

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, NOVEMBER 18, 2019
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER WILLIE STEELE**
- A. 3. INVOCATION BY COUNCIL MEMBER WILLIE STEELE**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 4, 2019**

Declare Results of the November 5, 2019 Special Municipal Elections

- B. 1. CANVASS OF ELECTION RETURNS**
- B. 2. RESOLUTION NO. 6561**
Declaring the Results of the November 5, 2019 Special Municipal Elections held in the City of Sherman, Grayson County, Texas

Oath of Office

- C. 1. OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION**

Deputy Mayor Election

- D. 1. COUNCIL ELECTION OF DEPUTY MAYOR**

Citizen Requests

- E. 1. CITIZEN REQUESTS**

Other Business

- F. 1. OTHER BUSINESS**
Receive Presentation from Corgan on Results of Phases I and II of the Sherman Municipal Airport Master Plan Project

Public Hearing

G. 1. FIRST PUBLIC HEARING

Conduct the First Public Hearing Concerning the Annexation of a 95.277 Acre Tract of Land located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction

G. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6261

Confirming and Validating the Reauthorization of the Levy and Collection of a Sales and Use Tax of One-Eighth (1/8) of One Percent to Provide Revenue for the Maintenance and Repair of Municipal Streets, as Authorized by Chapter 327 of the Texas Tax Code

G. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6262

Expanding Sherman Tax Increment Reinvestment Zone, Number Seven (#7) (Southeast of Intersection of U.S. Highway 75 and F.M. 1417); Providing for Findings of Fact

G. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6263

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Gated Airport Community in an R-1 (One Family Residential) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 32.740 acres in the G.B. Pilant Survey, Abstract No. 963 (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

G. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6264

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Hangar Homes in an R-1 (One Family Residential) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 11.412 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community Community (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

G. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6265

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Patio Homes in an R-1 (One Family Residential) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 2.343 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-24, Block D of the Proposed Silver Falcon Aviation Community (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

G. 7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6266

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 6.704 acres in the G.B. Pilant Survey, Abstract No. 963 (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative)

- G. 8. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6267**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Duplex in an R-1 (One Family Residential) District at 2413 North Hickory Street, being Lot 2, Block 1, Menjivar's Addition (Jose Menjivar, Owner; and James Green, General Contractor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- G. 9. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6268**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Duplex in an R-1 (One Family Residential) District at 2417 North Hickory Street, being Lot 1, Block 1, Menjivar's Addition (Jose Menjivar, Owner; and James Green, General Contractor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- G. 10. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6269**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Cigar Lounge in an C-1 (Retail Business) District/Central Business District at 222 West Houston Street, being part of Lot 10, Block 4, OTP Sherman (Laurel Acres, LTD, Owners; and Hal Hinton, Applicant); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- G. 11. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6270**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Tire Sales and Automobile Repair with Outdoor Displays in a C-2 (General Commercial) District at 1521 Texoma Parkway, being 0.87 acres in the J.B. McAnair Survey, Abstract No. 763 (Alwahban Real Estate, LLC, Owners; and Omar Alwahban, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- G. 12. SECOND PUBLIC HEARING**
Conduct the Second Public Hearing Concerning the Annexation of a 95.277 Acre Tract of Land located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction

Close Public Hearing and Consider Adoption of Ordinances

- G. 13. ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers: 6261, 6262, 6263, 6264, 6265, 6266, 6267, 6268, 6269 and 6270
- G. 14. CONSENT AGENDA**
Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Resolutions

- H. 1. RESOLUTION NO. 6562**
Authorizing Execution of an Amended and Restated Moore Street Agreement between the City of Sherman and The Munson Realty Company for the Construction of West Moore Street from West Travis Street to F.M. 1417 in the City of Sherman

- H. 2. RESOLUTION NO. 6563**
Authorizing Execution of an Agreement between the City of Sherman and Grayson County to Participate in the Sherman Tax Increment Reinvestment Zone, Number Seven (#7) Expansion
- H. 3. * RESOLUTION NO. 6564**
Renaming Dedicated Streets in the Final Plat of Sunrise Tract at Sherman Hills, Phase 1
- H. 4. * RESOLUTION NO. 6565**
Authorizing Execution of an Agreement with Ameritex Homes, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1415 South Austin Street within City of Sherman Reinvestment Zone, Number Ten (#10)
- H. 5. * RESOLUTION NO. 6566**
Authorizing Execution of an Agreement with Ameritex Homes, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 2106 South Branch Street within City of Sherman Reinvestment Zone, Number Ten (#10)
- H. 6. * RESOLUTION NO. 6567**
Awarding a Bid to and Authorizing Execution of an Agreement with Josh Willeford for an Agricultural Lease at the Sherman Wastewater Treatment Plant
- H. 7. * RESOLUTION NO. 6568**
Authorizing the Emergency Purchase of a New Spartan S-180 Pumper from Metro Fire for the Sherman Fire Department and the Emergency Purchase of Two Chevrolet Patrol Tahoes from Freedom Chevrolet for the Sherman Police Department with Lease-Purchasing Financing
- H. 8. * RESOLUTION NO. 6569**
Casting Votes to Elect a Candidate to Serve as a Member of the Grayson Central Appraisal District Board of Directors

Requests to Advertise

- I. 1. REQUEST TO ADVERTISE**
Construction of Hangars at the Sherman Municipal Airport
- I. 2. * REQUEST TO ADVERTISE**
Purchase and Installation of Various Site Amenities and Improvements for the Cherry Street Park Project

Change Orders

- J. 1. CHANGE ORDER NO. 1 (FINAL)**
West Travis Street Phase IV Project; Vessels Construction; \$41,891.48 Decrease
- J. 2. * CHANGE ORDER NO. 4 (FINAL)**
Approving the Greater Texoma Utility Authority's Intent to Execute Change Order No. 4; Sherman Water Treatment Plant Expansion Project; MWH Contractors, Inc.; \$717.00 Decrease

Other Business

K. 1. * *OTHER BUSINESS*

Approval of the 2019 Ad Valorem Tax Roll Value and Tax Levy

K. 2. * *OTHER BUSINESS*

Replat Approval of Lots 2, 3 and 4, Block 4, Mayhew Addition, being 0.705 acres in the Samuel Blagg Survey, Abstract No. 56, also being Lots 2, 3 & 4, Block 4 of the Mayhew Addition; Killian Land Development, LP, Owners; and Helvey-Wagner Surveying, Surveyor (1606, 1610 and 1614 South Rusk Street)

K. 3. * *OTHER BUSINESS*

Second Replat Approval of Sherman Hills Country Club Addition, being 235.088 acres in a part of the Elizabeth Jones Survey, Abstract No. 625, the Samuel Blagg Survey, Abstract No. 56 and the Preston Kitchen Survey, Abstract No. 667, also being a part of the Sherman Hills Country Club Addition Golf Course Tracts Addition; SSCGC Holdings, LLC, Owners; and Underwood Drafting and Surveying, Surveyor (1200-2600 blocks of South U.S. Highway 75)

K. 4. * *OTHER BUSINESS*

Replat Approval of Holley Heights Addition, a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition, being all of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition Golf Course Tracts, containing 22.822 acres in the Preston Kitchen Survey, Abstract No. 667; SSCGC Holdings, LLC, Owners; Joshua Holley, Developer; and Underwood Drafting and Surveying, Surveyor (2100-2200 blocks of South U.S. Highway 75)

L. MEDIA QUESTIONS

Consider Board/Commission Appointments

M. 1. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Council Audit Committee (3)

M. 2. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Investment Committee (2)

M. 3. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Reinvestment Committee (2)

M. 4. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #1 (3)

M. 5. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #2 (3)

M. 6. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #3 (3)

M. 7. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #5 (3)

M. 8. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #6 (3)

M. 9. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #7 (3)

N. COUNCIL COMMENTS

Executive Session

O. 1. EXECUTIVE SESSION

In Accordance with Chapter 551, Government Code, V.T.C.S. (Open Meetings Law), "The City Council Will Now Hold a Closed Executive Meeting Pursuant to the Provisions of the Open Meetings Law, Chapter 551, Government Code, Vernon's Texas Codes Annotated, in Accordance with the Authority Contained in the Following Sections:

Section 551.071 Consultation with City Attorney concerning Pending or Contemplated Litigation

Section 551.071 Consult with the City Attorney on a Matter in which the Duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter

Section 551.087 Deliberation Regarding Economic Development Negotiations:
(a) Deliberate Regarding Commercial or Financial Information that the City has Received from a Business Prospect and Deliberate any Offers or Incentives to the Business Prospect

The Council reconvenes into General Session

P. 1. OPEN MEETING

Reconvene into Open Meeting and Consider Action, if any, on items discussed in Executive Session

Q. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on November 14, 2019 at 4:30 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 14th day of November, 2019.
City of Sherman, Texas

City Clerk

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the City Council.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the City Council, non-agenda items under the headings of "Citizens Requests", "Media Questions", and "Council Concerns" may be presented to the Council for informational purposes; however, by law, the Council shall not discuss, deliberate, or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

The City Attorney has approved the Executive Session items on this agenda.

PERSONS WITH DISABILITIES, WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, ARE REQUESTED TO CONTACT LINDA ASHBY AT (903) 892-7204, TWO (2) WORKING DAYS PRIOR TO THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.

Mayor

David Plyler

Deputy Mayor

Shawn C. Teamann

Council Members

Willie Steele, Council-At-Large, PL #1

Sandra Melton, Council-At-Large, PL #2

Shawn C. Teamann, Council – District #1

Josh Stevenson, Council – District #2

Pamela L. Howeth, Council – District #3

Daron Holland, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

A. 4.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 4, 2019

Attachments

November 4, 2019

TxDOT Project Update

Street Maintenance Department Update

COUNCIL MINUTES – NOVEMBER 4, 2019

No citizens appeared before the City Council to discuss Ordinance No. 6259.

Mayor Plyler introduced Ordinance No. 6260 and called for a public hearing:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6237 TO APPOINT ELECTION OFFICIALS FOR A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2019, FOR THE PURPOSE OF AMENDING THE CITY CHARTER OF THE CITY OF SHERMAN, TEXAS.

ORD 6260
AMEND ELECTION
ORD – CHARTER
AMENDMENTS

No citizens appeared before the City Council to discuss Ordinance No. 6260.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6259

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6236 TO APPOINT ELECTION OFFICIALS FOR AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2019, FOR THE PURPOSE OF THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX AT THE RATE OF ONE-EIGHTH OF ONE PERCENT (1/8%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.

ORD 6259
AMEND ELECTION
ORD – STREET
SALES TAX

Ordinance 6260

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING ORDINANCE NO. 6237 TO APPOINT ELECTION OFFICIALS FOR A SPECIAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF SHERMAN, TEXAS, ON THE 5TH DAY OF NOVEMBER, 2019, FOR THE PURPOSE OF AMENDING THE CITY CHARTER OF THE CITY OF SHERMAN, TEXAS.

ORD 6260
AMEND ELECTION
ORD – CHARTER
AMENDMENTS

ACTION TAKEN.

Motion by Council Member Howeth to approve Ordinance Nos. 6259 and 6260, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Deputy Mayor Teamann moved to approve the Consent Agenda, as presented. Second by Council Member Stevenson. All present voted AYE.

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6553 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH MODULAR POWER SOLUTIONS, LLC FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN MIDWAY INDUSTRIAL PARK ADDITION, AN 11.0-ACRE DEVELOPMENT EAST OF TEXOMA PARKWAY AND NORTH OF U.S. HIGHWAY 82 IN THE CITY OF SHERMAN
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH MODULAR POWER SOLUTIONS, LLC FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN MIDWAY INDUSTRIAL PARK ADDITION, AN 11.0-ACRE DEVELOPMENT EAST OF TEXOMA PARKWAY AND NORTH OF U.S. HIGHWAY 82 IN THE CITY OF SHERMAN.

RES 6553
DEVELOPMENT
AGREEMENT
MIDWAY INDUSTRIAL
PARK ADDITION

Clint Philpott, Director of Engineering, said this is a Development Agreement with Modular Power Solutions for development of their 11 acre site. Part of the project includes passing an inspection of Midway Drive Extension, and a public water line through their site.

To help keep the owner on schedule, a part of the agreement will be to reimbursement them for a sewer line extension that gets the first driveway open sooner than the Fallon Drive Extension project would, so they can start business in December.

ACTION TAKEN.

Motion by Council Member Howeth to approve Resolution No. 6553, as presented. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6554 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH VERONICA EZELL, D/B/A TRINITY ONE RECORDS, LLC, UNDER THE CITY OF SHERMAN’S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 223 SOUTH TRAVIS STREET

RES 6554
CBD HISTORIC
BLDG RESTORATION
GRANT
(223 S. TRAVIS)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH VERONICA EZELL, D/B/A TRINITY ONE RECORDS, LLC, UNDER THE CITY OF SHERMAN’S CENTRAL BUSINESS DISTRICT HISTORIC BUILDING RESTORATION AND IMPROVEMENT GRANT PROGRAM FOR IMPROVEMENTS TO 223 SOUTH TRAVIS STREET.
CONSENT AGENDA.

RESOLUTION NO. 6555 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT

RES 6555
RESIDENTIAL TAX
ABATEMENT
(1028 E. HOUSTON)

1028 EAST HOUSTON STREET WITHIN CITY OF SHERMAN
REINVESTMENT ZONE, NUMBER TEN (#10)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1028 EAST HOUSTON STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

RESOLUTION NO. 6556 – AUTHORIZING EXECUTION OF AN
AGREEMENT WITH M&G HOME BUILDERS, LLC FOR THE
ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE
CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT
1016 NORTH BRANCH STREET WITHIN CITY OF SHERMAN
REINVESTMENT ZONE, NUMBER TEN (#10)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1016 NORTH BRANCH STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

RES 6556
RESIDENTIAL TAX
ABATEMENT
(1016 N. BRANCH)

RESOLUTION NO. 6557 – AUTHORIZING EXECUTION OF AN
AGREEMENT WITH TOBAR’S PROPERTIES, LLC FOR THE
ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE
CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT
702 SOUTH RUSK STREET WITHIN CITY OF SHERMAN
REINVESTMENT ZONE, NUMBER TEN (#10)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR’S PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 702 SOUTH RUSK STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

RES 6557
RESIDENTIAL TAX
ABATEMENT
(702 S. RUSK)

RESOLUTION NO. 6558 – AUTHORIZING THE PURCHASE OF
A NEW T800 KENWORTH ROLL OFF TRUCK FOR THE SOLID
WASTE DEPARTMENT FROM MHC KENWORTH, INC.
THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING
COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW T800 KENWORTH ROLL OFF TRUCK FOR THE SOLID WASTE DEPARTMENT FROM MHC KENWORTH, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

RES 6558
SOLID WASTE
DEPT. VEHICLE

Council Member Stevenson confirmed that the trucks that were being purchased for the Solid Waste Department were being purchased through BuyBoard.

CONSENT AGENDA.

RESOLUTION NO. 6559 – AUTHORIZING THE PURCHASE OF A NEW T270 KENWORTH SERVICE TRUCK FOR THE SOLID WASTE DEPARTMENT FROM MHC KENWORTH, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW T270 KENWORTH SERVICE TRUCK FOR THE SOLID WASTE DEPARTMENT FROM MHC KENWORTH, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

RES 6559
SOLID WASTE
DEPT. VEHICLE

RESOLUTION NO. 6560 – AUTHORIZING THE PURCHASE OF A NEW 2020 WILKENS TRANSFER TRAILER FOR THE SOLID WASTE DEPARTMENT FROM WILKENS INDUSTRIES, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW 2020 WILKENS TRANSFER TRAILER FOR THE SOLID WASTE DEPARTMENT FROM WILKENS INDUSTRIES, INC. THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD).

CONSENT AGENDA.

RES 6560
SOLID WASTE
DEPT. VEHICLE

CHANGE ORDER NO. 1
FLANARY ROAD WASTEWATER EXTENSION PROJECT;
LYNN VESSELS CONSTRUCTION, LLC; \$51,724.05
DECREASE

The City Council approved Change Order No. 1, to Lynn Vessels Construction, LLC, in the amount of a \$51,724.05 decrease for the Flanary Road Wastewater Extension Project.

This change order will adjust the project quantities for the project. The bids came in higher than originally estimated. In order to help with the cost, the City met with the contractor and design engineer to create cost effective alternatives on the project.

Design changes included updating the aerial crossing and coordinating with property owners to remove a proposed bore in the middle of the project. The design changes created a cost savings of \$51,724.05 for the project, yielding a final contract price of \$432,873.64.

CONSENT AGENDA.

CHANGE ORDER
FLANARY ROAD
WASTEWATER
EXTENSION PROJECT

OTHER BUSINESS
RECEIVE UPDATE FROM TEXAS DEPARTMENT OF
TRANSPORTATION PARIS DISTRICT ENGINEER NOEL
PARAMANANTHAM ON TxDOT PROJECTS

UPDATE ON
TxDOT PROJECTS

Noel Paramanantham, District Engineer, Texas Department of Transportation, said the Paris District includes nine counties, including Grayson County. They maintain 3,567 miles of roadway in the District and 537 miles in Grayson County.

He said the main question he is always asked is how TxDOT projects are funded. The main funding source is from gas taxes, an amount paid on each gallon of gas purchased in Texas, about 38.4 cents of taxes, or about \$3.5 billion annually.

He said about 1,100 people are moving to Texas every day and TxDOT expects the number of miles driven per day to nearly double by 2040.

In November 2014, Proposition 1 was approved by voters and directed a portion of the existing oil and gas production taxes to the State Highway Fund.

In November 2015, Proposition 7 was approved and directed \$2.5 billion in existing State tax revenue, after the initial \$28 billion per year) to the State Highway Fund, beginning in 2018. It will then direct 35% of the existing State motor vehicle sales and rental tax, after the initial \$5 billion per year, to the State Highway Fund, beginning in 2020.

To help meet the funding gap, the House passed HB 20, which added some strict criteria on project selection. Metrics such as safety, maintenance, mobility, congestion relief, and economic impact are key components, as is local support and financial leverage.

He recognized the Council and staff of the City of Sherman because they came to TxDOT with a plan. This City participation helped move these projects forward on the schedule and advanced their completion.

Projects discussed included:

- US 75 from FM 1417 to SH 91 (Texoma Parkway) -- \$163 million project let September 19, 2019 to reconstruct a six lane configuration; they were able to consider the price plus construction days for the contract
- FM 1417 – US 82 to SH 56 and Beyond – this project would have been lower on the list, but financial leverage from the City helped move it forward; includes reconstruction and widening of FM 1417, with utility line relocation; and intersection improvement at OB Groner; two sections are not funded, SH 56 south to Travis Street and Travis Street to US 75, but they will request funding for 2021
- FM 691 Widening Project – US 75 to FM 131 – project under construction that widens Grayson Drive, from Loy Lake Road to Gateway Boulevard; will improve intersection at Loy Lake Road and widen FM 691 to

four lanes with a median; projected completion will be the Summer of 2020

- US 82 Resurfacing and Extension of Turn Lane at Preston Club Drive – removes and replaces the pavement on US 82, from FM 1417 west to FM 901; will also lengthen the turn lane at Preston Club Drive
- US 75 Ramp Reversal at FM 1417 – funded by the City, this project reverses the north-bound ramp configuration before FM 1417, increases access to adjacent property, and reduces congestion

Mr. Paramanantham also discussed several other US 75 future projects. TxDOT is procuring a contract to design a six lane conversion from the Collin County line to FM 1417. The portion from the Collin County line to FM 902 is funded for FY 2024 and the portion from FM 902 to FM 1417 is unfunded. They will look for partnerships from the City and will request funding in 2021.

Another project is the US 75 schematic from SH 91 to FM 120, which is approved and environmentally clear. This is a very old section of highway and very costly in repairs.

Mr. Hefton asked if the State expected local participation on improvements or enhancements of existing structures, or just on new projects. Mr. Paramanantham said they wanted local participation on all projects.

Mr. Hefton said, from the City's standpoint, they still had to prioritize the projects that are most important to the City, and that "build in" capacity for the City. For example, FM 1417, which will see increased traffic over the next several years, will be a higher priority for the City than repairing an existing street.

If the City has a limited amount of money to help leverage TxDOT projects, they will be more likely to spend those dollars on expansion projects rather than maintenance projects. The Council will need to determine how to stretch their dollars to where they get the "biggest bang for their buck." He said the City will need to best leverage their money for the projects that are most important to the City.

Council Member Melton asked why the plan was to widen FM 1417 from US 82 to SH 56 instead of the other end from SH 56 to US 75. Mr. Paramanantham said this project has been "in the works" for a long time, even before they decided to locate the new high school in that area.

The repairs were based on the highest traffic volume before the high school was located there. The traffic volume will change moving forward, but when the schematic was originally done several years ago, that was the area that needed to be upgraded.

Because the City hired a consultant, the schematic was extended to Travis Street, so that work has already been done. However there is not enough money budgeted for both parts now. The criteria that is used to determine projects is safety, mobility, and congestion. Council Member Melton confirmed that the plan can't be changed now, just because the high school is locating in that area.

TxDOT State Infrastructure Bank

Dallas Teston, TxDOT Financial Analyst, briefed the City Council on the Texas State Infrastructure Bank. The SIB issues loans for roadway projects only and operates as a revolving fund, where all repayments go back into the SIB.

He discussed the amount of loans that have been issued since its inception in 1997, and said most of the borrowers have been cities. Any public or private entity authorized to construct, maintain or finance an eligible transportation project is an "eligible borrower."

If a project is determined to be eligible, the loan can be used for all costs incidental to construction or reconstruction of highways. The project must be eligible under Federal highway programs and must be consistent with the Statewide Transportation Improvement Plan.

Mr. Hefton addressed the City's requirements for right-of-way acquisition, which are different when using Federal funds versus a City paid project. The requirements for documentation, for right-of-way acquisition, for using someone that is on "the approved list" of appraisers, is more onerous.

He asked if projects through SIB would require the same higher level of documentation than projects paid through bonds. Mr. Teston said the program does follow all Federal guidelines.

Mr. Hefton said there are several ways the City can participate in sharing costs for a project. These include right-of-way acquisition, paying for utility relocation, or paying for the actual design cost. Sometimes these costs are paid with "cash in the bank," or with the issuance of debt through open market bonds.

The question would be, could the City do their borrowing through this program, instead of through bonds, and what would the cost be. Also, would there be more strings attached, to be in compliance with Federal regulations.

Mr. Teston didn't think there would be an additional cost if the money was used on a TxDOT project, however there is a component of the program where the City could borrow money to fund their own projects.

Mr. Paramanantham added that the two common things are their part of the construction costs and utility relocation. The construction costs are for a specific amount and TxDOT would pay for the remainder of the cost.

Mr. Hefton clarified that there are some projects for which the City just writes a check, but there are others where the City pays for a specific part of the projects, such as engineering, right-of-way acquisition, utility relocation, and retaining walls.

He said there may be some scenarios where it makes sense for the City to consider a SIB loan, versus a more complex project where the City would be paying for specific things and would need to follow the Federal guidelines. It's more costly for the City to pay for these items because they are required to follow the Federal guidelines.

Mr. Teston outlined the advantages of borrowing money from the State Infrastructure Bank. Mr. Hefton confirmed that a recent deal through SIB saw an interest rate of 2.13% for a 20 year loan for a City with a AA rating. Mr. Teston said the process takes about four to six months, and he outlined the steps.

Mr. Hefton asked if there was a lot of competition for the loans. Mr. Teston said right now it is not competitive and they have resources to handle "pretty much" any application that would qualify.

RECEIVE UPDATE FROM DIRECTOR OF ENGINEERING CLINT PHILPOTT, P.E. ON VARIOUS STREET MAINTENANCE PROJECTS

Clint Philpott, Director of Engineering, presented an update on various street maintenance projects. The mission of the Street Maintenance Department is to perform maintenance of streets, traffic control systems, and drainage systems, to provide safe and efficient movement of traffic and storm water.

Some of the recently completed projects include the storm drains on Overland Trail, Center Street, and Rosedale Park, and the chip seal program in Setting Suns Subdivision and Constitution Village.

In the past, the City didn't have the right equipment to do proper repairs in the chip seal program. The last few years they have concentrated on purchasing the right equipment and hiring a crew to perform these repairs prior to using the chip seal program. This approach makes the chip seal last longer.

Some work has also been completed in the Dos Lagos area, but there is still work on water lines that have reached their age limit. After the water lines have been completed, the streets will then be completed too.

Upcoming projects include storm drain repairs at Piner Evans Street and Park Place. Crews have also been working on

**UPDATE ON
STREET MAINT.
PROJECTS**

Frisco Road to get it ready to chip seal. Mill and overlay projects will be included on Loy Lake Road and in the Fairway Addition.

A street assessment was completed in 2015, and Mr. Philpott presented a Street Maintenance Plan Map that outlined streets designated for repair from 2020 through 2024.

He displayed a photo of “Mt. Ida,” the stockpile of concrete that has been removed from streets, busted up, and will be reused for subgrade repairs in the street maintenance process whenever applicable.

He urged all citizens to vote in tomorrow’s Election and reminded them that the Street Maintenance Sales Tax will be one of the measures on the ballot.

Council Member Steele verified that the projects that were shown today were all being completed in-house. On new streets, an engineer designs the street and then they bid out the project.

Mr. Hefton said, by using this process to reuse recycled concrete, it saves the City about 50% on the cost of base material. A company comes in and crushes the material for the City’s use.

Mr. Hefton felt the City had been very creative in using the processing and contracts, to stretch the City’s dollar for this program. Kevin Winkler, Public Works Manager, said the City maintains 265 miles of streets in Sherman, which is half of the roads in the entire County.

Mr. Hefton introduced Eric Sandberg, who has served over a year as the City’s Street Department Superintendent. He has recently been promoted to Assistant Public Works Manager.

Deputy Mayor Teamann said several years ago the City was doing eight miles of street maintenance and now they try to do between 12 and 15 miles annually.

Council Member Melton asked that someone look at Travis Street, from Taylor Street to US Hwy 75. Mr. Sandberg said that is TxDOT right-of-way and he has been in touch with them several times. Mr. Winkler said the last time he called them about the roadway, they responded very quickly.

Council Member Howeth mentioned two projects, one of which is being held up by the railroad and the other deals with the movement of utilities. She reiterated that, on some projects, it’s not that the City is unwilling to do them, it’s that another entity has an impact on the project.

CONSIDER APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION OF 95.277 ACRES LOCATED SOUTH OF U.S. HIGHWAY 82, WEST OF S.H. 289, AND EAST OF

**ANNEXATION
REHMET PROPERTY**

PRESTON CLUB DRIVE, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; AND DIRECTING THE DEPARTMENT OF ENGINEERING SERVICES TO DEVELOP A SERVICE PLAN FOR THE AREA TO BE ANNEXED UPON APPROVAL OF THE ANNEXATION SCHEDULING PLAN

Mr. Philpott said this is a request to approve the schedule for the annexation of 95.277 acres east of Preston Club Drive. This property was left out when Preston Club Subdivision was annexed three years ago.

The total acreage is owned by a single owner and they are the ones that requested the annexation. Their plan is to develop single family residences and commercial property.

Mr. Hefton clarified that this agenda item is to set the annexation schedule and this is the first step in the proposed annexation.

Clay Barnett, Representative, was available to answer questions about the annexation.

Council Member Steele clarified that a portion of property along SH 289 has already been annexed. Mr. Hefton said this property is a hole in the middle of an area that has already been annexed and it makes more sense that this portion is annexed too.

At the time of the other annexation, these property owners were not ready to request annexation. He said all of Preston Club Subdivision has now been annexed, as well as SH 289 from US Hwy 82 past Meadowlake Drive.

Council Member Stevenson verified that, currently the City has water to that area and will soon have sanitary sewer in that location. The engineering work has been done and they are close to getting the final right-of-way needed. Then construction can begin.

Deputy Mayor Teamann asked about the timeline for a preliminary plat. Mr. Barnett said he has done a lot layout and cost estimates and they are planning approximately 270 lots.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the Annexation Scheduling Plan for 95.277 acres located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, and to direct the Engineering Department to develop a Service Plan for the proposed annexation, as presented. Second by Deputy Mayor Teamann.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

MEDIA QUESTIONS

There were no media questions

MEDIA QUESTIONS

COUNCIL COMMENTS

THANKS TO TxDOT FOR UPDATE

Council Member Melton thanked the TxDOT representatives for the update. She also thanked the City departments for their quick response when contacted.

THANKS TO
TxDOT FOR
UPDATE

MUNICIPAL ELECTION

Council Member Melton urged citizens to vote in the Municipal Election tomorrow. She said the Street Sales Tax is on the ballot and if voters vote “yes” for it, other people that drive on City streets will pay that tax.

MUNICIPAL
ELECTION

STREET SALES TAX

Council Member Steele said the Council heard an update on the City’s streets and then the Street Sales Tax Election is tomorrow. He said it needs to continue.

STREET SALES TAX

THANKS TO TxDOT FOR UPDATE

Deputy Mayor Teamann thanked Mr. Paramanatham and Mr. Teston for their update and for allowing their cell phone numbers to be displayed on the screen.

THANKS TO
TxDOT FOR
UPDATE

STREET SALES TAX

Deputy Mayor Teamann said the Street Sales Tax is on the ballot and he urged citizens to vote. He said there are also two Council Members up for re-election that were unopposed.

STREET SALES TAX

CITY AND STATE WORKING TOGETHER

Council Member Holland said it is nice to see the City and the State working together on the streets. He also thanked the City employees that are working hard to get things done.

CITY & STATE
WORKING
TOGETHER

DEATH OF PRESLEY MITCHELL

Council Member Holland asked to keep the family of Presley Mitchell in their prayers. She was the 11 year old softball player that recently collapsed and died in Denison.

DEATH OF
PRESLEY MITCHELL

DEATH OF PRESLEY MITCHELL

Council Member Stevenson also asked everyone to keep the family of Presley Mitchell in their prayers.

DEATH OF
PRESLEY MITCHELL

THANKS TO TxDOT FOR UPDATE

Council Member Stevenson thanked Mr. Paramanatham for his update on TxDOT’s street program.

THANKS TO
TxDOT FOR
UPDATE

ANNOUNCEMENTS

Mayor Plyler announced the following:

- The ribbon cutting ceremony will be held on November 6, 2019, at 4:00 p.m., to dedicate the new basketball courts at Pecan Grove Park.

ANNOUNCEMENTS

COUNCIL MINUTES – NOVEMBER 4, 2019

- The Second Annual Veteran's Day Parade will be held on November 9, 2018, at 10:00 a.m., in downtown Sherman to honor our Nation's heroes.
- The Sherman Christmas Parade and Snowflake Festival will be held on December 7, 2019, with the parade starting at 6:00 p.m., in downtown Sherman.
- Tomorrow is Election Day and polls will open at 7:00 a.m. The Street Sales Tax Reauthorization and Charter Amendments are on this ballot. The ballot also contains a question for a State Income Tax. On the ballot, vote "yes" if you are "against" the State Income Tax.

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

EXECUTIVE SESSION

SECTION 551.071 -- CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION

SECTION 551.071 -- CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER

SECTION 551.087 -- DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECT

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:04 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:30 p.m. and reconvened in Open Meeting.

COUNCIL MINUTES – NOVEMBER 4, 2019

OPEN MEETING

Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

OPEN MEETING

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 6:31 p.m.

ADJOURNMENT

MAYOR

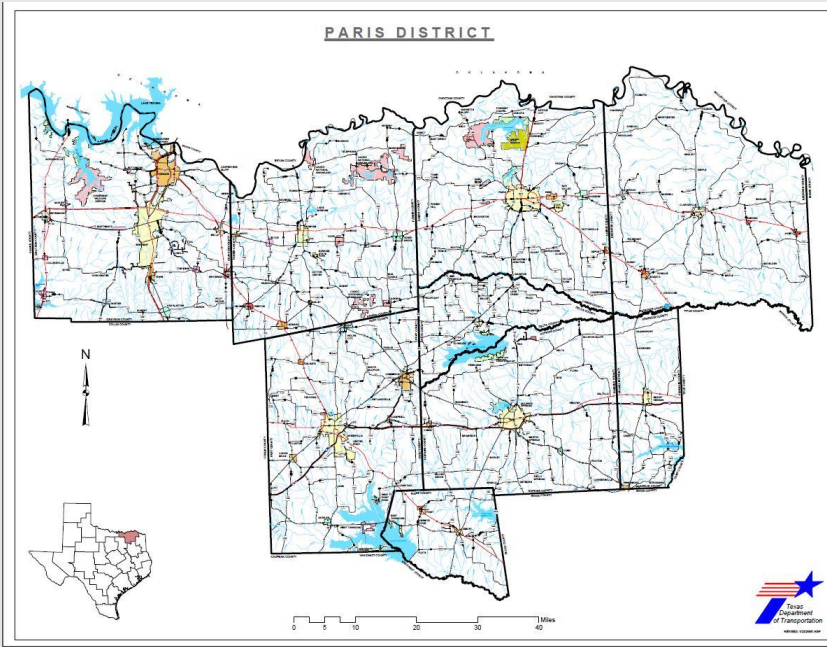
CITY CLERK



Project Update for the City of Sherman

TxDOT – Connecting You with Texas

November 4, 2019



- **9 Counties including Grayson County**
- **Roadway miles in District – 3,567**
- **Roadway Miles in Grayson County – 537**

Where Does the Money Come from



State Highway Fund (Fund 6)

- Constitutes the bulk of TxDOT's funding to design, build and maintain the state's transportation system
- Comprised mainly of federal and state motor fuels taxes as well as vehicle registration fees
- Due to increased use of alternative fuels and increased federal efficiency requirements, this amount is declining for every vehicle on the roadway.

Proposition 1

November 2014

- Directs a portion of the existing oil and gas production taxes to the State Highway Fund (SHF)
- Passed by Texas Voters with more than 80% approval
- Helps to stabilize funding levels for construction, maintenance and right-of-way acquisition on non-tolled roads through at least FY 2025

Proposition 7

November 2015

- Directs \$2.5B in existing state tax revenue (after initial \$28B, per year) to SHF, beginning in 2018
- Directs 35% of existing state motor vehicle sales and rental tax (after initial \$5B, per year) to SHF, beginning in 2020
- Passed by Texas Voters with more than 80% approval
- Helps to stabilize long term funding for planning and construction through at least 2029

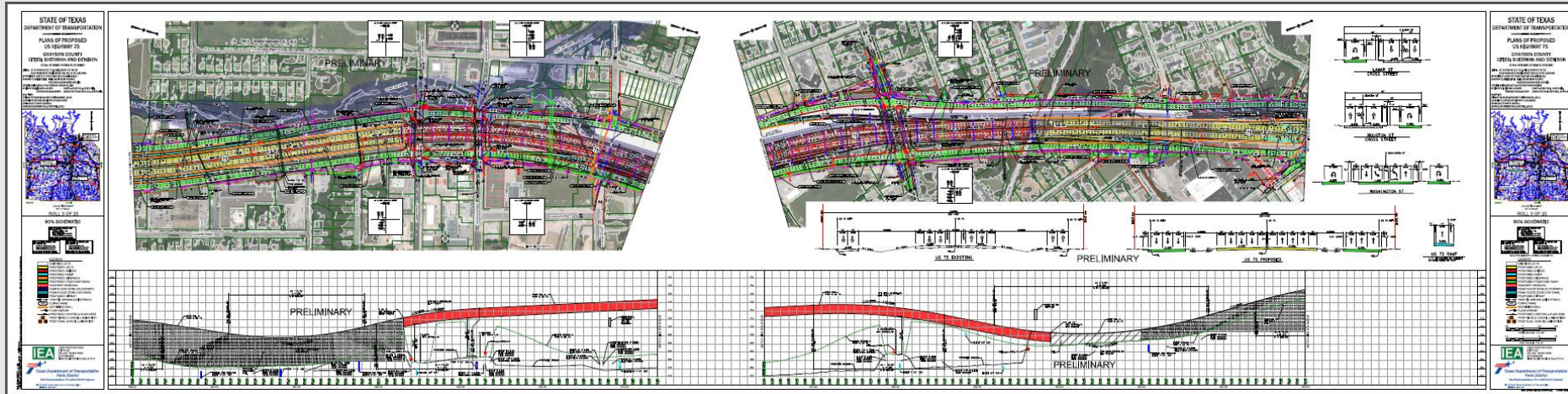


- HB 20 – Develop rules and implement performance-based planning and Programming
- Meet several metrics such as Safety, Maintenance, Mobility, Congestion relief, Economic Impact, [Local Support and Financial Leverage](#) etc.

US 75 from FM 1417 to SH 91 (Texoma Parkway)



- \$163M project let Sept 19 to reconstruct to 6 lane configuration from FM 1417 to SH 91
- Project will reconstruct FR bridges at US 82 and make ramp improvements throughout
- Project will begin as soon as possible to facilitate access to Travis St. west of US 75
- Participation from the City of Sherman helped to make this project happen





- Reconstruction and widening of FM 1417 (Heritage Parkway) from US 82 to SH 56
 - Will let this month and will include City of Sherman utility line relocation
- Intersection improvements at OB Groner on schedule to let January 2020
- SH 56 to OB Groner
 - Schematic and right-of-way work is nearing completion
 - Construction plan (PS&E) work to follow
 - Unfunded project but will request funding through 2021 UTP
- OB Groner to US 75
 - Unfunded project but will request funding through 2021 UTP
- City, County and Sherman-Denison MPO participation helps TxDOT deliver projects

FM 691 Widening Project – US 75 to FM 131



- Project under construction that widens Grayson Dr. from Loy Lake Rd. to Gateway Blvd.
- Will improve intersection at Loy Lake Road
- Widens FM 691 to 4 lanes with a median
- Anticipated project completion Summer 2020



US 82 Resurfacing and Extension of Turn Lane at Preston Club Drive



- Project under construction that removes and replaces the pavement surface on US 82 to FM 1417 West to FM 901
- Will lengthen the turn lane at Preston Club Dr. to increase vehicle storage
- Anticipated project completion this winter



US 75 Ramp Reversal at FM 1417



- Recently completed project to reverse north-bound ramp configuration before FM 1417
- Increases access to adjacent property while reducing congestion at FM 1417
- Funded by the City of Sherman





- TxDOT is procuring a contract to design 6 lanes conversion from Collin CL to FM 1417
 - Collin CL to FM 902 – Currently funded for FY 2024
 - FM 902 to FM 1417 – Unfunded. Will request in 2021 Unified Transportation Plan
- US 75 schematic from SH 91 to FM 120 is approved and environmentally clear
 - The following projects are unfunded but PAR will request funding in 2021 UTP
 - Frontage road reconstruction from Travis St. to SH 91
 - Main lane reconstruction and widening to 6 lanes from:
 - SH 91 to US 82
 - US 82 to Loy Lake Road



Noel Paramanantham, P.E.

Paris District Engineer

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Sherman Area Engineer

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TxDOT State infrastructure Bank

City of Sherman

November 6, 2019



SIB Loans



- Loans for roadway projects only
- Revolving Fund - All repayments go back into the SIB

118 Loans – Since Inception (1997)

\$616 Million – In Loans

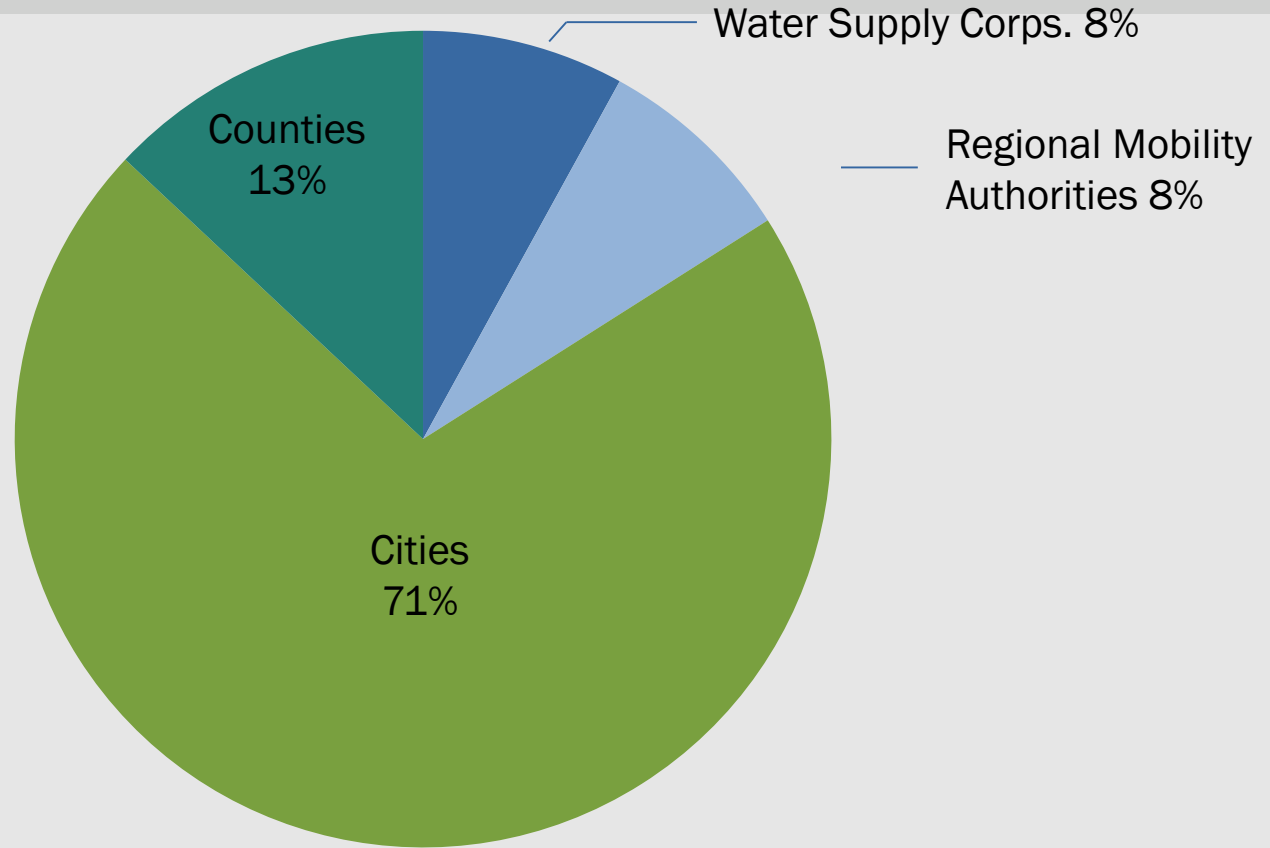
\$416 Million – Repaid

\$6.0 Billion – In Texas Transportation Projects

For more information go to:

<https://www.txdot.gov/government/programs/sib.html>

SIB Loans - Borrower Type



As of September 2019



Eligible Borrowers

- Any public or private entity authorized to construct, maintain or finance an eligible transportation project.

Eligible Projects

- Eligible uses include all costs incidental to construction or reconstruction of highways.
- Must be eligible under federal highway programs.
- Must be consistent with the Statewide Transportation Improvement Plan (STIP).

Eligible Uses Include:

Monetary contribution to a TxDOT project

Construction

Utility relocation

Right of way acquisition

Financial & Legal advisory fees



SIB Loans



Right of Way Agreement

- SIB disbursement(s) match payment terms
- Refunds after project close are applied directly to reduce the loan



Utility Relocations Agreements

- Tailor the loan schedule to match utility reimbursement from TxDOT



Advance Funding Agreement

- Loans for fixed local contribution
- SIB disbursement can match payment terms



Local Roadway

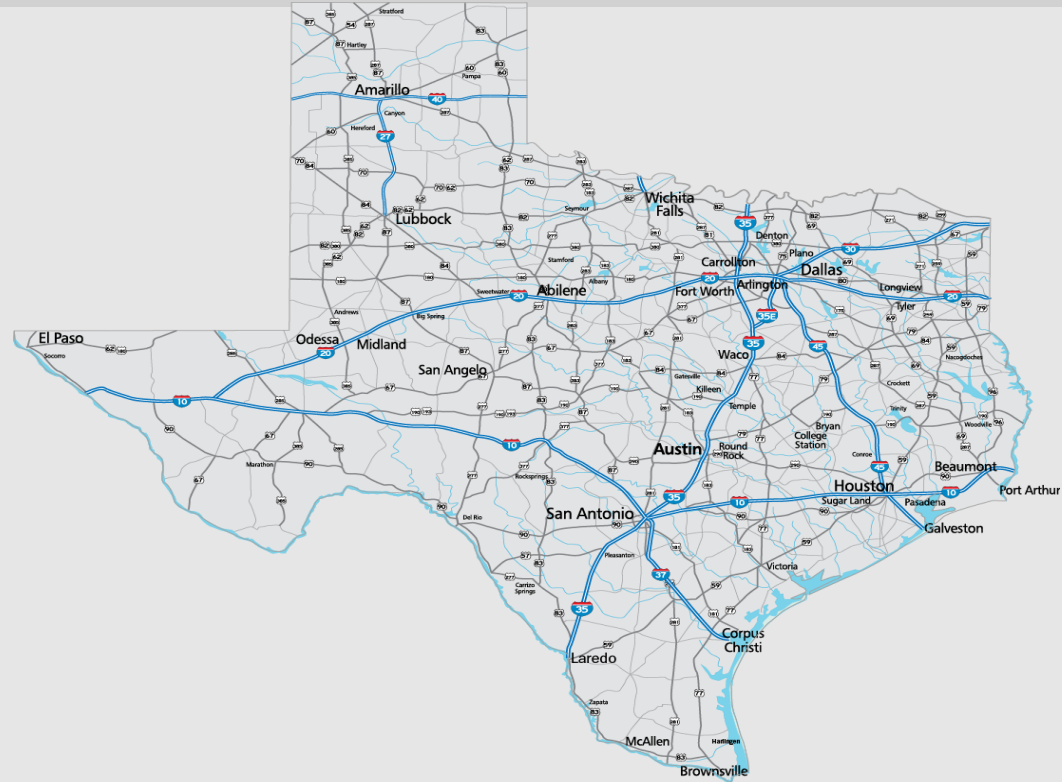
- Off-system public roads



Advantages of Borrowing from the State Infrastructure Bank



- **Prepayments** can be made at **any time**
- **No fees** for loan application
- **No loan handling charges**
- Rate set at the time of application
- Some flexibility for debt service pinch points
- **At or Below Market Interest Rates**





First Come, First Served (4 months)

Submit a **SIB Application** and **Resolution** to apply for loan

TxDOT **Divisions** will **review** applications

ENV approval must be obtained prior to final approval

Final TTC Approval

SIB loan **agreement** is **negotiated** (i.e. loan amortization schedule)

SIB loan agreement must be **approved by the local government**



Program Call

TTC preliminary approval
for prioritization of projects
- **Program Call Only**



<https://www.txdot.gov/government/programs/sib.html>

- General program information
 - ✓ Application for first-come, first-served and program call
 - ✓ FAQs of the SIB Program
 - ✓ Permissible Uses for the SIB
 - ✓ Current lending limits
 - ✓ Sample resolutions for the local entity
- Executive Director Guidelines of the program
- Link to current Economically Disadvantaged Counties



SIB Team

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Jessica Kohlrenken

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City of Sherman Street Maintenance Department



It is the mission of the Street Maintenance Department to perform maintenance of streets, traffic control systems and drainage systems in order to provide safe and efficient movement of traffic and storm water.

November 4, 2019

Recently Completed

- Storm drains / Concrete Paving
 - Overland Trail
 - Center Street
 - Rose Dale Park
- Potholes: 485 YTD
- Utility cut: 129 locations



- Chip seal Program
 - Setting Suns
 - Constitution Village
- Mill / Overlay
 - Dos Lagos
 - Lamberth Road

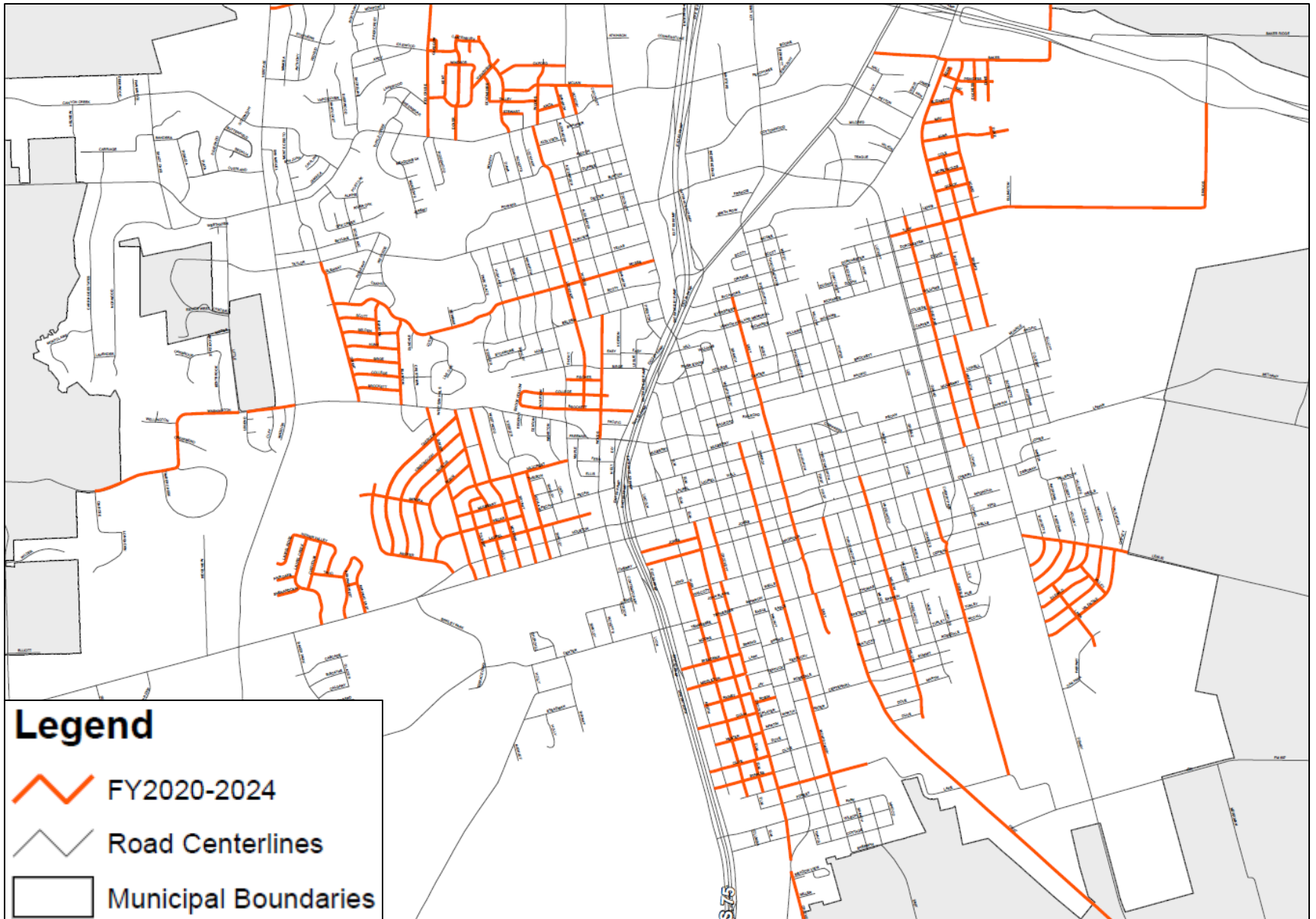
Up Coming Projects

- Storm drains Repair
 - Piner Evans
 - Park Place



- Mill / Overlay
 - Frisco Road
 - Loy Lake
 - Fairway Addition

2020 – 2024 Street Maintenance Plan



Questions

Did you know?



The Street Maintenance Department is Green! We use recycled asphalt and concrete whenever applicable.



Don't forget to vote in the Election on November 5, 2019. The continuation of the Street Maintenance Sales Tax will be one of the measures on the ballot.





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B. 1.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

CANVASS OF ELECTION RETURNS

Issue:

A tally sheet will be prepared for the City Council to use in their canvass of the Special Municipal Elections of November 5, 2019. The Early Voting Ballot Board met to process Provisional Ballots on November 12th and determine which ones meet the requirements to be counted. The tally sheet will be provided to the City Council at the Council Meeting.

Background:

The Texas Election Code requires that the City Council canvass the votes by precinct and declare that the Election is official.

Origination:

The tally sheet will be prepared from the official printout obtained November 5, 2019 after the Election and the results of the Early Voting Ballot Board's review of Provisional Ballots.

Financial Consideration:

There is no specific cost associated with canvassing the Election.

Staff Recommendation:

It is recommended that the City Council canvass the Election.

Alternatives:

There is no viable alternative.

Attachments

Election Table - For Canvass

Election Table - By Precinct

Grayson County Election Reports

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 5, 2019 Registered Voters 22,734 City Ballots Cast 2,500 Percentage Voted 11 %

PRECINCTS	101*	102	103 *	104 *	106 *	108 *	301	302	303 *	304	305 *	405	408 *	409	TOTAL
Early Ballots Cast	102	37	0	0	0	0	88	250	46	126	0	16	4	249	918
Reg. Ballots Cast	214	110	0	0	0	0	119	369	55	243	0	27	10	435	1,582
Total Ballots Cast	316	147	0	0	0	0	207	619	101	369	0	43	14	684	2,500
Registered Voters	3,970	2,609	0	0	0	0	1,970	5,827	525	2,948	0	548	61	4,276	22,734
% of registered voters casting ballots by precinct	7.96%	5.63%	0	0	0	0	10.52%	10.62%	19.24%	12.52%	0	7.88%	23%	16%	19.64%

*Split Precincts – Some voters in these precincts are inside the Sherman City Limits and some are outside the Sherman City Limits;
Only voters inside the Sherman City Limits are allowed to vote the Sherman Ballot

Voter Statistics

RACES	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Proposition A The reauthorization of the local sales and use tax in the City of Sherman at the rate of one-eighth of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized.			
For	713	1,258	1,971
Against	192	296	488
Amendment A To amend Article II, “City Council”, Section 1, “Membership”, paragraph (a), “Composition”, subparagraph (4) as follows: (4) All terms of office shall be for three (3) years, or until the successor has been elected and qualified. Service in office for more than twelve (12) eighteen (18) months of a three (3) year term, shall constitute a full term			
For	710	1,238	1,948
Against	184	287	471

RACES	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Amendment B To amend Article II, “City Council”, Section 1, “Membership”, paragraph (a), “Composition”, subparagraph (5) as follows: (5) A councilmember or mayor may serve a maximum of two (2) consecutive terms in the same office or four (4) consecutive terms in any combination of offices. After a councilmember or mayor has served their maximum term of office, a one (1) year (360 day) absence from office is required before that person will be eligible to hold another elective office.			
For	485	797	1,282
Against	411	718	1,129
Amendment C To amend Article VII, “Planning and Engineering”, Section 1, “City planning and zoning board” as follows: There shall be a city planning and zoning board consisting of seven (7) members, each of whom must reside within the city and each of whom must be a qualified voter of the City of Sherman. The members of the board may be appointed by the city council for a partial term or for one (1) or two (2) terms of three (3) years each. Upon completion of the second term, such members will be ineligible for reappointment to the board for four (4) years. Members of the board shall hold no other city office during their term on said board. <i>The members of the board may be appointed by the city council for a partial or full term. All terms of office shall be for three (3) years, or until the successor has been appointed. Service in office for more than eighteen (18) months of a three (3) year term, shall constitute a full term.</i> <i>Members of the planning and zoning board may serve a maximum of four (4) consecutive terms in any combination of offices. After a member has served their maximum term of office, a one (1) year (360 day) absence from office is required before that person will be eligible for reappointment.</i>			
For	534	926	1,460
Against	301	509	810

Prepared by Linda Ashby, City Clerk, Sherman, Texas

Unopposed Candidates Declared Elected

Council Member, District 1
Shawn Teamann

Council Member, District 3
Pamela Howeth

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 5, 2019 Registered Voters 22,734 City Ballots Cast 2,500 Percentage Voted 11 %

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Early Ballots Cast	102	37	0	0	0	0	88	250	46	126	0	16	4	249	918
Reg. Ballots Cast	214	110	0	0	0	0	119	369	55	243	0	27	10	435	1,582
Total Ballots Cast	316	147	0	0	0	0	207	619	101	369	0	43	14	684	2,500
Registered Voters	3,970	2,609	0	0	0	0	1,970	5,827	525	2,948	0	548	61	4,276	22,734
% of registered voters casting ballots by precinct	7.96%	5.63%	0	0	0	0	10.52%	10.62%	19.24%	12.52%	0	7.88%	23%	16%	19.64%

*Split Precincts – Some voters in these precincts are inside the Sherman City Limits and some are outside the Sherman City Limits; Only voters inside the Sherman City Limits are allowed to vote the Sherman Ballot

Voter Statistics by Precincts

PRECINCTS	101 *	102	103 *	104 *	106 *	108 *	301	302	303 *	304	305 *	405	408 *	409	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Proposition A The reauthorization of the local sales and use tax in the City of Sherman at the rate of one-eighth of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized.																	
For	238	113	0	0	0	0	170	463	76	313	0	28	11	559	713	1,258	1,971
Against	70	34	0	0	0	0	35	146	23	48	0	15	2	115	192	296	488
Amendment A To amend Article II, “City Council”, Section 1, “Membership”, paragraph (a), “Composition”, subparagraph (4) as follows: (4) All terms of office shall be for three (3) years, or until the successor has been elected and qualified. Service in office for more than twelve (12) eighteen (18) months of a three (3) year term, shall constitute a full term.																	
For	242	109	0	0	0	0	154	483	80	294	0	38	11	537	710	1,238	1,948
Against	65	36	0	0	0	0	45	117	18	61	0	5	2	122	184	287	471

PRECINCTS	101 *	102	103 *	104 *	106 *	108 *	301	302	303 *	304	305 *	405	408 *	409	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Amendment B To amend Article II, “City Council”, Section 1, “Membership”, paragraph (a), “Composition”, subparagraph (5) as follows: (5) A councilmember or mayor may serve a maximum of two (2) consecutive terms in the same office or four (4) consecutive terms in any combination of offices. After a councilmember or mayor has served their maximum term of office, a one (1) year (360 day) absence from office is required before that person will be eligible to hold another elective office.																	
For	161	72	0	0	0	0	107	305	44	200	0	20	7	366	485	797	1,282
Against	144	70	0	0	0	0	93	295	50	156	0	20	4	297	411	718	1,129
Amendment C To amend Article VII, “Planning and Engineering”, Section 1, “City planning and zoning board” as follows: There shall be a city planning and zoning board consisting of seven (7) members, each of whom must reside within the city and each of whom must be a qualified voter of the City of Sherman. The members of the board may be appointed by the city council for a partial term or for one (1) or two (2) terms of three (3) years each. Upon completion of the second term, such members will be ineligible for reappointment to the board for four (4) years. Members of the board shall hold no other city office during their term on said board. <i>The members of the board may be appointed by the city council for a partial or full term. All terms of office shall be for three (3) years, or until the successor has been appointed. Service in office for more than eighteen (18) months of a three (3) year term, shall constitute a full term.</i> <i>Members of the planning and zoning board may serve a maximum of four (4) consecutive terms in any combination of offices. After a member has served their maximum term of office, a one (1) year (360 day) absence from office is required before that person will be eligible for reappointment.</i>																	
For	176	83	0	0	0	0	126	366	57	219	0	23	8	402	534	926	1,460
Against	110	50	0	0	0	0	65	207	34	108	0	18	4	214	301	509	810

Prepared by Linda Ashby, City Clerk, Sherman, Texas

Unopposed Candidates Declared Elected

Council Member, District 1
Shawn Teamann

Council Member, District 3
Pamela Howeth



GRAYSON COUNTY ELECTION ADMINISTRATION

I, Deana Patterson, Grayson County Elections Administrator, do hereby certify the totals attached to be a true and correct count of ballots cast in the November 5, 2019 City of Sherman Election held in the County of Grayson, State of Texas.

Witness my hand and seal this 12th day of November, 2019.

Deana Patterson
Grayson County Elections Administrator



Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Election Day Precincts Reporting	10 of 10	0	0	10
Absentee/ Early Precincts Reporting	10 of 10	8	10	0
Registered Voters - Total	22,734			
Ballots Cast - Total	2,500	35	883	1,582
Voter Turnout - Total	11.00%			

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1,971	30	683	1,258
Against	488	4	188	296
Total Votes Cast	2,459	34	871	1,554
Precincts Reporting	10 of 10			

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1,948	28	682	1,238
Against	471	5	179	287
Total Votes Cast	2,419	33	861	1,525
Precincts Reporting	10 of 10			

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1,282	22	463	797
Against	1,129	12	399	718
Total Votes Cast	2,411	34	862	1,515
Precincts Reporting	10 of 10			

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1,460	26	508	926
Against	810	8	293	509
Total Votes Cast	2,270	34	801	1,435
Precincts Reporting	10 of 10			

Custom Table Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

	STATISTICS		
	Registered Voters - Total	Ballots Cast - Total	Voter Turnout - Total
PRECINCT 101 Sherman	3,970	316	7.96%
PRECINCT 102	2,609	147	5.63%
PRECINCT 301 Sherman	1,967	207	10.52%
PRECINCT 302	5,827	619	10.62%
PRECINCT 304	2,948	369	12.52%
PRECINCT 405 Sherman	546	43	7.88%
PRECINCT 409	4,276	684	16%
PRECINCT 301 Sher DISD	3	0	0%
PRECINCT 303 Sherman	525	101	19.24%
PRECINCT 305 Sherman	0	0	0%
PRECINCT 405 Sher DISD	2	0	0%
PRECINCT 408 Sherman	5	3	60%
PRECINCT 408 Sher DISD	56	11	19.64%
Totals	22,734	2,500	

Custom Table Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

	PROPOSITION A Sherman			Amendment A Sherman			Amendment B Sherman			Amendment C Sherman		
	VOTE FOR 1			VOTE FOR 1			VOTE FOR 1			VOTE FOR 1		
	10 of 10 Precincts Reporting			10 of 10 Precincts Reporting			10 of 10 Precincts Reporting			10 of 10 Precincts Reporting		
	For	Against	Total Votes Cast	For	Against	Total Votes Cast	For	Against	Total Votes Cast	For	Against	Total Votes Cast
PRECINCT 101 Sherman	238	70	308	242	65	307	161	144	305	176	110	286
PRECINCT 102	113	34	147	109	36	145	72	70	142	83	50	133
PRECINCT 301 Sherman	170	35	205	154	45	199	107	93	200	126	65	191
PRECINCT 301 Sher DISD	0	0	0	0	0	0	0	0	0	0	0	0
PRECINCT 302	463	146	609	483	117	600	305	295	600	366	207	573
PRECINCT 303 Sherman	76	23	99	80	18	98	44	50	94	57	34	91
PRECINCT 304	313	48	361	294	61	355	200	156	356	219	108	327
PRECINCT 305 Sherman	0	0	0	0	0	0	0	0	0	0	0	0
PRECINCT 405 Sherman	28	15	43	38	5	43	20	20	40	23	18	41
PRECINCT 405 Sher DISD	0	0	0	0	0	0	0	0	0	0	0	0
PRECINCT 408 Sherman	1	1	2	1	1	2	1	1	2	1	1	2
PRECINCT 408 Sher DISD	10	1	11	10	1	11	6	3	9	7	3	10
PRECINCT 409	559	115	674	537	122	659	366	297	663	402	214	616
Totals	1,971	488	2,459	1,948	471	2,419	1,282	1,129	2,411	1,460	810	2,270

	STATISTICS		
	Registered Voters - Total	Ballots Cast - Total	Voter Turnout - Total
PRECINCT 101 Sherman	3,970	316	7.96%
PRECINCT 102	2,609	147	5.63%
PRECINCT 301 Sherman	1,967	207	10.52%
PRECINCT 302	5,827	619	10.62%
PRECINCT 304	2,948	369	12.52%
PRECINCT 405 Sherman	546	43	7.88%
PRECINCT 409	4,276	684	16%
PRECINCT 301 Sher DISD	3	0	0%
PRECINCT 303 Sherman	525	101	19.24%
PRECINCT 305 Sherman	0	0	0%
PRECINCT 405 Sher DISD	2	0	0%
PRECINCT 408 Sherman	5	3	60%
PRECINCT 408 Sher DISD	56	11	19.64%
Totals	22,734	2,500	

	PROPOSITION A Sherman					Amendment A Sherman				
	VOTE FOR 1					VOTE FOR 1				
	10 of 10 Precincts Reporting					10 of 10 Precincts Reporting				
	For	Against	Total Votes Cast	Overvotes	Undervotes	For	Against	Total Votes Cast	Overvotes	Undervotes
PRECINCT 101 Sherman	238	70	308	0	8	242	65	307	0	9
PRECINCT 102	113	34	147	0	0	109	36	145	0	2
PRECINCT 301 Sherman	170	35	205	0	2	154	45	199	0	8
PRECINCT 301 Sher DISD	0	0	0	0	0	0	0	0	0	0
PRECINCT 302	463	146	609	0	10	483	117	600	0	19
PRECINCT 303 Sherman	76	23	99	0	2	80	18	98	0	3
PRECINCT 304	313	48	361	0	8	294	61	355	0	14
PRECINCT 305 Sherman	0	0	0	0	0	0	0	0	0	0
PRECINCT 405 Sherman	28	15	43	0	0	38	5	43	0	0
PRECINCT 405 Sher DISD	0	0	0	0	0	0	0	0	0	0
PRECINCT 408 Sherman	1	1	2	0	1	1	1	2	0	1
PRECINCT 408 Sher DISD	10	1	11	0	0	10	1	11	0	0
PRECINCT 409	559	115	674	0	10	537	122	659	0	25
Totals	1,971	488	2,459	0	41	1,948	471	2,419	0	81

	Amendment B Sherman					Amendment C Sherman				
	VOTE FOR 1					VOTE FOR 1				
	10 of 10 Precincts Reporting					10 of 10 Precincts Reporting				
	For	Against	Total Votes Cast	Overvotes	Undervotes	For	Against	Total Votes Cast	Overvotes	Undervotes
PRECINCT 101 Sherman	161	144	305	0	11	176	110	286	0	30
PRECINCT 102	72	70	142	0	5	83	50	133	0	14
PRECINCT 301 Sherman	107	93	200	0	7	126	65	191	0	16
PRECINCT 301 Sher DISD	0	0	0	0	0	0	0	0	0	0
PRECINCT 302	305	295	600	0	19	366	207	573	0	46
PRECINCT 303 Sherman	44	50	94	0	7	57	34	91	0	10
PRECINCT 304	200	156	356	0	13	219	108	327	0	42
PRECINCT 305 Sherman	0	0	0	0	0	0	0	0	0	0
PRECINCT 405 Sherman	20	20	40	0	3	23	18	41	0	2
PRECINCT 405 Sher DISD	0	0	0	0	0	0	0	0	0	0
PRECINCT 408 Sherman	1	1	2	0	1	1	1	2	0	1
PRECINCT 408 Sher DISD	6	3	9	0	2	7	3	10	0	1
PRECINCT 409	366	297	663	0	21	402	214	616	0	68
Totals	1,282	1,129	2,411	0	89	1,460	810	2,270	0	230

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 101 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	316	2	100	214

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	238	2	76	160
Against	70	0	23	47
Total Votes Cast	308	2	99	207

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	242	2	78	162
Against	65	0	20	45
Total Votes Cast	307	2	98	207

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	161	1	48	112
Against	144	1	50	93
Total Votes Cast	305	2	98	205

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 101 Sherman

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	176	1	55	120
Against	110	1	35	74
Total Votes Cast	286	2	90	194

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 102

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	147	0	37	110

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	113	0	26	87
Against	34	0	11	23
Total Votes Cast	147	0	37	110

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	109	0	28	81
Against	36	0	8	28
Total Votes Cast	145	0	36	109

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	72	0	22	50
Against	70	0	14	56
Total Votes Cast	142	0	36	106

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 102

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	83	0	21	62
Against	50	0	12	38
Total Votes Cast	133	0	33	100

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 301 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	207	6	82	119

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	170	6	69	95
Against	35	0	13	22
Total Votes Cast	205	6	82	117

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	154	5	60	89
Against	45	0	22	23
Total Votes Cast	199	5	82	112

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	107	2	43	62
Against	93	4	38	51
Total Votes Cast	200	6	81	113

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 301 Sherman

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	126	5	47	74
Against	65	1	30	34
Total Votes Cast	191	6	77	108

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 301 Sher DISD

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	0	0	0	0

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 301 Sher DISD

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 302

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	619	9	241	369

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	463	6	174	283
Against	146	2	65	79
Total Votes Cast	609	8	239	362

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	483	6	185	292
Against	117	2	48	67
Total Votes Cast	600	8	233	359

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	305	6	122	177
Against	295	2	115	178
Total Votes Cast	600	8	237	355

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 302

Amendment C Sherman
Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	366	6	140	220
Against	207	2	84	121
Total Votes Cast	573	8	224	341

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 303 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	101	4	42	55

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	76	2	30	44
Against	23	2	11	10
Total Votes Cast	99	4	41	54

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	80	2	34	44
Against	18	2	6	10
Total Votes Cast	98	4	40	54

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	44	0	18	26
Against	50	4	21	25
Total Votes Cast	94	4	39	51

PRECINCT 303 Sherman

Amendment C Sherman
Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	57	1	20	36
Against	34	3	16	15
Total Votes Cast	91	4	36	51

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 304

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	369	5	121	243

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	313	5	101	207
Against	48	0	18	30
Total Votes Cast	361	5	119	237

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	294	4	99	191
Against	61	1	19	41
Total Votes Cast	355	5	118	232

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	200	5	67	128
Against	156	0	52	104
Total Votes Cast	356	5	119	232

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 304

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	219	5	72	142
Against	108	0	38	70
Total Votes Cast	327	5	110	212

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 305 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	0	0	0	0

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

PRECINCT 305 Sherman
Amendment C Sherman
Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

PRECINCT 405 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	43	0	16	27

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	28	0	9	19
Against	15	0	7	8
Total Votes Cast	43	0	16	27

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	38	0	14	24
Against	5	0	2	3
Total Votes Cast	43	0	16	27

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	20	0	11	9
Against	20	0	4	16
Total Votes Cast	40	0	15	25

PRECINCT 405 Sherman

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	23	0	10	13
Against	18	0	4	14
Total Votes Cast	41	0	14	27

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 405 Sher DISD

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	0	0	0	0

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

PRECINCT 405 Sher DISD

Amendment C Sherman
Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 408 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	3	0	2	1

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1	0	0	1
Against	1	0	1	0
Total Votes Cast	2	0	1	1

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1	0	0	1
Against	1	0	1	0
Total Votes Cast	2	0	1	1

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1	0	0	1
Against	1	0	1	0
Total Votes Cast	2	0	1	1

PRECINCT 408 Sherman

Amendment C Sherman
Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1	0	0	1
Against	1	0	1	0
Total Votes Cast	2	0	1	1

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 408 Sher DISD

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	11	0	2	9

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	10	0	2	8
Against	1	0	0	1
Total Votes Cast	11	0	2	9

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	10	0	1	9
Against	1	0	1	0
Total Votes Cast	11	0	2	9

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	6	0	1	5
Against	3	0	1	2
Total Votes Cast	9	0	2	7

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 408 Sher DISD

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	7	0	1	6
Against	3	0	1	2
Total Votes Cast	10	0	2	8

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 409

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	684	9	240	435

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	559	9	196	354
Against	115	0	39	76
Total Votes Cast	674	9	235	430

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	537	9	183	345
Against	122	0	52	70
Total Votes Cast	659	9	235	415

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	366	8	131	227
Against	297	1	103	193
Total Votes Cast	663	9	234	420

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 409

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	402	8	142	252
Against	214	1	72	141
Total Votes Cast	616	9	214	393



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B. 2.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6561

Declaring the Results of the November 5, 2019 Special Municipal Elections held in the City of Sherman, Grayson County, Texas

Issue:

In order to accommodate the Texas Election Code, the City Council must canvass no earlier than the 3rd day after the Election and no later than the 11th day after the Election. Since the 11th day is on Saturday, November 16, 2019, the deadline is extended to Monday, November 18, 2019. Therefore, the canvass must be held between November 8 and November 18, 2019. The Early Voting Ballot Board met on November 12th to process Provisional Ballots and to determine which ones meet the requirements to be counted. The Resolution with the final votes will be provided to the City Council at the Council Meeting.

Background:

Pursuant to Section 67.003 of the Election Code, each local authority shall convene to conduct the canvass of returns at a specific time after the Election date, at a time set by the Mayor.

Origination:

The canvass of Election returns originated with the City Clerk's Office.

Financial Consideration:

There is no specific cost associated with canvassing the Elections and adopting Resolution No. 6561.

Staff Recommendation:

It is recommended that the City Council canvass the Special Elections of November 5, 2019 and adopt Resolution No. 6561.

Alternatives:

There is no viable alternative.

Attachments

Resolution No. 6561

Election Table - For Canvass

Election Table - By Precinct

Grayson County Election Reports

RESOLUTION NO. 6561

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, DECLARING THE RESULTS OF THE NOVEMBER 5, 2019 SPECIAL MUNICIPAL ELECTIONS HELD IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That there came on to be considered the results of the special elections held on the 5th day of November, 2019, for the purposes of considering the reauthorization of the streets sales tax, and charter amendments; and, it appearing from said results, duly and legally made, that there were cast at said election 2,500 valid and legal votes; and that, upon counting the votes, the following results are indicated:

Proposition A	The reauthorization of the local sales and use tax in the City of Sherman at the rate of one-eighth of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized.
For	1,971
Against	488

Amendment A	To amend Article II, "City Council", Section 1, "Membership", paragraph (a), "Composition", subparagraph (4) as follows: (4) All terms of office shall be for three (3) years, or until the successor has been elected and qualified. Service in office for more than twelve (12) eighteen (18) months of a three (3) year term, shall constitute a full term.
For	1,948
Against	471

Amendment B	To amend Article II, “City Council”, Section 1, “Membership”, paragraph (a), “Composition”, subparagraph (5) as follows: (5) A councilmember or mayor may serve a maximum of two (2) consecutive terms in the same office or four (4) consecutive terms in any combination of offices. After a councilmember or mayor has served their maximum term of office, a one (1) year (360 day) absence from office is required before that person will be eligible to hold another elective office.
For	1,282
Against	1,129

Amendment C	To amend Article VII, “Planning and Engineering”, Section 1, “City planning and zoning board” as follows: There shall be a city planning and zoning board consisting of seven (7) members, each of whom must reside within the city and each of whom must be a qualified voter of the City of Sherman. The members of the board may be appointed by the city council for a partial term or for one (1) or two (2) terms of three (3) years each. Upon completion of the second term, such members will be ineligible for reappointment to the board for four (4) years. Members of the board shall hold no other city office during their term on said board. <i>The members of the board may be appointed by the city council for a partial or full term. All terms of office shall be for three (3) years, or until the successor has been appointed. Service in office for more than eighteen (18) months of a three (3) year term, shall constitute a full term.</i>
For	1,460
Against	810

SECTION 2. That said election was duly called; that notice of said election was given in accordance with law; that said election was held in accordance with law; and that Proposition A to reauthorize the street sales tax; and charter amendments A, B, and C, have passed by the number of votes indicated in Section 1 of this Resolution.

SECTION 3. That it is further found and determined that, in accordance with the resolution of this governing body, the Clerk posted written notice of the date, place, and subject of this meeting on the bulletin board located at the Sherman City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the

election returns shall be attached to the minutes of this meeting and shall be made a part thereof for all intents and purposes.

SECTION 4. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY
CITY ATTORNEY**

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 5, 2019 Registered Voters 22,734 City Ballots Cast 2,500 Percentage Voted 11 %

PRECINCTS	101*	102	103 *	104 *	106 *	108 *	301	302	303 *	304	305 *	405	408 *	409	TOTAL
Early Ballots Cast	102	37	0	0	0	0	88	250	46	126	0	16	4	249	918
Reg. Ballots Cast	214	110	0	0	0	0	119	369	55	243	0	27	10	435	1,582
Total Ballots Cast	316	147	0	0	0	0	207	619	101	369	0	43	14	684	2,500
Registered Voters	3,970	2,609	0	0	0	0	1,970	5,827	525	2,948	0	548	61	4,276	22,734
% of registered voters casting ballots by precinct	7.96%	5.63%	0	0	0	0	10.52%	10.62%	19.24%	12.52%	0	7.88%	23%	16%	19.64%

*Split Precincts – Some voters in these precincts are inside the Sherman City Limits and some are outside the Sherman City Limits;
Only voters inside the Sherman City Limits are allowed to vote the Sherman Ballot

Voter Statistics

RACES	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Proposition A The reauthorization of the local sales and use tax in the City of Sherman at the rate of one-eighth of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized.			
For	713	1,258	1,971
Against	192	296	488
Amendment A To amend Article II, “City Council”, Section 1, “Membership”, paragraph (a), “Composition”, subparagraph (4) as follows: (4) All terms of office shall be for three (3) years, or until the successor has been elected and qualified. Service in office for more than twelve (12) eighteen (18) months of a three (3) year term, shall constitute a full term			
For	710	1,238	1,948
Against	184	287	471

RACES	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Amendment B To amend Article II, “City Council”, Section 1, “Membership”, paragraph (a), “Composition”, subparagraph (5) as follows: (5) A councilmember or mayor may serve a maximum of two (2) consecutive terms in the same office or four (4) consecutive terms in any combination of offices. After a councilmember or mayor has served their maximum term of office, a one (1) year (360 day) absence from office is required before that person will be eligible to hold another elective office.			
For	485	797	1,282
Against	411	718	1,129
Amendment C To amend Article VII, “Planning and Engineering”, Section 1, “City planning and zoning board” as follows: There shall be a city planning and zoning board consisting of seven (7) members, each of whom must reside within the city and each of whom must be a qualified voter of the City of Sherman. The members of the board may be appointed by the city council for a partial term or for one (1) or two (2) terms of three (3) years each. Upon completion of the second term, such members will be ineligible for reappointment to the board for four (4) years. Members of the board shall hold no other city office during their term on said board. <i>The members of the board may be appointed by the city council for a partial or full term. All terms of office shall be for three (3) years, or until the successor has been appointed. Service in office for more than eighteen (18) months of a three (3) year term, shall constitute a full term.</i> <i>Members of the planning and zoning board may serve a maximum of four (4) consecutive terms in any combination of offices. After a member has served their maximum term of office, a one (1) year (360 day) absence from office is required before that person will be eligible for reappointment.</i>			
For	534	926	1,460
Against	301	509	810

Prepared by Linda Ashby, City Clerk, Sherman, Texas

Unopposed Candidates Declared Elected

Council Member, District 1
Shawn Teamann

Council Member, District 3
Pamela Howeth

CITY OF SHERMAN, TEXAS

Regular Municipal Election November 5, 2019 Registered Voters 22,734 City Ballots Cast 2,500 Percentage Voted 11 %

PRECINCTS	101 *	102	103 *	104 *	106 *	108 *	301	302	303 *	304	305 *	405	408 *	409	TOTAL
Early Ballots Cast	102	37	0	0	0	0	88	250	46	126	0	16	4	249	918
Reg. Ballots Cast	214	110	0	0	0	0	119	369	55	243	0	27	10	435	1,582
Total Ballots Cast	316	147	0	0	0	0	207	619	101	369	0	43	14	684	2,500
Registered Voters	3,970	2,609	0	0	0	0	1,970	5,827	525	2,948	0	548	61	4,276	22,734
% of registered voters casting ballots by precinct	7.96%	5.63%	0	0	0	0	10.52%	10.62%	19.24%	12.52%	0	7.88%	23%	16%	19.64%

*Split Precincts – Some voters in these precincts are inside the Sherman City Limits and some are outside the Sherman City Limits; Only voters inside the Sherman City Limits are allowed to vote the Sherman Ballot

Voter Statistics by Precincts

PRECINCTS	101 *	102	103 *	104 *	106 *	108 *	301	302	303 *	304	305 *	405	408 *	409	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Proposition A The reauthorization of the local sales and use tax in the City of Sherman at the rate of one-eighth of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized.																	
For	238	113	0	0	0	0	170	463	76	313	0	28	11	559	713	1,258	1,971
Against	70	34	0	0	0	0	35	146	23	48	0	15	2	115	192	296	488
Amendment A To amend Article II, “City Council”, Section 1, “Membership”, paragraph (a), “Composition”, subparagraph (4) as follows: (4) All terms of office shall be for three (3) years, or until the successor has been elected and qualified. Service in office for more than twelve (12) eighteen (18) months of a three (3) year term, shall constitute a full term.																	
For	242	109	0	0	0	0	154	483	80	294	0	38	11	537	710	1,238	1,948
Against	65	36	0	0	0	0	45	117	18	61	0	5	2	122	184	287	471

PRECINCTS	101 *	102	103 *	104 *	106 *	108 *	301	302	303 *	304	305 *	405	408 *	409	EARLY VOTE TOTALS	ELECTION DAY TOTALS	GRAND TOTAL
Amendment B To amend Article II, “City Council”, Section 1, “Membership”, paragraph (a), “Composition”, subparagraph (5) as follows: (5) A councilmember or mayor may serve a maximum of two (2) consecutive terms in the same office or four (4) consecutive terms in any combination of offices. After a councilmember or mayor has served their maximum term of office, a one (1) year (360 day) absence from office is required before that person will be eligible to hold another elective office.																	
For	161	72	0	0	0	0	107	305	44	200	0	20	7	366	485	797	1,282
Against	144	70	0	0	0	0	93	295	50	156	0	20	4	297	411	718	1,129
Amendment C To amend Article VII, “Planning and Engineering”, Section 1, “City planning and zoning board” as follows: There shall be a city planning and zoning board consisting of seven (7) members, each of whom must reside within the city and each of whom must be a qualified voter of the City of Sherman. The members of the board may be appointed by the city council for a partial term or for one (1) or two (2) terms of three (3) years each. Upon completion of the second term, such members will be ineligible for reappointment to the board for four (4) years. Members of the board shall hold no other city office during their term on said board. <i>The members of the board may be appointed by the city council for a partial or full term. All terms of office shall be for three (3) years, or until the successor has been appointed. Service in office for more than eighteen (18) months of a three (3) year term, shall constitute a full term.</i> <i>Members of the planning and zoning board may serve a maximum of four (4) consecutive terms in any combination of offices. After a member has served their maximum term of office, a one (1) year (360 day) absence from office is required before that person will be eligible for reappointment.</i>																	
For	176	83	0	0	0	0	126	366	57	219	0	23	8	402	534	926	1,460
Against	110	50	0	0	0	0	65	207	34	108	0	18	4	214	301	509	810

Prepared by Linda Ashby, City Clerk, Sherman, Texas

Unopposed Candidates Declared Elected

Council Member, District 1
Shawn Teamann

Council Member, District 3
Pamela Howeth

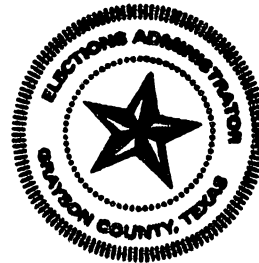


GRAYSON COUNTY ELECTION ADMINISTRATION

I, Deana Patterson, Grayson County Elections Administrator, do hereby certify the totals attached to be a true and correct count of ballots cast in the November 5, 2019 City of Sherman Election held in the County of Grayson, State of Texas.

