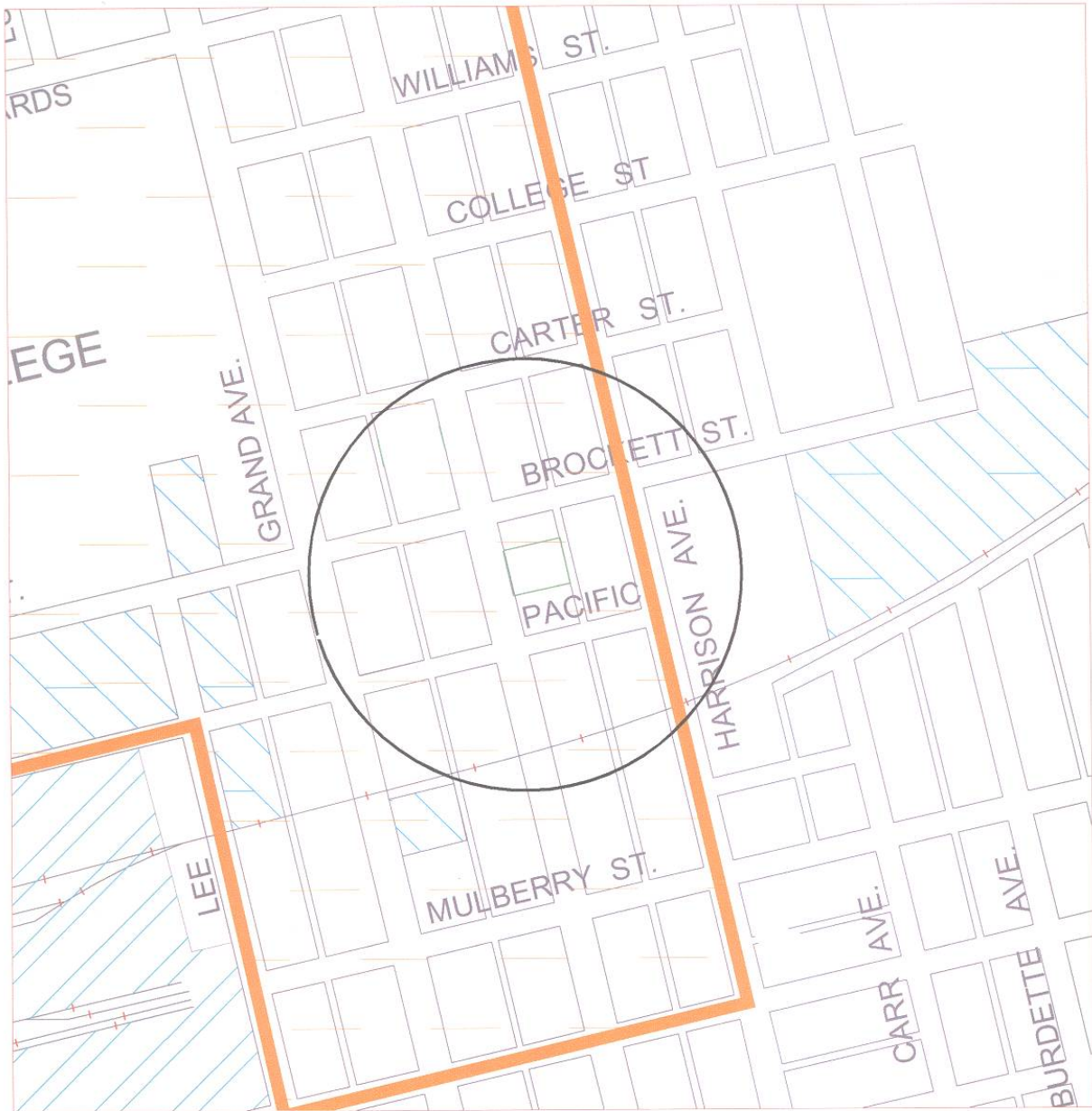
This letter serves as my formal appeal of the Sherman Planning and Zoning Boards ruling against my request for the properties located at:

611, 613, 615 and 617 North Cleveland Street
Sherman, TX 75090

My request was denied on Tuesday, August 21, 2007. Please notify me in writing or via fax when the hearing will be scheduled with the Sherman City Council. Should you need any other information from me, please do not hesitate to contact myself or David Kight.

