

STATE OF TEXAS

§

January 17, 2017

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustments of the City of Sherman, was begun and held on January 17, 2017.

MEMBERS PRESENT: CHAIRMAN GILBERT
COMMISSION MEMBERS: DAVIS,
MAHONE, VANDERVEER, THORPE,
ADAMS, VELLOTTI AND ELLIOTT.

MEMBERS ABSENT: VICE-CHAIRMAN PATTERSON

CALL TO ORDER

Chairman Gilbert called the meeting to order at 5:00 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the December 20, 2016 regular meeting. Motion by Commission Member Vanderveer to approve the Minutes as written. Second by Commission Member Mahone. All present voted AYE.

MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENTS

Chairman Gilbert appointed the members of the Board of Adjustments: GILBERT, THORPE, ELLIOTT, VANDERVEER AND VELLOTTI.

BOARD OF ADJUSTMENTS

CONSENT AGENDA (ITEM 5, 7, 9, 10, 12 & 17)

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

CONSENT AGENDA

The Commission reviewed the Consent Agenda. Commission Member Thorpe moved to approve the Consent Agenda as written subject to the Staff Review Letters. Second by Commission Member Elliott. All present voted AYE.

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

PRELIMINARY & FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF NORBERTO AND LISA GALARZA, JEFF HILL AND LESTER W. VANCE, LLC (OWNERS), AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3000-3100 BLOCKS WEST LAMBERTH ROAD AND THE 2200 BLOCK NORWOOD STREET, BEING 17.500 ACRES IN THE FIELDING BACON SURVEY, ABSTRACT NO. 120, THE WILLIAM THOMPSON SURVEY, ABSTRACT NO. 1209 AND THE ELIJAH HARTZOG SURVEY, ABSTRACT NO. 540, AS

PRELIMINARY & FINAL PLAT – OAKS OF NORWOOD 3000-3100 BLKS. W. LAMBERTH & 2200 BLK. NORWOOD ST. (NORBERTO & LISA GALARZA, JEFF HILL & LESTER W. VANCE, LLC)

FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY AND FINAL PLAT APPROVAL OF THE OAKS OF NORWOOD.

The property is located in the 3000-3100 Blocks West Lamberth Road and the 2200 Block Norwood Street, just west of Shady Oaks Lane. The owner would like to plat the property into nine lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF LANDMARK BANK (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1518 SOUTH AUSTIN STREET, BEING 0.41 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING A PART OF LOTS 20 AND 21 IN MAYHEW’S SECOND SUPPLEMENT, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF PART OF LOTS 20 AND 21, MAYHEW’S SECOND SUPPLEMENT.

The property is located at 1518 South Austin Street between Olive and Staples Streets. The owner would like to replat the property into two lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF POST OAK LIQUIDATING TRUST (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2000-2200 BLOCKS NORTH TRAVIS STREET AND NORTH U.S. HIGHWAY 75, BEING 1.624 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND BEING ALL OF LOT 1, BLOCK 2, INDEPENDENCE SQUARE ADDITION, SECTION THREE, CONTAINING 14.472 ACRES, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOT 1, BLOCK 2, INDEPENDENCE SQUARE ADDITION, SECTION THREE.

The property is located in the 2000-22000 blocks North Travis Street and North U.S. Highway 75, between Dexter and Pelton Streets. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82 Overlay) District. The owner would like to replat the property into two lots for commercial development. They had seen the Staff Review

**REPLAT LOTS 20 & 21, MAYHEW’S 2ND ADDITION
1518 S. AUSTIN
(LANDMARK BANK)**

**REPLAT LOT 1, BLK. 2 INDEPENDENCE SQUARE ADDITION, SECTION 3
2000-2200 BLKS. N. TRAVIS & N. US. HIGHWAY 75
(POST OAK LIQUIDATING TRUST)**