Witness my hand and seal this 12th day of November, 2019.

Deana Patterson
Grayson County Elections Administrator



Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Election Day Precincts Reporting	10 of 10	0	0	10
Absentee/ Early Precincts Reporting	10 of 10	8	10	0
Registered Voters - Total	22,734			
Ballots Cast - Total	2,500	35	883	1,582
Voter Turnout - Total	11.00%			

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1,971	30	683	1,258
Against	488	4	188	296
Total Votes Cast	2,459	34	871	1,554
Precincts Reporting	10 of 10			

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1,948	28	682	1,238
Against	471	5	179	287
Total Votes Cast	2,419	33	861	1,525
Precincts Reporting	10 of 10			

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1,282	22	463	797
Against	1,129	12	399	718
Total Votes Cast	2,411	34	862	1,515
Precincts Reporting	10 of 10			

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1,460	26	508	926
Against	810	8	293	509
Total Votes Cast	2,270	34	801	1,435
Precincts Reporting	10 of 10			

Custom Table Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

	STATISTICS		
	Registered Voters - Total	Ballots Cast - Total	Voter Turnout - Total
PRECINCT 101 Sherman	3,970	316	7.96%
PRECINCT 102	2,609	147	5.63%
PRECINCT 301 Sherman	1,967	207	10.52%
PRECINCT 302	5,827	619	10.62%
PRECINCT 304	2,948	369	12.52%
PRECINCT 405 Sherman	546	43	7.88%
PRECINCT 409	4,276	684	16%
PRECINCT 301 Sher DISD	3	0	0%
PRECINCT 303 Sherman	525	101	19.24%
PRECINCT 305 Sherman	0	0	0%
PRECINCT 405 Sher DISD	2	0	0%
PRECINCT 408 Sherman	5	3	60%
PRECINCT 408 Sher DISD	56	11	19.64%
Totals	22,734	2,500	

	PROPOSITION A Sherman			Amendment A Sherman			Amendment B Sherman			Amendment C Sherman		
	VOTE FOR 1			VOTE FOR 1			VOTE FOR 1			VOTE FOR 1		
	10 of 10 Precincts Reporting			10 of 10 Precincts Reporting			10 of 10 Precincts Reporting			10 of 10 Precincts Reporting		
	For	Against	Total Votes Cast	For	Against	Total Votes Cast	For	Against	Total Votes Cast	For	Against	Total Votes Cast
PRECINCT 101 Sherman	238	70	308	242	65	307	161	144	305	176	110	286
PRECINCT 102	113	34	147	109	36	145	72	70	142	83	50	133
PRECINCT 301 Sherman	170	35	205	154	45	199	107	93	200	126	65	191
PRECINCT 301 Sher DISD	0	0	0	0	0	0	0	0	0	0	0	0
PRECINCT 302	463	146	609	483	117	600	305	295	600	366	207	573
PRECINCT 303 Sherman	76	23	99	80	18	98	44	50	94	57	34	91
PRECINCT 304	313	48	361	294	61	355	200	156	356	219	108	327
PRECINCT 305 Sherman	0	0	0	0	0	0	0	0	0	0	0	0
PRECINCT 405 Sherman	28	15	43	38	5	43	20	20	40	23	18	41
PRECINCT 405 Sher DISD	0	0	0	0	0	0	0	0	0	0	0	0
PRECINCT 408 Sherman	1	1	2	1	1	2	1	1	2	1	1	2
PRECINCT 408 Sher DISD	10	1	11	10	1	11	6	3	9	7	3	10
PRECINCT 409	559	115	674	537	122	659	366	297	663	402	214	616
Totals	1,971	488	2,459	1,948	471	2,419	1,282	1,129	2,411	1,460	810	2,270

	STATISTICS		
	Registered Voters - Total	Ballots Cast - Total	Voter Turnout - Total
PRECINCT 101 Sherman	3,970	316	7.96%
PRECINCT 102	2,609	147	5.63%
PRECINCT 301 Sherman	1,967	207	10.52%
PRECINCT 302	5,827	619	10.62%
PRECINCT 304	2,948	369	12.52%
PRECINCT 405 Sherman	546	43	7.88%
PRECINCT 409	4,276	684	16%
PRECINCT 301 Sher DISD	3	0	0%
PRECINCT 303 Sherman	525	101	19.24%
PRECINCT 305 Sherman	0	0	0%
PRECINCT 405 Sher DISD	2	0	0%
PRECINCT 408 Sherman	5	3	60%
PRECINCT 408 Sher DISD	56	11	19.64%
Totals	22,734	2,500	

	PROPOSITION A Sherman					Amendment A Sherman				
	VOTE FOR 1					VOTE FOR 1				
	10 of 10 Precincts Reporting					10 of 10 Precincts Reporting				
	For	Against	Total Votes Cast	Overvotes	Undervotes	For	Against	Total Votes Cast	Overvotes	Undervotes
PRECINCT 101 Sherman	238	70	308	0	8	242	65	307	0	9
PRECINCT 102	113	34	147	0	0	109	36	145	0	2
PRECINCT 301 Sherman	170	35	205	0	2	154	45	199	0	8
PRECINCT 301 Sher DISD	0	0	0	0	0	0	0	0	0	0
PRECINCT 302	463	146	609	0	10	483	117	600	0	19
PRECINCT 303 Sherman	76	23	99	0	2	80	18	98	0	3
PRECINCT 304	313	48	361	0	8	294	61	355	0	14
PRECINCT 305 Sherman	0	0	0	0	0	0	0	0	0	0
PRECINCT 405 Sherman	28	15	43	0	0	38	5	43	0	0
PRECINCT 405 Sher DISD	0	0	0	0	0	0	0	0	0	0
PRECINCT 408 Sherman	1	1	2	0	1	1	1	2	0	1
PRECINCT 408 Sher DISD	10	1	11	0	0	10	1	11	0	0
PRECINCT 409	559	115	674	0	10	537	122	659	0	25
Totals	1,971	488	2,459	0	41	1,948	471	2,419	0	81

	Amendment B Sherman					Amendment C Sherman				
	VOTE FOR 1					VOTE FOR 1				
	10 of 10 Precincts Reporting					10 of 10 Precincts Reporting				
	For	Against	Total Votes Cast	Overvotes	Undervotes	For	Against	Total Votes Cast	Overvotes	Undervotes
PRECINCT 101 Sherman	161	144	305	0	11	176	110	286	0	30
PRECINCT 102	72	70	142	0	5	83	50	133	0	14
PRECINCT 301 Sherman	107	93	200	0	7	126	65	191	0	16
PRECINCT 301 Sher DISD	0	0	0	0	0	0	0	0	0	0
PRECINCT 302	305	295	600	0	19	366	207	573	0	46
PRECINCT 303 Sherman	44	50	94	0	7	57	34	91	0	10
PRECINCT 304	200	156	356	0	13	219	108	327	0	42
PRECINCT 305 Sherman	0	0	0	0	0	0	0	0	0	0
PRECINCT 405 Sherman	20	20	40	0	3	23	18	41	0	2
PRECINCT 405 Sher DISD	0	0	0	0	0	0	0	0	0	0
PRECINCT 408 Sherman	1	1	2	0	1	1	1	2	0	1
PRECINCT 408 Sher DISD	6	3	9	0	2	7	3	10	0	1
PRECINCT 409	366	297	663	0	21	402	214	616	0	68
Totals	1,282	1,129	2,411	0	89	1,460	810	2,270	0	230

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 101 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	316	2	100	214

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	238	2	76	160
Against	70	0	23	47
Total Votes Cast	308	2	99	207

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	242	2	78	162
Against	65	0	20	45
Total Votes Cast	307	2	98	207

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	161	1	48	112
Against	144	1	50	93
Total Votes Cast	305	2	98	205

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 101 Sherman

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	176	1	55	120
Against	110	1	35	74
Total Votes Cast	286	2	90	194

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 102

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	147	0	37	110

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	113	0	26	87
Against	34	0	11	23
Total Votes Cast	147	0	37	110

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	109	0	28	81
Against	36	0	8	28
Total Votes Cast	145	0	36	109

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	72	0	22	50
Against	70	0	14	56
Total Votes Cast	142	0	36	106

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 102

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	83	0	21	62
Against	50	0	12	38
Total Votes Cast	133	0	33	100

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 301 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	207	6	82	119

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	170	6	69	95
Against	35	0	13	22
Total Votes Cast	205	6	82	117

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	154	5	60	89
Against	45	0	22	23
Total Votes Cast	199	5	82	112

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	107	2	43	62
Against	93	4	38	51
Total Votes Cast	200	6	81	113

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 301 Sherman

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	126	5	47	74
Against	65	1	30	34
Total Votes Cast	191	6	77	108

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 301 Sher DISD

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	0	0	0	0

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 301 Sher DISD

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 302

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	619	9	241	369

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	463	6	174	283
Against	146	2	65	79
Total Votes Cast	609	8	239	362

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	483	6	185	292
Against	117	2	48	67
Total Votes Cast	600	8	233	359

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	305	6	122	177
Against	295	2	115	178
Total Votes Cast	600	8	237	355

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 302

Amendment C Sherman
Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	366	6	140	220
Against	207	2	84	121
Total Votes Cast	573	8	224	341

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 303 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	101	4	42	55

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	76	2	30	44
Against	23	2	11	10
Total Votes Cast	99	4	41	54

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	80	2	34	44
Against	18	2	6	10
Total Votes Cast	98	4	40	54

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	44	0	18	26
Against	50	4	21	25
Total Votes Cast	94	4	39	51

PRECINCT 303 Sherman
Amendment C Sherman
Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	57	1	20	36
Against	34	3	16	15
Total Votes Cast	91	4	36	51

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 304

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	369	5	121	243

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	313	5	101	207
Against	48	0	18	30
Total Votes Cast	361	5	119	237

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	294	4	99	191
Against	61	1	19	41
Total Votes Cast	355	5	118	232

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	200	5	67	128
Against	156	0	52	104
Total Votes Cast	356	5	119	232

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 304

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	219	5	72	142
Against	108	0	38	70
Total Votes Cast	327	5	110	212

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 305 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	0	0	0	0

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

PRECINCT 305 Sherman

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

PRECINCT 405 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	43	0	16	27

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	28	0	9	19
Against	15	0	7	8
Total Votes Cast	43	0	16	27

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	38	0	14	24
Against	5	0	2	3
Total Votes Cast	43	0	16	27

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	20	0	11	9
Against	20	0	4	16
Total Votes Cast	40	0	15	25

PRECINCT 405 Sherman

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	23	0	10	13
Against	18	0	4	14
Total Votes Cast	41	0	14	27

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 405 Sher DISD

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	0	0	0	0

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

PRECINCT 405 Sher DISD

Amendment C Sherman
Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	0	0	0	0
Against	0	0	0	0
Total Votes Cast	0	0	0	0

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 408 Sherman

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	3	0	2	1

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1	0	0	1
Against	1	0	1	0
Total Votes Cast	2	0	1	1

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1	0	0	1
Against	1	0	1	0
Total Votes Cast	2	0	1	1

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1	0	0	1
Against	1	0	1	0
Total Votes Cast	2	0	1	1

PRECINCT 408 Sherman

Amendment C Sherman
Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	1	0	0	1
Against	1	0	1	0
Total Votes Cast	2	0	1	1

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 408 Sher DISD

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	11	0	2	9

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	10	0	2	8
Against	1	0	0	1
Total Votes Cast	11	0	2	9

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	10	0	1	9
Against	1	0	1	0
Total Votes Cast	11	0	2	9

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	6	0	1	5
Against	3	0	1	2
Total Votes Cast	9	0	2	7

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 408 Sher DISD

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	7	0	1	6
Against	3	0	1	2
Total Votes Cast	10	0	2	8

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 409

STATISTICS

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
Ballots Cast - Total	684	9	240	435

PROPOSITION A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	559	9	196	354
Against	115	0	39	76
Total Votes Cast	674	9	235	430

Amendment A Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	537	9	183	345
Against	122	0	52	70
Total Votes Cast	659	9	235	415

Amendment B Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	366	8	131	227
Against	297	1	103	193
Total Votes Cast	663	9	234	420

Summary Results Report
Joint Special Election
November 5, 2019

UNOFFICIAL RESULTS

Grayson County

PRECINCT 409

Amendment C Sherman

Vote For 1

	TOTAL	EV MAIL	EV IN PERSON	ED IN PERSON
For	402	8	142	252
Against	214	1	72	141
Total Votes Cast	616	9	214	393



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 1.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

OATH OF OFFICE AND PRESENTATION OF CERTIFICATE OF ELECTION

Issue:

The official Statements of Elected Officer have been filed with the Sherman City Clerk; and the newly elected members of the City Council may take the Oath of Office as required by law. They will also be presented with official Certificates of Election.

Background:

Pursuant to the City Charter, Article X, Section 4, all elected officers shall, before entering upon the duties of their respective offices, take and subscribe to the official oath prescribed by the Constitution of the State of Texas. The Oath of Office shall be administered as required by the Charter.

Origination:

The Oath of Office presentation originated with the City Clerk's Office.

Financial Consideration:

There is no specific cost associated with taking the Oath of Office.

Staff Recommendation:

It is recommended that the newly elected City Council Members take the Oath of Office.

Alternatives:

There is no viable alternative.

Attachments

Oath of Office

OATH OF OFFICE

I, State your name

DO SOLEMNLY SWEAR,

THAT I WILL FAITHFULLY

EXECUTE THE DUTIES

OF State you position

IN THE CITY OF SHERMAN

OF THE STATE OF TEXAS

AND WILL TO THE BEST OF MY ABILITY

PRESERVE, PROTECT, AND DEFEND

THE CONSTITUTION AND LAWS

OF THE UNITED STATES

AND OF THIS STATE

SO HELP ME GOD.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 1.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL ELECTION OF DEPUTY MAYOR

Issue:

The Deputy Mayor is elected by the City Council for a one-year term or until the Council is reorganized. Normally the Deputy Mayor is elected at the Council Meeting in November where new members are sworn in.

Background:

Article II, Section 3 of the City Charter provides for the designation of a Deputy Mayor, as follows:

Section 3. Mayor and deputy mayor.

The mayor shall preside at the meetings of the council, and shall be recognized as head of the city government for all ceremonial purposes, and by the governor for purposes of military law, but shall have no regular administrative duties. The mayor shall be entitled to vote upon all matters considered by the council. The mayor shall not make or second motions. The council shall elect a deputy mayor from the council for a one-year term, or until the council is reorganized, who shall act as mayor during the absence or inability of the mayor to serve. If a vacancy should occur in the office of mayor, the deputy mayor shall serve for the remainder of the mayor's term or until the next general election, whichever shall first occur.

Origination:

The election of a Deputy Mayor originated with the City Clerk's Office.

Financial Consideration:

There is no specific cost associated with electing a Deputy Mayor.

Staff Recommendation:

It is recommended that the Council Members elect a new Deputy Mayor.

Alternatives:

There is no viable alternative.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F. 1.

Meeting Date: 11/18/2019

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Receive Presentation from Corgan on Results of Phases I and II of the Sherman Municipal Airport Master Plan Project

Issue:

An update on Phases I and II of the Sherman Municipal Airport Master Plan Project

Background:

In early 2019 and on August 29, 2019, the City contracted with Corgan for Phases I and II of the Sherman Municipal Airport Master Plan Project. The Sherman Municipal Airport Master Plan (Study) was initiated in early 2019. The Study analyzes existing operations at the airport, existing airport conditions, and provides new forecasts of aviation demand. Corgan held two workshops with stakeholders to develop goals and objectives pertinent to the airport's development over a 20-year planning period. Corgan will now provide the City Council with an update on Phases I and II of the Sherman Municipal Airport Master Plan Project.

Origination:

City Manager Robby Hefton

Financial Consideration:

There is no financial impact associated with this agenda item.

Staff Recommendation:

The Council need take no action on this agenda item - it is for informational purposes only.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 1.

Meeting Date: 11/18/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

FIRST PUBLIC HEARING

Conduct the First Public Hearing Concerning the Annexation of a 95.277 Acre Tract of Land located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction

Issue:

To conduct the first public hearing concerning the annexation of a 95.277 acre tract of land located south of U.S. Highway 82, west of S.H. 289, and east of Preston Club Drive, adjacent to the Sherman City Limits, and in the City's extra territorial jurisdiction (ETJ), in accordance with state law and the City Charter

Background:

It is the City's intention to annex specifically identified individual areas in the City's ETJ, in accordance with state law and the City Charter. At its November 4th meeting, the City Council approved the schedule for annexation of this property, which sets the first and second public hearings for this meeting and introduction and adoption of the Ordinance to annex the subject property at the December 16th regular Council meeting. This annexation was requested by the property owners.

Origination:

Letter requesting annexation by Chris and Claire Rehmet, subject Property Owners / Developers

Financial Consideration:

Once developed, the additional property taxes raised from annexation of this property are estimated at about \$350,000 annually, which approximates the estimated costs associated with providing general City services.

Staff Recommendation:

It is recommended that the City Council conduct its first public hearing concerning the possible annexation of this property.

Alternatives:

As directed by the City Council

Attachments

Annexation Scheduling Plan
Request for Annexation
Municipal Service Plan
Exhibit A - Legal Description
Exhibit A - Drawing
Aerial Location Map

ANNEXATION SCHEDULING PLAN

**Annexation of 95.277 acres of land adjacent to the city limits
located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive,
being more specifically described as:
REHMET DEVELOPMENT**

- Wednesday, November 6, 2019..... Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
- Thursday, November 7, 2019..... Post notice on City's website, newspaper and City Hall for City Council's 1st and 2nd Public Hearing on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
- Thursday, November 14, 2019..... Post notice of 1st and 2nd Public Hearing under the Open Meetings Act.
- Monday, November 18, 2019..... City Council's 1st and 2nd Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
- Thursday, December 12, 2019..... Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.*
- Monday, December 16, 2019..... City Council Public Hearing for introduction and consideration of adoption of annexation ordinance.* (Regular Council Meeting)

* If more than twenty (20) adults who are residents of the area to be annexed protest within ten (10) days of the notice by publication, then one (1) of the public hearings must be held in the area to be annexed.

October 19, 2019

Ms. Amber Doan
City of Sherman
200 W. Mulberry Dr.
Sherman, TX 75090

RE: Annexation Request

Dear Ms. Doan:

Chris Rehmet and I (Claire Rehmet) own two parcels of land with frontage on US 82. They are immediately adjacent to the Sherman City Limits, which extends across the front of the properties. The GCAD IDs are Parcel 119095 and 119117. We would like both parcels to be annexed. A survey of both parcels is attached and labeled as "ATTACHMENT A". Additionally, we would like the portion of the property in the attached survey and legal description labeled as "ATTACHMENT B" to be **brought in with a zoning of C-1 (Retail business) district** due to the fact that it has frontage along US 82 and should be zoned as such. The remainder of the property can be brought in as SF-1 (Single Family Residential) district. We would like to have it annexed at this time to establish the zoning and perhaps market the property. We understand that the City of Sherman has water service available if desired and that sewer service will be available from the City of Sherman in the future.

If you have any questions or need any additional information, please contact my engineer, Clay Barnett, P.E., at (903) 870-6543.

Thanks,



Chris & Claire Rehmet

City of Sherman
Municipal Service Plan
95.277 Acres East of Preston Club

INTRODUCTION:

The annexation is the site of approximately 95.277 acres south of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, lying adjacent to the City of Sherman existing city limits.

This annexation is a step in the process of providing for the orderly growth and development of the City, to protect the City from substandard development and to provide for the enlargement of the city limits by including developments and improvements that are logically a part of the City and receive city utilities.

MUNICIPAL SERVICES TO BE PROVIDED:

POLICE PROTECTION: Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment will be provided on the effective date of annexation.

FIRE PROTECTION: Fire protection by the present personnel and equipment of the fire fighting force will be provided on the effective date of annexation.

SOLID WASTE: The same solid waste collection and disposal service now provided within the City of Sherman will be extended to the annexed area on the effective date of annexation.

BULK WASTE PICKUP: Free monthly bulk trash and brush pickup would be available on the effective date of annexation.

STREETS AND BRIDGES: Any future streets or improvements will be developed by the standard provisions of the Developer's Ordinance with future maintenance by the City of Sherman. Street lighting will be established according to city guidelines.

PARKS: No public parks exist in the area to be annexed. Any new park facilities will be developed according to existing City policies as applicable to all city residents.

CONSTRUCTION INSPECTIONS: Building inspection activities will be available upon annexation.

ENVIRONMENTAL HEALTH AND HEALTH CODE ENFORCEMENT: Enforcement of the City's environmental health ordinances and regulations shall be provided within this area on the effective date of the annexation ordinance.

ANIMAL CONTROL: Animal control services will be provided by the City on the effective date of annexation.

PLANNING AND ZONING: The Planning and Zoning jurisdiction of the City will extend to this area on the effective date of this annexation. Area will be annexed as R-A on the effective date of the annexation ordinance.

WATER SERVICE: Water service will be provided to the area in accordance with the City's Developer's Ordinance.

SEWER SERVICE: Sewer service will be provided to the area in accordance with the City's Developer's Ordinance. No new service connections will be permitted until the current system has been upgraded to handle additional sewer capacity. Coordination with City Engineering Department required prior to development.

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020

Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: kate@helveywagnersurvey.net

TBPLS Firm Registration No. 10088100

Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578 – Kenneth N. Russell, RPLS No. 4409

FIELD NOTES

95.277 Acres

SITUATED in the County of Grayson, State of Texas, being a part of the Daniel Bickenback Survey, Abstract No. 128 and the McMullen and McGloin Survey Abstract No. 762, being a part of the 102.27 Acre tract of land conveyed by General Warranty Deed from Lee Charles Hudgins and Nancy Hudgins to Christopher Rehmet and Claire Rehmet on September 11, 2003 and recorded in Volume 3535, Page 296, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point in the South right-of-way line of U.S. Highway No. 82, the West line of the Henry Ritchey Survey, Abstract No. 1025 and the East line of said J. McMullen and McGloin Survey, at the Northeast corner of the 104.109 acre tract of land conveyed to UCD 82 / Hudgins, LP., recorded in Volume 3912, Page 943, said Official Public Records and the Northwest corner of both said Rehmet 102.27 ac. and the herein described tract;

THENCE South 04 deg. 21 min. 05 sec. East, with the West lines of both said Henry Ritchey Survey and Hudgins 104.109 ac. and the East lines of both said J. McMullen and McGloin Survey and Rehmet 102.27 ac. passing the Southeast corner of said J. McMullen and McGloin Survey and the most Northern Northeast corner of said Daniel Bickenback Survey, continuing on for a **TOTAL** distance of 2581.36 ft. to a point, at the Southwest corner of said Hudgins 104.109 ac., the Southwest corner of said Henry Ritchey Survey, the Northwest corner of both J.M. Thomas Survey, Abstract No. 1234 and the 5.3 acre tract of land conveyed to Dennis A. Stengel, recorded in Volume 2238, Page 418, Real Property Records, Grayson County, Texas and an angle point of both said Rehmet 102.27 ac. and the herein described tract;

THENCE South 03 deg. 48 min. 06 sec. East, with the West line of both said J.M. Thomas Survey and Stengel 5.3 ac. and the West line of both said Daniel Bickenback Survey and Rehmet 102.27 ac., passing the Southwest corner of said Stengel 5.3 ac. and continuing for a **TOTAL** distance of 473.06 ft. to a point in a North line of both Preston Run Road and Preston Club The Classics – Phase Three, recorded in Volume 19, Page 46, Plat Records, Grayson County, Texas, at the Southeast corner of the herein described tract;

THENCE Northerly and Westerly, over and across said Rehmet 102.27 ac., with the East and North lines of said Preston Club The Classics – Phase Three, the following calls and distances:

1. North 56 deg. 48 min. 35 sec. West, 49.61 ft. to a point, at the beginning of said curve;
2. Northwesterly, with a curve to the left having a Central Angle (Delta) of 8 deg. 44 min. 15 sec., a Radius of 205.00 ft. (Chord bears North 61 deg. 10 min. 33 sec. West, 31.23 ft.), an arc distance of 31.26 ft. to a point at the end of said curve, at the most Southerly Southeast corner of the herein described tract;
3. North 01 deg. 12 min. 25 sec. West, 157.26 ft. to a point at the Northeast corner of said Preston Club The Classics-Phase Three and an Ell corner of the herein described tract;
4. South 87 deg. 31 min. 54 sec. West, 224.00 ft. to an angle point;
5. South 79 deg. 01 min. 33 sec. West, 223.00 ft. to an angle point;
6. South 86 deg. 07 min. 16 sec. West, 431.90 ft. to a point in an East line of the Preston Club The Classics - Phase Two, recorded in Volume 14, Page 72, said Plat Records and a West line of said Rehmet 102.27 ac., at the most Northern Northwest corner of said Preston Club The Classics – Phase Three and the most Westerly Northwest corner of the herein described tract;

THENCE Northwesterly, with the East lines of said Preston Club The Classics – Phase Two and the West line of said Rehmet 102.27 ac., the following calls and distances:

1. Northwesterly, with a curve to the left having a Central Angle (Delta) of 26 deg. 00 min. 22 sec., a Radius of 781.94 ft. (Chord bears North 48 deg. 00 min. 58 sec. West, 351.88 ft.), an arc distance of 351.88 ft. to a point at the end of said curve;
2. North 61 deg. 04 min. 58 sec. West, 106.08 ft. to a point, at the beginning of curve;
3. Northwesterly, with a curve to the right having a Central Angle (Delta) of 31 deg. 21 min. 25 sec., a Radius of 553.73 ft. (Chord bears North 45 deg. 21 min. 14 sec. West, 299.28 ft.), an arc distance of 303.05 ft. to a point at the end of said curve;
4. North 29 deg. 30 min. 02 sec. West, 104.71 ft. to a point, at the beginning of curve;

5. Northwesterly, with a curve to the right having a Central Angle (Delta) of 08 deg. 42 min. 59 sec., a Radius of 722.08 ft. (Chord bears North 25 deg. 08 min. 32 sec. West, 109.74 ft.), an arc distance of 109.85 ft. to a point at the beginning of another curve;
6. Northwesterly, with a curve to the left having a Central Angle (Delta) of 22 deg. 04 min. 29 sec., a Radius of 1116.00 ft. (Chord bears North 31 deg. 49 min. 17 sec. West, 427.32 ft.), passing the Northeast corner of said Preston Club The Classics – Phase Two and continuing on for a **TOTAL** arc distance of 429.97 ft. to a point at the end of said curve;
7. North 42 deg. 51 min. 30 sec. West, passing the most Eastern Southeast corner of Block 2, said Preston Club The Classics – Phase Two and continuing on for a **TOTAL** distance of 259.22 ft. to a point, at the most Southerly corner of the Preston Club The Legends Subdivision, Phase Two, recorded in Volume 10, Page 31, said Plat Records and at an angle point of both said Rehmet 102.27 ac. and the herein described tract;

THENCE Northerly, with the East lines of said Preston Club The Legends Subdivision, Phase Two and the West lines of said Rehmet 102.27 ac., the following calls and distances:

1. North 27 deg. 29 min. 05 sec. East, 678.55 ft. to an angle point;
2. North 02 deg. 46 min. 53 sec. East, 189.21 ft. to an angle point;
3. North 22 deg. 46 min. 00 sec. East, 159.55 ft. to a point in the East line of Preston Club Drive, at the most Northerly corner of said Preston Club The Legends, Phase Two and an angle point of both said Rehmet 102.27 ac. and the herein described tract;

THENCE Northeasterly, with the East line of said Preston Club Drive and the West lines of said Rehmet 102.27 ac., the following calls and distances:

1. North 51 deg. 44 min. 00 sec. East, 210.24 ft. to a point, at the beginning of a curve;
2. Northeasterly, with a curve to the right having a Central Angle (Delta) of 08 deg. 28 min. 02 sec., a Radius of 3607.97 ft. (Chord bears North 55 deg. 58 min. 01 sec. East, 532.70 ft.), an arc distance of 533.19 ft. to a point, at the end of said curve;
3. North 60 deg. 12 min. 02 sec. East, 85.91 ft. to a point, at the beginning of a curve;
4. Northeasterly, with a curve to the left having a Central Angle (Delta) of 63 deg. 46 min. 39 sec., a Radius of 250.06 ft. (Chord bears North 28 deg. 18 min. 43 sec. East, 264.20 ft.), an arc distance of 278.35 ft. to a point, in the South right-of-way line of said U.S. Highway No. 82, at the Northwest corner of both said Rehmet 102.27 ac. and the herein described tract;

THENCE North 86 deg. 22 min. 31 sec. East, with the South right-of-way line of said U.S. Highway No. 82 and the North line of said Rehmet 102.27 ac., a distance of 720.21 ft. to the **PLACE OF BEGINNING** and containing **95.277 ACRES** of land.

J. McMullen &
McGloin Survey
Abstract No. 762
Grayson County, Texas

U.S. Highway No. 82

P.O.B.

Henry Ritchey Survey
Abstract No. 1025

UCD 82 / Hudgins LP
104.109 Acres in
Vol. 3912, Pg. 943
O.P.R.G.C.T.

Scale:
1"=300'



95.277
Acres

remainder of the
Christopher Rehmet &
Claire Tate Rehmet
102.27 Acres in
Vol. 3535, Pg. 296
O.P.R.G.C.T.

Daniel Bickenback Survey
Abstract No. 128
Grayson County, Texas

approx. location of survey line

L=429.97' R=1116.00'
Δ=22°04'29"
Chord=N31°49'17"W 427.32'

UCD 82 / Hudgins LP
104.109 Acres in
Vol. 3912, Pg. 943
O.P.R.G.C.T.

L=303.05' R=553.73'
Δ=31°21'25"
Chord=N45°21'14"W 299.28'

L=354.92' R=781.94'
Δ=26°00'22"
Chord=N48°00'58"W 351.88'

Dennis A. Stengel
5.3 Acres in
Vol. 2238, Pg. 418
R.P.R.G.C.T.

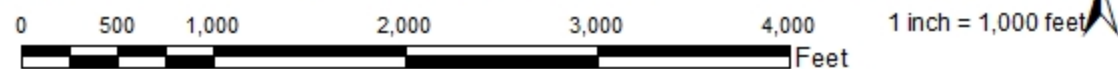
J.M. Thomas
Survey
Abstract No. 1234

Line Table		
Line #	Length	Direction
L1	49.61'	N56°48'35"W
L2	157.26'	N01°12'25"W
L3	224.00'	S87°31'54"W
L4	223.00'	S79°01'33"W
L5	106.08'	N61°04'58"W
L6	104.71'	N29°30'02"W
L7	259.22'	N42°51'30"W
L8	189.21'	N02°46'53"E
L9	159.55'	N22°46'00"W
L10	210.24'	N51°44'00"E
L11	85.91'	N60°12'02"E

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	31.26'	205.00'	8°44'15"	N61°10'33"W 31.23'
C2	109.85'	722.08'	8°42'59"	N25°08'32"W 109.74'
C3	278.35'	250.06'	63°46'39"	N28°18'43"E 264.20'

Prepared for Annexation Purposes only

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (903) 463-6191 Fax: (903) 463-4088
Email: kate@helveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 2.

Meeting Date: 11/18/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6261

Confirming and Validating the Reauthorization of the Levy and Collection of a Sales and Use Tax of One-Eighth (1/8) of One Percent to Provide Revenue for the Maintenance and Repair of Municipal Streets, as Authorized by Chapter 327 of the Texas Tax Code

Issue:

On November 5, 2019, the City of Sherman held a Special Election to consider the reauthorization of a one-eighth (1/8) of one percent Sales and Use Tax to provide revenue for the maintenance and repair of municipal streets. The proposition passed; and the Election results were declared by Resolution No.6561.

Background:

Article II, Section 10(c) of the Sherman City Charter outlines action requiring an ordinance by the City Council and includes the following act to “levy taxes, except as otherwise provided in Article V with respect to the property tax levied by adoption of the budget.” Therefore, the Sales and Use Tax to provide revenue for the maintenance and repair of municipal streets must officially be adopted by ordinance.

Origination:

This ordinance originated with the City Clerk's Office.

Financial Consideration:

There is no cost to adopt the ordinance; and there will be no change in the sales tax that is being collected.

Staff Recommendation:

The staff recommends adoption of the ordinance to levy the one-eighth (1/8) of one percent Sales and Use Tax to provide revenue for the maintenance and repair of municipal streets.

Alternatives:

The Council could choose not to adopt the ordinance; however, the citizens have approved the tax by the Election.

Attachments

Ordinance No. 6261

ORDINANCE NO. 6261

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONFIRMING AND VALIDATING THE REAUTHORIZATION OF THE LEVY AND COLLECTION OF A SALES AND USE TAX OF ONE-EIGHTH (1/8) OF ONE PERCENT TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS, AS AUTHORIZED BY CHAPTER 327 OF THE TEXAS TAX CODE; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Section 327.006 of the Texas Tax Code authorizes municipalities to call an election for the imposition of a sales and use tax for street maintenance; and

WHEREAS, such called election by Ordinance No. 6236 occurred on November 5, 2019, to submit the question to the voters on the reauthorization of the levy and collection of a sales and use tax within the City of Sherman at the rate of one-eighth (1/8) of one percent to be used to provide revenue for the maintenance and repair of municipal streets; and

WHEREAS, the voters of the City of Sherman voted for and passed the imposition of a sales and use tax of one-eighth (1/8) of one percent in the City of Sherman to provide revenue for the maintenance and repair of municipal streets, as canvassed and acknowledged in Resolution No. 6561;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That there be, and there is hereby, levied and shall be collected a sales and use tax of one-eighth (1/8) of one percent from the sale and use of all taxable items within the City of Sherman to be used to provide revenue for the maintenance and repair of streets within the City of Sherman, Texas.

SECTION 2. That such tax will be effective, imposed, computed, administered, and collected in accordance with the provisions of Chapter 327 of the Texas Tax Code, as amended.

SECTION 3. That this sales and use tax will expire on the fourth anniversary of the date the tax takes effect in accordance with the terms of Section 327.005 of the Texas Tax Code.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 3.

Meeting Date: 11/18/2019

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6262

Expanding Sherman Tax Increment Reinvestment Zone, Number Seven (#7) (Southeast of Intersection of U.S. Highway 75 and F.M. 1417); Providing for Findings of Fact

Issue:

This ordinance enlarges Sherman Tax Increment Reinvestment Zone, Number 7 (TIRZ #7) to include an additional approximate 280 acres east of the existing Zone.

Background:

TIRZ #7 was created by Ordinance No. 6081 at the December 4, 2017 City Council meeting. The City has received a petition by the property owner east of TIRZ #7 requesting the owner's property be included in the zone for the purpose of promoting development. The TIRZ #7 board recommends the City Council approve the addition of the petitioned acres to the zone to accelerate development. The composition of the TIRZ board will not be affected by the enlargement of the zone. If the Council adopts this Ordinance, the next step will be approval of the Amended Project and Financing Plan by the TIRZ #7 Board of Directors. The plan will then be submitted to the City Council for adoption.

Origination:

City Council

Financial Consideration:

A portion of the increase produced by the enlarged area of the Zone after the 2019 tax year will be dedicated to improving the public infrastructure and providing public amenities in the Zone. Cost of improvements will be from reserves, incremental tax revenues, and/or Certificates of Obligation issued by the City. Repayment of the debt will be from additional increments generated by the expanded zone and/or reserves from the sale of city-owned property. The City will contribute 50% of its maintenance and operations (M&O) property tax rate; and the County will contribute 50% of its tax rate that is allocated to their General Fund attributable to this additional property.

Staff Recommendation:

The staff recommends adopting this Ordinance.

Alternatives:

The City Council could change in direction and direct the staff to abandon the process to create this zone.

Attachments

Ordinance No. 6262

Ordinance No. 6081 - TIRZ #7 Creation

Petition from Terra Perpetua, LLC dated November 14, 2019

ORDINANCE NO. 6262

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXPANDING SHERMAN TAX INCREMENT REINVESTMENT ZONE, NUMBER SEVEN (#7) (SOUTHEAST OF INTERSECTION OF U.S. HIGHWAY 75 AND F.M. 1417); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on December 4, 2017, the City Council adopted Ordinance No. 6081, establishing Sherman Tax Increment Reinvestment Zone, Number Seven (#7), which contained 22.31 acres of land, more or less; and

WHEREAS, it is desirous to expand the current Sherman Tax Increment Financing Reinvestment Zone, Number Seven (#7) to promote future development;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Council hereby makes the following findings and determinations which are true and correct:

- (a) That the development of the area described in Exhibit A, attached hereto and containing 292.379 acres of land, more or less, for the expansion of the Sherman Tax Increment Reinvestment Zone, Number 7 (TIRZ #7) would not occur in the foreseeable future solely through private investment.
- (b) That the area's present condition substantially impairs the city's growth, retards the provision of housing, or constitutes an economic or social liability to the public health, safety, morals, or welfare. Further, this condition exists because of the presence of one or more of the following conditions: a substantial number of substandard or deteriorating structures, inadequate sidewalks or street layout, faulty lot layouts, unsanitary or unsafe conditions, a tax or special assessment delinquency that exceeds the fair market value of the land, defective or unusual conditions of title, or that endanger life or property by fire or other cause; or be predominantly open or undeveloped and, because of obsolete platting, deterioration of the structures or site improvements, or other factors, substantially impair or arrest the sound growth of the municipality.
- (c) That the Owners of the property constituting at least 50 percent of the appraised value of the property in the area according to the most recent certified appraisal roll for the county in which the area is located have petitioned the City requesting inclusion in TIRZ #7 under Tax Code 311.005(a)(4).

- (d) That the Sherman Tax Increment Reinvestment Zone, Number Seven (#7) is in full compliance and meets all of the requirements of Section 311.005 of the Texas Tax Code.

SECTION 2. That the City Manager or his designee is hereby authorized and directed to immediately proceed with the necessary procedures to have declared the proposed real property for the expansion of the City of Sherman's Tax Increment Reinvestment Zone, Number Seven (#7), making the revised area contained in the City of Sherman's Tax Increment Reinvestment Zone, Number Seven (#7) 314.689 acres of land, more or less.

SECTION 3. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

Field Notes
Sherman Tax Increment Reinvestment Zone, Number Seven(#7) Expanded Area



LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Sherrod Dunman Survey, Abstract No. 329, and being the same tract of land described as 246.134 acres conveyed by Edward C. Greene, Trustee to Rolling Meadows Associates by deed dated September 28, 1984, recorded in Volume 1716, Page 384, Deed Records, Grayson County, Texas, Being a part of the 1.5698 acre tract of land conveyed to the City of Sherman By Johnson and Johnson, Recorded in Volume 1079, Page 392 of said Deed Records, Then being all of a 7.409 acre tract of land Conveyed to the City of Sherman, By the State of Texas, Recorded in Volume 4682, Page 624, Official Public Records, Grayson County, Texas and Being all of a 13.41 acre tract of land Conveyed to Sherman Economic Development Corporation, Recorded in Volume 5680, Page 685 of said Official Public Records, Grayson County Texas and Being all of a 30.55 Acre tract of land conveyed to Ruth Ellen Green, Recorded in Volume 3331, Page 760 of said Official Public records and being more particularly described by metes and bounds as follows:

Beginning at a point in the North Right-of-Way of F.M. Highway No. 1417 and the West Right-of-Way of the Southern Pacific Railroad;

Thence the following calls and distances with said West Right-of-Way of Southern Pacific Railroad:

South 06°41'02" West, a distance of 2153.79 feet to a point;
South 06°41'02" West, a distance of 2152.72 feet to a point;
North 83°18'58" West, a distance of 74.99 feet to a point;
South 06°41'02" West, a distance of 843.75 feet to a point;

Thence North 67°19'54" West, with the north line of a 82.032 acre tract of land conveyed to Sam H. Berry, Recorded in Volume 2298, Page 258, Real Property Records, Grayson County, Texas and the remainder of a 290.928 acre tract of land conveyed to Fisher Controls Company, Inc, Recorded in Volume 1349, Page 493 of said Official Public Records a distance of 1878.93 feet to a point;

Thence North 49°31'48" West, with said North line of said Fisher Controls Company, Inc and the east line of a 25.264 acre tract of land conveyed to Liberty Trust Company, Ltd, Recorded in Volume 5948, Page 836, of said Official Public Records a distance of 1553.48 feet to a point;

Thence North 14°46'12" West, with said East line of Liberty Trust Company Ltd, and the east line of a 12.166 acre tract of land, conveyed to Ramanujam K. Vangipuram, Recorded in Volume 5948, Page 638 of said Official Public Records a distance of 1146.57 feet to a point;

3404 INTERURBAN ROAD • DENISON, TEXAS 75021 • 903-465-2151 • FAX 903-465-2152

Thence North 74°28'45" East, with the South line of a 13.41 acre tract of land conveyed to the Sherman Economic Development Corporation, Recorded in Volume 5680, Page 685 of said Official Public Records a distance of 642.10 feet to a point;

Thence North 15°22'34" West, with the East line of said 13.41 acre tract of land, 620.17 feet to a point being the southeast corner of a 0.84 acre tract of land conveyed to Eric and Kelly Popp, Recorded in Volume 4809, Page 60 of said Official Public Records;

Thence South 75°03'55" West, with the South line of said Popp tract a distance of 104.99 feet to a point being the southwest corner of said Popp Tract;

Thence North 15°12'24" West, with the West line said Popp Tract a distance of 339.35 feet to a point in the South Right-of-Way of F.M. 1417;

Thence North 14°56'21" West, crossing F.M. 1417 a distance of 159.72 feet to a point in the North Right-of-Way of F.M. 1417;

Thence with said North Right-of-Way of F.M. 1417 the following calls and Distances:

North 75°03'39" East, a distance of 903.84 feet to a point;

North 80°46'17" East, a distance of 200.97 feet to a point;

North 75°03'39" East, a distance of 914.20 feet to a point;

North 74°41'09" East, a distance of 149.42 feet to a point;

North 74°18'39" East, a distance of 635.39 feet to a point;

North 67°28'05" East, a distance of 503.53 feet to a point;

North 74°18'39" East, a distance of 502.27 feet to the Point-of-Beginning and containing 292.379 acres (12736025 square feet) of land.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that the above legal description was prepared from an actual survey made on the ground and is true and correct to the best of my knowledge and belief.



ALW

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
11/05/19

Location Map
Sherman Tax Increment Reinvestment Zone, Number Seven(#7) Expanded Area



Sherman
A CITY OF CLATSOP COUNTY
220 W. MULDERBY
SEASIDE, OREGON 97138
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TIRZ #7 Expanded

1 inch = 1,600 feet



ORDINANCE NO. 6081

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ESTABLISHING A TAX INCREMENT REINVESTMENT ZONE #7 (SOUTHEAST OF INTERSECTION OF U.S. HIGHWAY 75 AND F.M. 1417); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR A BOARD OF DIRECTORS; PROVIDING FOR SEVERABILITY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That there is hereby created a reinvestment zone to be named the Sherman Tax Increment Reinvestment Zone #7 ("TIRZ-7") to take effect immediately from and after the final passage of this ordinance, the boundaries of which are fully described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the City Council hereby makes the following findings and determinations which are true and correct:

- (a) That the development of the area within the TIRZ-7 Zone would not occur in the foreseeable future solely through private investment.
- (b) That the area's present condition substantially impairs the city's growth, retards the provision of housing, or constitutes an economic or social liability to the public health, safety, morals, or welfare. Further, this condition exists because of the presence of one or more of the following conditions: a substantial number of substandard or deteriorating structures, inadequate sidewalks or street layout, faulty lot layouts, unsanitary or unsafe conditions, a tax or special assessment delinquency that exceeds the fair market value of the land, defective or unusual conditions of title, or that endanger life or property by fire or other cause; or be predominantly open or undeveloped and, because of obsolete platting, deterioration of the structures or site improvements, or other factors, substantially impair or arrest the sound growth of the municipality.
- (c) That the City of Sherman has fully complied with all of the applicable sections of Chapter 311 of the Texas Tax Code and specifically Section 311.003.
- (d) That the Sherman Tax Increment Reinvestment Zone #7 is in full compliance and meets all of the requirements of Section 311.005 of the Texas Tax Code.
- (e) That the improvements in the Zone will significantly enhance the value of all the taxable real property in the Zone and will be of general benefit to the municipality and its citizens.

SECTION 3. That there is hereby established a tax increment fund for the Zone to be styled Sherman Tax Increment Reinvestment Zone #7 ("TIRZ-7").

SECTION 4. That there is hereby established a five (5) member Board of Directors for the TIRZ-7 Zone to be composed of three (3) members of the City Council, one (1) member of the City staff and one (1) representative from Grayson County, all to be chosen by the City Council for terms of two (2) years, with no term limitations, in accordance with Section 311.009 of the Texas Tax Code. The City Council does not delegate or grant any of its powers or authority to the Board of Directors. The City Council hereby restricts the authority of the Board of Directors under Chapter 311 of the Texas Tax Code to an advisory board to the City Council.

SECTION 5. The Zone shall terminate upon all City bonded indebtedness, interest on those bonds and project costs pertaining to the Zone being paid in full.

SECTION 6. That the provisions of this ordinance are severable and the invalidity of any word, phrase, sentence or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 7. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the 4th day of December, 2017.

ADOPTED on this the 4th day of December, 2017.

EFFECTIVE DATE on this the 4th day of December, 2017.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

BY: David Plyler
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: Brandon S. Shelby
**BRANDON S. SHELBY,
CITY ATTORNEY**

Exhibit "A"

**Field Notes
Sherman Tax Increment Reinvestment Zone #7 ("TIRZ-7")**

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020
Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: helveysurveying@cablone.net
TBPLS Firm Registration No. 10088100
Billy F. Helvey, RPLS No. 4488 · Kate A. Wagner, RPLS No. 6578 · Keimath N. Russell, RPLS No. 4409

22.330 Acres

SITUATED in the County of Grayson, State of Texas, and being a part of the Sherrod Dunham Survey, Abstract No. 329, and being a part of the 1.5698 ac. tract of land conveyed to the City of Sherman by Johnson & Johnson, a Corporation by Warranty Deed dated January 30, 1967 and recorded in Volume 1079, Page 392, Deed Records, Grayson County, Texas, and being all of the 7.409 ac. tract of land conveyed to the City of Sherman, Texas by the State of Texas by Deed Without Warranty dated July 22, 2009 and recorded in Volume 4682, Page 624, Official Public Records, Grayson County, Texas and being all of the 13.41 ac. tract of land conveyed to Sherman Economic Development Corporation by Garcha Corporation by Warranty Deed dated August 25, 2015 and recorded in Volume 5680, Page 685, said Official Public Records, and being more particularly described as one tract of land by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar found stamped "RPLS 4709" in the East right-of-way line of U. S. Highway No. 75, at the Northwest corner of the 12.166 ac. tract of land conveyed to Ramanujam K. Vangipuram in Volume 5948, Page 638, said Official Public Records, at the Southwest corner of said City of Sherman, Texas 7.409 ac., at the most Westerly Southwest corner of the herein described tract;

THENCE North 15 deg. 32 min. 24 sec. West, with the East right-of-way line of said U. S. Hwy. 75 and a West line of said City of Sherman 7.409 ac., a distance of 203.21 ft. to an angle point, being South 19 deg. East, 1.04 ft. from a 5/8 inch rebar found;

THENCE North 04 deg. 04 min. 42 sec. East, continuing with the East right-of-way line of said U. S. Hwy. 75 and a West line of said City of Sherman 7.409 ac., a distance of 317.16 ft. to a 1/2 inch capped rebar found stamped "RPLS 4709" at the most Westerly Northwest corner of said City of Sherman 7.409 ac., at the Southwest corner of said City of Sherman 1.5698 ac.;

THENCE North 04 deg. 13 min. 29 sec. East, continuing with the East right-of-way line of said U. S. Hwy. 75 and the West line of said City of Sherman 1.5698 ac., a distance of 279.09 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" at the intersection of the East right-of-way line of said U. S. Hwy. 75 with the South right-of-way line of F. M. Highway No. 1417, at the Northwest corner of the herein described tract;

THENCE North 74 deg. 36 min. 28 sec. East, over and across said City of Sherman 1.5698 ac., with the South right-of-way line of said F. M. Hwy. 1417, a distance of 150.00 ft. to an "x" cut in concrete set, at an angle point;

THENCE North 63 deg. 17 min. 52 sec. East, continuing over and across said City of Sherman 1.5698 ac., with the South right-of-way line of said F. M. Hwy. 1417, a distance of 50.99 ft. to a point at the South base of a concrete monument found, in the East line of said City of Sherman 1.5698 ac.;

THENCE South 15 deg. 21 min. 36 sec. East, with the East line of said City of Sherman 1.5698 ac., a distance of 20.00 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" at an Ell corner of said City of Sherman 7.409 ac.;

THENCE North 74 deg. 37 min. 24 sec. East, with a North line of said City of Sherman 7.409 ac., a distance of 189.06 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" in the West line of said Sherman Economic Development Corporation 13.41 ac., at the Northeast corner of said City of Sherman 7.409 ac.;

THENCE North 14 deg. 32 min. 11 sec. West, with the West line of said Sherman Economic Development Corporation 13.41 ac., a distance of 20.05 ft. to a point at the North base of a chainlink fence corner post, in the South right-of-way line of said F. M. Hwy. 1417, at the Northwest corner of said Sherman Economic Development Corporation 13.41 ac.;

THENCE North 74 deg. 36 min. 28 sec. East, with the South right-of-way line of said F. M. Hwy. 1417 and a North line of said Sherman Economic Development Corporation 13.41 ac., a distance of 341.96 ft. to a point at the South base of a concrete monument found, at an angle point;

Pugu One of Two

Continued From Page One

THENCE North 88 deg. 13 min. 16 sec. East, continuing with the South right-of-way line of said F. M. Hwy. 1417 and a North line of said Sherman Economic Development Corporation 13.41 ac., a distance of 129.82 ft. to an angle point, being North 42 deg. East, 1.6 ft. from a broken concrete monument found;

THENCE North 75 deg. 01 min. 04 sec. East, continuing with the South right-of-way line of said F. M. Hwy. 1417 and a North line of said Sherman Economic Development Corporation 13.41 ac., a distance of 51.68 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" at the Northwest corner of the 0.84 ac. tract of land conveyed to Eric Pop and Kelly Pop in Volume 4809, Page 60, said Official Public Records, at the most Northerly Northeast corner of both said Sherman Economic Development Corporation 13.41 ac. and the herein described tract;

THENCE South 13 deg. 43 min. 46 sec. East, with the West line of said Pop 0.84 ac. and an East line of said Sherman Economic Development Corporation 13.41 ac., a distance of 329.28 ft. to a 3 inch pipe fence corner post at the Southwest corner of said Pop 0.84 ac., at an Ell corner of both said Sherman Economic Development Corporation 13.41 ac. and the herein described tract;

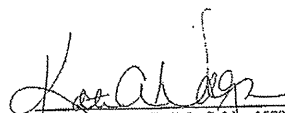
THENCE North 80 deg. 26 min. 37 sec. East, with the South line of said Pop 0.84 ac. and a North line of said Sherman Economic Development Corporation 13.41 ac., a distance of 114.42 ft. to a 1/2 inch rebar found in a West line of the 246.134 ac. tract of land conveyed to Rolling Meadows Associates in Volume 1716, Page 384, said Deed Records, at the Southeast corner of said Pop 0.84 ac., at the most Easterly Northeast corner of both said Sherman Economic Development Corporation 13.41 ac. and the herein described tract;

THENCE South 15 deg. 25 min. 36 ft. East, with the general course of a wire fence maintaining a West line of said Rolling Meadows Associates 246.134 ac and an East line of said Sherman Economic Development Corporation 13.41 ac., a distance of 620.43 ft. to a 1/2 inch rebar found at the Southeast base of a 4 inch bois d'arc corner post, at an Ell corner of said Rolling Meadows Associates 246.134 ac., at the Southeast corner of both said Sherman Economic Development Corporation 13.41 ac. and the herein described tract;

THENCE South 74 deg. 28 min. 16 sec. West, with the general course of a wire fence maintaining a North line of said Rolling Meadows Associates 246.134 ac. and the South line of said Sherman Economic Development Corporation 13.41 ac., passing the West end of said fence and continuing for a total distance of 641.52 ft. to a 1/2 inch rebar found in the East line of said Vangipuram 12.166 ac., at the Southwest corner of said Sherman Economic Development Corporation 13.41 ac., at the most Southerly Southwest corner of the herein described tract;

THENCE North 13 deg. 57 min. 11 sec. West, with the East line of said Vangipuram 12.166 ac. and the West line of said Sherman Economic Development Corporation 13.41 ac., a distance of 217.82 ft. to a 1/2 inch rebar found at the North base of a chainlink fence corner post, at the Northeast corner of said Vangipuram 12.166 ac., at the Southeast corner of said City of Sherman 7.409 ac., at an Ell corner of the herein described tract;

THENCE South 74 deg. 41 min. 12 sec. West, with the general course of a chainlink fence maintaining the North line of said Vangipuram 12.166 ac. and the South line of said City of Sherman 7.409 ac., passing a chainlink fence corner post at a fence corner and continuing for a total distance of 576.65 ft. to the PLACE OF BEGINNING and containing 22.330 ACRES of land.

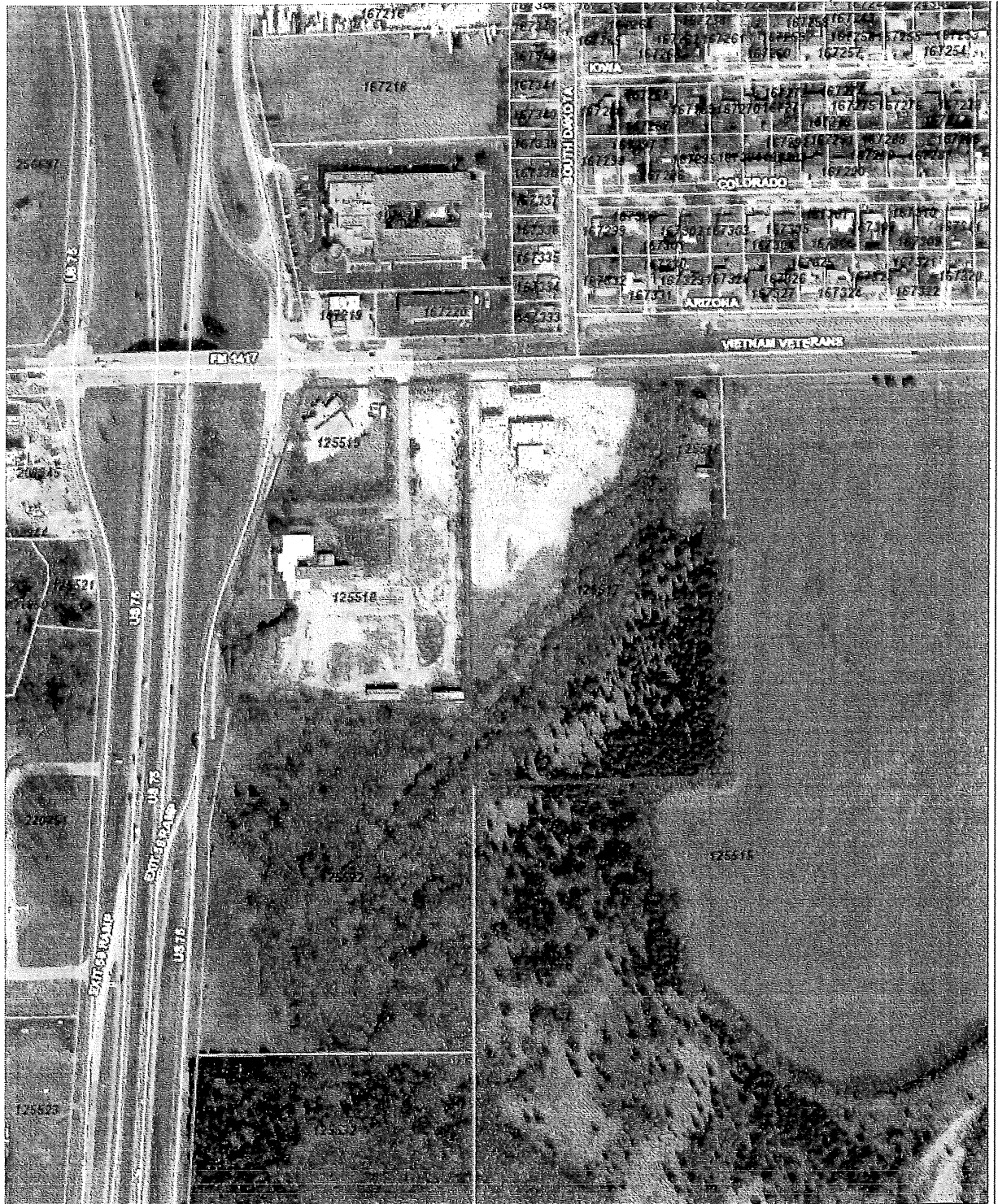

Kate A. Wagner, R. P. L. S. No. 6578
September 2, 2017



Page Two of Two

Page 5 of 6

Location Map
Sherman Tax Increment Reinvestment Zone #7 ("TIRZ-7")



TERRA PERPETUA, LLC
2800 DALLAS PARKWAY SUITE 324
PLANO, TX 75093

November 14, 2019

David Plyer, Mayor
City of Sherman, Texas

Dear Mayor Plyler,

The undersigned hereby petitions for inclusion in Tax Reinvestment Zone #7 in accordance with Tax Code 311.005(a)(4).

In support of the said Petition, Petitioner owns at least fifty percent (50%) of the appraised value of the property in the area according to the most recent certified appraisal roll for the county in which the area is located.

The property is currently undeveloped and would benefit from public infrastructure improvements. A plan to construct a master planned development with a mix of residential, commercial and recreational choices has already approved by the City's Planning and Zoning Board. The approximately 278 acres will include over 60 acres of amenities including a lagoon or other water feature, open spaces, trails and green spaces and about 180 acres of mid-rise and single-family residences totaling about 3,900 units.

Please advise if you require additional information.

Best regards,

A handwritten signature in black ink, appearing to be 'Ronny Guerrero', with a stylized, overlapping loop and a long horizontal stroke extending to the right.

Ronny Guerrero

Owner



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 4.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6263

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Gated Airport Community in an R-1 (One Family Residential) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 32.740 acres in the G.B. Pilant Survey, Abstract No. 963 (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

Issue:

To consider the request of Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor) and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 32.740 acres in the G.B. Pilant Survey, Abstract No. 963, for a Specific Use Permit to allow a gated airport community in an R-1 (One Family Residential) District

Background:

The property is located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, east of the Sherman Municipal Airport. It is currently zoned an R-1 (One Family Residential) District. The Silver Falcon Aviation Community project is a vision of the SkyTrust Corporation; it is envisioned as a premier fly-in residential community, adding to the shared values of the people of Sherman, pilots from around the region and the aviation community.

The residential area is planned for 67 residences in three floor plan sizes. They will have attached hangars or access to hangars for their airplanes. Each resident will enjoy amenities such as the community center with pool, private streets, gated access to Gribble Street, restaurant, green spaces, wide taxiway access to the adjacent Sherman Municipal Airport and the City of Sherman itself. The owners would like to plat the property into 81 lots for residential and commercial development. The owners are requesting a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, Specific Use Permits to allow patio hangar homes and hangar homes with variances for the setbacks and lot areas on several of the lots.

The commercial area is seen as an attractive place for pilots to fly in, use the provided tie downs, visit the planned restaurant, wash their plane if needed and buy fuel from the City of Sherman fuel pumps. There will be approximately ten hangars for lease and rental cars available.

Origination:

Skytrust, LLC (Owners)
Strand Systems Engineering, Inc. (Surveyor)
Strand A&E, Eric Cantrell (Representative)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6263
Aerial Location Map
Zoning Map
Zoning Sign Photo
Master Plan
Preliminary Plat - Silver Falcon Aviation Community
Zoning Exhibit
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6263

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A GATED AIRPORT COMMUNITY IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 32.740 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor) and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

WHEREAS Skytrust, LLC. is the owner of a 32.740 acre tract of land situated in the G.B. Pilant Survey, Abstract No. 963, Grayson County, Texas, and being part of a tract of land described in Warranty Deed to The City of Sherman, recorded in Volume 354, Page 709, Deed Records, Grayson County, Texas, and being all of a tract of land described in Warranty Deed to Skytrust, LLC., recorded in Document No. 2019-8657, Official Public Records, Grayson County, Texas, and being all of

a tract of land described in Warranty Deed to Skytrust, LLC., recorded in Document No. 2019-xxxx, Official Public Records, Grayson County, Texas, and more particularly described by metes and bounds as follows (Bearings and distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD 83)(US foot) with a combined scale factor of 1.00012);

BEGINNING at a "PK" nail with shiner found for the southeast corner of said first-referenced Skytrust, LLC tract, and being at an angle point in the west line of said City of Sherman tract, said point lying within East Lake Avenue;

THENCE South 75 degrees 18 minutes 29 seconds West, with the southernmost southeast line of said first-referenced Skytrust, LLC tract, a distance of 593.90 feet to a ½ inch iron rod with cap stamped "SART 3694" found for the southernmost southwest corner thereof;

THENCE North 14 degrees 09 minutes 31 seconds West, with the west line of said first-referenced Skytrust, LLC. tract, a distance of 13.58 feet to a "PK" nail with shiner found at an angle point in the west line thereof;

THENCE North 36 degrees 08 minutes 39 seconds West, continuing with the west line of said first-referenced Skytrust, LLC. tract, a distance of 68.53 feet to a "PK" nail with shiner found at an angle point in the west line thereof;

THENCE North 27 degrees 54 minutes 47 seconds West, a distance of 172.80 feet to a "PK" Nail with shiner found for the southernmost southwest corner of a tract of land described to Jesus Escalara in Volume 2513, Page 799, Official Public Records, Grayson County, Texas, and being at an angle point in the west line of said first-referenced Skytrust, LLC. tract;

THENCE North 74 degrees 08 minutes 49 seconds East, departing East Lake Avenue, with the southernmost southeast line of said Escalara tract, and with a north line of said first-referenced Skytrust, LLC. tract, a distance of 167.60 feet to a ½ inch iron rod with cap stamped "RPLS 5433" found at the southeast corner of said Escalara tract, same being an interior "ell" corner of said first-referenced Skytrust, LLC tract;

THENCE North 15 degrees 51 minutes 11 seconds West, with the northeast line of said Escalara tract, and a west line of said first-referenced Skytrust, LLC. tract, a distance of 250.00 feet to a ½ inch iron rod with cap stamped "RPLS 5433" found for the northeast corner of said Escalara tract, same being an interior "ell" corner of said first-referenced Skytrust, LLC. Tract;

THENCE South 81 degrees 28 minutes 49 seconds West, with the north line of said Escalara tract and a south line of said first-referenced Skytrust, LLC. tract, a

distance of 59.69 feet to a fence post found for corner at an angle point in the west line of said first-referenced Skytrust, LLC. Tract;

THENCE North 81 degrees 28 minutes 49 seconds West, with a west line of said first-referenced Skytrust, LLC. tract, a distance of 228.20 feet to a fence post found for an interior “ell” corner thereof;

THENCE South 75 degrees 05 minutes 15 seconds West, a distance of 230.30 feet to a ½ inch iron rod found with cap stamped “RPLS 5433” at an angle point in the west line of said first-referenced Skytrust, LLC. tract, and lying within South Gribble Street;

THENCE North 15 degrees 51 minutes 47 seconds West, with the west line of said first-referenced Skytrust, LLC. tract, a distance of 649.76 feet to a ½ inch iron rod found for the northernmost northwest corner of said first-referenced Skytrust, LLC. tract and the southwest corner of said second-referenced Skytrust, LLC tract;

THENCE North 15 degrees 26 minutes 56 seconds West, with the southwest line of said second-referenced Skytrust, LLC. tract, a distance of 120.41 feet to a 5/8 inch iron rod found for the northwest corner thereof, and being the westernmost southwest corner of said City of Sherman tract;

THENCE North 15 degrees 04 minutes 22 seconds West, with the westernmost southwest line of said City of Sherman tract, a distance of 556.12 feet to a point for corner;

THENCE North 74 degrees 55 minutes 38 seconds East, departing South Gribble Street, over, upon, and across said City of Sherman tract, a distance of 771.49 feet to a point for corner;

THENCE South 15 degrees 04 minutes 22 seconds East, with the northeast line of said first-referenced Skytrust, LLC tract, at a distance of 550.00 feet passing a fence post found for the northernmost northeast corner thereof, and continuing with the northeast line thereof for a total distance of 2063.19 feet to the **POINT OF BEGINNING and containing 1,426,176 square feet or 32.740 acres of land, more or less.....**

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning – Gated Airport Community

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. All aspects of the City of Sherman’s Aviation Ordinance (Chapter 1, Article 1.07) must be followed.

3. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Onsite fuel sales are not permitted.
6. Shall comply with all EPA, FAA, City, Federal and State regulations for this use.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

9. Letters from various utility providers are required verifying availability of service and when service will be available.
10. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
11. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
12. The width of the right-of-way and pavement for streets shall be shown on the plat.
13. Streets must be private and labeled as Private Access Easements. Streets must be built to City standard.
14. Street names must be approved by Building & Zoning Department.
15. Separation of Blocks must be easier to distinguish. Only one block number permitted between streets. Lot numbers must be numbered in a clockwise fashion. Coordinate with Engineering Department for further information.
16. Lots fronting Road "D" do not have street frontage due to "Green Space" lot. All lots must have street frontage.
17. Dedication of Right of Way for Lake Street is required. Coordinate with Engineering Department for ROW width and location.
18. Clearly define area at intersection of Road "D" and Road "E."
19. All lots must have frontage on a legal public street. (Specifically Club House lot)
20. All lots shown as Greenspace shall be shown as owned and maintained by HOA on plat.
21. Water and Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
22. The location of trash receptors must be approved by the Solid Waste Department.
23. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
24. The City of Sherman does not review or enforce Deed Restrictions on platted properties, or any other properties with deed restrictions.
25. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
26. One (1) Mylar and three (3) paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18"

pages per Grayson County requirements. One page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

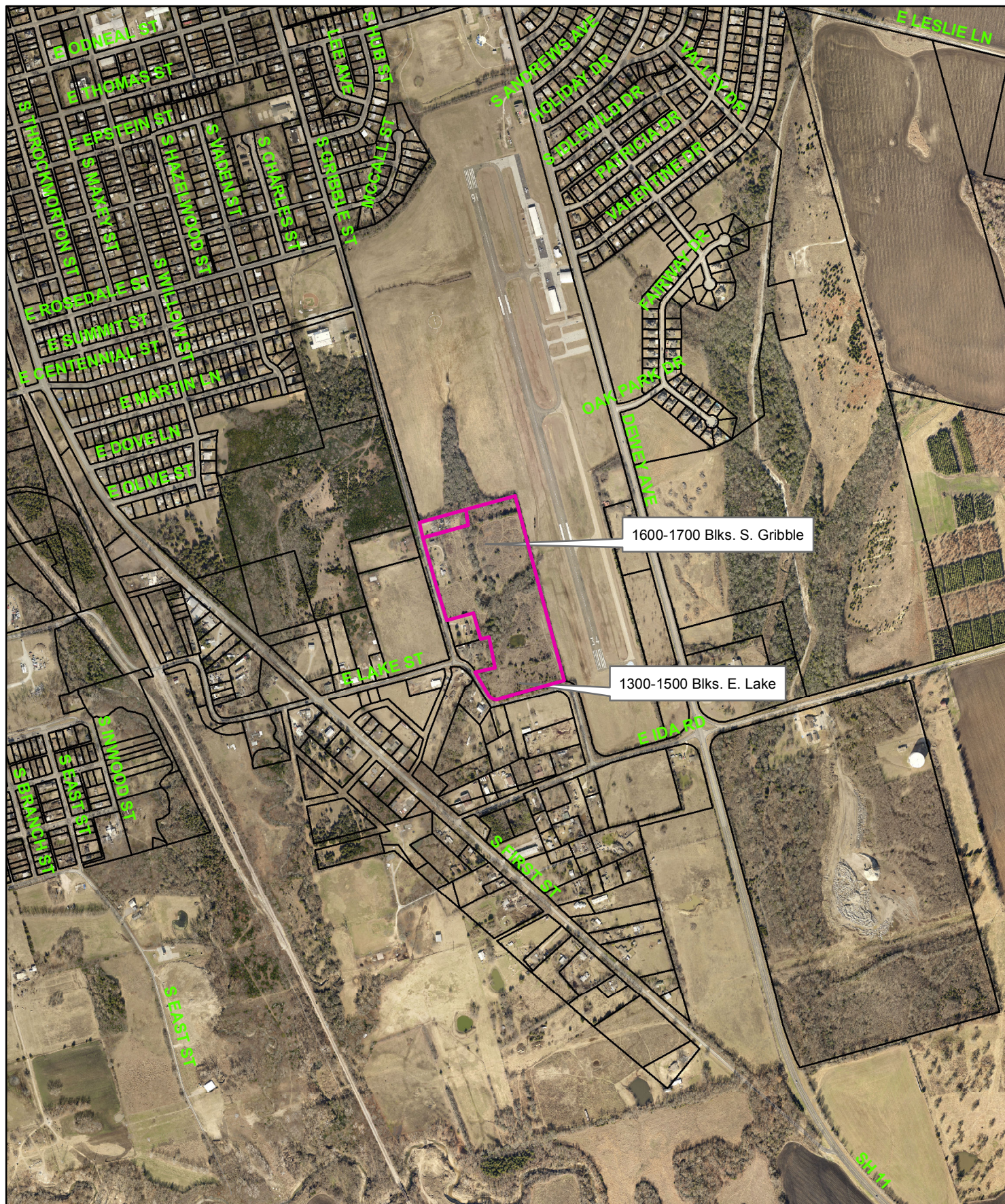
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

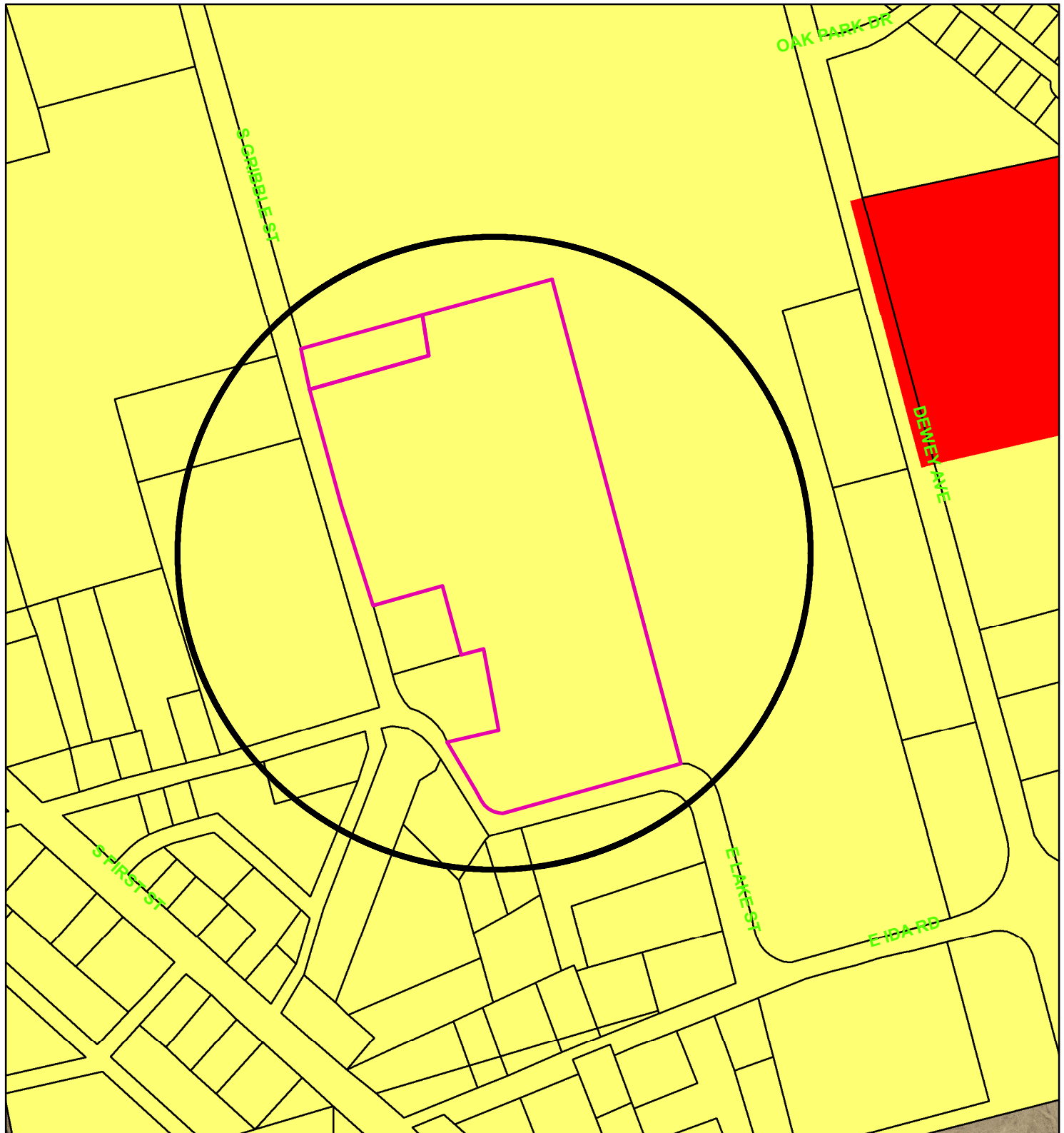


1600-1700 Blks. South Gribble & 1300-1500 Blks. East Lake



1 in = 1,000 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 1600-1700 Blks. South Gribble & 1300-1500 Blks. East Lake



City of Sherman, Texas
Developmental Services Department

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

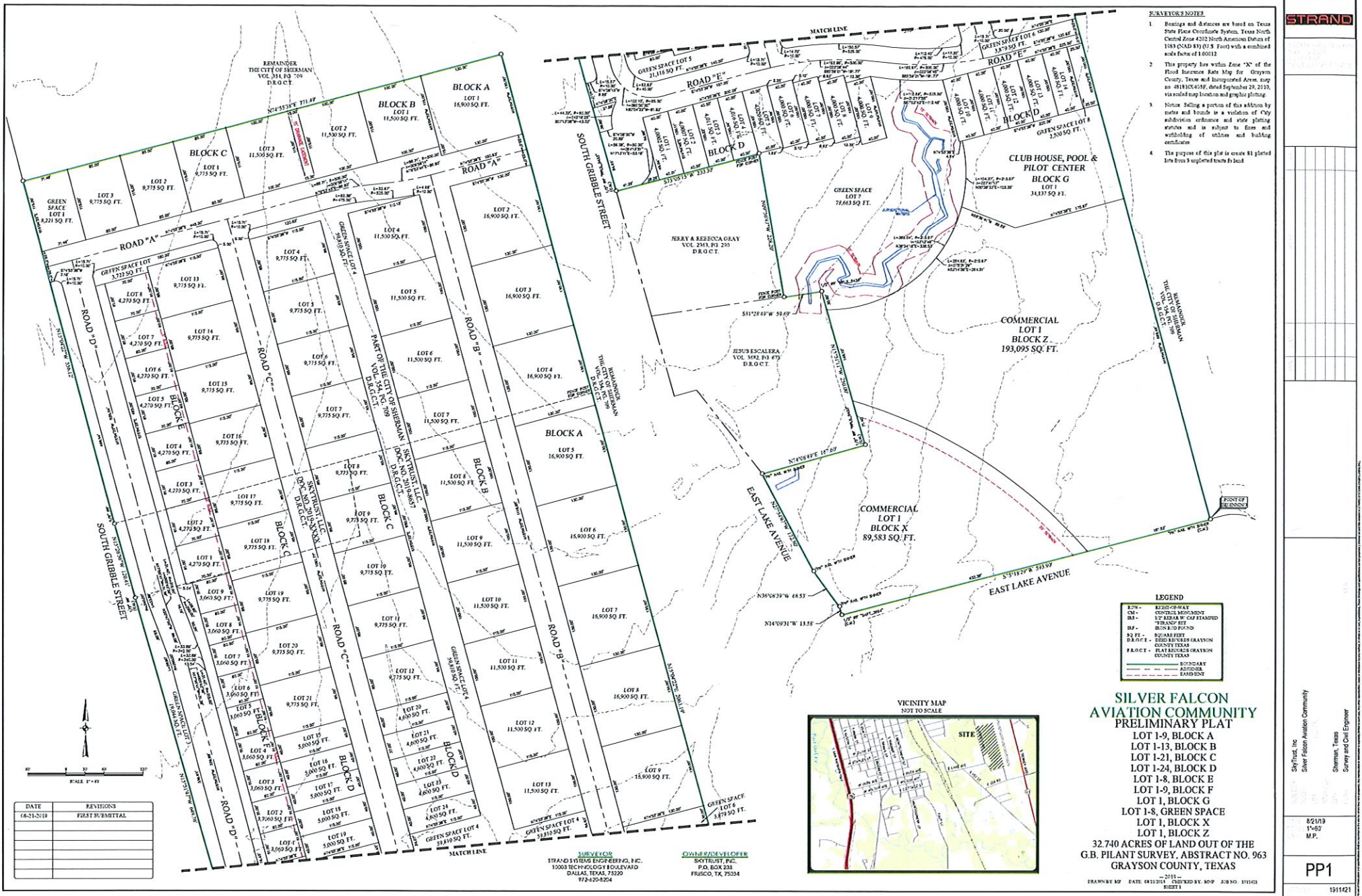
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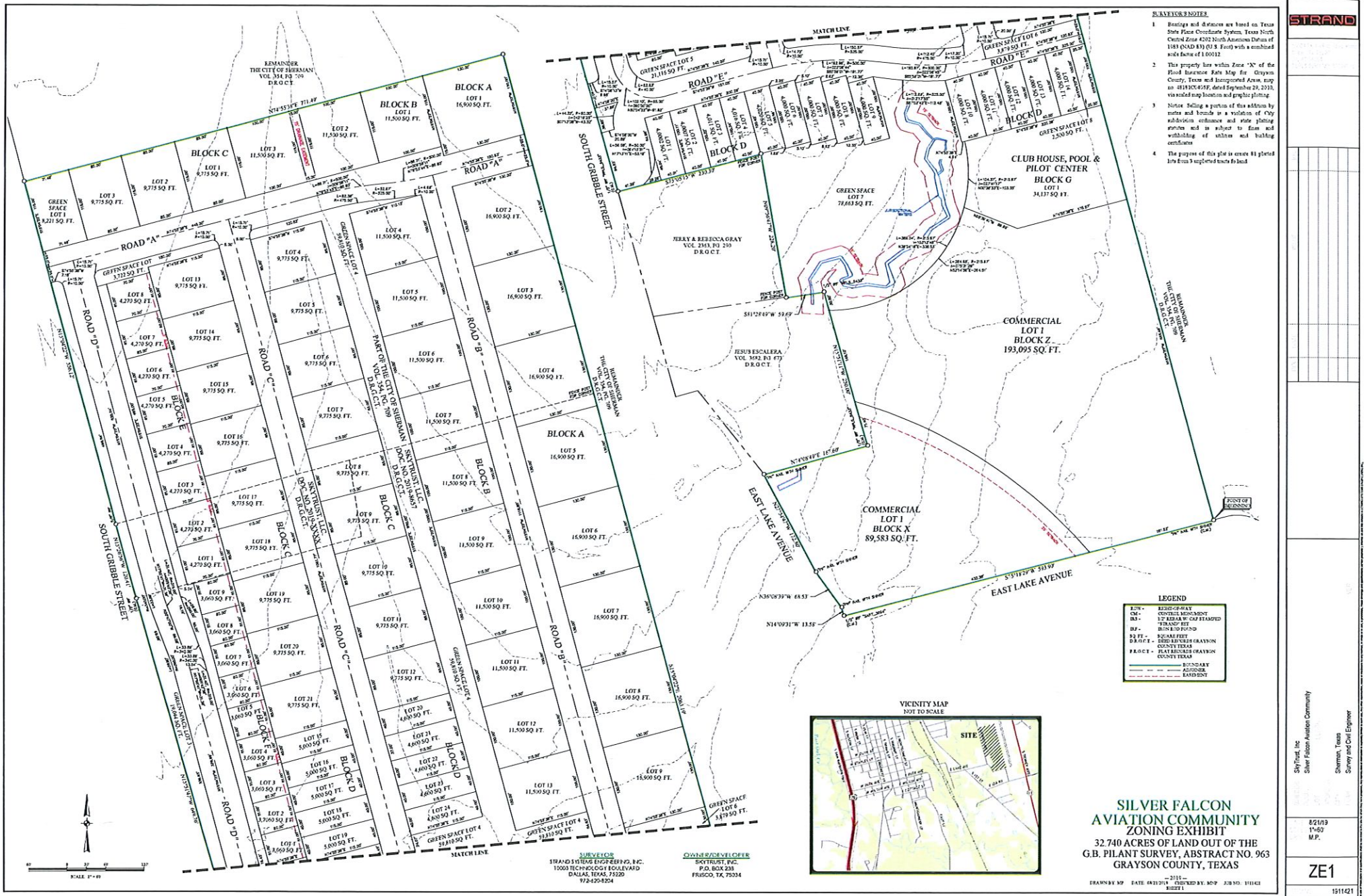
1600-1700 Blocks South Gribble Street

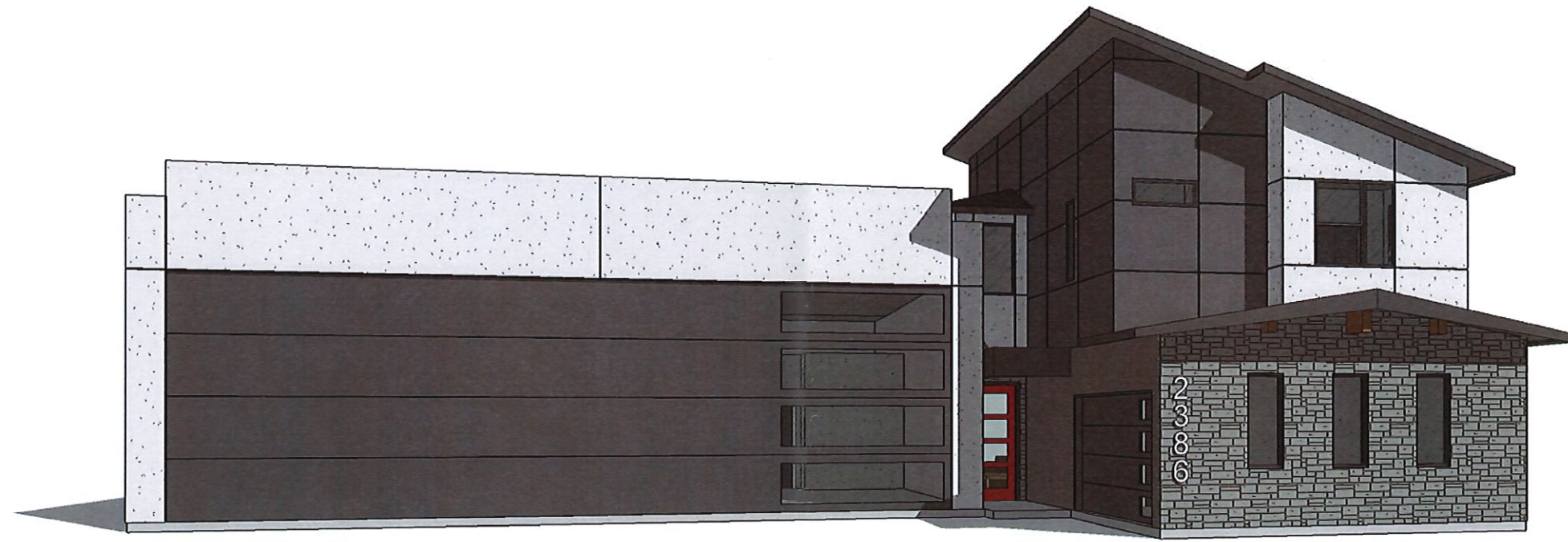


1300-1500 Blocks East Lake Street









SILVER FALCON - 1740 PERSPECTIVE

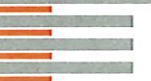


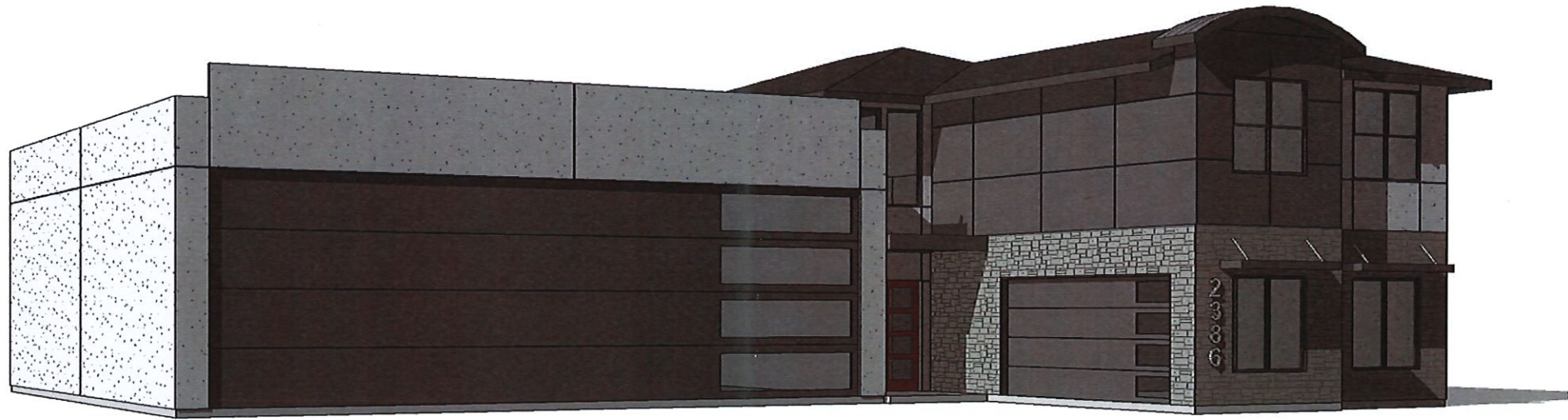
SKY TRUST, INC.

