Development Services
Planning and Zoning
Telephone (903)892-7229
Email: planning@cityofsherman.com

AGENDA

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a regular meeting Tuesday, August 22, 2023 at 5:00P.M. in the Council Chambers at 220 W. Mulberry to consider the following:

All requests are subject to the Zoning Ordinance/Code of Ordinance Chapter 14, unless otherwise stated.

1. **CALL TO ORDER**

2. **APPROVE MINUTES OF THE REGULAR JUNE 20, 2023 AND JULY 18, 2023, PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT MEETING**

3. ANNOUNCEMENTS

4. **CITIZEN COMMENTS**
During this meeting, the Planning and Zoning Commission and Board of Adjustment welcomes public comment **only** on agenda items listed under the Open Meeting portion of the agenda, in accordance with Texas Government Code Section 551.007. For items not listed on the agenda, those matters may be discussed with City staff during regular business hours by contacting them at times other than at Planning and Zoning Commission meetings. There will also be an opportunity to speak regarding any of the public hearing items on the agenda when that item is presented.

5. **CONSENT AGENDA (ITEMS 6, 7, 8, 9, 10, 11 AND 12)**
Asterisked (*) items are considered to be routine and non-controversial items. These items will be enacted in one motion without discussion unless a Commission Member or a member of the audience requests a specific item be discussed and voted on separately prior to a motion and vote.

6. * **4000-4300 BLOCKS WINTER WAY (Project No. 23-004430)**
The request of James Glenn Hidalgo (Owner), Vilbig & Associates (Engineer) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 4000-4300 Blocks Winter Way, consisting of 15.040 acres in the Elizabeth Jones Survey, Abstract No. 625, and being part of Lot 1, Block 1, Texoma Christian School Addition and currently zoned R-6 (Single Family Residential) District, as follows:
Planning and Zoning Commission
Preliminary Plat of The Preserve Phase IV

7. * **301 BLOCK WEST TRAVIS STREET (Project No. 23-004432)**

The request of Jeff Harkinson (Owner), Jim Riley (Representative), TEKMAK Development Company (Developer), Brockette/Davis/Drake, Inc. (Engineers), concerning the property located in the 301 Block West Travis Street, consisting of 5.464 acres in the Preston Kitchen Survey, Abstract No. 667, being a portion of a 44.83 acre tract of land in the Blalock Industrial Park/Blalock Commercial Overlay District/Planned Development District, as follows:

Planning and Zoning Commission

Final Plat of Crossroads – Springhill Addition, Lots 1 & 2, Block 1

8. * **2000-2300 BLOCKS WEST CENTER STREET (Project No. 23-004433)**

The request of Meritage Homes of Texas, LLC (Owner), Frank Su (Representative) and Kimley-Horn and Associates (Engineer/Surveyor) concerning the property located in the 2000-2300 Blocks West Center Street, being 30.734 acres in the Elizabeth Jones Survey, Abstract 625, being a portion of a 67.25 acre tract of land and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Final Plat of Westmoor, Phase 2

9. * **3786 GIBBONS ROAD (Project No. 23-004456)**

The request of James and Vicki Francis (Owner), Donnie Payette, Dream Builders (Developer) and Cox Land Surveying (Surveyor) concerning the property located at 3786 Gibbons Road, consisting of 10.732 acres in the George W. Lavalla Survey, Abstract No. 722, located in the ETJ (Extra Territorial Jurisdiction), as follows:

Planning and Zoning Commission

Final Plat of Payette Addition.

10. * **920 SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-004462)**

The request of Lighthouse for Kids, LLC (Owner) and Helvey Wagner Surveying (Surveyor) concerning the property located at 920 South FM 1417 (Heritage Parkway), consisting of 3.726 acres in the Elizabeth Jones Survey, Abstract No. 625, being all of Lot 3-R, Block 1, of the Replat of Lots 2 and 3, Block 1, Chief's Addition and currently zoned C-1 (Retail Business) District, as follows:

Planning and Zoning Commission

Replat of Atsar Storage Addition

11. * **449 SOUTH FARMINGTON ROAD (Project No. 23-004471)**

The request of John David Griffin (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 449 South Farmington Road, consisting of 5.255 acres, being in the William Martin Survey, Abstract No. 765, and is currently located in the ETJ (Extra Territorial Jurisdiction), as follows:

Planning and Zoning Commission

Final Plat of 449 S. Farmington Addition

12. * **500 BLOCK NORTH US HIGHWAY 75 (Project No. 23-004475)**

The request of First State Bank (Owner), Ian Norfork, PE (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located in the 500 Block North US Highway 75, consisting of 9.023 acres, being Lot 3 of the Replat of Block One of the Replat of Independence Square Addition, Section Two and is currently zoned C-1 (Retail Business) District/75&82 Overlay District, as follows:

Planning and Zoning Commission
Site Plan of First State Bank

13. **2325 NORTH TRAVIS STREET (Project No. 23-003772)**

The request of American Builders and Contractors Supply Co., Inc. (Owner), Vilbig and Associates (Representative/Consulting Engineers & Surveyors) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 2325 North Travis Street, consisting of 7.849 acres in the J.B. McAnair Survey, Abstract No. 763 and is currently zoned C-2 (General Commercial) District, as follows:

Planning and Zoning Commission
Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow Contractors or Construction Offices, Equipment Sales, Service, Rental and Repair, with Outdoor Storage in a C-2 (General Commercial) District.

14. **18873 WEST HIGHWAY 82 (Project No. 23-004434)**

The request of David Catching (Owner), Keith Barclift (Representative) and Helvey Wagner Surveying (Surveyor) concerning the property located at 18873 West Highway 82, consisting of 9.416 acres in the James M. Hambright Survey, Abstract 538, as follows:

Planning and Zoning Commission

A. Public Hearing and Zone Change from an R-A (Residential Agricultural) District to a C-2 (General Commercial) District/75&82 Overlay District.
B. Public Hearing, Specific Use Permit and Site Plan under Section 14.06.009 to allow Contractors or Construction Offices, Equipment Sales, Service, Rental and Repair, with Outdoor Storage in a C-2 (General Commercial) District/75&82 Overlay District.

15. **421 SOUTH MONTGOMERY STREET (Project No. 23-004435)**

The request of Teresa Stewart (Owner) and Copley Land Survey (Surveyor) concerning the property located at 421 South Montgomery Street, consisting of 0.131 acres, in the Samuel Blagg Survey, Abstract No. 56, and is currently zoned MF-30 (Multi-Family Residential) District, as follows:

Board of Adjustment
Public Hearing and Variance under Section 14.02.012 to allow a 11.5’ front setback in lieu of the required 25’ for a Front Porch addition.

16. **2201 TEXOMA PARKWAY (Project No. 23-004436)**

The request of Texoma Parkway, Salman Makojia (Owner), Dinesh Sook (Tenant) and Helvey Wagner Surveying (Surveyor) concerning the property located at 2201 Texoma Parkway, consisting of 0.382 acres, in the Smith McGlothlin Survey, Abstract No. 808, being Lot 6, Block 9, Highland Park Addition and is currently zoned C-2 (General Commercial) District, as follows:

Planning and Zoning Commission
Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hookah Bar, Smoking Lounge, Smoke Shop, or Vape Shop in a C-2 (General Commercial) District.

17. **6000-6400 SOUTH HIGHWAY 75 AND 100-200 BLOCKS AKERS ROAD (Project No. 23-004437)**

The request of Jamestown Square, LLC (Owner), Caleb Jones (Representative) and Kimley-Horn & Associates (Engineer) concerning the property located in the 6000-6400 Blocks South Highway 75 and the 100-200 Blocks Akers Road, consisting a part of 50.006 acres in the John Chronister Survey, Abstract No. 248, as follows:

Planning and Zoning Commission

A. Public Hearing and Zoning Text Amendment to add regulations to Chapter 14, Zoning Ordinance, Section 14.02.010 R-TH (Townhome Residential) District to allow 22' wide lots for Townhomes with Rear Loaded Garages in a R-TH (Townhome Residential) District
B. Tract 2, consisting of 14.287 acres in the John Chronister Survey, Abstract No. 248 - Public Hearing, Site Plan and Zone Change from C-1 (Retail Business) District and MF-30 (Multi-Family Residential) District/75 & 82 Overlay District to MF-30 (Multi-Family Residential) District/75 & 82 Overlay District.
C. Tract 3, consisting of 7.796 acres in the John Chronister Survey, Abstract 248 - Public Hearing, Site Plan and Zone Change from R-6 (Single-Family Residential) District and MF-30 (Multi-Family Residential) District/75 & 82 Overlay District to R-TH (Townhome Residential) District/75 & 82 Overlay District.
D. Tract 4, consisting of 18.903 acres in the John Chronister Survey, Abstract 248 – Public Hearing, Site Plan and Zone Change from R-6 (Single-Family Residential) District and MF-30 (Multi Family Residential) District/75 & 82 Overlay District to MF-15 (Multi-Family Residential) District/75 & 82 Overlay District.

18. **738 EAST HIGHWAY 82 (Project No. 23-004439)**

The request of W Douglass Distributing, LTD (Owner), Samir Bhimani (Tenant), David Weaver (Representative) and Helvey-Wagner Surveying, Inc (Surveying) concerning the property located at 738 East Highway 82, consisting of 1.830 acres, being Lots 1 & 2, Block 1, 82-75 Addition and currently zoned C-1 (Retail Business) District / 75 & 82 Overlay District, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hookah Bar, Smoking Lounge, Smoke Shop, or Vape Shop in a C-1 (Retail Business) District/75 & 82 Overlay District.

19. **416 SOUTH ELM STREET (Project No. 23-004440)**

The request of Oscar Medina (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located at 416 South Elm Street, consisting of 0.341 acres in the Samuel Blagg Survey, Abstract No. 56, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from MF-30 (Multi-Family Residential) District to R-5 (Single-Family Residential) District.

20. **124 WEST MCGEE STREET (Project No. 23-004441)**

The request of Linda Omohundro (Owner) and Mike Palmer, APEX Construction (Representative) concerning the property located at 124 West McGee Street, consisting of 0.36 acres in the J.B. McAnair Survey, Abstract No. 763, being all of Lot 5 and part of Lots 6 and 9, J.P. Cox Subdivision and currently zoned R-6 (Single-Family Residential) District, as follows:

Board of Adjustment

Public Hearing and Variance under Section 14.02.006 to allow a 2' side setback in lieu of the required 6' in a R-6 (Single-Family Residential) District for a Carport Addition.

21. **2708 NORTH CORNERSTONE DRIVE (Project No. 23-004442)**
The request of Raj Patel (Owner), ADR Designs, LLC (Designer) and Preston Trail Land Surveying (Surveyor) concerning the property located at 2708 North Cornerstone Drive, consisting of 2.251 acres in the J.B. McAnair Survey, Abstract No. 763, being Lot 6R, Block 2, Replat of Cornerstone Addition and currently zoned C-1 (Retail Business) District, as follows:
Planning and Zoning Commission
Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hotel or Motel in a C-1 (Retail Business) District.

22. **2700-3400 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-004443)AN EMAIL WAS RECEIVED FROM ROBERT TESCH ON AUGUST 7, 2023 AT 1:30 P.M REQUESTING TO TABLE THIS ITEM**
The request of Bob Tesch Investments, LLC (Owner) and Pape-Dawson Engineers (Surveyor) concerning the property located in the 2700-3400 Blocks South FM 1417 (Heritage Parkway), consisting of 10.771 acres in the Elizabeth Jones Survey, Abstract No. 625 and currently zoned M-1 (Light Manufacturing) District/F.M. 1417 Overlay District, as follows:
Planning and Zoning Commission

A. Public Hearing and Zone Change from M-1 (Light Manufacturing) District/F.M. 1417 Overlay District to C-1 (Retail Business) District/F.M. 1417 Overlay District.
B. Site Plan approval for Retail Development.

23. **607 EAST KING STREET (Project No. 23-004415)**
The request of Royal Legacy Homes, LLC (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 607 East King Street consisting of 0.069 acres in the George B. Pilant Survey, Abstract No. 963 being a Replat of Lots 2, 3 & 4, in Block 1 of W. Elliott's Addition and currently zoned R-6 (Single Family Residential) District, as follows:
Board of Adjustment

A. Public Hearing and Variance under Section 14.02.008 to allow a 75' lot depth in lieu of the required 90' and a Variance to allow a 3000 square feet lot area in lieu of the required 4000 square feet in an R-4 (Patio Home Residential) District.

Planning and Zoning Commission

B. Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-4 (Single Family Residential) District.
C. Final Plat of 607 East King Addition

24. **1604SOUTH TRAVIS STREET (Project No. 23-004445)**
The request of David Ashley (Owner), Luis Moran (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1604 South Travis Street consisting of 0.944 acres in the Samuel Blagg Survey, Abstract No. 56 being part of Block "B" of Staples Addition and currently zoned C-1 (Retail Business) District and R-6 (Single Family Residential) District, as follows:
Planning and Zoning Commission

A. Public Hearing and Zoning Text Amendment to add regulations to Chapter 14, Zoning

Ordinance, Section 14.02.010 R-TH (Townhome Residential) District to allow 22' wide lots for Townhomes with Rear Loaded Garages in a R-TH (Townhome Residential) District.

B. Public Hearing and Zone Change from C-1 (Retail Business) District and R-6 (Single Family Residential) District to R-TH (Townhome Residential) District.

C. Public Hearing and Replat of Colonial Virginia Addition, Lots 1 thru 9, Block A

25. **2813 SOUTH TRAVIS STREET (Project No. 23-004450)**

The request of J & E Casas Homes, LLC, Series A (Owner), Jose Martinez (Representatives) and Underwood Drafting & Surveying (Surveyor) concerning the property located at 2813 South Travis Street consisting of 2.863 acres in the Preston Kitchen Survey, Abstract No. 667 and currently zoned C-2 (General Commercial) District, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from C-2 (General Commercial) District to MF-15 (Multi Family Residential) District.

26. **1515 SOUTH RUSK STREET (Project No. 23-004452)**

The request of Jose Perez (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1515 South Rusk Street, being Lot 4, Block 1 Mayhew Supplement Addition and currently zoned R-6 (Single-Family Residential) District, as follows:

Board of Adjustment

A. Public Hearing and Variance under Section 14.02.006 to allow a 2.0' side setback in lieu of the required 6' in a R-6 (Single-Family Residential) District for the existing structure.

B. Public Hearing and Variance under Section 14.02.006 to allow a 11.2' front setback in lieu of the required 20' in a R-6 (Single-Family Residential) District for the carport.

27. **1900-2600 BLOCKS EAST TUCK STREET (Project No. 22-003530)** **AN EMAIL WAS RECEIVED FROM ROZANN MARQUIS ON AUGUST 17, 2023 AT 11:45 A.M REQUESTING TO WITHDRAWN THIS ITEM**

The request of Grayson County Land Trust (Owners), Rozann Marquis (Representative) and Kimley-Horn and Associates, Inc. (Surveyor) concerning the property located in the 1900-2600 Blocks East Tuck Street, consisting of 216.22 acres in the Charles Carter Survey, Abstract No. 229, and the Henry C. Atchison Survey, Abstract No. 22, and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change for a PD (Planned Development) of Aspen Park.

28. **402 NORTH GRAND AVENUE (Project No. 23-004476)** **AN EMAIL WAS RECEIVED FROM WALTER HOOPS ON AUGUST 14, 2023 AT 3:05 P.M. REQUESTING TO WITHDRAW THIS ITEM**

The request of Walter Hoops (Owner) and Sartin & Associates, Inc. (Surveyor) concerning the property located at 402 North Grand Avenue, consisting of 0.2927 acres being the South One-half (25.00 ft.) of Lot 11, and all of Lot 12 in Block 22 of College Park First Addition and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-12 (Single Family Residential) District.

29. **901 SOUTH THROCKMORTON STREET (Project No. 23-004455)**

The request of Roberto and Nancy Garcia (Owner), Chris Noah (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 901 South Throckmorton Street, being 0.165 acres in the George B. Pilant Survey, Abstract 963, being a Replat of Lots 1 and 2, in Block 18, W. Elliott's Addition, as follows:

Planning and Zoning Commission

A. Public Hearing and Replat of 901 S. Throckmorton Addition
B. Public Hearing and Zone change from R-6 (Single-Family Residential) District to R-5 (Single-Family Residential) District

30. **OTHER BUSINESS**

Public Hearing And Consideration Of An Ordinance Of The City Council Of The City Of Sherman, Texas, Amending The Code Of Ordinances Of The City Of Sherman, Texas, Chapter 14 (Zoning Ordinance), Section 14.06.004 (Site Plan Requirements); Modifying Certain Existing Regulations Relating To The Site Plan Approval Process; Providing A Penalty Clause With A Maximum Fine Of $2,000, Savings/Repealing Clause, Severability Clause And An Effective Date; Providing For The Publication Of The Caption Hereof; Finding And Determining That The Meeting At Which This Ordinance Is Passed Was Noticed And Is Open To The Public As Required By Law

31. **ADJOURNMENT**

32. **OVERALL LOCATION MAP**

By direction of the Planning and Zoning Commission and Board of Adjustment of the City of Sherman.

Clay Mahone, Chairman ATTEST: Rob Rae, Secretary

Meetings of this advisory board are open to the public.

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

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concems the purchase, exchange, lease or value of real property; or requires consultations with City Attorney.

In accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the Planning and Zoning Commission and Board of Adjustments may hold an executive session if the discussion of any of the items identified in this agenda, or any of the items identified below, concern one or more of the following:

Tex. Gov't Code § 551.071	Seeking the advice of its attorney about pending or contemplated litigation, settlement offers or any matter in which the duty of the attorney to the Planning and Zoning Commission and Board of Adjustments under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

Certification

I, the undersigned authority, do hereby certify that the above Agenda of the Regular Meeting of the Board of Adjustments and Planning and Zoning Commission 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 August 17, 2023 at 4:00 p.m. and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 17 day of August 2023
City of Sherman, Texas

_____

Lauren Marlow,
Development Services Coordinator

Sherman
CLASSIC TOWN. BROAD HORIZON.

Planning & Zoning Commission and Board of Adjustments **2.**

Meeting Date: 08/22/2023

Prepared By: Lauren Marlow, Development Services Coordinator

Issue:

APPROVE MINUTES OF THE REGULAR JUNE 20, 2023 AND JULY 18, 2023, PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT MEETING

List of Agenda Items:

Attachments

2023-06-20 Minutes

2023-07-18 Minutes

STATE OF TEXAS §

June 20, 2023

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustment of the City of Sherman, was begun and held on June 20, 2023.

MEMBERS PRESENT:	CHAIRMAN MAHONE COMMISSION MEMBERS: DAVIS, MANLEY, DOWNTAIN, BLAGG, SIMS AND WHITAKER
ALTERNATE:	NONE
MEMBERS ABSENT:	NONE
STAFF PRESENT:	ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES, KERRI TURNER, DEVELOPMENT SERVICES PLANNING TECHNICIAN, WAYNE LEE, DIRECTOR OF ENGINEERING AND LAUREN MARLOW, DEVELOPMENT SERVICES COORDINATOR
CITY ATTORNEY:	ALICESON COTTON

CALL TO ORDER

CALL TO ORDER
Chairman Mahone called the meeting to order at 5:08 p.m.

APPROVE MINUTES

APPROVE MINUTES
The minutes from the May 16, 2023 will be approved at the July 18, 2023 Planning and Zoning Commission and Board of Adjustment Meeting.

MOTION CARRIED.

ANNOUNCEMENTS

ANNOUNCEMENTS
There were no announcements.

CITIZEN COMMENTS

CITIZEN COMMENTS
There were no citizen comments.

CONSENT AGENDA (ITEMS 6, 7, 8, 9, 10, 11, 12, 13 AND 14)

CONSENT AGENDA
Consent Agenda items are considered routine and non-controversial items.

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve Items 6, 7, 8, 9, 10, 11, 12, 13 and 14 on the Consent Agenda as presented subject to the Staff Review Letter. Second by Commission Member Manley. All present voted AYE.

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

SITE PLAN – PORTABLE CLASSROOM UNITS 2701 NORTH LOY LAKE ROAD (SHERMAN INDEPENDENT SCHOOL DISTRICT)

SITE PLAN– CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN INDEPENDENT SCHOOL DISTRICT (OWNER) AND SCOTT CONRAD (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 2701 NORTH LOY LAKE ROAD, IN THE J.B. MCANAIR SURVEY AND IS CURRENTLY ZONED C-1 (RETAIL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN FOR PORTABLE CLASSROOM UNITS

The property is located at 2701 North Loy Lake Road near the intersection of North Loy Lake Road and East Highway 82. The owner is requesting Site Plan approval for Portable Classroom Units. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – LOT 1, BLOCK 1 TEXOMA HYUNDAI ADDITION 2500 TEXOMA PARKWAY (RFJ AUTO PROPERTIES, LLC)

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF RFJ AUTO PROPERTIES, LLC (OWNER), MARTIN WALSH, SONIC AUTOMOTIVE (DEVELOPER), JEREMY NELSON, PE, KIRKMAN ENGINEERING (ENGINEER/PREPARER), AND BARTON CHAPA SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2500 TEXOMA PARKWAY, CONSISTING OF 5.933 ACRES IN THE R. HENDRIX SURVEY, ABSTRACT NO. 504, AND IS CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT OF LOT 1, BLOCK 1 TEXOMA HYUNDAI ADDITION

The property is located at 2500 Texoma Parkway at the Southwest corner of Highway 82 and Texoma Parkway and is zoned C-2 (General Commercial) District. The owner would like to plat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PUBLIC HEARING AND REPLAT – NORTHWEST ADDITION, BLOCK 1, LOT 5R 2524 MOUNTAIN CLIMB ROAD (ZACHARY SANFORD)

PUBLIC HEARING AND REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF ZACHARY SANFORD (OWNER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2524 MOUNTAIN CLIMB ROAD, CONSISTING OF 1.400 ACRES IN THE ALFRED HUME SURVEY, ABSTRACT NO. 522, AND BEING A PART OF LOT 5, BLOCK 1 OF NORTHWEST ADDITION AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND REPLAT OF NORTHWEST ADDITION, BLOCK 1, LOT 5R

The property is located at 2524 Mountain Climb Road near the Southeast corner of Shadow Trail and Mountain Climb Road and is zoned R-6 (Single-Family Residential) District. The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PUBLIC HEARING AND REPLAT – CONSENT AGENDA ITEM

PUBLIC HEARING AND REPLAT – PEREZ EAST ADDITION BEING A REPLAT OF LOTS 13 & 14, BLOCK 2, OF THE HALL & JONES ADDITION 802 NORTH EAST STREET (GABRIEL GARCIA PEREZ)

THE REQUEST OF GABRIEL GARCIA PEREZ (OWNER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 802 NORTH EAST STREET, CONSISTING OF 0.273 ACRES, BEING LOT 13 AND LOT 14, BLOCK 2 OF THE HALL & JONES ADDITION, AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND REPLAT OF PEREZ EAST ADDITION BEING A REPLAT OF LOTS 13 & 14, BLOCK 2, OF THE HALL & JONES ADDITION.

The property is located at 802 North East Street at the Northwest corner of North East Street and Carter Street and is zoned R-6 (Single-Family Residential) District. The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PUBLIC HEARING AND REPLAT – CONSENT AGENDA ITEM

PUBLIC HEARING AND REPLAT – GRAYSON COUNTY JUSTICE CENTER, LOT 1R 200 SOUTH CROCKETT STREET (GRAYSON COUNTY)

THE REQUEST OF GRAYSON COUNTY (OWNER), BRUCE DAWSEY, GRAYSON COUNTY JUDGE (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 200 SOUTH CROCKETT STREET, CONSISTING OF 4.050 ACRES, BEING A PART OF THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND IS CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND REPLAT OF GRAYSON COUNTY JUSTICE CENTER, LOT 1R

The property is located at 200 South Crockett Street between West Lamar Street and West Cherry Street and is in the Central Business District Overlay. The owner would like to plat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – VEIN CENTER OF NORTH TEXAS ADDITION
1325 NORTH TRAVIS STREET
(VEIN CENTER OF NORTH TEXAS PROPERTIES, LLC)

PRELIMINARY PLAT – CONSENT AGENDA ITEM
THE REQUEST OF VEIN CENTER OF NORTH TEXAS PROPERTIES, LLC (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1325 NORTH TRAVIS STREET, CONSISTING OF 0.626 ACRES, BEING A PART OF J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED C-O (OFFICE) DISTRICT/SAM RAYBURN OVERLAY, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT OF VEIN CENTER OF NORTH TEXAS ADDITION

The property is located at 1325 North Travis Street at the intersection of West Belden Street and North Travis Street. The property owner would like to plat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – OFFICE CONDOMINIUMS
708 EAST LAMBERTH ROAD
(HONEY GOEL)

SITE PLAN – CONSENT AGENDA ITEM
THE REQUEST OF HONEY GOEL (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 708 EAST LAMBERTH ROAD, CONSISTING OF 1.239 ACRES BEING LOT 3, AMERISTATE CENTRAL PLAZA, PHASE 2, IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND BEING PART OF LOT 4, BLOCK 1 OF DR. J.H. CARRAWAY'S SUB-DIVISION, AND CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN FOR OFFICE CONDOMINIUMS

The property is located at 708 East Lamberth Road at the intersection of North Loy Lake Road and East Lamberth Road. The owner is requesting Site Plan approval for Office Condominiums. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – SHERMAN 185
701 LUELLA ROAD
(CHOCTAW CREEK RANCH, LLC)

PRELIMINARY PLAT – CONSENT AGENDA ITEM
THE REQUEST OF CHOCTAW CREEK RANCH, LLC (OWNER), JORGE GARAY, PE (REPRESENTATIVE), SHERMAN 185 TX, LLC (DEVELOPER) AND ATWELL GROUP (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 701 LUELLA ROAD, CONSISTING OF 182.737 ACRES, IN THE SHARROD DUNMAN SURVEY, ABSTRACT NO. 329, AND IS CURRENTLY LOCATED IN THE ETJ (EXTRA TERRITORIAL JURISDICTION), AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT OF SHERMAN 185

The property is located at 701 Luella Road in the ETJ (Extra Territorial Jurisdiction) between Vietnam Veterans Parkway and

Akers Road. The property owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – SHERMAN INDUSTRIAL DEVELOPMENT ADDITION
REPLAT – LOT 4, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION (REPLAT)
304 PROGRESS DRIVE
(SAPPHIRE STOCKHOME, LLC)

SITE PLAN AND REPLAT – CONSENT AGENDA ITEM
THE REQUEST OF SAPPHIRE STOCKHOME, LLC (OWNER), BLUESTONE PARTNERS, LLC (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 304 PROGRESS DRIVE, CONSISTING OF 9.023 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 AND BEING ALL OF LOT 4, OF THE REPLAT OF SHERMAN INDUSTRIAL DEVELOPMENT ADDITION, AND CURRENTLY ZONED BLALOCK INDUSTRIAL PARK PD (PLANNED DEVELOPMENT), AS FOLLOWS:
PLANNING AND ZONING COMMISSION
A. SITE PLAN FOR SHERMAN INDUSTRIAL DEVELOPMENT ADDITION
B. REPLAT OF LOT 4, SHERMAN INDUSTRIAL DEVELOPMENT ADDITION (REPLAT)

The property is located at 304 Progress Drive at the corner of Progress Drive and Howe Drive. The owner is also requesting a Site Plan for Sherman Industrial Development Addition and would like to plat the property into two lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

SITE PLAN – OUTDOOR RESTAURANT
1831 WEST HOUSTON STREET
(RICK ARNOLD)

SITE PLAN
THE REQUEST OF RICK ARNOLD (OWNER) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1831 WEST HOUSTON STREET, CONSISTING OF 1.55 ACRES BEING BLOCK 1, LOT 3 IN THE SPAVINAW ADDITION, AND CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN FOR OUTDOOR RESTAURANT

The property is located at 1831 West Houston Street near the intersection of West Houston Street and Binkley Park Drive.

Rick Arnold, 1921 West Houston Street, Sherman, TX
Mr. Arnold explained, "We are requesting Site Plan approval for two food trucks. My daughter has a snow cone truck and I have a close friend that has the other food truck. We have a gazebo that is already built in the back that can be moved when needed and we have just asphalted the parking area."

Chairman Mahone asked, "When do you plan to open them?"

Mr. Arnold replied, "They are ready now."

Commission Member Davis asked, "Is there a commissary?"

Mr. Arnold replied, "Our school on the property is our commissary. We have a kitchen with a grease trap that has been approved."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Arnold replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Planning and Zoning Commission
Motion by Vice Chairman Downtain to approve the Site Plan located at 1831 West Houston Street subject to the Staff Review letter. Second by Commission Member Davis.

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

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

PRELIMINARY PLAT – ABC SUPPLY ADDITION, LOT 1, BLOCK A 2325 NORTH TRAVIS STREET (AMERICAN BUILDERS AND CONTRACTORS SUPPLY CO., INC.)

SITE PLAN (WITHDRAWN)

PRELIMINARY PLAT
THE REQUEST OF AMERICAN BUILDERS AND CONTRACTORS SUPPLY CO., INC. (OWNER), VILBIG AND ASSOCIATES (REPRESENTATIVE/CONSULTING ENGINEERS & SURVEYORS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2325 NORTH TRAVIS STREET, CONSISTING OF 8.066 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND IS CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

A. SITE PLAN FOR ABC SUPPLY CO., INC. (WITHDRAWN)
B. PRELIMINARY PLAT OF ABC SUPPLY ADDITION, LOT 1, BLOCK A

The property is located at 2325 North Travis Street between East Taylor Street and East Lamberth Road.

An email was received from David Vilbig on Monday, June 12, 2023, at 8:40 a.m., requesting to withdraw the Site Plan for Item #11, located at 2325 North Travis Street.

David Vilbig, 517 West Woods, Denison, TX
Mr. Vilbig explained, "The owner would like to plat the property into one lot for commercial development.

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Vilbig replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Davis to approve the Preliminary Plat located at 2325 North Travis Street subject to the Staff Review letter. Second by Vice Chairman Downtain.

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

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

PUBLIC HEARING AND VARIANCE – SIDE SETBACK 2507 SHORELINE DRIVE (KEITH AND JANET ARMSTRONG)

<u>PUBLIC HEARING AND VARIANCE</u>
THE REQUEST OF KEITH AND JANET ARMSTRONG (OWNER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2507 SHORELINE DRIVE, CONSISTING OF 0.4408 ACRES, BEING IN THE TURTLE CREEK NORTH ADDITION, SECTION 2, BLOCK 4, LOT 2, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT
PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006 TO ALLOW A 0' SIDE SETBACK IN LIEU OF THE REQUIRED 6' FOR AN ATTACHED GARAGE ADDITION.

The property is located at 2507 Shoreline Drive between West Lamberth Road and Rivercrest Drive.

<u>Keith Armstrong, 2507 Shoreline Drive, Sherman, TX 75090</u>
Mr. Armstrong explained, "The owner is requesting a Variance for the side setback for an attached garage addition. In 1985 the attached garage was enclosed into a master bedroom and since then it has made the access narrow on both sides of the house to the rear."

Chairman Mahone asked, "Was the garage a front entry?"

Mr. Armstrong replied, "No and there is a cement drive large enough to turn 180 degrees to enter from the rear of the house."

The following letter was received for 2507 Shoreline Drive Variance request:

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

BEALE CHRIS WILLIAM ESTATE
2513 SHORELINE DR
SHERMAN, TX 75092

June 1, 2023

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a public hearing on the day of Tuesday, June 20, 2023, at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Keith and Janet Armstrong (Owner) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 2507 Shoreline Drive, consisting of 0.4408 acres, being in the Turtle Creek North Addition, Section 2, Block 4, Lot 2, and currently zoned R-6 (Single Family Residential) District

The request is as follows:

Board of Adjustment
Public Hearing and Variance under Section 14.02.006 to allow a 0' side setback in lieu of the required 20' for an attached garage addition.

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 comments presented to the Planning and Zoning Commission or Board of Adjustment, you may do so by emailing planning@cityofsherman.com or comment in the space provided below and mail to: Development Services, P.O. Box 1106, Sherman, TX 75091. If you wish to have your views published in the online agenda, they must be received in the Development Services office by 5:00 p.m. on Wednesday, the week prior to the Planning and Zoning Commission meeting, otherwise, your comments will be provided to each Commission member at the meeting.

Rob Rae
Acting Secretary, Planning & Zoning Commission

There is not a problem for me. I have given permission to the Armstrongs to build (garage) on the property line.

Ms. Kathy Beale for Chris Beale Estate

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.

Commission Member Davis asked, "Will there be a garage door on your driveway?"

Mr. Armstrong replied, "Yes and the other portion will be for storage or a workshop."

Chairman Mahone asked, "How wide is the single garage door?"

Mr. Armstrong replied, "10' wide and will be placed on the west side."

Chairman Mahone asked, "Do you plan to park one or two tandem?"

Mr. Armstrong replied, "No and the reason for putting the north wall near the property line is the free span inside. You could turn the car around inside the garage and multiple vehicles could be parked parallel."

Chairman Mahone asked, "What is the footprint on the garage?"

Mr. Armstrong replied, "A little over 1,200 square feet."

Commission Member Blagg asked, "Will the wall on the property line become the fence?"

Mr. Armstrong replied, "It will replace the fence and the new structural wall will be about 6 inches away from the property line."

Commission Member Davis asked, "How tall will the garage be?"

Mr. Armstrong replied, "It will be 16'."

Chairman Mahone asked, "Are there any other houses that have garages or structures on the property line?"

Mr. Armstrong replied, "No, the other garages were attached as part of the original structure or have been enclosed."

Commission Member Davis asked, "Could you move the garage further south?"

Mr. Armstrong replied, "No, it is a narrow entry. I would have issues making that turning radius. I would not be able to have any structural posts on the north side or I'll take them out as I'm turning the vehicle."

Commission Member Manley asked, "Are there any concerns with the Fire Marshal about the distance between the structures?"

Mr. Rae replied, "I didn't hear of a comment from a Fire Marshal on that."

Mr. Lee replied, "I have not heard a comment from a Fire Marshal."

Chairman Mahone stated, "It does state on the Staff Review Letter that fire access shall be coordinated with the Fire Marshal. Have you seen the Staff Review Letter?

Mr. Armstrong replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

Chairman Mahone stated, "If this was approved you would still have to talk to the Fire Marshal."

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

ACTION TAKEN.

Board of Adjustment
Motion by Commission Member Manley to approve the Variance located at 2507 Shoreline Drive subject to the Staff Review letter. Second by Commission Member Sims.

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

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

PUBLIC HEARING, VARIANCE – FRONT SETBACK
FINAL PLAT – SHERMAN MACHINE ADDITION
SITE PLAN – METAL BUILDING
1622 SOUTH FIRST STREET
(DOUGLAS LAMB, SHERMAN MACHINE, INC.)

<u>PUBLIC HEARING, VARIANCE, FINAL PLAT AND SITE PLAN</u>
THE REQUEST OF DOUGLAS LAMB, SHERMAN MACHINE, INC. (OWNER) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1622 SOUTH FIRST STREET, CONSISTING OF 1.355 ACRES, BEING A PART OF PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AND IS CURRENTLY ZONED M-1 (LIGHT MANUFACTURING) DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT

A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.018 TO ALLOW A 4.7' FRONT SETBACK IN LIEU OF THE REQUIRED 40' FOR AN EXISTING STRUCTURE.

PLANNING AND ZONING COMMISSION

B. FINAL PLAT OF SHERMAN MACHINE ADDITION
C. SITE PLAN FOR A METAL BUILDING ADDITION

The property is located at 1622 South First Street between East Lake Street and East Centennial Street. The owner is requesting a Variance for a front setback for an existing structure and Site Plan approval for a Metal building addition. The owner would also like to plat the property into one lot for commercial development.

(WITHDRAWN)

An email was received from Chad Lamb on Monday, June 12, 2023, at 7:34 a.m., requesting to withdraw this item located at 1622 South First Street.

PUBLIC HEARING, VARIANCE, SITE PLAN AND ZONE CHANGE
THE REQUEST OF OSCAR MEDINA (OWNER), MCLEMORE & ASSOCIATES (ARCHITECTS/BUILDERS/DEVELOPERS) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 416 SOUTH ELM STREET, CONSISTING OF 0.341 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:
BOARD OF ADJUSTMENT

A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.009 TO ALLOW A LOT WIDTH OF 56.09' IN LIEU OF THE REQUIRED 60' IN AN R-2F (DUPLEX RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

B. PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM AN MF-30 (MULTI-FAMILY RESIDENTIAL) DISTRICT TO AN R-2F (DUPLEX RESIDENTIAL) DISTRICT.

PUBLIC HEARING, VARIANCE – LOT WIDTH
SITE PLAN AND ZONE CHANGE – MF-30 TO R-2F
416 SOUTH ELM STREET
(OSCAR MEDINA)

The property is located at 416 South Elm Street between West Cherry and West King Streets.

Steve McLemore, 11916 Paducah, Frisco, TX
Mr. McLemore read the following letter from Mr. Medina:

To the honorable members of the Planning and Zoning Commission, and Board of Adjustments:

My name is Oscar Medina, owner of the property located at 416 S. Elm street. This property previously had a single family home that was constructed in 1900, and was previously zoned in an R-2 district. Today, due to the most recent city zoning changes, and based on the 14.02.002 Equivalency Table, the property is now zoned in an MF-30 multi-family district.

While the property is too small to comply with any of the MF-30 or MF-15 minimum development requirements, under section 14.02.009 R-2F duplex district zoning that I am requesting, the property can be developed meeting all of the minimum requirements with the exception of the 60 foot minimum yard/lot width requirement. As noted earlier, the property was previously zoned in an R-2 district, and there is an existing apartment complex directly across the street from my property, and ~~a~~ duplexes ~~2 blocks south on South Elm~~ as well as others in the area.

In addition to the R-2F zoning change, I am also requesting a variance under 14.06.006 section 1-B for a reduction in the yard/lot width requirement for R-2F from 60 feet to 55.09 feet. This width request is illustrated on my submitted survey, site plan, landscape plan, and related elevations, and floor plan. In reviewing the related 14.06.006 section 2 - A thru G it does not appear to me that my request would be in conflict with any of the variance criteria listed.

In regards to another matter, I became concerned about my submission when I received the Staff Review Letter on June 13th for this meeting indicating a requested width variance to a 56.09 foot lot width instead of my requested 55.09 foot width. I was told to determine the width of a lot the city takes the front yard width and the rear yard width and averages them together, and this was why it indicated a lot width of 56.09 feet and not my requested 55.09 feet.

My concern was if approved for 56.09 feet, and not the 55.09 feet requested, would I be allowed to build the duplex in the 55.09 foot wide area. The property is 55.09 feet wide for a depth of 217 feet from the street, and then widens to 57.10 feet for the remaining 51 feet of depth. After a few e-mail exchanges back and forth, we were finally told that even though if approved and it stated to allow a lot width of 56.09 feet, I would be allowed to build the duplex in the 55.09 foot width area of the property.

In closing, I apologize for not being able to attend todays meeting due to a previously scheduled family matter, but want you to know I do sincerely appreciate your review and consideration for both my zoning change and variance request.

Respectfully,

Oscar Medina

Chairman Mahone asked Mr. Rae, "Is this correct that you average front and back?

Mr. Rae replied, "That is correct."

Chairman Mahone asked, "Has the building been torn down?"

Mr. McLemore replied, "I was sent a photo but was unaware it had been torn down."

Chairman Mahone asked Mr. Rae, "Has the building been torn down recently?"

Mr. Rae replied, "Yes."

Chairman Mahone asked Mr. McLemore, "Do you have plans to do something with the back of the lot?"

Mr. McLemore replied, "Nothing you can do with it being a deep lot."

Commission Member Manley asked Mr. Rae, "Was this a single family home in a MF-30 (Multi Family Residential) District previously?"

Mr. Rae replied, "Yes and this part of the city has been zoned R-2 (Multi-Family Residential) District, which has been transitioned to MF-30 (Multi Family Residential) District.

Under the previous Ordinance that was replaced, if a duplex were to be built on this lot, it would have the entitlements to do so with the zoning for R-2 (Multi-Family Residential) District as it does now, but it still wouldn't meet the minimum requirements of that Ordinance either because, if you remember, the duplex minimum requirement was 60' as well."

<u>Marcus Abedia, 102 E Forest Avenue, Sherman, TX</u>
Mr. Abedia stated, "I personally do not want another duplex to be built on this lot. The house was originally a single residence home and multiple duplexes have been infiltrating the neighborhood. In the new 2022 Comprehensive Plan, one of the things the Core Neighborhood is doing is maintaining the original character, and I'd hate to see another duplex replace one of those 1900 homes. Most of the homes are wood and dilapidated but this was a solid brick home. I happen to live next to a lot that is filled with duplexes right next to 903 Brewers and all the cars are lined up on the street."

Mr. McLemore replied, "The house was built in 1900 and was in very poor shape structurally. The owner looked at renovating the property, but it was going to be cost prohibitive for the business."

Mr. Rae stated, "The letter that Mr. Medina had sent in with his application stated that he had gone through our Sub-Standard Department program to demo this building on December 5,

2022. There was a property notification sign from within the last 14 days that shows the house is still there."

Mr. McLemore replied, "I drove by today and the house was not there."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. McLemore replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance, Site Plan and Zone Change.

ACTION TAKEN.

Board of Adjustment
Motion by Vice Chairman Downtain to deny the Variance located at 416 South Elm Street. Second by Commission Member Davis.

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

Planning and Zoning Commission
Motion by Commission Member Davis to deny the Site Plan and Zone Change located at 416 South Elm Street. Second by Commission Member Manley.

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

PUBLIC HEARING
SITE PLAN AND ZONE CHANGE –
R-6 TO MF-30
6501 BLOCK NORTH HIGHWAY 75
(MARUTI INTERESTS)

<u>PUBLIC HEARING, SITE PLAN AND ZONE CHANGE</u>
THE REQUEST OF MARUTI INTERESTS (OWNER), PATRICK FILSON (REPRESENTATIVE) AND SARTIN & ASSOCIATES, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 6501 BLOCK NORTH HIGHWAY 75, CONSISTING OF 8.68 ACRES, BEING IN THE A.C. SMITH SURVEY, ABSTRACT NO. 1561, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO AN MF-30 (MULTI FAMILY RESIDENTIAL) DISTRICT.

The property is located in the 6501 Block North Highway 75 between Blue Flame Road and FM 691.

<u>Patrick Filson, 5200 State Highway 121, Lewisville, TX</u>
Mr. Filson explained, "The owner is requesting a Zone Change for a proposed multi-family development. There is a future

development just to the north of this that is in some sort of review, and we were wanting to coordinate with them to make that second point of connection with our primary point of access that will come off the frontage road."

Chairman Mahone asked, "Is this a combination of apartment buildings and townhomes?

Mr. Filson replied, "Yes."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Filson replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Site Plan and Zone Change.

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Davis to approve the Site Plan and Zone Change located in the 6501 Block North Highway 75 subject to the Staff Review letter. Second by Commission Member Blagg.

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

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

PUBLIC HEARING, SPECIFIC USE PERMIT – AUTOMOBILE SALES AND REPAIR SITE PLAN– GARAGE ADDITION 2303 TEXOMA PARKWAY (LCA PROPERTIES, LLC)

<u>PUBLIC HEARING, SPECIFIC USE PERMIT AND SITE PLAN</u>
THE REQUEST OF LCA PROPERTIES, LLC (OWNER), TODD KOFSKY, SHERMAN MOTORS (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2303 TEXOMA PARKWAY, CONSISTING OF 0.770 ACRES, BEING IN THE SMITH MCGLOTHLIN SURVEY, ABSTRACT NO. 808, AND BEING A REMAINDER OF LOT 1 IN BLOCK 1 OF HIGHLAND PARK ADDITION, AND CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

A. PUBLIC HEARING AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW AUTOMOBILE MOTORCYCLE, BOAT OR TRAILER SALES, NEW OR USED.
B. PUBLIC HEARING AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW AUTOMOBILE REPAIR, BODY WORK, OR PAINTING.
C. SITE PLAN FOR A GARAGE ADDITION.

The property is located at 2303 Texoma Parkway between East Nall Street and Baker Drive.

Todd Kofsky, 2303 Texoma Parkway, Sherman, TX

Mr. Kofsky explained, "We are requesting a Specific Use Permit to allow an Automotive Dealership and Site Plan for a garage. We plan to move our dealership, currently located at 3514 Texoma Parkway, to our new location. We purchased this property with the plans to add a garage and expand our operations."

Chairman Mahone asked, "Will the garage be metal sided?"

Mr. Kofsky replied, "Yes with roll up doors facing towards the building."

Chairman Mahone asked, "Can this be changed to something besides metal?"

Mr. Kofsky replied, "Yes but it is cost effective to have a metal building."

Chairman Mahone asked, "What is to the East of the building?"

Mr. Kofsky replied, "It is a residential property."

Chairman Mahone asked Mr. Rae, "Is the green paneling considered roofing material?"

Mr. Rae replied, "No."

Commission Member Sims asked Mr. Kofsky, "What type of repairs will you be doing to these vehicles?"

Mr. Kofsky replied, "It'll be for our own vehicles. We are not going to be doing public or repair work for facilities."

Commission Member Sims asked, "Will there be any vehicles sitting out that are not ready to sell or wrecked vehicles?"

Mr. Kofsky replied, "No. The wrecked vehicles will be picked up by salvage yards. There will be vehicles that will be put in the back of the property that are not front line ready."

Chairman Mahone asked, "Will there be any cars parked on unpaved surfaces?"

Mr. Kofsky replied, "It may be paved or gravel."

Chairman Mahone, "What are the requirements for parking?"

Mr. Rae replied, "Vehicle parking, drive aisles, anywhere a vehicle moves, needs to be on asphalt or concrete. There can be no gravel. Also, in 2020 you were issued a Specific Use Permit for automobile repair at 4114 Texoma Parkway. Is this still in operation?"

Mr. Kofsky replied, "Yes. We are the landlords and are renting the building to A&B Automotive. We are not running our operation out of there."

Chairman Mahone asked Mr. Rae, "Was the Specific Use Permit tied to any special condition?"

Mr. Rae replied, "There were no special conditions. Mr. Kofsky was the applicant and LCA Properties was the owner."

Jonathan Earnhart, 110 South Houston Avenue, Denison, TX
Mr. Earnhart explained, "I'm sure most of y'all are aware of the House Bill 2439 as we have had issues with that before. I talked to the author of that bill in the state. They say a lot of cities are putting in overlays, trying to add that material requirements, but it's not allowed even in overlays unless it's approved overlays like certain Historical Districts or Main Street Districts that are approved and they named these pretty clearly out which overlay districts those can even be implemented in, but otherwise, it really goes over how indirectly recommending or trading out they define that as violating the Bill."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Kofsky replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Blagg to approve the Specific Use Permit and Site Plan located at 2303 Texoma Parkway subject to the Staff Review letter being tied to LCA Properties, owner and operator. Second by Commission Member Sims.

VOTING AYE: MAHONE, SIMS, BLAGG, WHITAKER AND MANLEY
VOTING NAY: DAVIS AND DOWNTAIN
MOTION CARRIED.

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

PUBLIC HEARING AND ZONE CHANGE – FRONT AND SIDE SETBACK 4800 TEXOMA PARKWAY (STAR MIDWAY, LLC)

PUBLIC HEARING AND ZONE CHANGE
THE REQUEST OF STAR MIDWAY, LLC (OWNER) AND DAVID PETREE, BLUE SKY SURVEYING AND MAPPING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 4800 TEXOMA PARKWAY, CONSISTING OF 5.7869 ACRES BEING LOT 6 IN BLOCK 1 OF THE REPLAT OF MIDWAY MALL, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND ZONE CHANGE FROM AN M-1 (LIGHT MANUFACTURING) DISTRICT AND C-2 (GENERAL COMMERCIAL) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT.

The property is located at 4800 Texoma Parkway between Fallon Drive and North Frisco Road.

Ryan Delong, 4800 Texoma Parkway, Sherman, TX
Mr. Delong explained, "We are requesting a Zone Change for this property as it was not included a couple months ago."

Mr. Rae stated, "This request was not included in the original request. This is a clean up from what they had originally intended to apply for."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Delong replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Sims to approve the Zone Change located at 4800 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Davis.

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

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

PUBLIC HEARING, VARIANCE – SIDE SETBACK
SITE PLAN AND SPECIFIC USE PERMIT – MINI-WAREHOUSE
5820 TEXOMA PARKWAY
(REX HUDDLESTON)

PUBLIC HEARING, VARIANCE, SITE PLAN AND SPECIFIC USE PERMIT
THE REQUEST OF REX HUDDLESTON (OWNER), KENT HUGHLETT (REPRESENTATIVE) AND BARRON STARK ENGINEERS (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 5820 TEXOMA PARKWAY, CONSISTING OF 3.66 ACRES, BEING BLOCK 1, LOT 1 IN THE SHERMAN MINI WAREHOUSE ADDITION, AND CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT

A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.017 TO ALLOW A 0' SIDE SETBACK IN LIEU OF THE REQUIRED 15' FOR EXISTING STRUCTURES IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

B. PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW A MINI-WAREHOUSE IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

The property is located at 5820 Texoma Parkway between De Soto and FM 691.

Kent Hughlett, 177 Timberbrook Circle, Denison, TX

Mr. Hughlett explained, "We are requesting a Specific Use Permit to allow a Mini-warehouse for future development and the Variance is for the 0' side setback on the existing structure. With the new Ordinance we have to make our Specific Use Permit current."

Mr. Rae stated, "They have existing, non-conforming rights for the existing buildings, but as soon as they add additional buildings to it, they have to come into conformance."

Commission Member Blagg asked Mr. Hughlett, "Is there a fence behind the storage building with the 0' side setback or just the building?"

Mr. Hughlett replied, "There is a fence."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Hughlett replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance, Site Plan and Specific Use Permit.

ACTION TAKEN.

Board of Adjustment
Motion by Vice Chairman Downtain to approve the Variance located at 5820 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Davis.

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

Planning and Zoning Commission
Motion by Vice Chairman Downtain to approve the Site Plan and Specific Use Permit located at 5820 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Davis.

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

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

PUBLIC HEARING, ZONE CHANGE – R-6 TO R-5
PRELIMINARY PLAT – EARNHARTBUILT'S 11TH

<u>PUBLIC HEARING, ZONE CHANGE AND PRELIMINARY PLAT</u>
THE REQUEST OF JASON EARNHART, EARNHARTBUILT, LLC (OWNER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 419 SOUTH MONTGOMERY STREET, CONSISTING OF 0.131 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

A. PUBLIC HEARING AND ZONE CHANGE FROM AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT
B. PRELIMINARY PLAT OF EARNHARTBUILT'S 11TH

419 SOUTH MONTGOMERY STREET (JASON EARNHART, EARNHARTBUILT, LLC)

The property is located at 419 South Montgomery Street between East Cherry Street and East Magnolia Street.

Jonathan Earnhart, 110 South Houston Avenue, Denison, TX
Mr. Earnhart explained, "The owner is requesting a Zone Change from an R-6 (Single Family Residential) District to a R-5 (Single Family Residential) District. The owner would like to plat the property into one lot for residential development."

Chairman Mahone asked, "Is there a building on the property?"

Mr. Earnhart replied, "No."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Earnhart replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Zone Change and Preliminary Plat.

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Davis to approve the Zone Change and Preliminary Plat located at 419 South Montgomery Street subject to the Staff Review letter. Second by Vice Chairman Downtain.

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

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

PUBLIC HEARING, VARIANCE AND SITE PLAN
THE REQUEST OF SHERMAN CROSSROADS, LTD (OWNER), HENRY QUIGG, RICHMOND GROUP (REPRESENTATIVE/ARCHITECT) AND A&W SURVEYORS, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3551 SOUTH HIGHWAY 75, CONSISTING OF 1.001 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AND BEING LOT 31, BLOCK 2 OF SHERMAN CROSSROADS, PHASE II, AS FOLLOWS:

PUBLIC HEARING, VARIANCE – SIDE SETBACK

SITE PLAN – STARBUCKS COFFEE COMPANY

3551 SOUTH HIGHWAY 75 (SHERMAN CROSSROADS, LTD)

BOARD OF ADJUSTMENT

A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.03.007(7) TO ALLOW A 33' SIDE SETBACK IN LIEU OF THE REQUIRED 55.7' IN THE BLALOCK

INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

B. SITE PLAN FOR STARBUCKS COFFEE COMPANY.

The property is located at 3551 South Highway 75 between West Travis Street and West FM 1417 (Heritage Parkway).

Chris LaRocco, 4560 Beltline Road, Addison, TX
Mr. LaRocco explained, "The owner is requesting a Variance for the setback and Site Plan for Starbuck Coffee Company."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. LaRocco replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance and Site Plan.

ACTION TAKEN.

Board of Adjustment
Motion by Vice Chairman Downtain to approve the Variance located at 3551 South Highway 75 subject to the Staff Review letter. Second by Commission Member Davis.

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

Planning and Zoning Commission
Motion by Vice Chairman Downtain to approve the Site Plan located at 3551 South Highway 75 subject to the Staff Review letter. Second by Commission Member Davis

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

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

PUBLIC HEARING, VARIANCE – REAR SETBACK
2201 SIDNEY LANE
(DR HORTON, TEXAS, LTD)

PUBLIC HEARING AND VARIANCE
THE REQUEST OF DR HORTON, TEXAS, LTD (OWNER), DAVID BOOTH (REPRESENTATIVE), STRAND (DESIGN ENGINEER) AND CBG SURVEYING TEXAS, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2201 SIDNEY LANE, CONSISTING OF 0.1831 ACRES, BEING LOT 3, BLOCK 4 IN THE THREE OAKS ADDITION, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT

PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006 TO ALLOW AN 18'6" REAR SETBACK IN LIEU OF THE REQUIRED 20' FOR NEW RESIDENTIAL DEVELOPMENT.

The property is located at 2201 Sidney Lane between Alamo Road and South East Street.

David Booth, 4306 Miller Road, Rowlett, TX
Mr. Booth explained, "The owner is requesting a Variance for the rear setback for a new residential development. We came across 5 lots that had atypical paths. We meant to submit a Variance for all 5 lots but there was a mistake and only 2 lots were granted. Once the City of Sherman issued the permit the house was framed. The house has been sold but we have stopped construction until after the Variance request."

Chairman Mahone asked, "Will you meet the setback requirements for the property?"

Mr. Booth replied, "Yes."

Kirk Allen, 1313 West Washington Street, Sherman, TX
Mr. Allen explained, "I don't speak for each homeowner but as the President of the Homeowner Association there is no negative effect to anyone in the neighborhood."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Booth replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment
Motion by Commission Member Manley to approve the Variance located at 2201 Sidney Lane subject to the Staff Review letter. Second by Commission Member Sims.

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

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

PUBLIC HEARING, VARIANCE – REAR SETBACK 2209 SIDNEY LANE (DR HORTON, TEXAS, LTD)

PUBLIC HEARING AND VARIANCE
THE REQUEST OF DR HORTON, TEXAS, LTD (OWNER), DAVID BOOTH (REPRESENTATIVE), STRAND (DESIGN ENGINEER) AND CBG SURVEYING TEXAS, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2209 SIDNEY LANE, CONSISTING OF 0.1382 ACRES, BEING LOT 5, BLOCK 4

IN THE THREE OAKS ADDITION, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS: BOARD OF ADJUSTMENT
PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006 TO ALLOW A 10.01' REAR SETBACK IN LIEU OF THE REQUIRED 20' FOR NEW RESIDENTIAL DEVELOPMENT.

The property is located at 2209 Sidney Lane between Alamo Road and South East Street.

David Booth, 4306 Miller Road, Rowlett, TX
Mr. Booth explained, "The owner is requesting a Variance for the rear setback for a new residential development. This item is similar to the previous item. Fortunately, this house backs up to the street with trees on the property line. Once the fence is installed it should not be noticeable from the street."

Mr. Rae stated, "From the City's standpoint we should have caught this, but these are the same setbacks as the Patio Home Ordinance. Three Oaks Phase II received a Specific Use Permit for patio homes which caused a bit of confusion on our end."

Chairman Mahone asked Mr. Booth, "Are there houses built around this property?"

Mr. Booth replied, "There is a vacant lot on Lot 4 and a house under construction on Lot 6."

Chairman Mahone asked, "What is the setback on Lot 6?"

Mr. Booth replied, "Lot 6 honored the 20' rear setback."

Mr. Rae asked, "How will you address the backyard having limited room, full shade and a powerline?"

Mr. Booth replied, "The backyard is small, but it has been sold. We will have to get creative to ensure we save the trees along the fence."

Kirk Allen, 1313 West Washington Street, Sherman, TX
Mr. Allen explained, "The concerns that are noted are negligible. If you go to the site, you will notice no one drives down East Street. The powerline is a Verizon phone line which doesn't service anything anymore."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Booth replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment
Motion by Commission Member Davis to approve the Variance located at 2209 Sidney Lane subject to the Staff Review letter. Second by Commission Member Manley.

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

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

PUBLIC HEARING, VARIANCE – SIDE AND REAR SETBACK 2317 NORTH WOODS STREET (DAVID WITTLER)

PRELIMINARY PLAT, PUBLIC HEARING, ZONE CHANGE AND SITE PLAN
THE REQUEST OF DAVID WITTLER (OWNER) CONCERNING THE PROPERTY LOCATED AT 2317 NORTH WOODS STREET, CONSISTING OF 0.452 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS: BOARD OF ADJUSTMENT
PUBLIC HEARING AND VARIANCE UNDER SECTION 14.04.002(3) TO ALLOW A 3' SIDE SETBACK AND 3.5' REAR SETBACK IN LIEU OF THE REQUIRED 5' FOR AN ACCESSORY BUILDING.

The property is located at 2317 North Woods Street between West Alta Vista Street and West Pelton Street.

David Wittler, 2317 North Woods Street, Sherman, TX
Mr. Wittler explained, "I am requesting a Variance on the rear setback for an accessory building. The storage shed must have built in the 1970s when the house was built. One of the City inspectors came by and left a red tag due to working without a permit. I was unaware of needing one, but he walked me through the process and looked at the footprint. That is when I was informed that I would need to request a Variance for the setback."

Chairman Mahone asked, "What is the structure behind the shed?"

Mr. Wittler replied, "That used to be a pump house from the pool that was there. I ended up building a freestanding tree house for my young kids at the time."

Chairman Mahone asked, "What are the dimensions of the shed?"

Mr. Wittler replied, "It will be 20' x 13'."

Chairman Mahone asked, "Will the new shed be taller than the old shed?"

Mr. Wittler replied, "I will be 2' taller in the front but shorter in the back."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Wittler replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment
Motion by Vice Chairman Downtain to approve the Variance located at 2317 North Woods Street subject to the Staff Review letter. Second by Commission Member Manley.

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

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

PUBLIC HEARING, VARIANCE – SIDE, FRONT AND REAR SETBACK

SITEPLAN AND ZONE CHANGE – R-6 TO C-N

REPLAT – LITTLE STORE ADDITION

708 AND 722 SOUTH RUSK STREET (LUKE SCHEIBMEIR)

<u>PUBLIC HEARING, VARIANCE SITE PLAN, ZONE CHANGE AND REPLAT</u>
THE REQUEST OF LUKE SCHEIBMEIR (OWNER) CHRIS NOAH (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 708 AND 722 SOUTH RUSK STREET, CONSISTING OF 0.517 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING ALL OF LOTS 1, 2 & 3, BLOCK 1 OF POST OAK ADDITION, AS FOLLOWS:
BOARD OF ADJUSTMENT

A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.016 TO ALLOW A 2.2' SIDE SETBACK IN LIEU OF THE REQUIRED 25'; 6' FRONT SETBACK IN LIEU OF THE REQUIRED 25'; AND 16.4' REAR SETBACK IN LIEU OF THE REQUIRED 25' FOR THE EXISTING STRUCTURES.

PLANNING AND ZONING COMMISSION

B. PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT AND A C-1 (RETAIL BUSINESS) DISTRICT TO A C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT.
C. REPLAT OF LITTLE STORE ADDITION

The property is located at 708 and 722 South Rusk Street at the intersection of West Center Street and South Rusk Street.

<u>Chris Noah, 787 West FM 996, Pottsboro, TX</u>
Mr. Noah explained, "The owner is requesting a Variance to accommodate the existing building. The problem they face is not having off site parking. We are combining 3 lots into a single lot and will provide off street parking."

Chairman Mahone asked, "Are you adding screening for a dumpster?"

Mr. Noah replied, "Yes."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Noah replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance, Site Plan, Zone Change and Replat.

ACTION TAKEN.

Board of Adjustment
Motion by Vice Chairman Downtain to approve the Variance located at 708 and 722 South Rusk Street subject to the Staff Review letter. Second by Commission Member Davis.

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

Planning and Zoning Commission
Motion by Vice Chairman Downtain to approve the Site Plan, Zone Change and Replat located at 708 and 722 South Rusk Street subject to the Staff Review letter. Second by Commission Member Davis.

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

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

PUBLIC HEARING AND ZONE CHANGE – R-A TO R-5 2400-2500 BLOCKS SOUTH EAST STREET (CITY OF SHERMAN)

PUBLIC HEARING AND ZONE CHANGE
THE REQUEST OF CITY OF SHERMAN (OWNER), ROB RAE (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2400-2500 BLOCKS SOUTH EAST STREET, CONSISTING OF 26.598 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND ZONE CHANGE FROM AN R-A (RESIDENTIAL AGRICULTURAL) DISTRICT TO AN R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

The property is located in the 2400-2500 Blocks South East Street between South Travis Street and South First Street.

Rob Rae, 220 West Mulberry Street, Sherman, TX
Mr. Rae explained, "The owner is requesting a Zone Change from an R-A (Residential Agricultural) District to an R-5 (Single Family Residential) District. This property was annexed into the

City of Sherman on May 15, 2023. When a property is annexed into the City that property is zoned R-A once annexation is approved. City staff has been pursuing an opportunity to sell a portion of this piece of land for development purposes and to reserve a portion of it in the flood plain for a future park."

Marcus Abedia, 102 E Forest Avenue, Sherman, TX
Mr. Abedia repied, "What are the future plans for East Street? I understand there is an old bridge that was discontinued because of the shooting range. Can we reconnect the bride that is there?"

Chairman Mahone stated, "There will be some neighborhoods and it will help clean up that area."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Rae replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Manley to approve the Zone Change located in the 2400-2500 Blocks South East Street subject to the Staff Review letter. Second by Commission Member Davis.

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

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

PUBLIC HEARING AND ZONE CHANGE – R-A TO R-5 300-400 BLOCKS EAST SHERMAN STREET (KIRK ALLEN)

PUBLIC HEARING AND ZONE CHANGE
THE REQUEST OF KIRK ALLEN (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 300-400 BLOCKS EAST SHERMAN STREET, CONSISTING OF 25.08 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND ZONE CHANGE FROM R-A (RESIDENTIAL AGRICULTURAL) DISTRICT TO R-5 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

The property is located in the 300-400 Blocks East Sherman Street between South Travis Street and South First Street.

Kirk Allen, 1313 West Washington Street, Sherman, TX
Mr. Allen explained, "The owner is requesting a Zone Change from an R-A (Residential Agricultural) District to an R-5 (Single Family Residential) District. This property was annexed into the

City of Sherman on May 15, 2023. This will be a portion of our Phase 2,3 and later areas. There was an error on the acreage during the submittal, but it will be on the next agenda for Planning and Zoning."

Mr. Rae stated, "Just to clarify, Mr. Allen wanted to rezone a portion of the other phases to R-5 (Single Family Residential) District, but we did not get that in the legal posting."

Mr. Allen replied, "Correct, this will go all the way to East Sherman Street to the north."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Allen replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Planning and Zoning Commission
Motion by Vice Chairman Downtain to approve the Zone Change located in the 300-400 Blocks East Sherman Street subject to the Staff Review letter. Second by Commission Member Davis.

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

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

ADJOURNMENT
On Motion duly made and carried, the meeting adjourned at 6:45 p.m.

_____
CHAIRMAN

_____
ACTING SECRETARY

STATE OF TEXAS §

July 18, 2023

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustment of the City of Sherman, was begun and held on July 18, 2023.

MEMBERS PRESENT:	CHAIRMAN MAHONE COMMISSION MEMBERS: DAVIS, MANLEY, DOWNTAIN, SIMS AND WHITAKER
ALTERNATE:	NONE
MEMBERS ABSENT:	BLAGG
STAFF PRESENT:	ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES, KERRI TURNER, DEVELOPMENT SERVICES PLANNING TECHNICIAN, WAYNE LEE, DIRECTOR OF ENGINEERING AND LAUREN MARLOW, DEVELOPMENT SERVICES COORDINATOR
CITY ATTORNEY:	ALICESON COTTON

CALL TO ORDER

CALL TO ORDER
Chairman Mahone called the meeting to order at 5:00 p.m.

APPROVE MINUTES

APPROVE MINUTES
The Planning and Zoning Commission reviewed the minutes of the May 16, 2023, Regular Meeting and June 13, 2023, Special Called Meeting. Motion by Vice Chairman Downtain to approve the Minutes as written. Second by Commission Member Sims. All present voted AYE.
MOTION CARRIED.

ANNOUNCEMENTS

ANNOUNCEMENTS
There were no announcements.

CITIZEN COMMENTS

CITIZEN COMMENTS
Peter Tracy, 705 Valentine Drive, Sherman, TX 75090
Mr. Tracy stated, "After your Agenda item is presented and the Planning and Zoning Commission has voted if you could please exit the Council Chambers quietly and orderly."

CONSENT AGENDA (ITEMS 6, 7, 8, 9, 10, 11, 12, 13, 14 AND 15)

CONSENT AGENDA
Consent Agenda items are considered routine and non-controversial items.

The Commission reviewed the Consent Agenda. Vice Chairman Downtain moved to approve Items 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 on the Consent Agenda as presented subject to the Staff Review Letter. Second by Commission Member Davis. All present voted AYE.

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

SITE PLAN– CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN CENTRE AL, LLC (OWNER), MARISA KOLMAN, GREENBERG FARROW (REPRESENTATIVE) AND SPOONER & ASSOCIATES (LAND SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2773 NORTH HIGHWAY 75, CONSISTING OF 1.09 ACRES, BEING ALL OF LOT 5A, TEXOMA CROSSING ADDITION AND CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN FOR A COOLER ADDITION

SITE PLAN – COOLER ADDITION
2773 NORTH HIGHWAY 75
(SHERMAN CENTRE AL, LLC)

The property is located at 2773 North Highway 75 near the intersection of East Lamberth Road and East Highway 82. The owner is requesting Site Plan approval for a cooler addition. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF KEVIN AND JULIA WOODS AND SHU FEEI WANG (OWNERS), KEVIN WOODS (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 100 JIM LAMB ROAD, CONSISTING OF 6.500 ACRES, BEING IN THE GARRETT PANGBURN SURVEY, ABSTRACT NO. 945 ALSO BEING LOT 1, NEU ADDITION, AND IS CURRENTLY LOCATED IN THE ETJ (EXTRA TERRITORIAL JURISDICTION), AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT OF NEU ADDITION, LOT 1R

REPLAT –
NEU ADDITION, LOT 1R
100 JIM LAMB ROAD
(KEVIN AND JULIA WOODS AND SHU FEEI WANG)

The property is located at 100 Jim Lamb Road between Whitney Road and Calf Creek Lane and is located in the ETJ (Extra Territorial Jurisdiction). The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF JOSE MENJIVAR (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 50 HIGH COUNTRY ROAD, CONSISTING OF 2.255 ACRES, BEING IN THE ALFRED HUME SURVEY, ABSTRACT NO. 522, AND IS CURRENTLY LOCATED IN THE ETJ (EXTRA TERRITORIAL JURISDICTION), AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT OF MENJIVAR HIGH COUNTRY ADDITION, LOT 1, BLOCK A

FINAL PLAT –
MENJIVAR HIGH COUNTRY ADDITION, LOT 1, BLOCK A
50 HIGH COUNTRY ROAD
(JOSE MENJIVAR)

The property is located at 50 High Country Road between Plainview Road and Mountain Climb Road and is located in the ETJ (Extra Territorial Jurisdiction). The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM
THE REQUEST OF JAMES AND VICKI FRANCIS (OWNER), DONNIE PAYETTE, DREAM BUILDERS (DEVELOPER) AND COX LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3786 GIBBONS ROAD, CONSISTING OF 10.732 ACRES, BEING IN THE GEORGE W. LAVALLA SURVEY, ABSTRACT NO. 722, AND IS CURRENTLY LOCATED IN THE ETJ (EXTRA TERRITORIAL JURISDICTION), AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT OF PAYETTE ADDITION, BLOCK 1, LOT 1 AND 2

PRELIMINARY PLAT – PAYETTE ADDITION, BLOCK 1, LOT 1 AND 2 3786 GIBBONS ROAD (JAMES AND VICKI FRANCIS)

The property is located at 3786 Gibbons Road near the intersection of Gibbons Road and Cundiff Drive and located in the ETJ (Extra Territorial Jurisdiction). The property owner would like to plat the property into two lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF STONEHOLLOW HOMES (OWNER) AND SPIARS ENGINEERING INC. (CIVIL ENGINEER/SURVEYOR) FOR THE PROPERTY IN THE 200 BLOCK SOUTH FM 1417 (HERITAGE PARKWAY), CONSISTING OF 31.687 ACRES IN THE E. JONES SURVEY, ABSTRACT NO. 625, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT/ F.M. 1417 OVERLAY DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT OF ESTATES AT BAKER PARK, PHASE 1

FINAL PLAT – ESTATES AT BAKER PARK, PHASE 1 200 BLOCK SOUTH FM 1417 (HERITAGE PARKWAY) (STONEHOLLOW HOMES)

The property is located in the 200 Block South FM 1417 (Heritage Parkway) between West Houston Street and West Center Street. The owner would like to plat the property into 79 lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF TBJB1, LLC (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) FOR THE PROPERTY

FINAL PLAT – WILLOW BRANCH

IN THE 3000 BLOCK NORTH HICKORY STREET CONSISTING OF 2.197 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT OF WILLOW BRANCH SUBDIVISION, PHASE 1

SUBDIVISION, PHASE 1
3000 BLOCK NORTH HICKORY STREET
(TBJB1, LLC)

The property is located in the 3000 Block North Hickory Street between West McLain Drive and West Highway 82. The owner would like to plat the property into 14 lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN ECONOMIC DEVELOPMENT CORPORATION, KENT SHARP (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) FOR THE PROPERTY IN THE 5000 BLOCK HOWE DRIVE CONSISTING OF 6.00 ACRES, BEING IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, AND CURRENTLY ZONED BLALOCK INDUSTRIAL PARK PD (PLANNED DEVELOPMENT) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT OF HOWE SUBSTATION ADDITION

FINAL PLAT – HOWE SUBSTATION ADDITION
5000 BLOCK HOWE DRIVE
(SHERMAN ECONOMIC DEVELOPMENT CORPORATION, KENT SHARP)

The property is located in the 5000 Block Howe Drive between Flanary Road and Howe Drive. The owner would like to plat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF SHERMAN PAGI, LLC (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) FOR THE PROPERTY IN THE 1800-1804 BLOCKS NORTH HIGHWAY 75, CONSISTING OF 2.289 ACRES BEING IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING A PART OF LOT 1 OF THE JAMES PLAZA ADDITION, AND CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT/SAM RAYBURN OVERLAY AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT OF TAYLOR CROSSING ADDITION

PRELIMINARY PLAT – TAYLOR CROSSING ADDITION
1800-1804 BLOCKS NORTH HIGHWAY 75
(SHERMAN PAGI, LLC)

The property is located in the 1800-1804 Blocks North Highway 75 at the corner of East Taylor Street and North Highway 75. The property owner would like to plat the property into three lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – VEIN CENTER OF NORTH TEXAS ADDITION 1325 NORTH TRAVIS STREET (VEIN CENTER OF NORTH TEXAS PROPERTIES, LLC)

FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF VEIN CENTER OF NORTH TEXAS PROPERTIES, LLC (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1325 NORTH TRAVIS STREET, CONSISTING OF 0.626 ACRES, BEING IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED C-O (OFFICE) DISTRICT/SAM RAYBURN OVERLAY AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT OF VEIN CENTER OF NORTH TEXAS ADDITION

The property is located at 1325 North Travis Street at the intersection of West Belden Street and North Travis Street. The property owner would like to plat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – EARNHARTBUILT'S 14TH 419 SOUTH MONTGOMERY STREET (JASON EARNHART, EARNHARTBUILT, LLC)

FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF JASON EARNHART, EARNHARTBUILT, LLC (OWNER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 419 SOUTH MONTGOMERY STREET, CONSISTING OF 0.131 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT OF EARNHARTBUILT'S 14TH

The property is located at 419 South Montgomery Street between East Cherry Street and East Magnolia Street. The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PUBLIC HEARING, SITE PLAN AND ZONE CHANGE – R-6 TO C-1 2500 BLOCK WEST LAMBERTH ROAD (JENNIFER SMITH)

PUBLIC HEARING, SITE PLAN AND ZONE CHANGE
THE REQUEST OF JENNIFER SMITH (OWNER), NORTHGATE VILLAS, LLC, GOURI RAJ JOSHI (PROSPECTIVE BUYER), PRABIN KC (REPRESENTATIVE) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2500 BLOCK WEST LAMBERTH ROAD, CONSISTING OF 1.428 ACRES, BEING A PART OF ELIJAH HARTZOG SURVEY, ABSTRACT NO. 540, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A C-1 (RETAIL BUSINESS) DISTRICT.

The property is located in the 2500 Block West Lamberth Road at the intersection of East Lamberth Road and Shady Oaks Lane.

Mr. Rae stated, "I was informed the applicant would not be in attendance, but the prospective buyer would be here to present this item."

Chairman Mahone stated to Ms. Cotton, "With no one here to represent this item I'd like to consider this based on the evidence in the packet."

Ms. Cotton replied, "There is no legal reason not to."

Chairman Mahone stated, "Based on this item we have 109 opposition emails, a petition and no one here to represent. The Staff comments do not recommend the approval of the Zone Change as it is not consistent with the City's Comprehensive Plan."

Richard Stokes, 3409 Montclaire Drive, Sherman, TX
Mr. Stokes stated, "The largest investments for people are their homes and to move a gas station into a residential area we ask that you vote the same as if it were next to you."

Carol Onufrak, 2407 Remuda Drive, Sherman, TX
Ms. Onufrak explained, "The proposed site for this gas station is less than half a mile from 3 gas stations on the corner of FM 1417 (Heritage Parkway). If the gas station was to go there you will have traffic up and down Lamberth Road 24 hours a day. Will our roads be able to handle the gas trucks coming up and down the roads?"

David Wilson, 2506 Shady Oak Lane, Sherman, TX
Mr. Wilson explained, "You have a Comprehensive Plan in writing with 4 goals a couple of those being long-term neighborhood integrity and development patterns supporting existing residents which you've honored. A stone's throw from the Shady Oak Lane and Lamberth Road intersection is commercial buildings, food and several gas stations. The City of Sherman has done a good job adhering to it Comprehensive Plan. We ask that you honor the staff decision and deny the applicant their Zone Change."

Bill Catalane, 2518 Remuda Drive, Sherman, TX
Mr. Catalane explained, "There is no need for another gas station. We have 4 gas stations within seven tenths of a mile from my house. The potential negative impact on home value is a concern for all of us as well. I have a special needs son who rides his electric bike to Walmart everyday and the last thing I want is the excessive traffic to cause a problem."

The following opposition emails and letters have been received for 2500 Block West Lamberth Road Zone Change request:

ITEM #27

Marlow, Lauren

From: Planning
Subject: RE: Land at intersection of Shady Oaks and West Lamberth-Protest

From: Jerry Jones
Sent: Wednesday, July 5, 2023 3:34 PM
To: Planning
Subject: Land at intersection of Shady Oaks and West Lamberth-Protest

I would like to protest the changing of this land from from R-6(Single Family Residential) to C-1 (Retail Business). This type of business would create too much traffic in this area. I have lived in this area since 1978. THE PROJECT NUMBER 23 003776.

JERRY L. JONES
903 815 9071
3332 Carriage Circle
Sherman, Texas 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Karla Graham
Subject: RE:

From: Karla Graham
Sent: Wednesday, July 5, 2023 4:29 PM
To: Planning
Subject:

Bruce and Karla Graham object to changing the residential status to commercial in order to allow a gas station to be built.
The Grahams who own 2300 and 2320 Shady Oaks will be speaking on July 18th to the commision where our concerns will be presented.
.It is our hope that the P & Z will uphold the restrictions and guidelines for our established neighborhood. Prior objections to adding commercial zoning
in this area have been upheld as residential .

Our request is that the P&Z uphold the standards put in place and uphold the integrity of this established neighborhood.

Thank you for your consideration of this very personal matter to us.

Marlow, Lauren

From: Planning
To: Linda Dixon
Subject: RE: Proposed Zoning Change - Lamberth and Shady Oaks Lane

From: Linda Dixon
Sent: Wednesday, July 5, 2023 5:15 PM
To: Planning
Subject: Proposed Zoning Change - Lamberth and Shady Oaks Lane

There is a proposal for a zoning change at the corner of Lamberth and Shady Oaks Lane in Sherman which I have heard is a proposed gas station.

I live at the corner of Shady Oaks Lane and Carriage Circle which is approximately 500 feet or so from the proposed intersection. This is a TERRIBLE idea for this location as this is a residential neighborhood with limited traffic accessibility.

Shady Oaks Lane is barely above a 1 lane street between Lamberth and Carriage Circle with approximately 10 homes that would be highly impacted by any additional traffic.

Lamberth Road between Shady Oaks Lane where it circles back to Hwy 82 is a narrow "country road" which is adequate for residential traffic but it would be disastrous for fuel trucks and the additional traffic that might be encouraged by a gas station.

The proposal of a commercial location at the intersection of 2 inadequate streets is begging for problems. Not to mention that a commercial property in the middle of a residential area is not an appropriate use of land and is why we have zoning regulations in place.

I urge you to vote against this zoning change to turn residential property into commercial/retail property. This is not the appropriate location for any type of commercial business that would generate ANY additional traffic in this area.

Linda Dixon Gross
2608 Shady Oaks Lane

Marlow, Lauren

From: Planning
To: Donna Badger
Subject: RE: zoning

From: Donna Badger
Sent: Wednesday, July 5, 2023 5:39 PM
To: Planning
Cc: ICE (Roy)
Subject: zoning

There is a proposal for a zoning change at the corner of Lamberth and Shady Oaks Lane in Sherman which I have heard is a proposed gas station.

I live on Remuda Drive approximately 500 feet or so from the proposed intersection. This is a TERRIBLE idea for this location as this is a residential neighborhood with limited traffic accessibility.

Shady Oaks Lane is barely above a 1 lane street between Lamberth and Carriage Circle with approximately 10 homes that would be highly impacted by any additional traffic.

Lamberth Road between Shady Oaks Lane where it circles back to Hwy 82 is a narrow "country road" which is adequate for residential traffic but it would be disastrous for fuel trucks and the additional traffic that might be encouraged by a gas station.

The proposal of a commercial location at the intersection of 2 inadequate streets is begging for problems. Not to mention that a commercial property in the middle of a residential area is not an appropriate use of land and is why we have zoning regulations in place.

I urge you to vote against this zoning change to turn residential property into commercial/retail property. This is not the appropriate location for any type of commercial business that would generate ANY additional traffic in this area.

Donna Badger

2416 Remuda Drive

ITEM #27

Marlow, Lauren

From: Planning
To: Donn Gaddis
Subject: RE: Northgate Villas,LLC rezoning request

From: Donn Gaddis
Sent: Wednesday, July 5, 2023 10:12 PM
To: Planning
Subject: Northgate Villas,LLC rezoning request

I am a property owner of 3114 W Lamberth Rd, Sherman, Texas. I am steadfastly against the rezoning to C-1 (Retail Business) of the 1.428 ac lot which is part of Elijah Hartzog Survey, Abstract No. 540. This property is currently zoned as R-6 (Single Family Residential).
All other properties adjacent to and in close proximity are zoned R-6. I bought my property and relocated myself and my spouse to Sherman because this location is surrounded by like properties and has been for a number of years. The intrusion of a commercial property into this peaceful housing area will not benefit any area resident in any foreseeable way.

Thank you,
Donn Gaddis

ITEM #27

Marlow, Lauren

From: Planning
To: Symantha Murray
Subject: RE: Objections

From: Symantha Murray
Sent: Thursday, July 6, 2023 11:50 AM
To: Planning
Subject: Objections

We have plenty of retail gas establishments on that side of town. We don't need another station at corner of Lamberth and Shady Oaks.

Sent from my iPhone

ITEM #27

Marlow, Lauren

From: Planning
To: Stacee Ruiz Sloan
Subject: RE: Opposing zoning change at Lamberth/Shady Oaks

From: Stacee Ruiz Sloan
Sent: Thursday, July 6, 2023 11:53 AM
To: Planning Subject: Opposing zoning change at Lamberth/Shady Oaks

I am a home owner at 2404 Remuda and oppose the zoning change. I plan to be in attendance with our neighbors at the July 18th meeting to oppose in person.

Stacee Caskey
Sent from my iPhone

ITEM #27

Marlow, Lauren

From: Planning
To: Shaun McBride
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oak's

From: Shaun McBride
Sent: Thursday, July 6, 2023 12:29 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oak's

To whom it may concern,

I hope this email finds you in good health. I am writing to express my strong opposition to the proposed zone change that would allow the construction of a fuel station near our beloved neighborhood. As a concerned resident, I believe it is crucial to prioritize the tranquility and safety of our community, especially considering the well-being of our children.

One of the primary concerns we have is the potential increase in traffic that a gas station would bring to our neighborhood. Currently, our streets enjoy a peaceful ambiance, with children playing and families strolling without fear or disruption. The addition of a fuel station would undoubtedly introduce a significant volume of traffic, including large vehicles, which could pose a serious threat to the safety of our community members, particularly our children who often play near the streets.

Excess traffic in our neighborhood would not only jeopardize the safety of pedestrians but also increase the likelihood of accidents and congestion on our already limited roads. The increased noise pollution, vehicle emissions, and the general disturbance caused by a busy fuel station would disrupt the tranquil environment we have carefully nurtured in our neighborhood.

Moreover, the presence of a fuel station may attract unwanted activities and individuals who might disrupt the peace and security we value. We strive to maintain a close-knit, family-oriented community, and introducing a gas station could compromise this safe and tight-knit atmosphere we have cultivated over the years.

I urge you to take into account the concerns and wishes of the residents who have invested time and effort in fostering a serene and secure environment for our neighborhood. Please reconsider the proposed zone change and explore alternative locations that will not compromise the tranquility and safety we hold dear.

Thank you for your attention to this matter, and I trust that you will make a decision that prioritizes the well-being and interests of our community.

Sincerely,

Shaun McBride

Marlow, Lauren

From: Planning
To: Simon Keizer
Subject: RE: Opposing Zoning change at Lamberth/Shady Oaks

From: Simon Keizer
Sent: Thursday, July 6, 2023 12:39 PM
To: Planning
Subject: Opposing Zoning change at Lamberth/Shady Oaks

Good afternoon,
We are expressing our extreme concern regarding the zoning change at Lamberth/Shady Oaks intersection. We have four children and our neighborhood proximity to this intersection seems like an unusual place to put a four one gas station and/or similar retail. Please know that between the traffic and tranquility of all the residential neighborhoods in proximity of that corner will be dramatically impacted.

As citizens and taxpayers, it is vital that our voice is heard and "we the people" strongly oppose this notion.

We would vehemently ask that you reconsider such a poor decisions that will have generationally negative impact for our neighborhood's safety (lots of younger kids), and the property values (that will negatively impact the economic implications) therein.

Please feel free to reach out to me with any further questions as I am happy to be a part of the protest against this move.

Thank you for allowing me to express our concerns.

Simon Keizer

ITEM #27

Marlow, Lauren

From: Planning
To: Jim Caskey
Subject: RE: Opposition to gas station at corner of W. Lamberth and Shady Oaks

From: Jim Caskey
Sent: Thursday, July 6, 2023 2:30 PM
To: Planning
Subject: Opposition to gas station at corner of W. Lamberth and Shady Oaks

Dear Committee members,

I live around the corner from the lot that is being requested for a zoning change. When we purchased our home, we never thought that a lot in our neighborhood zoned for residential could be rezoned for commercial retail. All of the neighbors in this area have invested hundreds of thousands of dollars per household. We don't want to see that devalued by a gas station in the midst of our neighborhood. What is the point of another gas/convenience store? Less than a mile away from the lot in question there are three at the corner of Lamberth and 1417.

I would suggest that the people that are requesting the zoning change do not live anywhere near the lot in question. I would also be willing to bet they don't live in Grayson county.

Please do not allow this zoning change to occur. It's not fair to the neighborhood and only serves the people that want to purchase the property at residential rates and then convert it to commercial to turn a larger profit.

Jim L Caskey DDS, MS

ITEM #27

Marlow, Lauren

From: Planning
To: Terry Kluesner
Subject: RE: Project #23-003776

From: Terry Kluesner
Sent: Thursday, July 6, 2023 3:06 PM
To: Planning
Subject: Project #23-003776

To whom it may concern,
Please accept this email as my opposition to the above project and the related zoning change request. All of the surrounding area is residential and changing this property to retail is inappropriate and would be disruptive. The intersection of Lamberth and Shady Oaks is not an appropriate place to accept retail activity. Feel free to contact me if you have any questions.
Sincerely
Terrence L. Kluesner
2502 Remuda Drive
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Tammie Parkes
Subject: RE: Gas station proposal

From: Tammie Parkes
Sent: Thursday, July 6, 2023 3:07 PM
To: Planning
Subject: Gas station proposal

I object to the proposed gas station on lamberts and shady oaks. I live on Norwood st and am concerned for my safety. Environmental and crime

Tammie parkes

ITEM #27

Marlow, Lauren

From: Planning
To: Tammy Thompson
Subject: RE: Shady oaks

From: Tammy Thompson
Sent: Thursday, July 6, 2023 3:19 PM
To: Planning Subject: Shady oaks

I object to a gas station being built here.
Sent from my iPhone

ITEM #27

Marlow, Lauren

From: Planning
To: Christi Ellis
Subject: RE: Proposed Zone Change in the 2500 Block of West Lamberth Road

From: Christi Ellis
Sent: Thursday, July 6, 2023 3:42 PM
To: Planning
Subject: Proposed Zone Change in the 2500 Block of West Lamberth Road

I live at 3102 Overland Trail, in very close proximity to the proposed zoning change in the 2500 Block of West Lamberth Road. I am against this zoning change. This is a residential area where children play and ride their bikes and skateboards. People jog and run, and senior citizens walk these roads with a large measured degree of safety.

Less than one half of a mile from this proposed zoning change location, at the intersection of Lamberth Road and F.M. 1417, there are currently three other gas stations/convenience stores. These existing stores, along F.M. 1417, are more than sufficient to provide for the needs of the area. Approving this zoning change request serves no purpose, and will bring only negatives to the neighborhood – undesirable traffic, noise, light pollution, and security issues. It would create undue chaos without serving any kind of purpose or need of the community. There is sufficient property along F.M. 1417 for a business to build a gas station/convenience store that will not adversely affect the residential areas already established in this area. Please keep our neighborhoods quiet and safe, and consistent with the plan for this area, and deny the request to change the zoning.

Christi Ellis
3102 Overland Trail
Sherman, Texas 75092

ITEM #27

Marlow, Lauren

From: Planning
Subject: RE: Proposed Zone Change 2500 Block West Lamberth Road

From:
Sent: Thursday, July 6, 2023 3:47 PM
To: Planning
Subject: Proposed Zone Change 2500 Block West Lamberth Road

My name is Gary Bringman and I live in O'Hanlon Ranch, very close to the proposed zone change located at the 2500 Block of West Lamberth Road. We are against the proposed zone change. This is a neighborhood of children, adults, and senior citizens. Children ride their bicycles and skateboards in this area, and adults and seniors walk routinely in the neighborhood. Having yet another gas station/convenience store serves no purpose as we already have three others located near the intersection of Lamberth Road and F.M. 1417. The proposed owners of this property at 2500 Block West Lamberth Road have plenty of other reasonable opportunities to build such a business along F.M. 1417, which are away from established neighborhoods. Bringing a business such as this will create traffic problems, nuisance problems, and security problems. It will only hurt the community around it, including the residences and church.

If you would like to do something that would enhance this general area and community, go forward with the plans to cut through the median on Lamberth Road at Remuda, which would allow for a simple left-hand turn from Remuda onto Lamberth Road heading East.

Gary J. Bringman
3102 Overland Trail
Sherman, Texas 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Emerson Smith
Subject: RE: Zonning of corner of Shady Oaks &Lamberth:

From: Emerson Smith
Sent: Thursday, July 6, 2023 4:10 PM
To: Planning
Subject: Zonning of corner of Shady Oaks &Lamberth:

A retail business should not be allowed in the middle of a beautiful residential area. Zoning should protect a neighborhood from commercial business. Please prevent a filling station from being built on the corner Shady Oaks and Lamberth, and lets keep residential areas just that----Residential. Thank you,Alice Smith 2117 Shady Oakd

ITEM #27

Marlow, Lauren

From:	Planning
To:	David Sims
Subject:	RE: Zoning Sign on the South West Corner of Lamberth and Shady Oaks to Change from Residential to Retail

From: David Sims
Sent: Thursday, July 6, 2023 4:17 PM
To: Planning
Subject: Zoning Sign on the South West Corner of Lamberth and Shady Oaks to Change from Residential to Retail

Dear City Leaders,

We(David & Natalie Sims) object to the proposed zoning change on the south west corner of Lamberth and Shady Oaks changing this land from residential to retail. We have plenty of retail on Hwy 1417 to serve our area and this is not necessary. We would not use retail at this location. Also, we fully believe this location(south west corner of Lamberth and Shady Oaks) is better suited as residential and not retail. Please reject this proposed change.

Regards,
David & Natalie Sims
1706 Norwood St.
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Kay Herrmann
Subject: RE: Notice of zoning change

From: Kay Herrmann
Sent: Thursday, July 6, 2023 7:15 PM
To: Planning
Subject: Notice of zoning change

I have noticed a sign about a zoning change near where I live. I heard that someone wants to put a gas station in the area of Lamberth and Shady Oaks. I know they are having a meeting about this and am letting you know that my husband and I will be out of town and can't attend. We are very much against anyone putting a gas station in our area. We already have three near us.

Sincerely, Tom and Kay Herrmann
3418 Montclaire Dr.

ITEM #27

Marlow, Lauren

From: Planning
To: Priscilla Key
Subject: RE: Change residential R-6 to a C-1 retail in my neighborhood

From: Priscilla Key
Sent: Thursday, July 6, 2023 7:53 PM
To: Planning
Subject: Change residential R-6 to a C-1 retail in my neighborhood

Planning and zoning board;

My name is Priscilla Key. I am the home owner at 2403 Remuda Drive in Sherman TX 75092. I have received notice that a request has been Made to change my residential neighbor to a retail business zoning. I can'e express how strongly I object to this proposal. They can put that gas station on Hwy. 1417 but not in my neighborhood. Our property values would go down and the traffic would greatly increase on Lambreth Rd. I live on the corner of Lambreth and Remuda and I have to deal with enough traffic at all times of the night and day has it is with you agreeing to allow that gas station. It would not be consistant with the neighbor and would greatly at to the noise in this area. We have a lot of money invested in our homes and it would not be right for us to take that hit just because someone wants to disrupt our neighborhood in this way. Please, please don't change the zoning and allow that gas station/convenience store to be built. I am also very concerned about the safety that would be affected if you change the zoning. Added traffic, people coming and going at all hours of the night. This is a nice neighborhood now. Changing the zoning would ruin that for us. This is NOT a good thing. Our needs as a neighborhood should strongly weigh the wants of that company. Please don't destroy our neighborhood.

Thank you very much for your attention.

Priscilla Key
2403 Remuda Drive Sherman TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: billc allpropkg.com
Subject: RE: Opposing Zoning Change at Lambert/Shady Oaks

From: billc allpropkg.com
Sent: Friday, July 7, 2023 8:03 AM
To: Planning
Subject: Opposing Zoning Change at Lambert/Shady Oaks

Zoning Commission,

I reside at 2518 Remuda Dr and am opposing this zoning change.
Not only is it not needed as there are 4 gas stations within a ½ mile of my neighborhood but it will absolutely detract from our quality of life.
Excessive traffic, home devaluation, and a potential magnet for increased crime are just a few reasons to reject this zoning change.
Please do the right thing by rejecting it.

Thank you,

Bill Catalane

ITEM #27

Marlow, Lauren

From: Planning
To: Roy Carr
Subject: RE: zoning

From: Roy Carr
Sent: Friday, July 7, 2023 10:58 AM
To: Planning
Cc: donna; roy Carr
Subject: zoning

There is a proposal for a zoning change at the corner of Lamberth and Shady Oaks Lane in Sherman which I have heard is a proposed gas station.

I live on Remuda Drive approximately 500 feet or so from the proposed intersection. This is a TERRIBLE idea for this location as this is a residential neighborhood with limited traffic accessibility.

Shady Oaks Lane is barely above a 1 lane street between Lamberth and Carriage Circle with approximately 10 homes that would be highly impacted by any additional traffic.

Lamberth Road between Shady Oaks Lane where it circles back to Hwy 82 is a narrow "country road" which is adequate for residential traffic but it would be disastrous for fuel trucks and the additional traffic that might be encouraged by a gas station.
The proposal of a commercial location at the intersection of 2 inadequate streets is begging for problems. Not to mention that a commercial property in the middle of a residential area is not an appropriate use of land and is why we have zoning regulations in place. Given that there are five gas stations/convenience stores (Walmart, Valero, Gulf and VP Racing along with Dollar General) all within less than a mile, I don't see where we need another gas station!

If you drive west on Lamberth from FM1417, when you pas the church and the Edward Jones/Sparklight building it is clearly all residential from that point west
I urge you to vote against this zoning change to turn residential property into commercial/retail property. This is not the appropriate location for any type of commercial business that would generate ANY additional traffic in this area.

Roy Carr
2416 Remuda Dr
Sherman TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Gwen Walker
Subject: RE: OPPOSING Zoning Change at Lamberth/Shady Oaks

From: Gwen Walker
Sent: Friday, July 7, 2023 3:32 PM
To: Planning
Subject: OPPOSING Zoning Change at Lamberth/Shady Oaks

To Whom It May Concern:
I am writing to express my concerns about the proposed zoning change of the property located in the 2500 Block of West Lamberth. The request is being made to change this area from Single Family Residential to Retail Business District.

The tranquility of our neighborhood will be drastically changed if this zoning change goes through. By having a gas station/convenience store on the corner of Lamberth and Shady Oaks, traffic in the area will increase significantly. The roads in this area are not wide enough nor strong enough to handle the excessive weight of semi trucks. The homes closest to the proposed station will also be dealing with the extra lighting that will be required of such a business. I also feel that such a change will have a very negative effect on our property values.

Please look at the big picture. People didn't move to this area of Sherman to be surrounded by a gas station or convenience store. We moved to this area because it is peaceful and set back from the busyness that is moving into Sherman.

Thank you for your consideration.

Gwen Walker
1702 Norwood
Sherman, TX

ITEM #27

Marlow, Lauren

From: Planning
To: Chris Brewer
Subject: RE: zoning change 2500 block of Lamberth Rd.

From: Chris Brewer
Sent: Friday, July 7, 2023 4:05 PM
To: Planning
Subject: zoning change 2500 block of Lamberth Rd.

Attention:

I would like to comment on the proposed zoning change. Most of the time people oppose these changes for not necessarily good reasons. I understand a gas station will be the use for the land. There 4 gas stations close by on hwy 1417. Lamberth is a residential street primarily and additional traffic will cause a problem, especially in light of the city not having any plans to complete the plans for Lamberth in the near future. With the development further west and and the congestion already at the intersection, a gas station will add to the problem significantly.

Thanks for your consideration.

Chris Brewer
2305 Carriage Estates Rd, corner of Lamberth and Carriages Estates.

ITEM #27

Marlow, Lauren

From: Planning
To: Rex W
Subject: RE: OPPOSING Zoning Change at Lamberth/Shady Oaks

From: Rex W
Sent: Friday, July 7, 2023 4:24 PM
To: Planning
Subject: OPPOSING Zoning Change at Lamberth/Shady Oaks

To Whom It May Concern:

I am writing to express my concerns and opposition to the proposed zoning change of the property located in the 2500 Block of West Lamberth. The request is being made to change this area from Single Family Residential to Retail Business District.

The tranquility of our neighborhood will be drastically changed if this zoning change goes through. By having a gas station/convenience store on the corner of Lamberth and Shady Oaks, traffic in the area will increase significantly. The roads in this area are not wide enough nor strong enough to handle the excessive weight of semi-trucks. The homes closest to the proposed station will also be dealing with the extra lighting that will be required of such a business. I also feel that such a change will have a very negative effect on our property values.

Please look at the big picture. People didn't move to this area of Sherman to be surrounded by a gas station or convenience store. We moved to this area because it is peaceful and set back from the busyness that is moving into Sherman.

Thank you for your consideration.

Rex Walker
1702 Norwood
Sherman, TX

ITEM #27

Marlow, Lauren

From: Planning
To: Michael Coulter
Subject: RE: Opinion About Rezoning Lamberth St. For Gas Station

From: Michael Coulter
Sent: Friday, July 7, 2023 5:37 PM
To: Planning
Subject: Opinion About Rezoning Lamberth St. For Gas Station

Please reconsider re-zoning this lot. We do not need four gas stations within a couple of blocks in the middle of residential areas.

ITEM #27

Marlow, Lauren

From: Planning
To: DeLisa Catalane
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: DeLisa Catalane
Sent: Friday, July 7, 2023 7:28 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

Zoning Commission Decision Makers,

I reside in O'Hanlon Ranch at 2518 Remuda Drive. I oppose the zoning change for multiple reasons, the first being home devaluation, crime escalation, huge increase in traffic in a residential setting that is not conducive for this increase, and children's safety.

Please reject the re-zoning.

Sincerely,
DeLisa Catalane

ITEM #27

Marlow, Lauren

From: Planning
To: Penny Gaddis
Subject: RE: Zoning change

From: Penny Gaddis
Sent: Friday, July 7, 2023 8:35 PM
To: Planning
Subject: Zoning change

Planning and Zoning Commission,

As a property owner three lots down, at 3114 West Lamberth, from this proposed zoning change, I would like to state my opposition to any change in zoning. The area is beautiful with residential homes and a commercial endeavor isolated in the middle of these neighborhoods wouldn't fit in. There are nice lawns and landscaping all around that parcel.

It seems a shame that the original zoning be challenged as it has resulted in a nice neighborhood. Please consider that there is not a need for another blacktop parking lot when 1417 has many commercial properties along that expanding road.

There would be more traffic brought into that already awkward intersection along Shady Oaks and Lamberth. The road narrows just short of there possibly causing congestion.

Also, there would be a negative effect on the existing home's property values if a commercial lot were established right smack in the middle of a residential area.

Thank you for your consideration in this matter.
Penny Gaddis

ITEM #27

Marlow, Lauren

From: Planning
To: Dyann Clay
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Dyann Clay
Sent: Saturday, July 8, 2023 10:41 AM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

My name is Dyann Clay and I live on the property next to the proposed zoning change at the above mentioned site. The possibility of a 4 lane gas station going in next to our property is devastating. We moved to this area to retire and enjoy the tranquility of the neighborhood. Any given day you will find people out walking on the streets in this area. Heavy traffic and safety of pedestrians are a major concern. The bright lights, the trash, the negative impact of heavy traffic in our community, the semi trucks that would be bringing deliveries destroying the roads are a big problem. Our roads are narrow and thin and would never hold up to the weight of these trucks. Our property values are likely to go down, the noise, safety of our children, the peace and tranquility of our neighborhood and the impact on our environment are all serious concerns I have and know my concerns are shared by the majority of the residents in this neighborhood. I urge you to disapprove this proposed rezoning.
Please support our neighborhood and thank you for your service.
Dyann Clay

ITEM #27

Marlow, Lauren

From: Planning
To: chetteel64@gmail.com
Subject: RE: Proposed zoning change,

From: chetteel64@gmail.com
Sent: Saturday, July 8, 2023 12:41 PM
To: Planning
Subject: Proposed zoning change,

My name is Chet Teel and I live at 1800 Norwood St. In the Carriage Estates addition.
I write this e-mail to express my strong opposition to the building gas station on the corner of Lamberth Rd. and Shady Oaks near this residential neighborhood!
Sincerely Chester L. Teel

ITEM #27

Marlow, Lauren

From: Planning
To: Richard Spring
Cc: Judi Spring; Pat Brookman
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks.

From: Richard Spring
Sent: Saturday, July 8, 2023 12:55 PM
To: Planning
Cc: Judi Spring; Pat Brookman
Subject: Opposing Zoning Change at Lamberth/Shady Oaks.

I am a residential property owner at 1617 Carriage Estates Rd., Sherman, TX 75092. I oppose the Zoning Change for the lot on the Southwest corner of West Lamberth and Shady Oakes. Please relay my opposition to the Planning and Zoning Commission.
Richard C. Spring

ITEM #27

Marlow, Lauren

From: Planning
To: Pat and Joe Brookman
Subject: RE: Opposing zoning change at Lamberth/Shady Oaks

From: Pat and Joe Brookman
Sent: Saturday, July 8, 2023 12:56 PM
To: Planning
Subject: Opposing zoning change at Lamberth/Shady Oaks

We are against the proposed zoning change as we feel this will bring more noise to the area, bring more traffic, decrease the safety of our children and decrease the value of the property in the area.

Thank you for your consideration.
Ben Brookman
Patricia Brookman
1714 Norwood Street

ITEM #27

Marlow, Lauren

From: Planning
To: Chuck Turner
Subject: RE: Zoning change southwest corner of Lamberth Rd and Shady Oaks Lane

From: Chuck Turner
Sent: Saturday, July 8, 2023 2:48 PM
To: Planning
Subject: Zoning change southwest corner of Lamberth Rd and Shady Oaks Lane

I am opposed to the zoning change for the proposed gas station on the vacant lot on the southwest corner of West Lamberth Rd and Shady Oaks Lane. I do not think we need more traffic in this area.
Thank you
Chuck Turner
1805 Carriage Estates Rd
Sherman Tx 75092.

ITEM #27

Marlow, Lauren

From: Planning
Subject: RE: Oppose zoning changeat Lamberth/Shady Oaks

From: gkoehler
Sent: Saturday, July 8, 2023 5:22 PM
To: Planning
Subject: Oppose zoning changeat Lamberth/Shady Oaks

Gentlemen:I am writing with respect to the above subject matter.
I visited the property in question . I cannot comprehend a zoning change to allow a commercial enterprise in the middle of a very nice residential area.
If built, a commercial enterprise will cause increased traffic and the danger associated with that.The road is very narrow and already busy .

The people who live in the area of the property in question do not want their peace and quiet interrupted as that is the reason they moved to the area in the first place.

OF MOST IMPORTANCE is the concern of residents that their property values moost certainlywill go down !

Sincerely

Gilbert T Koehler, Jr.
2510 Remuda Dr.
Sherman

ITEM #27

Marlow, Lauren

From: Planning
To: Melissa Dahle
Subject: RE: Opposing zoning change at Lamberth/Shady Oaks

From: Melissa Dahle
Sent: Saturday, July 8, 2023 7:09 PM
To: Planning
Subject: Opposing zoning change at Lamberth/Shady Oaks

To whom it may concern,

I am greatly opposed to selling the property on Lamberth/Shady Oaks as a commercial property! I built my dream home on Norwood street with a lot of thought about what would be around me. I think this would be detrimental to our very nice quiet neighborhood. I vote no to a zoning change! Thank you,

Melissa Dahle

ITEM #27

Marlow, Lauren

From: Planning
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

On Jul 8, 2023, at 7:05 PM, Alan Mattingly wrote:

I am opposed to the proposed zoning change at the above location. There is housing addition on the west side and north side of
This proposed zoning change. This area should not become commercial property.
Walmart and other commercial businesses on Heritage Parkway are adequate for commercial needs.
Zone further west where existing neighborhoods do not exist.
This would allow people to decide whether they want to live closer to commercial rather than imposing it on existing
Residents of the city .
Additional retail businesses need to be located away from nice existing neighborhoods.
Please maintain the presence of this nice neighborhood. Commercial property would bring unsafe conditions for the
Existing residents, bring excessive traffic flow, and greatly affect the value of our property. Yes Sherman is growing but
Lets don't take it out on our wonderful existing residents in nice neighborhoods.

Sent from Mail for Windows

ITEM #27

Marlow, Lauren

From: Planning
Subject: RE: Opposed to zoning change at Lamberth/Shady Oaks

From: alansherell
Sent: Saturday, July 8, 2023 8:22 PM
To: Building
Subject: Opposed to zoning change at Lamberth/Shady Oaks

Nice residential property is both west,
South, and north of this zoning change.
Walmart and the other commercial businesses are adequate. City growth does not need to infringe on existing neighborhoods. Zone further west where existing neighborhoods do not exist then new residents can decide Where they want to live. This move Will reduce safety, create excessive traffic, and affect property value of these fine Sherman residents.

Sent from my iPhone

ITEM #27

Marlow, Lauren

From: Planning
To: Royse Mitchell
Subject: RE: Zoning change

From: Royse Mitchell
Sent: Sunday, July 9, 2023 12:56 PM
To: Planning
Subject: Zoning change

I oppose the zoning change for the property located in the 2500 block west Lambreath Road, consisting of 1.428 acres, being part of Elijah Hartzog Survey, Abstract No. 540,and currently zoned R-6 (Single Family Residential) District.
This is a Resident community and we do not want it changed to a business area.
Thank you.

ITEM #27

Marlow, Lauren

From: Planning
To: Mary Ciani
Subject: RE:

From: Mary Ciani
Sent: Sunday, July 9, 2023 6:22 PM
To: Planning
Subject:

7/9/23 6:09 pm

This email is concerning the proposed zoning change at the southwest corner of Lamberth an Shady Oaks . I respectfully request that you do not change the zoning from residential to commercial. This will cause nothing but headache for all those living in the are, increased traffic, more noise, delivery trucks coming and going at all times. The street cannot handle that much increased traffic . There is no reason to put a gas station/convenience store in between homes in this area. Please councilmen and women , do not change the zoning at the above mentioned address . Sincerely

Mary Ciani
2100 Norwood St
Sherman Tx 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Chris Richardson
Subject: RE: Opposing Zoning Change at Lamberth/ Shady Oaks

From: Chris Richardson
Sent: Sunday, July 9, 2023 6:32 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth/ Shady Oaks

I'm writing to express my opposition to the Zoning Change being proposed at the corner of Lamberth and Shady Oaks.

This location is in the heart of residential homes and is currently appropriately zoned Single Family Residential along with most of the other surrounding properties. From a zoning perspective, it makes no sense to re-zone this property to Retail Business and would appear to me to be a huge planning mistake for the city. The primary purpose of a Planning and Zoning Commission is to ensure that the City property is zoned for the benefit of the community. Anything other than a residential home on this property would be out of place and demonstrate a lack of planning and vision by the Commission.

It is also my belief that this would cause the value of surrounding homes to drop and result in lowering the tax base.

In addition, the city of Sherman is in the process of adding hundreds of homes to meet single family growth demands. It doesn't make sense to re-zone property in the middle of a residential community from Single Family Residential to Business Retail when home demand is expected to grow rapidly for the foreseeable future.

Lastly, it is my understanding that the property would likely be used for a gas station. There are already 4 other gas stations located in relatively close proximity on 1417. To re-zone this property as Business Retail to allow the addition of another gas station is a bit absurd and shows a real lack of any type of city planning vision.

But even if the planned use of the property was for a business other than a gas station, the city of Sherman and its residents are far better served with this property remaining zoned as single family residential.

Chris Richardson

ITEM #27

Marlow, Lauren

From: Planning
To: Annice Gall
Subject: RE: Opposing Zoning Chances at Lambert/ShadyOaks

From: Annice Gall
Sent: Sunday, July 9, 2023 6:35 PM
To: Planning
Subject: Opposing Zoning Chances at Lambert/ShadyOaks

I am very upset with the City of Sherman for not letting more people know about this Gas Station going into our area. We are all going to be affected by this change. The City annexed us and all we got was water, trash pickup and fire hydrants and Much Higher Taxes. No other improvement have been done to improve my area. Our streets are terrible. Were is all our tax Monies going we aren't seeing any of it. Now you want to put a Gas Station Up in the middle of our Beautiful Homes. Will you lower our taxes. Because this will lower our property values.
WHY is the City of Sherman not protecting all of our beautiful Trees. You allow All theses developer to come in and Bull dozer all the trees that have been growing for 50+ years and never replace them. What about our Air Quantity.

There are 4 Gas Station on 1417 between Lambert and Taylor Why put one on Lambert/Shady Oak

I have been Proud to say I live in Sherman for 27 years But I will not be any longer If you allow this Gas Station to be built in my Peaceful community. isn't it Bad enough you approved 1000+ apartments on West Lamberth and more house. West Lambert rd. can not handle anymore traffic. I have lived in Carriage Est for 27 years and most of those years I have heard of the widening of west Lambert road.
When will this be done. I bet 1000+ more cars jamming the road before the City gets Around to It.

I Hope and Pray all of you on the Zone committee take a moment to stop and think of something else besides constantly Annexing more land take care the citizens that already live here. Stand up fulfill promise that were made when the city annex us in Carriage Est. Rd.

Annice Gall
1618 Carriage Est. Rd.
Sherman, Texas

ITEM #27

Marlow, Lauren

From: Planning
To: Fred Williams
Subject: RE: Opposing zoning change at Lamberth/Shady Oaks

From: Fred Williams
Sent: Sunday, July 9, 2023 8:54 PM
To: Planning
Subject: Opposing zoning change at Lamberth/Shady Oaks

My name is Fred Williams. I live with my wife, Silvia, at 2301 Carriage Estates Rd in Sherman. We join with our neighbors in opposing the proposed zoning change concerning the property in the 2500 block of West Lamberth Rd. The ultimate objective of the property owners is to construct a commercial gas station in a predominantly residential neighborhood. We view this as drastically inconsistent with the surrounding residential area.

This area is almost totally made up of single family housing units, some of which are mere feet from the property under consideration. In addition to introducing commercial activities into a residential neighborhood the proposed end use would impact property values negatively and result in increased traffic in the area along with noise and lighting pollution where most of us moved to in order to escape urban commercialism.

If any member of the Planning and Zoning Commission has taken the time to drive by and visit the property in question, you will see that rezoning to permit a gas station there would be harmful to the neighborhood and inappropriate at this location.

ITEM #27

Marlow, Lauren

From: Planning
To: Donna Hood
Subject: RE: Lamberth & Shady Oaks Zone change

From: Donna Hood
Sent: Sunday, July 9, 2023 11:39 PM
To: Planning
Subject: Lamberth & Shady Oaks Zone change

Lamberth & Shady Oaks is a residential area, and there are private homes all around the area where they are considering building a gas station. A gas station this close to our homes is hazardous and dangerous and devalues our property. This area should remain residence only. We do not want the problems a gas station will bring to our area. Say NO to a Zone change as it is a very inappropriate place for a facility of that sort and will create a lot of problems and congestion.

Joe & Donna Hood
2108 Carriage Estates Rd.

ITEM #27

Marlow, Lauren

From: Planning
To: Ronna
Subject: RE: Zoning change Lamberth and Shady Oaks

From: Ronna
Sent: Monday, July 10, 2023 8:31 AM
To: Planning
Subject: Zoning change Lamberth and Shady Oaks

To Planning and Zoning:

I want to state my objection to the request to change a residential zoning to commercial- in order for investors to build a proposed gas station on the corner of Lamberth and Shady Oaks lane.

Ronna Brooks

ITEM #27

Marlow, Lauren

From: Planning
To: David Campbell
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: David Campbell
Sent: Monday, July 10, 2023 8:52 AM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

My name is Martha Campbell and I strongly oppose the rezoning of the property on the southwest corner of Lamberth and Shady Oaks Ln from single family residential to a retail business district. My husband and I bought our property at 2502 Shady Oaks Ln eight years ago to spend our retirement years in Sherman, Tx. We had faith in the integrity of said city to uphold the neighborhood as a single family residential. The dangers and issues of turning this residential property into a retail business are multiple and really very obvious. The added traffic, the noise, the mountains of trash everywhere on others properties, the lights at night are just to name a few. Please take into consideration these issues and the hearts and minds of many people who have also bought property to live peacefully with family, raise children, and/or spend retirement years when we all chose Sherman, Tx as our home. Thank you for serving on the Planning and Zoning Commission and for considering the multiple oppositions to a rezoning such as this.

Sent from the all new AOL app for iOS

ITEM #27

Marlow, Lauren

From: Planning
To: Terri Stokes
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Terri Stokes
Sent: Monday, July 10, 2023 10:03 AM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

I am against the zone change at this location. Zoning is what gives us this confidence that the value of the property that we purchase will be protected. People have spent their life's savings building homes here to have that investment threatened by devaluation due to one greedy owner trying to profit by rezoning his. There is no public need for this. There are ample services available 1 block away on 1417.

Terri Stokes
3409 Montclaire Dr.

ITEM #27

Marlow, Lauren

From: Planning
To: David
Subject: RE: Opposing Zoning Change at Lamberth & Shady Oaks

From: David
Sent: Monday, July 10, 2023 10:10 AM
To: Planning
Subject: Opposing Zoning Change at Lamberth & Shady Oaks

My name is David Campbell and I live at 2502 Shady Oaks Lane which is directly across the street (Lamberth Rd) north of the property being considered for zoning change. Both Lamberth and Shady Oaks are 2 lane streets approximately 21 feet wide and narrower in some places. One of the reasons we bought this property was because of the fact that it was a single family residential zoned neighborhood. We spent the majority of our life's savings to retire here. Many of our neighbors spent hundreds of thousands of dollars more than we to build or buy in this area for the same reasons. These purchases and builds were done in the good faith that the zoning would remain single family residential properties. Most of the traffic on these 2 streets in this area is from vehicles that come from these residences. Allowing any retail business would bring tanker trucks and other business supply vehicles and retail customers into a neighborhood of single family homes. I doubt there's any residential neighborhood that would welcome this change for many reasons. Safety, traffic, and property values just to name a few of the reasons. It certainly will not be for the "greater good" of homeowners on Lamberth or Shady Oaks nor Norwood nor in Carriage Carriage nor in Ohanlin Ranch nor in Carriage Circle.
I ask that this zoning change to not be approved. Thank you very much for listening to my concerns and thank you for your willingness to serve on this important committee.
David Campbell (2502 Shady Oaks Lane)

ITEM #27

Marlow, Lauren

From: Planning
To: Gary Dutton
Subject: RE: Opposing Zone Change at Lamberth/Shady Oaks

From: Gary Dutton
Sent: Monday, July 10, 2023 10:53 AM
To: Planning **Subject:** Opposing Zone Change at Lamberth/Shady Oaks

EXTERNAL EMAIL: -- Avoid clicking on links or files -- Be safe!