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 POST OAK LIQUIDATING TRUST (OWNERS) AND BRET FLORY, CROSS ARCHITECTS (ARCHITECTS) CONCERNING THE PROPERTY LOCATED AT 2021 NORTH TRAVIS STREET, BEING THE PROPOSED LOT 2, BLOCK 2 OF THE REPLAT OF LOT 1, BLOCK 2, INDEPENDENCE SQUARE ADDITION, SECTION THREE, ALSO BEING 2.283 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR SHERMAN ER

**SITE PLAN –
SHERMAN ER
2021 N. TRAVIS
(POST OAK
LIQUIDATING
TRUST)**

The property is located at 2021 North Travis Street between Dexter and Burton Streets. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82 Overlay) District. The first phase of this project will include an 8,757 square foot, 24/7 Emergency Room. The exterior finish on the building will be brick, stone and EFIS (Exterior Finish Insulation System). Forty-six (46) parking spaces will be provided. 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 JOE GILBERT CONSTRUCTION, LLC (OWNER), CROSS ENGINEERING CONSULTANTS (CIVIL ENGINEER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 3000-3100 BLOCKS NORTH HICKORY STREET, BEING LOTS 1-6, HICKORY ESTATES, CONTAINING 1.306 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF HICKORY ESTATES.

**REPLAT HICKORY
ESTATES
3000-3100 BLKS. N.
HICKORY
(JOE GILBERT
CONSTRUCTION,
LLC)**

The property is located in the 3000-3100 Blocks of North Hickory Street, between Oxford Drive and U.S. Highway 82. The property is zoned an R-1 (One Family Residential) District. The owner would like to replat six lots into nine 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.

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF YOUNG ENTERPRISES (OWNERS) AND DAVID BACA STUDIO (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 4615 NORTH TRAVIS STREET, BEING LOT 1R, OF THE REPLAT OF LOT 1, BLOCK 6 & LOT

**SITE PLAN – ACE
STORAGE, PHASE 1
4615 N. TRAVIS
(YOUNG
ENTERPRISES)**

1, BLOCK 7 OF THE REPLAT OF BLOCKS 2-9, NORTH CREEK ADDITION, SECTION 1 AND ALL OF BLOCK 1 OF THE REPLAT OF NORTH CREEK ADDITION, SECTION 1, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR ACE STORAGE, PHASE 1

The property is located in the 4600 block of North Travis Street and the 100-200 blocks of East Northcreek Drive; the southeast corner of Travis Street and Northcreek Drive. The property is zoned a C-1 (Retail Business) District. A Specific Use Permit to allow a mini-warehouse facility on the property was approved at the September 6, 2016, City Council Meeting.

The owner would like to construct a mini-warehouse facility at this location; the building area will be approximately 72,378 square foot. The exterior finish on the buildings will be brick veneer with a standing seam metal roof. A 6' high chain link fence with privacy slats will surround the development. Nineteen parking spaces will be provided. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF SSCGC, LLC (OWNERS), SHANE SHIELDS (REPRESENTATIVE) AND CYPRESS CREEK RENEWABLES (SOLAR COMPANY) CONCERNING THE PROPERTY LOCATED IN THE 900-2000 BLOCKS WEST MOORE STREET, BEING 112.6372 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, 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 SOLAR ENERGY FACILITY IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Aaron Wilson, 107 Arapaho Trail West, Sherman, TX

Mr. Wilson appeared to represent the request and answer any questions. The property is located in the 900-2000 blocks of West Moore Street, between Center Street and Park Avenue and is zoned an R-1 (One Family Residential) District.