SCHEMATIC DESIGN

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08.21.2019





SILVER FALCON - 2697 PERSPECTIVE





SILVER FALCON - 3480 PERSPECTIVE



SKY TRUST, INC.

SCHEMATIC DESIGN

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08.21.2019



SILVER FALCON - PILOT'S LOUNGE PERSPECTIVE



DR HORTON
America's Builder

SHV TRUST, INC.

SCHEMATIC DESIGN

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08.21.2019



STAFF REVIEW LETTER

October 9, 2019

SkyTrust, LLC
Marius Meintjes
PO Box 238
Frisco, TX 75034

Strand A&E
Eric Cantrell
10003 Technology Blvd., West
Dallas, TX 75220

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a gated airport community, patio homes, hangar homes duplex in an R-1 (One Family Residential) District for the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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:

Zoning – Gated Airport Community

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. All aspects of the City of Sherman's Aviation Ordinance (Chapter 1, Article 1.07) must be followed.
3. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Onsite fuel sales are not permitted.
6. Shall comply with all EPA, FAA, City, Federal and State regulations for this use.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Patio Homes

9. All aspects of the R-1 (One Family Residential) District, the patio home ordinance, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
10. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
11. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
12. Parking is permitted on paved surfaces only; concrete or asphalt.
13. Side yard setbacks must be uniform for all homes within a given block.
14. Review the zoning and development ordinance for additional requirements.
15. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Hangar Homes

16. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.

17. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
18. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
19. Parking is permitted on paved surfaces only; concrete or asphalt.
20. The aircraft hangar shall not be used for living quarters.
21. Review the zoning and development ordinance for additional requirements.
22. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Commercial

23. All aspects of the C-1 (Retail Business) District, the fence ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
24. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
25. All parking shall be on private property.
26. Review the zoning and development ordinance for additional requirements.
27. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

28. Letters from various utility providers are required verifying availability of service and when service will be available.
29. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
30. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
31. The width of the right-of-way and pavement for streets shall be shown on the plat.
32. Streets must be private and labeled as Private Access Easements. Streets must be built to City standard.
33. Street names must be approved by Building & Zoning Department.
34. Separation of Blocks must be easier to distinguish. Only one block number permitted between streets. Lot numbers must be numbered in a clockwise fashion. Coordinate with Engineering Department for further information.
35. Lots fronting Road "D" do not have street frontage due to "Green Space" lot. All lots must have street frontage.
36. Dedication of Right of Way for Lake Street is required. Coordinate with Engineering Department for ROW width and location.
37. Clearly define area at intersection of Road "D" and Road "E."
38. All lots must have frontage on a legal public street. (Specifically Club House lot)
39. All lots shown as Greenspace shall be shown as owned and maintained by HOA on plat.
40. Water and Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
41. The location of trash receptors must be approved by the Solid Waste Department.
42. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
43. The City of Sherman does not review or enforce Deed Restrictions on platted properties, or any other properties with deed restrictions.
44. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
45. One (1) Mylar and three (3) paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. One page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval

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 & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink that reads "Scott Shadden". The signature is fluid and cursive, with the first name "Scott" and last name "Shadden" clearly legible.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 5.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1600-1700 BLOCKS SOUTH GRIBBLE STREET & 1300-1500 BLOCKS EAST LAKE STREET

The request of Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor) and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 32.740 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Board of Adjustments – Residential

Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community 20' front and rear setbacks in lieu of the required 25' for hanger homes in an R-1 (One Family Residential) District.

Planning and Zoning Commission – Residential

- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a gated airport community in an R-1 (One Family Residential) District.
- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a), being 2.343 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-24, Block D of the Proposed Silver Falcon Aviation Community to allow patio homes in an R-1 (One Family Residential) District.
- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a), being 11.412 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community to allow hangar homes in an R-1 (One Family Residential) District.

Board of Adjustments – Commercial

- Variance under Ordinance No. 2280, Section 6.4, Subsection (1) to allow Lots 1-9, Block F of the proposed Silver Falcon Aviation Community to have 3,060 square foot lot area and Lots 1-8, Block E of the proposed Silver Falcon Aviation Community to have 4,270 square foot lot area in lieu of the required 5,000 foot in a C-1 (Retail Business) District.
- Variance under Ordinance No. 2280, Section 6.4, Subsection (1) to allow Lots 1-8, Block E and Lots 1-9, Block F of the Proposed Silver Falcon Aviation Community 5' front setbacks in lieu of the required 25' and 5' rear setbacks in lieu of the required 10' for aircraft hangars in a C-1 (Retail

Business) District.

Planning and Zoning Commission - Commercial

- Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12 from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, being 6.704 acres in the G.B. Pilant Survey, Abstract No. 963
- Preliminary Plat approval of Silver Falcon Aviation Community.

Background:

The property is located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, west of the Sherman Municipal Airport. It is currently zoned an R-1 (One Family Residential) District. The Silver Falcon Aviation Community project is a vision of the SkyTrust Corporation as a premier fly-in residential community.

The residential area is planned for sixty-seven residences in three floor plan sizes that have attached hangars or access to hangars for their airplanes. Each resident will enjoy amenities such as the community center with pool, private streets, gated access to Gribble Street, restaurant, green spaces, wide taxi way access to the adjacent Sherman Airport and the City of Sherman itself. The owner would like to plat the property into eighty-one (81) lots for residential and commercial development. The owner is requesting a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, Specific Use Permits to allow patio hangar homes and hangar homes with variances for the setbacks and lot areas on several of the lots.

The commercial area is seen as an attractive place for pilots to fly in, use the provided tie downs, visit the planned restaurant, wash their plane if needed and buy fuel from the City of Sherman fuel pumps. There will be approximately 10 hangars for lease and rental cars available.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Skytrust, LLC (Owners)
Strand Systems Engineering, Inc. (Surveyor)
Strand A&E, Eric Cantrell (Representative)

Master Plan Designation:

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

and

Estate – Estate is a large lot residential use (1-5 acres) with open space and a rural street network (ditches and no sidewalk). These homes are unlikely to have access to full service public utilities, especially sewer service.

Number of notices mailed:

8

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Preliminary Plat - Silver Falcon Aviation Community

Silver Falcon Aviation Community Master Plan

Zoning Exhibit

Elevations

Staff Review Letter - Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 5.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6264

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Hangar Homes in an R-1 (One Family Residential) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 11.412 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community Community (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

Issue:

To consider the request of Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor) and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 11.412 acres in the G.B. Pilant Survey, Abstract No. 963, for a Specific Use Permit to allow hangar homes in an R-1 (One Family Residential) District

Background:

The property is located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, east of the Sherman Municipal Airport. It is currently zoned an R-1 (One Family Residential) District. The Silver Falcon Aviation Community project is a vision of the SkyTrust Corporation; it is envisioned as a premier fly-in residential community, adding to the shared values of the people of Sherman, pilots from around the region and the aviation community.

The residential area is planned for 67 residences in three floor plan sizes. They will have attached hangars or access to hangars for their airplanes. Each resident will enjoy amenities such as the community center with pool, private streets, gated access to Gribble Street, restaurant, green spaces, wide taxi way access to the adjacent Sherman Municipal Airport and the City of Sherman itself. The owners would like to plat the property into 81 lots for residential and commercial development. The owners are requesting a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, Specific Use Permits to allow patio hangar homes and hangar homes with variances for the setbacks and lot areas on several of the lots.

The commercial area is seen as an attractive place for pilots to fly in, use the provided tie downs, visit the planned restaurant, wash their plane if needed and buy fuel from the City of Sherman fuel pumps. There will be approximately ten hangars for lease and rental cars available.

Origination:

Skytrust, LLC (Owners)
Strand Systems Engineering, Inc. (Surveyor)
Strand A&E, Eric Cantrell (Representative)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6264
Aerial Location Map
Zoning Map
Zoning Sign Photo
Master Plan
Preliminary Plat - Silver Falcon Aviation Community
Zoning Exhibit
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6264

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW HANGAR HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 11.412 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, ALSO BEING LOTS 1-9, BLOCK A, LOTS 1-13, BLOCK B AND LOTS 1-21, BLOCK C OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor) and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

RESIDENTIAL HANGAR HOMES

BEING a portion of the 25.467 acre tract of land situated in the G.B. Pilant Survey, Abstract No. 963, Grayson County, Texas, and being part of a tract of land

described in Warranty Deed to The City of Sherman, recorded in Volume 354, Page 709, Deed Records, Grayson County, Texas, and being part of a tract of land described in Warranty Deed to Skytrust, LLC., recorded in Document No. 2019-8657, Official Public Records, Grayson County, Texas, and being all of a tract of land described in Warranty Deed to Skytrust, LLC., recorded in Document No. 2019-xxxx, Official Public Records, Grayson County, Texas, and more particularly described by metes and bounds as follows (Bearings and distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD 83)(US foot) with a combined scale factor of 1.00012);

COMMENCING at a “PK” nail with shiner found for the southeast corner of said first-referenced Skytrust, LLC tract, and being at an angle point in the west line of said City of Sherman tract, said point lying within East Lake Avenue;

THENCE North 15 degrees 04 minutes 22 seconds West a distance of 843.19 feet along the Westerly line of said City of Sherman Tract to the POINT OF BEGINNING;

(BLOCK A LOTS 2 – 9)

THENCE continuing along said Westerly line of said Sherman Tract, North 15 degrees 04 minutes 22 seconds West a distance of 1,040.00 feet to Point “A”;

THENCE South 74 degrees 55 minutes 38 seconds West a distance of 130.00 feet to Point “B”;

THENCE South 15 degrees 04 minutes 22 seconds East a distance of 1,040.00 feet;

THENCE North 74 degrees 55 minutes 38 seconds East a distance of 130.00 feet to the POINT OF BEGINNING.

(BLOCK A, LOT 1 AND BLOCK B LOTS 1 -2)

COMMENCING at said Point “A”;

THENCE North 15 degrees 04 minutes 22 seconds West a distance of 50.00 feet along said Westerly line of the City of Sherman Tract to the POINT OF BEGINNING;

THENCE continuing along said Westerly line, North 15 degrees 04 minutes West a distance of 130.00 feet;

THENCE South 74 degrees 55 minutes 38 seconds West a distance of 330.00 feet to Point “C”;

THENCE South 15 degrees 04 minutes 22 seconds East a distance of 115.00 feet;
THENCE North 74 degrees 55 minutes 38 seconds East a distance of 200.00 feet;
THENCE South 15 degrees 04 minutes 22 seconds East a distance of 15.00 feet;
THENCE North 74 degrees 55 minutes 38 seconds East a distance of 130.00 feet
to the POINT OF BEGINNING.

(BLOCK B, LOT 3 AND BLOCK C LOTS 1-3)

COMMENCING at said Point "C";

THENCE South 74 degrees 55 minutes 38 seconds West a distance of 15.00 feet
to the POINT OF BEGINNING;

THENCE continuing, South 74 degrees 55 minutes 38 seconds West a distance of
355.00 feet;

THENCE South 15 degrees 04 minutes 22 seconds East a distance of 115.00 feet;

THENCE North 74 degrees 55 minutes 38 seconds East a distance of 355.00 feet;

THENCE North 15 degrees 04 minutes 22 seconds East a distance of 115.00 feet
to the POINT OF BEGINNING.

(BLOCK B, LOTS 4-13)

COMMENCING at said Point "B";

THENCE South 74 degrees 55 minutes 38 seconds West a distance of 50.00 feet
to the POINT OF BEGINNING;

THENCE continuing, South 74 degrees 55 minutes 38 seconds a distance of
115.00 feet to Point "D"

THENCE South 15 degrees 04 minutes 22 seconds East a distance of 1,000.00
feet;

THENCE North 74 degrees 55 minutes 38 seconds East a distance of 115.00 feet;

THENCE North 15 degrees 04 minutes 22 seconds East a distance of 1,000.00 feet
to the POINT OF BEGINNING.

(BLOCK C, LOTS 4-12)

COMMENCING at said Point “D”;

THENCE South 74 degrees 55 minutes 38 seconds West a distance of 44.00 feet to the POINT OF BEGINNING;

THENCE continuing, South 74 degrees 55 minutes 38 seconds a distance of 115.00 feet to Point “E”;

THENCE South 15 degrees 04 minutes 22 seconds East a distance of 765.00 feet;

THENCE North 74 degrees 55 minutes 38 seconds East a distance of 115.00 feet;

THENCE North 15 degrees 04 minutes 22 seconds East a distance of 765.00 feet to the POINT OF BEGINNING.

(BLOCK C, LOTS 13-21)

COMMENCING at said Point “E”;

THENCE South 74 degrees 55 minutes 38 seconds West a distance of 44.00 feet to the POINT OF BEGINNING;

THENCE continuing, South 74 degrees 55 minutes 38 seconds a distance of 115.00 feet;

THENCE South 15 degrees 04 minutes 22 seconds East a distance of 765.00 feet;

THENCE North 74 degrees 55 minutes 38 seconds East a distance of 115.00 feet;

THENCE North 15 degrees 04 minutes 22 seconds East a distance of 765.00 feet to the POINT OF BEGINNING.

TOTAL AREA OF RESIDENTIAL HANGAR HOMES IS 11.412 ACRES OF LAND, MORE OR LESS.....

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning – Gated Airport Community

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. All aspects of the City of Sherman’s Aviation Ordinance (Chapter 1, Article 1.07) must be followed.

3. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Onsite fuel sales are not permitted.
6. Shall comply with all EPA, FAA, City, Federal and State regulations for this use.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Hangar Homes

9. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
10. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
11. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
12. Parking is permitted on paved surfaces only; concrete or asphalt.
13. The aircraft hangar shall not be used for living quarters.
14. Review the zoning and development ordinance for additional requirements.
15. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

16. Letters from various utility providers are required verifying availability of service and when service will be available.
17. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
18. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
19. The width of the right-of-way and pavement for streets shall be shown on the plat.
20. Streets must be private and labeled as Private Access Easements. Streets must be built to City standard.
21. Street names must be approved by Building & Zoning Department.
22. Separation of Blocks must be easier to distinguish. Only one block number permitted between streets. Lot numbers must be numbered in a clockwise fashion. Coordinate with Engineering Department for further information.
23. Lots fronting Road "D" do not have street frontage due to "Green Space" lot. All lots must have street frontage.
24. Dedication of Right of Way for Lake Street is required. Coordinate with Engineering Department for ROW width and location.
25. Clearly define area at intersection of Road "D" and Road "E."
26. All lots must have frontage on a legal public street. (Specifically Club House lot)

27. All lots shown as Greenspace shall be shown as owned and maintained by HOA on plat.
28. Water and Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
29. The location of trash receptors must be approved by the Solid Waste Department.
30. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
31. The City of Sherman does not review or enforce Deed Restrictions on platted properties, or any other properties with deed restrictions.
32. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
33. One (1) Mylar and three (3) paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. One page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

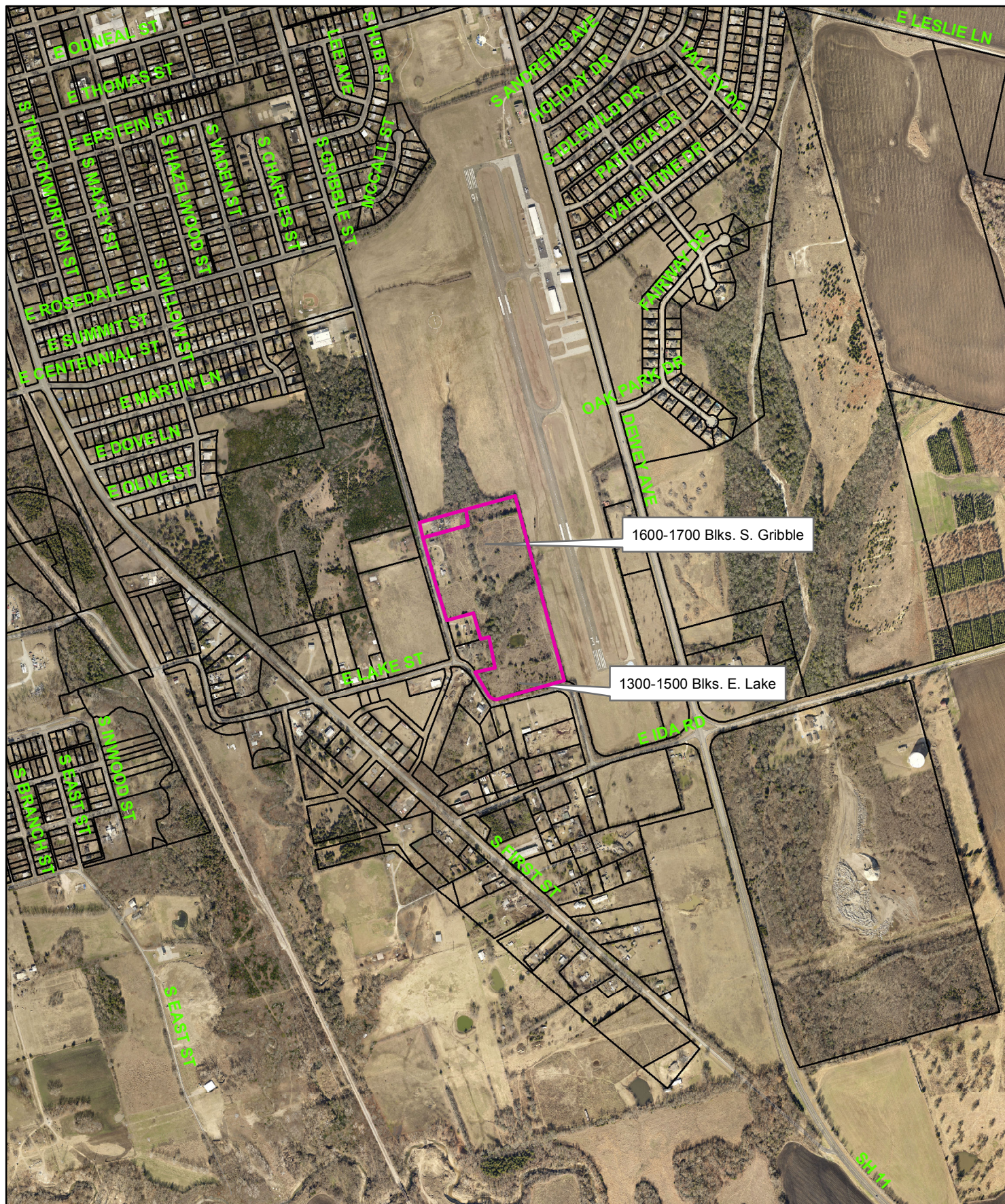
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

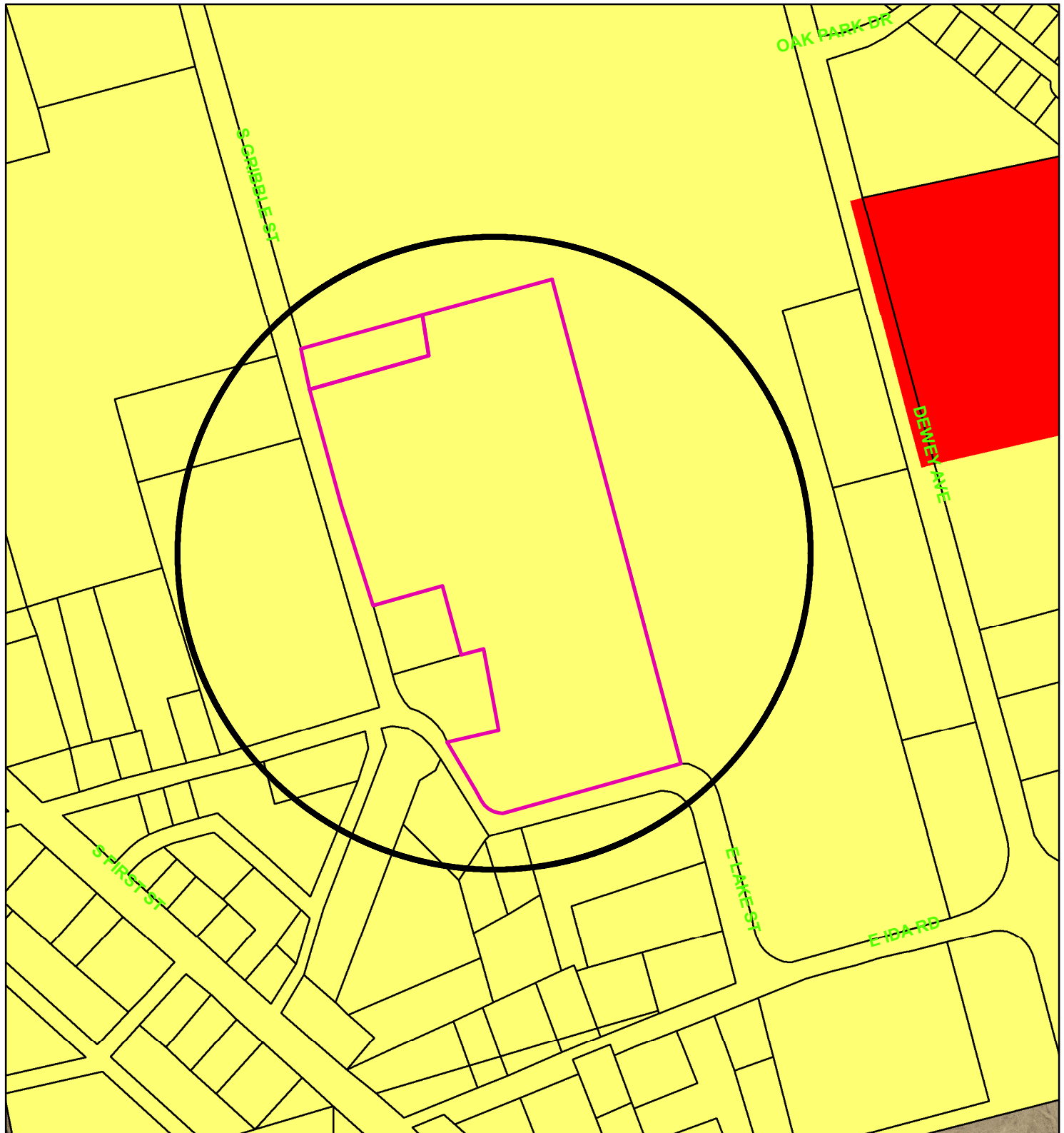


1600-1700 Blks. South Gribble & 1300-1500 Blks. East Lake



1 in = 1,000 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 1600-1700 Blks. South Gribble & 1300-1500 Blks. East Lake



City of Sherman, Texas
Developmental Services Department

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

in = 400 ft

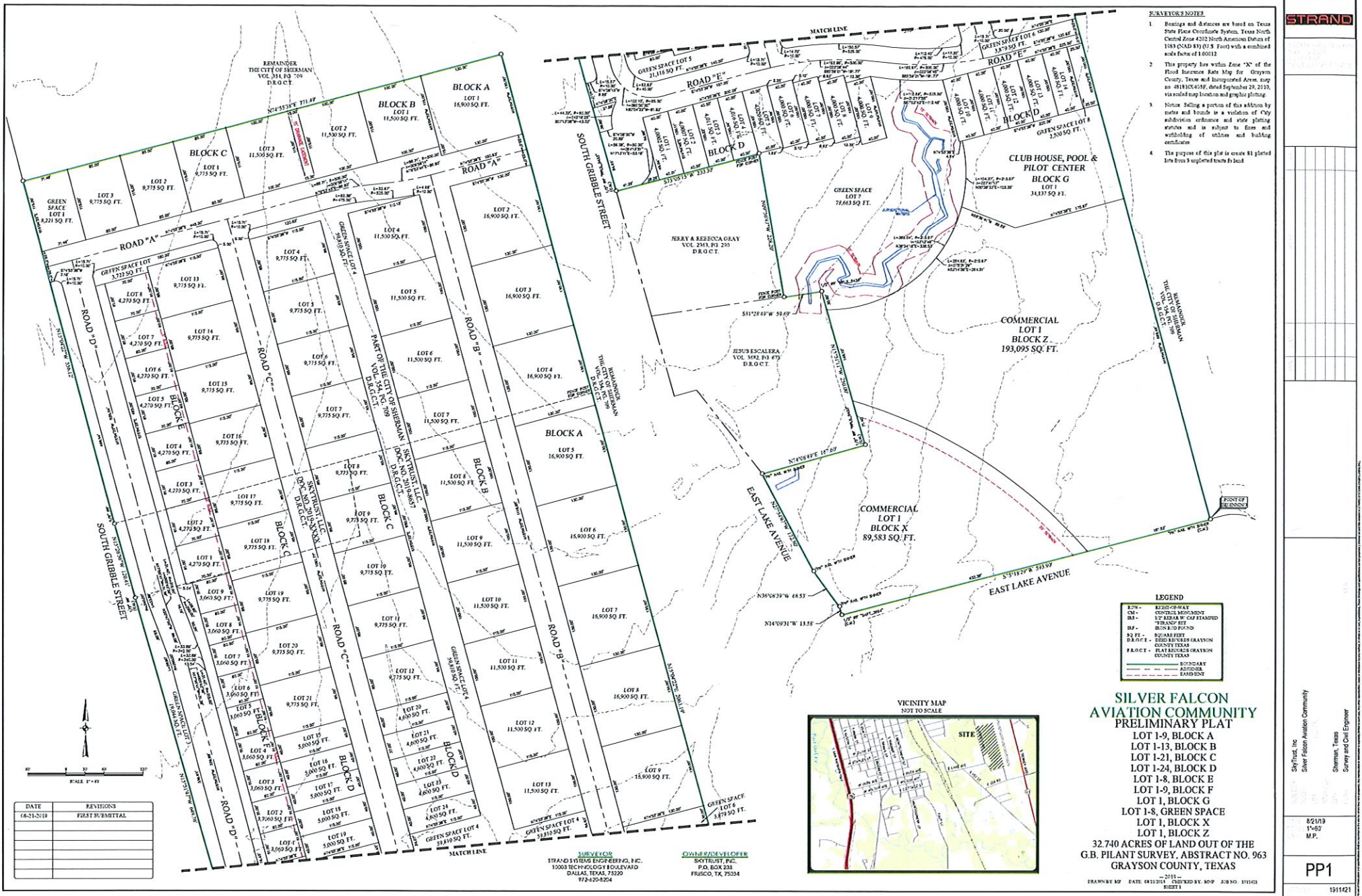
1600-1700 Blocks South Gribble Street

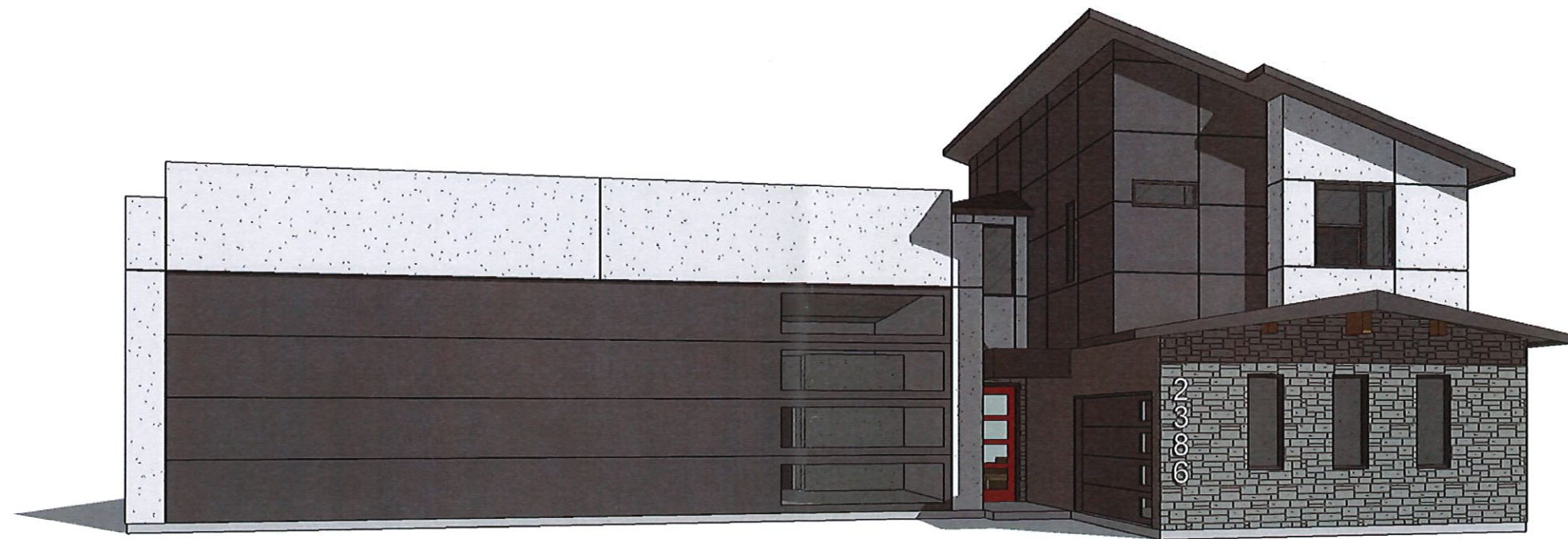


1300-1500 Blocks East Lake Street









SILVER FALCON - 1740 PERSPECTIVE



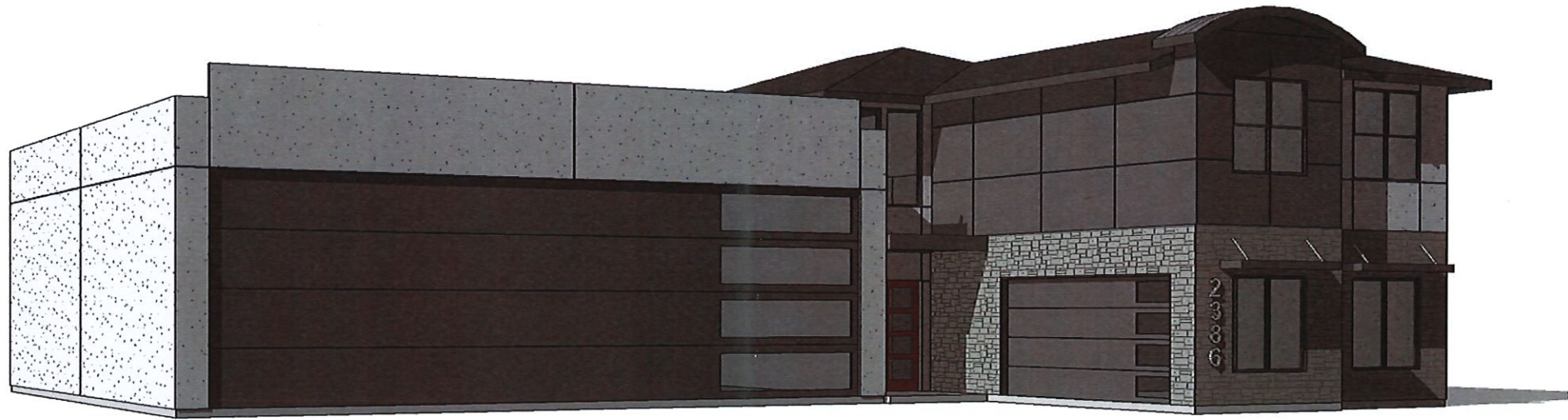
SKY TRUST, INC.

SCHEMATIC DESIGN

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08.21.2019





SILVER FALCON - 2697 PERSPECTIVE





SILVER FALCON - 3480 PERSPECTIVE



SKY TRUST, INC.

SCHEMATIC DESIGN

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08.21.2019



SILVER FALCON - PILOT'S LOUNGE PERSPECTIVE



DR HORTON
America's Builder

SHV TRUST, INC.

SCHEMATIC DESIGN

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08.21.2019



STAFF REVIEW LETTER

October 9, 2019

SkyTrust, LLC
Marius Meintjes
PO Box 238
Frisco, TX 75034

Strand A&E
Eric Cantrell
10003 Technology Blvd., West
Dallas, TX 75220

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a gated airport community, patio homes, hangar homes duplex in an R-1 (One Family Residential) District for the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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:

Zoning – Gated Airport Community

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. All aspects of the City of Sherman's Aviation Ordinance (Chapter 1, Article 1.07) must be followed.
3. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Onsite fuel sales are not permitted.
6. Shall comply with all EPA, FAA, City, Federal and State regulations for this use.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Patio Homes

9. All aspects of the R-1 (One Family Residential) District, the patio home ordinance, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
10. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
11. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
12. Parking is permitted on paved surfaces only; concrete or asphalt.
13. Side yard setbacks must be uniform for all homes within a given block.
14. Review the zoning and development ordinance for additional requirements.
15. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Hangar Homes

16. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.

17. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
18. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
19. Parking is permitted on paved surfaces only; concrete or asphalt.
20. The aircraft hangar shall not be used for living quarters.
21. Review the zoning and development ordinance for additional requirements.
22. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Commercial

23. All aspects of the C-1 (Retail Business) District, the fence ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
24. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
25. All parking shall be on private property.
26. Review the zoning and development ordinance for additional requirements.
27. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

28. Letters from various utility providers are required verifying availability of service and when service will be available.
29. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
30. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
31. The width of the right-of-way and pavement for streets shall be shown on the plat.
32. Streets must be private and labeled as Private Access Easements. Streets must be built to City standard.
33. Street names must be approved by Building & Zoning Department.
34. Separation of Blocks must be easier to distinguish. Only one block number permitted between streets. Lot numbers must be numbered in a clockwise fashion. Coordinate with Engineering Department for further information.
35. Lots fronting Road "D" do not have street frontage due to "Green Space" lot. All lots must have street frontage.
36. Dedication of Right of Way for Lake Street is required. Coordinate with Engineering Department for ROW width and location.
37. Clearly define area at intersection of Road "D" and Road "E."
38. All lots must have frontage on a legal public street. (Specifically Club House lot)
39. All lots shown as Greenspace shall be shown as owned and maintained by HOA on plat.
40. Water and Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
41. The location of trash receptors must be approved by the Solid Waste Department.
42. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
43. The City of Sherman does not review or enforce Deed Restrictions on platted properties, or any other properties with deed restrictions.
44. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
45. One (1) Mylar and three (3) paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. One page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval

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 & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with the first name "Scott" and last name "Shadden" clearly legible.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 5.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1600-1700 BLOCKS SOUTH GRIBBLE STREET & 1300-1500 BLOCKS EAST LAKE STREET

The request of Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor) and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 32.740 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Board of Adjustments – Residential

Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community 20' front and rear setbacks in lieu of the required 25' for hanger homes in an R-1 (One Family Residential) District.

Planning and Zoning Commission – Residential

- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a gated airport community in an R-1 (One Family Residential) District.
- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a), being 2.343 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-24, Block D of the Proposed Silver Falcon Aviation Community to allow patio homes in an R-1 (One Family Residential) District.
- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a), being 11.412 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community to allow hangar homes in an R-1 (One Family Residential) District.

Board of Adjustments – Commercial

- Variance under Ordinance No. 2280, Section 6.4, Subsection (1) to allow Lots 1-9, Block F of the proposed Silver Falcon Aviation Community to have 3,060 square foot lot area and Lots 1-8, Block E of the proposed Silver Falcon Aviation Community to have 4,270 square foot lot area in lieu of the required 5,000 foot in a C-1 (Retail Business) District.
- Variance under Ordinance No. 2280, Section 6.4, Subsection (1) to allow Lots 1-8, Block E and Lots 1-9, Block F of the Proposed Silver Falcon Aviation Community 5' front setbacks in lieu of the required 25' and 5' rear setbacks in lieu of the required 10' for aircraft hangars in a C-1 (Retail

Business) District.

Planning and Zoning Commission - Commercial

- Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12 from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, being 6.704 acres in the G.B. Pilant Survey, Abstract No. 963
- Preliminary Plat approval of Silver Falcon Aviation Community.

Background:

The property is located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, west of the Sherman Municipal Airport. It is currently zoned an R-1 (One Family Residential) District. The Silver Falcon Aviation Community project is a vision of the SkyTrust Corporation as a premier fly-in residential community.

The residential area is planned for sixty-seven residences in three floor plan sizes that have attached hangars or access to hangars for their airplanes. Each resident will enjoy amenities such as the community center with pool, private streets, gated access to Gribble Street, restaurant, green spaces, wide taxi way access to the adjacent Sherman Airport and the City of Sherman itself. The owner would like to plat the property into eighty-one (81) lots for residential and commercial development. The owner is requesting a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, Specific Use Permits to allow patio hangar homes and hangar homes with variances for the setbacks and lot areas on several of the lots.

The commercial area is seen as an attractive place for pilots to fly in, use the provided tie downs, visit the planned restaurant, wash their plane if needed and buy fuel from the City of Sherman fuel pumps. There will be approximately 10 hangars for lease and rental cars available.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Skytrust, LLC (Owners)
Strand Systems Engineering, Inc. (Surveyor)
Strand A&E, Eric Cantrell (Representative)

Master Plan Designation:

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

and

Estate – Estate is a large lot residential use (1-5 acres) with open space and a rural street network (ditches and no sidewalk). These homes are unlikely to have access to full service public utilities, especially sewer service.

Number of notices mailed:

8

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Preliminary Plat - Silver Falcon Aviation Community

Silver Falcon Aviation Community Master Plan

Zoning Exhibit

Elevations

Staff Review Letter - Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 6.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6265

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Patio Homes in an R-1 (One Family Residential) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 2.343 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-24, Block D of the Proposed Silver Falcon Aviation Community (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

Issue:

To consider the request of Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor), and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 2.343 acres in the G.B. Pilant Survey, Abstract No. 963, for a Specific Use Permit to allow patio homes in an R-1 (One Family Residential) District

Background:

The property is located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, east of the Sherman Municipal Airport. It is currently zoned an R-1 (One Family Residential) District. The Silver Falcon Aviation Community project is a vision of the SkyTrust Corporation. It is envisioned as a premier fly-in residential community, adding to the shared values of the people of Sherman, pilots from around the region and the aviation community.

The residential area is planned for 67 residences in three floor plan sizes. They will have attached hangars or access to hangars for their airplanes. Each resident will enjoy amenities such as the community center with pool, private streets, gated access to Gribble Street, restaurant, green spaces, wide taxi way access to the adjacent Sherman Municipal Airport and the City of Sherman itself. The owners would like to plat the property into 81 lots for residential and commercial development. The owners are requesting a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, Specific Use Permits to allow patio hangar homes and hangar homes with variances for the setbacks and lot areas on several of the lots.

The commercial area is seen as an attractive place for pilots to fly in, use the provided tie downs, visit the planned restaurant, wash their plane if needed and buy fuel from the City of Sherman fuel pumps. There will be approximately ten hangars for lease and rental cars available.

Origination:

Skytrust, LLC (Owners)
Strand Systems Engineering, Inc. (Surveyor)
Strand A&E, Eric Cantrell (Representative)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6265
Aerial Location Map
Zoning Map
Zoning Sign Photo
Master Plan
Preliminary Plat - Silver Falcon Aviation Community
Zoning Exhibit
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6265

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 2.343 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, ALSO BEING LOTS 1-24, BLOCK D OF THE PROPOSED SILVER FALCON AVIATION COMMUNITY (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor) and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

PATIO HOMES LOTS 1-9, BLOCK D

BEGINNING at the southernmost corner of Lot 1, Block D, from said point a ½ inch iron rod with cap stamped “RPLS 5433” bears South 75 degrees 05 minutes 15 seconds East, a distance of 69.58 feet;

THENCE around said Block D the following bearings and distances:

North 75 degrees 05 minutes 15 seconds East, a distance of 200.00 feet;
South 14 degrees 54 minutes 45 seconds East, a distance of 1.69 feet;
North 75 degrees 05 minutes 15 seconds East, a distance of 40.00 feet;
South 14 degrees 54 minutes 45 seconds East, a distance of 5.10 feet;
North 75 degrees 05 minutes 15 seconds East, a distance of 40.00 feet;
South 14 degrees 54 minutes 45 seconds East, a distance of 8.62 feet;
North 75 degrees 05 minutes 15 seconds East, a distance of 40.00 feet;
South 14 degrees 54 minutes 45 seconds East, a distance of 12.35 feet;
North 75 degrees 05 minutes 15 seconds East, a distance of 40.00 feet;
North 14 degrees 54 minutes 45 seconds West, a distance of 100.00 feet;
South 75 degrees 05 minutes 15 seconds West, a distance of 40.00 feet;
North 14 degrees 54 minutes 45 seconds West, a distance of 12.35 feet;
South 75 degrees 05 minutes 15 seconds West, a distance of 40.00 feet;
North 14 degrees 54 minutes 45 seconds West, a distance of 8.62 feet;
South 75 degrees 05 minutes 15 seconds West, a distance of 40.00 feet;
North 14 degrees 54 minutes 45 seconds West, a distance of 5.10 feet;
South 75 degrees 05 minutes 15 seconds West, a distance of 40.00 feet;
North 14 degrees 54 minutes 45 seconds West, a distance of 2.25 feet;
South 74 degrees 55 minutes 39 seconds West, a distance of 200.29 feet;
South 14 degrees 54 minutes 45 seconds East, a distance of 100.00 feet to
the **POINT OF BEGINNING and containing 36,056 square feet or
0.828 acres of land, more or less.....**

PATIO HOMES LOTS 10-14, BLOCK D

BEGINNING at the easternmost corner of Lot 14, Block D, from said point a “PK”
Nail with shiner bears South 17 degrees 11 minutes 58 seconds East, a distance of
673.65 feet;

THENCE around said Block D the following bearings and distances:

North 15 degrees 04 minutes 22 seconds West, a distance of 100.00 feet;
South 74 degrees 55 minutes 38 seconds West, a distance of 200.00 feet;
South 15 degrees 04 minutes 22 seconds East, a distance of 100.00 feet;
North 74 degrees 55 minutes 38 seconds East, a distance of 200.00 feet to
the **POINT OF BEGINNING and containing 20,000 square feet or 0.459
acres of land, more or less.....**

PATIO HOMES LOTS 15-19, BLOCK D

BEGINNING at the southernmost corner of Lot 19, Block D, from said point a ½
inch iron rod with cap stamped “RPLS 5433” bears South 23 degrees 5 minutes 29
seconds West, a distance of 230.50 feet;

THENCE around said Block D the following bearings and distances:

North 74 degrees 55 minutes 38 seconds East, a distance of 115.00 feet;
North 15 degrees 04 minutes 22 seconds West, a distance of 200.00 feet;
South 74 degrees 55 minutes 38 seconds West, a distance of 115.00 feet to
the **POINT OF BEGINNING and containing 23,000 square feet or 0.528**
acres of land, more or less.....

PATIO HOMES LOTS 20-24, BLOCK D

BEGINNING at the southernmost corner of Lot 24, Block D, from said point a ½ inch iron rod with cap stamped “RPLS 5433” bears South 44 degrees 24 minutes 28 seconds West, a distance of 356.87 feet;

THENCE around said Block D the following bearings and distances:

North 74 degrees 55 minutes 38 seconds East, a distance of 115.00 feet;
North 15 degrees 04 minutes 22 seconds West, a distance of 200.00 feet;
South 74 degrees 55 minutes 38 seconds West, a distance of 115.00 feet;
South 15 degrees 04 minutes 22 seconds East, a distance of 200.00 feet to
the **POINT OF BEGINNING and containing 23,000 square feet or 0.528**
acres of land, more or less.....

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning – Patio Homes

1. All aspects of the R-1 (One Family Residential) District, the patio home ordinance, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9’ x 20’.
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Side yard setbacks must be uniform for all homes within a given block.
6. Review the zoning and development ordinance for additional requirements.
7. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

8. Letters from various utility providers are required verifying availability of service and when service will be available.

9. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
10. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
11. The width of the right-of-way and pavement for streets shall be shown on the plat.
12. Streets must be private and labeled as Private Access Easements. Streets must be built to City standard.
13. Street names must be approved by Building & Zoning Department.
14. Separation of Blocks must be easier to distinguish. Only one block number permitted between streets. Lot numbers must be numbered in a clockwise fashion. Coordinate with Engineering Department for further information.
15. Lots fronting Road "D" do not have street frontage due to "Green Space" lot. All lots must have street frontage.
16. Dedication of Right of Way for Lake Street is required. Coordinate with Engineering Department for ROW width and location.
17. Clearly define area at intersection of Road "D" and Road "E."
18. All lots must have frontage on a legal public street. (Specifically Club House lot)
19. All lots shown as Greenspace shall be shown as owned and maintained by HOA on plat.
20. Water and Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
21. The location of trash receptors must be approved by the Solid Waste Department.
22. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
23. The City of Sherman does not review or enforce Deed Restrictions on platted properties, or any other properties with deed restrictions.
24. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
25. One (1) Mylar and three (3) paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. One page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

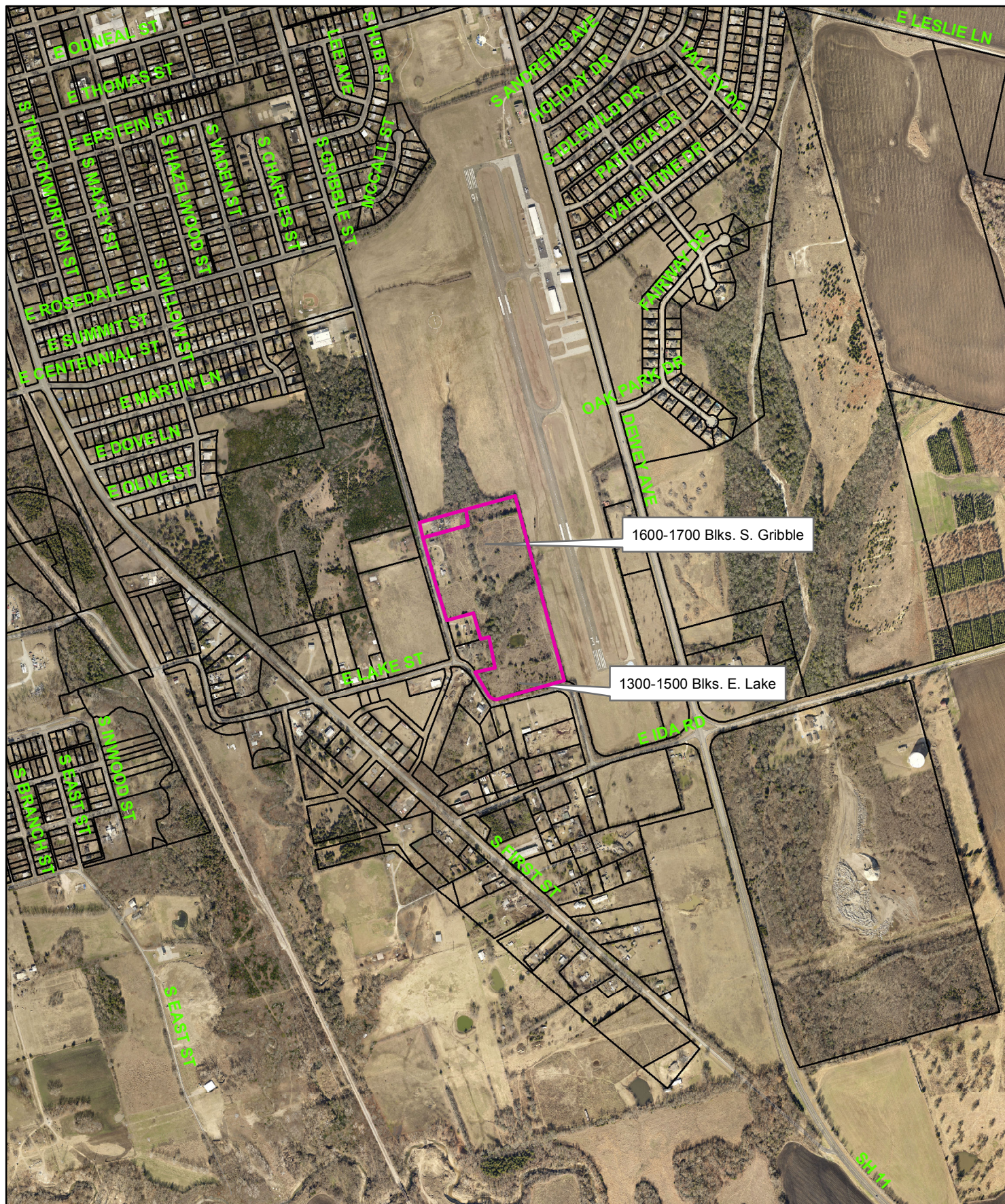
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

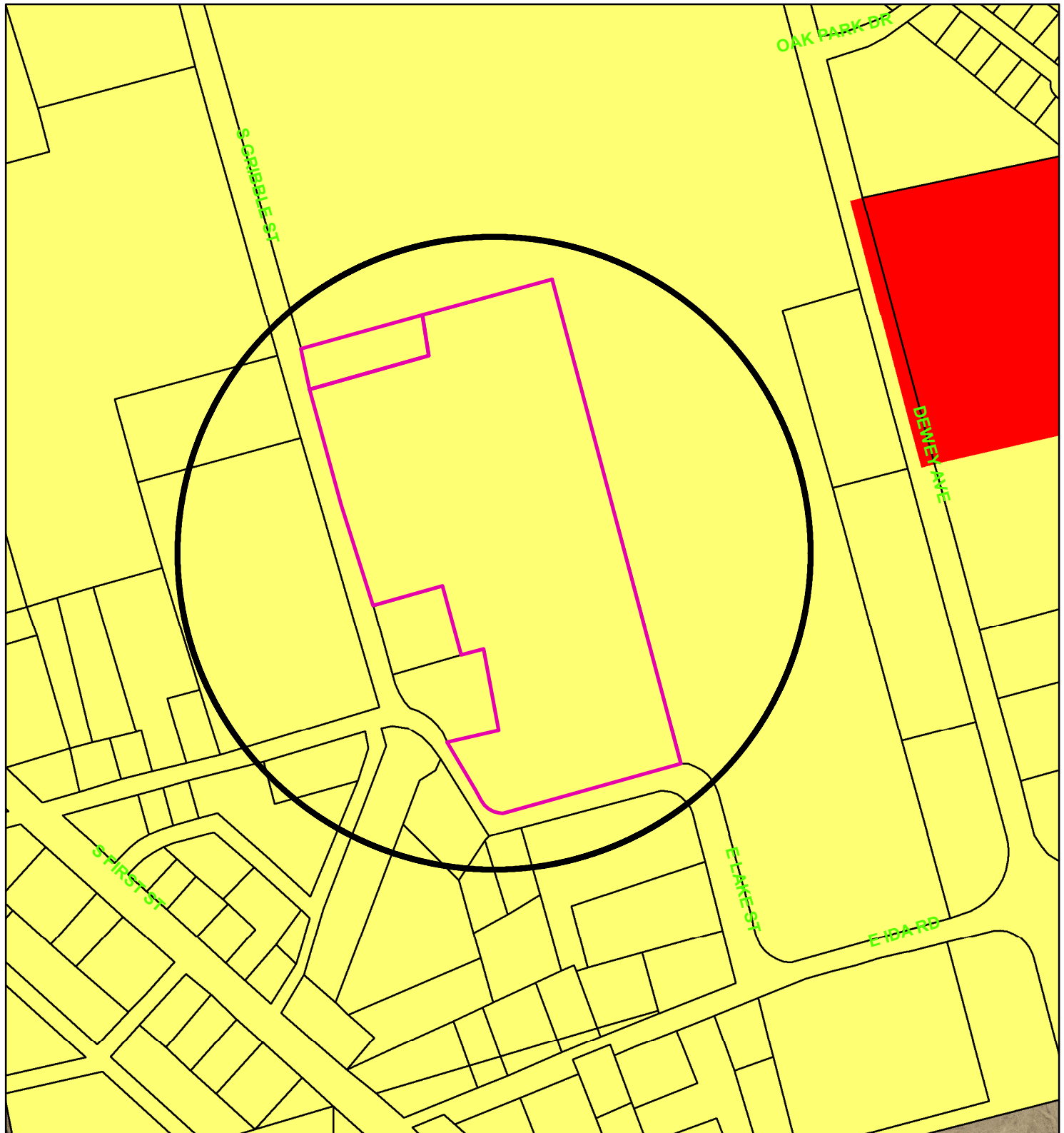


1600-1700 Blks. South Gribble & 1300-1500 Blks. East Lake



1 in = 1,000 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 1600-1700 Blks. South Gribble & 1300-1500 Blks. East Lake



City of Sherman, Texas
Developmental Services Department

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

in = 400 ft

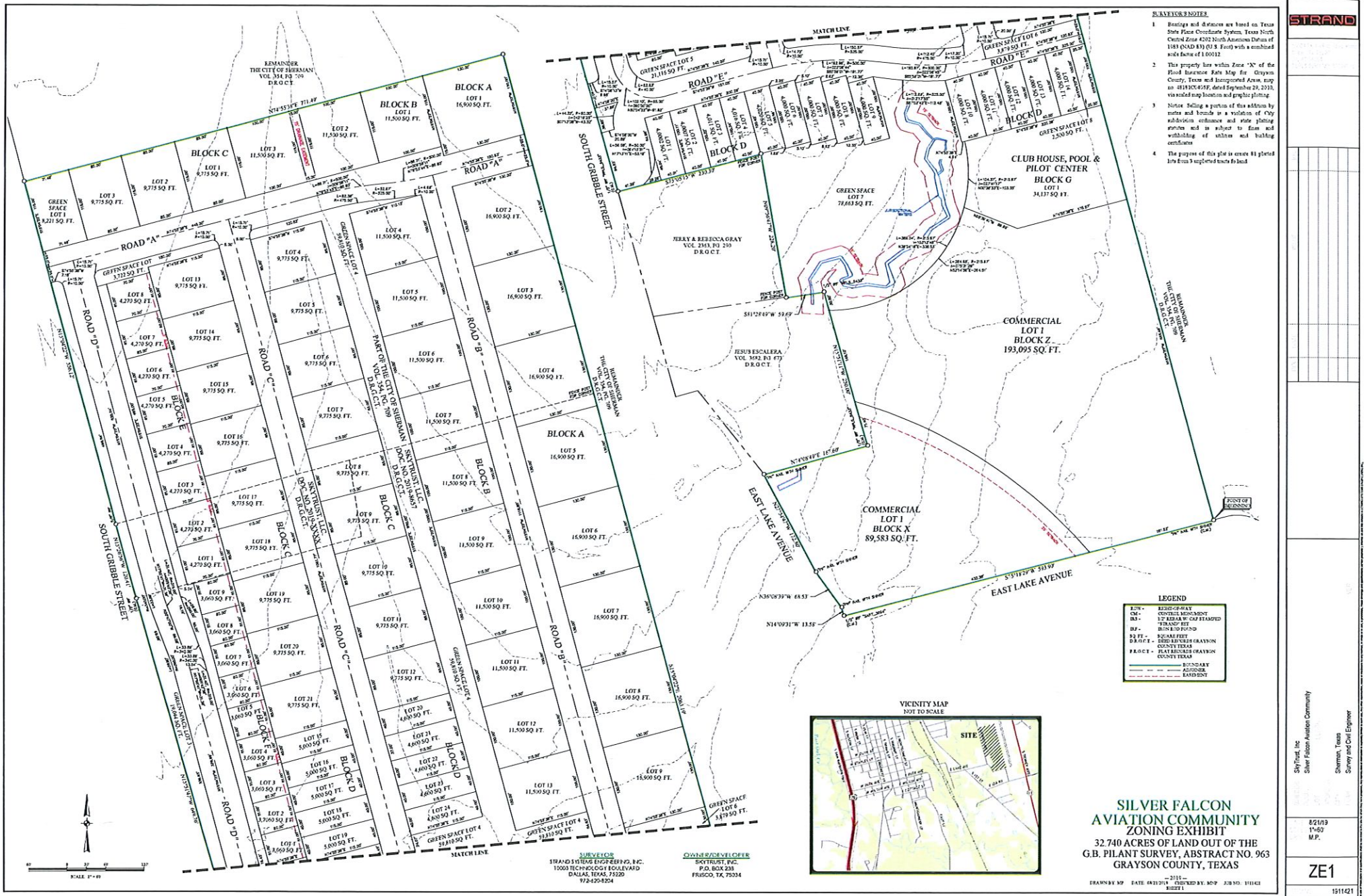
1600-1700 Blocks South Gribble Street

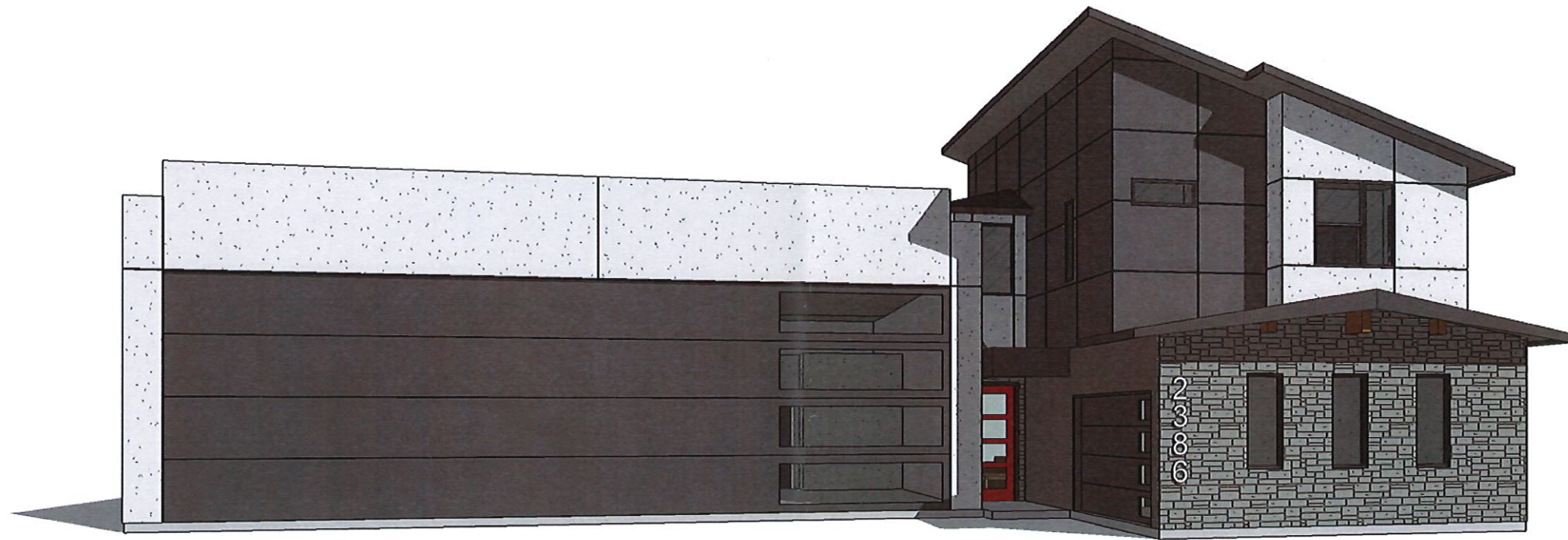


1300-1500 Blocks East Lake Street









SILVER FALCON - 1740 PERSPECTIVE



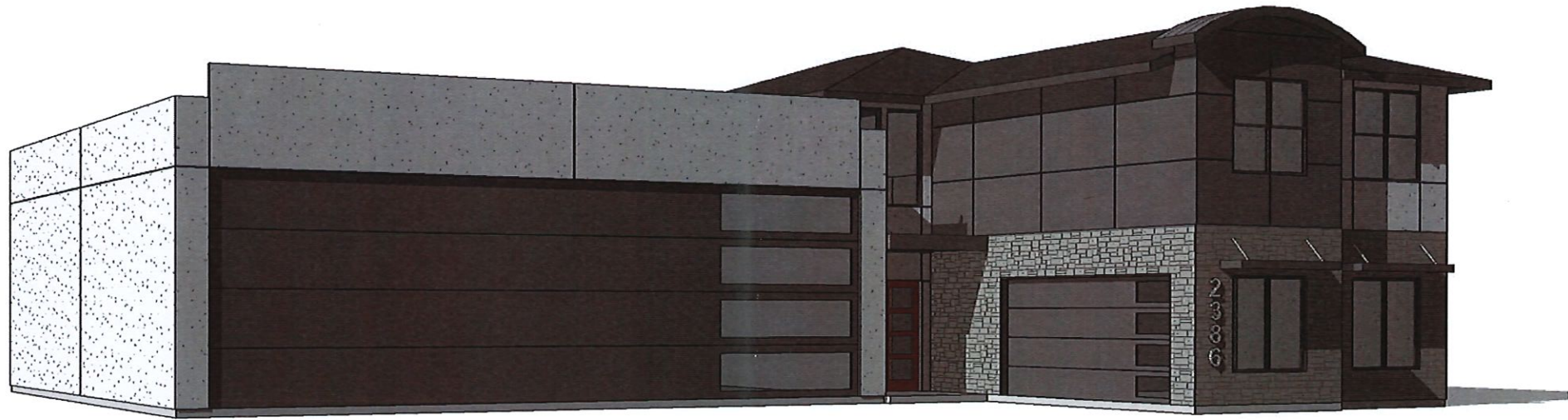
SKY TRUST, INC.

SCHEMATIC DESIGN

REVIEW DRAWING ONLY - not released for construction. Any reproduction, reuse or disclosure by any method, in whole or part, is prohibited. These drawings and specifications contain proprietary information belonging to STRAND. COPYRIGHT © 2017 STRAND

08.21.2019





SILVER FALCON - 2697 PERSPECTIVE





SILVER FALCON - 3480 PERSPECTIVE



SKY TRUST, INC.

SCHEMATIC DESIGN

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08.21.2019



SILVER FALCON - PILOT'S LOUNGE PERSPECTIVE



DR HORTON
America's Builder

SHV TRUST, INC.

SCHEMATIC DESIGN

REVIEW DRAWING ONLY - not released for construction. Any reproduction, reuse or disclosure by any method, in whole or part, is prohibited. These drawings and specifications contain proprietary information belonging to STRAND. COPYRIGHT © 2016 STRAND

08.21.2019



STAFF REVIEW LETTER

October 9, 2019

SkyTrust, LLC
Marius Meintjes
PO Box 238
Frisco, TX 75034

Strand A&E
Eric Cantrell
10003 Technology Blvd., West
Dallas, TX 75220

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a gated airport community, patio homes, hangar homes duplex in an R-1 (One Family Residential) District for the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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:

Zoning – Gated Airport Community

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. All aspects of the City of Sherman's Aviation Ordinance (Chapter 1, Article 1.07) must be followed.
3. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Onsite fuel sales are not permitted.
6. Shall comply with all EPA, FAA, City, Federal and State regulations for this use.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Patio Homes

9. All aspects of the R-1 (One Family Residential) District, the patio home ordinance, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
10. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
11. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
12. Parking is permitted on paved surfaces only; concrete or asphalt.
13. Side yard setbacks must be uniform for all homes within a given block.
14. Review the zoning and development ordinance for additional requirements.
15. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Hangar Homes

16. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.

17. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
18. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
19. Parking is permitted on paved surfaces only; concrete or asphalt.
20. The aircraft hangar shall not be used for living quarters.
21. Review the zoning and development ordinance for additional requirements.
22. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Commercial

23. All aspects of the C-1 (Retail Business) District, the fence ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
24. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
25. All parking shall be on private property.
26. Review the zoning and development ordinance for additional requirements.
27. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

28. Letters from various utility providers are required verifying availability of service and when service will be available.
29. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
30. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
31. The width of the right-of-way and pavement for streets shall be shown on the plat.
32. Streets must be private and labeled as Private Access Easements. Streets must be built to City standard.
33. Street names must be approved by Building & Zoning Department.
34. Separation of Blocks must be easier to distinguish. Only one block number permitted between streets. Lot numbers must be numbered in a clockwise fashion. Coordinate with Engineering Department for further information.
35. Lots fronting Road "D" do not have street frontage due to "Green Space" lot. All lots must have street frontage.
36. Dedication of Right of Way for Lake Street is required. Coordinate with Engineering Department for ROW width and location.
37. Clearly define area at intersection of Road "D" and Road "E."
38. All lots must have frontage on a legal public street. (Specifically Club House lot)
39. All lots shown as Greenspace shall be shown as owned and maintained by HOA on plat.
40. Water and Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
41. The location of trash receptors must be approved by the Solid Waste Department.
42. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
43. The City of Sherman does not review or enforce Deed Restrictions on platted properties, or any other properties with deed restrictions.
44. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
45. One (1) Mylar and three (3) paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. One page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval

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 & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in cursive script that reads "Scott Shadden". The signature is written in black ink and is positioned above the printed name and title.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 5.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1600-1700 BLOCKS SOUTH GRIBBLE STREET & 1300-1500 BLOCKS EAST LAKE STREET

The request of Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor) and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 32.740 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Board of Adjustments – Residential

Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community 20' front and rear setbacks in lieu of the required 25' for hanger homes in an R-1 (One Family Residential) District.

Planning and Zoning Commission – Residential

- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a gated airport community in an R-1 (One Family Residential) District.
- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a), being 2.343 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-24, Block D of the Proposed Silver Falcon Aviation Community to allow patio homes in an R-1 (One Family Residential) District.
- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a), being 11.412 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community to allow hangar homes in an R-1 (One Family Residential) District.

Board of Adjustments – Commercial

- Variance under Ordinance No. 2280, Section 6.4, Subsection (1) to allow Lots 1-9, Block F of the proposed Silver Falcon Aviation Community to have 3,060 square foot lot area and Lots 1-8, Block E of the proposed Silver Falcon Aviation Community to have 4,270 square foot lot area in lieu of the required 5,000 foot in a C-1 (Retail Business) District.
- Variance under Ordinance No. 2280, Section 6.4, Subsection (1) to allow Lots 1-8, Block E and Lots 1-9, Block F of the Proposed Silver Falcon Aviation Community 5' front setbacks in lieu of the required 25' and 5' rear setbacks in lieu of the required 10' for aircraft hangars in a C-1 (Retail

Business) District.

Planning and Zoning Commission - Commercial

- Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12 from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, being 6.704 acres in the G.B. Pilant Survey, Abstract No. 963
- Preliminary Plat approval of Silver Falcon Aviation Community.

Background:

The property is located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, west of the Sherman Municipal Airport. It is currently zoned an R-1 (One Family Residential) District. The Silver Falcon Aviation Community project is a vision of the SkyTrust Corporation as a premier fly-in residential community.

The residential area is planned for sixty-seven residences in three floor plan sizes that have attached hangars or access to hangars for their airplanes. Each resident will enjoy amenities such as the community center with pool, private streets, gated access to Gribble Street, restaurant, green spaces, wide taxi way access to the adjacent Sherman Airport and the City of Sherman itself. The owner would like to plat the property into eighty-one (81) lots for residential and commercial development. The owner is requesting a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, Specific Use Permits to allow patio hangar homes and hangar homes with variances for the setbacks and lot areas on several of the lots.

The commercial area is seen as an attractive place for pilots to fly in, use the provided tie downs, visit the planned restaurant, wash their plane if needed and buy fuel from the City of Sherman fuel pumps. There will be approximately 10 hangars for lease and rental cars available.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Skytrust, LLC (Owners)
Strand Systems Engineering, Inc. (Surveyor)
Strand A&E, Eric Cantrell (Representative)

Master Plan Designation:

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

and

Estate – Estate is a large lot residential use (1-5 acres) with open space and a rural street network (ditches and no sidewalk). These homes are unlikely to have access to full service public utilities, especially sewer service.

Number of notices mailed:

8

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Preliminary Plat - Silver Falcon Aviation Community

Silver Falcon Aviation Community Master Plan

Zoning Exhibit

Elevations

Staff Review Letter - Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 7.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6266

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 6.704 acres in the G.B. Pilant Survey, Abstract No. 963 (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative)

Issue:

To consider the request of Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor), and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 6.704 acres in the G.B. Pilant Survey, Abstract No. 963, for a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District

Background:

The property is located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, east of the Sherman Municipal Airport. It is currently zoned an R-1 (One Family Residential) District. The Silver Falcon Aviation Community project is a vision of the SkyTrust Corporation. It is envisioned as a premier fly-in residential community, adding to the shared values of the people of Sherman, pilots from around the region and the aviation community.

The residential area is planned for 67 residences in three floor plan sizes. They will have attached hangars or access to hangars for their airplanes. Each resident will enjoy amenities such as the community center with pool, private streets, gated access to Gribble Street, restaurant, green spaces, wide taxi way access to the adjacent Sherman Municipal Airport and the City of Sherman itself. The owners would like to plat the property into 81 lots for residential and commercial development. The owners are requesting a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, Specific Use Permits to allow patio hangar homes and hangar homes with variances for the setbacks and lot areas on several of the lots.

The commercial area is seen as an attractive place for pilots to fly in, use the provided tie downs, visit the planned restaurant, wash their plane if needed and buy fuel from the City of Sherman fuel pumps. There will be approximately ten hangars for lease and rental cars available.