I oppose this ridicules zone change. Why would we have to waist our time writing or calling to oppose something as stupid as this, why would anybody allow a gas station in the middle of a subdivision

Gary Dutton
Regional Manager DS
TechServ Ltd.
115 W. 7th Street Suite 1323
Ft Worth, Texas 76102

ITEM #27

Marlow, Lauren

From: Planning
To: Kyle Ball
Subject: RE: Opposing zoning change at Lamberth/Shady oaks

From: Kyle Ball
Sent: Monday, July 10, 2023 11:35 AM
To: Planning
Subject: Opposing zoning change at Lamberth/Shady oaks

Hello,

This email is being written against the proposed zoning change at the corner of lamberth and shady oaks in Sherman. I reside at 2201 Norwood Sherman, Texas. The proposed zoning change to commercial from residential would adversely affect the surrounding area and should be rejected. Development in Sherman is booming but the quality of town should the number one concern. My family moved here from the Dallas area for the smaller town and the quiet neighborhood which would be dramatically altered by the proposed zoning change. Sherman should focus on smart development that maintains growth while still preserving the character of the town. A gas station is not necessary in the residential area and is not smart growth due to the late hours and other associated issues.

Best regards,

Kyle Ball

ITEM #27

Marlow, Lauren

From: Planning
To: Frankie J Sprowl
Subject: RE: Opposing Zoning Changes At Lamberth/Shady Oaks

From: Frankie J Sprowl
Sent: Monday, July 10, 2023 11:54 AM
To: Planning
Subject: Opposing Zoning Changes At Lamberth/Shady Oaks

I am opposing the proposed Zoning Change request for Site Plan and Zone Change from an R-6 (single Family Residential) District to a C-1 (Retail Business) District.
Sincerely,
Frankie J. Sprowl
2401 Westhaven Ct
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Bruce Graham
Subject: RE: Objection to zoning change

From: Bruce Graham
Sent: Monday, July 10, 2023 1:09 PM
To: Planning
Subject: Objection to zoning change

I strongly object to the request from residential to commercial at the corner of west Lamberth and Shady Oaks Lane We will speak specific objections at July 18 meeting

Bruce Graham

Sent from my iPhone

ITEM #27

Marlow, Lauren

From: Planning
To: Armando and Lacie Lopez
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Armando and Lacie Lopez
Sent: Monday, July 10, 2023 1:51 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

Good day,

Per our conversations with the P&Z commissioners, we would like to formally oppose to the zoning change requested in project: 23-003776.

We believe that I will be detrimental to the our neighborhood property value and most importantly the safety.

Therefore, we would like to respectfully ask the Sherman P&Z Commission to deny the petition of zoning change.

Respectfully,

Armando and Lacie
2209 Norwood St.
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Cathy Crossland
Subject: RE: July 18, 2023

From: Cathy Crossland
Sent: Monday, July 10, 2023 2:36 PM
To: Planning
Subject: July 18, 2023

I'm Cathy Crossland, 2109 Shady Oaks Ln, Sherman, TX 75092

The purpose of this email is voicing my objection to west Lamberth zoning from Residential to Commercial.

I cannot attend 5pm meeting because I'll be in California attending a funeral and returning as my flight arrives 8pm on July 18.

Thank you for considering my vote of objection.

Cathy Crossland
Homeowner since 2017

ITEM #27

Marlow, Lauren

From: Planning
To: robert gilmore
Subject: RE: zoning change lamberth and shady oaks

From: robert gilmore
Sent: Monday, July 10, 2023 3:05 PM
To: Planning **Subject:** zoning change lamberth and shady oaks

EXTERNAL EMAIL: -- Avoid clicking on links or files -- Be safe!

Hello,

i would like to state my objection to the request to change the residential zoning on Lamberth and shady oaks to a proposed gas station. There is no need for an additional gas station given the fact there are three off 1417 and Lamberth not 400 yards from this location this area is off the beaten path to say the least. If you approve this will not stay in business long due to its location and it will drive house prices down due to its aqward location which will lower tax revenue for the city there are no positive outcomes of this zoning change period. The residents at 2522 remuda dr strongly oppose this zoning change.

Robert Gilmore
2522 remuda dr Sherman TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: James Penton
Subject: RE: Zoning change at Lamberth and Shady Oaks

From: James Penton
Sent: Monday, July 10, 2023 3:23 PM
To: Planning
Subject: Zoning change at Lamberth and Shady Oaks

Planning,
This location is currently the intersection of four residential communities. Issues with retail in this location are the following:

1. Traffic is congested now without any retail.
2. Lamberth Road is barely able to allow two way traffic now-have you driven down there lately?
3. No shoulder exists on Lamberth or Shady Oaks
4. The school bus stops on this road
5. The US mail stops on this road
6. FedEx stops on this road
7. UPS stops on this road
8. Amazon stops on this road
9. This is a tranquil neighborhood-additional traffic from retail will destroy that tranquility
10. With retail will come blowing trash that nobody will accept responsibility for. Just look at the fences around the current Dollar General stores and Walmart.
11. There is a blind corner on the northeast side of this intersection. Traffic from north Shady Oaks has to be careful to navigate the intersection to watch for westbound Lamberth traffic.
12. Westbound traffic on Lamberth runs two lanes and then narrows to one lane right before this intersection. For drivers not aware of this change, they think they are accessing a four lane divided street and then it becomes a narrow city street. Many get confused here and they navigate a U-turn
13. Traffic from Remuda Lane cannot turn east on Lamberth. They make a U-turn at this intersection all the time to go east on Lamberth.
14. There is already enough traffic from Walmart wanting to go east but have to travel west on Lamberth and then do a U-turn to go back east at this intersection.
15. We don't need another retail gas station in this location, we have three at Lamberth and 1417 now that cause enough traffic issues as it is. Gas cars are going away by 2035 anyway.
16. Additional traffic from the west end of Lamberth/Maedowlake lane is going to tax this throughfare even more with the nice thrill creek crossing we have. Somebody bottoms out on that crossing every few minutes. You know it every time it happens hearing the cars scrape against the asphalt.
17. We have a lot of people that walk and run from early in the morning up until dark. Additional retail traffic will inhibit those participants activity if not possibly eliminate it.
18. Residential Property values will plummet with retail being added to this area
19. This will be the worst decision for Carriage Estates in a decade that will destroy the neighborhood amenities and add none!
20. This is being viewed as a way for the current landowner to increase the value of his currently overpriced residential property. He failed to sell it as a residential lot because his price was too high, now he wants it zoned retail so he can get even more for it at the expense of the current residential homeowners. Wrong decision.
21. Have you done a thorough traffic study at this intersection?

Thank you!
James Penton

ITEM #27

Marlow, Lauren

From: Planning
To: derek miller
Subject: RE: Proposed Fuel filling station

From: derek miller
Sent: Monday, July 10, 2023 4:13 PM
To: Planning
Subject: Proposed Fuel filling station

I would like voice my opposition to the proposed fuel station at Shady Oak and Lambreth St in Sherman.
As a resident on Overland Trail I am very familiar with how dangerous that intersection is presently as well as both streets in their present condition. Neither street is presently in a condition to handle increased two-way traffic. It is also not safe for any foot traffic presently.
Following Lambreth on around the corner to Hwy 82 there is no exit or on-ramp from Lambreth to access 82. That intersection is not able to safely receive more traffic as a result if there is a filling station built at the Shady Oak location.
Looking at the pro's of having a filling station at that intersection I can not see any advantage. Looking at the con's I can see a real safety hazard as the street is reduced from a median to a poorly maintained uneven two-way road barely passable by two vehicles.
The exhorbitant cost of upgrading Lambreth and Shady Oak streets would see no benefit, only high infrastucture costs to the city to upgrade. This cost to the city comes at a time when funds are being used for additional housing all across the city.

Best regards,

Derek Miller
2936 Overland Trl
Sherman, TX. 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Terrie Stevens
Subject: RE: objection to zoning change at Lamberth and Shady Oaks Lane

From: Terrie Stevens
Sent: Monday, July 10, 2023 4:26 PM
To: Planning
Subject: objection to zoning change at Lamberth and Shady Oaks Lane

This email is to state my objection to the proposed zoning change at the corner of Lamberth and Shady Oaks from Residential to Retail. I object for many reasons, some of which are following:

1. There will be increased traffic in a residential area with streets that are more narrow than usual
2. There will be noise on weekends and later into the night
3. There will be large trucks bringing supplies etc to the retail establishment
4. There will be increased crime with a retail establishment in a residential area
5. The remaining lots will be hard to sell next to retail
6. The current residential properties will lose value
7. There will be increased problems with safety both in walking and driving in the area
8. Trash, etc will be increased

Thanks you for your consideration of my thoughts,

Terrie Stevens
2604 Remuda Dr
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Derrick Nunn
Subject: RE: Zoning Change @ Lamberth and Shady Oaks

From: Derrick Nunn
Sent: Monday, July 10, 2023 4:39 PM
To: Planning
Subject: Zoning Change @ Lamberth and Shady Oaks

Subject: Urgent Request: Denial of Proposed Gas Station in Residential Community

I hope this email finds you well. I am writing to bring your attention to a matter of significant concern within our residential community. It has recently come to our knowledge that a proposal for the construction of a new gas station in our neighborhood is under consideration. I kindly request your assistance in denying this project for the following reasons.

1. Environmental Impact: The construction and operation of a gas station in close proximity to our residential area would pose a substantial risk to the environment. The potential for soil and groundwater contamination from fuel spills or leaks could have detrimental effects on our local ecosystem and public health. Moreover, increased emissions from vehicles frequenting the gas station would contribute to air pollution, compromising the air quality we currently enjoy.

2. Safety Concerns: Our community consists of families, children, and elderly residents who rely on a safe and peaceful environment. Introducing a gas station in the neighborhood would create additional traffic congestion and hazards. Increased vehicle movements, especially during peak hours, could jeopardize the safety of pedestrians and cyclists, raising the risk of accidents and injuries.

3. Property Value and Aesthetics: The establishment of a gas station in a residential area has the potential to negatively impact property values. The associated noise, odors, and visual presence of a gas station would likely deter potential homebuyers and diminish the overall appeal of our community. As residents, we have invested our resources and efforts to maintain a peaceful, aesthetically pleasing neighborhood, and this proposal threatens to undermine those efforts.

4. Community Character: Our residential community thrives on its unique character and charm, fostering a close-knit and welcoming atmosphere. Introducing a commercial gas station in this context would disrupt the harmonious balance we have cultivated over the years. We value our community's integrity and urge you to protect it by rejecting this proposal.

In light of these concerns, I implore you to carefully consider the implications of permitting a gas station in our residential area. I kindly request that you deny the proposed project, taking into account the interests and well-being of our community members. We trust that you will make the right decision in preserving the safety, environment, and character of our neighborhood.

Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,

Derrick Nunn

ITEM #27

Marlow, Lauren

From: Planning
To: Randy Stevens
Subject: RE: Objection to zoning change at Shady Oaks and Lamberth

From: Randy Stevens
Sent: Monday, July 10, 2023 4:46 PM
To: Planning
Subject: Objection to zoning change at Shady Oaks and Lamberth

To Whom it May Concern:

I object to the zoning change being proposed for the corner of Shady Oaks and Lamberth.

Changing from residential to retail for this lot would seriously hurt the value of the surrounding residential properties and increase both noise, traffic, crime, trash, etc. All surrounding lots are residential and I also do not see a need for a retail property right in the middle of single family homes. The streets at that corner are narrow and would suffer from increased use by trucks and commercial vehicles. The noise would disturb families on weekends, early mornings and late evenings, possibly 24/7. Also increased traffic would be a concern for bike riders and walkers which are prevalent in that area.

As this area has been all residential to this point, I do not see a need for retail at that particular corner. There is retail including, office, Walmart, gas stations etc less than a mile down the road on 1417. With 1417 being so close, I feel any retail establishments should stay in that area and not spread out into the surrounding residential areas.

Thank you,

Randy Stevens
2604 Remuda Dr
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Brent O'Bannon
Subject: RE: Against Proposed Commercial Zoning

From: Brent O'Bannon
Sent: Monday, July 10, 2023 5:53 PM
To: Planning; Rae, Rob
Cc: Brent O'Bannon; rhondaobannon
Subject: Against Proposed Commercial Zoning
Importance: High

To Our City Leaders:

Please be advised as long term residents (27 years) at 2002 Carriage Estates Road Sherman Texas
we are **AGAINST** commercial zoning/building a gas station at the Shady Oaks/Lamberth corner.

There is ample supply of gas stations and commercial property/offices on 1417.

Building a gas station/commercial property closer to our residential area with cause considerable harm!

We have also signed a petition against this and would like our email to be shared with the zoning meeting and other leaders Tuesday July 18th 5 PM.

Brent O'Bannon
Rhonda O'Bannon

2002 Carriage Estates Road Sherman Texas

ITEM #27

Marlow, Lauren

From: Planning
To: Jennifer Webster
Subject: RE: Proposed Zoning Change at Lamberth and Shady Oaks

From: Jennifer Webster
Sent: Monday, July 10, 2023 6:20 PM
To: Planning
Subject: Proposed Zoning Change at Lamberth and Shady Oaks

We would like to respectfully object to the proposed change from residential to commercial zoning at the corner or Lamberth and Shady Oaks. We understand that the idea would be to build a gas station at that location.

This would be very disadvantageous, in our opinion! Why place another gast station in the middle of a residential area? There are numerous gas stations on FM 1417, Heritage Pkwy, which is rightfully zoned as commercial. There is no need to change zoning from residential to commercial at a location that is mere blocks away from an already commercial area.

To do so would undoubtedly cause traffic problems for an already busy intersection. Shady Oaks Lane is more and more congested due to the additional of the sports fields and new housing developments in recent years, not to mention the citywide public events that are held at Pecan Grove Park several times a year.

Please consider the wishes of the taxpayers in this area, regarding this proposed zoning change, rather that the outside voices of would-be investors and developers. There is no shortage of growth and development in all of Sherman. The residential areas should be protected and kept safe for families and children at play in their respective neighborhoods.

Thank you for your consideration.

Sincerely,

Roy & Jennifer Webster
3216 Bandera Dr.
Sherman, TX

ITEM #27

Marlow, Lauren

From: Planning
To: Roy Webster
Subject: RE: Proposed change of Zoning

From: Roy Webster
Sent: Monday, July 10, 2023 6:21 PM
To: Planning
Subject: Proposed change of Zoning

We would like to respectfully object to the proposed change from residential to commercial zoning at the corner or Lamberth and Shady Oaks. We understand that the idea would be to build a gas station at that location.

This would be very disadvantageous, in our opinion! Why place another gast station in the middle of a residential area? There are numerous gas stations on FM 1417, Heritage Pkwy, which is rightfully zoned as commercial. There is no need to change zoning from residential to commercial at a location that is mere blocks away from an already commercial area.

To do so would undoubtedly cause traffic problems for an already busy intersection. Shady Oaks Lane is more and more congested due to the additional of the sports fields and new housing developments in recent years, not to mention the citywide public events that are held at Pecan Grove Park several times a year.

Please consider the wishes of the taxpayers in this area, regarding this proposed zoning change, rather that the outside voices of would-be investors and developers. There is no shortage of growth and development in all of Sherman. The residential areas should be protected and kept safe for families and children at play in their respective neighborhoods.

Thank you for your consideration.

Sincerely,

Roy & Jennifer Webster
3216 Bandera Dr.
Sherman, TX

ITEM #27

Marlow, Lauren

From: Planning
To: Joe Parkes
Subject: RE: Gas station proposal

From: Joe Parkes
Sent: Monday, July 10, 2023 6:38 PM
To: Planning
Subject: Gas station proposal

I object to the possible zoning change for commercial use at Lamberth and Shady Oaks. I live in Carriage Estates and the lot is surrounded by homes.

Sincerely
Joe Parkes
2106 Norwood St
Sherman, TX

ITEM #27

Marlow, Lauren

From: Planning
To: Beth Weeks
Subject: RE: Against changing zoning on Lamberth/Shading Oskd

From: Beth Weeks
Sent: Monday, July 10, 2023 7:29 PM
To: Planning
Subject: Against changing zoning on Lamberth/Shading Oskd

To City of Sherman Planning and Zoning

We want to state our objection to the request to change a residential zoning to commercial in order for investors to build a proposed gas station on the corner of Lamberth and Shady Lane.

Please do not change zoning on Lamberth and Shady Oaks. We do not need the heavy traffic in our quiet neighborhood. This would be a invasion of what is left of our peaceful area, with their bright lights, noise, pollution. Many of us invested in this area to be close enough to Sherman without it being right in our backyards when we bought homes here. I remember the quiet area we loved when we first bought here with our fences backing up to wheat fields. This would also be a safety hazard with extra traffic and possibly crime issues right next to our homes.

Our children and neighbors enjoy a place to ride bikes, jog, and visit with neighbors without the extra traffic commercial property brings.

You already allowed someone to come in during the middle of the night and take down our beautiful Bald Eagles nest on Lamberth and then later remove the rest of the trees and landscape we have enjoyed. Don't let them strip any more trees and bring even more traffic on our small community streets.

Vote NO to changing zoning!
Please Please vote No!!

Beth Weeks

ITEM #27

Marlow, Lauren

From: Planning
To: rose penton
Subject: RE: Zone Change at Lamberth & Shady Oak

From: rose penton
Sent: Monday, July 10, 2023 7:42 PM
To: Planning
Subject: Zone Change at Lamberth & Shady Oak

Planning,

There are many reasons why there should NOT be a zone change at this location to become a gas station:

1. This location is currently the intersection of four residential communities.
2. Traffic is congested now without any retail and will be even more congested if it becomes a gas station.
3. Lamberth Road is barely wide enough to allow two way traffic now and will be even worse if this is allowed.
4. No shoulder exists on Lamberth or Shady Oaks so will make driving through even worse.
5. The school buses stop on this road. Kids will be put in more dangerous positions.
6. The US mail, FedEx, UPS, Amazon and other delivery vehicles stop on this road.
7. This is a peaceful neighborhood and the owners here chose this area for that peacefulness. If this is allowed the additional traffic from retail will destroy that quality.
8. A gas station in the middle of our neighborhoods and houses will make trash from the wind blowing it around.
9. There is a blind corner on the northeast side of this intersection. Traffic from north Shady Oaks has to be careful to navigate the intersection to watch for westbound Lamberth traffic.
10. Westbound traffic on Lamberth runs two lanes and then narrows to one lane right before this intersection. For drivers not aware of this change, they think they are accessing a four lane divided street and then it becomes a narrow city street. Many get confused here and they navigate a U-turn
11. Traffic from Remuda Lane cannot turn east on Lamberth. They make a U-turn at this intersection all the time to go east on Lamberth.
12. There is already enough traffic from Walmart wanting to go east but have to travel west on Lamberth and then do a U-turn to go back east at this intersection.
13. We don't need another retail gas station in this location, we have three at Lamberth and 1417 now that cause enough traffic issues as it is.
14. Additional traffic from the west end of Lamberth/Maedowlake lane plus the new housing development in that area is going to congest this road even more.
15. The creek crossing on Lamberth is more or less a single lane and will cause even more issues.
16. We have a lot of people that walk and run from early in the morning up until dark. Additional retail traffic will inhibit those participants activity if not possibly eliminate it.
17. Residential Property values will plummet with retail being added to this area
18. This will be the worst decision for Carriage Estates in a decade that will destroy the neighborhood amenities and add none!
19. This is being viewed as a way for the current landowner to increase the value of his currently overpriced residential property. He failed to sell it as a residential lot because his price was too high, now he wants it zoned retail so he can get even more for it at the expense of the current residential homeowners. It will be a disservice to everyone who is living here and have been for decades.
20. Have you done a thorough traffic study and analysis at this intersection?

Thank you for considering these reasons and listening to the voices of those that this zone change will hurt and NOT benefit.

Rose Penton
2214 Carriage Estates Road
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Ryan Dahle
Subject: RE: Opposing zoning change at Lamberth/Shady Oaks

From: Ryan Dahle
Sent: Monday, July 10, 2023 7:44 PM
To: Planning
Subject: Opposing zoning change at Lamberth/Shady Oaks

I would like to express my opposition to the zoning change for the corner of Lamberth and Shady Oaks. This is a neighborhood full of single family homes and adding a retail business on this intersection will not add any benefit to the surrounding homes. I plan to attend the zoning on the 18th.

Thank you

Ryan Dahle
1911 Norwood St.
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: TOM HERRMANN
Subject: RE: Zoning change

From: TOM HERRMANN
Sent: Monday, July 10, 2023 7:55 PM
To: Planning
Subject: Zoning change

I have noticed a sign at the corner of Lamberth and Shady Oaks stating that they want to change the zoning in that area. I am very much against the change and especially putting in a gas station. We will be out of town at the time of the meeting, but want our vote to count

Tom Herrmann
3418 Montclaire dr. , Sherman

ITEM #27

Marlow, Lauren

From: Planning
To: Ryan Brooks
Subject: RE: gas station ... Lamberth and Shady Oaks lane

From: Ryan Brooks
Sent: Monday, July 10, 2023 9:33 PM
To: Planning
Subject: gas station ... Lamberth and Shady Oaks lane

To p and z:
I want to state my objection to the request to change a residential zoning to commercial- in order for investors to build a proposed gas station on the corner of Lamberth and Shady Oaks lane.

Sincerely
Ryan Brooks

ITEM #27

Marlow, Lauren

From: Planning
To: Raylene Burleson
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Raylene Burleson
Sent: Monday, July 10, 2023 10:19 PM
To: Planning **Subject:** Opposing Zoning Change at Lamberth/Shady Oaks

Sherman Planning and Zoning Commission Members,

We'd like to thank you for the position you hold as a zoning commission member. Many positive changes have and are taking place in Sherman and you are to be commended for making effective recommendations to the city council regarding potential changes for the betterment of the city of Sherman.
We appreciate the opportunity we're allowed to voice our concern regarding the zoning change of the 1.428 acre lot at the corner of Lamberth Road and Shady Oaks. We're very concerned that this change will be detrimental to surrounding neighborhoods.
We've lived at Carriage Estates for 28 years. We chose this neighborhood solely because it was in a quiet, low traffic and safe area. Rezoning the above referenced property, and allowing commercial use of this property, will most definitely create a high traffic area, resulting in a noisy and less safe environment.
Not only will it increase traffic and create a noisy, less safe environment, it will affect our property values tremendously. For the same reason that we oppose such use of this property, potential buyers will be influenced by those same factors.
The property where the zoning change has been requested is surrounded by private residences. Imagine the impact that commercial use of this property can and most likely will have on the adjacent homes and what a risk it poses to the residents, particularly children, in the area. I don't believe that any of you would want such in your neighborhood? Please consider the negative impact that rezoning this location will have on this area that many call home and feel so safe and secure in.
Thank you, in advance, for taking this matter seriously and acting on behalf of the residents in the city of Sherman.

Respectfully,
Gerry and Raylene Burleson
2100 Carriage Estates Road

ITEM #27

Marlow, Lauren

From: Planning
To: s. stovall
Subject: RE: Opposing zoning change

From: s. stovall
Sent: Monday, July 10, 2023 10:26 PM
To: Planning
Cc: Rae, Rob
Subject: Opposing zoning change

I'm communicating my opposition to the proposed zoning change from residential to retail business at the corner of Shady Oaks/Lamberth. There are homes on all 4 boundaries of this property. The 24/7 lighting required for business, the commercial fuel tank trucks, commercial trash, and commercial trucks restocking the stores goods will create excessive noise. There are 3 fuel station choices within .5 miles of this proposed station. The middle of a residential area is unwise, unnecessary, and unwanted. Please pass on this zoning change.

Sincerely,

Sherry Stovall

ITEM #27

Marlow, Lauren

From: Planning
To: Kiki O
Subject: RE: Opposing Zone Change Lamberth/Shady Oaks

From: Kiki O
Sent: Monday, July 10, 2023 11:14 PM
To: Planning
Subject: Opposing Zone Change Lamberth/Shady Oaks

Dear P&Z Members,

Thank you for serving our community. We appreciate your time and commitment as you oversee the growth in Sherman.

I oppose allowing any more commercial property in this highly residential area. Word on the street is this zone change is for a gas station to be built on the southwest corner of W Lamberth and Shady Oaks. There are two gas stations a short distance down the street (W. Lamberth) from this area and both have convenience stores in them. We do not need another gas station in this area. If City officials feel Sherman needs another gas station then put one on Hwy 289 and W. Lamberth. Please keep all undeveloped space in this area zoned residential or better yet, put it all back in ag.

Sincerely,

Kiki Osterman
3685 W Washington St
Sherman TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Lori Holcombe
Subject: RE: Lamberth/Shady Oaks

From: Lori Holcombe
Sent: Tuesday, July 11, 2023 6:42 AM
To: Planning
Subject: Lamberth/Shady Oaks

Please Please reconsider building a public building such as a gas station here. I live in this neighborhood and am completely opposed to more traffic, noise, trash, crime and not to mention the bright lights that comes with it. This is my neighborhood which by the way, we all pay higher taxes to keep it nice and quiet.
Thank you-
Lori Holcombe

ITEM #27

Marlow, Lauren

From: Planning
To: Issa 1993
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Issa 1993
Sent: Tuesday, July 11, 2023 7:28 AM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

To whom it may concern,

As a resident of this area I strongly oppose the rezoning at Lamberth/Shady Oaks. The re-zoning causes safety concerns to our neighborhood, not to mention the value of our properties and unsafe excessive traffic to our area. This area has new housing subdivisions in progress that will bring excessive traffic. The re-zoning will increase the traffic causing serious safety and environmental concerns to our neighborhood.

Tony Strawn
1813 Carriage Estates Rd
Sherman, Tx 75092

Sent from Mail for Windows

ITEM #27

Marlow, Lauren

From: Planning
To: Mel Strawn
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Mel Strawn
Sent: Tuesday, July 11, 2023 7:31 AM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

To whom it may concern,

As a resident of this area I strongly oppose the rezoning at Lamberth/Shady Oaks. The re-zoning causes safety concerns to our neighborhood, not to mention the value of our properties and unsafe excessive traffic to our area. This area has new housing subdivisions in progress that will bring excessive traffic. The re-zoning will increase the traffic causing serious safety and environmental concerns to our neighborhood.

ITEM #27

Marlow, Lauren

From: Planning
To: Barbara Boland
Subject: RE: NO GAS STATION IN MY NEIGHBORHOOD

From: Barbara Boland
Sent: Tuesday, July 11, 2023 7:35 AM
To: Planning
Subject: NO GAS STATION IN MY NEIGHBORHOOD

This is in regards to the corner lot on Lamberth and Shady Oaks.
I've lived in Carriage Estates since 2001. I travel Lamberth several times a day.
Why in the world would the city even think about allowing a gas station to be built in a residential neighborhood? Money is usually the bottom line but think of the residents living next to this lot. I know them all. An elderly widow. A friend from high school and her husband. People who are already in the process of building their dream homes.
Check your hearts, people. Check your hearts. Care about people instead of the $$$$.

ITEM #27

Marlow, Lauren

From: Planning
To: Steve Klassen
Subject: RE: Zoning change at Lamberth/Shady Oaks

From: Steve Klassen
Sent: Tuesday, July 11, 2023 8:11 AM
To: Planning
Subject: Zoning change at Lamberth/Shady Oaks

To the Planning & Zoning Committee,

I want to state my objection to the request to change residential zoning to commercial at the corner of Lamberth & Shady Oaks in order for investors to build a proposed gas station on the corner of Lamberth and Shady Oaks lane.

This zoning change will have a negative impact on our neighborhood to include; increased traffic in a residential area, more trash, noise, crime, pollution, and bright lights 24/7.

It will also destroy more of our trees, negatively affect the value of our homes, safety of our children and disturbing a nice quiet neighborhood where residents enjoy walking and visiting their neighbors.

Respectfully,
Steve Klassen
2501 Remuda Drive
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Tracie Klassen
Subject: RE: Lamberth and Shady Oaks objection

From: Tracie Klassen
Sent: Tuesday, July 11, 2023 8:19 AM
To: Planning
Subject: Lamberth and Shady Oaks objection

To the Planning & Zoning Committee,

Good morning, I want to state my objection to the request to change residential zoning to commercial at the corner of Lamberth & Shady Oaks in order for investors to build a proposed gas station on the corner of Lamberth and Shady Oaks lane.

This zoning change will have a negative impact on our neighborhood to include; increased traffic in a residential area, more trash, noise, crime, pollution, and bright lights 24/7.

It will also destroy more of our trees, negatively affect the value of our homes, safety of our children and disturbing a nice quiet neighborhood where residents enjoy walking and visiting their neighbors.

Please help to keep our neighborhood free of commercial businesses that are frankly not needed. We already have a corner at Lamberth and 1417 that has a run down gas station and two others that have plenty of business. Please no more. Traffic is already heavy on Lamberth to the west of 1417 and this proposed gas station would only make it worse and very unsafe.

With kind regards,

Tracie Klassen
2501 Remuda Dr
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Yahoo
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Yahoo
Sent: Tuesday, July 11, 2023 9:32 AM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

Please keep this lot zoned for residential use. We understand the need for progress. Progress will occur and we need to manage it. We also see the need for neighborhoods to be full of houses and not commercial property. Especially if there are plans to put in gas stations so close to homes. We moved to a neighborhood in Sherman to be around other houses and families, not for those properties to be re-zoned as commercial property.
There are plenty of lots outside of this neighborhood for commercial property. Please keep this lot for residential.

Chester Jackson
Wendy Jackson
Cody Jackson
2210 Carriage Estates Rd Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: BARRY GANT
Subject: RE: ZONING CHANGE

From: BARRY GANT
Sent: Tuesday, July 11, 2023 9:54 AM
To: Planning
Subject: ZONING CHANGE

I AM OPPOSING THE ZONE CHANGE AT LAMBERTH AND SHADY OAKS

BARRY GANT

3517 W LAMBERTH RD. SHERMAN TEXAS

ITEM #27

Marlow, Lauren

From: Planning
To: Guy and Dyann Clay
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Guy and Dyann Clay
Sent: Tuesday, July 11, 2023 10:08 AM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

I moved to Sherman to retire in a quiet, calm residential area. I had to retire early due to high pressure job I had. Now I have a convenience store/gas station wanting to move in next door. The last thing I want is to have all the lights, the noise from all the traffic, the fumes from the gas being pumped in, the trash everyone throws down and any possible violence that may happen there. We have 3 stations at Lamberth and 1417, 1 at 1417 and Taylor and 1 planned for west end of Lamberth at the apartments they are building. We don't see any reason to put one in the middle of our quiet residential area. We hope you will hold the integrity of Sherman and our residential area to the utmost importance.
Thank You
Guy E. Clay
3024 W. Lamberth Rd.
Sherman,Tx 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Rick Slakey
Subject: RE: Lamberth and shady lane zoning change

From: Rick Slakey
Sent: Tuesday, July 11, 2023 11:00 AM
To: Planning
Subject: Lamberth and shady lane zoning change

I guess the big question is why? There are enough gas stations up and down 1417 that we don't need one placed in the middle of a residential section. This will be a real dangerous intersection if this happens. There has been wreck in the past at this intersection so why make it worse. Please do not let this location change to a commercial property. Thank you very much for your consideration.
Rick Slakey

Sent from my iPhone

ITEM #27

Marlow, Lauren

From: Planning
To: lagnaf77@netzero.net
Subject: RE: Opposing zoning change at Lamberth / Shady oaks

From: lagnaf77
Sent: Tuesday, July 11, 2023 11:12 AM
To: Planning
Subject: Opposing zoning change at Lamberth / Shady oaks

This is Eugene Hardesty of 2420 Remuda Dr., Sherman... I live close to this proposed change and I am 100% opposed to it.... We have 4 gas station convenience stores within 4 blocks of this location and I don't believe we need another one.... We have a housing shortage, this should remain residential.... Thank You..

ITEM #27

Marlow, Lauren

From: Planning
To: Carlos Rivas
Subject: RE: Proposed Zoning Change: Gas Station Shady Oaks and Lamberth

From: Carlos Rivas
Sent: Tuesday, July 11, 2023 11:37 AM
To: Planning
Subject: Proposed Zoning Change: Gas Station Shady Oaks and Lamberth

Dear City of Sherman Planning and Zoning Commission,

I hope this email finds you well. I am writing to express concern and opposition to the proposed gas station project in our neighborhood on Shady Oaks, and Lamberth. While I understand the need for convenient access to fuel, I strongly believe that the potential drawbacks outweigh the benefits in this particular location. I would like to outline several key reasons why I oppose the establishment of a gas station in our neighborhood.

Increased Traffic Congestion:
One major concern is the inevitable increase in traffic congestion that a gas station would bring. The influx of vehicles, especially during peak hours, would exacerbate existing traffic issues, making it more challenging for residents to navigate our neighborhood safely. This heightened congestion can pose risks to pedestrians, cyclists, and other motorists, and even lead to a higher likelihood of accidents.

Noise and Odor Pollution:
Gas stations are known for generating noise pollution from engine sounds, car horns, and pumps. Additionally, the pungent odors associated with gasoline and other chemicals can permeate the air, creating an unpleasant environment for residents nearby. Such disturbances can negatively impact the quality of life and tranquility of our community.

Aesthetics and Community Character:
Our neighborhood prides itself on its unique character and aesthetic appeal. The introduction of a gas station would disrupt the visual harmony and charm we have cultivated over the years. The bright lights, large commercial structures, and prominent signage that accompany gas stations would be incongruous with the residential and family-friendly nature of our neighborhood. Preserving our community's character should be a priority.

Decreased Property Values:
Numerous studies have shown that the presence of a gas station can have a detrimental effect on property values in the surrounding area. Prospective buyers may be deterred by the perceived risks, nuisances, and inconveniences associated with a gas station nearby. As homeowners, we need to protect our investments and maintain property values for the long-term prosperity of our neighborhood.

Risk of Crime:
Unfortunately, gas stations can sometimes attract criminal activity, including theft, vandalism, and even armed robberies. The potential increase in crime rates near a gas station would understandably raise concerns about personal safety for both residents and visitors to our neighborhood. It is crucial to prioritize the well-being and security of our community. Both adults and children are often riding bikes and walking throughout our neighborhood.

Because of these concerns, I would like to ask you to reconsider the proposal to establish a gas station in our neighborhood. I believe that alternative locations that are more suitable, both in terms of commercial viability and minimal impact on residential areas, should be explored.

I would greatly appreciate your attention to these concerns, and I encourage you to engage in a meaningful dialogue with the community before finalizing any decisions regarding the gas station project. Our neighborhood's well-being, character, and long-term sustainability are of utmost importance to all of us.

Thank you for your time and consideration.

Sincerely,
Carlos Rivas
2505 Remuda Dr.
Sherman, Texas 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Casie Rivas
Subject: RE: Zoning Change Proposal: Shady Oaks and Lamberth Gas Station

From: Casie Rivas
Sent: Tuesday, July 11, 2023 11:59 AM
To: Planning
Subject: Zoning Change Proposal: Shady Oaks and Lamberth Gas Station

Dear City of Sherman Planning and Zoning Commision,

I hope this email finds you well. I am writing to express my deep concerns regarding the proposed gas station in our neighborhood. While I understand the need for convenient access to fuel, I believe it is crucial to consider the potential negative impacts such a development might have on our community.

Increased Traffic Congestion: The addition of a gas station would undoubtedly bring a substantial increase in vehicular traffic to our neighborhood. This surge in cars and congestion could lead to safety hazards, difficulty navigating our streets, and longer commute times for residents.

Noise and Odor Pollution: Gas stations are known for generating noise pollution from engine noises, honking, and the operation of pumps. Additionally, the smell of gasoline and other chemicals associated with fuel stations can be intrusive and unpleasant for those living nearby, detracting from our quality of life.

Aesthetics and Community Character: Our neighborhood has a unique character that we strive to maintain and preserve. Introducing a large commercial structure like a gas station could disrupt the aesthetics and atmosphere we cherish. Bright lights, signs, and an industrial appearance could clash with the residential and historic nature of our community.

Decreased Property Values: Studies have shown that the presence of a gas station can negatively impact property values. The associated risks and inconveniences may deter potential homebuyers, leading to a decline in housing prices. As homeowners, this could directly impact our investment and financial well-being.

Risk of Crime: Gas stations, unfortunately, can attract criminal activity. The presence of a fuel station in our neighborhood might increase the risk of theft, vandalism, or even armed robberies. Such concerns can create anxiety among residents about their personal safety and well-being.

Considering these factors, I urge you to carefully reconsider the decision to approve the proposed gas station in our neighborhood. While access to fuel is important, we must prioritize the overall well-being and harmony of our community. Exploring alternative locations or focusing on sustainable and eco-friendly alternatives should be thoroughly explored.

I kindly request that our voices be heard through community consultations and town hall meetings to ensure that the potential negative impacts of this project are adequately addressed. Together, we can strive for a neighborhood that upholds its character, safety, and the quality of life for all residents.

Thank you for your attention to this matter. I look forward to your thoughtful consideration and a constructive dialogue on this issue.

Sincerely,

Casie Rivas
2505 Remuda Drive

ITEM #27

Marlow, Lauren

From: Planning
To: Kitty Richardson
Subject: RE: Opposing Zone Change at Lamberth/Shady Oaks

From: Kitty Richardson
Sent: Tuesday, July 11, 2023 12:36 PM
To: Planning
Subject: Opposing Zone Change at Lamberth/Shady Oaks

To: Planning & Zoning

I want to state my objection to the request to change a residential zoning to commercial in order for investors to build a proposed gas station on the corner of Lamberth and Shady Oaks.

Kitty Richardson
2022 Norwood Street
Sherman, TX

ITEM #27

Marlow, Lauren

From: Planning
Subject: RE: 2500 block west lamberth road

From: Tj Larosa
Sent: Tuesday, July 11, 2023 1:42 PM
To: Turner, Kerri
Subject: 2500 block west lamberth road

To Whom it May Concern,

I would like to verbally oppose the zoning change for the 2500 west block of Lamberth/ Shady oaks, Sherman, Texas 75092.

Sent from Yahoo Mail on Android

ITEM #27

Marlow, Lauren

From: Planning
To: Nick Avlos
Subject: RE: Opposing Zone Change at Lamberth/Shady Oaks

From: Nick Avlos
Sent: Tuesday, July 11, 2023 1:54 PM
To: Planning
Subject: Opposing Zone Change at Lamberth/Shady Oaks

I am writing this memorandum in opposition to a zoning change at the Southwest corner of Lamberth and Shady Oaks in Sherman, Texas. This corner is surrounded by residential home and a gas station or any other commercial business would be completely out of place in this area.

Please record this letter as our disapproval of any such change.

Nick & Sidney Avlos
2504 Riata Drive
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: James Fry
Subject: RE: proposed zoning change at Shady Oaks Lane and Lamberth Road

From: James Fry
Sent: Tuesday, July 11, 2023 3:10 PM
To: Planning
Cc: janetsplanet007
Subject: proposed zoning change at Shady Oaks Lane and Lamberth Road

Note my strenuous objection to the request for a change of zoning described above.

My wife Janet and I reside a quarter of a mile away at 74 Shady Oaks Circle. We travel on Lamberth Road and Shady Oaks Lane daily. The requested change in zoning is located around 20 feet from a series of very nice and well-maintained homes on Shady Oaks Lane. Just west of the location you will pass Carriage Estates and other well maintained residential areas. It is one of the nicer areas you will find in Sherman where long-term residents reside and live their lives in peace.

I understand the requested zoning change is for a gas station. There is no public necessity for another gas station. Within a stone's throw, one can buy gas at Wal-Mart, an independent station and a Valero gas station convenience store operation.

Here is hoping good sense will prevail and this request will be denied.

James A. Fry

ITEM #27

Marlow, Lauren

From: Planning
To: Doretta Kinnison
Subject: RE: Protest of (23-003776)

From: Doretta Kinnison
Sent: Tuesday, July 11, 2023 3:19 PM
To: Planning

7/11/2023

City of Sherman

We am contacting to protest the zoning change for the corner of Shady Oaks and Lamberth (23-003776)

We do not approve of the rezoning to become a gas station for the following reasons.

- Will adversely impact the homes' value and appeal of the houses adjacent and close to the station.

- There are pipelines in that area, new tanks do not need to put in the ground anywhere near the gas lines or old oil pump station.
  The new tanks could be a future hazard to the surrounding homes as they get old or damaged.

- 4 gas stations are within a half a mile distance to the proposed station. Why do we need another so close in proximity and in a
  residential neighborhood.

- Corner is already dangerous because it is on a blind curve and the streets are narrow, they were not made for all this extra traffic.
  Cars pulling in the station or out onto Lamberth or Shady Oaks will cause even more traffic issues, making it even more dangerous to
  the flow of traffic.

Regards,

Randy and Doretta

Kinnison

3417 Montclair

Drive

ITEM #27

Marlow, Lauren

From: Planning
To: Dee Dee Q. Martinez
Subject: RE: Opposition to Zoning Change at Corner of Lamberth/Shady Oaks

From: Dee Dee Q. Martinez
Sent: Tuesday, July 11, 2023 3:41 PM
To: Planning
Subject: Opposition to Zoning Change at Corner of Lamberth/Shady Oaks

To Whom It May Concern:

Please accept this email as our opposition to the zoning change at the corner of Lamberth and Shady Oaks. We feel that this would create an impact of heavy traffic in a residential area, trash, noise, crime, pollution, bright lights 24/7, destroying more of our trees, negatively affect the value of our homes, safety of our children and disturbing a nice quiet neighborhood where residents enjoy walking and visiting their neighbors. In addition, less than half a mile from that location are three fuel stations, Murphy at Walmart, Valero Lone Star Food Store and VP Fuels. Also, down the street on the corner of West Taylor St and North Heritage Parkway is a Gulf Station.

There is no need for anymore fuel stations or commercial businesses in this area.

We live at 2209 Carriage Estates Rd, Sherman Tx 75092.

Thank you kindly,
Jose & Debbie "Dee Dee" Martinez

Sent from Yahoo Mail on Android

ITEM #27

Marlow, Lauren

From: Planning
To: Judy Fry
Subject: RE: Zoning change of Shady Oaks and Lamberth Road

From: Judy Fry
Sent: Tuesday, July 11, 2023 3:48 PM
To: Planning
Subject: Zoning change of Shady Oaks and Lamberth Road

I am the owner of the property at 2006 Carriage Estates Road. It is my understanding the owner or buyer of the corner of Shady Oaks and Lamberth Road is requesting a zone change for a gas station to be built. I am very much against this zone change. These surrounding neighborhoods cannot handle the additional traffic plus the roads in this area are not even handling the present traffic. Vehicles have to get in the ditch or side of the road to pass an oncoming vehicle. This is a terrible location for a commercial property. This would not be in the best interest of any of the tax paying citizens living in this area. Please vote NO to this zoning change.

Sincerely
Judy Fry

ITEM #27

Marlow, Lauren

From: Planning
To: Thea Turner
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks.

From: Thea Turner
Sent: Tuesday, July 11, 2023 3:52 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks.

To who it may concern. I am writing this email to voice my opposition to the proposed zoning change at Lamberth/Shady Oaks. This location is in the middle of residential areas and does not to be commercial. I believe adding a gas station to area will be a determent to the area. I believe that the security of our neighborhoods will decline as more people are coming around that would not necessarily have a need to be here. This will also affect traffic as the roads are already tight and hard to navigate. Also, there will be increased danger to our children and grandchildren.

Thanks,
Thea Turner
1805 Carriage Estates Rd.
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Melissa Sandoval
Subject: RE: Opposition to the zoning change at Lamberth/Shady Oaks.

From: Melissa Sandoval
Sent: Tuesday, July 11, 2023 4:20 PM
To: Planning
Subject: Opposition to the zoning change at Lamberth/Shady Oaks.

Dear P&Z Commission members,

I am writing to oppose the zoning change at Lamberth/Shady Oaks. As a resident of nearby O'Hanlon Ranch, I feel there are many negative impacts of allowing commercial properties at this location. There is no need for a gas station to be located so close to a residential neighborhood. A gas station will cause heavy traffic in a residential area, trash, noise, crime, pollution, bright lights 24/7, destroying more of our trees, and negatively affect the value of our homes. In addition, a gas station decreases the safety of our children and disturbs a nice quiet neighborhood where residents enjoy walking and visiting their neighbors.

Please consider these concerns and do not allow a change to the zoning at this location.

Kind regards,
Melissa Sandoval
2906 Butterfield Trl
Sherman, TX

Sent from my iPhone

ITEM #27

Marlow, Lauren

From: Planning
To: Judd Dupuis
Subject: RE: Protest: Gas station at Lamberth & Shady Oaks

From: Judd Dupuis
Sent: Tuesday, July 11, 2023 4:41 PM
To: Planning; Rae, Rob
Cc: Layna Dupuis
Subject: Protest: Gas station at Lamberth & Shady Oaks

Planning board,

I'm writing in protest to the declared gas station development at the corner of Lamberth Rd and Shady Oaks Dr.

While development is encouraged in our city, this isn't the right kind of development.

Within one driving mile we have four gas stations and a super market. These provide ample access to fuel as well as more than necessary access to frivolous items such as alcohol, nicotine products, and processed snacks.

We are all aware that gas stations thrive on the sell of these non-essential items marked up for profitability masked as "convenience". This is not a service to our community, our health, or our economic standing.

I recommend the board to deny this gas station and rather invite something of need such as a quality restaurant or small business that uplifts the surrounding residential citizens.

I live at 2807 Deerwood Ct, Sherman, TX 75092. My wife and I see far more potential harm than benefit to our two young children.

Please consider this email and safeguard this neighborhood from an unnecessary business that adds little to no value to the residents or the city.

Judd Dupuis
903.209.3618

ITEM #27

Marlow, Lauren

From: Planning
To: dconnor0005
Subject: RE: Site plan and Zone Change

From: dconnor0005
Sent: Tuesday, July 11, 2023 7:38 PM
To: Planning
Subject: Site plan and Zone Change

I reside @ 2106 Wyndham Court and I oppose the zoning change at 2500 Block West Lamberth Road from residential to retailbusiness.

Debbie Connor
2106 Wyndham Court
Sherman. TX 75092
Sent from my Galaxy

ITEM #27

Marlow, Lauren

From: Planning
To: Larry/Helen Vargus
Subject: RE: Opposing Zone Change at Lamberth/Shady Oaks at 2500 Block West Lamberth

From: Larry/Helen Vargus
Sent: Tuesday, July 11, 2023 6:27 PM
To: Planning
Subject: Opposing Zone Change at Lamberth/Shady Oaks at 2500 Block West Lamberth

Planning and Zoning Commission,

We wish to state that we are opposed to changing the Zoning from C-1 to R-6 for the property at 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of Elijah Hartzog Survey, Abstract No. 540.

We understand that the zoning change is being requested so that a gas station and convenience store can be built and operated on the property. This type of business is not needed as there are more than enough gas pumps and convenience stores close by:

1. First, we have 3 gas stations with 20 pumps close to the corner of 1417 and West Lamberth Road. These three businesses--Walmart, Valero, and VP-- are less than 1/2 a mile away..

2. Second, these same 3 stores all sell groceries and convenience items as well as selling gas.

3. Third, less than .2 miles West on 1417 at the West Taylor Street intersection there is also a Gulf gas station and convenience store with 4 gas pumps. There is also a Family Dollar convenience store near the corner of 1417 and West Taylor Street.

4. Fourth, the location at the intersection of Shady Oaks Lane and West Lamberth are very narrow roads and this intersection is not well seen because vehicles are coming East up over the hill on Lamberth Road and this is a four way intersection.

5. Fifth, the location at the intersection of Shady Oaks Lane and West Lamberth would also make it hard for customers leaving that property onto Lamberth Road from seeing oncoming traffic which is posted at a 35 MPH speed limit.

6. This is not the place for a commercial business of any kind since it the last piece of residential property in this area. This parcel is surrounded by homes with steadily increasing property assessments. No one wants to live next to a gas station with vehicles coming and going all day and night, not to mention the commercial lighting that would become a nuisance for all of the houses in the area.

Thank you for considering our comments,

Larry and Helen Vargus
2111 Carriage Estates Road

ITEM #27

Marlow, Lauren

From: Planning
To: Robert Bennett
Subject: RE: Opposing Zoning change@Lamberth/Shady Oaks

From: Robert Bennett
Sent: Tuesday, July 11, 2023 8:12 PM
To: Planning
Subject: Opposing Zoning change@Lamberth/Shady Oaks

My wife and I have lived in Carriage Estates in 4 homes since 1979. We are adamantly opposed to the proposed zoning change at corner of Lamberth and Shady Oaks. That lot is an island surrounded by homes. Many issues call for the change to be defeated. Safety, travel on less than adequate roads, home values of people who moved to the area in good faith and many more reasons to list here.

Please make the right decision and oppose the change. Best regards,

Robert and Joy Bennett
1912 Carriage Estates RD
Sherman, Tx 75092

ITEM #27

Marlow, Lauren

From: Planning
To: John
Subject: RE: Opposition to zoning change on Lamberth/Shady Oaks

From: John
Sent: Tuesday, July 11, 2023 9:09 PM
To: Planning; Rae, Rob
Subject: Opposition to zoning change on Lamberth/Shady Oaks

I'm communicating my opposition to the proposed zoning change from residential to retail business at the corner of Lamberth and Shady Oaks. This intersection is right in the middle of a residential area and would be unwise, unnecessary, and most of all unwanted by those that live in and around the area to change the zoning from residential to commercial.

Currently, there are homes on all 4 boundaries of this property. This is currently a quiet neighborhood that you would be bringing unwanted additional commercial truck traffic, 24/7 lighting required for a gas station/convenience stores, dangerous fuel tanker trucks, commercial trash, and will create excessive noise that comes with all of these.

As for adding additional shopping, we have a Walmart within a 1/4 mile of this location. We have a Dollar General with a 1/2 mile, and we have 3 fuel station choices all with an attached convenience store all within a 1/2 mile of this proposed station.

This isn't a commercial area. Keep neighbors in neighborhoods and retail/commercial in commerce zones.

Please pass on this zoning change.

Sincerely,

John Stovall

ITEM #27

Marlow, Lauren

From: Planning
To: Bryan Rockwell
Subject: RE: Opposing Zoning Change at Lamberth Road / Shady Oaks Lane

From: Bryan Rockwell
Sent: Wednesday, July 12, 2023 11:36 AM
To: Planning
Cc: Bryan Rockwell
Subject: Opposing Zoning Change at Lamberth Road / Shady Oaks Lane

My wife & I built our home and moved to this address in June 1998 (25 years ago). We live 3 houses due north of this Zoning Change Request changing it from R-6 (Single Family Residence) to C-1 (Retail Business).
We oppose this zoning change for the following reasons:

— Our neighborhood has always been mapped as a Suburban neighborhood. We built our house at our location with the understanding it would remain surburban / residential.
— The C-1 (Retail Business) rendering that we was shown at the Planning & Zoning Office was a Convenient Store with a Multi Bay Gas Station. This is not in conjunction with our existing residential neighborhood.
— There is no need for another gas station / convenience store as on FM 1417 (aka Heritage Parkway) there is Walmart with a gas station / Valero / VP & Gulf Fueling Stations also with convenience stores within 1/2 to 1 mile of this proposed C-1 (Retail Business) Gas Station with Connivence Store location.

—This C-1 (Retail Business) Zoning Change would add too much Traffic Congestion / Safety at the Lamberth Road / Shady Oaks Lane intersection.
— Environmental Safety issues to a residential neighborhood with usage of underground gasoline storage tanks & tanker trucks delivering gasoline supplies at this location in proximity to existing / established houses located on lots that either join this property or directly across the street on the north side of Lamberth Road.

—Retail Business Lighting that could be on 24/7.
— Retail Business Operation that could be operating 24/7.
— Noise Level will increase considerably at this intersection due to Traffic i.e. engine noise, horns honking, loud music, etc..
— Air Quality from gasoline fumes
— Environmental Safety Hazards of potential explosions due to improper fueling of vehicles, gasoline transport trucks delivery accidents, etc.
— Increase in Trash produced by retail clients not properly disposing of bags, food wrappers, cups, etc.
— High potential of armed robberies of a convenience store due to being located at a secluded location. This is a direct threat to our residential neighborhood if one or more flee the scene and police pursue them into our existing neighborhood. Home invasions & gun fights could be a potential issue.

Please call us if you need any clarifications to the above opposition points or have any questions.
We will be attending the Planning & Zoning Meeting on Tuesday, 7/18 at 5:00 pm. I do plan on speaking to these opposing points.

Regards,
Bryan & Janice Rockwell
2510 Shady Oaks Lane
Sherman, Tx 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Rusty Sarrett
Subject: RE: Proposed Zoning change at Lamberth rd. and Shady Lane

From: Rusty Sarrett
Sent: Wednesday, July 12, 2023 12:10 PM
To: Planning
Subject: Proposed Zoning change at Lamberth rd. and Shady Lane

Hello,

My name is Rusty Sarrett at 3421 Montclaire Drive, Sherman Texas.

I am against the proposed zoning change for a gas station.

I realize that residential growth is coming to our neighborhood but I don't see any need for a new gas station when there are at least 4 gas stations within a half mile of the proposed new gas station.

Please vote no on zoning change and let the continued growth be from new homes and not commercial properties.

Thank You,

Rusty Sarrett

ITEM #27

Marlow, Lauren

From: Planning
To: arpadsr
Subject: RE: Zoning at Lamberth/Shady Oaks

From: arpadsr
Sent: Wednesday, July 12, 2023 12:32 PM
To: Planning Subject: Zoning at Lamberth/Shady Oaks

We oppose the zoning change. This will negatively impact our residential area with noise, crime, pollution, trash, bright lights all night and heavy traffic. This is a nice neighborhood where we can walk and visit neighbors. Also, negative affect value of of our homes and safety of our kids. Thanks.
Arpad & Pam Pocza
2412 Remuda

Sent from my iPhone

ITEM #27

Marlow, Lauren

From: Planning
To: Jeannette Everett
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Jeannette Everett
Sent: Wednesday, July 12, 2023 1:03 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

Dear Mr. Rae,
It has recently come to my attention that there is a request to change the zoning from single family residential to commercial at the Corner of Lamberth and Shady Oaks. The main purpose is for a Gasoline station to be erected there. As a homeowner on Norwood street for 28 years, I am very much against this. Our Quiet neighborhood with the Country feeling in the city would be absolutely RUINED!
Residents regularly walk with their children safely through this area. The wildlife will be displaced from their natural habitats.
Crime will undoubtedly come to our neighborhood in increased amounts.
There are no less than three Gas stations approximately two city blocks from this proposed site,1417 and Lamberth, with another one approximately one city block away from them, 1417 and Taylor street. Changing this property that sits in the middle of a Single Family residential neighborhood doesn't make sense. It's bad enough we were blind sided by the Large multifamily construction on Lamberth just to the west of there. Since that project has started I have seen wildlife, mainly deer, displaced from their natural habitat and confused. I recently had four small deer run alongside my car one morning last week for approximately a quarter mile and then run onto the construction site. Undoubtedly their former safe place. Perhaps moving the Gas station to 82 and lamberth where there is a lot of traffic would be wiser, and more profitable. This proposed site is in between private single family dwellings. Completely out of place for a commercial property,especially a gas station. Families are moving to Sherman and our neighborhood to get away from the crowded commercial feeling of the bigger suburbs, Please don't turn our peaceful little neighborhood into another Frisco. There are plenty of other places to crowd commercial buildings into. Count me as one more homeowner definitely AGAINST this zoning change. Thank you for your time, Respectfully, Jeannette Everett

ITEM #27

Marlow, Lauren

From: Planning
To: Hayden Adair
Subject: RE: Zone Change in 2500 Block West Lamberth Road

From: Hayden Adair
Sent: Wednesday, July 12, 2023 1:20 PM
To: Planning
Subject: Zone Change in 2500 Block West Lamberth Road

To whom it may concern,

My name is Hayden Adair, and I live at 2415 Shady Oaks Lane, which is right across the street from the lot in question. I adamantly oppose the proposed site plan and zone change concerning the property located in the 2500 Block West Lamberth Road. There are a few reasons for my opposition. Firstly, the location of the lot does not make sense for a commercial space. There are houses on all sides of the lot, and the neighborhood is quickly being developed and grown out with new families building homes all the time. It is a growing neighborhood that is perfect for a family or a newly married couple, and I believe adding a commercial space would be detrimental to continued development and would discourage any new families from moving into the surrounding area. Second, I believe creating a commercial lot would decrease safety in the area. The lot is close to a nearby community park and the surrounding neighborhood contains young children, so there are always children and families outside either walking down the street to get to the park or playing in their yard. If the lot becomes a commercial space, then it will increase traffic and the amount of visitors in the neighborhood. This puts everyone who likes to walk outside or play with their kids outside at a higher risk of injury or other crimes. Third, if the lot becomes a commercial space, then it could decrease the property value of the surrounding homes. The country is currently close to a financial crisis and the housing market is a huge problem, so now more than ever, we should be concerned with protecting home values. If the homes near the lot begin to lose value, it could put families at risk of a decrease in their investment, and if they are forced to sell their home at a lower value due to the commercial lot, that could prevent the family from being able to turn around and buy a house with enough space to support their family. Finally, this zoning change is not wanted by the community surrounding the lot, and the voices of the individuals who will be forced to live with the repercussions of this change should be the taken into high consideration.

Thank you for your thoughtful consideration.

Hayden Adair

ITEM #27

Marlow, Lauren

From: Planning
To: Carol Beck
Subject: RE: zoning

From: Carol Beck
Sent: Wednesday, July 12, 2023 2:01 PM
To: Planning
Subject: zoning

We oppose the change of zoning at the corner of Lamberth & Shady Oaks for a convenience/gas station. We are residents of the area at 2915 Canyon Creek Dr.

Ronnie & Carol Beck

ITEM #27

Marlow, Lauren

From: Planning
To: Terry E
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Terry E
Sent: Wednesday, July 12, 2023 2:15 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

I am a Sherman resident living in the Carriage Estates subdivision. I am writing this email to make the city aware that we are against the zoning change concerning the property located in the 2500 Block West Lamberth Road. This area is more suitable for family housing. It will be much more beneficial for the city and the surrounding neighbors to bring in families that will work and spend their money here.

When there are already four gas stations nearby, people are not going to go out of their way to purchase gas or conenience store items. This will only result in this propsed new business, to it's going out of business within a short period of time. That will result in more problematic issues for the city PLUS decrease the value of our homes in the area. A decresed home value hurts the homeowners and the city tax base.

More housing brings in more families which results in increased property taxes which supports city government and schools. More families means increased sales tax revenues as well. Another gas station does NOT bring in more sales tax, it will only redistribute those same revenues for a short period of time while they are still in business.

We need more housing in Sherman, not another (5th) gas station in the same area. There is no benefit to the city or the property owners. A gas station off a high traffic road only leads to more problems for the city, the police department and the sheriff's deparment. There are many other properties with higher traffic counts in Sherman and around Grayson County that would be more suitable for this type of business.

The city of Sherman has worked too hard for many years to improve the quality of life for it's residents, and to make Sherman a very safe and desirable place to raise a family. Allowing this zoning change will defeat the many accomplishments the city and the citizens are proud of. Our neighborhood and all of the homes in this area are very safe, allowing children to play outside and families to walk or ride bicycles together. Please do not end this for us.

For the future betterment of the city, plus the safety and well-being of it's citizens, I urge the Planning and Zoning Commission to deny this detrimental request.

Respectfully,
Terry Everett
1812 Norwood St.
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: Bethany Rowenbowen
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Bethany Rowenbowen
Sent: Wednesday, July 12, 2023 2:32 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

Dear Planning and Zoning Commission,

We are concerned residents at 3285 W Lamberth Rd. We strongly oppose the zoning change at Lamberth/Shady Oaks. This area is a longstanding quiet and peaceful neighborhood. We would like it to remain that way.

Sincerely,
Bethany Rowen and Family

ITEM #27

Marlow, Lauren

From: Planning
To: Jules Qualls
Subject: RE: Opposing Zoning Change at Lamberth / Shady Oaks

From: Jules Qualls
Sent: Wednesday, July 12, 2023 3:04 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth / Shady Oaks

My family is opposed to the zoning change and proposed retail business at Lamberth Road and Shady Oaks Ln. We live on Shady Oaks, within the block that this property would be located.

The information we've been given is that a gas station is the likely intended business for this location. If this is true the business would simply be overkill, as there are three (3) other gas stations just two blocks from that corner. Even if another retail business is planned, there are plenty of locations for retail business on Heritage Parkway (FM 1417), and there is no reason for commercial zoning to be located directly in the middle of a residential area just 2 blocks from existing commercial zones. Not to mention the disruptive nature of traffic and lighting on a lot directly across from individual homes.

Over the years Lamberth Road has been populated by more and more businesses, and the residents of my area would simply like to retain what little residential haven we still have. **Please consider denying this zoning application at Lambeth Road / Shady Oaks and require business owners to stay within the existing commercial areas that exist just a few feet away.**

Thank you,

Kathy Qualls
Jules Qualls

Marlow, Lauren

From: Planning
To: Traci McCarthy
Subject: RE: Opposing Zoning Change at Lamberth Road / Shady Oaks Lane

From: Traci McCarthy
Sent: Wednesday, July 12, 2023 4:59 PM
To: Planning
Subject: Opposing Zoning Change at Lamberth Road / Shady Oaks Lane

From:
Michael & Traci McCarthy
3320 Carriage Circle
Sherman, Tx 75092

We oppose this zoning change for the following reasons:

We moved to this neighborhood in August 1998 and love that it has always been mapped as a Suburban neighborhood.

We feel that there isn[t a need for another gas station / convenience store as on FM 1417 (aka Heritage Parkway) there is Walmart with a gas station / Valero / VP & Gulf Fueling Stations also with convenience stores within 1/2 to 1 mile of this proposed C-1 (Retail Business) Gas Station with Connivence Store location.

We will be attending the Planning & Zoning Meeting on Tuesday, 7/18 at 5:00pm.

Regards,

Traci McCarthy
has you covered

Rec. 7/10/23
10:30 AM
KM

ITEM #27

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

CAMPBELL DAVID K ETUX MARTHA
2502 SHADY OAKS LN
SHERMAN, TX 75092

June 29, 2023

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a public hearing on the day of Tuesday, July 18, 2023, at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Northgate Villas, LLC, Gouri Raj Joshi (Owner), Prabin KC (Representative) and Copley Land Surveying (Surveyor) concerning the property located in the 2500 Block West Lamberth Road, consisting of 1.428 acres, being a part of Elijah Hartzog Survey, Abstract No. 540, and currently zoned R-6 (Single Family Residential) District

The request is as follows:

Planning and Zoning Commission
Public Hearing, Site Plan and Zone Change from an R-6 (Single Family Residential) District to a C-1 (Retail Business) 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 comments presented to the Planning and Zoning Commission or Board of Adjustment, you may do so by emailing planning@cityofsherman.com or comment in the space provided below and mail to: Development Services, P.O. Box 1106, Sherman, TX 75091. If you wish to have your views published in the online agenda, they must be received in the Development Services office by 5:00 p.m. on Wednesday, the week prior to the Planning and Zoning Commission meeting, otherwise, your comments will be provided to each Commission member at the meeting.

Reasons for opposition: ① Quiet small residential Neighborhood with no need for retail business on this corner since Wal-Mart Neighborhood Market is just two blocks away plus other retail businesses on FM 1417 including two gas stations and others. These businesses serve our neighborhood adequately. ② the traffic created by this business would create dangerous situations night and day with all types of truck deliveries not to mention the noise and smell of the trucks. Children and adults walking, running, or riding bikes to or from Pecan Grove Park for exercise would be facing danger. ③ Home and property values will diminish.

Rob Rae
Acting Secretary, Planning & Zoning Commission

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.

PO Box 1106 / Sherman, TX 75091-1106 / 903-892-7229 (Phone) / www.ci.sherman.tx.us

Mack B. and Carole Pierson

Carole Pierson
Mack B

1816 Norwood St.
Sherman, Texas 75092

DOUGLASS DISTRIBUTING

July 10, 2023

Planning & Zoning Commission
City of Sherman
220 Mulberry Street
Sherman, TX 75090

RE: Project No. 23-003776

Dear Planning & Zoning Commission Members,

My name is Brad Douglass, CEO of Douglass Distributing and I live at 2400 Meadows Lane in Sherman. Since 1981 our family has provided fuel and convenience retailing solutions in Texas and Oklahoma. We service a wide spectrum of industries, and provide services from consulting, design, operation, and maintenance. More importantly, my family lives in Sherman and we raised our children here. We are proud of our adopted hometown and sincerely desire the best for all of us. It is out of concern that I write this letter related to this project which proposes construction and operation of a gas station in the middle of a residential zoned neighborhood.

My sister operates a Valero branded convenience store called Lone Star Food Store, which is located at 2121 FM 1417, Suite K, Sherman, TX 75092. This store is located on the southeast corner of FM 1417 and Lamberth Road approximately two blocks east from the site of the above project. Across the street on the northwest corner of FM 1417 and Lamberth Road is a Wal-Mart Neighborhood Store which sells motor fuel and has a free-standing convenience retail store. Almost directly across the street from her store is a VP Racing Fuel branded convenience store located on the southwest corner of FM 1417 and Lamberth Road. Two blocks south of her store on FM 1417 is a Gulf Passport Gas, Beer, and Wine convenience store. It would appear that the neighborhood is adequately served by these four retailers.

The leadership for the City of Sherman has done a masterful job of ensuring that commercial development compliments residential development. Gas stations and convenience stores are located in commercial areas as opposed to residential. One bad example of mixing residential and commercial activites is the failed 7-11 convenience store close to my home located at 2416 Rex Cruise Drive in Sherman, located on the southwest corner of Lamberth Road and Rex Cruise Drive.

The nature of 24-hour convenient stores creates more automotive traffic, more truck traffic with food, beer, and gasoline deliveries during all times of day and night. The security lights at night, noise, increased traffic, and 18 wheelers making deliveries will negatively affect the current and future residents in that neighborhood if the zoning is changed. The storage of hazardous materials, like gasoline and diesel, in the underground storage tanks will negatively affect homeowners' insurance and property values. I personally believe that the proposed project will have a severe effect on the safety, health, and property values if this project is allowed.

Sincerely,

Brad Douglass

325 E. Forest Ave., Box 1124 • Sherman, TX 75091 • 903-893-1181 • FAX 903-892-8783

ITEM #27

DAVID K. WILSON & ASSOCIATES
ATTORNEYS AT LAW

DAVID K. WILSON

500 N Sam Rayburn Freeway, Suite 200
Sherman, Texas 75092
Telephone (903) 870-9050
Facsimile (903) 893-3522

davidkwilsonlaw@gmail.com

July 11, 2023

By hand delivery
Planning & Zoning Commission
Attention: Lauren Marlow
Development Services Coordinator
City of Sherman
220 Mulberry Street
Sherman, TX 75090

RE: Project No.: 23-003776

Dear Lauren,

I have attached for filing the Zoning Opposition Petition related to Project No.: 23-003776, the request of Northgate Villas, LLC for site plan and zone change from an R-6 (Single Family Residential) District to a C-1 (Retail Business) District related to real property situated in the 2500 Block of West Lamberth Road, Sherman, Grayson County, Texas.

In the event you have any questions, please feel free to give me a call or email. Thanks for your assistance.

Sincerely,

David K. Wilson

Encl.

ITEM #27

ZONING OPPOSITION PETITION

Date: July 10, 2023
Project Number: 23-003776

Address of Rezoning Request: 2500 W Lamberth Road
Sherman, Texas 75092

To: Sherman Planning & Zoning

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other than Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	Name	Address	Signature	Date
1.	Christi Ellis	3102 Overland Trl, Sherman, TX 75092		7-6-2023
2.	Gary Bringman	3102 Overland Trl Sherman, TX 75092		7-6-2023
3.	Blakie McBride	2400 Remuda Dr, Sherman	75092	7-6-23
4.	Shawn McBride	2400 Remuda Dr Sherman	75092	7-6-23
5.	Priscilla Key	2403 Remuda DR. Sherman	75092	7-6-23
6.	Bill Catalano	2518 Remuda Dr. Sherman, TX 75092		7/7/23
7.	Michael Coulter	2010 Carriage Estates Rd. Sherman TX 75092		7/7/23
8.	Chester Jackson	2210 Carriage Estates Rd Sherman TX 75092		7/7/23
9.	Anna O'Brien-Smith	2206 Carriage Estates Rd.		7/7/23
10.	CARL SMITH	2206 CARRIAGE ESTATES RD		7/7/23

Date: _____ Contact Name: _____ Telephone _____

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other than Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	Name	Address	Signature	Date
1.	Kami Alexander	1704 Carriage Est. Rd	Kami Alexander	7-8 23
2.	Bonnie Gall	1618 Carriage Est Rd	Bonnie Gall	7-8-23
3.	Vivienne Pitts	1712 Carriage Est Rd	Vivienne Pitts	7-8-23
4.	PHIL PITTS	1712 Carriage Est Rd.		7/8/23
5.	Larry Saunders	1610 CARRIAGE EST RD	Larry Saunders	7/8/23
6.	MAG Legg	1602 Carriage, Est Rd		7/8/23
7.	Judith Lyn	1617 Carriage Est Rd	Judith Lyn	7-8/23
8.	Richard Lyon	1617 Carriage Est Rd	Richard Lyon	7-8-23
9.	Robert Boland	1711 CARRIAGE ESTATES Rd	Robert Boland	7-8-23
10.	Chuck Turner	1805 Carriage Est Rd	C Turner	7-8-23
11.	Peg Turner	1805 carriage Est Rd	Peg Turner	7-8-23
12.	Don Manuel	2215 Carriage Est. Rd.	Don Manuel	7-8-23
13.	Larry Vargus	2111 Carriage EST. Rd	Larry Vargus	7-8-23
14.	Helen Vargus	2111 Carriage Est Rd	Helen Vargus	7-8-23
15.	Valerie Griffin	2103 Carriage est rd		7-8-23
16.	Carol Keen	2011 Carriage est rd	Carol Keen	7-8-23
17.	Felicia Davis	2001 Carriage Est Rd		7-8-23
18.	[illegible]	[illegible]	[illegible]	[illegible]

Date: _____ Contact Name: _____ Telephone _____

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other than Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	Name	Address	Signature	Date
1.	[illegible]	1907 Carriage Est. RD	[signature]	7-8-23
2.	[illegible]	1801 " " "	[signature]	7-8-23
3.	Gretchen Renne	1801 Carriage Est Rd.	Gretchen Renne	7-8-23
4.	[illegible]	2510 REMUDA DR	[signature]	7-8-23
5.	[illegible]	1711 Carriage Estate Rd	[signature]	7-8-23
6.	[illegible]	1809 Carriage Estates RD	[signature]	7-8-23
7.	[illegible]	1809 Carriage Estates Rd	[signature]	7-8-23
8.	[illegible]	2406 Hartzlegrove RD	[signature]	7-8-23
9.	[illegible]	2303 West Lamberth	[signature]	7-8-25
10.	Stephen P	Couchman 2300 Cunningham Estates	[signature]	7-10-23
11.	[illegible]	2300 Carriage	[signature]	7-10-23
12.	[illegible]	2301 SHADY OAKS LN	[signature]	7-9-23
13.	[illegible]	2117 Shady Oaks Ln	[signature]	7-9-23
14.	[illegible]	2105 Shady Oaks Lane	[signature]	7-9-23
15.	Cathy Crossland	2109 Shady Oaks Ln	[signature]	7-9-23
16.	Damon Moore	2311 norwood st	[signature]	7-9-23
17.	JAMES SHANKLES	2303 NORWOOD RD	[signature]	7/9/23
18.				

Date: _____ Contact Name: _____ Telephone _____

Project No 23-003776

ZONING OPPOSITION PETITION

ITEM #27

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other that Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change in zoning of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	NAME	ADDRESS	SIGNATAURE	DATE
1	DYANN CLAY	3024 W. LAMBERTH RD	Dyann Clay	7/5/23
2	David Campbell	2502 Shady Oak's Lane	David Campbell	7-5-23
3	KC Miller	3161 W. LAMBERTH RD	[illegible]	7/5/23
4	Tim B. Miller	3161 W. LAMBERTH RD	[illegible]	7/5/23
5	Liliana Rangel	3160 W. Lamberth Rd	[illegible]	7/5/23
6	Paulette + John Pugh	3234 W. Lamberth Rd	Paulette S. Pugh	7/5/23
7	DANNY BORAH	3186 W Lamberth Rd	[illegible]	7/5/23
8	Christa Minnig Bettina Radisill	3187 W Lamberth Rd	[illegible]	7/5/23
9	Gloria Morales	3111 W Lamberth Rd	Gloria Morales	7/5/23
10	Monique Wakefield	2217 Norwood Rd	[illegible]	7/5/23
11	PENNY GADDIS	3114 W LAMBERTH	Penny Gaddis	7/5/23
12	DONN GADDIS	3114 W. LAMBERTH Rd	Donn Gaddis	7-5-23
13	RUSSELL SHEBESH	3108 W. LAMBERTH RD	[illegible]	7/5/25

ITEM #27

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	Name	Address	Signature	Date
1.	Hood, Joe	2108 Carriage Est	Joe E Hood	7-8-23
2.	Bryan, Lance	2202 Carriage Estates Rd	Lance Bryan	7-7-23
3.	Rodney Pilcher	2112 Carriage Estates Rd	[illegible]	7-7-23
4.	John Stovall	2014 Carriage Estates R	[illegible]	7-7-23
5.	Sherry Stovall	2014 Carriage Estates Road	Sherry Stovall	7-7-23
6.	Rhonda O'Banno	2002 Carriage Estates Road	Rhonda O'Banno	7-7-23
7.	Brent O'Banno	2002 Carriage Estate Road	Brent O'B[illegible]	7-7-23
8.	Michael Miller	1916 Carriage Estates Rd	[illegible]	7 7 23
9.	Robert Bennett	1912 Carriage Rd	[illegible]	7/7/23
10.	Joy Bennett	1912 Carriage Est Rd	Joy Bennett	7/7/23
11.	Steve Southerland	1908 " " "	Steve Southerland	7/7/23
12.	Wanda Godso	1802 Carriage Est Rd	Wanda Godso	7/7/23
13.	Jim Godso	1802 CARRIAGE EST. RD.	K James Godso	7/7/23
14.	James Penton	2214 Carriage Est. Rd	[illegible]	7/8/23
15.	Scott Burns	1708 Carriage Est Rd	[illegible]	7/8/23
16.	Priscilla Burns	1708 Carriage Estate Rd	[illegible]	7/8/23
17.	Parker Estes	1708 Carriage Estates	Parker Estes	7/8/23
18.				

Date: _____ Contact Name: _____ Telephone _____

5
Project No 23-003776

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other than Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	Name	Address	Signature	Date
1.	Bryan Rockwell	2510 Shady Oaks Lane	Bryan Rockwell	7-6-23
2.	Janice Rockwell	2510 Shady Oak Lane	Janice Rockwell	7-6-23
3.	Jim Casey	2404 Remuda Dr		7-6-23
4.	Stacee Casey	2404 Remuda Dr.	Stacee Casey	7/6/23
5.	Carole Stabosten	2411 Remuda Dr.	Carole Stabosten	7/6/23
6.	Simon Kaizer	2427 Remuda Dr.		7/6/23
7.	Donna Bodger	2416 Remuda Dr		7-6-23
8.	[illegible] Cook	2414 Remuda Dr.		7.6.23
9.	Katrina Chalk	2423 Remuda Drive	Katrina Chalk	7-6-23
10.	Terdeock Klyesner	2503 Remuda Drive	Terdeock Klyesner	7-6-23
11.	Susan Klyesner	2502 Remuda Dr	Susan Klyesner	7-6-23
12.	April Adams	2510 Remuda Dr	April Adams	7-6-23
13.	Tracie Klassen	2501 Remuda Dr.	Tracie Klassen	7-6-23
14.	Steve Klassen	2501 Remuda Dr.	Steve Klassen	7-6-23
15.	Carlos Rivas	2505 Remuda Dr		7-6-23
16.	Carit Rivas	2505 Remuda Dr.	Carlos Rivas	7.6.23
17.	Delisa Catalano	2518 Remuda Dr.	Delisa Catalano	7.6.23
18.	Kaitlin Johnson	2517 Remuda Dr	Kaitlin Johnson	7/6/23

Date: _____ Contact Name: _____ Telephone _____

ITEM #27

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	Name	Address	Signature	Date
1.	Spencer Murphey	2713 Shady Oaks Lane	Spencer Murphey	7-7-23
2.	Robert Murphey	2713 Shady Oaks Lane	Robert Murphey	7.7.23
3.	Dorothy Huddleson	2600 Shady Oaks Lane	Dorothy Huddleson	7/8/23
4.	Sylvia Urgo	2600 Shady Oak	Sylvia Urgo	7-8-23
5.	Kevin Urgo	2600 SHADY OAK LANE	[illegible]	3-16-50
6.	Joe & Beth Cernero	2604 Shady Oak Lane	[illegible]	7-8-23
7.	Roy + Jennifer Webster	3216 Bendara Dr.	Jennifer Webster	7-8-23
8.	Nicholas Onufrak	2407 Remuda Dr.	N. James Onufrak	7-8-23
9.	Carole Onufrak	2407 Remuda Dr.	Carole Onufrak	7/8/23
10.	Steven Bobo	3323 Carriage Cir	[illegible]	7/8/23
11.	Pam Bobo	3323 Carriage Circle	Pam Bobo	7/8/23
12.	Scotty Stewart	2709 SHADY OAKS LN	[illegible]	7/8/2023
13.	Vicki Stewart	2709 Shady Oaks Lane	Vicki Stewart	7-8-2023
14.	Debra Dionne	2705 Shady Oaks	Debra Dionne	7-8-23
15.	Peter Dionne	↓	Peter Dionne	[illegible]
16.	James Fry	74 Shady Oaks Cir	[illegible]	7/8/23
17.	Janet E Fry	74 Shady Oaks Circle	Janet Fry	7/8/23
18.				

Date: _____ Contact Name: _____ Telephone _____

Project No 23-003776

ITEM #27

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other than Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	Name	Address	Signature	Date
1.	BRAD MORGAN	141 Shady Oaks Cir Sherman TX 7509		7-8-23
2.	NICOLE MORGAN	141 Shady Oaks Cir Sherman TX 75092		7/8/23
3.	MARK BROWN	104 Shady Oaks Cir Sherman TX 75092		7/8/23
4.	TONJA BROWN	" " " " "		7/8/23
5.	Chris Busker	2415 Bermuda Drive 75092 Sherman		7/8/23
6.	Amelie Busker	2415 Bermuda Drive 75092 Sherman		7/8/23
7.	Annette Hargrove	3316 Carriage Circle 75092		7/8/23
8.	Robert Hargrove	" " " "		7/8/23
9.	Derek Hargrove	" " " "		7/8/23
10.	Young Kim	2408 Remuda dr. 75092		7/8/23
11.	Eun Young Lee	"		7/8/23
12.	David Wilson	2506 Shady Oaks Sherman TX		7/8/23
13.	Patsy Wilson	2506 Shady Oaks Lane		7/8/23
14.	Nia Greene	3223 Bandera Dr. Sherman TX		7/9/23
15.	Jamie Greene	3223 Bandera Dr. " "		7/9/23
16.	Ricardo Ayala	3335 Carriage Circle Sherman		7/9/23
17.	Alicia Ayala	"		7/9/23
18.	Frances Jones	3332 Carriage Circle Sherman		7/9/23

Date: _____ Contact Name: _____ Telephone _____

Project No 23-003776

ITEM #27

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other than Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	Name	Address	Signature	Date
1.	ROBERTA FURMANEK	3367 W. LAMBERTH RD	Roberta Furmanek	7-7-23
2.	ROGERS A. FURMANEK	3367 W. LAMBERTH RD	Rogers A. Furmanek	7-7-23
3.	Bethany + Patti Rowden	3285 W. lamberth Rd	Bethany Rowden	7-7-23
4.	NIGIL patel	1707 Carriage Estates Rd.		7-9-23
5.	Garrett Magers	1707 Carriage Estates Rd		7-9-23
6.	Mandy Palmer	1603 Carriage Estates Rd	MPalmer	7-9-23
7.	[illegible]	1703 Carriage Estates Rd		7-9-23
8.	TERRI STOKES	3409 MONTCLAIRE DR.	Terri Stokes	7-9-23
9.	RUSTY SMITH	3421 MONTCLAIRE Dr		7-9-23
10.	Kay Herrman	3418 "	Kay Herrman	7-9-23
11.	Tom Herrman	3418 Montclaire Dr.	Tom Herrmann	7-923
12.	GLENN EAVES	3414 "		7-9-23
13.	Tim Brown	1903 Carriage estates		7-9-23
14.	Melissa Strawn	1913 Carriage Estate Sherman, TX.		7-9-23
15.	Crystal Scott	2432 Westhaven Ct. Sherman, TX		7-9-23
16.	MIKE VAN SICKLE	2413 WESTHAVEN CT SHERMAN	Mike Van Sickle	7-9-23
17.	Angela Magers	2417 Westhaven Ct. Sherman	Angela Magers	7-9-23
18.				

Date: _____ Contact Name: _____ Telephone _____

ITEM #27

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other that Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change in zoning of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	NAME	ADDRESS	SIGNATAURE	DATE
14	[illegible]	3332 Cranridge Cir.	[illegible]	7/6/202
15	Guy Clay	3024 W Lamberth Rd	[illegible]	7-6-202
16				
17				
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19				
20				
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25				
26				

ITEM #27

ZONING OPPOSITION PETITION

Date: July 10, 2023

Project Number: 23-003776

Address of Rezoning Request: 2500 W Lamberth Road Sherman, Texas 75092

To: Sherman Planning & Zoning

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other than Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	Name	Address	Signature	Date	Email
1.	David Campbell	2502 Shady Oaks Ln			
2.	Martha Campbell	2502 Shady Oaks Ln			
3.	Mickey Pierson	1816 Norwood St			
4.	Carole Pierson	1816 Norwood St.	Carole Pierson		
5.	Terri Chapman	1608 Norwood St.			
6.	George Chapman				
7.	Rex Walkup	1702 Norwood St	Rex Walkup	7-8-23	
8.	Gwen Walker	1703 Norwood	Gwen Walker	7-8-23	
9.	Dana Sims	1706 Norwood St			
10.	Natalie Sims	1706 Norwood			
11.	VIVIAN MITCHELL	1710 NORWOOD			
12.	Pat Brookman	1714 Norwood	Pat Brookman		
13.	Chet & Yvonne Teal	1800 Norwood	Yvonne Teal		
14.	Armando Lopez Canuto	2209 Norwood		7-8-23	
15.	Lacie Mitchell	2209 Norwood	Lacie Mitchell	7-8-23	
16.	Teresa Deuth	2206 Norwood			
17.					
18.			Martha Campbell		

ITEM #27

ZONING OPPOSITION PETITION

Date: July 10, 2023

Project Number: 23-003776

Address of Rezoning Request: 2500 W Lamberth Road, Sherman, Texas 75092

To: Sherman Planning & Zoning

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other than Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	Name	Address	Signature	Date	Email
1.	Melissa Dahle	1911 Norwood Street Sherman TX 75092		July 8 2023	
2.	Ryan Dahle	1911 Norwood St. Sherman TX 75092			
3.	Alan Matthack	1902 Norwood St Sherman TX 75092			
4.	Jim Roth	2114 Norwood St. 75092 Sherman TX 75092			
5.	Dillon Hartwood	2110 Norwood St Sherman Tx 75092			
6.	Mary Clark	2100 Norwood St Sherman TX 75092			
7.	Kitty Richardson	2002 Norwood Sherman, TX 75092			
8.	Chris Richardson	2011 Norwood St. Sherman, TX 75092		July 9, 2023	
9.	Anthony J. LaRosa	2018 Norwood St Sherman TX 75092		7/9/2023	
10.	Stephen Harrell	2008 Norwood St Sherman TX 75092			
11.	STEVE BRILEY	Steve Briley	2004 Norwood	Sherman TX	
12.		sbriley749@AOL.com			
13.	FERNANDO LAVIN	1908 NORWOOD ST			
14.	Troy L. Weber	2911 Butterfield Trl. Sherman, Tx. 75092			
15.	Lyneke Weber	2911 Butterfield Trl, Sherman, Tx 75092			
16.					
17.					
18.					

ITEM #27

We, the undersigned residents of the City of Sherman, Texas, affected by the requested zoning change concerning the property located in the 2500 Block of West Lamberth Road, consisting of 1.428 acres, being a part of the Elijah Hartzog Survey, Abstract No. 540 and currently zoned R-6 (Single Family Residential District) do hereby protest against any change which would rezone the property to any classification other than Single Family Residential. We oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We feel that any change of this property would negatively affect the value of our homes, safety of our children, and aesthetics of the environment. Therefore, Petitioners request the City of Sherman Planning and Zoning Commission take consideration of our concerns and interest in this matter.

	Name	Address	Signature	Date
1.	Blake Parham	1813 Norwood Street, Sherman TX		7/9/23
2.	Sue Foster	2901 Sedalia Trail	Sue Foster	7/10/23
3.	David Foster	2901 Sedalia Trail Sherman TX		7/10/23
4.	Richard Stokes	3409 Montclaire Sherman TX		7/10/23
5.	Kevin Schilli	2214 Norwood St Sherman TX		7/10/23
6.	Rose Penton	2814 Carriage Estates Rd		7/10/23
7.	Gerry Burleson	2100 Carriage Est. Rd		7/10/23
8.	Raylene Burleson	2100 Carriage Est. Rd.		7/10/23
9.		3585 West Lamberth		7/10/23
10.	Vickie Stokely	3585 West Lamberth		7/11/23
11.	Cathy Gant	3517 West Lamberth		7/11/23
12.		3517 W Lamberth		7/11-23
13.	Eugene Hardesty	2420 Remuda Dr.		7/11/23
14.				
15.				
16.				
17.				
18.				

Date: _____ Contact Name: _____ Telephone _____

ITEM #27

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Jim Barnes

	Name	Address	Signature	Date
1.	Jim Barnes	3319 Ponytail	Jim Barnes	7-10-23
2.	Karla Graham	2300 Shady Oaks	Karla Graham	7-10
3.	Darrell Graham	2300 Shady Oaks	Darrell Graham	7-10-2
4.	Ronna Brooks	1804 Norwood	Ronna Brooks	7-10 Frogs
5.	Ryan Brooks	"	Ryan Brooks	7-10 RC
6.	Terri Cartman	2213 Norwood St.	Terri Cartman	7-11-23
7.	Paul Cartman	"	Paul Cartman	7-11-23
8.	Tammie Parker	2106 Norwood	Tammie Parker	7-11-23
9.	Joe Parker	"	Joe Parker	7-11-23
10.	Kathy Meador	2108 Turtle Creek	Kathie Meador	7-11-
11.	Dr. Clark Meador	"	Clark Meador	
12.	Bill White	"	Bill White	7-11-23
13.				
14.				
15.				
16.				
17.				
18.				

Date: _____ Contact Name: _____ Telephone _____

Project No 23-003776

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	Name	Address	Signature	Date
1.	Linda Gross	2608 Shady Oaks Ln Sherman		7-9-23
2.	Kevin Gross	" " " "		7-9-23
3.				
4.				
5.				
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	Name	Address	Signature	Date
1.	Nick Avlos	2504 Riata Dr. Sherman TX 75092	Nick Avlos	7/11/23
2.	Jeannette Everett	1812 Norwood Street TX 75092	Jeannette Everett	7/11
3.	Debbie Conner	2106 Wyndham Ct. Sherman 75092	Debbie Conner	7/11/23
4.	DREW WOFFORD	2421 WESTHAVEN CT. SHERMAN, TX, 7508	[illegible]	7-11-23
5.	Paige Wofford	2421 WESTHAVEN CT. SHERMAN, TX 75092	Paige Wofford	7-11-23
6.	Clark Rowbeck	2410 Westhaven CT	[illegible]	7-11-23
7.	Ann McFarland	2405 Westhaven CT	Ann McFarland	7-11-2023
8.	Judy Fry	2006 Carriage Est Rd	Judy Fry	7-11-2006
9.	Gary Witt	2006 Carriage Est Rd	[illegible]	7-11-2006
10.	[illegible] SHEBESH	3108 W Lamberth	[illegible]	7-11-2023
11.	Debbie Conway	1614 Carriage Estates	[illegible]	7/11/2023
12.	Hayden Adair	2415 Shady Oaks Lane	[illegible]	7/12/2023
13.				
14.				
15.				
16.				
17.				
18.				

Date: _____ Contact Name: _____ Telephone _____

Project No 23-003776

Item # 27

Marlow, Lauren

From: Planning
To: Terrin Bertholf
Subject: RE: Opposition to gas station at SW Corner of Shady Oaks and Lamberth

From: Terrin Bertholf
Sent: Wednesday, July 12, 2023 5:10 PM
To: Rae, Rob; Planning
Subject: Opposition to gas station at SW Corner of Shady Oaks and Lamberth

Good afternoon;

I live on Shady Oaks and oppose the use of a gas station at this site- I think there are some really pragmatic reasons why this use at this location does not make sense:

1) The intersection of Lamberth and Shady Oaks is rather dangerous and narrow. I believe right now Shady Oaks is roughly 16ft wide and two trucks cannot pass one another without having to pull off in someone else's yard to get by.
2) The traffic counts here are low and a gas station is not a destination location -especially- when there are three gas stations at the corner of FM 1417 and Lamberth which would lead to a vacant commercial building sitting on this lot. Even with more traffic coming to this area, it won't be at the levels necessary to make a gas station thrive and most likely not survive.
3) I'd argue that light pollution here would be a high possibility as no one wants to go to a dark gas station. While I am not directly affected by this, my neighbors are.
4) I have sold several sites that were gas stations and I have never seen one that didn't have environmental issues that had to be addressed.
5) This is the area of town with the highest priced homes. While I am not opposed to a gas station in the general area, say along FM 1417 or Hwy 82, I do oppose this use being next door to residential homes in the $500k-$1.5M range. From my experience, I can confirm that this will harm the real estate value of this established neighborhood.

Best Regards,

Terrin Bertholf
Partner, B&H Companies

Item # 27

Marlow, Lauren

From:	Planning
To:	Donna Bedgood
Subject:	RE: Planning and zoning change request opposition

From: Donna Bedgood
To:
Cc:
Bcc:
Date: Wed, 12 Jul 2023 09:21:27 -0500

Subject: Proposed zoning change
I do so hope the planning and zoning commission will not give consideration to allowing a service station to be placed in the middle of the O'Hanlon, Carriage Estates homes in the area. This is a totally inappropriate place for a service station. Also, it is not needed here as there are already 3 stations within a short distance on Highway 1417. Please do not bring commercial development where it should not be! Give consideration to existing home owners! We in Carriage Estates are already seeing the effects of the clear cutting of trees behind the creek running behind our homes. Along with the recent private lake that was allowed to be built on the edge of the creek (the dam leaks into the creek) the level of water being sent into the creek is toppling large trees into the creek—so sad! We have lost at least 1/2 of our lower lot into the creek and the creek doubled in size behind our house. Can you tell me with whom I can talk to about this?
In reporting this to you, I hope as you consider approving new developments, you will protect the interests of your long time, tax paying home owners.
Donna and David Bedgood

Item # 27

Marlow, Lauren

From: Planning
To: Gary Witt
Subject: RE: Opposing Zoning Change at Lamberth/Shady Oaks

From: Gary Witt
Sent: Thursday, July 13, 2023 10:09 AM
To: Planning
Subject: Opposing Zoning Change at Lamberth/Shady Oaks

I protest any zoning change to the above properties from residential.

Gary A Wtt
2508 Sherwood Dr
Sherman, TX 75092

ITEM #27

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Gary A Wtt
2508 Sherwood Dr
Sherman, TX 75092

ITEM #27

Marlow, Lauren

From: Planning
To: adam mcginnis
Subject: RE: Opposition to Rezoning 2500 Block West Lamberth Road

From: adam mcginnis
Sent: Thursday, July 13, 2023 11:58 AM
To: Planning
Subject: Opposition to Rezoning 2500 Block West Lamberth Road

Dear Council,

I am writing to express my strong opposition to the proposed rezoning of the 2500 Block West Lamberth Road. Nearly all residents in the Carriage Estates, and West Lamberth neighborhoods are completely opposed to the addition of a commercial rezoning to build a gas/service station that will cause traffic and safety problems, and potentially lower the property values of the existing communities.

Traffic and safety of pedestrians are major areas of concern. We have several groups of runners, bicyclists, and individuals who exercise on our streets on a daily basis. We also have moms of small children who walk with strollers and bicycles around our neighborhoods. The surge in traffic will negatively impact these individuals as well as children who walk to the school bus stops, and parks that are nearby. The area traffic has already begun to increase due to a new housing addition being built, and another one that has already started.

Property values are likely to go down in the area if a commercial gas/service station is built. There are already 3 gas/service stations within half a mile of this proposed building site. Another one is just not needed or wanted.

One other point I would like to make is our community has boarded up stores, even entire shopping centers that have been abandoned. These lost commercial opportunities are frequently poorly maintained, making them unattractive and unpleasant neighbors. One of the main causes for this is excessive or unfair competition. There is a limit to the number of retail establishments any area can handle.

I urge you to disapprove the proposed rezoning, and from recent discussions with my neighbors, I know my opinions are shared by many.

Thank you for your continued service and support of our communities.

Best Regards,
Adam and Chelsey McGinnis

ITEM #27

Marlow, Lauren

From:	Planning
To:	KIM BAILEY
Subject:	RE: OPPOSING ZONING CHANGE W. Lamberth/Shady Oaks

From: KIM BAILEY
Sent: Thursday, July 13, 2023 6:29 PM
To: Planning **Subject:** OPPOSING ZONING CHANGE W. Lamberth/Shady Oaks

As a homeowner and current resident of Carriage Estates off Lambreth Rd in Sherman, my family and I vehemently oppose the above mentioned property being zoned in to any thing other than single or double occupancy family housing.
Over 50 years ago my husband & I moved in to the little house on the corner of Norwood & Shady Oaks. It was still Lamberth Rd then. It was beautiful & serene out here. A few years later my parents built our current residence on Carriage Estates Rd, several generations were raised here. It was still beautiful and serene out here. Several years ago because of a love for the area and wanting his kids to experience the ambiance he knew at his grandparents house, our son purchased the house from my parents.
Recently after loosing his wife to Cancer, my husband and I bought the house so our grandkids could finish school & live in the beautiful area where their mother spent her final months with them.
Now, people who do not live here and never have, want to build a gas station on the corner coming into the neighborhood. Walmart (Murphy), VP, and Valero have plenty of gas pumps for the area. Why do they need more? There is still plenty of land out on Heritage Pkwy (FM1417) for businesses of any kind.
Let them build out there in the business area, not around our homes and families. It will devalue our property, but money is not the most important factor.

Sincerely,
Clarence Bailey
Kim Bailey
1607 Carriage Estates Rd
Sherman, TX 75092

Chairman Mahone stated, "I want to reiterate we do not have an applicant who bothered to show up for this item and City Staff is recommending to the Commission that this be denied. I do not see any evidence to make me think this is a good idea."

No other citizens appeared before the Planning and Zoning Commission to discuss the Site Plan and Zone Change.

ACTION TAKEN.

Planning and Zoning Commission
Motion by Vice Chairman Downtain to deny the Site Plan and Zone Change located in the 2500 Block West Lamberth Road. Second by Commission Member Whitaker.

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

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

SITE PLAN – SHERMAN EAST VILLAGE IN THE VILLAGE PLANNED DEVELOPMENT 2820 WEST TRAVIS STREET (THE MUNSON REALTY COMPANY)

SITE PLAN
THE REQUEST OF THE MUNSON REALTY COMPANY (OWNER), KEVIN SHAW (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2820 WEST TRAVIS STREET, CONSISTING OF 99.00 ACRES BEING TRACT ONE AND TRACT TWO IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AND IS CURRENTLY ZONED PD (PLANNED DEVELOPMENT) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN OF SHERMAN EAST VILLAGE IN THE VILLAGE PLANNED DEVELOPMENT

The property is located at 2820 West Travis Street between West Moore Street and Northgate Drive.

Jim Knight, 3501 Olympus Boulevard, Dallas, TX
Mr. Knight explained, "The owner is requesting Site Plan approval for a Multi-Family Residential development. We feel the project complies with the existing Planned Development and look forward to moving forward."

Chairman Mahone asked, "Could you summarize the Traffic Impact Analysis?"

Mr. Knight replied, "With the City's investment in Moore Street we had to make some turn lane improvements to the north and the south property. We will have some minor improvements with deceleration lanes and right turn lanes. There will be turn lane dedication to the north and south on our expense."

Mr. Rae stated, "The Staff Review Letter has been revised and we ask if you were to approve this item you have this subject to the revised Staff Review Letter."

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 11, 2023

Sent via email

REVISED July 14, 2023

Kevin Shaw
3501 Olympus Blvd.
Suite 100
Dallas, TX 75019

The Munson Realty Company
305 West Woodard Street
Denison, TX 75020

Dear Applicants,

The request for Site Plan of Sherman East Village in the Village Planned Development located at 2820 West Travis Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 18, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14 and The Village PD (Planned Development) District.
2. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
3. Any changes made to the Site Plan prior to the final fulfillment of the conditions of the Staff Review Letter must be considered minor by Staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

4. Platting of the property is required. Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004
5. Indicate street name for "Collector Road." Proposed street names must be approved by the City of Sherman Development Services Department prior to filing the plat. Code of Ordinances Chapter 10, Exhibit A, Sec. 12(B)(1)(h)
6. Sidewalk conforming to City of Sherman standards required along Moore Street. Code of Ordinances Chapter 3, Division 5, Sec. 3.10.121
7. Drive approaches must be right-in, right-out if not provided a median break. Additional median breaks will not be permitted.
8. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154
9. The improvements to the intersection of West Travis at FM 1417 and at the intersection of FM 1417 and Flanary Road/Moore Street to be constructed per the recommendations in the Traffic

Impact Analysis for this development as submitted by Pacheco Koch dated June 19, 2023."

10. Water main must be extended in accordance with City criteria to serve proposed Lot. Water capacity shall be verified for proposed use. Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)
11. Wastewater main must be extended in accordance with City criteria to serve proposed Lot. Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)
12. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)
13. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.

Fire Services

14. [ ] 507.5.1.1 - Buildings equipped with a FDC installed in accordance shall have a fire hydrant within 100' of the fire department connections.
15. [ ] Any road leading to a 3-story and/or 30' tall building must follow D105.2, D105.3 & 503.2.4
16. [ ] D105.2 - Aerial fire apparatus access roads shall have a minimum unobstructed width of 26', exclusive of shoulders, in the immediate vicinity of the building or portion thereof. and an unobstructed vertical clearance of not less than ~~13' 6"~~ 14'. (City Ordinances Amendments 3.01.002)
17. [ ] D105.3 - One or more of the required access routes meeting this condition shall be located not less than 15' and not greater than 30' from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
18. [ ] 503.2.4 - The minimum turning radius shall be at least 25' unless the fire lane exceeds minimum requirement of 26'. (City Ordinances Amendments 3.01.002)
19. [ ] Some access points off the proposed collector roads letting to a 3-story and/or 30' tall building are split 12' & 12' with islands between them. These areas shall be 26' wide or 13' & 13' with islands between them.

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Chairman Mahone asked Mr. Lee, "Does Engineering mention anything on the Traffic Impact Analysis?"

Mr. Lee replied, "Yes, they will need to address the recommendations in the letter."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Knight replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Davis to approve the Site Plan located at 2820 West Travis Street subject to the revised Staff Review letter. Second by Vice Chairman Downtain.

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

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

PUBLIC HEARING AND TEMPORARY USE PERMIT – CONCRETE BATCH PLANT 4200-4300 BLOCK DRIPPING SPRINGS ROAD (SWEETWATER SPRINGS LAND, LLC)

PUBLIC HEARING AND TEMPORARY USE PERMIT
THE REQUEST OF SWEETWATER SPRINGS LAND, LLC (OWNER), GILCO CONTRACTING, INC (REPRESENTATIVE) AND STRAND (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 4200-4300 BLOCK DRIPPING SPRINGS ROAD, BEING IN THE JOHN HENDRIX SURVEY, ABSTRACT NO. 503, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND TEMPORARY USE PERMIT UNDER SECTION 14.06.008 TO ALLOW A CONCRETE BATCH PLANT IN AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

The property is located in the 4200-4300 Block Dripping Springs Road between Marshall Street and Dripping Springs Road.

Mark Lenard, 6331 Southwest Boulevard, Benbrook, TX
Mr. Lenard explained, "We are requesting to set up a temporary concrete batch plant for Sweetwater Springs, Phase 2. This will help with scheduling and temperature control having everything on site. We are expecting this job to run for 5 days weather permitting."

Chairman Mahone asked, "What would the time frame look at if we had a large amount of rain?"

Mr. Lenard replied, "It could take 2-3 weeks."

Chairman Mahone asked, "Is the concrete batch plant just to pour the infrastructure?"

Mr. Lenard replied, "It would be used for the streets in that project. This would prevent Redi-Mix trucks from coming in and out?"

Chairman Mahone asked, "How many homes do you expect on site?"

Mr. Lenard replied, "About 150 homes."

Chairman Mahone asked, "Could you tell me about the regulations for the State of Texas on concrete batch plants?"

Mr. Lenard replied, "We are required to submit a letter to Texas Commission on Environmental Quality (TCEQ). We would have to follow their procedures and parameters on setting up the batch plant."

Chairman Mahone asked, "Does TCEQ come out to inspect?"

Mr. Lenard replied, "No, but they could if there were complaints."

Chairman Mahone asked, "What requirements do you have for keeping dust down?"

Mr. Lenard replied, "We have bag houses that prevent the cement dust from getting out and we water down the ground."

Chairman Mahone asked Mr. Lee, "Can you confirm the requirements from TCEQ?"

Mr. Lee replied, "Yes, you have to keep the site wetted down and take measures to keep particulate matter out of the air."

Chairman Mahone asked Mr. Lenard, "Do you monitor the particulate matter in the air?"

Mr. Lenard replied, "No, but we have in the past."

Commission Member Manley asked, "What is the major source of dust?"

Mr. Lenard replied, "It is from the trucks driving on the dirt."

Commission Member Manley asked Mr. Lee, "Can you confirm the majority of the dust is from the bag house or trucks driving on the dirt?"

Mr. Lee replied, "It is from the trucks driving on the dirt."

Commission Member Manley asked, "What is your alternative if this was to be denied?"

Mr. Lenard replied, "We would have to bring in 100 Redi-Mix trucks and that is if we could even get that."

Chairman Mahone asked, "How long do you want this Temporary Use Permit for?"

Mr. Lenard replied, "One month."

Chairman Mahone asked Mr. Rae, "Is the permit from build to tear down?"

Mr. Rae replied, "If a Temporary Use Permit for a batch plant was approved, the next step would be to get a building permit. That is what starts the timeline."

Sean Vanderveer, 113 North Travis Street, Sherman, TX
Mr. Vanderveer asked, "Do I understand correctly that they can have up to 6 months with a Temporary Use Permit?"

Mr. Rae stated, "The Ordinance states for concrete batch plants up to 2 years."

Chairman Mahone asked Mr. Rae, "If the applicant was granted 4 weeks and it didn't happen, they would have to go through the process again to extend that time?"

Mr. Rae replied, "Correct."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Lenard replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Temporary Use Permit.
ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Davis to approve the Temporary Use Permit located in the 4200-4300 Block Dripping Springs Road subject to the Staff Review letter with a time frame of 6 weeks. Second by Commission Member Whitaker.

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

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

PUBLIC HEARING AND TEMPORARY USE PERMIT – THE REQUEST OF LENNAR (OWNER), GILCO CONTRACTING, INC., EMMA TURNER (REPRESENTATIVE) AND KIMLEY-HORN AND ASSOCIATES, INC. (SURVEYOR) CONCERNING THE

PUBLIC HEARING AND TEMPORARY USE PERMIT –

CONCRETE BATCH PLANT
3800 BLOCK WEST HOUSTON STREET (LENNAR)

PROPERTY LOCATED IN THE 3800 BLOCK WEST HOUSTON STREET, BEING IN THE W.M. THOMPSON SURVEY, ABSTRACT NO. 1210 AND THE FIELDING BACON SURVEY, ABSTRACT NO. 11, AS FOLLOWS:
PLANNING & ZONING COMMISSION
PUBLIC HEARING AND TEMPORARY USE PERMIT UNDER SECTION 14.06.008 TO ALLOW A CONCRETE BATCH PLANT IN AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

The property is located in the 3800 Block West Houston Street between North Friendship Road and Ridgeview Road.

Mark Lenard, 6331 Southwest Boulevard, Benbrook, TX
Mr. Lenard explained, "We are requesting to set up a temporary concrete batch plant for Hidden Meadows and move the site to Phase 2 away from the other homes. We are expecting this job to run for 6 days weather permitting."

Chairman Mahone explained, "Staff recommends that if the Temporary Use Permit (TUP) is approved by the Planning and Zoning Commission that the site of the batch plant be located on the southwest portion of the Hidden Meadows development."

Chairman Mahone asked Ms. Cotton, "Does this present any problems with advertising this item being farther away?"

Ms. Cotton replied, "This would not trigger any notifications for properties nearby since they are still in the boundary. In order to specify where you are the applicant would need to give instruction to the Commission as to which area you are approving."

Commission Member Manley asked Mr. Lenard, "If this request was denied what would the route be for the Redi-Mix trucks?"

Mr. Lenard replied, "They would come in off Houston Street."

Chairman Mahone stated, "City Staff has informed me on an estimate being for every 100 homes in a development it would take 160 truck loads for just the infrastructure. Would you agree on that?"

Mr. Lenard replied, "I agree with that."

Bill Hackathorn, 437 Ridgeview Road, Sherman, TX
Mr. Hackathorn explained, "With the concrete batch plant being moved away from the homes we still have a problem with the retention pond. It was originally going to be towards the back of the property but now it is on a lot off Ridgeview Road and not sealed. There is water coming up into our neighbor's yard and cracking the concrete. I disagree with dust coming from trucks driving on the dirt, I have seen it come from the bags. We understood the batch plant would be around for 2 years, we can deal with 6 days to a month but hold them to it."

Chairman Mahone asked Mr. Hackathorn, "Have you reported the retention pond to the City of Sherman?"

Mr. Hackathorn replied, "Yes we have tried."

Viviana Anderson, 433 Ridgeview Road, Sherman, TX
Ms. Anderson explained, "My concern is if the concrete batch plant will be there for 2 years. I am an expecting mother and all the articles talk about the toxins causing asthma in unborn babies. There are a lot of children on Ridgeview Road and the particles could affect them. I am here for the babies who don't have a voice to speak, and I want to make sure everyone is safe."

Evan Elkins, 405 Ridgeview Road, Sherman, TX
Mr. Elkins explained, "My wife and I have spent over a year looking for this property to call our dream home. We were fortunate enough to move our in laws next to us but they are elderly in age and asthmatic. There has been little communication from the developer which I just found out they would be tearing up my front yard to get into the water line. We have lost 100-year-old trees and they aren't replacing any of them. Concrete keeps ruining the ozone making things heat up and we ask please be cautious on what you allow. Let us have a voice to be heard."

Chris Vellotti, 1968 Baker Ridge Road, Sherman, TX
Mr. Vellotti asked, "In the event that one of the 3 batch plants does not get approved does that work then flow to another batch plant that was approved? If you are only needing the batch plant for 5 or 6 days to operate and 2 days to disassemble, is it possible to move locations so you don't have multiple batch plants going?"

Tim Morris, 420 Ridgeview Road, Sherman, TX
Mr. Morris explained, "If you are going to have a concrete batch plant in Phase 1, will there be another batch plant in Phase 2? Concrete batch plants started for the highways and the regulations grew up around the projects. What bothers me the most is that the City of Sherman doesn't have a batch plant rule, they have a Temporary Use Permit which applies to any zoning district in town. What kind of property is the batch plant compatible with? This kind of property is not."

Chris Morgan, 409 Ridgeview Road, Sherman, TX
Mr. Morgan explained, "I live at one of the houses that have water damage but as far as the concrete batch plant our neighborhood concern is the government body that oversees the batch plant. There is no true zoning type rule for the batch plants. We had concerns with the water coming into our yard from the retention pond. We spoke to the Engineer and during

that time, he rolled his eyes saying, "When it is done it is going to be better than what it was." Our yard has been washed out twice since then and we now have a permanent pond next to our home."

Julie Morgan, 409 Ridgeview Road, Sherman, TX
Ms. Morgan explained, "We have been in the Sherman area for over 20 years. My father is an Engineer, and he was extremely concerned about what was going to happen to the 4 acres across from us. He had said that would be a problem if a developer ever bought that property. A developer bought it, put the retaining pond in and now we have water that stinks and is ruining our foundation. I have called the Engineering Department, Texas Commission on Environmental Quality (TCEQ) and the Health Department but they all say it is your job to take care of that. I hope someone can come out to take a look because some of the water is seeping out of the retaining pond and coming under the road into our yard. We have tried to manually get the water out but as we do it comes up from underneath. My daughter is a young driver, and the traffic is a concern for me as well as myself having asthma. We have a fresh air return in our house which pulls air from outside and we smell things. I will be breathing this batch plant along with sewage from an illegal sewer line in our backyard."

Roy Franks, 24 Timbercreek Road, Sherman, TX
Mr. Franks explained, "I used to have woods directly behind my house which they are all gone now. The creek between 24 Timbercreek, 20 Timbercreek and 18 Timbercreek is loaded with mud. Our dogs walked down there, and it took hours to clean the floor where they came in the house. If there is going to be another batch plant for Phase 2 it is going to be near Longhorn Estates, Timbercreek or Ridgeview Road. My house and pool have been nothing but dirt from the dust. I was watching the trucks today and they were driving 20-30 miles per hour with dust flying everywhere. They talk about watering, but it doesn't get done until 4:00 p.m. or 5:00 p.m. They are supposed to have a retention pond behind me but now I have a little black barrier where they put a temporary fence. No one from the City of Sherman has come out to take a look. Some one needs to hold them accountable for everything that is happening right now."

Victoria Dryden, 204 Ridgeview Road, Sherman, TX
Ms. Dryden explained, "I spent time in the military doing horizontal construction. If you don't continuously use the water trucks dust will fly through the air. I have Chronic Obstructive Pulmonary Disease (COPD) and now I have to worry about all the dust coming in my house and making my health worse. There is already dust in my house from the trucks driving up and down. My big concern is that they will not do the right thing and I don't want to worry about them using the new side road onto Ridgeview Road."

Jim Nicholson, 418 Longhorn Trail, Sherman, TX
Mr. Nicholson explained, "My concern is the dust. I sent in a photo to the City of Sherman on a concrete batch plant showing the dust coming out of the trucks. We are concerned about the health hazard."

Carolyn Nicholson, 418 Longhorn Trail, Sherman, TX
Ms. Nicholson explained, "I've done research on concrete batch plants and we have established that no one monitors them. As for the dust, you only need to go by a concrete batch plant to see the giant clouds of dust. We will have dust with the particulates, noise and sludge if watering is even done. If you have ever done construction, you know timelines for buildings are very fluid which can be affected by weather, supply chain and more. If this is approved for a month and they end up needing a longer time they could come back to you and request an extension. Everyone around the area is happy Sherman is growing and the noise necessary because you can't build silently but the concrete batch plant is not necessary."

Peter Tracy, 705 Valentine Drive, Sherman, TX 75090
Mr. Tracy explained, "The applicant is proposing a concrete batch plan for the infrastructure. He is not there to build houses or work on the development. A few years ago, a developer came into my neighborhood, built a development behind me and once the infrastructure was put in a housing company came in to build houses. I always keep my car parked in the garage but there seems to always be dust on it even with no developments around me. Dust will always be present and the fact that the batch plant is placed within the development it means it will contain the amount of traffic flowing in and out, reduce the amount of wear and tear on the highways and improve the quality of the concrete that is used to put the infrastructure in. All concerns on the development besides the concrete batch plant need to be directed to the developer not this gentleman."

The following opposition emails and letters have been received for 3800 Block West Houston Street request:

Marlow, Lauren

From: Planning
Subject: RE: Re Public Hearing

From: Margie Morris
Sent: Monday, July 3, 2023 8:44 AM
To: Planning
Subject: Re Public Hearing
Importance: High

Dear Members of the Sherman Planning & Zoning Commission:

Please consider my *strong opposition* to the request for a temporary use permit under Section 14.06.008 to allow a concrete batch plant in an R-6 district.

As a resident of Ridgeview Road since 1984, having invested time and attention to maintaining/improving our property, I have significant concerns about the potential problems associated with this proposal regarding **environmental issues***, **excessive noise** – especially in the *early morning hours* when cement trucks receive their loads, **obtrusive lighting** around the plant, an increase in **traffic** on our street (which will create an increased safety problem), **damage to roads & other infrastructures**, and **erosion of drainage.** *Even on a temporary basis.*

Additionally, our highly desirable homes (on a peacefully quiet street) will be subject to **property devaluation** with a concrete batch plant as a neighbor, even a temporary neighbor.

With a new road already being built across one of Ridgeview Road's residential lots (for emergency use only!), and the zoning to commercial of the home on the corner of Ridgeview and Houston, our neighborhood has done enough to accommodate the city's growth and the proposed new housing development on the property in the 3800 block of West Houston.

Note that longtime Ridgeview Road residents have welcomed the addition of new homes on the east side of the street and, together, wish to maintain the integrity, safety and healthy atmosphere which was a primary reason we chose to live here.

Finally, I would ask: **would you, as residents of Sherman, Texas, welcome a concrete batch facility (no matter how "temporary") in close proximity to your home, your family, your pets, and your neighbors?** I ask it sincerely; not as a rhetorical inquiry.