Mr. Wilson explained he represents Cypress Creek Renewables, “we are the second largest solar developer in the nation, we have operating assets coast to coast, a development portfolio of over forty projects in the State of Texas. The solar panels that we will be developing on this site are non-reflective; FAA allows solar panels to be built on airport premises. I don’t know if anybody ever noticed a solar farm on an airport versus before, if you haven’t, it’s

**SUP & SITE PLAN –
SOLAR ENERGY
FACILITY
900-2000 BLKS. W.
MOORE
(SSCGC, LLC)**

because they are very difficult to see, they create very little disturbance, no noise, no pollution. They essentially take a tract of land that is crisscrossed with utility easements and put a \$17,000,000 investment on it; that includes the land and the equipment. The solar panels are about three foot wide by six foot tall, they will be on a single axis tracker, they stand no taller than seven feet off the ground. There will probably be around five thousand solar panels on this site. Between every row of solar panels will be about twenty feet of open ground; we let it vegetate naturally, we will maintain the vegetation between the rows. We normally allow vegetation to grow in the fence so that it creates a visual buffer from the array. There are some instances where we may use a privacy fence, if necessary to create more of a visual buffer from the array from the road. The front setback will be sixty feet from West Moore Street. We will plant some things around the fence to vegetate. Normally, we install a chain link fence, a security fence.”

The proposed solar farm will contain rows of Photovoltaic cell panels mounted on posts in the ground individually. These rows of panels are referred to as "solar arrays." The solar arrays will be mounted on a tracking system, so they follow the sun throughout the day. In this configuration, the panels face east in the morning are horizontal at midday, and face west in the afternoon. This configuration maximizes energy generation, and does not create any noise. Solar components will comply with the current edition of the National Electric Code, be UL listed (or equivalent), and designed with an anti-reflective coating. The power generated from the solar farm will be sold to ONCOR for use by consumers to replace energy produced from a non-renewable source.

The site will generate almost no traffic and will not be staffed daily. Employees will visit the site once a week or even less frequently for routine maintenance of the arrays and the property.

There will be no buildings or employees on the property so there is no need for sewage disposal facilities, solid waste, or water on the site.

The active area of the facility will be enclosed by a six foot (6') high fence and gated for security purposes. Access codes to the gate will be provided to local police, fire and emergency service providers. Vehicular access to the site is adequate for the use proposed and for emergency services.

The solar panels that comprise the solar arrays are made primarily of glass; they do not contain dangerous materials, nor do they emit dust, noxious fumes or liquids. He had seen the Staff Review Letter and would abide by the Recommendations.

Thomas Bragg, 1806 W. Moore, Sherman, TX

Mr. Bragg explained he is a property owner directly across the street. “Primarily, I support the project; I think it’s a good use for the area. I have a question about the setback, I thought in my block the setback would be two hundred, twenty-five feet.”

Mr. Wilson explained “our project doesn’t start until two hundred feet off the road and from that is a further setback.”

Bill Magers, 4 Timber Creek Rd., Sherman, TX

Mr. Magers thought that it was important that the board understands even though, “the SSCGC is selling a portion of this tract, we are maintaining the front of Moore Street, our anticipation is to develop a high-end residential product there, similar to Mr. Bragg’s estate, there will be between two to six hundred feet behind Moore Street.”

Mr. Wilson explained “there are a lot of utility easements that cross this tract, those will be open for wildlife crossings or if the City of Sherman in the future wants to use that as a bike path or a nature trail; it could be used as such.”

Commission Member Thorpe asked “if putting in language in requiring you to put in a green space, you wouldn’t have a problem with that.”

Mr. Wilson responded “no, that is correct. If there are some requirements relating to the vegetation, we are open to that.”

Commission Member Davis asked “if it would have a station where it collects or where does it go.”

Mr. Wilson explained “across the road there is an electrical sub-station, we will be connecting to that and it will go out to the community; it will be generated for the local use. It will be above ground; there are three phase power lines that run along the road and we will connect to those three phase lines.”

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 Thorpe to approve the Specific Use Permit and site plan to allow a Solar Energy Facility located in the 900-2000 Blocks of West Moore Street subject to the Staff Review Letter and providing a green screen to be connected to the fence. Second by Commission Member Vanderveer.