Origination:

Skytrust, LLC (Owners)
Strand Systems Engineering, Inc. (Surveyor)
Strand A&E, Eric Cantrell (Representative)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the zone change be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6266
Aerial Location Map
Zoning Map
Zoning Sign Photo
Master Plan
Preliminary Plat - Silver Falcon Aviation Community
Zoning Exhibit
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6266

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT IN THE 1600-1700 BLOCKS OF SOUTH GRIBBLE STREET AND THE 1300-1500 BLOCKS OF EAST LAKE STREET, BEING 6.704 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 (SKYTRUST, LLC, OWNERS; STRAND SYSTEMS ENGINEERING, INC., SURVEYOR; AND STRAND A&E, ERIC CANTRELL, REPRESENTATIVE); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the C-1 (Retail Business) District in the 1600-1700 blocks South Gribble Street and the 1300-1500 blocks of East Lake Street, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING a 6.704 acre tract of land situated in the G.B. Pilant Survey, Abstract No. 963, Grayson County, Texas, and being part of a tract of land described in Warranty Deed to Skytrust, LLC., recorded in Document No. 2019-8657, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows (Bearings and distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD 83)(US foot) with a combined scale factor of 1.00012);

BEGINNING at a "PK" nail with shiner found for the southeast corner of said Skytrust, LLC tract, and being at an angle point in the west line of said City of Sherman tract, said point lying within East Lake Avenue;

THENCE South 75 degrees 18 minutes 29 seconds West, with the southernmost southeast line of said Skytrust, LLC tract, a distance of 593.90 feet to a 1/2 inch iron rod with cap stamped "SART 3694" found for the southernmost southwest corner thereof;

THENCE North 14 degrees 09 minutes 31 seconds West, with the west line of said Skytrust, LLC. tract, a distance of 13.58 feet to a "PK" nail with shiner found at an angle point in the west line thereof;

THENCE North 36 degrees 08 minutes 39 seconds West, continuing with the west line of said Skytrust, LLC. tract, a distance of 68.53 feet to a "PK" nail with shiner found at an angle point in the west line thereof;

THENCE North 27 degrees 54 minutes 47 seconds West, a distance of 172.80 feet to a "PK" Nail with shiner found for the southernmost southwest corner of a tract of land described to Jesus Escalara in Volume 2513, Page 799, Official Public Records, Grayson County, Texas, and being at an angle point in the west line of said Skytrust, LLC. tract;

THENCE North 74 degrees 08 minutes 49 seconds East, departing East Lake Avenue, with the southernmost southeast line of said Escalara tract, and with a north line of said Skytrust, LLC. tract, a distance of 167.60 feet to a 12 inch iron rod with cap stamped "RPLS 5433" found at the southeast corner of said Escalara tract, same being an interior "ell" corner of said Skytrust, LLC tract;

THENCE North 15 degrees 51 minutes 11 seconds West, with the northeast line of said Escalara tract, and a west line of said Skytrust, LLC. tract, a distance of 219.50 feet to a point for corner in the west line thereof, and lying at the beginning of a non-tangent curve to the left having a radius of 215.97 feet, a central angle of 75 degrees 31 minutes 29 seconds, a chord bearing and distance of North 52 degrees 14 minutes 56 seconds East, 264.51 feet:

THENCE in a northeasterly direction, over, across, and upon said Skytrust, LLC. Tract, departing the west line thereof, and along said non-tangent curve to the left, an arc length of 520.46 feet to a "PK" nail with shiner found for the southeast corner thereof;

THENCE South 75 degrees 18 minutes 29 seconds West, with the southeast line of said Skytrust, LLC. Tract, a distance of 593.90 feet to the **POINT OF BEGINNING and containing 292,012 square feet or 6.704 acres of land, more or less.....**

SECTION 2. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

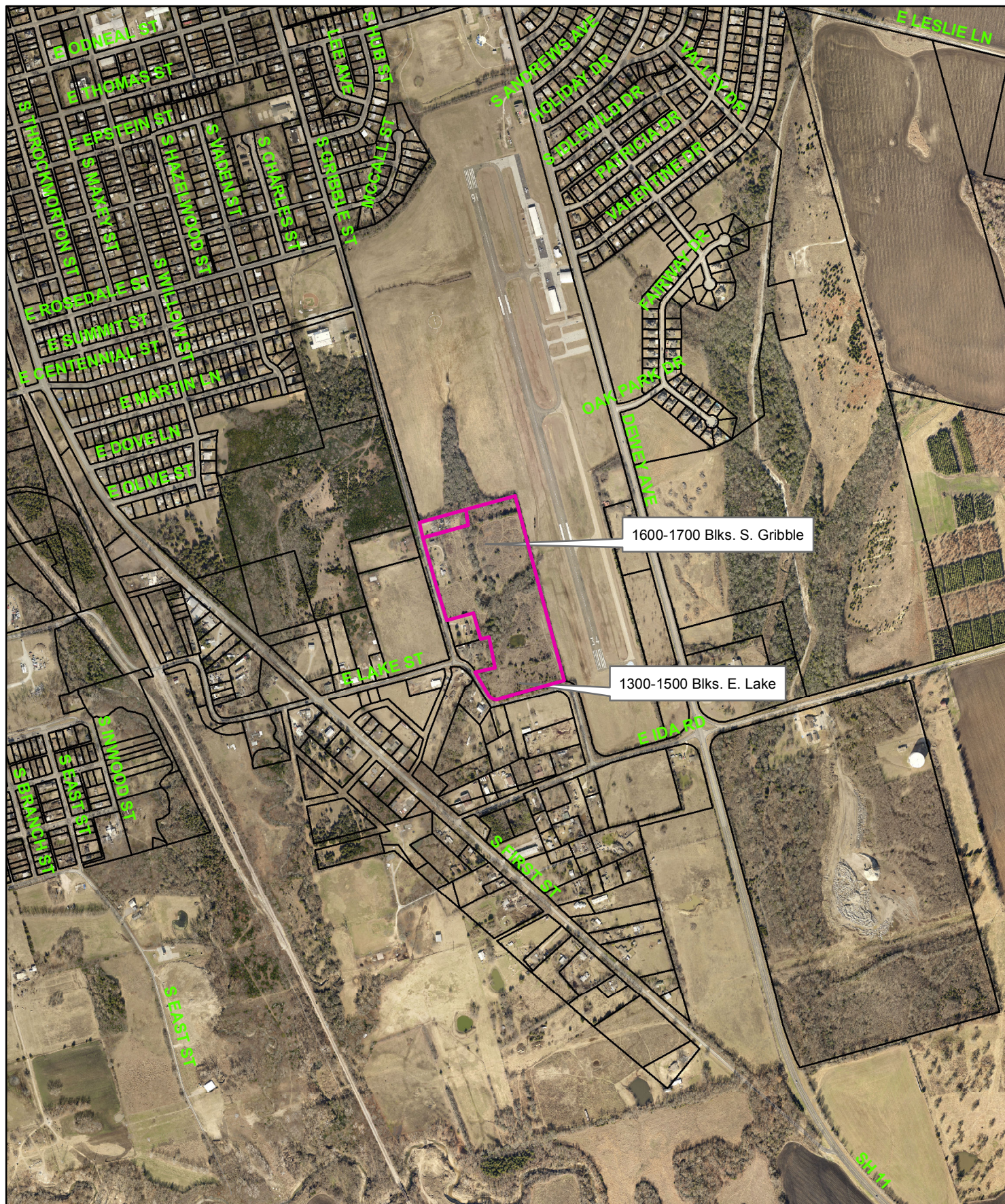
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

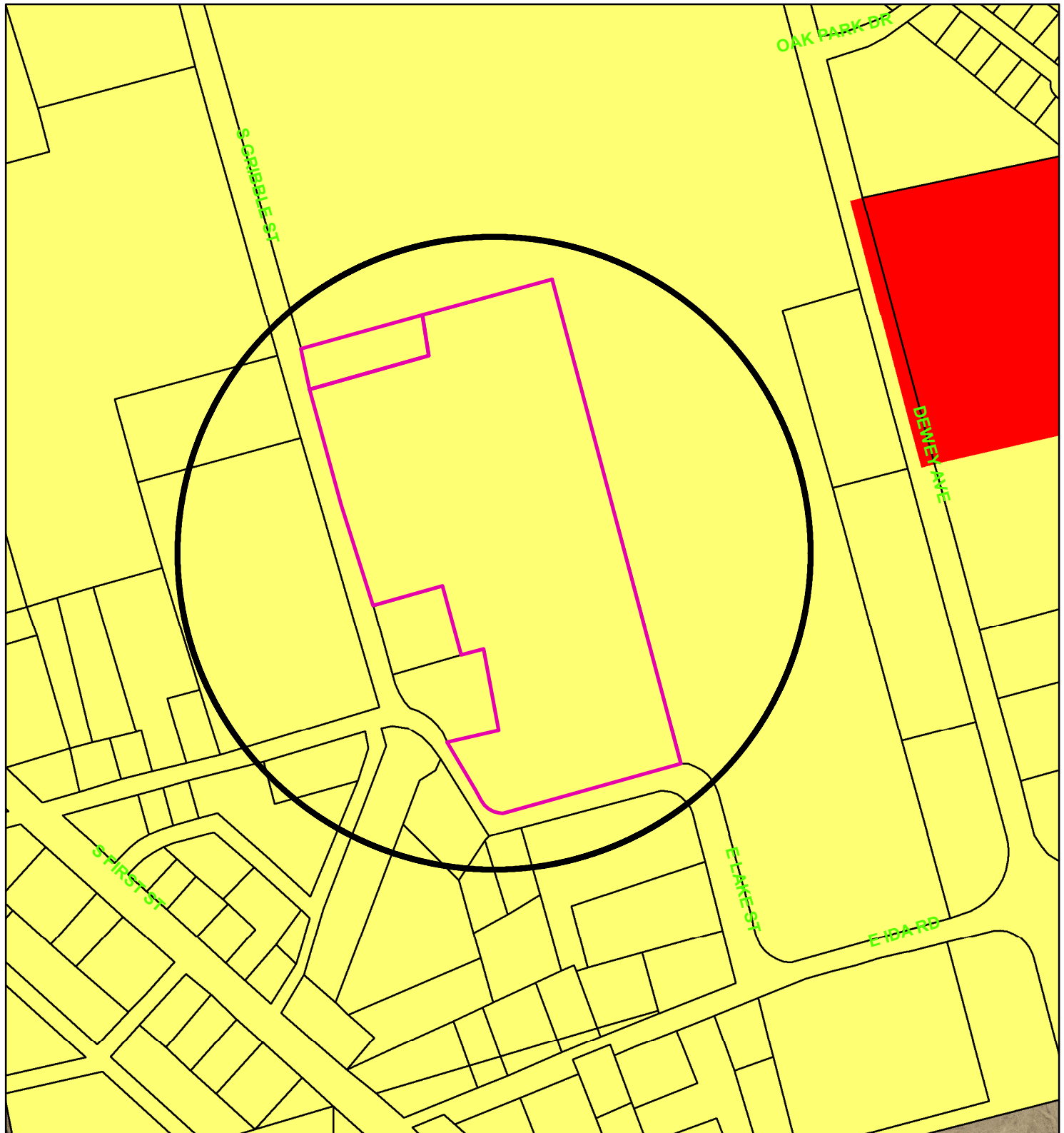


1600-1700 Blks. South Gribble & 1300-1500 Blks. East Lake



1 in = 1,000 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 1600-1700 Blks. South Gribble & 1300-1500 Blks. East Lake



City of Sherman, Texas
Developmental Services Department

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Blalock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

in = 400 ft

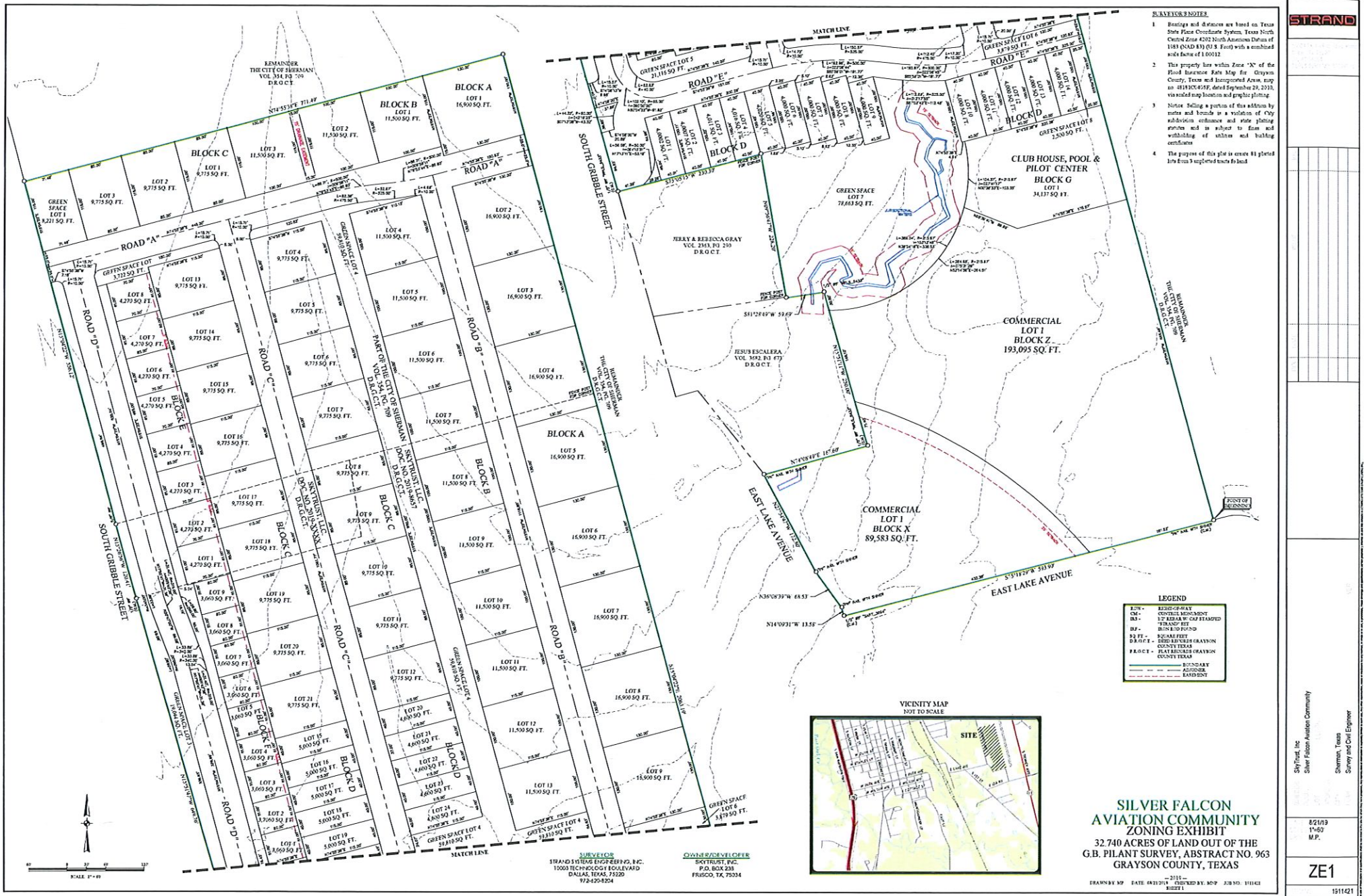
1600-1700 Blocks South Gribble Street

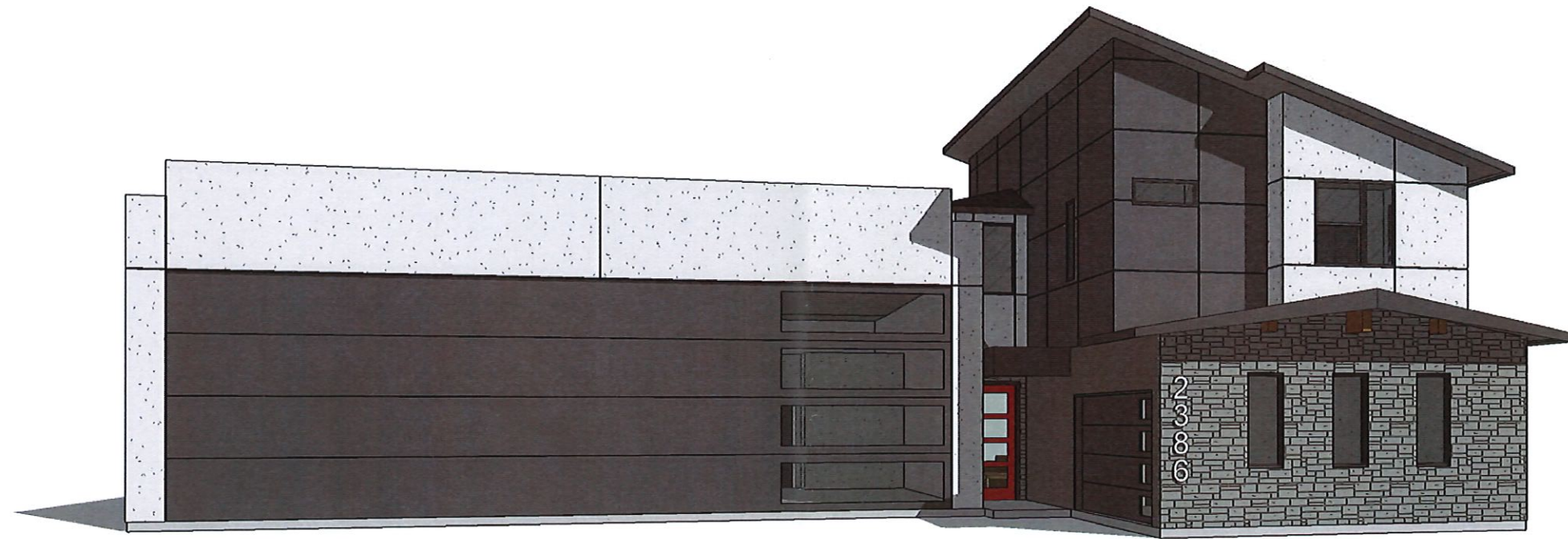


1300-1500 Blocks East Lake Street









SILVER FALCON - 1740 PERSPECTIVE



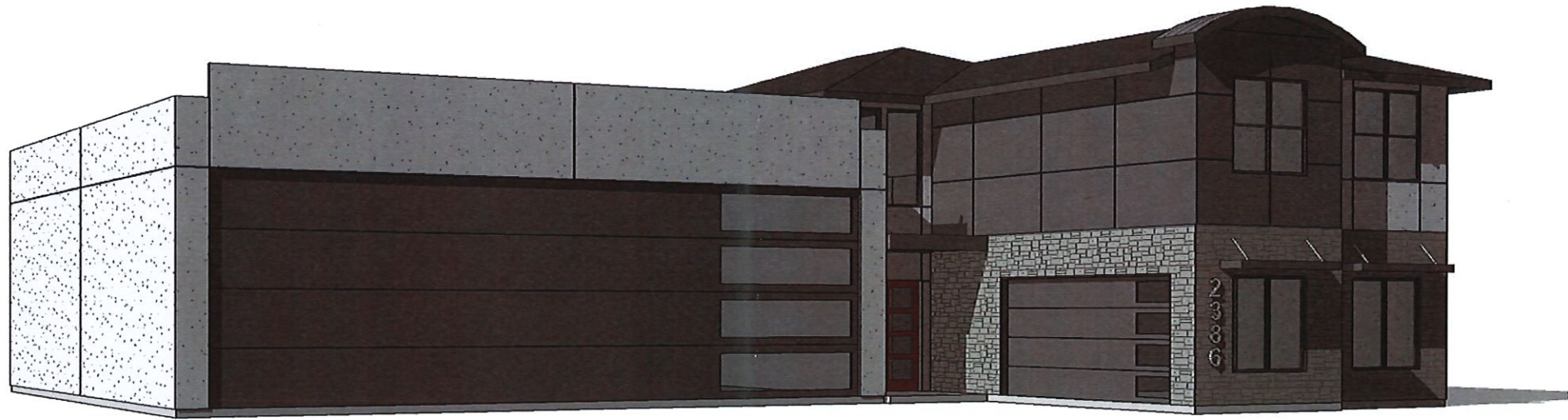
SKY TRUST, INC.

SCHEMATIC DESIGN

REVIEW DRAWING ONLY - not released for construction. Any reproduction, reuse or disclosure by any method, in whole or part, is prohibited. These drawings and specifications contain proprietary information belonging to STRAND. COPYRIGHT © 2017 STRAND

08.21.2019





SILVER FALCON - 2697 PERSPECTIVE





SILVER FALCON - 3480 PERSPECTIVE



SKY TRUST, INC.

SCHEMATIC DESIGN

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08.21.2019



SILVER FALCON - PILOT'S LOUNGE PERSPECTIVE



DR HORTON
America's Builder

SHV TRUST, INC.

SCHEMATIC DESIGN

REVIEW DRAWING ONLY - not released for construction. Any reproduction, reuse or disclosure by any method, in whole or part, is prohibited. These drawings and specifications contain proprietary information belonging to STRAND. COPYRIGHT © 2016 STRAND

08.21.2019



STAFF REVIEW LETTER

October 9, 2019

SkyTrust, LLC
Marius Meintjes
PO Box 238
Frisco, TX 75034

Strand A&E
Eric Cantrell
10003 Technology Blvd., West
Dallas, TX 75220

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a gated airport community, patio homes, hangar homes in an R-1 (One Family Residential) District for the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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:

Zoning – Gated Airport Community

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. All aspects of the City of Sherman's Aviation Ordinance (Chapter 1, Article 1.07) must be followed.
3. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Onsite fuel sales are not permitted.
6. Shall comply with all EPA, FAA, City, Federal and State regulations for this use.
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Patio Homes

9. All aspects of the R-1 (One Family Residential) District, the patio home ordinance, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
10. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
11. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
12. Parking is permitted on paved surfaces only; concrete or asphalt.
13. Side yard setbacks must be uniform for all homes within a given block.
14. Review the zoning and development ordinance for additional requirements.
15. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Hangar Homes

16. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.

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18. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
19. Parking is permitted on paved surfaces only; concrete or asphalt.
20. The aircraft hangar shall not be used for living quarters.
21. Review the zoning and development ordinance for additional requirements.
22. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Zoning – Commercial

23. All aspects of the C-1 (Retail Business) District, the fence ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
24. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
25. All parking shall be on private property.
26. Review the zoning and development ordinance for additional requirements.
27. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

28. Letters from various utility providers are required verifying availability of service and when service will be available.
29. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
30. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
31. The width of the right-of-way and pavement for streets shall be shown on the plat.
32. Streets must be private and labeled as Private Access Easements. Streets must be built to City standard.
33. Street names must be approved by Building & Zoning Department.
34. Separation of Blocks must be easier to distinguish. Only one block number permitted between streets. Lot numbers must be numbered in a clockwise fashion. Coordinate with Engineering Department for further information.
35. Lots fronting Road "D" do not have street frontage due to "Green Space" lot. All lots must have street frontage.
36. Dedication of Right of Way for Lake Street is required. Coordinate with Engineering Department for ROW width and location.
37. Clearly define area at intersection of Road "D" and Road "E."
38. All lots must have frontage on a legal public street. (Specifically Club House lot)
39. All lots shown as Greenspace shall be shown as owned and maintained by HOA on plat.
40. Water and Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
41. The location of trash receptors must be approved by the Solid Waste Department.
42. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
43. The City of Sherman does not review or enforce Deed Restrictions on platted properties, or any other properties with deed restrictions.
44. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
45. One (1) Mylar and three (3) paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. One page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval

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 & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with the first name "Scott" and last name "Shadden" clearly legible.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Heflon, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 5.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1600-1700 BLOCKS SOUTH GRIBBLE STREET & 1300-1500 BLOCKS EAST LAKE STREET

The request of Skytrust, LLC (Owners), Strand Systems Engineering, Inc. (Surveyor) and Strand A&E, Eric Cantrell (Representative) concerning the property located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 32.740 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Board of Adjustments – Residential

Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community 20' front and rear setbacks in lieu of the required 25' for hanger homes in an R-1 (One Family Residential) District.

Planning and Zoning Commission – Residential

- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a gated airport community in an R-1 (One Family Residential) District.
- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a), being 2.343 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-24, Block D of the Proposed Silver Falcon Aviation Community to allow patio homes in an R-1 (One Family Residential) District.
- Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a), being 11.412 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community to allow hangar homes in an R-1 (One Family Residential) District.

Board of Adjustments – Commercial

- Variance under Ordinance No. 2280, Section 6.4, Subsection (1) to allow Lots 1-9, Block F of the proposed Silver Falcon Aviation Community to have 3,060 square foot lot area and Lots 1-8, Block E of the proposed Silver Falcon Aviation Community to have 4,270 square foot lot area in lieu of the required 5,000 foot in a C-1 (Retail Business) District.
- Variance under Ordinance No. 2280, Section 6.4, Subsection (1) to allow Lots 1-8, Block E and Lots 1-9, Block F of the Proposed Silver Falcon Aviation Community 5' front setbacks in lieu of the required 25' and 5' rear setbacks in lieu of the required 10' for aircraft hangars in a C-1 (Retail

Business) District.

Planning and Zoning Commission - Commercial

- Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12 from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, being 6.704 acres in the G.B. Pilant Survey, Abstract No. 963
- Preliminary Plat approval of Silver Falcon Aviation Community.

Background:

The property is located in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, west of the Sherman Municipal Airport. It is currently zoned an R-1 (One Family Residential) District. The Silver Falcon Aviation Community project is a vision of the SkyTrust Corporation as a premier fly-in residential community.

The residential area is planned for sixty-seven residences in three floor plan sizes that have attached hangars or access to hangars for their airplanes. Each resident will enjoy amenities such as the community center with pool, private streets, gated access to Gribble Street, restaurant, green spaces, wide taxi way access to the adjacent Sherman Airport and the City of Sherman itself. The owner would like to plat the property into eighty-one (81) lots for residential and commercial development. The owner is requesting a zone change from an R-1 (One Family Residential) District to a C-1 (Retail Business) District, Specific Use Permits to allow patio hangar homes and hangar homes with variances for the setbacks and lot areas on several of the lots.

The commercial area is seen as an attractive place for pilots to fly in, use the provided tie downs, visit the planned restaurant, wash their plane if needed and buy fuel from the City of Sherman fuel pumps. There will be approximately 10 hangars for lease and rental cars available.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Skytrust, LLC (Owners)
Strand Systems Engineering, Inc. (Surveyor)
Strand A&E, Eric Cantrell (Representative)

Master Plan Designation:

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

and

Estate – Estate is a large lot residential use (1-5 acres) with open space and a rural street network (ditches and no sidewalk). These homes are unlikely to have access to full service public utilities, especially sewer service.

Number of notices mailed:

8

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Preliminary Plat - Silver Falcon Aviation Community

Silver Falcon Aviation Community Master Plan

Zoning Exhibit

Elevations

Staff Review Letter - Plat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 8.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6267

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Duplex in an R-1 (One Family Residential) District at 2413 North Hickory Street, being Lot 2, Block 1, Menjivar's Addition (Jose Menjivar, Owner; and James Green, General Contractor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

Issue:

To consider the request of Jose Menjivar (Owner) and James Green (General Contractor) concerning the property located at 2413 North Hickory Street, being Lot 2, Block 1, Menjivar's Addition, for a Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District

Background:

The property is located at 2413 North Hickory Street, between Lamberth Road and Pelton Street. The property is zoned an R-1 (One Family Residential) District. The owner would like to construct a 2,197 square foot, four bedroom (two per unit) duplex at this location. Four parking spaces will be provided (two per unit).

Origination:

Jose Menjivar (Owner)

James Green (General Contractor)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6267

Aerial Location Map

Zoning Map

Zoning Sign Photo

Plat - Menjivar's Addition

Site Plan

Building Elevations

Staff Review Letter

P&Z Communication

Letters from Neighbors

ORDINANCE NO. 6267

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2413 NORTH HICKORY STREET, BEING LOT 2, BLOCK 1, MENJIVAR'S ADDITION (JOSE MENJIVAR, OWNER; AND JAMES GREEN, GENERAL CONTRACTOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Jose Menjivar (Owner) and James Green (General Contractor) concerning the property located at 2413 North Hickory Street and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 2, Block 1, Menjivar's Addition

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).

3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. Drive approaches and sidewalks must conform to City standards and a permit is required from City of Sherman Engineering Department.
8. Sanitary Sewer main must be extended to serve the development.
9. Sewer may not be available. Coordinate with Engineering Department.
10. Water Pro-Rata will be due upon development.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY:

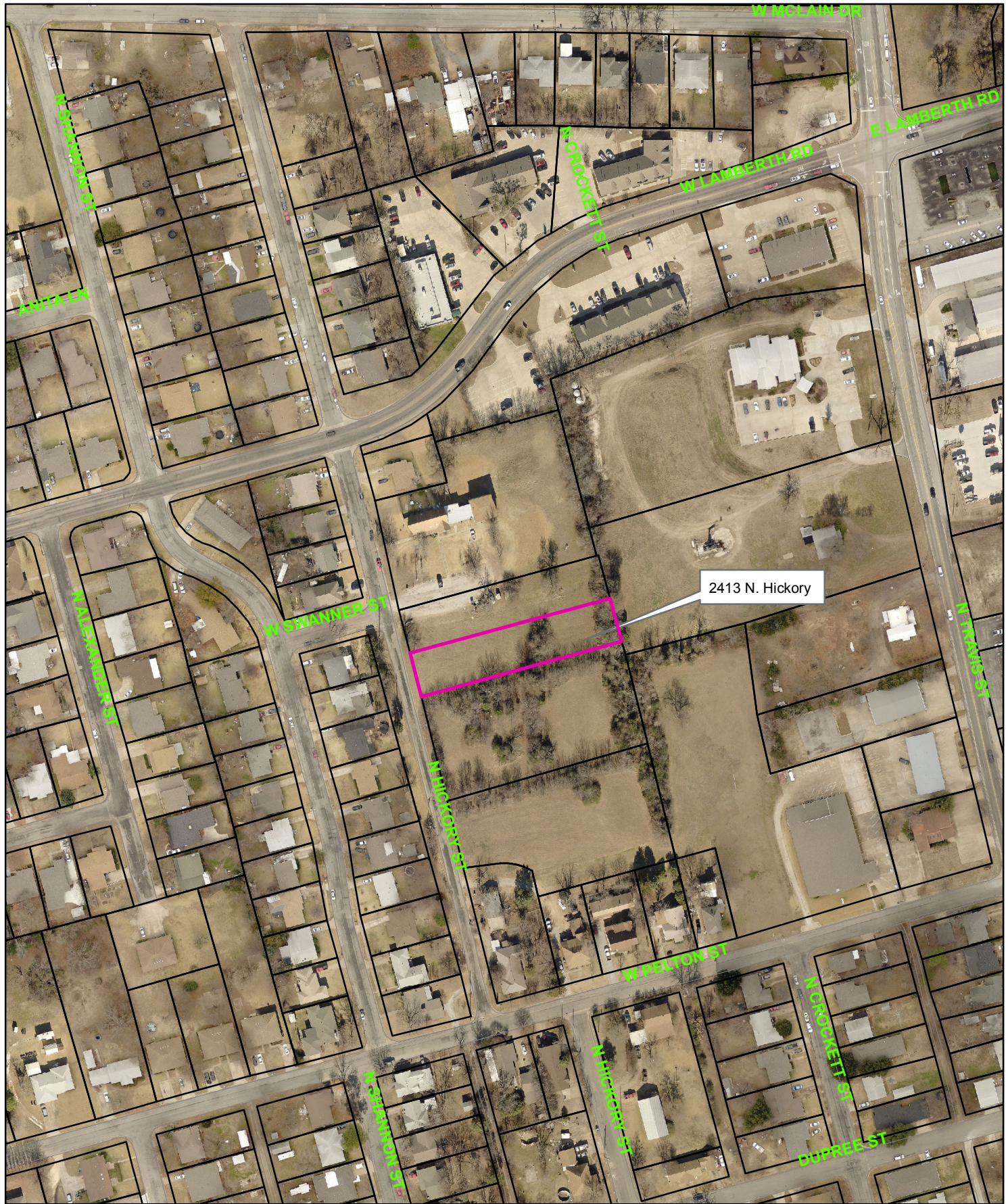
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

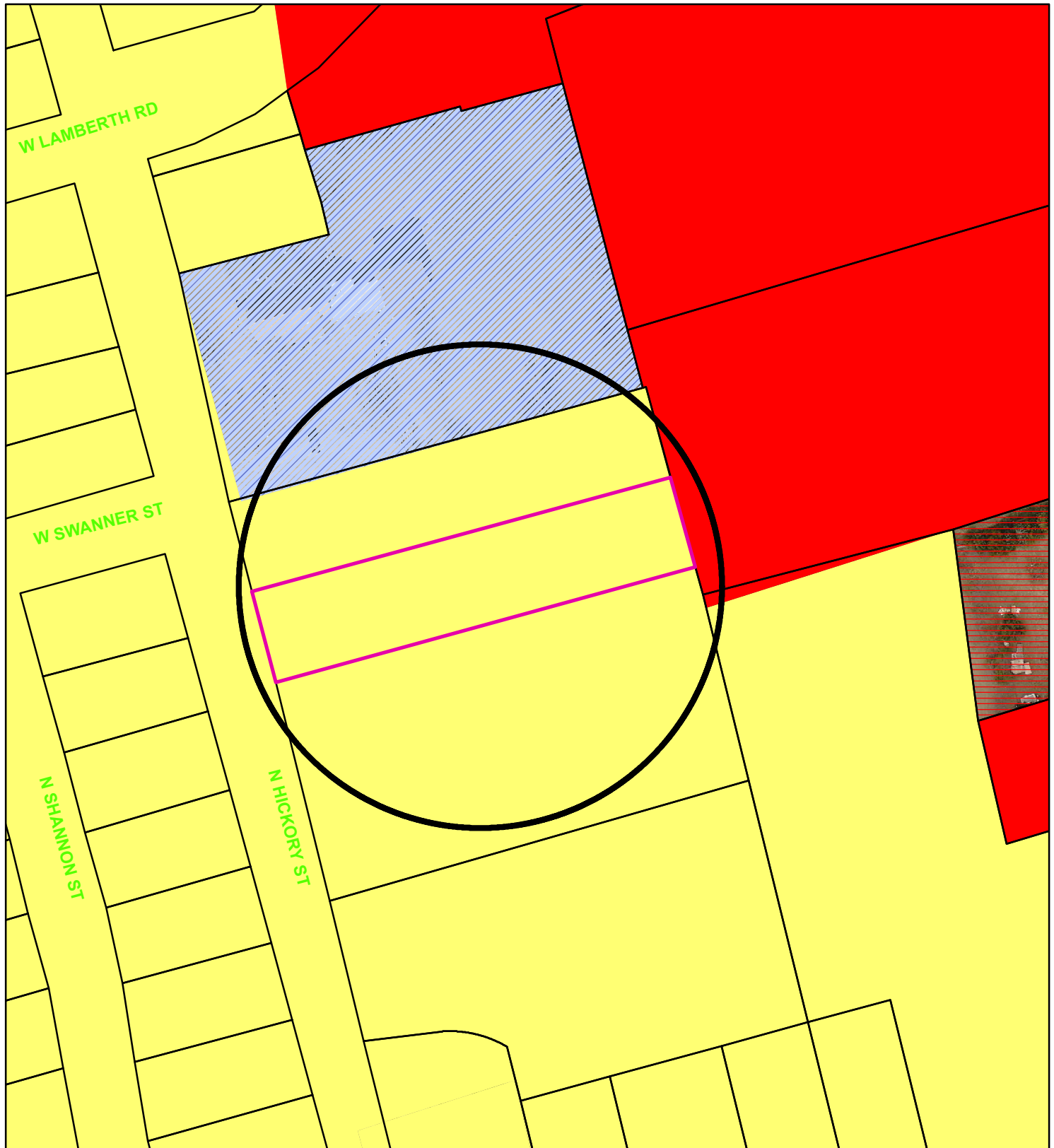


2413 North Hickory Street



1 in = 200 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 2413 North Hickory Street

Legend

Special Districts Overlay

- DISTRICT_NAME**
- Arts and Cultural District
 - Blalock Commercial Overlay District
 - Central Business District
 - College Park District
 - Downtown Overlay District
 - Historic Preservation District
 - Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

1 in = 100 ft

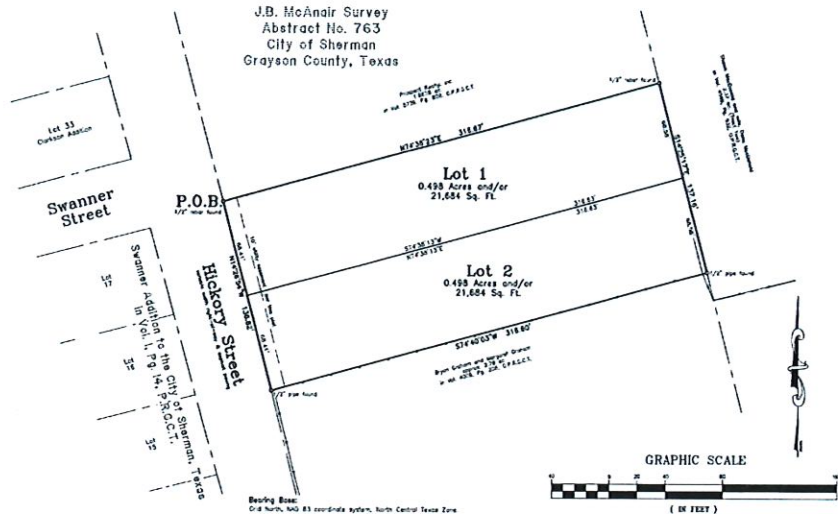


City of Sherman, Texas
Developmental Services Department

2413 North Hickory Street



J.B. McAnair Survey
Abstract No. 763
City of Sherman
Grayson County, Texas



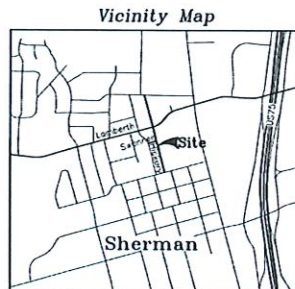
Menjivar's Addition to the City of Sherman, Texas 0.996 acres in the J. B. McAnair Survey Abstract No. 763

General Notes:

- Water supply to be provided by the City of Sherman.
- Sewer service to be provided by the City of Sherman.
- Electrical service to be provided by Onyx Electric Delivery Services.
- Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the footway is prohibited.
- Any existing cracks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
- The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
- The property shown on the plot herein lies within a Zone "X" (areas determined to be suitable 500-year floodplain) designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 42181C0250 F, Revised Date: September 28, 2010.
- Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
- The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Filed for Record
in the Official Records of:
Grayson County Clerk
On: 6/15/2019 10:31:58 AM
in the PLAT Records
MENJIVAR'S ADDITION
Doc Number: 2019-12
Number of Pages: 2
Amount: \$5.00
Order#: 20190618000058
Pg. 1A

Job No. CGS440319
Owner:
Jose Antonio Menjivar
P.O. Box 272
Sherman, Texas 75091



Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (803) 463-6191 Fax: (803) 463-4268
Email: helveysurvey@comcast.net
Texas Board of Professional Land Surveying
Firm Registration No. 10058100

29013

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SITUATED in the City of Sherman, County of Grayson, State of Texas, being out of the J. B. McAnair Survey, Abstract No. 763, being all of the 1.00 acre tract of land conveyed by General Warranty Deed from Barton Capital, LTD. to Jose Antonio Menjivar, on March 4, 2018, and recorded in Grayson County Clerk's Document No. (2018) 4577, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at 1/2 inch rebar found in the East line of Hickory Street, at the Northwest corner of said Menjivar 1.00 ac., and at the Southwest corner of the Prospect Realty, Inc., 1.6878 ac. in Vol. 5739, Pg. 809, O.P.G.C.T., and in G.C.C. Document No. 2016-169;

THENCE North 74 deg. 36 min. 23 sec. East, with the South line of said Prospect Realty 1.6878 ac., a distance of 316.67 ft. to a 1/2 inch rebar found in the West line of the Shann McDonald and wife, Dona McDonald 2.37 ac. (Tract Two) in Vol. 4569, Pg. 932, O.P.G.C.T., and in G.C.C. Document No. 2008-00025548, at the Southeast corner of said Prospect Realty 1.6878 ac., and at the Northeast corner of said Menjivar 1.00 ac.;

THENCE South 14 deg. 25 min. 17 sec. East, with said West line of the MacDonald 2.37 ac., a distance of 137.16 ft. to a 1/2 inch pipe found at the Southeast corner of said Menjivar 1.00 ac., and at the Northeast corner of the Bryan Graham and Margaret Graham (approximate) 2.79 ac. in Vol. 4009, Pg. 206, O.P.G.C.T., and in G.C.C. Document No. 2008-00004237;

THENCE South 74 deg. 40 min. 03 sec. West, with the North line of said Graham 2.79 ac., and with the general course of a wire fence and treerow, a distance of 316.80 ft. to a 1/2 inch pipe found in the East line of Hickory Street, at the Northwest corner of said Graham 2.79 ac., and at the Southwest corner of said Menjivar 1.00 ac.;

THENCE North 14 deg. 28 min. 54 sec. West, with the East line of Hickory Street, a distance of 136.82 ft. to the PLACE OF BEGINNING and containing 0.996 ACRES of land.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown herein under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Kate A. Wagner, R. P. L. S. No. 6578 Date: 5-7-19



I, Jose Antonio Menjivar, owner of Menjivar's Addition, to the City of Sherman, Texas, do hereby dedicate the streets and easements shown herein to the public use forever.

Jose A. Menjivar
Jose Antonio Menjivar

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Jose Antonio Menjivar, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 8 day of May, 2019.

Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN BROAD HORIZON



This, the final plot of Menjivar's Addition, to the City of Sherman, Texas, is hereby approved this 16th day of April, 2019, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman: Notary

This, the final plot of Menjivar's Addition, to the City of Sherman, Texas, is hereby approved this 16th day of May, 2019, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS:

MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plot of Menjivar's Addition, to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the 16th day of May, 2019, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, of Sherman and set forth in and upon said plot; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS 17th DAY OF June, 2019, BY Linda Ashley, CITY CLERK, CITY OF SHERMAN, TEXAS



Filed for Record
in the Official Records of:
Grayson County Clerk
On: 6/15/2019 10:31:58 AM
in the PLAT Records
MENJIVAR'S ADDITION
Doc Number: 2019-12
Number of Pages: 2
Amount: \$5.00
Order#: 20190618000058
Pg. 1A

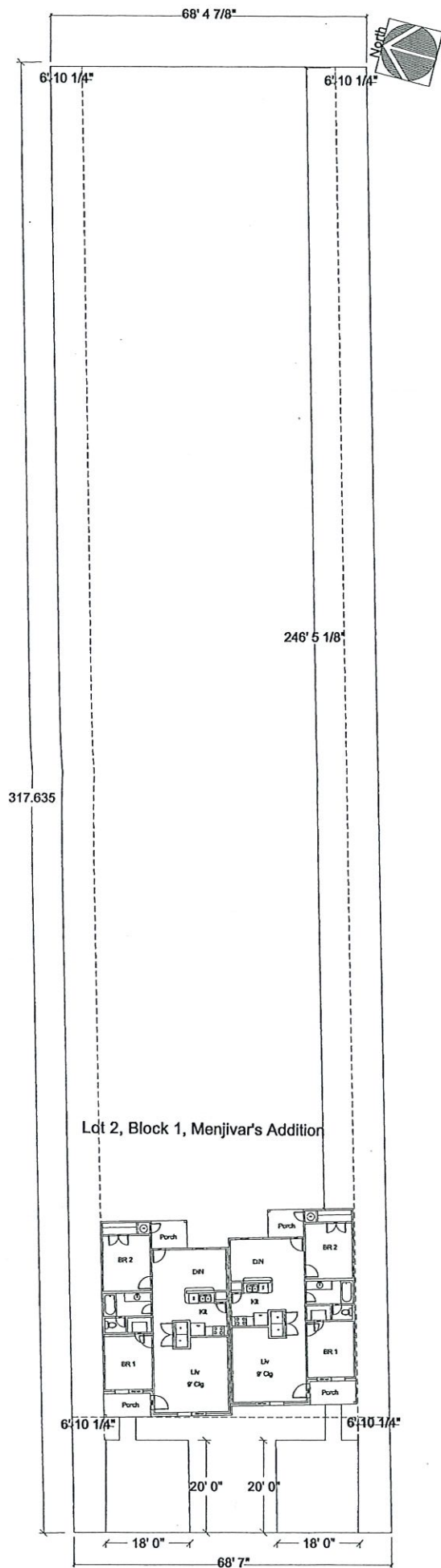


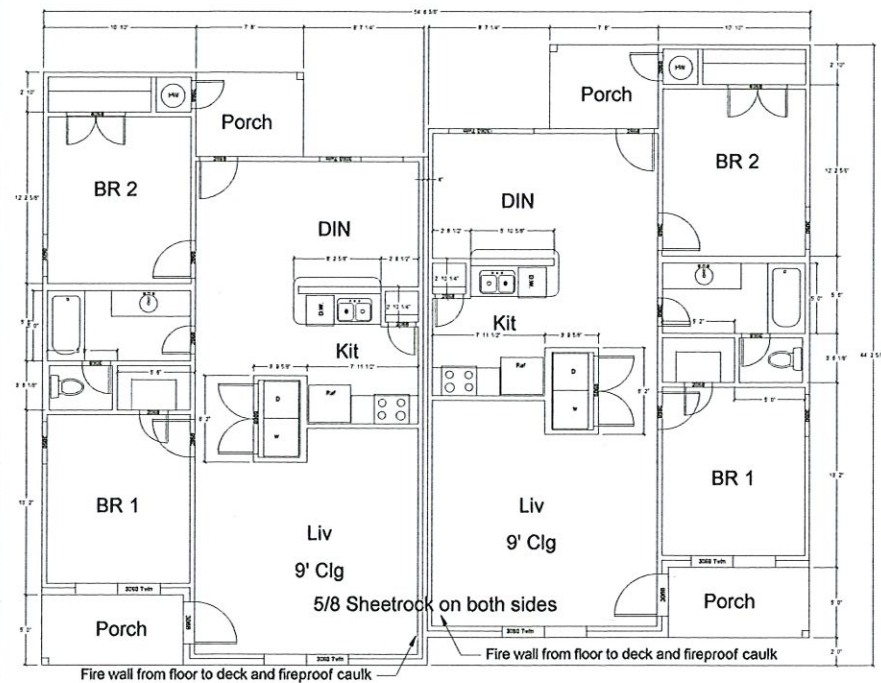
Menjivar's Addition to the City of Sherman, Texas

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (803) 463-6191 Fax: (803) 463-4268
Email: helveysurvey@comcast.net
Texas Board of Professional Land Surveying
Firm Registration No. 10058100

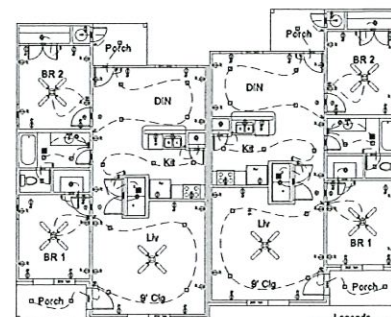
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E-9-370

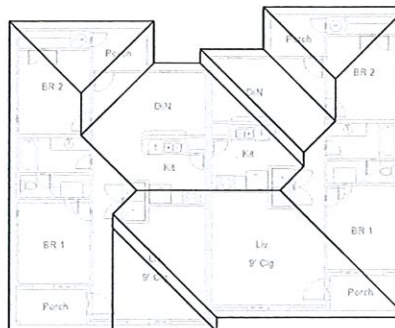




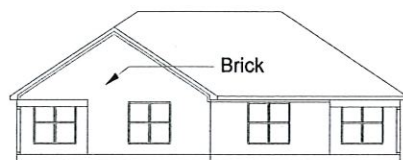
Framing Scale 1/4"=1'



Electrical Scale 1/8"=1'



Roof Scale 1/8"=1'



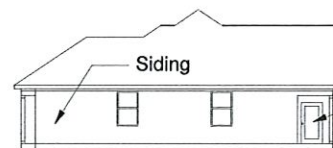
Front Elev Scale 1/8"=1'



Rear Elev Scale 1/8"=1'



Right Elev Scale 1/8"=1'



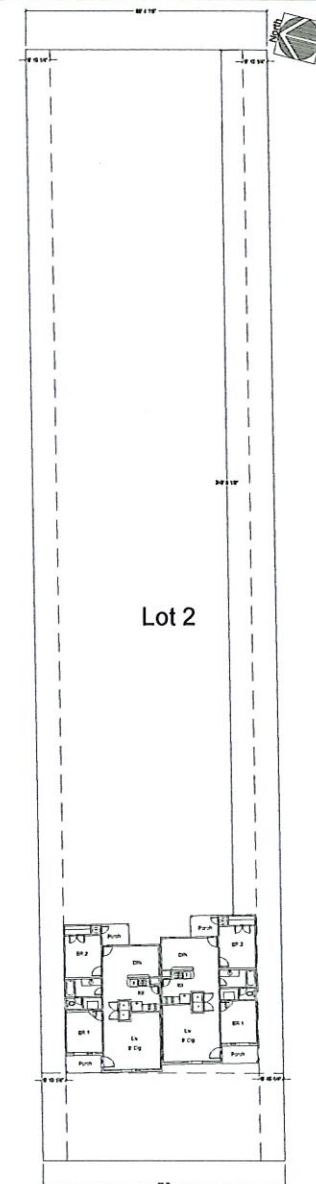
Left Elev Scale 1/8"=1'

Plans for José Menjivar
2413 N. Hickory Street
Sherman, TX 75092

Living	2005 sq ft
Porches	192 sq ft
Total	2197sq ft



James E. Green
PO Box 12
Denison, TX 75021
903.814.7207



Scale 1/16"=1'
Lot 2, Block 1, Menjivar's Addition

STAFF REVIEW LETTER

October 9, 2019

Jose Menjivar
3421 Preston Club Drive
Sherman, TX 75092

James Green
PO Box 12
Denison, TX 75021

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a duplex in an R-1 (One Family Residential) District for the property located at 2413 North Hickory Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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:

Zoning

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. Drive approaches and sidewalks must conform to City standards and a permit is required from City of Sherman Engineering Department.
8. Sanitary Sewer main must be extended to serve the development.
9. Sewer may not be available. Coordinate with Engineering Department.
10. Water Pro-Rata will be due upon development.

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 & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 10.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

2413 NORTH HICKORY STREET

The request of Jose Menjivar (Owner) and James Green (General Contractor) concerning the property located at 2413 North Hickory Street, being Lot 2, Block 1, Menjivar's Addition, 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 duplex in an R-1 (One Family Residential) District.

Background:

The property is located at 2413 North Hickory Street between Lamberth Road and Pelton Street. The property is zoned an R-1 (One Family Residential) District. The owner would like to construct a 2,197 square foot, four bedroom (two per unit) duplex at this location. Four parking spaces will be provided (two per unit)

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

Origination:

Jose Menjivar (Owner)

James Green (General Contractor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

15

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Plat - Menjivar's Addition

Site Plan

Elevations

Staff Review Letter

October 4, 2019

Sherry Brisco
2504 N. Hickory
Sherman, TX 75092

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, October 22, 2019 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Jose Menjivar (Owner) and James Green (General Contractor) concerning the property located at 2413 North Hickory Street, being Lot 2, Block 1, Menjivar's Addition

The request is 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 duplex in an R-1 (One Family Residential) 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 views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

Ibeth Gutierrez

2502 N. Hickory st.

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.

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

2413
Regarding the notice sent on October 4, 2019 about building apartments at 2417 N Hickory Street Sherman, Texas Lot 1, Block 1, Menjivar's addition we the neighborhood of N Hickory Street are writing you and the city council of Sherman, Texas this letter.

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Shay L. Brisco
Catherine Brisco
Brooklyn Brisco
Jenny Brisco
2504 N. Hickory
Sherman TX.

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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Jeena Byington 1700 W Brockett Sherman

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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MARCO AMORILLO
2414 N Shannon St

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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William E PERKINS
303 W. GWINNER
DAVID
75092

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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Rubén
2419 N. Shamon St
Sherman TX 75092

October 14, 2019

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Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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Janet M Kamras
2309 N. Shannon St.
Sherman, TX 75092

October 14, 2019

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Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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Linda Green

~~403-817-58~~

223 W. Pelton
Sherman, Tx. 75092

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
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Balbina Quiroz Chavez
219 W Peltou
Sherman, Tx. 75092

October 14, 2019

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P.O. Box 1106
Sherman, Texas 75091-1106

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Marilyn Henderson
220 W. Pelton

October 14, 2019

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Nicole Gilmore
230 W. Pelton St.
Sherman TX 75092

October 14, 2019

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2312 N Shannon St Sherman TX
Jacal Hall
Sand Hall

October 14, 2019

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Secretary, Planning and Zoning Board
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Sherman, Texas 75091-1106

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John C. 2420 N. Sherman St



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 9.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6268

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Duplex in an R-1 (One Family Residential) District at 2417 North Hickory Street, being Lot 1, Block 1, Menjivar's Addition (Jose Menjivar, Owner; and James Green, General Contractor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

Issue:

To consider the request of Jose Menjivar (Owner) and James Green (General Contractor) concerning the property located at 2417 North Hickory Street, being Lot 1, Block 1, Menjivar's Addition for a Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District

Background:

The property is located at 2417 North Hickory Street, between Lamberth Road and Pelton Street. The property is zoned an R-1 (One Family Residential) District. The owner would like to construct a 2,197 square foot, four bedroom (two per unit) duplex at this location. Four parking spaces will be provided (two per unit).

Origination:

Jose Menjivar (Owner)

James Green (General Contractor)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6268

Aerial Location Map

Zoning Map

Zoning Sign Photo

Plat - Menjivar's Addition

Site Plan

Building Elevations

Staff Review Letter

P&Z Communication

Letters from Neighbors

ORDINANCE NO. 6268

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 2417 NORTH HICKORY STREET, BEING LOT 1, BLOCK 1, MENJIVAR'S ADDITION (JOSE MENJIVAR, OWNER; AND JAMES GREEN, GENERAL CONTRACTOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Jose Menjivar (Owner) and James Green (General Contractor) concerning the property located at 2417 North Hickory Street and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 1, Block 1, Menjivar's Addition

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).

3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. Drive approaches and sidewalks must conform to City standards and a permit is required from City of Sherman Engineering Department.
8. Sanitary Sewer main must be extended to serve the development.
9. Sewer may not be available. Coordinate with Engineering Department.
10. Water Pro-Rata will be due upon development.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY:

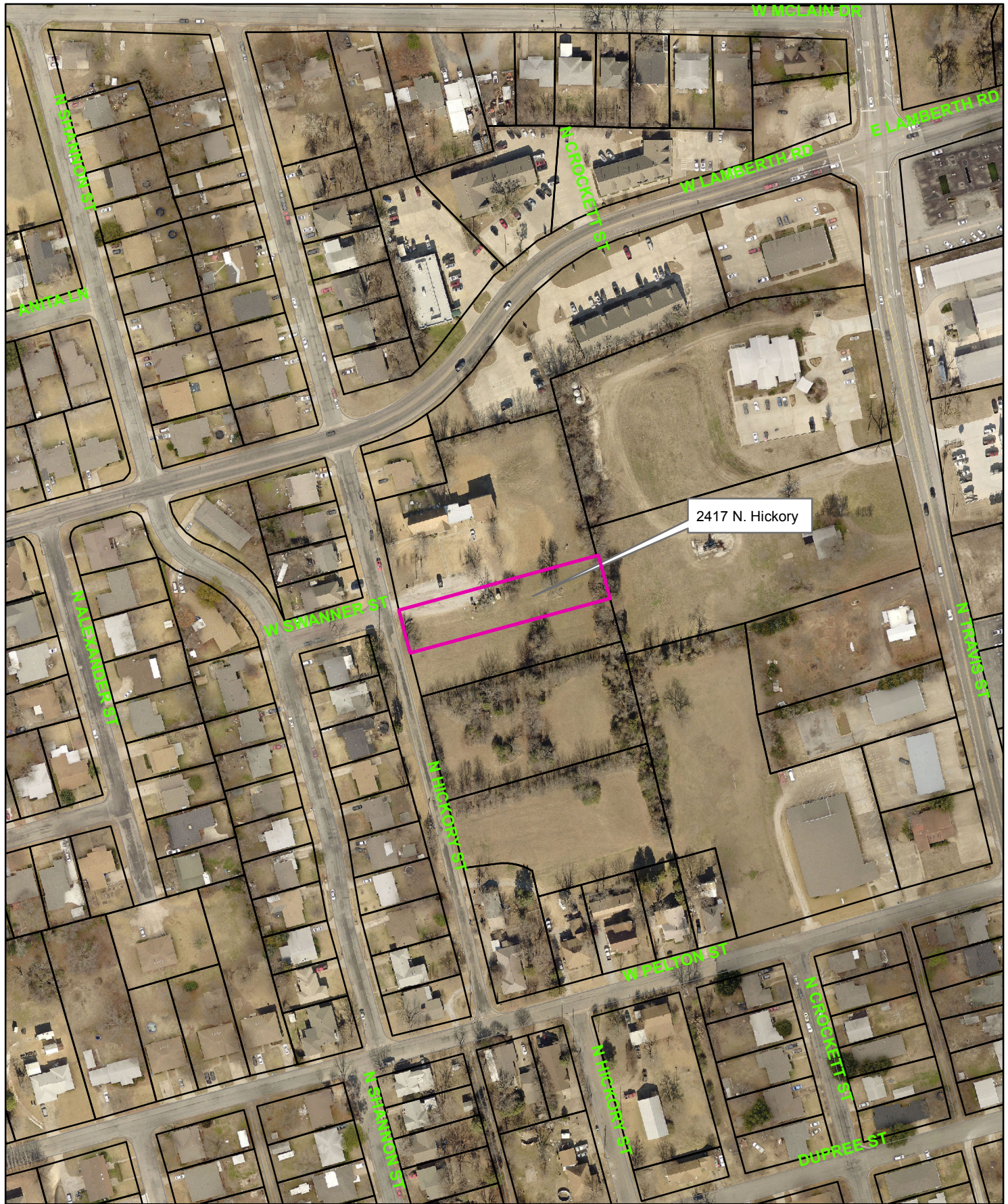
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

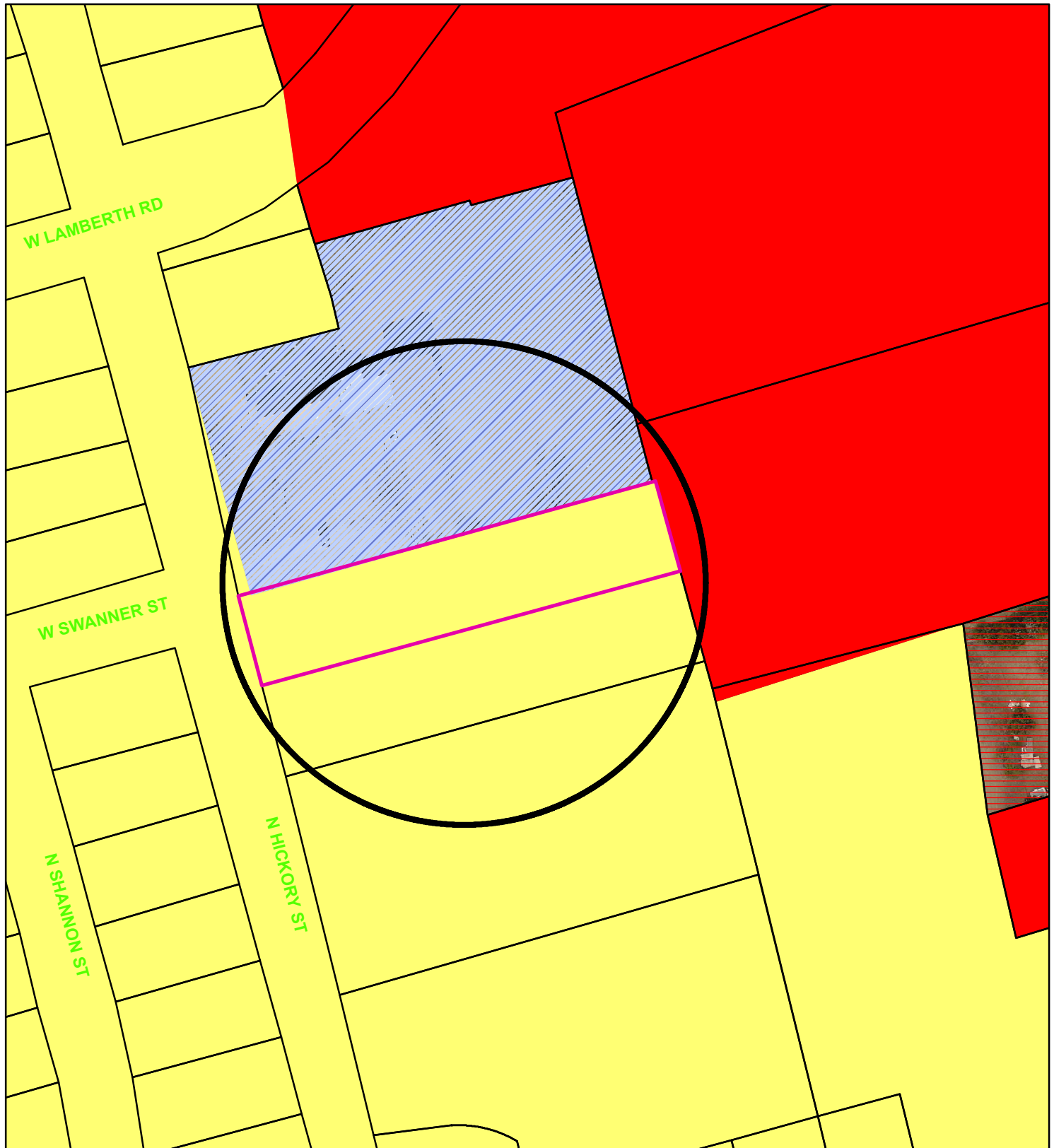


2417 North Hickory Street



1 in = 200 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 2417 North Hickory Street

Legend

Special Districts Overlay

- DISTRICT_NAME**
- Arts and Cultural District
 - Blalock Commercial Overlay District
 - Central Business District
 - College Park District
 - Downtown Overlay District
 - Historic Preservation District
 - Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

1 in = 100 ft

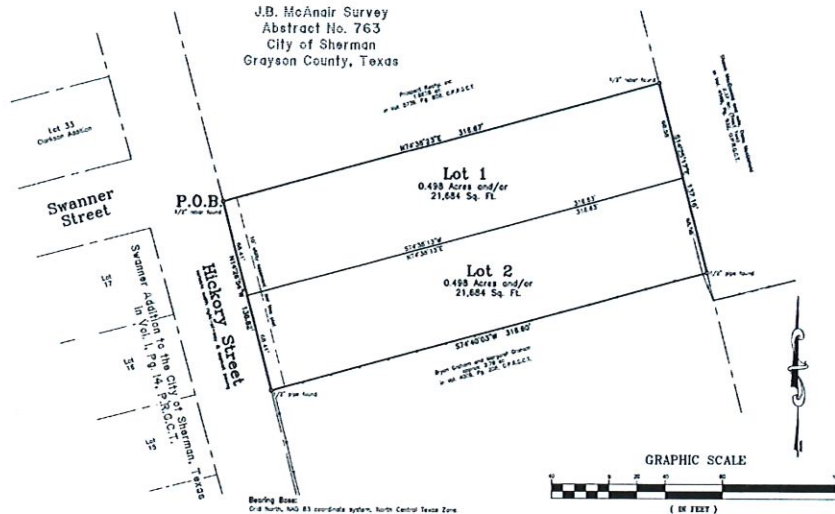


City of Sherman, Texas
Developmental Services Department

2417 North Hickory Street



J.B. McAnair Survey
Abstract No. 763
City of Sherman
Grayson County, Texas



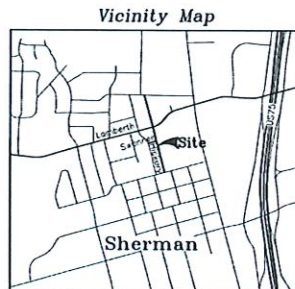
Menjivar's Addition to the City of Sherman, Texas 0.996 acres in the J. B. McAnair Survey Abstract No. 763

General Notes:

- Water supply to be provided by the City of Sherman.
- Sewer service to be provided by the City of Sherman.
- Electrical service to be provided by Onyx Electric Delivery Services.
- Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the footway is prohibited.
- Any existing cracks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
- The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
- The property shown on the plot herein lies within a Zone "X" (areas determined to be outside 500-year floodplains) designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0050 F, Revised Date: September 28, 2010.
- Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
- The owners and holders must comply with all other state and federal regulations regarding developments of this type.

Filed for Record
in the Official Records of:
Grayson County Clerk
On: 6/15/2019 10:31:58 AM
in the PLAT Records
MENJIVAR'S ADDITION
Doc Number: 2019-12
Number of Pages: 2
Amount: \$5.00
Order#: 20190618000058
Pg. 1A

Job No. CGS440319
Owner:
Jose Antonio Menjivar
P.O. Box 272
Sherman, Texas 75091



Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (803) 463-6191 Fax: (803) 463-4268
Email: helveywagner@comcast.net
Texas Board of Professional Land Surveying
Firm Registration No. 10058100

29013

C:\Land Projects\2019\Menjivar-Addition-Hickory-St-Sherman\Map\Menjivar-Add.dwg 3/14/2019 11:08:32 AM CDT

SITUATED in the City of Sherman, County of Grayson, State of Texas, being out of the J. B. McAnair Survey, Abstract No. 763, being all of the 1.00 acre tract of land conveyed by General Warranty Deed from Barton Capital, LTD. to Jose Antonio Menjivar, on March 4, 2018, and recorded in Grayson County Clerk's Document No. (2018) 4577, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at $\frac{1}{2}$ inch rebar found in the East line of Hickory Street, at the Northwest corner of said Menjivar 1.00 ac., and at the Southwest corner of the Prospect Realty, Inc., 1.6878 ac. in Vol. 5739, Pg. 809, O.P.G.C.T., and in G.C.C. Document No. 2016-169;

THENCE North 74 deg. 36 min. 23 sec. East, with the South line of said Prospect Realty 1.6878 ac., a distance of 316.67 ft. to a $\frac{1}{2}$ inch rebar found in the West line of the Shann McDonald and wife, Dona McDonald 2.37 ac. (Tract Two) in Vol. 4569, Pg. 932, O.P.G.C.T., and in G.C.C. Document No. 2008-00025548, at the Southeast corner of said Prospect Realty 1.6878 ac., and at the Northeast corner of said Menjivar 1.00 ac.;

THENCE South 14 deg. 25 min. 17 sec. East, with said West line of the MacDonald 2.37 ac., a distance of 137.16 ft. to a $\frac{1}{2}$ inch pipe found at the Southeast corner of said Menjivar 1.00 ac., and at the Northeast corner of the Bryan Graham and Margaret Graham (approximate) 2.79 ac. in Vol. 4009, Pg. 206, O.P.G.C.T., and in G.C.C. Document No. 2008-00004237;

THENCE South 74 deg. 40 min. 03 sec. West, with the North line of said Graham 2.79 ac., and with the general course of a wire fence and treerow, a distance of 316.80 ft. to a $\frac{1}{2}$ inch pipe found in the East line of Hickory Street, at the Northeast corner of said Graham 2.79 ac., and at the Southwest corner of said Menjivar 1.00 ac.;

THENCE North 14 deg. 28 min. 54 sec. West, with the East line of Hickory Street, a distance of 136.82 ft. to the PLACE OF BEGINNING and containing 0.996 ACRES of land.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown herein under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Kate A. Wagner
Kate A. Wagner, R. P. L. S. No. 6578 Date: 5-7-19



I, Jose Antonio Menjivar, owner of Menjivar's Addition, to the City of Sherman, Texas, do hereby dedicate the streets and easements shown herein to the public use forever.

Jose A. Menjivar
Jose Antonio Menjivar

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Jose Antonio Menjivar, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 8 day of May, 2019.

Shirley M. Wadsworth
Notary Public, Grayson County, Texas



Shirley M. Wadsworth
CLASSIC TOWN BROAD HORIZON

This, the final plot of Menjivar's Addition, to the City of Sherman, Texas, is hereby approved this 16th day of April, 2019, by the Planning and Zoning Commission of the City of Sherman, Texas.

Mark Shadden
Chairman

This, the final plot of Menjivar's Addition, to the City of Sherman, Texas, is hereby approved this 16th day of May, 2019, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS:

Mayor
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plot of Menjivar's Addition, to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the 16th day of April, 2019, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, of Sherman and set forth in and upon said plot; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS 17th DAY OF June, 2019, BY *Linda Ashley*
CITY CLERK, CITY OF SHERMAN, TEXAS



Filed for Record
in the Official Records of:
Grayson County Clerk
On: 6/15/2019 10:31:58 AM
in the PLAT Records
MENJIVAR'S ADDITION
Doc Number: 2019-12
Number of Pages: 2
Amount: \$5.00
Order#: 20190618000058
Pg. 1A

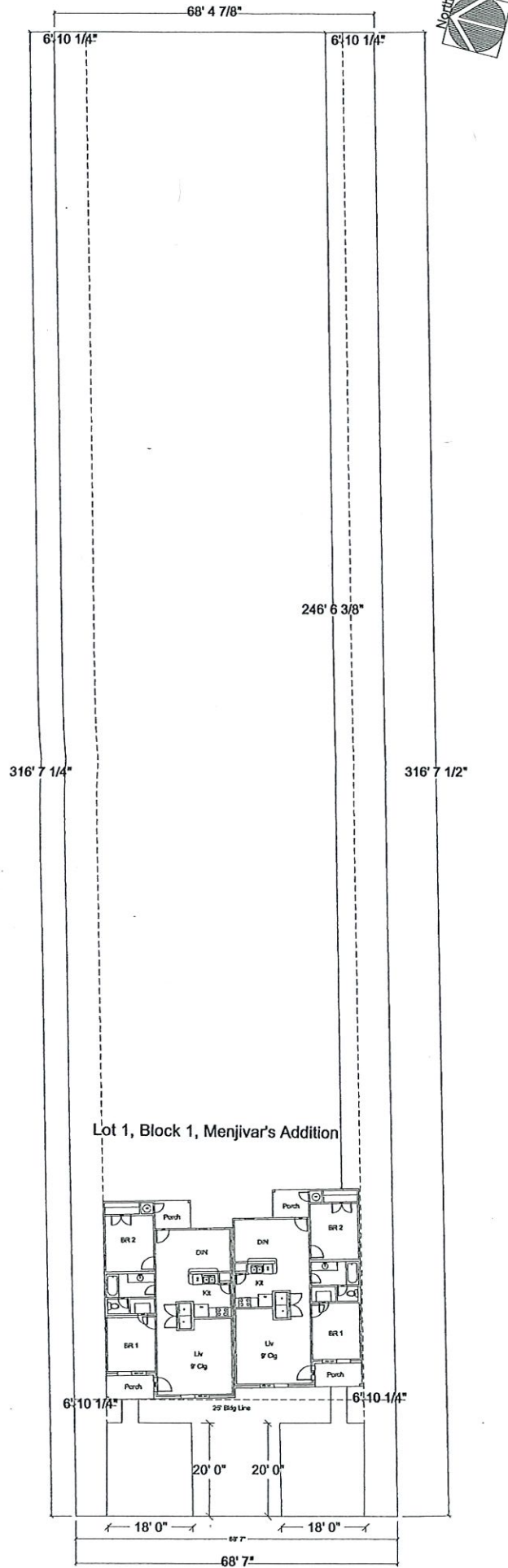


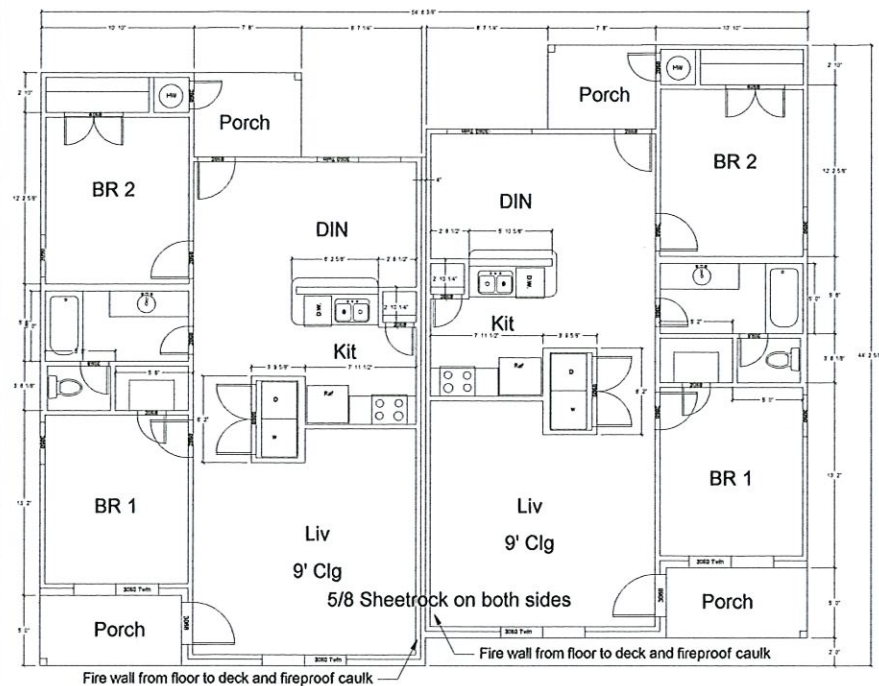
Menjivar's Addition to the City of Sherman, Texas

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (803) 463-6191 Fax: (803) 463-4268
Email: helveywagner@comcast.net
Texas Board of Professional Land Surveying
Firm Registration No. 10058100

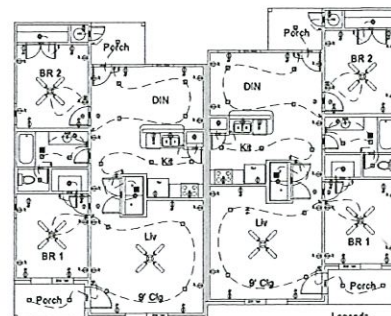
C:\Land Projects\2019\Menjivar-Addition-Hickory-St-Sherman\Map\Menjivar-Add.dwg 3/14/2019 11:08:32 AM CDT

E-9-370

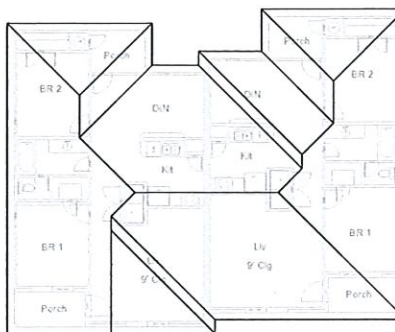




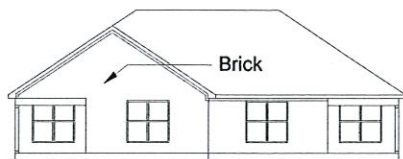
Framing Scale 1/4"=1'



Electrical Scale 1/8"=1'



Roof Scale 1/8"=1'



Front Elev Scale 1/8"=1'



Rear Elev Scale 1/8"=1'



Right Elev Scale 1/8"=1'



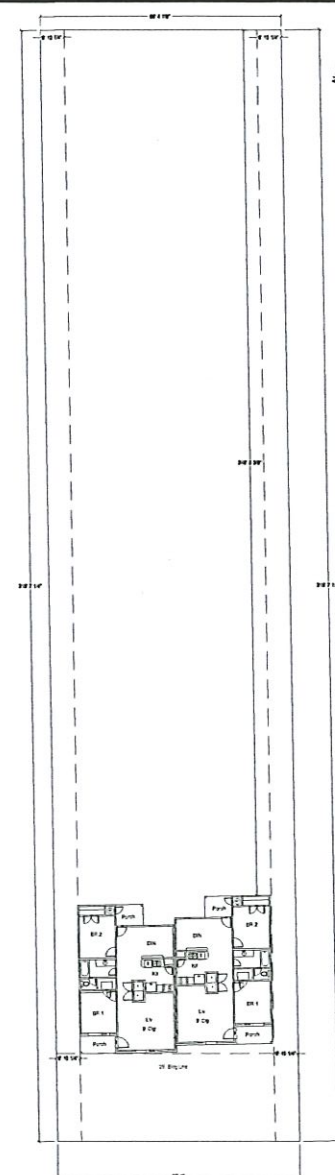
Left Elev Scale 1/8"=1'

Plans for José Menjivar
2417 N. Hickory Street
Sherman, TX 75092

Living 2005 sq ft
Porches 192 sq ft
Total 2197sq ft



James E. Green
PO Box 12
Denison, TX 75021
903.814.7207



Lot 1, Block 1, Menjivar's Addition

STAFF REVIEW LETTER

October 9, 2019

Jose Menjivar
3421 Preston Club Drive
Sherman, TX 75092

James Green
PO Box 12
Denison, TX 75021

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a duplex in an R-1 (One Family Residential) District for the property located at 2417 North Hickory Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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:

Zoning

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. Drive approaches and sidewalks must conform to City standards and a permit is required from City of Sherman Engineering Department.
8. Sanitary Sewer main must be extended to serve the development.
9. Sewer may not be available. Coordinate with Engineering Department.
10. Water Pro-Rata will be due upon development.

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 & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with the first name "Scott" and last name "Shadden" clearly legible.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 11.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

2417 NORTH HICKORY STREET

The request of Jose Menjivar (Owner) and James Green (General Contractor) concerning the property located at 2417 North Hickory Street, being Lot 1, Block 1, Menjivar's Addition, 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 duplex in an R-1 (One Family Residential) District.

Background:

The property is located at 2417 North Hickory Street between Lamberth Road and Pelton Street. The property is zoned an R-1 (One Family Residential) District. The owner would like to construct a 2,197 square foot, four bedroom (two per unit) duplex at this location. Four parking spaces will be provided (two per unit).

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

Origination:

Jose Menjivar (Owner)

James Green (General Contractor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

15

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Plat - Menjivar's Addition

Site Plan

Elevations

Staff Review Letter

October 4, 2019

Sherry Brisco
2504 N. Hickory
Sherman, TX 75092

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, October 22, 2019 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Jose Menjivar (Owner) and James Green (General Contractor) concerning the property located at 2413 North Hickory Street, being Lot 2, Block 1, Menjivar's Addition

The request is 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 duplex in an R-1 (One Family Residential) 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 views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106


Secretary, Planning & Zoning Board

Ibeth Gutierrez

2502 N. Hickory st.

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.

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

2413
Regarding the notice sent on October 4, 2019 about building apartments at 2417 N Hickory Street Sherman, Texas Lot 1, Block 1, Menjivar's addition we the neighborhood of N Hickory Street are writing you and the city council of Sherman, Texas this letter.

We have lived at 2504 N Hickory Street for almost thirty years. My kids played on this land across the street from our house. Then my grandkids then my great grand kids and now my great great. We kicked soccer balls; rode our bikes, flew kites and played football and baseball there. We would like this land to stay as it is for all the kids and future kids in this neighborhood. Our kids and families ride their bikes down this street. Can they still do this with all the traffic from apartments will generate? Our street is little more than a path not made for a lot of traffic.

There are a lot of pretty trees on this land and birds. We love looking at them. You ought to see the view on a nice summer day, or when snow is all over them or when there is a full moon shining down them. Rich people get to look at a pretty view of manicured lawns and pretty houses. Why can't we have a pretty view also? We don't want the noise, we don't want the traffic, we don't want the crime. A few blocks over on Travis Street at those apartments the police are frequently called there for stabbing, shooting, fights, drug deals, etc. A few blocks over on Taylor Street at the apartments across from the park and on down on both sides of the streets the same thing. We don't want this on our street or in our neighborhood.

We know businessmen want to make money, but do they have to make money at our expense of peace, quiet and beauty or our quality of life? Some of us have back yards where our kids play directly across the street from this land. If there is a shooting at these apartments; they are in danger of killing our kids while they play in their own backyard. There are apartments that have been there for years and the tenants move in and out probably more than a hundred in the last 30 years. We don't need more of this. There are many pieces of land all over this town and on the outskirts of town go build your apartments there. Please leave our neighborhood quite peaceful and beautiful!!! Aren't we law abiding citizens entitled to this?

Please drive down our street park your car and get out and walk down our street and see for yourselves how pretty and peaceful our neighborhood is. All of you ask yourselves how would you like to have apartments across the street from your home?

Shay L. Brins
Catherine Brins
Brooklyn Brins
Jenny Brins
2504 N. Hickory
Sherman TX.

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

2413
ave

Regarding the notice sent on October 4, 2019 about building apartments at 2417 N Hickory Street Sherman, Texas Lot 1, Block 1, Menjivar's addition we the neighborhood of N Hickory Street are writing you and the city council of Sherman, Texas this letter.

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There are a lot of pretty trees on this land and birds. We love looking at them. You ought to see the view on a nice summer day, or when snow is all over them or when there is a full moon shining down them. Rich people get to look at a pretty view of manicured lawns and pretty houses. Why can't we have a pretty view also? We don't want the noise, we don't want the traffic, we don't want the crime. A few blocks over on Travis Street at those apartments the police are frequently called there for stabbing, shooting, fights, drug deals, etc. A few blocks over on Taylor Street at the apartments across from the park and on down on both sides of the streets the same thing. We don't want this on our street or in our neighborhood.

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Please drive down our street park your car and get out and walk down our street and see for yourselves how pretty and peaceful our neighborhood is. All of you ask yourselves how would you like to have apartments across the street from your home?

Jeena Byington 1700 W Brockett Sherman

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

04/13
and

Regarding the notice sent on October 4, 2019 about building apartments at 2417 N Hickory Street Sherman, Texas Lot 1, Block 1, Menjivar's addition we the neighborhood of N Hickory Street are writing you and the city council of Sherman, Texas this letter.

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Please drive down our street park your car and get out and walk down our street and see for yourselves how pretty and peaceful our neighborhood is. All of you ask yourselves how would you like to have apartments across the street from your home?

MARCO AMORILLO
2414 N Shannon St

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

2413
and

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William E PERKINS
303 W. GWINNER
DAVID
75092

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

2413
and

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Rubén
2419 N. Shamon St
Sherman TX 75092

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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Janet M Kamras
2309 N. Shannon St.
Sherman, TX 75092

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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Linda Green

~~403-817-58~~

223 W. Pelton
Sherman, Tx. 75092

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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Balbina Quiroz Chavez
219 W Peltou
Sherman, Tx. 75092

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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Marilyn Henderson
220 W. Pelton

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

2413
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Nicole Gilmore
230 W. Pelton St.
Sherman TX 75092

October 14, 2019

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Secretary, Planning and Zoning Board
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2312 N Shannon St Sherman TX
Jacal Hall
Sand Hall

October 14, 2019

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

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John C. 2420 N. Sherman St



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 10.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6269

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Cigar Lounge in an C-1 (Retail Business) District/Central Business District at 222 West Houston Street, being part of Lot 10, Block 4, OTP Sherman (Laurel Acres, LTD, Owners; and Hal Hinton, Applicant); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

Issue:

To consider the request of Laurel Acres, LTD (Owners) and Hal Hinton (Applicant) concerning the property located at 222 West Houston Street, being part of Lot 10, Block 4, OTP Sherman, for a Specific Use Permit to allow a cigar lounge in a C-1 (Retail Business) District/Central Business District

Background:

The property is located at 222 West Houston Street, between Crockett and Rusk Streets. The property is zoned a C-1 (Retail Business) District and is located in the Central Business District. The applicant operates Fellas Barber Shop at 222 West Houston Street; and he would like to open a cigar lounge in the rear of the building. The barbershop will be in the front and the cigar lounge will be in the back portion; it will have a separate entrance. There is a door into the cigar lounge from the barbershop that can be sealed. They have addressed the ventilation and the heat and air. They are going to use large air filters to filter the air that is rated for 1,500 square feet; the area for the cigar lounge is 12' x 25'. They will be recycling the air four times through the air filters and the air exchange. Letters were received from the neighbors, 500 feet in each direction; they did not have any issues. Regular hours are closing at 8 p.m., but they will stay open for special events until 12:00 a.m. There will be TVs to watch sporting events, etc. The applicant has all the licenses to sell tobacco products; a tax stamp. In addition, it will be BYOB, bring your own bottle for alcohol.

Origination:

Laurel Acres, LTD (Owners)

Hal Hinton (Applicant)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6269
Aerial Location Map
Zoning Map
Zoning Sign Photo
Narrative
Site Plan
Interior
Building Elevations
Staff Review Letter
P&Z Communication
Letters from Neighbors

ORDINANCE NO. 6269

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW A CIGAR LOUNGE IN A C-1 (RETAIL BUSINESS) DISTRICT/CENTRAL BUSINESS DISTRICT AT 222 WEST HOUSTON STREET, BEING PART OF LOT 10, BLOCK 4, OTP SHERMAN (LAUREL ACRES, LTD, OWNERS; AND HAL HINTON, APPLICANT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Laurel Acres, LTD (Owners) and Hal Hinton (Applicant) concerning the property located at 222 West Houston Street and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING part of Lot 10, Block 4, OTP Sherman

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the C-1 (Retail Business) District and the Central Business District must be followed.