Please vote **NO** to this request. Thank you for your service to our community.

Regards,

Margie Morris
420 Ridgeview Rd
Sherman, TX 75092-7737

Marlow, Lauren

From: Planning
To: Linda Burris
Subject: RE: Temporary Use Permit to allow concrete batch plant in an R-6 District

From: Linda Burris
Sent: Monday, July 3, 2023 3:59 PM
To: Planning
Subject: Temporary Use Permit to allow concrete batch plant in an R-6 District

I am writing to strongly object to the city allowing a cement batch plant in a residential community.

There is absolutely no reason for this plant to be built in nor near a residential area. There are plenty of Industrial Parks going up around, not to mention plenty areas outside of town this plant could be built.

The noise, the dust, the lights would be disturbing to the neighbors. The air quality are the plant would suffer greatly , on neighborhoods where children play …. Not to mention Sherman High School and the outside band practices and sports practices that would be going on.

Would you want this in your neighborhood . If you answer is no, then it also does not belong in our neighborhoods.

Regards,

Linda Burris

Sent from my iPhone

Marlow, Lauren

From: Planning
Subject: RE: Opposition to concrete batch plant - 3800 Block West Houston Street

From: Joy Bolen
Sent: Wednesday, July 5, 2023 10:55 AM
To: Planning
Subject: Opposition to concrete batch plant - 3800 Block West Houston Street

Dear members of the P&Z committee:

My husband, Keith Bolen, and I are very concerned about the proposed concrete batch plant at the 3800 Block of W Houston Street that is being considered at your meeting on July 18th.

We live at 425 Longhorn Trail. We have researched these types of plants, and understand that they are dangerous for our health, and for the surrounding environment. The particle waste in the air is harmful to breathe and can cause long lasting respiratory problems. The particles will also leave residue on our home and cars. The runoff water will run down towards our property, and will be harmful to our soil, lawn, and landscaping.

We respectfully request that you deny this proposed plant that would be very detrimental to us, and our neighbors.

Sincerely,

Joy Bolen
Director of Finance
Bluestone Partners, LLC

ITEM #18

Helen & Peter Schulze
416 Ridgeview Road
Sherman, Texas 75092
[redacted]

11 July 2023

TO: Sherman Texas Planning and Zoning Commission

RE: Proposal for a temporary use permit for a concrete batch plant at 3800 block, W. Houston

Dear Commissioners:

Unfortunately, I will be out of town due to a prior commitment the evening of the relevant P&Z meeting (to attend a national meeting on priorities for future US freshwater research, https://watershed.ucdavis.edu/news/upcoming-workshop-revisiting-freshwater-imperative).

First, thank you to your staff:

I would like to thank Development Services Coordinator Lauren Marlow for so helpfully answering my questions about temporary use permits for concrete batch plants in Sherman.

Our request:

As you would imagine, Helen and I were not thrilled to learn of this proposal.

We hope you will decline the request and make it city policy to locate any such plant in a rural location substantially removed from anyone's home or other regularly occupied location. Denton, for example, requires that such plants be one half mile from residences (http://denton-tx.elaws.us/code/coor_subptb_ch35_artiii_div6_sec35-135). Our son Ben Schulze, a PhD expert on particulate air pollution, was astonished to learn that the Sherman rule requires only 200 feet from a residence.

Unfortunately, our experience to date has not suggested either rigorous adherence to best practices or neighborly operation on the part of the developer.

1. Individual field workers have been polite when I have sought them out, but contractors have severed the water line to all homes on the north end of the west side of Ridgeview Road **five** times with no notice beforehand, no one alerting us when the breaks occurred, and no one apologizing afterward. The line supplies only a half dozen homes, so it would have taken one person maybe a half hour to provide notice in each case.



2. Tremendous amounts of tree shredding and limestone pulverizing have occurred during dry weather seemingly without any concern for wind speeds, such that neighbors have experienced regular dust coatings of cars, homes, solar panels, lawn furniture, etc., even without a concrete plant next door. Of course, we are also breathing that dust. This photo shows the typical appearance of our vehicles' windshields.

3. Moreover, the original site plan that was on the City's website for months included a detention pond that would drain into the pond on our property (following the natural, historic lay of the land). However, shortly before dirt work started and with no notice to us anyway (immediate neighbors), the developers modified that long-announced plan, presumably with city approval. That change eliminated the detention pond upstream of our property and diverted one half of our pond's watershed elsewhere. I was frankly astonished that such a change was allowable. As far as I am concerned, that change was snuck through.

4. Finally, I understand that the developer's original proposal was to locate a concrete plant near the northeast corner of the 3800 W Houston property, which is about as close to as many existing homes as possible. That does not suggest much concern for neighbors' wellbeing.

This history has not given us confidence in the developer's operating standards.

In the case that a plant operates at 3800 W. Houston:

I teach Environmental Policy (ENVS 379), Environmental Solutions (ENVS 389) and other environmental science and biology courses at Austin College, and have directed the college's Center for Environmental Studies for 20 years (https://www.austincollege.edu/academics/majors-and-minors/center-for-environmental-studies/). In addition, our aforementioned son Ben just completed a PhD studying air pollution at Caltech. He has published more than 20 scientific papers on particulate air pollution and closely related topics.

I am always on the lookout for instructive examples to use in courses. Should you permit the plant at the 3800 W. Houston property, I plan to develop, with Ben's assistance, a case study for use in my environmental policy course. Furthermore, if I revise my 2022 book *Obstacles to Environmental Progress* (available for free download at the University College London website https://www.uclpress.co.uk/products/186377), I may also use the example there.

I anticipate that my students and I will employ PurpleAir air quality sensors, cameras, and a drone with high-resolution zoom video to watch for evidence of compliance with the many Texas Standard Permit rules for concrete batch plants (https://www.tceq.texas.gov/assistance/industry/concrete-batch-plants-compliance-resources). (I am aware of drone regulations in our location due to North Texas Regional Airport and will abide by those.) If you permit the plant and its operators adhere strictly to TCEQ requirements, our documentation will be a credit to their corporate responsibility – free consulting work, one might say. If, on the other hand, their operation is lax, I imagine we would obtain evidence of that.

Thank you for taking the time to read and consider these remarks, and for your broader service to the city. Anyone is of course welcome to contact me with questions or to discuss this issue further.

Sincerely,



Pete Schulze

cc: Mayor David Plyler, Deputy Mayor Josh Stevenson, Councilman Shawn Teamann

Marlow, Lauren

From: Planning
To: Rae, Rob
Subject: RE: 3800 Block West Houston St

From: Roy Franks
Sent: Wednesday, July 12, 2023 2:55 PM
To: Rae, Rob
Subject: 3800 Block West Houston St

I live at 24 Timbercreek, Sherman, within 200 ft of the proposed concrete batch plant site.

As a property owner that lives north of where this concrete plant is suppose to go, I have some issues with air quality and noise pollution since the prevailing winds are from the south. These concrete plants normally start operations at 2am in the morning. It is a constant noise as it grinds rock and sand into concrete which also produce a white silt that travels into the area. There is no way this should be allowed in an area near homes or schools. TCS is just across Hwy 56, south of the plant. Studies have shown the air quality around these plants are very bad for breathing, air conditioning units, and the environment within up to 5 miles from these concrete plants. Would anyone on the planning and zoning board want one of these plants anywhere near where they live?

2nd, so far with all the construction being done on this site has anyone from PnZ even inspected the property. The last hard rain, mud and silt covered our creeks on Timbercreek. These creeks are now filled with mud. It has filled in the creek up to 2 feet in various parts, which could result in flooding in the near future. Do we expect this company to repair these creeks? Will it be any different when you have white silt coming from the concrete plant going down the creeks? How will the city compensate down stream or down wind home owners for property damage due to mud, silt, air quality issues?
Over the last few weeks the amount of dirt that we have on homes, cars, air conditioning systems have been awful from all the dirt work. You can't go outside during the day for the smell of diesel from the construction dirt movers, so adding 18 wheelers bringing in sand, rock and other materials will just add more air and noise issues to the area.

I would invite any city planning and zoning commissioners out to our properties to see what is going on and how it has and will continue to affect our area.

Roy Franks

Rec: 7/7 1:30pm JPM

ITEM #18

July 5, 2023

Planning and Zoning Commission,
Board of Adjustment of the City of Sherman
Development Services
P.O. Box 1106
Sherman, TX 75091

RE: Public Hearing and Temporary Use Permit under Section 14.06.008 to allow a concrete batch plant in an R-6 (Single Family Residential) District

As property owners within 200 feet of the requested concrete batch plant in the 3800 block of W. Houston Street, we respectfully request that the request be **DENIED**. Reasons for the request are as follows:

1. **HEALTH CONCERNS**

"Concrete batch plants are dusty and produce particulate matter. Particulate matter is linked to serious health conditions, including reduced lung development in children, higher rates of asthma, bronchitis, heart disease and cancer." (Source: "It's Hard to Breathe With a Concrete Plant in Your Backyard", Kinder Institute for Urban Research, Rice University)

"The American Cancer Society determined that mortality rates among a population increase by 6% for every 10 micrograms per meter of PM (particulate matter) (Source: "Effects of Air Pollution on Health, British Medical Journal, 2007)

The World Health Organization corroborates the relationship between high concentrations of PM with increased morbidity: air pollution poisons, debilitates, and kills." (Source: "Ambient (Outdoor) Air Pollution", World Health Organization, 2021)

Neighbors most commonly complain about dust and particulate matter (PM) emissions from concrete batch plants. Rep. Armando Walle, House District 140, says that residents tell him that "**the dust that blows from concrete batch plants covers their roofs, their cars, their barbeque pits. They can't go outside.**" (Source: "It's Hard to Breathe With a Concrete Plant in Your Backyard", Kinder Institute for Urban Research, Rice University)

"Particulate emissions are a complex mixture of extremely small particles and liquid droplets. Once inhaled, these particles can affect the heart and lungs and cause serious health effects, including increased risk of heart attacks, aggravation of asthma, and decreases in lung function." (Source: Guide to Air Quality Permitting for Concrete Batch Plants, The University of Texas at Austin Environmental Clinic,2018)

"Volatile organic compounds (VOCs) are also a problem at concrete batch plants. VOCs can irritate the eyes and respiratory system and cause shortness of breath, headaches, fatigue, skin problems and impair the memory. Higher concentrations of VOCs can damage the liver, kidney, and brain." (Source: Dr. Latrice Babin, Director of Harris County Pollution Control)

"Living near these facilities, you are exposed to higher levels of harmful pollution." (Source: Fern Uennatornwaranggoon, Air Quality Policy Manager with Environmental Defense Fund)

"Emissions from concrete batch plants are especially harmful when CBPs are placed in residential areas, as pollution and increased heavy diesel traffic can affect health and quality of life of residents." (Source: Air Alliance Houston, Houston Public Media, University of Houston, 2022)

2. **NOISE POLLUTION**

Noise is a problem for concrete plant neighbors. Large concrete trucks, those with the roughly cone-shaped mixing barrels on their backs, ***often arrive before dawn*** to pick up loads of concrete to take to construction sites, and the idling of these early morning arrivals and their reverse warning sounds can be noisy, in addition to spreading diesel fumes throughout the neighborhood." (Source: Guide to Air Quality Permitting for Concrete Batch Plants, The University of Texas at Austin Environmental Clinic, 2018)

3. **TRAFFIC**

"The traffic of trucks depending on the roadway layout near the plant can be a problem for the neighborhood, particularly when trucks travel through or idle near residential areas." "Roadways internal to the plant site are also big contributors to the overall level of dust associated with a plant. (Source: above)

Since concrete batch plants have no control over traffic and roads, "The presence of loading and unloading trucks means the presence of concrete batch plants in communities causes direct environmental harm that is not accounted for in TCEQ's (Texas Commission on Environmental Quality) environmental permitting process." (Source: Air Alliance Houston, Houston Public Media, University of Houston, 2022)

4. **POLLUTED WASTEWATER RUNOFF**

"The site stockpiles and dusty roads can contribute sediment to rain that falls on them, causing muddy runoff to the nearby neighborhood, if the runoff is not well-controlled by the plant." (Source: Guide to Air Quality Permitting for Concrete Batch Plants, The University of Texas at Austin Environmental Clinic, 2018)

5. **"TEMPORARY" LOCATIONS**

According to the City of Sherman Code of Ordinances/Zoning Ordinances, Article 14.06.008 (a) (5) (A), "TUPs may be granted for a time period between 2 weeks and 6 months with the exception of a concrete batch plant, *which may request a time period of up to 2 years*." Property owners have been advised that this permit can be renewed.

6. **LIGHTING**

If plant operation is during nighttime hours and requires lighting, this can be a problem for neighbors, unless down-cast lighting is required and time constraints are instituted.

7. **PROPERTY ISSUES**

There are residences on all sides of the proposed W. Houston concrete batch plant. All of these affected property owners purchased their homes in lovely residential neighborhoods in Sherman assuming that the neighborhood would remain just that: residential. With Sherman's impending growth, new homeowners should not have to worry whether their residential areas will remain residential or be invaded by an inappropriate, noisy, and dirty temporary concrete batch plant.

CONCLUSION

Concrete batch plants create environmental hazards and nuisance conditions in residential communities. In short, there is a ***reason*** for zoning, and a more appropriate location needs to be found for the concrete batch plant.

Respectfully,

Carolyn Nicholson
cmnicholson1947@gmail.com
903.271.4022

James E. Nicholson, PE
jenich1939@gmail.com
903.815.2044

418 Longhorn Tr.
Sherman, TX 75092

ITEM #18

Picture taken on July 7, 2023, of the temporary concrete batch plant currently operating at the Heritage Ranch construction site, showing the emission of hazardous dust and the accumulation of dust on surrounding machinery. **We strongly request that the Planning and Zoning Commission and Board of Adjustment *DENY* the requested temporary use permit to allow a temporary concrete batch plant at the 3800 block of W. Houston St., which is an R-6 (Single Family Residential) district.**

Carolyn and James Nicholson 418 Longhorn Tr. 903.815.2044 (James) jenich1939@gmail.com

Carolyn Nicholson
James Nicholson



ITEM #18

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

RAY DONALD G ETUX JO ELLEN
424 RIDGEVIEW RD
SHERMAN, TX 75092

June 29, 2023

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a public hearing on the day of Tuesday, July 18, 2023, at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Lennar (Owner), Gilco Contracting, Inc., Emma Turner (Representative) and Kimley-Horn and Associates, Inc. (Surveyor) concerning the property located in the 3800 Block West Houston Street, being in the W.M. Thompson Survey, Abstract No. 1210 and the Fielding Bacon Survey, Abstract No. 11

The request is as follows:

Planning and Zoning Commission
Public Hearing and Temporary Use Permit under Section 14.06.008 to allow a concrete batch plant in an R-6 (Single 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 comments presented to the Planning and Zoning Commission or Board of Adjustment, you may do so by emailing planning@cityofsherman.com or comment in the space provided below and mail to: Development Services, P.O. Box 1106, Sherman, TX 75091. If you wish to have your views published in the online agenda, they must be received in the Development Services office by 5:00 p.m. on Wednesday, the week prior to the Planning and Zoning Commission meeting, otherwise, your comments will be provided to each Commission member at the meeting.

Rob Rae
Acting Secretary, Planning & Zoning Commission

We say "NO" to this request!!
We are ninety year old residents at 424 Ridgeview Rd. Sherman, Texas. This is a "Single family Residential District". It will depreciate the value of our property and will effect our health.

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.

We do not want this plant in our community.

Donald G. and Jo Ellen Ray

ITEM #18

July 5, 2023

Planning and Zoning Commission
City of Sherman
Development Services
P.O. Box 1106
Sherman, Texas 75091

Re: Lennar, et al, application for TUP in 3800 Blk of West Houston for concrete batch plant.

Who would have thought it would be OK to have a concrete batch plant 100 feet from your kid's backyard sand-box? Come on!

Sherman needs a coherent guidance for locating concrete batch plants; not in R-6 zones.

Please reject this application.

Tim Morris
420 Ridgeview Road
Sherman, Texas 75092

ITEM #18

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

June 29, 2023

MORRIS TIMOTHY L ETUX
MARGARET JANE
420 RIDGEVIEW ROAD
SHERMAN, TX 75092

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a public hearing on the day of Tuesday, July 18, 2023, at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Lennar (Owner), Gilco Contracting, Inc., Emma Turner (Representative) and Kimley-Horn and Associates, Inc. (Surveyor) concerning the property located in the 3800 Block West Houston Street, being in the W.M. Thompson Survey, Abstract No. 1210 and the Fielding Bacon Survey, Abstract No. 11

The request is as follows:

Planning and Zoning Commission
Public Hearing and Temporary Use Permit under Section 14.06.008 to allow a concrete batch plant in an R-6 (Single 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 comments presented to the Planning and Zoning Commission or Board of Adjustment, you may do so by emailing planning@cityofsherman.com or comment in the space provided below and mail to: Development Services, P.O. Box 1106, Sherman, TX 75091. If you wish to have your views published in the online agenda, they must be received in the Development Services office by 5:00 p.m. on Wednesday, the week prior to the Planning and Zoning Commission meeting, otherwise, your comments will be provided to each Commission member at the meeting.

Rob Rae
Acting Secretary, Planning & Zoning Commission

Who would have thought it would be OK to have a Concrete Batch Plant 100 ft from your kid's backyard sand box. Come on! Sherman needs a coherent guidance for locating CBPs; not in R-6 zones. Please reject this application.

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.

ITEM #18

WILLIAM S. HACKATHORN
*437 Ridgeview RD * Sherman, TX 75092*
918-344-0211

12 July 2023

Planning and Zoning Commission
Board of Adjustment of the City of Sherman
Development Services
P.O. Box 1106
Sherman, TX 75091

RE: Public Hearing -Temporary Use Permit - concrete batch plant in the 3800 block of west Houston street

Dear Commission Members:

My property (and home) is across Ridgeview Road from the homes adjacent to the new housing development where the proposed batch plant is requested. The front of my home faces the area where the plant is proposed and is on the east side of the cul-de-sac at the end of Ridgeview Road.

I write today to request a more cautious approach to the granting of the requested permit for several reasons, as follows:

1. The Developer has failed to keep its promises to control the run-off from the development activity and this failure has caused damage to property of homes on Ridgeview Road. Because the Zoning Commission previously approved the encroachment of this separate development onto Ridgeview RD, and because residents warned this Commission about the hazards of the developer's failure to properly control such runoff from the earth and rock work at least thirty feet above the homes and yards on Ridgeview RD, the City should therefore bear some of the responsibility to make things right on behalf of the people who already live here. We have actual people, not robots, working for the City, who we pay to represent our interests, not those of the developer. Telling us that there is nothing you can do because it is not a "City" problem fails to convince us after the City gave the developers permits to do conduct the exact damaging activities we warned you about.

2. Proximity to the neighborhoods to the East and South and the normal winds in the area. The health hazards of locating a batch plant simply using a standard set of criteria and checklists may work under conditions where it is not overlooking established neighborhoods. Such is not the case where this requests is concerned.

I understand that the Standard Permit for Batch Plant primarily involves a checklist. I also believe that citizens of Sherman, Texas, expect our City council and commissions to be made up on other citizens of Sherman, Texas. As such, we expect you to go beyond a checklist for us, your neighbors.

If the builders and developers needed to merely check off items on the TCEQ guidelines, it stands to reason that your commission would be totally unnecessary. We taxpayers of the City of Sherman expect the City and this Commission to look beyond the guidelines and checklists. We expect you to look at the locations, the proximities to homes, the normal wind directions and runoff, and any and all other factors, in person if you are going to represent us.

Look at the water already seeping under the street and into the yards of Ridgeview Road homes and coming up in driveways across from where the sewer lines are being installed. Look where the retention pond is not sealed. Our residents will be required to repair or replace driveways before long because the developers cut corners and merely checked the boxes and the City approved such and then and failed to monitor this activity.

I moved here from Waco two and a half years ago and built my home, probably my last home. I made an assumption that the Sherman leadership would use professionalism, experience, and caution to control the residential (and commercial) expansion within the City. The rubber stamping of this kind of permit should not be the norm, as it has been. To the best of my knowledge, very little investigation or survey activity has been accomplished by the City planners. The idea that you would approve a batch plant where tons of hazardous dust and poisonous sludge will pour down on our homes and cars and inhaled by the elderly is disappointing.

The idea that over 200 homes will be built above our neighborhood with one access drive is disappointing. An older, quiet, dead-end street such as Ridgeview Road should not have been the solution to that. Even though we were promised gates with only emergency access, the way that is being constructed is causing problems. The leaking retention pond and additional runoff problems for our homeowners are not minor matters. The developers chose to put the retention pond for their new housing community in our neighborhood. Sure, the new houses above us will drain nicely - into our neighborhood. You saved them a lot of money - at the expense of the residents and taxpayers already living here. We were told that the retention pond would be above our area and only partially encroach into our neighborhood. Any runoff from that pond was supposed to flow where the old runoff went. Yet, the pond is in our neighborhood and runoff is flowing across and under Ridgeview onto and under the yards and driveways of our neighbors. Some of the runoff even reaches and sits in our cul-de-sac for days after a rain.

What we expect from the City and this Commission, and what we are paying for through our taxes, is for you to come, look, listen to the people living here, make a list of complaints or issues, and hold the developers to the promises you and they made to us. In the meantime and until you come visit the site, you should deny or put on hold this permit.

We understand that the city is growing. But as a City, we should use some good sense and judgment and act like you care about the families already here. Denison now has an ordinance about bulldozing forests as you have allowed across from Herman Baker Park. It would have been possible and appropriate to save many of those 50 year old trees. There again, we should not be in the business of making the maximum dollars for the developers. We need to protect the City, its people, and its resources. We need our trees and we need our health. Most of the developers do not even live here. They should not have an advantage over the citizens when it comes to decisions of the City planners.

I would put a hold on this permit, determine the best place for it if you determine that is should be on this property at all. You should listen to the property owners, and not run them off after you gave them two minutes to speak. You should listen to them complain, cry, give suggestions, and only then make the best decision for us all and not just the developers. They will get their money either way, but we expect you to work on our behalf above their profits.

Please review the attached article about the batch plants in Houston. Obviously they are necessary on some cases, but the dust control does not work well. Before I have to breathe the junk they will put into the air, I want to know that my City Planners looked at all of the criteria and issues and made the right decisions. You should not let those who do not live here simply check boxes made by others who do not live here. You are supposed to represent those who do live here. You are supposed to spend the time and resources to make certain that you have done the right things on our behalf.

Please review the attached article about the batch plants in Houston.

If you actually read this letter, I Thank you,

Bill Hackett

Attachment: 19 August 2020 Article - Kinder.rice, edu - hard to breathe with a concrete plant in your backyard

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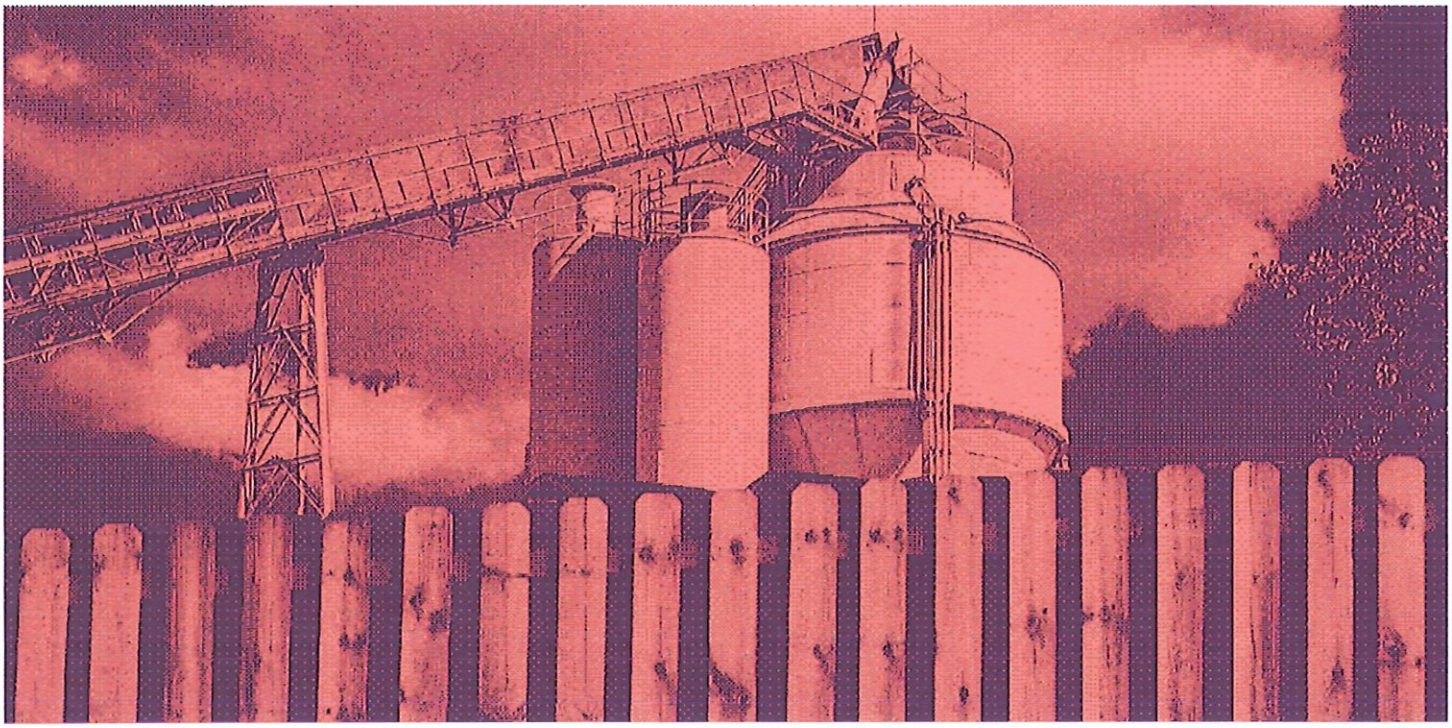
It's hard to breathe with a concrete plant in your backyard

INSIGHTS :

Aug. 19, 2020

ALLYN WEST



NIMBY opposition alone isn't enough to counter the harmful effects of air pollutants emitted by concrete batch plants located in underserved and over-polluted communities in Harris County, which is home to more of these facilities than any county in Texas. Too often, much of the pollution and many of the polluters largely go unchecked by the state.

"Literally," state Rep. Armando Walle says, "you can't breathe."

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The residents the Houston Democrat has represented since 2008 in House District 140, which includes the city and parts of unincorporated Harris County between Loop 610, Beltway 8, Highway 290 and the Eastex Freeway, tell him that the dust that blows from concrete batch plants covers their roofs, their cars, their barbecue pits. They can't go outside. They can't have friends over.

The dust, they tell him, is everywhere.

That dust, a kind of air pollution called particulate matter that can penetrate deep into the lungs, is just one part of the problem that concrete batch plants present. Because the Texas Commission on Environmental Quality (TCEQ) grants them 24-hour permits, heavy diesel trucks line up as early as 2 a.m. to idle noisily on local streets, waiting to pick up as many as 150 loads every day, emitting even more pollutants like black carbon and nitrogen dioxide. These trucks, Walle says, tear up yards, drainage ditches and other infrastructure governments have to repair. Even attempts to water down the dust end up creating an ugly muddy slurry that tracks all over the community.

Environmental Protection Agency data compiled by the Houston Chronicle show that there are at least 188 plants in Harris County alone, the most in Texas.

That's why, earlier this year, Walle and 280 residents showed up at a meeting to demand answers from a company seeking a permit for a new plant near hundreds of homes in Aldine. It was heated, Walle says, until the owner slipped TCEQ a note to withdraw the request in the middle of the meeting. That came just one week after a company seeking a permit for a new plant next door to a couple's home and a park in Acres Homes agreed, after years of residents' pressure, to build it somewhere else.

Keeping these plants out were wins for the health of these communities. But there are already eight concrete batch plants in Aldine. On the other side of I-45, in District B, which includes Acres Homes, there are more than a dozen. Environmental Protection Agency data compiled

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by the Houston Chronicle show that there are at least 188 plants in Harris County alone, the most in Texas.

And there are more in Texas than any other state. Though they produce one of the ubiquitous materials of cities, the concrete we pour for everything from sidewalks to stormwater pipes to skyscrapers, the unique combination of Houston's lack of zoning, the region's relentless outward growth and an overly permissive state environmental agency means that too many concrete batch plants are making it too hard to breathe.

What happens at concrete batch plants?

Behind the fences, mountains of sand and rock and aggregate are loaded around the clock into the drums of the trucks. That, says Corey Williams, research and policy director for Air Alliance Houston, is the largest source of the dusty, gritty pollution that Walle has heard so much about.

It's like when you forget to change the vacuum cleaner bag at home — except, in Texas, no one's coming to remind you.

That's also the only place, Williams says, where the plants are required to control the pollution. A vacuum system is supposed to suck the dust into a baghouse, which is supposed to filter out the particulate matter.

The problem, Williams explains, is that baghouses have to be maintained and emptied regularly. When they're not, or when that's done improperly, they end up making even more of a mess. It's like when you forget to change the vacuum cleaner bag at home — except, in Texas, no one's coming to remind you.

TCEQ, Williams says, rarely returns to plants once permits are granted to inspect the baghouses and other operations. Companies are expected to clean up after themselves.

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"Nobody's checking," Williams says, "unless somebody from the community is vocal and makes complaints about emissions."

But, without air monitors, residents might not know about those emissions. It's dusty, but they might not know that they're breathing one of the deadliest kinds of air pollution. Particulate matter is linked to serious health conditions, including reduced lung development in children, higher rates of asthma, bronchitis, heart disease and cancer. The most recent data, compiled from a range of sources, including satellite imagery, show that, in 2015 alone, particulate matter was linked to 5,200 premature deaths in Houston.

Volatile organic compounds (VOCs) are also a problem at concrete batch plants, says Dr. Latrice Babin, director of Harris County Pollution Control. VOCs can irritate the eyes and respiratory system and cause shortness of breath, headaches, fatigue, skin problems and impair the memory. Higher concentrations of VOCs can damage the liver, kidney and brain, according to Babin.

Particulate matter is linked to serious health conditions, including reduced lung development in children, higher rates of asthma, bronchitis, heart disease and cancer.

"Living near these facilities, you are exposed to higher levels of harmful pollution," says Fern Uennatornwaranggoon, air quality policy manager with Environmental Defense Fund (EDF). Even inside a community, the pollution from a concrete batch plant can be comparable with the pollution along a congested freeway.

The findings of new research from EDF, which drove 32,000 miles in 22 Houston neighborhoods with air monitors mounted on Google Street View cars "confirm communities' lived experience. They've always known where these problematic facilities are," Uennatornwaranggoon says. In Houston, almost one-third of the concrete batch plants in the city are located a short walk from a school or day care.

The health impacts of this pollution are profound, and they are disproportionately borne. Because land has been cheapened by redlining, disinvestment, restrictive covenants and environmental racism, polluters concentrate unevenly across the region, often intentionally in communities of color and low wealth, compounding other issues and creating entrenched disparities, almost all of which are being exacerbated by the coronavirus pandemic. Those who are exposed the most to pollution are the least responsible for it.

Fifth Ward, on the other side of the freeway from Acres Homes, has four concrete batch plants and 10 metal recyclers — and has higher rates of COPD, coronary heart disease and stroke than the city average. Asthma rates edge close to 11%, compared with 7% in River Oaks — where there are stormwater pipes and sidewalks and skyscrapers, but not a single concrete batch plant.

What can be done?

As residents in Aldine and Acres Homes prove, relentless community organizing can keep new concrete batch plants out — if the community knows when one's coming in. TCEQ requires companies to post signs at proposed sites and print notices in a local newspaper to get their permits, but that's "the bare minimum," Williams says. The state is burdening the communities threatened by these plants to protect themselves. Unless you drove by or scoured the fine print, you'd never know.

Dr. Bakeyah Nelson, Air Alliance Houston's executive director, has said that permits should also consider the context of the site and the cumulative impacts of exposure to many sources of pollution. The permit, she said, shouldn't be based only on what is supposed to happen inside the fence.

What's needed most going forward is a reevaluation of the entire permitting process. "The issue is lax enforcement from the state, and I think it's by design," Walle says. "I can't remember the last time TCEQ rejected a permit."

He says he has filed bill after bill in recent legislative sessions to require more protections. Right now, for example, plants are required to maintain a buffer zone only of 440 yards from the nearest school, home or church. He thinks that should be increased. He thinks TCEQ should conduct more inspections. He thinks the agency should scrutinize permits more closely. He thinks the state should be more creative, he says, and give local health agencies and pollution control more authority.

In Houston, almost one-third of the concrete batch plants in the city are located a short walk from a school or day care.

He'd like to see TCEQ have the budget to hire more full-time employees who can focus on this particular problem, he says.

The bills, he says, go nowhere. "Industry kills them."

But pollution is killing Texans. It's inconvenient for industry and those in power to listen to people in communities like Aldine and Acres Homes, but that's who we need to listen to, and work together, so everyone can breathe clean air.

"Do you want to live next to a concrete batch plant?," Walle says he has asked the owners of companies who are seeking permits that, right now, don't always lead to plants that are good for the health of the community. "I'm not saying they're bad people," he says. "I'm saying, 'Be better neighbors.'"

Allyn West is a senior communications specialist for the Environmental Defense Fund. You can follow him on Twitter @allynwest. This article first appeared on the One Breath Partnership website.

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We, the undersigned, as property owners near the requested temporary concrete batch plant in the 3800 block of W. Houston, respectfully request that the temporary use permit under section 14.06.008 to allow a concrete batch plant in an R-6 (single family residential) district be DENIED.

NAME	ADDRESS
Carolyn Nicholson	418 Longhorn Tr.
James Nicholson	418 Longhorn Trail
Ronald D Warren	610 CINROSE LANE
[illegible] Gillespie, III	412 Longhorn Trail
Mary Gillespie	412 Longhorn Trail
[illegible] M.D.	407 Longhorn Trail
Bradley C Dunn MD	407 Longhorn trail
[illegible]	500 CINRSE LN
Patricia C. Spears	500 Cinrose Ln.
[illegible]	400 Longhorn Trail
M A Ramsey	400 Longhorn Trail

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We, the undersigned, as property owners near the requested temporary concrete batch plant in the 3800 block of W. Houston, respectfully request that the temporary use permit under section 14.06.008 to allow a concrete batch plant in an R-6 (single family residential) district be DENIED.

NAME	ADDRESS
Joy Bol (Joy Bolen)	425 Longhorn Tr Sherman TX
Keith Bolen (KEITH BOLEN)	425 LONGHORN TRAIL, SHERMAN, TX
Luke Mothey (LUKE Mothey, II)	600 CINROSE LN, SHERMAN, TX
	530 Cinrose Ln Sherman Tx
Peggy Johnson	530 Cinrose Ln. Sherman TX
Michael Wynne (Michael Wynne)	Cinrose Lane Sherman, Tx.

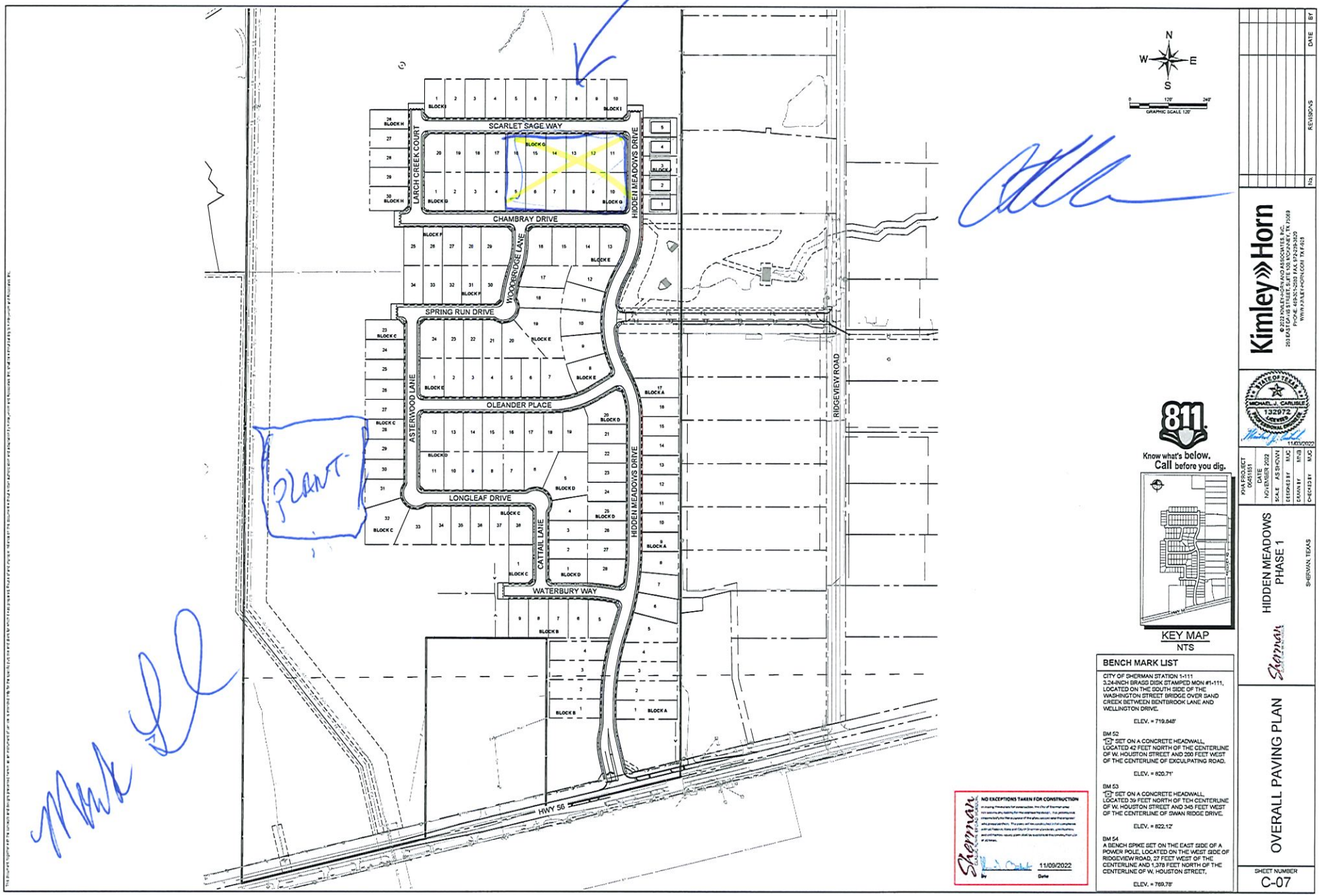
We, the undersigned, as property owners near the requested temporary concrete batch plant in the 3800 block of W. Houston, respectfully request that the temporary use permit under section 14.06.008 to allow a concrete batch plant in an R-6 (single family residential) district be DENIED.

NAME	ADDRESS
William S. Hackathorn William Hackathorn	437 Ridgeview Rd. Sherman
Tim Morris	420 Ridgeview Rd Sher
Margie Morris Margie Morris	420 Ridgeview Rd Sherman
Sue Keating Sue Keating	418 Ridgeview Rd Sherman
Peter Schulze Peter Schulze	416 Ridgeview Rd Sherman
Helen Schulze HS	416 Ridgeview Rd Sherman
Matt Schulze Matt Schulze	416 Ridgeview Rd Sherman
Lee Golden Robert Golden	417 Ridgeview Rd Sherman
Rudy Garza Rudy Garza	413 Ridgeview Rd, 75092
Nicole Garza Nicole Garza	413 Ridgeview Rd Sherman

We, the undersigned, as property owners near the requested temporary concrete batch plant in the 3800 block of W. Houston, respectfully request that the temporary use permit under section 14.06.008 to allow a concrete batch plant in an R-6 (single family residential) district be DENIED.

NAME	ADDRESS
Christie Julie Morgan	409 Ridgeview Rd. Sherman, TX. 75092
Jeff Cramer	406 Ridgeview Rd Sherman TX 75092
Matt Thompson	310 Ridgeview Rd Sherman, TX 75092
Joseph Grant	205 Ridgeview Rd Sherman TX 75092
Shannon Holden	115 RIDGEVIEW RD. SHERMAN TX 75092
Dan Snow	429 Ridgeview Rd sherman
Charlie Hall	408 Ridgeview Rd Sherman
Viviana & A.J Anderson	433 Ridgview Rd Sherman 75092

Published to the public prior to meeting



Mark Lee

BENCH MARK LIST

CITY OF SHERMAN STATION 1-111
3.24-INCH BRASS DISK STAMPED MON #1-111, LOCATED ON THE SOUTH SIDE OF THE WASHINGTON STREET BRIDGE OVER SAND CREEK BETWEEN BENTBROOK LANE AND WELLINGTON DRIVE.

ELEV. = 719.848'

BM 52
SET ON A CONCRETE HEADWALL, LOCATED 42 FEET NORTH OF THE CENTERLINE OF W. HOUSTON STREET AND 200 FEET WEST OF THE CENTERLINE OF EXCULPATING ROAD.

ELEV. = 820.71'

BM 53
SET ON A CONCRETE HEADWALL, LOCATED 39 FEET NORTH OF TEH CENTERLINE OF W. HOUSTON STREET AND 345 FEET WEST OF THE CENTERLINE OF SWAN RIDGE DRIVE.

ELEV. = 822.12'

BM 54
A BENCH SPIKE SET ON THE EAST SIDE OF A POWER POLE, LOCATED ON THE WEST SIDE OF RIDGEVIEW ROAD, 27 FEET WEST OF THE CENTERLINE AND 1,378 FEET NORTH OF THE CENTERLINE OF W. HOUSTON STREET.

ELEV. = 769.78'

Sherman
NO EXCEPTIONS TAKEN FOR CONSTRUCTION
By
Date 11/09/2022

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
260 EAST DAVIS STREET, SUITE 100, MCKINNEY, TX 75069
PHONE: 469-301-2580 FAX: 972-239-3820
WWW.KIMLEY-HORN.COM TX F-928

STATE OF TEXAS
MICHAEL J. CARLISLE
132972
LICENSED
PROFESSIONAL ENGINEER
11/03/2022

KHA PROJECT 06451651
DATE NOVEMBER 2022
SCALE AS SHOWN
DESIGNED BY MJC
DRAWN BY MHB
CHECKED BY MJC

HIDDEN MEADOWS PHASE 1
SHERMAN, TEXAS

Sherman

OVERALL PAVING PLAN

SHEET NUMBER
C-07

ADJOURNMENT

ADJOURNMENT
On Motion duly made and carried, the meeting adjourned for an Executive Session at 6:13 p.m.

RECONVENE

RECONVENE
The Executive Session closed, and the meeting reconvened at 6:19 p.m.

Chairman Mahone asked Mr. Lenard, "Are you just constructing the batch plant? Are you planning on using these batch plants at the same time?"

Mr. Lenard replied, "We will just be doing the concrete and the schedules are different."

Chairman Mahone asked Mr. Lenard, "Will there be a Phase 2 batch plant?"

Mr. Lenard replied, "That will depend on if we get approval for this Temporary Use Permit."

Chairman Mahone asked Mr. Rae, "On any given batch plant that is approved, is it restricted to be used just on the Site Plan approved?"

Mr. Rae replied, "Yes, the purpose of the Temporary Use Permit is to allow for the temporary batch plants to be on that site for that project only."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Lenard replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Temporary Use Permit.

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Davis to approve the Temporary Use Permit located in the 3800 Block West Houston Street subject to the Staff Review letter and revised location with a time frame of 6 weeks. Second by Commission Member Manley.

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

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

PUBLIC HEARING AND TEMPORARY USE PERMIT – CONCRETE BATCH PLANT 2000-2300 BLOCKS WEST MOORE STREET (CARBET PROPERTIES, LLC)

PUBLIC HEARING AND TEMPORARY USE PERMIT
THE REQUEST OF CARBET PROPERTIES, LLC (OWNER), GILCO CONTRACTING, INC., EMMA TURNER (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2000-2300 BLOCKS WEST MOORE STREET, BEING IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:
PLANNING & ZONING COMMISSION
PUBLIC HEARING AND TEMPORARY USE PERMIT UNDER SECTION 14.06.008 TO ALLOW A CONCRETE BATCH PLANT IN AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

The property is located in the 2000-2300 Blocks West Moore Street between West Travis and West Park Avenue.

(NO ACTION)

Mark Lenard, 6331 Southwest Boulevard, Benbrook, TX
Mr. Lenard explained, "We are requesting to set up a temporary concrete batch plant for Pebblebrook Phase 4. We are expecting this job to run for 3 days weather permitting."

Chairman Mahone asked, "Can we get this concrete batch plant further away from the practice fields behind the high school?"

Mr. Lenard replied, "We could move it to the East."

Chairman Mahone stated, "That does not get it any further away from the practice fields."

James Eddy, 1916 Southridge Lane, Sherman, TX
Mr. Eddy explained, "My stepdaughter is an 18-wheeler rock hauler for concrete batch plants. I am familiar with their 24/7 operation and many of the trucks on FM 1417 do not run with covers over the material like the law states. This concrete batch plant is not meant to be put in a residential area. A concrete batch plant is needed but in a industrial area."

John Semidey, 2113 Sherbrooke Court, Sherman, TX
Mr. Semidey explained, "My concerns are with the dust and the safety for the children. My grandkids play in the backyard and a neighbor of mine was just diagnosed with lung cancer. We have discussed filtering but from the discussion we have determined no one monitors. The site would need to be watered frequently to keep the dust down especially in the 100-degree heat. There is an accident waiting to happen putting the concrete batch plant so close to the high school."

Sean Monroe, 1913 Stonebrooke Lane, Sherman, TX
Mr. Monroe asked, "How many trucks are going to go through the streets if this is approved? Why would we approve something that is based on one company's economic incentive when the community bares all the risk?"

James Stanfield, 1917 Stonebrooke Lane, Sherman, TX
Mr. Stanfield explained, "I am a fellow contractor who sets up batch plants and pours concrete. My main concern is the infrastructure coming in. When I setup batch plants in the Dallas/Ft. Worth district I have to provide a map showing where all the trucks will run, show what will go across the roadways and that the pavement or concrete would be able to hold. In Pebblebrook there has already been development and multiple spots of pavement failure going in and out of Park Avenue. If there has been an inspector, I have not seen them and I walk that street twice a day looking for someone to complain to. The stress racks and panels need to be replaced. Growth will do good for the community, but Sherman is not ready to handle the influx they are seeing. How many inspectors do we have watching over these developments? Mr. Lenard states bags are cleaned out regularly but in Frisco I am checked all the time."

David Rylander, 1925 Ridgecrest Lane, Sherman, TX
Mr. Rylander explained, "The real danger is the Particulate Matter (PM2.5) that comes from the actual processing in the plant. This specific matter gets deep into the lungs and causes health problems such as heart and lung disease, cancer, reduced lung development in children, eye irritation, allergies, headaches and more. It is known to worsen chronic diseases and they are trying to put this near a band pad where band students will be practicing. Who will be liable when someone out here gets these type of health problems? Who will be there for them?"

Sara Johnson, 705 Copley Street, Sherman, TX
Ms. Johnson stated, "As a parent of Sherman High School students if I were a developer, I would be embarrassed that I proposed a batch plant that close to a high school. We have runners that started this week and band starting Monday. If a developer didn't have more foresight to propose a better site than that for a 3-day batch plant, it shows a real lack of judgement. It raises concern for me that we would even consider after what we just heard on the residential areas that we would put a concrete batch plant near a high school. My family is in the concrete business and my brother has his sons wear a mask when they go to a batch plant because they have a cough all the time."

Sean Vanderveer, 113 North Travis, Sherman, TX
Mr. Vanderveer explained, "According to Mr. Lenard they water the ground when it gets really bad but what is really bad? Given that Texas Commission on Environmental Quality (TCEQ) has never inspected them there is no real oversight and they don't do air quality monitoring. As of May 25, 2023 Sherman High School had 2,080 students on their campus which doesn't include staff. If they were to locate in the middle of the project, it is 1,584 feet to the front door of Sherman High School. From the middle of the project to the band pad it is 792

feet, if they locate in the southwest corner which was just proposed it is 325 feet from the band pad. You are farther from the front door of Piner Middle School than they would be from the band pad where my daughter starts Monday with band practice. Batch plants are serious enough in Texas that Texas Commission on Environmental Quality (TCEQ) regulations are lacks enough that the United States Environmental Protection Agency (US EPA) has launched an investigation and are proposing new regulations for Texas Commission on Environmental Quality (TCEQ). There is undeveloped land West of FM 1417 where a temporary land lease could be negotiated for the concrete batch plant."

Lizzy Vanderveer, 113 North Travis, Sherman, TX
Ms. Vanderveer explained, "I am excited for the growth and opportunities our city has been given. I am opposed to this concrete batch plant because I am extremely concerned about the dust and debris this will stir up. My fellow band members and I will be intaking this dust and debris as we rehearse outdoors, and it has occurred to me that once something like this gets into your lungs it wont leave. If there is any way of moving this concrete batch plant to a new location, then my fellow band members and I would greatly appreciate this."

Wendy Vellotti, 1968 Baker Ridge Road, Sherman, TX
Ms. Vellotti explained, "I am not happy about a batch plant being where my son will start band on Monday. The intensity of how often the band performs, they arrive at 7:45 in the morning and is there until 5:30 in the evening. The kids should not have to worry about breathing in toxins."

Michael Taylor, 1912 Ridgecrest Lane, Sherman, TX
Mr. Taylor stated, "There is a creek where trees were removed, and no one mentions a creek being there. That creek flows to Herman Baker Park. The water that is flowing in my backyard is overlooked. Someone needs to look at the water."

Linda Burris, 3311 Sandstone Drive, Sherman, TX
Ms. Burris stated, "As Sherman grows on a continual basis, we are going to have batch plants. I ask each of you if this was your house, neighborhood, children and water how would you vote? If any of you answer no than that should be your vote for these issues."

Megan LaPell, 2327 Southridge Lane, Sherman, TX
Ms. LaPell explained, "I ask that you deny this request to protect our children. The safety of our students and children should not be risked for convenience and cost savings. I am deeply concerned about the health risk to our neighborhood, every Sherman High School student and my children."

Nancy Hereford, 2323 Southridge Lane, Sherman, TX
Ms. Hereford stated, "The notification that is supposed to be posted on the roadway for public was posted in the middle of the field. The notification was not visible from any paved road. Another thing that has not been addressed is that Moore Street south of Park Avenue is the worst street in Sherman. The kids from all the surrounding apartment complexes and subdivisions walk to school on that street because there are no sidewalks. I am amazed that there has not been an accident of a child being hit by a car."

Kevin Grewing, 2312 Southridge Lane, Sherman, TX
Mr. Grewing explained, "I oppose this batch plant for this is a residential area full of families and children. This batch is in close proximity to the high school and will cause an adverse effect on students from the traffic and emissions. It would be irresponsible to allow a facility to operate in an area that is designated for residential."

Chris Jordan, 2213 Southridge Lane, Sherman, TX
Mr. Jordan explained, "Texas Commission on Environmental Quality (TCEQ) limits temporary batch plant productions to 200 yards a day. At 10 yards a truck for 3 days of production that would be 60 trucks. We would be saving 60 concrete trucks coming through and that is light traffic for FM 1417 or any other access path. They mentioned 3 days total time on site, is that the total time that the batch plant is assembled or does that not include setup and tear down time? What is the total time? What are the planned dates for this? I agree with the Staff recommendations, if this was to be approved, we would need a set deadline and timeline."

Tracy Morales, 2207 Sherbrooke Court, Sherman, TX
Ms. Morales explained, "The place of the plant would be dangerous to our health as well as the students. The silica dust is a known carcinogen and even in small amounts it can cause lung diseases like Chronic Obstructive Pulmonary Disease (COPD) and lung cancer. Silica dust can travel up to a mile down wind. This should be located in a remote area away from homes, churches and schools for the health and safety of everyone."

Amanda Ortez, 1601 Creekside Avenue, Sherman, TX
Ms. Ortez stated, "All our youth is at Sherman High School, and they have the right to enjoy their years at Sherman High School without worrying about inhaling pollutants that would enter their bodies. Why do we need a concrete batch plant now? Over the last 23 years I have lived in Pebblebrook and I have watched the entire neighborhood grow from a couple streets to over a dozen. I have not once seen a developer bring in a concrete batch plant for this subdivision."

Cheri Browder, 1920 Ridgecrest Lane, Sherman, TX
Ms. Browder explained, "This batch plant will be placed less than 200 yards away from most of our backyards. The placement and running of this plant would be dangerous, loud disrupting and dirty. We are fearful of dust, debris and other toxins. There would be a thick layer of dust over our grass, patios and pools we have spent out hard-working money on. You say this batch plant is temporary but rather it be 6 months or 6 years it would be too long. The construction work on Highway 75 is temporary too and we all need extra lives to drive it daily."

Janice Harris, 1932 Pebblebrook Lane, Sherman, TX
Ms. Harris stated, "Texas Commission on Environmental Quality (TCEQ) gives a 24-hour permit. We live on a corner and as early as 3:00 a.m. we have had cement trucks one after another going down our streets. The trucks can begin lining up at 2:00 a.m. and it emits black carbon and nitrogen dioxide."

Peter Tracy, 705 Valentine Drive, Sherman, TX 75090
Mr. Tracy explained, "I have heard concerns about the new high school and trees being cut down. I live on the East part of town near the old high school and that is near Highway 56 which down the corner from it is a sand and gravel pit. The students from that school have to contend to everything coming out of there. There is another sand and gravel pit on FM 1417, and they have to contend to that as well. I understand the concerns with the new high school, but we also have the same concerns on the southeast side of town for the old high school and the students that are there."

Jessica Cardozo, 3400 Sandstone Drive, Sherman, TX
Ms. Cardozo explained, "We haven't seen a lot of mitigation and that is concerning. I have a 5-year-old autistic child who has a Patent Ductus Arteriosus (PDA) and we are trying to get the hole in his heart fixed. We do not want to have to worry about this on top of my child's health."

The following opposition emails and letters have been received for 2000-2300 Blocks West Moore Street request:

ITEM #19

Marlow, Lauren

From: Planning
To: Jana Pedigo
Subject: RE: Cement plant concerns

From: Jana Pedigo
Sent: Thursday, July 6, 2023 10:01 AM
To: Planning
Subject: Cement plant concerns

Hi, I've recently been made aware of a possible building of a cement plant on W Moore St. I live on N Highland Ave; 2 miles away. There are proven health concerns with living near a cement plant, including cancer & lung issues, and I strongly urge you to build somewhere away from neighborhoods. Not to mention, Fairview elementary school is nearby as well. There are many elderly and children in this area, and I hope you will make the decision to build this elsewhere, as you'd be putting everyone's health at risk within a 5 mile radius.
Thank you

ITEM #19

Marlow, Lauren

From: Planning
To: Tyler Vaught
Subject: RE: Cement Plant - W Moore Street

From: Tyler Vaught
Sent: Thursday, July 6, 2023 10:02 AM
To: Planning
Subject: Cement Plant - W Moore Street

Please think about relocating this cement plant to somewhere less residential. We have health concern issues with it being this closely located to our house + a public park.

ITEM #19

Marlow, Lauren

From: Planning
To: izzy jordan
Subject: RE: Cement plant

From: izzy jordan
Sent: Thursday, July 6, 2023 10:02 AM
To: Planning
Subject: Cement plant

There is supposedly a cement plant to be built near W Moore st in sherman, tx and has a potential for health risk d/t fine particles in the air for anyone within a 5 mile radius of this area. That area is very close to a park, a school, and many residential properties. This is a large concern for our community, especially children and should be considered to developed in an area that is more remote. I am unable to make the meeting regarding this build, so I am sending this email hoping it will get to someone. It is a negative vote for me and anyone that is around this area that is left in the unknown I speak for.

Thank you for your time.

Isabelle Jordan

ITEM #19

Marlow, Lauren

From: Planning
To: lRobert Furmanek
Subject: RE: Hazardous Cement Plant

From: lRobert Furmanek
Sent: Thursday, July 6, 2023 10:51 AM
To: Planning
Subject: Hazardous Cement Plant

Just saw this on Neighbors: https://neighbors.ring.com/n/VkmDYB1CbO

The selected location seems to be very close to the Sherman High School. If there truly is a danger as stated in the website listed above, then placing this cement plant so close to the High School should NOT BE PERMITTED..

ITEM #19

Marlow, Lauren

From: Planning
To: Rowdy Spradling
Subject: RE: Cement Plant

From: Rowdy Spradling
Sent: Thursday, July 6, 2023 11:24 AM
To: Planning
Subject: Cement Plant

Good afternoon,

I've been informed that there is proposed construction on a new cement plant on W Moore Street. As a resident within 3 miles of that area and three small children I would kindly ask reconsideration of the placement of this plant.

Near a high school and heavy residential population just doesn't seem to make logistical sense to me.

Can you please confirm or deny that this is currently under consideration?

Thank you and I hope to hear from you soon

Rowdy Spradling

ITEM #19

Marlow, Lauren

From: Planning
To: Aaron Alvarado
Subject: RE: Cement plant

From: Aaron Alvarado
Sent: Thursday, July 6, 2023 11:36 AM
To: Planning
Subject: Cement plant

Hello, I'm a resident here in Sherman close to the new high school. I have seen that y'all are having a zoning and planning meeting about the possibility of a cement plant being built on W Moore. I would just like to say that I don't agree with that and would really like y'all to consider not doing it because of the health issues and hazards that arise from the plumes and dust particles from the cement being blown into the air. Thank y'all for your consideration.

ITEM #19

Marlow, Lauren

From: Planning
To: Pamela Rylander
Subject: RE: Concern Regarding the Proposed Concrete Batch Plant near Pebblebrook

From: Pamela Rylander
Sent: Thursday, July 6, 2023 5:08 PM
To: Planning
Subject: Concern Regarding the Proposed Concrete Batch Plant near Pebblebrook

July 6,2023

Rob Rae
Director of Development Services
Development Services
P.O. Box 1106
Sherman, TX 75092

Subject: Concern Regarding the Proposed Batch Plant near Pebblebrook

To Whom It May Concern:

I am writing to voice my concern regarding the plan to construct a concrete batch plant in close proximity to our neighborhood and Sherman High School. As a concerned citizen, I strongly believe that this decision could negatively impact the health and quality of life for the residents of the surrounding neighborhoods and the students, faculty, and personnel of SHS. I would like to add that large numbers of the students are outside for long periods of time, including marching band practice, all athletic practices, physical education classes, and sporting events- tennis, track, soccer, baseball, softball, football, and in the future our main Athletic Stadium. The sporting events not only expose our students, but those of visiting teams and all spectators and workers.

The following issues of placing of a concrete batch plant in such a densely populated area are as follows:

Health Implications: Concrete batch plants are known to emit a range of pollutants into the air, including particulate matter, nitrogen oxides, and volatile organic compounds. These pollutants can have severe health consequences, especially for children, the elderly, and individuals with pre-existing respiratory conditions. Placing a facility with such emissions in close proximity to the High School, where young minds and bodies are still developing, and neighborhoods is deeply concerning.

Respiratory Risks: The release of dust and potentially hazardous airborne particles during the concrete mixing and material handling processes poses a significant risk to the respiratory health of residents and students. Prolonged exposure to these airborne pollutants can lead to respiratory diseases, allergies, and other related health issues. Our neighborhood's well-being should not be compromised for the sake of convenience or industrial development.

Noise Pollution: Concrete batch plants are notorious for their noisy operations, involving heavy machinery, conveyor belts, and truck traffic. The constant exposure to high noise levels can interfere with student learning and performance at SHS and effect the quality of life for surrounding neighborhoods.

Safety of Students and Residents: The increased traffic and transportation activities associated with a concrete batch plant can pose a significant safety risk to our students and residents. The heavy flow of trucks transporting raw materials, concrete mix, and waste products may lead to traffic congestion, accidents, and potential hazards for pedestrians. Traffic on Moore Street and Park Avenue are already congested with the arrival and dismissal of SHS, and the large trucks and equipment to the building sites surrounding our area.

Considering these factors, I urge the Planning and Zoning Commission to reconsider the decision to allow the construction of a concrete batch plant in our neighborhood. The health, safety, and well-being of our community, especially the vulnerable members, should be prioritized.

Thank you for your attention to this urgent matter.

Sincerely,
Pamela Rylander
1925 Ridgecrest Lane
Sherman, TX 75092

ITEM #19

Marlow, Lauren

From: Planning
To: Brittany Popplewell
Subject: RE: Opposition of Cement Plant

From: Brittany Popplewell
Sent: Saturday, July 8, 2023 8:55 AM
To: Planning
Subject: Opposition of Cement Plant

To whom it may concern,

I disagree with the development of such cement plants being built so close to the residents near Moore Street. According to the Environmental Protection Agency sulfur dioxide in high concentrations can affect breathing and may aggravate existing respiratory and cardiovascular disease. There are other locations in which this facility can be located and must be moved for the sake of people near the area. I ask that you take in consideration the health and safety of these residents when deciding if this plant is built in this location. Thank you.

Cement Manufacturing Enforcement Initiative. (2022 September, 19). https://www.epa.gov/enforcement/cement-manufacturing-enforcement-initiative.

ITEM #19

Marlow, Lauren

From: Planning
To: Lexianne Jordan
Subject: RE: Opposition of Cement Plant

From: Lexianne Jordan
Sent: Saturday, July 8, 2023 9:23 AM
To: Planning
Subject: Opposition of Cement Plant

To whom it may concern,

I disagree with the development of the cement plant being built so close to the residents near Moore Street.

According to the Environmental Protection Agency sulfur dioxide in high concentrations can affect breathing and may aggravate existing respiratory and cardiovascular disease.

There are other locations in which this facility can be located and must be moved for the sake of people near the area. I ask that you take in consideration the health and safety of these residents when deciding if this plant is built in this location.

Thank you.

Lexianne Stanley

ITEM #19

Marlow, Lauren

From: Planning
To: David Rylander
Subject: RE: Concrete Batch Plant

From: David Rylander
Sent: Saturday, July 8, 2023 1:36 PM
To: Planning
Subject: Concrete Batch Plant

I received a notice of a proposed concrete batch plant on Moore Street and am very concerned about this location and the dangers it would pose to our nearby neighborhood and high school. This is an active neighborhood, with many children, pets, elderly, people with respiratory issues outside on a regular basis. Sherman High School is also a short distance down Moore St. and will have many students and employees potentially affected.

After researching this type of plant, I have the following concerns:

1. These plants emit pollutants that can have severe health consequences, especially for the vulnerable members of our neighborhood.
2. The plants are known for noise pollution, which can affect quality of life in the neighborhood.
3. The increased truck traffic increases traffic hazards and causes further damage to an already horrible road (the narrow stretch of Moore St. is in bad/dangerous shape with all the potholes and uneven spots).

Surely there is a place for the plant that is not this close to dense population and does not cause so many negative consequences for our community. Please do not allow this zoning change for the plant to be placed on Moore Street.

Sincerely,

David Rylander
1925 Ridgecrest Ln

ITEM #19

Michael and Lisa Taylor
1912 Ridgecrest Lane
Sherman, TX 75092
[redacted]

Rob Rae
Director of Development Services
PO Box 1106
Sherman, TX. 75091

Subject: Concern Regarding the Proposed Batch Plant near Pebblebrook

We are writing this letter to express our deep concern regarding the plan to construct a concrete batch plant in close proximity to our neighborhood and Sherman High School. As concerned citizens, we strongly believe that this decision will have a very negative impact on the health and quality of life for the residents of the surrounding neighborhood, not to mention the young developing students, faculty, and personnel of Sherman High School. We would like to add that large numbers of students are outside for long periods of time, including marching band practice, all athletic practices, physical education classes, and sporting events, i.e. tennis, track, soccer, baseball, softball, football and in near future our main Athletic Stadium. The sporting events not only expose our students, but also those visiting teams and all spectators and workers at each of these events.

The following issues of placing a concrete batch plan in such a densely populated are as follows:

Health Implications: Concrete batch plants are known to emit a range of pollutants into the air, soil, and water ways, such as the near by creek that runs to Herman Baker Lake and the homes and recreations areas around said lake. The contaminates that concern us are particulate matter, nitrogen oxides, and volatile organic compounds. These pollutants have severe health consequences, especially for children, the elderly, and individuals with pre-existing respiratory conditions such as Asthma, COPD, and heart conditions, including only a few. Placing a facility with such emissions in close proximity of our neighborhood and the High School, where young minds and bodies are still developments are deeply concerning and disappointing.

Respiratory Risks: The release of dust and hazardous airborne particles during the concrete mixing and material handling processes poses and significant risk to the respiratory health of residents and students. Prolonged exposure to these airborne pollutants will lead to respiratory diseases, allergies, and other related health issues. Our neighborhood's well-being should NOT be compromised for the sake of convenience or industrial development.

ITEM #19

Noise Pollution: Concrete batch plants are notorious for their noisy operations, involving heavy machinery, conveyor belts, large truck traffic. The constant exposure to high noise levels can interfere with student learning and performance at Sherman High School and affect the quality of life for surrounding neighborhoods.

Safety of Residents and Students: The increased traffic and transportation activities associated with a concrete batch plant will pose a significant safety risk to our students and residents. The heavy flow of trucks transporting raw materials, concrete mix, and waste productions will lead to traffic congestion, accidents, and potential hazards for pedestrians, especially the children in this neighborhood. Traffic on Moore Street and Park Avenue are already congested with the arrival and dismissal of Sherman High School, and the large trucks and equipment to the building sites surrounding our area.

Considering these factors, we urge the Planning and Zoning Commission to halt the consideration of the decision to allow the construction of a concrete batch plant in our neighborhood. The health, safety, and well-bing of our community, especially the vulnerable members, should be prioritized over the convenience of the builders. There are multiple new developments that have been built and/or are in the process of being built in and around us without such concrete batch plants, i.e. Wyldewood Homes, Caprock Construction, etc.

Thank you for your attention to this URGENT matter that will have adverse affects to our health, our safety, and property values.

Sincerely,

Michael Taylor, R.Ph.

Michael A Taylor R.Ph

Lisa S. Taylor

Lisa S. Taylor

ITEM #19

Brianna Kuhn
2106 Sherbrooke Ct
Sherman, Texas 75092
[redacted]
July 2, 2023

Rob Rae
Director of Development Services
Development Services
P.O. Box 1106
Sherman, Texas 75092

Subject: Urgent Concern Regarding Proposed Concrete Batch Plant in Pebblebrook

To Whom It May Concern:

I am writing as a concerned citizen to express my serious reservations and deep alarm regarding the proposed construction of a concrete batch plant in close proximity to our large neighborhood and the neighboring high school. The potential consequences of such a project are not only concerning for the health and well-being of our community but also raise significant issues regarding the existing infrastructure, particularly the inadequacy of Moore St. to support any additional industrial activity.

First and foremost, I must emphasize the severe health implications that may arise from the operation of a concrete batch plant near our neighborhood and high school. Concrete batch plants are known to release a multitude of pollutants into the air, including particulate matter, nitrogen oxides, and volatile organic compounds. The detrimental impact of these airborne pollutants on the respiratory health of our residents, particularly the vulnerable populations such as children, the elderly, and individuals with pre-existing respiratory conditions, cannot be understated. Placing a facility with such emissions in close proximity to a high school is deeply distressing, as it directly exposes our students to potential health risks that may hinder their academic performance and overall well-being.

Moreover, I would like to draw your attention to the insufficient state of the infrastructure, particularly Moore St., to accommodate any additional industrial activity. The current road infrastructure is already strained and struggling to support the existing traffic flow. The addition of a concrete batch plant would inevitably exacerbate the situation, leading to increased congestion, road hazards, and safety risks for both pedestrians and drivers. It is crucial to acknowledge the limitations of the current infrastructure and carefully consider the potential negative consequences before proceeding with a project that may overload the already fragile road network.

I urge the Planning and Zoning Commission to reassess the decision to allow the construction of a concrete batch plant in our neighborhood, taking into account the

health and safety of our community, the well-being of our students, and the capacity of the existing infrastructure. It is of utmost importance to thoroughly evaluate the potential health risks, environmental impact, and strain on our road network before progressing any further with this project.

I strongly encourage the Planning and Zoning Commission to explore alternative locations that are more suitable for industrial operations, away from densely populated residential areas and educational institutions. By doing so, we can ensure the preservation of our community's health, safety, and quality of life, while still allowing for industrial development in suitable locations.

I kindly request that you keep the concerned citizens informed about any updates, developments, or decisions regarding this matter. Our engagement and input are crucial to ensure a fair and transparent decision-making process that respects the interests and concerns of the community.

Thank you for your immediate attention to this urgent matter. I hope that the Planning and Zoning Commission will seriously consider the valid concerns raised by concerned citizens like myself and take the necessary actions to protect our community's well-being.

Sincerely,

Brianna Kuhn

Brianna Kuhn

Item # 19

Marlow, Lauren

From: Planning
To: Dan P
Subject: RE: Cement Plant Hearing Agenda: July 18, 2023

From: Dan P
Sent: Wednesday, July 12, 2023 10:56 AM
To: Planning
Subject: Cement Plant Hearing Agenda: July 18, 2023

Good afternoon.

I am writing to express concerns regarding the possibility of a cement plant being built near our home. Evidence is growing that shows living this close to a cement plant can cause lung and cardiovascular issues. Our children, elderly and health-compromised individuals are particularly at risk. We have a small child and my father suffers from a respiratory illness; a nearby cement plant would possibly exacerbate his symptoms and pose a health risk to us all.

We ask that you protect Sherman residents by not allowing a plant to be built so close to where people live their lives. Plant employees wear masks to protect them as they work around these particles; we don't feel it's fair to need one in our own backyard nor should we have to move from a home we love in order to protect our family. There are other areas this plant could be built that would not put their profit or convenience ahead of our safety.

Very Respectfully,

Concerned Family
**My family is afraid of retaliation and therefore we do not wish to disclose our exact address but we live in the Pebblebrook community.

Marlow, Lauren

From: Planning
To: Rae, Rob
Subject: RE: Concern Regarding the Proposed Concrete Batch Plant Near Pebblebrook Neighborhood

From: Marti Gros
Sent: Thursday, July 13, 2023 10:22 AM
To: Rae, Rob; Plyler, David; Stevenson, Josh; Holland, Daron; Teamann, Shawn; Marroquin, Henry; Howeth, Pam
Cc: Marti Gros
Subject: Concern Regarding the Proposed Concrete Batch Plant Near Pebblebrook Neighborhood

To whom it may concern,

I am writing to express my deep concern and serious reservations regarding the plan to construct a concrete batch plant in close proximity to our large neighborhood and the adjacent high school. As a resident of Pebblebrook and a parent, I strongly believe that this decision has the potential to negatively impact the health and well-being of our community, particularly our residents and students.
Pebblebrook is an active neighborhood. Everyday there are tons of people out riding bikes, playing in the park, walking and jogging, track students running to stay conditioned and marching band practicing for hours. Not to mention, Halloween. Pebblebrook is one of the most popular areas for Trick-or-Treating with hundreds of kids taking part. This would expose them all to potential health risks.
I understand how easy of a decision this may seem to be, especially if you don't live in the area, but, the placement of a concrete batch plant in such a densely populated area raises a lot of health and safety concerns. To reiterate, I would like to draw your attention to just a few of the items:

Health Implications: Concrete batch plants are known to emit a range of pollutants into the air, including particulate matter, nitrogen oxides, and volatile organic compounds. These pollutants can have severe health consequences, especially for children, the elderly and individuals with pre-existing respiratory conditions. Placing a facility with such emissions in close proximity to a high school, where young minds, and bodies are still developing, AND a senior living facility is deeply concerning.

Respiratory Risks: The release of dust and potentially hazardous airborne particles during the concrete mixing and material handling processes poses a significant risk to the respiratory health of nearby residents and students. Prolonged exposure to these airborne pollutants can lead to respiratory diseases, allergies and other related health issues. Our neighborhood's well-being should not be compromised for the sake of convenience or industrial development.

Noise Pollution: Concrete batch plants are notorious for their noisy operations, involving heavy machinery, conveyor belts and truck traffic. The constant exposure to high noise levels can have detrimental effects on the overall quality of life, as well as academic performance for students attending the nearby high school. Studies have shown that excessive noise can cause stress, sleep disturbances, and even permanent hearing loss. Our community deserves a peaceful environment for living and learning.

Safety of Students and Residents: The increased traffic and transportation activities associated with a concrete batch plant can pose a significant safety risk to our students and residents. The heavy flow of trucks transporting raw materials, concrete mix and waste products may lead to traffic congestion, accidents and potential hazards for pedestrians and the environment. The safety of our residents should be paramount.

In addition, this area hosts visitors for many High School and Community events, thereby exposing even more people to health and safety related issues in connection with a concrete batch plant.

Considering these factors, I urge the Planning and Zoning Commission to reconsider the decision to allow the construction of a concrete batch plant in our neighborhood. The health and well-being of our community, especially the vulnerable members, must be prioritized over industrial expansion. I ask that you thoroughly assess the potential health risks and environmental impact before proceeding any further with this project. Furthermore, I encourage you to explore alternative locations that are more suitable for industrial operations like a concrete batch plant, away from residential areas and educational institutions. This approach would ensure a harmonious coexistence between the needs of our community and the requirements of industrial development.
I trust that you will carefully consider the concerns raised by citizens like myself and take appropriate actions to safeguard the health, safety and future of our neighborhood. I would greatly appreciate being kept informed about any developments or decisions regarding this matter.

Thank you for your attention to this urgent issue. I look forward to a positive response.

Sincerely,
Martha Gros
3525 Ballam St.

ITEM #19

Marlow, Lauren

From:	Planning
To:	Dan P
Subject:	RE: Cement Plant Hearing Agenda: July 18, 2023

From: Dan P
Sent: Wednesday, July 12, 2023 10:56 AM
To: Planning
Subject: Cement Plant Hearing Agenda: July 18, 2023

Good afternoon.

I am writing to express concerns regarding the possibility of a cement plant being built near our home. Evidence is growing that shows living this close to a cement plant can cause lung and cardiovascular issues. Our children, elderly and health-compromised individuals are particularly at risk. We have a small child and my father suffers from a respiratory illness; a nearby cement plant would possibly exacerbate his symptoms and pose a health risk to us all.

We ask that you protect Sherman residents by not allowing a plant to be built so close to where people live their lives. Plant employees wear masks to protect them as they work around these particles; we don't feel it's fair to need one in our own backyard nor should we have to move from a home we love in order to protect our family. There are other areas this plant could be built that would not put their profit or convenience ahead of our safety.

Very Respectfully,

Concerned Family
**My family is afraid of retaliation and therefore we do not wish to disclose our exact address but we live in the Pebblebrook community.

ITEM #19

Marlow, Lauren

From: Planning
To: Randall East
Subject: RE: Concrete plant permit located in the 2000-2300 Blocks West Moore Street

From: Randall East
Sent: Thursday, July 13, 2023 6:11 PM
To: Planning; kgrewing
Subject: Concrete plant permit located in the 2000-2300 Blocks West Moore Street

I am opposed to the planned concrete plant proposed for the location on West Moore Street. This is a residential area containing many young families with children. The proposed plant will also be in close proximity to the high school. The traffic and emissions from the plant will have an adverse effect on the residents and students. It would be irresponsible to allow this facility to operate in an area that was designated a residential zone. The home owners in the adjoining areas purchased their homes with the knowledge that they were moving to a residential area. The Zoning board has an obligation to protect the health of their children, the health of the High School students and respect the residential status of their community

Randall East
Sherman, Tx

ITEM #19

Marlow, Lauren

From: Planning
To: Megan LaPell
Subject: RE: Southridge Lane Resident Objection to Concrete Batch Plant

From: Megan LaPell
Sent: Thursday, July 13, 2023 10:01 PM
To: Planning
Cc: David 💘
Subject: Southridge Lane Resident Objection to Concrete Batch Plant

To Whom it May Concern:

I am writing to express my deep concern and serious reservations regarding the plan to construct a concrete batch plant next to my neighborhood and the high school. As a concerned mother and citizen, I strongly believe that this decision has the potential to negatively impact the health and well-being being of our community, especially the residents of my Pebblebrook neighborhood and Sherman High School students.

The placement of a concrete batch plant in such a densely populated area raises several alarming issues. I would like to draw your attention to the following reasons for my concern:

Health Implications: Concrete batch plants are known to emit a range of pollutants into the air, including particulate matter, nitrogen oxides, and volatile organic compounds. These pollutants can have severe health consequences, especially for children, the elderly, and individuals with pre-existing respiratory conditions. Placing a facility with such emissions in close proximity to a high school, where young minds and bodies are still developing, is deeply concerning.

Respiratory Risks: The release of dust and potentially hazardous airborne particles during the concrete mixing and material handling processes poses a significant risk to the respiratory health of nearby residents and students. Prolonged exposure to these airborne pollutants can lead to respiratory diseases, allergies, and other related health issues. Our neighborhood's well-being should not be compromised for the sake of convenience or industrial development. Our children's well-being should not be compromised or sacrificed for development.

Noise Pollution: Concrete batch plants are notorious for their noisy operations, involving heavy machinery, conveyor belts, and truck traffic. The constant exposure to high noise levels can have detrimental effects on the overall quality of life, as well as academic performance for students attending the nearby high school. Studies have shown that excessive noise can cause stress, sleep disturbances, and even permanent hearing loss. Our community deserves a peaceful and conducive environment for living and learning.

Safety of Students and Residents: The increased traffic and transportation activities associated with a concrete batch plant can pose a significant safety risk to our students and residents. The heavy flow of trucks transporting raw materials, concrete mix, and waste products may lead to traffic congestion, accidents, and potential hazards for pedestrians. The safety of our children should be paramount, and this project seems to disregard this crucial aspect.

Considering these factors, I urge the Planning and Zoning Commission to reconsider the decision to allow the construction of a concrete batch plant in our neighborhood. The health and well-being of our community, especially the vulnerable members, must be prioritized over industrial expansion. I kindly request that you thoroughly assess the potential health risks and environmental impact before proceeding any further with this project.

Furthermore, I implore you to explore alternative locations that are more suitable for industrial operations like a concrete batch plant, away from residential areas and educational institutions. This approach would ensure a harmonious coexistence between the needs of our community and the requirements of industrial development.

I trust that you will carefully consider the concerns raised by concerned citizens like myself and take appropriate actions to safeguard the health, safety, and future of our neighborhood and Sherman children. I would greatly appreciate being kept informed about any developments or decisions regarding this matter.

Thank you for your attention to this urgent matter. I look forward to a positive response.

Sincerely,
David & Megan LaPell
2327 Southridge Lane

ITEM #19

Marlow, Lauren

From: Planning
To: Will McCown
Subject: RE: Opposition to Concrete Batch Plant- W Moore St

From: Will McCown
Sent: Monday, July 17, 2023 10:52 AM
To: Planning
Subject: Opposition to Concrete Batch Plant- W Moore St

To whom it should concern,

We are writing to convey our deepest concern for the proposed concrete batch plant in the 2000 block of West Moore Street. We express this concern for our neighbors, as well as the families of the 2500 students and staff of SHS that didn't receive the letter if they don't *live* within 200 feet of the proposed plant, but whose daily lives will certainly be affected.

Any amount of research will inform you that concrete batch plants are detrimental to the health of everyone and everything within five miles. Not only is this proposed plant within five miles, it is within 200 **feet** of a residential neighborhood. Literally, this proposed concrete batch plant is in our backyard (Pebblebrook, 2000 block of Southridge lane), and in the backyard of Sherman High school.

Being in the backyard of a residential neighborhood is bad enough, as these pollutants have severe health consequences, especially for children, the elderly, and individuals with pre-existing respiratory conditions such as Asthma, COPD, and heart conditions.

Another equal concern about the proposed concrete batch plant is that it is also in the backyard of Sherman High School, where around 2500 students + staff spend at least one third of the hours of their current lives. This includes sporting events for Sherman students and residents, visiting teams, coaches, and lest we not forget the SHS band members and educators who will soon begin holding two-a-days in the lot directly next to the proposed concrete batch plant. The young developing minds of our community face enough challenges in today's times- should we be contributing to those challenges by allowing the release of dust and hazardous airborne particles during the concrete mixing and material handling processes into their daily lives? Prolonged exposure to these airborne pollutants will lead to respiratory diseases, allergies, and other related health issues, for all that will be exposed.

Please consider the community's safety as Sherman grows. There is a moral responsibility to maintain safety through great growth, and for the aforementioned reasons, it is not morally sound to allow a concrete batch plant at the proposed location, or any similar location.

Sincerely,

Will McCown (2319 Southridge Lane)
Kaitlin McFatridge

ITEM #19

Marlow, Lauren

From: Planning
Subject: RE: Concrete Plant @ Moore Street

From: Jessica Gonzalez
Sent: Monday, July 17, 2023 5:36 PM
To: Planning
Subject: Concrete Plant @ Moore Street

Hi City of Sherman,

I am writing on behalf of myself and several children that attend Sherman High. This plant definitely should not be allowed to be placed in the selected area! All the dust and chemicals that it has proven to become a problem in the area the plant is located is bad for anybody's health. We have thousands of Sherman residents with children that attend this school including hundreds in outside sports or band that this would have a tremendous impact on. That doesn't include the housing divisions on center street and by Dollar General closest to Pebblebrook that are strictly for our city elders. You would be putting so many people at risk of cancer and breathing problems. Let alone, make this side of town look dirty from the dirt and cloudiness in the pollution that concrete plants can cause to people. Outsiders come to the school for events, new homes and apartments are planning to come to this area and having that plant there would be a negative view for those people that are even remotely interested in moving here. Do better for our community and don't allow these kind of businesses so close to schools and residential areas!

Best regards,
Jessica Gonzalez
--
Jessica M. Gonzalez

Chairman Mahone asked Mr. Rae, "Does the City restrict hours of operation for the concrete batch plant?"

Mr. Rae replied, "Yes, we do. The Noise Ordinance restricts it from Monday to Friday 7 a.m. to 8:00 p.m., Saturday 8:00 a.m. to 5:00 p.m. and Sunday 1:00 p.m. to 5:00 p.m."

Chairman Mahone asked Mr. Lenard, "Do you know the hours you will operate?"

Mr. Lenard replied, "I plan to operate this from 7:00 a.m. to 5:30 p.m."

Chairman Mahone asked, "Is this equipment brought in by pieces and constructed on site?"

Mr. Lenard replied, "Yes."

Chairman Mahone asked, "How many trucks does it require to bring in the equipment?"

Mr. Lenard replied, "It takes about 7 trucks."

Chairman Mahone asked, "If Texas Commission on Environmental Quality (TCEQ) does not come out to inspect on a regular basis, do you have your own air quality control?

Mr. Lenard replied, "Yes, we could install monitors."

Chairman Mahone asked Mr. Rae, "Is somebody restricted from applying to put a batch plant on a piece of property that will service another nearby property?"

Mr. Rae replied, "It would need to be zoned M-2 (Heavy Manufacturing) District for a batch plant to be on another property that is not serving that project."

Chairman Mahone asked Mr. Rae, "Did City Staff confirm that the Property Notification Sign was posted in an appropriate place?"

Mr. Rae replied, "According to the email we received from them a photo was shared of the sign being placed appropriately."

Chairman Mahone asked Mr. Lenard, "From construction to tearing the batch plant down, how long does that take?"

Mr. Lenard replied, "Perfect weather it would be 2 weeks."

Chairman Mahone asked, "Do you know what dates you will operate?"

Mr. Lenard replied, "This job could start at the end of this month."

Chairman Mahone asked Mr. Lee, "Do you have reference from Texas Commission on Environmental Quality (TCEQ) on how much they can generate?"

Mr. Lee replied, "Texas Commission on Environmental Quality (TCEQ) allows 300 cubic yards per hour or 6,000 per day."

Vice Chairman Downtain asked Mr. Lenard, "How many trucks deliver the raw material to offset the 10 trucks that deliver the finished product?"

Mr. Lenard replied, "We can get up to 20 loads per day. A lot of the cities require you to be a minimum of 600 feet from a school and we are well over that."

Chairman Mahone stated, "You are saying you are over 600 feet from the school building?"

Mr. Lenard replied, "Yes."

Commission Member Manley asked Mr. Lenard, "Could the batch plant be moved closer to Moore Street and further north from what is shown on the map near the construction entrance?"

Mr. Lenard replied, "That would be fine."

Chairman Mahone asked Ms. Cotton, "Can we add a restriction for them to coordinate the dates they will be mixing concrete and dust with the school system?"

Ms. Cotton replied, "I have not seen it happen where an applicant reached out to a third party to do that. I do believe that the school district is within the zoning, and they did receive a notice of tonight's hearing."

Chairman Mahone asked Ms. Cotton, "Can we require him to notify them of the dates they intend to operate?"

Ms. Cotton replied, "It is a request that the applicant should adhere to."

Commission Member Manley stated, "I want to speak to everyone here, I am a parent of Sherman Independent School District (SISD) students, and my vote will be based on what I feel is the safest thing for them and for the residents. Concrete is going to get poured either way. I'm going to vet everyone's concern on dust and traffic. I'm going to vote for the method that I believe creates the least dust and less traffic. I am not concerned on saving this guy money."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Lenard replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Temporary Use Permit.

ACTION TAKEN.

Planning and Zoning Commission
Motion by Vice Chairman Downtain to deny the Temporary Use Permit located in the 2000-2300 Blocks West Moore Street. Second by Commission Member Sims.

VOTING AYE: WHITAKER, DOWNTAIN AND SIMS
VOTING NAY: NONE

This motion fails for lack of majority vote.

Planning and Zoning Commission
Motion by Commission Member Davis to approve the Temporary Use Permit located in the 2000-2300 Blocks West Moore Street subject to the Staff Review Letter with a time frame of 4 weeks. Second by Commission Member Manley.

VOTING AYE: MAHONE, DAVIS AND MANLEY
VOTING NAY: NONE

This motion fails for lack of majority vote.

Planning and Zoning Commission
Motion by Commission Member Manley to approve the Temporary Use Permit located in the 2000-2300 Blocks West Moore Street subject to the Staff Review Letter with a time frame of 3 weeks. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS AND MANLEY
VOTING NAY: SIMS, WHITAKER AND DOWNTAIN

Chairman Mahone asked Ms. Cotton, "Could I get legal advice on this?"

Ms. Cotton replied, "At this point you're in a No Action space since you can't get a favorable vote on."

Chairman Mahone stated, "We are declaring No Action on this item meaning this is not passed nor not approved."

This item was declared No Action.

ADJOURNMENT
The meeting adjourned for a Recess at 7:19 p.m.

ADJOURNMENT

RECONVENE
The Recess closed, and the meeting reconvened at 7:30 p.m.

RECONVENE

PUBLIC HEARING AND ZONE CHANGE
THE REQUEST OF KIRK ALLEN (OWNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE

PUBLIC HEARING AND ZONE CHANGE – R-6 AND R-A TO R-5

300-400 BLOCKS EAST SHERMAN STREET (KIRK ALLEN)

PROPERTY LOCATED IN THE 300-400 BLOCKS EAST SHERMAN STREET, CONSISTING OF 25.08 ACRES IN THE PRESTON KITCHENS SURVEY, ABSTRACT NO. 667, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND ZONE CHANGE FROM R-6 (SINGLE-FAMILY RESIDENTIAL) DISTRICT AND R-A (RESIDENTIAL AGRICULTURAL) DISTRICT TO R-5 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

The property is located in the 300-400 Blocks East Sherman Street between South Travis Street and South First Street.

Kirk Allen, 1313 West Washington Street, Sherman, TX
Mr. Allen explained, "The owner is requesting a Zone Change from an R-6 (Single Family Residential) District to R-5 (Single-Family Residential) District. This property was annexed into the City of Sherman on May 15, 2023. We had a Specific Use Permit for Patio Homes, and it would now be in compliance with the new Zoning Ordinance."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Allen replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Planning and Zoning Commission
Motion by Vice Chairman Downtain to approve the Zone Change located in the 300-400 Blocks East Sherman Street. Second by Commission Member Whitaker.

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

PUBLIC HEARING AND ZONE CHANGE – R-6 TO R-5 2800 BLOCK BLUE FLAME ROAD (CHAD MCDUFFIE, MD)

PUBLIC HEARING AND ZONE CHANGE
THE REQUEST OF CHAD MCDUFFIE, MD (OWNER), D2 INVESTMENTS, INC. (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2800 BLOCK BLUE FLAME ROAD, CONSISTING OF 67.891 ACRES, BEING A PART OF S. INMAN SURVEY, ABSTRACT NO. 621, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND ZONE CHANGE FROM AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO AN R-5 (SINGLE FAMILY RESIDENTIAL) DISTRICT

BLUE FLAME ROAD

M.K.T. RAILROAD

BLUE FLAME ROAD

67.439 ACRES

216 LOTS

(110 Lots @ 50'x125' Typ. Lot)

(106 Lots @ 60'x125' Typ. Lot)

N

100 0 50 100

Scale: 1" = 100'

CONCEPT PLAN

GATEWAY CREEK

CITY OF SHERMAN, TEXAS

Engineer:

PETITT - ECD

ENGINEERING SURVEYING
CONSTRUCTION ADMINISTRATION

1600 N. COLLINS BLVD
SUITE 2500
RICHARDSON, TX 75080

201 WINDCO CIRCLE
SUITE 100
WYLIE, TX 75098
972.941.8400

JUNE 15, 2023

SHEET NO. 1 OF 1

PROJECT #00000

Y:\PROJECTS\Named Projects\Sherman Tx. 67.891 Acres Blue Flame Road\dwg\Planning\CP-C.dwg

The property is located in the 2800 Block Blue Flame Road between Fallon Drive and North Highway 75.

David Davis, 1830 Silverside Drive, Grapevine, TX
Mr. Davis explained, "We are requesting a Zone Change for a development plan to build a new residential subdivision. We are proposing a wider range of homes ranging from 50-foot lots and 60-foot lots. I will leave plenty of green space for a trail system and a public park."

Mr. Rae stated, "Just to clarify when rezoning to R-4 (Single Family Residential) District or R-5 (Single Family Residential) District they are required to provide at least 10% of open space for amenities."

Commission Member Manley asked Mr. Davis, "Is there a reason why you mixed up the zoning?"

Mr. Davis replied, "It breaks up the streetscape and makes the streets look less cookie cutter."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Davis replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Zone Change.
ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Manley to approve the Site Plan and Zone Change located in the 2800 Block Blue Flame Road subject to the Staff Review letter. Second by Vice Chairman Downtain.

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

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

PUBLIC HEARING, SITE PLAN, ZONE CHANGE AND REPLAT
THE REQUEST OF CHEMTICA USA, LLC (OWNER) AND BURNS SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 516-518 EAST CHERRY STREET, CONSISTING OF 0.482 ACRES, BEING IN THE G.W. BOND'S THIRD ADDITION, BLOCK A, LOTS 2, 3 AND 4, AND IS CURRENTLY ZONED M-2 (HEAVY MANUFACTURING) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
A. PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM AN M-2 (HEAVY MANUFACTURING) DISTRICT TO A C-2 (GENERAL COMMERCIAL) DISTRICT.

PUBLIC HEARING, SITE PLAN AND ZONE CHANGE – M-2 TO C-2 REPLAT - LOTS 2, 3, 4 IN BLOCK A OF G.W. BOND'S THIRD ADDITION 516-518 EAST CHERRY STREET (CHEMTICA USA, LLC)

B. REPLAT OF LOTS 2, 3, 4 IN BLOCK A OF G.W. BOND'S THIRD ADDITION

The property is located at 516-518 East Cherry Street between South East Street and South First Street.

Jarmila Ruzicka, 1710 Southwest 35th Place, Gainesville, FL
Ms. Ruzicka explained, "We are requesting a Site Plan and Zone Change along with a Replat for a warehouse to store plastic. In the warehouse we will assemble insect traps as well as attractant and repellent release devices sold to government entities charged with interception of invasive insects at borders and protection of forest from native insect pests."

Chairman Mahone asked, "Are you modifying the building?"

Ms. Ruzicka replied, "There is an existing building, but we would like to build a storage next to it."

Chairman Mahone asked if they had seen the Staff Review Letter.

Ms. Ruzicka replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Site Plan, Zone Change and Replat.

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Manley to approve the Specific Use Permit, Site Plan and Replat located at 516-518 East Cherry Street subject to the Staff Review letter. Second by Commission Member Whitaker.

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

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

PUBLIC HEARING, VARIANCE – LOT WIDTH
REPLAT - COHO MOORE ADDITION, LOT 4R-A
300 WEST MOORE STREET
(CORBY HOSEA)

PUBLIC HEARING, VARIANCE AND REPLAT
THE REQUEST OF CORBY HOSEA (OWNER) AND HELVEY WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 300 WEST MOORE STREET, CONSISTING OF 0.214 ACRES, BEING A PART OF THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AND BEING THE WEST 49 FOOT OF LOT 4, BLOCK 7 OF B.H. MOORE HEIRS ADDITION AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT

A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006 TO ALLOW A 49' LOT WIDTH IN LIEU OF THE REQUIRED 60'.

PLANNING AND ZONING COMMISSION

B. PUBLIC HEARING AND REPLAT OF COHO MOORE ADDITION, LOT 4R-A

The property is located at 300 West Moore Street at the corner of South Elm Street and West Moore Street.

Corby Hosea, 12 Vaughn Drive, Denison, TX

Mr. Hosea explained, "I am requesting a Variance for the lot width along with a Replat for a residential development. This vacant lot conforms to the existing properties. The driveway will be a front entry off Moore Street and there would be no concern of traffic off Elm Street."

Chairman Mahone asked, "Would this be consistent with the surround area?"

Mr. Hosea replied, "Yes."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Hosea replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment

Motion by Vice Chairman Downtain to approve the Variance located at 300 West Moore Street subject to the Staff Review letter. Second by Commission Member Manley.

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

Planning and Zoning Commission

Motion by Vice Chairman Downtain to approve the Replat located at 300 West Moore Street subject to the Staff Review letter. Second by Commission Member Davis.

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

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

PUBLIC HEARING, VARIANCE, SITE PLAN AND SPECIFIC USE PERMIT

PUBLIC HEARING, VARIANCE – REAR AND SIDE SETBACK

THE REQUEST OF MICHAEL POSTAR (OWNER), JOSEPH GONZALEZ (REPRESENTATIVE) AND CENTERLINE ENGINEERING & CONSULTING, LLC (SURVEYOR)

CONCERNING THE PROPERTY LOCATED AT 1300 SOUTH FM 1417 (HERITAGE PARKWAY), CONSISTING OF 4.9167 ACRES, BEING ALL OF LOT 2, 3, 4, 5 AND 6, BLOCK 6, HERITAGE FARMS ESTATES AND IS CURRENTLY ZONED C-1 (RETAIL BUSINESS) DISTRICT/F.M. 1417 OVERLAY DISTRICT, AS FOLLOWS:

BOARD OF ADJUSTMENT

A. PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.016 TO ALLOW A 10' REAR SETBACK IN LIEU OF THE REQUIRED 40' AND 10' SIDE SETBACK IN LIEU OF THE REQUIRED 15' FOR A MINI-WAREHOUSE.

PLANNING AND ZONING COMMISSION

B. PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW A MINI-WAREHOUSE IN A C-1 (RETAIL BUSINESS) DISTRICT

SITE PLAN AND SPECIFIC USE PERMIT – MINI-WAREHOUSE
1300 SOUTH FM 1417 (HERITAGE PARKWAY)
(MICHAEL POSTAR)

The property is located at 1300 South FM 1417 (Heritage Parkway) between West OB Groner Road and Quail Run Road.

Daniel Wetzel, 101 East Park Boulevard, Plano, TX

Mr. Wetzel explained, "Due to the topography of the land and residential backing up to the property we have proposed a retaining wall. The buildings are approximately 10 feet tall and once we finish the grading of the site these buildings will be below the 6 foot privacy fencing behind the residential lots that abut the back of the property. There is a proposed gas station on the north side of the property. We have worked with that owner and developer on the drainage swell so it conveys water from the rear of the property to the front detention pond."

Vice Chairman Downtain asked, "What is the hardship for the Variance on the rear setback?"

Mr. Wetzel replied, "It is for density to allow the majority of that to be built, eliminate the amount of people getting in the back and trash collection."

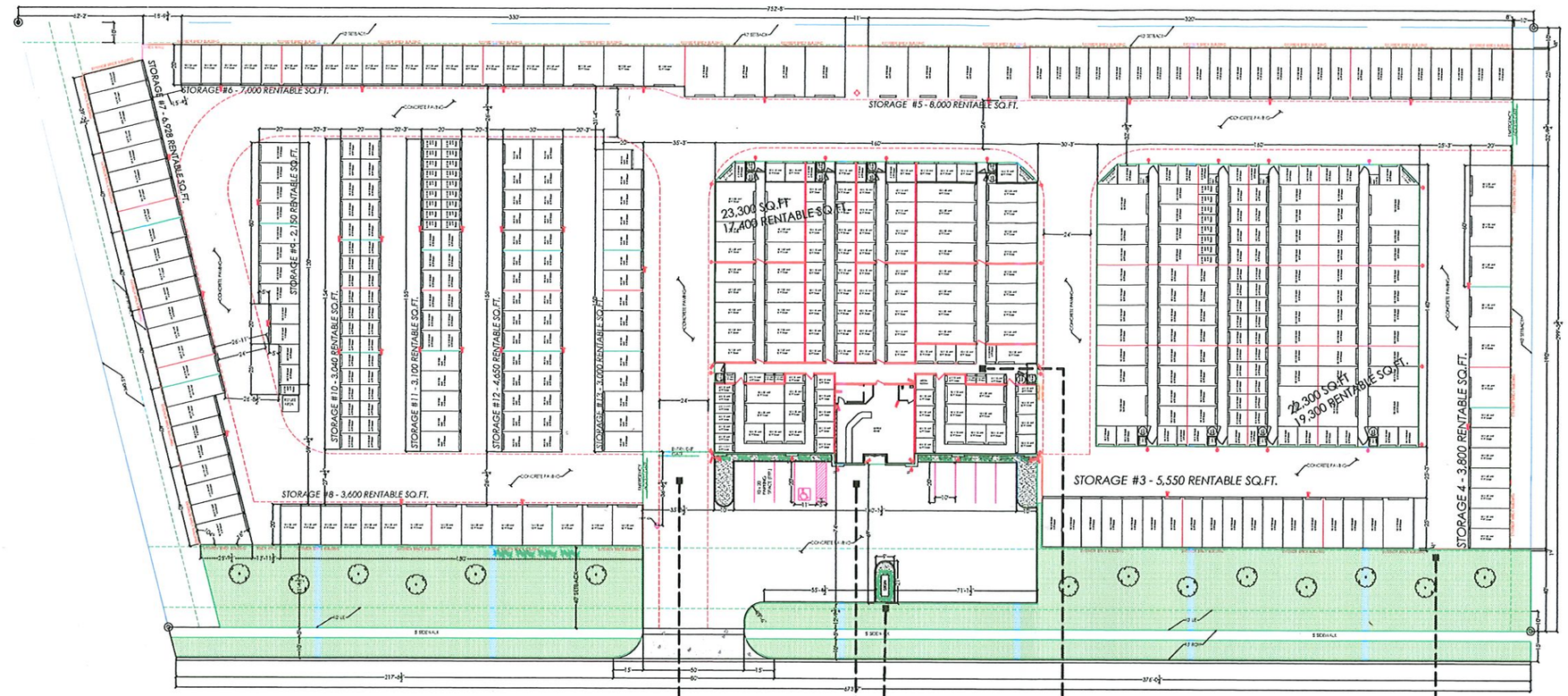
Mr. Rae stated, "In May 2020, the same applicant received a Specific Use Permit for a Mini-warehouse at this location but since that time it has lapsed and their vested rights have gone away. They are back requesting a similar request to what was approved in May 2020."

Mr. Wetzel replied, "One of the reasons for the Specific Use Permit change was the parking requirements. The original Specific Use Permit required a significant amount of parking which was not feasible."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Wetzel replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Variance, Site Plan and Specific Use Permit.



4.92 ACRES LOT, (214,306.60 SQ FT)
ZONE - C2, (Passed on 06.15.2020)
BUILDING SQ FT:
TOTAL SQ FT - 96,418 SQ FT
RENTABLE SQ FT - 87,718 SQ FT

HC STORAGE UNITS:
10 + 2% TOTAL NUMBER OF UNITS OVER 200
(506-200)2% + 10 = 16 TOTAL HC ACCESSIBLE STORAGE UNITS



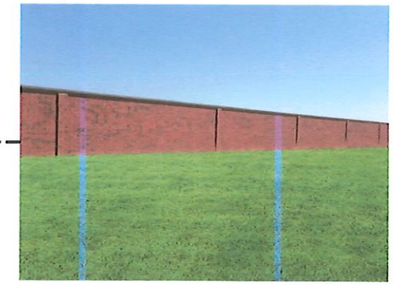
STREET SIGNAGE



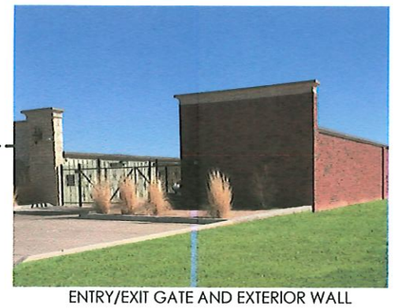
FRONT OFFICE WITH SIGNAGE



CLIMATE CONTROLLED UNITS



EXTERIOR BRICK WALL



ENTRY/EXIT GATE AND EXTERIOR WALL

AFFORDABLE STORAGE
HERITAGE FARMS ESTATES
BLOCK 6, LOTS 2-6
FM 1417, SHERMAN, TX 75092

DATE | EDITED | BY		
7/12/2023	CREATED	T. ADAMS

BE AMAZING CONSTRUCTION
3110 FRANKFORD AVENUE
LUBBOCK TEXAS 79407

N

Site Plan

SCALE: 1" = 30'-0"

SHEET
C1

\\STORAGELBK-FAS1\Construction Plans\AutoCAD\PROPOSED PROPERTIES\SHERMAN TX\ASSIS\SHERMAN_SITE PLAN_06.26.23.dwg, 7/12/2023 2:50:55 PM, Drafter, DWG To PDF.pc3

ACTION TAKEN.

Board of Adjustment
Motion by Commission Member Manley to approve the Variance located at 1300 South FM 1417 (Heritage Parkway) subject to the Staff Review letter. Second by Commission Member Davis.

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

Planning and Zoning Commission
Motion by Commission Member Manley to approve the Site Plan and Specific Use Permit located at 1300 South FM 1417 (Heritage Parkway) subject to the Staff Review letter. Second by Commission Member Davis.

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

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

PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT

PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT - CONTRACTORS OR CONSTRUCTION OFFICES, EQUIPMENT SALES, SERVICE, RENTAL AND REPAIR, WITH OUTDOOR STORAGE 2325 NORTH TRAVIS STREET (AMERICAN BUILDERS AND CONTRACTORS SUPPLY CO., INC.)

THE REQUEST OF AMERICAN BUILDERS AND CONTRACTORS SUPPLY CO., INC. (OWNER), VILBIG AND ASSOCIATES (REPRESENTATIVE/CONSULTING ENGINEERS & SURVEYORS) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2325 NORTH TRAVIS STREET, CONSISTING OF 8.066 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND IS CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING, SITE PLAN AND SPECIFIC USE PERMIT UNDER SECTION 14.06.009 TO ALLOW CONTRACTORS OR CONSTRUCTION OFFICES, EQUIPMENT SALES, SERVICE, RENTAL AND REPAIR, WITH OUTDOOR STORAGE.

The property is located at 2325 North Travis Street between East Taylor Street and East Lamberth Road.

An email was received from David Vilbig on July 11, 2023 at 8:55 a.m. requesting to Table this item.

(TABLED)

Planning and Zoning Commission
Motion by Commission Member Sims to table the Site Plan and Specific Use Permit located at 2325 North Travis Street. Second by Commission Member Davis.

VOTING AYE: MAHONE, DAVIS, DOWNTAIN, SIMS, WHITAKER AND MANLEY

VOTING NAY: NONE.
MOTION CARRIED.

PUBLIC HEARING AND ZONE CHANGE– R-6 TO R-4 2700-3100 BLOCKS NORTH TRAVIS STREET (TBJB1, LLC)

PUBLIC HEARING AND ZONE CHANGE
THE REQUEST OF TBJB1, LLC (OWNER), BEN MCKAY (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) FOR THE PROPERTY IN THE 2700-3100 BLOCKS NORTH TRAVIS STREET, CONSISTING OF 29.278 ACRES, CONTAINED IN TRACT ONE, BEING IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AND CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND ZONE CHANGE FROM AN R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

The property is located in the 2700-3100 Blocks North Travis Street between West McLain Street and West Highway 82.

Ben McKay, 1909 Wren Court, Edmond, OK
Mr. McKay explained, "We are requesting a Zone Change for a Patio Home development. With this property we ran into a lot of hurdles with oil wells on site and having to be so far away from them. This development would have 10% of green space providing a dog park, picnic area, community park with playground equipment and junior sports field."

Chairman Mahone asked, "Where will the main entrance be for this development?"

Mr. McKay replied, "There will be two entrances off Travis Street and one entrance off Hickory Street."

Mr. Rae stated, "This conceptual plan is just for information."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. McKay replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Planning and Zoning Commission
Motion by Commission Member Davis to approve the Zone Change located in the 2700-3100 Blocks North Travis Street subject to the Staff Review letter. Second by Commission Member Whitaker.

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

PUBLIC HEARING, SITE PLAN AND ZONE CHANGEC-1 TO C-N 700 BLOCK NORTH FM 1417 (HERITAGE PARKWAY) (WYLDEWOOD HOMES, LLC)

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

PUBLIC HEARING, SITE PLAN AND ZONE CHANGE

THE REQUEST OF WYLDEWOOD HOMES, LLC (OWNER), BRYAN BLAGG (REPRESENTATIVE) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 700 BLOCK NORTH FM 1417 (HERITAGE PARKWAY), CONSISTING OF 2.993 ACRES, BEING IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PUBLIC HEARING, SITE PLAN AND ZONE CHANGE FROM A C-1 (RETAIL BUSINESS) DISTRICT TO A C-N (NEIGHBORHOOD COMMERCIAL) DISTRICT.

The property is located in the 700 Block North FM 1417 (Heritage Parkway) at the intersection of Denson Drive and North FM 1417 (Heritage Parkway).

Chris Noah, 787 West FM 996, Pottsboro, TX

Mr. Noah explained, "The owner is requesting a Zone Change from a C-1 (Retail Business) District to C-N (Neighborhood Commercial) District to develop their corporate office and reduce the setback behind the residential lots."

Chairman Mahone stated, "There are more limited uses in C-N (Neighborhood Commercial) District than C-1 (Retail Business) District."

Commission Member Davis asked, "Are you planning to sell the remaining property or develop on it?"

Nolan Pike, 618 Pikes Place, Sherman, TX

Mr. Pike replied, "We plan to develop Lot 1 for our future office and sell the remaining."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Noah replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Site Plan and Zone Change.

ACTION TAKEN.

Planning and Zoning Commission

Motion by Commission Member Davis to approve the Zone Change located in the 700 Block North FM 1417 (Heritage Parkway) subject to the Staff Review letter. Second by Vice Chairman Downtain.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, MANLEY, SIMS AND WHITAKER

VOTING NAY: NONE.
MOTION CARRIED.

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

PUBLIC HEARING, VARIANCE – PARKING SPACES AND DEPTH 1700 NORTH TRAVIS STREET (JAMES MELTON, JR.)

PUBLIC HEARING AND VARIANCE
THE REQUEST OF JAMES MELTON, JR. (OWNER) SUMBUL ISLAM (REPRESENTATIVE) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1700 NORTH TRAVIS STREET, CONSISTING OF 0.3499 ACRES, BEING LOT 1, BLOCK 1 OF MOSELEY ADDITION AND IS CURRENTLY ZONED C-O (OFFICE) DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT
PUBLIC HEARING AND VARIANCE UNDER SECTION 14.04.003 TO ALLOW 18 PARKING SPACES IN LIEU OF THE REQUIRED 23 PARKING SPACES FOR A CLINIC, MEDICAL OR DENTAL, AND 18' PARKING SPACE DEPTH IN LIEU OF THE REQUIRED 20' DEPTH FOR THE PARKING SPACES ON THE SOUTH SIDE OF THE BUILDING.

The property is located at 1700 North Travis Street at the corner of North Travis Street and West Texas Street.

Chairman Mahone stated, "We received an updated parking plan prior to the meeting."

James Melton, 8212 Farmington Road, Gunter, TX
Mr. Melton explained, "I am requesting a Variance on the parking spaces for a medical office. The parking depth for each space is 9' x 20' and we have one handicap space with a 5' side strip for getting out of the vehicle. There is extra room on two of the parking spaces off Texas Street for any other handicap uses. This property is currently under contract to a doctor for medical use."

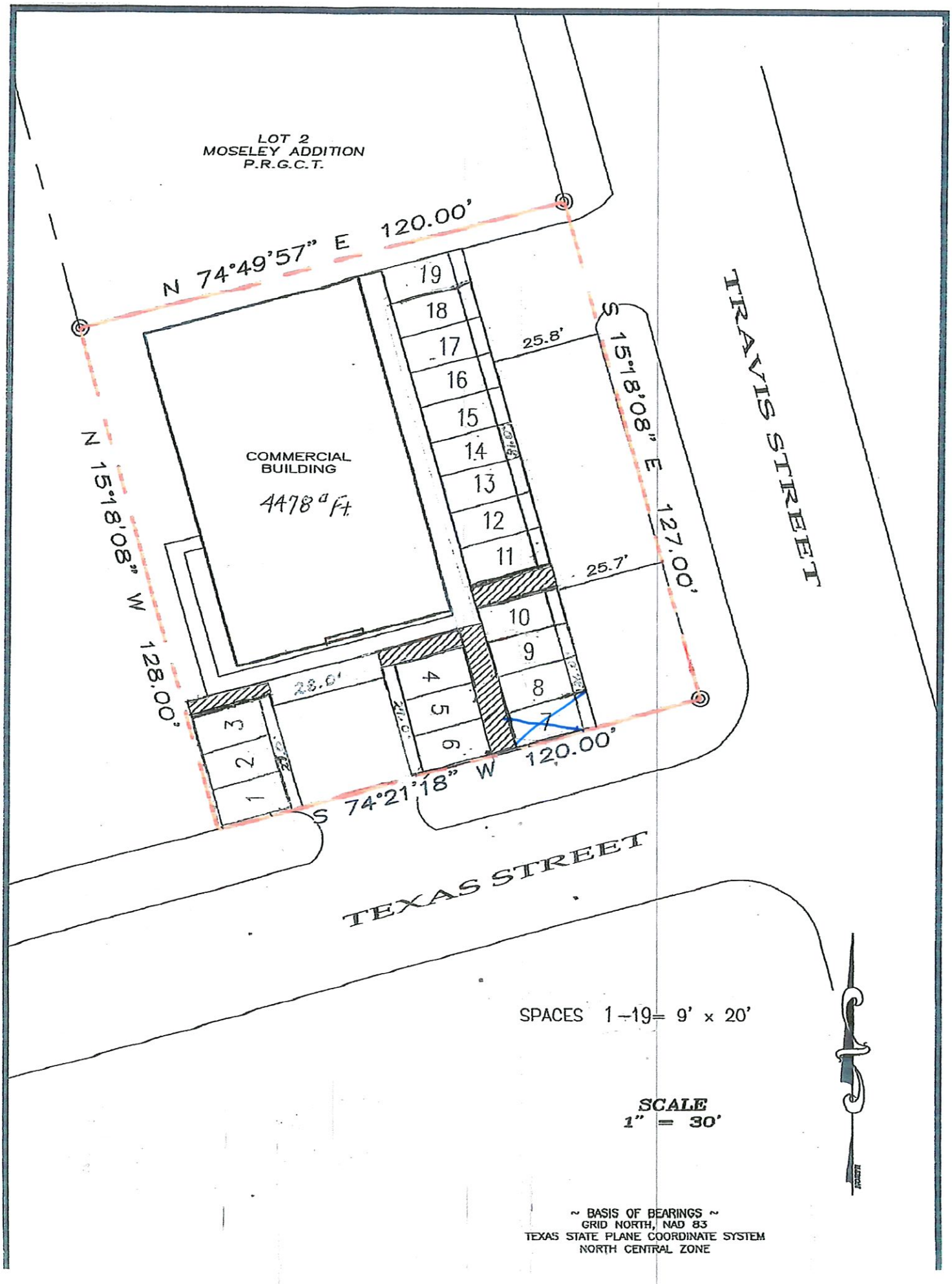
Chairman Mahone asked Mr. Rae, "If this remained a regular office building, what would the requirement be?"

Mr. Rae replied, "It would be 1 parking space for every 400 square feet. It would roughly be 12 to 13 parking spaces. We did discuss with the applicant that staff could park in the parking spots off Texas Street and customers could be located off Travis Street."

Commission Member Sims asked, "What type of practice is going into this building?"

Dr. Sumbul Islam, 1065 Great Meadow Drive, Allen, TX
Dr. Islam replied, "This will be an Internal Medicine Practice, Primary Care."

Commission Member Sims asked, "How many doctors and staff members?"


LOT 2
MOSELEY ADDITION
P.R.G.C.T.
N 74°49'57" E 120.00'
COMMERCIAL BUILDING
4478 ± Ft
N 15°18'08" W 128.00'
S 15°18'08" E 127.00'
25.8'
25.7'
28.0'
20'
19
18
17
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1
S 74°21'18" W 120.00'
TRAVIS STREET
TEXAS STREET
SPACES 1-19= 9' x 20'
SCALE
1" = 30'
~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

Dr. Islam replied, "Two providers being a Doctor and a Nurse Practitioner with three staff members."
Chairman Mahone asked, "Do you have any concerns on your staff members bumping into each other?"

Dr. Islam replied, "We would have to be careful, but it is a good space."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Melton replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment
Motion by Vice Chairman Downtain to approve the Variance located at 1700 North Travis Street subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN AND SIMS
VOTING NAY: DAVIS AND MANLEY

This fails.

Mr. Rae stated, "According to the realtor Dr. Islam's plan was to be in half of the building. There would be potential for her to occupy part of the building and still meet the requirement. They wanted to get in compliance now in case it ever got expanded she would be able to meet that."

Chairman Mahone stated, "It is tight, but it is a better solution than what we have currently."

Motion by Commission Member Davis to deny the Variance located at 1700 North Travis.

This fails for lack of a Second.