VOTING AYE: GILBERT, THORPE, ELLIOTT, VANDERVEER, VELLOTTI, DAVIS, MAHONE AND ADAMS.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO

THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF DOUGLASS DISTRIBUTING (OWNER) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 724 EAST HIGHWAY 82, BEING LOT 2, BLOCK 1, 82-75 ADDITION, AS FOLLOWS:

SUP & SITE PLAN – LIQUOR STORE 724 E. HWY. 82 (DOUGLASS DISTRIBUTING)

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A LIQUOR STORE IN A C-1 (RETAIL BUSINESS) DISTRICT, C-2 (GENERAL COMMERCIAL) DISTRICT AND O-1 (75 & 82 OVERLAY) DISTRICT.

Brad Douglass, Douglass Distributing, 2400 Meadows Lane, Sherman, TX

Mr. Douglass appeared to represent the request and answer any questions. The property is located at 724 East Highway 82, the southeast corner of U.S. Highways 75 and 82. The property is zoned a C-1 (Retail Business) District and a C-2 (General Commercial) District and is also located in the O-1 (75 & 82) Overlay District.

Mr. Douglass explained “Douglass Distributing is a family business that has been here since 1981, a wholesale and retail business with thirty-five years of experience and over four hundred employees. We are applying for a Specific Use Permit to allow a liquor store at the southeast corner of U.S. Highway 75 and 82; it is a 1,100 square foot store located in a retail center that is now called Lone Star Plaza, it was the old Shafer Plaza before we purchased the strip center last year. We plan to invest \$300,000 in this location and hire four additional team members. The hours of operation will be 10 a.m. to 9 p.m., Monday thru Saturday and closed on Sundays.” He 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.

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit to allow a liquor store at 724 East Highway 82 subject to the Staff Review Letter. Second by Commission Member Vanderveer.

VOTING AYE: GILBERT, THORPE, ELLIOTT, VANDERVEER, VELLOTTI, DAVIS, MAHONE AND ADAMS.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF LOS HERMANOS PARTNERSHIP, LLC

EXCEPTION – EXTERIOR FACADE

(OWNERS), DOUG SMITH AND TERESA JACOBY (APPLICANTS) AND NORTH TEXAS AUCTION COMPANY (TENANT) CONCERNING THE PROPERTY AT 316 WEST LAMAR STREET, BEING LOT 11 AND THE WEST 35' OF LOT 9, BLOCK 1, A.R. LOVING'S ADDITION, AS FOLLOWS;

SUP & SITE PLAN –
AUCTION HOUSE
316 W. LAMAR
(LOS HERMANOS)

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW THE EXISTING EXTERIOR METAL FAÇADE IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AN AUCTION HOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.

Tom Shields, 121 N. Willow, Sherman, TX, Teresa Jacoby, 1345 CR 1003, Greenville, TX and Doug Smith, 7606 Lois Dr., Quinlan, TX

Mr. Shields, Ms. Jacoby and Mr. Smith appeared to represent the request and answer any questions. The property is located at 316 West Lamar Street, between Rusk and Elm Streets and is zoned a C-2 (General Commercial) District and also located in the Central Business District.

Mr. Shields explained Doug Smith and Teresa Jacoby are licensed auctioneers, and are partners in the North Texas Auction Company. They are seeking to open an auction house at this location. They currently own auction houses in Quinlan, TX and in Farmersville, TX and would like to bring one to Sherman.

Ms. Jacoby explained there would be weekly auctions on Saturdays starting at noon or 1 p.m. The auction house would give the local existing resale and antique businesses in Sherman and its downtown area an avenue to find antiques, collectibles, coins, jewelry, etc., that would be local and convenient to the existing businesses. It would also give them an avenue to sell items such as antiques and collectibles. There would also, from time to time, be additional specialty auctions that would be held with item/genre specific sales. The auctions would not only be localized to the Sherman area, but also be advertised nationally. 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 Specific Use Permit and site plan.

Commission Member Thorpe was concerned with the front façade on the building; “any time we can address this we would like to dress up the downtown area.”

