

STATE OF TEXAS

§

November 17, 2009

COUNTY OF GRAYSON

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BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, was begun and held on November 17, 2009.

MEMBERS PRESENT: CHAIRMAN JASON SOFEY;
COMMISSION MEMBERS: PLYLER, ATHERTON, DAVIS,
MORGAN, HICKS AND BARTON

MEMBERS ABSENT:

JACOBS AND TANKERSLEY

CALL TO ORDER

Chairman Sofey 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 October 20, 2009 Meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Morgan. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

BOARD OF ADJUSTMENT

The members of the Board of Adjustment: DAVIS, PLYLER, SOFEY, ATHERTON AND MORGAN.

BOARD OF
ADJUSTMENTS

EXCEPTIONS & VARIANCE

THE REQUEST OF COVENANT CHURCH (OWNER), JAMES DEMELO (REPRESENTATIVE) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 4100 NORTH TRAVIS STREET, BEING 9.71 ACRES IN THE JOHN JENNINGS SURVEY, ABSTRACT NO. 647, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (14)(G) TO ALLOW A 112 SQUARE FOOT SIGN, 8' IN HEIGHT IN LIEU OF THE PERMITTED 20 SQUARE FEET AND 6' IN HEIGHT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT.

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7 SUBSECTION (5) TO ALLOW A 15' FRONT YARD SETBACK IN LIEU OF THE REQUIRED 25' FOR A FREESTANDING SIGN IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT.

EXCEPTION – SIGN
AREA
VARIANCE – FRONT
SETBACK
4100 N. TRAVIS
(COVENANT CHURCH)

Pastor James deMelo and Chet Teal, 4100 N. Travis,
Sherman, Texas

Pastor James deMelo and Mr. Teal appeared to represent the request and answer any questions. The property is located at 4100 North Travis Street, just north of U.S.

Highway 82; Covenant Church is the tenant. This item was tabled at the October 20, 2009 Meeting. They explained they revised their request to one 112 square foot stone monument sign, 15' from the front property line along Travis Street. The sign would be stone with granite top. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Morgan to approve the requests to allow a 112 square foot monument sign, 8' in height with a 15' front yard setback. Second by Commission Member Davis.

VOTING AYE: DAVIS, PLYLER, SOFEY, ATHERTON AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED

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

ZONE CHANGE, SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF DONALD R. GILLIAM (OWNER) AND ALFREDO PORTILLO (PROSPECTIVE BUYER) CONCERNING THE PROPERTY LOCATED AT 530 SOUTH TRAVIS STREET, BEING 0.239 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

ZONE CHANGE UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT AND SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER SECTION 8, SUBSECTION (5)(A) TO ALLOW AUTOMOTIVE REPAIR AND BODY WORK IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

**ZONE CHANGE –
C-1 TO C-2**

**SUP – AUTOMOTIVE
REPAIR & BODY
WORK**

**530 S. TRAVIS
(DONALD R. GILLIAM)**

(DENIED)

Roger Herrera, 217 Arizona, Sherman, Texas and Alfredo Portillo, 309 W. Rainey, Sherman, Texas

Mr. Portillo and Mr. Herrera appeared to represent the request and answer any questions. This item was tabled at the October 20, 2009 Meeting. The property is located at 530 South Travis Street, the northwest corner of Travis and King Streets. Mr. Herrera explained Mr. Portillo would like to modify his request to strictly automotive repair at this location; he will not be doing body work. Automotive repair will include brakes, tune ups, etc. He submitted a plan to erect a 6' wood privacy fence all around the exposed area. He understood parking is allowed on paved surfaces only. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Chairman Sofey was concerned with changing the zoning from C-1 (Retail Business) District to C-2 (General

Commercial) District in the downtown area.

Commission Member Davis explained Travis Street used to be the main street coming into Sherman and it had some commercial properties and now it is not really the entrance, it is more of a residential area. He was concerned if the property was sold to someone else; they would want to put in a heavier use.

Commission Member Atherton explained this property has been a service station as long as she could remember. The property is master planned Urban Downtown, but you have an existing building that has existing uses or a history of uses, the service station is limiting the building to this type of use. She explained the property is a small lot so you could not put too huge of use on it such as manufacturing.

Chairman Sofey explained they just finished updating the Master Plan; from his interpretation what they are looking at doing in the future is to change some of the existing zoning in that area to make them more of a retail/office/residential area on the corridors going east, north and south.

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

A call was received from Bruce Barnett, Sherman ISD, 120 W. King St., Sherman, TX

They had no problem with the proposed automotive repair shop.

ACTION TAKEN.

Motion by Commission Member Morgan to approve the request to allow a zone change from C-1 (Retail Business) District to C-2 (General Commercial) District and a Specific Use Permit to allow an automotive repair subject to the Staff Review Letter. Second by Commission Member Atherton.