Motion by Vice Chairman Downtain to approve the Variance located at 1700 North Travis Street subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, MANLEY AND SIMS
VOTING NAY: DAVIS

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

PUBLIC HEARING, VARIANCE – SIDE SETBACK 1602 NORTH HOARD AVENUE

<u>PUBLIC HEARING AND VARIANCE</u>
THE REQUEST OF MAUREEN CLARKE (OWNER) WILLIE POSEY (REPRESENTATIVE) AND SARTIN & ASSOCIATES (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1602 NORTH

HOARD AVENUE, CONSISTING OF 0.3444 ACRES, BEING BLOCK 30, LOT 11 & 12 OF THE COLLEGE PARK 2ND ADDITION, AND IS CURRENTLY ZONED R-6 (SINGLE FAMILY RESIDENTIAL) DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT
PUBLIC HEARING AND VARIANCE UNDER SECTION 14.02.006 TO ALLOW A 5' SIDE SETBACK IN LIEU OF THE REQUIRED 15' FOR A CARPORT ADDITION. (MAUREEN CLARKE)

The property is located at 1602 North Hoard Avenue at the corner of East Gulick Avenue and North Hoard Avenue.

Willie Posey, 1602 North Hoard Avenue, Sherman, TX
Mr. Posey explained, "I am requesting a Variance for a carport to be able to fit 2 vehicles. If I built my carport 15' from the curb both vehicles would be sticking out and I am trying to prevent damage from the storms."

Chairman Mahone asked, "Just to confirm, you are just wanting to put a carport 5' from the side property line?"

Mr. Posey replied, "Yes."

Chairman Mahone asked, "What is the distance from the property line to the curb?"

Mr. Posey replied, "37 feet?"

Mr. Rae stated, "This is 16 feet from the property line to the curb."

Chairman Mahone stated, "We would be about 21 feet from the curb to the start of the carport."

Mr. Posey replied, "If we could start at 8 feet north to the gable instead of 5 feet then I could park all my vehicles."

Chairman Mahone asked, "How wide will the carport be?"

Mr. Posey replied, "It would be as wide as the driveway."

Commission Member Davis asked, "What type of carport will this be? Is it going to come off your house or be a flat top?"

Mr. Posey replied, "I am going to build 2 feet from the house and continue the gable from the house with shingles."

Chairman Mahone asked, "What type of posts will you use?"

Mr. Posey replied, "It will be wood post."

Chairman Mahone asked, "Are there other carports in the area?"

Mr. Posey replied, "No."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Posey replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment
Motion by Commission Member Manley to approve the Variance as requested located at 1602 North Hoard Avenue subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, WHITAKER, DOWNTAIN, SIMS AND MANLEY
VOTING NAY: DAVIS
MOTION CARRIED.

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

PUBLIC HEARING AND VARIANCE – FRONT SETBACK 2500 TEXOMA PARKWAY (RFJ AUTO PROPERTIES, LLC)

PUBLIC HEARING AND VARIANCE
THE REQUEST OF RFJ AUTO PROPERTIES, LLC (OWNER), ANNA ANKLIN (REPRESENTATIVE), JEREMY NELSON, PE, KIRKMAN ENGINEERING (REPRESENTATIVE), AND BARTON CHAPA SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2500 TEXOMA PARKWAY, CONSISTING OF 5.933 ACRES IN THE R. HENDRIX SURVEY, ABSTRACT NO. 504, AND IS CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) DISTRICT/75 & 82 OVERLAY DISTRICT, AS FOLLOWS:
BOARD OF ADJUSTMENT
PUBLIC HEARING AND VARIANCE UNDER SECTION 14.07.009 TO ALLOW A 20'3" FRONT SETBACK IN LIEU OF THE REQUIRED 25' FOR A SIGN.

The property is located at 2500 Texoma Parkway between East Highway 82 and East Peyton Street.

Jeremy Nelson, 805 Dove Creek, Midlothian, TX
Mr. Nelson explained, "This property went through a Site Plan request at the beginning of the year, and it is currently under construction. They are tearing down the old dealership and rebuilding. We will place our pylon sign near the hexagon display pad which is typical for Hyundai Dealerships."

Chairman Mahone asked, "Is the billboard sign gone?"

Mr. Nelson replied, "Yes, it is gone and will remain gone. This will be their main sign advertising the dealership."

Commission Member Davis asked, "Will this be a pole sign or monument sign? How big will the sign be?"

Mr. Nelson replied, "This sign will be a monument sign and measure about 8' x 12'. They have several sign configurations, and the final configuration will be submitted for the permit."

Commission Member Manley asked, "Is there something unique about this sign that you have to place it closer to the property line?"

Mr. Nelson replied, "It is less intrusive and nicer."

Mr. Rae stated, "There was discussion that if they were to remove the large billboard that staff would support the Variance for the setback on a more traditional sign."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Nelson replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Board of Adjustment
Motion by Vice Chairman Downtain to approve the Variance located at 2500 Texoma Parkway subject to the Staff Review letter. Second by Commission Member Sims.

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

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

ADJOURNMENT
On Motion duly made and carried, the meeting adjourned at 8:31 p.m.

_____
CHAIRMAN

_____
ACTING SECRETARY

Planning & Zoning Commission and Board of Adjustments **5.**

Meeting Date: 08/22/2023

Prepared By: Lauren Marlow, Development Services Coordinator

Issue:

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

Asterisked (*) items are considered to be routine and non-controversial items. These items will be enacted in one motion without discussion unless a Commission Member or a member of the audience requests a specific item be discussed and voted on separately prior to a motion and vote.

List of Agenda Items:

6. * 4000-4300 BLOCKS WINTER WAY (Project No. 23-004430)

The request of James Glenn Hidalgo (Owner), Vilbig & Associates (Engineer) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 4000-4300 Blocks Winter Way, consisting of 15.040 acres in the Elizabeth Jones Survey, Abstract No. 625, and being part of Lot 1, Block 1, Texoma Christian School Addition and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Preliminary Plat of The Preserve Phase IV

7. * 301BLOCK WEST TRAVIS STREET (Project No. 23-004432)

The request of Jeff Harkinson (Owner), Jim Riley (Representative), TEKMAK Development Company (Developer), Brockette/Davis/Drake, Inc. (Engineers), concerning the property located in the 301 Block West Travis Street, consisting of 5.464 acres in the Preston Kitchen Survey, Abstract No. 667, being a portion of a 44.83 acre tract of land in the Blalock Industrial Park/Blalock Commercial Overlay District/Planned Development District, as follows:

Planning and Zoning Commission

Final Plat of Crossroads – Springhill Addition, Lots 1 & 2, Block 1

8. * 2000-2300 BLOCKS WEST CENTER STREET (Project No. 23-004433)

The request of Meritage Homes of Texas, LLC (Owner), Frank Su (Representative) and Kimley-Horn and Associates (Engineer/Surveyor) concerning the property located in the 2000-2300 Blocks West Center Street, being 30.734 acres in the Elizabeth Jones Survey, Abstract 625, being a portion of a 67.25 acre tract of land and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Final Plat of Westmoor, Phase 2

9. * 3786GIBBONS ROAD (Project No. 23-004456)

The request of James and Vicki Francis (Owner), Donnie Payette, Dream Builders (Developer) and Cox Land Surveying (Surveyor) concerning the property located at 3786 Gibbons Road, consisting of 10.732

acres in the George W. Lavalla Survey, Abstract No. 722, located in the ETJ (Extra Territorial Jurisdiction), as follows:

Planning and Zoning Commission

Final Plat of Payette Addition.

10. * <u>920 SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-004462)</u>

The request of Lighthouse for Kids, LLC (Owner) and Helvey Wagner Surveying (Surveyor) concerning the property located at 920 South FM 1417 (Heritage Parkway), consisting of 3.726 acres in the Elizabeth Jones Survey, Abstract No. 625, being all of Lot 3-R, Block 1, of the Replat of Lots 2 and 3, Block 1, Chief's Addition and currently zoned C-1 (Retail Business) District, as follows:

Planning and Zoning Commission

Replat of Atsar Storage Addition

11. * <u>449 SOUTH FARMINGTON ROAD (Project No. 23-004471)</u>

The request of John David Griffin (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 449 South Farmington Road, consisting of 5.255 acres, being in the William Martin Survey, Abstract No. 765, and is currently located in the ETJ (Extra Territorial Jurisdiction), as follows:

Planning and Zoning Commission

Final Plat of 449 S. Farmington Addition

12. * <u>500 BLOCK NORTH US HIGHWAY 75 (Project No. 23-004475)</u>

The request of First State Bank (Owner), Ian Norfork, PE (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located in the 500 Block North US Highway 75, consisting of 9.023 acres, being Lot 3 of the Replat of Block One of the Replat of Independence Square Addition, Section Two and is currently zoned C-1 (Retail Business) District/75&82 Overlay District, as follows:

Planning and Zoning Commission

Site Plan of First State Bank

Planning & Zoning Commission and Board of Adjustments **6.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

* **4000-4300 BLOCKS WINTER WAY (Project No. 23-004430)**

The request of James Glenn Hidalgo (Owner), Vilbig & Associates (Engineer) and Underwood Drafting & Surveying (Surveyor) concerning the property located in the 4000-4300 Blocks Winter Way, consisting of 15.040 acres in the Elizabeth Jones Survey, Abstract No. 625, and being part of Lot 1, Block 1, Texoma Christian School Addition and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Preliminary Plat of The Preserve Phase IV

Background:

The property is located in the 4000-4300 Blocks Winter Way between Seasons West Avenue and South FM 1417 (Heritage Parkway). The property owner would like to plat the property into 46 lots for residential development.

The following was approved for this location:

- June 21, 2022 - Preliminary plat approval of The Preserve (Phase 4)

Adjacent Zoning:

R-6 (Single Family Residential) District
MF-30 (Multi-Family Residential) District

Origination:

James Glenn Hidalgo (Owner)
Vilbig & Associates (Engineer)
Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Not Required.

Number of notices mailed:

Not Required.

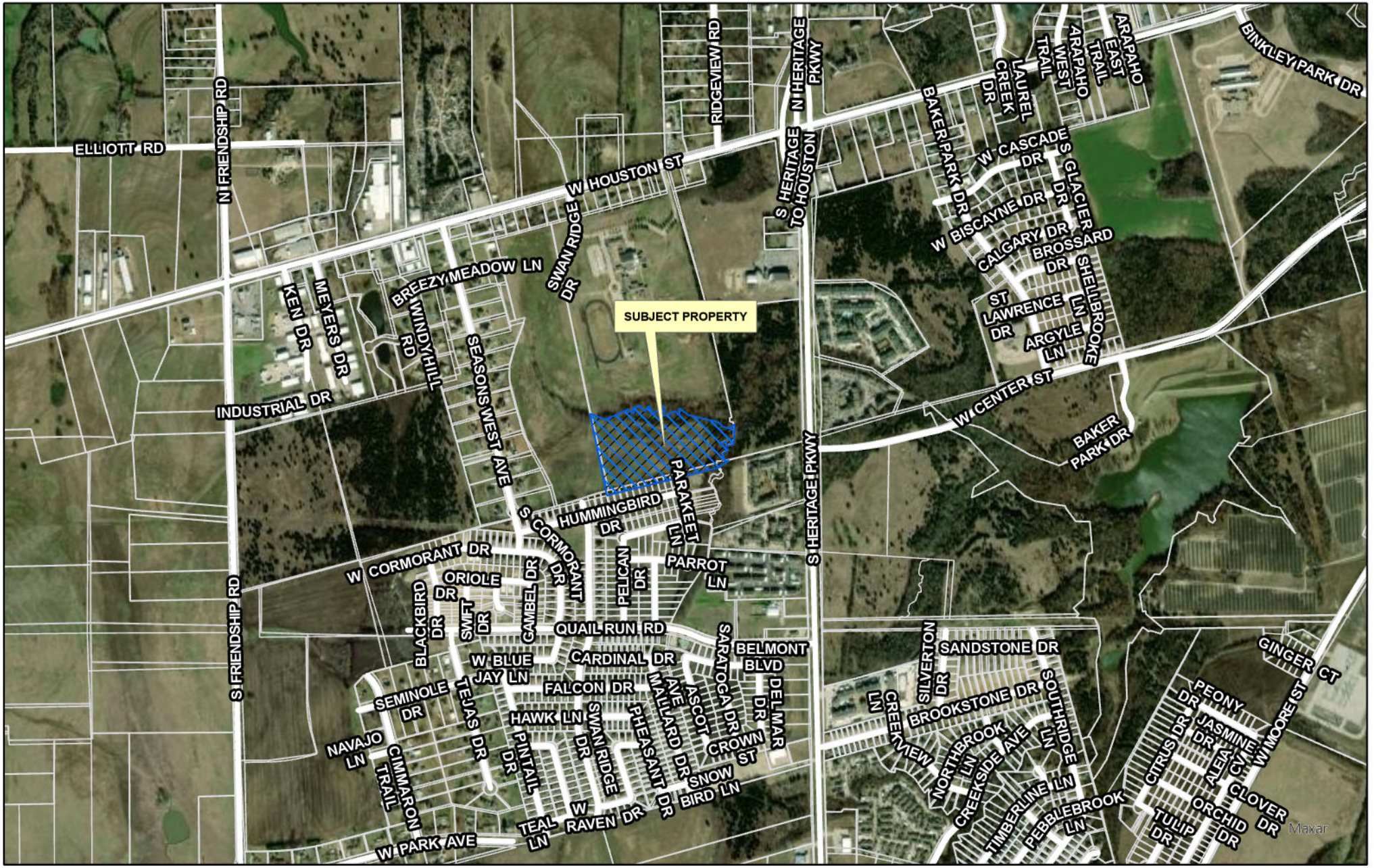
Objections Received:

0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Preliminary Plat
STAFF REVIEW LETTER - Engineering



dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
PRESERVE PHASE IV

N
W E
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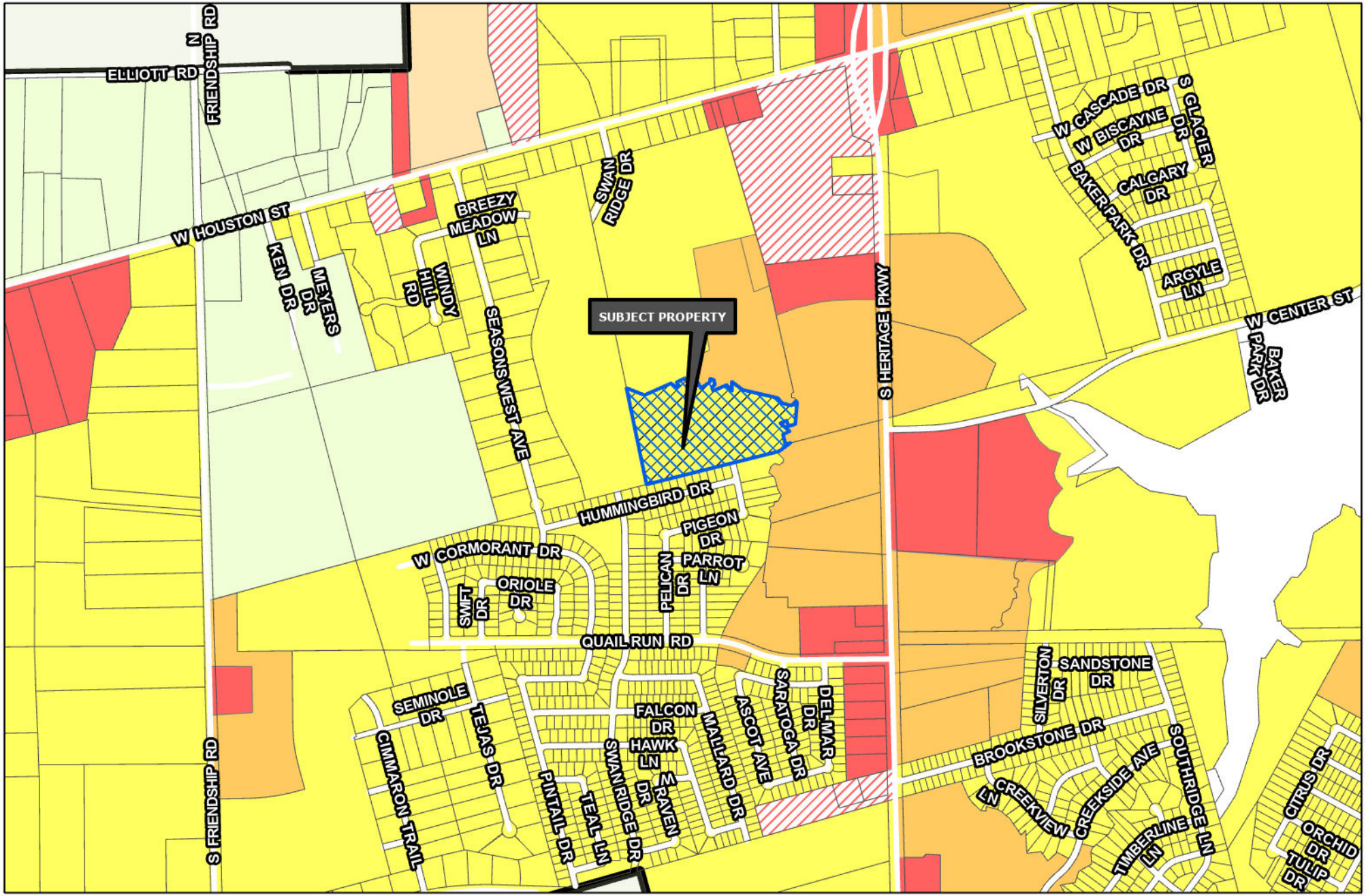
Date: 7/27/2023 2:55 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

Road Names All

CITY OF SHERMAN ZONING MAP PRESERVE PHASE IV

N W E S

Date: 7/27/2023 3:01 PM

JOB NO. 23050556
DFT: BH



LEGEND

- 1/2" STEEL ROD SET
- 1/2" STEEL ROD FOUND
- BOUNDARY LINE
- PROPERTY LINE
- EASEMENT LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 55°13'41" E	59.07'
L2	N 48°36'42" E	20.42'
L3	N 33°35'32" W	35.76'
L4	N 65°49'27" E	72.54'
L5	S 38°09'56" E	66.77'
L6	N 44°06'33" E	64.13'
L7	S 28°05'30" E	80.65'
L8	N 09°34'54" E	27.73'
L9	S 74°36'59" E	28.72'
L10	S 14°40'12" E	36.45'
L11	S 45°07'58" W	32.05'
L12	S 19°46'54" E	29.10'
L13	S 42°41'39" E	61.79'
L14	N 01°12'55" W	5.04'
L15	S 44°19'46" E	57.28'
L16	S 75°45'46" E	71.01'
L17	N 52°50'24" E	35.99'
L18	N 79°25'20" E	36.15'
L19	N 28°49'19" E	9.13'
L20	S 72°02'03" W	57.44'
L21	N 17°56'04" W	47.57'

LINE TABLE		
LINE	BEARING	DISTANCE
L22	S 61°39'06" W	58.09'
L23	S 50°22'39" E	94.38'
L24	S 63°34'19" W	58.76'
L25	S 08°32'19" E	96.32'
L26	N 87°19'22" W	64.65'
L27	S 28°39'36" E	12.92'
L28	N 14°57'51" W	58.69'
L29	N 75°57'29" E	25.00'
L30	S 83°09'04" E	26.42'
L31	S 83°09'04" E	26.56'
L32	S 10°12'29" W	3.07'
L33	N 06°50'56" E	4.75'
L34	N 34°19'30" E	20.62'
L35	S 06°50'56" W	5.04'
L36	N 30°57'09" E	21.21'
L37	S 59°02'51" E	21.21'
L38	N 30°57'09" E	21.21'
L39	S 59°02'51" E	21.21'
L40	N 30°57'09" E	21.21'
L41	S 57°58'27" E	20.79'

CURVE TABLE				
CURVE	RADIUS	ARC	CHORD BEARING	CHORD
C1	175.00'	43.61'	N 06°54'32" W	43.49'
C2	175.00'	43.61'	N 06°54'32" W	43.49'
C3	175.00'	130.47'	N 09°33'29" E	127.47'
C4	175.00'	130.47'	N 09°33'29" E	127.47'
C5	175.00'	80.94'	N 00°47'51" W	80.22'
C6	465.00'	45.48'	N 09°39'03" E	45.46'
C7	175.00'	63.82'	N 03°35'58" W	63.47'
C8	150.00'	69.38'	N 00°47'51" W	68.76'
C9	490.00'	26.59'	N 10°53'52" E	26.59'
C10	200.00'	37.05'	N 08°44'25" E	37.00'
C11	200.00'	35.89'	S 01°42'28" W	35.84'
C12	60.00'	64.31'	S 09°07'39" W	61.28'
C13	10.00'	4.96'	S 07°21'54" E	4.91'
C14	60.00'	101.08'	N 06°13'08" E	89.54'
C15	10.00'	14.48'	N 48°19'47" E	13.25'
C16	60.00'	37.00'	N 72°08'46" E	36.41'
C17	490.00'	21.33'	N 08°05'45" E	21.33'
C18	150.00'	80.30'	N 15°34'52" E	79.34'
C19	200.00'	28.25'	N 26°52'12" E	28.23'
C20	10.00'	5.86'	S 87°19'08" E	5.77'
C21	50.00'	31.75'	S 88°40'57" E	31.22'
C22	50.00'	64.35'	N 36°15'18" E	60.00'
C23	50.00'	41.01'	N 24°06'35" W	39.87'
C24	10.00'	5.86'	N 30°49'34" W	5.77'
C25	150.00'	54.71'	N 03°35'58" W	54.40'
C26	10.00'	14.50'	N 49°21'10" E	13.28'
C27	60.00'	99.84'	N 42°15'18" E	88.71'
C28	150.00'	37.38'	S 06°54'32" E	37.28'
C29	240.50'	49.78'	S 07°43'27" E	49.69'
C30	200.00'	40.76'	S 08°57'46" E	40.69'
C31	200.00'	3.52'	S 00°22'46" W	3.52'
C32	200.00'	66.19'	S 10°21'54" W	65.89'
C33	200.00'	38.64'	S 25°26'15" W	38.58'
C34	150.00'	38.25'	S 23°36'42" W	38.15'
C35	150.00'	63.64'	S 04°09'11" W	63.16'
C36	150.00'	9.48'	S 01°48'40" E	9.48'
C37	60.00'	115.74'	S 10°13'05" W	98.61'
C38	10.00'	5.41'	S 29°32'36" E	5.35'
C39	150.00'	31.54'	N 05°46'40" W	31.48'
C40	200.00'	77.17'	S 02°59'38" E	76.69'
C41	200.00'	15.34'	S 10°15'22" W	15.33'
C42	440.00'	43.03'	S 09°39'03" W	43.02'
C43	10.00'	5.00'	S 25°28'54" W	4.95'
C44	60.00'	65.17'	S 09°18'08" W	62.01'
C45	10.00'	14.27'	N 26°51'05" E	13.09'
C46	60.00'	85.72'	N 26°49'03" E	78.61'
C47	200.00'	55.16'	N 04°02'38" W	54.99'
C48	200.00'	66.20'	N 13°20'26" E	65.90'
C49	168.06'	37.34'	N 07°59'50" W	37.27'
C50	200.00'	49.84'	N 06°54'32" W	49.71'
C51	60.00'	105.15'	S 64°18'52" E	92.20'
C52	60.00'	102.14'	N 89°11'12" E	90.25'
C53	60.00'	141.11'	S 72°47'22" E	110.77'

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

ENGINEER
VILBIG ASSOCIATES, INC.
CONSULTING ENGINEERS & SURVEYORS
517 W. WOODARD STREET
DENISON, TX 75020

OWNERS/DEVELOPER
JAMES GLENN HIDALGO
P.O. BOX 3317
SHERMAN, TX 75091

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

~ 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 floodway 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.
11. The subject property does not lie within a Federal Emergency Management Agency (FEMA) designated flood plain as shown by Firm Map No. 48181C 0400 G, effective date September 1, 2022.

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, JAMES GLENN HIDALGO, do hereby adopt this plat designating the hereinabove property as the PRESERVE PHASE IV, 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 or any buildings, fences, trees, shrubs or other improvements or growths which in anyway 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 _____, 2023.

_____
JAMES GLENN HIDALGO

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, JAMES GLENN HIDALGO 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_____, 2023.

_____
Notary Public in and for
the State of Texas
Commission Expires: _____

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, PRESERVE PHASE IV, an addition to the City of Sherman, Texas, was submitted to the City Council on the____ day of _____ 2023, 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 _____ , 2023.

_____
Clerk, City of Sherman, Texas

ACCEPTANCE

Approved this _____day of _____, 2023, 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

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 Date
Registered Professional
Land Surveyor, No. 4709

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED, VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being, a part of the Elizabeth Jones Survey, Abstract No. 625, and being part of Lot 1, Block 1 of Texoma Christian School Addition, an addition to the City of Sherman, Texas as recorded in Volume 16, Page 114, Plat Records, Grayson County, Texas, and being the same 15.040 acre tract of land described in the deed to James Glenn Hidalgo, recorded in Document No. 2020-3079, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod at the southwest corner of said Lot 1 and being the southeast corner of a 32.84 acre tract of land conveyed to 1417 Land Holdings LLC. Recorded in Volume 4940, Page 511, said Official Public Records;

Thence North 11°48'03" West, with the east line of said 32.84 acre tract of land a distance of 701.33 feet to a point in the centerline of creek;

Thence the following calls and distances going with said centerline creek over and across Lot 1:
South 66°50'54" East, a distance of 112.17 feet to a point;
North 67°29'21" East, a distance of 109.74 feet to a point;
North 65°28'51" East, a distance of 115.69 feet to a point;
South 55°13'41" East, a distance of 59.07 feet to a point;
North 48°36'42" East, a distance of 20.42 feet to a point;
North 33°35'32" West, a distance of 35.76 feet to a point;
North 65°49'27" East, a distance of 72.54 feet to a point;
North 38°09'56" East, a distance of 66.77 feet to a point;
North 44°06'33" East, a distance of 64.13 feet to a point;
South 28°05'30" East, a distance of 80.65 feet to a point;
North 56°11'46" East, a distance of 82.47 feet to a point;
North 09°34'54" East, a distance of 27.73 feet to a point;
South 74°36'59" East, a distance of 28.72 feet to a point;
South 14°40'12" East, a distance of 36.45 feet to a point;
South 45°07'58" West, a distance of 32.05 feet to a point;
South 19°46'54" East, a distance of 29.10 feet to a point;
North 67°08'53" East, a distance of 114.91 feet to a point;
South 42°41'39" East, a distance of 61.79 feet to a point;
North 01°12'55" West, a distance of 71.29 feet to a point;
South 53°09'29" East, a distance of 105.34 feet to a point;
South 77°14'28" East, a distance of 275.39 feet to a point;
South 44°19'46" East, a distance of 57.28 feet to a point;
South 75°45'46" East, a distance of 71.01 feet to a point;
South 52°50'24" East, a distance of 35.99 feet to a point;
North 79°25'20" East, a distance of 36.15 feet to a point;
North 28°49'19" East, a distance of 9.13 feet to a point;

Thence with the east line of said Lot 1 the following calls and distances:
South 04°45'28" West, a distance of 155.15 feet to a point;
South 72°02'03" West, a distance of 57.44 feet to a point;
North 17°56'04" West, a distance of 47.57 feet to a point;
South 61°39'06" West, a distance of 58.09 feet to a point;
South 50°22'39" East, a distance of 94.38 feet to a point;
South 63°34'19" West, a distance of 58.76 feet to a point;
South 08°32'19" East, a distance of 96.32 feet to a point;
North 87°19'22" West, a distance of 64.65 feet to a point;
South 28°39'36" East, a distance of 12.92 feet to a point;

Thence South 75°57'29" West, with the south line of said Lot 1 a distance of 1048.32 feet to the Point of Beginning and containing 15.040 acres of land.

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

PRELIMINARY PLAT
PRESERVE PHASE IV

Replat of part of Lot 1, Block 1,
of Texoma Christian School Addition
Vol. 16, Pg. 114, P.R.G.G.C.T.
Being a part of the Elizabeth Jones Survey
Abstract Number 625
Being in the City of Sherman,
Grayson County, Texas.
Containing 15.040 acres of land

06-09-2023

SHEET 1 OF 1

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

August 14, 2023

James Glenn Hidalgo
P.O. Box 3317
Sherman, TX 75091

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Preliminary Plat of Preserve Phase IV has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, August 22, 2023 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. North Texas Municipal Water District (NTMWD) Easement to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(8)*
2. Calls overlap on Northwest section of Lot 8, Block C, adjacent to Street "A" cul-de-sac. Correct appropriately. *Code of Ordinances, Chapter 10, Exhibit A, Sec. 6(B)*
3. 20' Utility Easement east of proposed plat to include filing information on plat drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
4. Lot 8, Block C, shown as Open Space and Lot 7, Block C, shown as Detention Basin to be shown as owned and maintained by the Homeowner's Association.
5. Add general note to plat stating: Maintenance of Detention Basin in Lot 7, Block C area is the responsibility of the Homeowner's Association or Property Owner's Association. In the event the Association is no longer active, the maintenance is the responsibility of the property owner(s) directly adjacent to said Lot 7, Block C.
6. Add general note to plat stating: Maintenance of Lot 8, Block C is the responsibility of the Homeowner's Association or Property Owner's Association. In the event the Association is no longer active, the maintenance is the responsibility of the property owner(s) directly adjacent to said Lot 8, Block C.
7. Proposed street names must be approved by the City of Sherman Development Services Department prior to filing the plat. List of proposed street names can be emailed to planning@cityofsherman.com for review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(B)(1)(h)*
8. Change 20' Utility Easement along northern section of plat to 20' Wastewater Easement. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*

9. Remove building setback from plat drawing.
10. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
11. Water main must be extended in accordance with City criteria to serve proposed development. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
12. Wastewater main must be extended in accordance with City criteria to serve proposed development. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
13. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
14. All Staff Review Letter items on Preliminary Plat shall be addressed prior to submitting Final Plat to Planning & Zoning Commission. *Code of Ordinances Chapter 10.05, Section 6(A)(1); Code of Ordinances Chapter 10.05, Section 6(A)(2)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **7.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

* **301 BLOCK WEST TRAVIS STREET (Project No. 23-004432)**

The request of Jeff Harkinson (Owner), Jim Riley (Representative), TEKMAK Development Company (Developer), Brockette/Davis/Drake, Inc. (Engineers), concerning the property located in the 301 Block West Travis Street, consisting of 5.464 acres in the Preston Kitchen Survey, Abstract No. 667, being a portion of a 44.83 acre tract of land in the Blalock Industrial Park/Blalock Commercial Overlay District/Planned Development District, as follows:

Planning and Zoning Commission

Final Plat of Crossroads – Springhill Addition, Lots 1 & 2, Block 1

Background:

The property is located in the 301 Block West Travis Street between West Travis Street and Crossroads Boulevard. The owner would like to plat the property into 2 lots for commercial development.

The following has been approved for this location:

- May 16, 2023 - Public Hearing and Zoning Text Amendment to add regulations to allow a hotel use with a Specific Use Permit in the Blalock Commercial Overlay District.
- May 16, 2023 - Preliminary Plat of Crossroads – Springhill Suites, Lots 1 & 2, Block 1
- May 16, 2023 - Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hotel or motel in the Blalock Industrial Park/Blalock Commercial Overlay District/Planned Development District

Adjacent Zoning:

Blalock Industrial Park
Blalock Commercial Overlay District
Planned Development District

Origination:

Jeff Harkinson (Owner)
Jim Riley (Representative)
TEKMAK Development Company (Developer)
Brockette/Davis/Drake, Inc. (Engineers)

Master Plan Designation:

Not Applicable.

Number of notices mailed:
0

Objections Received:
0

Development Review Meeting:
Yes

Attachments

Location Map
Zoning Map
Final Plat
STAFF REVIEW LETTER - Engineering



dlagrone H:\PLANNING\Public Notification KT.aprx

4/27/2023

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
301 BLK W TRAVIS ST

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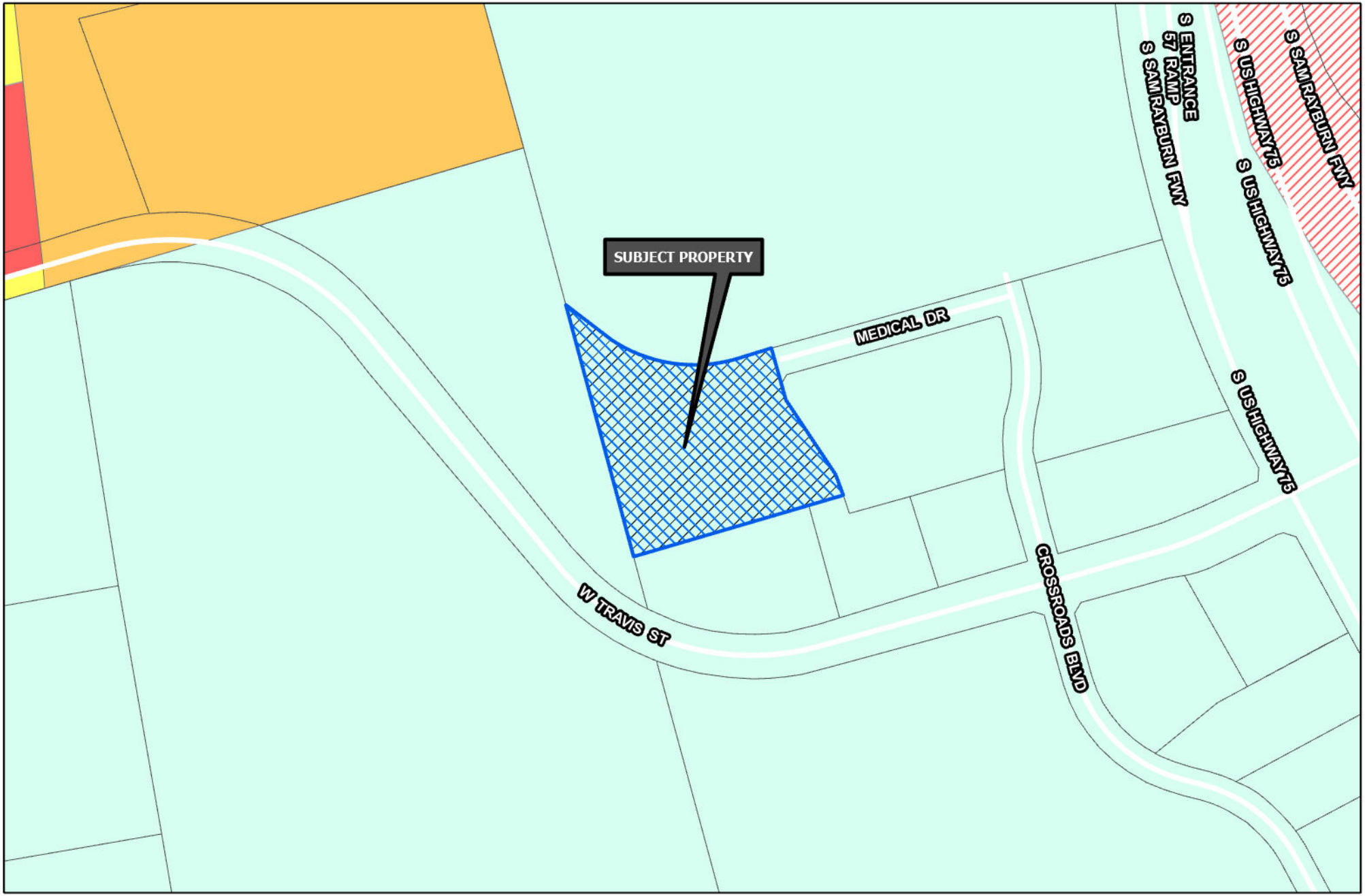
Date: 4/27/2023 11:48 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
301 BLK W TRAVIS ST

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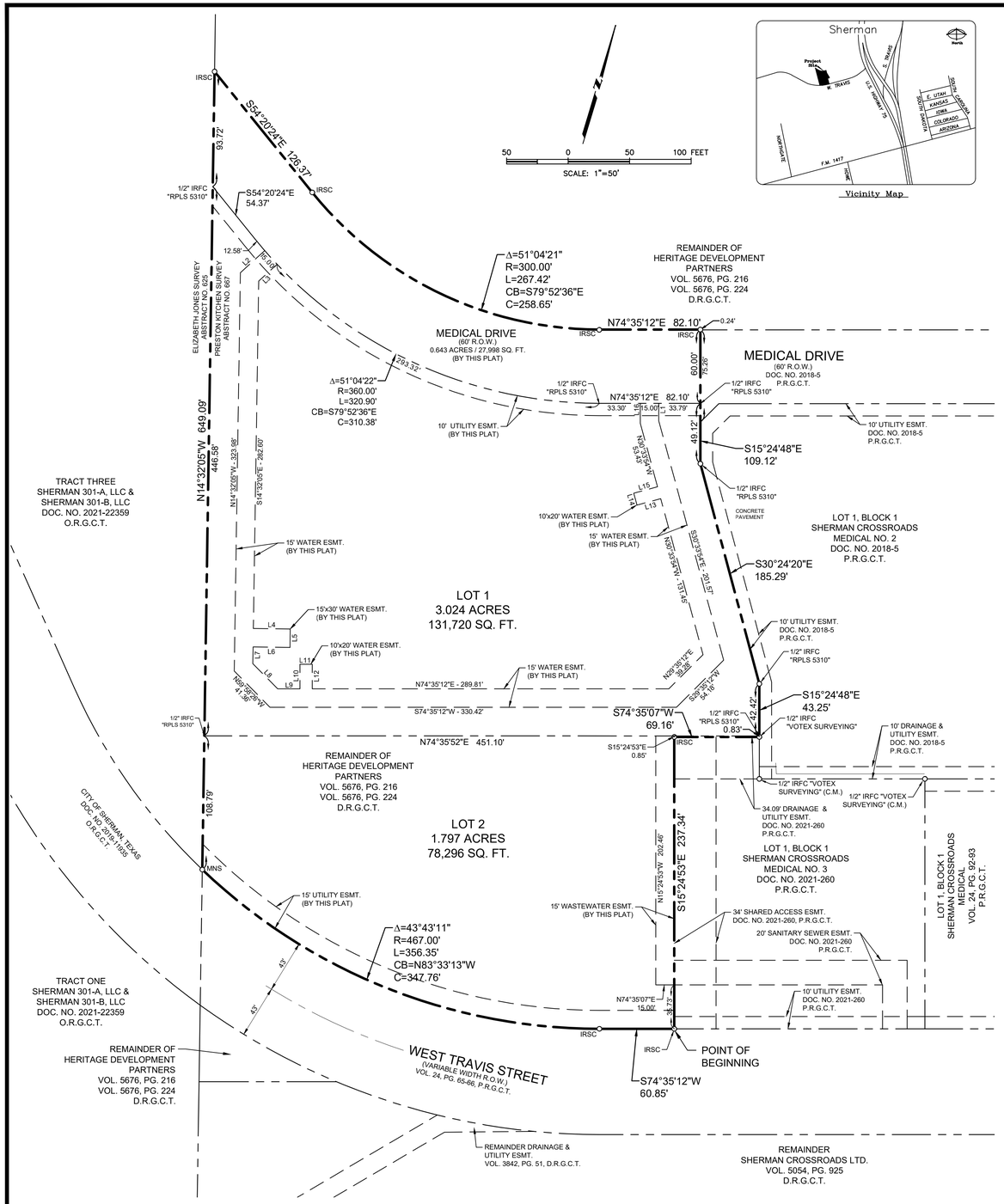
Date: 5/6/2023 9:50 AM



LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S15°24'48"E	14.31'	L9	N74°35'12"E	18.12'
L2	N32°27'48"E	26.71'	L10	N15°24'48"W	20.00'
L3	S32°27'48"W	20.19'	L11	N74°35'12"E	10.00'
L4	N75°27'55"E	30.00'	L12	S15°24'48"E	20.00'
L5	N14°32'05"W	15.00'	L13	S59°26'06"W	20.00'
L6	S75°27'55"W	30.00'	L14	N30°33'54"W	10.00'
L7	S14°32'05"E	13.58'	L15	N59°26'06"E	20.00'
L8	S59°58'26"E	28.80'	L16	N15°24'48"W	16.30'

NOTES:

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983. ADJUSTMENT REALIZATION 2011.

2. THE PURPOSE OF THIS PLAT IS TO ESTABLISH 2 LOTS FROM AN UNPLATTED TRACT.

3. NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN ANY AREA OF THE 100-YEAR FLOOD ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NO. 485509 0405G, REVISED DATE SEPTEMBER 1, 2022. PROPERTY IS LOCATED IN "ZONE X" OTHER AREAS: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS Heritage Development Partners, LLC are the owners of a tract of land situated in the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas and being a portion of that 44.83 acre tract of land conveyed to Heritage Development Partners, LLC by Special Warranty Deed recorded in Volume 5676, Page 216 and Volume 5676, Page 224 of the Deed Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with yellow plastic cap stamped "VOTEX SURVEYING" set for corner in the north right-of-way line of West Travis Street (a variable width right-of-way) at the southwest corner of Lot 1, Block 1, Sherman Crossroads Medical No. 3, an addition to the City of Sherman according to the plat recorded in Document No. 2021-260, Plat Records, Grayson County, Texas;

THENCE with said north right-of-way line of West Travis Street, the following courses and distances:

S 74°35'12" W, a distance of 60.85 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VOTEX SURVEYING" set at the beginning of a tangent curve to the right;

In a northwesterly direction, with said curve to the right, having a central angle of 43°43'11", a radius of 467.00 feet, a chord that bears N 83°33'13" W, a distance of 347.76 feet and an arc distance of 356.35 feet to a mag nail with steel washer stamped "VOTEX SURVEYING" set for corner in the west line of said Heritage Development Partners tract at the southeast corner of a tract of land conveyed as Tract Three to Sherman 301-A, LLC and Sherman 301-B, LLC tract by deed recorded in Document No. 2021-22359, Official Records, Grayson County, Texas;

THENCE N 14°32'05" W, departing said north right-of-way line of West Travis Street and along the common line of said Sherman 301-A, LLC et al tract and said Heritage Development Partners tract, a distance of 649.09 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VOTEX SURVEYING" set for corner;

THENCE departing said common line, over and across said Heritage Development Partners tract, the following courses and distances:

S 54°20'24" E, a distance of 126.37 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VOTEX SURVEYING" set at the beginning of a non-tangent curve to the left;

In a southeasterly direction, with said curve to the left, having a central angle of 51°04'21", a radius of 300.00 feet, a chord that bears S 79°52'36" E, a distance of 258.65 feet and an arc distance of 267.42 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VOTEX SURVEYING" set at the end of said curve;

N 74°35'12" E, a distance of 82.10 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VOTEX SURVEYING" set for corner;

THENCE S 15°24'48" E, at a distance of 0.24 feet passing the northwest terminus of Medical Drive (a 60-foot wide right-of-way) as dedicated by the plat of Sherman Crossroads Medical No. 2 recorded in Document No. 2018-5, Plat Records, Grayson County, Texas; at a distance of 75.26 feet passing the southwest terminus of said Medical Drive and the southernmost northwest corner of Lot 1, Block 1 of said Sherman Crossroads Medical No. 2, and continuing for a total distance of 109.12 feet to a 1/2-inch iron rod with plastic cap stamped "RPLS 5310" found for corner;

THENCE S 30°24'20" E, with the southwest line of said Lot 1, Block 1, Sherman Crossroads Medical No. 2, a distance of 185.29 feet to a 1/2-inch iron rod with plastic cap stamped "RPLS 5310" found for corner;

THENCE S 15°24'48" E, continuing with the southwest line of said Lot 1, Block 1, Sherman Crossroads Medical No. 2, a distance of 43.25 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VOTEX SURVEYING" set for the northernmost northwest corner of said Lot 1, Block 1, Sherman Crossroads Medical No. 3;

THENCE S 74°35'07" W, with the north line of said Lot 1, Block 1, Sherman Crossroads Medical No. 3, a distance of 69.16 feet to a 1/2-inch iron rod with yellow plastic cap stamped "VOTEX SURVEYING" set at the westernmost northwest corner of said Sherman Crossroads Medical No. 3;

THENCE S 15°24'53" E, a distance of 237.34 feet to the **POINT OF BEGINNING** and containing 238,014 square feet or 5.464 acres of land, more or less.

OWNER'S CERTIFICATE OF DEDICATION

That HERITAGE DEVELOPMENT PARTNERS, LLC, acting by and through its duly authorized agent, does hereby adopt this plat designating the herein described real property as CROSSROADS - SPRINGHILL ADDITION, an addition to the City of Sherman, Grayson County, Texas, Being 3.0063 acres situated in and being a portion of the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas and does hereby dedicate to the public's use forever, the streets, alleys, parks, right-of-ways, school sites and other public places, easements shown thereon.

WITNESS, my hand at _____, _____ County, Texas, this __ day of _____, 2023.

HERITAGE DEVELOPMENT PARTNERS, LLC

By: _____
Richard Jelsma, Manager

STATE OF TEXAS §
COUNTY OF GRAYSON §

Before me, the undersigned authority, a Notary Public in and for the County and State on this day personally appeared Richard Jelsma, Manager, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

_____
Notary Public, State of Texas

_____
My Commission Expires On:

LEGEND

C.M.	CONTROLLING MONUMENT
IRFC	IRON ROD WITH CAP FOUND
IRSC	1/2" IRON ROD W/ YELLOW PLASTIC CAP STAMPED "VOTEX SURVEYING" SET
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS

_____
OWNER
HERITAGE DEVELOPMENT PARTNERS, LLC
2600 N. U.S. HIGHWAY 75
SHERMAN, TEXAS 75090

SURVEYOR'S STATEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Candy Hone, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monument shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Dated this the _____ day of _____, 2023.

PRELIMINARY

RELEASED 7/25/2023 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Candy Hone, Registered Professional Land Surveyor, No. 5867
Votex Surveying Company - Firm No. 10013600 - (469) 333-8831

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned, a Notary Public in and for the County and State on this day personally appeared Candy Hone, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ of _____, 2023.

_____
Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF GRAYSON §

Approved this _____ day of _____ , 2023, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

Accepted by the City Council of the City of Sherman:

_____
Mayor Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final plat of CROSSROADS - SPRINGHILL ADDITION to the City of Sherman was submitted to the City Council on the ___ day of _____, 2023, 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 May to not the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this ___ day of _____, A.D. 2023.

_____
City Clerk, City of Sherman, Texas

STATE OF TEXAS
COUNTY OF GRAYSON
KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Heritage Development Partners, LLC, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described in this plat.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a home-rule municipality, hereinafter called CITY, and the Sherman Municipal Airport, hereinafter called AIRPORT, and their respective successors and assigns, of and from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of any and all aircraft ("aircraft" being defined for the purpose of this instrument as any contrivance now known or hereinafter invented, including but not limited to jet, propeller-driven, civil, military, experimental or commercial aircraft and helicopters, regardless of existing or future noise levels, designed or used for the purpose of transporting persons or property through the air, by whoever owned or operated), in the airspace over OWNER's property. Such release shall include, but not be limited to, any damages to OWNER'S property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at, taking off from, operating at or on, or being maintained at the Sherman Municipal Airport, whether such claim be for injury or death to person or persons or damages to or taking of property. This Release shall be binding upon OWNER and OWNER's successors, heirs, executors, administrators and assigns, and shall be a covenant running with the land.

Executed this _____ day of _____, AD, 2023.

_____
Richard Jelsma, Manager

FINAL PLAT

CROSSROADS-SPRINGHILL ADDITION

LOTS 1 & 2, BLOCK 1

AN ADDITION TO THE
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING A PORTION OF A 44.830 ACRE TRACT
SITUATED IN THE
PRESTON KITCHEN SURVEY, ABSTRACT NO. 667
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

VOTEX SURVEYING COMPANY – TBPLS FIRM NO. 10013600
10440 N. CENTRAL EXPWY, STE. 800 DALLAS, TEXAS 75231
PH. (469) 333-8831; candy@votexsurveying.com
PROJECT NO. 2023-005

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

August 14, 2023

Heritage Development Partners, LLC
2600 N. U.S. Highway 75
Sherman, TX 75090

Votex Surveying Company
10440 N. Central Expwy., Ste 800
Dallas, TX 75231

Dear Applicants,

The request for approval of the Final Plat of Crossroads-Springhill Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, August 22, 2023 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. Acreage in Owner's Dedication block does not match drawing. Correct accordingly. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
2. The width of pavement for existing Medical Drive shall be shown on the plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
3. Graphically show edge of pavement of existing Medical Drive on drawing. *Code of Ordinances, Chapter 10, Exhibit A, Sec. 6(B)(7)*
4. Graphically show edge of pavement of existing West Travis Street on drawing. *Code of Ordinances, Chapter 10, Exhibit A, Sec. 6(B)(7)*
5. Rename 15' Utility Easement along West Travis Street to a 15' Utility, Landscape, and Sidewalk Easement. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
6. Water Easements by plat to be relocated per civil plan review.
7. Add "AVIGATION RELEASE" title to Avigation Release language on plat. *Code of Ordinances Chapter 14, Article 14.02*
8. 15' Wastewater Easement may require relocation and resizing upon civil review.
9. Internal water and wastewater lines will be privately owned and maintained.
10. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
11. Medical Drive to be extended in accordance with City criteria to serve proposed Lots. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(B)*

12. Water main must be extended in accordance with City criteria to serve proposed Lots. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
13. Wastewater main must be extended in accordance with City criteria to serve proposed Lot. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
14. Maintenance of Detention area is the responsibility of the Homeowner's Association or Property Owner's Association. In the event the Association is no longer active, the maintenance is the responsibility of the property owner(s) directly adjacent to said detention area.
15. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
16. 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.
17. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
18. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **8.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

* **2000-2300 BLOCKS WEST CENTER STREET (Project No. 23-004433)**

The request of Meritage Homes of Texas, LLC (Owner), Frank Su (Representative) and Kimley-Horn and Associates (Engineer/Surveyor) concerning the property located in the 2000-2300 Blocks West Center Street, being 30.734 acres in the Elizabeth Jones Survey, Abstract 625, being a portion of a 67.25 acre tract of land and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Final Plat of Westmoor, Phase 2

Background:

The property is located in the 2000-2300 Blocks West Center Street between Shellbrooks and Binkley Park Drive. The owner would like to plat the property into 103 lots for residential development.

The following has been approved for this location:

- June 21, 2022 - Preliminary Plat of West Center Tract.
- June 21, 2023 - Specific Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Patio Homes in an R-1 (One-Family Residential) District.

Adjacent Zoning:

R-6 (Single Family Residential) District

Origination:

Meritage Homes of Texas, LLC (Owner)
Frank Su (Representative)
Kimley-Horn and Associates (Engineer/Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

0

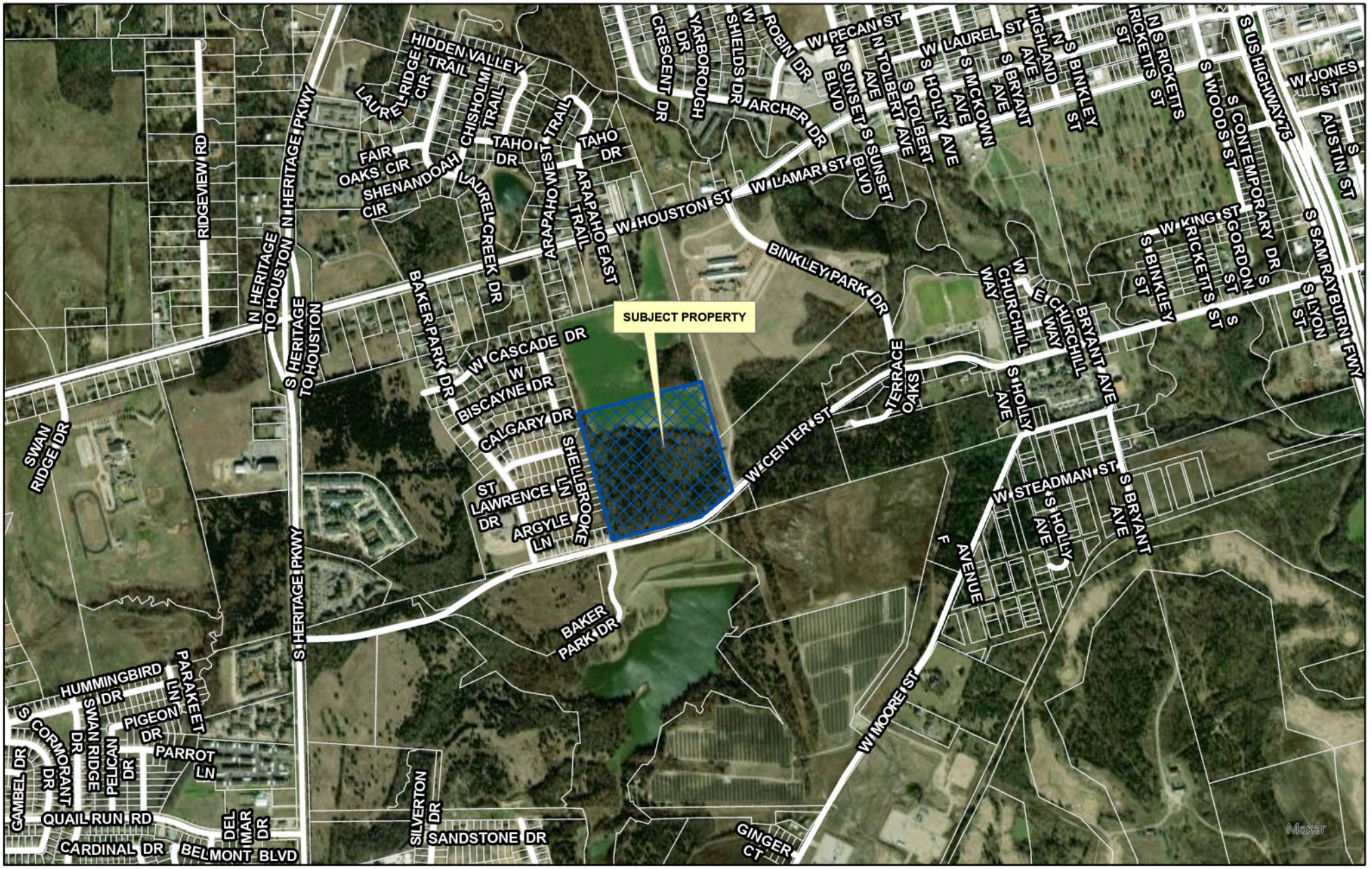
Objections Received:

0

Development Review Meeting:
Yes

Attachments

Location Map
Zoning Map
Final Plat
STAFF REVIEW LETTER - Engineering



dlagrone H:\PLANNING\Public Notification KT.aprx

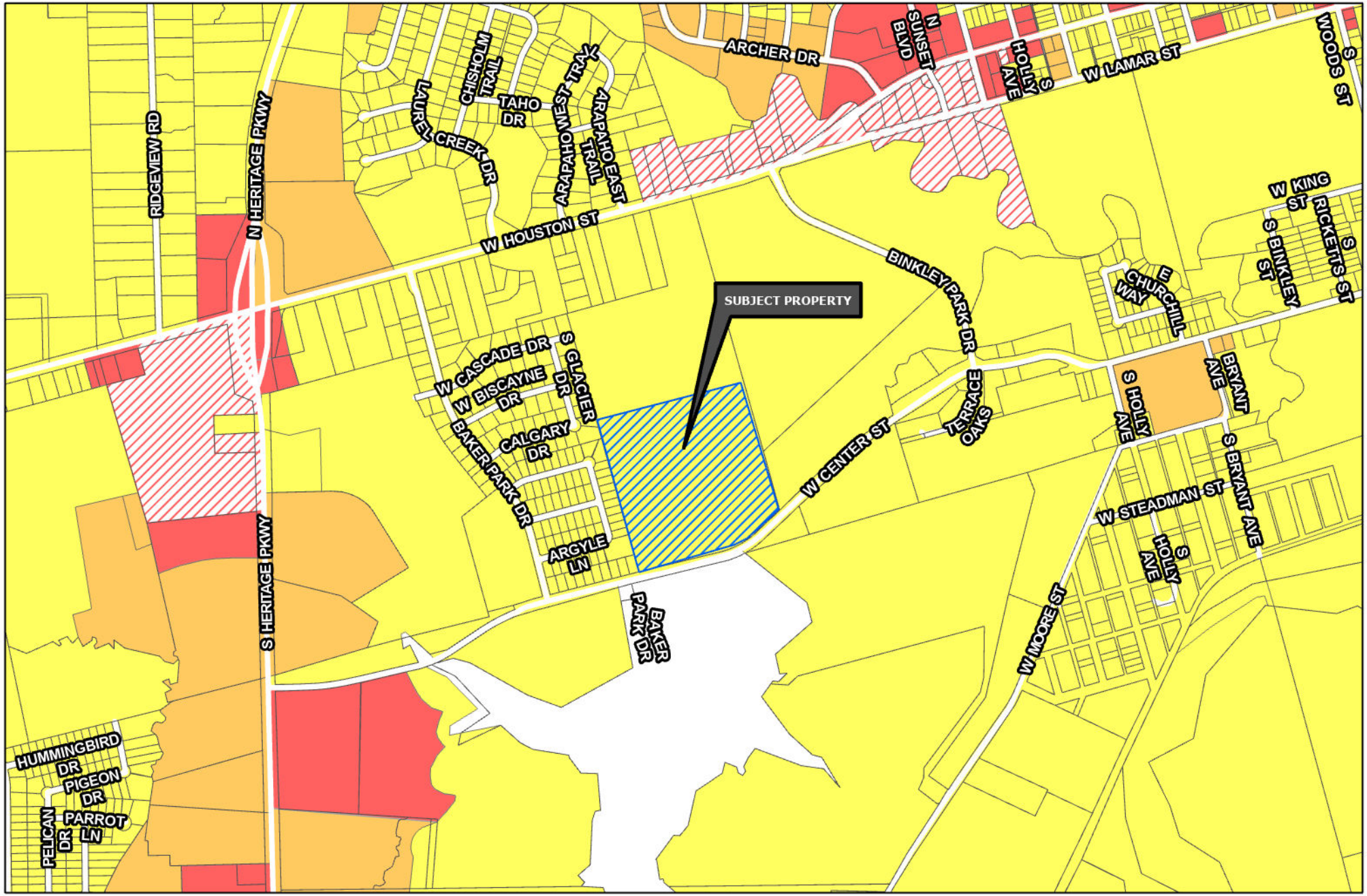
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
2000-2300 BLKS W CENTER ST

N
W E
S

Date: 7/27/2023 3:01 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

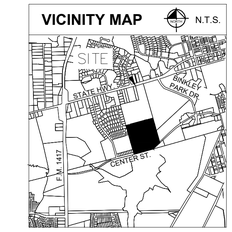
- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

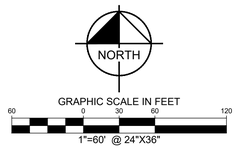
CITY OF SHERMAN
ZONING MAP
2000-2300 BLKS W CENTER ST

N
W E
S

Date: 7/27/2023 3:01 PM







NOTES:

1. All corners are a 5/8-inch iron rod with plastic cap stamped "KHA" set, unless otherwise noted.
2. Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. Distances shown are Surface values. To obtain Grid values, multiply the distance by the Project Combined Scale Factor (PCF) of 0.999890661049.
3. Block A, Lot 47X, Block A, Lot 64X, Block E, Lot 1X, & Block F, Lots 1X are owned and maintained by the HOA
4. Maintenance of Detention area is the responsibility of the Homeowner's Association or Property Owner's Association. In the event the Association is no longer active, the maintenance is the responsibility of the property owner(s) directly adjacent to said detention area.
5. Line and curve table on sheet 2.

FLOOD STATEMENT: According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48181C0270F, for Grayson County, Texas and incorporated areas, dated September 29, 2010, this property is located within:

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

LINE TYPE LEGEND

	BOUNDARY LINE
	ADJACENT PROPERTY LINE
	EASEMENT LINE
	BUILDING LINE
	STORM SEWER LINE
OHE	OVERHEAD UTILITY LINE
	FENCE
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT

LEGEND

	BOX OR PEDESTAL	C	COMMUNICATIONS
	HANDHOLE	E	ELECTRIC OR POWER
	MANHOLE	F	FIBER OPTIC
	MARKER SIGN	G	NATURAL GAS
	METER	P	PETROLEUM OR PIPELINE
	MARKER PINFLAG	R	RAILROAD
	POLE	S	SAN. SEWER OR WASTEWATER
	STORAGE TANK	D	STORM SEWER
	VALVE (EXCEPT WATER)	T	TELEPHONE
	VAULT	TR	TRAFFIC
	WELL	U	UNIDENTIFIED
TV	CABLE TV	W	WATER
	ELEVATION BENCHMARK		
	GUY ANCHOR	IRSC	5/8" IRON ROD W/ "KHA" CAP SET
	UTILITY POLE	IRFC	IRON ROD WITH CAP FOUND
T	ELECTRIC TRANSFORMER	IRF	IRON ROD FOUND
	SIGN	P.O.B.	POINT OF BEGINNING
	MARQUEE/BILLBOARD	DRGCT	DEED RECORDS, GRAYSON
	LIGHT STANDARD		COUNTY, TEXAS
	MAIL BOX	OPRGCT	OFFICIAL PUBLIC RECORDS,
	SANITARY SEWER CLEAN OUT		GRAYSON COUNTY, TEXAS
	STORM SEWER DRAIN	PRGCT	PLAT RECORDS, GRAYSON
W	WATER BOX		COUNTY, TEXAS
	FIRE HYDRANT	VOL.	VOLUME
	WATER VALVE	PG.	PAGE
	WATER WELL	INST.	INSTRUMENT No.

FINAL PLAT
WESTMOOR PHASE 2

BLOCK A, LOTS 47X, 48-63, 64X & 65-75;
BLOCK D, LOTS 15-28;
BLOCK E, LOTS 1X & 16-56;
BLOCK F, LOTS 1X & 2-22;

103 RESIDENTIAL LOTS
4 HOA LOTS

30.734 ACRES SITUATED IN THE
ELIZABETH JONES SURVEY, ABSTRACT NO. 625,
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

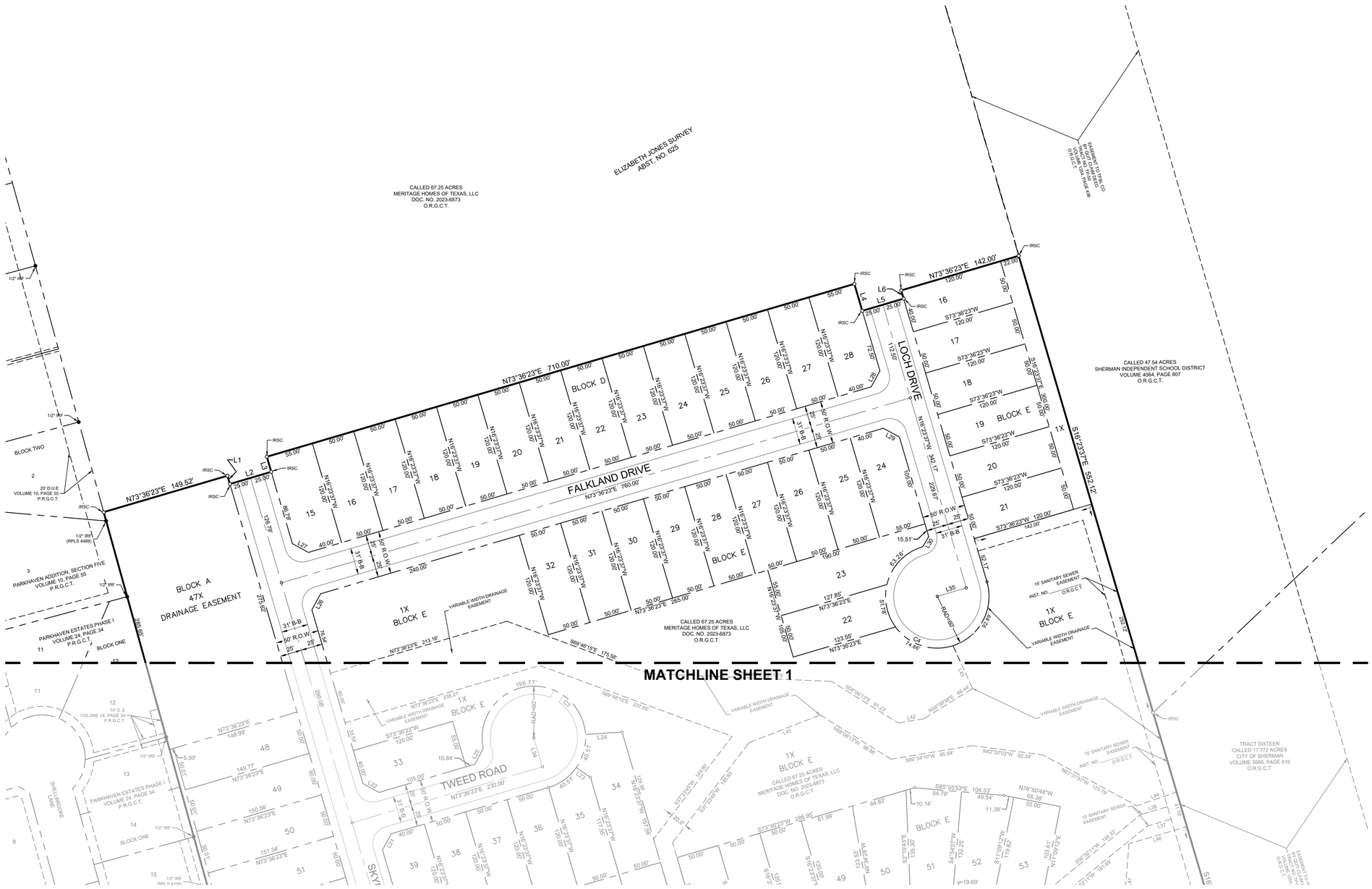
Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
Tel. No. (972) 335-3580
FIRM # 10193822
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	JUNE 2023	061179330	1 OF 3

OWNER / APPLICANT:
Meritage Homes of Texas, LLC
8840 Cypress Waters Blvd
Dallas, TX 76092
Tel: (847) 878-9439
Contact: Steven Cook

SURVEYOR / ENGINEER:
Kimley-Horn and Associates, Inc.
260 E. Davis Street, Suite 100
McKinney, TX 75069
Ph: (972) 335-3580
Contact: Michael Carlisle, PE

DWG NAME: K:\FRI_SURVEY\061179330-MERITAGE HOMES - SHERMAN\DWG\FINAL PLATS\061179330 PHASE 2 FP VER20.DWG PLOTTED BY: CRABLE, JEFF 8/13/2023 5:09 PM LAST SAVED: 8/13/2023 4:27 PM

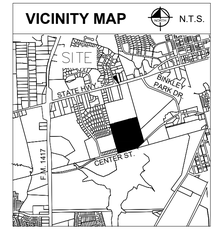


NORTH

GRAPHIC SCALE IN FEET
60 0 30 60 120
1"=60' @ 24"X36"

VICINITY MAP

N.T.S.



LINE TYPE LEGEND

	BOUNDARY LINE
	ADJACENT PROPERTY LINE
	EASEMENT LINE
	BUILDING LINE
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LEGEND

	BOX OR PEDESTAL	C	COMMUNICATIONS
	HANDHOLE	E	ELECTRIC OR POWER
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	SANITARY SEWER CLEAN OUT		
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W	WATER BOX		
	FIRE HYDRANT	VOL.	VOLUME
	WATER VALVE	PG.	PAGE
	WATER WELL	INST.	INSTRUMENT No.

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S16°23'37"E	10.00'	L11	S35°05'24"E	20.34'	L21	S28°36'23"W	21.21'	L31	N75°29'01"E	22.35'	L41	S00°47'34"E	45.64'	L51	N77°46'13"W	22.49'	L61	S13°23'39"E	41.09'
L2	N73°36'23"E	50.00'	L12	S32°37'18"W	28.06'	L22	S61°23'37"E	21.21'	L32	S28°36'23"W	10.61'	L42	N80°34'10"E	30.03'	L52	S89°20'19"W	113.03'	L62	S25°36'44"E	73.81'
L3	N16°23'37"W	18.21'	L13	S50°52'11"W	36.07'	L23	N55°04'33"W	20.00'	L33	N57°25'39"E	10.57'	L43	N24°31'23"W	54.58'	L53	S77°46'13"E	18.10'			
L4	S16°23'37"E	32.50'	L14	N76°26'39"E	19.69'	L24	S86°14'32"W	42.48'	L34	N16°23'37"W	35.00'	L44	S71°06'41"W	48.96'	L54	S89°20'19"W	108.51'			
L5	N73°36'23"E	50.00'	L15	S28°36'23"W	21.21'	L25	N27°28'06"E	20.73'	L35	N73°36'23"E	35.00'	L45	S68°45'39"W	88.53'	L55	S74°30'12"W	5.00'			
L6	N16°23'37"W	10.00'	L16	S61°23'37"E	21.21'	L26	S28°36'23"W	21.21'	L36	N12°13'47"E	101.33'	L46	S73°30'33"W	70.00'	L56	N15°53'02"W	15.00'			
L7	N17°49'25"E	27.59'	L17	S61°23'37"E	21.21'	L27	S61°23'37"E	21.21'	L37	S73°36'23"W	29.29'	L47	S04°26'37"W	83.96'	L57	S74°06'58"W	10.70'			
L8	S74°57'36"E	27.59'	L18	N03°59'54"E	28.06'	L28	N28°36'23"E	21.21'	L38	S73°36'23"W	32.30'	L48	S16°29'27"E	39.21'	L58	S00°39'41"E	79.21'			
L9	N62°55'56"W	21.77'	L19	S62°27'49"W	14.13'	L29	N61°23'37"W	21.21'	L39	S21°36'12"E	48.00'	L49	S31°46'31"W	50.65'	L59	S47°35'31"E	119.21'			
L10	S32°02'31"W	22.44'	L20	N78°04'45"W	25.91'	L30	N30°58'48"E	13.53'	L40	S13°47'11"E	45.64'	L50	S00°39'41"E	19.35'	L60	S74°18'23"E	62.77'			

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	157°52'14"	50.00'	137.77'	N34°26'10"W	98.14'
C2	165°59'55"	50.00'	144.86'	S67°07'23"E	99.25'
C3	265°16'12"	60.00'	277.79'	N59°01'43"W	88.28'
C4	270°02'41"	60.00'	282.79'	S61°22'16"E	84.82'
C5	40°47'52"	350.00'	249.22'	S08°10'09"E	243.99'
C6	1°52'38"	350.00'	11.47'	S74°32'42"W	11.47'
C7	29°37'55"	350.00'	181.01'	S88°25'21"W	179.00'
C8	10°14'33"	705.00'	126.03'	N68°59'41"E	125.86'

FINAL PLAT
WESTMOOR PHASE 2

BLOCK A, LOTS 47X, 48-63, 64X & 65-75;
BLOCK D, LOTS 15-28;
BLOCK E, LOTS 1X & 16-56;
BLOCK F, LOTS 1X & 2-22;

103 RESIDENTIAL LOTS
4 HOA LOTS

30.734 ACRES SITUATED IN THE
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6160 Warren Parkway, Suite 210 Tel. No. (972) 335-3580
Frisco, Texas 75034 FIRM # 10193822 Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	JUNE 2023	061179330	2 OF 3

OWNER / APPLICANT:
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8840 Cypress Waters Blvd
Dallas, TX 76092
Tel: (847) 878-9439
Contact: Steven Cook

SURVEYOR / ENGINEER:
Kimley-Horn and Associates, Inc.
260 E. Davis Street, Suite 100
McKinney, TX 75069
Ph: (972) 335-3580
Contact: Michael Carlisle, PE

DWG NAME: K:\FRI_SURVEY\061179330-MERITAGE HOMES - SHERMAN\DWG\FINAL PLAT\061179330 PHASE 2 FP VER20.DWG PLOTTED BY: CRABLE, JEFF 6/13/2023 5:09 PM LAST SAVED: 6/13/2023 4:27 PM

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF GRAYSON §

WHEREAS MERITAGE HOMES OF TEXAS, LLC, is the owner of a tract of land situated in the Elizabeth Jones Survey, Abstract No. 625, City of Sherman, Grayson County, Texas, and being a portion of a called 67.25 acre tract of land described in deed to Meritage Homes of Texas, LLC, recorded in Document No. 2023-6873 of the Official Public Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a at PK-nail (with shiner stamped "KHA") set for the southwest corner of said 67.25 acre tract, same being in West Center Street, a variable width right-of-way;

THENCE North 15°29'48" West, along the westerly line of said 67.25 acre tract, the easterly line of Block One of Parkhaven Addition Section Six, recorded in Volume 10, Page 56 of the Plat Records of Grayson County, Texas, the easterly line of Block One of Parkhaven Estates, Phase II, recorded in Document No. 2021-115 of the Plat records of Grayson County, Texas, the easterly line of Block One of Parkhaven Estates Phase I, recorded in Volume 24, Page 34 of the Plat Records of Grayson County, Texas, and the easterly line of Block Two of Parkhaven Addition, Section Five, recorded in Volume 10, Page 55 of the Plat Records of Grayson County, Texas, a distance of 1,209.27 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing the westerly line of said 67.25 acre tract and the easterly line of said Block Two of Parkhaven Addition, Section Five, and crossing said 67.25 acre tract, the following courses and distances:

North 73°36'23" East, a distance of 149.52 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 16°23'37" East, a distance of 10.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 73°36'23" East, a distance of 50.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 16°23'37" West, a distance of 18.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 73°36'23" East, a distance of 710.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 16°23'37" East, a distance of 32.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 73°36'23" East, a distance of 50.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 16°23'37" West, a distance of 10.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 73°36'23" East, a distance of 142.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the easterly line of said 67.25 acre tract, same being the westerly line of a called 47.54 acre tract of land described in a deed to Sherman Independent School District, recorded in Volume 4064, Page 807 of the Official Records of Grayson County, Texas;

THENCE South 16°23'37" East, along the easterly line of said 67.25 acre tract and along the westerly line of said 47.54 acre tract, a distance of 552.12 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 47.54 acre tract, same being the northwest corner of a called 17.772 acre tract described as Tract Sixteen in a deed to the City of Sherman, recorded in Volume 3566, Page 616 of the Official Records of Grayson County, Texas;

THENCE South 16°29'27" East, continuing along the easterly line of said 67.25 acre tract, along the westerly line of said Tract Sixteen, and crossing said 67.25 acre tract, a distance of 450.00 feet to a PK-nail (with shiner stamped "KHA") set on the southerly line of said 67.25 acre tract, same being the northerly line of a called 2.042 acre tract of land described as Tract Seventeen in a deed to the City of Sherman, recorded in Volume 3566, Page 616 of the Official records of Grayson County, Texas;

THENCE South 46°08'55" West, along the southerly line of said 67.25 acre tract and along the northerly line of said Tract Seventeen, a distance of 111.37 feet to a PK-nail (with shiner stamped "KHA") set at the beginning of a non-tangent curve to the right with a radius of 811.79 feet, a central angle of 09°52'29", and a chord bearing and distance of South 50°22'00" West, 139.74 feet;

THENCE in a southwesterly direction, continuing along the southerly line of said 67.25 acre tract and the northerly line of said Tract Seventeen, with said non-tangent curve to the right, an arc distance of 139.91 feet to a PK-nail (with shiner stamped "KHA") set for the southwest corner of said Tract Seventeen, same being the northwest corner of said 112.637 acre tract;

THENCE South 74°00'49" West, continuing along the southerly line of said 67.25 acre tract and within the margins of said West Center Street, a distance of 894.16 feet to the **POINT OF BEGINNING** and containing 30.734 acres (1,338,785 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, **MERITAGE HOMES OF TEXAS, LLC**, acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as **WESTMOOR PHASE 2**, an addition to the City of Sherman, and does hereby dedicate to the public use forever, the streets and alleys shown thereon.

MERITAGE HOMES OF TEXAS, LLC, does herein certify the following:

1. The streets and alleys herein are dedicated in fee simple for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, as shown and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be place in landscape easements if approved by the City of Sherman.
5. The City of Sherman is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Sherman's use thereof.
7. The City of Sherman and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. The City of Sherman and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
9. All modifications to this document shall be by means of plat and approved by the City of Sherman.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Sherman, Texas.

WITNESS, my hand, this _____ day of _____, _____.

BY: **MERITAGE HOMES OF TEXAS, LLC**, a Texas limited partnership

By: _____
_____

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, _____.

_____
Notary Public, State of Texas

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Michael B. Marx, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of Sherman, Texas.

_____
Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, Texas 75034
Phone 972-335-3580

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

STATE OF TEXAS §

COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Michael B. Marx, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2023.

_____
Notary Public, State of Texas

Approved this _____ day of _____, 20___, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

Accepted by the City Council of the City of Sherman:

_____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final _____ plat of Subdivision or Addition to the City of Sherman was submitted to the City Council on the _____ day of _____, 20___, 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 hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 20___.

_____
City Clerk, City of Sherman, Texas

AVIGATION RELEASE

THE STATE OF TEXAS §

COUNTY OF GRAYSON §

WHEREAS, MERITAGE HOMES OF TEXAS, LLC, hereinafter called OWNER (whether one or more), are the owners of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as **WESTMOOR, PHASE 2**, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purpose of this instrument as any contrivance now known or hereinafter invented, used or designed for navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to OWNER'S described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons or damages to or taking of property; and OWNER does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or the AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located in **WESTMOOR, PHASE 2**, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this _____ day of _____, AD, 20___.

BY: MERITAGE HOMES OF TEXAS, LLC., a Delaware limited liability company

By: _____
_____

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, _____.

_____
Notary Public, State of Texas

Executed this _____ day of _____, AD, 20___.

FINAL PLAT
WESTMOOR PHASE 2

BLOCK A, LOTS 47X, 48-63, 64X & 65-75;
BLOCK D, LOTS 15-28;
BLOCK E, LOTS 1X & 16-56;
BLOCK F, LOTS 1X & 2-22;

103 RESIDENTIAL LOTS
4 HOA LOTS

30.734 ACRES SITUATED IN THE
ELIZABETH JONES SURVEY, ABSTRACT NO. 625,
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	JUNE 2023	061179330	3 OF 3

OWNER / APPLICANT:
Meritage Homes of Texas, LLC
8840 Cypress Waters Blvd
Dallas, TX 76092
Tel: (847) 878-9439
Contact: Steven Cook

SURVEYOR / ENGINEER:
Kimley-Horn and Associates, Inc.
260 E. Davis Street, Suite 100
McKinney, TX 75069
Ph: (972) 335-3580
Contact: Michael Carlisle, PE

DWG NAME: K:\FRI_SURVEY\061179330-MERITAGE HOMES - SHERMAN\DWG\FINAL PLATS\061179330 PHASE 2 FP VER20.DWG PLOTTED BY: CRABLE, JEFF 6/13/2023 5:09 PM LAST SAVED: 6/13/2023 4:27 PM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

August 14, 2023

Meritage Homes of Texas, LLC
Attn: Steven Cook
8440 Cypress Waters Blvd.
Dallas, TX 76092

Kimley-Horn and Associates, Inc.
Attn: Michael Carlisle, PE
260 E. Davis St., Ste. 100
McKinney, TX 75069

Dear Applicants,

The request for approval of the Final Plat of Westmoor Phase 2 has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, August 22, 2023 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. Metes and bounds must match drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
2. Remove direction (West) from Center Street on drawing and in metes and bounds description.
3. Open Space X Lots to be owned and maintained by the Homeowner's Association or Property Owner's Association. In the event the Association is no longer active, the maintenance is the responsibility of the property owner(s) directly adjacent to said lots.
4. Dedicate a 25'x25' Right of Way corner clip on Southeast corner of proposed Lot 64X, Block A at the intersection of Center Street and Grand Fir Lane. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
5. Dedicate a 25'x25' Right of Way corner clip on Southwest corner of proposed Lot 1X, Block E at the intersection of Center Street and Grand Fir Lane. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
6. Dedicate a 15' Utility, Landscape, & Sidewalk Easement along Center Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
7. Dedicate a 10' Utility Easement along all internal street rights-of-way. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
8. Modify 10' Utility Easement on street intersecting corners of proposed Lots to parallel new right of way created by corner clips.
9. Proposed 15' Sanitary Sewer Easement by separate instrument along eastern boundary line to be renamed to 15' Wastewater Easement and to be dedicated by this plat.
10. Show Instrument information of off-site Sanitary Sewer Easement.
11. Drainage Easement in Lot 47X, Block A to be shown as a Private Drainage Easement.

12. 25' Drainage Easement in Lot 64X, Block A to be shown as Private Drainage Easement.
13. Lot 1X, Block E to be shown as a Private Drainage Easement.
14. Skye Road to be renamed. There is already a Sky Drive in the City of Sherman. *Code of Ordinances Chapter 10, Exhibit A, Sec.5(B)(3)*
15. Proposed street names must be approved by the City of Sherman Development Services Department prior to filing the plat. Email planning@cityofsherman.com with proposed street name(s). *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(B)(1)(h)*
16. Water main must be extended in accordance with City criteria to serve proposed development. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
17. Wastewater main must be extended in accordance with City criteria to serve proposed development. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
18. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
19. 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.
20. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
21. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **9.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

* **3786 GIBBONS ROAD (Project No. 23-004456)**

The request of James and Vicki Francis (Owner), Donnie Payette, Dream Builders (Developer) and Cox Land Surveying (Surveyor) concerning the property located at 3786 Gibbons Road, consisting of 10.732 acres in the George W. Lavalla Survey, Abstract No. 722, located in the ETJ (Extra Territorial Jurisdiction), as follows:

Planning and Zoning Commission

Final Plat of Payette Addition.

Background:

The property is located at 3786 Gibbons Road near the intersection of Gibbons Road and Cundiff Drive and located in the ETJ (Extra Territorial Jurisdiction). The property owner would like to plat the property into two lots for residential development.

The following has been approved for this location:

- July 18, 2023 - Preliminary Plat of Payette Addition, Block 1, Lot 1 and 2

Adjacent Zoning:

ETJ (Extra Territorial Jurisdiction)

Origination:

James and Vicki Francis (Owner)
Donnie Payette, Dream Builders (Developer)
Cox Land Surveying (Surveyor)

Master Plan Designation:

Not Required.

Number of notices mailed:

Not Required.

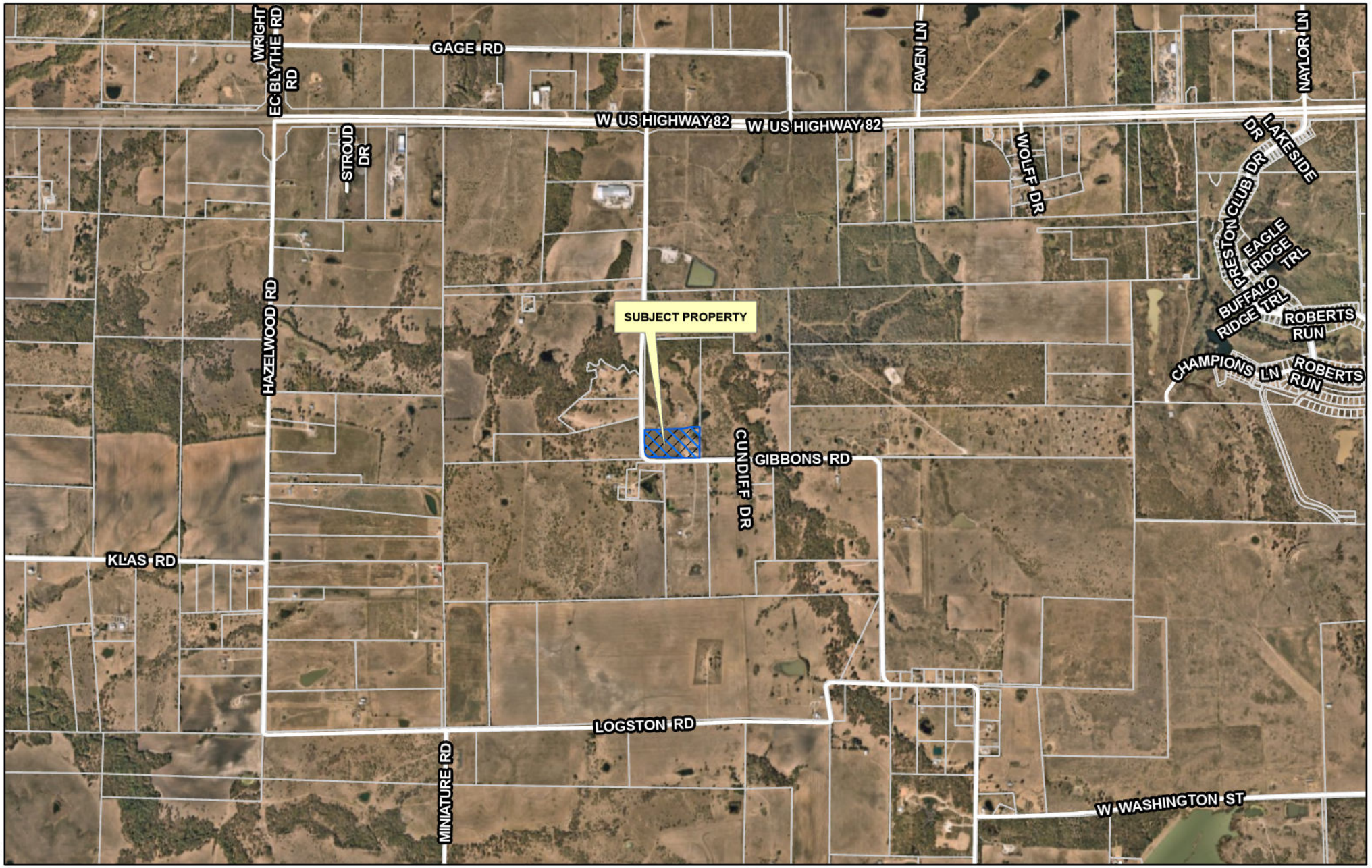
Objections Received:

0

Development Review Meeting:
No

Attachments

Location Map
Final Plat
STAFF REVIEW LETTER - Engineering



dlagrone H:\PLANNING\Public Notification KT.aprx

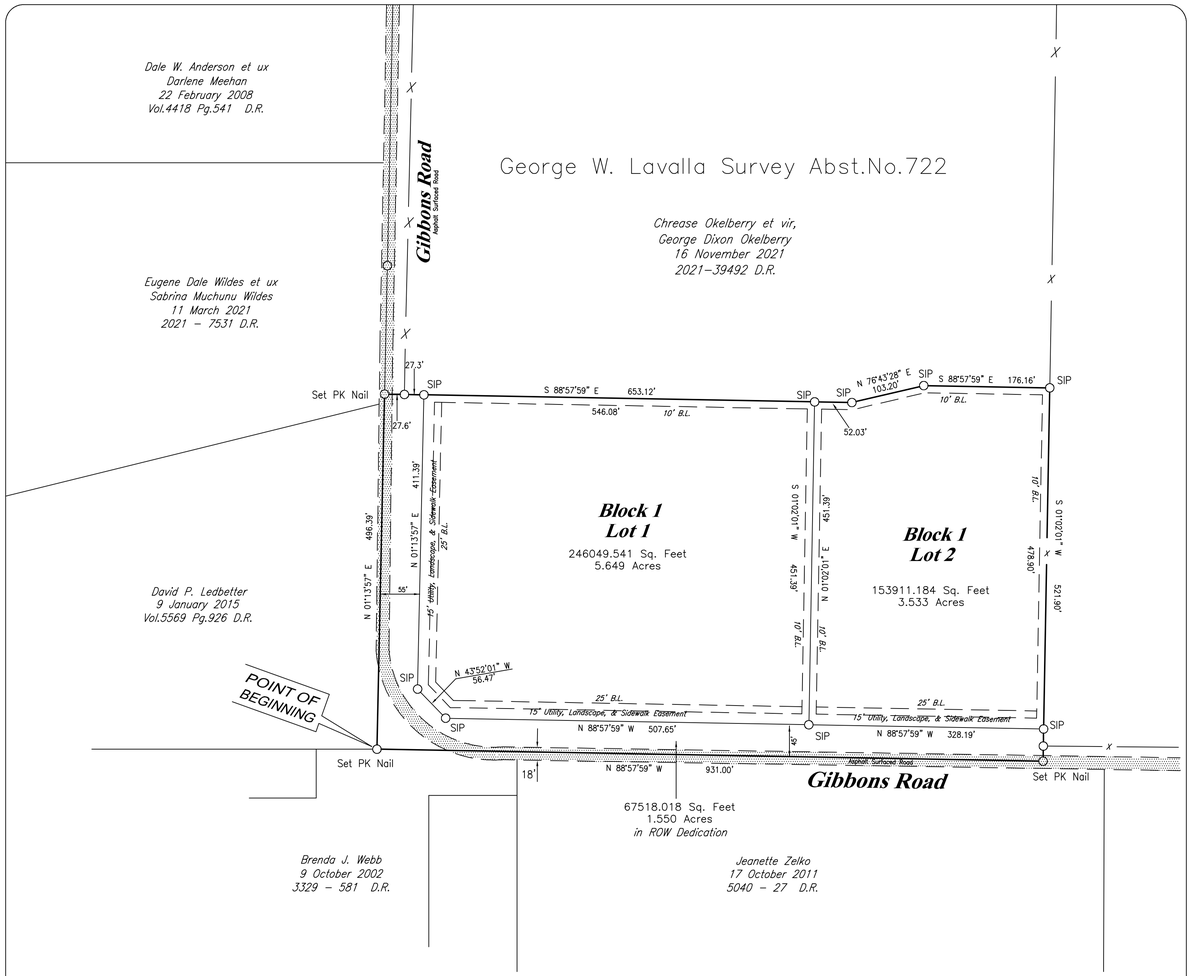
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
3786 GIBBONS RD

N
W E
S

Date: 8/6/2023 1:34 PM

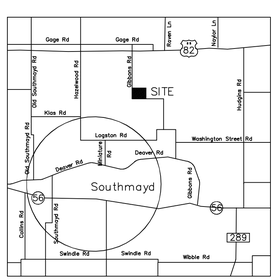


* * Basis of Bearing * *
Course along the east line
James H. Francis Deed
Vol. 2396 Pg. 887 D.R.

* * OWNER * *
James H. Francis et ux,
Vicki L. Francis
18 May 1995
Vol. 2396 Pg. 887 D.R.
4000 Gibbons Road
Sherman, Texas 75092

LEGEND

MH = Man Hole
ICV = Irrigation Sistem
SJR = Set 3/4" Rod
FIP = Found Rebar
SIP = Set 1/2" Sq.Tubing
FST = Fd 1/2" Sq.Tubing
FSR = Fd Sq. Rod
ROW = Right-of-Way
-X- = Fence Line
( ) = Deed Calls
-E- = Electric Line
-T- = Telephone Line
-C- = TV Cable
GM = Gas Meter
PP = Power Pole
WM = Water Meter
AC = Air Cond.
BL = Building Line
UGT = Undergd phone
FCP = Fence Corner Post
UE = Utility Easement
BC = Back of Curb



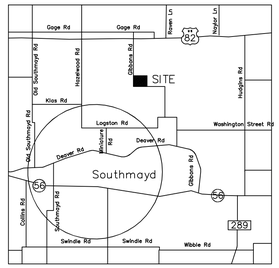
Location Map

SCALE: 1"= 100'

COX LAND SURVEYING CO.
P.O. BOX 597 108 N. MAIN ST,COLLINSVILLE, TEXAS 76233
COLLINSVILLE 903-429-6125 E-mail: CLSC108@aol.com
Gainesville 940-612-LAND Denton 940-381-5070
McKinney 469-952-5070

Final Plat of
Payette Additon
10.732 Acres in the
George W. Lavalla Survey Abst.No.722
County of Grayson
State of Texas

Drawn by: MJC	Job No. 23-15359-F	Date: 23 May 2023
Check by: DKC	Firm # 10005500	



Location Map

Final Plat of
Payette Addition
County of Grayson State of Texas

OWNERS DEDICATION

State of Texas
County of Grayson

Whereas, that James H. Francis and Vicki L. Francis are the owners of a tract or parcel of land situated in the George W. Lavalla Survey, Abstract Number 722, County of Grayson, State of Texas, said tract being part of a tract as described in Deed to James H. Francis et ux, Vicki L. Francis, filed 18 May 1995, and Recorded in Volume 2396 Page 887 of the Deed Records of the County of Grayson, State of Texas, and being more fully described as follows:

Beginning for the southwest corner of the tract being described herein at a set PK Nail, said nail being the southwest corner of said Francis tract, and the southeast corner of a tract as described in deed to David P. Ledbetter, filed 09 January 2015, and Recorded in Volume 5569 Page 926 of said Deed Records, said nail also being at a a tum in Gibbons Road;

Thence: North 01 degrees 13 minutes 57 seconds East, with the west line of said Francis tract, and in said road, a distance of 496.39 feet to a set PK Nail for the northwest corner of this tract, and the southwest corner of a tract as described in deed to Chrease Okelberry et vir, George Dixon Okelberry, filed 16 November 2021, Instrument Number 2021-39492 of said Deed Records;

Thence: South 88 degrees 57 minutes 59 seconds East, with the south line of said Okelberry tract, a distance of 653.12 feet to a set 1 2 inch Steel Square Tubing for a corner of this tract;

Thence: North 76 degrees 43 minutes 28 seconds East, with the south line of said Okelberry tract, a distance of 103.20 feet to a set $\frac{1}{2}$ inch Steel Square Tubing for a corner of this tract;

Thence: South 88 degrees 57 minutes 59 seconds East, with the south line of said Okelberry tract, a distance of 176.16 feet to a set $\frac{1}{2}$ inch Steel Square Tubing for a corner of this tract, and being on the east line of said Francis tract, said tubing also being the southeast corner of said Okelberry tract;

Thence: South 01 degrees 02 minutes 01 seconds West, with the east line of said Francis tract, a distance of 521.90 feet to a set PK Nail for the southeast corner of this tract, and being the southeast corner of said Francis tract, said nail also being in sad Gibbons Road;

Thence: North 88 degrees 57 minutes 59 seconds West, with the south line of said Francis tract, and in said Gibbons Road, a distance of 931.00 feet to the **POINT OF BEGINNING** and containing 10.732 **acres** of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That James H. Francis does hereby adopt this plat designating the herein described property as Lot 1 and Lot 2 Block One, of the Payette **Addition** to the City of Sherman, County of Grayson, State of Texas, and does hereby dedicate to the public use forever the easements for the same purpose and consideration expressed hereon. All and any public utilities shall have the full right to remove and keep removed all growths which may endanger or interfere with the construction maintenance or efficiency of its respective system on the utility easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

_____
James H. Francis

STATE OF TEXAS

Before me, the undersigned Notary Public for the State of Texas, on this day personally appeared James H. Francis, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity stated.

Given under my hand and seal of office this the ____ day of _____ 2023.

_____
Notary Public-State of Texas

Acceptance

Approved this _____ day of _____, 2023, *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 Acceptance of Dedication

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, Final Plat of the Payette Addition, an addition to the City of Sherman, Texas was submitted to the City Council on the ____ day of _____ 2023, and the City Council by formal action then and there accepted the dedication of the street, 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 _____, 2023

_____
Clerk, City of Sherman, Texas

NOTES:

Lot owner to furnish, and install septic systems according to the Standards of the County Grayson.

No City of Sherman water available to site. Property lies within City of Southmayd Water CCN. City Wastewater does not serve subject property. On-site sewage facility or extension of wastewater main by developer is required.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Vicki L. Francis does hereby adopt this plat designating the herein described property as Lot 1 and Lot 2 Block One, of the Payette **Addition** to the City of Sherman, County of Grayson, State of Texas, and does hereby dedicate to the public use forever the easements for the same purpose and consideration expressed hereon. All and any public utilities shall have the full right to remove and keep removed all growths which may endanger or interfere with the construction maintenance or efficiency of its respective system on the utility easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

_____
Vicki L. Francis

STATE OF TEXAS

Before me, the undersigned Notary Public for the State of Texas, on this day personally appeared Vicki L. Francis, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity stated.

Given under my hand and seal of office this the ____ day of _____ 2023.

_____
Notary Public-State of Texas

* * * SURVEYORS CERTIFICATION * * *

KNOW ALL MEN BY THESE PRESENTS:

That I, Don K. Cox, Texas Registered Professional Land Surveyor, do hereby state that this plat is based upon an on the ground survey, and that it is a true, correct and accurate representation of the property as surveyed; that the quantity of land therein has been accurately calculated: that the plat conforms to the Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying.

23 May 2023

State of Texas Registered Don K. Cox 4577 Professional Land Surveyor

Don K. Cox, Texas Registered
Professional Land Surveyor
Number 4577

* * Basis of Bearing * *
Course along the east line
James H. Francis Deed
Vol. 2396 Pg. 887 D.R.

* * OWNER * *
James H. Francis et ux,
Vicki L. Francis
18 May 1995
Vol. 2396 Pg. 887 D.R.
4000 Gibbons Road
Sherman, Texas 75092

LEGEND

MH = Man Hole
ICV = Irrigation Sistem
SJR = Set 3/4" Rod
FIP = Found Rebar
SIP = Set 1/2" Sq.Tubing
FST = Fd 1/2" Sq.Tubing
FSR = Fd Sq. Rod
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-X- = Fence Line
( ) = Deed Calls
-E- = Electric Line
-T- = Telephone Line
-C- = TV Cable
GM = Gas Meter
PP = Power Pole
WM = Water Meter
AC = Air Cond.
BL = Building Line
UGT = Undergd phone
FCP = Fence Corner Post
UE = Utility Easement
BC = Back of Curb

SCALE: 1"= 100'

COX LAND SURVEYING CO.
P.O. BOX 597 108 N. MAIN ST,COLLINSVILLE, TEXAS 76233
COLLINSVILLE 903-429-6125 E-mail: CLSC108@aol.com
Gainesville 940-612-LAND Denton 940-381-5070
McKinney 469-952-5070

Final Plat of
Payette Additon
10.732 Acres in the
George W. Lavalla Survey Abst.No.722
County of Grayson
State of Texas

Drawn by: MJC
Check by: DKC
Job No. 23-15359-F
Firm # 10005500
Date: 23 May 2023

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

August 14, 2023

James H. Francis
Vicki L. Francis
4000 Gibbons Road
Sherman, TX 75092

Cox Land Surveying Co.
P.O. Box 597
Collinsville, TX 76233

Dear Applicants,

The request for approval of the Final Plat of Payette Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, August 22, 2023 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. No City of Sherman water available to site. Property lies within City of Southmayd Water CCN.
2. City wastewater does not serve subject property. On-site sewage facility or extension of wastewater main by developer is required. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
3. 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.
4. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
5. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **10.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

* **920 SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-004462)**

The request of Lighthouse for Kids, LLC (Owner) and Helvey Wagner Surveying (Surveyor) concerning the property located at 920 South FM 1417 (Heritage Parkway), consisting of 3.726 acres in the Elizabeth Jones Survey, Abstract No. 625, being all of Lot 3-R, Block 1, of the Replat of Lots 2 and 3, Block 1, Chief's Addition and currently zoned C-1 (Retail Business) District, as follows:

Planning and Zoning Commission

Replat of Atsar Storage Addition

Background:

The property is located at 920 South FM 1417 (Heritage Parkway) near the intersection of South FM 1417 (Heritage Parkway) and Quail Run Road and is zoned C-1 (Retail Business) District. The owner would like to plat the property into two lots for residential development.

The following has been approved for this location:

- December 13, 2022 - Specific Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Mini-Warehouse and outdoor Recreational Vehicle (RV) Storage in a C-1 (Retail Business) District.
- Decemeber 13, 2022 - Variance under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow 6 parking spaces in lieu of the required 22 for a Mini-Warehouse in a C-1 (Retail Business) District.

Adjacent Zoning:

C-1 (Retail Business) District
MF-30 (Multi-Family Residential) District
R-6 (Single Family Residential) District

Origination:

Lighthouse for Kids, LLC (Owner)
Helvey Wagner Surveying (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

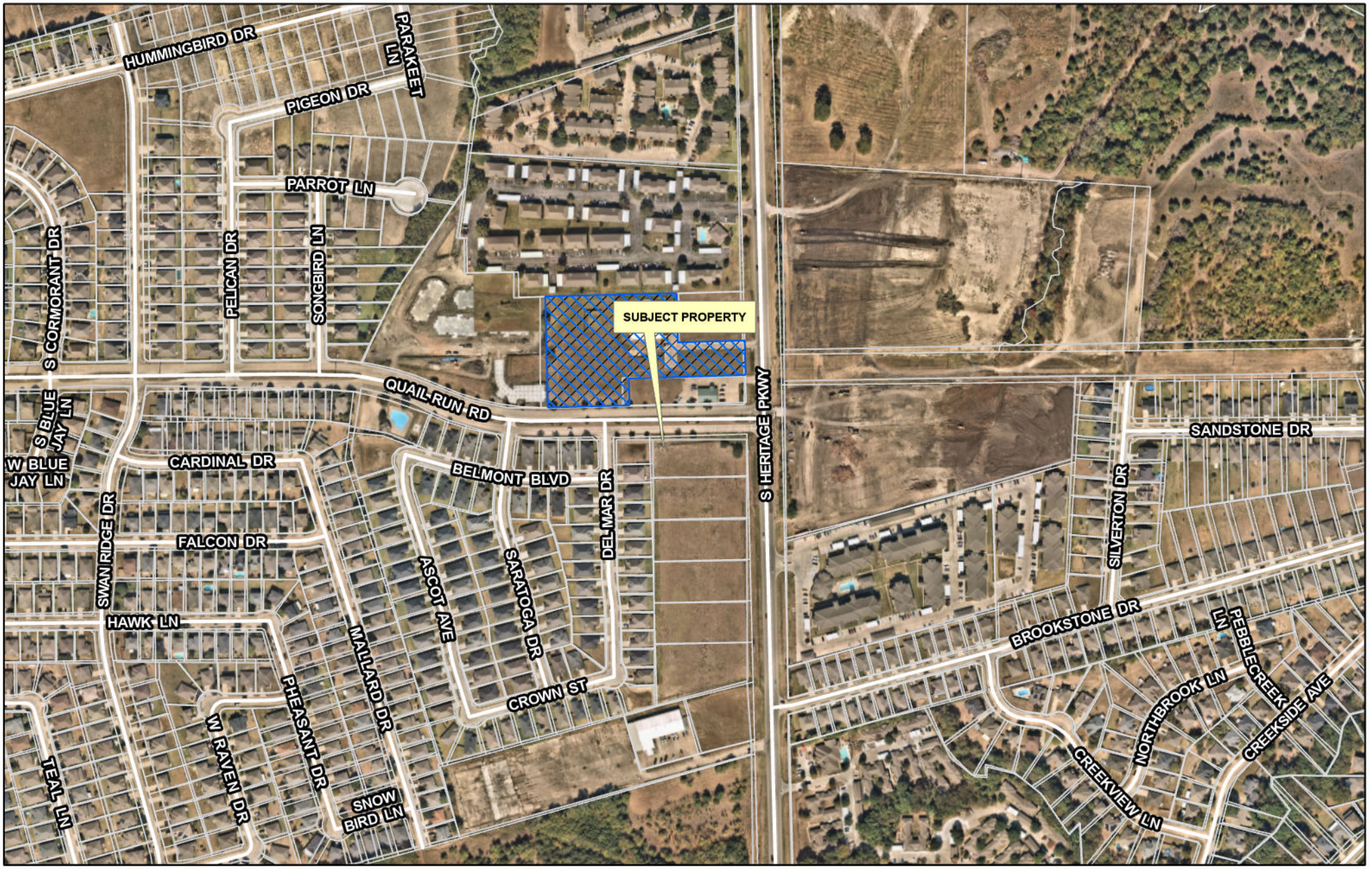
0

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Replat
Site Plan
STAFF REVIEW LETTER - Engineering



dlagrone H:\PLANNING\Public Notification KT.aprx

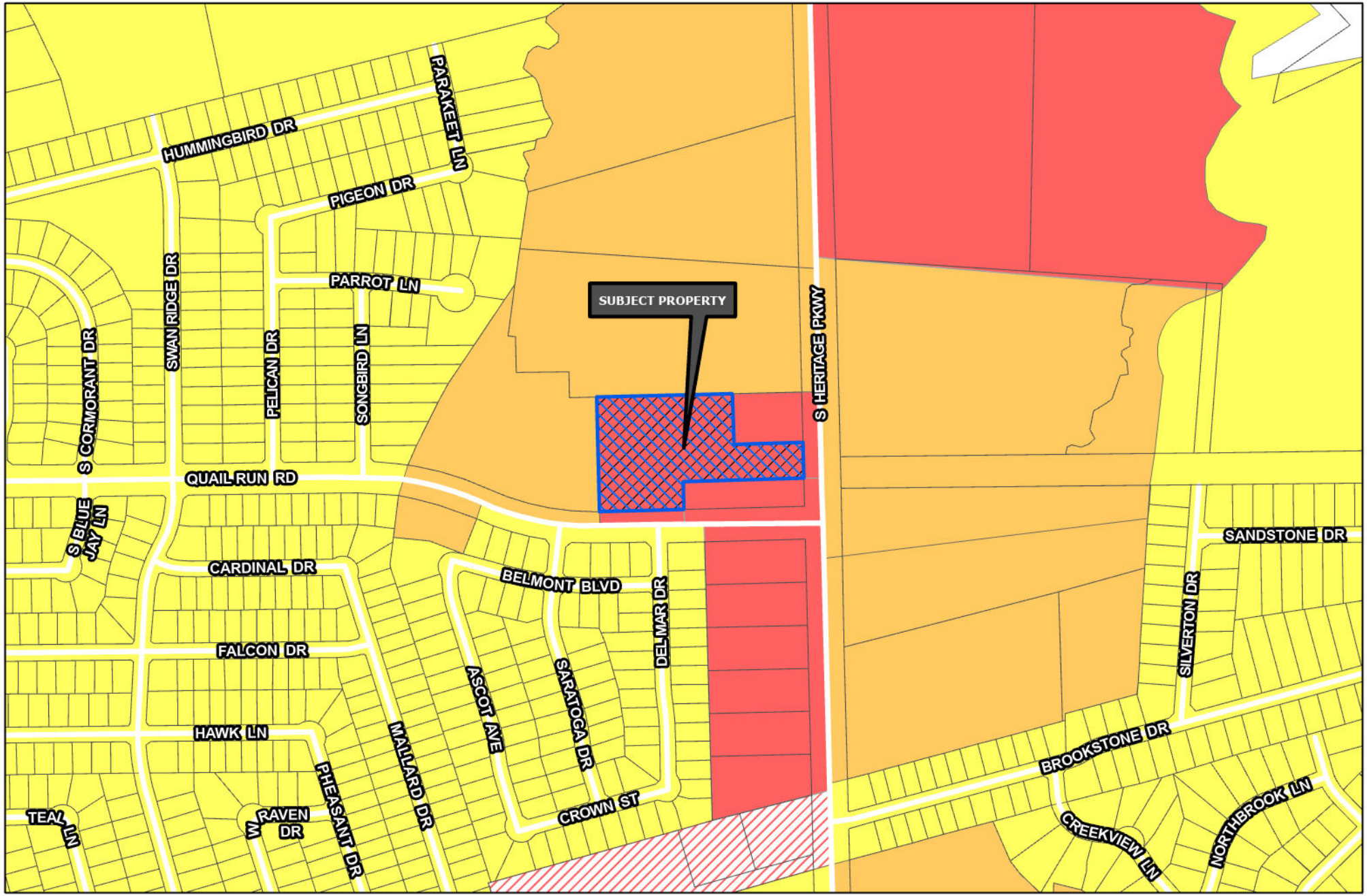
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
920 S FM 1417 (HERITAGE PKWY)

N
W E
S

Date: 8/6/2023 1:34 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
920 S FM 1417 (HERITAGE PKWY)

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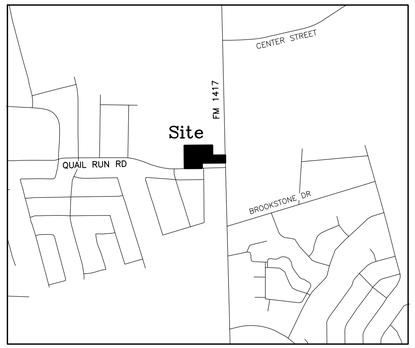
W E
S

Date: 8/6/2023 5:02 PM

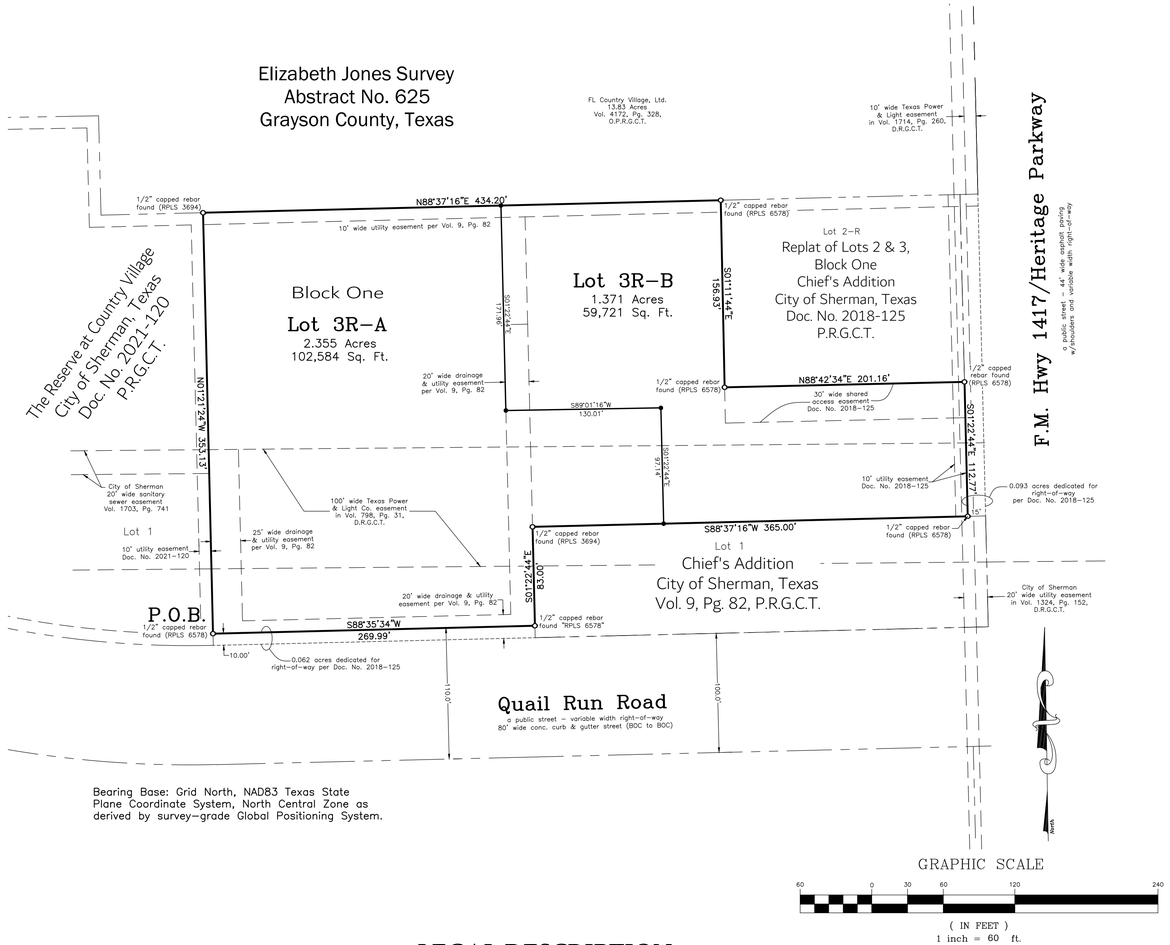
Vicinity Map

(not to scale)



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.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway 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 "X" (areas 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. 48181C0405 G, Revised Date: September 1, 2022.
8. Neither 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.



Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone as derived by survey-grade Global Positioning System.

LEGAL DESCRIPTION

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625 and being all of Lot 3-R, Block One, of the Replat of Lots 2 and 3, Block One, Chief's Addition to the City of Sherman, Texas as per plat of record in Document No. 2018-125, Plat Records, Grayson County Texas and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch rebar found (RPLS 6578) in the East line of Lot 1, The Reserve at County Village, an addition to the City of Sherman, Texas as per plat of record in Doc. No. 2021-120, said Plat Records and in the North right-of-way line of Quail Run Road (a public street), at the Southwest corner of said Lot 3-R;

THENCE North 01 deg. 21 min. 24 sec. West, with the West line of said Lot 3-R and the East line of said Lot 1, The Reserve at Country Village, a distance of 353.13 ft. to a 1/2 inch capped rebar found (RPLS 3694), at the most Easterly Northeast corner of said Lot 1, The Reserve at Country Village and in the South line of tue FL Country Village, Ltd. 13.83 acres, recorded in Vol. 4172, Pg. 328, Official Public Records, Grayson County, Texas, at the Northwest corner of said Lot 3-R;

THENCE North 88 deg. 37 min. 16 sec. East, with the South line of said FL Country Village, Ltd. 13.83 ac. and a North line of said Lot 3-R, a distance of 434.20 ft. to a 1/2 inch rebar found (RPLS 6578), at the most Northern Northeast corner of said Lot 3-R and the Northwest corner of Lot 2-R, Block One said Replat of Lots 2 and 3, Block One, Chief's Addition;

THENCE South 01 deg. 11 min. 44 sec. East, with an East line of said Lot 3-R and the West line of said Lot 2-R, a distance of 156.93 ft., to an Ell corner of said Lot 3-R and the Southeast corner of Lot 2-R;

THENCE North 88 deg. 42 min. 34 sec. East, with a North line of said Lot 3-R and the South line of said Lot 2-R, a distance of 201.16 ft. to a 1/2 inch rebar found (RPLS 6578), at the most Easterly Northeast corner of said Lot 3-R and the Southeast corner of said Lot 2-R, in the West right-of-way of F.M. Highway 1417 (a.k.a. Heritage Parkway);

THENCE South 01 deg. 22 min. 44 sec. East, with an East line of said Lot 3-R and the West right-of-way of said F.M. Highway 1417/Heritage Parkway, a distance of 112.77 ft. to a 1/2 inch rebar found (RPLS 6578), at the most Eastern Southeast corner of said Lot 3-R and the Northeast corner of Lot 1, Chief's Addition to the City of Sherman, Texas, recorded in Volume 9, Page 82, said Plat Records;

THENCE South 88 deg. 37 min. 16 sec. West, with a South line of said Lot 3-R and the North line of said Lot 1, a distance of 365.00 ft. to a 1/2 inch rebar found (RPLS 3694), at an Ell corner of said Lot 3-R and the Northwest corner of said Lot 1;

THENCE South 01 deg. 22 min. 44 sec. East, with the West line of said Lot 1 and an East line of said Lot 3-R, a distance of 83.00 ft. to a 1/2 inch rebar found (RPLS 6578), at the most Southerly Southeast corner of said Lot 3-R, in the North right-of-way line of said Quail Run Road;

THENCE South 88 deg. 55 min. 34 sec. West, with a South line of said Lot 3-R and the North right-of-way of said Quail Run Road, a distance of 269.99 ft. to the **POINT OF BEGINNING** and containing **3.726 ACRES** of land.