2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Review the zoning and development ordinance for additional requirements.
4. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

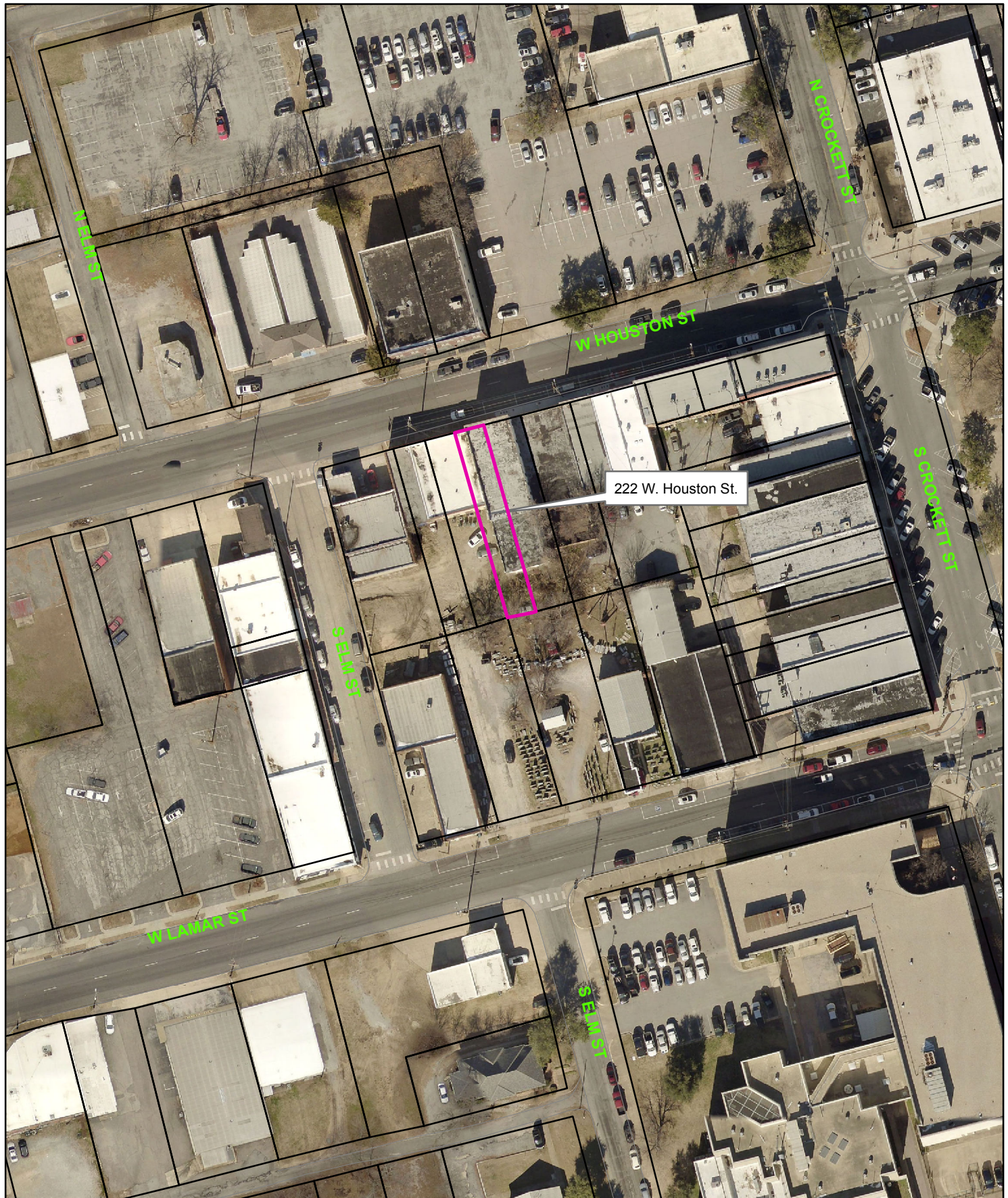
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



222 W. Houston St.



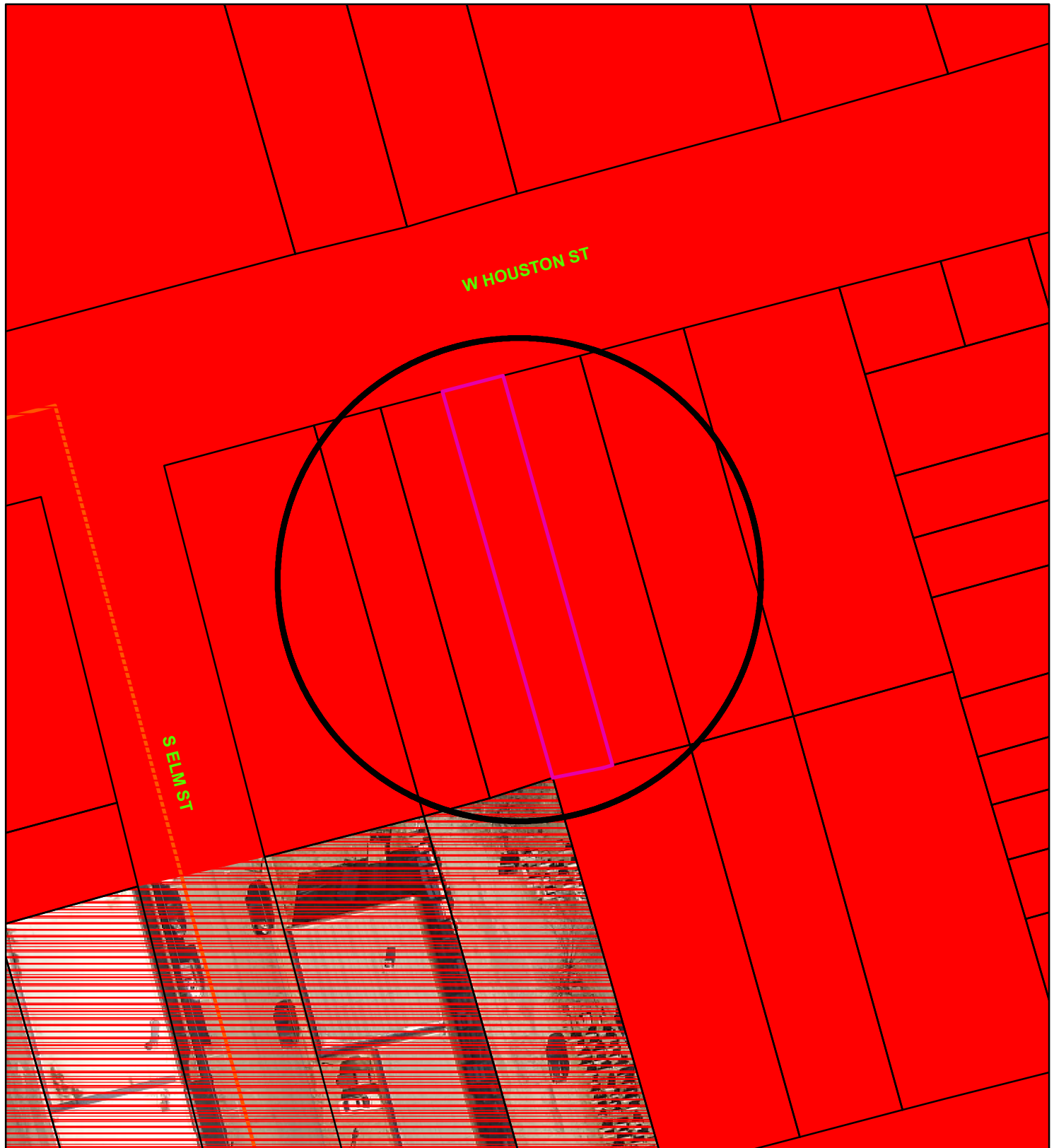
222 W. Houston Street



NOT TO SCALE

1 in = 100 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 222 West Houston Street

Legend

Special Districts Overlay

- DISTRICT_NAME**
- Arts and Cultural District
 - Blalock Commercial Overlay District
 - Central Business District
 - College Park District
 - Downtown Overlay District
 - Historic Preservation District
 - Transportation Corridor

Representation: SpermGIS.DBO.TransportationCorridor_Rep_1

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: SpermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

1 in = 50 ft



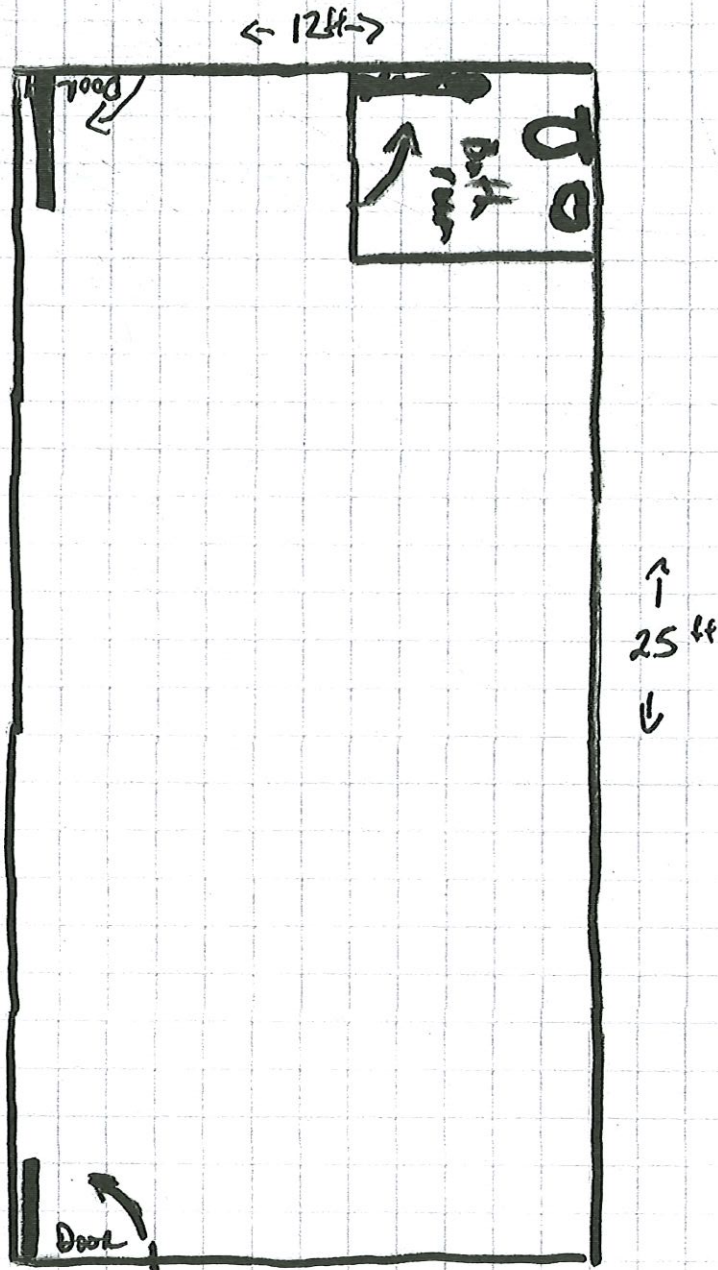
City of Sherman, Texas
Developmental Services Department

222 West Houston Street



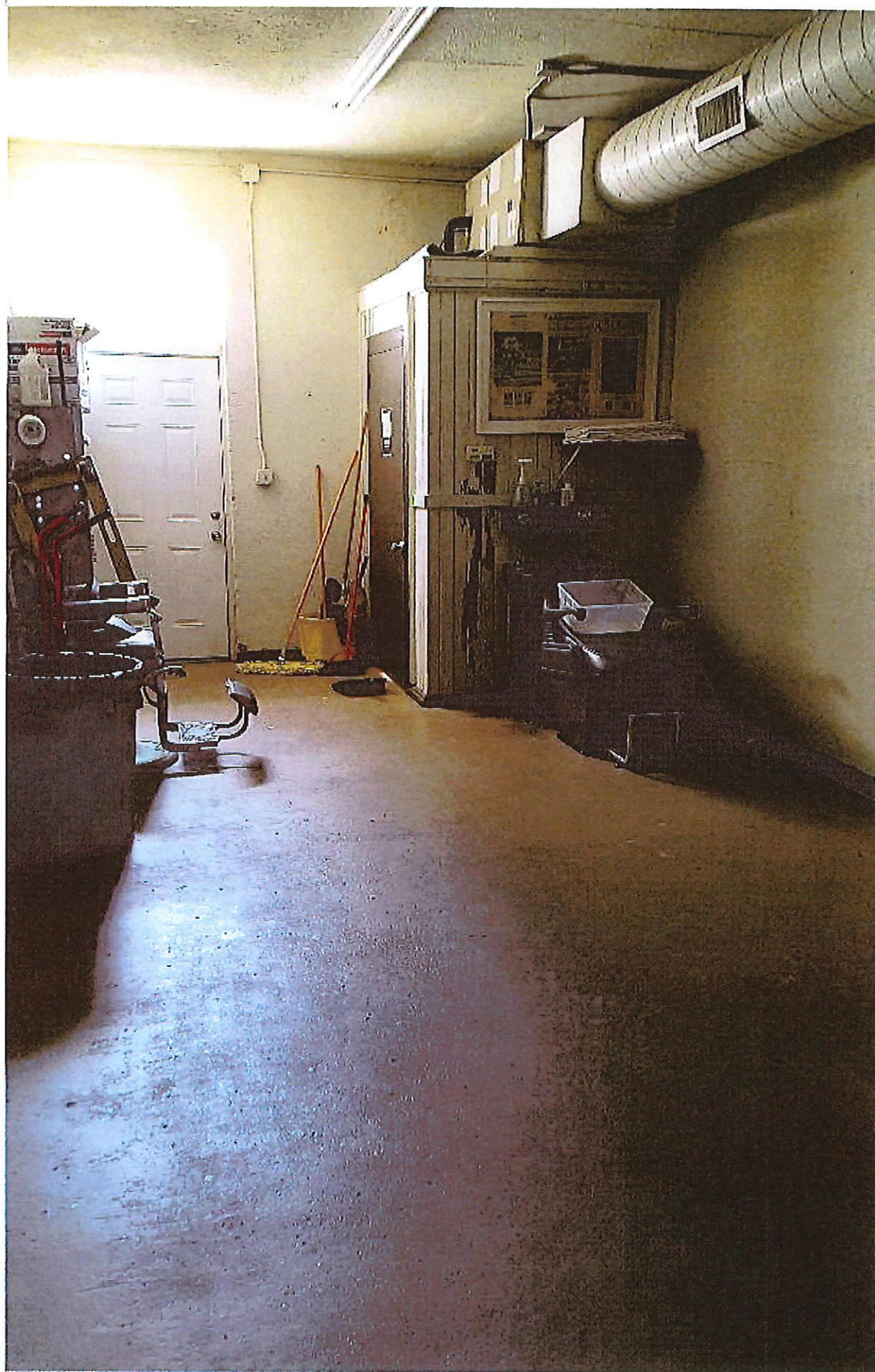
THE DESIGN AND INTENTION OF
SMOKE REPUBLIC

- 1. A CIGAR LOUNGE GEARED TO THE CIGAR AFICIONADO.**
- 2. A PLACE TO GARNER CONVERSATION AND EXCHANGE IDEAS.**
- 3. A 3RD PLACE FOR THE THOSE WHO ENJOY A GREAT CIGAR AND WANT TO LEARN MORE ABOUT THEM.**



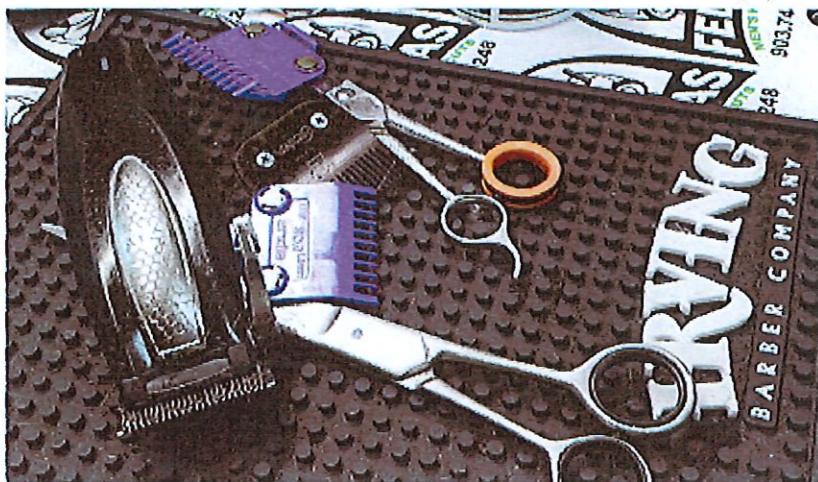
12 X 25
300 sq ft

Back room of 222 W Houston St Sherman Texas





Imagery ©2019 Google, Map data ©2019, Map data ©2019 20 ft



Fellas Men's Hair

4.9 ★ ★ ★ ★ ★ (58)

Barber shop



Directions



Save



Nearby



Send to your
phone



Share

SEE SCHEDULE



222 W Houston St, Sherman, TX 75090



J9PQ+9C Sherman, Texas











STAFF REVIEW LETTER

October 10, 2019 - **AMENDED**

Laurel Acres, LTD
225 N. Crockett
Sherman, TX 75090

Hal Hinton
222 W. Houston St.
Sherman, TX 75090

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a cigar lounge in a C-1 (Retail Business) District/Central Business District for the property located at 222 West Houston Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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:

Zoning

1. All aspects of the C-1 (Retail Business) District and the Central Business District must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Review the zoning and development ordinance for additional requirements.
4. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

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 & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



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

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 9.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

222 WEST HOUSTON STREET

The request of Laurel Acres, LTD (Owners) and Hal Hinton (Applicant) concerning the property located at 222 West Houston Street, being part of Lot 10, Block 4, OTP Sherman, 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 cigar lounge in a C-1 (Retail Business) District/Central Business District.

Background:

The property is located at 222 West Houston Street between Crockett and Rusk Streets. The property is zoned a C-1 (Retail Business) District and located in the Central Business District. The applicant operates Fellas Barber Shop at 222 West Houston Street and he would like to open a cigar lounge in the rear of the building.

Adjacent Zoning:

C-1 (Retail Business) District

C-2 (General Commercial) District

Origination:

Laurel Acres, LTD (Owners)

Hal Hinton (Applicant)

Master Plan Designation:

Urban/Downtown – Buildings are two to five stories and are built right up to the sidewalk, creating a sense of enclosure. Sidewalks provide pedestrian access and streetscape amenities. Parking is available along the street or in small parking lots in the rear of the buildings.

Number of notices mailed:

19

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Narrative

Site Plan

Elevations

Interior

Staff Review Letter

I, Tammy Libride The Escape Salon, am aware of the proposed Cigar Lounge, **SMOKE REPUBLIC** 222 West Houston St, Sherman, TX 75090. I have no problems or issues with the cigar lounge being near my business in downtown Sherman.



Business Owner Signature

10-2-19

Date

903 893 5305

Phone #

FremeTeam

I, Neva Damron, am aware of the proposed Cigar Lounge, **SMOKE REPUBLIC** 222 West Houston St, Sherman, TX 75090. I have no problems or issues with the cigar lounge being near my business in downtown Sherman.



Business Owner Signature

10-2-19

Date

903-819-3385

Phone #

I, Robert Arason Sage Cafe, am aware of the proposed Cigar Lounge, **SMOKE REPUBLIC** 222 West Houston St, Sherman, TX 75090. I have no problems or issues with the cigar lounge being near my business in downtown Sherman.

R
Business Owner Signature

10-2
Date

903-357-5368
Phone #

Brass Rabbit Tattoo

I, Kacy Epperson, am aware of the proposed Cigar Lounge, **SMOKE REPUBLIC** 222 West Houston St, Sherman, TX 75090. I have no problems or issues with the cigar lounge being near my business in downtown Sherman.


Business Owner Signature

10-2-19
Date

903-436-3271
Phone #



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 11.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6270

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Tire Sales and Automobile Repair with Outdoor Displays in a C-2 (General Commercial) District at 1521 Texoma Parkway, being 0.87 acres in the J.B. McAnair Survey, Abstract No. 763 (Alwahban Real Estate, LLC, Owners; and Omar Alwahban, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

Issue:

To consider the request of Alwahban Real Estate, LLC (Owners) and Omar Alwahban (Representative) concerning the property located at 1521 Texoma Parkway, being 0.87 acres in the J.B. McAnair Survey, Abstract No. 763, for a Specific Use Permit to allow tire sales and automobile repair with outdoor displays in a C-2 (General Commercial) District

Background:

The property is located at 1521 Texoma Parkway, between U.S. Highway 75 and Broughton Street. The property is zoned a C-2 (General Commercial) District. A Specific Use Permit to allow automobile sales and a muffler shop was approved in 2003.

The owners are requesting a Specific Use Permit to allow tire sales and automobile repair with outdoor displays at this location. They are proposing four-wheel racks, two on each side of the building; stacks of tires between the bays, four tires stacked neatly at each bay in front of the wall where it separates the two bays; three tires on the ground and one standing up on top; all displays will be brought in at night. Overnight cars will be stored inside the bays, used tires will be stored in the back of the building one to two weeks and then they are picked up and recycled.

Origination:

Alwahban Real Estate, LLC (Owners)
Omar Alwahban (Representative)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted 5/2 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter and subject to two wheel racks (2'x10'x6'), three tire stacks (4 tires each stack) up against the wall of the building and removing the north sign. Commission Members Davis and Sims voted against the request.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6270
Aerial Location Map
Zoning Map
Zoning Sign Photo
Survey
Site Plan
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6270

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW TIRE SALES AND AUTOMOBILE REPAIR WITH OUTDOOR DISPLAYS IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 1521 TEXOMA PARKWAY, BEING 0.87 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 (ALWAHBAN REAL ESTATE, LLC, OWNERS; AND OMAR ALWAHBAN, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this Specific Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this specific use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS;

SECTION 1. That, from and after the passage of this ordinance, Alwahban Real Estate, LLC (Owners) and Omar Alwahban (Representative) concerning the property located at 1521 Texoma Parkway and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the J. B. McAnair Survey, Abstract No. 763, being the same 0.873 acre tract of land conveyed by North Texas Oil Co. to Chapman, Inc. by deed dated December 21, 1976, recorded in Volume 1371, Page 262, Deed Records, Grayson County, Texas, said 0.873 acre tract being more particularly described in deed from Sooner Oil Company to North Texas Oil Company, dated September 13, 1958, recorded in Volume 877, Page 311, Deed Records,

Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a found chiseled "X" 0.70 feet from the South edge of a concrete drive where it intersects the East right-of-way line of Business Highway 75, also known as Texoma Parkway, said "X" being North 41 deg. 25 min. 00 sec. East, a distance of 226.60 feet from the intersection of the East right-of-way line of said Texoma Parkway with the East right-of-way line of the M. K. & T. Railroad, said "X" maintaining the most Northerly corner of a 2.683 acre tract of land conveyed by Sooner Oil Company to Sandhurst Interests and/or Assigns by deed dated August 2, 1994, recorded in Volume 1707, Page 554, Deed Records, Grayson County, Texas;

THENCE North 41 deg. 25 min. 00 sec. East, with the East right-of-way line of Texoma Parkway, a distance of 290.60 feet to a set 3/8 inch steel rod;

THENCE South 03 deg. 13 min. 00 sec. East, a distance of 63.60 feet to an ell corner of said 0.873 acre tract in the West bank of a creek

THENCE North 76 deg. 11 min. 00 sec. East, a distance of 30.00 feet to a corner of said 0.873 acre tract in the East bank of said creek;

THENCE in a Southerly direction with the East line of said 0.873 acre tract as per the deed calls set forth in Volume 877, Page 311, the following calls and distances:

South 22 deg. 58 min. 09 sec. East, a distance of 21.48 feet;
South 05 deg. 46 min. 00 sec. East, a distance of 38.70 feet;
South 02 deg. 38 min. 00 sec. West, a distance of 49.40 feet;
South 28 deg. 55 min. 00 sec. West, a distance of 11.10 feet;
South 39 deg. 20 min. 00 sec. West, a distance of 48.00 feet;
South 49 deg. 15 min. 00 sec. West, a distance of 23.40 feet;
South 27 deg. 24 min. 47 sec. West, a distance of 17.96 feet to found chiseled "X" near the South edge of a concrete drain, said "X" maintaining the Northeast corner of said 2.683 acre tract;

THENCE South 18 deg. 26 min. 26 sec. West, a distance of 105.42 feet to a found 1/2 inch steel rod maintaining an ell corner of said 2.683 acre tract

THENCE North 48 deg. 24 min. 20 sec. West, crossing a channel easement described in Volume 430, Page 02, Deed Records, Grayson County, Texas, and continuing for a total distance of 186.95 feet to the **PLACE OF BEGINNING and containing 0.87 acres of land, more or less.....**

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning

1. All aspects of the C-2 (General Commercial) District, the fence ordinance, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All parking shall be on private property and shall not encroach into the right-of-way.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
5. Parking is permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9'x20'.
6. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. Violation of the conditions of the SUP will terminate the Specific Use Permit.
9. Review the zoning and development ordinance for additional requirements.
10. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

11. Parking will be permitted on private property only.
12. Parking will be permitted on improved surfaces only.
13. All requirements of the Floodplain Ordinance should be followed.
14. Entrances/Exits off Texoma Parkway will be Right-in, Right-out only.

Planning and Zoning Commission:

15. Displays limited to two wheel racks (2'x10'x6'), three tire stacks (4 tires each stack) up against the wall of the building.
16. Remove the north freestanding sign.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

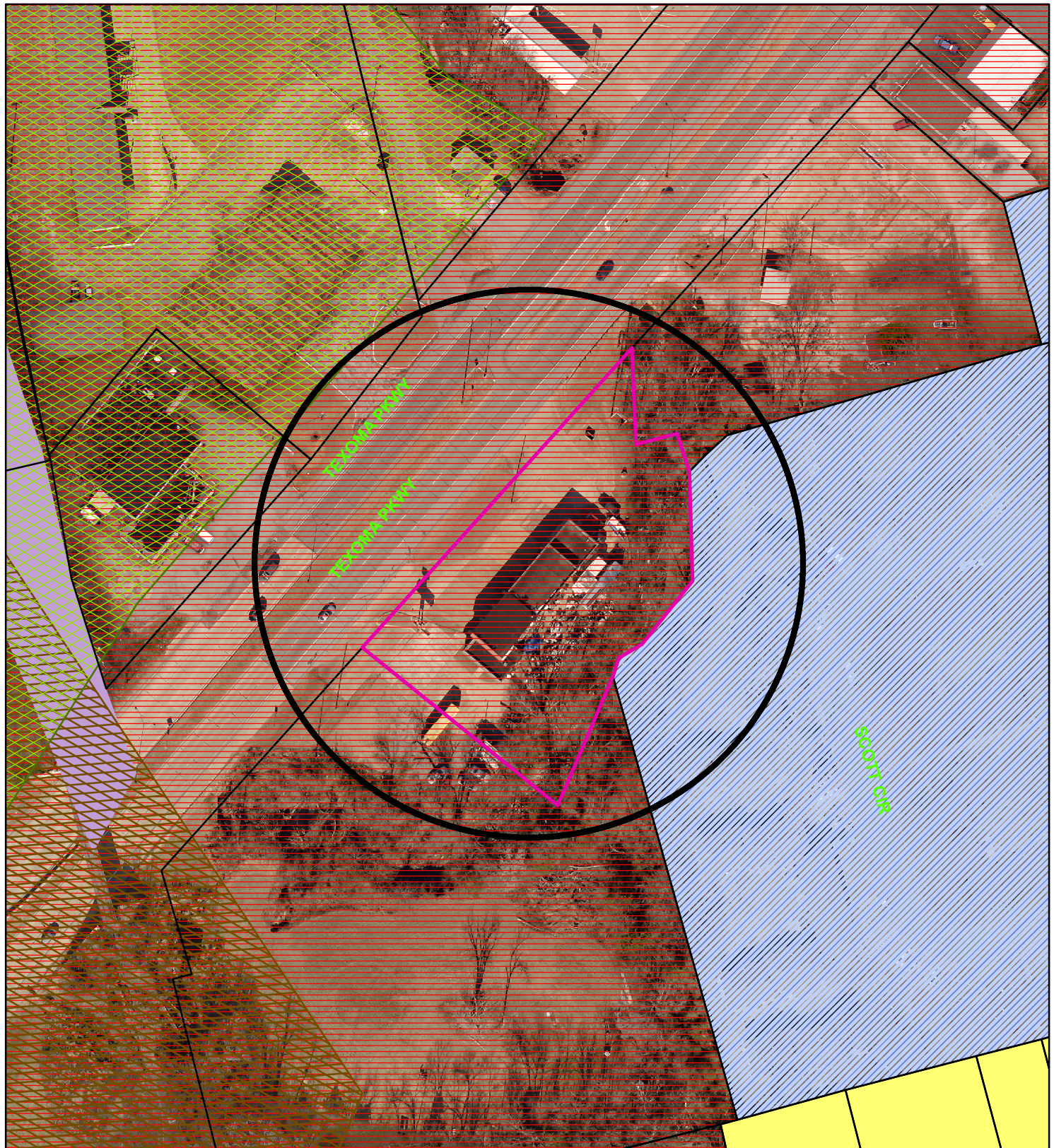
BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



1521 Texoma Parkway



1 in = 400 ft



Zoning - 1521 Texoma Parkway

Legend

Special Districts Overlay

DISTRICT_NAME
Arts and Cultural District
Blalock Commercial Overlay District
Central Business District
College Park District
Downtown Overlay District
Historic Preservation District
Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

FM 1417
Sam Rayburn Freeway
US Hwy 82 and 75
SH 289
FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

Unknown
BIP Blalock Industrial Park
C-1 Retail Business District

C-2 General Commercial District
CO Office District
Lakes
M-1 Light Manufacturing District
M-1.5 Medium Manufacturing District
M-2 Heavy Manufacturing District
MH Manufacturing Housing District
R-1 One Family Residential District
R-2 Multi-Family Residential District
R-A Single Family Agricultural District
SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department

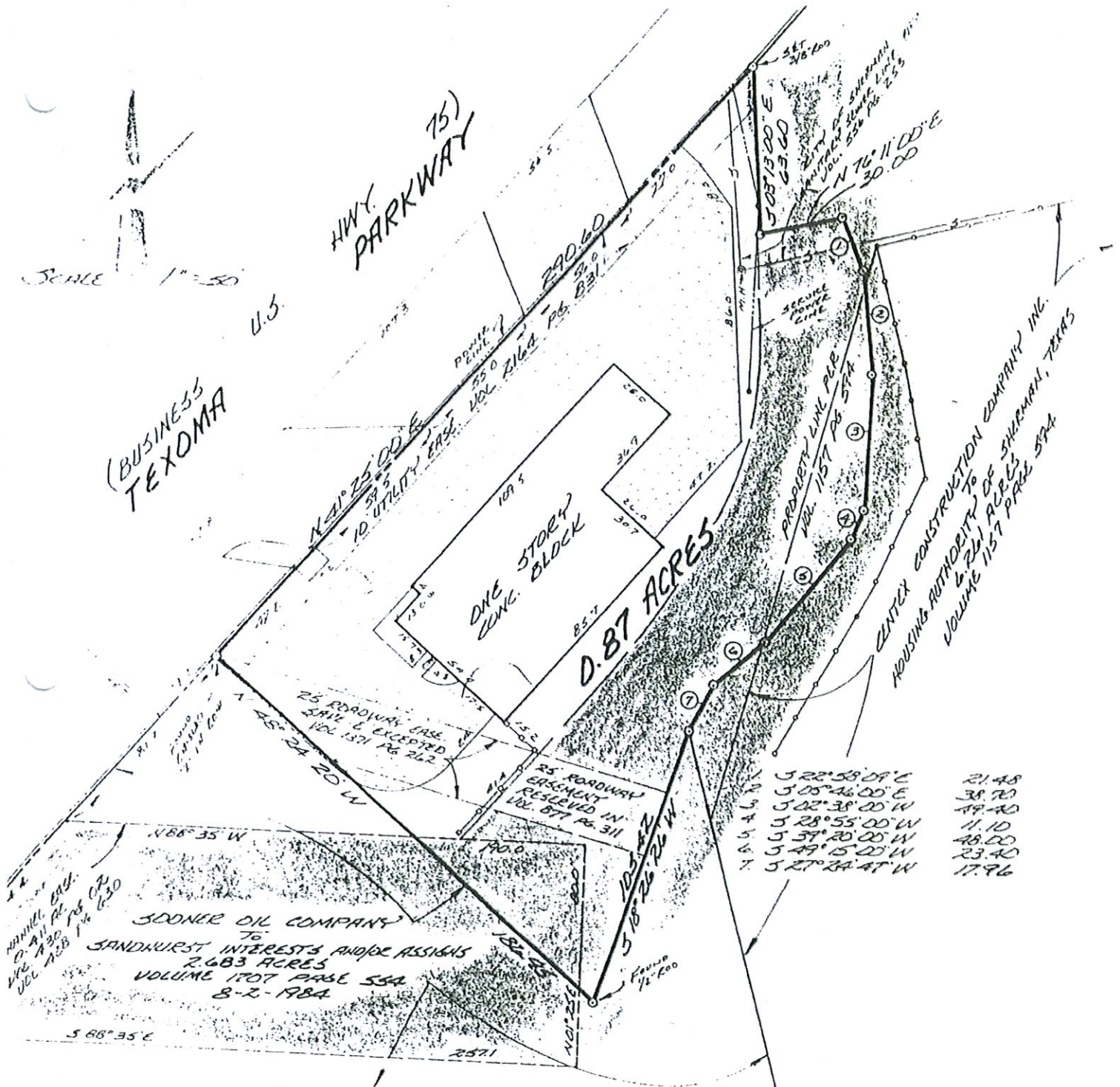


NOT TO SCALE

1 in = 100 ft

1521 Texoma Parkway





J. B. McANNAIR SURVEY
ABST. NO. 763

SARTIN & ASSOCIATES
SURVEYING COMPANY
P.O. Box 1843 Sherman, Texas 75091-1843 (903)892-8003
FAX NUMBER 903-868-2970

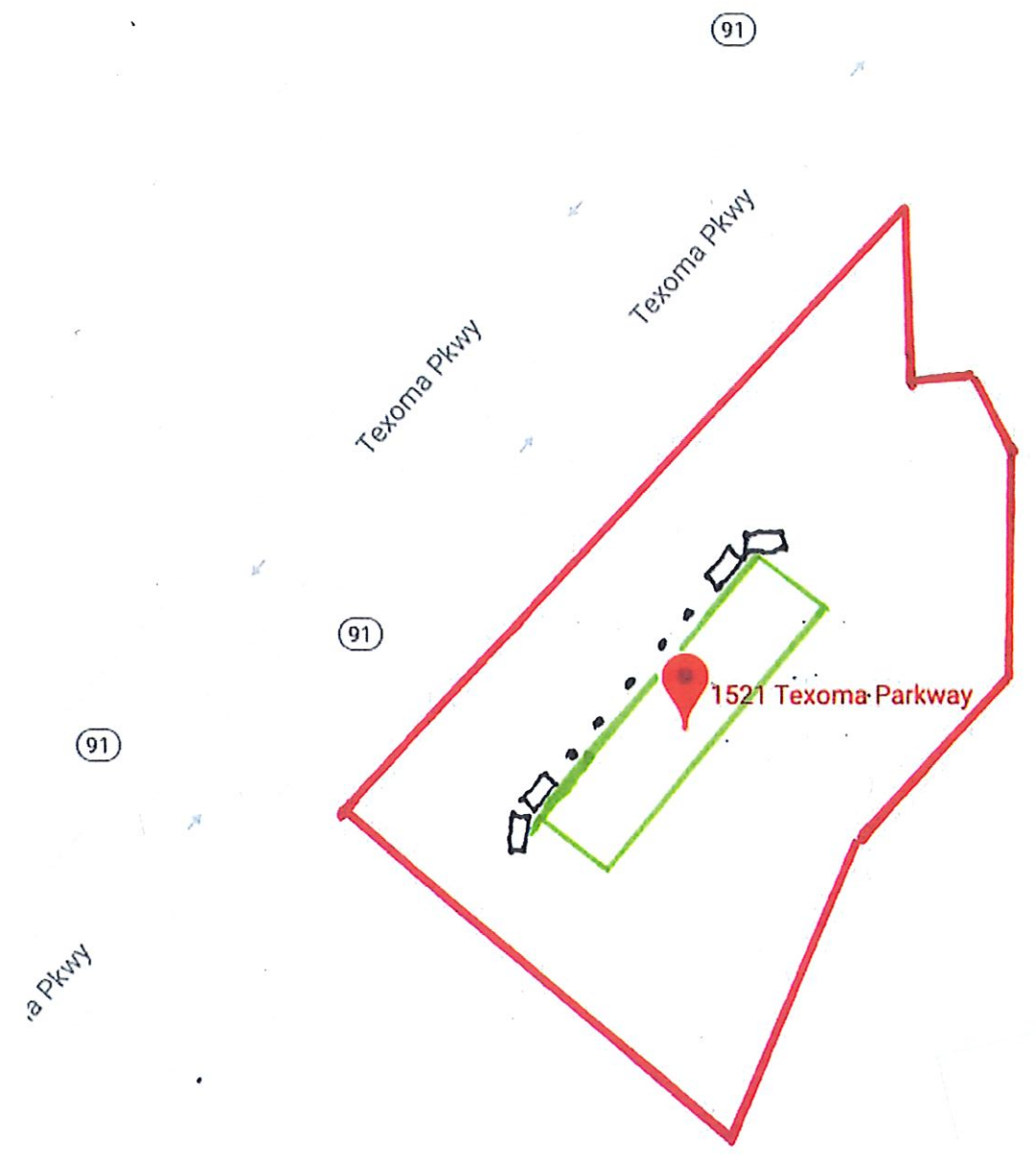
Survey Loc: CHARLES R. HILGER, et ux

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 29 th day of March, 1994 of the following described property:

• 1 Set of Tires
□ 1 wheel rack 2' x 10' x 6'

1/2

TEXAS TIRES OUTDOOR Display Plan Proposal



2/2

TEXAS TIRES
OUTDOOR DISPLAY PLAN
Proposal



2 wheel Racks

4 tires stacked Neatly
outside each O.H.
Bay Door

2 wheel Racks







STAFF REVIEW LETTER

October 9, 2019

Omar Alwahban Real Estate, LLC
1225 E. Seminary Dr.
Ft. Worth, TX 76115

Dear Applicants,

The request for a Specific Use Permit to allow tire sales and automobile repair with outdoor displays in a C-2 (General Commercial) District for the property located at 1521 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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:

Zoning

1. All aspects of the C-2 (General Commercial) District, the fence ordinance, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All parking shall be on private property and shall not encroach into the right-of-way.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
5. Parking is permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9'x20'.
6. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. Violation of the conditions of the SUP will terminate the Specific Use Permit.
9. Review the zoning and development ordinance for additional requirements.
10. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

11. Parking will be permitted on private property only.
12. Parking will be permitted on improved surfaces only.
13. All requirements of the Floodplain Ordinance should be followed.
14. Entrances/Exits off Texoma Parkway will be Right-in, Right-out only.

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 & Zoning Commission.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, appearing to read "Scott Shadden". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 7.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1521 TEXOMA PARKWAY

The request of Alwahban Real Estate, LLC (Owners) and Omar Alwahban (Representative) concerning the property located at 1521 Texoma Parkway, being 0.87 acres in the J.B. McAnair 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 tire sales and automobile repair with outdoor displays in a C-2 (General Commercial) District.

Background:

The property is located at 1521 Texoma Parkway between U.S. Highway 75 and Broughton Street. The property is zoned a C-2 (General Commercial) District. A Specific Use Permit to allow automobile sales and a muffler shop was approved in 2003.

The owners are requesting a Specific Use Permit to allow tire sales and automobile repair with outdoor displays at this location. They are proposing two wheel racks on the left side of the building and two wheel racks on the right side with one set of tires between each overhead bay door.

Adjacent Zoning:

R-2 (Multi-Family Residential) District

C-2 (General Commercial) District

Origination:

Alwahban Real Estate, LLC (Owners)

Omar Alwahban (Representative)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

6

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey

Site Plan

Building Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 12.

Meeting Date: 11/18/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

SECOND PUBLIC HEARING

Conduct the Second Public Hearing Concerning the Annexation of a 95.277 Acre Tract of Land located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction

Issue:

To conduct the second public hearing concerning the annexation of a 95.277 acre tract of land located south of U.S. Highway 82, west of S.H. 289, and east of Preston Club Drive, adjacent to the Sherman City Limits, and in the City's extra territorial jurisdiction (ETJ), in accordance with state law and the City Charter

Background:

It is the City's intention to annex specifically identified individual areas in the City's ETJ, in accordance with state law and the City Charter. At its November 4th meeting, the City Council approved the schedule for annexation of this property, which sets the first and second public hearings for this meeting and introduction and adoption of the Ordinance to annex the subject property at the December 16th regular Council meeting. This annexation was requested by the property owners.

Origination:

Letter requesting annexation by Chris and Claire Rehmet, subject Property Owners / Developers

Financial Consideration:

Once developed, the additional property taxes raised from annexation of this property are estimated at about \$350,000.00 annually, which approximates the estimated costs associated with providing general City services.

Staff Recommendation:

It is recommended that the City Council conduct its second public hearing concerning the possible annexation of this property.

Alternatives:

As directed by the City Council

Attachments

Annexation Scheduling Plan
Request for Annexation
Municipal Service Plan
Exhibit A - Legal Description
Exhibit A - Drawing
Aerial Location Map

ANNEXATION SCHEDULING PLAN

**Annexation of 95.277 acres of land adjacent to the city limits
located South of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive,
being more specifically described as:
REHMET DEVELOPMENT**

- Wednesday, November 6, 2019..... Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
- Thursday, November 7, 2019..... Post notice on City's website, newspaper and City Hall for City Council's 1st and 2nd Public Hearing on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
- Thursday, November 14, 2019..... Post notice of 1st and 2nd Public Hearing under the Open Meetings Act.
- Monday, November 18, 2019..... City Council's 1st and 2nd Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
- Thursday, December 12, 2019..... Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.*
- Monday, December 16, 2019..... City Council Public Hearing for introduction and consideration of adoption of annexation ordinance.* (Regular Council Meeting)

* If more than twenty (20) adults who are residents of the area to be annexed protest within ten (10) days of the notice by publication, then one (1) of the public hearings must be held in the area to be annexed.

October 19, 2019

Ms. Amber Doan
City of Sherman
200 W. Mulberry Dr.
Sherman, TX 75090

RE: Annexation Request

Dear Ms. Doan:

Chris Rehmet and I (Claire Rehmet) own two parcels of land with frontage on US 82. They are immediately adjacent to the Sherman City Limits, which extends across the front of the properties. The GCAD IDs are Parcel 119095 and 119117. We would like both parcels to be annexed. A survey of both parcels is attached and labeled as "ATTACHMENT A". Additionally, we would like the portion of the property in the attached survey and legal description labeled as "ATTACHMENT B" to be **brought in with a zoning of C-1 (Retail business) district** due to the fact that it has frontage along US 82 and should be zoned as such. The remainder of the property can be brought in as SF-1 (Single Family Residential) district. We would like to have it annexed at this time to establish the zoning and perhaps market the property. We understand that the City of Sherman has water service available if desired and that sewer service will be available from the City of Sherman in the future.

If you have any questions or need any additional information, please contact my engineer, Clay Barnett, P.E., at (903) 870-6543.

Thanks,



Chris & Claire Rehmet

City of Sherman
Municipal Service Plan
95.277 Acres East of Preston Club

INTRODUCTION:

The annexation is the site of approximately 95.277 acres south of U.S. Highway 82, West of S.H. 289, and East of Preston Club Drive, lying adjacent to the City of Sherman existing city limits.

This annexation is a step in the process of providing for the orderly growth and development of the City, to protect the City from substandard development and to provide for the enlargement of the city limits by including developments and improvements that are logically a part of the City and receive city utilities.

MUNICIPAL SERVICES TO BE PROVIDED:

POLICE PROTECTION: Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment will be provided on the effective date of annexation.

FIRE PROTECTION: Fire protection by the present personnel and equipment of the fire fighting force will be provided on the effective date of annexation.

SOLID WASTE: The same solid waste collection and disposal service now provided within the City of Sherman will be extended to the annexed area on the effective date of annexation.

BULK WASTE PICKUP: Free monthly bulk trash and brush pickup would be available on the effective date of annexation.

STREETS AND BRIDGES: Any future streets or improvements will be developed by the standard provisions of the Developer's Ordinance with future maintenance by the City of Sherman. Street lighting will be established according to city guidelines.

PARKS: No public parks exist in the area to be annexed. Any new park facilities will be developed according to existing City policies as applicable to all city residents.

CONSTRUCTION INSPECTIONS: Building inspection activities will be available upon annexation.

ENVIRONMENTAL HEALTH AND HEALTH CODE ENFORCEMENT: Enforcement of the City's environmental health ordinances and regulations shall be provided within this area on the effective date of the annexation ordinance.

ANIMAL CONTROL: Animal control services will be provided by the City on the effective date of annexation.

PLANNING AND ZONING: The Planning and Zoning jurisdiction of the City will extend to this area on the effective date of this annexation. Area will be annexed as R-A on the effective date of the annexation ordinance.

WATER SERVICE: Water service will be provided to the area in accordance with the City's Developer's Ordinance.

SEWER SERVICE: Sewer service will be provided to the area in accordance with the City's Developer's Ordinance. No new service connections will be permitted until the current system has been upgraded to handle additional sewer capacity. Coordination with City Engineering Department required prior to development.

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020

Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: kate@helveywagnersurvey.net

TBPLS Firm Registration No. 10088100

Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578 – Kenneth N. Russell, RPLS No. 4409

FIELD NOTES

95.277 Acres

SITUATED in the County of Grayson, State of Texas, being a part of the Daniel Bickenback Survey, Abstract No. 128 and the McMullen and McGloin Survey Abstract No. 762, being a part of the 102.27 Acre tract of land conveyed by General Warranty Deed from Lee Charles Hudgins and Nancy Hudgins to Christopher Rehmet and Claire Rehmet on September 11, 2003 and recorded in Volume 3535, Page 296, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point in the South right-of-way line of U.S. Highway No. 82, the West line of the Henry Ritchey Survey, Abstract No. 1025 and the East line of said J. McMullen and McGloin Survey, at the Northeast corner of the 104.109 acre tract of land conveyed to UCD 82 / Hudgins, LP., recorded in Volume 3912, Page 943, said Official Public Records and the Northwest corner of both said Rehmet 102.27 ac. and the herein described tract;

THENCE South 04 deg. 21 min. 05 sec. East, with the West lines of both said Henry Ritchey Survey and Hudgins 104.109 ac. and the East lines of both said J. McMullen and McGloin Survey and Rehmet 102.27 ac. passing the Southeast corner of said J. McMullen and McGloin Survey and the most Northern Northeast corner of said Daniel Bickenback Survey, continuing on for a **TOTAL** distance of 2581.36 ft. to a point, at the Southwest corner of said Hudgins 104.109 ac., the Southwest corner of said Henry Ritchey Survey, the Northwest corner of both J.M. Thomas Survey, Abstract No. 1234 and the 5.3 acre tract of land conveyed to Dennis A. Stengel, recorded in Volume 2238, Page 418, Real Property Records, Grayson County, Texas and an angle point of both said Rehmet 102.27 ac. and the herein described tract;

THENCE South 03 deg. 48 min. 06 sec. East, with the West line of both said J.M. Thomas Survey and Stengel 5.3 ac. and the West line of both said Daniel Bickenback Survey and Rehmet 102.27 ac., passing the Southwest corner of said Stengel 5.3 ac. and continuing for a **TOTAL** distance of 473.06 ft. to a point in a North line of both Preston Run Road and Preston Club The Classics – Phase Three, recorded in Volume 19, Page 46, Plat Records, Grayson County, Texas, at the Southeast corner of the herein described tract;

THENCE Northerly and Westerly, over and across said Rehmet 102.27 ac., with the East and North lines of said Preston Club The Classics – Phase Three, the following calls and distances:

1. North 56 deg. 48 min. 35 sec. West, 49.61 ft. to a point, at the beginning of said curve;
2. Northwesterly, with a curve to the left having a Central Angle (Delta) of 8 deg. 44 min. 15 sec., a Radius of 205.00 ft. (Chord bears North 61 deg. 10 min. 33 sec. West, 31.23 ft.), an arc distance of 31.26 ft. to a point at the end of said curve, at the most Southerly Southeast corner of the herein described tract;
3. North 01 deg. 12 min. 25 sec. West, 157.26 ft. to a point at the Northeast corner of said Preston Club The Classics-Phase Three and an Ell corner of the herein described tract;
4. South 87 deg. 31 min. 54 sec. West, 224.00 ft. to an angle point;
5. South 79 deg. 01 min. 33 sec. West, 223.00 ft. to an angle point;
6. South 86 deg. 07 min. 16 sec. West, 431.90 ft. to a point in an East line of the Preston Club The Classics - Phase Two, recorded in Volume 14, Page 72, said Plat Records and a West line of said Rehmet 102.27 ac., at the most Northern Northwest corner of said Preston Club The Classics – Phase Three and the most Westerly Northwest corner of the herein described tract;

THENCE Northwesterly, with the East lines of said Preston Club The Classics – Phase Two and the West line of said Rehmet 102.27 ac., the following calls and distances:

1. Northwesterly, with a curve to the left having a Central Angle (Delta) of 26 deg. 00 min. 22 sec., a Radius of 781.94 ft. (Chord bears North 48 deg. 00 min. 58 sec. West, 351.88 ft.), an arc distance of 351.88 ft. to a point at the end of said curve;
2. North 61 deg. 04 min. 58 sec. West, 106.08 ft. to a point, at the beginning of curve;
3. Northwesterly, with a curve to the right having a Central Angle (Delta) of 31 deg. 21 min. 25 sec., a Radius of 553.73 ft. (Chord bears North 45 deg. 21 min. 14 sec. West, 299.28 ft.), an arc distance of 303.05 ft. to a point at the end of said curve;
4. North 29 deg. 30 min. 02 sec. West, 104.71 ft. to a point, at the beginning of curve;

5. Northwesterly, with a curve to the right having a Central Angle (Delta) of 08 deg. 42 min. 59 sec., a Radius of 722.08 ft. (Chord bears North 25 deg. 08 min. 32 sec. West, 109.74 ft.), an arc distance of 109.85 ft. to a point at the beginning of another curve;
6. Northwesterly, with a curve to the left having a Central Angle (Delta) of 22 deg. 04 min. 29 sec., a Radius of 1116.00 ft. (Chord bears North 31 deg. 49 min. 17 sec. West, 427.32 ft.), passing the Northeast corner of said Preston Club The Classics – Phase Two and continuing on for a **TOTAL** arc distance of 429.97 ft. to a point at the end of said curve;
7. North 42 deg. 51 min. 30 sec. West, passing the most Eastern Southeast corner of Block 2, said Preston Club The Classics – Phase Two and continuing on for a **TOTAL** distance of 259.22 ft. to a point, at the most Southerly corner of the Preston Club The Legends Subdivision, Phase Two, recorded in Volume 10, Page 31, said Plat Records and at an angle point of both said Rehmet 102.27 ac. and the herein described tract;

THENCE Northerly, with the East lines of said Preston Club The Legends Subdivision, Phase Two and the West lines of said Rehmet 102.27 ac., the following calls and distances:

1. North 27 deg. 29 min. 05 sec. East, 678.55 ft. to an angle point;
2. North 02 deg. 46 min. 53 sec. East, 189.21 ft. to an angle point;
3. North 22 deg. 46 min. 00 sec. East, 159.55 ft. to a point in the East line of Preston Club Drive, at the most Northerly corner of said Preston Club The Legends, Phase Two and an angle point of both said Rehmet 102.27 ac. and the herein described tract;

THENCE Northeasterly, with the East line of said Preston Club Drive and the West lines of said Rehmet 102.27 ac., the following calls and distances:

1. North 51 deg. 44 min. 00 sec. East, 210.24 ft. to a point, at the beginning of a curve;
2. Northeasterly, with a curve to the right having a Central Angle (Delta) of 08 deg. 28 min. 02 sec., a Radius of 3607.97 ft. (Chord bears North 55 deg. 58 min. 01 sec. East, 532.70 ft.), an arc distance of 533.19 ft. to a point, at the end of said curve;
3. North 60 deg. 12 min. 02 sec. East, 85.91 ft. to a point, at the beginning of a curve;
4. Northeasterly, with a curve to the left having a Central Angle (Delta) of 63 deg. 46 min. 39 sec., a Radius of 250.06 ft. (Chord bears North 28 deg. 18 min. 43 sec. East, 264.20 ft.), an arc distance of 278.35 ft. to a point, in the South right-of-way line of said U.S. Highway No. 82, at the Northwest corner of both said Rehmet 102.27 ac. and the herein described tract;

THENCE North 86 deg. 22 min. 31 sec. East, with the South right-of-way line of said U.S. Highway No. 82 and the North line of said Rehmet 102.27 ac., a distance of 720.21 ft. to the **PLACE OF BEGINNING** and containing **95.277 ACRES** of land.

U.S. Highway No. 82

J. McMullen &
McGloin Survey
Abstract No. 762
Grayson County, Texas

Henry Ritchey Survey
Abstract No. 1025

UCD 82 / Hudgins LP
104.109 Acres in
Vol. 3912, Pg. 943
O.P.R.G.C.T.

Scale:
1"=300'



95.277
Acres

remainder of the
Christopher Rehmet &
Claire Tate Rehmet
102.27 Acres in
Vol. 3535, Pg. 296
O.P.R.G.C.T.

Daniel Bickenback Survey
Abstract No. 128
Grayson County, Texas

approx. location of survey line

L=429.97' R=1116.00'
Δ=22°04'29"
Chord=N31°49'17"W 427.32'

UCD 82 / Hudgins LP
104.109 Acres in
Vol. 3912, Pg. 943
O.P.R.G.C.T.

L=303.05' R=553.73'
Δ=31°21'25"
Chord=N45°21'14"W 299.28'

L=354.92' R=781.94'
Δ=26°00'22"
Chord=N48°00'58"W 351.88'

Dennis A. Stengel
5.3 Acres in
Vol. 2238, Pg. 418
R.P.R.G.C.T.

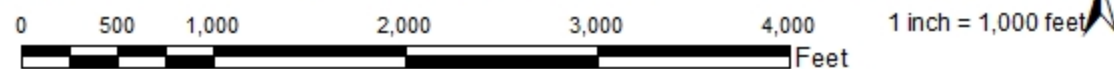
J.M. Thomas
Survey
Abstract No. 1234

Line Table		
Line #	Length	Direction
L1	49.61'	N56°48'35"W
L2	157.26'	N01°12'25"W
L3	224.00'	S87°31'54"W
L4	223.00'	S79°01'33"W
L5	106.08'	N61°04'58"W
L6	104.71'	N29°30'02"W
L7	259.22'	N42°51'30"W
L8	189.21'	N02°46'53"E
L9	159.55'	N22°46'00"W
L10	210.24'	N51°44'00"E
L11	85.91'	N60°12'02"E

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	31.26'	205.00'	8°44'15"	N61°10'33"W 31.23'
C2	109.85'	722.08'	8°42'59"	N25°08'32"W 109.74'
C3	278.35'	250.06'	63°46'39"	N28°18'43"E 264.20'

Prepared for Annexation Purposes only

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (903) 463-6191 Fax: (903) 463-4088
Email: kate@helveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 13.

Meeting Date: 11/18/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 6261, 6262, 6263, 6264, 6265, 6266, 6267, 6268, 6269 and 6270

Issue:

- G. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6261**
Confirming and Validating the Reauthorization of the Levy and Collection of a Sales and Use Tax of One-Eighth (1/8) of One Percent to Provide Revenue for the Maintenance and Repair of Municipal Streets, as Authorized by Chapter 327 of the Texas Tax Code
- G. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6262**
Expanding Sherman Tax Increment Reinvestment Zone, Number Seven (#7) (Southeast of Intersection of U.S. Highway 75 and F.M. 1417); Providing for Findings of Fact
- G. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6263**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Gated Airport Community in an R-1 (One Family Residential) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 32.740 acres in the G.B. Pilant Survey, Abstract No. 963 (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- G. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6264**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Hangar Homes in an R-1 (One Family Residential) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 11.412 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-9, Block A, Lots 1-13, Block B and Lots 1-21, Block C of the Proposed Silver Falcon Aviation Community Community (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

- G. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6265**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Patio Homes in an R-1 (One Family Residential) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 2.343 acres in the G.B. Pilant Survey, Abstract No. 963, also being Lots 1-24, Block D of the Proposed Silver Falcon Aviation Community (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- G. 7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6266**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the C-1 (Retail Business) District in the 1600-1700 blocks of South Gribble Street and the 1300-1500 blocks of East Lake Street, being 6.704 acres in the G.B. Pilant Survey, Abstract No. 963 (Skytrust, LLC, Owners; Strand Systems Engineering, Inc., Surveyor; and Strand A&E, Eric Cantrell, Representative)
- G. 8. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6267**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Duplex in an R-1 (One Family Residential) District at 2413 North Hickory Street, being Lot 2, Block 1, Menjivar's Addition (Jose Menjivar, Owner; and James Green, General Contractor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- G. 9. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6268**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Duplex in an R-1 (One Family Residential) District at 2417 North Hickory Street, being Lot 1, Block 1, Menjivar's Addition (Jose Menjivar, Owner; and James Green, General Contractor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- G. 10. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6269**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Cigar Lounge in an C-1 (Retail Business) District/Central Business District at 222 West Houston Street, being part of Lot 10, Block 4, OTP Sherman (Laurel Acres, LTD, Owners; and Hal Hinton, Applicant); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- G. 11. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6270**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Tire Sales and Automobile Repair with Outdoor Displays in a C-2 (General Commercial) District at 1521 Texoma Parkway, being 0.87 acres in the J.B. McAnair Survey, Abstract No. 763 (Alwahban Real Estate, LLC, Owners; and Omar Alwahban, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 14.

Meeting Date: 11/18/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Issue:

H. 3. * RESOLUTION NO. 6564

Renaming Dedicated Streets in the Final Plat of Sunrise Tract at Sherman Hills, Phase 1

H. 4. * RESOLUTION NO. 6565

Authorizing Execution of an Agreement with Ameritex Homes, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1415 South Austin Street within City of Sherman Reinvestment Zone, Number Ten (#10)

H. 5. * RESOLUTION NO. 6566

Authorizing Execution of an Agreement with Ameritex Homes, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 2106 South Branch Street within City of Sherman Reinvestment Zone, Number Ten (#10)

H. 6. * RESOLUTION NO. 6567

Awarding a Bid to and Authorizing Execution of an Agreement with Josh Willeford for an Agricultural Lease at the Sherman Wastewater Treatment Plant

H. 7. * RESOLUTION NO. 6568

Authorizing the Emergency Purchase of a New Spartan S-180 Pumper from Metro Fire for the Sherman Fire Department and the Emergency Purchase of Two Chevrolet Patrol Tahoes from Freedom Chevrolet for the Sherman Police Department with Lease-Purchasing Financing

H. 8. * RESOLUTION NO. 6569

Casting Votes to Elect a Candidate to Serve as a Member of the Grayson Central Appraisal District Board of Directors

I. 2. * REQUEST TO ADVERTISE

Purchase and Installation of Various Site Amenities and Improvements for the Cherry Street Park Project

J. 2. * CHANGE ORDER NO. 4 (FINAL)

Approving the Greater Texoma Utility Authority's Intent to Execute Change Order No. 4; Sherman Water Treatment Plant Expansion Project; MWH Contractors, Inc.; \$717.00 Decrease

K. 1. * OTHER BUSINESS

Approval of the 2019 Ad Valorem Tax Roll Value and Tax Levy

K. 2. * OTHER BUSINESS

Replat Approval of Lots 2, 3 and 4, Block 4, Mayhew Addition, being 0.705 acres in the Samuel Blagg Survey, Abstract No. 56, also being Lots 2, 3 & 4, Block 4 of the Mayhew Addition; Killian Land

Development, LP, Owners; and Helvey-Wagner Surveying, Surveyor (1606, 1610 and 1614 South Rusk Street)

K. 3. * OTHER BUSINESS

Second Replat Approval of Sherman Hills Country Club Addition, being 235.088 acres in a part of the Elizabeth Jones Survey, Abstract No. 625, the Samuel Blagg Survey, Abstract No. 56 and the Preston Kitchen Survey, Abstract No. 667, also being a part of the Sherman Hills Country Club Addition Golf Course Tracts Addition; SSCGC Holdings, LLC, Owners; and Underwood Drafting and Surveying, Surveyor (1200-2600 blocks of South U.S. Highway 75)

K. 4. * OTHER BUSINESS

Replat Approval of Holley Heights Addition, a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition, being all of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition Golf Course Tracts, containing 22.822 acres in the Preston Kitchen Survey, Abstract No. 667; SSCGC Holdings, LLC, Owners; Joshua Holley, Developer; and Underwood Drafting and Surveying, Surveyor (2100-2200 blocks of South U.S. Highway 75)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

H. 1.

Meeting Date: 11/18/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6562

Authorizing Execution of an Amended and Restated Moore Street Agreement between the City of Sherman and The Munson Realty Company for the Construction of West Moore Street from West Travis Street to F.M. 1417 in the City of Sherman

Issue:

Amendment and restatement of the agreement to construct Moore Street from West Travis Street to F.M. 1417 in the City of Sherman

Background:

Resolution No. 6493 and the Moore Street Agreement between the City of Sherman and The Munson Realty Company was approved at the July 1, 2019 City Council Meeting. The Munson Realty Company proposes to construct a 620-acre development south of West Travis Street around the new Sherman High School site. The agreement provided for the construction of Moore Street from West Travis Street to F.M. 1417 in the City of Sherman. It included full design on the four-lane thoroughfare. Phase 1 of construction was to include only the west two lanes. Future phases were to include the east two lanes and be constructed as traffic volumes increase. Construction of this first phase of Moore Street would enhance traffic accessibility around the new Sherman High School. This agreement is expected to expedite commencement of development within the Munson Planned Development. Although timing of construction has not been fully determined, preliminary engineering on this project has begun.

The City staff and The Munson Realty Company have agreed to certain modifications, highlights of which are as follows:

- Clarifying that the City will construct and pay for all Phase I improvements
- Added Pond 1 as part of Phase I improvements, maintenance of which will be managed by the City via future assessments to developers as the tract is developed
- Clarifying that Pond 1 will satisfy the requirements of the Memo of Understanding among the City, Sherman ISD and Munson Realty relating to storm drainage

Origination:

Engineering Department

Financial Consideration:

The estimated cost of Phase I of the Moore Street project and related Pond 1 is expected to total about \$2.5 million. Staff will seek Council approval at a future date for construction of the project, including the financing mechanisms needed to complete it.

Staff Recommendation:

Staff recommends approval and execution of the Amended and Restated Moore Street Agreement.

Alternatives:

As directed by City Council

Attachments

Resolution No. 6562

Amended and Restated Moore Street Agreement

RESOLUTION NO. 6562

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AMENDED AND RESTATED MOORE STREET AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE MUNSON REALTY COMPANY FOR THE CONSTRUCTION OF WEST MOORE STREET FROM WEST TRAVIS STREET TO F.M. 1417 IN THE CITY OF SHERMAN; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an Amended and Restated Moore Street Agreement with the Munson Realty Company for the construction of West Moore Street from West Travis Street to F.M. 1417 in the City of Sherman, in accordance with the terms and provisions of all contract documents attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

**AMENDED AND RESTATED
MOORE STREET AGREEMENT
BETWEEN
THE CITY OF SHERMAN
AND
THE MUNSON REALTY COMPANY**

THIS AMENDED AND RESTATED MOORE STREET AGREEMENT (this "**Agreement**") is made and entered into by and between the City of Sherman (the "**City**"), a municipal corporation organized under the laws of the State of Texas, and The Munson Realty Company, a Texas corporation (the "**Land Owner**").

RECITALS:

WHEREAS, the Land Owner owns the land depicted on the attached Exhibit "A" (the "**Land Owner's Property**");

WHEREAS, on or before the execution of this Agreement, the City and the Land Owner have entered into a Master Agreement (the "**Master Agreement**");

WHEREAS, the Master Agreement contemplates the execution of separate agreements pertaining to construction of components of infrastructure on the Land Owner's Property, and this Agreement is one of those agreements;

WHEREAS, the City has agreed to construct W. Moore Street through the Land Owner's Property from Travis Street to FM 1417 as indicated on the Moore Street Improvements map attached as Exhibit "B" ("**Moore Street**");

WHEREAS, the City will require the dedication of land or the granting of an easement required for the construction of Moore Street improvements;

WHEREAS, the City has agreed to fund Moore Street improvements as Phase One of two phases;

WHEREAS, Phase One improvements will include: (i) grading of the land where Moore Street will be located, which may include the removal of soil from areas that will be ponds in an adjacent greenbelt as shown on the concept plan attached as Exhibit "C"; (ii) the construction of storm drainage facilities under and around Moore Street; (iii) paving of all or a portion of the surface of Moore Street; and (iv) the construction of Pond 1 as shown on the Drainage Area Map attached as Exhibit "D" including the area around the pond as outlined on the attached Exhibit "E" ("**Pond 1**");

WHEREAS, the City has agreed to pay directly, or to reimburse the Land Owner, for all required and approved costs of infrastructure related expenses including professional fees for land planning, engineering, and project management, and the costs of construction of the improvements contemplated by this Agreement;

WHEREAS, the City will accept all public infrastructure designed and constructed per City standards, in accordance with the provisions of this Agreement and the prevailing state and local laws, and will provide owners and occupants of portions of the Land Owner's Property with access to Moore Street;

WHEREAS, the Land Owner desires that the City accept the Moore Street improvements and other infrastructure improvements as reflected on the plans and specifications to be submitted by the Land Owner and accepted by the City as a part of the public facilities of the City, as provided in this Agreement;

WHEREAS, the Land Owner and the City previously entered into an agreement entitled "Moore Street Agreement" as provided in and attached to Resolution No. 6493 passed by the city council for the City, and the City council later passed Resolution No. 6550 dated October 21, 2019, which had an "Addendum to Moore Street Agreement" attached to it; and

WHEREAS, the Land Owner and the City desire to further amend the original "Moore Street Agreement" as previously amended, and prefer to enter into this amended and restated Agreement rather than enter into another separate amendment, and this Agreement supersedes and replaces the original "Moore Street Agreement" as previously amended.

AGREEMENTS:

NOW, THEREFORE, in consideration of the mutual covenants and obligations herein, the parties agree as follows:

ARTICLE I. SPECIFIC CONTRACT PROVISIONS

1. **Assurance of Title:** At the time of execution of this Agreement, the Land Owner represents to the City that the Land Owner is the owner of the Land Owner's Property.
2. **Approved Professionals:** The Land Owner has contracted, and City will contract, with the following firms to provide goods and services related to this Agreement: (i) **Jones & Carter, Inc.** (the "**Civil Engineer**") to prepare plans for improvements to be constructed as contemplated by this Agreement; (ii) **Terracon Consultants, Inc.** to perform geotechnical engineering services including supervision of soil borings at various locations and depths; and (iii) **Integrated Environmental Solutions, LLC** to work on delineation, planning and filing for permits related to storm water handling, drainage, wetlands, creeks, and waters of the United States. The City will pay for costs associated with use of these professionals directly or, if the Land Owner has paid these professionals, then the City will reimburse the Land Owner for the fees of these professionals. The Land Owner has also contracted with the **Hoefler Wysocki** land planning firm (the "**Land Planner**") to provide planning, design and management services to the Land Owner. The City will reimburse the Land Owner for the fees of the Land Planner that are Project Management Costs (defined below) up to the limit set forth in Section 9 of this Agreement. The City approves the professionals named above. The Land Owner may, from time to time, choose to engage another professional firm

to provide goods and services related to this Agreement, in which case the Land Owner will deliver a written notice to the City Designee (defined below) to request the City's approval of the new or replacement professional, and the City will not unreasonably withhold, delay or condition its approval. The professionals and professional firms approved by the City are sometimes referred to in this Agreement as the "**Professionals.**"

3. **Plans for the Project:** The City will authorize the Civil Engineer to prepare plans and specifications (the "**Plans**") for the improvements to be constructed for Moore Street and Pond 1 (collectively the "**Project**") pursuant to this Agreement as part of the public facilities of the City. The Plans will describe the improvements comprising the Project (the "**Project Improvements**"). References in this Agreement to "Pond 1" are intended to refer to both Pond 1 and the area around Pond 1 that will be dedicated to the City as provided below.

The Project Improvements to be constructed pursuant to this Agreement are a component of the entire project improvements to be constructed on the Land Owner's Property as contemplated by the Master Agreement. Unless the context indicates an intent to refer to the entire project contemplated by the Master Agreement, any reference in this Agreement to (i) the "Plans" is intended to refer to the Plans for the construction of the improvements for Moore Street and Pond 1; (ii) the "Project" is intended to refer to the project to construct improvements for Moore Street and Pond 1, and (iii) the "Project Improvements" is intended to refer to the improvements for Moore Street and Pond 1.

4. **Phasing of Improvements:** Improvements to the Project will occur on a phased basis, as follows:

(i) Phase One will include (a) the construction of Pond 1 as shown on the Concept Plan in the area outlined on the attached Exhibit "E", which pond will provide storm water capacity for improvements to the Independent School District property per the Memorandum of Understanding (the "**MOU**") that was signed on behalf of the Land Owner on May 2, 2018, the City on May 15, 2018, and Sherman Independent School District (the "**District**") on May 23, 2018, and (b) construction of the two western-most paved lanes of Moore Street, including all necessary grading, storm drainage, water infrastructure, and any other necessary and reasonable improvements, from Travis Street to FM 1417; and

(ii) Phase Two will include the construction of the remaining portions of Moore Street that are not built as part of Phase One.

The City will use its best efforts to cause Phase One to be completed on or before December 31, 2020. The timing of Phase Two construction will be determined by the City at a future date.

5. **Dedication or Easement:** The Land Owner will cause separate documents to be prepared to dedicate land to the City as to, or grant an easement to the City on, portions of the Land Owner's Property for Project Improvements to be constructed. Descriptions of the locations of the dedication or easement will be prepared by the Civil Engineer. Those descriptions will include separate descriptions for temporary construction easements adjacent to and outside

of the dedication or easement areas for the Project Improvements. The exact location of the areas to be dedicated or subject to an easement for the Project Improvements and the temporary construction easements will be subject to the approval of the parties. An attorney will prepare forms of dedication or easement documents using the approved descriptions of the locations of the areas to be dedicated or subject to the easement, and the dedication or easement document will be subject to the approval of the City attorney and the Land Owner's attorney. In any dedication deed, the Land Owner will reserve its ownership of oil, gas and other minerals in and under the land being dedicated. The Land Owner understands that the City will rely on the accuracy of the descriptions and Plans in making its determination as to whether the documents comply with all City ordinances, state and federal law. The City will take ownership of and be responsible for the management and maintenance of Pond 1. The City will not assess The Munson Realty Company for any costs of construction or maintenance of Pond 1, in accordance with current City storm water detention requirements. However, as development occurs, the City may assess maintenance fees to any future owner of any portion of the area identified as the Village Center on the attached as Exhibit "F" that develops its property with storm water drainage improvements that direct the flow of storm water into Pond 1, pursuant to a future agreement that may be entered into between the City and the developer.

6. **Construction of Improvements:** The City will enter into a contract with a qualified contractor (the "**General Contractor**") to construct the improvements contemplated by this Agreement. The General Contractor will deliver, free and clear of all liens, all of the improvements described in the Plans as provided in this Agreement. Phase One Improvements will include the western two lanes for Moore Street and associated improvements. Phase One Improvements will also include the excavation and grading of Pond 1, the use of excavated materials from Pond 1 to construct the roadbed for Moore Street as determined by the engineering plans from the Civil Engineer, and the finish grading and soil stabilization of areas for Pond 1 within the limits of the Pond 1 area. Pond 1 will serve as the detention facility for the Sherman Independent School District's property, a portion of the City of Sherman rights of way for West Travis Street and Moore Street, and the portion of the Land Owner's Property identified as the Village Center on the attached Exhibit "F". The Land Owner's obligation to accept the storm water flow referenced in the MOU will be satisfied by the dedication of the land for Pond 1. The Land Owner and any future owner of any portion of the area identified as the Village Center may cause storm water from that area to drain into Pond 1, in accordance with approved engineering plans from the Civil Engineer.
7. **Payment of Construction Costs:** The City will pay the General Contractor directly, and subcontractors and suppliers either directly or indirectly through the General Contractor, for invoices for goods, services, labor and/or materials for engineering, preparation of Plans, and construction of the Project Improvements (the "**Project Construction Costs**"). The City will construct and pay for all Phase One Improvements. The City will use its best efforts to complete all Phase One Improvements by December 31, 2020.
8. **Reimbursement of Costs incurred by the Land Owner:** To the extent the Land Owner may have contracted directly for services related to the Project, the Land Owner will pay invoices for fees and expenses the Land Owner receives from the Professionals and any other

parties who have provided services related to planning, management and supervision of the construction of the Project Improvements, and preparation of Project Documents, including professional fees for land planning and project management. The Land Owner will then deliver copies of the invoices to the City, along with proof of payment reasonably requested by the City. The City will reimburse the Land Owner within 30 days after receipt of a copy of the invoice and proof of payment. The City will not unreasonably withhold, condition or delay its approval of any invoice. The reimbursement pursuant to this Agreement will be for anything related to the Moore Street Project or the Moore Street Project Improvements including, but not limited to, services related to other aspects of the entire Project or the entire Project Improvements that are addressed in relation to or as a prerequisite to the Moore Street Project or the Moore Street Project Improvements such as grading, soil stabilization, hydrology, storm water drainage and retention or detention, environmental issues, adjacency to future water lines and other utility lines, and anticipated elevations for proposed connecting roads, streets and driveways.

9. **Reimbursement of Project Management Costs:** The fees charged by the Land Planner for construction management of the Moore Street and Pond 1 Project on behalf of the Land Owner are referred to as "**Project Management Costs.**" Project Management Costs will be reimbursed at no more than three percent (3%) of the documented, actual Project Construction Costs.
10. **Permits:** The City will, with the assistance of the Civil Engineer or the General Contractor, provide or obtain all City permits, licenses and approvals required in connection with the construction of the Project Improvements and all other permits or approvals (if any) issued by other governmental agencies, to the extent required by law. The Land Owner is not responsible for obtaining any permits, licenses or approvals that may be required.
11. **City Inspector:** The City will use its own inspectors for (i) scheduling and conducting of necessary inspections, (ii) granting necessary permits, and (iii) the completion of other required compliance with City ordinances, rules or regulations with respect to the design and construction of the Project Improvements. The City's inspectors will have the authority, on behalf of the City, to provide approvals and issue permits as required from the City with regard to the construction of the Project Improvements.
12. **Contractor Assurances:** The City will contractually obligate the General Contractor to provide the following assurances to protect the City and the Land Owner during and after construction: (i) commercially reasonable procedures to assure payment and performance by the General Contractor's subcontractors, including payment and performance bonds to be furnished by those subcontractors if required by the Land Owner, (ii) indemnification (which will include commitments to defend and hold harmless) consistent with indemnification provisions customarily provided by prime contractors for City-operated construction projects with a scope similar to that of the Project Improvements to the extent allowed by law, and (iii) insurance, including commercial liability, all-risks builders risks, workers compensation, auto liability and excess umbrella coverage, each in form and substance not less than is customary for a City-operated construction project with a scope similar to that of the Project Improvements. Each such indemnity and insurance policy must name both the City and the

Land Owner as named insureds, or as joint indemnitees and as additional insureds. The City may from time to time reasonably request in writing that the General Contractor furnish to the City evidence of the insurance provided by the General Contractor.

13. **Construction Contracts:** The City will have the right and responsibility to negotiate and enter into all contracts necessary for the design, engineering and construction of the Project Improvements, containing terms and provisions acceptable to the City.
14. **Additional Requirements:** In connection with the design and construction of the Project Improvements, the City will contractually obligate the Civil Engineer to provide to City Manager, Robby Hefton (the "**City Designee**") and a Land Owner's Representative copies of schematic design, design and construction plans and specifications for the Project Improvements (including revisions) as such plans and specifications are completed and approved or accepted by the City and the Land Owner. The Civil Engineer will be available to meet and discuss the Plans with the Land Owner and the City with regard to the construction of the Project Improvements, and will discuss with the City Designee comments the City Designee may have concerning such plans and specifications.
15. **Project Documents:** Any and all Plans, dedication instruments, easement documents, and agreements made in connection with or related the Project including, but not limited to, this Agreement (collectively referred to as the "**Project Documents**") will be deemed confirmed, ratified, and agreed upon by both parties when they have been finalized and executed on behalf of the parties. The Land Owner agrees to comply with ordinances that have been passed by the City Council and any amendments in effect as of the date of the execution of this Agreement. All of the work of the Project will be done under the supervision of the City Engineer (defined below) to City standards, and in accordance with applicable City regulations. The Project Documents are incorporated into this Agreement.
16. **Availability of Public Facilities:** No public facilities will be made available to any land within any segment of the Project until the work on each segment is performed and approved as agreed upon in this Agreement.
17. **Registered Civil Engineer:** All of the plans and specifications for the improvements herein mentioned must be prepared by a Registered Professional Civil Engineer. All of the expense of such engineering will be paid for by the City. Upon completion of the Project, the Civil Engineer will compile inspector and contractor markups and provide record drawings of all Project Improvements.
18. **Land Owner's Representative:** All of the plans and specifications for the Project Improvements will be subject to the approval of **Richard Munson** or **Merry Munson Wyatt** (each, a "**Land Owner's Representative**"). Each Land Owner's Representative will have the authority to act alone on behalf of the Land Owner. Any time a Land Owner's Representative is mentioned in this Agreement, the Land Owner's Representative may also have any professional engaged by the Land Owner be present. The Land Owner may designate another person or persons to serve as a Land Owner's Representative from time to time. John Ruggieri (the "**Land Owner's Consultant**") who works for the Land Planner, may participate in phone

calls or meetings, and the City may discuss matters with the Land Owner's Consultant, with or without the participation of a Land Owner's Representative. However, the Land Owner's Consultant does not have the authority to bind the Land Owner to any agreement. Any document that requires a signature on behalf of the Land Owner will be binding only if signed by a Land Owner's Representative.

19. **City Engineer:** Before work is begun on any improvement, the City Manager will designate an engineer who works for the City (the "**City Engineer**") who will be notified and arrangements made for inspection by the City Engineer at such stages of construction as required by him, and no improvement constructed underground will be covered by the City until inspected and approved by the City Engineer. At any time any construction is contrary to the plans and specifications, the City Engineer will be, and is, empowered to stop construction and require correct construction and installation at the City's risk and without liability to the Land Owner.
20. **Coordination of Work:** The work will be coordinated between the City and a Land Owners Representative or the Land Owner's Consultant so that the utilities will be in place before the permanent improvements are installed.
21. **Connections for the Land Owner's Property and Fees:** The City will allow the Land Owner or the then owner of any part of the Land Owner's Property to have access to Moore Street and connect driveways to Moore Street at locations approved by the City, and to connect storm drains to storm drainage pipes and facilities in and adjacent to Moore Street. Other than fees that are waived under this Agreement, any fees normally charged by the City for building permits and similar fees will be paid as required to the City by the Land Owner or the then owner of the portion of the Land Owner's Property to which such access is to be provided.
22. **WAIVER OF RIGHTS UNDER STATE LAW:**
 - A. The Land Owner understands that, pursuant to Section 212.904 of the Texas Local Government Code, the Land Owner is entitled to an apportionment of the municipal infrastructure cost and that such apportionment must be done by a professional engineer. The Land Owner hereby agrees that any land it donates to the City, as reflected on the easement legal description, is roughly proportionate to the need for such land. The Land Owner further acknowledges and agrees that all prerequisites to such a determination of rough proportionality have been met, and that any costs incurred relative to said donation are related both in nature and extent to the impact of the development of the Land Owner's Property and its needs related thereto. BY MY SIGNATURE ON THIS AGREEMENT, THE LAND OWNER HEREBY FREELY, KNOWINGLY AND VOLUNTARILY WAIVES ITS RIGHTS UNDER SECTION 212.904 OF THE TEXAS LOCAL GOVERNMENT CODE, OR ANY OTHER RELATED CLAIMS. THE LAND OWNER AGREES THAT THE PROJECT MAY PROCEED WITHOUT THE REQUIREMENTS IMPOSED ON THE CITY UNDER SECTION 212.904 OF THE TEXAS LOCAL GOVERNMENT CODE, EXCEPT THE OWNER SPECIFICALLY RESERVES ITS RIGHT TO

APPEAL THE APPORTIONMENT IN ACCORDANCE WITH SECTION 212.904 OF THE TEXAS LOCAL GOVERNMENT CODE. I CONSENT TO THIS WAIVER AFTER HAVING THE OPPORTUNITY TO REVIEW THIS AGREEMENT AND WAIVER PROVISION WITH MY ATTORNEY, OR IF I HAVE NOT REVIEWED THIS WITH AN ATTORNEY, THAT I HAVE HAD THE OPPORTUNITY TO DO SO AND HAVE VOLUNTARILY CHOSEN NOT TO SEEK THE ADVICE OF AN ATTORNEY.