VOTING AYE: MORGAN AND ATHERTON

VOTING NAY: BARTON, HICKS, PLYLER, DAVIS AND SOFEY

MOTION FAILED

THE COMMISSION FOUND THE REQUEST DID NOT CONFORM TO THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT & SITE PLAN

THE REQUEST OF BLUESTONE PARTNERS, LLC (OWNERS) CONCERNING THE PROPERTY LOCATED AT 2917 OVERLAND TRAIL, BEING LOT 4, BLOCK 2, O'HANLON RANCH ADDITION, PHASE 2, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER SECTION 8, SUBSECTION (5)(A) TO ALLOW AN

**SUP – PARKING LOT
2917 OVERLAND TRL
(BLUESTONE
PARTNERS, LLC)**

AUTOMOBILE PARKING LOT IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Joe Dell, Bluestone Partners, 2913 Overland Trail, Ste. 100 Sherman, Texas

Mr. Dell appeared to represent the request and answer any questions. The property is located at 2917 Overland Trail in the O'Hanlon Ranch Addition. He explained they would like to construct a parking lot to be used for the office buildings located to the east of this lot to reduce some of the congestion on Overland Trail. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Tom Bolen, 2608 Silverado Trail, Sherman, Texas

Mr. Bolen explained he would not like to have the parking lot put in, the existing parking lot is not being used to capacity from what he has seen when he drives by; people are parking in the street when there are empty spots available in the parking lot. There are six businesses proposed from the site plan, there are 61 parking spaces in the parking lot now. He would prefer it be denied, but if it is accepted he proposed an alternative plan that would keep the curb straight through and not have another entrance going in and out of Overland Trail. He would like to have the two parking lots together. He also would like to know what was proposed for the back half of the lot.

Mr. Dell explained they are not at 100 percent occupancy on the three office buildings, so the parking lot does have spaces available, mainly because they choose to have their employees park in the street to allow expectant mothers to park closer to the medical office, but when it is at capacity, it will be a full parking lot and a potential for little congestion. The reason to not tie the two parking lots together is cost; it is gaining spots instead of losing four spots by tying them together; it not economical to make the entire lot parking lot at this time. The goal is alleviate congestion by parking in the parking lot when it is constructed.

Commission Member Hicks asked if the office buildings met the minimum standard on parking.

Scott Shadden, Director of Developmental Services explained they met the minimum when they were constructed.

Kyle Boothe, Bluestone Partners 2913 Overland Trail, Ste. 100 Sherman, Texas

Mr. Boothe explained the parking lots will be tied together; the fence will be removed on the west side of the office buildings, it will be moved to include this lot. They thought they had plenty of parking when they designed the office buildings but a couple of the tenants have an extra ordinary amount of patients. The last two spaces are

unoccupied right now but they are in negotiations to lease the spaces, parking was one of their big concerns; “so we have to do something or people will just keep parking further down the street.”

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the Specific Use Permit and site plan subject to the Staff Review Letter. Second by Commission Member Hicks.

VOTING AYE: DAVIS, SOFEY, BARTON, HICKS, PLYLER, ATHERTON AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT

THE REQUEST OF JEREMY & SHERRY KNIGHT, BLUESTONE PARTNERS, LLC AND DGR DEVELOPMENT GROUP, LTD (OWNERS) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 2505 SEDALIA CIRCLE, 2912 AND 2916 SEDALIA TRAIL, BEING LOTS 18, 20 AND 21, BLOCK 2, O’HANLON RANCH ADDITION, PHASE 2, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT LOTS 18, 20 & 21, BLOCK 2, O’HANLON RANCH ADDITION, PHASE 2.

REPLAT – LOTS 18, 20 & 21, BLOCK 2, O’HANLON RANCH ADDITION, PHASE 2. 2505 SEDALIA CIRCLE, 2912 & 2916 SEDALIA TRAIL (JEREMY & SHERRY KNIGHT, BLUESTONE PARTNERS, LLC AND DGR DEVELOPMENT GROUP, LTD)

Joe Dell, Bluestone Partners, 2913 Overland Trail, Ste. 100 Sherman, Texas

Mr. Dell appeared to represent the request and answer any questions. The property is located at 2505 Sedalia Circle and 2912 and 2916 Sedalia Trail in the O’Hanlon Ranch Addition. This is a replat reconfiguring three adjacent lots by redefining property lines to enlarge Lot 18. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Morgan to approve the Replat subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: DAVIS, SOFEY, BARTON, HICKS, PLYLER, ATHERTON AND MORGAN.

VOTING NAY: NONE

MOTION CARRIED

PLANNING & ZONING COMMISSION MINUTES – NOVEMBER 17, 2009

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

OTHER BUSINESS

No other business came before the board.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 5:30 p.m.

OTHER BUSINESS

ADJOURNMENT

CHAIRMAN _____

SECRETARY