KNOW ALL MEN BY THESE PRESENTS:

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon 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:

STATE OF TEXAS REGISTERED KATE A. WAGNER 6578 PROFESSIONAL LAND SURVEYOR

Job No. CGS510723

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owner:
Lighthouse for Kids, LLC
920 Heritage Parkway
Sherman, Texas 75092

P:\Land Projects R2\920-Heritage-Pkwy-Sherman\dwg\Replat-2023.dwg 7/27/2023 9:57 AM

KNOW ALL MEN BY THESE PRESENTS:

I, Lighthouse for Kids, LLC, owners of Atsar Storage Addition to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

_____
LorBeth Shaffer, Authorized Representative of Lighthouse for Kids, LLC

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Loribeth Shaffer, known to me to be the persons whose name are subscribed to the foregoing instrument and acknowledged to me that she 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 _____ day of _____, 2023.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of Atsar Storage Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2023, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the final plat of Atsar Storage Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2023, 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 plat of Atsar Storage Addition to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the _____ day of _____, 2023, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2023, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Atsar Storage Addition

Being a Replat of Lots 2 and 3, Block One, Chief's Addition

to the

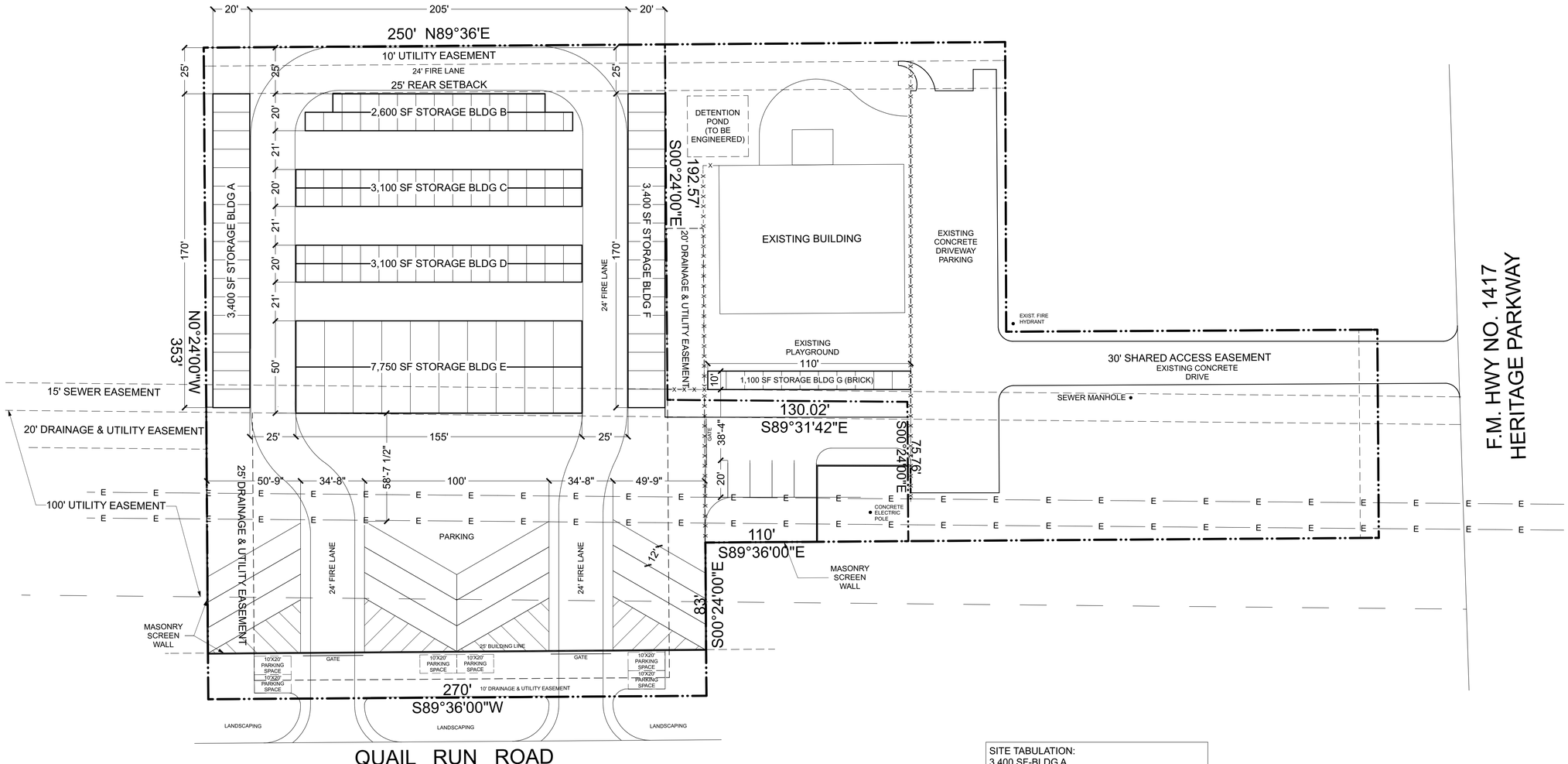
City of Sherman
Grayson County, Texas

3.726 Acres

in the

Elizabeth Jones Survey
Abstract No. 625

Date of Preparation: July 27, 2023



SITE PLAN
SCALE:1"=30'-0"

SITE TABULATION:
3,400 SF-BLDG A
2,600 SF-BLDG B
3,100 SF-BLDG C
3,100 SF -BLDG D
7,750 SF-BLDG E
3,400 SF-BLDG F
1,100 SF-BLDG G
21,350 SF-TOTAL BLDG

99,752-GROSS SF OF PROPERTY
6 SPACES-REQUIRED PARKING
6 SPACES-PARKING PROVIDED
C1-CURRENT ZONING
C1-PROPOSED ZONING
85,468 SF-HARD SURFACE/IMPERVIOUS AREA
1,885 SF-LANDSCAPED AREA
21.04%-FLOOR TO AREA RATIO

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

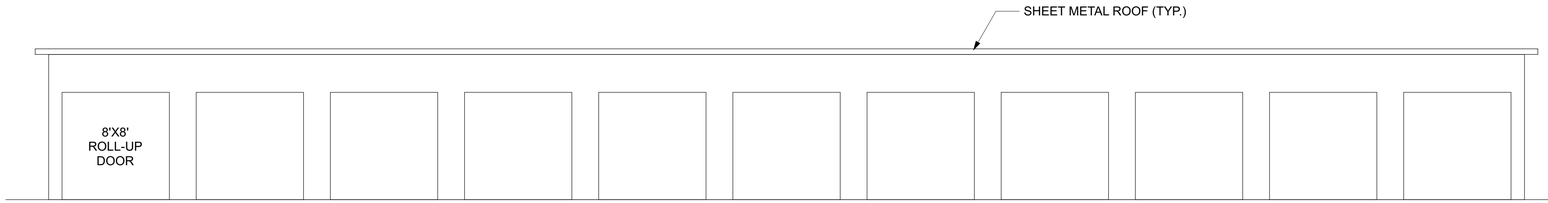
PROJECT DESCRIPTION:
SHAFFER STORAGE SITE PLAN

DRAWINGS PROVIDED BY:
NBS DRAFTING AND DESIGN
303 W. HOUSTON
SHERMAN, TEXAS 75090
903.892.5620

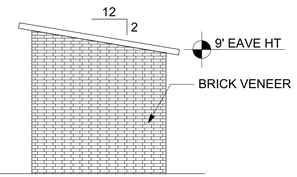
DATE:
6/16/2023

SCALE:

SHEET:
A-1



FRONT ELEVATION (TYP.)



SIDE ELEVATION

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION

PROJECT DESCRIPTION:

SHAFFER STORAGE SITE PLAN

DRAWINGS PROVIDED BY:
NBS DRAFTING AND DESIGN
303 W. HOUSTON
SHERMAN, TEXAS 75090
903.892.5620

DATE:

6/16/2023

SCALE:

SHEET:

A-2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

August 14, 2023

Lighthouse for Kids, LLC
920 Heritage Parkway
Sherman, TX 75092

Helvey-Wagner Surveying, Inc.
222 W. Main Street
Denison, TX 75020

Dear Applicants,

The request for approval of the Plat of Atsar Storage Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, August 22, 2023 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. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
2. Dedicate a 15' Utility, Landscape, & Sidewalk Easement along FM 1417/Heritage Parkway. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
3. Dedicate a 20' Wastewater Easement along centerline of existing wastewater mains crossing proposed Lots. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
4. Graphically show edge of pavement on drawing. *Code of Ordinances, Chapter 10, Exhibit A, Sec. 6(B)(7)*
5. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*
6. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
7. 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.

8. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
9. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **11.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

* **449 SOUTH FARMINGTON ROAD (Project No. 23-004471)**

The request of John David Griffin (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 449 South Farmington Road, consisting of 5.255 acres, being in the William Martin Survey, Abstract No. 765, and is currently located in the ETJ (Extra Territorial Jurisdiction), as follows:

Planning and Zoning Commission

Final Plat of 449 S. Farmington Addition

Background:

The property is located at 449 South Farmington Road between Old Dorchester Road and Farmington Road and is located in the ETJ (Extra Territorial Jurisdiction). The owner would like to plat the property into one lot for residential development.

Adjacent Zoning:

ETJ (Extra Territorial Jurisdiction)

Origination:

John David Griffin (Owner)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

0

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map



dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
449 FARMINGTON RD

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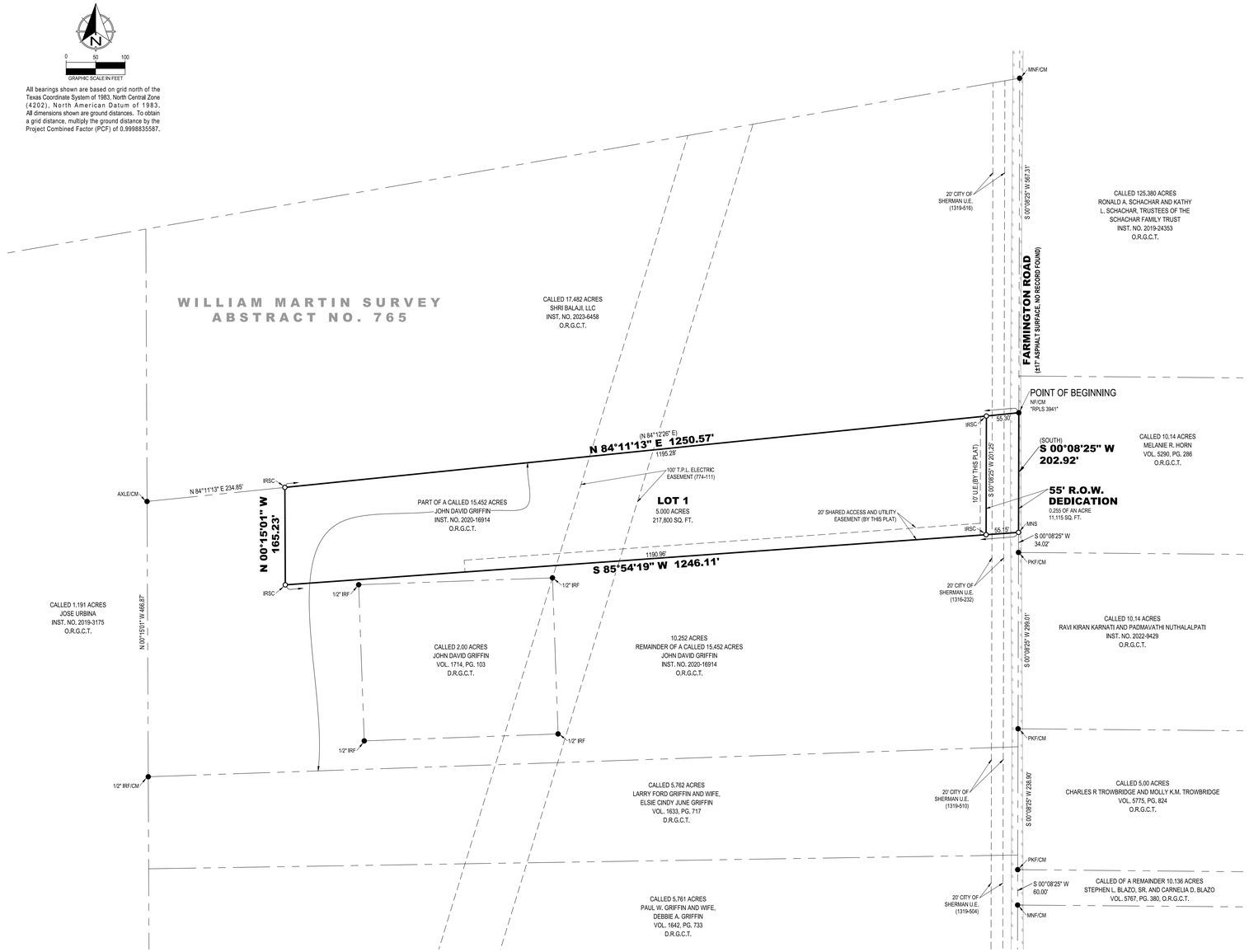
W E
S

Date: 8/6/2023 5:02 PM



STATE OF TEXAS §
COUNTY OF GRAYSON §

OWNER'S CERTIFICATE

WHEREAS John David Griffin is the all of that certain tract or parcel of land situated in the William Martin Survey, Abstract No. 765, the Extra Territorial Jurisdiction of the City of Sherman, Grayson County, Texas, and being part of a called 15.452 acre tract of land described in the deed to John David Griffin, recorded in Instrument No. 2020-16914, Official Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a Nail with an aluminum washer stamped "RPLS 3941" found for the northeast corner of said 15.452 acre tract, common to the southeast corner of a called 17.482 acre tract of land described in the deed to Shri Balaji, LLC, recorded in Instrument No. 2023-6458, said Official Records, and on the westerly line of a called 10.14 acre tract of land described in the deed to Melanie R. Horn, recorded in Volume 5290, Page 286, said Official Records, and in Farmington Road (No record found);

THENCE South 00°08'25" West, with the easterly line of said 15.452 acre tract, and with the westerly line of said 10.14 acre tract, and in said Farmington Road, a distance of 202.92 feet to a Mag Nail with an aluminum washer stamped "PRESTON TRAIL RPLS 6585" set for the southeast corner of the herein described tract of land;

THENCE South 85°54'19" West, crossing said 15.452 acre tract, a distance of 1246.11 feet to a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" set for the southwest corner of the herein described tract of land;

THENCE North 00°15'01" West, continuing across said 15.452 acre tract, a distance of 165.23 feet to a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" set for the northwest corner of the herein described tract of land, on the northerly line of said 15.452 acre tract, and on the southerly line of aforesaid 17.482 acre tract;

THENCE North 84°11'13" East, with the northerly line of said 15.452 acre tract, and with the southerly line of said 17.482 acre tract, a distance of 1250.57 feet to the POINT OF BEGINNING and enclosing 5.255 acres (228,915 square feet) of land, more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That **John David Griffin**, does hereby adopt this plat designating the hereinbefore described property as **449 S. FARMINGTON ADDITION**, an Addition to the Extra Territorial Jurisdiction of the City of Sherman, Grayson County, Texas, and does hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

BY:_____
John David Griffin

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **John David Griffin**, 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 considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ___ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

CITY COUNCIL CERTIFICATE OF ACCEPTANCE

Accepted by the City Council of the City of Sherman, Texas:

_____ _____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of **449 S. FARMINGTON ADDITION,** to the City of Sherman was submitted to the City Council on the _____ day of _____, 20_____, 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 hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 20____.

_____
Clerk, City of Sherman, Texas

PLANNING AND ZONING COMMISSION CERTIFICATE OF ACCEPTANCE

Accepted this _____ day of _____, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

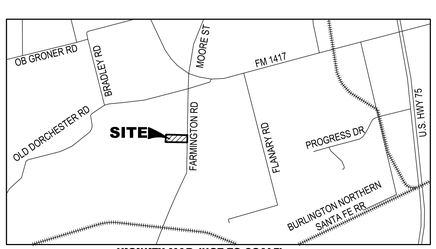
_____ _____
Chairman Secretary

SURVEYORS CERTIFICATE

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground and that all monuments shown hereon actually actually exist and that their location, size, and material are correctly shown.

_____
Chris R. Noah Date
Registered Professional Land Surveyor No. 6585

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT



VICINITY MAP (NOT TO SCALE)

LEGEND

●	FOUND MONUMENT
○	SET MONUMENT
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET
MNS	MAG NAIL SET W/ "PRESTON TRAIL, RPLS 6585" ALUMINUM WASHER SET
IRF	IRON ROD FOUND
PKF	PK NAIL FOUND
MNF	MAG NAIL FOUND
CM	CONTROLLING MONUMENT
( )	DEED OR PLAT CALL
R.O.W.	RIGHT-OF-WAY
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
VOL., PG.	VOLUME, PAGE
INST. NO.	INSTRUMENT NO.
U.E.	UTILITY EASEMENT
———	BOUNDARY LINE
——— - - ———	ADJOINER LINE
- - - - - -	EASEMENT
——— /// ———	ASPHALT

FLOOD STATEMENT:
I have examined the F.E.M.A. Flood Insurance Rate Map for Grayson County, Texas, Community Number 480829, effective date 09/01/2022 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0400 G of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

OWNER/DEVELOPER:
John David Griffin
451 Farmington Road,
Sherman, TX 75092
Ph: 903-814-1907

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
787 W FM 996
Pottsboro, TX 75076
Ph: 903-786-6029

FINAL PLAT
449 S. FARMINGTON ADDITION
5.255 ACRES
WILLIAM MARTIN SURVEY, ABSTRACT NO. 765
Extra-Territorial Jurisdiction of the City of Sherman
Grayson County, Texas

Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: LGT Checked by: CRN	Scale: 1"=100' Date: 07/27/2023	Project No. 23-0343 Sheet No. 1 of 1

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

August 14, 2023

John David Griffin
451 Farmington Road
Sherman, TX 75092

Preston Trail Land Surveying
787 W. FM 996
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Final Plat of 449 S. Farmington Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, August 22, 2023 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. Dedicate a 60' Right of Way Dedication along Farmington Road in regards to Grayson County/City of Sherman Thoroughfare Plan. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
2. Dedicate a 15' Utility, Landscape, & Sidewalk Easement along Farmington Road. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
3. City wastewater does not serve subject property. On-site sewage facility or extension of wastewater main by developer is required. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
4. 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.
5. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
6. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **12.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

* **500 BLOCK NORTH US HIGHWAY 75 (Project No. 23-004475)**

The request of First State Bank (Owner), Ian Norfork, PE (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located in the 500 Block North US Highway 75, consisting of 9.023 acres, being Lot 3 of the Replat of Block One of the Replat of Independence Square Addition, Section Two and is currently zoned C-1 (Retail Business) District/75&82 Overlay District, as follows:

Planning and Zoning Commission

Site Plan of First State Bank

Background:

The property is located in the 500 Block North US Highway 75 between East Lamberth Road and East Peyton Street. The owner is requesting Site Plan approval for First State Bank.

Adjacent Zoning:

C-1 (Retail Business) District

Origination:

First State Bank (Owner)
Ian Norfork, PE (Representative)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

Not Required.

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Survey
Site Plan
Elevations
Landscape Plan
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

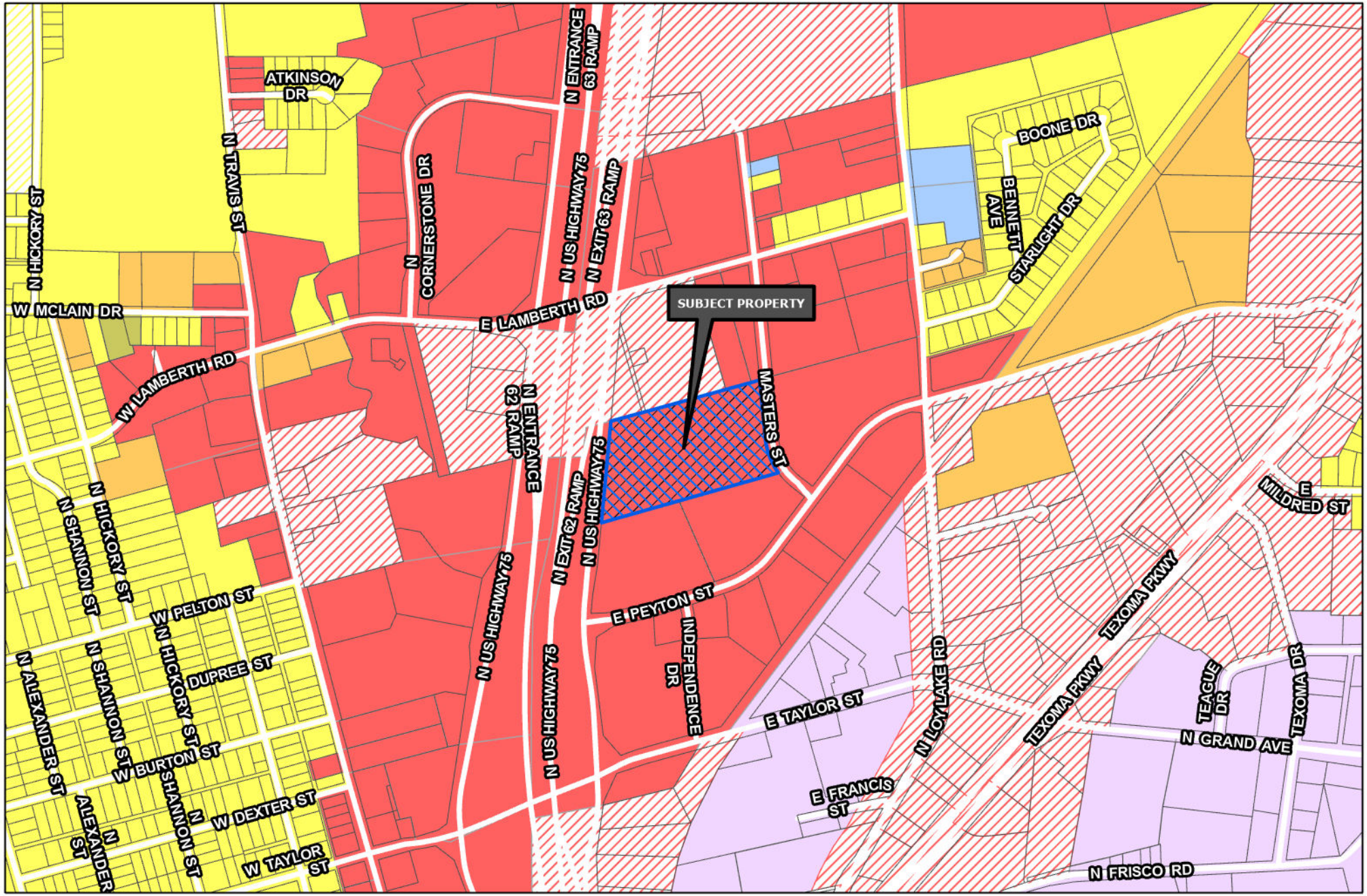
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
500 BLK N HWY 75

N
W E
S

Date: 8/6/2023 5:02 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

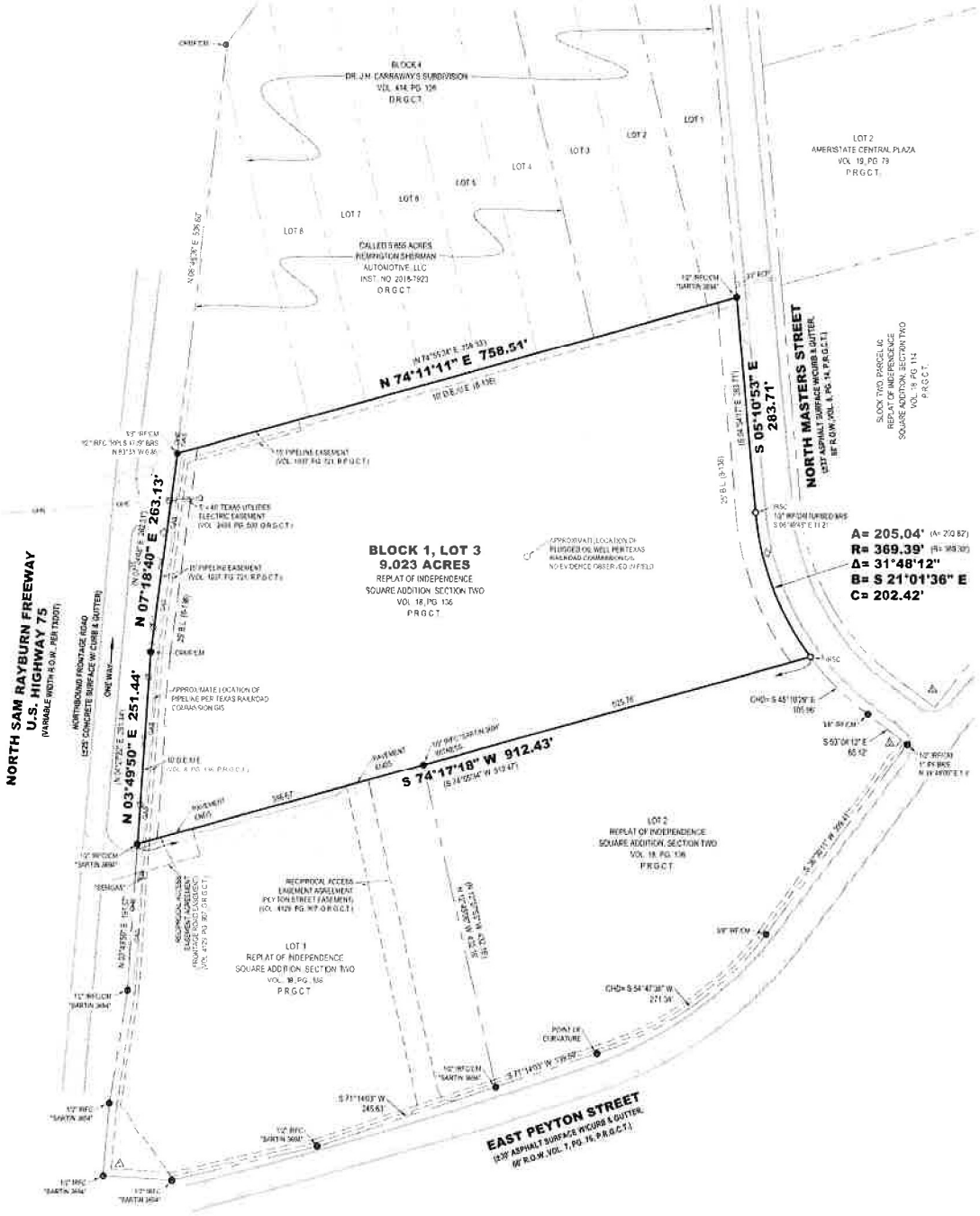
Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
500 BLK N HWY 75

N
W E
S

Date: 8/6/2023 5:02 PM



All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9999864365

LAND DESCRIPTION:

BEING Lot Three (3) of the Replat of Block One of the Replat of Independence Square Addition - Section Two, an Addition to the City of Sherman, Texas, as shown by Plat of record in Volume 18, Page 136, Plat Records, Grayson County, Texas

NOTES ADDRESSING SCHEDULE 'B' EXCEPTIONS:

Only those easements and/or other matters of record, as listed in Title Commitment GF No. 320148, issued by First American Title Guaranty Company, countersigned by Chapin Title Company, with an effective date of June 20, 2021, and an issued date of June 29, 2021, and relisted below were considered for this Survey. The surveyor did not perform an abstract of title.

10f. The surveyed property is subject to any matter, including but not limited to, Easements, Roadways, and/or Building Setback Lines as shown on the recorded plat of the addition of record in Volume 18, Page 136, Plat Records, Grayson County, Texas.

10g. Easement from Post Oak Trust to Koch Pipeline Company, of record in Volume 1937, Page 721 of the Real Property Records of Grayson County, Texas. *(Affects the surveyed property as shown)*

10h. Easement from Post Oak Liquidating Trust to Texas Utilities Electric Company, of record in Volume 2435, Page 500 of the Official Public Records of Grayson County, Texas. *(Affects the surveyed property as shown)*

10i. The surveyed property is subject to terms and conditions of that certain Reciprocal Access Easement Agreement by and between Post Oak Liquidating Trust to Furniture Row USA, LLC, of record in Volume 4129, Page 907 of the Official Public Records of Grayson County, Texas.

FLOOD STATEMENT:

I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/29/2010 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0290 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

LEGEND

●	FOUND MONUMENT	INST. NO.	INSTRUMENT NO.
○	SET MONUMENT	CMP	CORRUGATED METAL PIPE
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING., RPLS 6585" CAP SET	RCP	REINFORCED CONCRETE PIPE
		BL	BUILDING LINE
IRF	IRON ROD FOUND	UE	UTILITY EASEMENT
IRFC	IRON ROD FOUND W/PLASTIC CAP	DE	DRAINAGE EASEMENT
IPF	IRON PIPE FOUND	PU	UTILITY/POWER POLE
CIRMF	CONCRETE RIGHT-OF-WAY MONUMENT FOUND	GUY	GUY
BRS	BEARS	BTM	BURIED TELEPHONE MARKER
CM	CONTROLLING MONUMENT	BNGM	BURIED NATURAL GAS MARKER
( )	DEED OR PLAT CALL	FH	FIRE HYDRANT
R.O.W.	RIGHT-OF-WAY	SDMH	STORM DRAIN MANHOLE
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS		BOUNDARY LINE
			ADJOINER LINE
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS		EASEMENT
			BUILDING LINE
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS		ASPHALT
		OHE	OVERHEAD ELECTRIC/UTILITY
VOL. / PG.	VOLUME, PAGE		GAS LINE

Certify to: Dean Gilbert Jr., Russell Charles Spears, Successor Trustee of the Post Oak Trust; First American Title Guaranty Company, Chapin Title Company,

I, Chris R. Noah, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey has been prepared from an actual on-the-ground survey the premises depicted hereon and described in the land description attached hereto, executed under my direction and supervision on 06/24/2021, and there are no encroachments, conflicts, shortages in area or boundary line conflicts, or any intrusions of visible improvements from adjoining tracts, or protrusions of visible improvements onto adjoining tracts, to the best of my knowledge and belief, except as shown. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying.

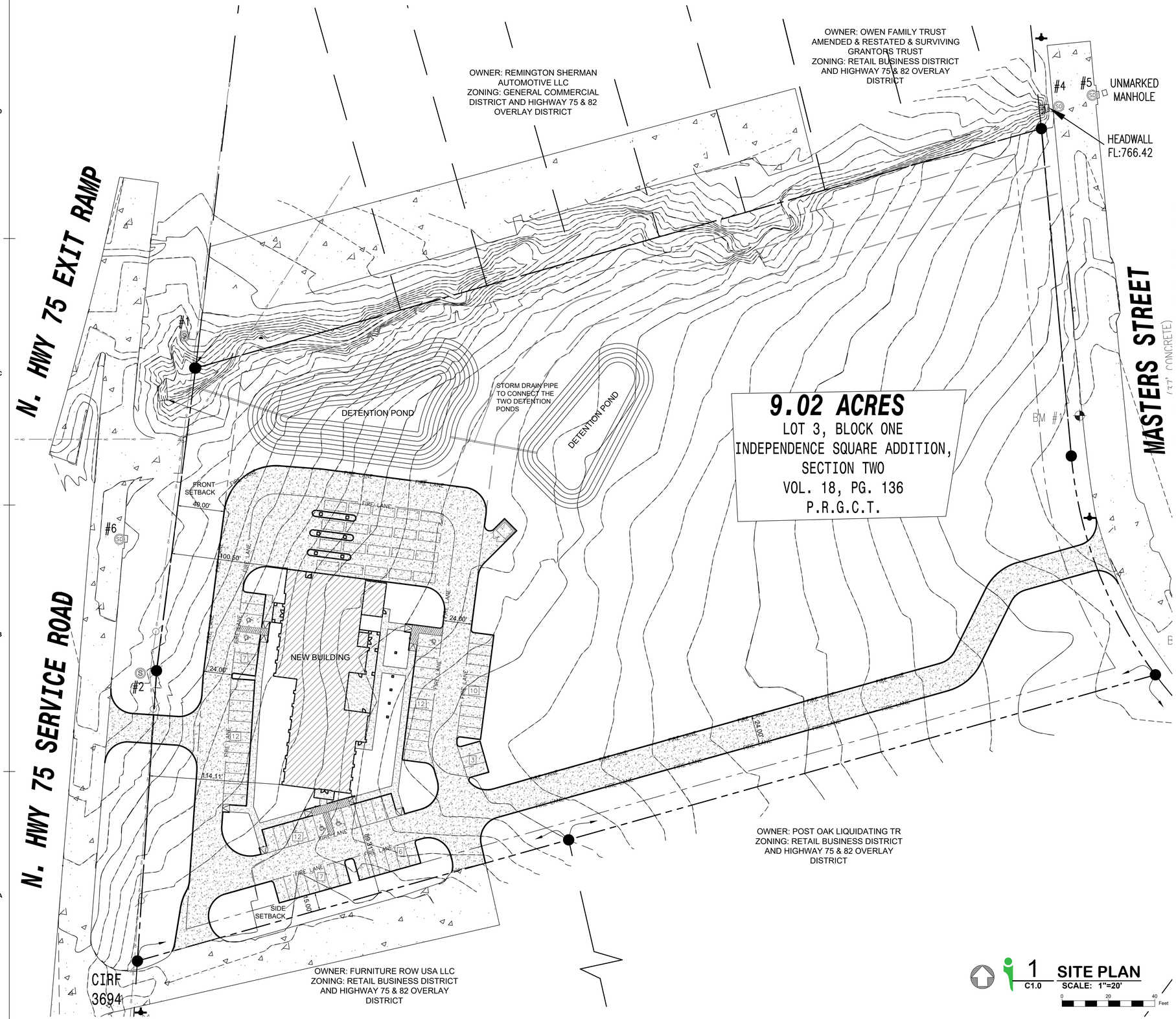
Chris R. Noah, R.P.L.S. No. 6585

STATE OF TEXAS
REGISTERED
CHRIS R. NOAH
6585
LAND SURVEYOR

TITLE SURVEY
REPLAT OF INDEPENDENCE
SQUARE ADDITION, SECTION TWO
BLOCK 1, LOT 3, 9.023 ACRES
TBD U.S. Highway 75, Sherman
Grayson County, Texas

Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNN Checked by: CRN	Scale: 1"=100' Date: 06/24/2021	Project No: 21-0402 Sheet No. 1 of 1



1 C1.0 **SITE PLAN**
SCALE: 1"=20'
0 20 40 Feet

NOTE:
SIGNAGE SHALL BE UNDER SEPARATE PERMIT

LEGEND

- PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- OHU — OHU — EXISTING OVERHEAD LINE
- EXISTING CONCRETE
- PROPOSED CONCRETE
- PROPOSED BUILDING

PREAPPLICATION MEETING 7/6/23

SITE DATA SUMMARY TABLE

BUILDING -	12287 SQFT (0.28 ACRES)
PROPERTY -	393009 SQFT (9.02 ACRES)
REQUIRED PARKING -	31
TOTAL PARKING -	69
HANDICAP PARKING -	5
REGULAR PARKING -	64
ZONING -	RETAIL BUSINESS DISTRICT AND HIGHWAY 75 & 82 OVERLAY DISTRICT
PROPOSED USE -	BANK
BUILDING HEIGHT -	28 FT MAX

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF IAN NORFOLK (TEXAS P.E. NO. 93550), ON 7/27/2023. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

TDLR # xxxxxxxxxx

EIKON
www.eikoncg.com
Texas Firm F-12759
ARCHITECTS & ENGINEERS
EIKON Consulting Group
1405 West Chapman Drive
Sanger, Texas 76266
Phone 940.458.7503

FIRST STATE BANK SHERMAN
ADDRESS: TBD
HIGHWAY 75, SHERMAN, TX
NOT FOR CONSTRUCTION
IN PROGRESS

Issued Date: XX-XX-XXXX
Project No: XXXXX

Drawn By: XX
Checked By: XX
Designed By: XX

Issue Record

#	Description	Date

SCHEMATIC DESIGN

SITE PLAN

C1.0

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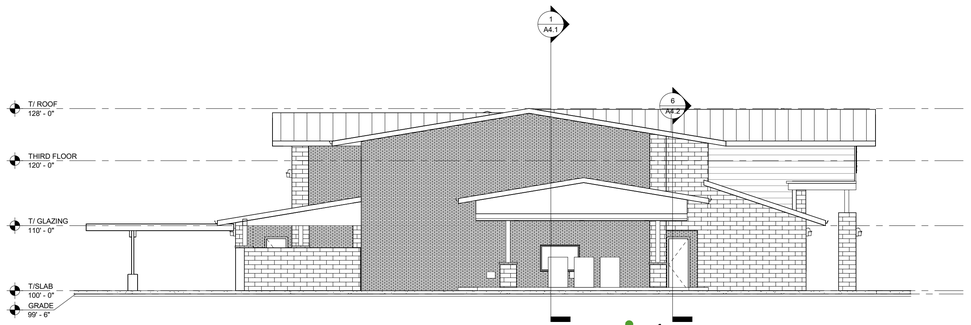
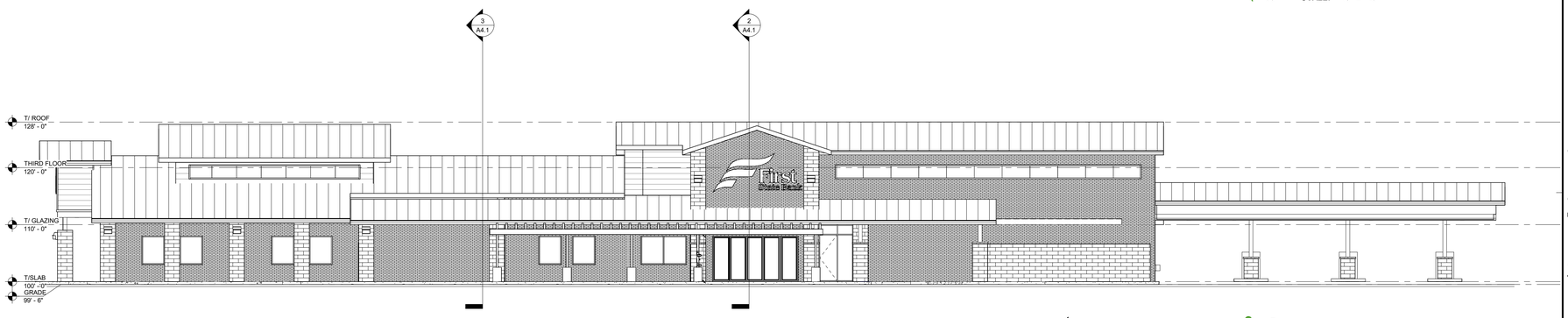
K EXTERIOR ELEVATION KEYNOTES	
NOTE	DESCRIPTION

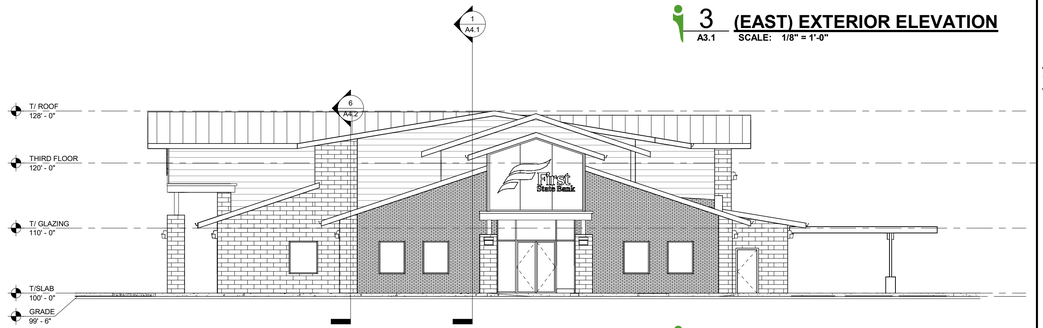
EXTERIOR ELEVATION MATERIAL LEGEND	
WALL PANELS	VISION GLASS
STONE VENEER	SPANDREL GLASS
BRICK VENEER	PAINTED STEEL
ARCHITECTURAL PRECAST CONCRETE	
STANDING SEAM METAL ROOF	



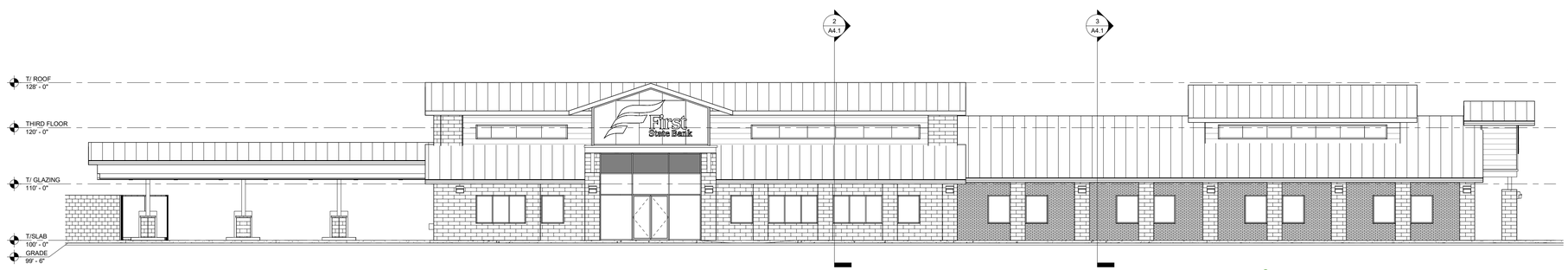
4 A3.1 **(NORTH) EXTERIOR ELEVATION**
SCALE: 1/8" = 1'-0"



3 A3.1 **(EAST) EXTERIOR ELEVATION**
SCALE: 1/8" = 1'-0"



2 A3.1 **(SOUTH) EXTERIOR ELEVATION**
SCALE: 1/8" = 1'-0"



1 A3.1 **(WEST) EXTERIOR ELEVATION**
SCALE: 1/8" = 1'-0"

EIKON
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Texas Firm F-12759
ARCHITECTS & ENGINEERS
EIKON Consulting Group
1405 West Chapman Drive
Sanger, Texas 76266
Phone 940.458.7503

DESIGN DEVELOPEMENT APPROVAL

APPROVAL INITIAL: _____

DATE: _____

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF RICHARD KING, TX R.A. 10307-7 ON 6/6/2023 IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

TDLR # XXXXX

FIRST STATE BANK - SHERMAN, TX

ADDRESS: TBD US HIGHWAY 75 SHERMAN, TX

NOT FOR CONSTRUCTION IN PROGRESS

7/27/2023 11:37:44 AM

Issued Date:	
Project No:	21182.1
Drawn By:	Author
Checked By:	Checker
Designed By:	Designer

Issue Record

#	Description	Date

DESIGN DEVELOPEMENT

BUILDING ELEVATIONS

A3.1

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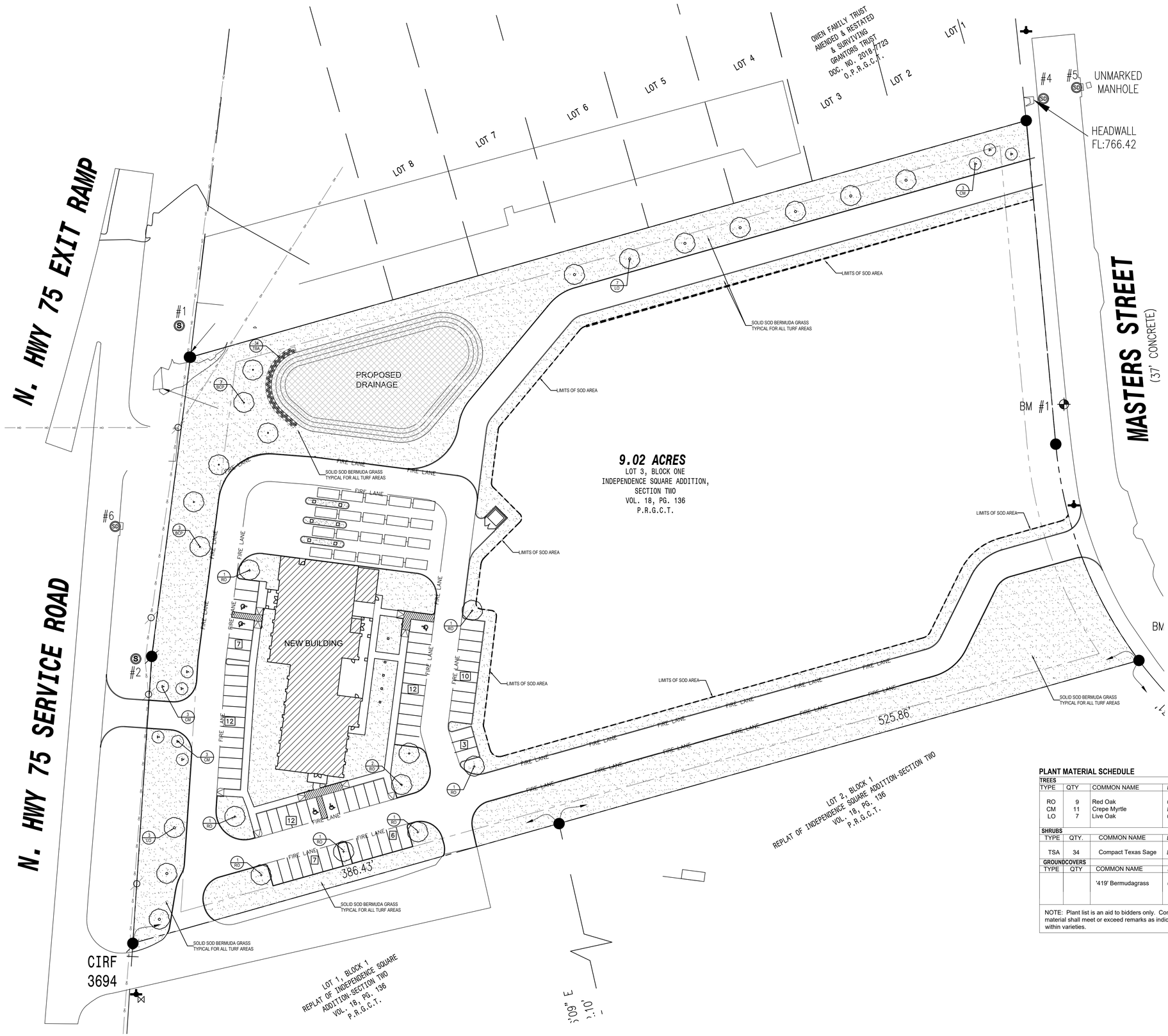


GENERAL LAWN NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON CIVIL PLANS.
2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. IMPORTED TOPSOIL SHALL BE NATURAL, FRIABLE SOIL FROM THE REGION, KNOWN AS BOTTOM AND SOIL, FREE FROM LUMPS, CLAY, TOXIC SUBSTANCES, ROOTS, DEBRIS, VEGETATION, STONES, CONTAINING NO SALT AND BLACK TO BROWN IN COLOR.
5. *ALL LAWN AREAS TO BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED, AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.*
6. *ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. SHALL BE REMOVED PRIOR TO PLACING TOPSOIL AND ANY LAWN INSTALLATION*
7. CONTRACTOR SHALL PROVIDE (1") ONE INCH OF IMPORTED TOPSOIL ON ALL AREAS TO RECEIVE LAWN.

LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
4. CONTRACTOR TO PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
5. ALL PLANTING BEDS AND LAWN AREAS TO BE SEPARATED BY STEEL EDGING. NO STEEL TO BE INSTALLED ADJACENT TO SIDEWALKS OR CURBS.
6. ALL LANDSCAPE AREAS TO BE 100% IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS.
7. ALL LAWN AREAS TO BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.

SOLID SOD NOTES

1 FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL DESIRED GRADE IN PLANTING AREAS AND 1" BELOW FINAL GRADE IN TURF AREAS.

2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION MANAGER FOR AVAILABILITY OF EXISTING TOPSOIL.
5. PLANT SOD BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
6. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
7. WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
8. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
9. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF AN ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.
10. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, ALL SOD AREAS TO BE OVER-SEEDED WITH WINTER RYEGRASS, AT A RATE OF (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

LANDSCAPE TABULATIONS

Requirement:
-A visual screen to be provided to separate and screen all detention or retention facilities. Evergreen shrubs to be 4' tall within two growing seasons

36" ht. evergreen screen hedge provided.

Parking are landscape- 10% of the parking area and drives are to be landscape area. The required area may be used as island, perimeter landscaping or any combination. A minimum of 40% the required area must be used as islands

Parking area- 47,221 s.f.

Required	Provided
4,722 s.f. (10%)	15,221s.f. (32%)
1,888 s.f. (40% islands)	2,820 s.f. (60% islands)

PLANT MATERIAL SCHEDULE

TREES					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
RO	9	Red Oak	*Quercus shumardii*	3" cal.	container, 12' ht., 6' spread, 5' clear straight trunk
CM	11	Crepe Myrtle	*Lagerstroemia indica*	6' ht.	container 3 or 5 trunks, 5' spread, tree form
LO	7	Live Oak	*Quercus virginiana*	3" cal.	container, 12' ht., 6' spread, 5' clear straight trunk
SHRUBS					
TYPE	QTY.	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
TSA	34	Compact Texas Sage	*Leucophyllum frutescens 'Compacta'*	30" ht.	container, 30" ht., 24" spread, 36" o.c.
GROUNDCOVERS					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
		'419' Bermudagrass	*Cynodon dactylon '419'*		Solid Sod refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

01 LANDSCAPE PLAN
SCALE 1"=40'-0"
0 20 40 80

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1782 W. McDERMOTT DR.
ALLEN, TEXAS 75013
(469) 369-4448
CHRIS@STUDIOGREENSPOT.COM

REGISTERED LANDSCAPE ARCHITECT
CHRIS TRONZANO
2042
STATE OF TEXAS
07.27.2023

FIRST STATE BANK
NORTH INTERSTATE HIGHWAY 75
SERVICE ROAD
SHERMAN, TEXAS

ISSUE:
FOR APPROVAL 07.27.2023

DATE:
07.27.2023

SHEET NAME:
LANDSCAPE PLAN

SHEET NUMBER:
L.1

SECTION 02900 - LANDSCAPE

PART 1 - GENERAL

1.1 REFERENCED DOCUMENTS

Refer to bidding requirements, special provisions, and schedules for additional requirements.

1.2 DESCRIPTION OF WORK

Work included: Furnish all supervision, labor, materials, services, equipment and appliances required to complete the work covered in conjunction with the landscaping covered in these specifications and landscaping plans, including:

1. Planting (trees, shrubs, and grass)
2. Bed preparation and fertilization
3. Notification of sources
4. Water and Maintenance until final acceptance
5. Guarantee

1.3 REFERENCE STANDARDS

A. American Standard for Nursery Stock published by American Association of Nurserymen: 27 October 1980, Edition; by American National Standards Institute, Inc. (Z60.1) – plant material.

B. American Joint Committee on Horticultural Nomenclature: 1942 Edition of Standardized Plant Names.

C. Texas Association of Nurserymen, Grades and Standards.

D. Hortis Third, 1976 - Cornell University

1.4 NOTIFICATION OF SOURCES AND SUBMITTALS

A. The Contractor shall, within ten (10) days following acceptance of bid, notify the Architect/Owner of the sources of plant materials and bed preparation required for the project.

B. Samples: Provide representative quantities of sandy loam soil, mulch, bed mix material, gravel, and crushed stone. Samples shall be approved by Architect before use on project.

C. Product Data: Submit complete product data and specifications on all other specified materials.

D. Submit three representative samples of each variety of ornamental trees, shrubs, and groundcover plants for Architect's approval. When approved, tag, install, and maintain as representative samples for final installed plant materials.

E. File Certificates of Inspection of plant material by state, county, and federal authorities with Architect, if required.

F. Soil Analysis: Provide sandy loam soil analysis if requested by the Architect.

PART 3 - EXECUTION

3.1 BED PREPARATION & FERTILIZATION

A. Landscape Contractor to inspect all existing conditions and report any deficiencies to the Owner.

B. All planting areas shall be conditioned as follows:

1. Prepare new planting beds by scraping away existing grass and weeds as necessary. Till existing soil to a depth of six (6") inches prior to placing compost and fertilizer. Apply fertilizer as per manufacturers recommendations. Add six (6") inches of compost and till into a depth of six (6") inches of the topsoil. Apply organic fertilizer such as Sustane or Green Sense at the rate of twenty (20) pounds per one thousand (1,000) square feet.
2. All planting areas shall receive a two (2") inch layer of specified mulch.
3. Backfill for tree pits shall be as follows: Use existing top soil on site (use imported topsoil as needed) free from large clumps, rocks, debris, caliche, subsoils, etc., placed in nine (9") inch layers and watered in thoroughly.

C. Grass Areas:

1. Areas to be Solid Sod Bermudagrass: Blocks of sod should be laid joint to joint, (staggered joints) after fertilizing the ground first. Roll grass areas to achieve a smooth, even surface. The joints between the blocks of sod should be filled with topsoil where they are evidently gaped open, then watered thoroughly.
2. Areas to be Hydromulch Common Bermudagrass: Hydromulch with bermudagrass seed at a rate of two (2) pounds per one thousand (1,000) square feet. Use a 4' x 8' batter board against the bed areas.

3.2 INSTALLATION

A. Maintenance of plant materials shall begin immediately after each plant is delivered to the site and shall continue until all construction has been satisfactorily accomplished.

B. Plant materials shall be delivered to the site only after the beds are prepared and area ready for planting. All shipments of nursery materials shall be thoroughly protected from the drying winds during transit. All plants which cannot be planted at once, after delivery to the site, shall be well protected against the possibility of drying by wind and sun. Balls of earth of B & B plants shall be kept covered with soil or other acceptable material. All plants remain the property of the Contractor until final acceptance.

C. Position the trees and shrubs in their intended location as per plan.

D. Notify the Landscape Architect for inspection and approval of all positioning of plant materials.

E. Excavate pits with vertical sides and horizontal bottom. Tree pits shall be large enough to permit handling and planting without injury to balls of earth or roots and shall be of such depth that, when planted and settled, the crown of the plant shall bear the same relationship to the finish grade as it did to soil surface in original place of growth.

JOB CONDITIONS

A. General Contractor to complete the following punch list: Prior to Landscape Contractor initiating any portion of landscape installation, General Contractor shall leave planting bed areas three (3") inches below finish grade of sidewalks, drives and curbs as shown on the drawings. All lawn areas to receive solid sod shall be left one (1") inch below the finish grade of sidewalks, drives, and curbs. All construction debris shall be removed prior to Landscape Contractor beginning any work.

B. General Contractor shall provide topsoil as described in Section 02200 - Earthwork.

C. Storage of materials and equipment at the job site will be at the risk of the Landscape Contractor. The Owner cannot be held responsible for theft or damage.

1.6 MAINTENANCE AND GUARANTEE

A. Maintenance:

1. The Landscape Contractor will be held responsible for the maintenance of all work from the time of planting until final acceptance by the Owner. No trees, shrubs, groundcover or grass will be accepted unless they show a healthy growth and satisfactory foliage conditions.
2. Maintenance shall include watering of trees and plants, cultivation, weeding spraying, edging, pruning of trees, mowing of grass, cleaning up and all other work necessary of maintenance.
3. A written notice requesting final inspection and acceptance should be submitted to the Owner at least seven (7) days prior to completion. An on-site inspection by Owner and Landscape Contractor will be completed prior to written acceptance.
4. After final acceptance of installation, the Landscape Contractor will not be required to do any of the above listed work.

B. Guarantee:

1. Trees shall be guaranteed for a twelve (12) month period after acceptance. Shrubs and groundcover shall be guaranteed for twelve (12) months. The Contractor shall replace all dead materials as soon as weather permits and upon notification of the Owner. Plants, including trees, which have partially died so that shape, size, or symmetry has been damaged, shall be considered subject to replacement. In such cases, the opinion of the Owner shall be final.
   a. Plants used for replacement shall be of the same size and kind as those originally planted and shall be planted as originally specified. All work, including materials, labor and equipment used in replacements, shall carry a twelve (12) month guarantee. Any damage, including ruts in lawn or bed areas, incurred as a result of making replacements shall be immediately repaired.
   b. At the direction of the Owner, plants may be replaced at the start of the next year's planting season. In such cases, dead plants shall be removed from the premises immediately.
   c. When plant replacements are made, plants, soil mix, fertilizer and mulch are to be utilized as originally specified and reinspected for full compliance with Contract requirements. All replacements are to be included under "Work" of this section.

F. Shrub and tree pits shall be no less than two (2') feet, twenty-four (24") inches, wider than the lateral dimension of earth ball and six (6") inches deeper than it's vertical dimension. Remove and haul from site all rocks and stones over one (1") inch in diameter. Plants should be thoroughly moist before removing containers.

G. Dig a wide, rough sided hole exactly the same depth as the height of the ball, especially at the surface of the ground. The sides of the hole should be rough and jagged, never slick or glazed.

H. Percolation Test: Fill the hole with water. If the water level does not percolate within 24 hours, the tree needs to move to another location or have drainage added. Install a PVC stand pipe per tree planting detail as approved by the Landscape Architect.

I. Backfill only with 5 parts existing soil or sandy loam and 1 part bed preparation. When the hole is dug in solid rock, topsoil from the same area should not be used. Carefully settle by watering to prevent air pockets. Remove the burlap from the top 1/3 of the ball, as well as all nylon, plastic string and wire mesh. Container trees will usually be pot bound, if so follow standard nursery practice of 'root scoring'.

J. Do not wrap trees.

K. Do not over prune.

L. Mulch the top of the ball. Do not plant grass all the way to the trunk of the tree. Leave the area above the top of the ball and mulch with at least two (2") inches of specified mulch.

M. All plant beds and trees to be mulched with a minimum settled thickness of two (2") inches over the entire bed or pit.

N. Obstruction below ground: In the event that rock, or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this section, alternate locations may be selected by the Owner. Where locations cannot be changed, the obstructions shall be removed to a depth of not less than three (3') feet below grade and no less than six (6") inches below the bottom of ball when plant is properly set at the required grade. The work of this section shall include the removal from the site of such rock or underground obstructions encountered at the cost of the Landscape Contractor.

O. Trees and large shrubs shall be staked as site conditions require. Position stakes to secure tree against seasonal prevailing winds.

P. Pruning and Mulching: Pruning shall be directed by the Architect and shall be pruned in accordance with standard horticultural practice following Fine Pruning, Class I pruning standards provided by National Arborist Association.

1. Dead wood or suckers and broken badly bruised branches shall be removed. General tipping of the branched is not permitted. Do not cut terminal branches.
2. Pruning shall be done with clean, sharp tools.
3. Immediately after planting operations are completed, all tree pits shall be covered with a layer of organic material two (2") inches in depth. This limit of the organic material

Q. Steel Curbing Installation:

1. Curbing shall be aligned as indicated on plans. Stake out limits of steel curbing and obtain Owners approval prior to installation.
2. All steel curbing shall be free of kinks and abrupt bends.
3. Top of curbing shall be 3/4" maximum height above grade.
1. Stakes are to be installed on the planting bed side of the curbing, as opposed to the grass side.
2. Do not install steel edging along sidewalks.
3. Cut steel edging at 45 degree angle where edging meets sidewalk.

3.3 CLEANUP AND ACCEPTANCE

A. Cleanup: During the work, the premises shall be kept neat and orderly at all times. Storage areas for all materials shall be so organized that they, too, are neat and orderly. All trash and debris shall be removed from the site as work progresses. Keep paved areas clean by sweeping or hosing at end of each days work.

END OF SECTION

2. The Owner agrees that for the guarantee to be effective, he will water plants at least twice a week during dry periods and cultivate beds once a month after final acceptance.
3. The above guarantee shall not apply where plants die after acceptance because of injury from storms, hail, freeze, insects, diseases, injury by humans, machines or theft.
4. Acceptance for all landscape work shall be given after final inspection by the Owner provided the job is in a completed, undamaged condition, and there is a stand of grass in all lawn areas. At this time, the Owner will assume maintenance on the accepted work.

C. Repairs: Any necessary repairs under the Guarantee must be made within ten (10) days after receiving notice, weather permitting, and in the event the Landscape Contractor does not make repairs accordingly, the Owner, without further notice to Contractor, may provide materials and men to make such repairs at the expense of the Landscape Contractor.

1.7 QUALITY ASSURANCE

A. General: Comply with applicable Federal, State, County and Local regulations governing landscape materials and work

B. Personnel: Employ only experienced personnel who are familiar with the required work. Provide full time supervision by a qualified foreman acceptable to Landscape Architect.

C. Selection of Plant Material:

1. Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will insure the purchased materials will meet and/or exceed project specifications.
2. Landscape Architect will provide a key identifying each tree location on site. Written verification will be required to document material selection, source and delivery schedules to site.
3. Owner and/or Architect shall inspect all plant materials when reasonable at place of growth for compliance with requirements for genus, species, cultivar/variety, size and quality.
4. Owner and/or Architect retains the right to further inspect all plant material upon arrival at the site and during installation for size and condition of root balls, limbs, branching habit, insects, injuries, and latent defects.
5. Owner and/or Architect may reject unsatisfactory or defective material at any time during the process of work. Remove rejected materials from the site immediately. Plants damaged in transit or at job site shall be rejected.

1.8 PRODUCT DELIVERY, STORAGE AND HANDLING

A. Preparation:

1. Balled and Burlapped (B&B) Plants: Dig and prepare shipment in a manner that will not damage roots, branches, shape, and future development.
2. Container Grown Plants: Deliver plants in rigid container to hold ball shape and protect root mass.

A. Delivery:

1. Deliver packaged materials in sealed containers showing weight, analysis and name of manufacturer. Protect materials from deterioration during delivery and while stored at site.
2. Deliver only plant materials that can be planted in one day unless adequate storage and watering facilities are available on job site.
3. Protect root balls by heeling in with sawdust or other approved moisture retaining material if not planted within 24 hours of delivery.
4. Protect plants during delivery to prevent damage to root balls or desiccation of leaves. Keep plants moist at all times. Cover all materials during transport.
5. Notify Architect of delivery schedule 72 hours in advance so plant material may be observed upon arrival at job site.
6. Remove rejected plant material immediately from site.
7. To avoid damage or stress, do not lift, move, adjust to plumb, or otherwise manipulate plants by trunk or stems.

PART 2 - PRODUCTS

2.1 PLANTS

A. General: Well-formed No. 1 grade or better nursery grown stock. Listed plant heights are from tops of root balls to nominal tops of plants. Plant spread refers to nominal outer width of the plant, not to the outer leaf tips. Plants will be individually approved by the Architect and his decision as to their acceptability shall be final.

B. Quantities: The drawings and specifications are complimentary. Anything called for on one and not the other is as binding as if shown and called for on both. The plant schedule is an aid to bidders only. Confirm all quantities on plan.

C. Quality and size: Plant materials shall conform to the size given on the plan, and shall be healthy, symmetrical, well-shaped, full branched, and well rooted. The plants shall be free from injurious insects, diseases, injuries to the bark or roots, broken branches, objectionable disfigurements, insect eggs and larvae and are to be of specimen quality.

D. Approval: All plant materials shall be subject to the approval of the Owner. All plants which are found unsuitable in growth, or in any unhealthy, badly shaped, or undersized condition, will be rejected by the Landscape Architect, either before or after planting, and shall be removed at the expense of the Landscape Contractor and replaced with acceptable plants as specified.

E. Trees shall be healthy, full-branched, well-shaped and shall meet the trunk diameter and height requirements of the plant schedule. Balls shall be firm, neat, slightly tapered, and well wrapped in burlap. Any tree loose in the ball or with broken ball at time of planting will be rejected. Balls shall be ten (10") inched in diameter for each one (1") inch of trunk diameter, Measured six (6") inched above ball.
Nomenclature conforms to the customary nursery usage: for clarification, the term "multi-trunk" defines a plant having three (3) or more trunks of nearly equal diameter.

F. Pruning: All pruning of trees and shrubs, as directed by the Landscape Architect, shall be executed by the Landscape Contractor at no additional cost to the Owner.

2.2 SOIL PREPARATION MATERIALS

A. Sandy Loam:

1. Friable, fertile, dark, loamy soil, free of clay lumps, subsoil, stones and other extraneous material and reasonably free of weeds and foreign grasses. Loam containing Dallasgrass or Nutgrass shall be rejected.
2. Physical properties as follows:
   Clay – between 7-27 percent
   Silt – between 15-25 percent
   Sand – less than 52 percent
3. Organic matter shall be 3%-10% of total dry weight.
4. If requested, provide a certified soil analysis conducted by an approved soil testing laboratory verifying that sandy loam meets the above requirements.

B. Organic Material: Compost with a mixture of 80% vegetative matter and 20% animal waste. Ingredients should be a mix of course and fine textured material.

C. Premixed Bedding Soil as supplied by Vital Earth Resources, Gladewater, Texas; Professional Bedding Soil as supplied by Living Earth Technology, Dallas, Texas or Acid Gro Municipal Mix as supplied by Soil Building Systems, Dallas, Texas or approved equal.

D. Sharp Sand: Sharp sand must be free of seeds, soil particles and weeds.

E. Mulch: Double Shredded Hardwood Mulch, partially decomposed, dark brown. Living Earth Technologies or approved equal.

F. Organic Fertilizer: Fertilaid, Sustane, or Green Sense or equal as recommended for required applications. Fertilizer shall be delivered to the site in original unopened containers, each bearing the manufacturer's guaranteed statement of analysis.

A. Commercial Fertilizer: 10-20-10 or similar analysis. Nitrogen source to be a minimum 50% slow release organic Nitrogen (SCU or UF) with a minimum 8% sulphur and 4% iron, plus micronutrients.

B. Peat: Commercial sphagnum peat moss or partially decomposed shredded pine bark or other approved organic material.

2.3 MISCELLANEOUS MATERIALS

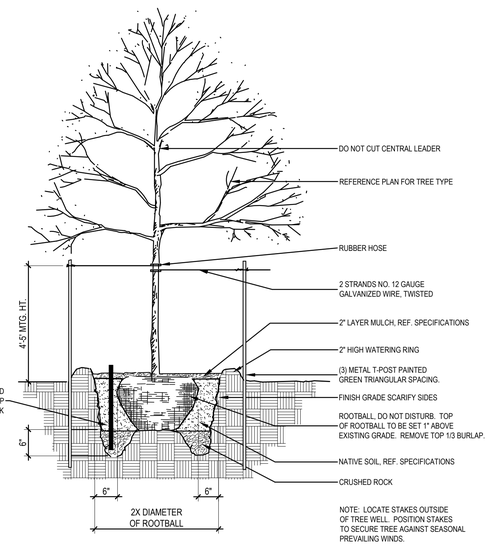
A. Steel Edging: Shall be Ryerson "Estate Curbing", 1/8" x 4" with stakes 4' on center.

B. Staking Material for Shade Trees:

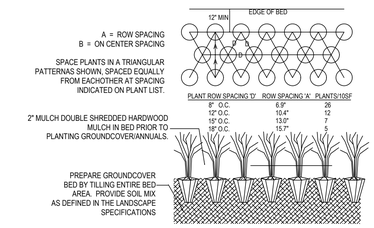
1. Post: Studded T-Post, #1 Armco with anchor plate; 6'-0" length; paint green.
2. Wire: 12 gauge, single strand, galvanized wire.
3. Rubber hose: 2 ply, fiber reinforced hose, minimum ½ inch inside diameter. Color: Black.

C. Gravel: Washed native pea gravel, graded 1 in. to 1-1/2 in.

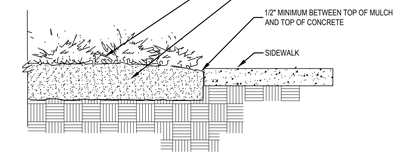
D. Filter Fabric: Mirafi 140N by Celanese Fibers Marketing Company, available at Lofland Co., (214) 631-5250 or approved equal.



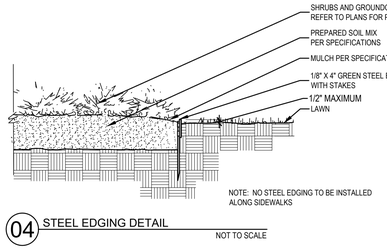
01 TREE PLANTING DETAIL — NOT TO SCALE



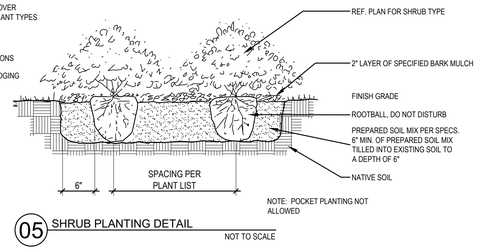
02 GROUNDCOVER PLANTING DETAIL — NOT TO SCALE



03 SIDEWALK / MULCH DETAIL
no steel along sidewalks — NOT TO SCALE



04 STEEL EDGING DETAIL — NOT TO SCALE



05 SHRUB PLANTING DETAIL — NOT TO SCALE

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1782 W. McDERMOTT DR.
ALLEN, TEXAS 75013
(469) 369-4448
CHRIS@STUDIOGREENSPOT.COM

REGISTERED LANDSCAPE ARCHITECT CHRIS TRONZANO 2042 STATE OF TEXAS

07.27.2023

FIRST STATE BANK
NORTH INTERSTATE HIGHWAY 75
SERVICE ROAD
SHERMAN, TEXAS

ISSUE:
FOR APPROVAL 07.27.2023

DATE:
07.27.2023

SHEET NAME:
LANDSCAPE PLAN

SHEET NUMBER:
L.2

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

First State Bank
2629 N. Loy Lake Road
Sherman, TX 75090

Eikon Consulting Group
Ian Norfork, PE
500 Moseley Road
Cross Roads, TX 76227

Dear Applicants,

The request of Site Plan of First State Bank located in the 500 Block North US Highway 75 has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Sign Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Article 14.07)*
5. The use of the property must comply with all Federal and State Laws and regulations and with all the ordinances, rules and regulations of the City of Sherman.
6. The property must be properly maintained in a state of good repair and neat appearance.
7. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

10. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154
11. City Engineering Department to be provided a filed copy of the Mutual Access Easement from Lot 1 of Replat of Block One of the Replat of Independence Square Addition-Section Two.
12. Detention ponds will be privately owned and maintained.
13. Civil Engineering plans shall be provided to the Engineering Department for review and approval.

Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.

Fire Services

14. 507.5.1.1 - Buildings equipped with a FDC installed in accordance shall have a fire hydrant within 100' of the fire department connections.
15. 905.3.9 - Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior is more than 200 feet (60960mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class 1 automatic wet or manual wet standpipes shall be provided. (City Ordinances Amendments 3.02.002)

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **13.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

2325 NORTH TRAVIS STREET (Project No. 23-003772)

The request of American Builders and Contractors Supply Co., Inc. (Owner), Vilbig and Associates (Representative/Consulting Engineers & Surveyors) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 2325 North Travis Street, consisting of 7.849 acres in the J.B. McAnair Survey, Abstract No. 763 and is currently zoned C-2 (General Commercial) District, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow Contractors or Construction Offices, Equipment Sales, Service, Rental and Repair, with Outdoor Storage in a C-2 (General Commercial) District.

Background:

The property is located at 2325 North Travis Street between East Taylor Street and East Lamberth Road. The property owner is requesting a Specific Use Permit for outdoor storage.

The following has been approved for this property:

- 4/11/2000 - Zone Change from a C-1 (Retail Business) District to C-2 (General Commercial) District
- 4/11/2000 – Specific Use Permit to allow construction equipment sales, service, rental and repair in a C-2 (General Commercial) District
- 6/20/2023 - Site Plan for ABC Supply Co., Inc.
- 6/20/2023 - Preliminary Plat of ABC Supply Addition, Lot 1, Block A

Adjacent Zoning:

C-1 (Retail Business) District
C-2 (General Commercial) District

Origination:

American Builders and Contractors Supply Co., Inc. (Owner)
Vilbig and Associates (Representative/Consulting Engineers & Surveyors)
Helvey-Wagner Surveying (Surveyor)

Master Plan Designation:

Regional Commercial category is intended to promote large-scale commercial development along US-75, while promoting community character through design. US-75 serves as the major gateway to and through the community; therefore, aesthetics and design should be promoted in this corridor. This category should allow large-scale commercial uses that serve the region and the community alike. A mix of uses and inter-connectivity between parcels should be encouraged

Number of notices mailed:

20

Objections Received:

0

Development Review Meeting:

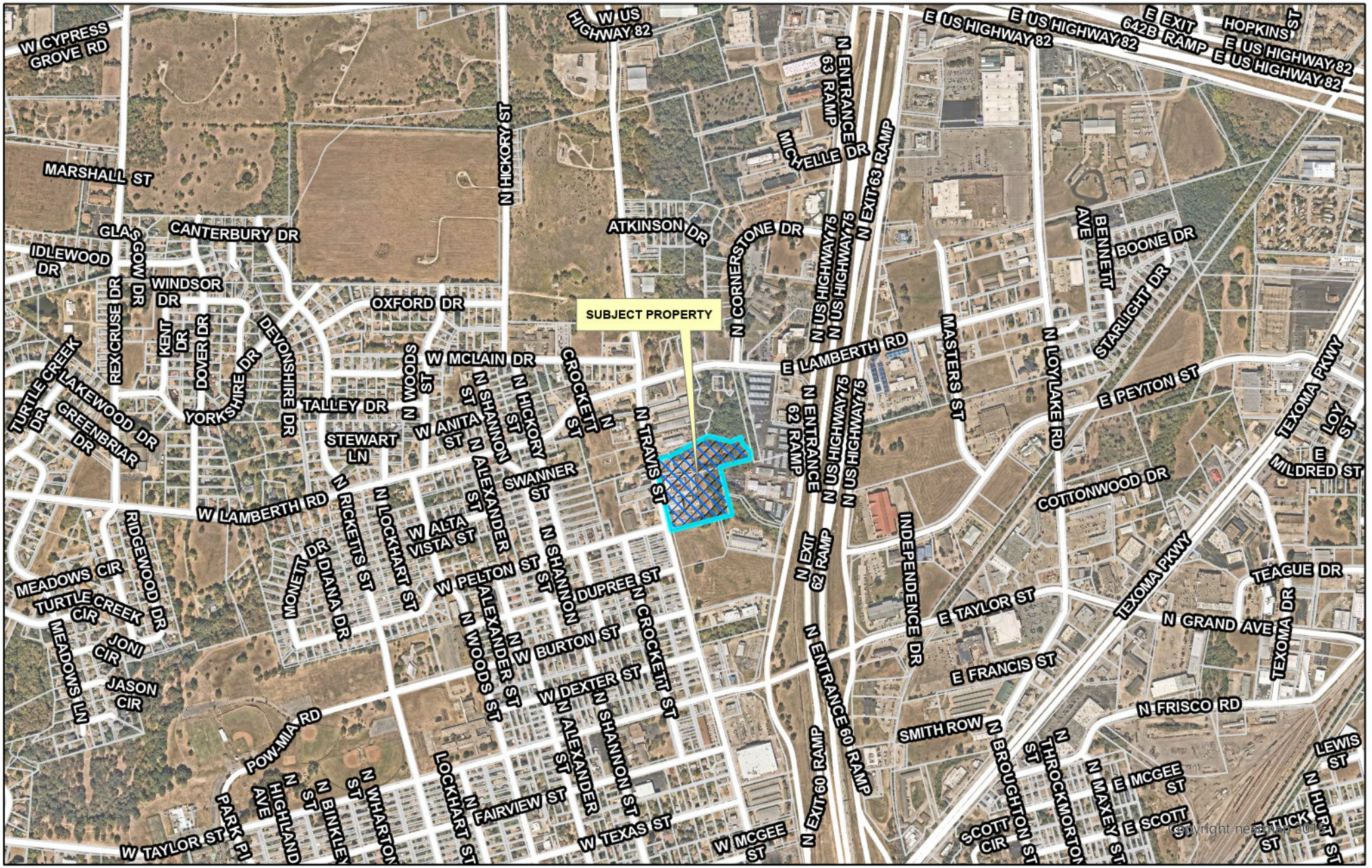
Yes

Staff Recommendation:

Staff recommends the approval of the specific use permit subject to the staff review letter.

Attachments

Location Map
Zoning Map
Property Notification Sign
FLUM
Narrative
Survey
Site Plan/Landscape
Elevations
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
2325 N TRAVIS ST

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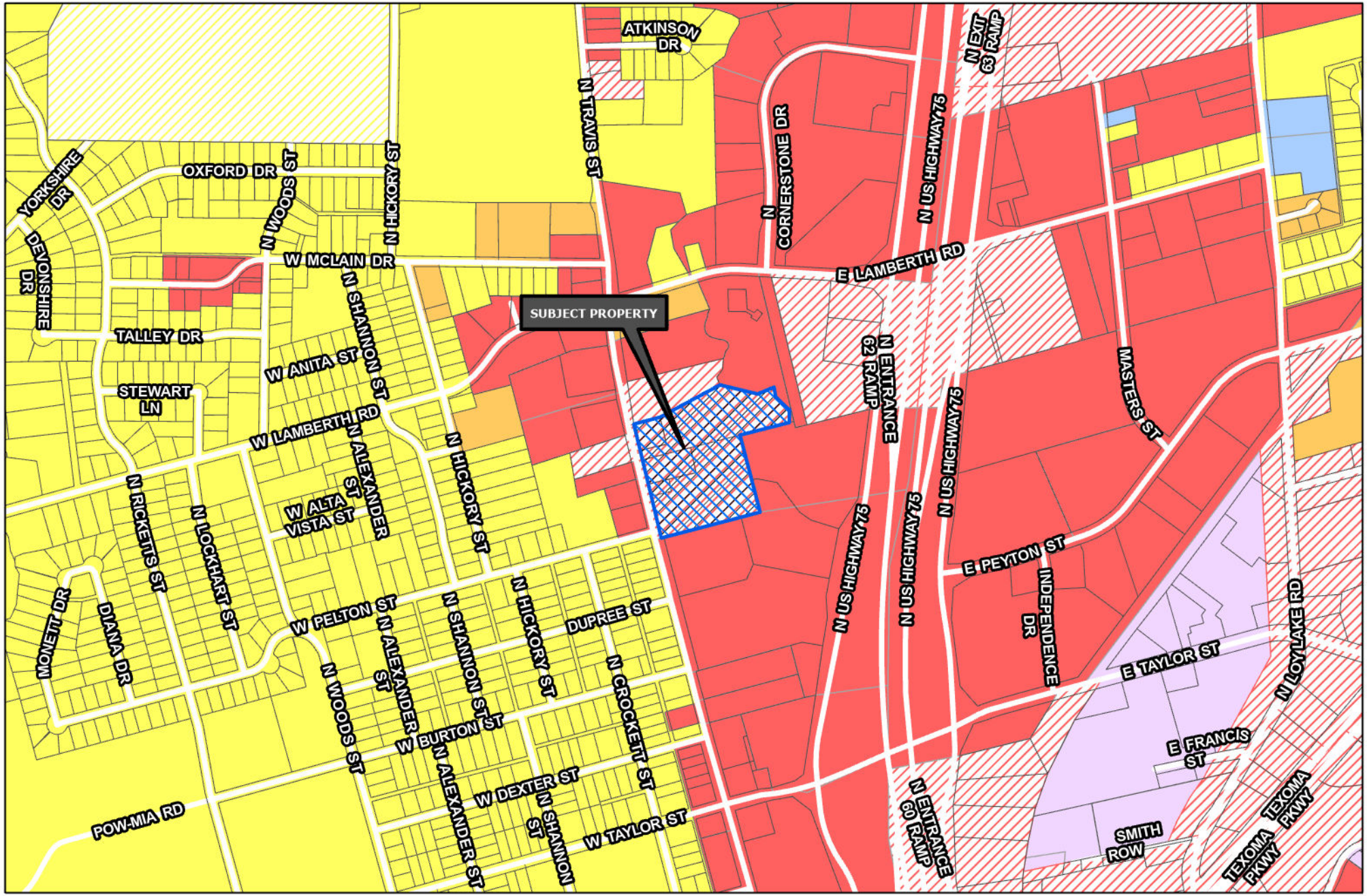
Date: 6/2/2023 1:57 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

Road Names All

CITY OF SHERMAN
ZONING MAP
2325 N TRAVIS ST

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Date: 6/2/2023 2:00 PM

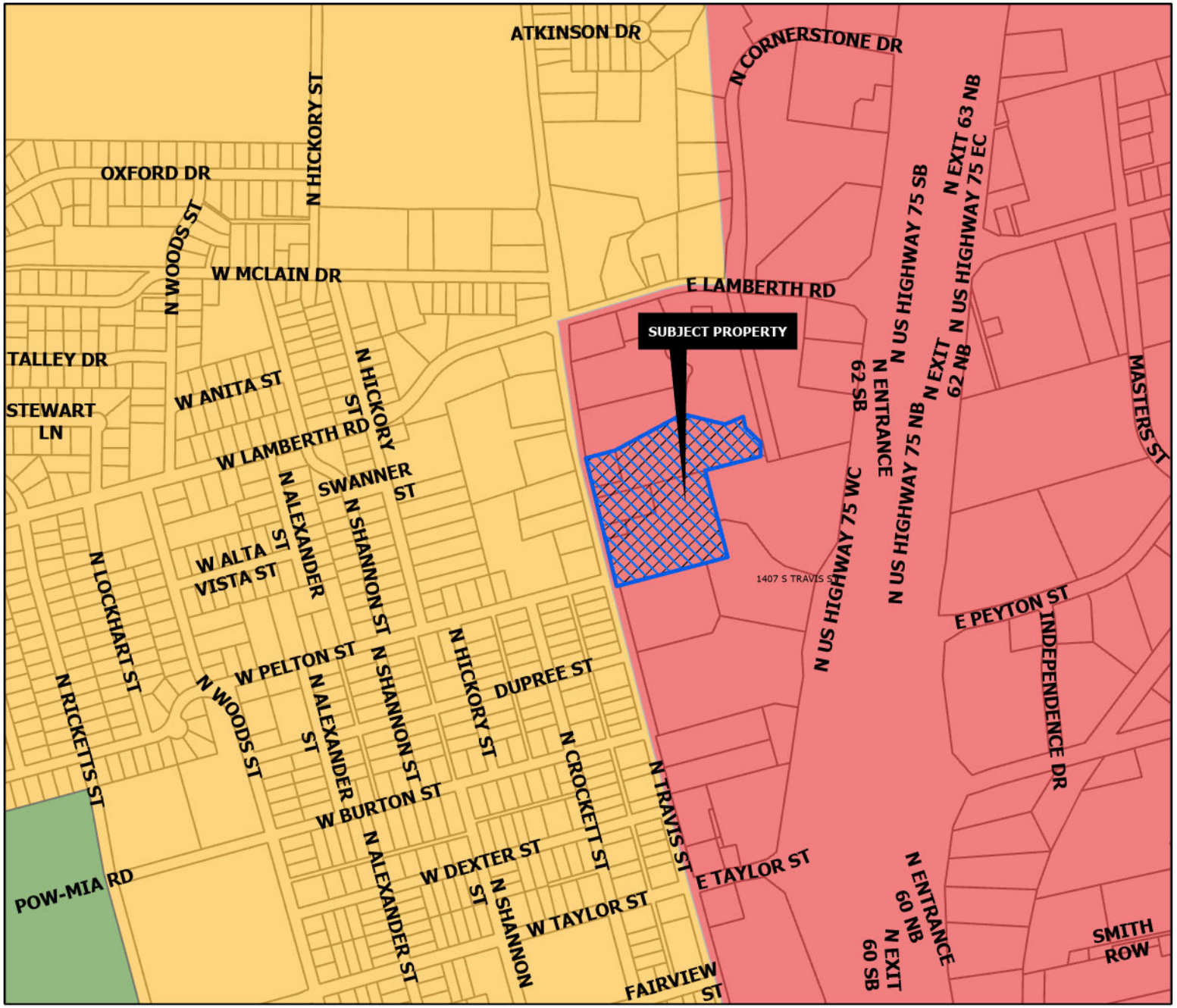
Sherman
CLASSIC TOWN. BROAD HORIZON.

NOTICE OF
SPECIFIC USE
PERMIT REQUEST

PROJECT #: 23-003772

FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229

07/03/2023 11:03



REGIONAL COMMERCIAL

Intent & Character

The Regional Commercial category is intended to promote large-scale commercial development along US-75, while promoting community character through design. US-75 serves as the major gateway to and through the community; therefore, aesthetics and design should be promoted in this corridor. This category should allow large-scale commercial uses that serve the region and the community alike. A mix of uses and inter-connectivity between parcels should be encouraged.

Appropriate Land Use Types

- Retail and Restaurants
- Multi-Family Living
- Office Complex
- Medical
- Mixed Use
- Indoor Entertainment

Compatible Zoning Districts

- Retail Business
- General Commercial
- Office
- Multi-Family Residential (MF-15 and MF-30)
- Planned Development (for larger tracts)

Considerations

- Site design considerations should be given to parking, landscaping, and building articulation.
- Where possible, parking should be screened from view or well-landscaped with native, drought-tolerant plants.
- All buildings facades fronting a public street or within significant public view should have aesthetically-pleasing horizontal and vertical articulation.
- Signage should be multi-tenant, where possible, and should match the character of the primary structure.
- High density residential should be included in mixed use developments.
- High density residential is appropriate behind commercial areas, with inter-connectivity.
- If high density is stand alone, the surrounding uses and connectivity should be considered to avoid an "island."

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
2325 N TRAVIS ST

N
W E
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Date: 6/27/2023 7:34 AM

06/21/2023

PROJECT NARRATIVE

ABC Supply (C2- Commercial) Sherman, TX we are applying for a Specific Use Permit to allow for outdoor storage.

Parcel Line Table		
Line #	Direction	Length
L1	N13°39'32"W	26.89'
L2	N12°35'12"W	200.41'
L3	N12°28'10"W	147.01'

Benchmark: square set in conc. Elevation: 751.70'

Legend:
- approximate flood hazard line
- W W W water line
- SS SS SS sanitary sewer line
- E E E overhead electrical line
- G G G gas pipeline
- T T T telecommunications line
- chain link fence
- GW guy wire
- SP service pole
- PP power pole
- LP light pole
- S sanitary sewer manhole
- CO clean out
- GLM gas line marker
- T telephone
- WM water meter
- GM gas meter

J.B. McAnair Survey
Abstract No. 763
Grayson County, Texas

approximate location of Zone "AE", 100-year flood hazard area as scaled from FEMA Flood Insurance Rate Map No. 48181C0290 F, Revised Date: September 29, 2010

Caskey Properties, LLC
3.47 Acres
Vol. 5424, Pg. 157
O.P.R.G.C.T.

Dwayne A. Ervin
Vol. 1187, Pg. 911
3157 acres
O.P.R.G.C.T.

EMAG Automotive
Sherman TX P2 LLC
1.85 Acres
("A-2" Tract Five)
Inst. No. 2020-5540
O.P.R.G.C.T.

point in creek
S78°37'59"E 137.69'
N65°14'31"E 86.25'
S17°22'13"E 426.45'
S48°16'06"E 91.44'
S01°09'14"E 61.83'
S73°55'54"W 263.01'
S14°39'08"E 381.73'
N72°36'17"E 504.37'

Center of Post Oak Creek
(see Note B)

5/8" capped rebar found (RPLS 5696)

1/2" capped rebar found (RPLS 5433)

1/2" rebar found

Lot 1, Block 1
Independence Square Addition
Section Three
City of Sherman, Texas
Vol. 10, Pg. 11, P.R.G.C.T.

Scale: 1"=100'

North

Travis Street

gravel

American Builders & Contractors Supply Co., Inc.
"called" 160'x105'
Inst. No. 2018-1322
O.P.R.G.C.T.

ingress/egress for private road purposes in Vol. 875, Pg. 442

covered conc.

FL:745.46'
30" RCP
12" RCP
FL:744.51'
FL:745.12'
FL:745.72'

American Builders & Contractors Supply Co., Inc
7.849 Acres
Vol. 5238, Pg. 780
O.P.R.G.C.T.

EMAG Automotive
Sherman TX P1 LLC
5.364 Acres
("A-1" Tract Four)
Inst. No. 2020-5534
O.P.R.G.C.T.

pull box

ff:751.35'

One Story Brick & Metal

126.0'
120.3'
30.6'
39.8'
40.4'
40.1'

BM

"X" cut found in conc. manhole

metal vault

One Story Stucco & Metal
ff:751.66'
100.5'

6" sign post

metal shed

FL:747.18'
12" CMP
FL:749.17'

L=220.51' R=5700.44'
Δ=2°12'59"
Chord=N13°41'49"W 220.49'

verizon pull box

approx. 20' drainage easement per Doc. No. 2020-90

1/2" rebar found

Branch Energy gas marker

Lot 1

S75°22'49"W 505.01'

5/8" capped rebar found (RPLS 5696)

pipe fence

see Note A

30' wide easement per Amendment of Easement to SemGas, LP in Vol. 5406, Pg. 664

1/2" rebar found
From which
5/8" capped rebar found (RPLS 5696) bears
S48°36'16"E-0.90'

25' drainage & utility easement per Doc. No. 2020-90

Lot 2

Replat of Lot 3, Block 2
Independence Square Addition
Section Three
City of Sherman, Texas
Doc. No. 2020-90 P.R.G.C.T.

Note A: Possible location of 10'x190' strip of land dedicated as a right-of-way to the City of Sherman and utility easement to Lone Star Gas in Vol. 1323, Pg. 428

Note B: The most Northern East property lines are determined by the existing centerline of creek, which was not located during the course of this survey. The placement of the property line along the creek is best fit by monumentation found, bearings/distances per deed and adjoining property lines.

Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone, as derived by survey-grade Global Positioning System.

Owner: American Builders & Contractors Supply Co., Inc.

Address: 2315/2325/2327 N. Travis
Sherman, Texas

This survey is for the sole benefit of the Owners stated hereon and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with the current Texas Society of Professional Surveyors Manual of Practice for a Category 1A, Condition 2, TSPS Land Title Survey and is a true and correct representation of the property shown hereon to the best of my knowledge and belief.

A portion of the subject property shown hereon lies within the limits of a Zone "AE" 100-year Flood Hazard Area, as scaled from the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 F, Revised Date: September 29, 2010.

STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
LAND SURVEYOR

Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: June 30, 2022

Job No. BGS650622

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

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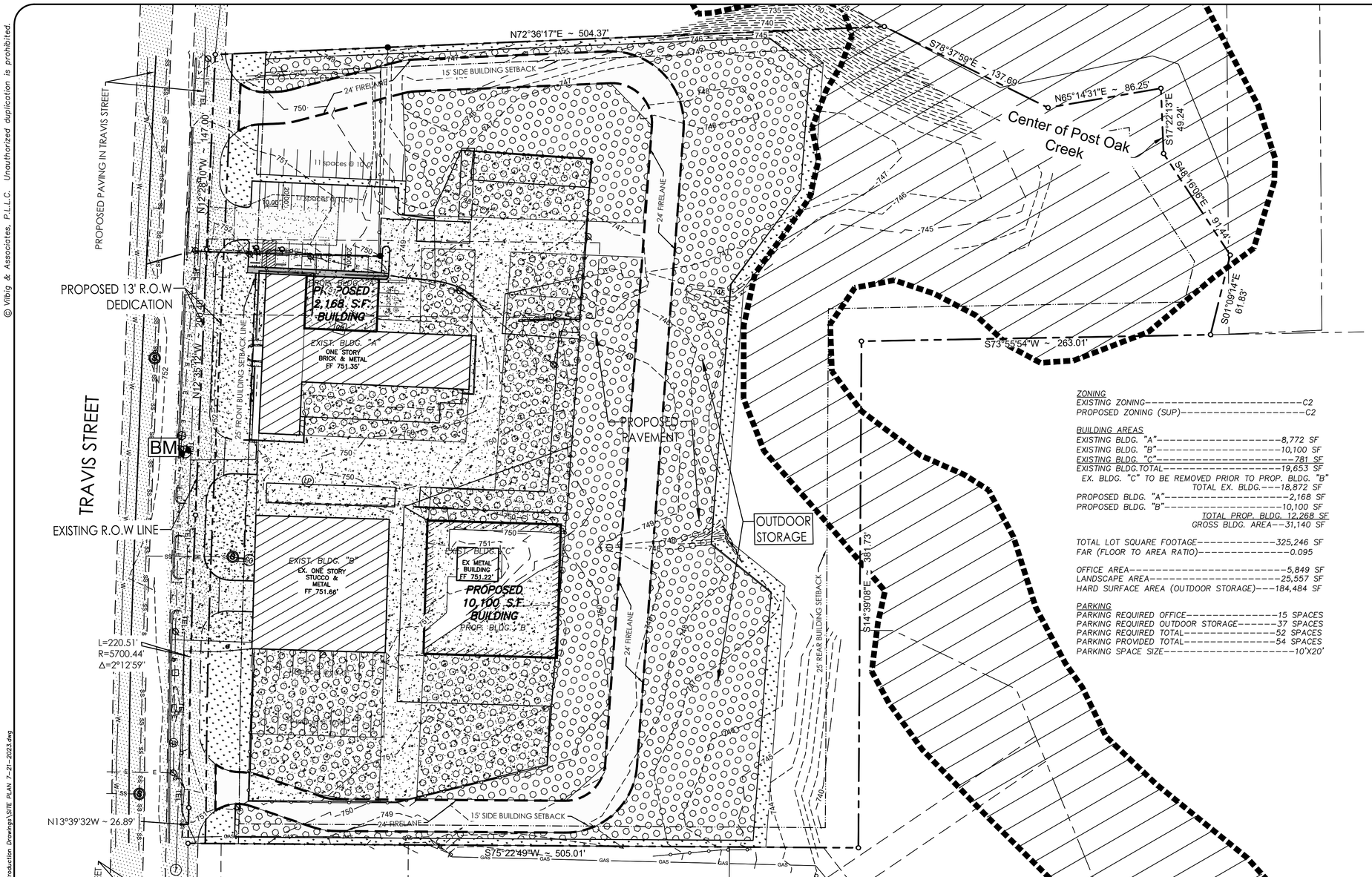


SITE PLAN NOTES

1) Boundary and Topographic Survey provided by Preston Trail Land Surveying.
2) Any revision to this plan will require City approval and will require revisions to any corresponding plans to avoid conflict between plans.
3) Dumpsters and trash compactors shall be screened in accordance with the City's Development Code.
4) Outdoor lighting shall comply with the lighting and glare standards contained within the City's Development Code.
5) Fire lanes shall be designed and constructed per City standards or as directed by the Fire Marshal.
6) Speed bumps/humps are not permitted within a fire lane.
7) Handicapped parking areas and building accessibility shall conform to the Americans with Disabilities Act (ADA) and with the requirements of the current, adopted Building Code.
8) All signage is subject to Building Official approval.
9) All fences and retaining walls shall be shown on the site plan and are subject to Building Official approval.
10) All exterior building materials are subject to Building Official approval and shall conform to the approved Façade/Building Elevation Plan.
11) Approval of the site plan is not final until all engineering plans are approved by the City Engineer.
12) All new electrical lines shall be installed and/or relocated underground.
13) All mechanical equipment shall be screened from public view with accordance with the City's Development Code.
14) Any landscaping located within the utility easements may be removed by the City to access utilities. The property owner will be responsible for replanting trees and/or shrubs.
15) 24.0' Fire lane shown as agreed by Fire Marshal.
16) Conduit for electrical lines to be placed by owner.

ZONING
EXISTING ZONING----------C2
PROPOSED ZONING (SUP)----------C2

BUILDING AREAS
EXISTING BLDG. "A"----------8,772 SF
EXISTING BLDG. "B"----------10,100 SF
EXISTING BLDG. "C"----------781 SF
EXISTING BLDG.TOTAL----------19,653 SF
EX. BLDG. "C" TO BE REMOVED PRIOR TO PROP. BLDG. "B"
TOTAL EX. BLDG.---18,872 SF
PROPOSED BLDG. "A"----------2,168 SF
PROPOSED BLDG. "B"----------10,100 SF
TOTAL PROP. BLDG. 12,268 SF
GROSS BLDG. AREA---31,140 SF

TOTAL LOT SQUARE FOOTAGE----------325,246 SF
FAR (FLOOR TO AREA RATIO)----------0.095

OFFICE AREA----------5,849 SF
LANDSCAPE AREA----------25,557 SF
HARD SURFACE AREA (OUTDOOR STORAGE)---184,484 SF

PARKING
PARKING REQUIRED OFFICE----------15 SPACES
PARKING REQUIRED OUTDOOR STORAGE------37 SPACES
PARKING REQUIRED TOTAL----------52 SPACES
PARKING PROVIDED TOTAL----------54 SPACES
PARKING SPACE SIZE----------10'X20'

0 40' 80' 120'
SCALE: 1" = 40'

PLAN LEGEND

- PROJECT BOUNDARY LINE
- BUILDING SETBACK
- 620 EXISTING CONTOUR LINES
- 618 EXISTING CONTOUR LINES
- ADJACENT SUBDIVISION BOUNDARIES
- OHE OVERHEAD ELECTRIC
- UGE UNDERGROUND ELECTRIC
- EW EW EXISTING WATER
- FIRE LANE
- X X WIRE FENCE
- PROPOSED 6' WOODEN FENCE
- FH FIRE HYDRANT

EXISTING ASPHALT

EXISTING CONCRETE

NEW PAVEMENT THICKNESS

3,500 PSI – 4" Concrete Sidewalk Pavement

4,000 PSI – 7" Concrete (at 28 days) over 6" Compacted Subgrade Compacted to 95% Standard Proctor Density

NEW GRASS AREAS

OUTDOOR STORAGE AREAS

PROGRESS PLOTS
FOR INTERIM DESIGN REVIEW ONLY
NOT FOR CONSTRUCTION
DATE: 7-13-2023

!!CAUTION!!
THERE MAY BE UNDERGROUND GAS LINES, TELEPHONE CABLES AND ELECTRICAL LINES WITHIN THE LIMITS OF SITE. EXACT LOCATIONS ARE UNKNOWN. CALL BEFORE DIGGING!

Texas 811

NO.	DATE	BY	DESCRIPTION

REVISIONS

VILBIG & ASSOCIATES, INC.
CONSULTING ENGINEERS & SURVEYORS
517 W. WOODARD STREET, DENISON, TX 75020
PHONE: (214) 352-7333 FAX (214) 352-0999
TEXAS ENG. FIRM # F-5614 & SURVEYING FIRM # 10030300

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF DAVID A. VILBIG, P.E., 67207 ON JULY 13, 2023. IT IS NOT TO BE USED FOR CONSTRUCTION, FINAL BID, OR PERMIT PURPOSES.

ABC SUPPLY CO. INC.
7.849 ACRES
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

SITE PLAN-SUP
ZONED - C2

SUBMITTAL #1: --/--/--
SUBMITTAL #2: --/--/--
SUBMITTAL #3: --/--/--
SUBMITTAL #4: --/--/--
DESIGN: DV/PN DRAWN: RS
CHECKED: DAV
SCALE: 1" = 40'
VA PROJECT NO: 1052-03

SHEET
SP 1

VERS. 7-21-2023

Aug 08, 2023 - 11:01am User: quincy X:\1052-03 ABC Supply Sherman\Civil 1052-03\Production Drawings\SITE PLAN 7-21-2023.dwg


ROOFIN
WINDOWS
ABC
Supply Co. inc.
GUTTER
SIDIN
05/22/2023


ABS
Supply Co. inc.
ROOFING
SIDING
WINDOWS
TOOLS
GUTTER
05/22/2023


ROOFING
WINDOWS
ABC
Supply Co. inc.
GUTTER
SIDING
05/22/2023

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

ABC Supply Co., Inc.
One ABC Parkway
Beloit, WI 53511

Helvey-Wagner Surveying, Inc
222 W. Main St.
Denison, TX 75020

Vilbig and Associates
517 W Woodard Street
Denison, TX 75020

Dear Applicants,

The request of a Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow Contractors or Construction Offices, Equipment Sales, Service, Rental and Repair, with Outdoor Storage in a C-2 (General Commercial) District located at 2325 North Travis Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Required parking or driveways must be paved concrete or asphalt. Additional parking above the required parking may be constructed with a pervious material as approved by the director of engineering. *(14.04.003(d)(1))*
4. No building shall exceed 35' in height. *(Sec. 14.02.017(4)(D))*
5. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
6. Sign Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Article 14.07)*
7. The use of the property must comply with all Federal and State Laws and Regulations and with all the Ordinances, Rules and Regulations of the City of Sherman.
8. The property must be properly maintained in a state of good repair and neat appearance.
9. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at-large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.
10. The granting of the Specific Use Permit has no effect on the uses permitted as of right and does not

waive the regulations of the underlying zoning district.

11. A Specific Use Permit is an amendment to the district regulations of the Zoning Ordinance that permits the establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure is discontinued or abandoned for a period of thirty (30) consecutive days in which event such Specific Use Permit shall be void and such use may not thereafter be resumed unless a new Specific Use Permit is granted in accordance with this section. *(Sec. 14.06.009(a)(1)(C))*
12. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
13. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

14. Platting of the property is required. Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004
15. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154
16. All requirements of the Floodplain Ordinance shall be followed. Code of Ordinances Chapter 3, Article 3.12
17. Encroachment Agreement may be required if planter encroaches into required 15' Utility, Landscape, and Sidewalk Easement along new Travis Street right-of-way. If required, instrument information for Encroachment Agreement to be shown on plat.
18. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)
19. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.

Fire Services

20. 905.3.9 - Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior is more than 200 feet (60960mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class 1 automatic wet or manual wet standpipes shall be provided. (City Ordinances Amendments 3.02.002)
21. 507.5.1.1 - Buildings equipped with a FDC installed in accordance shall have a fire hydrant within 100' of the fire department connections.
22. 503.1.1 - The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150' of all portions of non-sprinklered facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
23. 503.1.1 - The fire apparatus access road shall comply with the requirements of this section and shall extend to within 200' of all portions of a sprinklered facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
24. 503.2.4 - The minimum turning radius shall be at least 25' unless fire lane exceeds minimum requirement of 24'. (City Ordinances Amendments 3.01.002)
25. D103.1 - Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26', exclusive of shoulders.

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **14.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

18873 WEST HIGHWAY 82 (Project No. 23-004434)

The request of David Catching (Owner), Keith Barclift (Representative) and Helvey Wagner Surveying (Surveyor) concerning the property located at 18873 West Highway 82, consisting of 9.416 acres in the James M. Hambright Survey, Abstract 538, as follows:

Planning and Zoning Commission

A. Public Hearing and Zone Change from an R-A (Residential Agricultural) District to a C-2 (General Commercial) District/75&82 Overlay District.
B. Public Hearing, Specific Use Permit and Site Plan under Section 14.06.009 to allow Contractors or Construction Offices, Equipment Sales, Service, Rental and Repair, with Outdoor Storage in a C-2 (General Commercial) District/75&82 Overlay District.

Background:

The property is located at 18873 West Highway 82 between Mission Drive and Gall Hill Lane. The property owner is requesting a Zone Change from an R-A (Residential Agricultural) District to a C-2 (General Commercial) District/75&82 Overlay District; a Specific Use Permit and Site Plan for outdoor storage.

Adjacent Zoning:

R-A (Residential Agricultural) District
C-2 (General Commercial) District

Origination:

David Catching (Owner)
Keith Barclift (Representative)
Helvey Wagner Surveying (Surveyor)

Master Plan Designation:

Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Number of notices mailed:

10

Objections Received:

0

Development Review Meeting:

Yes

Staff Recommendation:

Staff recommends the approval of the zone change to C-2 (general commercial) and recommends approval of the specific use permit subject to the staff review letter.

Attachments

Location Map
Zoning Map
FLUM
Zoning Sign Photo
Narrative
Survey
Site Plan
Elevations
Equipment Photos
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

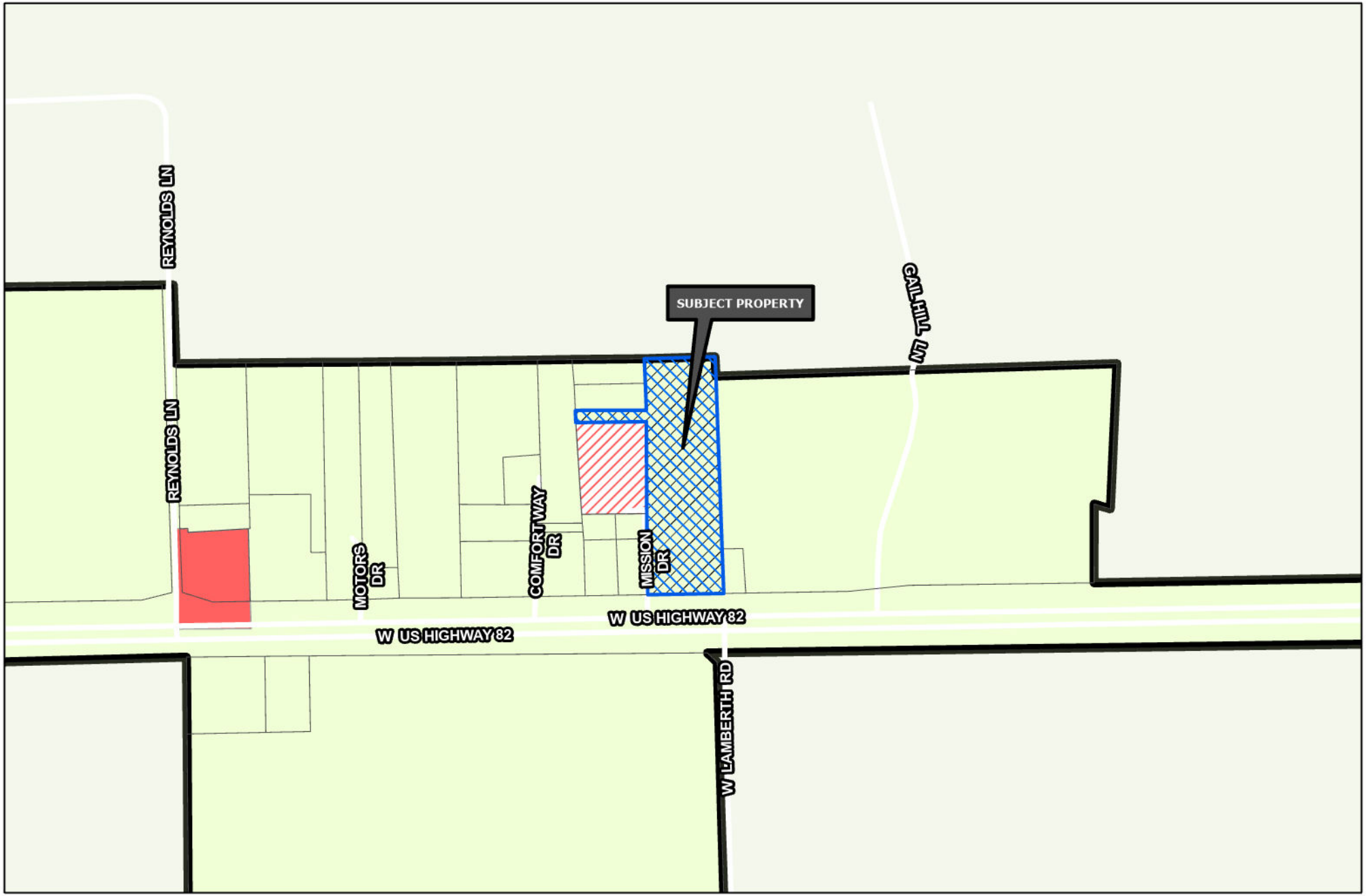
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
18873 W HWY 82

N
W E
S

Date: 8/6/2023 5:02 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

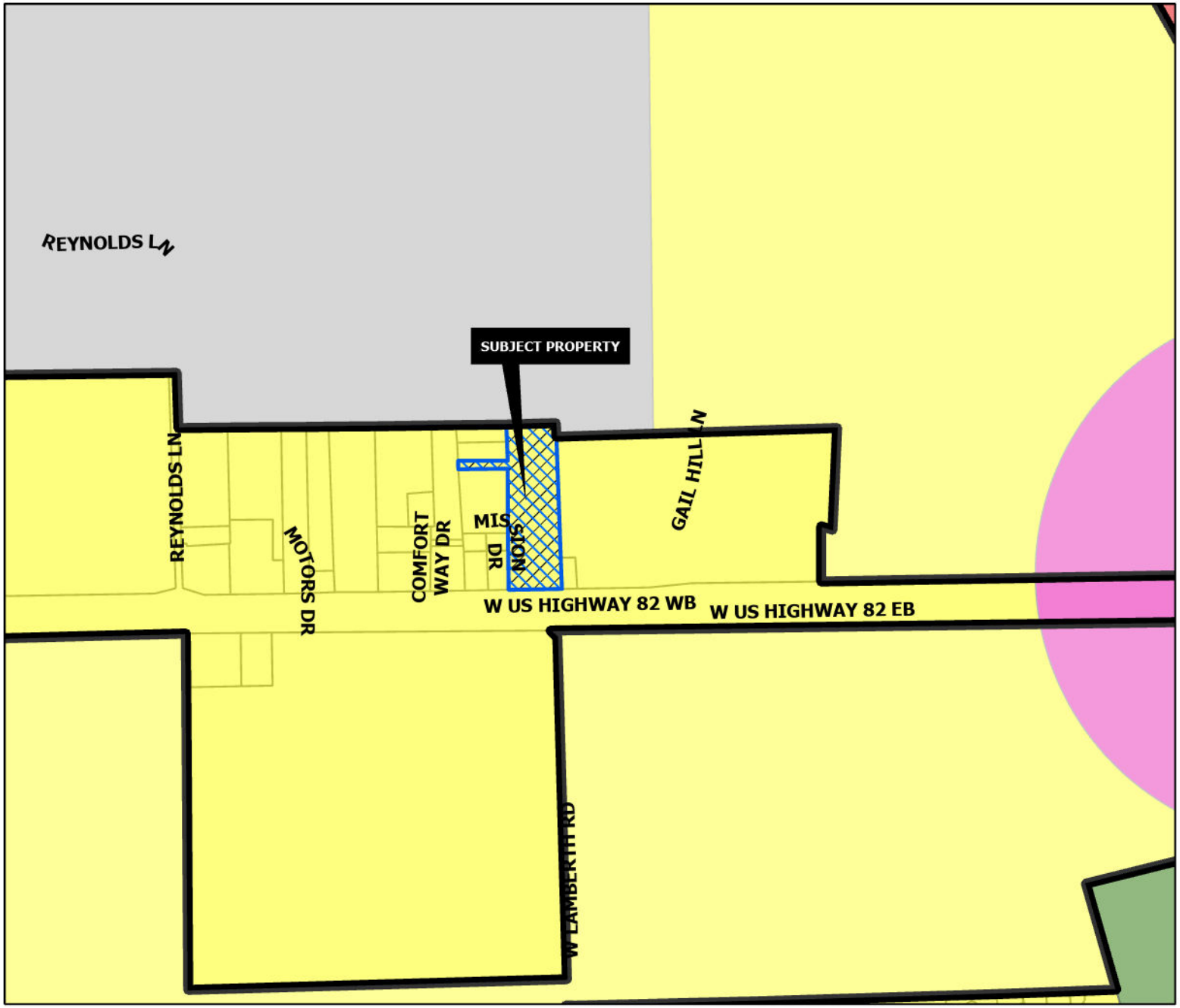
- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

Road Names All

CITY OF SHERMAN ZONING MAP 18873 W HWY 82

N
W E
S

Date: 8/6/2023 5:02 PM



SUBURBAN NEIGHBORHOOD

Intent & Character

The Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Appropriate Land Use Types

- Single-family detached (primary land use type)
- Single-family attached (duplexes and townhomes)
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Estate Residential
- Single-Family Residential (R-12, R-6, R-5, and R-4)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Neighborhood Commercial
- Planned Development

Considerations

- Street connections to existing and future developments.
- Smaller lots and denser development can serve as a transition from the local commercial areas.

Sherman
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Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
18873 W HWY 82

N
W E
S

Date: 8/6/2023 5:02 PM

Marlow, Lauren

From: laurenm@cityofsherman.com
To: Drew Hall
Subject: RE: Pre-Development Meeting Request - 18873 US-82, Sherman, TX 75092

From: Drew Hall
Sent: Tuesday, August 8, 2023 1:32 PM
To: Marlow, Lauren
Cc: Pranavi Koka; Keith Barclift
Subject: Re: Pre-Development Meeting Request - 18873 US-82, Sherman, TX 75092

Good Afternoon Lauren,

Please see attached photo of the allotted sign in front of the property at 18873 US-83. There is also a time stamp of 8/8/23 at 1:07 PM at the top of the image. Please let me know if there is anything further we need to provide.



Thanks,

Bowman

August 8, 2023
Project # 070711-01-001

City of Sherman
Rob Rae
Director of Development Services
220 W. Mulberry
Sherman, TX 75090

RE: EquipmentShare – 18873 US-82, Sherman, TX 75090
Project Narrative

Dear Mr. Rae:

EquipmentShare is a nationwide construction solutions provider dedicated to solving industry pain points through smart jobsite technology and equipment rental, retail, and service centers. More than a rental company, EquipmentShare's cloud-connected platform is powered by telematics and machine hardware to give construction and industrial companies a real-time view into the jobsite. The method of distribution of this technology is a fleet of construction equipment available for both large-scale general contractors and everyday home builders. We are exploring this property for a new equipment rental facility which would consist of using the site as is and operate through the existing metal building.
The zoning for this location is R-A (Residential Agriculture) District. We are looking to rezone this property to C-2 and apply for a special use permit to allow for equipment sales, service, rental and repair with outdoor storage.