- B. BOTH THE LAND OWNER AND THE CITY FURTHER AGREE TO WAIVE AND RELEASE ALL CLAIMS ONE MAY HAVE AGAINST THE OTHER RELATED TO ANY AND ALL ROUGH PROPORTIONALITY AND INDIVIDUAL DETERMINATION REQUIREMENTS MANDATED BY *DOLAN V. TOWN OF TIGARD*, 512 U.S. 374 (1994), AND ITS PROGENY, AS WELL AS ANY OTHER REQUIREMENTS OF A NEXUS BETWEEN THE PROJECT CONDITIONS AND THE PROJECTED IMPACT OF THE FOREGOING, INCLUDING ALL DEDICATIONS OF LAND, PARKLAND, AND ANY INFRASTRUCTURE REFERENCED HEREIN. I CONSENT TO THIS WAIVER AFTER HAVING THE OPPORTUNITY TO REVIEW THIS AGREEMENT AND WAIVER PROVISION WITH MY ATTORNEY, OR IF I HAVE NOT REVIEWED THIS WITH AN ATTORNEY, THAT I HAVE HAD THE OPPORTUNITY TO DO SO AND HAVE VOLUNTARILY CHOSEN NOT TO SEEK THE ADVICE OF AN ATTORNEY.

23. **Abandonment of Existing Moore Street:** When the construction of Moore Street has been completed and the City opens Moore Street to traffic, the City will remove the pavement from the existing Moore Street located on the Land Owner's Property (the "**Old Moore Street**") where it connects to other roads, so that traffic cannot continue on the Old Moore Street. Also, promptly after the construction of Moore Street has been completed, the City will initiate the process to abandon the Old Moore Street, so that ownership of the land under the right of way for the Old Moore Street will be vested in the Land Owner. The City will cause the abandonment to be completed at no cost to the Land Owner. If the City's usual abandonment process would require compensation to be paid in connection with an abandonment, then the City will waive that requirement in this case. The City will cause any abandonment and conveyance documents to be prepared at no expense to the Land Owner. Descriptions of the locations of the land being abandoned and conveyed to the Land Owner will be prepared by the Civil Engineer. An attorney will prepare forms of documents using the approved descriptions of the locations of the areas to be abandoned and conveyed to the Land Owner, and the documents will be subject to the approval of the City attorney and the Land Owner's attorney.

24. **Other Provisions:**

- A. Upon Completion of any phase of the construction, one electronic copy and one set of reproducible "Record" drawings will be supplied to the City.
- B. The City agrees to reimburse to the Land Owner all documented actual costs for construction and installation of public facilities as dedicated to the City up to Fifteen Million dollars (\$15,000,000) from Bond proceeds or 380 Agreement per a

reimbursement schedule as provided in the Master Agreement or this Agreement, or as may be mutually agreed upon by the City and the Land Owner.

- C. The City agrees to waive all engineering plan review, inspection, testing and other City fees in connection with the Project that the City would otherwise charge.
- D. The Land Owner and City agree that any and all goods and services relative to infrastructure dedicated to the City are exempt from state and local sales tax in accordance with Texas Tax Code §§151.309 and 151.311.

ARTICLE II GENERAL CONTRACT PROVISIONS

1. **Force Majeure.** If the performance of any of the parties hereto is delayed by reason of war, civil commotion, acts of God, inclement weather, unanticipated subsurface conditions, fire or other casualty, court injunction or any circumstances which are reasonably beyond the control of the party obligated or permitted under the terms of this Agreement to do or perform the same, regardless of whether any such circumstance is similar to any of those enumerated or not, the party so obligated or permitted will be excused from doing or performing the same during such period of delay, so that the time period applicable to such design or construction requirement will be extended for a period of time equal to the period such party was delayed. The terms above will not apply to extend the time permitted for any payment obligations set forth in this Agreement.
2. **INDEMNIFICATION AND HOLD HARMLESS.** TO THE MAXIMUM EXTENT PERMITTED BY LAW, CITY OBLIGATES ITSELF TO THE LAND OWNER TO FULLY AND UNCONDITIONALLY PROTECT, INDEMNIFY AND DEFEND THE LAND OWNER, ITS OFFICERS, AGENTS AND EMPLOYEES, AND HOLD IT HARMLESS FROM AND AGAINST ANY AND ALL COSTS, EXPENSES, REASONABLE ATTORNEY FEES, CLAIMS, SUITS, LOSSES OR LIABILITY FOR INJURIES TO PROPERTY, INJURIES TO PERSONS (INCLUDING THE LAND OWNER'S EMPLOYEES), INCLUDING DEATH, AND FROM ANY OTHER COSTS, EXPENSES, REASONABLE ATTORNEY FEES, CLAIMS, SUITS, LOSSES OR LIABILITIES ARISING OUT OF THE ACTIONS OF THE CITY, ITS EMPLOYEES, AGENTS, OFFICIALS, OR REPRESENTATIVES IN CONNECTION WITH THIS AGREEMENT. **THIS INDEMNITY DOES NOT WAIVE ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW.**
3. **Authority to Bind.** Each general partner or member executing this Agreement on behalf the Land Owner represents that, by executing this Agreement in such capacity, it acts within the scope of its authority and does not exceed the bounds of its authority to act to bind such party regarding the obligations and assurances contained in this Agreement. City represents that the execution of this Agreement as provided below has been duly authorized by the City Council as provided in the Approval Resolution.

4. **Events of Default.** A default will exist if either party fails to perform or observe any material covenant contained in this Agreement. The non-defaulting party shall immediately notify the defaulting party in writing upon becoming aware of any change in the existence of any condition or event which would constitute a default or, with the giving of notice or passage of time, or both, would constitute a default under this Agreement. Such notice must specify the nature and the period of existence thereof and what action, if any, the notifying party requires or proposes to require with respect to curing the default.
5. **Remedies Available to City.** If a default by the Land Owner occurs and continues for more than 30 days after Land Owner receives a written notice from the City stating that the Land Owner is in default under this Agreement and the action needed to cure the default, the City may, at its option, pursue any and all remedies it may be entitled to, at law or in equity, in accordance with Texas law and including using the Performance Bond to complete the work, without the necessity of further notice to or demand upon the Land Owner. The City will not, however, have the right to exercise such remedies for so long as the Land Owner proceeds in good faith and with due diligence to remedy and correct the default, provided that the Land Owner has commenced to cure such default within 30 days following receipt of the notice, pursues such cure with reasonable diligence and completes such cure within 180 days.
6. **No Waiver of Defenses.** Nothing in this Agreement will be construed or intended to waive any defenses available to the City with regard to any claims that may be made by third parties including, but not limited to, governmental immunity.
7. **Waiver to Assure Enforceability of this Agreement.** In entering into this Agreement, the City is exercising its discretion to perform proprietary functions that a municipality may, in its discretion, perform in the interest of the inhabitants of the municipality or, to the extent this Agreement pertains to the City performing governmental functions, it is a written contract for providing goods and services to the City as a local governmental entity as contemplated by Chapter 271 of the Texas Local Government Code. Accordingly, pursuant to Section 271.152 of the Texas Local Government Code, as to the enforceability of this Agreement by Land Owner, the City waives any defense of sovereign immunity or governmental immunity.
8. **Venue and Governing Law.** This Agreement is performable in Grayson County, Texas and venue of any action arising out of this Agreement will be exclusively in Grayson County, Texas. This Agreement will be governed and construed in accordance with the laws of the State of Texas.
9. **Notices.** Any notice required by this Agreement must be in writing and will be deemed to be properly served (i) three (3) days following deposit if deposited in the U.S. mail by certified letter, return receipt requested; (ii) on the next business day if sent by nationally recognized overnight delivery service; or (iii) upon receipt if delivered by courier, hand delivered, or transmitted by facsimile (fax) or electronic transmission (email), addressed to the recipient at the recipient's address shown below, subject to the right of either party to designate a different address by notice given in the manner just described.

If to the City:

City of Sherman, Texas

DESIGNEE: Robby Hefton, City Manager

ADDRESS: 220 W. Mulberry Street
Sherman, TX 75090

PHONE: 903-892-7200

FAX: 903-892-7355

Email: robbyh@cityofsherman.com

If to the Land Owner:

ADDRESS: Richard Munson or Merry Munson Wyatt
The Munson Realty Company
305 West Woodard Street
P.O. Box 1127
Denison, Texas 75021-1127

PHONE: (903) 465-2363

Richard Munson's Email: rcmunson@sbcglobal.net

Merry Wyatt's Email: merry@themunsonrealtycompany.com

FAX: (903) 463-3613

With a copy to Land Owner's Consultant:

John Ruggieri
Hoefer Wysocki
2001 Ross Avenue, Suite 501
Dallas, Texas 75204

PHONE: (214) 445-4349

Email: John.Ruggieri@hoeferwysocki.com

10. **Legal Construction.** If any one or more of the provisions contained in this Agreement are for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability will not affect any other provision and this Agreement will be considered as if the invalid, illegal, or unenforceable provision had never been contained in this Agreement.

11. **Counterparts.** This Agreement may be executed in any number of identical counterparts, which may be transmitted originally or electronically, each of which will be deemed an original and all of which together will constitute one and the same instrument.
12. **Captions.** The captions to the various clauses of this Agreement are for informational purposes only and will not alter the substance of the terms and conditions of this Agreement.
13. **Successors and Assigns.** The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto, provided, however, this Agreement may not be assigned by the Land Owner without prior written approval by the City Manager of the City, which approval will not be unreasonably withheld or delayed. The City may delegate any of its rights under this Agreement but the same will not constitute a novation, and the City may not assign its obligations to make payments or reimbursements under this Agreement.
14. **Entire Agreement.** This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written previous and contemporary agreements between the parties and relating to matters in this Agreement, and except as otherwise provided herein cannot be modified without written agreement of the parties to be attached to and made a part of this Agreement.
15. **Interpretation of Agreement.** This is negotiated Agreement. If any part of this Agreement is in dispute, the parties stipulate that this Agreement will not be construed more favorably for either party.

IN WITNESS WHEREOF, parties have caused this Agreement to be executed in duplicate on the dates set forth by the signatures below, to be effective as of the last set forth by the signatures below (the "**Effective Date**"), with an original to each party.

Land Owner:

THE MUNSON REALTY COMPANY

BY: _____
NAME: _____
TITLE: _____
DATE: _____, 2019

CITY: CITY OF SHERMAN

BY: _____
Robby Hefton, City Manager

DATE: _____, 2019

ATTEST: BY: _____
NAME: **Linda Ashby**
TITLE: **City Clerk**

APPROVAL RECOMMENDED:

Clint Philpott, P.E., Director of Engineering for the City

APPROVED AS TO FORM:

Brandon S. Shelby, City Attorney

EXHIBIT A

The Land Owner's Property



EXHIBIT B

Moore Street Improvements map

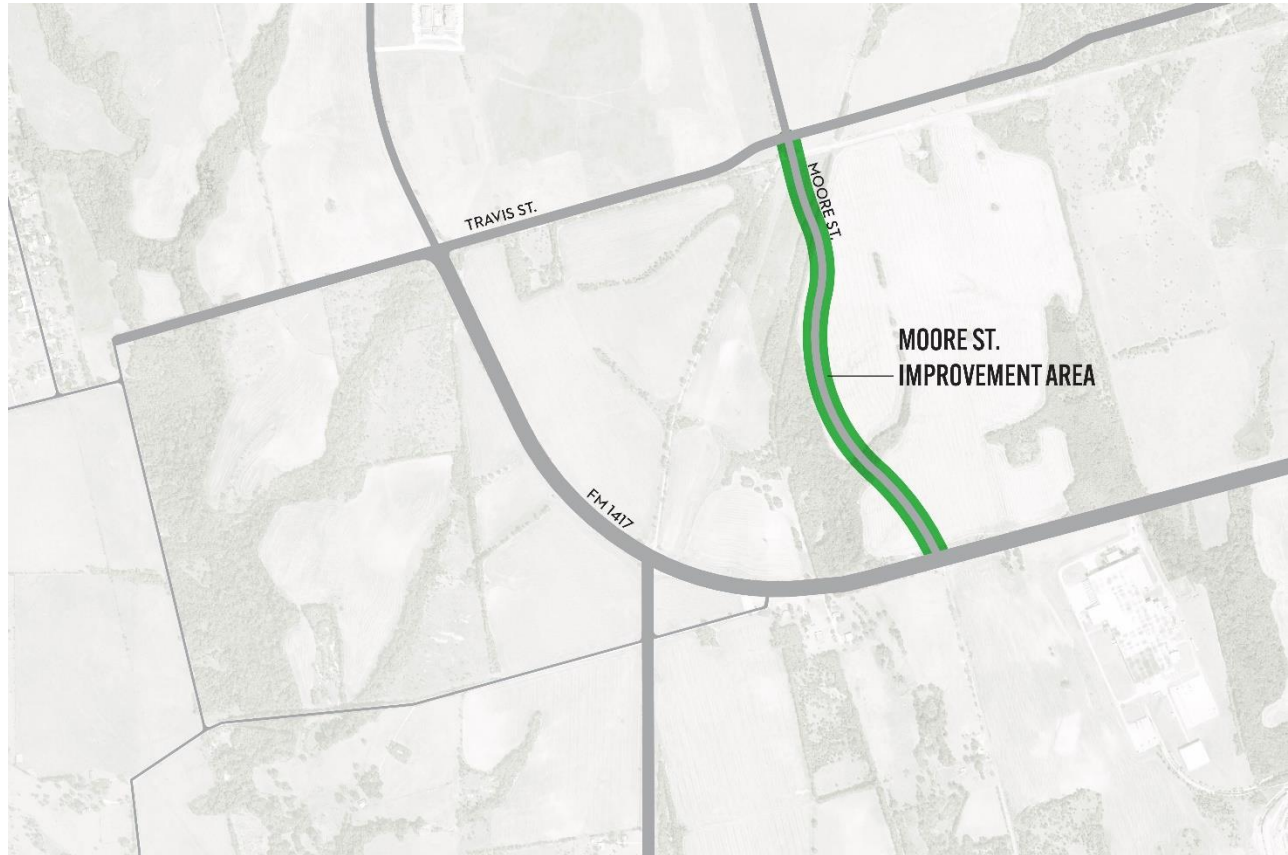


EXHIBIT C

Concept Plan

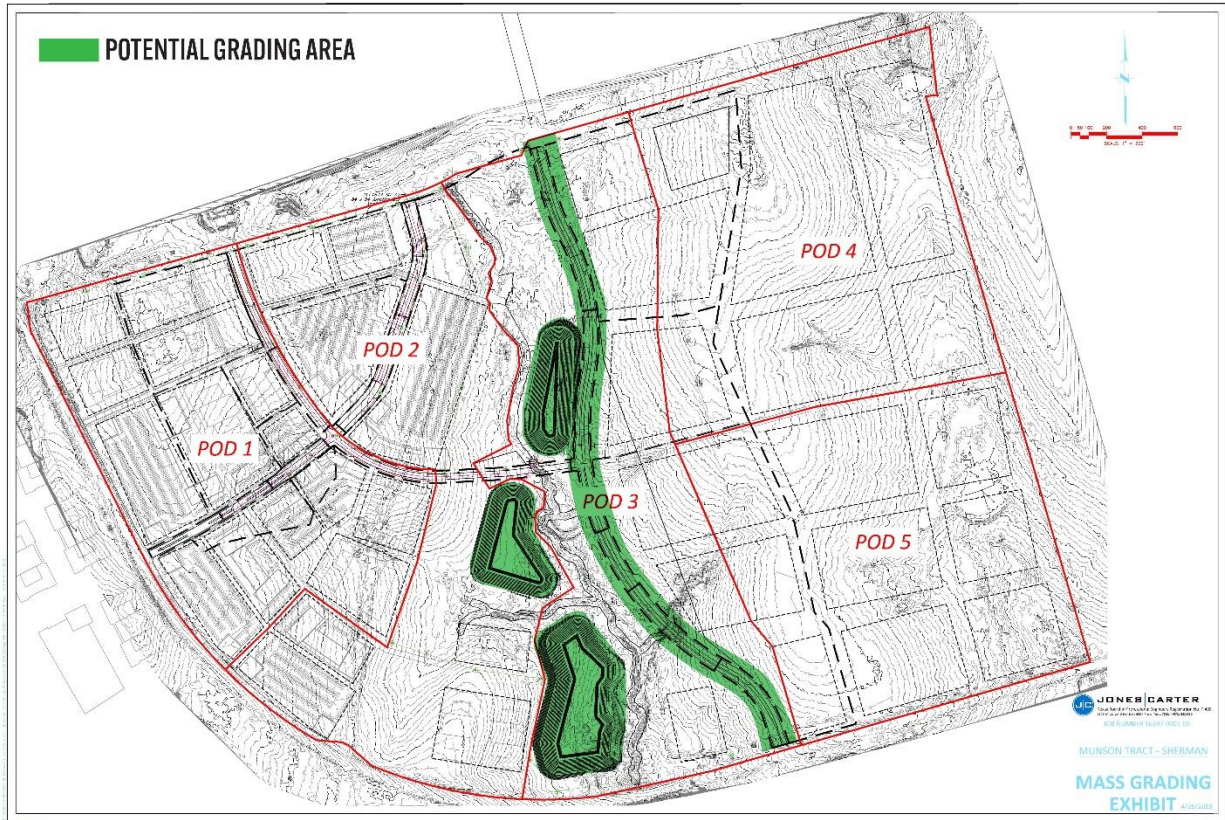


EXHIBIT D

Drainage Area Map

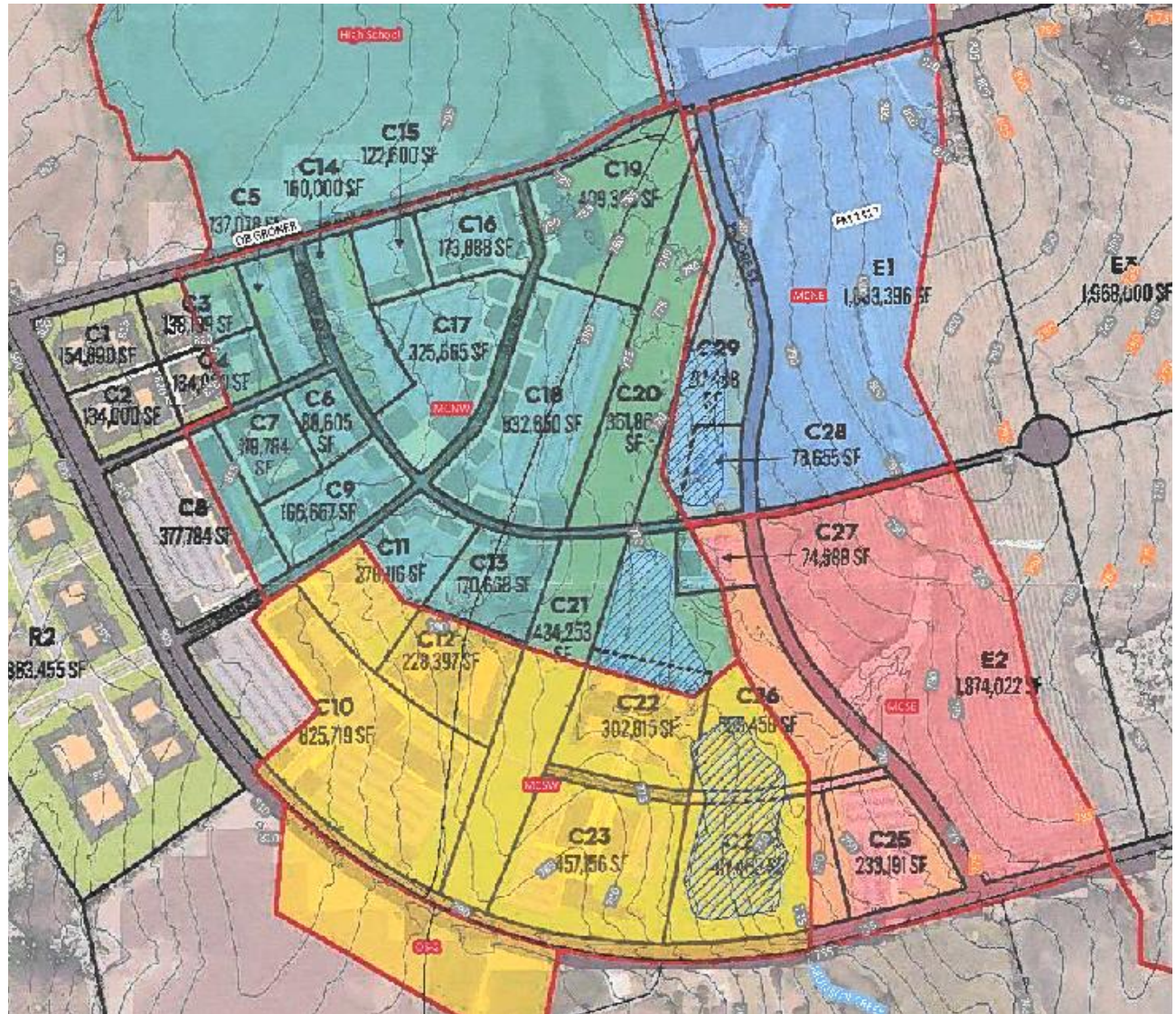


EXHIBIT E

Pond 1



EXHIBIT F

Village Center





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

H. 2.

Meeting Date: 11/18/2019

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6563

Authorizing Execution of an Agreement between the City of Sherman and Grayson County to Participate in the Sherman Tax Increment Reinvestment Zone, Number Seven (#7) Expansion

Issue:

Approving an Agreement with Grayson County for participation in the enlargement of the Tax Increment Reinvestment Zone #7

Background:

This resolution is a companion to the ordinance enlarging Sherman Tax Increment Reinvestment Zone, Number Seven (#7). State law requires taxing units, such as the County, to enter into a written agreement with a City that created a zone if the County intends to contribute all or part of its increment generated by the properties added to the zone. Grayson County is expected to participate in the enlarged zone by contributing 50% of their property tax rate allocated to their General Fund that is levied on the properties within the enlarged area. Similarly, the City will contribute 50% of its Maintenance and Operations tax rate on the same added properties.

Origination:

City Council

Financial Consideration:

There is no cost associated with this Agreement.

Staff Recommendation:

The staff recommends approval of this Agreement.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6563

Interlocal Agreement - TIRZ #7 Expansion

TIRZ #7 - Expansion Aerial

RESOLUTION NO. 6563

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SHERMAN AND GRAYSON COUNTY TO PARTICIPATE IN THE SHERMAN TAX INCREMENT REINVESTMENT ZONE, NUMBER SEVEN (#7) EXPANSION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an Agreement with Grayson County for the County's participation in the Sherman Tax Increment Reinvestment Zone, Number Seven (#7) Expansion, in accordance with the terms and provisions of the Agreement attached hereto and incorporated herein for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

**City of Sherman and Grayson County
Agreement to Participate
in the
Sherman Tax Increment Reinvestment Zone Number Seven Expansion**

THIS City of Sherman and Grayson County Agreement to Participate in the Sherman Tax Increment Reinvestment Zone Number Seven Expansion (this "Agreement") is made and entered into by and between the City of Sherman, Texas, a municipal corporation (the "City"), and Grayson County, Texas (the "County") under the authority of Texas Government Code Chapter 791.

WITNESSETH:

WHEREAS, in accordance with the provisions of the Tax Increment Financing Act, Chapter 311, Texas Tax Code, as amended (the "Act"), and after due notice to the Grayson County Commissioners Court, the City Council of the City, pursuant to Ordinance No. 6081 (the "Zone Ordinance") adopted on December 4, 2017, created, established, and designated Reinvestment Zone Number Seven, City of Sherman, Texas (the "Reinvestment Zone") under the Act; and

WHEREAS, in accordance with the provisions of the Tax Increment Financing Act, Chapter 311, Texas Tax Code, as amended (the "Act"), and after due notice to the Grayson County Commissioners Court, the City Council of the City, pursuant to Ordinance No. ____ (the "Zone Expansion Ordinance") adopted on November 18, 2019, enlarging the boundaries of Reinvestment Zone Number Seven , City of Sherman, Texas (the "Reinvestment Zone") under the Act; and

WHEREAS, the Act provides that each taxing unit levying taxes on real property in a reinvestment zone is not required to pay into the tax increment fund created for the zone any of the unit's tax increment produced if the boundaries of the zone are enlarged unless the taxing unit enters into a tax participation agreement to do so with the governing body of the municipality that created the zone; and

WHEREAS, a tax participation agreement under the Act may be entered into any time before or after the zone is created or enlarged, and such tax participation agreement may include any conditions for payment of the tax increment into the tax increment fund and must specify the portion of the tax increment to be paid into the tax increment fund and the years for which the tax increment is to be paid into the tax increment fund.

NOW THEREFORE, the City and the County, in consideration of the terms, conditions, and covenants contained herein, hereby agree as follows:

Section 1. The County agrees to pay to the City for deposit into the tax increment fund created by the City for the Reinvestment Zone (the "TIRZ Fund") over the term of the Reinvestment Zone the County's tax increment calculated as a millage rate per \$100 of captured appraised value within the additional enlarged boundaries in the Reinvestment Zone that equals 50% of the County's tax rate allocated to the general fund (excluding only that portion of the County's tax rate allocated to the County's Road & Bridge and Improvement Fund) (the "County Increment") subject to the following terms and conditions:

- a. Boundary: The boundaries of the enlarged area of the Reinvestment Zone are and shall be those described in the Zone Ordinance, as amended upon recommendation of the Board of Directors of the Reinvestment Zone (the "Board") and approved by the City Council of the City in accordance with the *Reinvestment Zone Number Seven Expansion, City of Sherman, Texas, Amended Project and Financing Plan*, as amended (the "Final Plan"), and in accordance with the *DEVELOPMENT AGREEMENT Reinvestment Zone Number Seven Expansion, City of Sherman, Texas*, between the City and the owner of the property in the enlarged area of the Reinvestment Zone (the "Development Agreement").
- b. Development in the Zone: Property within the boundaries of the Reinvestment Zone Expansion shall to be developed as nearly as possible in conformity with the Final Plan.

- c. Taxable Value: The captured appraised value of the property in the Reinvestment Zone Expansion (the "Property") taxable by the County for a year is the total taxable value of the Property for that year less the tax increment base of the Property. The tax increment base of the Property is the total taxable value of the Property for the year 2019. The tax increment base of the Property is \$103,429. The actual captured appraised value of the Property will be used to calculate the annual County Increment paid to the City and deposited in the TIRZ Fund pursuant to this Agreement.
- d. Bond Limit: No bonded indebtedness issued by the County or the City and secured by the TIRZ Fund is contemplated.
- e. Use of the County Increment: All amounts paid into the TIRZ Fund shall first be used to pay the administrative costs incurred by the County and the City in connection with the enlargement of the Reinvestment Zone and the organization and operation of the Board ("Administrative Costs") and then to pay "Project Costs" approved by the City as defined in, and in accordance with, the Final Amended Plan and Development Agreement.

Section 2. For and in consideration of the agreement of the parties set forth herein, and subject to the provisions of this Agreement, the County agrees to participate in the Reinvestment Zone by contributing fifty percent (50%) of the County Increment to the City to be deposited into the TIRZ Fund to first reimburse Administrative Costs and then to pay Project Costs. Payment of the County Increment shall be due from actual property tax revenue received within sixty (60) days of receipt and shall be payable to the City for immediate deposit into the TIRZ Fund. No interest or penalty will be charged to the County for any late payment received from the County. However, the penalty and interest received by the County on any delinquent taxes from the County shall be paid to the City and deposited into the TIRZ Fund, less any collection fees incurred by the County. The County is not obligated to pay the County Increment from any source other than the real property taxes collected by the County in the Reinvestment Zone Expansion. For and during the term of this Agreement the County shall not enter into

any agreements that would reduce the County Increment (including, but not limited to, tax abatement agreements and Texas Local Government Code "381 Economic Development Agreements") without the consent of the City and the "Owner" under the Development Agreement. Likewise, the City agrees to contribute 50% of the M&O tax rate from the increment of the City of Sherman to the TIRZ Fund.

Section 3. The term of this Agreement, unless extended by mutual agreement of the County and the City, shall commence upon execution by the last party and shall terminate upon termination of the Reinvestment Zone.

Section 4. This Agreement and the TIRZ Fund shall be administered by the City Manager or his designees. The City shall account separately for the TIRZ Fund at a depository selected by the City, which TIRZ Fund shall be secured in the manner prescribed by law for funds of Texas cities. The City shall not charge an administration fee for oversight of the TIRZ Fund. The TIRZ Fund shall be a separate fund into which the City shall deposit the County Increment, the City tax increment (as defined in the Zone Ordinance and Final Plan), and all accrued interest earned on the fund. The County shall participate in the oversight of the TIRZ Fund through its representation on the Board.

Section 6. Whenever this Agreement requires or permits any consent, approval, notice, request, proposal, or demand from one party to another, the consent, approval, notice, request, proposal or demand must be in writing to be effective and shall be delivered to the party intended to receive it at the addresses shown below (or to such other addresses as the parties may request, in writing, from time to time):

If intended for the City, to:

City Manager
City of Sherman
220 West Mulberry
Sherman, TX 75090

If intended for the County, to:

County Judge
Grayson County
Grayson County Courthouse
100 W. Houston
Sherman, TX 75090

Section 7. Venue shall be exclusively in Grayson County, Texas.

Section 8. This Agreement embodies the complete understanding of City and the County superseding all oral or written previous and contemporary agreements between the parties relating to matters herein. This Agreement may be amended, modified, or supplemented only by an instrument in writing executed by City and the County. The provisions of this Agreement that obligate the County to pay annually to the City the County Increment for deposit into the TIRZ Fund for the term of the Reinvestment Zone Expansion may only be amended, modified, or supplemented by an instrument in writing executed by the "Owner" under the Development Agreement. Any amendments to this Agreement required by changes in state or federal law will be automatically incorporated into this Agreement without written amendment, and shall become effective on the date designated by such law.

EXECUTED this ____ day of November, 2019, by the City signing by and through the City Manager as its duly authorized official; and

EXECUTED this ____ day of November, 2019, by Grayson County signing by and through the County Judge as its duly authorized official.

CITY OF SHERMAN

GRAYSON COUNTY

Robby Hefton, City Manager

Bill Magers, County Judge





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

H. 3.

Meeting Date: 11/18/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6564**

Renaming Dedicated Streets in the Final Plat of Sunrise Tract at Sherman Hills, Phase 1

Issue:

To consider a proposed name change for streets dedicated to the City of Sherman in the Final Plat of Sunrise Tract at Sherman Hills, Phase 1

Background:

On October 22, 2019, the City of Sherman Planning & Zoning Commission approved the Final Plat for Holley Heights Addition, which is a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition. The proposed plat for Holley Heights Addition has changed Gateway Drive to Stone Creek Boulevard and Greenhill Drive to Stone Bluff Drive. In order for the Holley Heights Addition plat to be filed of record, the street names must be changed accordingly.

Origination:

SSCGC Holdings, LLC, Developer

Financial Consideration:

The cost to change all street signs within this development is approximately \$500 including labor and materials.

Staff Recommendation:

It is recommended that the City Council approve the renaming of dedicated streets within the Final Plat of Sunrise Tract at Sherman Hills, Phase 1.

Alternatives:

As may be directed by City Council

Attachments

Resolution No. 6564

Exhibit "A" as noted in Resolution

Sunrise Tract Plat

Proposed Holley Heights Plat

Aerial Location Map

RESOLUTION NO. 6564

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RENAMING DEDICATED STREETS IN THE FINAL PLAT OF SUNRISE TRACT AT SHERMAN HILLS, PHASE 1; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That, from and after the effective date of this resolution, the following streets, the location of which is shown on Exhibit "A", attached hereto and made a part hereof for all purposes, as dedicated to the City of Sherman by Sherman Hills Country Club, LTD in Final Plat of Sunrise Tract at Sherman Hills, Phase 1, a 10.315 acre tract in the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas, and filed for record in Volume 19, Page 96 of the Plat Records of Grayson County, Texas, shall hereby be recognized and renamed as described below:

- the street known as "Gateway Drive" shall be named "Stone Creek Boulevard"; and
- the street known as "Greenhill Drive" shall be named "Stone Bluff Drive".

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

BOUNDARY CHARTS

LINE	LENGTH	BEARING
L1	60.00	N 74°58'41" E
L2	109.76	N 76°38'45" E
L3	17.98	S 79°18'03" W
L4	118.31	S 15°21'17" W
L5	29.49	S 81°18'00" E
L6	14.13	N 53°43'57" E
L7	50.00	S 81°18'00" E
L8	14.13	S 36°16'03" E
L9	130.10	S 81°18'00" E
L10	14.14	N 53°42'00" E

CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	44.98'	1945.00'	44.98'	N 14°01'00" W
C2	61.20'	325.00'	61.11'	S 68°05'17" E

LOT LINE CHARTS

LINE	LENGTH	BEARING
L12	14.42'	N 54°58'58" W
L13	18.03'	N 84°53'29" W
L14	2.74'	N 84°53'29" W
L15	63.38'	S 81°07'12" W
L16	38.22'	N 02°33'11" E
L17	29.44'	N 27°18'22" E
L18	14.14'	N 72°18'22" E
L19	58.03'	N 08°42'00" E
L20	14.14'	N 36°18'00" W
L21	16.60'	S 61°12'26" W
L22	14.14'	S 17°41'38" E
L23	14.14'	S 50°06'31" W

CURVE	LENGTH	RADIUS	CHORD	BEARING
C7	48.08'	775.00'	48.08'	N 13°14'43" W
C8	38.22'	325.00'	36.20'	S 84°18'46" W
C9	43.12'	325.00'	43.09'	N 88°41'34" W
C10	68.62'	1945.00'	68.62'	N 12°20'36" W
C11	64.72'	325.00'	64.61'	N 79°11'13" W
C12	67.14'	275.00'	66.97'	S 88°08'51" W
C13	22.95'	50.00'	22.75'	N 19°32'36" W
C14	26.18'	50.00'	25.88'	N 39°53'29" W
C15	19.10'	275.00'	19.09'	N 64°41'00" W
C16	87.44'	275.00'	87.08'	N 75°46'56" W

CENTERLINE CHARTS

LINE	LENGTH	BEARING
LT1	102.98'	N 81°07'12" E

CURVE	LENGTH	RADIUS	CHORD	BEARING
C3	398.10'	745.00'	393.38'	N 00°17'11" E
C4	73.24'	300.00'	73.06'	S 88°06'51" W
C5	116.23'	300.00'	115.50'	N 73°47'34" W
C6	106.34'	325.03'	105.87'	S 72°03'18" E

Approved this 14th day of December, 2007, by the City Planning and Zoning Commission of the City of Sherman, Texas.

[Signature]
Chairman

[Signature]
Secretary

Accepted by the City Council of the City Sherman.

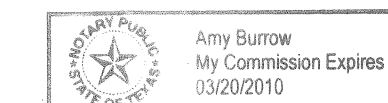
[Signature]
Mayor, City of Sherman, Texas

Date

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Dan Murray known to me to be the person whose names are subscribed to the foregoing instrument acknowledged to me that they executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9th day of Oct, 2007.



[Signature]
Notary Public in and for the State of Texas
Commission Expires: 3/20/10

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, Final Plat of the Sunrise Tract at Sherman Hills, Phase 1, to the City of Sherman, Texas, was submitted to the City Council on the 28th day of December, 2007, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this 15th day of October, 2007.

[Signature]
Clerk, City of Sherman, Texas



25564

FILED FOR RECORD
at 11:26 a.m. on 10 day of Oct, 2007
Recorded in Vol. 19 Page 46
WILMA BLACKSHEAR BUSH
County Clerk, Grayson County, Texas
By *[Signature]* Deputy

FINAL PLAT OF SUNRISE TRACT AT SHERMAN HILLS, PHASE 1

A 10.315 ACRE TRACT IN THE
PRESTON KITCHEN SURVEY
ABSTRACT NO. 667
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

UNDERWOOD
DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchen Survey, Abstract No. 667, and being a part of the same land conveyed by W. C. Pickens et ux to W. C. Pickens, Jr., et al by deed dated August 27, 1988, recorded in Volume 2002, Page 434, Real Property Records, Grayson County, Texas, and being more particularly described metes and bounds as follows:

Commencing at the southeast corner of said Pickens tract in the west right-of-way line of U.S. Highway No. 75;

Thence with said west right-of-way line the following calls and distances:

A curve to the right having a radius of 2,982.79 feet and an arc length of 62.18 feet (chord bears North 05°06'10" East 62.18 feet) to a set 1/2" steel rod;

North 07°41'24" East a distance of 306.14 feet to a set 1/2" steel rod;

North 08°42'00" East a distance of 286.66 feet to a 1/2" steel rod set for the southeast corner of the herein described tract, the True Point-of-Beginning;

Thence North 83°49'30" West a distance of 1,289.39 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the left having a radius of 715.00 feet and an arc length of 387.05 feet (chord bears North 00°29'10" East 382.34 feet) to a set 1/2" steel rod;

Thence North 74°58'41" East a distance of 60.00 feet to a set 1/2" steel rod;

Thence North 76°38'45" East a distance of 109.76 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the left having a radius of 1,945.00 feet and an arc length of 44.98 feet (chord bears North 14°01'00" West 44.98 feet) to a set 1/2" steel rod;

Thence North 79°18'03" East a distance of 17.98 feet to a set 1/2" steel rod;

Thence South 84°53'29" East a distance of 440.11 feet to a set 1/2" steel rod;

Thence South 15°21'17" West a distance of 118.31 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the right having a radius of 325.00 feet and an arc length of 61.20 feet (chord bears South 68°05'18" East 61.11 feet) to a set 1/2" steel rod;

Thence South 62°41'35" East a distance of 487.37 feet to a set 1/2" steel rod;

Thence South 81°18'00" East a distance of 29.49 feet to a set 1/2" steel rod;

Thence North 53°43'57" East a distance of 14.15 feet to a set 1/2" steel rod;

Thence South 81°18'00" East a distance of 50.00 feet to a set 1/2" steel rod;

Thence South 36°16'03" East a distance of 14.13 feet to a set 1/2" steel rod;

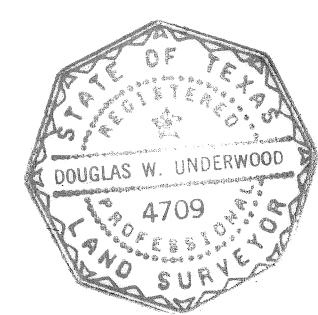
Thence South 81°18'00" East a distance of 130.10 feet to a set 1/2" steel rod;

Thence North 53°42'00" East a distance of 14.14 feet to a 1/2" steel rod set in said west right-of-way line for the northeast corner of the herein described tract;

Thence South 08°42'00" West with said west right-of-way line, a distance of 185.01 feet to the Point-of-Beginning and containing 10.315 acres of land.

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

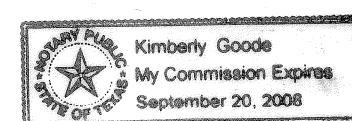


[Signature]
Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Douglas W. Underwood, known to me to be the person whose name is subscribed to the foregoing instrument acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9th day of Oct, 2007.



[Signature]
Notary Public in and for the State of Texas
Commission Expires: 9/20/08

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT We, Sherman Hills Country Club, LTD., being the owners of the hereinabove described property hereby adopt this plat designating said property as Sunrise Tract at Sherman Hills, Phase 1, an addition to the City of Sherman, Texas, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way may endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public or private utility shall, at all times, have the right of ingress and egress to, from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules, regulations and resolutions of the City of Sherman, Texas.

WITNESS OUR HANDS this 9th day of Oct, 2007.

[Signature]
Dan Murray, President

OWNERS
SHERMAN HILLS COUNTRY CLUB LTD.
500 GRENOBLE ROAD
SANTA BARBARA, CALIF.

UNDERWOOD
DRAFTING & SURVEYING

161091

E-1-104

BOUNDARY CHARTS

LINE	LENGTH	BEARING
L1	60.00	N 74°58'41" E
L2	109.76	N 76°38'45" E
L3	17.98	S 79°18'03" W
L4	118.31	S 15°21'17" W
L5	29.49	S 81°18'00" E
L6	14.13	N 53°43'57" E
L7	50.00	S 81°18'00" E
L8	14.13	S 36°16'03" E
L9	130.10	S 81°18'00" E
L10	14.14	N 53°42'00" E

CURVE	LENGTH	RADIUS	CHORD	BEARING
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L18	14.14'	N 72°18'22" E
L19	58.03'	N 08°42'00" E
L20	14.14'	N 36°18'00" W
L21	16.60'	S 61°12'26" W
L22	14.14'	S 17°41'38" E
L23	14.14'	S 50°06'31" W

CURVE	LENGTH	RADIUS	CHORD	BEARING
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Approved this 14th day of December, 2007, by the City Planning and Zoning Commission of the City of Sherman, Texas.

[Signature]
Chairman

[Signature]
Secretary

Accepted by the City Council of the City Sherman.

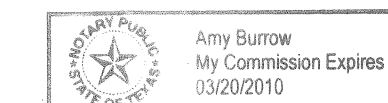
[Signature]
Mayor, City of Sherman, Texas

Date

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Dan Murray known to me to be the person whose name is subscribed to the foregoing instrument acknowledged to me that they executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9th day of Oct, 2007.



[Signature]
Notary Public in and for the State of Texas
Commission Expires: 3/20/10

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, Final Plat of the Sunrise Tract at Sherman Hills, Phase 1, to the City of Sherman, Texas, was submitted to the City Council on the 28th day of December, 2007, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this 15th day of October, 2007.

[Signature]
Clerk, City of Sherman, Texas



25564

FILED FOR RECORD
at 11:26 a.m. on 10 day of Oct, 2007
Recorded in Vol. 19 Page 46
WILMA BLACKSHEAR BUSH
County Clerk, Grayson County, Texas
By *[Signature]* Deputy

FINAL PLAT OF SUNRISE TRACT AT SHERMAN HILLS, PHASE 1

A 10.315 ACRE TRACT IN THE
PRESTON KITCHEN SURVEY
ABSTRACT NO. 667
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

UNDERWOOD
DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

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Commencing at the southeast corner of said Pickens tract in the west right-of-way line of U.S. Highway No. 75;

Thence with said west right-of-way line the following calls and distances:

A curve to the right having a radius of 2,982.79 feet and an arc length of 62.18 feet (chord bears North 05°06'10" East 62.18 feet) to a set 1/2" steel rod;

North 07°41'24" East a distance of 306.14 feet to a set 1/2" steel rod;

North 08°42'00" East a distance of 286.66 feet to a 1/2" steel rod set for the southeast corner of the herein described tract, the True Point-of-Beginning;

Thence North 83°49'30" West a distance of 1,289.39 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the left having a radius of 715.00 feet and an arc length of 387.05 feet (chord bears North 00°29'10" East 382.34 feet) to a set 1/2" steel rod;

Thence North 74°58'41" East a distance of 60.00 feet to a set 1/2" steel rod;

Thence North 76°38'45" East a distance of 109.76 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the left having a radius of 1,945.00 feet and an arc length of 44.98 feet (chord bears North 14°01'00" West 44.98 feet) to a set 1/2" steel rod;

Thence North 79°18'03" East a distance of 17.98 feet to a set 1/2" steel rod;

Thence South 84°53'29" East a distance of 440.11 feet to a set 1/2" steel rod;

Thence South 15°21'17" West a distance of 118.31 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the right having a radius of 325.00 feet and an arc length of 61.20 feet (chord bears South 68°05'18" East 61.11 feet) to a set 1/2" steel rod;

Thence South 62°41'35" East a distance of 487.37 feet to a set 1/2" steel rod;

Thence South 81°18'00" East a distance of 29.49 feet to a set 1/2" steel rod;

Thence North 53°43'57" East a distance of 14.15 feet to a set 1/2" steel rod;

Thence South 81°18'00" East a distance of 50.00 feet to a set 1/2" steel rod;

Thence South 36°16'03" East a distance of 14.13 feet to a set 1/2" steel rod;

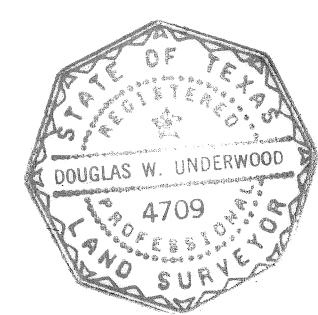
Thence South 81°18'00" East a distance of 130.10 feet to a set 1/2" steel rod;

Thence North 53°42'00" East a distance of 14.14 feet to a 1/2" steel rod set in said west right-of-way line for the northeast corner of the herein described tract;

Thence South 08°42'00" West with said west right-of-way line, a distance of 185.01 feet to the Point-of-Beginning and containing 10.315 acres of land.

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

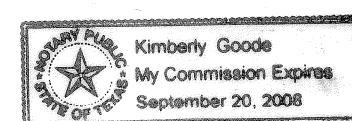


[Signature]
Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Douglas W. Underwood, known to me to be the person whose name is subscribed to the foregoing instrument acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9th day of Oct, 2007.



[Signature]
Notary Public in and for the State of Texas
Commission Expires: 9/20/08

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT We, Sherman Hills Country Club, LTD., being the owners of the hereinabove described property hereby adopt this plat designating said property as Sunrise Tract at Sherman Hills, Phase 1, an addition to the City of Sherman, Texas, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way may endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public or private utility shall, at all times, have the right of ingress and egress to, from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules, regulations and resolutions of the City of Sherman, Texas.

WITNESS OUR HANDS this 9th day of Oct, 2007.

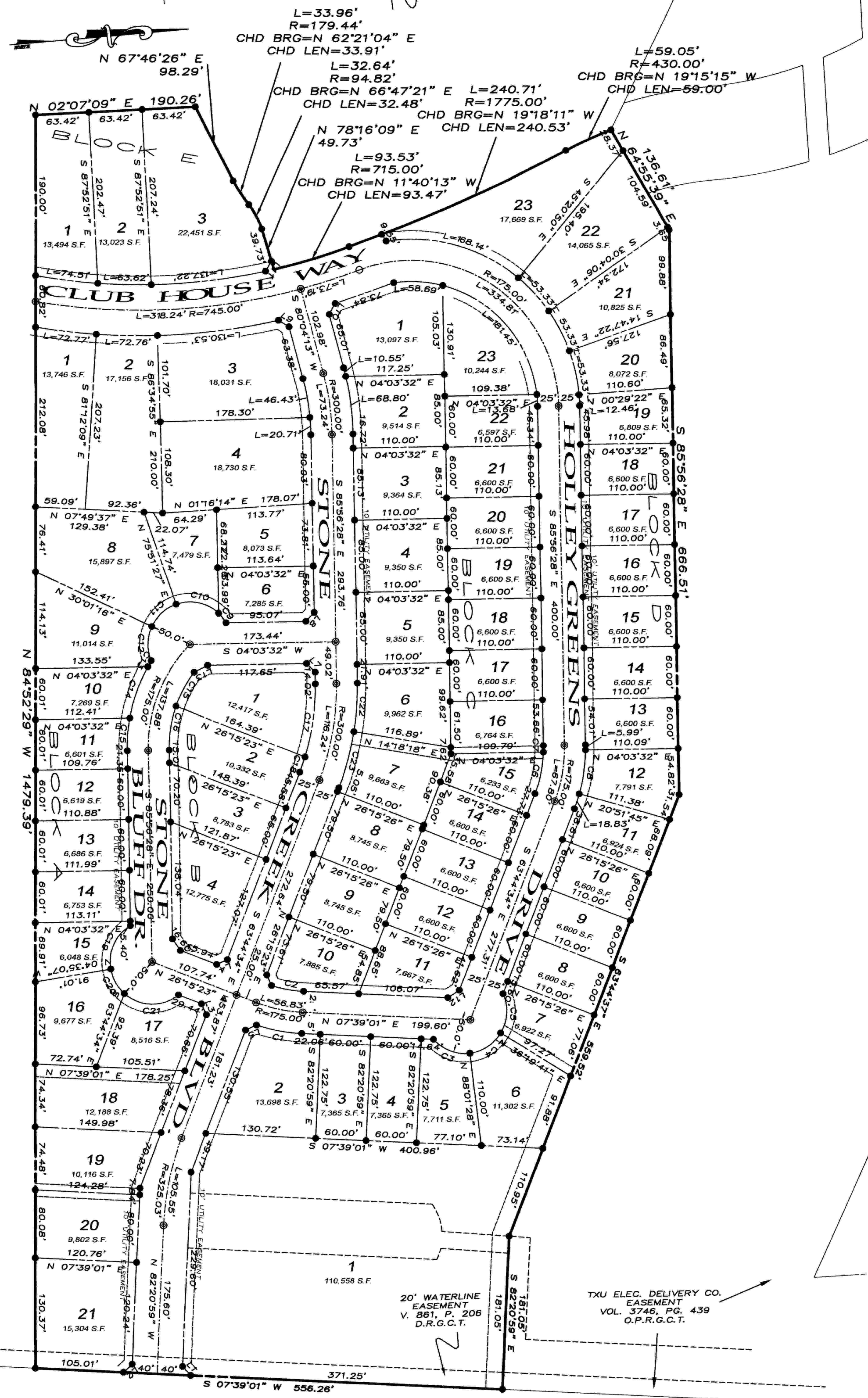
[Signature]
Dan Murray, President

OWNERS
SHERMAN HILLS COUNTRY CLUB LTD.
500 GRENOBLE ROAD
SANTA BARBARA, CALIF.

UNDERWOOD
DRAFTING & SURVEYING

161091

E-1-104



LINE	BEARING	DISTANCE
1	N 67°46'26" E	190.26'
2	S 67°32'51" E	202.24'
3	S 67°32'51" E	202.24'
4	S 67°32'51" E	202.24'
5	S 67°32'51" E	202.24'
6	S 67°32'51" E	202.24'
7	S 67°32'51" E	202.24'
8	S 67°32'51" E	202.24'
9	S 67°32'51" E	202.24'
10	S 67°32'51" E	202.24'
11	S 67°32'51" E	202.24'
12	S 67°32'51" E	202.24'
13	S 67°32'51" E	202.24'
14	S 67°32'51" E	202.24'
15	S 67°32'51" E	202.24'
16	S 67°32'51" E	202.24'
17	S 67°32'51" E	202.24'
18	S 67°32'51" E	202.24'
19	S 67°32'51" E	202.24'
20	S 67°32'51" E	202.24'
21	S 67°32'51" E	202.24'

CURVE	ARC	LENGTH	RADIUS	CHORD	BEARING	CHORD	LENGTH
C1	12.53'	12.53'	100.00'	12.53'	N 15°02'37" E	12.53'	34.60'
C2	38.71'	150.00'	N 15°02'37" E	38.71'	38.71'	38.71'	38.60'
C3	38.71'	150.00'	N 29°37'28" E	38.71'	38.71'	38.71'	46.30'
C4	45.11'	50.00'	N 27°49'28" W	45.11'	45.11'	45.11'	43.60'
C5	45.11'	50.00'	N 61°29'38" E	45.11'	45.11'	45.11'	46.60'
C6	50.27'	150.00'	S 23°29'35" E	50.27'	50.27'	50.27'	50.03'
C7	7.45'	150.00'	N 84°26'42" E	7.45'	7.45'	7.45'	7.45'
C8	32.87'	200.00'	N 76°40'24" W	32.87'	32.87'	32.87'	52.56'
C9	14.00'	50.00'	S 58°10'02" W	14.00'	14.00'	14.00'	13.92'
C10	24.36'	50.00'	S 17°00'08" W	24.36'	24.36'	24.36'	51.22'
C11	40.00'	150.00'	S 7°00'00" E	40.00'	40.00'	40.00'	38.92'
C12	41.87'	50.00'	S 83°51'05" E	41.87'	41.87'	41.87'	40.47'
C13	8.08'	200.00'	S 7°00'00" E	8.08'	8.08'	8.08'	8.08'
C14	24.36'	50.00'	S 25°35'42" E	24.36'	24.36'	24.36'	48.89'
C15	45.62'	150.00'	S 27°09'15" E	45.62'	45.62'	45.62'	45.47'
C16	19.44'	150.00'	S 65°49'28" E	19.44'	19.44'	19.44'	18.44'
C17	87.11'	225.00'	S 76°51'59" E	87.11'	87.11'	87.11'	86.75'
C18	19.44'	225.00'	S 65°49'28" E	19.44'	19.44'	19.44'	18.44'
C19	59.80'	50.00'	S 60°15'48" E	59.80'	59.80'	59.80'	58.38'
C20	14.00'	50.00'	N 6°55'26" E	14.00'	14.00'	14.00'	13.92'
C21	59.80'	50.00'	N 06°21'11" E	59.80'	59.80'	59.80'	64.41'
C22	67.42'	150.00'	N 60°53'29" W	67.42'	67.42'	67.42'	71.14'
C23	58.70'	325.00'	N 69°47'58" W	58.70'	58.70'	58.70'	85.57'

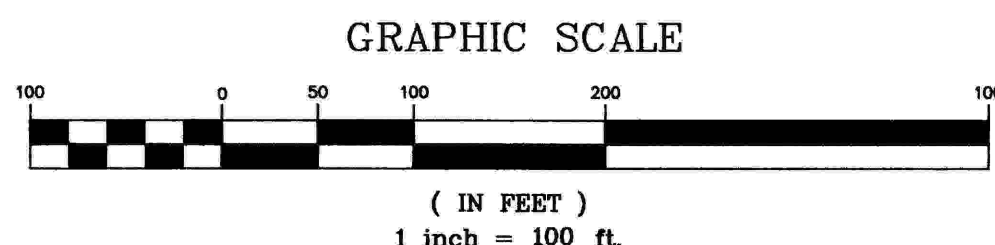
FINAL PLAT
HOLLEY HEIGHTS ADDITION
 AN ADDITION TO THE CITY OF SHERMAN, TEXAS
 BEING A REPLAT OF THE SUNRISE TRACT AT SHERMAN
 HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF
 SHERMAN HILLS COUNTRY CLUB ADDITON
 TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
 CONTAINING 22.822 ACRES OF LAND

OWNERS/DEVELOPER
 SSCGC HOLDINGS LLC
 4 TIMBERCREEK
 SHERMAN, TEXAS 75092

SURVEYOR
 DOUGLAS W. UNDERWOOD
 R.P.L.S. NO. 4709
 3404 INTERURBAN ROAD
 DENISON, TEXAS

UNDERWOOD
 DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151



LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchen Survey, Abstract No. 667, and being a part of that tract of land conveyed to SSCGC HOLDINGS, LLC by deed recorded in Volume 5232, Page 220, Official Public Records, Grayson County, Texas, also being all of the Sunrise Tract at Sherman Hills, Phase 1, an addition to the City of Sherman as recorded in Volume 19, Page 96, Plat Records, Grayson County, Texas and a part of Lot 1, of the Replat of Sherman Hills Country Club Addition Golf Course Tracts, as recorded in Volume 19, Page 154 of said plat records and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod at the southeast corner of said Sunrise Addition;
 Thence North 84°52'29" West, a distance of 1,479.39 feet to a set 1/2" steel rod;
 Thence North 02°07'09" East, a distance of 190.26 feet to a set 1/2" steel rod;
 Thence North 67°46'26" East, a distance of 98.29 feet to a set 1/2" steel rod;
 Thence with a curve to the left having a radius of 179.44 feet, (chord bears North 62°21'04" East, 33.91 feet) an arc length of 33.96 feet to a set 1/2" steel rod;
 Thence with a reverse curve to the right having a radius of 94.82 feet, (chord bears North 66°47'21" East, 32.48 feet) an arc length of 32.64 feet to a set 1/2" steel rod;
 Thence North 78°16'09" East, a distance of 49.73 feet to a set 1/2" steel rod;
 Thence with a non-tangent curve to the left having a radius of 715.00 feet, (chord bears North 19°18'11" West, 240.53 feet) an arc length of 93.53 feet to a set 1/2" steel rod;
 Thence North 15°25'05" West, a distance of 41.33 feet to a set 1/2" steel rod;
 Thence with a curve to the left having a radius of 1,775.00 feet, (chord bears North 19°18'11" West, 240.53 feet) an arc length of 240.71 feet to a set 1/2" steel rod;
 Thence with a reverse curve to the right having a radius of 430.00 feet, (chord bears North 19°15'15" West, 59.05 feet) an arc length of 59.05 feet to a set 1/2" steel rod;
 Thence North 64°55'01" East, a distance of 136.61 feet to a set 1/2" steel rod;
 Thence South 85°56'28" East, a distance of 666.51 feet to a set 1/2" steel rod;
 Thence South 63°44'37" East, a distance of 559.52 feet to a set 1/2" steel rod;
 Thence South 82°20'59" East, a distance of 181.05 feet to a set 1/2" steel rod;
 Thence South 07°39'01" West, a distance of 556.26 feet to the Point of Beginning and containing 22.822 acres of land.

ACCEPTANCE

Approved this _____ day of _____, 2019, by the City Planning Commission to the City of Sherman, Texas.

Chairman Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas

Date

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, HOLLEY HEIGHTS ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2019, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this _____ day of _____, 2019.

Clerk, City of Sherman, Texas

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Douglas W. Underwood
 Registered Professional
 Land Surveyor, No. 4709

Date

OWNERS/DEVELOPER
 SSCGC HOLDINGS LLC
 4 TIMBERCREEK
 SHERMAN, TEXAS 75092

SURVEYOR
 DOUGLAS W. UNDERWOOD
 R.P.L.S. NO. 4709
 3404 INTERURBAN ROAD
 DENISON, TEXAS

UNDERWOOD
 DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, SSCGC HOLDINGS, LLC, do hereby adopt this plat designating the hereinabove property as the HOLLEY HEIGHTS ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this _____ day of _____, 2019

WILLIAM MAGERS

STATE OF TEXAS
 COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared XXXXXXXXXXXX known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2019.

Notary Public in and for
 the State of Texas
 Commission Expires: _____

~ GENERAL NOTES ~

- Water Supply to be provided by the City of Sherman.
- Sewer Service to be provided by the City of Sherman.
- Electrical service is provided by Oncor Electrical Delivery.
- Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
- Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
- The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
- Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
- The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
- Bearings are based on the City of Sherman Control Monument Network.
- The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

FINAL PLAT
HOLLEY HEIGHTS ADDITION
 AN ADDITION TO THE CITY OF SHERMAN, TEXAS
 BEING A REPLAT OF THE SUNRISE TRACT AT SHERMAN
 HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF
 SHERMAN HILLS COUNTRY CLUB ADDITON
 TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
 CONTAINING 22.822 ACRES OF LAND



0 305 610 1,220 1,830 2,440 1 inch = 600 feet
Feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

H. 4.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6565**

Authorizing Execution of an Agreement with Ameritex Homes, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1415 South Austin Street within City of Sherman Reinvestment Zone, Number Ten (#10)

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 1415 South Austin Street situated within City of Sherman Reinvestment Zone, Number Ten (#10).

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the current designated zone for residential tax abatement.

Origination:

Ameritex Homes, LLC, Owner

Financial Consideration:

A \$75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately \$286.29 annually.

Staff Recommendation:

The staff recommends approval of this abatement since it meets the requirements of the process.

Alternatives:

The City Council could decide against granting this abatement.

Attachments

Resolution No. 6565

Residential Tax Abatement Agreement

Warranty Deed

Application

Building Permit

Survey/Site Plan

Photo

Aerial Location Map

Reinvestment Zone Map

RESOLUTION NO. 6565

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH AMERITEX HOMES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1415 SOUTH AUSTIN STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to receipt of a fully-executed agreement from Ameritex Homes, LLC and subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Ameritex Homes, LLC for the abatement of ad valorem property taxes for a period of ten (10) years, for the construction of one (1) new single-family residence at 1415 South Austin Street, lying within City of Sherman Reinvestment Zone, Number Ten (#10); in accordance with the City's policies and procedures established for this purpose.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

THE STATE OF TEXAS §
 §
COUNTY OF GRAYSON §

AGREEMENT

THIS AGREEMENT, entered into by and between the **CITY OF SHERMAN, TEXAS**, a home rule city and municipal corporation of the State of Texas, duly acting herein by and through its City Manager, hereinafter referred to as CITY, and **AMERITEX HOMES, LLC**, hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2016, the City Council of Sherman, Texas, passed Ordinance No. 5948 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, on the 19th day of August, 2019, the City Council of Sherman, Texas adopted Ordinance No. 6241 and redesignated the Reinvestment Zone to be City of Sherman Reinvestment Zone, Number Ten (#10); and

WHEREAS, the CITY has adopted a resolution (**Resolution No. 6210**) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2016;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable

real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2019, and continuing for tax years 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027 and 2028, with same constituting ten (10) tax years. However, nothing contained herein shall be construed to grant an abatement of taxes to be assessed based on the change of use of the property from an agricultural use to another use, sometimes referred to as rollback taxes, penalties or interest. In the event rollback taxes are applicable for the real property utilized by OWNER, then such increase in value of taxable property resulting from such rollback shall be used as the tax value for such property for the tax year 2019, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

<u>TAX YEAR</u>	<u>ABATEMENT</u>
2019	100%
2020	100%
2021	100%
2022	100%
2023	100%
2024	100%
2025	80%
2026	60%
2027	40%
2028	20%

II.

2.01 OWNER warrants and represents that the real property upon which OWNER has constructed or will construct improvements is qualified property within the meaning of that Act, and that such has been and will remain eligible for tax abatement under the provisions of the Property Redevelopment and Tax Abatement Act, Sections 312.001, et seq., Texas Tax Code.

2.02 To continue to qualify for tax abatement under the terms of this Agreement, OWNER hereby warrants and represents that the improvements made by OWNER on the real property described herein are for residential use.

2.03 The tax abatement granted under the terms of the Agreement shall only be implemented if appraised value of all real property and improvements located thereon owned by OWNER and lying within designated zone exceeds the base year value. The OWNER agrees that Grayson Appraisal District shall, at reasonable times upon reasonable notice, have access to the property made the subject of this Agreement, and that the above set forth inspectors shall be able to inspect the property to insure that the improvements are being made in accordance with the terms and conditions hereof and utilized in accordance with this Agreement.

III.

3.01 The term of this Agreement shall be for tax years 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027 and 2028, as indicated above in paragraph 1.01.

IV.

4.01 The kind, number and location of all proposed property improvements are set forth as follows:

Construction of one (1) new single-family residence at 1415 South Austin Street, Sherman, Texas, and as more particularly described by the following:

BEING Lot 2, Block 1, Tatchio Addition, an addition to the City of Sherman, Grayson County, Texas, according to the Plat thereof recorded in Volume 10, Page 24, Plat Records of Grayson County, Texas.

5.01 OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31st. Penalties and interest shall be calculated thereafter as if all taxes had become due in the same year. The CITY agrees prior to enforcement of the terms of this paragraph to give 120 days written notice to the address shown below of OWNER'S default in completing the improvements called for in this Agreement, and OWNER shall have the right to cure such default within the 120-day period.

VI.

6.01 This Agreement shall inure to the benefit of CITY and OWNER, and shall be binding upon them, their heirs, successors and assigns. It is specifically provided and agreed that the right to tax abatement shall inure to the benefit of subsequent owners so long as the term and conditions of this Agreement are in effect.

VII.

7.01 CITY agrees that this Agreement may be assigned and the improvements leased or sub-leased, without any further necessity for consent, by the OWNER to any person, firm or corporation.

VIII.

8.01 At any time before the expiration of the term hereof, this Agreement may be modified by the mutual action of the parties hereto to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. Such modification must be in writing and signed by all the parties hereto and made by the same procedure by which the original Agreement was approved and executed. In no event may the original Agreement be modified so as to extend the term beyond the original term of this Agreement.

IX.

9.01 This Agreement shall be construed subject to the laws of the State of Texas, and particularly to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code.

9.02 All appraisal values for real property shall be made by the Grayson Appraisal District or such other entity as may succeed or replace such District.

9.03 OWNER is hereby notified that the Grayson Appraisal District may impose additional requirements which must be met in order for OWNER to realize the benefit of tax abatement and this Agreement. Contact should be made by OWNER with the District in person at 512 North Travis Street, Sherman, Texas, or by telephone at (903) 893-9673.

X.

10.01 This Agreement is subject to all provisions of all outstanding bond issues of CITY. To the extent that this Tax Abatement Agreement conflicts with any of the provisions of such bond issues, such bond issues and attendant documents thereto shall control.

XI.

11.01 This Tax Abatement Agreement is specifically subject to present laws of the State of Texas and any future laws enacted subsequent to the execution of this Agreement which may provide retroactively for a modification of Agreements of this type as a matter of law. Upon the effective date of any such law, then this Agreement shall automatically be so modified.

XII.

12.01 Notices required by this Agreement shall be mailed to the following addresses as same may be in the future changed by either party upon written notice to the other:

City of Sherman
P.O. Box 1106
Sherman, Texas 75091-1106
(903) 892-7200

Ameritex Homes, LLC
14643 Dallas Parkway #1050
Dallas, TX 75254
(214) 765-0596

Copy to: Grayson Appraisal District
512 North Travis Street
Sherman, Texas 75090
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the _____ day of _____, 2019.

CITY:
CITY OF SHERMAN, TEXAS

OWNER:
AMERITEX HOMES, LLC

BY: _____
ROBBY HEFTON
CITY MANAGER

BY: _____
CLESS WELLBORN

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY
CITY ATTORNEY

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **CLESS WELLBORN** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this _____ day of _____, 2019 A.D.

**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

GF No. GA 1923247

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF GRAYSON

§

§

THAT THE UNDERSIGNED, MARIA LAURA SHEHAN, INDEPENDENT EXECUTRIX OF THE ESTATE OF GERALD DUNCAN SHEHAN, DECEASED, Probated Under Cause No. 2018-101P, County Court of Grayson County, Texas, hereinafter referred to as "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD, and CONVEYED, and by these presents does hereby GRANT, SELL, and CONVEY unto AMERITEX HOMES, LLC, a Texas limited liability company, herein referred to as "Grantee," whether one or more, the real property described as follows:

Lot 2, Block 1, TATCHIO ADDITION, an addition to the City of Sherman, Grayson County, Texas, according to the Plat thereof recorded in Volume 10, Page 24, Plat Records, Grayson County, Texas.

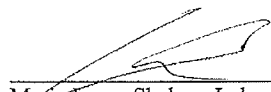
This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions, and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of Grayson County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all the rights and appurtenances lawfully accompanying it, by the Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to WARRANT AND FOREVER DEFEND all the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by Grantee.

GF No. GA 1923247

EXECUTED this 10 day of May, 2019.

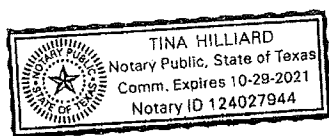

Maria Laura Shehan, Independent Executrix of The
Estate of Gerald Duncan Shehan, Deceased

THE STATE OF TEXAS

COUNTY OF Collin

§
§
§

The foregoing instrument was acknowledged before me on the 10 day of May, 2019, by Maria Laura Shehan, Independent Executrix of the Estate of Gerald Duncan Shehan, Deceased.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Grantee's Address:
14643 Dallas Parkway, Ste. 1050
Dallas, TX 75254

Prepared by:
Fulgham Law Firm P.C.
4354 West Vickery Blvd.
Fort Worth, TX 76107

CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT

Property Owner:

Name: Richard Dix

Mailing Address: 14643 Dallas Parkway #1050 Dallas TX 75254

Telephone Number: 214 765 0599

Contact (if different than owner):

Name: Cless Wellborn

Mailing Address: 14643 Dallas Parkway #1050 Dallas TX 75254

Telephone Number: 214 765 0596

Property:

Physical Address: 1415 S. Austin

Summary Legal Description: Lot: 2 Block: 1 Addition: Tatchio Add

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction: ☒ Remodeling: ☐

Estimated Value of Improvements: \$75,000.00

Estimated Date of Start of Construction: 9/10

Estimated Date of Completion of Project: _____

Description of Project: Residential Construction

Applicant(s): Richard Dix
Ameri-tek Homes

Date: 8/3/19

Date: 8/3/19

CITY OF SHERMAN

RESIDENTIAL BUILDING PERMIT

PERMIT #: 191856

SUBCONTRACTOR: AMERITEX HOMES

DATE ISSUED: 8/19/2019

PROJECT ADDRESS: 1415 S AUSTIN ST
PARCEL ID: 166735
SUBDIVISION: TATCHIO ADDITION

LOT #: 2
BLK #: 1
ZONE ORD: R-1 ONE FAMILY RESIDENTIAL

ISSUED TO: AMERITEX HOMES
ADDRESS: 14643 DALLAS PARKWAY STE 1050

CONTRACTOR: AMERITEX HOMES
ADDRESS: 14643 DALLAS PARKWAY STE 1050

CITY, ST ZIP: DALLAS TX 75254
PHONE: 469-250-2246

CITY, ST ZIP: DALLAS TX 75254
PHONE:

PROP. USE: SINGLE FAMILY RESIDENTIAL
WORK: NEW RESIDENTIAL CONSTRUCTION

SQ FT: 1,027.00
BEDROOMS: 3

VALUATION: \$ 0.00
OCCP TYPE: SINGLE FAMILY RESIDENTIAL
CNST TYPE: WOOD FRAME

BATHROOMS: 1
STORIES: 1

FEE CODE	DESCRIPTION	AMOUNT
BLD10	RESIDENTIAL STORMWATER MGMT	\$ 25.00
TOTAL		\$ 25.00

NOTES:

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

DATE

(APPROVED BY) FLOOD PLAIN ADMINISTRATOR

8/19/2019
DATE

(APPROVED BY) BUILDING & ZONING

11/5/19
DATE

1415 S. Austin Street

Lot 2, Block 1, TATCHIO ADDITION, an addition to the City of Sherman, Grayson County, Texas, according to the Plat thereof recorded in Volume 10, Page 24, Plat Records, Grayson County, Texas.



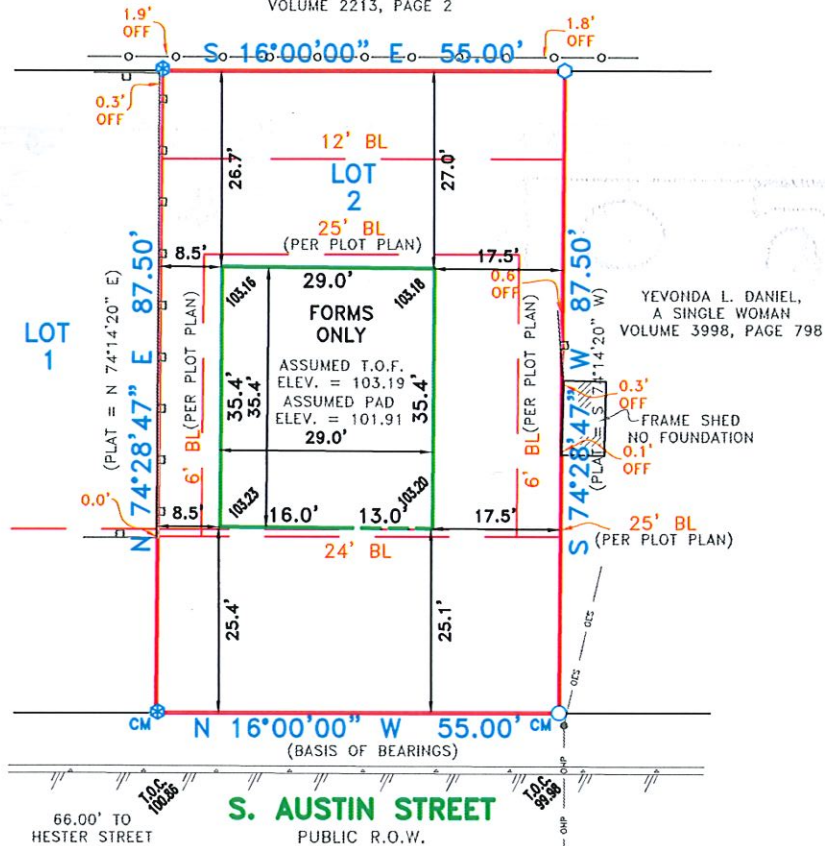
AMERITEX
HOMES

LEGEND

- 1/2" ROD FOUND
 ⊗ 1/2" ROD SET
 ⊗ 1" PIPE FOUND
 ⊗ "X" FOUND/SET
 ⊗ 3/8" ROD FOUND
 ◆ POINT FOR CORNER
 □ POINT FOR CORNER
 CM CONTROLLING MONUMENT
 AC AIR CONDITIONER
 PE POOL EQUIPMENT
 TE TRAMP PAD
 ■ COLUMN
 ● POWER POLE
 ▲ UNDERGROUND ELECTRIC
 △ OVERHEAD ELECTRIC
 —OHP—
 OVERHEAD ELECTRIC POWER
 —OES—
 OVERHEAD ELECTRIC SERVICE
 ○ CHAIN LINK
 □
 WOOD FENCE 0.5' WIDE TYPICAL
 —I—
 IRON FENCE
 —X—
 BARBED WIRE
 —□—
 DOUBLE SIDED WOOD FENCE
 —//—
 EDGE OF ASPHALT
 ▲
 EDGE OF GRAVEL
 []
 CONCRETE
 []
 COVERED AREA



JAMES ALBERT RIGGS
VOLUME 2213, PAGE 2



EXCEPTIONS:

NOTE: PROPERTY SUBJECT TO TERMS,
CONDITIONS, AND EASEMENTS
CONTAINED IN INSTRUMENTS RECORDED IN
VOL. 10, PG. 24

NOTE

NOTE
GF NO. LISTED WAS PROVIDED TO
SURVEYOR ON EXISTING SURVEY FROM
CLIENT.

NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

FLOOD NOTE: According to the F.I.R.M. No. 48181C0405F, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by Ameritex Homes. Use of this survey by any other parties and/or for other purposes shall be each user's own risk and any loss, building, or other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions as are indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Drawn By: OM

Scale: 1" = 20'

Date: 04/25/19

GF No.:

GA-1923247

Job No. 1907944-04

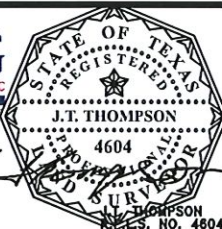
Accepted by: _____
Purchaser

Date: _____

Purchaser



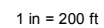
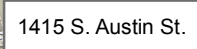
CBG
SURVEYING TEXAS LLC

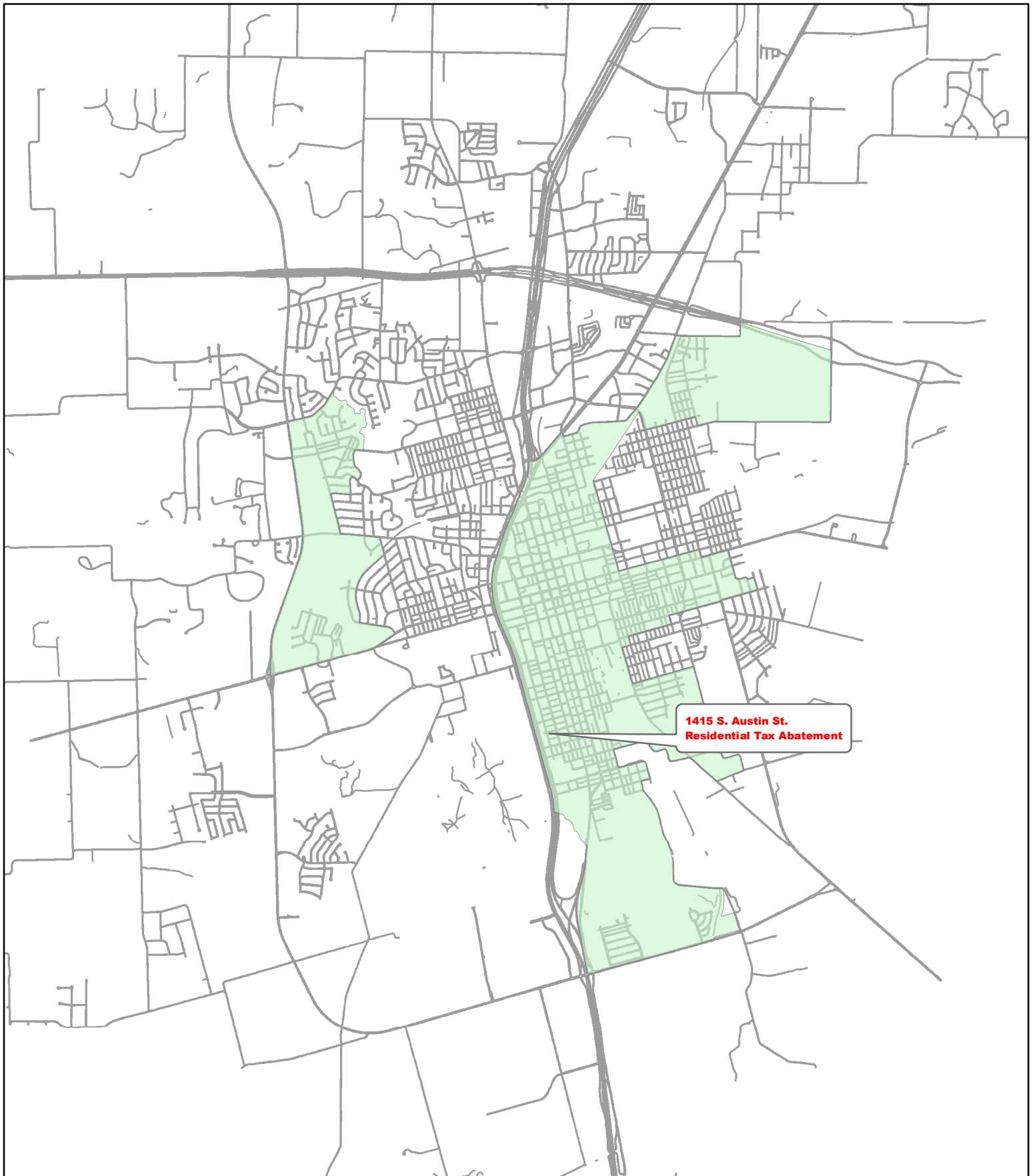


12025 Shiloh Road, Ste. 240
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgtxlco.com

1415 South Austin Street







Residential Tax Abatement 1415 South Austin Street



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE
1 inch = 5,000 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

H. 5.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6566**

Authorizing Execution of an Agreement with Ameritex Homes, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 2106 South Branch Street within City of Sherman Reinvestment Zone, Number Ten (#10)

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 2106 South Branch Street situated within City of Sherman Reinvestment Zone, Number Ten (#10).

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the current designated zone for residential tax abatement.

Origination:

Ameritex Homes, LLC, Owner

Financial Consideration:

A \$75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately \$363.20 annually.

Staff Recommendation:

The staff recommends approval of this abatement since it meets the requirements of the process.

Alternatives:

The City Council could decide against granting this abatement.

Attachments

Resolution No. 6566

Residential Tax Abatement Agreement

Application

Warranty Deed

Building Permit

Survey/Site Plan

Photo

Location Map

Reinvestment Zone Map

RESOLUTION NO. 6566

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH AMERITEX HOMES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 2106 SOUTH BRANCH STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to receipt of a fully-executed agreement from Ameritex Homes, LLC and subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Ameritex Homes, LLC for the abatement of ad valorem property taxes for a period of ten (10) years, for the construction of one (1) new single-family residence at 2106 South Branch Street, lying within City of Sherman Reinvestment Zone, Number Ten (#10); in accordance with the City's policies and procedures established for this purpose.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

THE STATE OF TEXAS §
 §
COUNTY OF GRAYSON §

AGREEMENT

THIS AGREEMENT, entered into by and between the **CITY OF SHERMAN, TEXAS**, a home rule city and municipal corporation of the State of Texas, duly acting herein by and through its City Manager, hereinafter referred to as CITY, and **AMERITEX HOMES, LLC**, hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2016, the City Council of Sherman, Texas, passed Ordinance No. 5948 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, on the 19th day of August, 2019, the City Council of Sherman, Texas adopted Ordinance No. 6241 and redesignated the Reinvestment Zone to be City of Sherman Reinvestment Zone, Number Ten (#10); and

WHEREAS, the CITY has adopted a resolution (**Resolution No. 6210**) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2016;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable

real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2019, and continuing for tax years 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027 and 2028, with same constituting ten (10) tax years. However, nothing contained herein shall be construed to grant an abatement of taxes to be assessed based on the change of use of the property from an agricultural use to another use, sometimes referred to as rollback taxes, penalties or interest. In the event rollback taxes are applicable for the real property utilized by OWNER, then such increase in value of taxable property resulting from such rollback shall be used as the tax value for such property for the tax year 2019, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

<u>TAX YEAR</u>	<u>ABATEMENT</u>
2019	100%
2020	100%
2021	100%
2022	100%
2023	100%
2024	100%
2025	80%
2026	60%
2027	40%
2028	20%

II.