Respectfully,


Benny J. Risner
Texas Director



R-A	SINGLE FAMILY AGRICULTURAL DISTRICT	M-2	HEAVY MANUFACTURING DISTRICT
SF-1	SINGLE FAMILY RESIDENTIAL DISTRICT	M-H	MANUFACTURED HOUSING DISTRICT
R-1	ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
R-2	MULTI-FAMILY RESIDENTIAL DISTRICT	O-1	OVERLAY DISTRICT - 75 & 82
C-1	RETAIL BUSINESS DISTRICT	O-1.1	OVERLAY DISTRICT - 1417
C-2	GENERAL COMMERCIAL DISTRICT	O-1.2	OVERLAY DISTRICT - SAM RAYBURN FREEWAY
CO	OFFICE DISTRICT	CPO	COLLEGE PARK OVERLAY
M-1	LIGHT MANUFACTURING DISTRICT	A&C	ARTS & CULTURAL OVERLAY DISTRICT
M-1.5	MEDIUM MANUFACTURING DISTRICT	CBD	CENTRAL BUSINESS DISTRICT



600 BLOCK N. CLEVELAND SITE PLANS

Department of Developmental Services



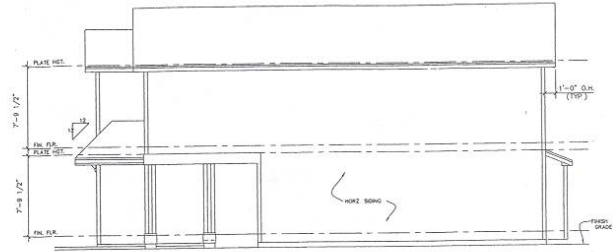


(c) Copyright 2006, Pictometry International Corp



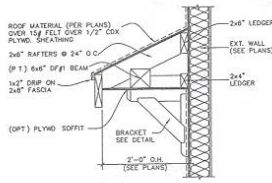
REAR ELEVATION

SCALE: 1/4"=1'-0"



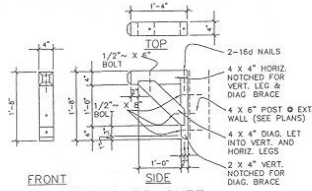
RIGHT ELEVATION

SCALE: 1/4"=1'-0"



ROOF CONNECTION

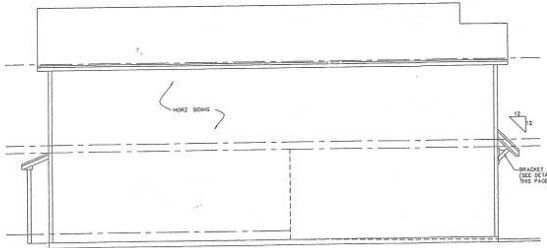
1"=1'-0"



FRONT

TYPICAL BRACKET

1"=1'-0"



LEFT ELEVATION

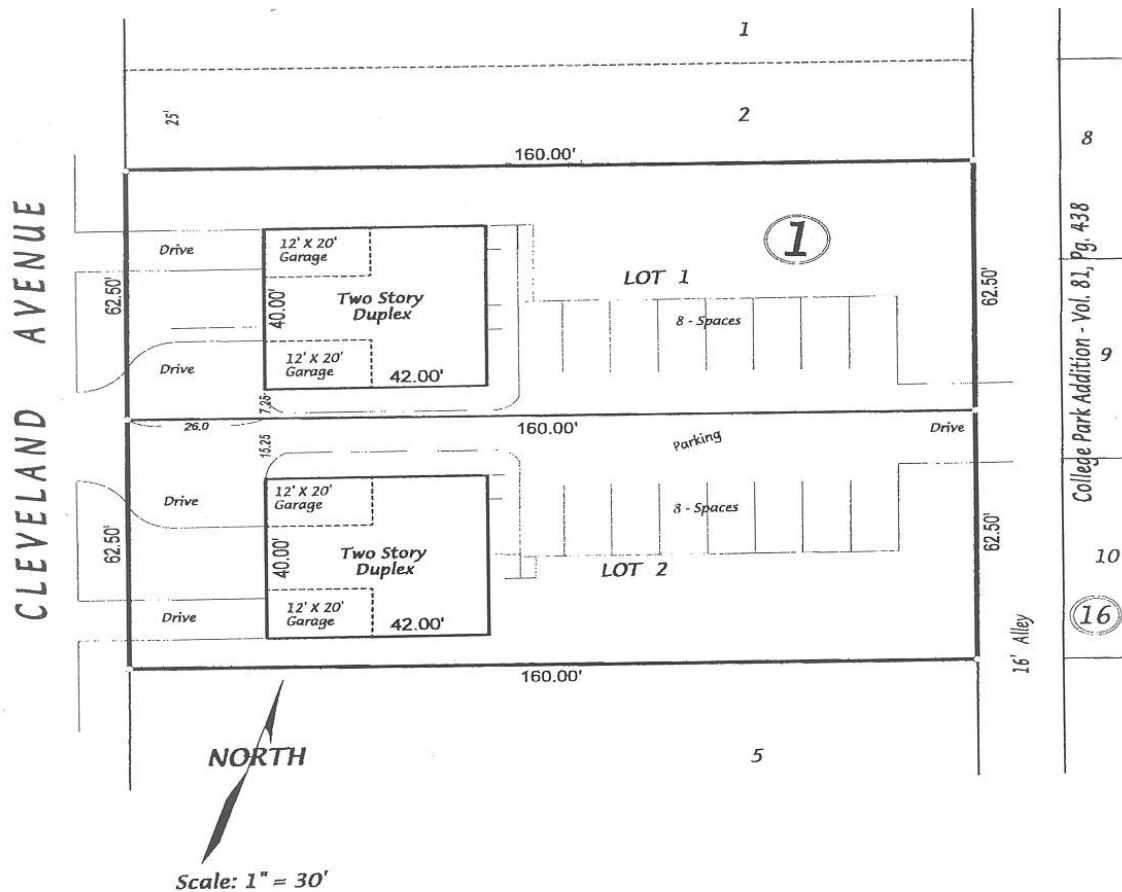
SCALE: 1/4"=1'-0"