The intent of this letter is to request a specific use permit and rezoning for the equipment rental store with outdoor storage. The developer is committed to a development that upholds high quality and innovative site designs compatible with the surrounding business community. The project will provide employment opportunities as well as a source of tax revenue for the City of Sherman.

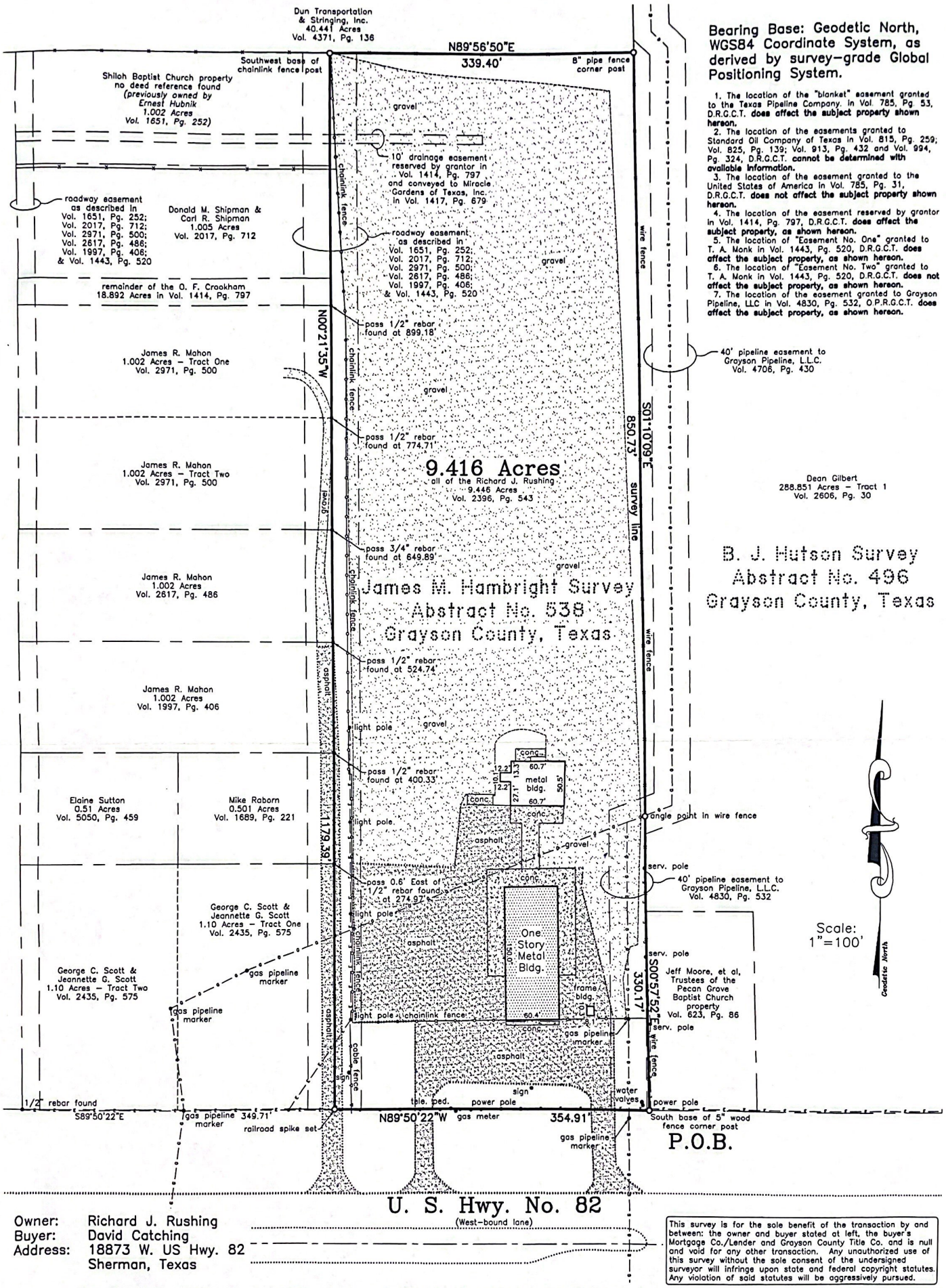
We appreciate your consideration for this specific use application and rezoning application. Should you have any questions or concerns, please do not hesitate to contact me at (972) 497-2991 or pkoka@bowman.com

Sincerely,



Pranavi Koka
Project Manager
Bowman Consulting Group
pkoka@bowman.com

2805 Dallas Parkway, Suite 310, Plano, TX 75093



Bearing Base: Geodetic North, WGS84 Coordinate System, as derived by survey-grade Global Positioning System.

1. The location of the "blanket" easement granted to the Texas Pipeline Company. in Vol. 785, Pg. 53, D.R.G.C.T. **does affect the subject property shown hereon.**
2. The location of the easements granted to Standard Oil Company of Texas in Vol. 815, Pg. 259; Vol. 825, Pg. 139; Vol. 913, Pg. 432 and Vol. 994, Pg. 324, D.R.G.C.T. **cannot be determined with available information.**
3. The location of the easement granted to the United States of America in Vol. 785, Pg. 31, D.R.G.C.T. **does not affect the subject property shown hereon.**
4. The location of the easement reserved by grantor in Vol. 1414, Pg. 797, D.R.G.C.T. **does affect the subject property, as shown hereon.**
5. The location of "Easement No. One" granted to T. A. Monk in Vol. 1443, Pg. 520, D.R.G.C.T. **does affect the subject property, as shown hereon.**
6. The location of "Easement No. Two" granted to T. A. Monk in Vol. 1443, Pg. 520, D.R.G.C.T. **does not affect the subject property, as shown hereon.**
7. The location of the easement granted to Grayson Pipeline, LLC in Vol. 4830, Pg. 532, O.P.R.G.C.T. **does affect the subject property, as shown hereon.**

Owner: Richard J. Rushing
Buyer: David Catching
Address: 18873 W. US Hwy. 82
Sherman, Texas

This survey is for the sole benefit of the transaction by and between: the owner and buyer stated at left, the buyer's Mortgage Co./Lender and Grayson County Title Co. and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Billy F. Helvey, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove under my personal and direct supervision, that visible and observable evidence of easements or rights-of-way that were detected during the course of this survey are shown hereon, that the plat substantially complies with the Current Minimum Standards for Professional Land Surveyors, as adopted by the Texas Board of Professional Land Surveying and is a true and correct representation of the property shown hereon.

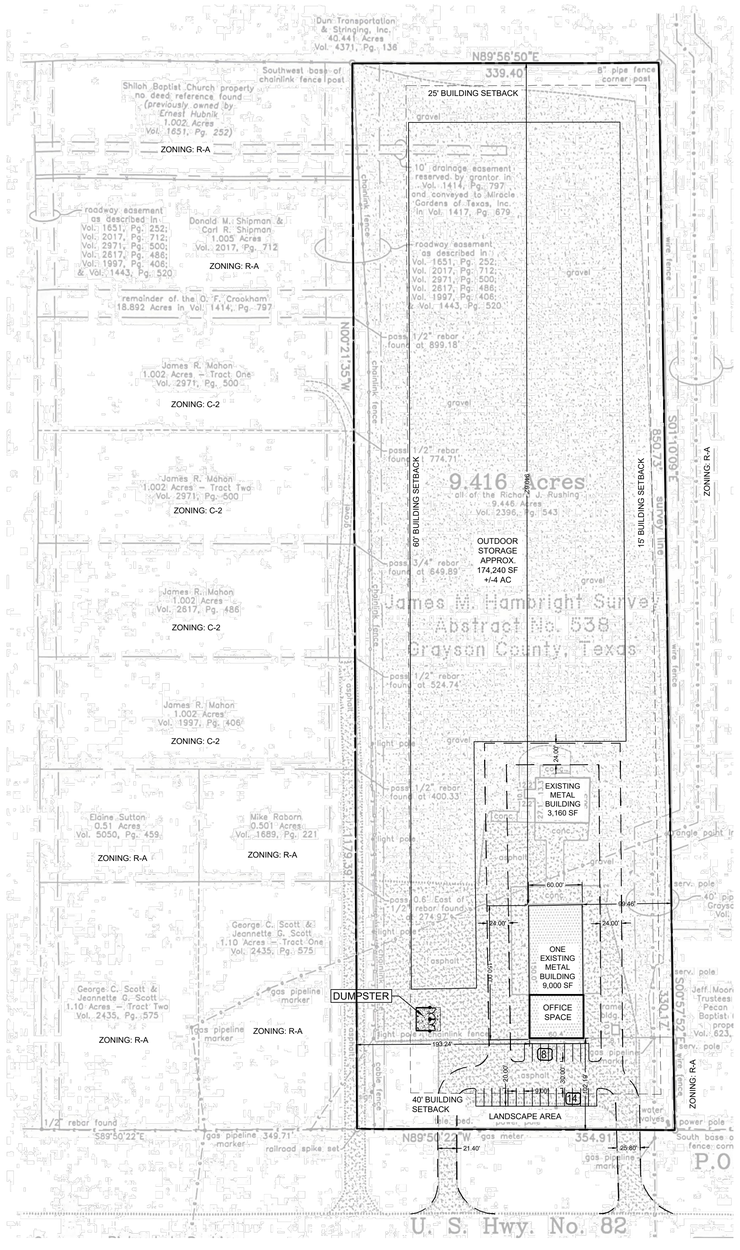
The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0270 F, Revised Date: September 29, 2010.

Helvey & Associates Surveying, Inc.
222 W. Main St.
Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088

Billy F. Helvey, R. P. L. S. No. 4488

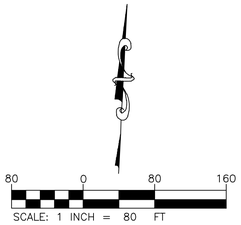
Copyright Date: April 20, 2012

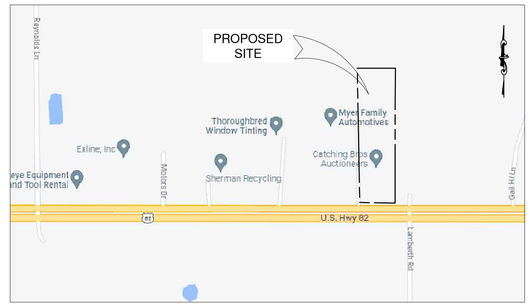
C:\Land Projects R2\9-Acres-James-M-Hambright-Survey-for-David-Catching\dwg\18873-W-US-Hwy-82.dwg 4/20/2012 3:12:30 PM CDT



SITE DATA TABLE

POJECT NAME	EQUIPMENT SHARE
ZONING	C-2 (GENERAL COMMERCIAL)
PROPOSED USE	LIGHT INDUSTRIAL
LOT AREA/SF AND AC	410,161 SF/9.416 AC
BUILDING AREA (GROSS SQUARE FOOTAGE)	9,000 SF (MAIN BUILDING)/3,160 SF (ACCESORY BUILDING) = 12,160 SF
BUILDING HEIGHT (FEET AND NUMBER OF STORIES)	29'-3.5" FT (1-STORY)
LOT COVERAGE	2.19%
FLOOR AREA RATIO (FOR NON-RESIDENTIAL ZONING)	0.02
TOTAL PARKING REQUIRED (WITH RATIO)	1 PARKING SPACE PER 400 SF OF GFA
TOTAL PARKING REQUIRED	1:400 = 9,000/400 = 23
TOTAL PARKING PROVIDED	23
BUILDING SETBACK	25' (NORTH & SOUTH)/15' (EAST & WEST)
LANDSCAPE AREA	5,359 SF
IMPERVIOUS LAND COVER	350,163 SF / 85.3%
PERVIOUS LAND COVER	60,094 SF / 14.7%





LOCATION MAP
NTS

FLOOD STATEMENT

ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) MAP NO.48181C0270G DATED SEPTEMBER 1, 2022 PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR GRAYSON COUNTY, TEXAS, THIS PROPERTY IS WITHIN ZONE X.

PROPOSED LEGEND

- PROPOSED BUILDING
- PROPERTY LINE
- EASEMENT LINE
- PROPOSED CURB & GUTTER
- FIRE LANE
- BUILDING SETBACK
- LANDSCAPE BUFFER
- CONCRETE SIDEWALK

Bowman
TBPE Firm Registration No: F-14309
2805 Dallas Parkway
Suite 310
Plano, Texas 75093
Phone: (972) 497-2590
Fax: (512) 327-4062
www.bowman.com

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REVISIONS		
REVISION	DESCRIPTION	DATE
---	---	---
---	---	---

SITE PLAN

EQUIPMENT SHARE - SHERMAN
18873 US HWY 82
SHERMAN, TX 75092

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW, MARK-UP, AND/OR DRAFTING UNDER THE AUTHORITY OF RYAN SAFFORD, P.E. #98417 ON AUGUST 7 2023. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

DESIGN	DRAWN	CHKD
PK	JR	RS

JOB No. 070711-01-001

SHEET
SP-1

Know what's below. Call before you dig.

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

PRELIMINARY NOT FOR CONSTRUCTION

V:\070711 - Equipment Share - Sherman, TX\070711-01-001 (ENG) - Equipment Share - Sherman, TX\Engineering\Engineering Plans\Sheet Sets\C1.0 - SITE PLAN.dwg, SITE PLAN, August 07, 2023, 10:21 AM, jryan


















SKYJACK
GS-3246


Genie TZ-34
55196
Genie
210051








TOYOTA





Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

Keith Barclift
5710 Bull Run Drive
Columbia, MO 65201

David Catching
101 E. Park Blvd, Ste. 1130
Plano, TX 75047

Dear Applicants,

The request of a Public Hearing and Zone Change from an R-A (Residential Agricultural) District to a C-2 (General Commercial) District/75&82 Overlay District and the request of a Public Hearing, Specific Use Permit and Site Plan under Section 14.06.009 to allow Contractors or Construction Offices, Equipment Sales, Service, Rental and Repair, with Outdoor Storage in a C-2 (General Commercial) District/75&82 Overlay District located at 18873 West Highway 82 has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares. *(Sec. 14.03.001(g)(4)(B))*
4. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at-large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device. *(Sec. 14.03.001(g)(4)(C))*
5. Required parking or driveways must be paved concrete or asphalt. Additional parking above the required parking may be constructed with a pervious material as approved by the director of engineering. *(Sec. 14.04.003(d)(1))*
6. No outside parking or storage of dismantled, junk or inoperable vehicles, equipment, wrecks, tires or parts are allowed.
7. The lifts on the front-end loaders shall be stored in the down position.
8. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
9. Chain link fences are not approved materials for screening in the 75 & 82 Overlay District. *(Sec. 14.03.001(g)(3))*
10. Barbed wire fences are not permitted in the City of Sherman. *(Sec. 8.02.003)*

11. New buildings or additions must comply with the building design requirements of the 75 & 82 Overlay District *(Sec. 14.03.001(d)*
12. Sign Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Article 14.07)*
13. The use of the property must comply with all Federal and State Laws and Regulations and with all the Ordinances, Rules and Regulations of the City of Sherman.
14. The property must be properly maintained in a state of good repair and neat appearance.
15. The granting of the Specific Use Permit has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
16. A Specific Use Permit is an amendment to the district regulations of the Zoning Ordinance that permits the establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure is discontinued or abandoned for a period of thirty (30) consecutive days in which event such Specific Use Permit shall be void and such use may not thereafter be resumed unless a new Specific Use Permit is granted in accordance with this section. *(Sec. 14.06.009(a)(1)(C))*
17. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
18. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering (Specific Use Permit)

19. Platting of the property is required if any building additions are made. Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004
20. West to East 24' Mutual Access Easement centered in parking lot drive lane to be dedicated upon platting of subject property. Code of Ordinances Chapter 10, Exhibit A, Sec. 12
21. Existing asphalt and fencing to be removed from existing roadway easement. Code of Ordinances, Chapter 14, Article 14.04
22. Roadway Easement to be dedicated as right-of-way upon platting. Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)
23. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154
24. Water main must be extended in accordance with City criteria to serve proposed Lot. Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)
25. City wastewater does not serve subject property. On-site sewage facility or extension of wastewater main by developer is required. Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)
26. If additional paved surface is constructed, privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)
27. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.

Fire Services

28. 503.2.4 - The minimum turning radius shall be at least 25' unless fire lane exceeds minimum requirement of 24' throughout. (City Ordinances Amendments 3.01.002)
29. 507.5.1 - Where a portion of the non-sprinklered facility or building hereafter constructed or moved into or within the jurisdiction is more than 400' from a hydrant on a fire apparatus access road, as

measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

30. 905.3.9 - Buildings Exceeding 10,000 sq. ft. In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior is more than 200 feet (60960mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class 1 automatic wet or manual wet standpipes shall be provided. (City Ordinances Amendments 3.02.002)
31. 507.5.1 - Where a portion of the sprinklered facility or building hereafter constructed or moved into or within the jurisdiction is more than 600' from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
32. 507.5.1.1 - Buildings equipped with a FDC installed in accordance shall have a fire hydrant within 100' of the fire department connections.

Solid Waste Services

33. All uses within the C-2 (General Commercial) District shall provide a screening device as an enclosure for garage and trash containers. Enclosure shall be constructed of masonry or similar durable material. *(Sec, 14.04.004(4))*

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **15.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

421 SOUTH MONTGOMERY STREET (Project No. 23-004435)

The request of Teresa Stewart (Owner) and Copley Land Survey (Surveyor) concerning the property located at 421 South Montgomery Street, consisting of 0.131 acres, in the Samuel Blagg Survey, Abstract No. 56, and is currently zoned MF-30 (Multi-Family Residential) District, as follows:

Board of Adjustment

Public Hearing and Variance under Section 14.02.012 to allow a 11.5' front setback in lieu of the required 25' for a Front Porch addition.

Background:

The property is located at 421 South Montgomery Street at the corner of South Montgomery Street and East Magnolia Street. The property owner is requesting an 11.5' front setback in lieu of the required 25' for a front porch addition.

The owner installed a new porch within the front setback without a permit on April 18, 2023. The Building Official left a Red Tag for the owner to stop all work and pull a building permit. On June 26, 2023 a Violation Letter was sent to the owner for the structure to be erected.

On August 8, 2023, building inspectors observed work being done again without permits. The owner was changing the size of the windows.

Adjacent Zoning:

MF-30 (Multi-Family Residential) District

Origination:

Teresa Stewart (Owner)
Copley Land Survey (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Floodplain & Open Space category is intended to preserve areas to handle stormwater and provide open space corridors for passive trail and recreation activities. These areas are not suitable for land development projects and buildings but may become future parkland managed by the City. These green corridors help protect the community from flood hazards and property damage and offer opportunity for trees, trails, and community connection. It should be noted that floodplains and floodways are regularly adjusted and reevaluated so the boundaries depicted for this land use category on the map should subsequently be interpreted as fluid.

Number of notices mailed:
27

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Site Plan
Elevations
Violation Letter
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

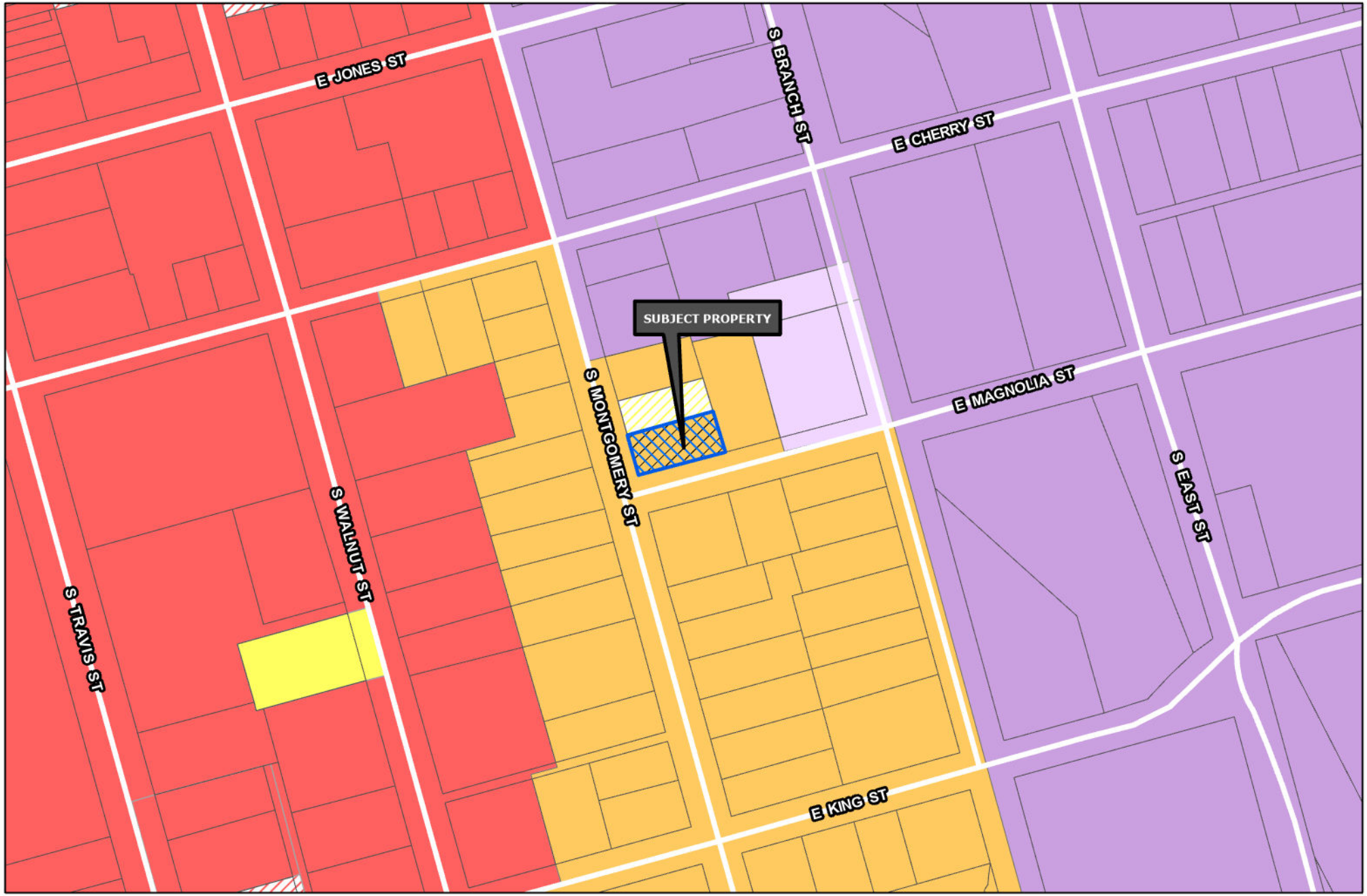
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
421 S MONTGOMERY ST

N
W E
S

Date: 8/8/2023 10:47 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
421 S MONTGOMERY ST

N
W E
S

Date: 8/8/2023 2:01 PM

Marlow, Lauren

From: Planning
To: Teresa Giles
Subject: RE: 421 S Montgomery Street Sherman Tx Teresa Stewart

---

From: Teresa Giles
Sent: Monday, August 7, 2023 2:13 PM
To: Planning
Subject: 421 S Montgomery Street Sherman Tx Teresa Stewart



[Sent from Yahoo Mail on Android]

VARIANCE NARRATIVE

We purchased the corner lot at 421 S Montgomery Street in December of 2001. In March of 2002, we worked with a company named Millers House Movers and had the house I live in moved to this corner lot. It took a few months to get all the construction, electrical, plumbing etc. greentagged to move in, which we did in Sept of 2002. We are in a flood zone due to the storm drain that runs behind our house so we were required to place the house 2 feet above Montgomery which makes it higher. The lot next door had/has been vacant the entire time.

Earnhart Built bought the empty lot and placed a wall of railroad ties along our property line. My back porch was rendered useless as that action left about a 14 inch passage way between the properties and our shop and back door both come out on that porch. I couldn't get my mower out without lifting it above my head etc. So we tore out the old porch and put in a new one with steps on east and west sides. We were unaware we needed a permit for this. We were replacing old with new and functional.

So we were red tagged to stop building, we worked with the City of Sherman website for next steps and eventually were told we needed to apply for a variance. I employed a surveyor to come out on Monday June 26th which is required for the Variance. On Wednesday, June 28th I was served with a certified letter from the city stating I was building without a permit and all violations must be removed..

I called Caleb Green who signed the letter to explain that we were working with Ryan Snapp on Variance application and packet.. It didn't seem to matter. We dismantled the porch.

So now we have 2 doors on the north side of our house that are not usable as a porch or steps will infringe on the setback from the property line.

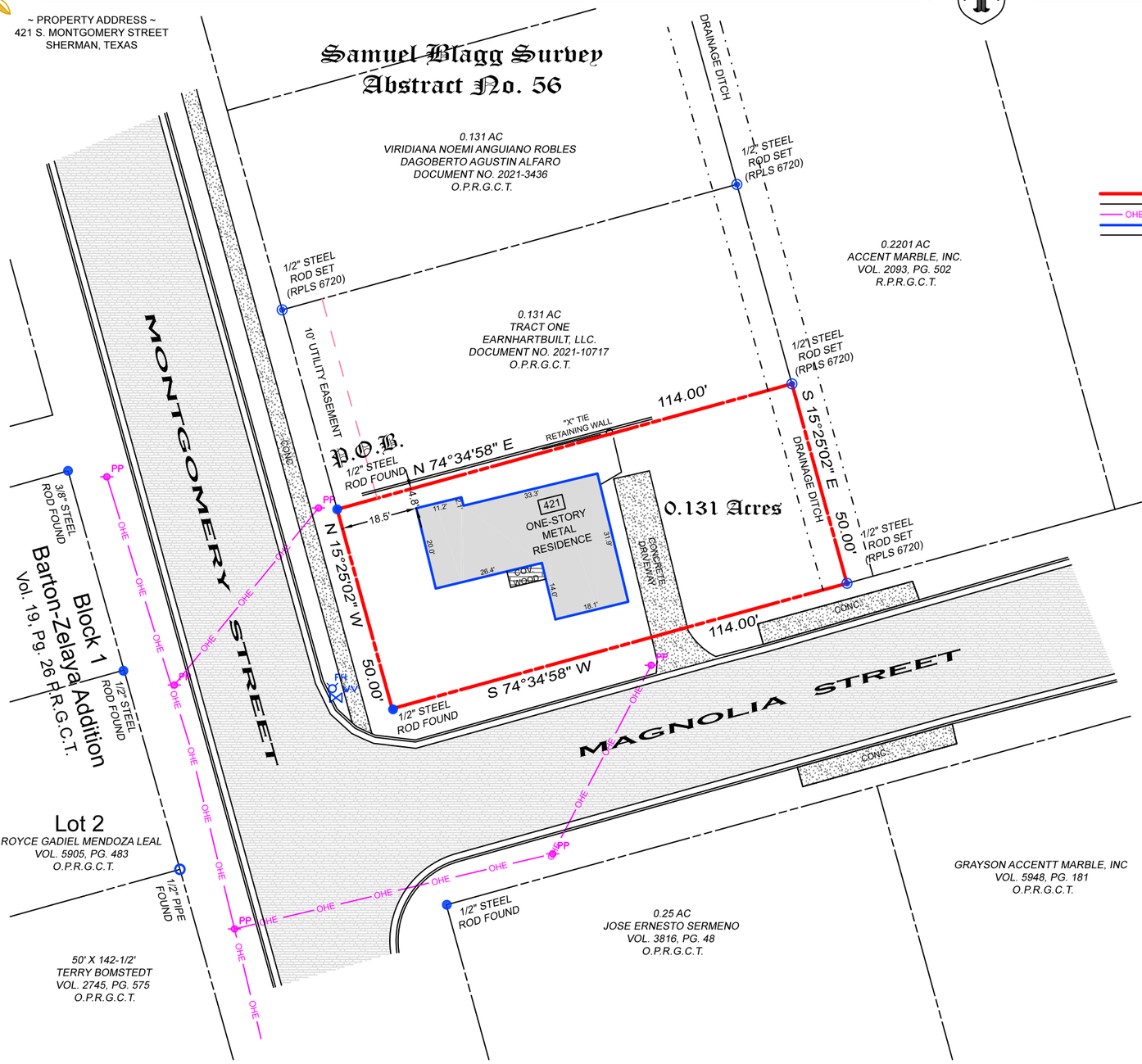
We submitted another plan days later for us to cut a new door on Montgomery facing side of house, build small porch and awning over it. We thought, per the website that this had been approved, but apparently just our permit application was approved. I'm including a copy of the page that lists all the green checks for approvals, paid fees, passed plan reviews etc. And yet when we visit Development services office and speak with Caleb, Larry and Ryan, we still need to apply for a Variance.

No one is sure what the requirements and setbacks were 20+ years ago when the house was set. Every residence is supposed to have more than one exit in case of fire, we need another door. We are proposing an exterior door facing Montgomery, build a porch/steps to new door and awning over it. Thank you for your time and understanding.

CLS Job# 23060254

~ PROPERTY ADDRESS ~
421 S. MONTGOMERY STREET
SHERMAN, TEXAS

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)



Legend

- FH — FIRE HYDRANT
- WV — WATER VALVE
- PP — POWER POLE
- BOUNDARY LINE
- PROPERTY LINE
- OHE — OHE — OVERHEAD ELECTRIC
- BUILDING
- CHAINLINK FENCE
- ASPHALT
- CONCRETE

N
W E
S

Legal Description

Situated *in the City of Sherman, County of Grayson, State of Texas, being a part of the Samuel Blagg Survey, Abstract No. 56, and being the same 50' x 108' tract of land conveyed to Tim Giles by deed of record in Volume 3204, Page 178, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:*

Beginning *at a 1/2" steel rod found in the east line of Montgomery Street, maintaining the northwest corner of said 50' x 108' tract, the southwest corner of a 0.131 acre Tract One of lands conveyed to Earnhartbuilt, LLC by deed of record in Document No. 2021-10717 of said Official Public Records;*

Thence ***North 74°34'58" East****, along the north line of said 50' x 108' tract, and the south line of said 0.131 acre Tract One, a distance of* ***114.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the northeast corner of said 50' x 108' tract, the southeast corner of said 0.131 acre Tract One, and in the west line of a 0.2201 acre tract of land conveyed to Accent Marble, INC. by deed of record in Volume 2093, Page 502, Real Property Records, Grayson County, Texas;*

Thence ***South 15°25'02" East****, along the east line of said 50' x 108' tract, and the west line of said 0.2201 acre tract, a distance of* ***50.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the southeast corner of said 50' x 108' tract, the southwest corner of said 0.2201 acre tract, and in the north line of Magnolia Street;*

Thence ***South 74°34'58" West****, along the south line of said 50' x 108' tract, and the north line of said Magnolia Street, a distance of* ***114.00 feet*** *to a 1/2" steel rod found maintaining the southwest corner of said 50' x 108' tract, and in the intersection of the north line of said Magnolia Street and the east line of said Montgomery Street;*

Thence ***North 15°25'02" West****, along the west line of said 50' x 108' tract, and the east line of said Montgomery Street, a distance of* ***50.00 feet*** *to the* ***Point-of-Beginning*** *and containing* ***0.131 acres*** *of land.*

I, John C. Copley, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property legally described herein, is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429
DATE OF LAST SITE VIST: 6/26/2023
DATE OF LAST REVISION: 7/20/2023

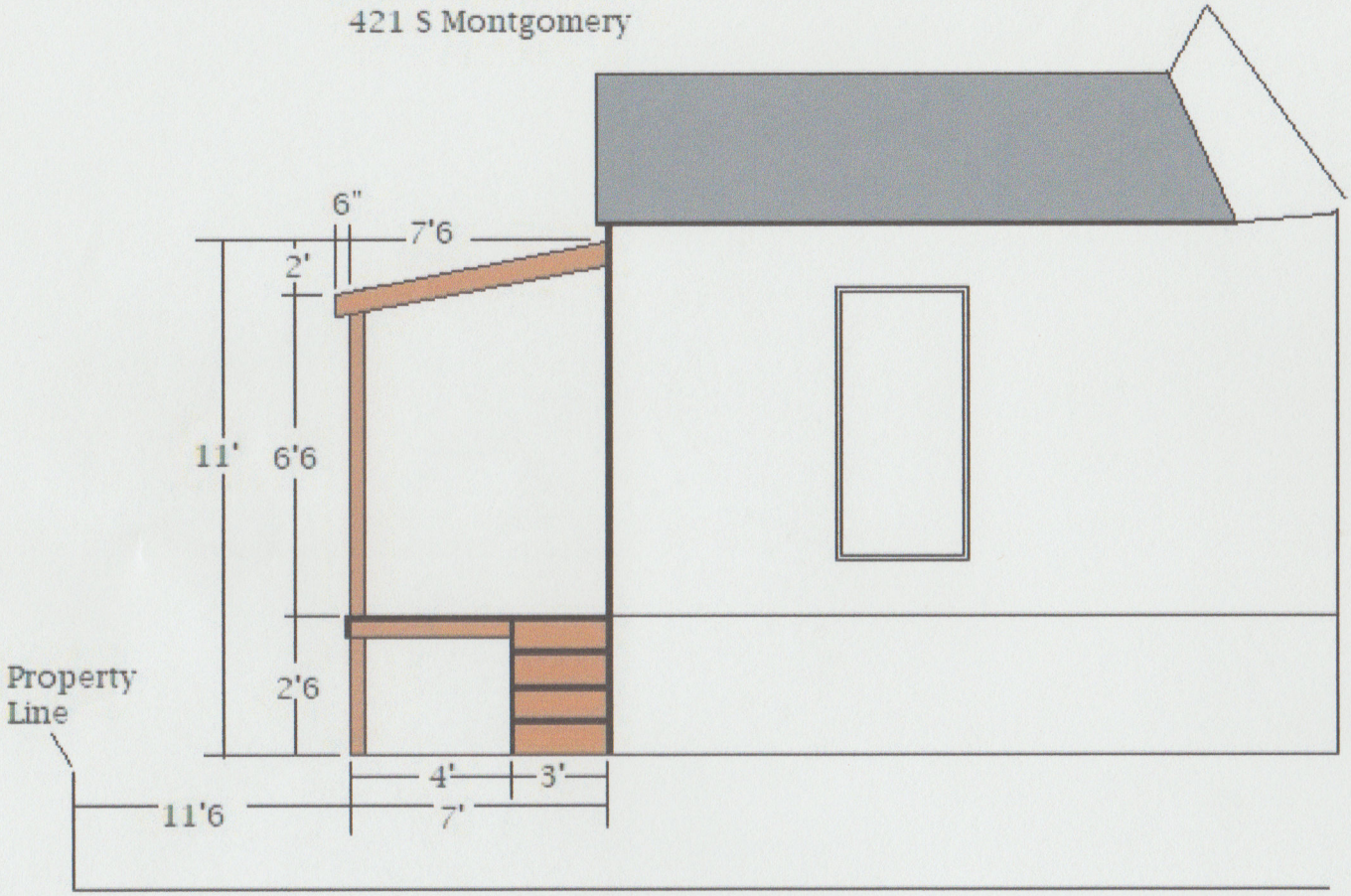
STATE OF TEXAS
REGISTERED
JOHN C. COPLEY
6720
PROFESSIONAL
LAND SURVEYOR

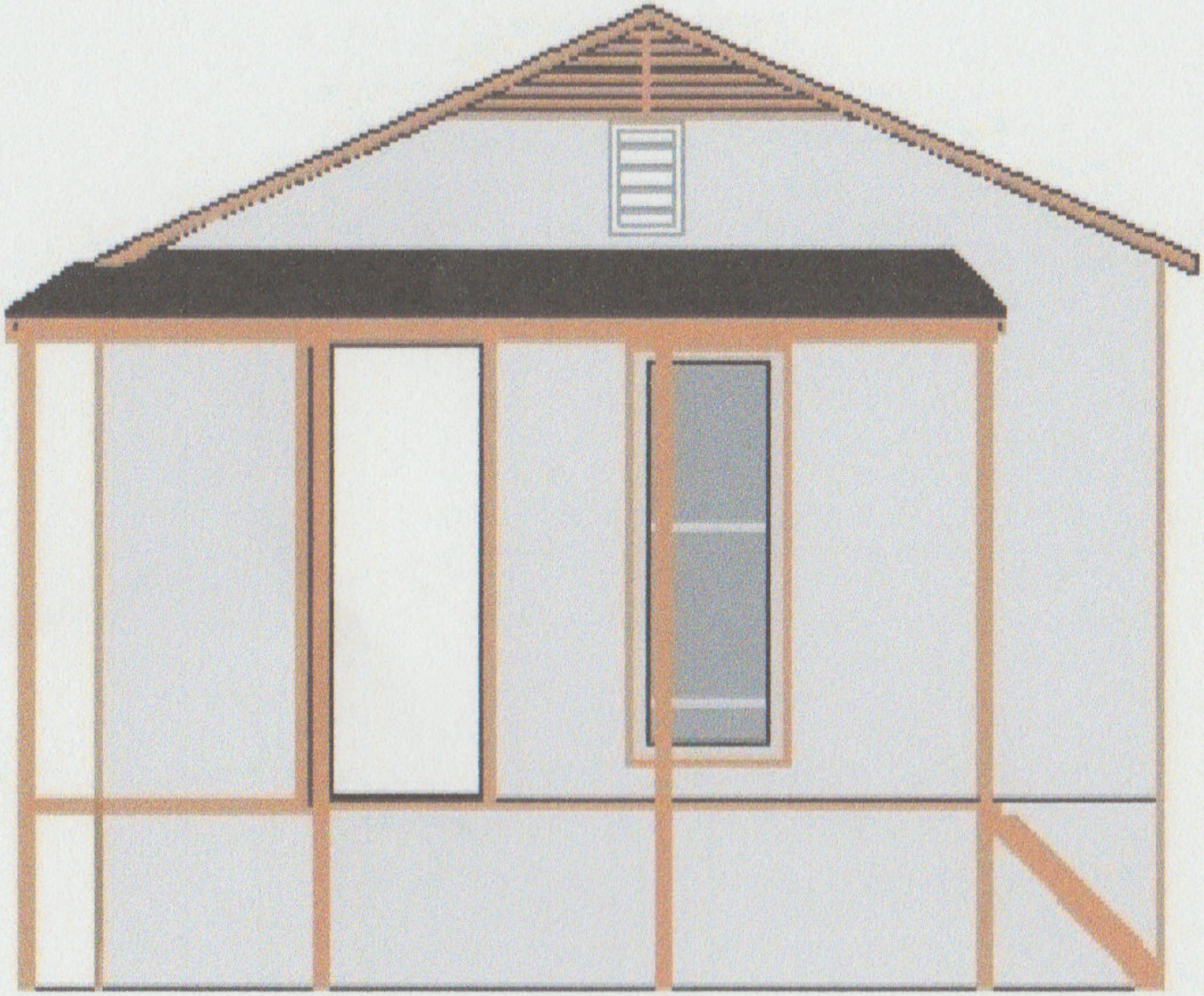
0 30 60
SCALE ~ 1" = 30'

Copley Land Surveying
5904 Texoma Parkway, Sherman, Texas 75090
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

Copyright © 2023
Copley Land Surveying, Inc.
All rights reserved.


Property Line's
7'
14'
4'
4'
11'6
3'
montgomery
There is 15 feet to the west from our property line to the street. In total, 26.5 feet
MAGNOLIA


421 S Montgomery
6"
7'6
2'
11'
6'6
2'6
Property
Line
4'
3'
11'6
7'



Sherman
CLASSIC TOWN. BROAD HORIZON.

June 26, 2023

Teresa Lynn Giles
421 S Montgomery St
Sherman TX, 75090

Certified Mail: 70212720000103335712

NOTICE OF VIOLATION

It has come to the attention of the City of Sherman that the following violations of the City's Code of Ordinances are occurring at 421 S Montgomery Street, Sherman, TX:

(1) Chapter 14 Zoning Ordinance Section 6 Development Procedures Sub Section .001 Building Permits Required

(A) No building or other structure shall be erected, moved, added to, or structurally altered without a permit there for, issued by the Building Official. No building permit shall be issued except in conformity with the provisions of this ordinance, except after written order from the Board of Adjustments."

On April 18, 2023 Development Services staff observed from a public place an illegal structure built without a permit (see attached photos). All violations shall be removed and the property be in compliance with the City of Sherman's ordinances or the City of Sherman will be forced to escalate its enforcement actions, including the issuance of citations that carry a maximum fine of $2,000 per violation per day. A violation of any provision of the Code of Ordinance constitutes a separate violation for each calendar day in which it occurs. In addition, the City may bring a civil action for enforcement of the Code and seek the following relief: (i) an injunction; (ii) a civil penalty of up to $1,000.00 per day; (iii) the repair or demolition of structure(s) on the Property; (iv) an action in rem against the Property, meaning that the City will seek to foreclose on the Property to collect expenses associated with bringing the structure(s) and Property into compliance with the Code; and (v) any other relief to which the City may be entitled. See TEX. LOC. GOV'T CODE §§ 54.012, 54.016, 54.017, 54.018.

If additional information or clarification is needed, do not hesitate to contact me at 220 W. Mulberry or by phone 903-892-7197.

Respectfully,

Caleb Green
Development Services Inspector

Cc: Robby Hefton, City Manager
Ryan Pittman, City Attorney, Abernathy Roeder & Hullett, P.C.
Rob Rae, AICP Director of Development Services

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023 Sent via email

Teresa Stewart
421 S. Montgomery St.
Sherman, TX 75090

Dear Applicant,

The request of a Public Hearing and Variance under Section 14.02.012 to allow a 11.5' front setback in lieu of the required 25' for a Front Porch addition located at 421 South Montgomery Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
4. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **16.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

2201 TEXOMA PARKWAY (Project No. 23-004436)

The request of Texoma Parkway, Salman Makojia (Owner), Dinesh Sook (Tenant) and Helvey Wagner Surveying (Surveyor) concerning the property located at 2201 Texoma Parkway, consisting of 0.382 acres, in the Smith McGlothlin Survey, Abstract No. 808, being Lot 6, Block 9, Highland Park Addition and is currently zoned C-2 (General Commercial) District, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hookah Bar, Smoking Lounge, Smoke Shop, or Vape Shop in a C-2 (General Commercial) District.

Background:

The property is located at 2201 Texoma Parkway at the corner of Texoma Parkway and East Peyton Street. The property owner is requesting a Specific Use Permit for a Vape Shop.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

Texoma Parkway, Salman Makojia (Owner)
Dinesh Sook (Tenant)
Helvey Wagner Surveying (Surveyor)

Master Plan Designation:

Regional Commercial category is intended to promote large-scale commercial development along US-75, while promoting community character through design. US-75 serves as the major gateway to and through the community; therefore, aesthetics and design should be promoted in this corridor. This category should allow large-scale commercial uses that serve the region and the community alike. A mix of uses and inter-connectivity between parcels should be encouraged

Number of notices mailed:

Not Required.

Objections Received:

Development Review Meeting:
No

Staff Recommendation:
Staff recommends that if the specific use permit is approved, it be tied to the applicant and have an expiry of one-year.

Attachments

Location Map
Zoning Map
FLUM
Zoning Sign Photo
Narrative
Survey
Elevations
STAFF REVIEW LETTER
Opposition Letter



dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
2201 TEXOMA PKWY

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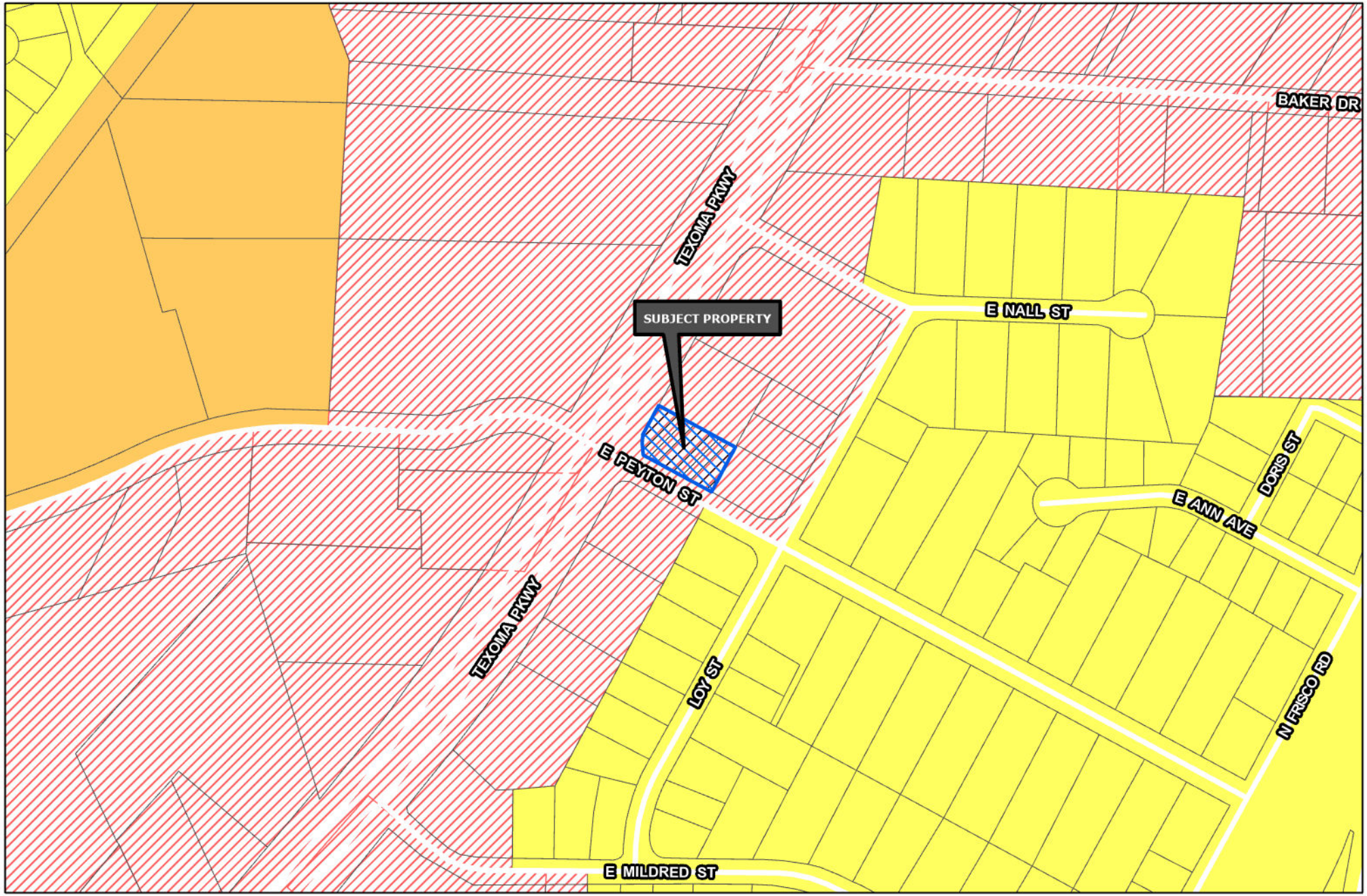
Date: 8/8/2023 2:04 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN ZONING MAP 2201 TEXOMA PKWY

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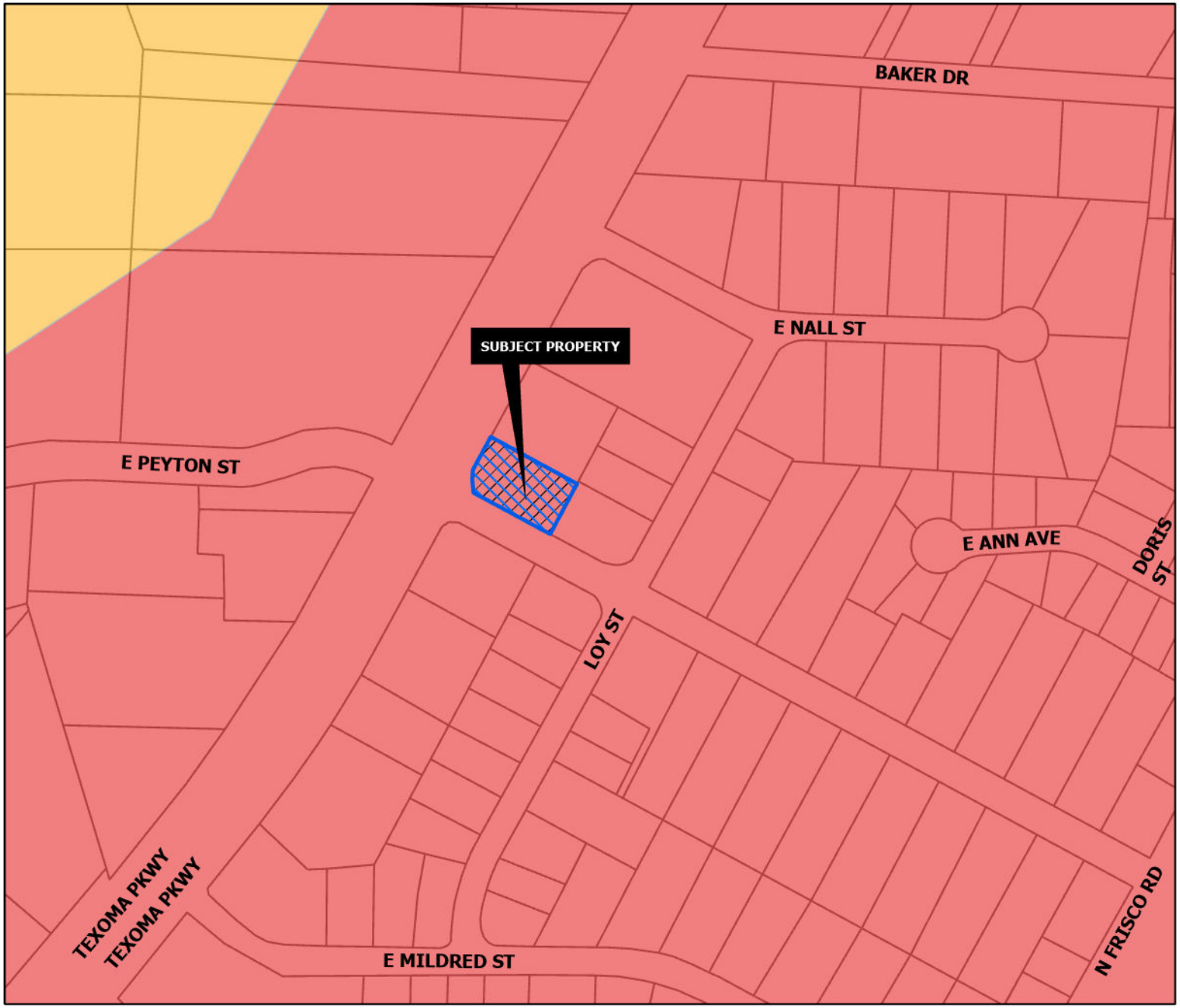

REGIONAL COMMERCIAL

Intent & Character

The Regional Commercial category is intended to promote large-scale commercial development along US-75, while promoting community character through design. US-75 serves as the major gateway to and through the community; therefore, aesthetics and design should be promoted in this corridor. This category should allow large-scale commercial uses that serve the region and the community alike. A mix of uses and inter-connectivity between parcels should be encouraged.

Appropriate Land Use Types

- Retail and Restaurants
- Multi-Family Living
- Office Complex
- Medical
- Mixed Use
- Indoor Entertainment

Compatible Zoning Districts

- Retail Business
- General Commercial
- Office
- Multi-Family Residential (MF-15 and MF-30)
- Planned Development (for larger tracts)

Considerations

- Site design considerations should be given to parking, landscaping, and building articulation.
- Where possible, parking should be screened from view or well-landscaped with native, drought-tolerant plants.
- All buildings facades fronting a public street or within significant public view should have aesthetically-pleasing horizontal and vertical articulation.
- Signage should be multi-tenant, where possible, and should match the character of the primary structure.
- High density residential should be included in mixed use developments.
- High density residential is appropriate behind commercial areas, with inter-connectivity.
- If high density is stand alone, the surrounding uses and connectivity should be considered to avoid an "island."

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
2201 TEXOMA PKWY

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Date: 8/8/2023 2:09 PM


CASH & TITLE LOANS
Freddysfastcash.com
Texas Tobacco
VAPE
Sherman
CLASSIC TOWN. BROAD HORIZON.
NOTICE OF
SPECIFIC USE
PERMIT REQUEST
PROJECT #: 23-004436
FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229
8/8/2023 at 12:40 P.M.


CASH & TITL
PALACE NAIL & SPA
FREE LOANS
2201 Texoma Pkwy Suite 100
100
200
TITLE LOANS
833-373-3391
NO CREDIT CHECK
Sherman
CLASSIC TOWN. BROAD HORIZON.
NOTICE OF SPECIFIC USE PERMIT REQUEST
PROJECT #: 23-004436
FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229
8/8/2023 at 12:40 P.M.

Project Narrative- City of Sherman

Project Title

Special Use Permit Grant

Applicant Name

Dinesh K Sood

A. Purpose and Need

Building on the response to other questions in the application, survey, Photos site plan and Other Plans" in ***Eligibility, Timing, and Priorities****, describe the following:*

- *The significance of expected benefits and the likelihood that anticipated outcomes will be realized. The location 2201 Texoma Pkwy, Sherman TX 75090 is the right location for opening a Vape Store as there is no other stores with same kind of variety that we have. As we have done all the studies and we have our stores in other locations and getting good revenue from the business, we think this is the best time to open the store at this location as soon as possible. We are already in this business from last 6 years, and knowing the market we know that this the best time to start.*
- *The pictures of the location are also added in the application to understand that it is a prime location as we have west, south, and north traffic.*

  .

Background and Project Information

- *We have the other stores setup and functional. The location is ready, and the interior is done. We need the Special use permit to sell all the products in the Vape Store and get fully functional.*
- *Indicate funding sources for each phase, including a strategy for funding of future phases.*
- *We have leased this property and paid the cost to start the business. The cost for setting the interiors has also there. The amount spent on it is appropriately $50000 to start the business which do not include the inventory. We are adding the inventory of $150000*
- *Everything need from our end is complete and business is ready to open. We our waiting the city for the permit so that we can make it functional.*
- *Address the likely outcome if permit is not issued within this month, then we will be in loss. The lease rent has already started and all the cost for interior has been spent. There will be a loss of revenue for the months we are not getting the special use permit.*

Site Description

- *The location is situated in the City of Sherman, county of Grayson and State of Texas*
- *Describe the significance of the project at a watershed scale.*
- *The location is in 0.382 Acres of length.*
- *The location is best suited for the vape store.*

Project Narrative- City of Sherman

Community Support and Collaboration

.

- *The project is a partnership between the spouses.*
- *The funds for the project are from our current earning and profits from our other business.*
- *Describe any past or planned stakeholder involvement efforts in project planning,*

.

B. Scope of Work

Scope of Work

- *The scope of this business is providing better products to the community.*
- *The project will create job opportunities for full time and part time.*
- *More revenue will be generated, and state will be benefited wit taxes etc.*

C. References

Below is the list of documents that are included to support this narrative.

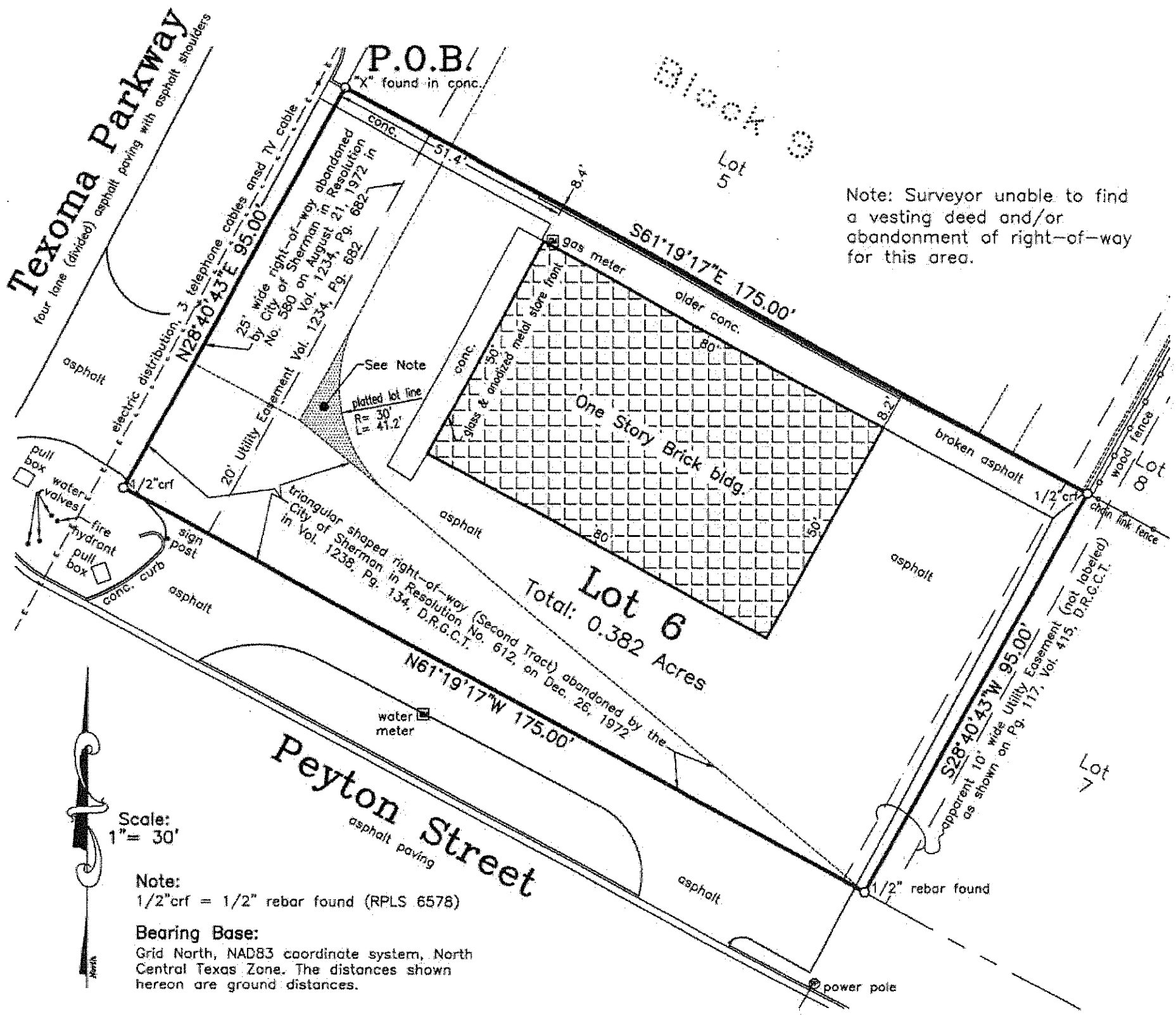
Inspection Report

Title

Updated Survey

Warranty Deed

Photos of the location



Owner: Michael S. Cook

Buyer: Victory Investment Holdings, LLC

Address: 2201 Texoma Parkway
Sherman, Texas

This survey is for the sole benefit of the transaction by and between: the owner and buyer stated at left, and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with the current Texas Society of Professional Surveyors Manual of Practice for a Category 1A, Condition 3, TSPS Land Title Survey and is a true and correct representation of the property shown hereon.

Legal Description is as follows: Lot 6, Block 9, Highland Park Addition to the City of Sherman, Texas, as per plat of record in Volume 415, Pages 116 & 117, Deed Records, Grayson County, Texas and adjacent abandoned right-of-way. Field Notes attached hereto.

The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 F Revised Date: September 1, 2022.

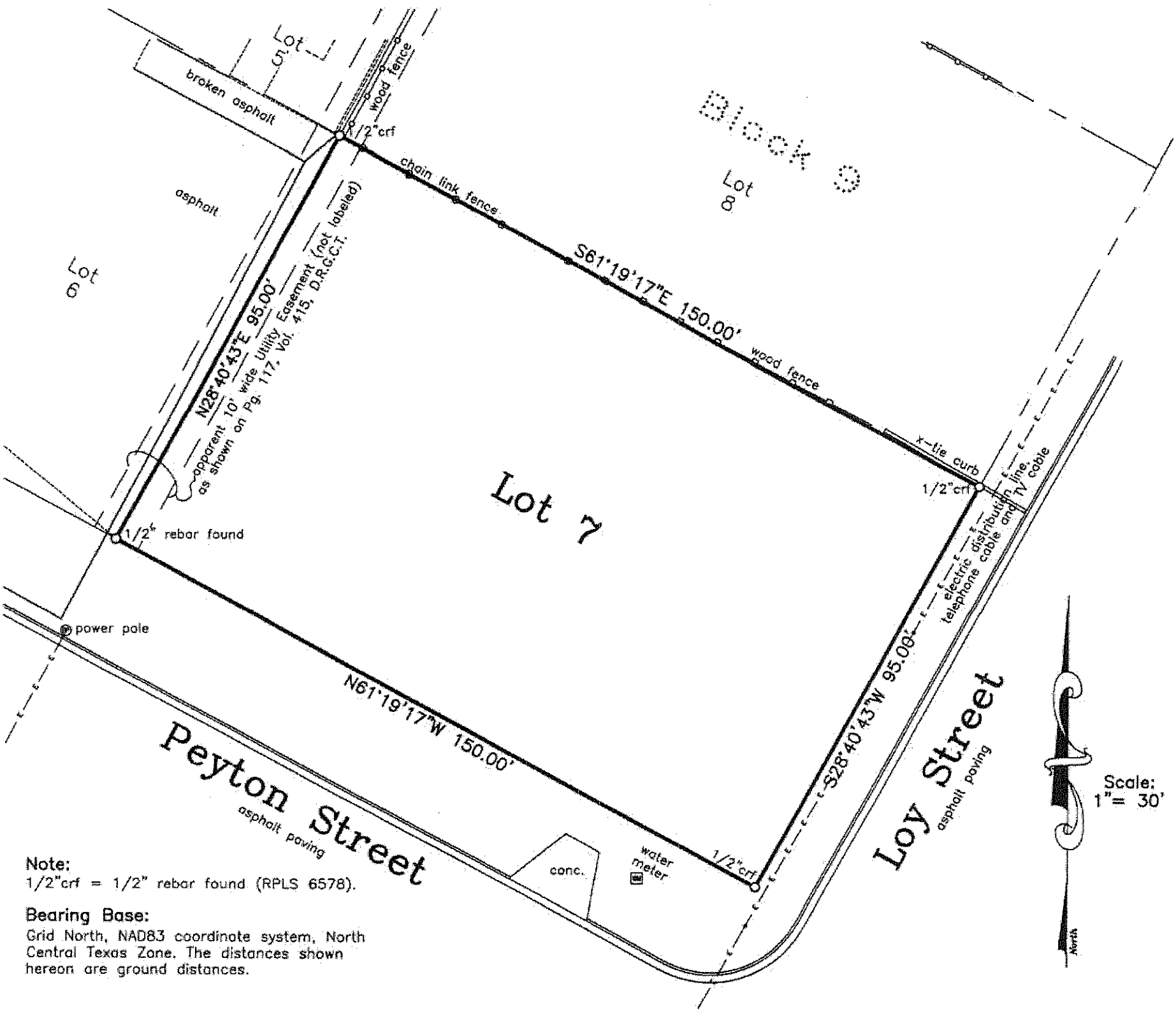
STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
LAND SURVEYOR

Job No. AGS460223

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: February 24, 2023

X:\Shared Projects\2201-Texoma-Parkway-1515-Peyton-St-sherman\dwg\2201 Texoma Pkwy-2023.dwg 2/24/2023 1:29 PM



Note:
1/2"crf = 1/2" rebar found (RPLS 6578).

Bearing Base:
Grid North, NAD83 coordinate system, North Central Texas Zone. The distances shown hereon are ground distances.

Owner: Michael S. Cook

Buyer: Victory Investment Holdings, LLC

Address: 1515 E. Peyton Street
Sherman, Texas

This survey is for the sole benefit of the transaction by and between: the owner and buyer stated at left, and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with the current Texas Society of Professional Surveyors Manual of Practice for a Category 1A, Condition 3, TSPS Land Title Survey and is a true and correct representation of the property shown hereon.

Legal Description is as follows: Lot 7, Block 9, Highland Park Addition to the City of Sherman, Texas, as per plat of record in Volume 415, Pages 116 & 117, Deed Records, Grayson County, Texas.

The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 F Revised Date: September 1, 2022.

STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
LAND SURVEYOR

Job No. AGS470223

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: February 24, 2023

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Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020
Ph: (903) 463-6191 · Email: kate@helveywagnersurvey.net
Texas Board of Engineers and Land Surveyors Firm Registration No. 10088100
Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578

FIELD NOTES
0.382 Acres

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the Smith McGlothlin Survey, Abstract No. 808 and being all of Lot 6, Block 9, Highland Park Addition to the City of Sherman, Texas as per plat of record in Volume 415, Pages 116 and 117, Deed Records, Grayson County, Texas and being a 25 ft. wide strip of right-of-way abandoned by the City of Sherman in Resolution No. 580 on August 21, 1972 as recorded in Volume 1234, Page 682, said Deed Records, lying West of and adjacent to said Lot 6 and the triangular-shaped right-of-way (Second Tract) abandoned by the City of Sherman, Texas in Resolution No. 612 on December 26, 1972 and recorded in Volume 1238, Page 134, said Deed Records, lying South of and adjacent to said Lot 6, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at an "x" found in concrete in the East right-of-way line of Texoma Parkway and in the West line of said 25 ft. strip in Vol. 1234, Pg. 682, at the Northwest corner of the herein described tract;

THENCE South 61 dg. 19 min. 17 sec. East, over and across said 25 ft. strip, passing the Northwest corner of said Lot 6 and the Southwest corner of Lot 5, said Block 9, continuing on now with the South line of said Lot 5 and the North line of said Lot 6, a distance of 175.00 ft. to a ½ inch capped rebar found, stamped "RPLS 6578" at the Southeast corner of said Lot 5, the Southwest corner of Lot 8, said Block 9, the Northwest corner of Lot 7, said Block 9 and the Northeast corner of both said Lot 6 and the herein described tract;

THENCE South 28 deg. 40 min. 43 sec. West, with the West line of said Lot 7 and the East line of said Lot 6, a distance of 95.00 ft. to a ½ inch rebar found in the North right-of-way line of Peyton Street, a public street, at the Southwest corner of said Lot 7, the most Eastern corner of said triangular-shaped tract in Vol. 1238, Pg. 134 and the Southeast corner of both said Lot 6 and the herein described tract;

THENCE North 61 deg. 19 min. 17 sec. West, with the North line of said Peyton Street and the South line of said triangular-shaped tract in Vol. 1238, Pg. 134, a distance of 175.00 ft. to a ½ inch capped rebar found, stamped "RPLS 6578" at the intersection of the North line of said Peyton Street with the East right-of-way line of said Texoma Parkway, at the Southwest corner of both said triangular-shaped tract in Vol. 1238, Pg. 134 and the herein described tract;

THENCE North 28 deg. 40 min. 43 sec. East, with the East right-of-way line of said Texoma Parkway and the West line of both said triangular-shaped tract in Vol. 1238, Pg. 134 and the 25 ft. strip in Vol. 1234, Pg. 682, a distance of 95.00 ft. to the **POINT OF BEGINNING** and containing **0.382 ACRES** of land.



Kate A. Wagner, R.P.L.S. No. 6578
February 24, 2023


CASH & TITLE LOANS

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

Texoma Pkwy, LLC
Salman Maknojia
4213 Saginaw Lane
Carrolton, TX 75010

Dinesh Sood
6406 S 41st St.
Rogers, AR 72758

Dear Applicants,

The request of a Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hookah Bar, Smoking Lounge, Smoke Shop, or Vape Shop in a C-2 (General Commercial) District located at 2201 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. The property must be properly maintained in a state of good repair and neat appearance.
4. The use of the property must comply with all Federal and State Laws and regulations and with all the ordinances, rules and regulations of the City of Sherman.
5. One parking space for every 250 square feet of gross floor area shall be provided. *(Sec.14.04.003(e)(1))*
6. The granting of a Specific Use Permit has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
7. A Specific Use Permit is an amendment to the district regulations of the Zoning Ordinance that permits the establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure is discontinued or abandoned for a period of thirty (30) consecutive days in which event such Specific Use Permit shall be void and such use may not thereafter be resumed unless a new Specific Use Permit is granted in accordance with this section. (*Chapter 14, Sec. 14.06.009 (a)(1)(C)*)
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the Staff Review Letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Solid Waste Services

10. All uses within the C-2 (General Commercial) District shall provide a screening device as an enclosure for garage and trash containers. Enclosure shall be constructed of masonry or similar durable material. *(Sec, 14.04.004(4))*
11. Asphalt leading to trash enclosure must support the dead weight of City equipment (Solid Waste Truck).

It is the policy of Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Received 8/14/23
12:40 p.m.

Item #16

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

FORTNER PROPERTIES LLC
900 BANDERA COURT
ALLEN, TX 75013

August 3, 2023

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a public hearing on the day of Tuesday, August 22, 2023, at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Texoma Parkway, Salman Makojia (Owner), Dinesh Sook (Tenant) and Helvey Wagner Surveying (Surveyor) concerning the property located at 2201 Texoma Parkway, consisting of 0.382 acres, in the Smith McGlothlin Survey, Abstract No. 808, being Lot 6, Block 9, Highland Park Addition and is currently zoned C-2 (General Commercial) District

The request is as follows:

Planning and Zoning Commission
Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hookah Bar, Smoking Lounge, Smoke Shop, or Vape Shop in a C-2 (General Commercial) 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 comments presented to the Planning and Zoning Commission or Board of Adjustment, you may do so by emailing planning@cityofsherman.com or comment in the space provided below and mail to: Development Services, P.O. Box 1106, Sherman, TX 75091. If you wish to have your views published in the online agenda, they must be received in the Development Services office by 5:00 p.m. on Wednesday, the week prior to the Planning and Zoning Commission meeting, otherwise, your comments will be provided to each Commission member at the meeting.

Rob Rae
Acting Secretary, Planning & Zoning Commission

Absolutely not. Smoke/Vape Shops will deter legitimate businesses, reducing demand, reducing rents and resulting in tenants like check-cashing, Sexual novelties, etc
This is all over Henderson County. No Thanks!

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.

2124 Texoma Pkwy.

Planning & Zoning Commission and Board of Adjustments **17.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

6000-6400 SOUTH HIGHWAY 75 AND 100-200 BLOCKS AKERS ROAD (Project No. 23-004437)

The request of Jamestown Square, LLC (Owner), Caleb Jones (Representative) and Kimley-Horn & Associates (Engineer) concerning the property located in the 6000-6400 Blocks South Highway 75 and the 100-200 Blocks Akers Road, consisting a part of 50.006 acres in the John Chronister Survey, Abstract No. 248, as follows:

Planning and Zoning Commission

A. Public Hearing and Zoning Text Amendment to add regulations to Chapter 14, Zoning Ordinance, Section 14.02.010 R-TH (Townhome Residential) District to allow 22' wide lots for Townhomes with Rear Loaded Garages in a R-TH (Townhome Residential) District
B. Tract 2, consisting of 14.287 acres in the John Chronister Survey, Abstract No. 248 - Public Hearing, Site Plan and Zone Change from C-1 (Retail Business) District and MF-30 (Multi-Family Residential) District/75 & 82 Overlay District to MF-30 (Multi-Family Residential) District/75 & 82 Overlay District.
C. Tract 3, consisting of 7.796 acres in the John Chronister Survey, Abstract 248 - Public Hearing, Site Plan and Zone Change from R-6 (Single-Family Residential) District and MF-30 (Multi-Family Residential) District/75 & 82 Overlay District to R-TH (Townhome Residential) District/75 & 82 Overlay District.
D. Tract 4, consisting of 18.903 acres in the John Chronister Survey, Abstract 248 – Public Hearing, Site Plan and Zone Change from R-6 (Single-Family Residential) District and MF-30 (Multi Family Residential) District/75 & 82 Overlay District to MF-15 (Multi-Family Residential) District/75 & 82 Overlay District.

Background:

The property is located in the 6000-6400 Blocks South Highway 75 and the 100-200 Blocks Akers Road at the corner of South Highway 75 and Akers Road. The owner is requesting a Zoning Text Amendment to add regulations to the R-TH (Townhome Residential) District to allow 22' wide lots for Townhomes with Rear Loaded Garages; Zone Change for Tract 2 from C-1 (Retail Business) District and MF-30 (Multi-Family Residential) District/75 & 82 Overlay District to MF-30 (Multi-Family Residential) District/75 & 82 Overlay District, Tract 3 from R-6 (Single-Family Residential) District and MF-30 (Multi-Family Residential) District/75 & 82 Overlay District to R-TH (Townhome Residential) District/75 & 82 Overlay District and Tract 4 from R-6 (Single-Family Residential) District and MF-30 (Multi Family Residential) District/75 & 82 Overlay District to MF-15 (Multi-Family Residential) District/75 & 82 Overlay District. For the Multi-Family Residential development, Lot 2A will consist of 239 units and Lot 2B will consist of 212 units. The Townhome development will consist of 135 units.

The following has been approved for this location:

- October 21, 2021 - Zone Changes:Tract 1 – Being 14.949 acres in the John Chronister Survey, Abstract No. 248 and the William Martin Survey, Abstract No. 765 - Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an M-1.5 (Medium Manufacturing) District to a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District
  Tract 2 – Being 19.347 acres in the John Chronister Survey, Abstract No. 248 and the William Martin Survey, Abstract No. 765 - Zone change and site plan approval under Ordinance No. 2280, Section 12, from an M-1.5 (Medium Manufacturing) District to an R-2 (Multi-Family Residential) District.
  Tract 3 – Being 20.232 acres in the John Chronister Survey, Abstract No. 248 and the William Martin Survey, Abstract No. 765 - Zone change under Ordinance No. 2280, Section 12, from an M-1.5 (Medium Manufacturing) District to an SF-1 (Single-Family Residential) District.
- April 19, 2023 - Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an C-1 (Retail Business) District and SF-1 (Single Family Residential) District to an R-2 (Multi-Family Residential) District.(Tract 2)
- April 19, 2023 - Zone change under Ordinance No. 2280, Section 12, from an M-1.5 (Medium Manufacturing) District and SF-1 (Single Family Residential) District to an R-1 (One-Family Residential) District.(Tract 3)
- June 21, 2022 - Preliminary Plat approval Jamestown Square, Block A, Lots 1-7.
- June 21, 2022 - Site Plan Approval Jamestown Square Multi-Family Development, Phase One, Block A, Lot 4.

Adjacent Zoning:

C-1 (Retail Business) District
MF-30 (Multi-Family Residential) District
R-6 (Single-Family Residential) District
M-1.5 (Medium Manufacturing) District
ETJ (Extra Territorial Jurisdiction),

Origination:

Jamestown Square, LLC (Owner)
Caleb Jones (Representative)
Kimley-Horn & Associates (Engineer)

Master Plan Designation:

Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Floodplain & Open Space category is intended to preserve areas to handle stormwater and provide open space corridors for passive trail and recreation activities. These areas are not suitable for land development projects and buildings but may become future parkland managed by the City. These green corridors help protect the community from flood hazards and property damage and offer opportunity for trees, trails, and community connection. It should be noted that floodplains and floodways are regularly adjusted and reevaluated so the boundaries depicted for this land use category on the map should subsequently be interpreted as fluid.

Number of notices mailed:
7

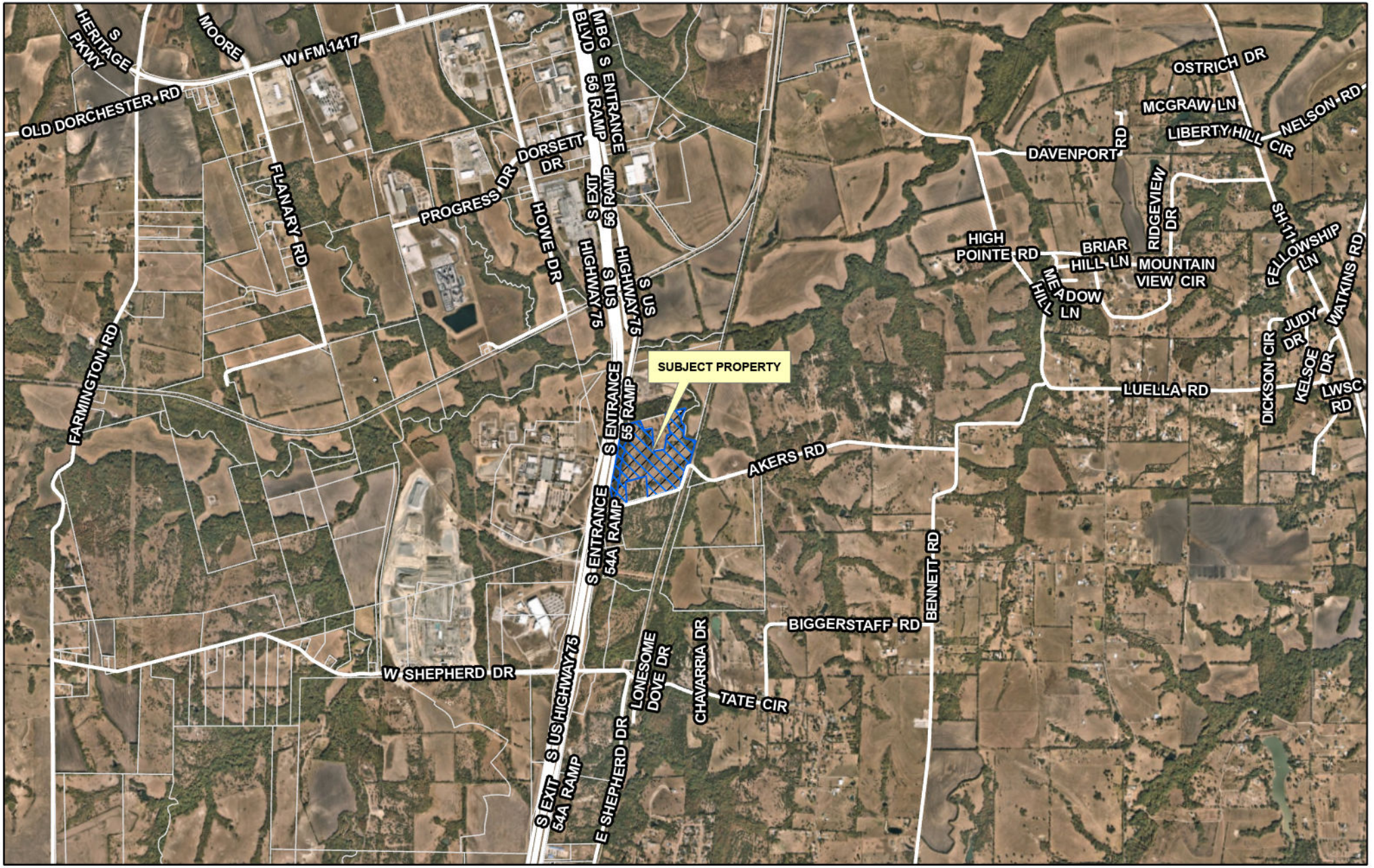
Objections Received:
0

Development Review Meeting:
Yes

Staff Recommendation:
Staff recommends the zoning ordinance text amendment to allow for a minimum 22 feet wide townhome lot with rear-loaded garages. Staff also recommends the approval of the zoning changes requests as the requests comply with the comprehensive master plan.

Attachments

Location Map
Zoning Map
FLUM
Zoning Sign Photo
Narrative
Survey
Elevations
Concept Plan
STAFF REVIEW LETTER



diagrone H:\PLANNING\Public Notification KT.aprx

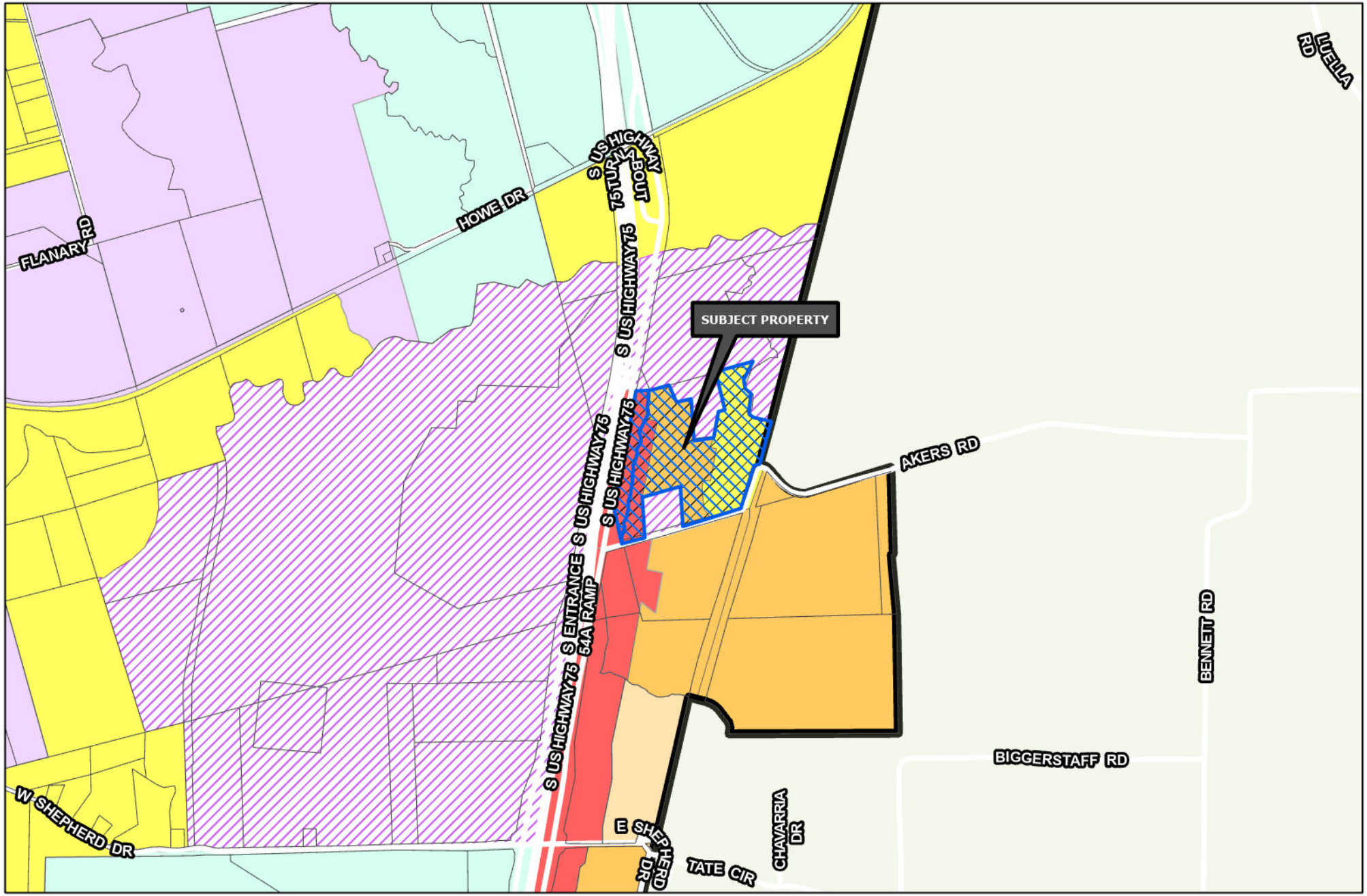
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
6000-6400 BLKS S HWY 75
& 100-200 BLKS AKERS RD

N
W E
S

Date: 8/8/2023 2:15 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
6000-6400 BLKS S HWY 75
& 100-200 BLKS AKERS RD

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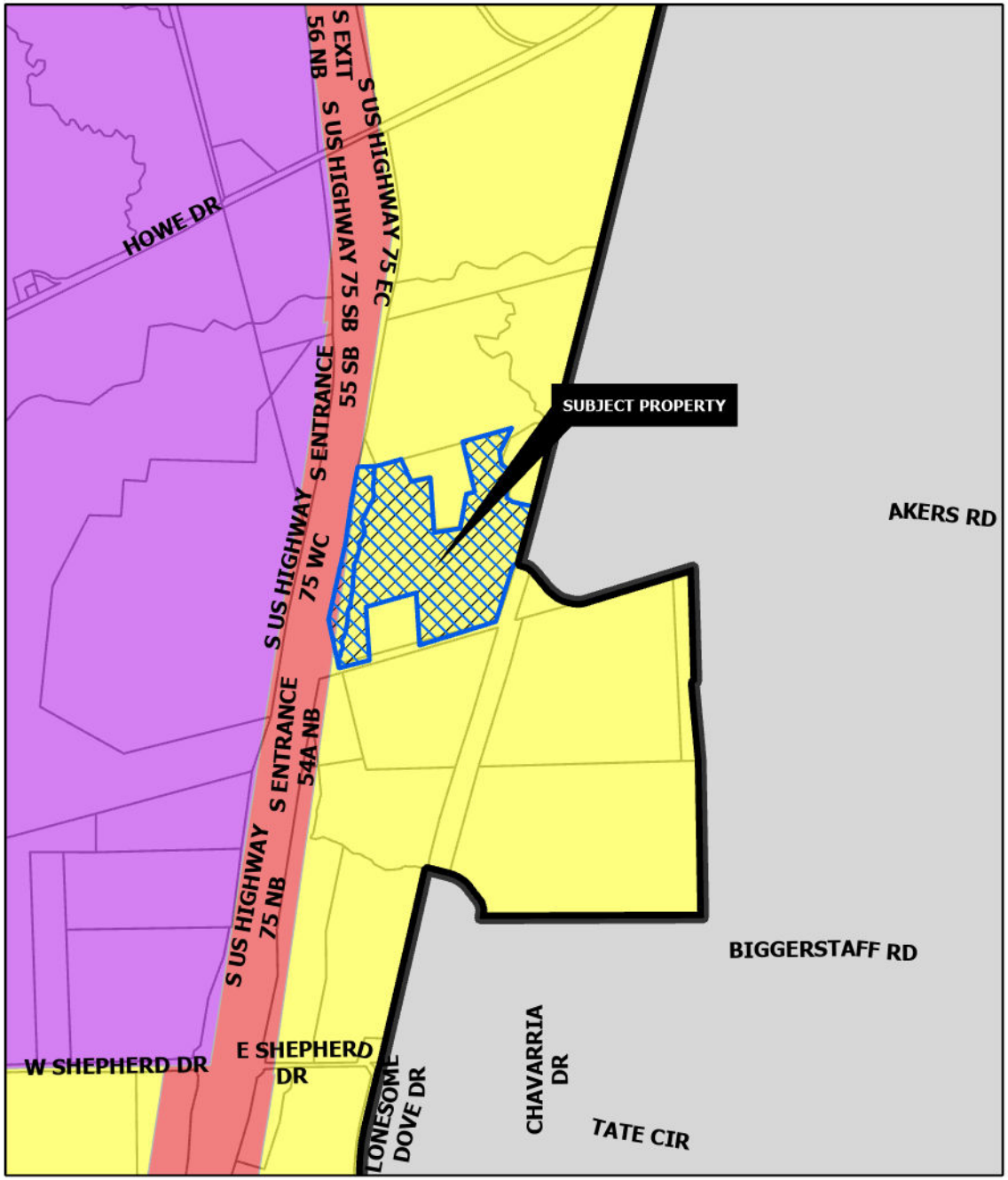
W E
S

Date: 8/8/2023 2:15 PM



SUBURBAN NEIGHBORHOOD

Intent & Character

The Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Appropriate Land Use Types

- Single-family detached (primary land use type)
- Single-family attached (duplexes and townhomes)
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Estate Residential
- Single-Family Residential (R-12, R-6, R-5, and R-4)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Neighborhood Commercial
- Planned Development

Considerations

- Street connections to existing and future developments.
- Smaller lots and denser development can serve as a transition from the local commercial areas.

REGIONAL COMMERCIAL

Intent & Character

The Regional Commercial category is intended to promote large-scale commercial development along US-75, while promoting community character through design. US-75 serves as the major gateway to and through the community; therefore, aesthetics and design should be promoted in this corridor. This category should allow large-scale commercial uses that serve the region and the community alike. A mix of uses and inter-connectivity between parcels should be encouraged.

Appropriate Land Use Types

- Retail and Restaurants
- Multi-Family Living
- Office Complex
- Medical
- Mixed Use
- Indoor Entertainment

Compatible Zoning Districts

- Retail Business
- General Commercial
- Office
- Multi-Family Residential (MF-15 and MF-30)
- Planned Development (for larger tracts)

Considerations

- Site design considerations should be given to parking, landscaping, and building articulation.
- Where possible, parking should be screened from view or well-landscaped with native, drought-tolerant plants.
- All buildings facades fronting a public street or within significant public view should have aesthetically-pleasing horizontal and vertical articulation.
- Signage should be multi-tenant, where possible, and should match the character of the primary structure.
- High density residential should be included in mixed use developments.
- High density residential is appropriate behind commercial areas, with inter-connectivity.
- If high density is stand alone, the surrounding uses and connectivity should be considered to avoid an "island."

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
6000-6400 BLKS S HWY 75
& 100-200 BLKS AKERS RD

N
W E
S

Date: 8/8/2023 2:22 PM


RED LOBSTER
YES, PLEASE.
Exit 64 • Left on Loy Lake Rd
Sherman
CLASSIC TOWN. BROAD HORIZON.
NOTICE OF PROPOSED ZONING CHANGE
PROJECT #: 23-004437
FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229
8/7/2023 at 11:40 A.M.

Kimley»Horn

July 24, 2023

City of Sherman
Department of Development Services
220 W. Mulberry
P.O. Box 1106
Sherman, Texas 75091

RE: Project Narrative – Jamestown Square

To Whom It May Concern:

Cope Equities, LLC. is a family-owned experienced horizontal and vertical development company with corporate offices in the DFW area focusing on building the community and integrating our family with your family. They specialize in collaborating with municipalities to improve and develop tracts of land providing commercial buildings, multi-family, and single-family residences.

In 1982, Dr. Richard Cope left chemical engineering for Texas real estate. 34 years, later his two sons, Stephen and Mark Cope, with 25 years of experience, currently lead the family business with significant growth:

- 2017: project closed for just $1 million
- 2021: $250 million in current projects
- 25 projects sold or currently in development
- 1800+ MF units under construction and in development
- 12-story, mixed-use office tower site

The overall plan is to divide into separate tracts to develop commercial, multi-family apartments, townhomes, and build-to-rent homes. The commercial land will enhance the city as a place of growth and look to the future through development. We recommend amending the zoning ordinance for the townhomes district to allow a 22-foot-wide-lot only for townhomes with rear loaded garages. Front-garage entry lots would still remain a minimum of 25 feet.

This site is at the doorstep of Sherman, from the south, and an excellent opportunity for Cope Equities to carry out the vision of the City of Sherman by bringing attractive commercial space, which will draw businesses and families. This growth of businesses and families will aid in supporting the growth of Sherman by providing a variety of living arrangements to the residents as well as business opportunities of Sherman, which will ultimately bring more tax revenue to the city.

We are excited to continue collaborating with the Sherman Development Department to work productively and efficiently through the design, review, and approval phases of the project including the Development, Engineering, Fire Marshalls, P&Z and City Council. We are optimistic and excited to build and strengthen our relationship with the City of Sherman.

Please contact me at (972) 471-9403 or caleb.jones@kimley-horn.com should you have any concerns.

Sincerely,

Kimley-Horn & Associates, Inc.



Caleb Jones, P.E.

LAND DESCRIPTION
TRACT 1

BEING a tract of land located in the John Chronister Survey, Abstract No. 248, City of Sherman, Grayson County, Texas, part of a called 50.006 acre Tract 1 and all of a called 4.521 acre Tract 2 described in the deed to Jamestown Square, LLC, recorded in Document No. 2021-23519 of the Official Records of Grayson County, Texas (O.R.G.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the easterly right-of-way line of US Highway 75, on the southerly line of Akers Road, for the northwest corner of a called 53.642 acre Tract 1 described in the deed to Sherman Central Associates, LP, recorded in Volume 5706, Page 241 O.R.G.C.T. and the southeast corner of said 4.521 acre tract; a 1/2-inch iron rod found for reference bears South 81°05'20" East 1.90 feet from said point for corner;

THENCE North 10°13'12" East, along the easterly right-of-way line of US Highway 75 and the west line of said 4.521 acre tract, a distance of 1,943.74 feet to a point for the southwest corner of a called 35.0 acre tract described in the deed to Arkan Realty, LLC, recorded in Document No. 2021-21211 O.R.G.C.T. and the northwest corner of said 4.521 acre tract;

THENCE North 85°40'03" East, along the westerly south line of said 35.0 acre tract and the north line of said 4.521 acre tract and the westerly north line of said 50.006 acre tract, a distance of 172.26 feet to a point for corner; a 3/8-inch iron rod found for an interior corner of said 50.006 acre tract and a southerly corner of said 35.0 acre tract bears North 85°40'03" East 18.22 feet from said point for corner;

THENCE South 04°19'57" East, departing the westerly south line of said 35.0 acre tract, across said 50.006 acre tract, a distance of 76.10 feet to a point for corner;

THENCE South 10°13'12" West, continuing across said 50.006 acre tract, a distance of 412.45 feet to a point for corner;

THENCE South 79°46'48" East, continuing across said 50.006 acre tract, a distance of 43.92 feet to a point at the beginning of a tangent curve to the right with a radius of 380.00 feet, a central angle of 13°41'12", and a chord bearing and distance of South 72°56'12" East, 90.56 feet;

THENCE in a southeasterly direction, continuing across said 50.006 acre tract, with said tangent curve to the right, an arc distance of 90.77 feet to a point for corner;

THENCE South 66°05'36" East, continuing across said 50.006 acre tract, a distance of 7.52 feet to a point for corner;

THENCE South 10°13'12" West, continuing across said 50.006 acre tract, a distance of 801.84 feet to a point for corner;

Continued on Sheet 2

ZONING EXHIBIT
TRACT 1
JOHN CHRONISTER SURVEY, A-248
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	JULY 2023	064512316	1 OF 3

Continued from Sheet 1

THENCE South 79°46'48" East, continuing across said 50.006 acre tract, a distance of 3.04 feet to a 3/8-inch iron rod found for the northwest corner of a called 5.117 acre tract described in the deed to Billy Densmore recorded in Volume 4404, Page 542 O.R.G.C.T., same being an interior corner of said 50.006 acre tract;

THENCE South 04°34'48" East, along the west line of said 5.117 acre tract and a westerly east line of said 50.006 acre tract, a distance of 477.35 feet to a point in the south line of Akers Road, the north line of said 53.642 acre tract, for the southwest corner of said 5.117 acre tract and a westerly southeast corner of said 50.006 acre tract;

THENCE South 73°54'54" West, along the southerly line of Akers Road, the north line of said 53.642 acre tract, and the westerly south line of said 50.006 acre tract, a distance of 428.91 feet to a point for the southeast corner of said 4.521 acre tract and the southwest corner of said 50.006 acre tract;

THENCE South 81°05'20" West, continuing along the southerly line of Akers Road, the north line of said 53.642 acre tract, and the south line of said 4.521 acre tract, a distance of 71.42 feet to the **POINT OF BEGINNING** and containing 13.460 acres (586,314 square feet) of land, more or less.

This document was prepared under 22 Texas Administrative Code § 138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, divide the ground distance by the Project Combined Factor (PCF) of 1.00010712.

MICHAEL MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
6160 WARREN PKWY., SUITE 210
FRISCO, TEXAS 75034
PH. 972-335-3580
michael.marx@kimley-horn.com

STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
5181
PROFESSIONAL
LAND SURVEYOR

ZONING EXHIBIT
TRACT 1
JOHN CHRONISTER SURVEY, A-248
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

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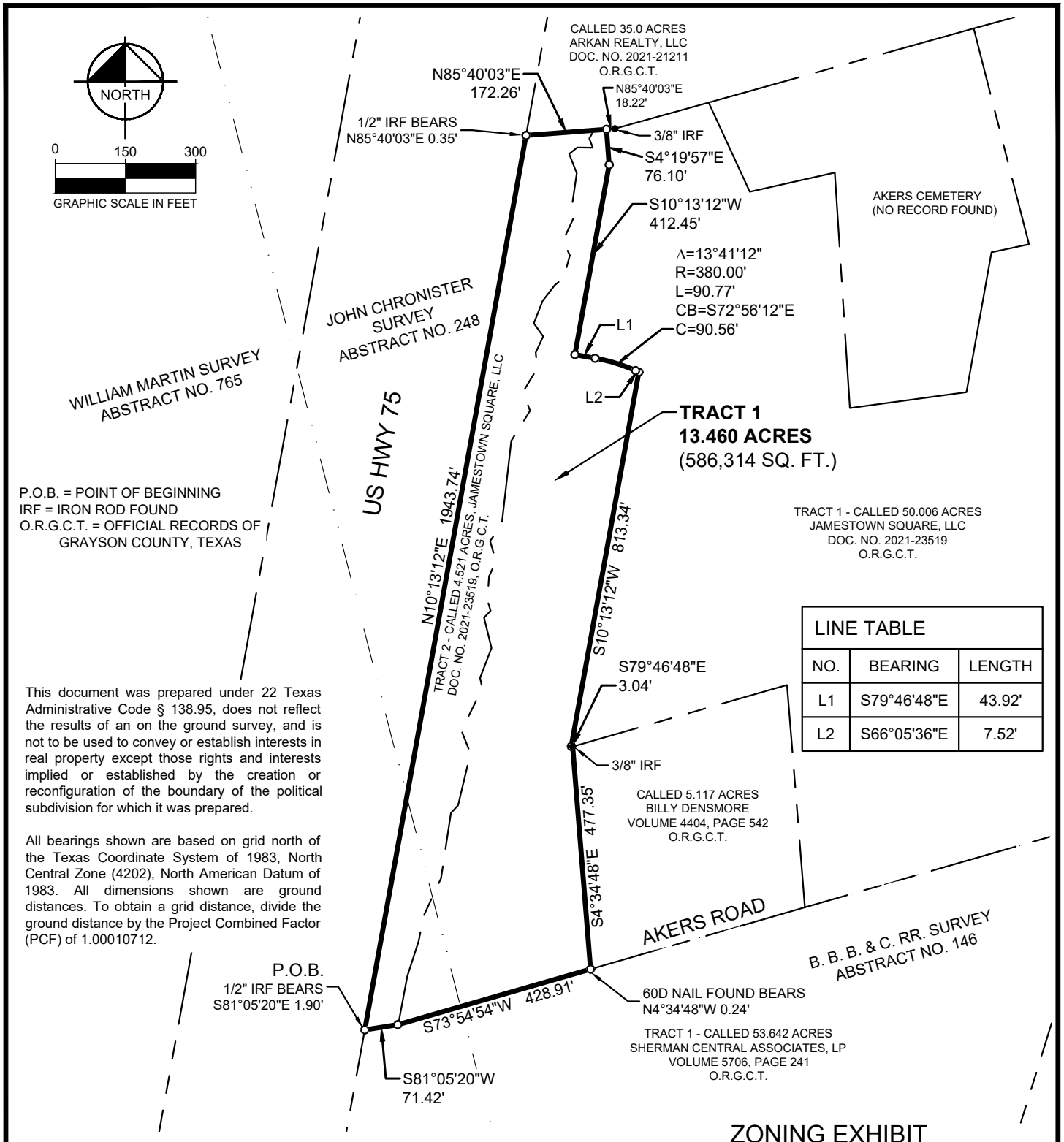
N/A	JCC	KHA	JULY 2023	064512316	2 OF 3



LINE TABLE		
NO.	BEARING	LENGTH
L1	S79°46'48"E	43.92'
L2	S66°05'36"E	7.52'

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ZONING EXHIBIT
TRACT 1
JOHN CHRONISTER SURVEY, A-248
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	JCC	KHA	JULY 2023	064512316	3 OF 3

LAND DESCRIPTION
TRACT 2

BEING a tract of land located in the John Chronister Survey, Abstract No. 248, City of Sherman, Grayson County, Texas, part of a called 50.006 acre Tract 1 described in the deed to Jamestown Square, LLC, recorded in Document No. 2021-23519 of the Official Records of Grayson County, Texas (O.R.G.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found for the northwest corner of a called 5.117 acre tract of land described in a deed to Billy Densmore, recorded in Volume 4404, Page 542 (O.R.G.C.T.), same being an interior corner of said 50.006 acre tract;

THENCE North 79°46'48" West, crossing said 50.006 acre tract, a distance of 3.04 feet to a point for corner;

THENCE North 10°13'12" East, continuing across said 50.006 acre tract, a distance of 813.34 feet to a point for corner;

THENCE North 66°05'36" West, continuing across said 50.006 acre tract, a distance of 7.52 feet to a point at the beginning of a tangent curve to the left with a radius of 380.00 feet, a central angle of 13°41'12", and a chord bearing and distance of North 72°56'12" West, 90.56 feet;

THENCE in a northwesterly direction, continuing across said 50.006 acre tract, with said tangent curve to the left, an arc distance of 90.77 feet to a point for corner;

THENCE North 79°46'48" West, continuing across said 50.006 acre tract, a distance of 43.92 feet to a point for corner;

THENCE North 10°13'12" East, continuing across said 50.006 acre tract, a distance of 270.45 feet to a point for corner;

THENCE North 04°19'57" West, continuing across said 50.006 acre tract, a distance of 76.10 feet to a point for corner, in the westerly south line of a called 35.0 acre tract described in the deed to Arkan Realty, LLC, recorded in Document No. 2021-21211 O.R.G.C.T. and the westerly north line of said 50.006 acre tract;

THENCE North 85°40'03" East, along the westerly south line of said 35.0 acre tract and the westerly north line of said 50.006 acre tract, a distance of 18.22 feet to a point for a southerly corner of said 35.0 acre tract and an interior corner of said 50.006 acre tract;

THENCE North 74°26'10" East, along the southeast line of said 35.0 acre tract and the westerly northwest line of said 50.006 acre tract, a distance of 207.94 feet to a 3/8-inch iron rod found for the northwest corner of Akers Cemetery (no record found) and the westerly northeast corner of said 50.006 acre tract;

Continued on Sheet 2

ZONING EXHIBIT
TRACT 2
JOHN CHRONISTER SURVEY, A-248
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	JULY 2023	064512316	1 OF 3

Continued from Sheet 1

THENCE South 24°45'59" East, departing the southeast line of said 35.0 acre tract, along the northerly west line of Akers Cemetery and a westerly east line of said 50.006 acre tract, a distance of 210.10 feet to a point for the northerly southwest corner of Akers Cemetery, same being an interior corner of said 50.006 acre tract;

THENCE North 77°18'24" East, along a northerly south line of Akers Cemetery and a southerly north line of said 50.006 acre tract, a distance of 186.44 feet to a point for an interior corner of Akers Cemetery and a westerly northeast corner of said 50.006 acre tract;

THENCE South 03°39'22" East, along the southerly west line of Akers Cemetery and a westerly east line of said 50.006 acre tract, a distance of 504.43 feet to a point for the southerly southwest corner of Akers Cemetery, same being an interior corner of said 50.006 acre tract;

THENCE South 02°41'09" West, crossing said 50.006 acre tract, a distance of 60.85 feet to a point at the beginning of a non-tangent curve to the right with a radius of 40.00 feet, a central angle of 103°45'32", and a chord bearing and distance of South 41°39'34" East, 62.94 feet;

THENCE in a southeasterly direction, continuing across said 50.006 acre tract, with said non-tangent curve to the right, an arc distance of 72.44 feet to a point for corner;

THENCE South 10°13'12" West, continuing across said 50.006 acre tract, at a distance of 94.40 feet passing a 3/8 inch iron rod found for the northeast corner of said 5.117 acre tract, same being an interior corner of said 50.006 acre tract, continuing along the north line of said 5.117 acre tract and a northerly south line of said 50.006 acre tract, a total distance of 476.87 feet to the **POINT OF BEGINNING** and containing 14.287 acres (622,331 square feet) of land, more or less.

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ZONING EXHIBIT
TRACT 2
JOHN CHRONISTER SURVEY, A-248
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

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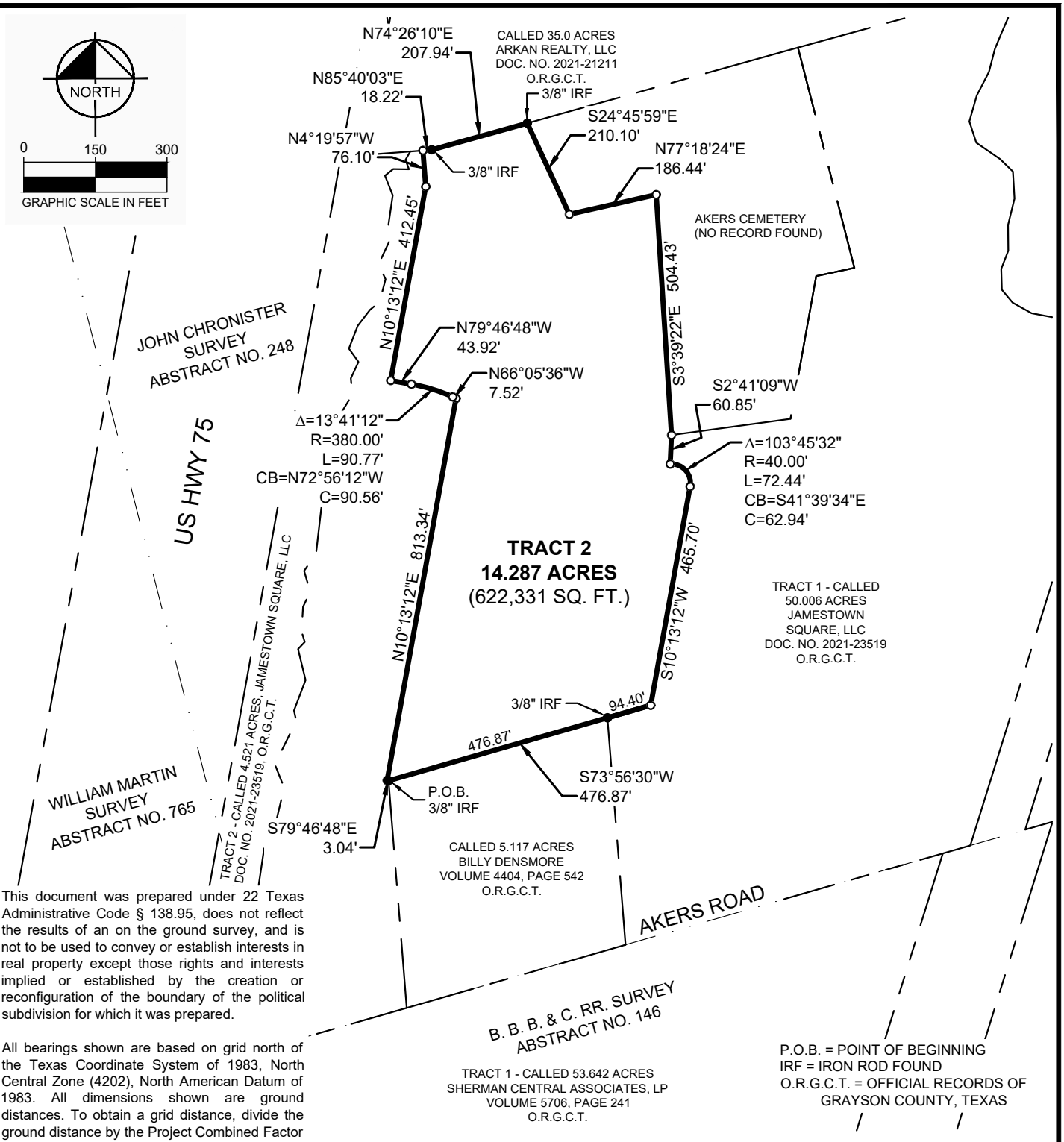
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	JULY 2023	064512316	2 OF 3



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P.O.B. = POINT OF BEGINNING
IRF = IRON ROD FOUND
O.R.G.C.T. = OFFICIAL RECORDS OF GRAYSON COUNTY, TEXAS

ZONING EXHIBIT
TRACT 2
JOHN CHRONISTER SURVEY, A-248
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

MICHAEL MARX
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	JCC	KHA	JULY 2023	064512316	3 OF 3

LAND DESCRIPTION
TRACT 3

BEING a tract of land located in the John Chronister Survey, Abstract No. 248, City of Sherman, Grayson County, Texas, part of a called 50.006 acre Tract 1 described in the deed to Jamestown Square, LLC, recorded in Document No. 2021-23519 of the Official Records of Grayson County, Texas (O.R.G.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a 60d nail found in the southerly line of Akers Road and the northerly line of a called 53.642 acre Tract 1 described in the deed to Sherman Central Associates, LP, recorded in Volume 5706, Page 241 O.R.G.C.T., for the southeast corner of a called 5.117 acre tract described in the deed to Billy Densmore recorded in Volume 4404, Page 542 O.R.G.C.T., and the easterly southwest corner of said 50.006 acre tract;

THENCE North 04°34'48" West, departing the southerly line of Akers Road and the northerly line of said 53.642 acre tract, along the east line of said 5.117 acre tract and an easterly west line of said 50.006 acre tract, a distance of 477.13 feet to a 3/8-inch iron rod found for the northeast corner of said 5.117 acre tract and an interior corner of said 50.006 acre tract;

THENCE North 73°56'30" East, crossing said 50.006 acre tract, a distance of 94.40 feet to a point for corner;

THENCE North 10°13'12" East, continuing across said 50.006, a distance of 465.70 feet to a point at the beginning of a tangent curve to the left with a radius of 40.00 feet, a central angle of 103°45'32", and a chord bearing and distance of North 41°39'34" West, 62.94 feet;

THENCE in a northwesterly direction, continuing across said 50.006 acre tract, with said tangent curve to the left, an arc distance of 72.44 feet to a point for corner;

THENCE North 02°41'09" East, continuing across said a distance of 60.85 feet to a point for the southerly southwest corner of Akers Cemetery (no record found) and an interior corner of said 50.006 acre tract;

THENCE North 82°14'30" East, along the south line of Akers Cemetery and a southerly north line of said 50.006 acre tract, and crossing said 50.006 acre tract, a distance of 256.68 feet to a point at the beginning of a tangent curve to the right with a radius of 380.00 feet, a central angle of 17°23'01", and a chord bearing and distance of South 89°04'00" East, 114.85 feet;

THENCE in a southeasterly direction, continuing across said 50.006 acre tract, with said tangent curve to the right, an arc distance of 115.29 feet to a point for corner;

Continued on Sheet 2

ZONING EXHIBIT
TRACT 3
JOHN CHRONISTER SURVEY, A-248
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	JULY 2023	064512316	1 OF 3

Continued from Sheet 1

THENCE South 10°13'12" West, continuing across said 50.006 acre tract, a distance of 1,035.83 feet to a point for corner in the southerly line of Akers Road, the easterly south line of said 50.006 acre tract and the north line of said 53.642 acre tract;

THENCE South 73°54'54" West, along the southerly line of Akers Road, the easterly south line of said 50.006 acre tract and the north line of said 53.642 acre tract, a distance of 293.12 feet to the **POINT OF BEGINNING** and containing 7.796 acres (339,582 square feet) of land, more or less.

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All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, divide the ground distance by the Project Combined Factor (PCF) of 1.00010712.