Commission Member Vanderveer agreed; “the area in front

of the building.”

Mr. Shields agreed to work with the Developmental Services Department to improve the front of the building.

Scott Shadden, Director of Developmental Services suggested an architectural prefinished panel or masonry on the front.

Mr. Shields agreed.

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (1B) TO ALLOW THE EXISTING EXTERIOR METAL FAÇADE IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the exception to allow the existing exterior metal façade at 316 West Lamar Street subject to the street facing from the brick to the eve having some type of architectural panel or masonry finish. Second by Commission Member Thorpe.

VOTING AYE: GILBERT, THORPE, ELLIOTT, VANDERVEER AND VELLOTTI.

VOTING NAY: NONE

MOTION CARRIED

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AN AUCTION HOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the Specific Use Permit and site plan to allow an auction house in a C-2 (General Commercial) District/Central Business District for the property located at 316 West Lamar Street subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: GILBERT, THORPE, ELLIOTT, VANDERVEER, VELLOTTI, DAVIS, MAHONE AND ADAMS.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCES

THE REQUEST OF JOE GILBERT CONSTRUCTION, LLC (OWNER), CROSS ENGINEERING CONSULTANTS (CIVIL ENGINEER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR), AS FOLLOWS:

BOARD OF ADJUSTMENTS

**VARIANCES – REAR SETBACK
3103, 3107, 3111 & 3115 N. HICKORY (JOE GILBERT CONSTRUCTION,**

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW: LLC)

- 3103 NORTH HICKORY STREET, BEING 0.138 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALSO BEING THE PROPOSED LOT 6R OF THE REPLAT OF HICKORY ESTATES, A 20' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- 3107 NORTH HICKORY BEING 0.138 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALSO BEING THE PROPOSED LOT 7R OF THE REPLAT OF HICKORY ESTATES, A 15' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- 3111 NORTH HICKORY; BEING 0.138 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALSO BEING THE PROPOSED LOT 8R OF THE REPLAT OF HICKORY ESTATES, A 10' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.
- 3115 NORTH HICKORY STREET, BEING 0.186 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, ALSO BEING THE PROPOSED LOT 9R OF THE REPLAT OF HICKORY ESTATES, A 10' REAR YARD SETBACK IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

5:20 p.m. Chairman Gilbert abstained from this request because of a conflict of interest.

Commission Member Thorpe took over as Chairman for this request.

Shawn Davis was appointed as alternate on the Board of Adjustments.

Dean Gilbert, 801 E. Taylor, Sherman, TX

Mr. Gilbert appeared to represent the request and answer any questions. The property is located at 3103, 3107, 3111 and 3115 North Hickory Street, between Oxford Drive and U.S. Highway 82 and is zoned an R-1 (One Family Residential) District.

Mr. Gilbert explained “these lots were originally platted in 1980 as six lots and they will be replatting the lots into nine lots for single family development. The lots are 6,000 square foot lots and water and sewer will be extended to the lots. The homes will be approximately 1,500 square foot homes. The four lots they are requesting a variance on the rear setback are narrower lots.”

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

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve

the variances to allow: a 20' rear setback at 3103 N. Hickory Street; a 15' rear setback at 3107 N. Hickory Street; a 10' rear setback at 3111 N. Hickory Street; and a 10' rear setback at 3115 N. Hickory Street in lieu of the required 25'. Second by Commission Member Elliott.

VOTING AYE: THORPE, ELLIOTT, VANDERVEER, VELLOTTI AND DAVIS.

VOTING NAY: NONE

ABSTAIN: GILBERT

MOTION CARRIED

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

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF INTERPROPERTY HOLDINGS, INC. (OWNERS), TOM JOSEPH, GRAND KERA, INC. (APPLICANT/TENANT) CONCERNING THE PROPERTY LOCATED AT 1922 NORTH GRAND AVENUE, BEING 5.73 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 LIQUOR STORE IN AN M-1 (LIGHT MANUFACTURING) DISTRICT.