2.01 OWNER warrants and represents that the real property upon which OWNER has constructed or will construct improvements is qualified property within the meaning of that Act, and that such has been and will remain eligible for tax abatement under the provisions of the Property Redevelopment and Tax Abatement Act, Sections 312.001, et seq., Texas Tax Code.

2.02 To continue to qualify for tax abatement under the terms of this Agreement, OWNER hereby warrants and represents that the improvements made by OWNER on the real property described herein are for residential use.

2.03 The tax abatement granted under the terms of the Agreement shall only be implemented if appraised value of all real property and improvements located thereon owned by OWNER and lying within designated zone exceeds the base year value. The OWNER agrees that Grayson Appraisal District shall, at reasonable times upon reasonable notice, have access to the property made the subject of this Agreement, and that the above set forth inspectors shall be able to inspect the property to insure that the improvements are being made in accordance with the terms and conditions hereof and utilized in accordance with this Agreement.

III.

3.01 The term of this Agreement shall be for tax years 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027 and 2028, as indicated above in paragraph 1.01.

IV.

4.01 The kind, number and location of all proposed property improvements are set forth as follows:

Construction of one (1) new single-family residence at 2106 South Branch Street, Sherman, Texas, and as more particularly described by the following:

BEING Lot 1, Block 51, Southside Addition.

5.01 OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31st. Penalties and interest shall be calculated thereafter as if all taxes had become due in the same year. The CITY agrees prior to enforcement of the terms of this paragraph to give 120 days written notice to the address shown below of OWNER'S default in completing the improvements called for in this Agreement, and OWNER shall have the right to cure such default within the 120-day period.

VI.

6.01 This Agreement shall inure to the benefit of CITY and OWNER, and shall be binding upon them, their heirs, successors and assigns. It is specifically provided and agreed that the right to tax abatement shall inure to the benefit of subsequent owners so long as the term and conditions of this Agreement are in effect.

VII.

7.01 CITY agrees that this Agreement may be assigned and the improvements leased or sub-leased, without any further necessity for consent, by the OWNER to any person, firm or corporation.

VIII.

8.01 At any time before the expiration of the term hereof, this Agreement may be modified by the mutual action of the parties hereto to include other provisions that could have been

included in the original agreement or to delete provisions that were not necessary to the original agreement. Such modification must be in writing and signed by all the parties hereto and made by the same procedure by which the original Agreement was approved and executed. In no event may the original Agreement be modified so as to extend the term beyond the original term of this Agreement.

IX.

9.01 This Agreement shall be construed subject to the laws of the State of Texas, and particularly to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code.

9.02 All appraisal values for real property shall be made by the Grayson Appraisal District or such other entity as may succeed or replace such District.

9.03 OWNER is hereby notified that the Grayson Appraisal District may impose additional requirements which must be met in order for OWNER to realize the benefit of tax abatement and this Agreement. Contact should be made by OWNER with the District in person at 512 North Travis Street, Sherman, Texas, or by telephone at (903) 893-9673.

X.

10.01 This Agreement is subject to all provisions of all outstanding bond issues of CITY. To the extent that this Tax Abatement Agreement conflicts with any of the provisions of such bond issues, such bond issues and attendant documents thereto shall control.

XI.

11.01 This Tax Abatement Agreement is specifically subject to present laws of the State of Texas and any future laws enacted subsequent to the execution of this Agreement which may provide retroactively for a modification of Agreements of this type as a matter of law. Upon the effective date of any such law, then this Agreement shall automatically be so modified.

XII.

12.01 Notices required by this Agreement shall be mailed to the following addresses as same may be in the future changed by either party upon written notice to the other:

City of Sherman
P.O. Box 1106
Sherman, Texas 75091-1106
(903) 892-7200

Ameritex Homes, LLC
14643 Dallas Parkway #1050
Dallas, TX 75254
(214) 765-0596

Copy to: Grayson Appraisal District
512 North Travis Street

Sherman, Texas 75090
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the _____ day of _____, 2019.

CITY:
CITY OF SHERMAN, TEXAS

OWNER:
AMERITEX HOMES, LLC

BY: _____
ROBBY HEFTON
CITY MANAGER

BY: _____
CLESS WELLBORN

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY
CITY ATTORNEY

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **CLESS WELLBORN** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this _____ day of _____, 2019 A.D.

**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

**CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT**

Property Owner:

Name: Ameritex Homes

Mailing Address: 14643 Dallas Pkwy Suite 1050 Dallas, TX 75254

Telephone Number: 469-250-2246

Contact (if different than owner):

Name: Same

Mailing Address: _____

Telephone Number: _____

Property:

Physical Address: 2106 S. Branch St.

Summary Legal Description: Lot: 1 Block: 51 Addition: Southside

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction: ☒ Remodeling: _____

Estimated Value of Improvements: \$85,000

Estimated Date of Start of Construction: 10/14/19

Estimated Date of Completion of Project: 120 Days

Description of Project: Residential New Construction

Applicant(s): Ameritex Homes

Date: 9/17/19

Date: _____

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF GRAYSON §

THAT THE UNDERSIGNED, **DEBORAH L. PAPATONIS AND FRANK PAPATONIS**, hereinafter referred to as "Grantor," whether one or more, for and in consideration of the sum of **TEN DOLLARS (\$10.00)** cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has **GRANTED, SOLD, and CONVEYED**, and by these presents does hereby **GRANT, SELL, and CONVEY** unto **AMERITEX HOMES, LLC**, a **Texas limited liability company**, herein referred to as "Grantee," whether one or more, the real property described as follows:

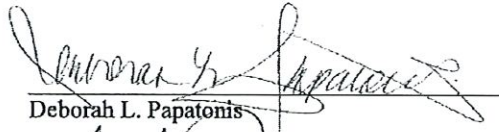
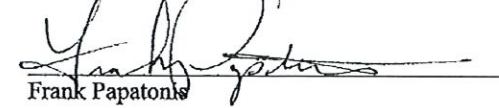
Lot Number One (1), Block Fifty-One (51) of SOUTHSIDE ADDITION, an addition to the City of Sherman, Grayson County, Texas, according to plat thereof recorded in Volume 94, Page 135, Deed Records, Grayson County, Texas.

This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions, and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of **Grayson County, Texas**.

TO HAVE AND TO HOLD the above described premises, together with all the rights and appurtenances lawfully accompanying it, by the Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to **WARRANT AND FOREVER DEFEND** all the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by Grantee.

EXECUTED this 10 day of July, 2019.


Deborah L. Papatonis

Frank Papatonis

THE STATE OF TEXAS

COUNTY OF Collin

§
§
§

The foregoing instrument was acknowledged before me on the 10 day of July, 2019, by Deborah L. Papatonis and Frank Papatonis.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Grantee's Address:
14643 Dallas Parkway, Ste. 1050
Dallas, TX 75254

Prepared by:
Fulgham Law Firm P.C.
4354 West Vickery Blvd.
Fort Worth, TX 76107

CITY OF SHERMAN
RESIDENTIAL BUILDING PERMIT

PERMIT #: 192050 SUBCONTRACTOR: AMERITEX HOMES DATE ISSUED: 9/17/2019

PROJECT ADDRESS:	2106 S BRANCH ST	LOT #:	1
PARCEL ID:	167117	BLK #:	51
SUBDIVISION:	SOUTHSIDE ADDN	ZONE ORD:	R-1 ONE FAMILY RESIDENTIAL
ISSUED TO:	AMERITEX HOMES	CONTRACTOR:	AMERITEX HOMES
ADDRESS:	14643 DALLAS PARKWAY STE 1050	ADDRESS:	14643 DALLAS PARKWAY STE 1050
CITY, ST ZIP:	DALLAS TX 75254	CITY, ST ZIP:	DALLAS TX 75254
PHONE:	469-250-2246	PHONE:	
PROP. USE:	ONE FAMILY RESIDENTIAL	SQ FT:	1,090.00
WORK:	NEW RESIDENTIAL CONSTRUCTION	BEDROOMS:	3
VALUATION:	\$ 41,595.00	BATHROOMS:	2
OCCP TYPE:	ONE FAMILY RESIDENTIAL	STORIES:	1
CNST TYPE:	WOOD FRAME		

FEE CODE	DESCRIPTION	AMOUNT
BLD10	RESIDENTIAL STORMWATER MGMT	\$ 25.00
	TOTAL	\$ 25.00

NOTES:

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

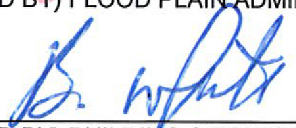
DATE



(APPROVED BY) FLOOD PLAIN ADMINISTRATOR

9 / 17 / 2019

DATE



(APPROVED BY) BUILDING & ZONING

10 / 31 / 19

DATE

SHERMAN



P.O. BOX 1106, SHERMAN, TEXAS 75091-1106

BUILDING PERMIT APPLICATION

PERMIT NUMBER

OCCUPANCY NUMBER

PLEASE NOTE - COMPLETE ALL ITEMS - MARK BOXES WHERE APPLICABLE

I LOCATION OF BUILDING	STREET NUMBER AND NAME <u>2106 S. Branch St.</u>		SUBDIVISION OR SURVEY <u>Southside Addition</u>		LOT <u>1</u>	BLOCK <u>51</u>	CENSUS TRACT
	FLOOD ZONE <u>No</u>		E. ZONING _____		TIME TO COMPLETE <u>120</u> DAYS		
	BASE FLOOD ELE. _____		FIRE ZONE _____				
	1ST FLOOR ELE. <u>735 ft above sea lvl</u>		PLANS <u>1090 Plan Gardenia</u>				
II TYPE AND COST OF BUILDING	A. TYPE OF IMPROVEMENT		DESCRIPTION OF REPAIRS:				
	1 ☒ NEW BUILDING						
	2 ☐ ALTERATION						
	3 ☐ REPAIR, Replacement						
	4 ☐ MOVING (relocation)						
5 ☐ FOUNDATION ONLY							
B. OWNERSHIP							
1 ☒ PRIVATE (Individual, corporation, non profit institution, etc.)							
2 ☐ PUBLIC (Federal, state, or local government)							
C. COST \$ <u>411,594.50</u>							
D. FEE _____							
Sq. Ft. { Main Bldg. <u>1090</u> Accs. Bldg. <u>0</u>							
III BUILDING SPECS. New Bldg. and Additions - Fill Out Parts F. - M. Wrecking - Fill Out Part K Only All Others Skip to IV	F. PRINCIPAL TYPE OF FRAME		H. TYPE OF SEWAGE DISPOSAL		K. DIMENSIONS		
	☒ MASONRY (wall bearing)		☒ PUBLIC OR PRIVATE CO.		Number of Stories <u>1</u>		
	☒ WOOD FRAME		☐ INDIVIDUAL (Septic tank, etc.)		TOTAL SQUARE FEET OF FLOOR AREA, ALL FLOORS BASED ON EXTERIOR DIMENSIONS _____		
	☐ STRUCTURAL STEEL		I. TYPE OF WATER SUPPLY		TOTAL LAND AREA SQ. FT. <u>1090</u>		
	☐ REINFORCED CONCRETE		☒ PUBLIC OR PRIVATE CO.		L. No. OFF-STREET PARKING SPACES _____		
☐ OTHER - SPECIFY _____		☐ INDIVIDUAL (well, cistern)		ENCLOSED _____ OUTDOORS <u>2 spots</u>			
G. Principal Type of Heating Fuel		J. ADDITIONAL INFO		M. RESIDENTIAL BLDG. ONLY			
☒ GAS ☐ OIL		RESIDENTIAL TAX ABATEMENT ☒ YES ☐ NO		No. of Bedrooms <u>3</u> No. of Bathrooms <u>2</u> Full ☒ Partial _____			
☒ ELECTRICITY ☐ COAL		WILL THERE BE AN ELEVATOR? ☐ YES ☒ NO					
☐ OTHER _____							
IV IDENTI- FICATION	1. OWNER	NAME	MAILING ADDRESS		PHONE		
	2. CONT.	<u>Richard Dix</u>	<u>Suite 1050</u> <u>14643 Dallas Parkway Dallas TX 75254</u>		<u>214-765-0599</u>		
	3. Architect						
The Owner Of This Building And the Undersigned Agree To Conform To All Applicable Laws Of The City Of Sherman							
SIGNATURE OF APPLICANT		<u>Abby Craybill</u>		ADDRESS		DATE	
		<u>14643 Dallas Parkway Suite 1050</u>		<u>Dallas TX 75254</u>		<u>9/12/19</u>	

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

APPROVED _____ 20 _____ DENIED _____ 20 _____

BUILDING OFFICIAL SIGNATURE

AMERITEX
HOMES



CBC SURVEYING TEXAS
Firm No. 10168800
(214) 349-9485
DRAWN BY: ATB
JOB# 1912529-01
DATE: 07/30/19



2106 S. Branch Street

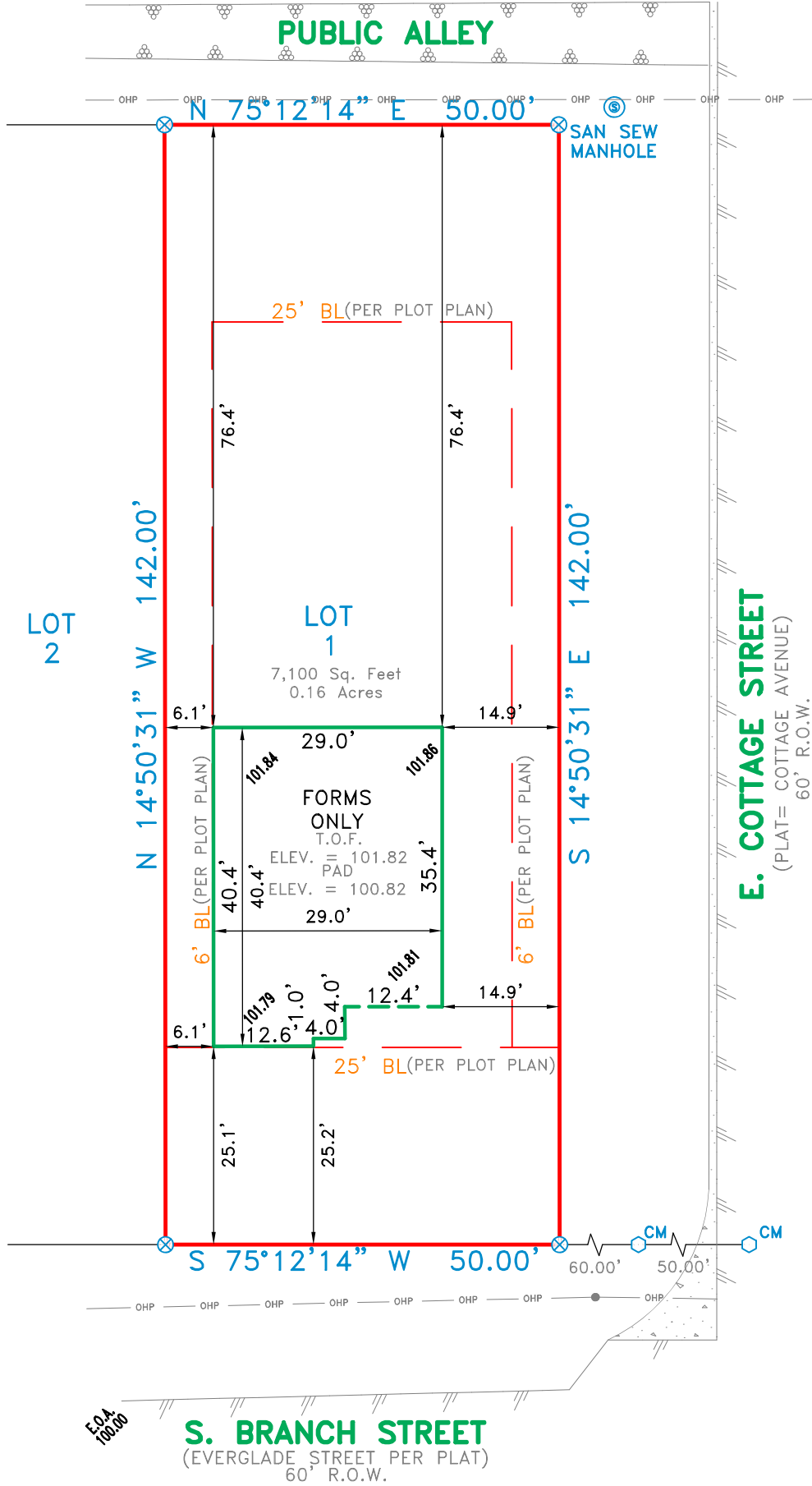
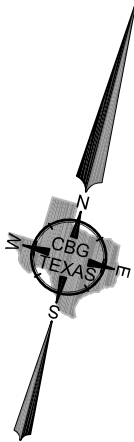
Lot Number One (1), Block Fifty-One (51) of SOUTHSIDE ADDITION, an addition to the City of Sherman, Grayson County, Texas, according to plat thereof recorded in Volume 94, Page 135, Deed Records, Grayson County, Texas.



AMERITEX
HOMES

LEGEND

- 1/2" ROD FOUND
- ⊗ 1/2" ROD FOUND STAMPED "CBG"
- 1" PIPE FOUND
- ⊗ "X" FOUND/SET
- ⊗ 5/8" ROD FOUND
- ⊕ POINT FOR CORNER
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- AC AIR CONDITIONER
- PE POOL EQUIPMENT
- TE TRANSFORMER PAD
- COLUMN
- POWER POLE
- ▲ UNDERGROUND ELECTRIC
- △ OVERHEAD ELECTRIC
- OHP— OVERHEAD ELECTRIC POWER
- OES— OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- IRON FENCE
- X— BARBED WIRE
- DOUBLE SIDED WOOD FENCE
- //— EDGE OF ASPHALT
- ▲— EDGE OF GRAVEL
- CONCRETE
- COVERED AREA
- BRICK
- STONE



EXCEPTIONS:

EASEMENTS RECORDED IN THE FOLLOWING VOLUMES AND PAGES DO NOT AFFECT THE ABOVE DESCRIBED PROPERTY
VOL. 2078, PG. 34, 2078, PG. 72

NOTE
CONTROL MONUMENTS SHOWN HEREON ARE THE BASIS FOR DIRECTIONAL CONTROL

NOTE
GF NO. LISTED WAS PROVIDED TO SURVEYOR ON EXISTING SURVEY FROM CLIENT.

Date: _____

Accepted by: _____
Purchaser
Purchaser

NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

FLOOD NOTE: According to the F.I.R.M. No. 48181C0405F, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by Ameritex Homes. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions as are indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

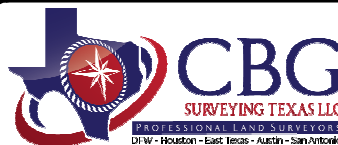
Drawn By: OM

Scale: 1" = 20'

Date: 10/29/19

GF No.: GA-1923891

Job No. 1912529-03



12025 Shiloh Road, Ste. 240
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgtllc.com



JONATHAN M. QUILL
R.P.L.S. NO. 5882

2106 S. Branch Street





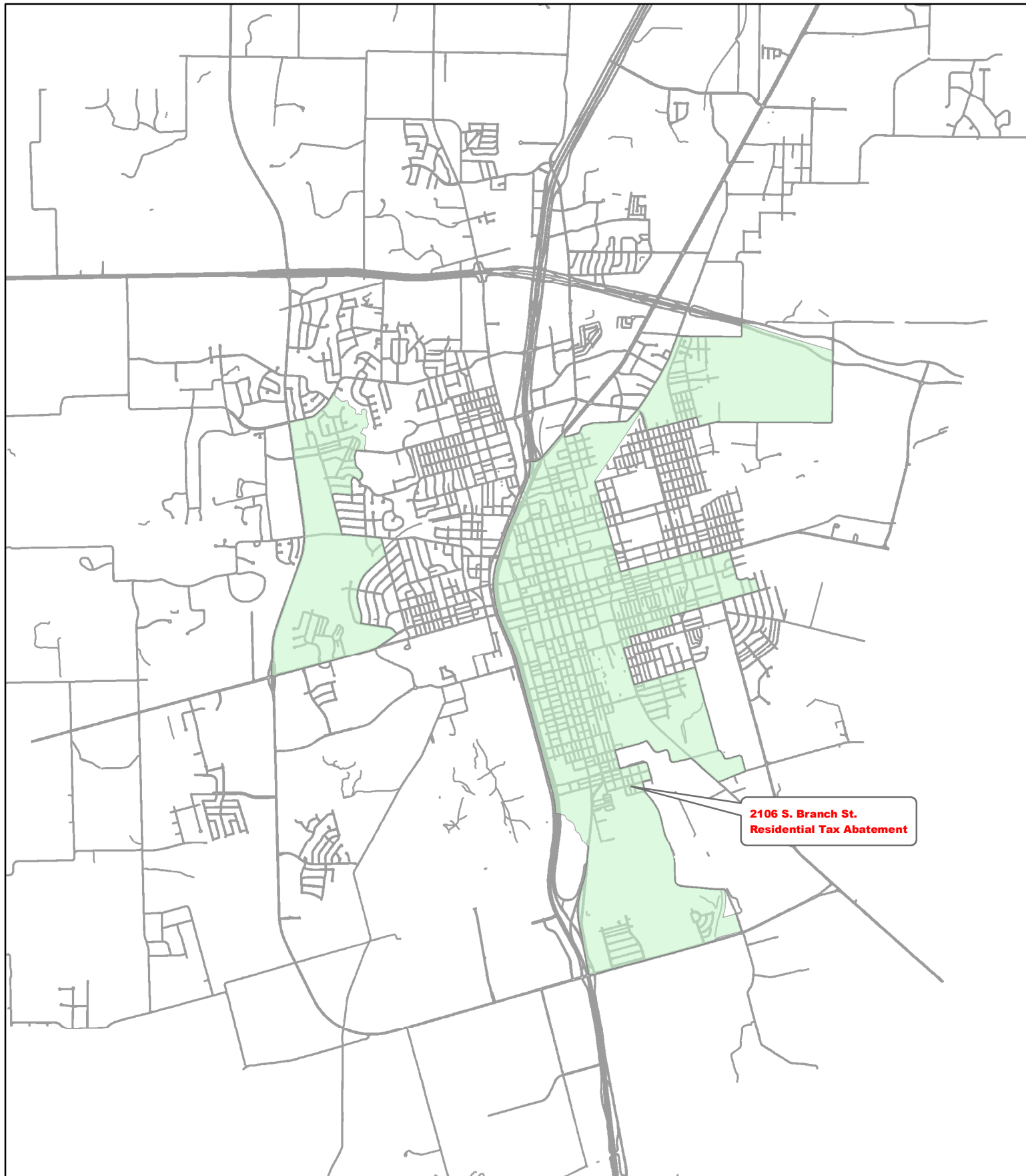
2106 South Branch Street



NOT TO SCALE

1 in = 200 ft

City of Sherman, Texas
Developmental Services Department



Residential Tax Abatement 2106 South Branch Street



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE
1 inch = 5,000 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

H. 6.

Meeting Date: 11/18/2019

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6567**

Awarding a Bid to and Authorizing Execution of an Agreement with Josh Willeford for an Agricultural Lease at the Sherman Wastewater Treatment Plant

Issue:

Approving an agreement for the agricultural lease of approximately 200 acres of City property at the Wastewater Treatment Plant

Background:

The 200-acre tract adjacent to the Wastewater Treatment Plant has been leased for agricultural production for the past many years. The lease was rebid this year per contract requirements. Two (2) bidders responded to the request for bids, with Mr. Josh Willeford of Sherman being the high bidder. A bid tabulation is attached.

Origination:

Utilities Administration

Financial Consideration:

Mr. Willeford will pay the City \$10,000.00 for lease of the property over the first twelve (12) months; then he will pay \$10,000.00 annually for two (2) renewals.

Staff Recommendation:

It is recommended that the Agricultural Lease Agreement be awarded to Mr. Josh Willeford and that the City Manager be authorized to execute the required contract documents.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6567

Agricultural Lease Agreement

Bid Tabulation

Summary Sheets

Exhibit "A" - Agricultural Lease Area

Exhibit "B" - Insurance Requirements

Project Location Map

RESOLUTION NO. 6567

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOSH WILLEFORD FOR AN AGRICULTURAL LEASE AT THE SHERMAN WASTEWATER TREATMENT PLANT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That Josh Willeford of Sherman, Texas, is hereby awarded the bid for an agricultural lease at the Sherman Wastewater Treatment Plant in the total amount of Ten Thousand Dollars and Zero Cents (\$10,000.00) for the first twelve (12) months and Ten Thousand Dollars and Zero Cents (\$10,000.00) annually for two (2) twelve-month renewals; and that the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Josh Willeford for an agricultural lease at the Sherman Wastewater Treatment Plant, in accordance with the terms and provisions of the contract documents attached hereto and incorporated herein for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____

DAVID PLYLER, MAYOR

BY: _____

LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____

**BRANDON S. SHELBY,
CITY ATTORNEY**

THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF GRAYSON §

AGRICULTURAL LEASE AGREEMENT

THIS AGREEMENT is between the **CITY OF SHERMAN, TEXAS**, a municipal corporation of the State of Texas, hereinafter called "LESSOR", and **JOSH WILLEFORD** of Sherman, Texas, hereinafter called "LESSEE".

W I T N E S S E T H:

That the said LESSOR does by these presents lease unto LESSEE for the purpose of raising and harvesting agricultural products, 199 acres, more or less, located on the Sherman Wastewater Treatment Plant Property, located at 1800 East F.M. 1417 and more particularly described on Exhibit "A", attached hereto and made a part hereof for all purposes. LESSEE is and shall remain an independent contractor having the sole discretion as to how he will perform the purposes of this lease.

TERMS OF LEASEHOLD

The lease shall commence on the 1st day of December, 2019, and extend through the 30th day of November, 2020, a term of twelve (12) months. LESSEE may renew this lease upon the same prices, terms and conditions for two (2) additional twelve-month renewals, provided LESSOR receives written notice of intent to renew sixty (60) days prior to the expiration of the primary term hereof. Written notice for option shall be due no later than the 1st day of October, 2020 and the 1st day of October, 2021, respectively. In the event LESSEE fails to notify LESSOR of his intent to exercise this option, said option shall be null and void.

The initial bid will be for a twelve (12) month lease. The subsequent twelve-month renewal cost will be the same as the original twelve-month initial bid.

LESSEE specifically covenants and agrees with LESSOR that, in the event LESSOR has an opportunity to lease all or any part of these agricultural grounds to a third party for oil/gas exploration or production activities, LESSOR may cancel this lease in whole or in part by giving to LESSEE ninety (90) days written notice that LESSOR wishes to re-enter and lease for oil/gas exploration all or any part of the property set out in Exhibit "A", attached hereto and made a part hereof by reference.

In the event LESSOR voids or nullifies any part of this lease, the rents for the portion of the property re-entered shall be prorated from the date of re-entry by LESSOR.

RENTALS AND FEES

As consideration for this lease, LESSEE covenants and agrees to pay in advance the first twelve (12) months; however, in all subsequent years, LESSEE agrees to pay prior to November 17th of each year, in the office of the City Manager of the City of Sherman, rentals and fees as set out below:

LESSEE agrees to pay Ten Thousand Dollars and Zero Cents (\$10,000.00) as rent for the first twelve (12) months and Ten Thousand Dollars and Zero Cents (\$10,000.00) as rent for the next two (2) 12-month renewal periods on the total net acres in the tract as described in Exhibit "A", attached hereto and made a part hereof for all purposes.

GENERAL PROVISIONS

1. LESSEE agrees to use the premises for the sole purpose of raising and harvesting agricultural products, and specifically agrees not to graze livestock of any type or description on this property. LESSEE further agrees that these premises shall not be used for any purpose that constitutes a nuisance or may be objectionable to the use of the adjoining land.

2. LESSEE specifically agrees not to burn said grassland, or in any way allow smoke, fumes, gases, or any other substance to burn or explode on said premises.

3. LESSEE agrees and covenants that LESSEE will, at LESSEE'S own expense, make all repairs necessary to keep the land from deteriorating in value or condition, and will not break up established waterways, ditches, terraces, or undertake any other operation that will injure the leased premises. Additionally, LESSEE agrees to keep open and in good state of repair all ditches, tile drains, grass waterways and terraces where present.

4. LESSEE specifically agrees not to assign or sublet the leased premises without the express written authority of the LESSOR.

5. LESSEE specifically grants to LESSOR the right of re-entry upon these premises at anytime.

6. LESSEE agrees and covenants that, in the event of a breach by LESSEE of any of the covenants contained herein, LESSOR may, at its option, declare this lease forfeited and terminated as to the balance of the terms thereof. Upon any such declaration, forfeiture or termination of this lease by LESSOR, LESSEE agrees and covenants to give and declare immediate possession of the demised premises to the LESSOR. LESSEE agrees that, in the event of a termination or forfeiture of this lease as herein provided, LESSEE shall indemnify LESSOR for all losses or damage which LESSOR may incur or suffer during the remainder of the period of time covered by this lease, whether such loss shall be through decreased rentals or otherwise. LESSEE further agrees and covenants that LESSEE will, at the termination of this lease, peacefully deliver up to LESSOR the demised premises and appurtenances or additions thereto in as good condition and state of repair as same are now in, fair wear and tear only excepted, and vacate encumbered and in good tenantable order.

7. LESSEE agrees and covenants that LESSEE will not make or suffer any unlawful, improper, illegal or offensive use of the demised premises or any part thereof. LESSEE further agrees and covenants that he shall conform to and comply with all rules and regulations of the United States, State of Texas and

codes or ordinances of the City of Sherman, or be in default of this lease.

8. LESSEE COVENANTS AND AGREES TO INDEMNIFY, HOLD HARMLESS, AND DEFEND LESSOR, ITS OFFICERS, AGENTS, SERVANTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS FOR PROPERTY DAMAGE OR PERSONAL INJURIES, INCLUDING DEATH, CAUSED DIRECTLY OR INDIRECTLY BY LESSEE AND NOT CAUSED BY LESSOR, TO PERSONS OR PROPERTY ARISING OUT OF OR INCIDENTAL TO THE LEASING OF OR THE USE AND OCCUPANCY OF THE PREMISES BY LESSEE, AND LESSEE HEREBY ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR INJURIES, CLAIMS OR SUITS FOR DAMAGES TO PERSONS OR PROPERTY OF WHATEVER KIND OR CHARACTER, WHETHER REAL OR ASSERTED, OCCURRING DURING THE TERM OF THIS LEASE BY REASON OF THE USE OR OCCUPANCY OF PREMISES BY LESSEE, ITS AGENTS, SERVANTS OR EMPLOYEES, CONTRACTORS OR SUB-CONTRACTORS. THIS INDEMNIFICATION AND HOLD HARMLESS SHALL APPLY TO ANY IMPUTED OR ACTUAL JOINT ENTERPRISE LIABILITY.

9. LESSEE FURTHER INDEMNIFIES AND HOLDS HARMLESS THE CITY OF SHERMAN AND ASSUMES ALL LIABILITY AND RESPONSIBILITY ASSOCIATED WITH THE CROPS PRODUCED AT THE SHERMAN WASTEWATER TREATMENT PLANT SITE.

10. LESSEE shall promptly, at the execution of this lease, provide proper liability insurance for personal injuries or death growing out of any one accident or other cause in a minimum sum of not less than \$1,000,000 each occurrence and \$3,000,000 General Aggregate limit insuring the LESSEE against liability arising from premises, operations, independent contractors, personal injury in accordance with Insurance Requirements contained in Exhibit "B". LESSEE shall maintain said insurance with insurance underwriters licensed to do business in the State of Texas and approved by LESSOR. LESSEE shall furnish LESSOR with a certificate from the insurance carrier showing such insurance to be in full force and effect during the

entire term of this lease or shall deposit with LESSOR copies of said policies. Said policies or certificates shall contain a provision that written notice of cancellation or of any material change in said policies by the insurer shall be delivered to LESSOR thirty (30) days in advance of the effective date thereof.

11. LESSEE acknowledges that it has inspected the demised premises leased herein and accepts the same in their present condition with no implied or express warranties as to their fitness.

12. LESSEE agrees and covenants that LESSOR retains the use and enjoyment of all easements of whatsoever nature in and about or in whatever manner located on the above described demised premises.

13. LESSEE acknowledges that portions of the leased property are located in the floodplain of Choctaw and Post Oak Creeks. LESSOR shall not be responsible for the removal of debris deposited by floodwaters or damage of any type resulting from the deposition of debris on the site.

14. Access to the leased property through the City's wastewater treatment plant shall be exclusively by means of the main gate to the Wastewater Treatment Plant located at 1800 East F.M. 1417. No other access to the property shall be allowed by utilizing public access routes. The LESSEE shall provide twenty-four (24) hour notice to the Wastewater Treatment Plant for any access to the site through the treatment facility.

15. The LESSEE shall farm the premises in accordance with the standard agricultural practices common to Grayson County, Texas. LESSEE may apply chemicals to the premises, in accordance with good agricultural practices to promote crop production. The LESSOR, through its wastewater superintendent, shall approve, prior to application, all chemicals and the method of application. No chemical may be applied without LESSOR approval.

16. LESSEE will not construct any buildings or sheds on the site or surrounding area.

17. Should the leased property be utilized for the production of hay, all hay bales must be removed from the site immediately following the baling operation. No storage of hay bales on the site is permitted.

TERMINATION OF SAID LEASE

1. CANCELLATION BY LESSOR. The lease shall be subject to cancellation by LESSOR in the event LESSEE shall:

- a. File a voluntary petition in bankruptcy;
- b. Abandon the demised premises;
- c. Make voluntary assignments for the benefit of creditors;
- d. Be in arrears in payment of the whole, or any part, of rent thirty (30) days after the time such payments become due and payable to LESSOR;
- e. Default in the performance of any covenants and conditions required herein to be kept and performed by LESSEE, with the exception of the insurance liability provision, and such default continues for a period of thirty (30) days after receipt of written notice by LESSEE from LESSOR of said default. As to the insurance provision, LESSEE shall have seven (7) days in which to correct any default.

Failure of LESSOR to declare this lease terminated upon the default of LESSEE for any of the reasons set out shall not operate to bar or destroy the right of the LESSOR to cancel this lease by reason of

any subsequent violations of the terms hereunder.

All the terms, covenants and agreements herein contained shall be binding upon and shall inure to the benefit of the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands at Sherman, Grayson County, Texas, this the _____ day of _____, 2019.

LESSEE:
JOSH WILLEFORD

LESSOR:
CITY OF SHERMAN, TEXAS

BY: _____
JOSH WILLEFORD
934 PRESTON MEADOWS RD.
SHERMAN, TEXAS 75092

BY: _____
ROBBY HEFTON,
CITY MANAGER
220 WEST MULBERRY STREET
SHERMAN, TEXAS 75090

ATTEST:

BY: _____
LINDA ASHBY,
CITY CLERK

APPROVED AS TO FORM AND
CONTENT:

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

BID TABULATION

SHERMAN WASTEWATER TREATMENT PLANT AGRICULTURAL LEASE

BIDS TAKEN OCTOBER 28, 2019

<u>Bidder</u>	<u>Initial 12-Month Bid</u>	<u>Annual Renewal Bid</u>
Josh Willeford	\$10,000.00	\$10,000.00
DRG Farms	\$7,145.72	\$7,145.72

SUMMARY SHEET
BID FOR LEASING OF SHERMAN WASTEWATER TREATMENT PLANT
PROPERTY FOR AGRICULTURAL PRODUCTION

Opening and Award:

Bids for the leasing of the Sherman Wastewater Treatment Plant for agricultural production will be held at the following location: Engineering Offices; City Hall; 220 W. Mulberry; Sherman, Texas 75091 at 10:00 A.M. on October 28, 2019.

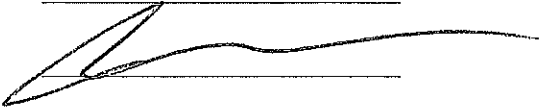
Proposal may be submitted by mail to the following address: Director of Utilities, Sherman; 220 W. Mulberry Street, Sherman, Texas 75091.

Person Submitting Bid:

Name: JOSH WILLEFORD
Address: 934 Preston Meadows Rd
City, State, Zip: Sherman TX 75092
Telephone Number: 903-815-0392

Bid Amount For Initial Twelve (12) Months: \$10,000.00
(Minimum Bid \$4,500)

By signing this form, the undersigned represents that he/she has full authority to bind to the terms contained in the bid:

Name of authorized: JOSH WILLEFORD
Signature: 
Date of signature: 10-28-19

Attach Exhibit B to this Bid Form.

SUMMARY SHEET
BID FOR LEASING OF SHERMAN WASTEWATER TREATMENT PLANT
PROPERTY FOR AGRICULTURAL PRODUCTION

Opening and Award:

Bids for the leasing of the Sherman Wastewater Treatment Plant for agricultural production will be held at the following location: Engineering Offices; City Hall; 220 W. Mulberry; Sherman, Texas 75091 at 10:00 A.M. on October 28, 2019.

Proposal may be submitted by mail to the following address: Director of Utilities, Sherman; 220 W. Mulberry Street, Sherman, Texas 75091.

Person Submitting Bid:

Name:

DRG FARMS LLC

Address:

4424 MORRIS CT.

City, State, Zip:

FORT WORTH, TX 76103

Telephone Number:

903-267-2414

Bid Amount For Initial Twelve (12) Months:
(Minimum Bid \$4,500)

\$7,145.⁷²

By signing this form, the undersigned represents that he/she has full authority to bind to the terms contained in the bid:

Name of authorized:

D. REAGAN GRAHAM

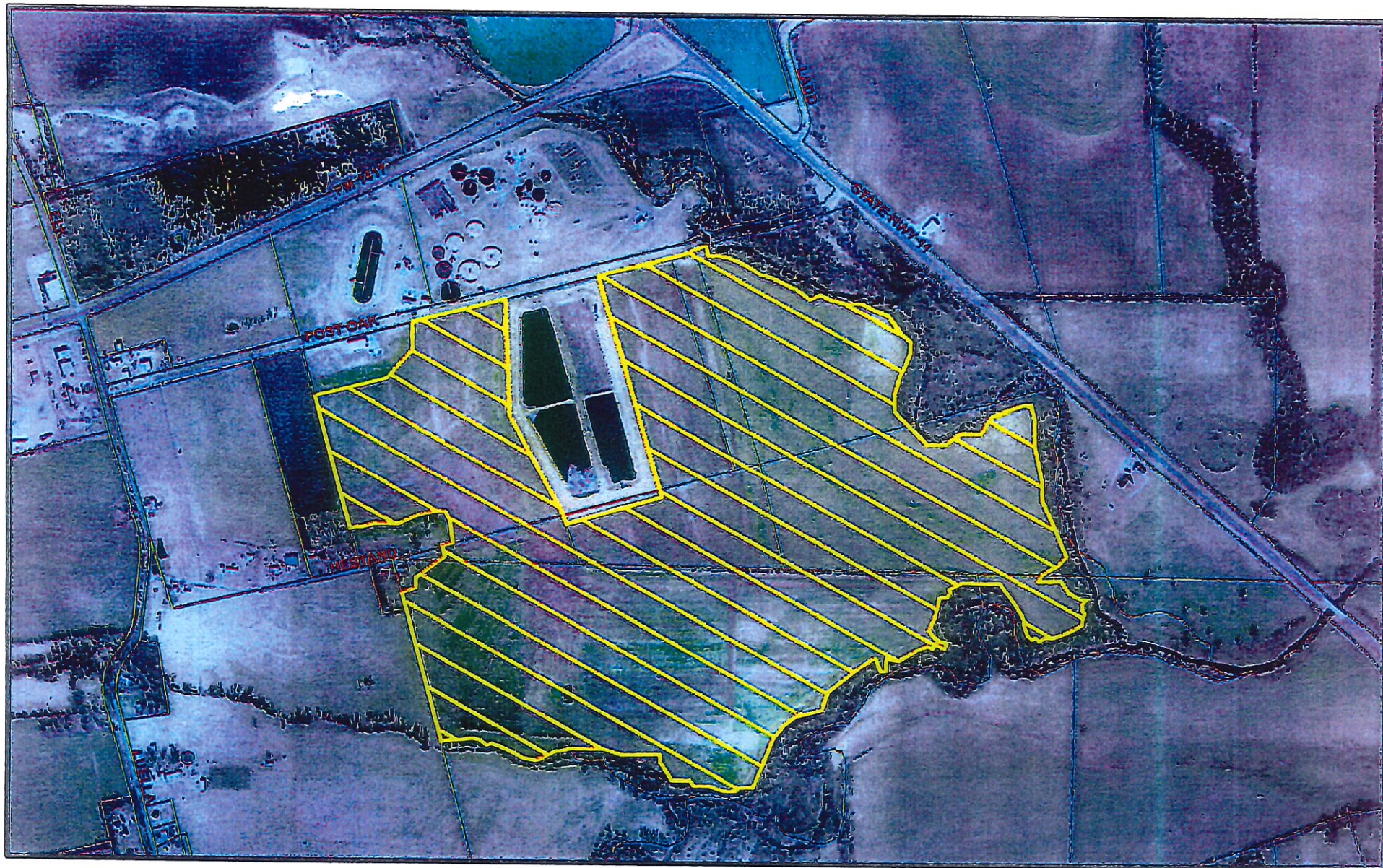
Signature:

D. Reagan Graham

Date of signature:

10-24-2019

Attach Exhibit B to this Bid Form.



City of Sherman, Texas
Engineering Department

EXHIBIT A AGRICULTURAL LEASE AREA WASTEWATER TREATMENT PLANT



0 200 400 800 Feet

EXHIBIT B

CONTRACTOR INSURANCE REQUIREMENTS AND AGREEMENT

Commercial General Liability Insurance

LESSEE shall maintain General liability with limit of not less than \$100,000.00 each occurrence, \$300,000.00 General Aggregate limit, insuring the Lessee against liability arising from premises, operation, independent contractors, personal injury and liability assumed under an assumed contract. Insurance shall be written in ISO Occurrence Forms CG 00 01 10 93 (or substitute form providing equivalent coverage) shall cover liability arising from premises, operations, independent contractors, personal injury and liability assumed under an assumed contract (including the tort liability of another assumed and a business contract). The City of Sherman shall be named as an insured using an additional insured endorsement Form. This insurance shall apply as primary insurance with respect to any other insurance or self-insurance programs afforded to the City of Sherman. The lessee shall waive all rights of subrogation against the City of Sherman and its officials and employees for recovery of damages to the extent these damages are covered by insurance required above.

Miscellaneous

All insurance policies shall be written with insurers that are licensed to write insurance coverage in the state of Texas and who have consistently maintained an AM Best Rating of A-, A, A+ or A++ since 1/1/09. Prior to commencing work, the lessee shall furnish the City of Sherman with a certificate(s) of insurance, executed by a duly authorized representative of each insurer, showing compliance with each of the insurance requirements set forth. The certificate(s) should be provided to the City of Sherman, Legal Department. All certificates shall provide for 30 days written notice to the City of Sherman prior to cancellation or material change of any insurance referred to therein. Failure of the City of Sherman to demand such certificate or other evidence of full compliance with these insurance requirements or the failure of the City of Sherman to identify a deficiency from evidence that is provided shall not be construed as a waiver of the lessee's obligation to maintain such insurance. The City of Sherman shall have the right, but not the obligation, of prohibiting the lessee from initiating services to the City until such certificates or other evidence that insurance has been placed in complete compliance with these requirements is received and approved by the City of Sherman. Failure to maintain the required insurance may result in termination of this contract at the City's option. If the lessee fails to maintain the insurance as set forth herein, the City of Sherman shall have the right, but not the obligation, to purchase said insurance at the lessee's expense. The lessee shall provide certified copies of all insurance policies required above within 10 days of the City of Sherman's written request for said copies. By requiring insurance herein, the City of Sherman does not represent the coverage or limits that will necessarily be adequate to protect the lessee, and such coverage and limits shall not be deemed as a limitation on the lessee under any indemnity agreements granted to the City of Sherman by the lessee.

By requiring insurance herein, the City does not represent that coverage and limits will necessarily be adequate to protect the Lessee, and such coverage and limits shall not be deemed as a limitation on the Lessee's liability under a purchase agreement with the City.

This form must be signed and returned with your bid to verify that you can and will meet the insurance requirements listed herein should you be awarded the bid and will provide the certificates of insurance acceptable to the City.

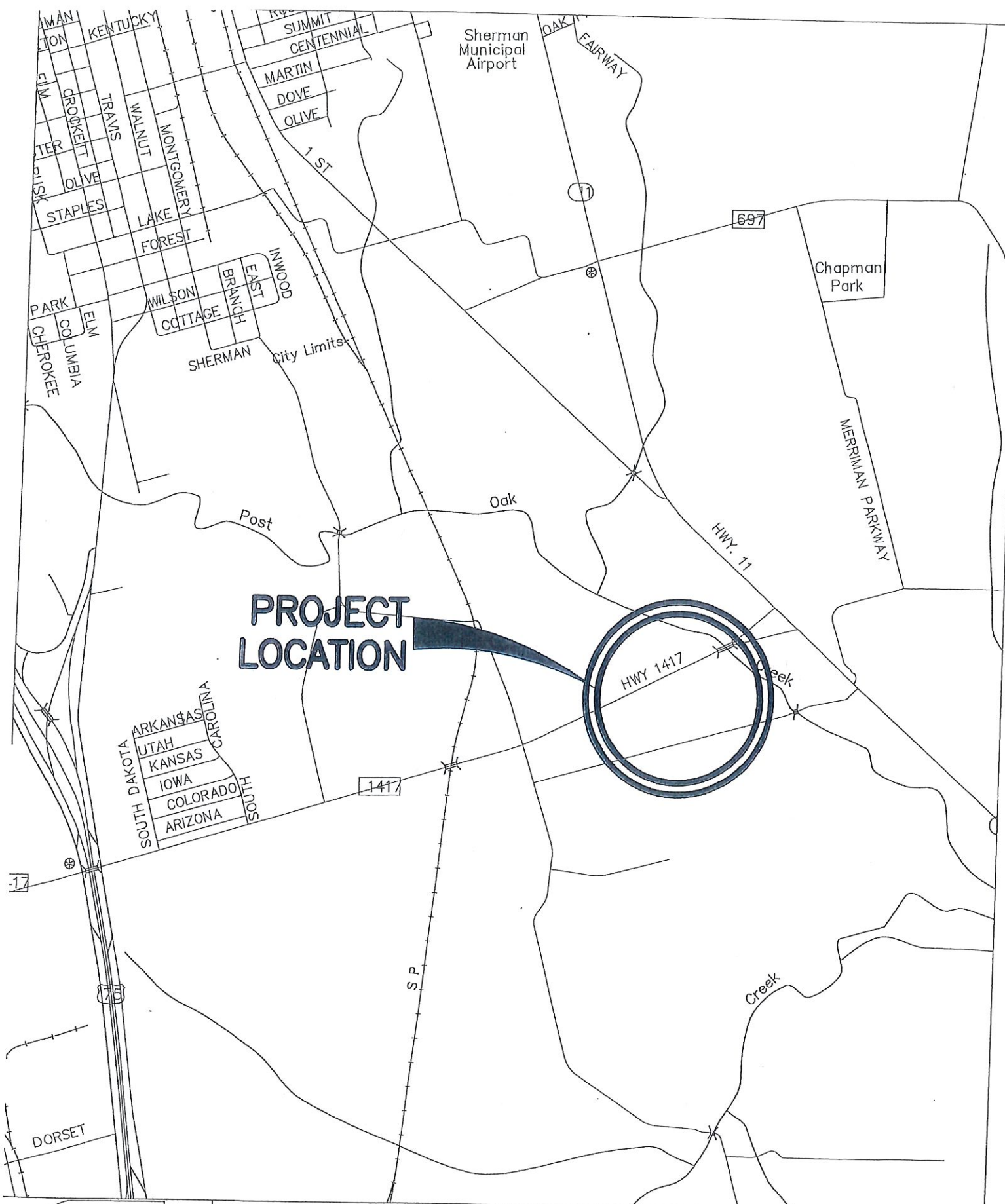
AGREEMENT

I AGREE TO PROVIDE THE ABOVE DESCRIBED INSURANCE COVERAGES TO THE City of Sherman, City Attorney's office 220 W. Mulberry, P.O. Box 1106, Sherman, Texas 75090, prior to commencing work:

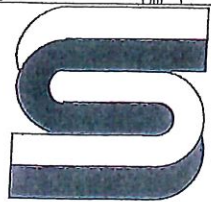
Company: _____

Printed name: _____

Signature: _____ Date: _____



**PROJECT
LOCATION**



City of Sherman, Texas
**AGRICULTURAL LEASE
WASTEWATER TREATMENT PLANT**

PROJECT LOCATION MAP





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

H. 7.

Meeting Date: 11/18/2019

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6568**

Authorizing the Emergency Purchase of a New Spartan S-180 Pumper from Metro Fire for the Sherman Fire Department and the Emergency Purchase of Two Chevrolet Patrol Tahoes from Freedom Chevrolet for the Sherman Police Department with Lease-Purchasing Financing

Issue:

To consider approval of a resolution to purchase on an emergency basis a new Spartan S-180 Pumper from Metro Fire for the Sherman Fire Department and to purchase two Chevrolet Patrol Tahoes for the Sherman Police Department, both with lease-purchase financing

Background:

These fleet purchase requests are not currently budgeted in the fiscal year 2019-2020 Budget and therefore this request is for an emergency purchase. Unexpected mechanical failures of one of the oldest pumper fire trucks has necessitated the emergency nature of this purchase. The cost of repairs for this 13 year-old vehicle make it unwise to continue spending money for repair of a vehicle this age. Likewise, increasingly recurring mechanical failures of two police patrol vehicles have necessitated the need to purchase the proposed two patrol vehicles

Lead time on the delivery of a fire truck and on the patrol vehicles is about four to six months. Authorizing the purchase now will enable these departments to put critical public safety equipment into service before the end of the fiscal year. The estimated cost of the new Spartan S-180 Pumper is \$564,000.00, while the estimated cost of each Chevrolet Patrol Tahoe is \$47,759.00. The City will use a competitively-bid lease-purchase to finance the cost.

Origination:

Sherman Fire Department
Sherman Police Department

Financial Consideration:

City staff will advertise for public bids for capital lease financing for these purchases. Payments are estimated at about \$75,000.00 for this year and about \$150,000.00 per year through the remaining term of the lease.

Staff Recommendation:

It is recommended that staff be authorized to purchase a new Spartan Pumper and two Chevrolet Patrol Tahoes.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6568

Fire Truck Estimate

Chevrolet Tahoe Estimate

Chevrolet Tahoe Laptop Estimate

RESOLUTION NO. 6568

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE EMERGENCY PURCHASE OF A NEW SPARTAN S-180 PUMPER FROM METRO FIRE FOR THE SHERMAN FIRE DEPARTMENT AND THE EMERGENCY PURCHASE OF TWO CHEVOLET PATROL TAHOES FROM FREEDOM CHEVROLET FOR THE SHERMAN POLICE DEPARTMENT WITH LEASE-PURCHASE FINANCING; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being completed and approved as to form and content by the City Attorney, to execute an agreement for lease-purchasing financing of a new Spartan S-180 Pumper for the Sherman Fire Department from Metro Fire and two Chevrolet Patrol Tahoes for the Sherman Police Department from Freedom Chevrolet, in accordance with all contract documents to be attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYER, MAYOR

**APPROVED AS TO
FORM AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



Apparatus Specialists, Inc.

514 Michigan / South Houston, Texas 77587 / (713) 692-0911 / (713) 692-1591 fax

PROPOSAL

Thursday, November 07, 2019

Sherman Fire Department
Chief Brown
318 S Travis
Sherman, TX 75090

The undersigned is prepared to furnish for you, upon an order being placed by you, for final acceptance by Metro Fire Apparatus Specialists, Inc at its office in Houston, Texas the apparatus and equipment herein named and for the following prices:

One (1) Spartan S-180 Pumper on a Metro Star Chassis and equipment as specified:

TOTAL \$564,000.00

No State, Federal or local taxes included

The apparatus and equipment are to be supplied and shipped in accordance with the specifications and approvals by the Sherman Fire Department. Delays due to strikes, war or other causes beyond our control not preventing, within **180 calendar days after receipt of a PO**. The completed apparatus will be delivered to you at:

*Sherman Fire Department
Sherman, Texas*

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the Sherman Fire Department. The proposal specifications are supplied for construction purposes. Any additions and/or changes to the enclosed specifications shall be generated and/or approved by the Sherman Fire Department, and accepted by Metro Fire Apparatus Specialists, Inc.

Unless accepted within 45 days from this date, Metro Fire Apparatus Specialists, Inc. reserves the right to withdraw this proposal.

TERMS:

By *Brian Cudaback*

Brian Cudaback – Apparatus Manager

**Payment due upon delivery and acceptance
of completed apparatus.**

“The Apparatus Specialists”

659 Martin Duke Road
Van Alstyne, TX 75495
(903)482-9357
hkirby@prioritypublicsafety.net



Estimate

ADDRESS

Jarena Capps
Sherman Police Department
317 S. Travis Street
Sherman, TX 75090

SHIP TO

Jarena Capps
Sherman Police Department
Sherman Police Department
317 S. Travis Street
Sherman, TX 75090

ESTIMATE # 4223**DATE** 11/08/2019**EXPIRATION DATE** 12/08/2019**REP**

HK

ACTIVITY	QTY	RATE	AMOUNT
Chevy Tahoe 2020 Tahoe PPV Black, with 4-doors painted white, cloth front and vinyl rear and driver side spotlight - Vehicle Sold By Freedom Chevrolet	2	32,250.00	64,500.00
Message-Allen Pricing Reflects City of Allen Co-Op Contract All Whelen Items 40% Off List Price	1	0.00	0.00
WE-GB2SP3J Whelen Legacy Lightbar to Include Takedowns and Alleys with Red/White Front Driver Side, Blue/White Front Passenger Side, Red/Amber and Blue/Amber Rear of Lightbar	2	2,550.00	5,100.00
WE-CCSRN3 Whelen Sapphire Cencom control head	2	0.00	0.00
WE-SA315P Whelen 100 Watt Speaker	2	0.00	0.00
WE-SAK1 Whelen Universal L Speaker bracket	2	0.00	0.00
WE-LINZ6R Whelen LINZ6 Surface Mount LED (Red)	6	93.60	561.60
WE-LINZ6B Whelen LINZ6 Surface Mount LED (Blue)	6	93.60	561.60
WE-MBCT15RB Whelen Mirror Beam Set for 2015+ Chevy Tahoe Red Driver, Blue Passenger LEDs and Mirror Mounting Kit	2	237.00	474.00
WE-M4CT15B Whelen Fog Light Mount, For 2015 Chevy Tahoe, Pair, Black	2	42.60	85.20
WE-M4RC Whelen M4 LED Light Red, clear lens	2	112.80	225.60
WE-M4BC Whelen M4 LED Light- Blue, clear lens	2	112.80	225.60

Unused item refund or exchange within 14 days. Receipt and original packaging required. EXCEPT special order items, these cannot be returned. | Like us on Facebook! | Used items no returns.

ACTIVITY	QTY	RATE	AMOUNT
WE-RBKT6 Whelen License Plate Bracket for LINZ6	2	14.10	28.20
WE-SSFPOSI6 Whelen SSFPOSI6 Headlight Flasher Plug & Play for Chevy Tahoe	2	64.20	128.40
WE-TAD8RB Whelen 8-Lamp Traffic Advisor One end Red, Amber Center, One end Blue	2	424.80	849.60
WE-DBKT5 Whelen Upper Window Mounting Kit	2	14.40	28.80
SET-BK0535TAH15 Setina Steel Center Section Push Bumper for Chevy Tahoe PPV	2	268.73	537.46
PG-PRPSP5704T15A Pro-Gard Center Sliding Partition with lower extension panels and recess panel	2	675.00	1,350.00
PG-S5705T15OSB Pro-Gard Standard Transport Seat with 7 Ga. Steel Screen Window Cargo Barrier, and Outboard Seat Belts	2	1,041.48	2,082.96
PG-WB57NPT15 Pro-Gard Steel Window Barriers to be used with O.E.M. Door Panels	2	154.44	308.88
GJ-7170-0237-03 Gamber Johnson Console Package Chevy Silverado/Tahoe (2015), GMC Yukon/Sierra (2015) Vehicle Kit -- console box with cupholder, armrest and wiring chase kit	2	529.00	1,058.00
BR-PPS-GR1 Brooking Industries Gunlock	2	119.00	238.00
SC-SC-6XL Santa Cruz Universal Gun Lock	4	109.00	436.00
GI-50007 Go Industries 50007 Single Drawer Cargo Box with T-Handle (1) Divider, Steel, Black Powder Coat	2	875.00	1,750.00
WE-TCRHS5 Whelen Tracer Solo 5-Lamp Housing BRBRB	4	562.80	2,251.20
WE-TCRB45 Whelen Housing for Tahoe Running Board Mounting Kit	4	28.80	115.20
WE-AVC21RB Whelen Avenger II Dual - Red/Blue - mounted in side cargo windows	4	213.60	854.40
SHOP SUPPLIES Radio Coaxial cable and connector	2	65.00	130.00
SHOP SUPPLIES Shop Fee (Consumables)	2	50.00	100.00
GRAPHICS Custom Design Vehicle Graphics	2	687.65	1,375.30
LABOR Labor to install graphics	2	180.00	360.00
Tint Window Tint of front two windows	2	90.00	180.00
Shipping and Handling	2	225.00	450.00

Unused item refund or exchange within 14 days. Receipt and original packaging required. EXCEPT special order items, these cannot be returned. | Like us on Facebook! | Used items no returns.

ACTIVITY	QTY	RATE	AMOUNT
Shipping and Handling			
LABOR	2	2,205.00	4,410.00
Labor to install listed equipment and lighting equipment listed by Sherman Police Department			
Includes install of customer supplied radio and L3 camera system			

Thank you for doing business with us.

TOTAL

\$90,756.00

Accepted By

Accepted Date



Sales Quotation

Quotation No.:45712

Page 1 of 1

27060 Decker Prairie Rosehill Road
Magnolia, Texas 77355

Tel: 281-305-5018
Ofc: 281-259-6613
Fax: 281-259-6615
Robert.Baldyga@RuggedDepot.com

Order Date: 10/14/2019
Valid Until: 11/14/2019
Customer Number: C5400
Rep: Rob Baldyga
Terms: Rugged NET 30
Customer Ref:

Bill To:
CITY OF SHERMAN
Municipal Building
405 N Rusk St.

Sherman TX 75090
USA
903-892-7309

Ship To:
CITY OF SHERMAN
Municipal Building
405 N Rusk St.

Sherman TX 75090
USA
903-892-7309

Shipping Method: FedEx 2Day (by 4:30pm biz day)

Item Code	Description	Condition	Quantity	Price	Total
CF-54J2318VM-C1	Win10 Pro, Intel Core i5-7300U 2.60GHz, vPro, 14.0" FHD, Gloved Multi Touch, 512GB SSD, 8GB, Intel WiFi a/b/g/n/ac, TPM 2.0, Bluetooth, Emissive Backlit Keyboard, Webcam, 3 Year Panasonic Warranty	NEW	2	2,350.00	4,700.00
Subtotal					4,700.00

Freight \$61.36
Tax \$0.00
Total \$4,761.36

Terms and Conditions

- * Any refunds, for any reason (including cancellations), if payment was made with American Express, refund will be less 4% American Express merchant processing charge.
- * All shipments are FOB Destination, Freight Prepaid & Add, unless using customer shipping account, if freight not shown on quote, it will be added to Invoice.
- * Payment must be made in U.S. dollars.
- * Pricing and quantities are subject to change.
- * Nomar Enterprises reserves the right to substitute products of equal or greater specifications.
- * Invoices are subject to late payment charges of 18% per year computed monthly after due date.
- * All products are sold "AS IS"
- * No credit allowed for goods returned without prior approval.
- * ALL RETURNS MUST BE ACCOMPANIED BY A RETURN MATERIAL AUTHORIZATION NUMBER AND ARE SUBJECT TO A 20% RESTOCKING/HANDLING FEE; IF A SPECIAL ORDER PART, ADDITIONAL VENDOR RESTOCKING/HANDLING FEES MAY APPLY.
- * Claims for loss or damage in shipment must be made to the carrier by the Customer. All others must be made to Nomar Enterprises LLC within 2 days of receipt of goods. All goods shipped at the buyer's risk.
- * Customer also agrees to pay such attorney's fees and costs as are actually incurred for the collection of this amount whether or not suit is instituted.
- * All product and services on this invoice will remain the property of Nomar Enterprises and will be fully encumbered until full payment has been remitted.

Nomar Enterprises strives to bring our customers the best possible price everyday.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

H. 8.

Meeting Date: 11/18/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6569**

Casting Votes to Elect a Candidate to Serve as a Member of the Grayson Central Appraisal District Board of Directors

Issue:

To consider casting the 282 votes allocated to the City of Sherman for the election of a candidate to the Board of Directors for the Grayson Central Appraisal District

Background:

Every two years, the taxing entities of Grayson County elect the five members of the Grayson Central Appraisal District's Board of Directors. Votes are apportioned on the basis of the tax levy of each entity. The City of Sherman has been allocated 282 votes; and a total of 1,000 votes is necessary to assure the election of a nominee.

Origination:

Grayson Central Appraisal District

Financial Consideration:

There is no direct financial impact on the City's finances.

Staff Recommendation:

The staff recommends the City Council cast the City of Sherman's 282 votes for Brad Morgan, one of the candidates to the Grayson Central Appraisal District Board of Directors.

Alternatives:

The City Council could abstain from casting its votes.

Attachments

Resolution No. 6569

GCAD Official Ballot Information

RESOLUTION NO. 6569

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CASTING VOTES TO ELECT A CANDIDATE TO SERVE AS A MEMBER OF THE GRAYSON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, pursuant to the authority of V.T.C.A., Tax Code §6.01, an appraisal district known as the Grayson Central Appraisal District has been created in Grayson County, Texas; and

WHEREAS, the quality of the property tax system depends on the Appraisal District's Board of Directors; individuals serving on the Board of Directors bring to the Board knowledge, judgment and expertise in establishing policies and procedures for the District's organization and operation; and

WHEREAS, the members of the Board of Directors are nominated and selected by the governing bodies of the voting taxing units in the Appraisal District; and

WHEREAS, a Board of five Directors governs the Grayson Central Appraisal District, plus the Tax Assessor-Collector as a nonvoting Director (if not regularly appointed); and

WHEREAS, the County, County College, Cities and Towns and School Districts participating in the District nominate and select Directors; and

WHEREAS, the Chief Appraiser has notified the City that it is entitled to 282 votes in the Directors' election; and

WHEREAS, the voting taxing units have nominated candidates; and

WHEREAS, the Chief Appraiser has prepared a ballot listing the nominees alphabetically by each candidate's last name; and

WHEREAS, the Chief Appraiser has delivered a copy of this ballot to the presiding officer of the governing body of each voting unit; and

WHEREAS, each voting unit must cast its vote by written resolution and submit it to the Chief Appraiser before December 15, 2019; and

WHEREAS, the City Council of the City of Sherman, Texas may cast all its votes for one candidate or may distribute the votes among any number of candidates;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

SECTION 1. That all of the above recitals and preambles are found to be true and correct and are made a part hereof for all purposes.

SECTION 2. That the City Council of the City of Sherman, Texas, hereby casts 282 votes for the following candidate for the position of Director of the Grayson Central Appraisal District, as follows:

<u>Brett Graham</u> Candidate	<u>Number of Votes</u>
<u>Obie Greenleaf</u> Candidate	<u>Number of Votes</u>
<u>Ryan Johnson</u> Candidate	<u>Number of Votes</u>
<u>Lynn Mitchusson</u> Candidate	<u>Number of Votes</u>
<u>Brad Morgan</u> Candidate	<u>282</u> Number of Votes
<u>Luke Scheibmeir</u> Candidate	<u>Number of Votes</u>
<u>Charlie Williams</u> Candidate	<u>Number of Votes</u>

SECTION 3. That the City Clerk shall mark the attached ballot in accordance with this resolution and forward same with a certified copy of this resolution to the Grayson Central Appraisal District.

SECTION 4. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

Grayson Central Appraisal District

512 N. Travis

Sherman, Texas 75090

Phone (903) 893-9673

Fax (903) 892-3835

www.graysonappraisal.org

October 24th, 2019

Robby Hefton, City Manager
City of Sherman
P.O. Box 1106
Sherman, TX 75091

Dear City Manager:

As provided by Property Tax Code, Section 6.03, Subsection (j), please find enclosed an official ballot for the Grayson Central Appraisal District Board of Directors election for the term 2020-2021. The number of votes allocated to **City of Sherman** is:

282

Property Tax Code Section 6.03, Subsection (k), states that each taxing unit eligible to vote shall determine its vote by resolution and submit it to the chief appraiser **before December 15, 2019**. A sample resolution has been included for your convenience. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote total elected, and submit the results to the governing body of each taxing unit in the district and to the candidates.

If you have any questions regarding this procedure, please contact me at the below telephone number.

Sincerely,



Shawn D. Coker, RPA, CCA
Chief Appraiser/Chief Administrator
903-870-1993



OFFICIAL BALLOT

VOTING OF THE BOARD OF DIRECTORS OF THE GRAYSON CENTRAL APPRAISAL DISTRICT 2020-2021 TERM

- Five Members to be Elected;
- Indicate Number of Votes You Wish to Cast for Each Candidate;
- Candidates are listed alphabetically according to the first letter in each candidate's surname according to TPTC 6.03 (j)
- **Ballots and Resolution** must be submitted to the Chief Appraiser **before December 15, 2019.**

Name of Entity _____

_____	Brett Graham
_____	Obie Greenleaf
_____	Ryan Johnson
_____	Lynn Mitchusson
_____	Brad Morgan
_____	Luke Scheibmeir
_____	Charlie Williams

TPTC- 6.03 (k) The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates.

Grayson Central Appraisal District
Board of Directors Election
2020-2021
Voting Allocation

ENTITY	2018 TAX LEVY	% OF TOTAL	# OF VOTES
Bells ISD	3,710,020.73	1.62	81
City of Bells	414,176.78	0.18	9
Collinsville ISD	2,682,493.65	1.17	59
City of Collinsville	302,566.73	0.13	7
Denison ISD	27,129,152.51	11.85	593
City of Denison	9,542,251.21	4.17	208
Gunter ISD	5,499,687.95	2.40	120
City of Gunter	935,107.92	0.41	20
Howe ISD	4,813,766.61	2.10	105
City of Howe	763,436.72	0.33	17
Pottsboro ISD	10,452,264.25	4.57	228
City of Pottsboro	982,029.38	0.43	21
S & S CISD	6,195,317.96	2.71	135
City of Southmayd	259,003.03	0.11	6
Sherman ISD	51,338,606.45	22.43	1,121
City of Sherman	12,919,698.62	5.64	282
Tioga ISD	1,698,993.90	0.74	37
City of Tioga	363,369.42	0.16	8
Tom Bean ISD	3,005,250.78	1.31	66
City of Tom Bean	285,555.72	0.12	6
Van Alstyne ISD	10,416,717.93	4.55	228
City of Van Alstyne	1,689,650.14	0.74	37
Whitesboro ISD	10,214,648.88	4.46	223
City of Whitesboro	829,094.70	0.36	18
Whitewright ISD	2,838,674.15	1.24	62
City of Whitewright	547,020.77	0.24	12
Grayson Junior College	17,734,196.94	7.75	387
Grayson County	40,985,705.93	17.90	895
Celina ISD	8,387.75	0.00	0
Pilot Point ISD	205,269.17	0.09	4
Trenton ISD	110,702.19	0.05	2
City of Knoliwood	49,415.05	0.02	1
City of Pilot Point	5,473.68	0.00	0
TOTALS	228,927,707.60	100.0000	5,000



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

I. 1.

Meeting Date: 11/18/2019

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

REQUEST TO ADVERTISE

Construction of Hangars at the Sherman Municipal Airport

Issue:

Approval of a request to advertise for proposals for a project to construct hangars at the Sherman Municipal Airport

Background:

Aprons for access to additional hangars were constructed several years ago, but the hangars were never constructed. Additional hangars are one of the most requested improvements at the Sherman Municipal Airport. The City will accept proposals to construct the hangars in a phased approach, with eventual final build-out of fourteen (14) hangars.

Origination:

Finance Department

Financial Consideration:

Funding will be from the Airport Fund and a grant from the Texas Department of Transportation.

Staff Recommendation:

Staff recommends the City Council approve advertising for construction of hangars at the Sherman Municipal Airport.

Alternatives:

As may be directed by the City Council

Attachments

Aerial Location Map



1 inch = 1,500 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

I. 2.

Meeting Date: 11/18/2019

Prepared By: Theresa Hutchinson, Parks & Recreation Manager

Approved By: Robby Hefton, City Manager

Caption:

*** REQUEST TO ADVERTISE**

Purchase and Installation of Various Site Amenities and Improvements for the Cherry Street Park Project

Issue:

Approval of a request to advertise for proposals for a project to purchase and install various site amenities and improvements at Cherry Street Park

Background:

At the May 15, 2017 meeting, the City Council approved and adopted the 2017 Parks Master Plan. Included among the priority initiatives arising from the Plan were updates to existing parks, such as the Cherry Street Park.

Origination:

Department of Parks and Recreation

Financial Consideration:

This project for Cherry Street Park site amenities and improvements, estimated at \$143,000.00, will qualify for funding through the Community Development Block Grant and will not require matching funds. Advertising costs are estimated to be about \$200.00.

Staff Recommendation:

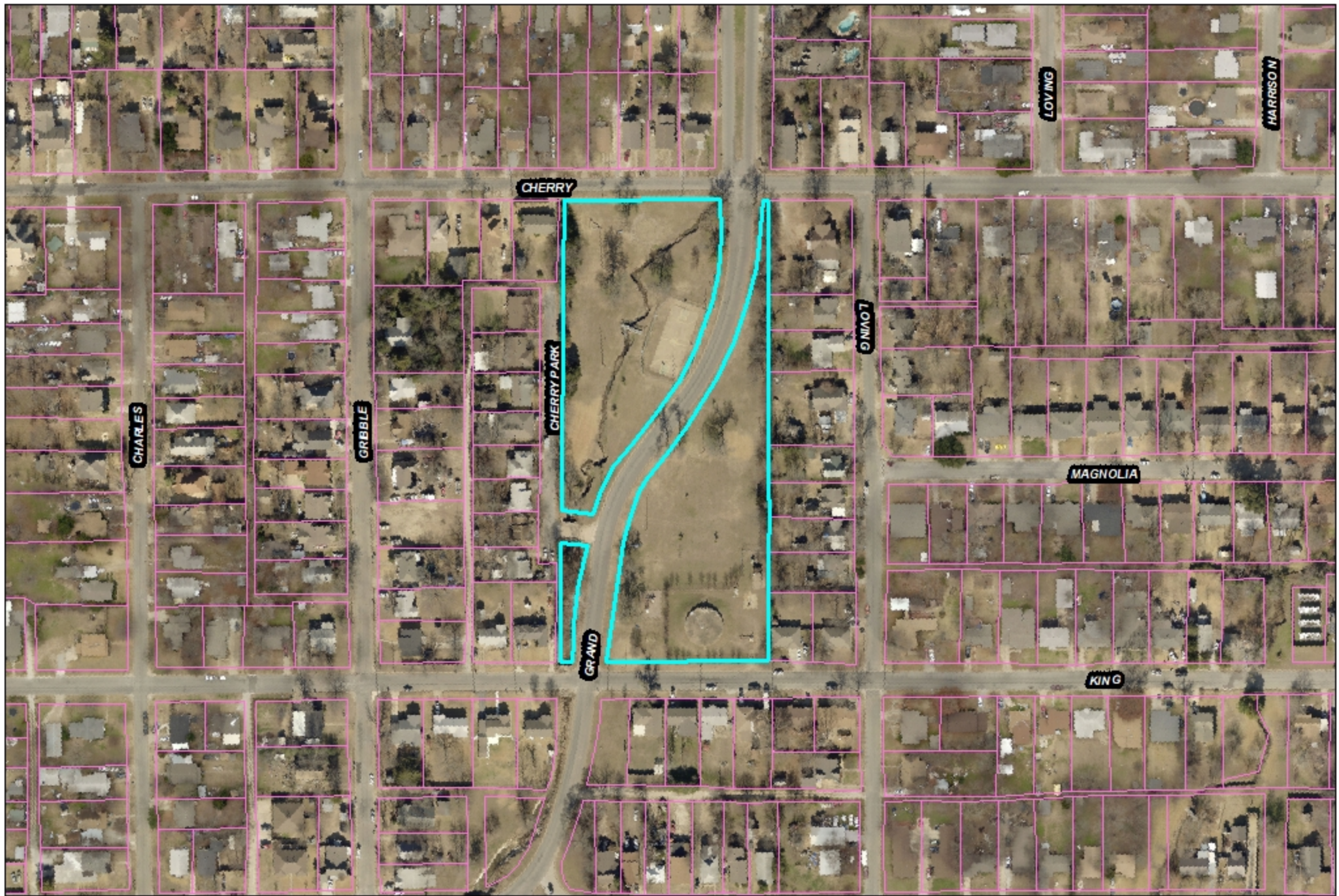
Staff recommends the City Council approve advertising related to the public request for proposals for the purchase and installation of various site amenities and improvements at the Cherry Street Park project.

Alternatives:

As may be directed by the City Council

Attachments

Aerial Location Map





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

J. 1.

Meeting Date: 11/18/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

CHANGE ORDER NO. 1 (FINAL)

West Travis Street Phase IV Project; Vessels Construction; \$41,891.48 Decrease

Issue:

To consider the approval of Change Order No. 1 and final payment with Vessels Construction for the West Travis Street Phase IV Project

Background:

Change Order No.1 is a final reconciliatory change order to adjust the final project quantities and issue final payment for the West Travis Street Phase IV Project. The change order finalizes the unit quantities for the project.

Origination:

Engineering Department

Financial Consideration:

The change order results in a \$41,891.48 decrease in the contract amount, yielding a final contract price of \$2,572,785.16.

Staff Recommendation:

It is recommended the Change Order No. 1 for the West Travis Street Phase IV Project be approved

Alternatives:

As may be directed by the City Council

Attachments

Change Order No. 1 (Final)

Aerial Location Map

Change Order

No. 1 (Final)

Date of Issuance: October 4, 2019

Project: West Travis Street Roadway Improvements – Phase IV	Project No.: PW #3006-D Bid No.: 2018-11
Owner: City of Sherman	Date of Contract: September 17, 2018
Contractor: Vessels Construction	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

See attached Change Order Worksheet

Justification:

Adjustment for final quantities for project.

Adjustments made for reduced estimated service life of concrete paving.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$2,614,676.64

Original Contract Times:

Substantial completion days: 365

Substantial completion date: November 5, 2019

Increase from previously approved Change Orders No. 0 to No. 0:

\$0

Increase from previously approved Change Orders No. 0 to No. 0:

Substantial completion days: 0

Substantial completion date: November 5, 2019

Contract Price prior to this Change Order:

\$2,614,676.64

Contract Times prior to this Change Order:

Substantial completion days: 0

Substantial completion date: November 5, 2019

Decrease of this Change Order:

\$41,891.48

Increase of this Change Order:

Substantial completion days: 0

Substantial completion date: November 5, 2019

Contract Price incorporating this Change Order:

\$2,572,785.16

Contract Times with all approved Change Orders:

Substantial completion days: 365

Substantial completion date: November 5, 2019

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 11-6-19

ACCEPTED:

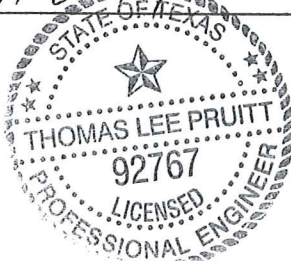
By: [Signature]
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 10-4-19





Change Order Worksheet

Item No.	Description of Item	Original Bid Quantity	Unit	Original Bid Unit Price	Total Quantity Changed	Total Value Completed
West Travis Phase IV						
5	CUT	7,870	CY	3.69	160.00	590.40
7	8" 4000 PSI CONCRETE WITH #4 @ 24" OCEW	19,991	SY	48.38	(827.50)	(40,034.45)
17	TYPE III BARRICADE	6	EA	2,981.00	(4)	(11,924.00)
18	4" SOLID WHITE THERMO	3,300	LF	1.16	66	76.56
24	"ONLY" THERMO LETTERS	11	EA	165.00	(1)	(165.00)
25	ARROW THERMO GRAPHIC	20	EA	165.00	(1)	(165.00)
26	SMALL SIGN	3	EA	880.00	(3)	(2,640.00)
28a	5'X3' BOX CULVERT (Material + Install)	20	LF	480.91	13.40	6,443.89
28	5'X2' BOX CULVERT (Material Only)	20	LF	300.00	0	0.00
32	24" CLASS III RCP	46	LF	67.66	66	4,465.56
33	18" CLASS III RCP	819	LF	50.18	(66)	(3,311.88)
61	4" conduit	1,746	LF	16.50	281.85	4,650.53
63	R&R Fence	100	LF	29.78	(6)	(178.08)
CO-1	LED Lights Shorting Plugs	0	LS	300.00	1	300.00

(41,891.48)



Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090



1 inch = 1,168 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

J. 2.

Meeting Date: 11/18/2019

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

*** CHANGE ORDER NO. 4 (FINAL)**

Approving the Greater Texoma Utility Authority's Intent to Execute Change Order No. 4; Sherman Water Treatment Plant Expansion Project; MWH Contractors, Inc.; \$717.00 Decrease

Issue:

To consider approval of Change Order No. 4 for the Sherman Water Treatment Plant Expansion Project

Background:

The construction of the Water Treatment Plant expansion has been completed. Change Order No. 4 is a final reconciliatory change order to adjust the final project quantities and the contract time. The Change Order adds four items addressed during construction and deletes two items from the contract, resulting in a net credit of \$717.00 to the City.

The Change Order extends the contract time by 315 days to account for equipment delivery delays, equipment modifications during construction, testing requirements, and weather delays.

Origination:

Utility Administration

Financial Consideration:

The Change Order results in a \$717.00 decrease in the contract amount, yielding a revised contract price of \$24,625,411.00.

Staff Recommendation:

It is recommended that the Greater Texoma Utility Authority's intent to approve Change Order No. 4 be approved.

Alternatives:

There are no recommended alternatives.

Attachments

Change Order No. 4

Engineer's Recommendation

Aerial Location Map

**CITY OF SHERMAN
LAKE TEXOMA WTP EXPANSION**

CHANGE ORDER NO. 4

A. INTENT OF THIS CHANGE ORDER NO. 4

The intent of this Change Order No. 4 is that the contract entered into by the Greater Texoma Utility Authority on behalf of the City of Sherman and MWH Constructors, Inc. dated February 26, 2017 be modified, clarified and recorded as a matter of permanent record.

B. DESCRIPTION OF CHANGE ORDER NO. 4

The required changes to the original contract, along with the associated costs and/or time are described as follows:

CHANGE ORDER NO. 4

Item No.	Description	Unit	Time	Cost/Unit	Total Amount
COR-23	Relocate 8" sludge line	LS	2	\$8,729.00	\$8,729.00
COR-25	CIP Tank Heater Electrical Mods	LS	0	\$5,688.00	\$5,688.00
COR-26	EPO Circuit	LS	0	\$683.00	\$683.00
COR-29	FV-5071 Control Station	LS	14	\$4,162.00	\$4,162.00
COR-32	Paving Modifications	LS	0	\$(9,973.00)	\$(9,973.00)
COR-33	Sump Pump Discharge Line Mods	LS	0	\$(10,006.00)	\$(10,006.00)
COR-34	Time Extension	LS	315	0	0
	TOTAL		331 Calendar Days		\$(717.00)

C. EFFECT OF ADJUSTMENT TO CONTRACT QUANTITIES

The revised Contract amount is determined as follows:

ORIGINAL CONTRACT AMOUNT	\$23,805,000.00
CHANGE ORDER NO.1	\$140,075.00
CHANGE ORDER NO. 2	\$521,535.00
CHANGE ORDER NO. 3	\$159,518.00
CHANGE ORDER NO. 4	\$(717.00)
 REVISED CONTRACT AMOUNT	 \$24,625,411.00

D. EFFECT OF ADJUSTMENT TO CONTRACT TIME

The revised Contract time is determined as follows:

ORIGINAL SUBSTANTIAL COMPLETION DATE.....October 15, 2018
CHANGE ORDER NO. 1 10-Calendar days
CHANGE ORDER NO. 2 7-Calendar days
CHANGE ORDER NO. 3 17-Calendar days
CHANGE ORDER NO. 4 331-Calendar days

REVISED SUBSTANTIAL COMPLETION DATE.....October 14, 2019

ORIGINAL FINAL COMPLETION DATE.....December 14, 2018
CHANGE ORDER NO. 110-Calendar days
CHANGE ORDER NO. 2 7-Calendar days
CHANGE ORDER NO. 3 17-Calendar days
CHANGE ORDER NO. 4 331-Calendar days

REVISED FINAL COMPLETION DATE.....December 13, 2019

E. AGREEMENT

By the signature of their respective duly authorized agents, the Greater Texoma Utility Authority and MWH Constructors, Inc. do hereby agree and append this Change Order No. 4 to the original contract between themselves dated February 26, 2017.