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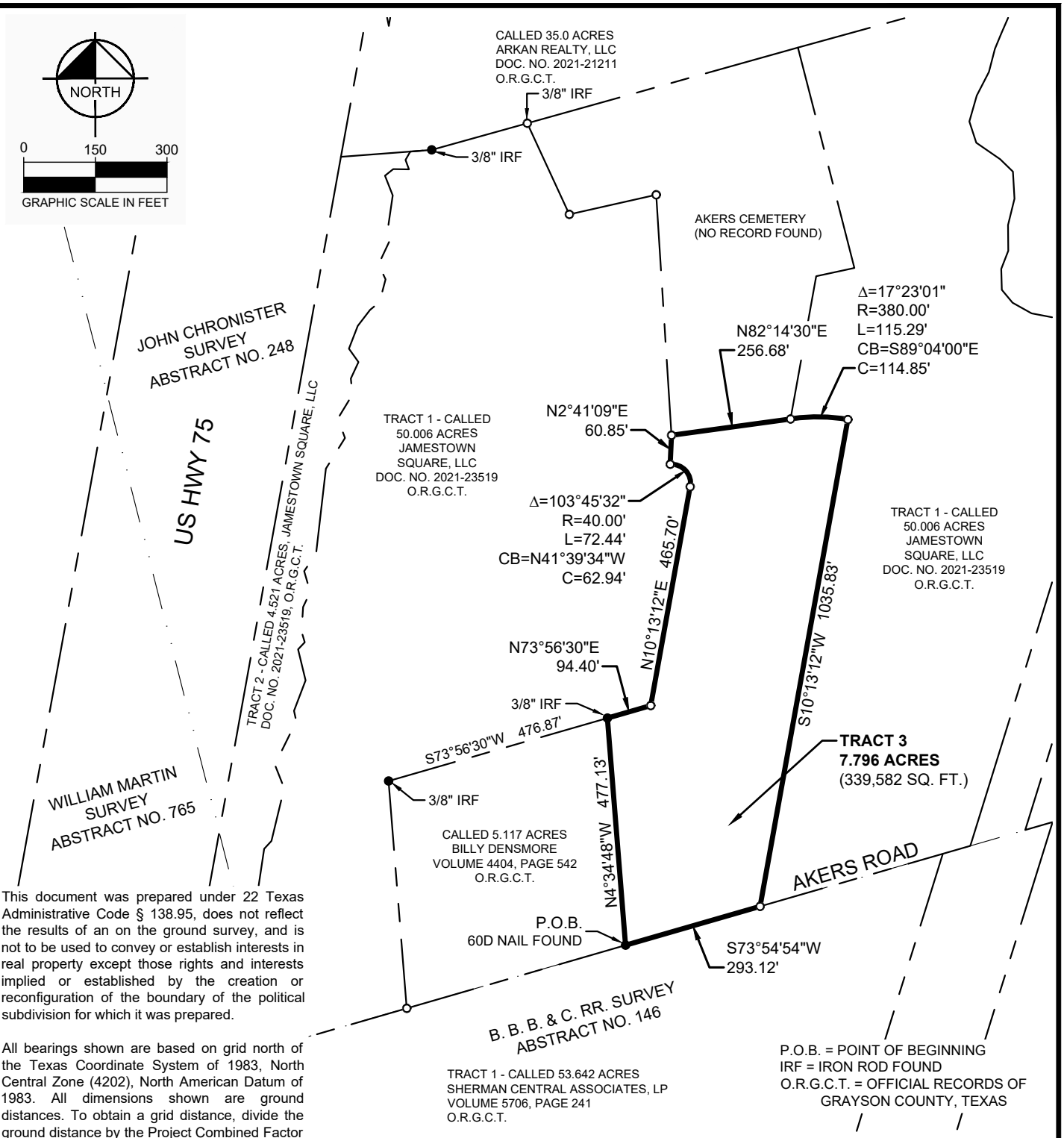
PROFESSIONAL
LAND SURVEYOR

ZONING EXHIBIT
TRACT 3
JOHN CHRONISTER SURVEY, A-248
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	JULY 2023	064512316	2 OF 3



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P.O.B. = POINT OF BEGINNING
IRF = IRON ROD FOUND
O.R.G.C.T. = OFFICIAL RECORDS OF GRAYSON COUNTY, TEXAS

ZONING EXHIBIT
TRACT 3
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	JCC	KHA	JULY 2023	064512316	3 OF 3

LAND DESCRIPTION
TRACT 4

BEING a tract of land located in the John Chronister Survey, Abstract No. 248, City of Sherman, Grayson County, Texas, part of a called 50.006 acre Tract 1 described in the deed to Jamestown Square, LLC, recorded in Document No. 2021-23519 of the Official Records of Grayson County, Texas (O.R.G.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8-inch rod found in the westerly right-of-way line of a Dallas Area Rapid Transit (DART) tract described in the deed recorded in Volume 3091, Page 550 O.R.G.C.T. and Volume 3476, Page 150 O.R.G.C.T., the southerly line of Akers Road, for the southeast corner of said 50.006 acre tract;

THENCE South 73°54'54" West, along the southerly line of Akers Road, the easterly south line of said 50.006 acre tract, the north line of a called 53.642 acre Tract 1 described in the deed to Sherman Central Associates, LP, recorded in Volume 5706, Page 241 O.R.G.C.T., a distance of 458.06 feet to a point for corner;

THENCE North 10°13'12" East, departing the southerly line of Akers Road and the north line of said 53.642 acre tract, across said 50.006 acre tract, a distance of 1,035.83 feet to a point at the beginning of a non-tangent curve to the left with a radius of 380.00 feet, a central angle of 17°23'01", and a chord bearing and distance of North 89°04'00" West, 114.85 feet;

THENCE in a southwesterly direction, continuing across said 50.006 acre tract, with said non-tangent curve to the left, an arc distance of 115.29 feet to a point for corner;

THENCE South 82°14'30" West, continuing across said 50.006 acre tract, a distance of 5.21 feet to a point for corner;

THENCE North 10°10'28" East, continuing across said 50.006 acre tract, a distance of 402.86 feet to a point for corner;

THENCE North 79°49'32" West, continuing across said 50.006 acre tract, a distance of 84.26 feet to a point for corner;

THENCE North 10°10'28" East, continuing across said 50.006 acre tract, at a distance of 146.23 feet passing a point for the southerly southeast corner of Akers Cemetery (no record found) and an interior corner of said 50.006 acre tract, continuing along the southerly east line of Akers Cemetery and an easterly west line of said 50.006 acre tract, a total distance of 449.98 feet to a point for an interior corner of Akers Cemetery and a southerly northwest corner of said 50.006 acre tract;

Continued on Sheet 2

ZONING EXHIBIT
TRACT 4
JOHN CHRONISTER SURVEY, A-248
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

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Frisco, Texas 75034
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	JULY 2023	064512316	1 OF 5

Continued from Sheet 1

THENCE North 77°49'05" East, along a northerly south line of Akers Cemetery and a southerly north line of said 50.006 acre tract, a distance of 81.97 feet to a point for the northerly southeast corner of Akers Cemetery and an interior corner of said 50.006 acre tract;

THENCE North 14°21'49" West, along the northerly east line of Akers Cemetery and an easterly west line of said 50.006 acre tract, a distance of 476.44 feet to a point in the southeast line of a called 35.0 acre tract described in the deed to Arkan Realty, LLC, recorded in Document No. 2021-21211 O.R.G.C.T., for the northeast corner of Akers Cemetery and an easterly northwest corner of said 50.006 acre tract;

THENCE North 74°35'02" East, along the southeast line of said 35.0 acre tract and the easterly northwest line of said 50.006 acre tract, a distance of 500.15 feet to a point for a southerly northwest corner of a called 38.792 acre Tract 1 described in the deed to Sharif & Associates Property, LLC, recorded in Document No. 2021-14790 O.R.G.C.T. and the northeast corner of said 50.006 acre tract;

THENCE departing the southeast line of said 35.0 acre tract, along the southerly west lines of said 38.792 acre tract and the northerly east lines of said 50.006 acre tract, the following courses and distances:

South 32°09'35" West, a distance of 69.41 feet to a point for corner;

South 23°34'54" West, a distance of 47.12 feet to a point for corner;

South 22°39'45" West, a distance of 36.50 feet to a point for corner;

South 14°18'21" West, a distance of 49.87 feet to a point for corner;

South 27°19'29" West, a distance of 55.67 feet to a point for corner;

South 16°02'42" West, a distance of 56.61 feet to a point for corner;

South 18°07'31" East, a distance of 46.70 feet to a point for corner;

South 55°23'48" East, a distance of 60.83 feet to a point for corner;

South 45°39'44" East, a distance of 37.23 feet to a point for corner;

South 03°28'02" East, a distance of 56.90 feet to a point for corner;

South 13°49'55" West, a distance of 56.56 feet to a point for corner;

Continued on Sheet 3

ZONING EXHIBIT
TRACT 4
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	JULY 2023	064512316	2 OF 5

Continued from Sheet 2

South 00°31'56" East, a distance of 53.95 feet to a point for corner;

South 21°15'44" West, a distance of 40.72 feet to a point for corner;

South 01°28'07" East, a distance of 43.78 feet to a point for corner;

South 39°51'00" East, a distance of 35.14 feet to a point for corner;

South 60°42'51" East, a distance of 45.53 feet to a point for corner;

South 79°10'04" East, a distance of 47.15 feet to a point for corner;

South 76°58'44" East, a distance of 48.68 feet to a point for corner;

South 86°16'37" East, a distance of 51.87 feet to a point for corner;

South 71°20'01" East, a distance of 62.69 feet to a point in the west line of said DART tract, for the southernmost southeast corner of said 38.792 acre tract and a southerly northeast corner of said 50.006 acre tract;

THENCE South 17°16'01" West, along the west line of said DART tract and the southerly east line of said 50.006 acre tract, a distance of 1,122.37 feet to the **POINT OF BEGINNING** and containing 18.903 acres (823,411 square feet) of land, more or less.

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ZONING EXHIBIT
TRACT 4
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CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

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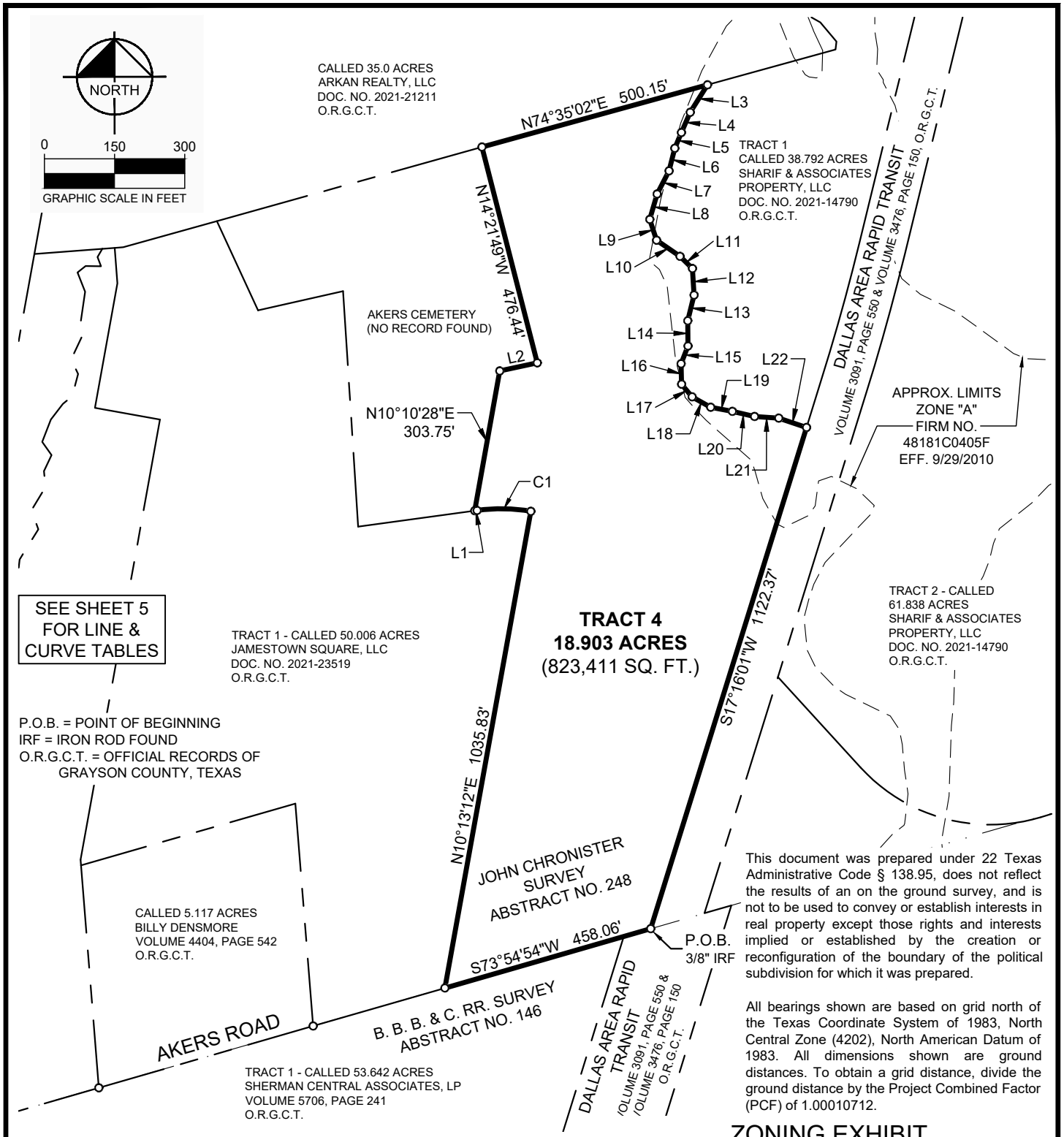
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	JULY 2023	064512316	3 OF 5



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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	JCC	KHA	JULY 2023	064512316	4 OF 5

LINE TABLE		
NO.	BEARING	LENGTH
L1	S82°14'30"W	5.21'
L2	N77°49'05"E	81.97'
L3	S32°09'35"W	69.41'
L4	S23°34'54"W	47.12'
L5	S22°39'45"W	36.50'
L6	S14°18'21"W	49.87'
L7	S27°19'29"W	55.67'
L8	S16°02'42"W	56.61'
L9	S18°07'31"E	46.70'
L10	S55°23'48"E	60.83'
L11	S45°39'44"E	37.23'
L12	S03°28'02"E	56.90'
L13	S13°49'55"W	56.56'

LINE TABLE		
NO.	BEARING	LENGTH
L14	S00°31'56"E	53.95'
L15	S21°15'44"W	40.72'
L16	S01°28'07"E	43.78'
L17	S39°51'00"E	35.14'
L18	S60°42'51"E	45.53'
L19	S79°10'04"E	47.15'
L20	S76°58'44"E	48.68'
L21	S86°16'37"E	51.87'
L22	S71°20'01"E	62.69'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	17°23'01"	380.00'	115.29'	S89°04'00"E	114.85'

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1" = 300'	JCC	KHA	JULY 2023	064512316	5 OF 5

Multi Family





Townhomes





Single Family

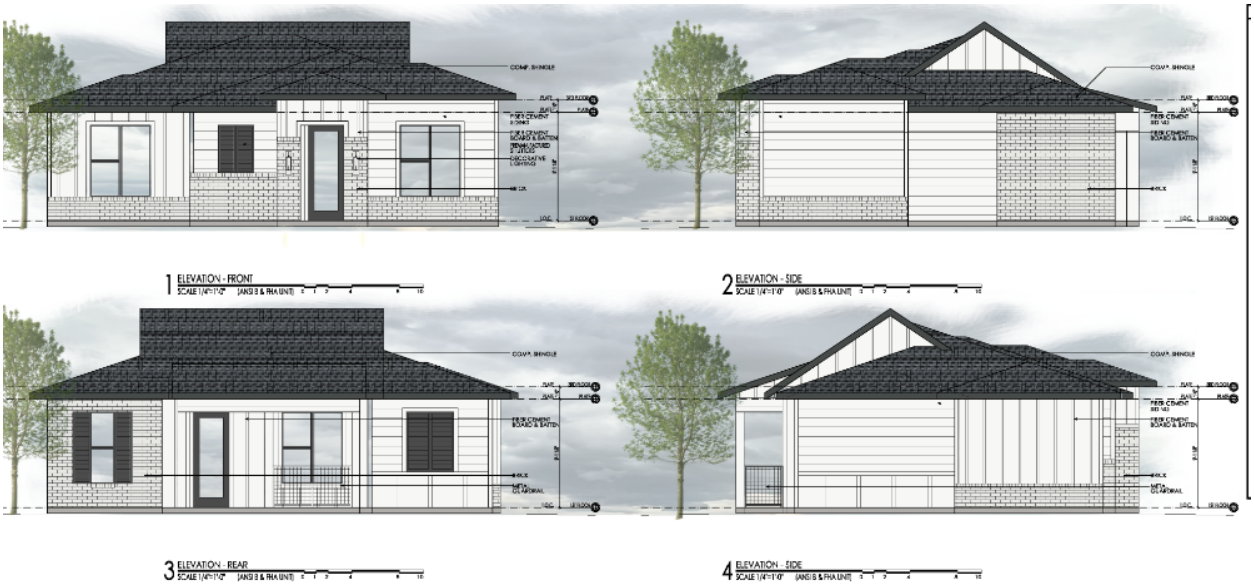


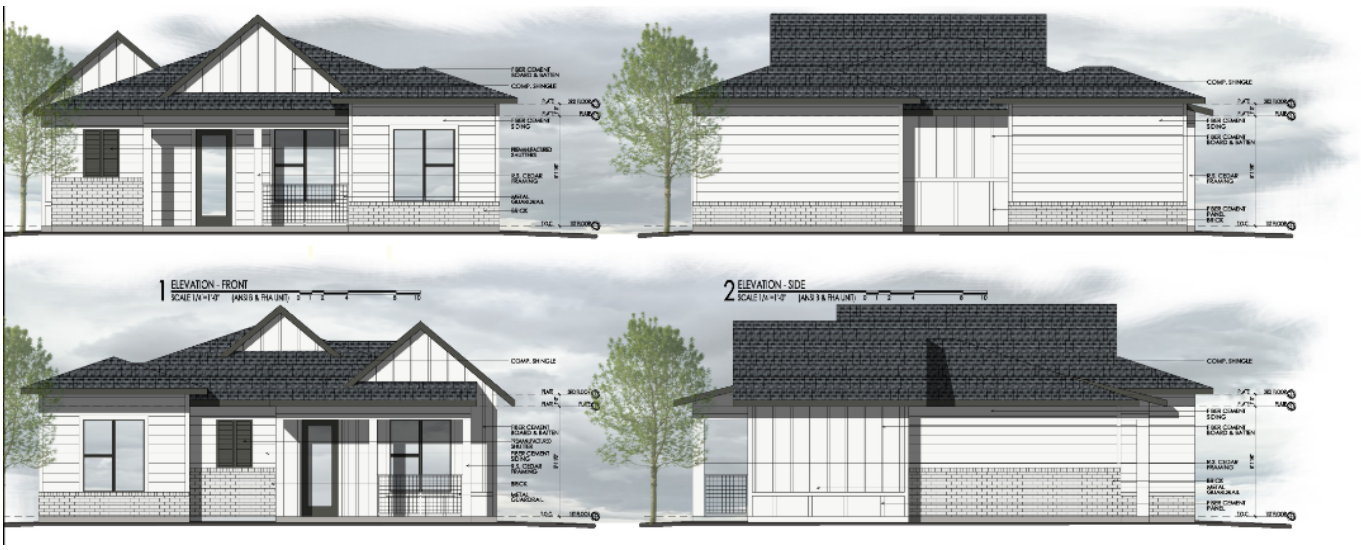


Multi Family (Lesser Density)





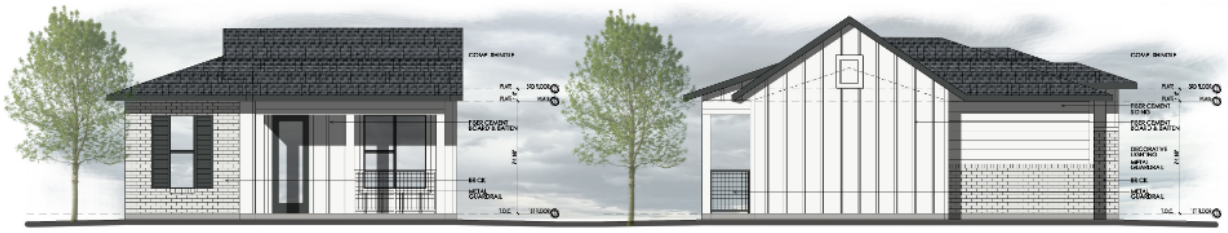

COMP. SHINGLE
FIBER CEMENT BOARD & BATTEN
FIBER CEMENT SIDING
BRICK
1 ELEVATION - FRONT
SCALE 1/4"=1'-0"
2 ELEVATION - SIDE
SCALE 1/4"=1'-0"
3 ELEVATION - REAR
SCALE 1/4"=1'-0"
4 ELEVATION - SIDE
SCALE 1/4"=1'-0"


COMP. SHINGLE
FIBER CEMENT BOARD & BATTEN
FIBER CEMENT SIDING
BRICK
1 ELEVATION - FRONT
SCALE 1/4"=1'-0"
2 ELEVATION - SIDE
SCALE 1/4"=1'-0"



1 ELEVATION - FRONT
SCALE 1/4"=1'-0" (ANSI B & FHA UNIT)

2 ELEVATION - SIDE
SCALE 1/4"=1'-0" (ANSI B & FHA UNIT)



3 ELEVATION - REAR
SCALE 1/4"=1'-0" (ANSI B & FHA UNIT)

4 ELEVATION - SIDE
SCALE 1/4"=1'-0" (ANSI B & FHA UNIT)



NOTE: ALL ZERO LOT LINE EXTERIOR WALLS ARE EITHER 1HR OR 2HR FIREWALLS DEPENDING ON LOCAL JURISDICTION

TYPICAL LOT LAYOUT

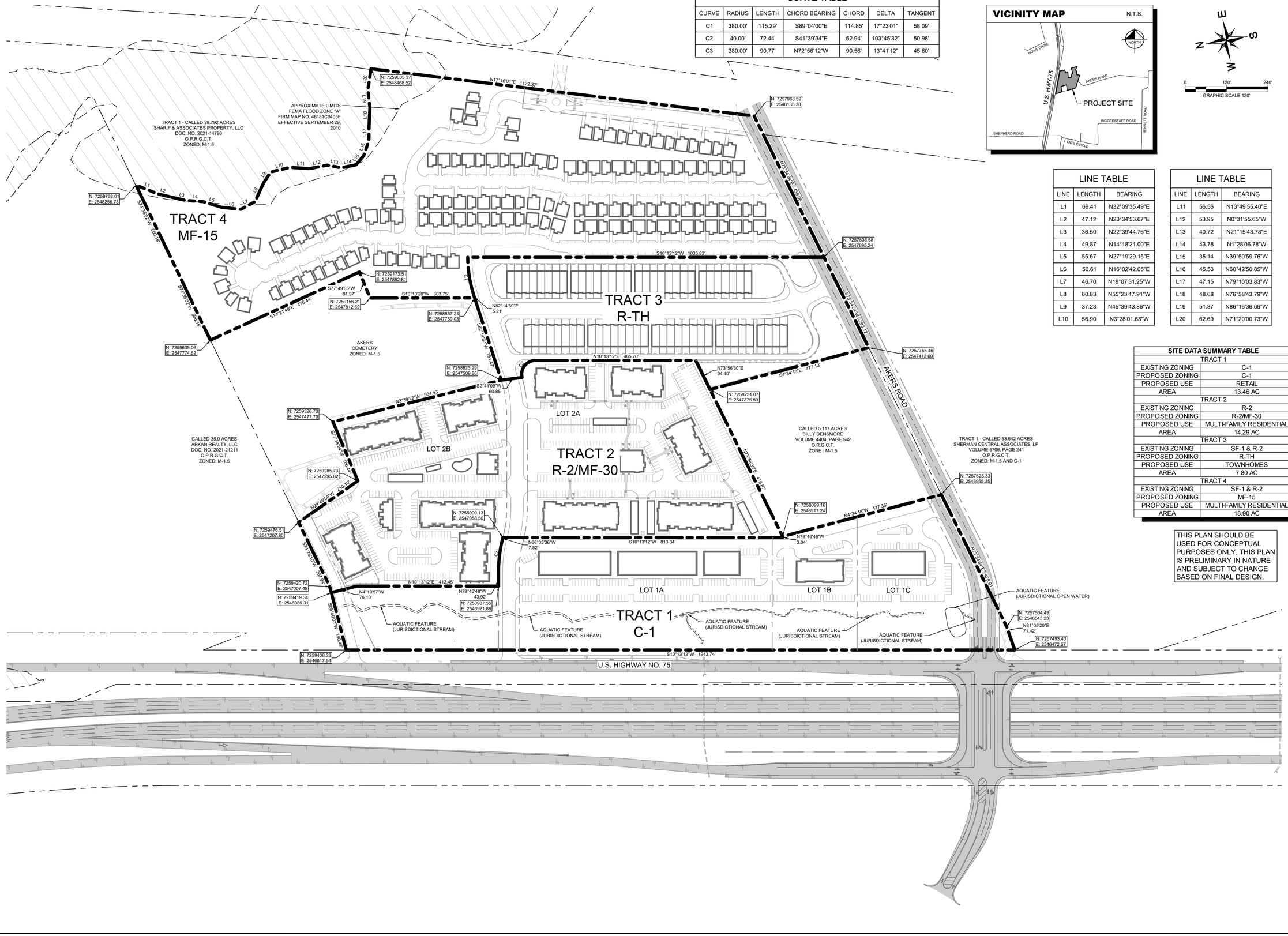
14 U/ACRE UNIT AVG SIZE 1,374 SF

Commercial




Coffee
Mattress
Mobile


MARINA FOOD
RESTAURANT
RESTAURANT
RESTAURANT
RESTAURANT



CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	380.00'	115.29'	S89°04'00"E	114.85'	17°23'01"	58.09'
C2	40.00'	72.44'	S41°39'34"E	62.94'	103°45'32"	50.98'
C3	380.00'	90.77'	N72°56'12"W	90.56'	13°41'12"	45.60'

VICINITY MAP

N.T.S.

LINE TABLE

LINE	LENGTH	BEARING
L1	69.41	N32°09'35.49"E
L2	47.12	N23°34'53.67"E
L3	36.50	N22°39'44.76"E
L4	49.87	N14°18'21.00"E
L5	55.67	N27°19'29.16"E
L6	56.61	N16°02'42.05"E
L7	46.70	N18°07'31.25"W
L8	60.83	N55°23'47.91"W
L9	37.23	N45°39'43.86"W
L10	56.90	N3°28'01.68"W

LINE TABLE

LINE	LENGTH	BEARING
L11	56.56	N13°49'55.40"E
L12	53.95	N0°31'55.65"W
L13	40.72	N21°15'43.78"E
L14	43.78	N1°28'06.78"W
L15	35.14	N39°50'59.76"W
L16	45.53	N60°42'50.85"W
L17	47.15	N79°10'03.83"W
L18	48.68	N76°58'43.79"W
L19	51.87	N86°16'36.69"W
L20	62.69	N71°20'00.73"W

SITE DATA SUMMARY TABLE

TRACT 1	
EXISTING ZONING	C-1
PROPOSED ZONING	C-1
PROPOSED USE	RETAIL
AREA	13.46 AC
TRACT 2	
EXISTING ZONING	R-2
PROPOSED ZONING	R-2/MF-30
PROPOSED USE	MULTI-FAMILY RESIDENTIAL
AREA	14.29 AC
TRACT 3	
EXISTING ZONING	SF-1 & R-2
PROPOSED ZONING	R-TH
PROPOSED USE	TOWNHOMES
AREA	7.80 AC
TRACT 4	
EXISTING ZONING	SF-1 & R-2
PROPOSED ZONING	MF-15
PROPOSED USE	MULTI-FAMILY RESIDENTIAL
AREA	18.90 AC

THIS PLAN SHOULD BE USED FOR CONCEPTUAL PURPOSES ONLY. THIS PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2023 KIMLEY-HORN
2600 NORTH CENTRAL EXPRESSWAY, SUITE 400
RICHARDSON, TEXAS 75080
PHONE: 214-417-6525
TEXAS REGISTERED ENGINEERING FIRM F-928

KHA PROJECT 064512316
DATE JULY 2023
SCALE AS SHOWN
DESIGNED BY JCK
DRAWN BY CBJ
CHECKED BY RCL

JAMESTOWN SQUARE

CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

ULTIMATE OVERALL ZONING CONCEPT PLAN

SHEET NUMBER
C-00

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

IMAGES
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PLOT STYLE BY
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DWG NAME
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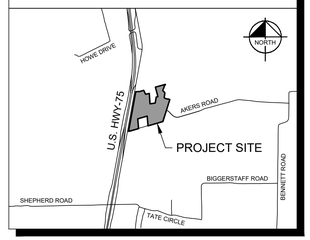
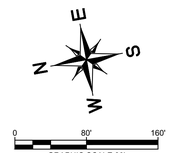
Exhibit_Ultimate Concept Plan_Overall_Layout.dwg

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	380.00'	115.29'	S89°04'00"E	114.85'	17°23'01"	58.09'
C2	40.00'	72.44'	S41°39'34"E	62.94'	103°45'32"	50.98'
C3	380.00'	90.77'	N72°56'12"W	90.56'	13°41'12"	45.60'

VICINITY MAP N.T.S.





LINE TABLE		
LINE	LENGTH	BEARING
L1	69.41	N32°09'35.49"E
L2	47.12	N23°34'53.67"E
L3	36.50	N22°39'44.76"E
L4	49.87	N14°18'21.00"E
L5	55.67	N27°19'29.16"E
L6	56.61	N16°02'42.05"E
L7	46.70	N18°07'31.25"W
L8	60.83	N55°23'47.91"W
L9	37.23	N45°39'43.86"W
L10	56.90	N3°28'01.68"W

LINE TABLE		
LINE	LENGTH	BEARING
L11	56.56	N13°49'55.40"E
L12	53.95	N0°31'55.65"W
L13	40.72	N21°15'43.78"E
L14	43.78	N1°28'06.78"W
L15	35.14	N39°50'59.76"W
L16	45.53	N60°42'50.85"W
L17	47.15	N79°10'03.83"W
L18	48.68	N76°58'43.79"W
L19	51.87	N86°16'36.69"W
L20	62.69	N71°20'00.73"W

SITE DATA SUMMARY TABLE	
TRACT 1	
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PROPOSED ZONING	C-1
PROPOSED USE	RETAIL
AREA	13.46 AC
TRACT 2	
EXISTING ZONING	R-2
PROPOSED ZONING	R-2/MF-30
PROPOSED USE	MULTI-FAMILY RESIDENTIAL
AREA	14.29 AC
TRACT 3	
EXISTING ZONING	SF-1 & R-2
PROPOSED ZONING	R-TH
PROPOSED USE	TOWNHOMES
AREA	7.80 AC
TRACT 4	
EXISTING ZONING	SF-1 & R-2
PROPOSED ZONING	MF-15
PROPOSED USE	MULTI-FAMILY RESIDENTIAL
AREA	18.90 AC

THIS PLAN SHOULD BE USED FOR CONCEPTUAL PURPOSES ONLY. THIS PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.

TRACT 1 - CALLED 53.642 ACRES
SHERMAN CENTRAL ASSOCIATES, LP
VOLUME 5706, PAGE 241
O.P.R.G.C.T.
ZONED: M-1.5 AND C-1

TRACT 1 - CALLED 38.792 ACRES
SHARIF & ASSOCIATES PROPERTY, LLC
DOC. NO. 2021-14790
O.P.R.G.C.T.
ZONED: M-1.5

APPROXIMATE LIMITS
FEMA FLOOD ZONE "A"
FIRM MAP NO. 48181C0405F
EFFECTIVE SEPTEMBER 29, 2010

CALLED 35.0 ACRES
ARKAN REALTY, LLC
DOC. NO. 2021-21211
O.P.R.G.C.T.
ZONED: M-1.5

AKERS
CEMETERY
ZONED: M-1.5

CALLED 5.117 ACRES
BILLY DENSMORE
VOLUME 4404, PAGE 542
O.R.G.C.T.
ZONE : M-1.5

TRACT 4
MF-15

TRACT 3
R-TH

TRACT 2
R-2/MF-30

TRACT 1
C-1

LOT 2A
LOT 2B
LOT 1A
LOT 1B
LOT 1C

AQUATIC FEATURE (JURISDICTIONAL STREAM)
AQUATIC FEATURE (JURISDICTIONAL OPEN WATER)

MATCH LINE THIS SHEET
MATCH LINE THIS SHEET

AKERS ROAD
U.S. HIGHWAY NO. 75

N: 7259035.37 E: 2548468.52
N17°16'01"E 1122.37'
N: 7257963.59 E: 2548135.38
N23°54'54"E 488.86'
N: 7257851.22 E: 2547745.68
S10°13'12"W 1035.83'
N: 7259173.51 E: 2547892.81
S77°49'05"W 81.97'
N: 7259156.21 E: 2547812.69
S10°10'28"W 303.75'
N: 7258857.24 E: 2547759.03
N82°14'30"E 5.21'
S82°14'30"W 5.21'
S14°21'49"E 476.44'
S14°35'22"W 498.15'
N: 7259635.06 E: 2547774.62
N: 7257755.46 E: 2547413.60
N23°54'54"E 459.12'
N10°13'12"E 465.70'
S4°34'48"E 477.15'
N73°56'30"E 94.40'
N: 7258823.29 E: 2547509.86
S2°41'09"W 60.85'
N3°39'22"W 504.43'
N: 7258231.07 E: 2547375.50
N: 7259326.70 E: 2547477.70
S17°16'47"W 458.14'
N: 7259285.73 E: 2547295.82
N24°45'59"W 210.16'
N: 7259476.51 E: 2547207.80
N: 7257623.33 E: 2546955.35
N4°34'48"W 477.35'
N: 7259768.01 E: 2548256.78
S17°35'02"W 500.15'
S4°28'10"W 207.94'
N: 7258900.13 E: 2547058.56
N66°05'36"W 7.52'
S10°13'12"W 813.34'
N: 7258099.16 E: 2546917.24
N79°46'48"W 3.04'
N: 7259420.72 E: 2547007.48
N4°19'57"W 76.10'
N10°13'12"E 412.45'
N: 7259419.34 E: 2546989.31
S84°40'03"W 194.48'
N: 7258937.56 E: 2546921.88
N79°46'48"W 43.92'
N23°54'54"E 428.91'
N: 7257504.49 E: 2546543.23
N61°05'25"E 71.42'
N: 7259406.33 E: 2546817.54
S10°13'12"W 1943.74'
N: 7257493.43 E: 2546472.67

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No.	REVISIONS	DATE	BY

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2600 NORTH CENTRAL EXPRESSWAY, SUITE 400
RICHARDSON, TEXAS 75080
PHONE: 214-417-6535
TEXAS REGISTERED ENGINEERING FIRM F-928

KHA PROJECT 064512316
DATE JULY 2023
SCALE AS SHOWN
DESIGNED BY JCK
DRAWN BY CBJ
CHECKED BY RCL

JAMESTOWN SQUARE
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

OVERALL ZONING CONCEPT PLAN

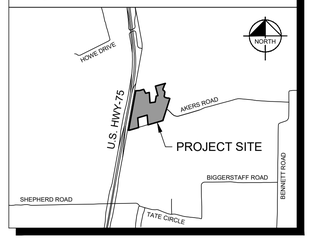
SHEET NUMBER
C-01

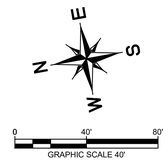
LEGEND

FL / FL	PROPOSED FIRELANE
	PROPOSED PUBLIC PAVEMENT
	PROPOSED BUILDING
	EXISTING PAVEMENT
TYP.	TYPICAL
PROP.	PROPOSED
(X)	NUMBER OF PARKING SPACES
EX.	EXISTING

SITE DATA SUMMARY TABLE - C1 - RETAIL (LOT 1A)	
EXISTING ZONING	C-1
PROPOSED ZONING	C-1
PROPOSED USE	RETAIL
AREA	±5.51 AC
BUILDING AREA	± 38,150 SF
BUILDING HEIGHT MAX	≤ 50' - 3 STORY
PARKING REQUIRED (1 SPACE / 250 SF GFA)	153 SPACES
PARKING PROVIDED	153 SPACES
SETBACKS (HWY-75 OVERLAY DISTRICT)	FRONT: 25' + 32' = 57' REAR: 10' SIDE: 0' ADJACENT RESIDENTIAL: 15' ADJACENT R.O.W.: 15'
FLOOR AREA RATIO	0.16:1

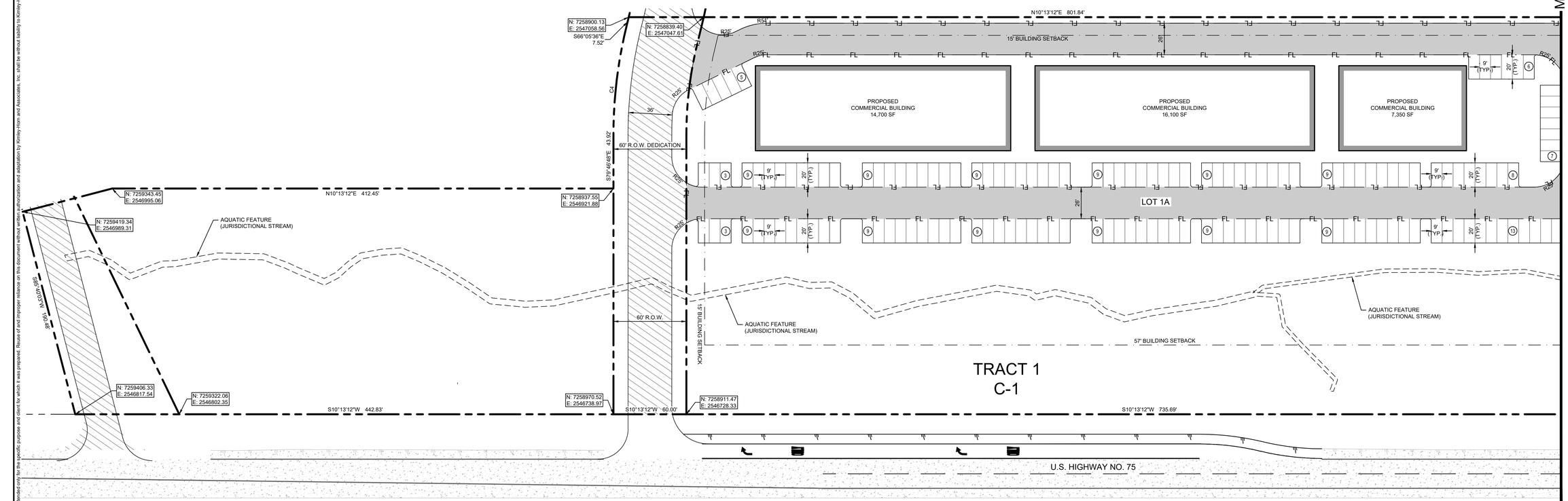
VICINITY MAP N.T.S.





THIS PLAN SHOULD BE USED FOR CONCEPTUAL PURPOSES ONLY. THIS PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C4	380.00'	90.77'	S72°56'12"E	90.56'	13°41'12"	45.60'



NOTES:

1. FIRE LANE DIMENSIONS FOR BUILDINGS LESS THAN 35' IN HEIGHT ARE A MINIMUM OF 24' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND 49' OUTSIDE RADIUS.
2. FIRE LANE DIMENSIONS FOR BUILDINGS GREATER THAN OR EQUAL TO 35' IN HEIGHT ARE A MINIMUM OF 26' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND A MINIMUM 51' OUTSIDE RADIUS.
3. ALL 90° PARKING STALLS ARE SHOWN TO BE 9' X 20' PER CITY OF SHERMAN REQUIREMENTS.
4. ALL PRIVATE DRIVE AISLES ARE A MINIMUM OF 24' WIDE; UNLESS OTHERWISE NOTED; EXCLUDING FIRE LANES AND PUBLIC STREETS.

No.	REVISIONS	DATE	BY

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TEXAS REGISTERED ENGINEERING FIRM F-928

KHA PROJECT 064512316
DATE JULY 2023
SCALE AS SHOWN
DESIGNED BY JCK
DRAWN BY CBJ
CHECKED BY RCL

JAMESTOWN SQUARE
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

COMMERCIAL CONCEPT PLAN (LOT 1A)

SHEET NUMBER
C-02

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DWG NAME EXHIBIT 1 - CONCEPT PLAN - LOT 1A.DWG

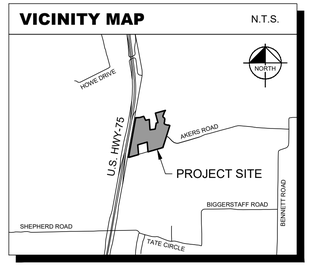
LEGEND

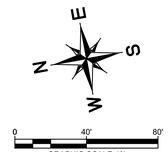
FL / FL	PROPOSED FIRELANE
	PROPOSED BUILDING
	EXISTING PAVEMENT
TYP.	TYPICAL
PROP.	PROPOSED
(X)	NUMBER OF PARKING SPACES
EX.	EXISTING

SITE DATA SUMMARY TABLE - C1 - COMMERCIAL (LOT 1B)	
EXISTING ZONING	C-1
PROPOSED ZONING	C-1
PROPOSED USE	RETAIL
AREA	±2.01 AC
BUILDING AREA	± 8,600 SF
BUILDING HEIGHT MAX	≤ 50' - 3 STORY
PARKING REQUIRED (1 SPACE / 250 SF GFA)	35 SPACES
PARKING PROVIDED	44 SPACES
SETBACKS (HWY-75 OVERLAY DISTRICT)	FRONT: 25' + 32' = 57' REAR: 10' SIDE: 0' ADJACENT RESIDENTIAL: 15' ADJACENT R.O.W.: 15'
FLOOR AREA RATIO	0.10:1

SITE DATA SUMMARY TABLE - C1 - COMMERCIAL (LOT 1C)	
EXISTING ZONING	C-1
PROPOSED ZONING	C-1
PROPOSED USE	RETAIL
AREA	±2.82 AC
BUILDING AREA	± 10,850 SF
BUILDING HEIGHT MAX	≤ 50' - 3 STORY
PARKING REQUIRED (1 SPACE / 250 SF GFA)	44 SPACES
PARKING PROVIDED	79 SPACES
SETBACKS (HWY-75 OVERLAY DISTRICT)	FRONT: 25' + 32' = 57' REAR: 10' SIDE: 0' ADJACENT RESIDENTIAL: 15' ADJACENT R.O.W.: 15'
FLOOR AREA RATIO	0.09:1

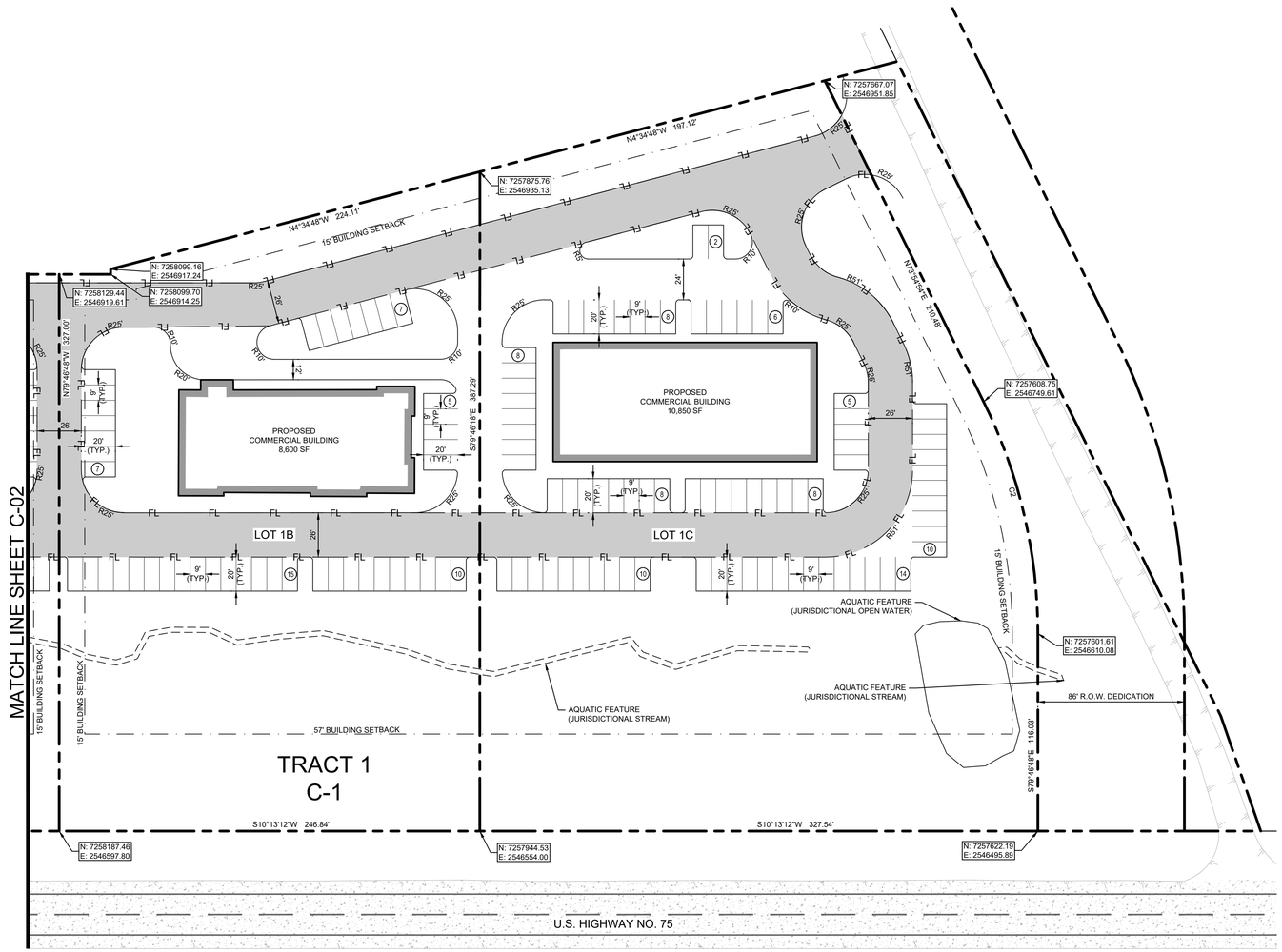
VICINITY MAP N.T.S.





THIS PLAN SHOULD BE USED FOR CONCEPTUAL PURPOSES ONLY. THIS PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C2	307.00'	140.95'	N87°04'03"E	139.71'	26°18'18"	71.74'



NOTES:

1. FIRE LANE DIMENSIONS FOR BUILDINGS LESS THAN 35' IN HEIGHT ARE A MINIMUM OF 24' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND 49' OUTSIDE RADIUS.
2. FIRE LANE DIMENSIONS FOR BUILDINGS GREATER THAN OR EQUAL TO 35' IN HEIGHT ARE A MINIMUM OF 26' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND A MINIMUM 51' OUTSIDE RADIUS.
3. ALL 90° PARKING STALLS ARE SHOWN TO BE 9' X 20' PER CITY OF SHERMAN REQUIREMENTS.
4. ALL PRIVATE DRIVE AISLES ARE A MINIMUM OF 24' WIDE; UNLESS OTHERWISE NOTED; EXCLUDING FIRE LANES AND PUBLIC STREETS.

No.	REVISIONS	DATE	BY

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TEXAS REGISTERED ENGINEERING FIRM F-928

KHA PROJECT 064512316
DATE JULY 2023
SCALE AS SHOWN
DESIGNED BY JCK
DRAWN BY CBJ
CHECKED BY RCL

JAMESTOWN SQUARE
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

COMMERCIAL CONCEPT PLAN (LOTS 1B AND 1C)

SHEET NUMBER
C-03

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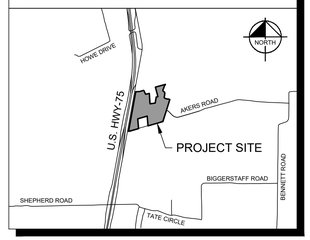
CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	380.00'	84.98'	S73°22'25"E	84.80'	12°48'46"	42.67'
C2	380.00'	108.21'	N87°56'15"W	107.84'	16°18'54"	54.47'
C3	40.00'	72.44'	S41°39'34"E	62.94'	103°45'32"	50.98'

SITE DATA SUMMARY TABLE - R2 - MULTI-FAMILY RESIDENTIAL (LOT 2A)	
EXISTING ZONING	R-2
PROPOSED ZONING	R-2
PROPOSED USE	MULTI-FAMILY RESIDENTIAL
AREA	± 7.34 AC
BUILDING AREA	± 71,000 SF
BUILDING HEIGHT MAX	< 45' - 3 STORY
TOTAL UNITS PROVIDED	174 UNITS
PARKING REQUIRED (2 SPACES / 1 UNIT)	348 SPACES
PARKING PROVIDED	348 SPACES
SETBACKS	FRONT: 25' REAR: 25' SIDE: 7'
FLOOR AREA RATIO	0.62:1
MAX DENSITY PERMITTED (1 UNIT / 1,250 SF LAND)	239 UNITS

LEGEND

- PROPOSED FIRELANE
- PROPOSED PUBLIC PAVEMENT
- PROPOSED BUILDING
- EXISTING PAVEMENT
- TYP. TYPICAL
- PROP. PROPOSED
- (x) NUMBER OF PARKING SPACES
- EX. EXISTING

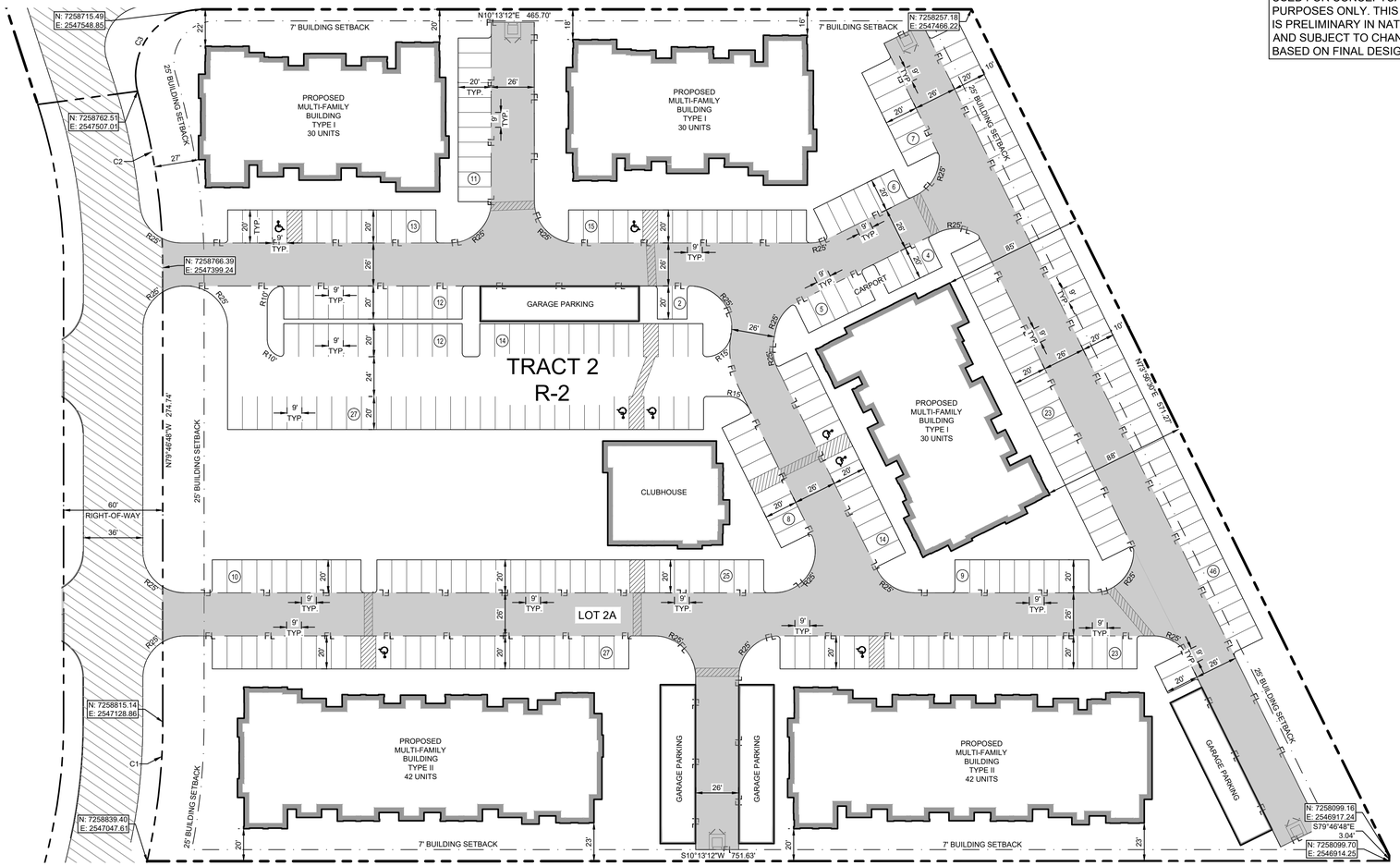
VICINITY MAP N.T.S.



N E S W

0 40' 80'
GRAPHIC SCALE 40'

THIS PLAN SHOULD BE USED FOR CONCEPTUAL PURPOSES ONLY. THIS PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.



NOTES:

1. FIRE LANE DIMENSIONS FOR BUILDINGS LESS THAN 35' IN HEIGHT ARE A MINIMUM OF 24' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND 49' OUTSIDE RADIUS.
2. FIRE LANE DIMENSIONS FOR BUILDINGS GREATER THAN OR EQUAL TO 35' IN HEIGHT ARE A MINIMUM OF 26' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND A MINIMUM 51' OUTSIDE RADIUS.
3. ALL 90° PARKING STALLS ARE SHOWN TO BE 9' X 20' PER CITY OF SHERMAN REQUIREMENTS.
4. ALL PRIVATE DRIVE AISLES ARE A MINIMUM OF 24' WIDE; UNLESS OTHERWISE NOTED; EXCLUDING FIRE LANES AND PUBLIC STREETS.

No.	REVISIONS	DATE	BY

Kimley»Horn

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RICHARDSON, TEXAS 75080
PHONE: 214-417-6535
TEXAS REGISTERED ENGINEERING FIRM F-928

KHA PROJECT 064512316
DATE JULY 2023
SCALE AS SHOWN
DESIGNED BY JCK
DRAWN BY CBJ
CHECKED BY RCL

JAMESTOWN SQUARE
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

MULTIFAMILY CONCEPT PLAN (LOT 2A)

SHEET NUMBER
C-04

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K:\DAL_DTX\196451316 - CHALLENGER DOWNS SHERMAN SH 84\C-SCADD\Sheets\C-04 MULTIFAMILY CONCEPT PLAN (LOT 2A).dwg
C-04 MULTIFAMILY CONCEPT PLAN (LOT 2A)

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PROPOSED SITE PLAN-MULTIFAMILY CONCEPTS - LOT 2B.DWG

LEGEND

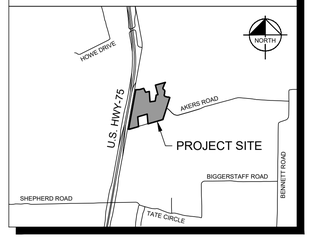
FL / FL	PROPOSED FIRELANE
	PROPOSED PUBLIC PAVEMENT
	PROPOSED BUILDING
	EXISTING PAVEMENT
TYP.	TYPICAL
PROP.	PROPOSED
(X)	NUMBER OF PARKING SPACES
EX.	EXISTING

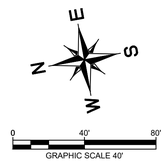
CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	320.00'	100.41'	S88°46'09"E	100.00'	17°58'42"	50.62'
C2	326.99'	85.25'	N72°13'46"W	85.01'	14°56'16"	42.87'
C3	380.00'	90.77'	N72°56'12"W	90.56'	13°41'12"	45.60'

SITE DATA SUMMARY TABLE - R2 - MULTI-FAMILY RESIDENTIAL (LOT 2B)	
EXISTING ZONING	R-2
PROPOSED ZONING	R-2/MF-30
PROPOSED USE	MULTI-FAMILY RESIDENTIAL
AREA	± 6.11 AC
BUILDING AREA	± 60,100 SF
BUILDING HEIGHT MAX	< 45' - 3 STORY
TOTAL UNITS PROVIDED	174 UNITS
PARKING REQUIRED (2 SPACES / 1 UNIT)	348 SPACES
PARKING PROVIDED	300 SPACES
SETBACKS	FRONT: 25' REAR: 25' SIDE: 7'
FLOOR AREA RATIO	0.75:1
MAX DENSITY PERMITTED (1 UNIT / 1,250 SF LAND)	212 UNITS

VICINITY MAP

N.T.S.







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NOTES:

1. FIRE LANE DIMENSIONS FOR BUILDINGS LESS THAN 35' IN HEIGHT ARE A MINIMUM OF 24' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND 49' OUTSIDE RADIUS.
2. FIRE LANE DIMENSIONS FOR BUILDINGS GREATER THAN OR EQUAL TO 35' IN HEIGHT ARE A MINIMUM OF 26' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND A MINIMUM 51' OUTSIDE RADIUS.
3. ALL 90° PARKING STALLS ARE SHOWN TO BE 9' X 20' PER CITY OF SHERMAN REQUIREMENTS.
4. ALL PRIVATE DRIVE AISLES ARE A MINIMUM OF 24' WIDE; UNLESS OTHERWISE NOTED; EXCLUDING FIRE LANES AND PUBLIC STREETS.

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2023 KIMLEY-HORN
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RICHARDSON, TEXAS 75080
PHONE: 214-417-6525
TEXAS REGISTERED ENGINEERING FIRM F-928

KHA PROJECT 064512316
DATE JULY 2023
SCALE AS SHOWN
DESIGNED BY JCK
DRAWN BY CBJ
CHECKED BY RCL

JAMESTOWN SQUARE
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

MULTIFAMILY CONCEPT PLAN (LOT 2B)

SHEET NUMBER
C-05

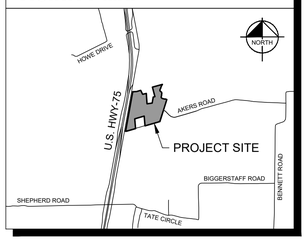
LEGEND

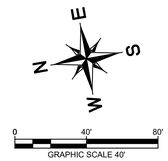
	PROPOSED PUBLIC PAVEMENT
	PROPOSED BUILDING
	EXISTING PAVEMENT
TYP.	TYPICAL
PROP.	PROPOSED
(X)	NUMBER OF PARKING SPACES
EX.	EXISTING

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	380.00'	115.29'	S89°04'00"E	114.85'	17°23'01"	58.09'
C2	40.00'	72.44'	S41°39'34"E	62.94'	103°45'32"	50.98'

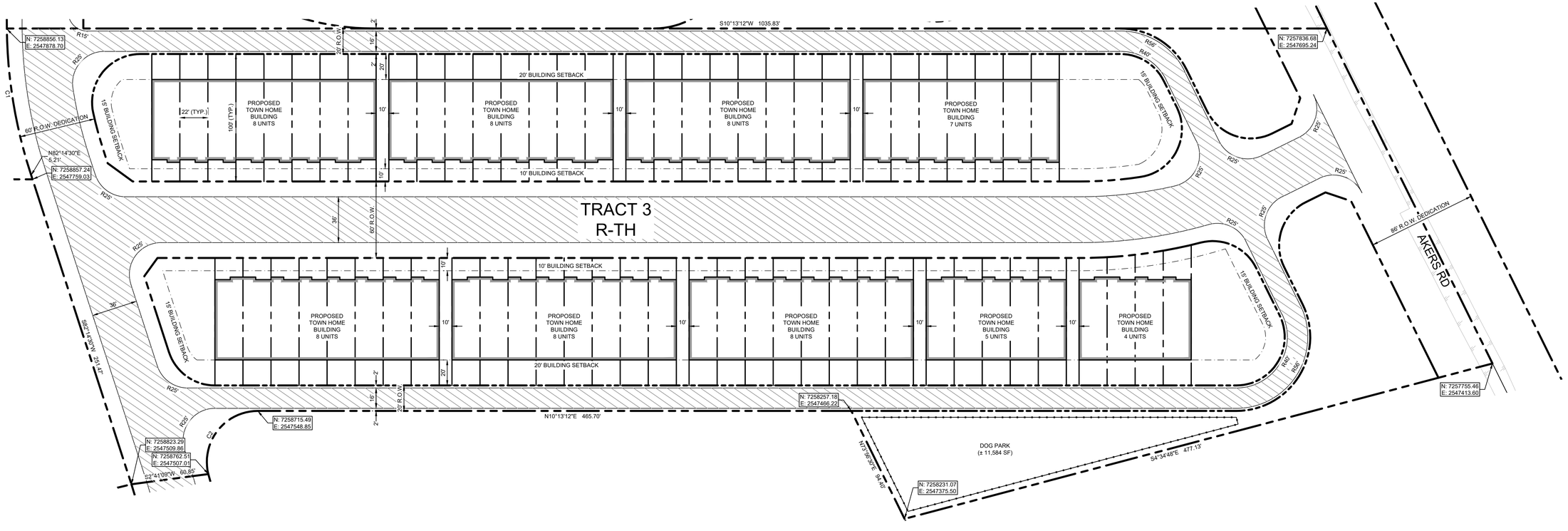
SITE DATA SUMMARY TABLE - RTH - TOWNHOME RESIDENTIAL	
EXISTING ZONING	SF-1 & R-2
PROPOSED ZONING	R-TH
PROPOSED USE	TOWNHOME RESIDENTIAL (REAR LOADING GARAGE)
AREA	±7.80 AC
BUILDING AREA	± 89,984 SF
BUILDING HEIGHT MAX	≤ 40' - 3 STORY
TOTAL UNITS PROVIDED	64 UNITS
PARKING REQUIRED (1 ENCLOSED SPACES / 1 UNIT) (1 SPACE / 1 BEDROOM)	128 SPACES
PARKING PROVIDED	128 SPACES
SETBACKS	FRONT: 10' REAR: 20' SIDE: 15'
FLOOR AREA RATIO	0.53:1
MAX DENSITY PERMITTED (1 UNIT / 2,500 SF LAND)	135 UNITS

VICINITY MAP N.T.S.





THIS PLAN SHOULD BE USED FOR CONCEPTUAL PURPOSES ONLY. THIS PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.



NOTES:

1. FIRE LANE DIMENSIONS FOR BUILDINGS LESS THAN 35' IN HEIGHT ARE A MINIMUM OF 24' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND 49' OUTSIDE RADIUS.
2. FIRE LANE DIMENSIONS FOR BUILDINGS GREATER THAN OR EQUAL TO 35' IN HEIGHT ARE A MINIMUM OF 26' WIDE WITH A MINIMUM 25' INSIDE RADIUS AND A MINIMUM 51' OUTSIDE RADIUS.
3. ALL 90° PARKING STALLS ARE SHOWN TO BE 9' X 20' PER CITY OF SHERMAN REQUIREMENTS.
4. ALL PRIVATE DRIVE AISLES ARE A MINIMUM OF 24' WIDE; UNLESS OTHERWISE NOTED; EXCLUDING FIRE LANES AND PUBLIC STREETS.

No.	REVISIONS	DATE	BY

Kimley»Horn

© 2023 KIMLEY-HORN

2600 NORTH CENTRAL EXPRESSWAY, SUITE 400
RICHARDSON, TEXAS 75080
PHONE: 214-417-6525
TEXAS REGISTERED ENGINEERING FIRM F-928

KHA PROJECT 064512316
DATE JULY 2023
SCALE AS SHOWN
DESIGNED BY JCK
DRAWN BY CBJ
CHECKED BY RCL

JAMESTOWN SQUARE
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

TOWNHOME CONCEPT PLAN

SHEET NUMBER
C-06

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

IMAGES
XREFS
PLOT STYLE BY
PLOT DATE
DWG NAME
DWG PATH

xSite-2AOB, xSite-ByOthers, xBody, xSurv, xAcadiaFeatures, xSite-TH, xSite-Infra
7/25/2023 5:05:28 PM, KONNOR 7/25/2023 5:25 PM
K:\DAL_DTX\064512316_CA19-JAMESTOWN SHERMAN 84-ACAD\EXHIBITS
KONAL.OTIS.0964123191_CA19-JAMESTOWN SHERMAN 84-ACAD.DWG
Engineering, Konnor Lee, Kelly Mitchell, Konal Otis

LINE TABLE		
LINE	LENGTH	BEARING
L1	69.41	N32°09'35.49"E
L2	47.12	N23°34'53.67"E
L3	36.50	N22°39'44.76"E
L4	49.87	N14°18'21.00"E
L5	55.67	N27°19'29.16"E
L6	56.61	N16°02'42.05"E
L7	46.70	N18°07'31.25"W
L8	60.83	N55°23'47.91"W
L9	37.23	N45°39'43.86"W
L10	56.90	N3°28'01.68"W

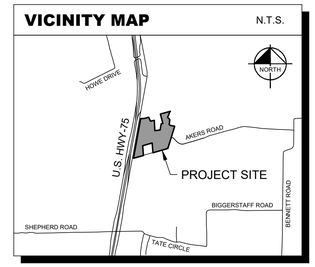
LINE TABLE		
LINE	LENGTH	BEARING
L11	56.56	N13°49'55.40"E
L12	53.95	N0°31'55.65"W
L13	40.72	N21°15'43.78"E
L14	43.78	N1°28'06.78"W
L15	35.14	N39°50'59.76"W
L16	45.53	N60°42'50.85"W
L17	47.15	N79°10'03.83"W
L18	48.68	N76°58'43.79"W
L19	51.87	S86°16'36.69"E
L20	62.69	N71°20'00.73"W

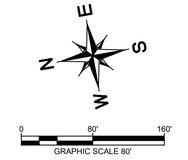
SITE DATA SUMMARY TABLE - MF15 - BUILD TO RENT	
EXISTING ZONING	SF-1 & R-2
PROPOSED ZONING	MF-15
PROPOSED USED	MULTI-FAMILY RESIDENTIAL
AREA	± 18.90 AC
BUILDING AREA	± 156,594 SF
BUILDING HEIGHT MAX	< 35' - 2 STORY
TOTAL LOTS PROVIDED	139
PARKING REQUIRED (2 SPACES / 1 UNIT)	278
PARKING PROVIDED	295
SETBACKS	FRONT: 25' REAR: 25' SIDE: 25'

LEGEND

FL / FL	PROPOSED PUBLIC PAVEMENT
	PROPOSED PUBLIC PAVEMENT
	PROPOSED BUILDING
	EXISTING PAVEMENT
TYP.	TYPICAL
PROP.	PROPOSED
(X)	NUMBER OF PARKING SPACES
EX.	EXISTING

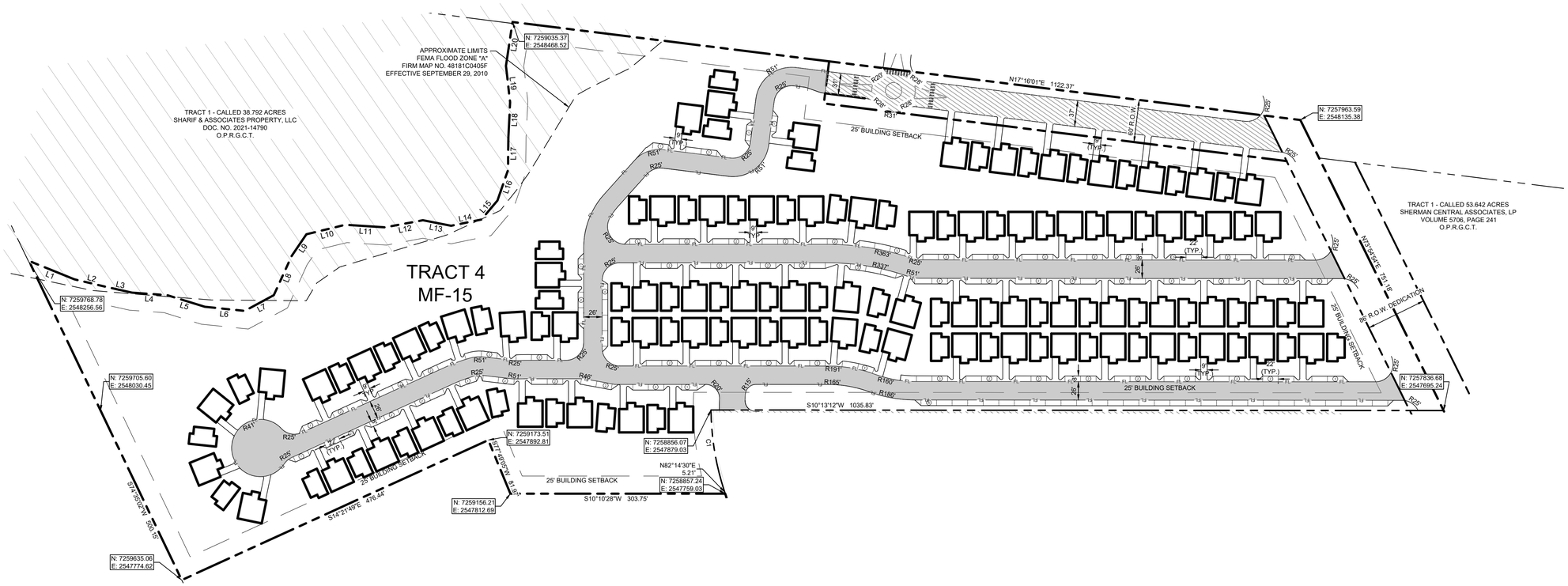
VICINITY MAP N.T.S.





THIS PLAN SHOULD BE USED FOR CONCEPTUAL PURPOSES ONLY. THIS PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE BASED ON FINAL DESIGN.

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	380.00'	115.29'	S89°04'00"E	114.85'	17°23'01"	58.09'



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NO.	REVISIONS	DATE	BY

Kimley»Horn
© 2023 KIMLEY-HORN
2600 NORTH CENTRAL EXPRESSWAY, SUITE 400
RICHARDSON, TEXAS 75080
PHONE: 214-417-6525
TEXAS REGISTERED ENGINEERING FIRM F-928

KHA PROJECT 064512316
DATE JULY 2023
SCALE AS SHOWN
DESIGNED BY JCK
DRAWN BY CBJ
CHECKED BY RCL

JAMESTOWN SQUARE
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

BUILD TO RENT CONCEPT PLAN

SHEET NUMBER
C-07

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

XREFS
xBar-24x36 xBody xHdr xSite-Info xSite-SF
PLOT DATE/TIME 7/21/2023 11:09 AM
PLOT BY PZUNIGA/JSMITH, CONNOR 7/21/2023 11:09 AM
DWG PATH S:\DAL_CIV\064512316 - CA at JAMESTOWN SHERMAN 54-ACQ\ACE\EXHIBITS
DWG NAME BUILD TO RENT CONCEPT PLAN.DWG

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

Caleb Jones
2600 North Central Expressway, Suite 400
Richardson, TX 75080

Jamestown Square, LLC
900 West Bethany Drive, Suite 230
Allen, TX 75013

Dear Applicants,

The request of a Public Hearing and Zoning Text Amendment to add regulations to Chapter 14, Zoning Ordinance, Section 14.02.010 R-TH (Townhome Residential) District to allow 22' wide lots for Townhomes with Rear Loaded Garages in a R-TH (Townhome Residential) District; Tract 2, consisting of 14.287 acres in the John Chronister Survey, Abstract No. 248 - Public Hearing, Site Plan and Zone Change from C-1 (Retail Business) District and MF-30 (Multi-Family Residential) District/75 & 82 Overlay District to MF-30 (Multi-Family Residential) District/75 & 82 Overlay District; Tract 3, consisting of 7.796 acres in the John Chronister Survey, Abstract 248 - Public Hearing, Site Plan and Zone Change from R-6 (Single-Family Residential) District and MF-30 (Multi-Family Residential) District/75 & 82 Overlay District to R-TH (Townhome Residential) District/75 & 82 Overlay District; and Tract 4, consisting of 18.903 acres in the John Chronister Survey, Abstract 248 – Public Hearing, Site Plan and Zone Change from R-6 (Single-Family Residential) District and MF-30 (Multi Family Residential) District/75 & 82 Overlay District to MF-15 (Multi-Family Residential) District/75 & 82 Overlay District located in the 6000-6400 Blocks South Highway 75 and the 100-200 Blocks Akers Road has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Sign Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Article 14.07)*
5. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
6. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
7. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering (Tract 2 Zone Change)

8. Platting of the property is required. *Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004*
9. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
10. Water main must be extended in accordance with City criteria to serve proposed Lot. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
11. Wastewater main must be extended in accordance with City criteria to serve proposed Lot. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
12. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*
13. Maintenance of Detention area is the responsibility of the Homeowner's Association or Property Owner's Association. In the event the Association is no longer active, the maintenance is the responsibility of the property owner(s) directly adjacent to said detention area.
14. Detention Pond to be designed and constructed with first phase of development.
15. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*

Engineering (Tract 3 Zone Change)

16. Platting of the property is required. *Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004*
17. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
18. Water main must be extended in accordance with City criteria to serve proposed Lot. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
19. Wastewater main must be extended in accordance with City criteria to serve proposed Lot. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
20. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*
21. Maintenance of Detention area is the responsibility of the Homeowner's Association or Property Owner's Association. In the event the Association is no longer active, the maintenance is the responsibility of the property owner(s) directly adjacent to said detention area.
22. Detention Pond to be designed and constructed with first phase of development.
23. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*

Engineering (Tract 4 Zone Change)

24. Platting of the property is required. *Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004*
25. All requirements of the Floodplain Ordinance shall be followed. *Code of Ordinances Chapter 3, Article 3.12*

26. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
27. Water main must be extended in accordance with City criteria to serve proposed Lot. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
28. Wastewater main must be extended in accordance with City criteria to serve proposed Lot. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
29. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*
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31. Detention Pond to be designed and constructed with first phase of development.
32. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **18.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

738 EAST HIGHWAY 82 (Project No. 23-004439)

The request of W Douglass Distributing, LTD (Owner), Samir Bhimani (Tenant), David Weaver (Representative) and Helvey-Wagner Surveying, Inc (Surveying) concerning the property located at 738 East Highway 82, consisting of 1.830 acres, being Lots 1 & 2, Block 1, 82-75 Addition and currently zoned C-1 (Retail Business) District / 75 & 82 Overlay District, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hookah Bar, Smoking Lounge, Smoke Shop, or Vape Shop in a C-1 (Retail Business) District/75 & 82 Overlay District.

Background:

The property is located at 738 East Highway 82 near the intersection of US Highway 75. The owner is requesting a Site Plan and Specific Use Permit for a Vape Shop.

The following has been approved for this location:

- July 9, 2002 - Specific Use Permit to allow a private club in a C-1 (Retail Business) District

Adjacent Zoning:

C-2 (General Commercial) District
C-1 (Retail Business) District

Origination:

W Douglass Distributing, LTD (Owner)
Samir Bhimani (Tenant)
David Weaver (Representative)
Helvey-Wagner Surveying, Inc (Surveying)

Master Plan Designation:

Regional Commercial category is intended to promote large-scale commercial development along US-75, while promoting community character through design. US-75 serves as the major gateway to and through the community; therefore, aesthetics and design should be promoted in this corridor. This category should allow large-scale commercial uses that serve the region and the community alike. A mix of uses and inter-connectivity between parcels should be encouraged.

Number of notices mailed:

4

Objections Received:

0

Development Review Meeting:

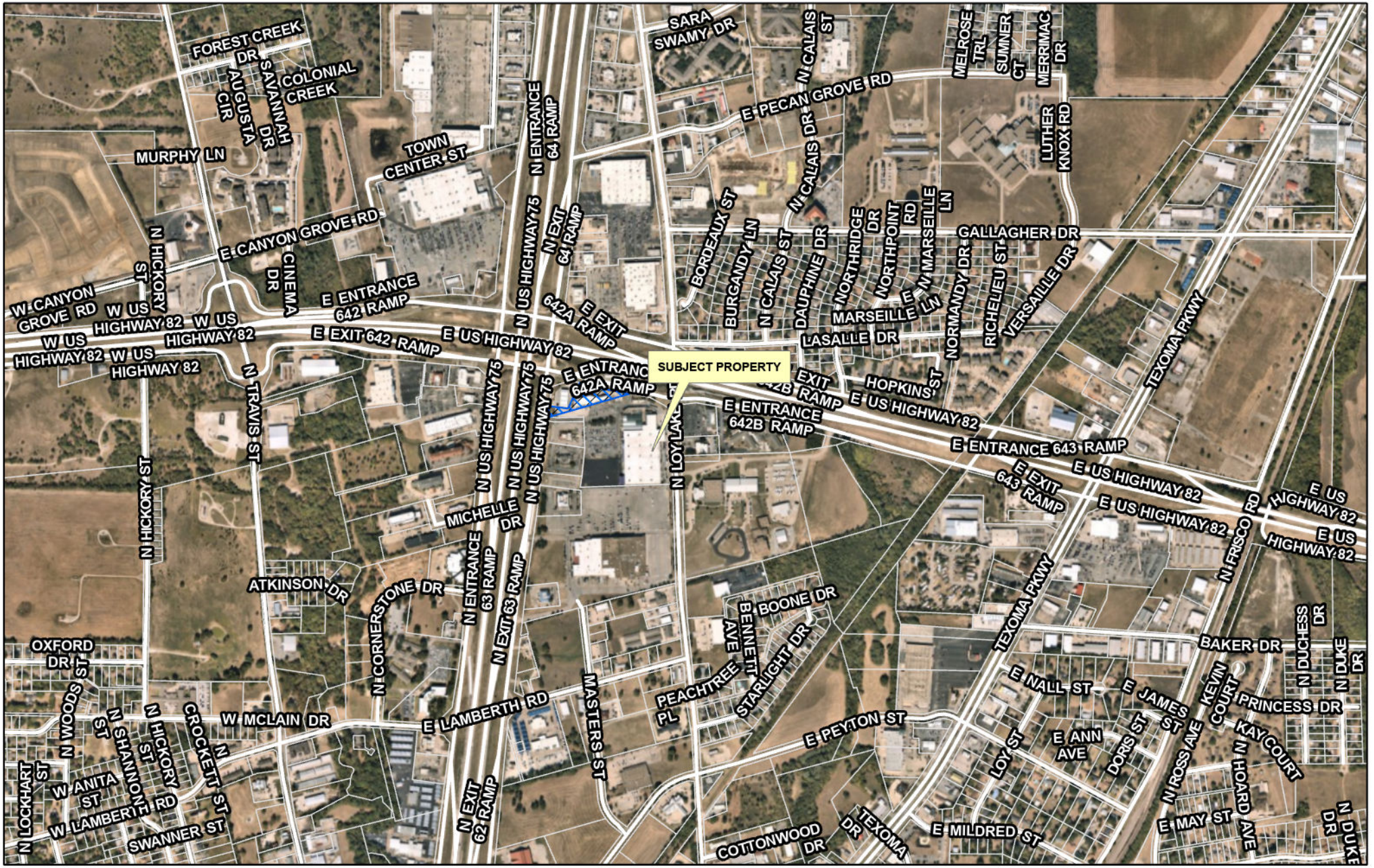
No

Staff Recommendation:

Staff recommends that if the specific use permit is approved, it be tied to the applicant and have an expiry of one-year.

Attachments

Location Map
Zoning Map
Future Land Use Map
Zoning Sign Photo
Narrative
Survey
Site Plan
Elevations
Floor Plan
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
738 E HWY 82

N
W E
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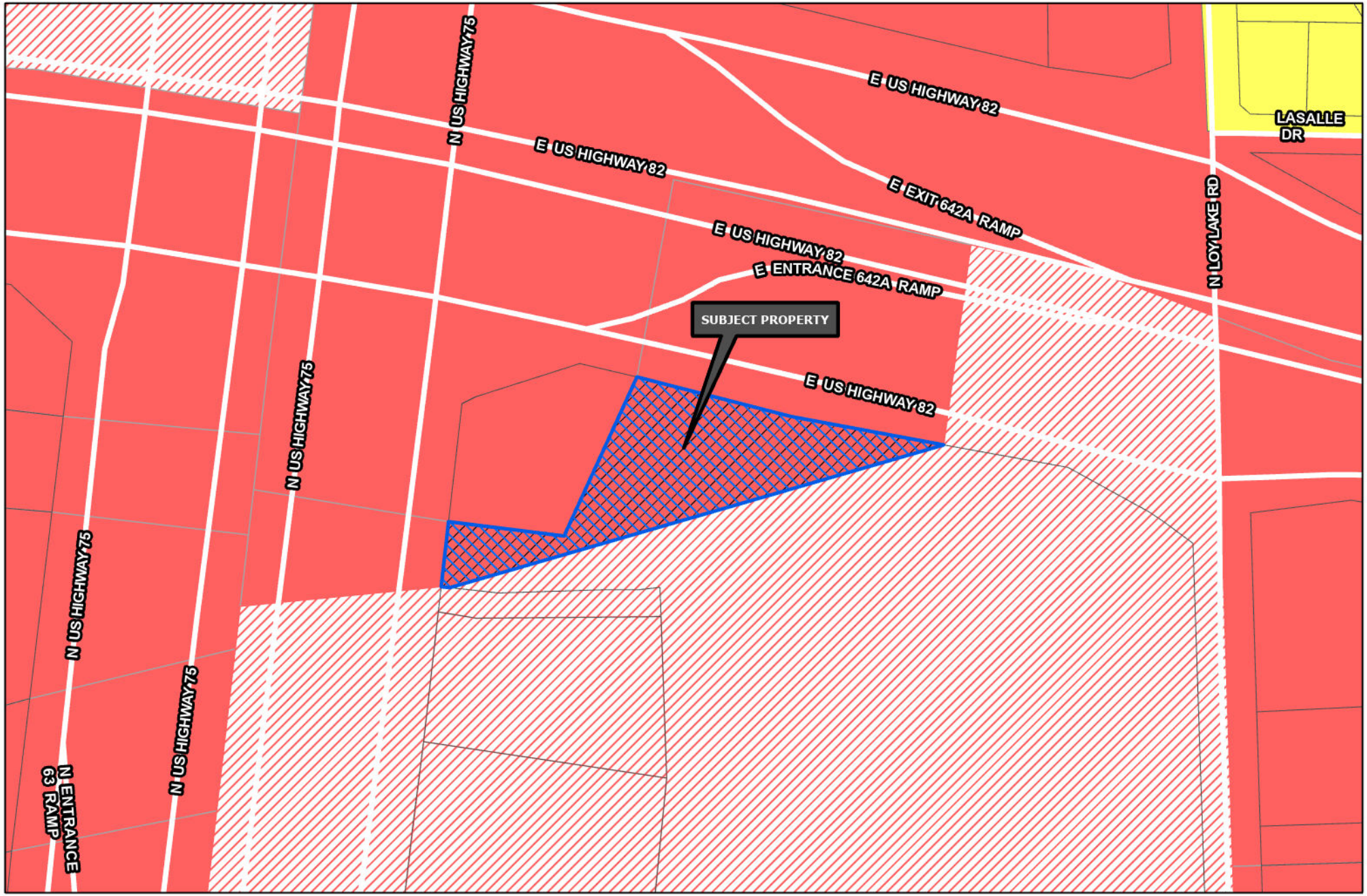
Date: 8/11/2023 1:29 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

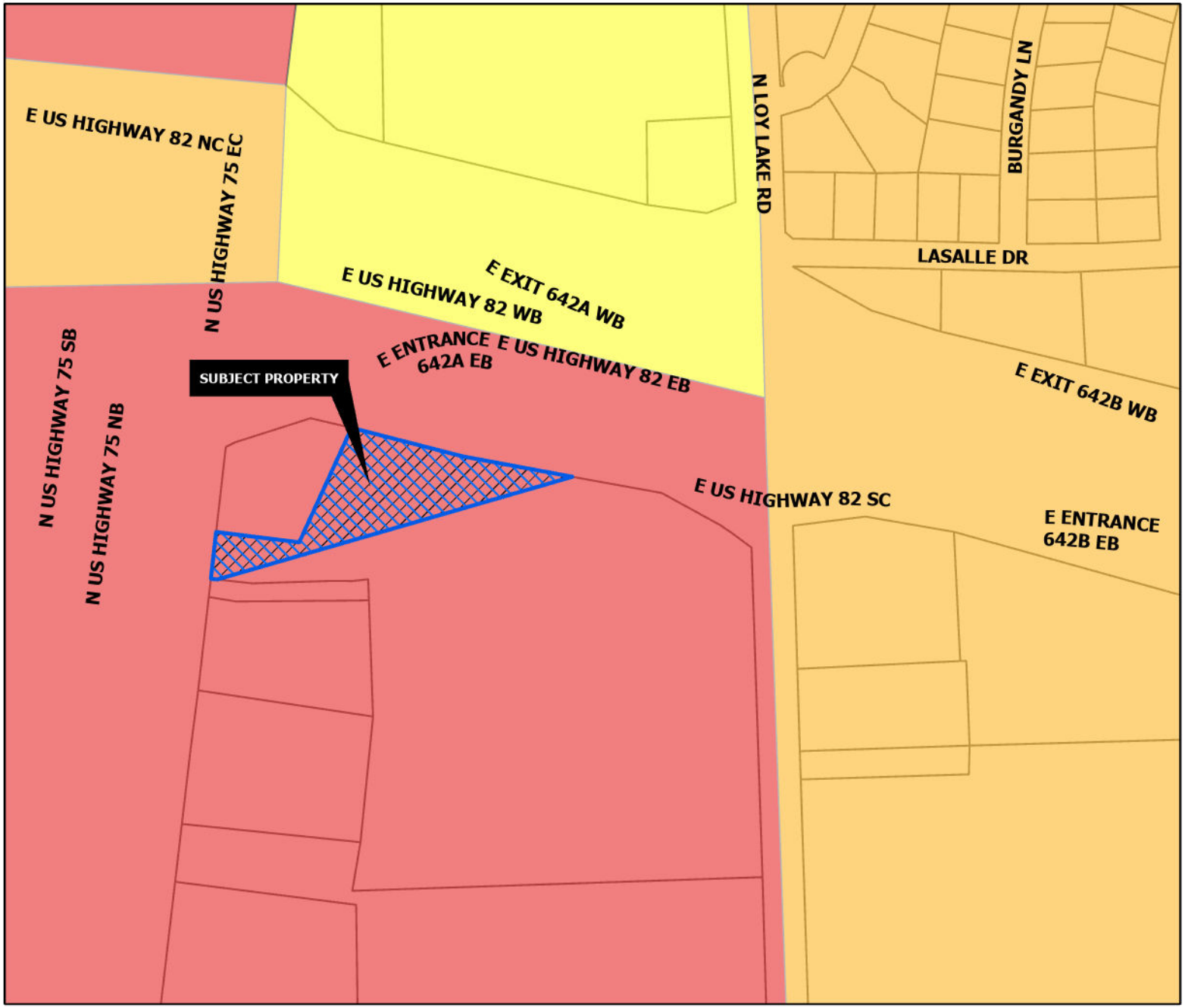
Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN ZONING MAP 738 E HWY 82

N W E S

Date: 8/11/2023 1:29 PM



REGIONAL COMMERCIAL

Intent & Character

The Regional Commercial category is intended to promote large-scale commercial development along US-75, while promoting community character through design. US-75 serves as the major gateway to and through the community; therefore, aesthetics and design should be promoted in this corridor. This category should allow large-scale commercial uses that serve the region and the community alike. A mix of uses and inter-connectivity between parcels should be encouraged.

Appropriate Land Use Types

- Retail and Restaurants
- Multi-Family Living
- Office Complex
- Medical
- Mixed Use
- Indoor Entertainment

Compatible Zoning Districts

- Retail Business
- General Commercial
- Office
- Multi-Family Residential (MF-15 and MF-30)
- Planned Development (for larger tracts)

Considerations

- Site design considerations should be given to parking, landscaping, and building articulation.
- Where possible, parking should be screened from view or well-landscaped with native, drought-tolerant plants.
- All buildings facades fronting a public street or within significant public view should have aesthetically-pleasing horizontal and vertical articulation.
- Signage should be multi-tenant, where possible, and should match the character of the primary structure.
- High density residential should be included in mixed use developments.
- High density residential is appropriate behind commercial areas, with inter-connectivity.
- If high density is stand alone, the surrounding uses and connectivity should be considered to avoid an "island."

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
738 E HWY 82

N
W E
S

Date: 8/11/2023 1:32 PM

Marlow, Lauren

From: laurenm@cityofsherman.com
To: David Weaver
Subject: RE: Specific Use Permit Application - 738 E. Highway 82

From: David Weaver
Sent: Tuesday, August 8, 2023 9:25 AM
To: Marlow, Lauren
Cc: Snapp, Ryan
Subject: RE: Specific Use Permit Application - 738 E. Highway 82

Lauren,

Please see below photo of the notification sign taken this morning. Please let me know if this is sufficient.



Thank You,

738 E. US Highway 82

Sherman, TX. 75090

Vape and Smoke Shop Project Narrative for Specific Use Permit

Previous Use

The tenant space was previously occupied by Affordable Dentures. That tenant terminated their lease and vacated the property in 2019. A demolition permit was obtained on October 20, 2022. A lease for the space was executed between Douglass Distributing and Ayden Business on February 20, 2023 to open a vape and smoke retail storefront.

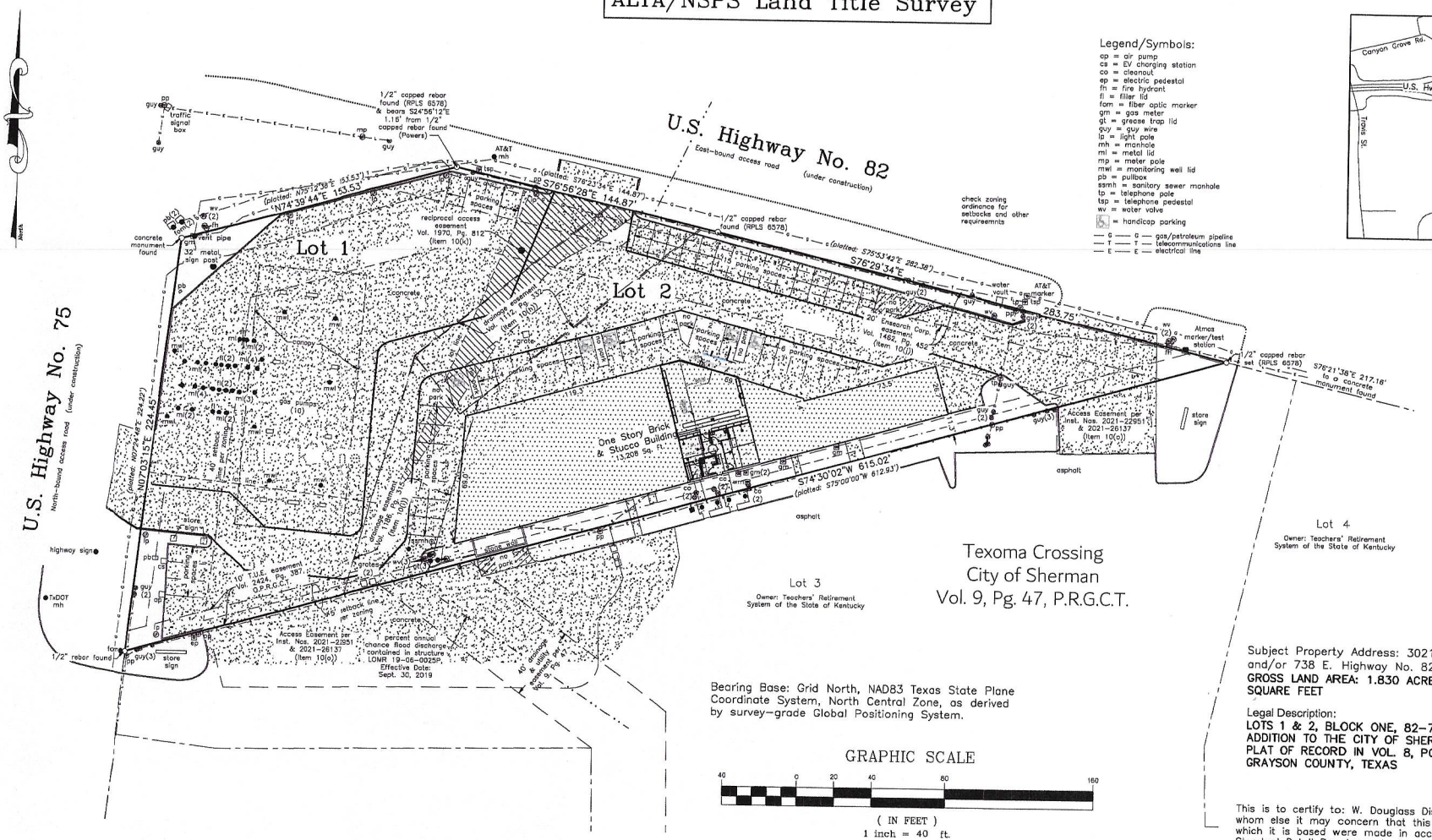
Scope of Project

Construction of the new lease space included the following: construction of fire-rated demising walls, construction of new interior partitions, lay-in acoustical ceilings, new light fixtures, drywall finishing, painting, installation of new doors, frames and hardware, installation of a drinking fountain per code requirements, and new LVT flooring in areas open to the general public. The existing restroom was left intact as it meets applicable ADA and TAS standards. The restroom will be accessible to both store employees and customers. A building final inspection was passed on Tuesday, 07/12/23.

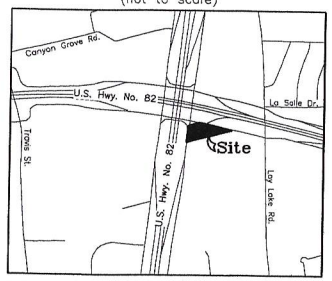
Intended Use

The store will be called "Vape and Smoke Stop". The store will offer a variety of electronic nicotine delivery devices as well as traditional tobacco products including cigarettes, cigars, smokeless tobacco, pipe tobacco and smoking accessories.

ALTA/NSPS Land Title Survey



Location Map
(not to scale)



Legend/Symbols:

ap = air pump
cs = EV charging station
co = cleanout
ep = electric pedestal
fh = fire hydrant
fl = filler lid
fom = fiber optic marker
gm = gas meter
gt = grease trap lid
guy = guy wire
lp = light pole
mh = manhole
ml = metal lid
mp = meter pole
mwl = monitoring well lid
pb = pullbox
ssmh = sanitary sewer manhole
tp = telephone pole
tsp = telephone pedestal
wv = water valve
= handicap parking
— G — G — gas/petroleum pipeline
— T — T — telecommunications line
— E — E — electrical line

Subject Property Address: 3021 N. Highway No. 75 and/or 738 E. Highway No. 82, Sherman, Texas 75092
GROSS LAND AREA: 1.830 ACRES and/or 79.700 SQUARE FEET

Legal Description:
LOTS 1 & 2, BLOCK ONE, 82-75 ADDITION, AN ADDITION TO THE CITY OF SHERMAN, TEXAS, AS PER PLAT OF RECORD IN VOL. 8, PG. 137, PLAT RECORDS, GRAYSON COUNTY, TEXAS

This is to certify to: W. Douglass Distributing, LTD (Owner) and to whom else it may concern that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 8, 9, 13, 14, 16, 17 and 19 of Table A thereof. The field work was completed on February 23, 2023.

The subject property shown hereon does not lie within any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 G, Effective Date: September 1, 2022.

Surveyor's Comments:

Item 6(a) Current Zoning for subject property is C-1 Retail Business District in the O-1 (75 & 82) Overlay District.
Setbacks requirements: Along highway right-of-way: 40', Rear: 5', Side: 5'.
Building Height Restriction: No building shall exceed 50 feet.
Floor space area requirements: The total floor area of any building or buildings on a lot shall not exceed one-half of the total number of square feet in the lot.
Parking regulations: 1 space for every 200 square feet of gross floor area. A minimum of 6 parking spaces shall be provided adjacent to the main building
Source: City of Sherman Ordinance approved 12/5/2022 & City of Sherman Zoning Ordinance Section 6.13.1 adopted 7/16/2018 and 5/17/2021
Item 6(b): Those setback lines that are graphically depicted are shown hereon.
Item 7(c): Measured height of the existing building is approximately 15.4 ft. at the Southeast corner of building.
Item 9: Subject property contains 45 standard parking spaces and 5 handicap spaces.
Item 14: Distance from the intersection of the median of U.S. Highway No. 75 and U.S. Highway No. 82 to the most Northwest corner is approximately 453 Ft.
Item 16: There was evidence of recent earth moving work along the access roads of both U.S. Highway 75 and U.S. Highway 82.
Item 17: Proposed changes in street right-of-way lines shown hereon as per City of Sherman Thoroughfare Plan and/or none that the surveyor has been made aware of.

Easement Certification pursuant to title commitment issued by Stewart Title Guaranty Company on January 22, 2023 and Effective date of January 22, 2023. Reference by GF No.: SL-011464
10(f.) The location of the easement granted to The Texas Pipe Line Company in Vol. 559, Pg. 339, D.R.G.C.T. does affect the subject property, and is a blanket easement and unplottable.
10(g). The location of easement to The Texas Pipe Line Company in Vol. 584, Pg. 355, D.R.G.C.T. and subsequently assigned to Bigheart Pipe Line Corporation in Vol. 1503, Pg. 250 and Vol. 1503, Pg. 290, D.R.G.C.T. DOES AFFECT the subject property and is a blanket easement and unplottable.
10(h.) The location of the easement granted to the State of Texas in Vol. 1112, Pg. 332, D.R.G.C.T. does affect the subject property, as shown hereon.
10(i). The location of easement to the State of Texas in Vol. 1186, Pg. 315, D.R.G.C.T. DOES AFFECT the subject property, as shown hereon.
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10(l). No easements were granted in deed filed in Vol. 5548, Pg. 904, O.P.R.G.C.T.
10(m). The property is subject to the License Agreement by and between Bow Pipe Line Company and Tomahawk Pipe Line Company filed in Vol. 1507, Pg. 462, D.R.G.C.T. and is a blanket easement and unplottable.
10(o). The property is subject to outparcel easement for access filed in Inst. Nos. 2021-22951 & 2021-26137, O.P.R.G.C.T. and is designated as the "parking areas, access roads, service drives, drive aisles, sidewalks and landscaped areas but shall not include any drive up or drive through areas."

STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
LAND SURVEYOR

Kate A. Wagner, R. P. L.S. No. 6578
Registered Professional Land Surveyor No. 6578
Date of Plat or Map: March 20, 2023

Job No. AGS350323
Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

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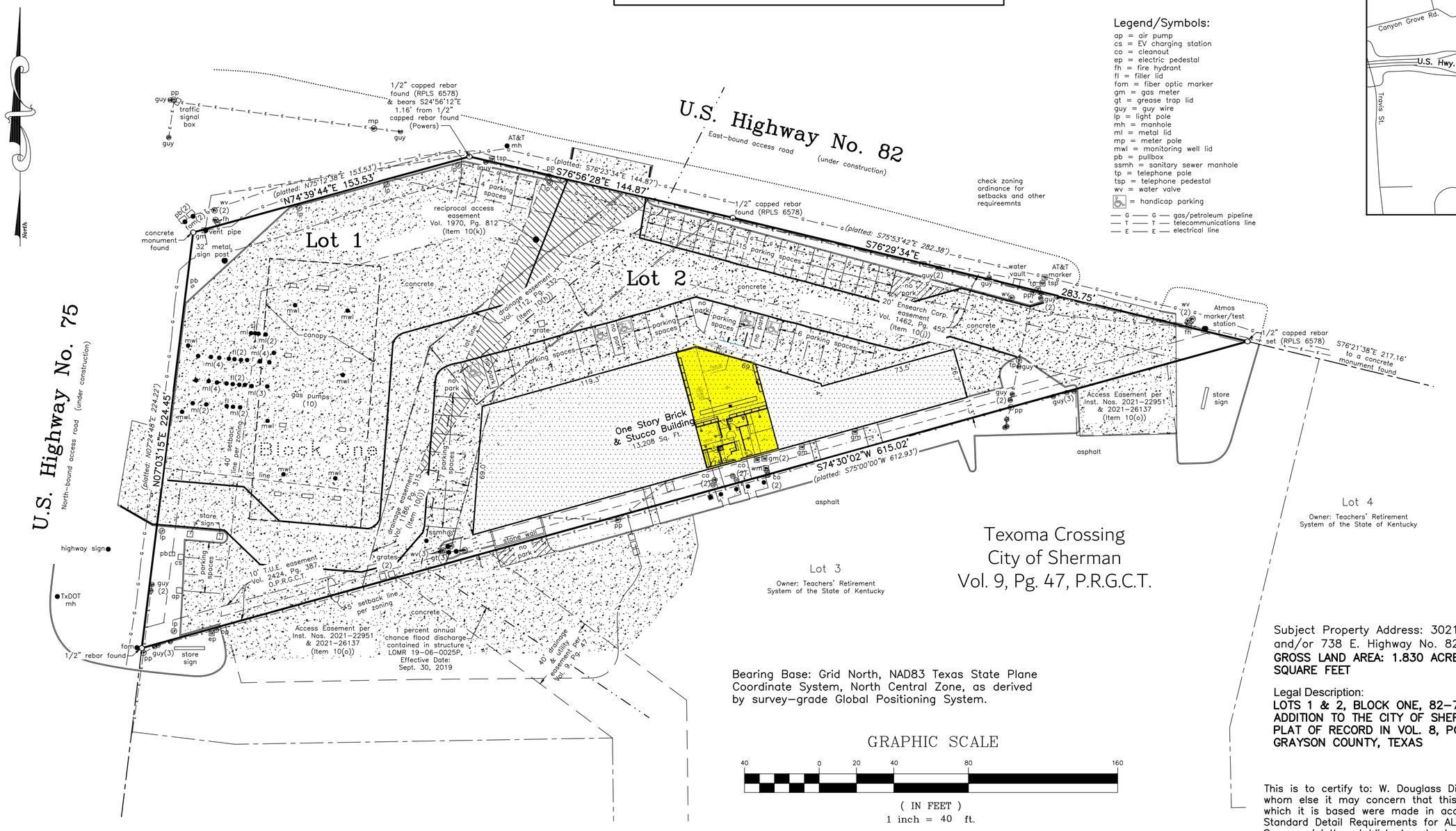
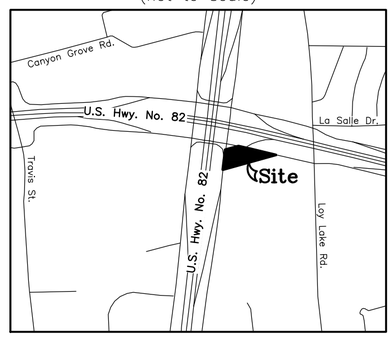
ALTA/NSPS Land Title Survey



Location Map
(not to scale)



Legend/Symbols:

ap = air pump
cs = EV charging station
co = cleanout
ep = electric pedestal
fh = fire hydrant
fl = filler lid
fom = fiber optic marker
gm = gas meter
gt = grease trap lid
guy = guy wire
lp = light pole
mh = manhole
ml = metal lid
mp = meter pole
mwl = monitoring well lid
pb = pullbox
ssmh = sanitary sewer manhole
tp = telephone pole
tsp = telephone pedestal
wv = water valve
= handicap parking
— G — G — gas/petroleum pipeline
— T — T — telecommunications line
— E — E — electrical line

Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone, as derived by survey-grade Global Positioning System.

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

Subject Property Address: 3021 N. Highway No. 75 and/or 738 E. Highway No. 82, Sherman, Texas 75092
GROSS LAND AREA: 1.830 ACRES and/or 79.700 SQUARE FEET

Legal Description:
LOTS 1 & 2, BLOCK ONE, 82-75 ADDITION, AN ADDITION TO THE CITY OF SHERMAN, TEXAS, AS PER PLAT OF RECORD IN VOL. 8, PG. 137, PLAT RECORDS, GRAYSON COUNTY, TEXAS

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The subject property shown hereon does not lie within any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 G, Effective Date: September 1, 2022.

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Building Height Restriction: No building shall exceed 50 feet.
Floor space area requirements: The total floor area of any building or buildings on a lot shall not exceed one-half of the total number of square feet in the lot.
Parking regulations: 1 space for every 200 square feet of gross floor area. A minimum of 6 parking spaces shall be provided adjacent to the main building
Source: City of Sherman Ordinance approved 12/5/2022 & City of Sherman Zoning Ordinance Section 6.13.1 adopted 7/16/2018 and 5/17/2021
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734

INVENTORY/ STOCK
192

MGR. OFFICE
193

EMPLOYEE AREA
LOCKERS/BREAK

EMPLOYEE AREA
195

EXISTING RESTROOM
194

RETAIL AREA
196

EXISTING
COLUMN
VERIFY IN
FIELD. PAINT
WHITE OR
BLACK
TENANT TO
CONFIRM
COLOR

EXISTING TO REMAIN

**PROVIDE NEW POWER/DATA FOR
TENANT SIGNAGE
ABOVE - AT EXTERIOR

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

Samir Bhimani
10214 Frankford Ave., Suite 410
P.O. Box 8357
Lumberton, TX 77657

W Douglass Distributing, LTD
325 E. Forest Ave.
Sherman, TX 75090

Dear Applicants,

The request of a Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hookah Bar, Smoking Lounge, Smoke Shop, or Vape Shop in a C-1 (Retail Business) District/75 & 82 Overlay District located at 738 East Highway 82 has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. The property must be properly maintained in a state of good repair and neat appearance.
4. One parking space for every 250 square feet of gross floor area shall be provided. *(Sec.14.04.003(e)(1))*
5. The use of the property must comply with all Federal and State Laws and regulations and with all the ordinances, rules and regulations of the City of Sherman.
6. The granting of a Specific Use Permit has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
7. A Specific Use Permit is an amendment to the district regulations of the Zoning Ordinance that permits the establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure is discontinued or abandoned for a period of thirty (30) consecutive days in which event such Specific Use Permit shall be void and such use may not thereafter be resumed unless a new Specific Use Permit is granted in accordance with this section. (*Chapter 14, Sec. 14.06.009 (a)(1)(C)*)
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the Staff Review Letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **19.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

416 SOUTH ELM STREET (Project No. 23-004440)

The request of Oscar Medina (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located at 416 South Elm Street, consisting of 0.341 acres in the Samuel Blagg Survey, Abstract No. 56, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from MF-30 (Multi-Family Residential) District to R-5 (Single-Family Residential) District.

Background:

The property is located at 416 South Elm Street between West Cherry Street and West King Street. The owner is requesting a Zone Change from an MF-30 (Multi-Family Residential) District to R-5 (Single-Family Residential) District.

Adjacent Zoning:

MF-30 (Multi-Family Residential) District

Origination:

Oscar Medina (Owner)
Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

26

Objections Received:

0

Development Review Meeting:
Yes

Staff Recommendation:
Staff recommends the approval of the zone change to R-5 as it is consistent with the Comprehensive Plan and meets all requirements of the R-5 district.

Attachments

Location Map
Zoning Map
FLUM
Zoning Sign Photo
Narrative
Survey
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

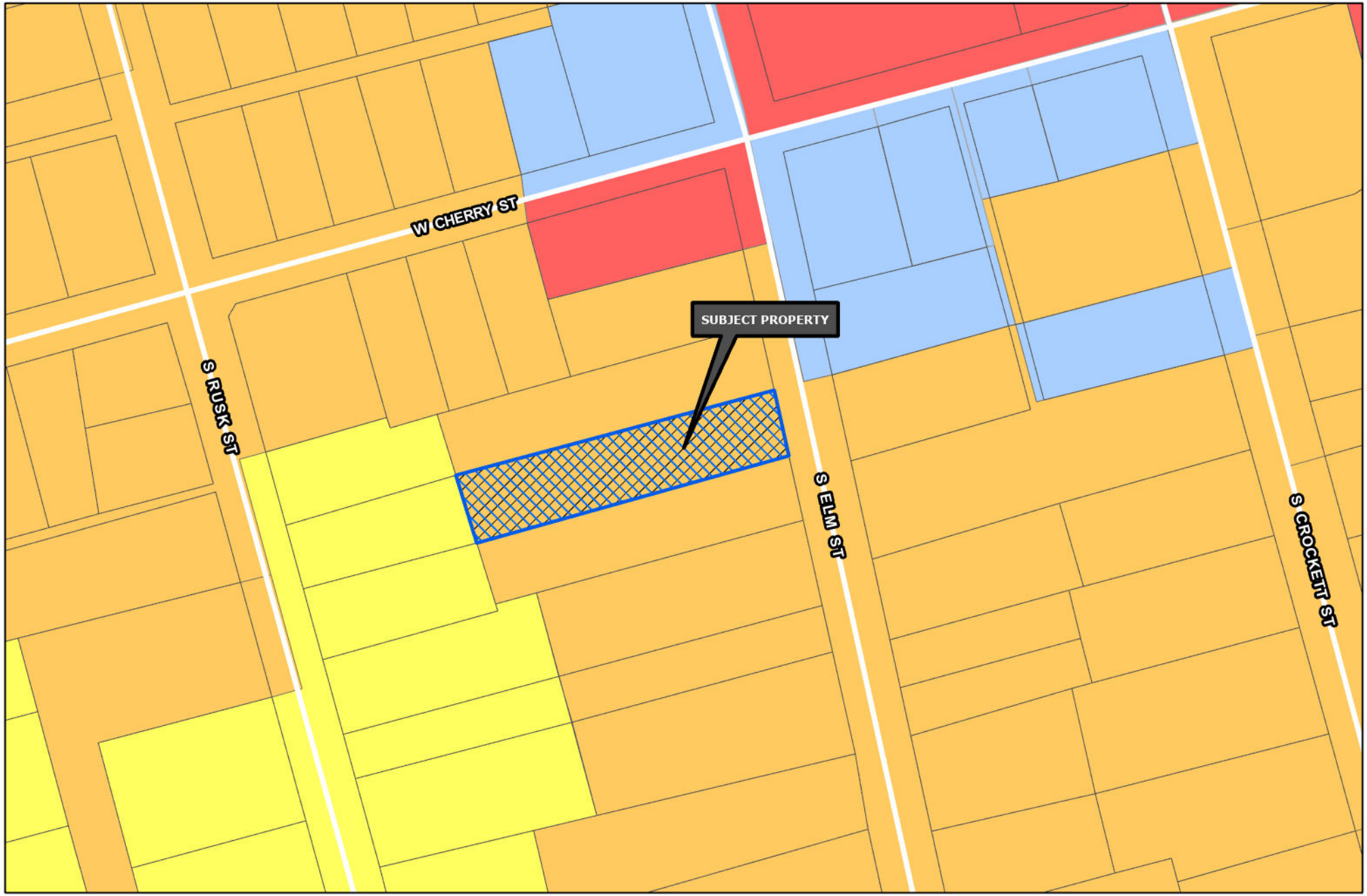
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
416 S ELM ST

N
W E
S

Date: 8/11/2023 1:33 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

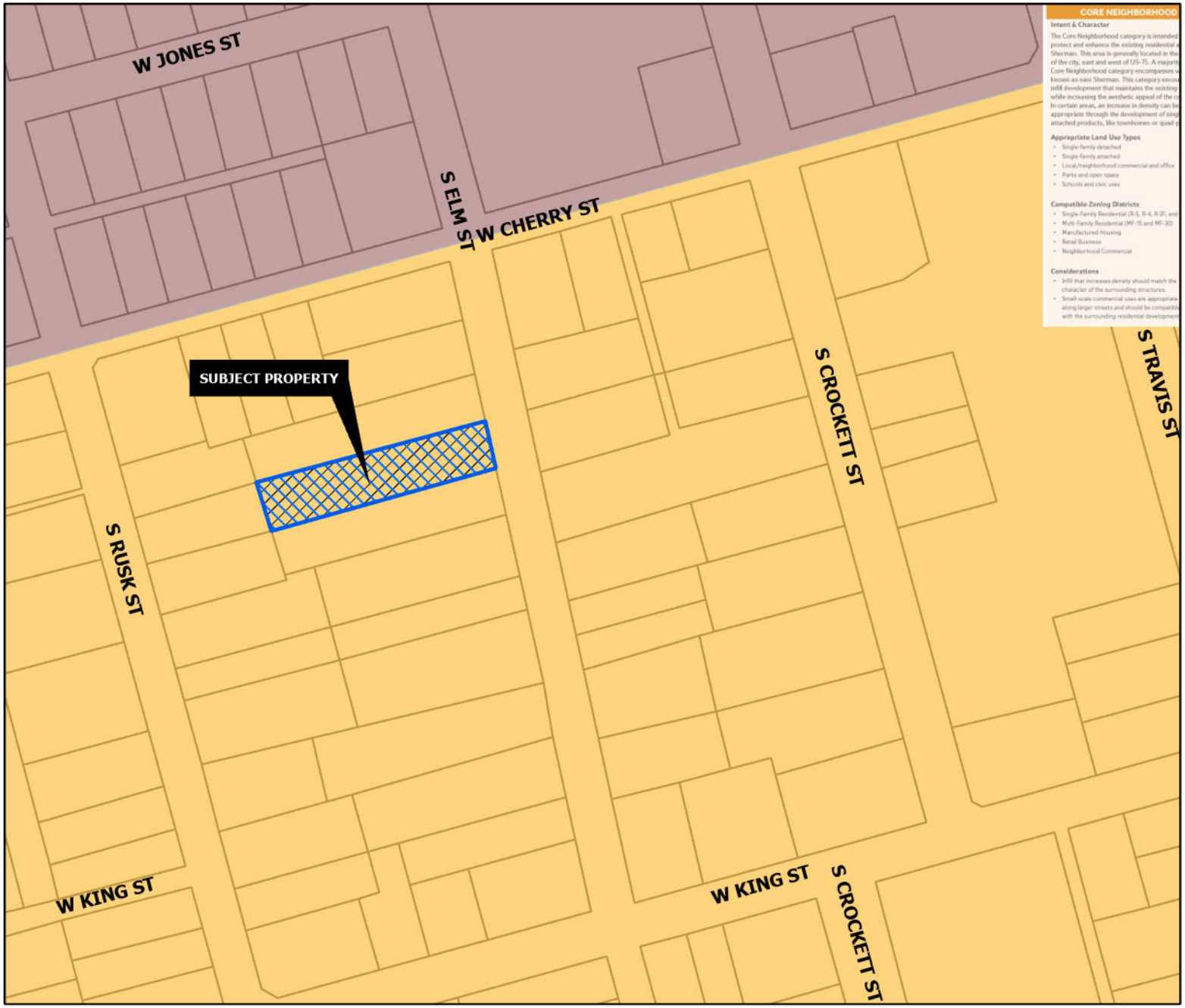
Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN ZONING MAP 416 S ELM ST

N W E S

Date: 8/11/2023 1:36 PM



CORE NEIGHBORHOOD

Intent & Character

The Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Appropriate Land Use Types

- Single-family detached
- Single-family attached
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Single-Family Residential (R-5, R-4, R-2F, and R-TH)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Retail Business
- Neighborhood Commercial

Considerations

- Infill that increases density should match the character of the surrounding structures.
- Small-scale commercial uses are appropriate along larger streets and should be compatible with the surrounding residential development.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
738 E HWY 82

N
W E
S

Date: 8/11/2023 1:36 PM


NOTICE OF
PROPOSED ZONING
CHANGE
8/8/2023 at 4:52 P.M.