SUP & SITE PLAN –
LIQUOR STORE
1922 N. GRAND
(INTERPROPERTY
HOLDINGS, INC.)

5:24 p.m. Joe Gilbert took over as Chairman.

Tom Joseph, 382 Redstone Dr., Sunnyvale, TX

Mr. Joseph appeared to represent the request and answer any questions. The property is located at 1922 North Grand Avenue in the Jamestown Plaza Shopping Center, between Texoma Parkway and Teague Drive. The property is zoned an M-1 (Light Manufacturing) District.

Mr. Joseph explained they are requesting a Specific Use Permit to allow a liquor store at this location. The lease space is approximately 1,680 square feet. He received 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 Thorpe to approve the Specific Use Permit to allow a liquor store at 1922 North Grand Avenue subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: GILBERT, THORPE, ELLIOTT, VANDERVEER, VELLOTTI, DAVIS, MAHONE AND ADAMS.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO

THE INTENT OF THE ORDINANCE.

VARIANCE

THE REQUEST OF WHITMIRE CONTAINER CORPORATION (OWNERS), JUSTIN ANDERSON, SELECTIVE SITE CONSULTANTS, INC. (REPRESENTATIVE) AND T-MOBILE (CARRIER) CONCERNING THE PROPERTY AT 215 WEST PARK AVENUE, BEING A PART OF BLOCK 15 OF THE REPLAT OF BLOCKS 4-6, 15-7, 29-31 AND 40 AND 41 OF THE SOUTHSIDE ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (15) (1) (C) TO ALLOW A 50' SETBACK FROM THE PROPERTY LINE IN LIEU OF THE REQUIRED 100' FOR A WIRELESS TELECOMMUNICATIONS TOWER IN AN M-2 (HEAVY MANUFACTURING) DISTRICT.

**VARIANCE –
SETBACK FROM
PROPERTY LINE
215 W. PARK
(WHITMIRE
CONTAINER CORP.)**

Joseph Moore, Selective Site Consultants, Inc., 9900 W. 109th St., Ste. 300, Overland Park, KS

Mr. Moore appeared to represent the request and answer any questions. The property is located at 215 West Park Avenue, between Crockett and Elm Streets and is zoned an M-2 (Heavy Manufacturing) District.

Mr. Moore explained “T-Mobile would like to erect a 100' tall wireless communications facility at this location. The facility will be enclosed in a 30' x 46' chain link fence area. The reason for the 50' setback instead of the 100' setback is because we did an analysis of the area and we felt this area would lead to the least amount of impact on the community. We did look at other properties in the general area as well as specific locations on this property alone. The issues we ran into were setback issues from residential properties, so we wanted to avoid that as much as possible. The property we are looking at is another manufacturing property; it currently does have low traffic going in and out of the area. We chose this location as leading to the least amount of impact on the area. We received a certification from an engineering firm based out of Missouri stating that these towers are developed to have a fall distance potentially that's one third to one half the tower's height, so that is why we feel a little bit more comfortable going with that distance for the setback.”

T-Mobile is the anchor tenant for this site and has a designated 10' x 15' lease area for their outdoor equipment, consisting of a platform and radio equipment. The tower will be located 50' from property line. This site is required to maintain T-Mobile's network coverage and capacity stability as part of T-Mobile's rapidly growing data services. This area currently has unacceptable performance and therefore contributes to diminished capacity of the surrounding sites. This proposed site will have the ability to help offload data traffic and capacity from surrounding sites while creating a coverage gap. By helping to offload existing capacity of the neighboring sites, this tower will help existing sites be more

efficient and effective. He had seen the Staff Review Letter and would abide by the Recommendations.

Mr. Shadden explained on the site plan, “the overall structure shows to be 105’, you will need to lower that to 100’.”

Mr. Moore responded “if it is necessary, the 105’ is for the lightning rod, but the actual structure is 100’.”