FRONT ELEVATION

SCALE: 1/4"=1'-0"

red bri
tan



SITE PLAN

for

TXA Holdings, Inc.

Lots 1 & 2, Block 1 of Kangaroo Court,
an addition to the City of Sherman, Texas
as shown by plat of record in
Volume 18, Pages 121 & 121A,
Plat Records, Grayson County, Texas

SARTIN & ASSOCIATES, INC.

Registered Professional Land Surveyors

109 S. Travis, P. O. Box 1843 Sherman, Texas 75091 - 1843
Ph.: (903) 892-8003 Fax: (903) 868-2970

KGROOSP.pcs

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
August 21, 2007
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Kelsel Thompson, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

Jason Bethel, Commissioner
John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner

611, 613, 615 and 617 North Cleveland
Lot 1 and Lot 2, Block 1, Kangaroo Court
Site Plans

Requested Action/Proposed Use:

Site plans and building design approval for two duplexes in an R-1 (One and Two Family Residential) District and the CPO (College Park Overlay) District.

Adjacent Zoning:

R-1 (One and Two Family Residential) District and the College Park Overlay District.

Origination:

Benny R. Risner (Owner) and David Kight (Agent)

Considerations:

Master Plan Designation: Residential

Attachments:

Location map
Photographs
Site Plan
Staff Review

Prepared by:
Rita Gaither,
Development Coordinator

Approved by:
Scott Shadden,
Development Services Director

STAFF REVIEW LETTER

August 16, 2007

Benny J. Risner
12651 Briar Forest Dr., Ste. 190
Houston, TX 77077

David Kight
860 Brown Rd.
Sherman, TX 75090

Dear Applicant,

The request for approval of a site plan and design standards concerning the property located at 611, 613, 615 and 617 North Cleveland has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, August 21, 2007 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. A common access and parking agreement is required between Lot 1 and Lot 2.
2. It is recommended that the runoff from the site not be directed onto adjoining properties.
3. The city will not maintain the alley above what is needed for City services.
4. Parking and driving surfaces shall be concrete or HMA.
5. Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning and Zoning Commission

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

Respectfully,

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

CC: George Olson, Acting City Manager
Mark Gibson, Director of Utilities
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Perry Elliott, Fire Marshal
Jeff Miller, Director of Public Works and Engineering
James Shankles, Jr., P.E., City Engineer
Sartin and Associates, Inc.



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 8-27-2007

Subject: Agenda Item No. C.1

ADJOURNMENT

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 8-27-2007

Subject: Agenda Item No. N/A

COUNCIL CALENDAR

2007 CITY COUNCIL MEETINGS

JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY

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MARCH

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APRIL

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MAY

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JUNE

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JULY

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AUGUST

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SEPTEMBER

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OCTOBER

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NOVEMBER

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DECEMBER

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23	24	25	26	27	28	29
30	31					

01/01/07 - New Year's Day Holiday - Council Meeting Not Called for 01/02/07
01/15/07 - M.L.K., Jr. Birthday - Called Council Meeting on 01/16/07
01/30/07 - 12:00 Noon Called Meeting for City Charter Briefing
02/19/07 - 12:30 PM Called Meeting re: City Manager's Employment
02/19/07 - Washington's Birthday - Called Council Meeting on 02/20/07
02/28/07 - 12:00 Noon Called Meeting to Appoint Acting City Manager
03/28/07 - 12:00 Noon Called Meeting re: Acting/Permanent City Manager Issues
05/12/07 - City Council Election
05/22/07 - 12:00 Noon Called Meeting to Canvass Election Results

06/01/07 - Budget Planning Meeting in Council Chambers
06/11/07 - Called Meeting to Attend Commissioner's Court Meeting
06/13/07 - Called Meeting re: Police & Fire Comp. Study
07/02/07 - Cancelled Pre-4th of July Council Meeting
07/09/07 - Called Meeting for Social Event at Lake Texoma
07/12-14/07 - Budget Workshop in Council Chambers
08/27/07 - 12:00 Noon Called Meeting for Appeal of P&Z Decisions
09/03/07 - Labor Day - Called Council Meeting on 09/04/07
09/14/07 - 12:00 Noon Joint Meeting with SEDCO Board