RECOMMENDED BY:
CH2MHILL

BY: Bryan J. Tuck

TITLE: Project Manager

DATE: 11/11/19

APPROVED BY:
GREATER TEXOMA UTILITY AUTHORITY

BY: _____

TITLE: _____

DATE: _____

ACCEPTED BY:
MWH Constructors, Inc.

BY: Jason Lundberg

TITLE: Project Manager

DATE: 11/12/19



Jacobs - CH2M
1999 Bryan St, Suite 1200
Dallas, TX 75201
O +1 469 941 8888

November 11, 2019

Mark Gibson, P.E.
Director of Utilities
City of Sherman
P.O. Box 1106
Sherman, TX 75091

Subject: Change Order No. 4

Dear Mark:

Attached is Change Order No. 4 for the Lake Texoma Water Treatment Plant Expansion project for review and approval. This Change Order encompasses the following Change Order Requests (COR):

COR-23 When the contractor was installing the new 8" sludge line a conflict was discovered with an existing 84" finished water line whose location varied from the available as-built drawings. The cost is for the additional pipe length and fittings to jog the sludge line around the finished water line. Change order will add \$8,729 and 2 days of time to the project.

COR-25 Added wiring to the heaters on the RO and UF Clean-in-place tanks to power the heaters which were larger than originally designed. The tanks and heaters were provided as part of the Membrane Contract (H2O Innovation) and their design was still evolving when the general contract went to bid. Change order will add \$5,688 and no additional time to the project.

COR-26 Added wiring for an emergency stop circuit for the UF units to increase operator safety. This circuit was not included in the original UF design but was added after the general contract went to bid. Change order will add \$683 and no additional time to the project.

COR-29 Flow Valve FV-5071 is located down in a pipe trench below floor level in the membrane building. The valve is equipped with an electric operator. So that the operators do not have to remove grating to operate the valve, a remote operator station was added at floor level. Change order will add \$4,162 and 14 additional days to the project.

COR-32 Modifications to the roadway and drainage around the new bulk chemical storage tanks were required in order to contain chemical spills in the area. The City elected to perform these changes with their own staff as well as construct some adjacent roadway sections that would be impacted by these changes. Change order will result in a credit of \$9,973 and no additional time to the project.

COR-33 The sump pump discharge line connects several sumps on this project to the sanitary sewer. The tie-in point to the sanitary sewer line was changed resulting in a shorter length of pipe needing to be installed. Change order will result in a credit of \$10,066 and no additional time to the project.

COR-34 This is a project closeout change order that incorporates time delays that had accumulated during the project. The change order was the result of negotiations between the City of Sherman and

Mark Gibson
Page 2
November 11, 2019

MWH Constructors and includes time extensions due to equipment delivery delays, equipment modifications during construction, testing requirements, and weather delays.

I have reviewed the change order requests and the associated costs and recommend approval of this change order. If you have any questions please call.

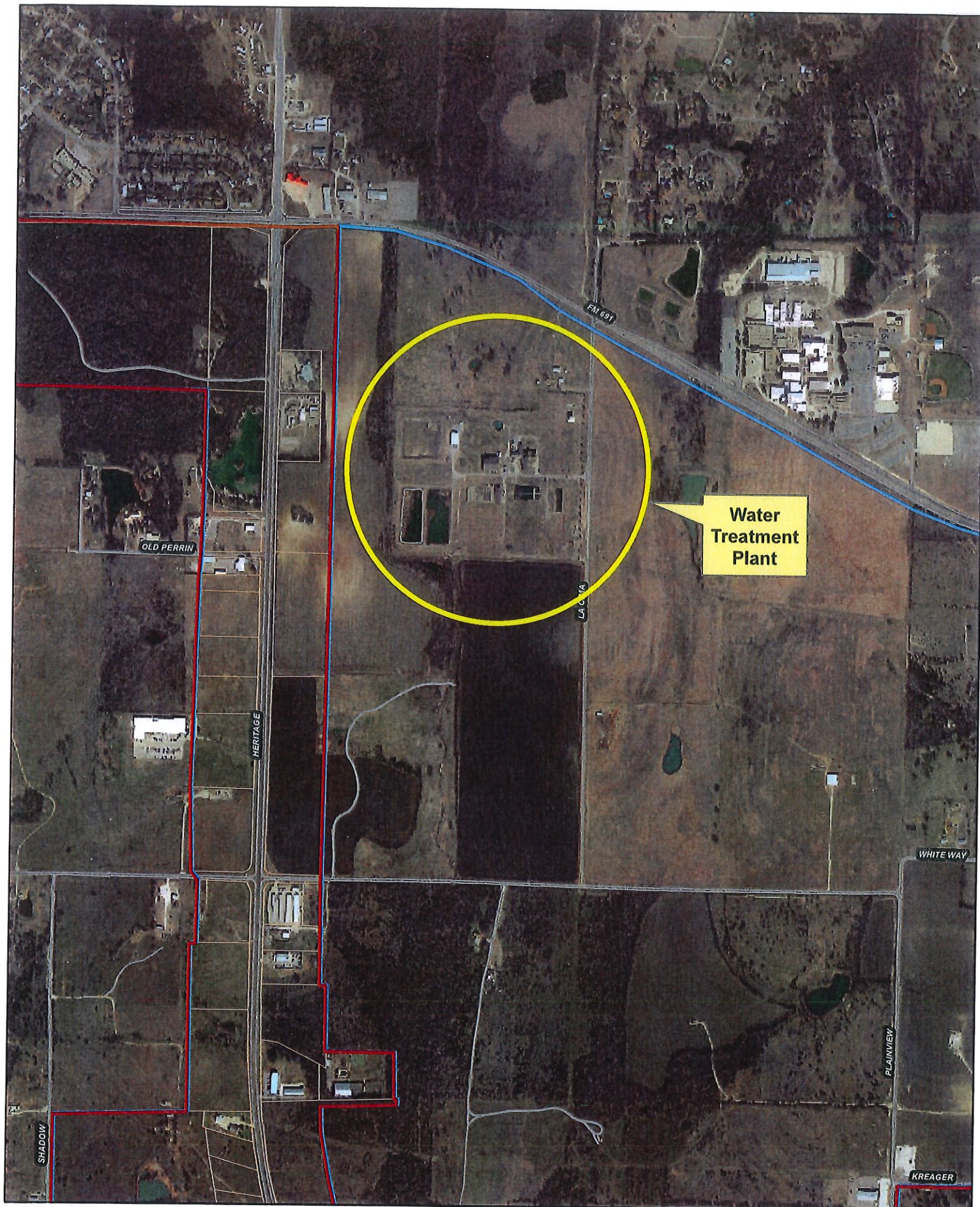
Sincerely,

CH2M HILL

A handwritten signature in blue ink, appearing to read "Brian J. Fuerst".

Brian J. Fuerst, P.E.
Project Manager

C: Drew Satterwhite/GTUA



Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

Water Treatment Plant

1 inch = 1,000 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

K. 1.

Meeting Date: 11/18/2019

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Approval of the 2019 Ad Valorem Tax Roll Value and Tax Levy

Issue:

To consider approval of the Ad Valorem Tax Roll Value and Tax Levy for fiscal year 2019-2020

Background:

In accordance with Texas Property Tax Code Section 26.09(e), the Council must approve the final tax roll value and related tax levy. The 2019 tax year represents taxes that will be collected during the City's 2019-2020 fiscal year. The Grayson County Tax Assessor/Collector's office has provided Sherman's taxable value as \$3,475,900,452, which produces a levy of \$16,226,452.61 based on the City's total tax rate of \$0.489000/\$100.00 valuation.

Origination:

Grayson County Tax Assessor/Collector Bruce Stidham

Financial Consideration:

There is no financial consideration to approving this tax levy.

Staff Recommendation:

It is recommended that the Council approve the 2019 Tax Roll Value and 2019 Tax Levy at the amounts reflected above.

Alternatives:

As this process is required by the Texas Property Tax Code, there are no alternatives.

Attachments

2019 Tax Value/Levy



OFFICE OF
BRUCE STIDHAM
TAX ASSESSOR - COLLECTOR
GRAYSON COUNTY
www.co.grayson.tx.us

COURTHOUSE
100 W. HOUSTON - SUITE 11
P.O. BOX 2107
SHERMAN, TX 75091

TAX OFFICE: 903-892-8297
VEHICLE REGISTRATION: 903-813-4225
FAX: 903-893-4973

October 23, 2019

VALUE/LEVY

Dr. David Plyler
City of Sherman
P O Box 1106
Sherman, Texas 75091

Dear Dr. Plyler:

Re: Section 26.09(e) SPTC

Please have your district approve your 2019 Tax Roll Values. Please sign as directed. Make a copy for your files and return the signed original to this office as soon as possible. These figures are actual tax roll value and tax levy billed figures.

2019 Tax Roll Value \$ 3,475,900,452

2019 Tax Levy \$ 16,226,452.61

2019 Special Assessment Levy \$ 19,209.62

If you have any questions, please give us a call.

Very truly yours,

Bruce Stidham
Tax Assessor-Collector

BS:lq

City Secretary

City Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

K. 2.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Lots 2, 3 and 4, Block 4, Mayhew Addition, being 0.705 acres in the Samuel Blagg Survey, Abstract No. 56, also being Lots 2, 3 & 4, Block 4 of the Mayhew Addition; Killian Land Development, LP, Owners; and Helvey-Wagner Surveying, Surveyor (1606, 1610 and 1614 South Rusk Street)

Issue:

To consider Replat Approval of Lots 2, 3 and 4, Block 4, Mayhew Addition, being 0.705 acres in the Samuel Blagg Survey, Abstract No. 56, also being Lots 2, 3 & 4, Block 4 of the Mayhew Addition located at 1606, 1610 and 1614 South Rusk Street.

Background:

The property is located at 1606, 1610 and 1614 South Rusk Street between Staples and Lake Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into two lots for residential development.

Origination:

Killian Land Development, LP (Owners)
Helvey-Wagner Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Aerial Location Map

Zoning Map

Zoning Sign Photo

Replat Lots 2, 3 & 4, Block 4 Mayhew Addition

Staff Review Letter

P&Z Communication



Zoning - 1606, 1610 & 1614 South Rusk Street

Legend

Special Districts Overlay

DISTRICT_NAME
Arts and Cultural District
Blalock Commercial Overlay District
Central Business District
College Park District
Downtown Overlay District
Historic Preservation District
Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

FM 1417
Sam Rayburn Freeway
US Hwy 82 and 75
SH 289
FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

Unknown
BIP Blalock Industrial Park
C-1 Retail Business District

C-2 General Commercial District
CO Office District
Lakes
M-1 Light Manufacturing District
M-1.5 Medium Manufacturing District
M-2 Heavy Manufacturing District
MH Manufacturing Housing District
R-1 One Family Residential District
R-2 Multi-Family Residential District
R-A Single Family Agricultural District
SF-1 Single Family Residential District



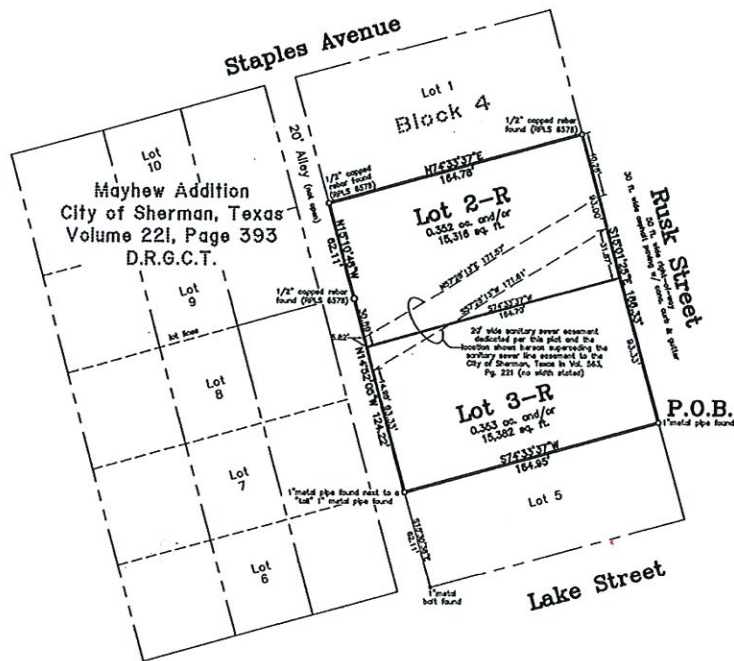
City of Sherman, Texas
Developmental Services Department



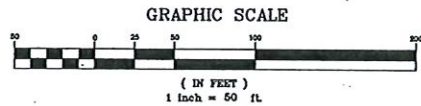
1 in = 100 ft

1606, 1610 & 1614 South Rusk Street





Bearing Base: Grid North, NAD83 Texas State Plane
Coordinate System, North Central Zone, as derived by
survey-grade Global Positioning System.



Replat of Lots 2, 3 and 4, Block 4, Mayhew Addition to the City of Sherman, Texas 0.705 Acres in the Samuel Blagg Survey Abstract No. 56

General Notes:

1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Oncor Electric Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "A" (area determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0450 F, Revised Date: September 28, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (903) 463-6181 Fax: (903) 463-4088
Email: kate@helveywagnersurveying.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

Owner:
Killian Land Development, LP
2401 Saint Remy Drive
McKinney, Texas 75070
Job No. CGS710919

Site Location (not to scale)





STAFF REVIEW LETTER

October 8, 2019

Killian Land Development, LP
2401 Saint Remy Drive
McKinney, TX 75070

Helvey-Wagner Surveying, Inc.
222 W. Main Street
Denison, TX 75020

Dear Applicants,

The request for approval of the Replat for Lots 2, 3, & 4, Block 4, Mayhew Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Metes and bounds description must match drawing.
6. Provide Drainage Easement for cross drainage.
7. The City of Sherman does not maintain alleys.
8. Water and Sewer pro-rata will be due at the time of development.
9. Title Block and Ownership Block must be on both pages of plat.
10. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
11. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not 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.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 14.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 1606, 1610 & 1614 SOUTH RUSK STREET**

The request of Killian Land Development, LP (Owners) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 1606, 1610 and 1614 South Rusk Street, being 0.705 acres in the Samuel Blagg Survey, Abstract No. 56, also being Lots 2, 3 & 4, Block 4 of the Mayhew Addition, as follows:

Planning and Zoning Commission

Replat Approval of Lots 2, 3 and 4, Block 4, Mayhew Addition

Background:

The property is located at 1606, 1610 and 1614 South Rusk Street between Staples and Lake Streets. The property was rezoned from a C-2 (General Commercial) District to an R-1 (One Family Residential) District in 2018. The owner would like to plat the property into two lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

C-2 (General Commercial) District

Origination:

Killian Land Development, LP (Owners)

Helvey-Wagner Surveying (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

15

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Replat Lots 2, 3 & 4, Block 4 Mayhew Addition

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

K. 3.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Second Replat Approval of Sherman Hills Country Club Addition, being 235.088 acres in a part of the Elizabeth Jones Survey, Abstract No. 625, the Samuel Blagg Survey, Abstract No. 56 and the Preston Kitchen Survey, Abstract No. 667, also being a part of the Sherman Hills Country Club Addition Golf Course Tracts Addition; SSCGC Holdings, LLC, Owners; and Underwood Drafting and Surveying, Surveyor (1200-2600 blocks of South U.S. Highway 75)

Issue:

To consider Second Replat Approval of Sherman Hills Country Club Addition, being 235.088 acres in a part of the Elizabeth Jones Survey, Abstract No. 625, the Samuel Blagg Survey, Abstract No. 56 and the Preston Kitchen Survey, Abstract No. 667, also being a part of the Sherman Hills Country Club Addition Golf Course Tracts Addition located in the 1200-2600 blocks of South U.S. Highway 75

Background:

The property is located in the 1200-2600 blocks of South U.S. Highway 75, between Center Street and F.M. 1417; Stone Creek Golf Club is the tenant. The property is zoned an R-1 (One Family Residential) District and C-1 (Retail Business) District. The owners would like to Replat the property into three lots.

Origination:

SSCGC Holdings, LLC (Owners)

Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Aerial Location Map

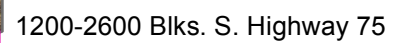
Zoning Map

Zoning Sign Photo

Sherman Hills Country Club Addition Second Replat

Staff Review Letter

P&Z Communication

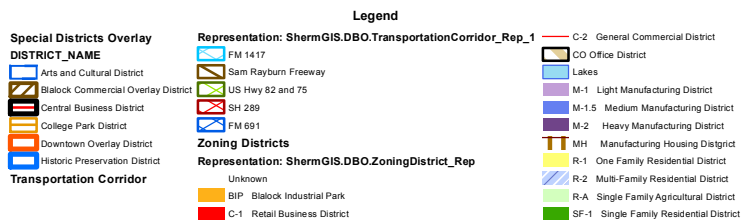


1 in = 1,000 ft

Zoning - 1200-2600 Blocks South U.S. Highway 75

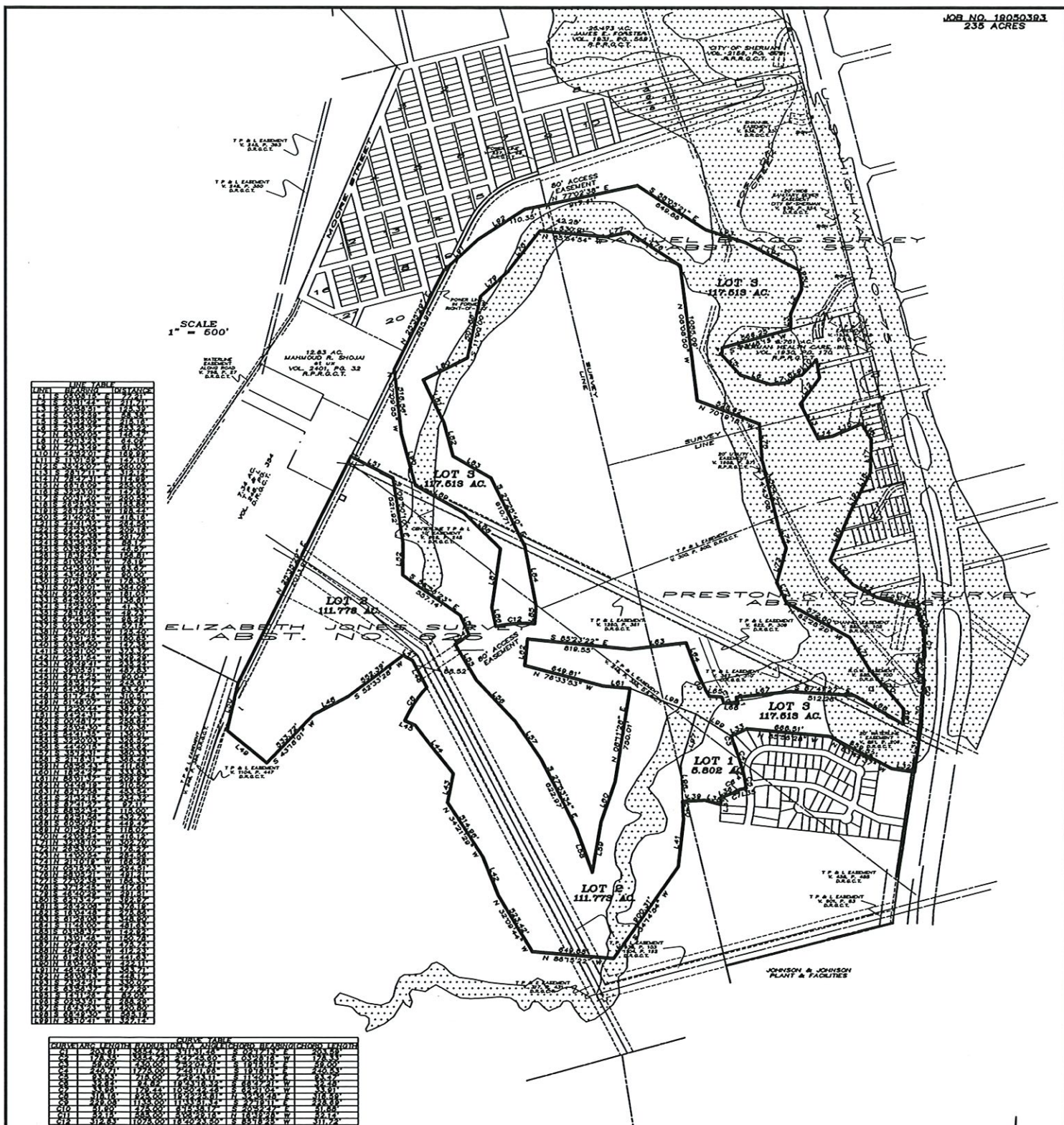


City of Sherman, Texas
Developmental Services Department


$$1 \text{ in} = 1,500 \text{ ft}$$

1200-2600 Blocks S. U.S. Highway 75





SECOND REPLAT OF
SHERMAN HILLS COUNTRY
CLUB ADDITION
BEING A REPLAT OF 235.088 ACRES
IN THE SAMUEL BLAGG SURVEY, ABST. NO. 56,
PRESTON KITCHENS SURVEY, ABST. NO. 667,
ELIZABETH JONES SURVEY, ABST. NO. 625
TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

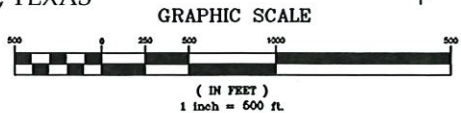
OWNERS/DEVELOPER
SSCC HOLDINGS LLC
4 TIMBERCREEK
SHERMAN, TEXAS 75092

SURVEYOR
DOUGLAS W. UNDERWOOD
R.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

UNDERWOOD
DRAFTING & SURVEYING

SHEET 1 OF 2

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151



JOB NO. 18050383
235 ACRES

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, the Samuel Blagg Survey, Abstract No. 56, and the Preston Kitchens Survey, Abstract No. 667, and being a part of that tract of land conveyed to SSCC HOLDINGS, LLC by deed recorded in Volume 6232, Page 220, Official Public Records, Grayson County, Texas, also being a part of Sherman Hills Country Club Addition Golf Course Tracts addition, as recorded in Volume 16, Page 184 of said plat records and being more particularly described by metes and bounds as follows:

Beginning at northeast corner of Lot 1 of said part Sherman Hills Country Club Addition Golf Course Tracts addition;

Thence with a non-tangent curve to the left having a radius of 430.00 feet, (chord bears South 10°15'18" East, 59.00 feet) on an arc length of 59.00 feet to a set 1/2" steel rod;

Thence with a reverse curve to the right having a radius of 1,778.00 feet, (chord bears South 10°15'18" East, 240.53 feet) on an arc length of 240.71 feet to a set 1/2" steel rod;

Thence South 18°20'08" West, a distance of 41.33 feet to a set 1/2" steel rod;

Thence with a curve to the right having a radius of 712.00 feet, (chord bears South 11°40'13" East, 93.47 feet) on an arc length of 93.83 feet to a set 1/2" steel rod;

Thence South 78°18'09" West, a distance of 49.73 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the left having a radius of 84.82 feet, (chord bears South 68°47'21" West, 32.48 feet) on an arc length of 32.64 feet to a set 1/2" steel rod;

Thence with a reverse curve to the right having a radius of 179.44 feet, (chord bears South 62°21'04" West, 33.91 feet) on an arc length of 33.90 feet to a set 1/2" steel rod;

Thence South 67°46'26" West, a distance of 58.29 feet to a set 1/2" steel rod;

Thence North 02°07'09" West, a distance of 57.15 feet to a set 1/2" steel rod;

Thence North 75°40'15" West, a distance of 125.40 feet to a set 1/2" steel rod;

Thence South 67°01'25" West, a distance of 180.85 feet to a set 1/2" steel rod;

Thence South 03°58'50" East, a distance of 147.38 feet to a set 1/2" steel rod;

Thence South 05°21'00" West, a distance of 373.37 feet to a set 1/2" steel rod;

Thence South 34°14'54" West, a distance of 800.31 feet to a set 1/2" steel rod;

Thence North 68°18'22" West, a distance of 649.68 feet to a set 1/2" steel rod;

Thence North 32°09'44" West, a distance of 523.42 feet to a set 1/2" steel rod;

Thence North 32°15'54" West, a distance of 329.28 feet to a set 1/2" steel rod;

Thence North 34°21'29" West, a distance of 514.98 feet to a set 1/2" steel rod;

Thence North 09°48'41" East, a distance of 233.24 feet to a set 1/2" steel rod;

Thence North 39°03'51" East, a distance of 487.63 feet to a set 1/2" steel rod;

Thence North 67°14'25" West, a distance of 90.04 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the right having a radius of 925.00 feet, (chord bears North 32°36'48" East, 318.18 feet) on an arc length of 318.18 feet to a set 1/2" steel rod;

Thence North 28°52'17" West, a distance of 24.81 feet to a set 1/2" steel rod;

Thence North 64°38'17" West, a distance of 83.42 feet to a set 1/2" steel rod;

Thence South 52°33'28" East, a distance of 552.39 feet to a set 1/2" steel rod;

Thence South 51°17'54" East, a distance of 318.18 feet to a set 1/2" steel rod;

Thence South 43°18'01" West, a distance of 533.72 feet to a set 1/2" steel rod;

Thence North 81°48'07" West, a distance of 408.70 feet to a set 1/2" steel rod;

Thence North 12°20'44" East, a distance of 387.93 feet to a set 1/2" steel rod;

Thence North 28°35'29" East, a distance of 2,013.91 feet to a set 1/2" steel rod;

Thence South 64°24'31" East, a distance of 377.34 feet to a set 1/2" steel rod;

Thence South 09°50'10" East, a distance of 521.92 feet to a set 1/2" steel rod;

Thence South 00°48'17" East, a distance of 258.64 feet to a set 1/2" steel rod;

Thence South 55°58'23" East, a distance of 557.14 feet to a set 1/2" steel rod;

Thence South 28°04'30" East, a distance of 170.38 feet to a set 1/2" steel rod;

Thence South 54°41'35" East, a distance of 135.01 feet to a set 1/2" steel rod;

Thence South 32°20'03" East, a distance of 328.57 feet to a set 1/2" steel rod;

Thence South 44°40'15" East, a distance of 458.62 feet to a set 1/2" steel rod;

Thence South 32°10'31" East, a distance of 360.33 feet to a set 1/2" steel rod;

Thence South 27°53'34" East, a distance of 622.97 feet to a set 1/2" steel rod;

Thence South 21°18'31" East, a distance of 368.48 feet to a set 1/2" steel rod;

Thence North 08°50'40" East, a distance of 411.68 feet to a set 1/2" steel rod;

Thence North 18°24'27" East, a distance of 333.63 feet to a set 1/2" steel rod;

Thence North 08°11'28" East, a distance of 780.01 feet to a set 1/2" steel rod;

Thence North 68°10'15" East, a distance of 200.97 feet to a set 1/2" steel rod;

Thence North 79°33'53" West, a distance of 649.61 feet to a set 1/2" steel rod;

Thence North 04°48'18" East, a distance of 210.80 feet to a set 1/2" steel rod;

Thence South 55°23'22" East, a distance of 819.65 feet to a set 1/2" steel rod;

Thence North 68°17'58" East, a distance of 433.54 feet to a set 1/2" steel rod;

Thence South 21°32'15" East, a distance of 234.32 feet to a set 1/2" steel rod;

Thence with a curve to the left having a radius of 1,135.00 feet, (chord bears South 27°19'11" East, 228.68 feet) on an arc length of 228.68 feet to a set 1/2" steel rod;

Thence South 67°41'27" East, a distance of 97.11 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the right having a radius of 478.00 feet, (chord bears South 20°24'47" East, 51.65 feet) on an arc length of 51.65 feet to a set 1/2" steel rod;

Thence South 58°52'34" East, a distance of 115.00 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the left having a radius of 585.00 feet, (chord bears North 18°39'28" West, 52.14 feet) on an arc length of 52.15 feet to a set 1/2" steel rod;

Thence North 68°10'15" East, a distance of 432.73 feet to a set 1/2" steel rod;

Thence South 67°41'27" East, a distance of 512.25 feet to a set 1/2" steel rod;

Thence South 60°20'21" East, a distance of 449.47 feet to a set 1/2" steel rod;

Thence North 01°20'14" East, a distance of 118.07 feet to a set 1/2" steel rod;

Thence North 42°05'54" West, a distance of 418.12 feet to a set 1/2" steel rod;

Thence North 32°38'10" West, a distance of 302.70 feet to a set 1/2" steel rod;

Thence North 62°20'04" West, a distance of 572.90 feet to a set 1/2" steel rod;

Thence North 28°53'07" West, a distance of 176.27 feet to a set 1/2" steel rod;

Thence North 14°00'54" East, a distance of 284.58 feet to a set 1/2" steel rod;

Thence North 21°10'15" West, a distance of 168.28 feet to a set 1/2" steel rod;

Thence North 14°43'08" West, a distance of 168.28 feet to a set 1/2" steel rod;

Thence North 05°18'23" West, a distance of 294.51 feet to a set 1/2" steel rod;

Thence North 70°18'18" West, a distance of 838.62 feet to a set 1/2" steel rod;

Thence North 08°05'09" West, a distance of 1,005.09 feet to a set 1/2" steel rod;

Thence North 58°05'21" West, a distance of 491.21 feet to a set 1/2" steel rod;

Thence South 77°02'38" West, a distance of 185.33 feet to a set 1/2" steel rod;

Thence North 63°01'01" East, a distance of 830.91 feet to a set 1/2" steel rod;

Thence South 37°12'45" West, a distance of 417.61 feet to a set 1/2" steel rod;

Thence South 48°40'29" West, a distance of 291.51 feet to a set 1/2" steel rod;

Thence South 11°00'04" West, a distance of 501.58 feet to a set 1/2" steel rod;

Thence South 62°13'47" West, a distance of 392.97 feet to a set 1/2" steel rod;

Thence South 28°42'06" East, a distance of 376.19 feet to a set 1/2" steel rod;

Thence South 18°04'48" East, a distance of 278.68 feet to a set 1/2" steel rod;

Thence South 81°24'08" East, a distance of 348.90 feet to a set 1/2" steel rod;

Thence South 27°25'40" East, a distance of 610.71 feet to a set 1/2" steel rod;

Thence South 11°48'00" East, a distance of 481.63 feet to a set 1/2" steel rod;

Thence South 03°38'17" East, a distance of 143.92 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the left having a radius of 1,078.00 feet, (chord bears South 85°18'25" West, 311.72 feet) on an arc length of 312.63 feet to a set 1/2" steel rod;

Thence North 13°01'48" West, a distance of 180.78 feet to a set 1/2" steel rod;

Thence North 07°24'02" East, a distance of 475.74 feet to a set 1/2" steel rod;

Thence North 48°59'00" West, a distance of 412.23 feet to a set 1/2" steel rod;

Thence North 81°28'08" West, a distance of 441.63 feet to a set 1/2" steel rod;

Thence North 18°04'48" West, a distance of 422.11 feet to a set 1/2" steel rod;

Thence North 07°08'55" West, a distance of 518.58 feet to a set 1/2" steel rod;

Thence North 28°35'29" West, a distance of 885.95 feet to a set 1/2" steel rod;

Thence North 48°40'29" West, a distance of 363.71 feet to a set 1/2" steel rod;

Thence North 58°08'13" East, a distance of 448.17 feet to a set 1/2" steel rod;

Thence North 77°02'38" East, a distance of 917.41 feet to a set 1/2" steel rod;

Thence South 58°05'21" East, a distance of 649.68 feet to a set 1/2" steel rod;

Thence South 73°24'21" East, a distance of 330.07 feet to a set 1/2" steel rod;

Thence South 63°58'37" East, a distance of 477.29 feet to a set 1/2" steel rod;

Thence South 05°08'15" East, a distance of 62.05 feet to a set 1/2" steel rod;

Thence South 05°08'15" East, a distance of 77.21 feet to a set 1/2" steel rod;

Thence South 23°31'44" West, a distance of 211.71 feet to a set 1/2" steel rod;

Thence South 00°58'51" East, a distance of 123.39 feet to a set 1/2" steel rod;

Thence South 73°46'18" West, a distance of 566.23 feet to a set 1/2" steel rod;

Thence South 00°32'59" East, a distance of 58.38 feet to a set 1/2" steel rod;

Thence South 43°22'09" East, a distance of 215.10 feet to a set 1/2" steel rod;

Thence South 73°35'27" East, a distance of 253.22 feet to a set 1/2" steel rod;

Thence North 63°00'05" East, a distance of 146.47 feet to a set 1/2" steel rod;

Thence North 40°13'23" East, a distance of 64.09 feet to a set 1/2" steel rod;

Thence North 77°13'49" East, a distance of 61.30 feet to a set 1/2" steel rod;

Thence North 42°52'01" East, a distance of 169.99 feet to a set 1/2" steel rod;

Thence North 11°01'58" East, a distance of 147.10 feet to a set 1/2" steel rod;

Thence South 28°17'11" East, a distance of 380.23 feet to a set 1/2" steel rod;

Thence North 78°47'31" East, a distance of 312.12 feet to a set 1/2" steel rod;

Thence North 68°18'06" East, a distance of 255.05 feet to a set 1/2" steel rod;

Thence South 32°23'01" East, a distance of 147.82 feet to a set 1/2" steel rod;

Thence South 00°31'20" East, a distance of 260.55 feet to a set 1/2" steel rod;

Thence South 28°25'35" West, a distance of 155.84 feet to a set 1/2" steel rod;

Thence South 20°12'04" West, a distance of 188.44 feet to a set 1/2" steel rod;

Thence South 21°40'28" West, a distance of 418.18 feet to a set 1/2" steel rod;

Thence South 44°41'32" East, a distance of 264.58 feet to a set 1/2" steel rod;

Thence South 62°23'00" East, a distance of 209.18 feet to a set 1/2" steel rod;

Thence South 75°47'38" East, a distance of 281.79 feet to a set 1/2" steel rod;

Thence South 83°36'35" East, a distance of 68.17 feet to a set 1/2" steel rod;

Thence South 03°58'29" East, a distance of 48.57 feet to a set 1/2" steel rod;

Thence South 18°39'43" East, a distance of 155.61 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the right having a radius of 3,654.72 feet, (chord bears South 02°17'13" East, 203.89 feet) on an arc length of 203.81 feet to a set 1/2" steel rod;

Thence South 51°00'01" West, a distance of 72.10 feet to a set 1/2" steel rod;

Thence South 04°36'01" West, a distance of 63.67 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the right having a radius of 1,664.68 feet, (chord bears South 03°28'18" West, 178.33 feet) on an arc length of 178.38 feet to a set 1/2" steel rod;

Thence South 01°28'18" West, a distance of 178.38 feet to a set 1/2" steel rod;

Thence South 07°34'09" West, a distance of 384.09 feet to a set 1/2" steel rod;

Thence North 82°20'59" West, a distance of 181.05 feet to a set 1/2" steel rod;

Thence North 63°44'37" West, a distance of 559.53 feet to a set 1/2" steel rod;

Thence North 65°58'29" West, a distance of 588.61 feet to a set 1/2" steel rod;

Thence South 64°58'01" West, a distance of 136.61 feet to the Point of Beginning and containing 235.088 acres of land.

JOB NO. 18050383
235 ACRES

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, SSCC HOLDINGS LLC, do hereby adopt this plat designating the hereinabove property as the HOLLEY HEIGHTS ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this _____ day of _____, 2019

WILLIAM MAGERS

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared WILLIAM MAGERS known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2019.

Notary Public in and for
the State of Texas

Commission Expires: _____

ACCEPTANCE

Approved this _____ day of _____, 2019, by the
City Planning Commission to the City of Sherman, Texas.

Chairman Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas Date

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, HOLLEY HEIGHTS ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2019, and the City Council by formal action then and there accepted the dedication of the said property to the City of Sherman, Texas, and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this _____ day of _____, 2019.

Clerk, City of Sherman, Texas

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

Date

GENERAL NOTES

- Water Supply to be provided by the City of Sherman.
- Sewer Service to be provided by the City of Sherman.
- Electric Service to be provided by the City of Sherman.
- Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
- Any building, fence, or other improvement, structure, or growth which in any way endangers or interferes with the construction, maintenance, or efficiency of the City of Sherman's utility system shall be removed and kept removed.
- The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
- Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury or loss of life or property occasioned by flooding or road conditions.
- The owner and builders must comply with all other local, state and federal regulations regarding developments of this type in the Sherman Control Monument Network.
- Beginning on the date of this plat, the City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

SECOND REPLAT OF
SHERMAN HILLS COUNTRY
CLUB ADDITION
BEING A REPLAT OF 235.088 ACRES
IN THE SAMUEL BLAGG SURVEY, ABST. NO. 56,
PRESTON KITCHENS SURVEY, ABST. NO. 667,
ELIZABETH JONES SURVEY, ABST. NO. 625
TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

OWNERS/DEVELOPER
SSCC HOLDINGS LLC
4 TIMBERCREEK
SHERMAN, TEXAS 75092

SURVEYOR
DOUGLAS W. UNDERWOOD
R.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

UNDERWOOD
DRAFTING & SURVEYING

9-25-19

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

JOB NO. 18050383
235 ACRES

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, the Samuel Blagg Survey, Abstract No. 56, and the Preston Kitchens Survey, Abstract No. 667, and being a part of that tract of land conveyed to SSCC HOLDINGS, LLC by deed recorded in Volume 6232, Page 220, Official Public Records, Grayson County, Texas, also being a part of Sherman Hills Country Club Addition Golf Course Tracts addition, as recorded in Volume 16, Page 184 of said plat records and being more particularly described by metes and bounds as follows:

Beginning at northeast corner of Lot 1 of said part Sherman Hills Country Club Addition Golf Course Tracts addition;

Thence with a non-tangent curve to the left having a radius of 430.00 feet, (chord bears South 10°15'18" East, 59.00 feet) on an arc length of 59.00 feet to a set 1/2" steel rod;

Thence with a reverse curve to the right having a radius of 1,778.00 feet, (chord bears South 10°15'18" East, 240.53 feet) on an arc length of 240.71 feet to a set 1/2" steel rod;

Thence South 18°20'08" West, a distance of 41.33 feet to a set 1/2" steel rod;

Thence with a curve to the right having a radius of 712.00 feet, (chord bears South 11°40'13" East, 93.47 feet) on an arc length of 93.83 feet to a set 1/2" steel rod;

Thence South 78°18'09" West, a distance of 49.73 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the left having a radius of 84.82 feet, (chord bears South 68°47'21" West, 32.48 feet) on an arc length of 32.64 feet to a set 1/2" steel rod;

Thence with a reverse curve to the right having a radius of 179.44 feet, (chord bears South 62°21'04" West, 33.91 feet) on an arc length of 33.90 feet to a set 1/2" steel rod;

Thence South 67°46'26" West, a distance of 58.29 feet to a set 1/2" steel rod;

Thence North 02°07'09" West, a distance of 57.15 feet to a set 1/2" steel rod;

Thence North 75°40'15" West, a distance of 125.40 feet to a set 1/2" steel rod;

Thence South 67°01'25" West, a distance of 180.85 feet to a set 1/2" steel rod;

Thence South 03°58'50" East, a distance of 147.38 feet to a set 1/2" steel rod;

Thence South 05°21'00" West, a distance of 373.37 feet to a set 1/2" steel rod;

Thence South 34°14'54" West, a distance of 800.31 feet to a set 1/2" steel rod;

Thence North 68°18'22" West, a distance of 649.68 feet to a set 1/2" steel rod;

Thence North 32°09'44" West, a distance of 523.42 feet to a set 1/2" steel rod;

Thence North 32°15'54" West, a distance of 329.28 feet to a set 1/2" steel rod;

Thence North 34°21'29" West, a distance of 514.98 feet to a set 1/2" steel rod;

Thence North 09°48'41" East, a distance of 233.24 feet to a set 1/2" steel rod;

Thence North 39°03'51" East, a distance of 487.63 feet to a set 1/2" steel rod;

Thence North 67°14'25" West, a distance of 90.04 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the right having a radius of 925.00 feet, (chord bears North 32°36'48" East, 318.18 feet) on an arc length of 318.18 feet to a set 1/2" steel rod;

Thence North 28°52'17" West, a distance of 24.81 feet to a set 1/2" steel rod;

Thence North 64°38'17" West, a distance of 83.42 feet to a set 1/2" steel rod;

Thence South 52°33'28" East, a distance of 552.39 feet to a set 1/2" steel rod;

Thence South 51°17'54" East, a distance of 318.18 feet to a set 1/2" steel rod;

Thence South 43°18'01" West, a distance of 533.72 feet to a set 1/2" steel rod;

Thence North 81°48'07" West, a distance of 408.70 feet to a set 1/2" steel rod;

Thence North 12°20'44" East, a distance of 387.93 feet to a set 1/2" steel rod;

Thence North 28°35'29" East, a distance of 2,013.91 feet to a set 1/2" steel rod;

Thence South 64°24'31" East, a distance of 377.34 feet to a set 1/2" steel rod;

Thence South 09°50'10" East, a distance of 521.92 feet to a set 1/2" steel rod;

Thence South 00°48'17" East, a distance of 258.64 feet to a set 1/2" steel rod;

Thence South 55°58'23" East, a distance of 557.14 feet to a set 1/2" steel rod;

Thence South 28°04'30" East, a distance of 170.38 feet to a set 1/2" steel rod;

Thence South 54°41'35" East, a distance of 135.01 feet to a set 1/2" steel rod;

Thence South 32°20'03" East, a distance of 328.57 feet to a set 1/2" steel rod;

Thence South 44°40'15" East, a distance of 458.62 feet to a set 1/2" steel rod;

Thence South 32°10'31" East, a distance of 360.33 feet to a set 1/2" steel rod;

Thence South 27°53'34" East, a distance of 622.97 feet to a set 1/2" steel rod;

Thence South 21°18'31" East, a distance of 368.48 feet to a set 1/2" steel rod;

Thence North 08°50'40" East, a distance of 411.68 feet to a set 1/2" steel rod;

Thence North 18°24'27" East, a distance of 333.63 feet to a set 1/2" steel rod;

Thence North 08°11'28" East, a distance of 780.01 feet to a set 1/2" steel rod;

Thence North 68°10'15" East, a distance of 200.97 feet to a set 1/2" steel rod;

Thence North 79°33'53" West, a distance of 649.61 feet to a set 1/2" steel rod;

Thence North 04°48'18" East, a distance of 210.80 feet to a set 1/2" steel rod;

Thence South 55°23'22" East, a distance of 819.65 feet to a set 1/2" steel rod;

Thence North 68°17'58" East, a distance of 433.54 feet to a set 1/2" steel rod;

Thence South 21°32'15" East, a distance of 234.32 feet to a set 1/2" steel rod;

Thence with a curve to the left having a radius of 1,135.00 feet, (chord bears South 27°19'11" East, 228.68 feet) on an arc length of 228.68 feet to a set 1/2" steel rod;

Thence South 67°41'27" East, a distance of 97.11 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the right having a radius of 478.00 feet, (chord bears South 20°24'47" East, 51.65 feet) on an arc length of 51.65 feet to a set 1/2" steel rod;

Thence South 58°52'34" East, a distance of 115.00 feet to a set 1/2" steel rod;

Thence with a non-tangent curve to the left having a radius of 585.00 feet, (chord bears North 18°39'28" West, 52.14 feet) on an arc length of 52.15 feet to a set 1/2" steel rod;

Thence North 68°10'15" East, a distance of 432.73 feet to a set 1/2" steel rod;

Thence South 67°41'27" East, a distance of 512.25 feet to a set 1/2" steel rod;

Thence South 60°20'21" East, a distance of 449.47 feet to a set 1/2" steel rod;

Thence North 01°20'14" East, a distance of 118.07 feet to a set 1/2" steel rod;

Thence North 42°05'54" West, a distance of 418.12 feet to a set 1/2" steel rod;

Thence North 32°38'10" West, a distance of 302.70 feet to a set 1/2" steel rod;

Thence North 62°20'04" West, a distance of 572.90 feet to a set 1/2" steel rod;

Thence North 28°53'07" West, a distance of 176.27 feet to a set 1/2" steel rod;

Thence North 14°00'54" East, a distance of 284.58 feet to a set 1/2" steel rod;

Thence North 21°10'15" West, a distance of 168.28 feet to a set 1/2" steel rod;

Thence North 14°43'08" West, a distance of 168.28 feet to a set 1/2" steel rod;

Thence North 05°18'23" West, a distance of 294.51 feet to a set 1/2" steel rod;

Thence North 70°18'18" West, a distance of 838.62 feet to a set 1/2" steel rod;

Thence North 08°05'09" West, a distance of 1,005.09 feet to a set 1/2" steel rod;

Thence North 58°05'21" West, a distance of 491.21 feet to a set 1/2" steel rod;

Thence South 77°02'38" West, a distance of 185.33 feet to



STAFF REVIEW LETTER

October 8, 2019

SSCGC Holdings, LLC
4 Timbercreek
Sherman, TX 75092

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Second Replat for Sherman Hills Country Club Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Show Point of Beginning on drawing.
6. Calls must be clearly called out on drawing. Some calls are obstructed by other layers.
7. All lots must have a minimum of 60' Street Frontage.
8. Dedicate Right of Way through Lot 1 to Lot 2.
9. Road improvements through Lot 1 shall be done prior to development of Lot 2.
10. All requirements of the Floodplain Ordinance should be followed.
11. Add General Note stating property lies within the FEMA Floodplain.
12. Privately owned and maintained detention in accordance with City criteria will be required upon development. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
13. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
14. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not 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.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 15.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 1200-2600 BLOCKS SOUTH U.S. HIGHWAY 75**

The request of SSCGC Holdings, LLC (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 1200-2600 blocks of South U.S. Highway 75, being 235.088 acres in a part of the Elizabeth Jones Survey, Abstract No. 625, the Samuel Blagg Survey, Abstract No. 56 and the Preston Kitchen Survey, Abstract No. 667, also being a part of the Sherman Hills Country Club Addition Golf Course Tracts Addition, as follows:

Planning and Zoning Commission

Second Replat Approval of Sherman Hills Country Club Addition

Background:

The property is located in the 1200-2600 blocks South U.S. Highway 75, between Center Street and FM 1417; Stone Creek Golf Club is the tenant. The property is zoned an R-1 (One Family Residential) District and C-1 (Retail Business) District. The owner would like to Replat the property into three lots.

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

C-1 (Retail Business) District

Origination:

SSCGC Holdings, LLC (Owners)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

and

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

Number of notices mailed:

8

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Sherman Hills Country Club Addition Second Replat

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

K. 4.

Meeting Date: 11/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Holley Heights Addition, a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition, being all of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition Golf Course Tracts, containing 22.822 acres in the Preston Kitchen Survey, Abstract No. 667; SSCGC Holdings, LLC, Owners; Joshua Holley, Developer; and Underwood Drafting and Surveying, Surveyor (2100-2200 blocks of South U.S. Highway 75)

Issue:

To consider Replat Approval of Holley Heights Addition, a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition, being all of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition Golf Course Tracts, containing 22.822 acres in the Preston Kitchen Survey, Abstract No. 667, and located in the 2100-2200 blocks of South U.S. Highway 75

Background:

The property is located in the 2100-2200 blocks of South U.S. Highway 75, between Center Street and FM 1417; Stone Creek Golf Club is the tenant. The property is zoned an R-1 (One Family Residential) District. The owners would like to Replat the property into seventy-four lots for residential development.

Origination:

SSCGC Holdings, LLC (Owners)

Joshua Holley (Developer)

Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the October 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Aerial Location Map

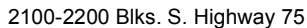
Zoning Map

Zoning Sign Photo

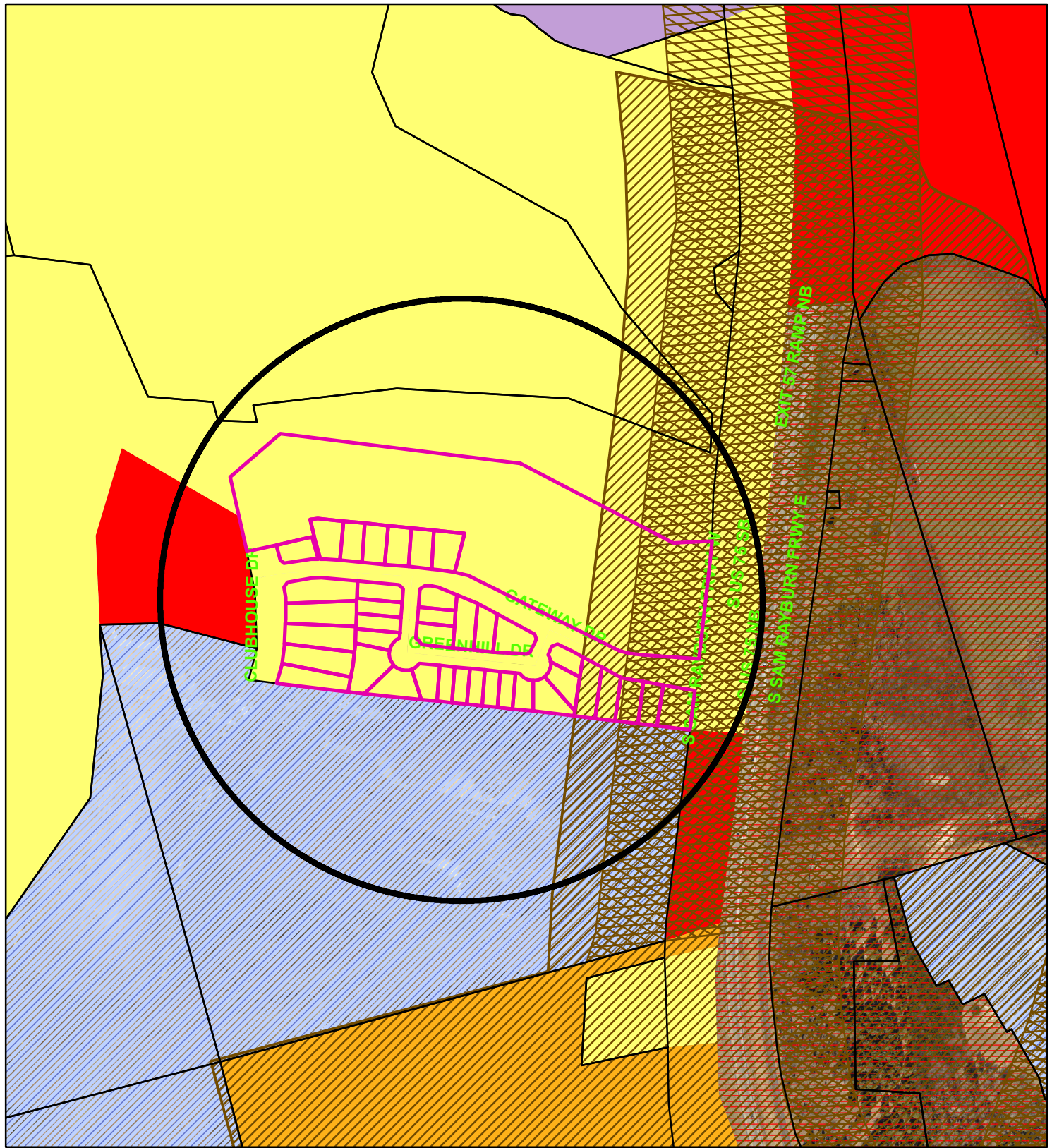
Holley Heights Addition

Staff Review Letter

P&Z Communication



1 in = 661 ft



Zoning - 2100-2200 Blocks South U.S. Highway 75

Legend

Special Districts Overlay

DISTRICT_NAME
Arts and Cultural District
Blalock Commercial Overlay District
Central Business District
College Park District
Downtown Overlay District
Historic Preservation District
Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

FM 1417
Sam Rayburn Freeway
US Hwy 82 and 75
SH 289
FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

Unknown
BIP Blalock Industrial Park
C-1 Retail Business District

C-2 General Commercial District
CO Office District
Lakes
M-1 Light Manufacturing District
M-1.5 Medium Manufacturing District
M-2 Heavy Manufacturing District
MH Manufacturing Housing District
R-1 One Family Residential District
R-2 Multi-Family Residential District
R-A Single Family Agricultural District
SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department

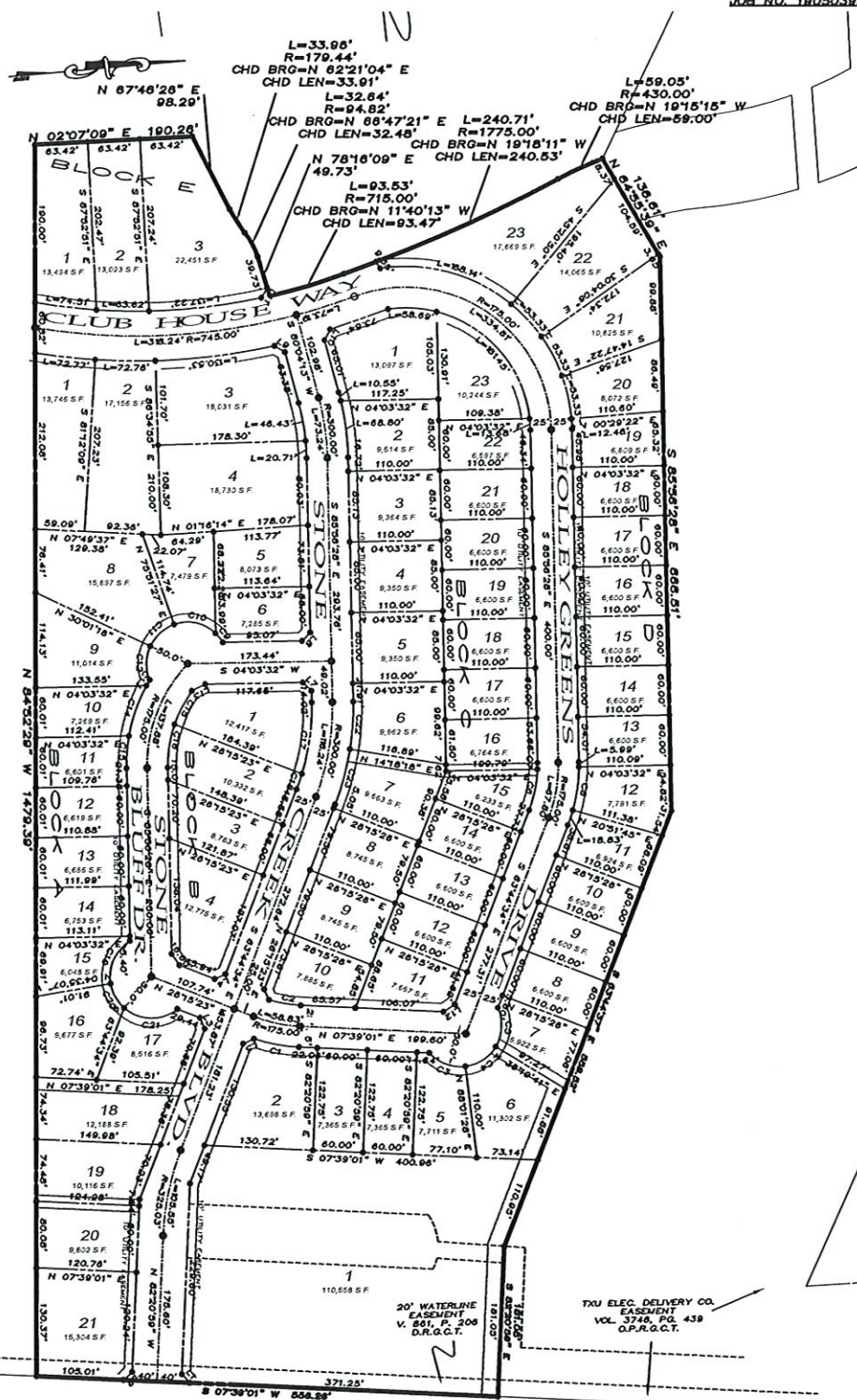


NOT TO SCALE

1 in = 400 ft

2100-2200 Blocks S. U.S. Highway 75





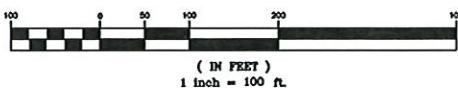
LINE	BEARING	DISTANCE
1	N 67°46'28" E	190.26'
2	S 04°03'32" E	1775.00'
3	N 04°03'32" E	1775.00'
4	S 04°03'32" E	1775.00'
5	N 04°03'32" E	1775.00'
6	S 04°03'32" E	1775.00'
7	N 04°03'32" E	1775.00'
8	S 04°03'32" E	1775.00'
9	N 04°03'32" E	1775.00'
10	S 04°03'32" E	1775.00'
11	N 04°03'32" E	1775.00'
12	S 04°03'32" E	1775.00'
13	N 04°03'32" E	1775.00'
14	S 04°03'32" E	1775.00'
15	N 04°03'32" E	1775.00'
16	S 04°03'32" E	1775.00'
17	N 04°03'32" E	1775.00'
18	S 04°03'32" E	1775.00'
19	N 04°03'32" E	1775.00'
20	S 04°03'32" E	1775.00'
21	N 04°03'32" E	1775.00'

LINE	BEARING	DISTANCE
1	N 67°46'28" E	190.26'
2	S 04°03'32" E	1775.00'
3	N 04°03'32" E	1775.00'
4	S 04°03'32" E	1775.00'
5	N 04°03'32" E	1775.00'
6	S 04°03'32" E	1775.00'
7	N 04°03'32" E	1775.00'
8	S 04°03'32" E	1775.00'
9	N 04°03'32" E	1775.00'
10	S 04°03'32" E	1775.00'
11	N 04°03'32" E	1775.00'
12	S 04°03'32" E	1775.00'
13	N 04°03'32" E	1775.00'
14	S 04°03'32" E	1775.00'
15	N 04°03'32" E	1775.00'
16	S 04°03'32" E	1775.00'
17	N 04°03'32" E	1775.00'
18	S 04°03'32" E	1775.00'
19	N 04°03'32" E	1775.00'
20	S 04°03'32" E	1775.00'
21	N 04°03'32" E	1775.00'

FINAL PLAT
HOLLEY HEIGHTS ADDITION
 AN ADDITION TO THE CITY OF SHERMAN, TEXAS
 BEING A REPLAT OF THE SUNRISE TRACT AT SHERMAN
 HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF
 SHERMAN HILLS COUNTRY CLUB ADDITON
 TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
 CONTAINING 22.822 ACRES OF LAND

~ BASIS OF BEARINGS ~
 GRID NORTH, NAD 83
 TEXAS STATE PLANE COORDINATE SYSTEM
 NORTH CENTRAL ZONE

GRAPHIC SCALE



OWNERS/DEVELOPER
 SSCGC HOLDINGS LLC
 4 TIMBERCREEK
 SHERMAN, TEXAS 76092

SURVEYOR
 DOUGLAS W. UNDERWOOD
 R.P.L.S. NO. 4709
 3404 INTERURBAN ROAD
 DENISON, TEXAS

UNDERWOOD
 DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

SHEET 1 OF 2

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchen Survey, Abstract No. 667, and being a part of that tract of land conveyed to SSCGC HOLDINGS, LLC by deed recorded in Volume 5232, Page 220, Official Public Records, Grayson County, Texas, also being all of the Sunrise Tract at Sherman Hills, Phase 1, an addition to the City of Sherman as recorded in Volume 19, Page 98, Plat Records, Grayson County, Texas and a part of Lot 1, of the Replat of Sherman Hills Country Club Addition Golf Course Tracts, as recorded in Volume 19, Page 154 of said plat records and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod at the southeast corner of said Sunrise Addition;
 Thence North 84°52'29" West, a distance of 1,479.39 feet to a set 1/2" steel rod;
 Thence North 02°07'09" East, a distance of 190.26 feet to a set 1/2" steel rod;
 Thence North 67°46'28" East, a distance of 98.29 feet to a set 1/2" steel rod;
 Thence with a curve to the left having a radius of 179.44 feet, (chord bears North 82°21'04" East, 33.91 feet) on an arc length of 33.95 feet to a set 1/2" steel rod;
 Thence with a reverse curve to the right having a radius of 94.82 feet, (chord bears North 05°47'21" East, 32.45 feet) on an arc length of 32.64 feet to a set 1/2" steel rod;
 Thence North 78°16'09" East, a distance of 40.73 feet to a set 1/2" steel rod;
 Thence with a non-tangent curve to the left having a radius of 715.00 feet, (chord bears North 11°40'13" West, 93.47 feet) on an arc length of 93.53 feet to a set 1/2" steel rod;
 Thence North 15°25'05" West, a distance of 41.33 feet to a set 1/2" steel rod;
 Thence with a curve to the left having a radius of 1,775.00 feet, (chord bears North 19°18'11" West, 240.53 feet) on an arc length of 240.71 feet to a set 1/2" steel rod;
 Thence with a reverse curve to the right having a radius of 430.00 feet, (chord bears North 19°15'15" West, 59.00 feet) on an arc length of 59.05 feet to a set 1/2" steel rod;
 Thence North 64°55'01" East, a distance of 136.61 feet to a set 1/2" steel rod;
 Thence South 85°56'28" East, a distance of 666.51 feet to a set 1/2" steel rod;
 Thence South 83°44'37" East, a distance of 559.52 feet to a set 1/2" steel rod;
 Thence South 82°20'59" East, a distance of 181.05 feet to a set 1/2" steel rod;
 Thence South 07°39'01" West, a distance of 556.26 feet to the Point of Beginning and containing 22.822 acres of land.

ACCEPTANCE

Approved this _____ day of _____, 2019, by the
 City Planning Commission to the City of Sherman, Texas.

Chairman Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas

Date

CERTIFICATE OF COMPLIANCE

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, HOLLEY HEIGHTS ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2019, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this _____ day of _____, 2019.

Clerk, City of Sherman, Texas

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Douglas W. Underwood
 Registered Professional
 Land Surveyor, No. 4709

Date

SHEET 2 OF 2

OWNERS/DEVELOPER
 SSCGC HOLDINGS LLC
 4 TIMBERCREEK
 SHERMAN, TEXAS 76092

SURVEYOR
 DOUGLAS W. UNDERWOOD
 R.P.L.S. NO. 4709
 3404 INTERURBAN ROAD
 DENISON, TEXAS

UNDERWOOD
 DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, SSCGC HOLDINGS, LLC, do hereby adopt this plat designating the hereinabove property as the HOLLEY HEIGHTS ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this _____ day of _____, 2019

WILLIAM MAGERS

STATE OF TEXAS
 COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared SSCGC HOLDINGS, LLC known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2019.

Notary Public in and for
 the State of Texas
 Commission Expires: _____

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

FINAL PLAT
HOLLEY HEIGHTS ADDITION
 AN ADDITION TO THE CITY OF SHERMAN, TEXAS
 BEING A REPLAT OF THE SUNRISE TRACT AT SHERMAN
 HILLS, PHASE 1 AND A PART OF LOT 1 OF THE REPLAT OF
 SHERMAN HILLS COUNTRY CLUB ADDITON
 TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
 CONTAINING 22.822 ACRES OF LAND

8-25-19



STAFF REVIEW LETTER

October 8, 2019

SSCGC Holdings, LLC
4 Timbercreek
Sherman, TX 75092

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat for Holley Heights Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 22, 2019 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. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Show Point of Beginning on drawing.
6. Metes and bounds description must match drawing.
7. All lots must have a minimum of 60' Street Frontage.
8. Street names must be approved by Building & Zoning Department.
9. City Council approval and Resolution to change street names required prior to filing plat.
10. All easements shown on plat must be appropriately labeled.
11. Access easement off of Hwy. 75 Service Road required upon development of Phase 2. Phase 1 is limited to 30 lots.
12. Existing utility easement to be abandoned across Lot 1, Block D. Rededicate new easement based of location of existing utilities.
13. All requirements of the Floodplain Ordinance should be followed.
14. Privately owned and maintained detention in accordance with City criteria will be required upon development. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
15. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
16. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must

have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not 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.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



**Planning & Zoning Commission and Board of
Adjustments**

Agenda Item No. 16.

Meeting Date: 10/22/2019

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 2100-2200 BLOCKS SOUTH U.S. HIGHWAY 75**

The request of SSCGC Holdings, LLC (Owners), Joshua Holley (Developer) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 2100-2200 blocks of South U.S. Highway 75, being all of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition Golf Course Tracts, (containing 22.822 acres in the Preston Kitchen Survey, Abstract No. 667, as follows:

Planning and Zoning Commission

Replat Approval of Holley Heights Addition, a Replat of the Sunrise Tract at Sherman Hills, Phase 1 and a part of Lot 1 of the Replat of Sherman Hills Country Club Addition

Background:

The property is located in the 2100-2200 blocks South U.S. Highway 75, between Center Street and FM 1417; Stone Creek Golf Club is the tenant. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into seventy-four lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

C-1 (Retail Business) District

Origination:

SSCGC Holdings, LLC (Owners)

Joshua Holley (Developer)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Suburban Commercial - Suburban character primarily from reduced site coverage relative to more auto-oriented commercial development. Especially at key community entries and along high-profile corridors, may also involve other criteria to yield less intensive and more attractive development outcomes relative to auto-oriented areas, including higher standards for landscaping (along street frontages and within parking areas), signs, and building design. Range of commercial retail and service uses, at varying scales and intensities depending on the site.

Number of notices mailed:

0 - Owner owns all the property surrounding this property.

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Holley Heights Addition
Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

M. 1.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Council Audit Committee (3)

Issue:

Mayor David Plyler, Deputy Mayor Shawn Teamann, and Council Member Daron Holland currently serve on the Council Audit Committee. Their terms expire in November 2019.

Background:

The Council Audit Committee assists the Council and staff in the review of the audit reports filed by the independent auditor and provides input on the selection of external auditors. They also provide recommendations to the rest of the Council on technical accounting issues.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Council Audit Committee.

Alternatives:

The alternative is to delay the appointment of members to this Committee.

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

COUNCIL AUDIT COMMITTEE

LENGTH OF TERMS: 1 YEAR

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Plyler	4	A 11/18/2014	11/2015	1	Council Member
		R 12/8/2015	11/2016	2	
		R 11/21/2016	11/2017	3	
		R 11/21/2017	11/2018	4	
		R 11/19/2018	11/2019	5	
Daron Holland	4	A 11/21/2017	11/2018	1	Council Member
		R 11/19/2018	11/2019	2	
Shawn Teamann	1	A 11/21/2016	11/2017	1	Council Member
		R 11/21/2017	11/2018	2	
		R 11/19/2018	11/2019	3	

NOTE: Council Member's appointment expires at end of one year.

FACT SHEET

COUNCIL AUDIT COMMITTEE

Established by RESOLUTION 2790 – DECEMBER 23, 1991

1. Number of Members: THREE (3)
2. Term of Appointment: ONE YEAR
3. Consecutive Term Rule: NO RULE
4. Qualifications for Membership: COUNCIL MEMBER WITH KNOWLEDGE OF ACCOUNTING AND/OR BUSINESS MANAGEMENT
5. Appointed by: MAYOR AND CITY COUNCIL MEMBERS
6. Board Organization
CHAIRPERSON ____ VICE CHAIRPERSON ____ SECRETARY ____
ELECTED ____ APPOINTED ____
7. Departmental Responsibility: CITY MANAGER & DIRECTOR OF FINANCE
8. Meeting Date: AS CALLED
9. Attendance Requirements: NONE

=====

RESPONSIBILITIES:

Audit Committee will assist Council and staff in the review of the audit papers filed by the independent auditor; provide input on the selection of external auditors; and provide recommendations to the rest of the Council on technical accounting issues.

DUTIES:

Provide input on the selection of external auditors;
Review audit reports;
Provide recommendations to Council on technical accounting matters;
Review the justification for internal audit functions;
All other accounting and financial reviews as directed by the City Council



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

M. 2.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Investment Committee (2)

Issue:

Council Members Pam Howeth and Sandra Melton currently serve on the City's Investment Committee. Their terms expire in November 2019.

Background:

The Investment Committee provides guidance on investment matters for the City and annually approves updates to the Investment Policy and the list of authorized brokers and dealers. The Committee also reviews the Quarterly Investment Reports.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Investment Committee.

Alternatives:

The alternative is to delay the appointment of members to this Committee.

Attachments

Roster

MEMBERSHIP ROSTER

CITY OF SHERMAN
INVESTMENT COMMITTEE

LENGTH OF TERMS:
Term of Elected Office

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Sandra Melton	1	A 11/20/2018	11/2019	1	Council Member
Pam Howeth	3	U 8/1/2016 R 11/22/2016 R 11/21/2017 R 11/20/2018	11/2016 11/2017 11/2018 11/2019	0 1 2 3	Council Member
INVESTMENT COMMITTEE SHALL CONSIST OF THE FOLLOWING CITY OFFICIALS:					
Robby Hefton				NA	City Manager

NOTE: Council Member's appointment expires at end of term of elected office.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

M. 3.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Reinvestment Committee (2)

Issue:

Council Members Josh Stevenson and Willie Steele currently serve on the City's Tax Reinvestment Committee. Their terms expire in November 2019.

Background:

The mission of the Tax Reinvestment Committee is to promote the economic development of Sherman and the Grayson County area by serving as the review point for the tax reinvestment process.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Reinvestment Committee.

Alternatives:

The alternative is to delay the appointment of members to this Committee.

Attachments

Roster

MEMBERSHIP ROSTER

TAX REINVESTMENT COMMITTEE

LENGTH OF TERMS: One Year per By-Laws

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Josh Stevenson	2	A 11/21/2017 R 11/20/2018	11/2018 11/20/2019	1 2	Sherman Council Member Voting Member
Willie Steele	1	A 11/21/2017 R 11/20/2018	11/2018 11/2019	1 2	Sherman Council Member Voting Member

NOTE: Two (2) Council Members are appointed to this committee.

There are also two Grayson County Members, two Grayson College Members, and two SISD Members
Both SISD Members are Non-Voting Members and are eligible to vote for chairman only



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

M. 4.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #1 (3)

Issue:

Mayor David Plyler, Deputy Mayor Shawn Teamann, and Council Member Sandra Melton currently serve on the City's Tax Increment Financing Board #1. Their terms expire in November 2019.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number One. TIF Zone Number One incorporates essentially all of the Sherman Town Center, on the west side of U.S. Highway 75 and south of Loy Lake Road.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #1.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #1

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Sandra Melton	1	A 11/20/2018	11/2019	1	Council Member
Shawn Teamann	1	A 11/22/2016 R 11/21/2017 R 11/20/2018	11/2017 11/2018 11/2019	1 2 3	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013 R 11/18/2014 R 12/8/2015 R 11/22/2016 R 11/21/2017 R 11/20/2018	11/2012 11/2013 11/2014 11/2015 11/2016 11/2017 11/2018 11/2019	1 2 3 4 5 6 7 8	Council Member
Robby Hefton	n/a				City Manager
Mary Lawrence	n/a				Finance Director

NOTE:

FACT SHEET

TAX INCREMENT FINANCING BOARD #1

Established by ORDINANCE 5095 – JANUARY 20, 2003

1. Number of Members: FIVE
2. Term of Appointment: REVIEW ANNUALLY
3. Consecutive Term Rule: N/A
4. Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER, AND ASSISTANT CITY MANAGER
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAT FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE
7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: CALLED AS NECESSARY
9. Attendance Requirements: N/A

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number One.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

M. 5.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #2 (3)

Issue:

Mayor David Plyler, and Council Memberes Pam Howeth and Daron Holland currently serve on the City's Tax Increment Financing Board #2. Their terms expire in November 2019.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Two. TIF Zone Number Two is comprised of the Central Business District and an area to the north of the district.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #2

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #2

LENGTH OF TERMS:

Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Pam Howeth	3	A 11/21/2017 R 11/20/2018	11/2018 11/2019	1 2	Council Member
Daron Holland	4	A 11/21/2017 R 11/20/2018	11/2018 11/2019	1 2	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013 R 11/18/2014 R 12/8/2015 R 11/22/2016 R 11/21/2017 R 11/20/2018	11/2012 11/2013 11/2014 11/2015 11/2016 11/2017 11/2018 11/2019	1 2 3 4 5 6 7 8	Council Member
Robby Hefton	n/a				City Manager
Mary Lawrence	n/a				Finance Director

NOTE:

FACT SHEET

TAX INCREMENT FINANCING BOARD #2

Established by ORDINANCE 5347 – NOVEMBER 7, 2005

1. Number of Members: FIVE
2. Term of Appointment: REVIEW ANNUALLY
3. Consecutive Term Rule: N/A
4. Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER, AND ASSISTANT CITY MANAGER
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAT FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO
7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: CALLED AS NECESSARY
9. Attendance Requirements: N/A

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number Two.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

M. 6.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #3 (3)

Issue:

Mayor David Plyler, and Council Members Pam Howeth and Josh Stevenson currently serve on the City's Tax Increment Financing Board #3. Their terms expire in November 2019.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Three. TIF Zone Number Three is comprised of the Sherman Commons development and portions of Loy Lake Road.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #3.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT FINANCING BOARD #3

LENGTH OF TERMS:
Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Josh Stevenson	2	A 11/20/2018	11/2019	1	Council Member
Pam Howeth	3	A 11/22/2016 R 11/21/2017 R 11/20/2018	11/2017 11/2018 11/2019	1 2 3	Council Member
David Plyler	4	A 11/22/2011 R 11/20/2012 R 11/19/2013 R 11/18/2014 R 12/8/2015 R 11/22/2016 R 11/21/2017 R 11/20/2018	11/2012 11/2013 11/2014 11/2015 11/2016 11/2017 11/2018 11/2019	1 2 3 4 5 6 7 8	Council Member
Robby Hefton	n/a				City Manager
Mary Lawrence	n/a				Finance Director

NOTE:

FACT SHEET

TAX INCREMENT FINANCING BOARD #3

Established by ORDINANCE 5424 – NOVEMBER 6 , 2006

1. Number of Members: FIVE
2. Term of Appointment: REVIEW ANNUALLY
3. Consecutive Term Rule: N/A
4. Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER, AND ASSISTANT CITY MANAGER
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAT FOR THE SHERMAN TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER THREE
7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: CALLED AS NECESSARY
9. Attendance Requirements: N/A

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Financing Reinvestment Zone Number Three.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

M. 7.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #5 (3)

Issue:

Mayor David Plyler, Deputy Mayor Shawn Teamann, and Council Member Josh Stevenson currently serve on the City's Tax Increment Financing Board #5. Their terms expire in November 2019.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Five. TIF Zone Number Five is located at the northwest intersection of U.S. Highway 75 and F.M. 1417 (Heritage Parkway), and is known as Sherman Crossroads.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #5.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT REINVESTMENT ZONE #5

LENGTH OF TERMS:

Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Plyler	4	A 5/2/2017	11/2017	1	Mayor
		R 11/21/2017	11/2018	2	
		R 11/20/2018	11/2019	3	
Josh Stevenson	2	A 11/20/2018	11/2019	1	Council Member
Shawn Teamann	1	A 5/2/2017	11/2017	1	Council Member
		R 11/21/2017	11/2018	2	
		R 11/20/2018	11/2019	3	
Robby Hefton	n/a				City Manager

NOTE:

FACT SHEET

TAX INCREMENT REINVESTMENT ZONE BOARD #5

Established by ORDINANCE 6010 – FEBRUARY 20, 2017

1. Number of Members: FIVE
2. Term of Appointment: REVIEW ANNUALLY
3. Consecutive Term Rule: N/A
4. Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAN FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE
7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: CALLED AS NECESSARY
9. Attendance Requirements: N/A

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Five.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

M. 8.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #6 (3)

Issue:

Mayor David Plyler, and Council Members Josh Stevenson and Pam Howeth currently serve on the City's Tax Increment Financing Board #6. Their terms expire in November 2019.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Six. TIF Zone Number Six is located south of the intersection of U.S. Highway 75 and F.M. 691.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #6.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT REINVESTMENT ZONE #6

LENGTH OF TERMS:

Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Plyler	4	A 5/2/2017 R 11/21/2017 R 11/20/2018	11/2017 11/2018 11/2019	1 2 3	Mayor
Pam Howeth	3	A 5/2/2017 R 11/21/2017 R 11/20/2018	11/2017 11/2018 11/2019	1 2 3	Council Member
Josh Stevenson	2	A 11/21/2017 R 11/20/2018	11/2018 11/2019	1 2	Council Member
Robby Hefton	n/a				City Manager

NOTE:

FACT SHEET

TAX INCREMENT REINVESTMENT ZONE BOARD #6

Established by ORDINANCE 6011 – FEBRUARY 20, 2017

1. Number of Members: FIVE
2. Term of Appointment: REVIEW ANNUALLY
3. Consecutive Term Rule: N/A
4. Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAN FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE NUMBER SIX
7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: CALLED AS NECESSARY
9. Attendance Requirements: N/A

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PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Six.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

M. 9.

Meeting Date: 11/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Tax Increment Financing Board #7 (3)

Issue:

Mayor David Plyler, and Council Members Pam Howeth and Daron Holland currently serve on the City's Tax Increment Financing Board #7. Their terms expire in November 2019.

Background:

The Board approves the Project Plan and Financing Plan for the Sherman Tax Increment Financing (TIF) Reinvestment Zone Number Seven. Zone #7 encompasses the southeast corner of U.S. Highway 75 and F.M. 1417, and includes approximately 23 acres.

Origination:

The appointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

It is recommended that the City Council consider appointments to the Tax Increment Financing Board #7.

Alternatives:

The alternative is to delay the appointment of members to this Board.

Attachments

Roster

Fact Sheet

MEMBERSHIP ROSTER

TAX INCREMENT REINVESTMENT ZONE #7

LENGTH OF TERMS:

Term Limit: N/A

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
David Plyler	4	A 12/5/2017 R 11/20/2018	11/2018 11/2019	1 2	Mayor
Pam Howeth	3	A 12/5/2017 R 11/20/2018	11/2018 11/2019	1 2	Council Member
Daron Holland	4	A 12/5/2017 R 11/20/2018	11/2018 11/2019	1 2	Council Member
Robby Hefton	n/a				City Manager

NOTE:

FACT SHEET

TAX INCREMENT REINVESTMENT ZONE BOARD #7

Established by RESOLUTION 6301 – NOVEMBER 20, 2017

1. Number of Members: FIVE
2. Term of Appointment: REVIEW ANNUALLY
3. Consecutive Term Rule: N/A
4. Qualifications for Membership: THREE CITY COUNCIL POSITIONS, CITY MANAGER
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization TO APPROVE THE PROJECT PLAN AND FINANCING PLAN FOR THE SHERMAN TAX INCREMENT REINVESTMENT ZONE NUMBER SEVEN
7. Departmental Responsibility: CITY MANAGER
8. Meeting Date: CALLED AS NECESSARY
9. Attendance Requirements: N/A

=====

PURPOSE:

The Board shall approve the Project Plan and Financing Plan for the Sherman Tax Increment Reinvestment Zone Number Seven.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 11/18/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2019 Council Calendar

2019

JANUARY						
S	M	T	W	T	F	S
		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						
S	M	T	W	T	F	S
					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		

MARCH						
S	M	T	W	T	F	S
					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						

APRIL						
S	M	T	W	T	F	S
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21	22	23	24	25	26	27
28	29	30				

MAY						
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JUNE						
S	M	T	W	T	F	S
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

JULY						
S	M	T	W	T	F	S
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST						
S	M	T	W	T	F	S
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER						
S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER						
S	M	T	W	T	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER						
S	M	T	W	T	F	S
					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

DECEMBER						
S	M	T	W	T	F	S
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				

1/21/2019	Martin Luther King, Jr. Day/Called City Council Meeting on 1/22/2019
2/27/2019	Called Council Meeting - Training Session for Council Members
4/26/2019	Called Budget Planning Meeting in Council Chambers
6/13/2019	Called Budget Workshop at Schulman's MBG in Sherman
6/14/2019	Called Budget Workshop at Schulman's MBG in Sherman - Cancelled
9/2/2019	Labor Day/Called City Council Meeting on 09/03/2019
9/10/2019	Called Joint Meeting with SEDCO Board in Council Chambers

[illegible]