Mr. Shadden explained “the tip is where we measure to; whatever the top is. If the board does approve it, whatever lighting is on the tower will need to be shielded from any residential structures, so people do not see the light flashing in their yard.”

Mr. Moore explained “with lighting they would adhere to any FAA requirements for that specifically, but we would abide to shield the lights from residential also.”

Commission Member Vanderveer asked “what type of fence would surround the tower.”

Mr. Moore responded “a 6’ chain link fence.”

Dean Gilbert, 801 E. Taylor, Sherman, TX

Mr. Gilbert explained he is representing the property owner. “The property which is zoned residential is immediately to the north of this property and that is a part of the old Burlington Mills property. There used to be company owned houses there, they have all been torn down and done away with; that’s the reason it is zoned residential, but the owner of the Burlington building is holding it for additional parking, should that become a manufactured plant as some point. It may be zoned residential, but that’s not its highest or best use.”

Commission Member Elliott asked if this tower would have guy wires.

Mr. Moore explained “this is a monopole, so it will not have guy wires; it is engineered to withstand 200 mph winds.”

Commission Member Mahone asked “how the lights would be shielded.”

Mr. Moore explained “the tower is 100’ in height, so for anyone to see it, you would have to be much further away than those right next to it. The shielding we use can vary; it comes down to the character of the area, what areas they have to shield, obviously they still need to have light up there for the FAA and any aircrafts. They have to do an analysis and come down to what provides the best screen, sometimes that means getting boots on the ground and just driving in circles, finding out what location has an issue and cover it. This tower will just have lights on top and they will

be red by FAA requirement; it is a dimmer red light, but it is meant to go up rather than down.”

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

ACTION TAKEN.

Motion by Commission Member Thorpe to approve the variance to allow a 50’ setback from the property line in lieu of the required 100’ for a Wireless Telecommunications Tower in an M-2 (Heavy Manufacturing) District for the property located at 215 West Park Avenue subject to the Staff Review Letter and shielding the light from any residentially zoned property.

Second by Commission Member Elliott.

VOTING AYE: GILBERT, THORPE, ELLIOTT, VANDERVEER, AND VELLOTTI.

VOTING NAY: NONE

MOTION CARRIED

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

EXCEPTION, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF SAPPHIRE GROUP LLC (OWNERS), KYLE BOOTHE (REPRESENTATIVE) AND BLUESTONE DRAFTING & DESIGN (DESIGNER) CONCERNING THE PROPERTY LOCATED AT 4613 N. FM 1417 (HERITAGE PARKWAY), BEING 17.60 IN THE ALFRED HUMES SURVEY, ABSTRACT NO. 522, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (4)(B) TO ALLOW THE EXISTING METAL BUILDINGS IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW TRUCK REPAIR, STORAGE, RENTAL AND OFFICE FOR RYDER TRUCKS AND A GENERAL CONTRACTOR’S OFFICE AND STORAGE FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

EXCEPTION –
EXTERIOR FACADE
SUP & SITE PLAN –
RYDER TRUCKS &
GENERAL
CONTRACTOR’S
OFFICE
4613 N. FM 1417
(HERITAGE PARKWAY)
(SAPPHIRE GROUP, LLC)

Kyle Boothe, 2414 Westhaven, Sherman, TX

Mr. Boothe appeared to represent the request and answer any questions. The property is located at 4613 North FM 1417 (Heritage Parkway) between U.S. Highway 82 and Plainview Road; Texas Electric Utilities was one of the previous tenants. It was used as their main construction offices, storage warehouses, assembly shops, communications center and fleet maintenance shops. After them, there was a large pipeline company that vacated the property at the end of last year. The metal buildings on the property were specifically designed for each of the above mentioned uses and make up

approximately 26,000 square foot of space. The property is zoned a C-2 (General Commercial District and is also located in the O-1.1 (FM 1417 Overlay) District.

Mr. Boothe explained “this property is located about a mile and a half north from Highway 82 on FM 1417 (Heritage Parkway); it is on about twenty acres. There are seven or eight metal buildings located on this property. We are requesting an exception for the metal buildings and a Specific Use Permit for Ryder Trucks for truck repair, storage, rental, and office. Bluestone Partners would also like to keep the professional office to be used as a General Contractor's Office and storage facility.”

“The property has not been maintained very well in the last few years; the fence is falling down and a flag pole that needs to come down. We have plans to do a lot of painting and landscaping, fixing a lot of the parking areas with gravel; it is going to be a much cleaner look than it is now.”

“As far as the exception on the O-1.1 (FM 1417 Overlay) District, we totally agree with that, we definitely see what you guys are doing with that, but we feel that we are a few miles really from anything comparable to that as being an existing property and the use has been similar with fleet maintenance and parking and things like that. We want to make it nice. I think in fifteen or twenty years this area maybe repurposed and we may run into some of the same issues on the buildings. He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Members Thorpe and Elliott wanted to see the building that faces the road upgraded to the standards of the O-1.1 (FM 1417 Overlay) District.

Mr. Boothe explained they considered that and “we went more toward the landscaping because when you drive through there, you almost don't even see the front because it is so close to the highway and you are going pretty fast. When you see the north and south sides of the building, it is so deep and you have all those overhead doors, so our thought process was to just frame this thing, let's not just try to put some lipstick on something because you can see all the buildings when you are driving down the highway. Everybody knows they are metal buildings, they have been there forever, let's do our very best to screen some of it, so that when you are driving through there, it is going to look so much nicer, it will look like an entrance to a really nice commercial property; I think we can make it look nice through these other means.”

Commission Member Thorpe felt the only problem is if an exception is approved, it stays with that property or building forever.

Commission Member Vanderveer felt they could limit to two

or three years or even five years to make sure this is viable.

Commission Member Elliott felt that might work; “I don’t have a problem with it right now, as it is today, but the potential for the future.”

Chairman Gilbert thought if there was a time limit on it, then there is an option for them to re-evaluate it and come back and ask for the exception again if need be.

Mr. Shadden asked Mr. Boothe if he would be alright with the Specific Use Permit with these uses and an exception that would last five years and be re-evaluated to comply with the O-1.1 (FM 1417 Overlay) District standards.

Mr. Boothe responded “yeah, I think so.”

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

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (4)(B) TO ALLOW THE EXISTING METAL BUILDINGS IN LIEU OF THE REQUIRED MASONRY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the exception to allow the existing metal buildings in lieu of the required masonry for a period of five years for the property located at 4613 North FM 1417 (Heritage Parkway).

Second by Commission Member Thorpe.

VOTING AYE: GILBERT, THORPE, ELLIOTT, VANDERVEER, AND VELLOTTI.

VOTING NAY: NONE

MOTION CARRIED

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW TRUCK REPAIR, STORAGE, RENTAL AND OFFICE FOR RYDER TRUCKS AND A GENERAL CONTRACTOR’S OFFICE AND STORAGE FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.1 (FM 1417 OVERLAY) DISTRICT.

ACTION TAKEN.

Motion by Commission Member Vanderveer to approve the Specific Use Permit to allow truck repair, storage, rental and office for Ryder Trucks and a General Contractor’s Office and storage Facility in a C-2 (General Commercial) District/O-1.1 (FM 1417 Overlay) District for the property located at 4613 North FM 1417 (Heritage Parkway) subject to the Staff Review Letter. Second by Commission Member

PLANNING & ZONING COMMISSION MINUTES – JANUARY 17, 2017

Davis.

**VOTING AYE: GILBERT, THORPE, ELLIOTT, VANDERVEER,
VELLOTTI, DAVIS, MAHONE AND ADAMS.**

VOTING NAY: NONE

MOTION CARRIED

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

ADJOURNMENT

**On Motion duly made and carried, the meeting adjourned at
6:15 p.m.**

ADJOURNMENT

CHAIRMAN

SECRETARY