PROJECT NARRATIVE FOR 416 S. ELM STREET

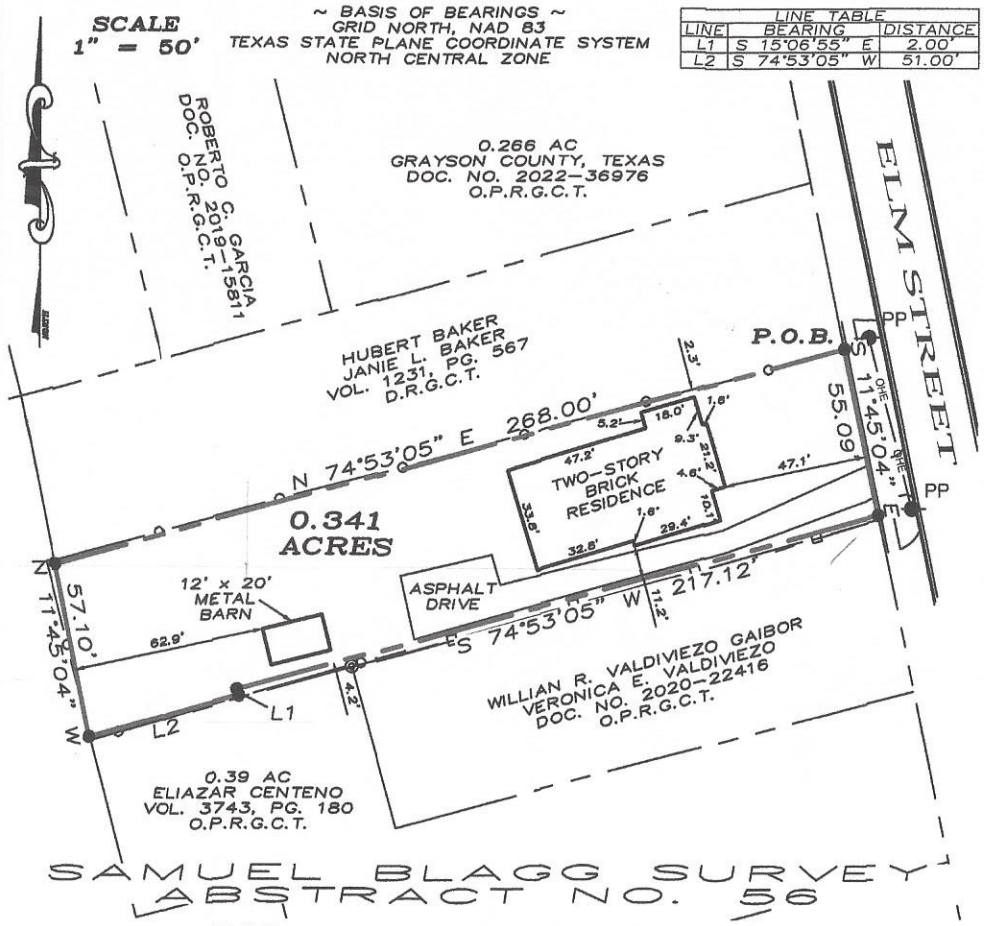
In September 2022 I purchased a home originally built in 1900 with the intent of renovating and leasing it as a rental property. After purchase, and upon further investigation, it was determined the structural integrity, mechanical, and electrical systems of the home were in poor condition. Based upon estimates, the cost to repair and renovate the home to meet current building code requirements were excessive making the final cost well above its final value in the marketplace. I was then made aware of a City of Sherman program whereby they would demolish and dispose of the home at no cost to me. I followed up on the program and signed the contract with the City of Sherman for the demolition and removal on 12-05-2022. As of this date the demolition has been completed.

The property is currently zoned in the MF-30 multi-family district, and due to development guidelines, my property cannot meet them for any type of development. I previously submitted to the City of Sherman for a zoning change from MF-30 to the R-2F duplex district but was denied my request in June. I am now submitting this request to change the zoning from the current MF-30 to the R-5 single family district so I can build a single family home on the property. Having reviewed those development guidelines, it appears my property would meet them.

Your consideration and approval of my zoning request will be greatly appreciated.

Thank you,

Oscar Medina
Property Owner



LEGEND

- 1/2" STEEL ROD SET
- 1/2" STEEL ROD FOUND
- PP POWER POLE
- BOUNDARY LINE
- PROPERTY LINE
- CHAINLINK FENCE
- STOCKAID FENCE
- OHE OVERHEAD ELECTRIC LINE

This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.

This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:

Copyright ©2022
Underwood Drafting & Surveying, Inc.
All rights reserved.

LEGAL DESCRIPTION

JOB NO. 22121296
FW: LR – DFT: EB

Situated in the County of Grayson, State of Texas, being a part of the Samuel Blagg Survey, Abstract No. 56 and being a retracement survey of that tract of land conveyed to Oscar Medina as recorded in Document Number 2022–30635, Official Public Records, Grayson County, Texas and being described by metes and bounds as follows:

Beginning at a 1/2" steel rod set for the northeast corner of said Medina Tract, common to the southeast corner of a tract of land described in the deed to Hubert Baker and Janie L. Baker, recorded in Volume 1231, Page 567, Deed Records, Grayson County, Texas;

Thence South 11°45'04" East, with the easterly line of said Medina Tract, a distance of 55.09 feet to a 1/2" steel rod set for the southeast corner of said Medina Tract;

Thence South 74°53'05" West, with the southerly line of said Medina Tract, a distance of 217.12 feet to a set 1/2" steel rod;

Thence South 15°06'55" East, continuing with the southerly line of said Medina Tract, a distance of 2.00 feet to a set 1/2" steel rod;

Thence South 74°53'05" West, continuing with the southerly line of said Medina Tract, a distance of 51.00 feet to a 1/2" steel rod set for the southwest corner of said Medina Tract;

Thence North 11°45'04" West, with the westerly line of said Medina Tract, a distance of 57.10 feet to a 1/2" steel rod set for the northwest corner of said Medina Tract, common to the southwest corner of aforesaid Baker Tract;

Thence North 74°53'05" East, with the northerly line of said Medina Tract, a distance of 268.00 feet to the Point of Beginning and containing 0.341 acres of land, more or less.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

STATE OF TEXAS
REGISTERED
DOUGLAS W. UNDERWOOD
4709
PROFESSIONAL
LAND SURVEYOR

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 12/14/22

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465–2151

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

Oscar Medina
6406 Day Springs Drive
The Colony, TX 75056

McLemore & Associates
Steve McLemore
11916 Paducah
Frisco, TX 75035

Dear Applicants,

The request of a Public Hearing and Zone Change from MF-30 (Multi-Family Residential) District to R-5 (Single-Family Residential) District located at 416 South Elm Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
4. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
5. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

6. Platting of the property is required prior to building permit being issued. *Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004*
7. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **20.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

124 WEST MCGEE STREET (Project No. 23-004441)

The request of Linda Omohundro (Owner) and Mike Palmer, APEX Construction (Representative) concerning the property located at 124 West McGee Street, consisting of 0.36 acres in the J.B. McAnair Survey, Abstract No. 763, being all of Lot 5 and part of Lots 6 and 9, J.P. Cox Subdivision and currently zoned R-6 (Single-Family Residential) District, as follows:

Board of Adjustment

Public Hearing and Variance under Section 14.02.006 to allow a 2' side setback in lieu of the required 6' in a R-6 (Single-Family Residential) District for a Carport Addition.

Background:

The property is located at 124 West McGee Street between North Shannon Street and North Travis Street. The property owner is requesting a 2' side setback in lieu of the required 6' in a R-6 (Single-Family Residential) District for a Carport Addition.

Adjacent Zoning:

R-6 (Single Family Residential) District

Origination:

Linda Omohundro (Owner)
Mike Palmer, APEX Construction (Representative)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

23

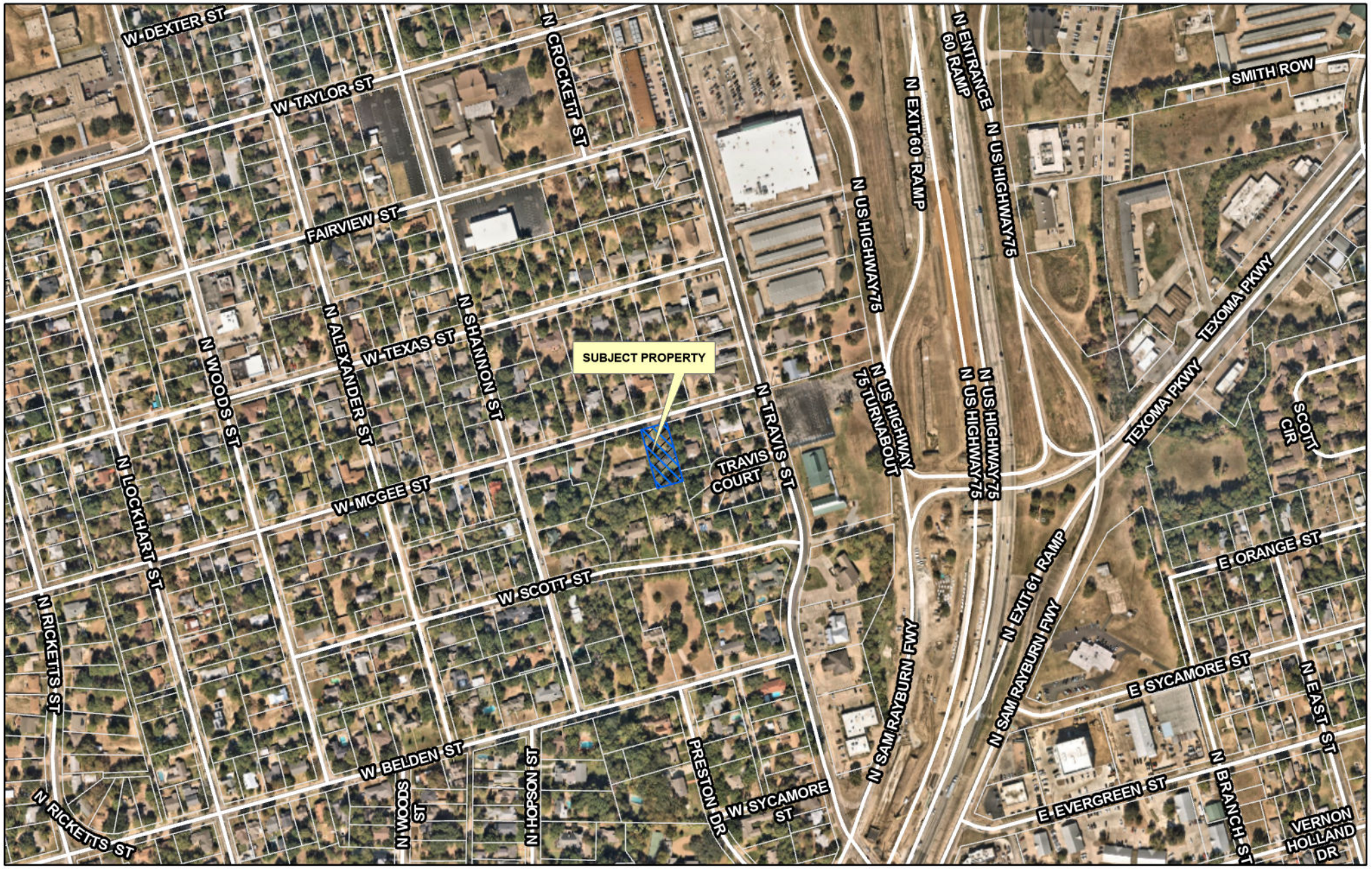
Objections Received:

0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Site Plan
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

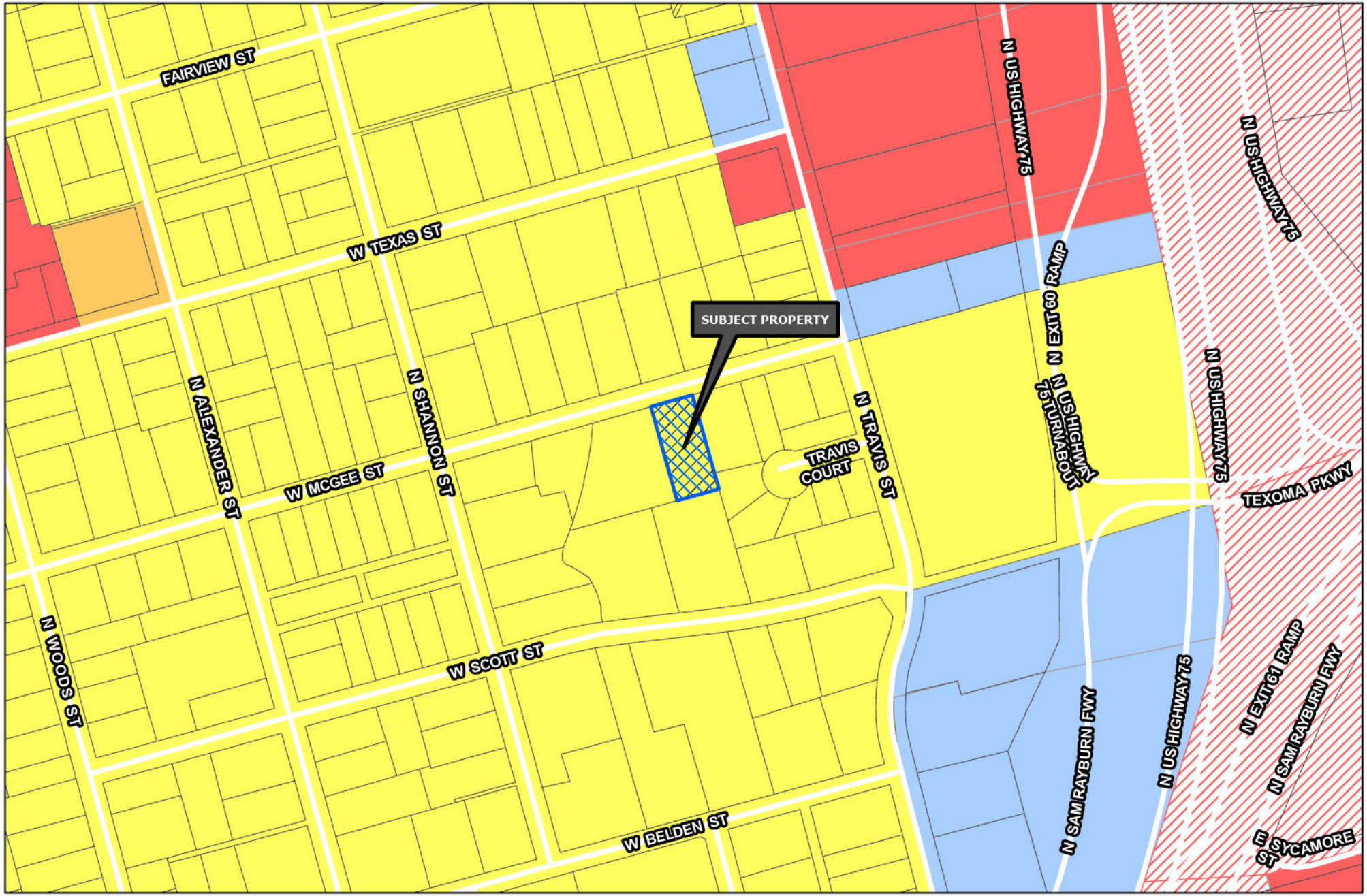
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
124 W MCGEE ST

N
W E
S

Date: 8/11/2023 1:39 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

Road Names All

CITY OF SHERMAN ZONING MAP 124 W MCGEE ST

N
W E
S

Date: 8/11/2023 1:39 PM

Marlow, Lauren

From: Planning
To: Mike Palmer
Subject: RE: 124 W McGee variance Request

From: Mike Palmer
Sent: Tuesday, August 8, 2023 2:27 PM
To: Planning
Subject: 124 W McGee variance Request

Sign is in the front Lawn,



DEAR CITY OF SHERMAN,

WE APEX CONSTRUCTION ,WOULD LIKE TO BUILD A FREESTANDIND CARPORT FOR LINDA AND SALE OMOHONDRO AT 124 W, MCGEE ST. HERE IN SHERMAN. THE VARIANCE REQUEST IS NEEDED IN ORDER TO PLACE THE CARPORT IN LINE WITH THE ALREADY ESTABLISHED GARAGE , IT WOULD BE PLACED LESS THAN 6 FOOT FROM THE BOUNDRY LINE. THIS WOULD ALLOW THEM TO KEEP THEIR VECHICALS COVERED FROM SEVIER WEATHER. THE POST PLACMENT WOULD BE A CANTILEAVER DESIGN AND WOULD NOT INCROUCH THE PHICAL BOUNDREIS.

THANK YOU FOR YOUR CONSIDERATION,
SINCEARLY, MIKE PALMER
APEX CONSTRUCTION

MIKEPALMER
Field Operations Manager

(903) 271 8485
mike@buildingapex.com
www.buildingapex.com

RAUCH ENTERPRISE LLC

APEX CONSTRUCTION

DESIGN · MANAGEMENT · RESULTS

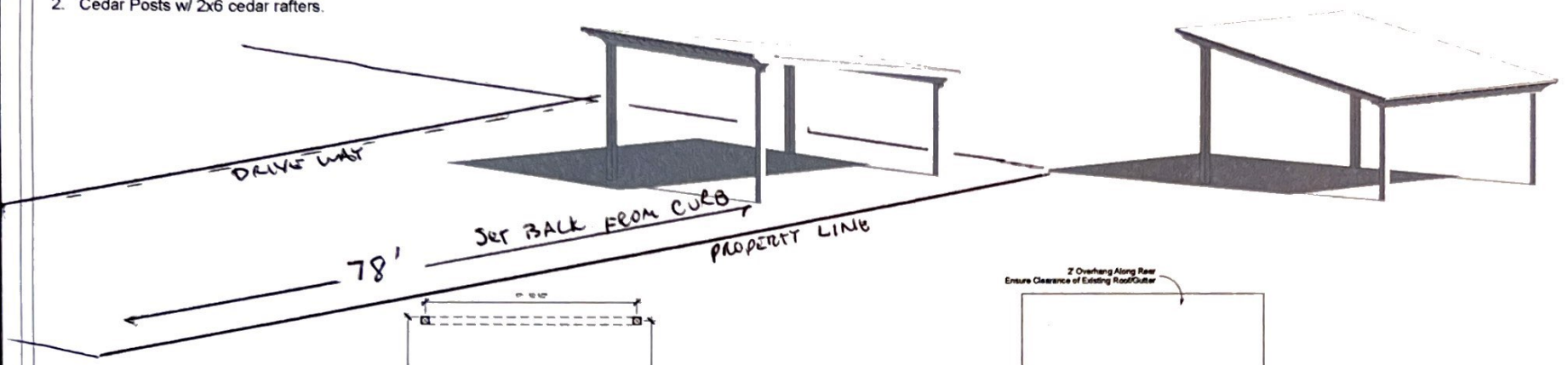
* REQUESTING A 2 FOOT ~~2000~~ CLEARANCE SET BACK FROM PROPERTY LINE.



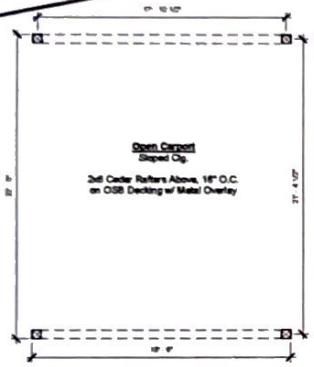
112
116
118
112
124
200
PR
G
2 foot
SIDE SET BACK
CARPORT
DRIVE WAY
W McGee Street

GENERAL EXTERIOR/FRAMING NOTES:

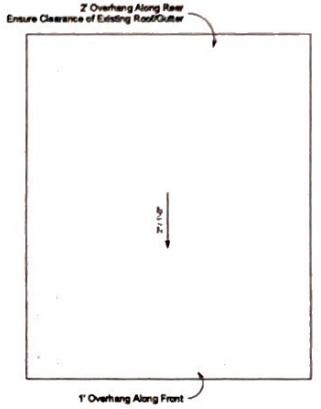
1. Metal Roofing over OSB decking.
2. Cedar Posts w/ 2x6 cedar rafters.



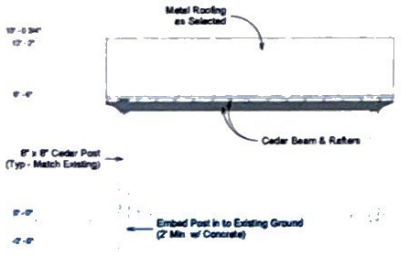




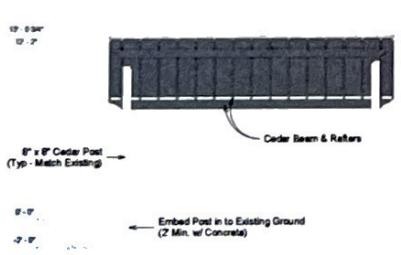
Floor Plan



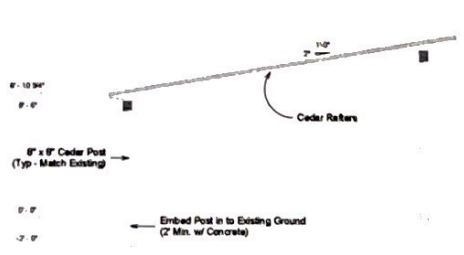
Roof Plan



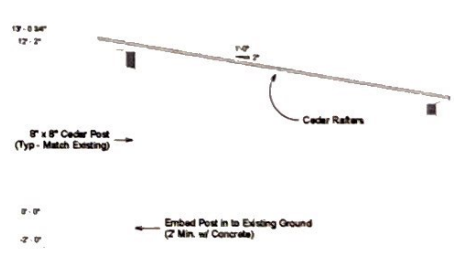
Front



Rear



Right



Left

Various Plans

A2

Project Address:
124 W. McGee Street
Sherman, TX 75092

115 Crow Rd.
Sherman, Texas 75092
903-647-9661
sandra@garddesigns@gmail.com

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023 Sent via email

Apex Construction
Mike Palmer
224 E Houston St
Sherman, TX 75090

Dear Applicants,

The request of a Public Hearing and Variance under Section 14.02.006 to allow a 2' side setback in lieu of the required 6' in a R-6 (Single-Family Residential) District for a Carport Addition located at 124 West McGee Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
4. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

5. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **21.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

2708 NORTH CORNERSTONE DRIVE (Project No. 23-004442)

The request of Raj Patel (Owner), ADR Designs, LLC (Designer) and Preston Trail Land Surveying (Surveyor) concerning the property located at 2708 North Cornerstone Drive, consisting of 2.251 acres in the J.B. McAnair Survey, Abstract No. 763, being Lot 6R, Block 2, Replat of Cornerstone Addition and currently zoned C-1 (Retail Business) District, as follows:

Planning and Zoning Commission

Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hotel or Motel in a C-1 (Retail Business) District.

Background:

The property is located at 2708 North Cornerstone Drive between North US Highway 75 and North Travis Street. The owner is requesting a Site Plan and Specific Use Permit for a Hotel.

Adjacent Zoning:

R-6 (Single Family Residential) District
C-1 (Retail Business) District

Origination:

Raj Patel (Owner)
ADR Designs, LLC (Designer)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Regional Commercial category is intended to promote large-scale commercial development along US-75, while promoting community character through design. US-75 serves as the major gateway to and through the community; therefore, aesthetics and design should be promoted in this corridor. This category should allow large-scale commercial uses that serve the region and the community alike. A mix of uses and inter-connectivity between parcels should be encouraged.

Floodplain & Open Space category is intended to preserve areas to handle stormwater and provide open space corridors for passive trail and recreation activities. These areas are not suitable for land development projects and buildings but may become future parkland managed by the City. These green corridors help protect the community from flood hazards and property damage and offer opportunity for trees, trails, and community connection. It should be noted that floodplains and floodways are regularly

adjusted and reevaluated so the boundaries depicted for this land use category on the map should subsequently be interpreted as fluid.

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

12

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
FLUM
Zoning Sign Photo
Narrative
Survey
Site Plan
Elevations
Landscape Plan
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
2708 N CORNERSTONE DR

N
W E
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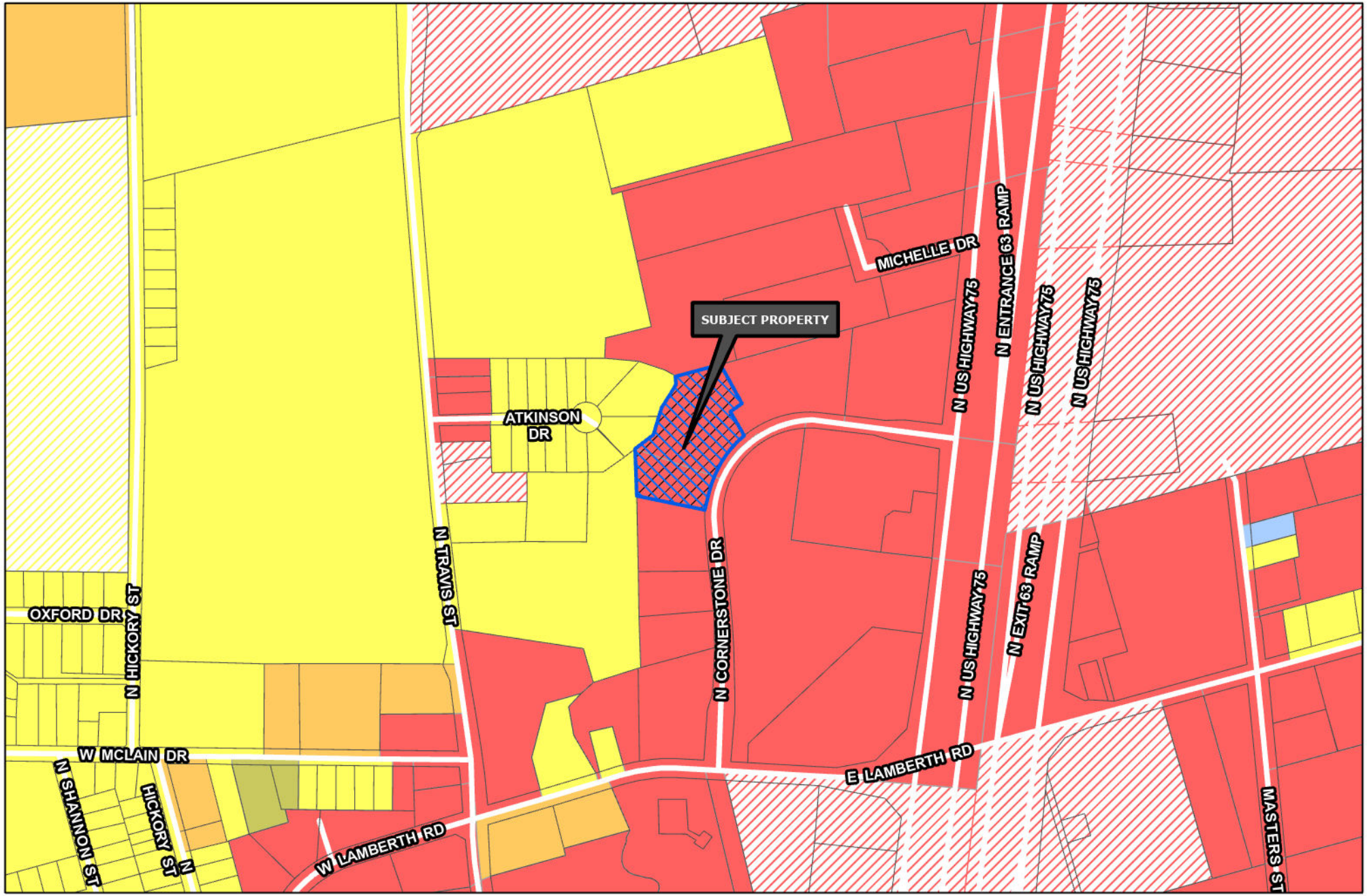
Date: 8/11/2023 2:02 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
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- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
2708 N CORNERSTONE DR

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W E
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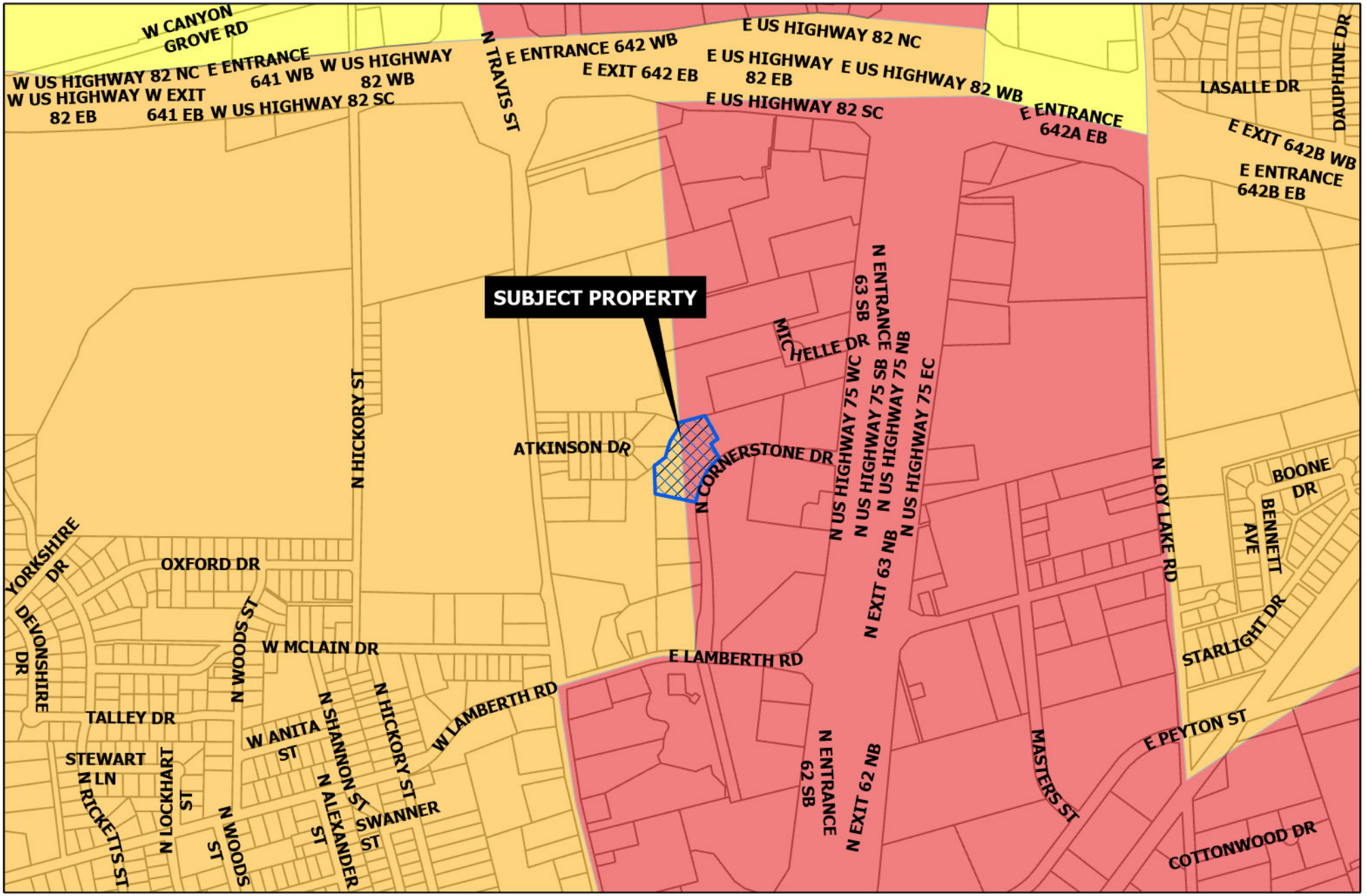
Date: 8/11/2023 2:02 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
2708 N Cornerstone

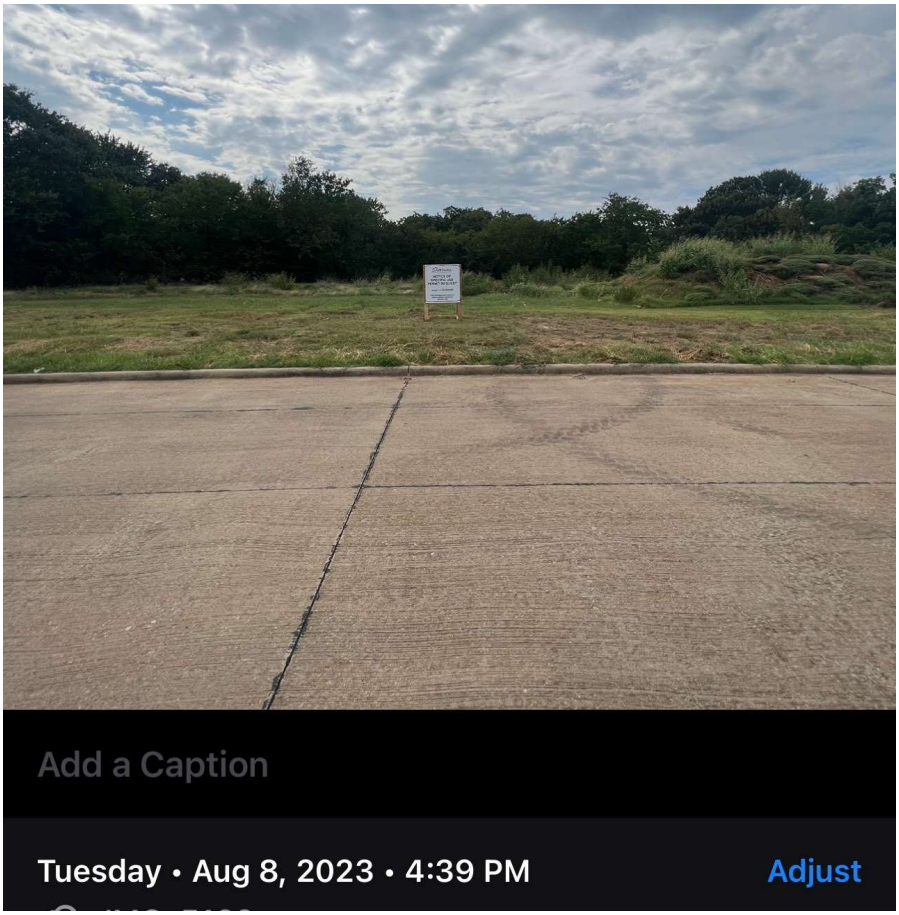
N W E S

Date: 8/17/2023 8:43 AM

Marlow, Lauren

From: laurenm@cityofsherman.com
To: ADR Designs LLC
Subject: RE: SUP application for 2708 N Cornerstone Drive Sherman.

From: ADR Designs LLC
Sent: Wednesday, August 9, 2023 8:48 AM
To: Marlow, Lauren
Subject: Re: SUP application for 2708 N Cornerstone Drive Sherman.



Here it comes !

Anil Ram
ADR - Designs LLC

City of Sherman
220 W Mulberry Street
Sherman Texas 75090

July 25, 2023

Attention: Development Coordinator,

Project Description:

Our project at 2708 N Cornerstone Drive Sherman Texas. We would like to request a specific use permit to build a hotel facility.

A Hilton product, Home 2 Suites, a 4-story building with 106 guestrooms and with an outdoor swimming pool. This hotel will also have a 1,200 s/f meeting room, and a fitness center. It will be limited service hotel, which will serve free continental breakfast to the guests.

I believe this project meets all the SUP guidelines for the hotel, and we are not seeking any variance for this project.
We look forward to the committee's review and subsequent approval.

Thank you kindly

Anil Ram
ADR Designs llc – Project Architect Team

0 25 50
GRAPHIC SCALE IN FEET

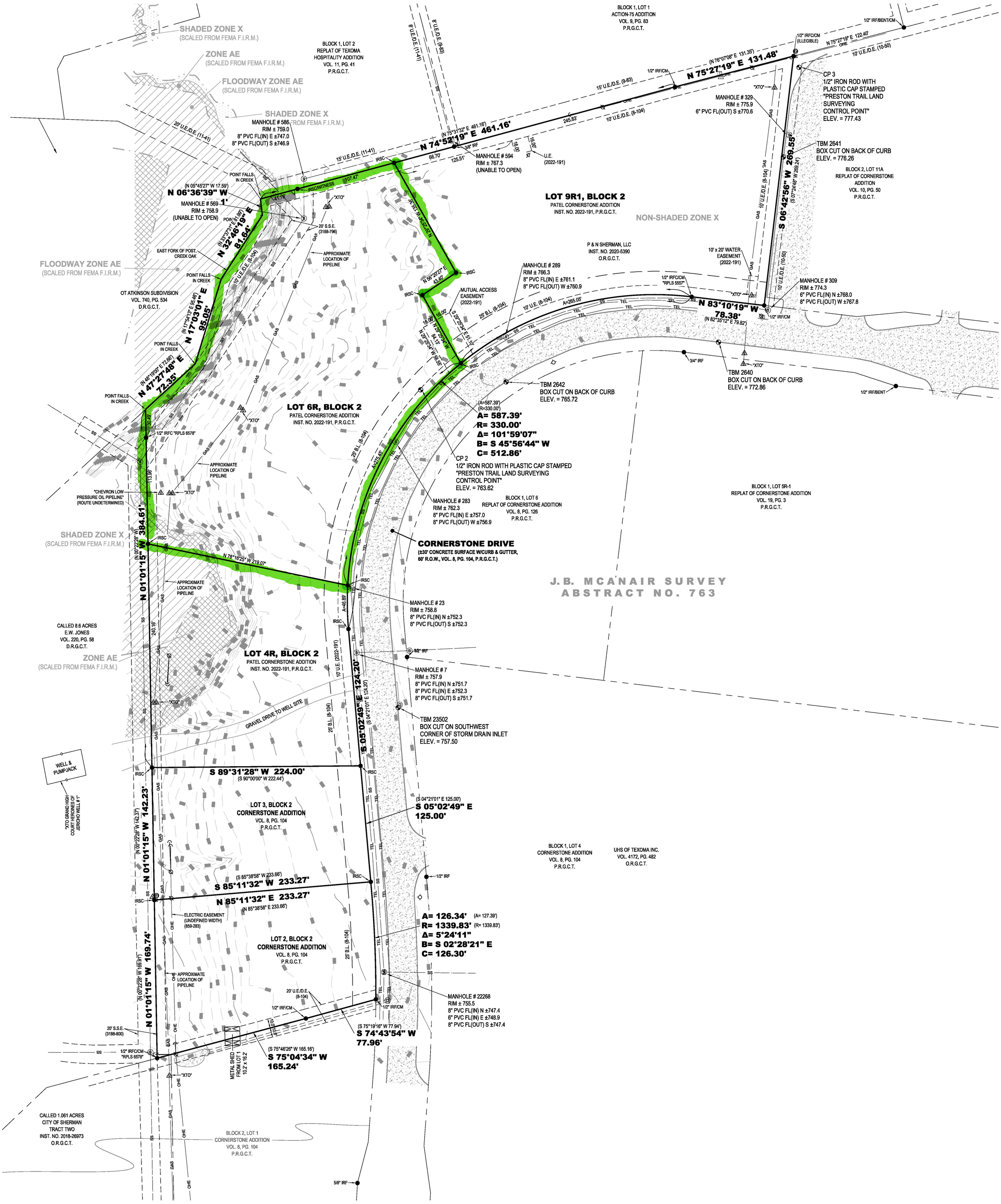
All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998973421.

FLOOD STATEMENT:

I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/01/2022 and that map indicates that a portion of this property is within "Zone AE" defined as "Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood with base flood elevations determined." as shown on Panel 0290 G of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

GENERAL NOTES:

1. Location of underground utilities, including pipelines, based on information provided by Texas Railroad Commision GIS and/or observed above-ground markings by others (pin flags and/or permanent utility markers) and should be considered approximate. Not all underground utilities or pipelines may be shown.



LEGEND

●	FOUND MONUMENT	Ⓔ	ELECTRIC METER
●	SET MONUMENT		UTILITY/POWER POLE
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET		BURIED ELECTRIC LINE MARKER
			GUY
IRF	IRON ROD FOUND	T	TELEPHONE BOX
IRFC	IRON ROD FOUND W/PLASTIC CAP		BURIED TELEPHONE MARKER
CM	CONTROLLING MONUMENT	T	TELEPHONE VAULT
( )	DEED OR PLAT CALL	Ⓖ	NATURAL GAS METER
R.O.W.	RIGHT-OF-WAY		BURIED NATURAL GAS MARKER
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS		FIRE HYDRANT
		Ⓢ	SANITARY SEWER MANHOLE
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS	Ⓓ	STORM DRAIN MANHOLE
			BOUNDARY LINE
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS		ADJOINER LINE
			EASEMENT
VOL., PG.	VOLUME, PAGE		BUILDING LINE
RCP	REINFORCED CONCRETE PIPE	x	WIRE FENCE
B.L.	BUILDING LINE		CHAIN LINK FENCE
U.E.	UTILITY EASEMENT		ASPHALT
D.E.	DRAINAGE EASEMENT		SANITARY SEWER LINE
S.S.E.	SANITARY SEWER EASEMENT	OHE	OVERHEAD ELECTRIC/UTILITY
		TEL	TELEPHONE LINE

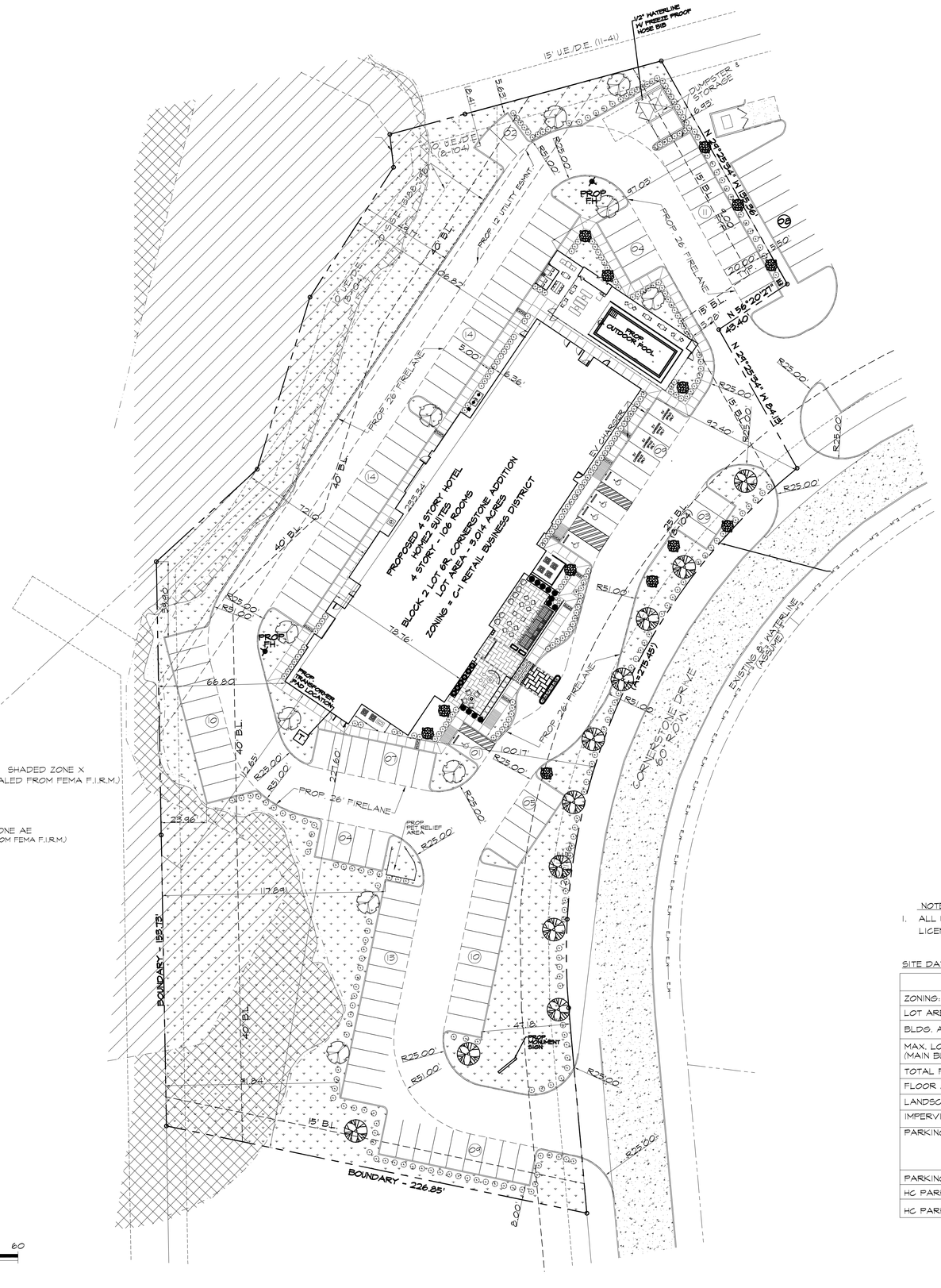
Chris R. Noah, R.P.L.S. No. 6585

STATE OF TEXAS · REGISTERED · CHRIS R. NOAH · 6585 · PROFESSIONAL LAND SURVEYOR

TOPOGRAPHIC SURVEY
CORNERSTONE ADDITION
LOTS 2, 3, 4R, 6R
TBD Cornerstone Drive, Sherman
Grayson County, Texas

Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNH Checked by: CRN	Scale: 1"=50' Date: 12/01/2022	Project No. 20-0010.4 Sheet No. 1 of 1



GENERAL NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE STANDARD SPECIFICATIONS OF THE CITY OF SHERMAN, TEXAS.
2. CONTRACTOR SHALL PROVIDE "AS BUILT" PLANS TO THE ENGINEER SO THAT THE REPRODUCIBLES OF THE ENGINEERING PLANS MAY BE CORRECTED TO REFLECT "AS BUILT" CONDITIONS.
3. THE CONTRACTOR SHALL BE REQUIRED TO PROVIDE AND MAINTAIN ALL NECESSARY WARNING AND SAFETY DEVICES (FLASHING LIGHTS, BARRICADES, SIGNS, ETC.) TO PROTECT THE PUBLIC SAFETY AND HEALTH UNTIL THE WORK HAS BEEN COMPLETED AND ACCEPTED BY THE CITY.
4. COMMENCEMENT OF WORK BY ANY CONTRACTOR OR SUBCONTRACTOR SHALL BE CONSIDERED EVIDENCE THAT HE HAS INSPECTED AND ACCEPTED ALL CONDITIONS INVOLVED IN HIS WORK AND FINDS THEM SATISFACTORY.
5. PRIOR TO THE COMMENCEMENT OF ANY WORK THE CONTRACTOR SHALL ANALYZE THE JOBSITE CONDITIONS, ALL DIMENSIONS, SETBACKS, PROPERTY LIMITS, UTILITY CONDITIONS. IF THE CONTRACTOR OBSERVES ANY ERRORS OR OMISSIONS IN THE CONTRACT DOCUMENTS HE SHALL PROMPTLY NOTIFY THE ARCHITECT FOR CLARIFICATION. IF SUCH WORK PROCEEDS WITHOUT CLARIFICATION IT IS AT THE RISK OF THE CONTRACTOR. ANY CHANGES MADE BY CONTRACTOR PRIOR TO ARCHITECT'S CLARIFICATION SHALL BE AT THE CONTRACTOR'S RISK. THE SETTLEMENT OF ANY COMPLICATIONS OR DISPUTES ARISING FROM THIS SHALL BE AT THE EXPENSE OF THE CONTRACTOR.
6. THE LOCATIONS OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND VERIFY IN THE FIELD ANY UTILITIES THAT MAY CONFLICT WITH THIS CONSTRUCTION. AT LEAST 24 HOURS PRIOR TO BEGINNING CONSTRUCTION IN THE VICINITY OF UNDERGROUND UTILITIES.

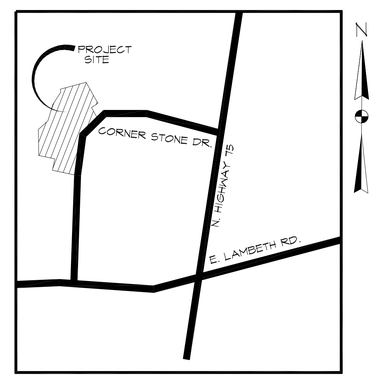
CODE ENFORCEMENT	903-892-7122
FIRE DEPARTMENT	903-892-7263
PLANNING AND ZONING	903-892-7229
PUBLIC WORKS	903-892-7175
UTILITIES	903-892-7237

NOTE:

1. ALL UTILITIES ON PRIVATE PROPERTY MUST BE INSTALLED BY LICENSED CONTRACTORS, AND INSPECTED BEFORE COVER.

SITE DATA TABULATION:

	PROPOSED 4 STORY HOTEL
ZONING:	C-I RETAIL BUSINESS DISTRICT
LOT AREA	3.014 ACRES (131,301.79 S.F.)
BLDG. AREA	16,245.0 S.F.
MAX. LOT COVERAGE (MAIN BUILDING)	12.37%
TOTAL FLR. AREA	65,649.0 S.F.
FLOOR AREA RATIO	65,649.0/131,301.79 = 0.50%
LANDSCAPE AREA	49,002.40 S.F. (37.32%)
IMPERVIOUS AREA	82,299.39 S.F. (62.68%)
PARKING REQUIRED	1 SPACE/RM. UNIT (HOTEL) = 106 ROOMS 1 SPACE/200 S.F. (MEETING ROOM) = 7 TOTAL = 113 PARKING SPACES
PARKING FURNISHED	116 SPACES
HC PARKING REQUIRED	5 SPACES (1 VAN ACCESSIBLE)
HC PARKING PROVIDED	5 SPACES (2 VAN ACCESSIBLE)



VICINITY MAP SCALE : NONE

PROJECT STATUS: PRELIMINARY
PROJECT MANAGER: DBR
DESIGN MANAGER: RCM
PROJECT DATE: 030322
REVISION DATE: 081123

ZAVER CAPITAL, LLC
1225 BAYNES DRIVE
MCKINNEY, TX 75071
PHONE: 214 278 4808
EMAIL: j.patel22@yahoo.com

ADR-DESIGNS-LLC
TOTAL DESIGN MANAGERS
601 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050
PH: 972-262-1333 FAX: 214-272-2987
E-Mail: adrdesignsllc@adrdesigns.com
POR: MOHAMMED S. KAMAL

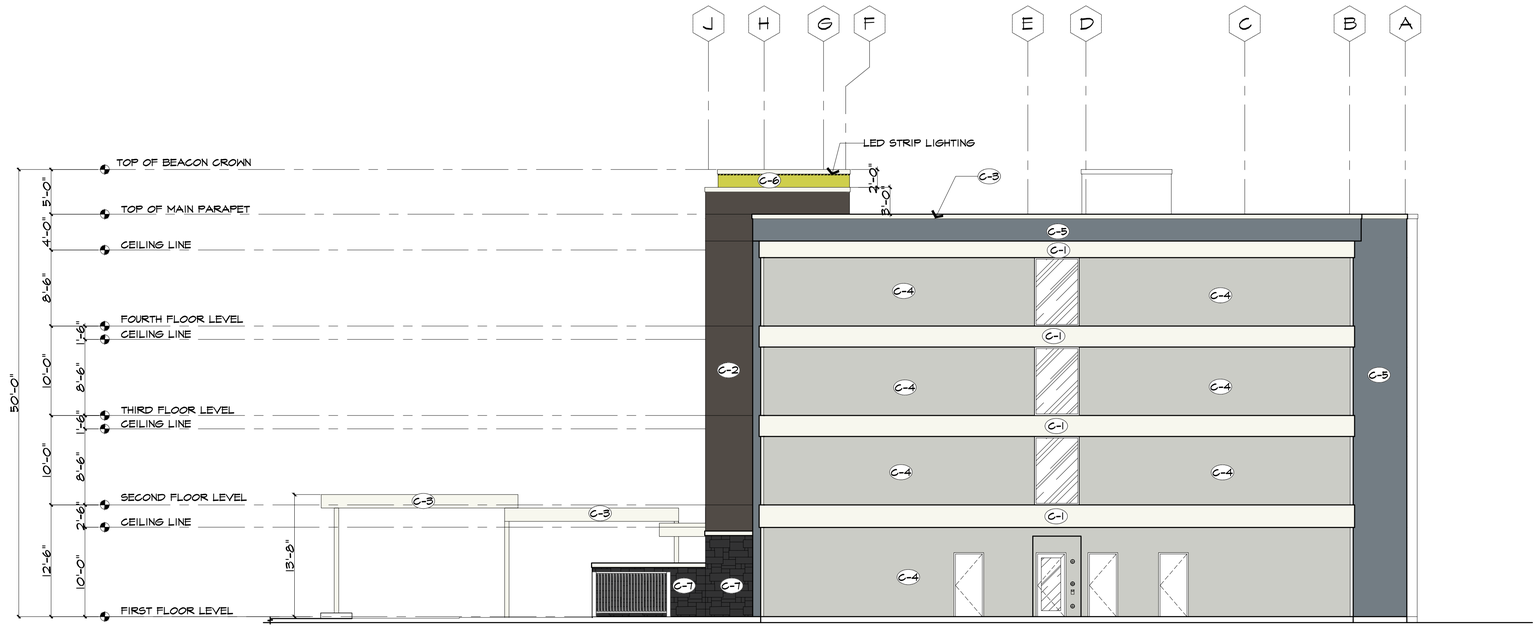
HOME2 SUITES BY HILTON
PROPERTY ID - 58829
2708 CORNERSTONE DRIVE
CITY OF SHERMAN, TEXAS

08/11/23
STATE OF TEXAS
MOHAMMED S. KAMAL
88537
LICENSED
PROFESSIONAL ENGINEER

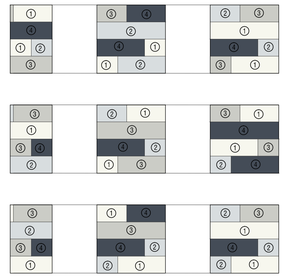
MJR Engineering
New Construction • Engineering • Environmental Services
7953 PINKERTON COURT
PLANO, TEXAS 75025
PH: (469) 544-8150 FAX: (972) 767-3003
EMAIL: mkamal6@gmail.com
FIRM #: F- 9928

JOB NUMBER: ZCS - 22716

SHEET NUMBER C1



02 RIGHT SIDE ELEVATION
SCALE: 1/8"=1'-0"



03 COLOR DIAGRAM
SCALE: NTS
EXTERIOR FINISH C-3

HOME 2 SUITES COLOR CODING SCHEDULE
1 - BENJAMIN MOORE - OC-117 SIMPLY WHITE
2 - BENJAMIN MOORE - 2126-60 GRAY CLOUD
3 - BENJAMIN MOORE - HC-170 STONINGTON GRAY
4 - BENJAMIN MOORE - HC-154 HALE NAVY

NOTE:

*ALL STUCCO INSTALLATIONS TO COMPLY WITH ASTM C1063

*MAXIMUM WALL PANEL AREA =144 sq. ft.

*MAXIMUM DISTANCE BETWEEN JOINTS = 18 ft.

*MINIMUM LENGTH TO WIDTH RATIO = 2.5 TO 1

*NO INCREASE ALLOWED UNLESS APPROVED BY ARCHITECT.

H2S FINISH SCHEDULE

C-1	-	STUCCO OC-117 SIMPLY WHITE (BENJAMIN MOORE)
C-2	-	STUCCO 2134-20 MIDSUMMER NIGHT (BENJAMIN MOORE)
C-3	-	STUCCO FINISH VARIES REFER TO DETAIL 03/A310
C-4	-	STUCCO HC-170 STONINGTON GRAY (BENJAMIN MOORE)
C-5	-	STUCCO 2127-40 WOLF GRAY (BENJAMIN MOORE)
C-6	-	STUCCO 398 FLOWER POWER (BENJAMIN MOORE)
C-7	-	CORONADO STONE BLACK FOREST



01 FRONT ELEVATION
SCALE: 1/8"=1'-0"

PROJECT STATUS: PRELIMINARY
PROJECT MANAGER: DBR
DESIGN MANAGER: RCM
PROJECT DATE: 070422
REVISION DATE: 081123

ZAVER CAPITAL, LLC
1225 BAYNES DRIVE
MCKINNEY, TX 75071
PHONE: 214 278 4808
EMAIL: j.patel22@yahoo.com

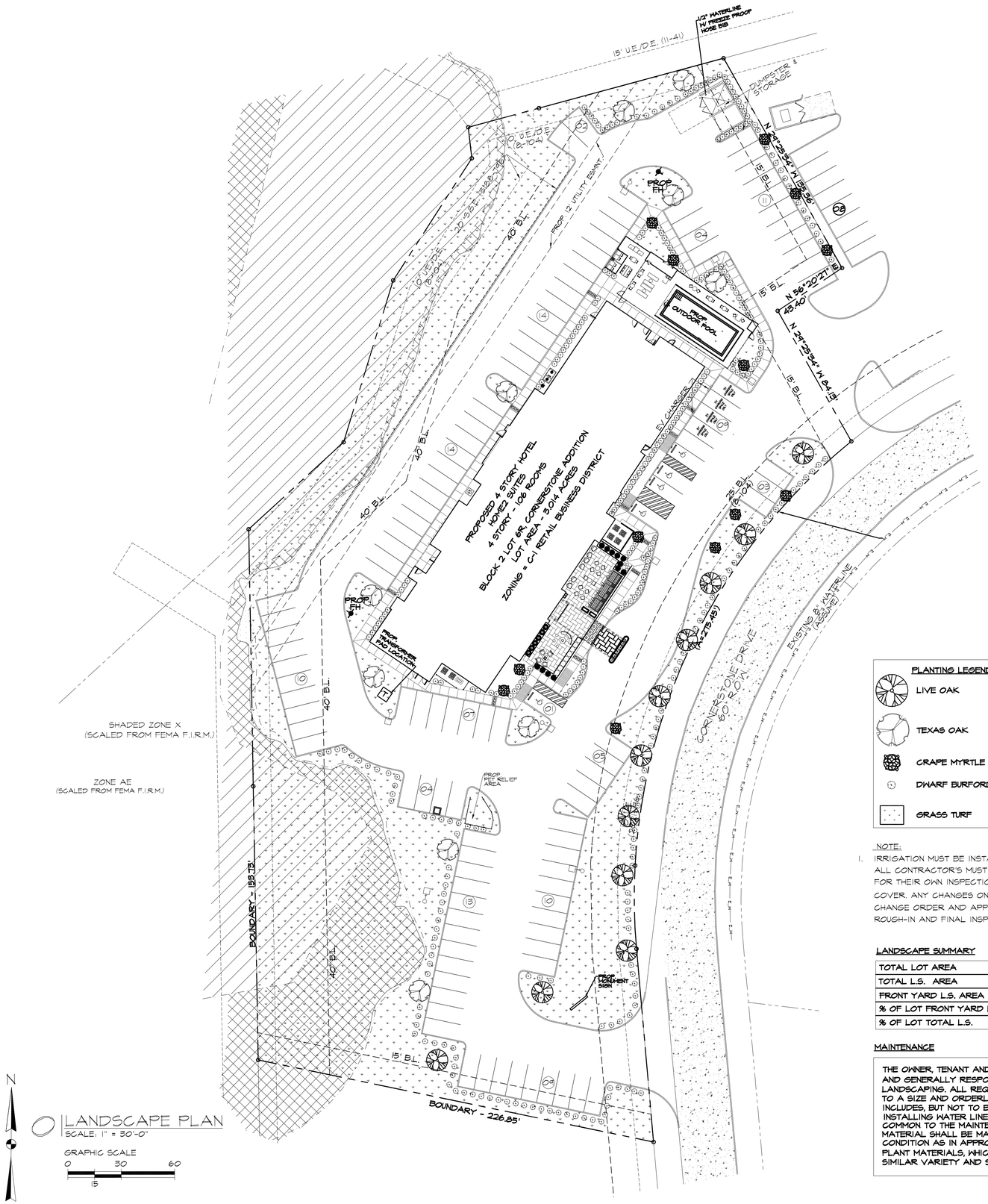
HOME2 SUITES BY HILTON
PROPERTY ID - 58829
2708 CORNERSTONE DRIVE
CITY OF SHERMAN, TEXAS



ADR-DESIGNS-LLC
TOTAL DESIGN MANAGERS
601 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050
PH: 972-262-1333 FAX: 214-272-2987
E-Mail: adrdesignsllc@adrdesigns.com
POR: JOHN C. SARGENT

JOB NUMBER: ZCS - 22716

SHEET NUMBER A310



01 LANDSCAPE PLAN
SCALE: 1" = 30'-0"

GRAPHIC SCALE
0 30 60
15

GENERAL LANDSCAPE NOTES:

1. ALL PLANT MATERIALS SHALL CONFORM TO THE STANDARDS OF THE APPROVED PLANT LIST FOR THE CITY OF SHERMAN.
2. AS UNDERGROUND AUTOMATIC LANDSCAPE IRRIGATION SYSTEM SHALL BE INSTALLED TO WATER ALL LANDSCAPE AREAS, INCLUDING RIGHT-OF-WAY AREAS, UNLESS NOTED OTHERWISE.
3. ADDITIONAL PLANT MATERIAL MAY BE INSTALLED ON SITE AT OWNER'S DIRECTION AND ACCORDING TO CITY REQUIREMENTS.
4. ALL PLANT MATERIAL SHALL BE MAINTAINED BY OWNER IN A HEALTHY AND GOING CONDITION, AND REPLACED WITH PLANT MATERIAL OF SIMILAR SIZE AND VARIETY IF DAMAGED, DESTROYED, OR REMOVED.
5. LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, AND WEEDS.
6. ALL LANDSCAPE AREAS SHALL BE CONSTRUCTED, INSTALLED AND MAINTAINED SO AS NOT TO OBSTRUCT VIEW OF MOTORIST BETWEEN THE STREET AND ACCESS DRIVE. VISIBILITY EASEMENTS SHALL REMAIN UNOBSTRUCTED AT ALL TIMES.
7. ALL PERMEABLE SURFACES NOT OCCUPIED BY TREES, SHRUBS, PLANTING BEDS OR OTHER PERMITTED ITEMS OR FIXTURES SHALL BE BERM A DEGREES LAWN AREAS UNLESS OTHERWISE NOTED.
8. ALL TREES TO BE INSTALLED OUTSIDE FIRE HYDRANT, SANITARY SEWER, AND UTILITY EASEMENTS.
9. REFERENCE ENGINEERING PLANS FOR PROPOSED GRADES.

IRRIGATION NOTES:

1. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.
2. IRRIGATION SYSTEM WILL BE EQUIPPED WITH A RAIN SENSOR AND FREEZE GUARD.

TREE NOTES:

1. AT THE TIME OF PLANTING, TREES SHALL BE A MINIMUM OF THREE INCHES CALIPER, MEASURED 12" ABOVE GROUND AND A MINIMUM OF SEVEN FEET IN HEIGHT.
2. APPLY THREE INCHES (3") LAYER OF MULCH ON TOP OF ROOT BALL AFTER PLANTING, KEEP MULCH NINE INCHES (9") FROM BASE OF THE TRUNK.
3. PRUNE EACH TREE TO CORRECT STRUCTURAL DEFECTS AND REMOVE BROKEN BRANCHES CAUSED DURING TRANSPORT AND PLANTING.
4. EVERY OCTOBER APPLY TWO AND A HALF (2 1/2 LB.) POUNDS OF 10-10-10 FERTILIZER PER TEN SQUARE FEET OF AREA BENEATH EACH TREE.

LANDSCAPING

TOTAL LOT AREA:		131,301.79 S.F.
LANDSCAPE AREA	REQUIRED (10% OF OF PARKING AREAS AND DRIVES) (53,086.61 S.F.)	5,308.66 S.F.
LANDSCAPE AREA	PROVIDED (37.32%)	49,002.40 S.F.
LANDSCAPE ISLAND	REQUIRED (40% OF OF REQUIRED LANDSCAPE AREA	2,123.46 S.F.
LANDSCAPE ISLAND	PROVIDED	2, 607.57 S.F.

PLANT LIST :

QTY.	COMMON NAME	BOTANIC NAME	SIZE/SPACING
11	LIVE OAK	QUERCUS VIRGINIANA	3" CALIPER
10	TEXAS OAK	QUERCUS BUCKLEYI	3" CALIPER
336	DWARF BURFORD HOLLY	ILEX CORNUTA BUFORDI "NANA"	5 GALLON, 36" O.C.
15	CRAPE MYRTLE	LAGERSTROEMIA INDICA 'Watermelon Red'	1" CAL., CANE MIN. 8' HT.,

PLANTING LEGEND

- LIVE OAK
- TEXAS OAK
- CRAPE MYRTLE
- DWARF BURFORD HOLLY
- GRASS TURF

NOTE:

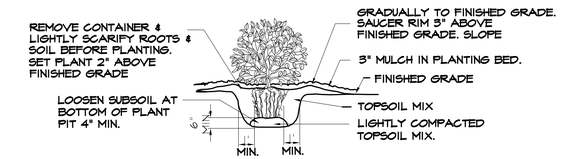
1. IRRIGATION MUST BE INSTALLED BY A LICENSED CONTRACTOR. ALL CONTRACTOR'S MUST RETAIN THEIR OWN PERMITS AND CALL FOR THEIR OWN INSPECTIONS. ALL WORK MUST BE INSPECTED BEFORE COVER. ANY CHANGES ON THESE PLANS MUST BE SUBMITTED WITH A CHANGE ORDER AND APPROVED BY THE BUILDING OFFICIAL. ROUGH-IN AND FINAL INSPECTIONS ARE REQUIRED.

LANDSCAPE SUMMARY

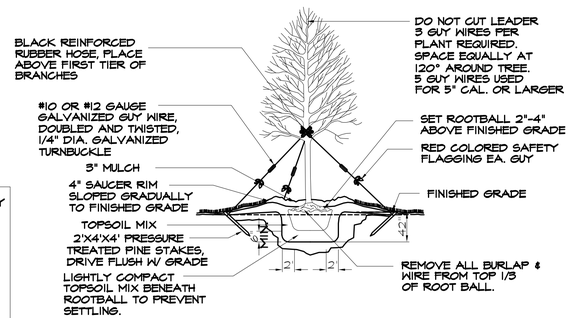
TOTAL LOT AREA	131,301.79 S.F.
TOTAL L.S. AREA	49,002.40 S.F.
FRONT YARD L.S. AREA	11,420.61 S.F.
% OF LOT FRONT YARD L.S.	8.70 %
% OF LOT TOTAL L.S.	37.32%

MAINTENANCE

THE OWNER, TENANT AND FOR THEIR AGENT, IF ANY, SHALL BE JOINTLY AND GENERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHOULD BE MAINTAINED TO A SIZE AND ORDERLY. MAINTAIN AT ALL TIMES. THIS SHALL INCLUDES, BUT NOT TO BE LIMITED. VIEWING EDGING, GRADING, INSTALLING WATER LINES, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IN APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIALS, WHICH DIE SHALL BE REPLACED WITH MATERIAL SIMILAR VARIETY AND SIZE.



03 SHRUB PLANTING DETAIL
SCALE: NONE



02 TREE PLANTING DETAIL
SCALE: NONE

PROJECT STATUS: PRELIMINARY
PROJECT MANAGER: DBR
DESIGN MANAGER: RCM
PROJECT DATE: 030322
REVISION DATE: 081123

ZAVER CAPITAL, LLC
1225 BAYNES DRIVE
MCKINNEY, TX 75071
PHONE: 214 278 4808
EMAIL: j.patel22@yahoo.com

ADR-DESIGNS-LLC
TOTAL DESIGN MANAGERS
601 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050
PH: 972-262-1333 FAX: 214-272-2987
E-Mail: adrdesignsllc@adrdesigns.com
POR: MOHAMMED S. KAMAL

HOME2 SUITES BY HILTON
PROPERTY ID - 58829
2708 CORNERSTONE DRIVE
CITY OF SHERMAN, TEXAS

08/11/23
STATE OF TEXAS
MOHAMMED S. KAMAL
88537
LICENSED PROFESSIONAL ENGINEER

MJR Engineering
New Construction • Engineering • Environmental Services
7953 PINKERTON COURT
PLANO, TEXAS 75025
PH: (469) 544-8150 FAX: (972) 767-3003
EMAIL: mkamal67@gmail.com
FIRM #: F- 9928

JOB NUMBER: ZCS - 22716

SHEET NUMBER L1

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023 Sent via email

Raj Patel
1018 US Highway 271 South
Gilmer, TX 75644

Dear Applicants,

The request of a Public Hearing, Site Plan and Specific Use Permit under Section 14.06.009 to allow a Hotel or Motel in a C-1 (Retail Business) District located at 2708 North Cornerstone Drive has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Sign Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Article 14.07)*
5. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
6. The use of the property must comply with all Federal and State Laws and regulations and with all the ordinances, rules and regulations of the City of Sherman.
7. Permanent residents are not permitted. Any hotel guest may not stay longer than 30 days.
8. The property must be properly maintained in a state of good repair and neat appearance.
9. Office space, restaurant space or conference/meeting rooms must be identified on the Site Plan. The square feet of the office space, restaurant space, conference/meeting room must be notated in the tabulation and parking shall be provided: 1 parking space for every unit plus the required parking for retail, office, and other uses as applicable. *(Sec.14.04.003(e)(1)).*
10. The granting of the Specific Use Permit has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
11. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
12. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

13. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
14. All requirements of the Floodplain Ordinance shall be followed. *Code of Ordinances Chapter 3, Article 3.12*
15. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*

Fire Services

16. D105.3 - One or more of the required access routes meeting this condition shall be located not less than 15' and not greater than 30' from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **22.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

2700-3400 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY) (Project No. 23-004443)AN EMAIL WAS RECEIVED FROM ROBERT TESCH ON AUGUST 7, 2023 AT 1:30 P.M REQUESTING TO TABLE THIS ITEM

The request of Bob Tesch Investments, LLC (Owner) and Pape-Dawson Engineers (Surveyor) concerning the property located in the 2700-3400 Blocks South FM 1417 (Heritage Parkway), consisting of 10.771 acres in the Elizabeth Jones Survey, Abstract No. 625 and currently zoned M-1 (Light Manufacturing) District/F.M. 1417 Overlay District, as follows:

Planning and Zoning Commission

A. Public Hearing and Zone Change from M-1 (Light Manufacturing) District/F.M. 1417 Overlay District to C-1 (Retail Business) District/F.M. 1417 Overlay District.
B. Site Plan approval for Retail Development.

Background:

The property is located in the 2700-3400 Blocks South FM 1417 (Heritage Parkway) near the intersection of Steeple Chase Drive and South FM 1417 (Heritage Parkway). The owner is requesting a Zone Change from an M-1 (Light Manufacturing) District/F.M. 1417 Overlay District to C-1 (Retail Business) District/F.M. 1417 Overlay District and Site Plan approval for Retail Development..

Adjacent Zoning:

M-1 (Light Manufacturing) District
R-6 (Single Family Residential) District
MF-30 (Multi-Family Residential) District
C-1 (Retail Business) District

Origination:

Bob Tesch Investments, LLC (Owner)
Pape-Dawson Engineers (Surveyor)

Master Plan Designation:

Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Number of notices mailed:

9

Objections Received:

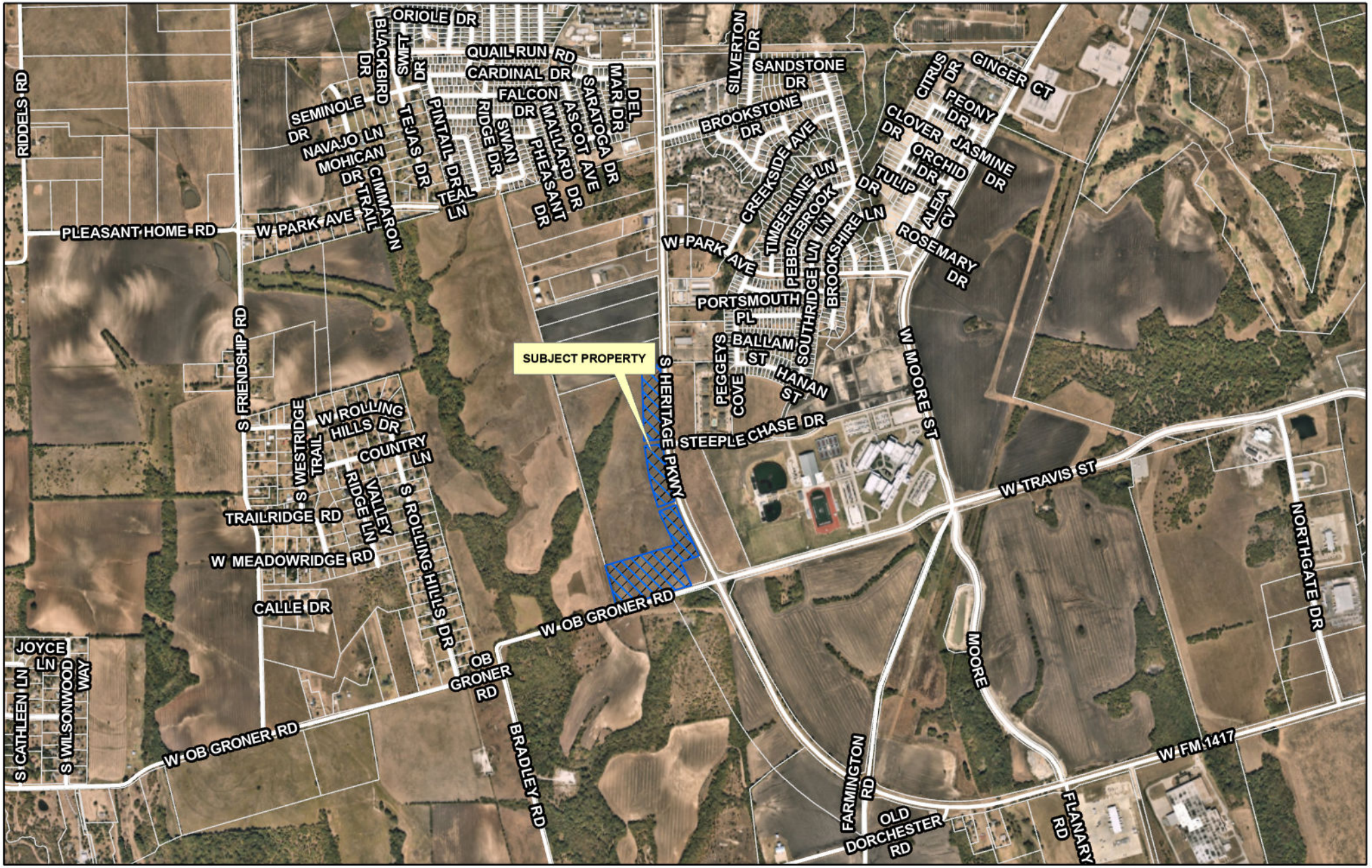
0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Narrative
Survey
Site Plan
Elevations
REQUEST TO TABLE - EMAIL



dlagrone H:\PLANNING\Public Notification KT.aprx

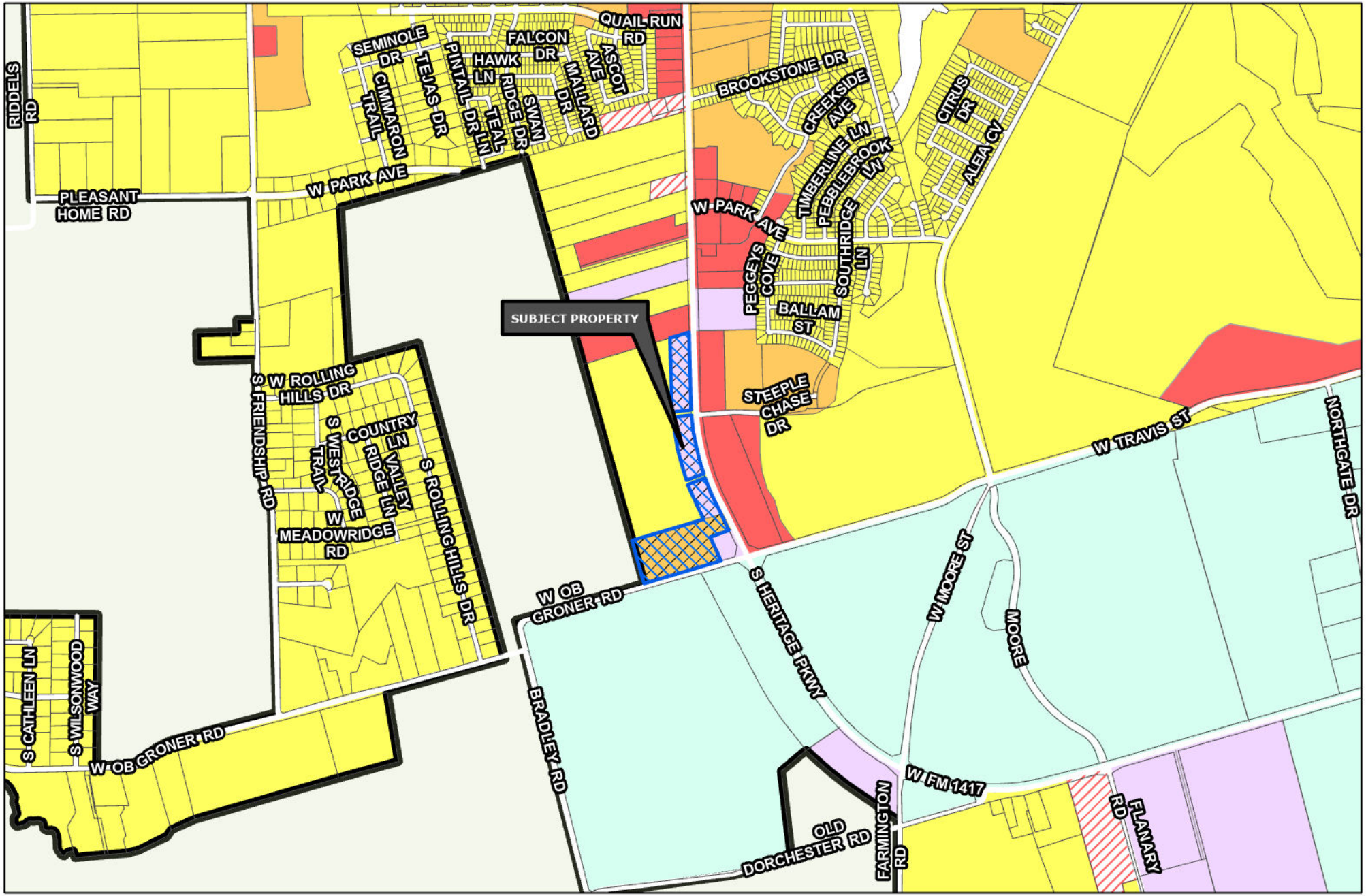
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
2700-3400 BLKS S FM 1417 (HERITAGE PKWY)

N
W E
S

Date: 8/11/2023 2:04 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
2700-3400 BLKS S FM 1417 (HERITAGE PKWY)

N
W E
S

Date: 8/11/2023 2:13 PM

Narrative

Accompanying zoning application for the proposed

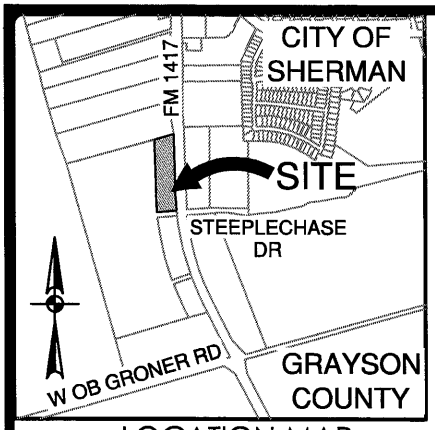
Sherman Height Center

The 10.7 acre Sherman Heights Center site is located on the west side of Heritage Parkway (FM 1417) just north of the intersection of O.B. Groner Street and FM 1417 immediately across the street from the new Sherman High School. The Center is intended to provide retail space suitable for various businesses whose purpose is to provide most of the convenience goods and furnish certain personal services to satisfy daily needs of the adjacent residential neighborhood.

The site is located on the commercial reserve portion of the planned Sherman Heights community, which includes 175 planned single family and 276 multi-family homes totaling 471 residences within walking distance of the center. The preliminary concept plan of Sherman Heights Center includes multiple buildings, approximately as shown on the accompanying exhibit. The plan provides for minimum parking requirements to be met or exceeded, and all other applicable city ordinances will be met or exceeded.

Convenience and safety were given high priority in the site design considerations and in planning for all ingress, egress points to and from the site. All TxDOT requirements will be met and prior to construction, all requirements for issuance of applicable building permits will be met.

EXHIBIT "A"

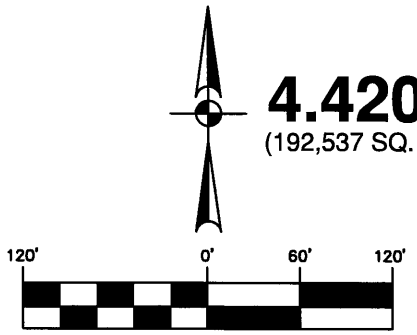


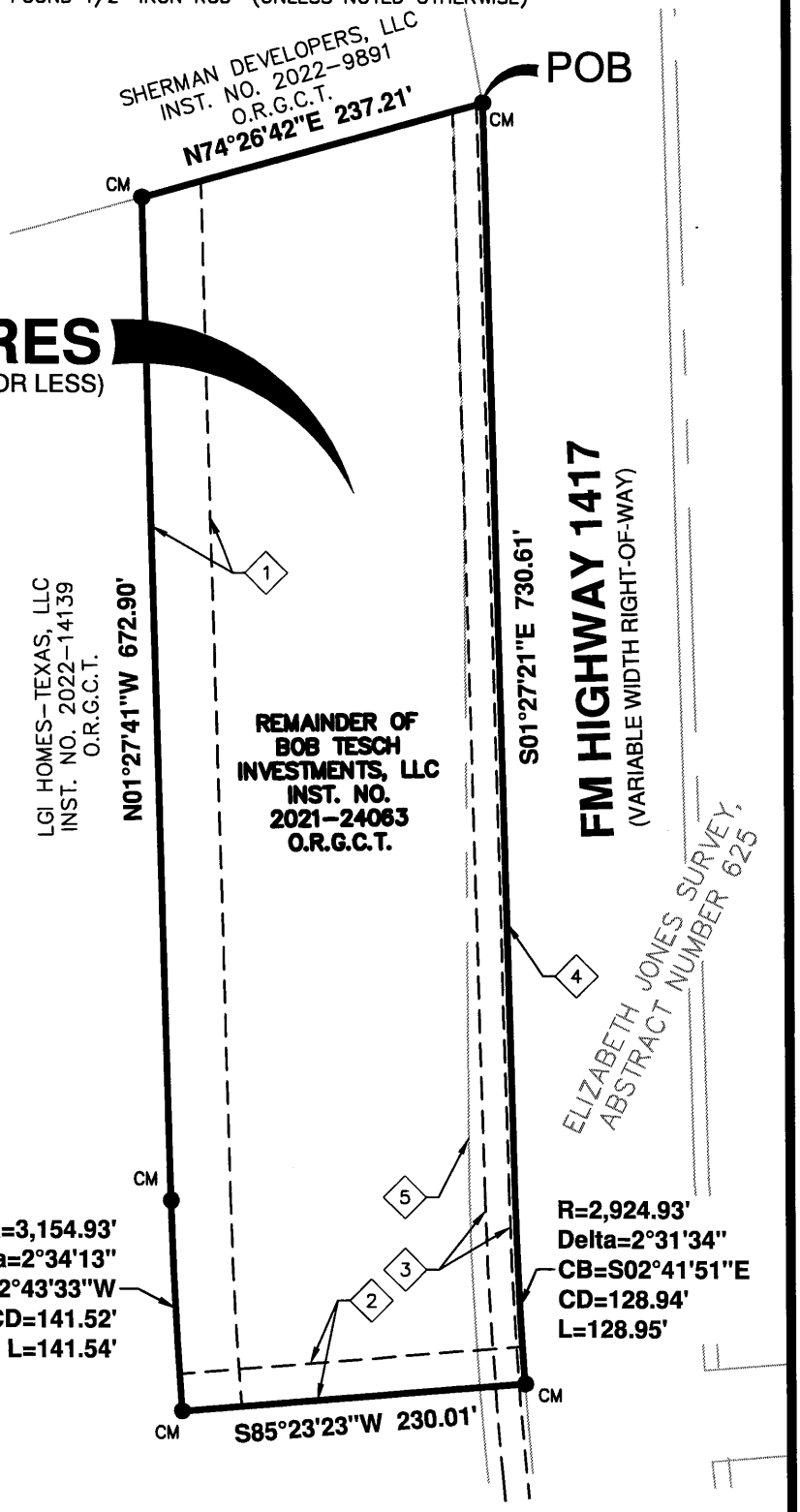
LOCATION MAP

NOT-TO-SCALE

LEGEND:

O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
POB	POINT OF BEGINNING
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
CM	CONTROLLING MONUMENT
●	FOUND 1/2" IRON ROD" (UNLESS NOTED OTHERWISE)





1. 40' CONSTRUCTION EASEMENT FOR DRAINAGE INST. NO. 2022-14142, O.R.G.C.T.
2. 25' CONSTRUCTION EASEMENT FOR ROADWAY INST. NO. 2022-14142, O.R.G.C.T.
3. CITY OF SHERMAN 20' WATER LINE EASEMENT VOL. 1399, PG. 392, O.R.G.C.T.
4. APPROXIMATE CENTERLINE TP&L EASEMENT (NO WIDTH GIVEN) VOL. 1035, PG. 319 AND VOL. 1035, PG. 322 D.R.G.C.T.
5. PROPOSED HIGHWAY FM 1417 RIGHT-OF-WAY PARCEL NUMBER 4 RCSJ: 2455-01-042 CCSJ: 2455-01-036

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 70352-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE NORTH CENTRAL ZONE (4202) FROM THE NORTH AMERICAN DATUM OF 1983 (NAD 83), (NA2011), EPOCH 2010.00.

PAPE-DAWSON ENGINEERS

6105 TENNYSON PKWY, STE 210 | PLANO, TX 75024 | 214.420.8494

TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10194390

JULY 2023

REFERENCE: 70352-01

Date: Jul 20, 2023, 11:11am User ID: ypruge
File: M:\survey\CIVIL\70352\01\CADD\Boundary\ZONING EXHIBITS\(S)70352-01-Z-EX 4.420 ACRES.dwg

EXHIBIT "A"

BEING A TRACT OF LAND SITUATED IN ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AND BEING A PORTION OF A REMAINDER TRACT OF LAND CONVEYED TO BOB TESCH INVESTMENTS, LLC, ACCORDING TO THE DOCUMENT RECORDED IN INSTRUMENT NUMBER 2021-24063, OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS (O.R.G.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 1/2-INCH IRON ROD, FOR THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO SHERMAN DEVELOPERS, LLC, ACCORDING TO THE DEED RECORDED IN INSTRUMENT NUMBER 2022-9891, (O.R.G.C.T.), ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF FM HIGHWAY 1417 (VARIABLE WIDTH R.O.W.);

THENCE: S 01°27'21" E, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID FM HIGHWAY 1417, A DISTANCE OF 730.61 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,924.93 FEET, A CENTRAL ANGLE OF 02°31'34", A CHORD BEARING AND DISTANCE OF S 02°41'51" E, 128.94 FEET;

THENCE: ALONG THE WEST RIGHT-OF-WAY LINE OF SAID FM HIGHWAY 1417 AND SAID CURVE TO THE LEFT, AN ARC LENGTH OF 128.95 FEET, TO A FOUND 1/2-INCH IRON ROD, FOR AN EXTERIOR ELL CORNER OF A TRACT OF LAND CONVEYED TO LGI HOMES-TEXAS, LLC, ACCORDING TO THE DEED RECORDED IN INSTRUMENT NUMBER 2022-14139, (O.R.G.C.T.);

THENCE: S 85°23'23" W, A DISTANCE OF 230.01 FEET TO A FOUND 1/2-INCH IRON ROD, FOR AN INTERIOR ELL CORNER OF SAID LGI HOMES-TEXAS, LLC TRACT, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 3,154.93 FEET, A CENTRAL ANGLE OF 02°34'13", A CHORD BEARING AND DISTANCE OF N 02°43'33" W, 141.52 FEET;

THENCE: ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 141.54 FEET, TO A FOUND 1/2-INCH IRON ROD, ON AN EASTERLY LINE OF SAID LGI HOMES-TEXAS, LLC TRACT;

THENCE: N 01°27'41" W, A DISTANCE OF 672.90 FEET TO A FOUND 1/2-INCH IRON ROD, FOR THE NORTHEAST CORNER OF SAID LGI HOMES-TEXAS, LLC TRACT, ALSO BEING ON THE SOUTH LINE OF SAID SHERMAN DEVELOPERS, LLC TRACT;

THENCE: N 74°26'42" E, ALONG THE SOUTH LINE OF SAID SHERMAN DEVELOPERS, LLC TRACT, A DISTANCE OF 237.21 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 4.420 ACRES OR 192,537 SQUARE FEET OF LAND MORE OR LESS, AND BEING DESCRIBED IN ACCORDANCE WITH A SURVEY MADE ON GROUND AND ACCOMPANIED BY AN EXHIBIT OR SURVEY MAP PREPARED UNDER JOB NUMBER **70352-01** BY PAPE DAWSON CONSULTING ENGINEERS, LLC.

BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE NORTH CENTRAL ZONE (4202) FROM NORTH AMERICAN DATUM 1983 (NA2011) EPOCH 2010.00.

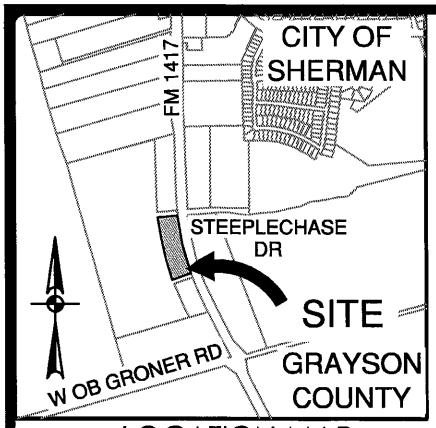
FOR PAPE DAWSON CONSULTING ENGINEERS, LLC.



Mark L. Beshear

MARK L. BESHEAR
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6824
FIRM REGISTRATION NO. 10194390
PAPE DAWSON CONSULTING ENGINEERS, LLC.
6105 TENNYSON PARKWAY, SUITE 210
PLANO, TEXAS 75024
TELE. 214-420-8494
EMAIL: MBESHEAR@PAPE-DAWSON.COM
CERTIFICATION DATE: JULY 20, 2021

EXHIBIT "A"



LOCATION MAP

NOT-TO-SCALE

LEGEND:

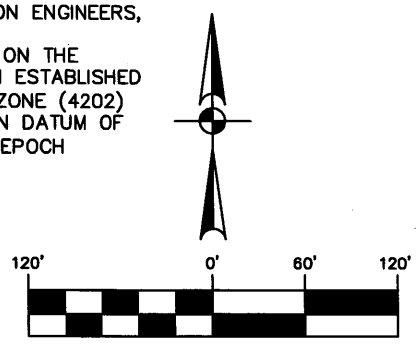
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
POB	POINT OF BEGINNING
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
CM	CONTROLLING MONUMENT
●	FOUND 1/2" IRON ROD" (UNLESS NOTED OTHERWISE)

4.039 ACRES
(175,950 SQ. FT. MORE OR LESS)

1. 40' CONSTRUCTION EASEMENT FOR DRAINAGE INST. NO. 2022-14142, O.R.G.C.T.
2. 25' CONSTRUCTION EASEMENT FOR ROADWAY INST. NO. 2022-14142, O.R.G.C.T.
3. CITY OF SHERMAN 20' WATER LINE EASEMENT VOL. 1399, PG. 392, O.R.G.C.T.
4. APPROXIMATE CENTERLINE TP&L EASEMENT VOL. 1035, PG. 319 AND VOL. 1035, PG. 322 (NO WIDTH GIVEN) D.R.G.C.T.
5. PROPOSED HIGHWAY FM 1417 RIGHT-OF-WAY PARCEL NUMBER 4 RCSJ: 2455-01-042 CCSJ: 2455-01-036

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 70352-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE NORTH CENTRAL ZONE (4202) FROM THE NORTH AMERICAN DATUM OF 1983 (NAD 83), (NA2011), EPOCH 2010.00.



SCALE: 1"= 120'

PAPE-DAWSON ENGINEERS

6105 TENNYSON PKWY, STE 210 | PLANO, TX 75024 | 214.420.8494
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10194390

JULY 2023

REFERENCE: 70352-01

Date: Jul 20, 2023, 11:10am User ID: yruge
File: W:\survey\CIVIL\70352\01\CADD\Boundary\ZONING EXHIBITS\(S)70352-01-Z-EX 4.039 ACRES.dwg

EXHIBIT "A"

BEING A TRACT OF LAND SITUATED IN ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AND BEING A PORTION OF A REMAINDER TRACT OF LAND CONVEYED TO BOB TESCH INVESTMENTS, LLC, ACCORDING TO THE DOCUMENT RECORDED IN INSTRUMENT NUMBER 2021-24063, OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS (O.R.G.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 1/2-INCH IRON ROD, ON THE WEST RIGHT-OF-WAY LINE OF FM HIGHWAY 1417 (VARIABLE WIDTH R.O.W.), AND BEING AN EXTERIOR ELL CORNER OF A TRACT OF LAND CONVEYED TO LGI HOMES-TEXAS, LLC, ACCORDING TO THE DEED RECORDED IN INSTRUMENT NUMBER 2022-14139, (O.R.G.C.T.);

THENCE: S 69°59'27" W, A DISTANCE OF 230.01 FEET TO A FOUND 1/2-INCH IRON ROD, FOR AN INTERIOR ELL CORNER OF SAID LGI HOMES-TEXAS, LLC TRACT, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 3,154.93 FEET, A CENTRAL ANGLE OF 14°27'16", A CHORD BEARING AND DISTANCE OF N 12°19'40" W, 793.81 FEET;

THENCE: ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 795.92 FEET, TO A FOUND 1/2-INCH IRON ROD, FOR AN INTERIOR ELL CORNER OF SAID LGI HOMES-TEXAS, LLC TRACT;

THENCE: N 85°23'23" E, A DISTANCE OF 230.00 FEET TO A FOUND 1/2-INCH IRON ROD, FOR AN EXTERIOR ELL CORNER OF SAID LGI HOMES-TEXAS, LLC TRACT, AND BEING ON THE WEST RIGHT-OF-WAY LINE OF SAID FM HIGHWAY 1417, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,924.93 FEET, A CENTRAL ANGLE OF 14°22'49", A CHORD BEARING AND DISTANCE OF S 12°19'47" E, 732.18 FEET;

THENCE: ALONG THE WEST RIGHT-OF-WAY LINE OF SAID FM HIGHWAY 1417, AND SAID CURVE TO THE LEFT, AN ARC LENGTH OF 734.11 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 4.039 ACRES OR 175,950 SQUARE FEET OF LAND MORE OR LESS, AND BEING DESCRIBED IN ACCORDANCE WITH A SURVEY MADE ON GROUND AND ACCOMPANIED BY AN EXHIBIT OR SURVEY MAP PREPARED UNDER JOB NUMBER **70352-01** BY PAPE DAWSON CONSULTING ENGINEERS, LLC.

BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE NORTH CENTRAL ZONE (4202) FROM NORTH AMERICAN DATUM 1983 (NA2011) EPOCH 2010.00.

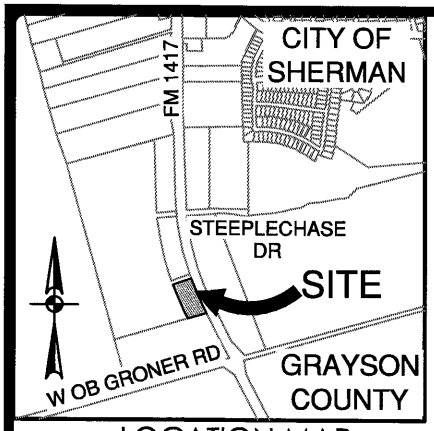
FOR PAPE DAWSON CONSULTING ENGINEERS, LLC.



Mark L. Beshear

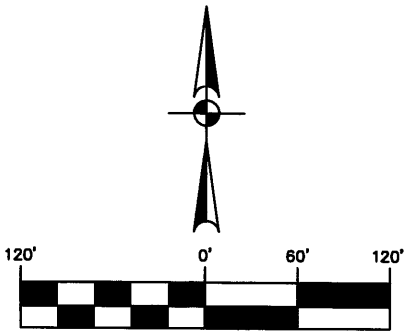
MARK L. BESHEAR
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6824
FIRM REGISTRATION NO. 10194390
PAPE DAWSON CONSULTING ENGINEERS, LLC.
6105 TENNYSON PARKWAY, SUITE 210
PLANO, TEXAS 75024
TELE. 214-420-8494
EMAIL: MBESHEAR@PAPE-DAWSON.COM
CERTIFICATION DATE: JULY 20, 2021

EXHIBIT "A"



LOCATION MAP

NOT-TO-SCALE



SCALE: 1"= 120'

LEGEND:

O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
POB	POINT OF BEGINNING
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VOL., PG.	VOLUME, PAGE
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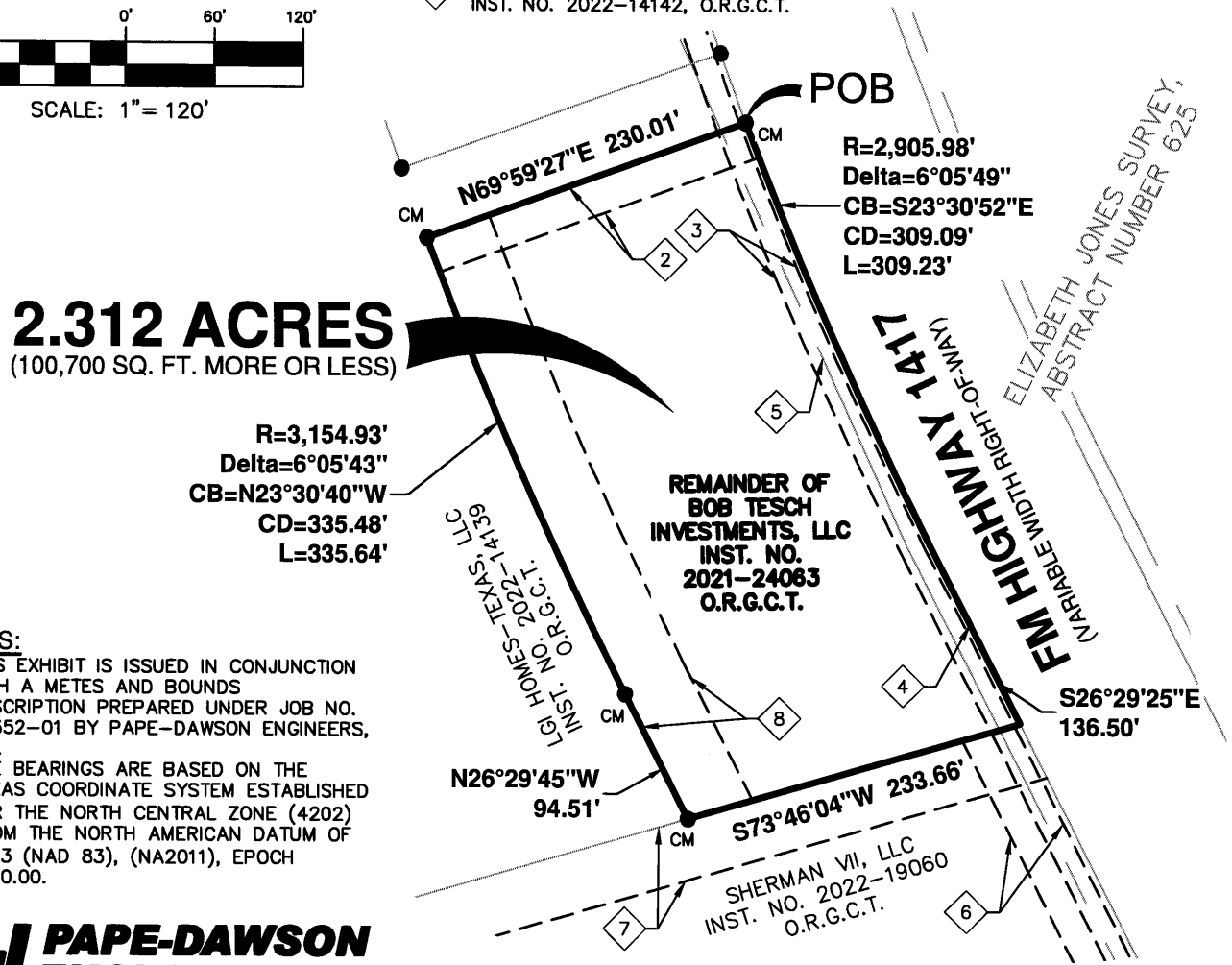
●	FOUND 1/2" IRON ROD" (UNLESS NOTED OTHERWISE)

1. 40' CONSTRUCTION EASEMENT FOR DRAINAGE, INST. NO. 2022-14142, O.R.G.C.T.
2. 25' CONSTRUCTION EASEMENT FOR ROADWAY, INST. NO. 2022-14142, O.R.G.C.T.
3. CITY OF SHERMAN 20' WATER LINE EASEMENT, VOL. 1399, PG. 392, O.R.G.C.T.
4. APPROXIMATE CENTERLINE TP&L EASEMENT (NO WIDTH GIVEN) VOL. 1035, PG. 319 AND VOL. 1035, PG. 322 D.R.G.C.T.
5. PROPOSED HIGHWAY FM 1417 RIGHT-OF-WAY PARCEL NUMBER 4 RCSJ: 2455-01-042 CCSJ: 2455-01-036
6. 40' CONSTRUCTION EASEMENT FOR SANITARY SEWER INST. NO. 2022-14141, O.R.G.C.T.
7. 40' CONSTRUCTION EASEMENT FOR DRAINAGE, INST. NO. 2022-14141, O.R.G.C.T.
8. 45' CONSTRUCTION EASEMENT FOR SANITARY SEWER AND DRAINAGE INST. NO. 2022-14142, O.R.G.C.T.



NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 70352-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE NORTH CENTRAL ZONE (4202) FROM THE NORTH AMERICAN DATUM OF 1983 (NAD 83), (NA2011), EPOCH 2010.00.

PAPE-DAWSON ENGINEERS

6105 TENNYSON PKWY, STE 210 | PLANO, TX 75024 | 214.420.8494

TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10194390

JULY 2023

REFERENCE: 70352-01

Date: Jul 20, 2023, 11:09am User ID: ypuga
File: W:\survey\CIVIL\70352\01\CADD\Boundary\ZONING EXHIBITS\(S)70352-01-2-EX 2.312 ACRES.dwg

EXHIBIT "A"

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BEGINNING AT A FOUND 1/2-INCH IRON ROD, FOR AN EXTERIOR ELL CORNER OF A TRACT OF LAND CONVEYED TO LGI HOMES-TEXAS, LLC, ACCORDING TO THE DEED RECORDED IN INSTRUMENT NUMBER 2022-14139, (O.R.G.C.T.), AND BEING ON THE WEST RIGHT-OF-WAY LINE OF FM HIGHWAY 1417 (VARIABLE WIDTH R.O.W.), ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2,905.98 FEET, A CENTRAL ANGLE OF 06°05'49", A CHORD BEARING AND DISTANCE OF S 23°30'52" E, 309.09 FEET;

THENCE: ALONG THE WEST RIGHT-OF-WAY LINE OF SAID FM HIGHWAY 1417, AND SAID CURVE TO THE LEFT, AN ARC LENGTH OF 309.23 FEET;

THENCE: S 26°29'25" E, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID FM HIGHWAY 1417, A DISTANCE OF 136.50 FEET, TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO SHERMAN VII, LLC, ACCORDING TO THE DEED RECORDED IN INSTRUMENT NUMBER 2022-19060, (O.R.G.C.T.);

THENCE: S 73°46'04" W, ALONG THE NORTH LINE OF SAID SHERMAN VII, LLC TRACT, A DISTANCE OF 233.66 FEET TO A FOUND 1/2-INCH IRON ROD, FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID LGI HOMES-TEXAS, LLC TRACT;

THENCE: N 26°29'45" W, ALONG THE EASTERLY LINE OF SAID LGI HOMES-TEXAS, LLC TRACT, A DISTANCE OF 94.51 FEET TO A FOUND 1/2-INCH IRON ROD, FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 3,154.93 FEET, A CENTRAL ANGLE OF 06°05'43", A CHORD BEARING AND DISTANCE OF N 23°30'40" W, 335.48 FEET;

THENCE: ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 335.64 FEET TO A FOUND 1/2-INCH IRON ROD, FOR AN INTERIOR ELL CORNER OF SAID LGI HOMES-TEXAS, LLC TRACT;

THENCE: N 69°59'27" E, A DISTANCE OF 230.01 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 2.312 ACRES OR 100,700 SQUARE FEET OF LAND MORE OR LESS, AND BEING DESCRIBED IN ACCORDANCE WITH A SURVEY MADE ON GROUND AND ACCOMPANIED BY AN EXHIBIT OR SURVEY MAP PREPARED UNDER JOB NUMBER **70352-01** BY PAPE DAWSON CONSULTING ENGINEERS, LLC.

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FOR PAPE DAWSON CONSULTING ENGINEERS, LLC.



Mark L. Beshear

MARK L. BESHEAR
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6824
FIRM REGISTRATION NO. 10194390
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6105 TENNYSON PARKWAY, SUITE 210
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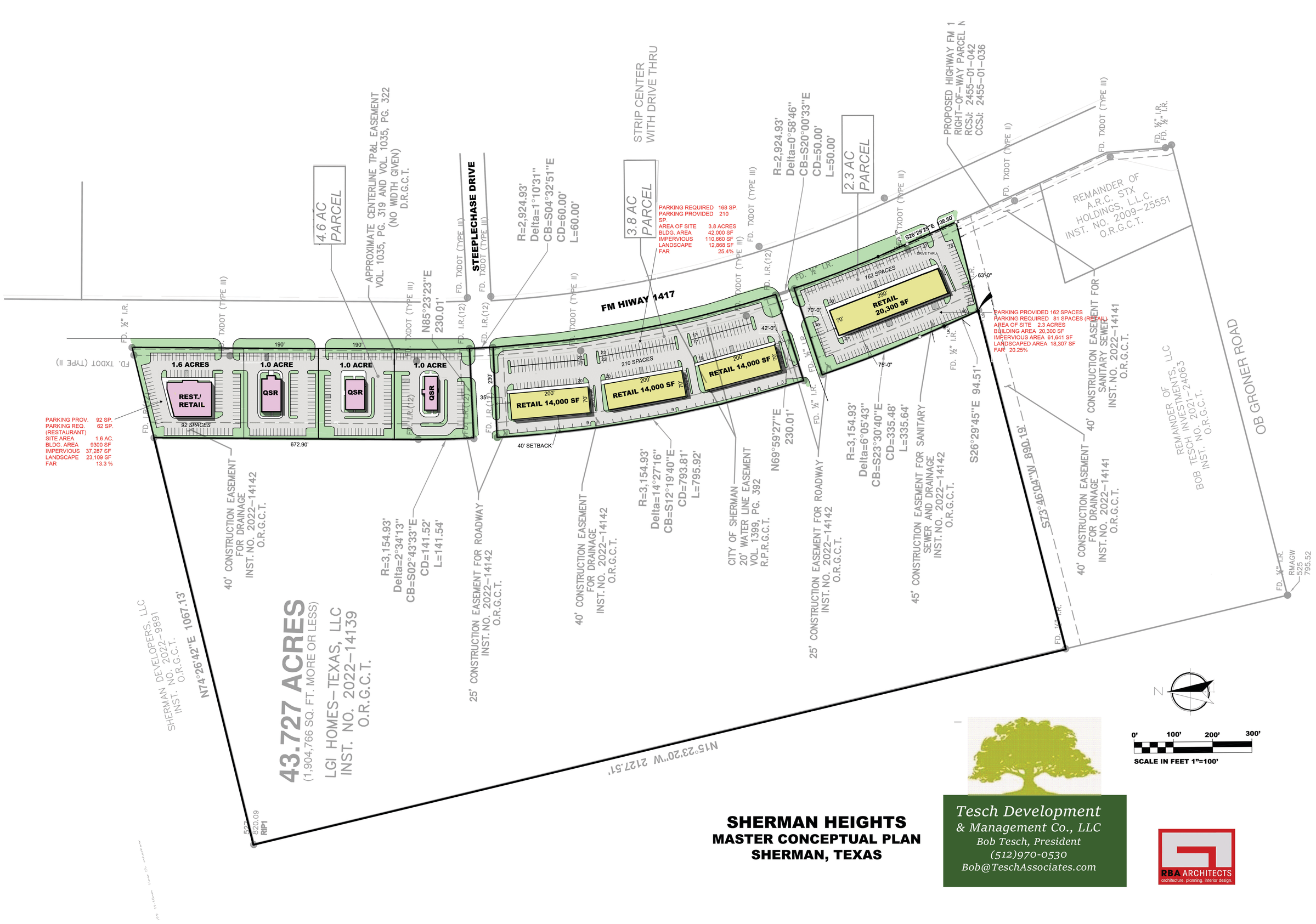
CERTIFICATION DATE: JULY 20, 2021



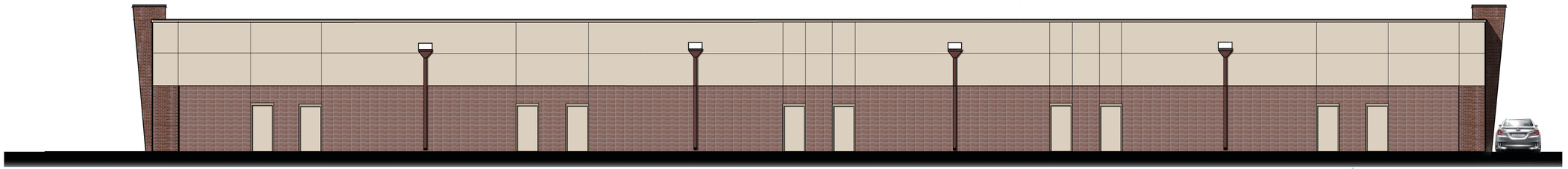
SHERMAN HEIGHTS
MASTER CONCEPTUAL PLAN
SHERMAN, TEXAS

Tesch Development
& Management Co., LLC
Bob Tesch, President
(512)970-0530
Bob@TeschAssociates.com

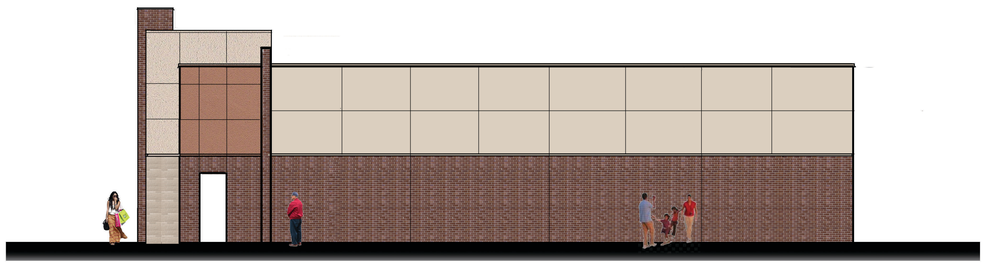
RBA ARCHITECTS
architecture. planning. interior design.



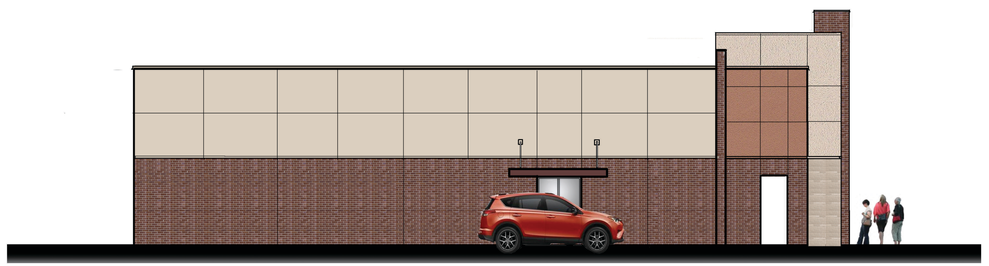
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

CONCEPTUAL ELEVATIONS
SHERMAN HEIGHTS RETAIL

Tesch Development
& Management Co., LLC
Bob Tesch, President
(512)970-0530
Bob@TeschAssociates.com

RBA ARCHITECTS
architecture. planning. interior design.
14918 HERTZ QUAIL SPRINGS PARKWAY
OKLAHOMA CITY, OK 73134
V. 405.843.0522 F. 405.843.0523

REGISTERED ARCHITECT
RICHARD R. BROWN
10166
STATE OF TEXAS
07/27/2023

PROJECT
SHERMAN HEIGHTS
PROTOTYPE ELEVATION
SHERMAN, TEXAS

DRAWING ISSUE

DESCRIPTION	DATE
PRELIMINARY	
PERMIT SET	
BID SET	
REVISED DESIGN -REISSUED	
CONSTRUCTION SET	
REVISION	

PROJECT NUMBER

SHEET TITLE

SHEET NUMBER

THE DRAWINGS AND OTHER INFORMATION CONTAINED ON THIS SHEET ARE TO BE USED ONLY IN CONNECTION WITH THE PROJECT LOCATED AT THE PROJECT ADDRESS SHOWN IN THE TITLE BLOCK. THIS SHEET IS NOT TO BE USED FOR CONSTRUCTION UNLESS THE ISSUE DATE IS APPEARS IN ON THE TITLE SHEET. COPYRIGHT © NO REPRODUCTION OF THIS SHEET MAY BE MADE WITHOUT WRITTEN CONSENT OF RICHARD R. BROWN ASSOC.

Marlow, Lauren

From: Planning
To: Rae, Rob
Subject: RE: Zoning Application; Request Postponement for one month

From: Robert Tesch
Sent: Monday, August 7, 2023 1:30 PM
To: Rae, Rob
Cc: Jennifer Tesch Williams; Stephanie Studdard; Matt Gilbertson @PD; Accounting
Subject: Zoning Application; Request Postponement for one month

Re: 10.771 acres in the Elizabeth Jones Survey, Abstract No. 625 on FM 1417.

Rob,
Due to my travel schedule I will be unable to attend the re-zoning hearing for the subject property currently scheduled for Tuesday, August 22, 2023. Therefore I am requesting that this item be placed on the agenda for the next scheduled zoning hearing.

Thank you for your attention to this matter and for your many courtesies.
Best regards,

BTI CAPITAL LLC
a real estate investment company

Bob Tesch, President
2001 Auburn Hills Pkwy
Suite 704
McKinney, Texas 75071

Planning & Zoning Commission and Board of Adjustments **23.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

607 EAST KING STREET (Project No. 23-004415)

The request of Royal Legacy Homes, LLC (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 607 East King Street consisting of 0.069 acres in the George B. Pilant Survey, Abstract No. 963 being a Replat of Lots 2, 3 & 4, in Block 1 of W. Elliott's Addition and currently zoned R-6 (Single Family Residential) District, as follows:

Board of Adjustment

A. Public Hearing and Variance under Section 14.02.008 to allow a 75' lot depth in lieu of the required 90' and a Variance to allow a 3000 square feet lot area in lieu of the required 4000 square feet in an R-4 (Patio Home Residential) District.

Planning and Zoning Commission

B. Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-4 (Single Family Residential) District.
C. Final Plat of 607 East King Addition

Background:

The property is located at 607 East King Street between South First Street and South Throckmorton Street. The owner is requesting a Variance for the lot depth and square footage in an R-4 (Patio Home Residential) District . The owner is also requesting a Zone Change from a R-6 (Single Family Residential) District to R-4 (Single Family Residential) District and would like to plat the property into one lot for residential development.

Adjacent Zoning:

R-6 (Single Family Residential) District

Origination:

Royal Legacy Homes, LLC (Owner)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

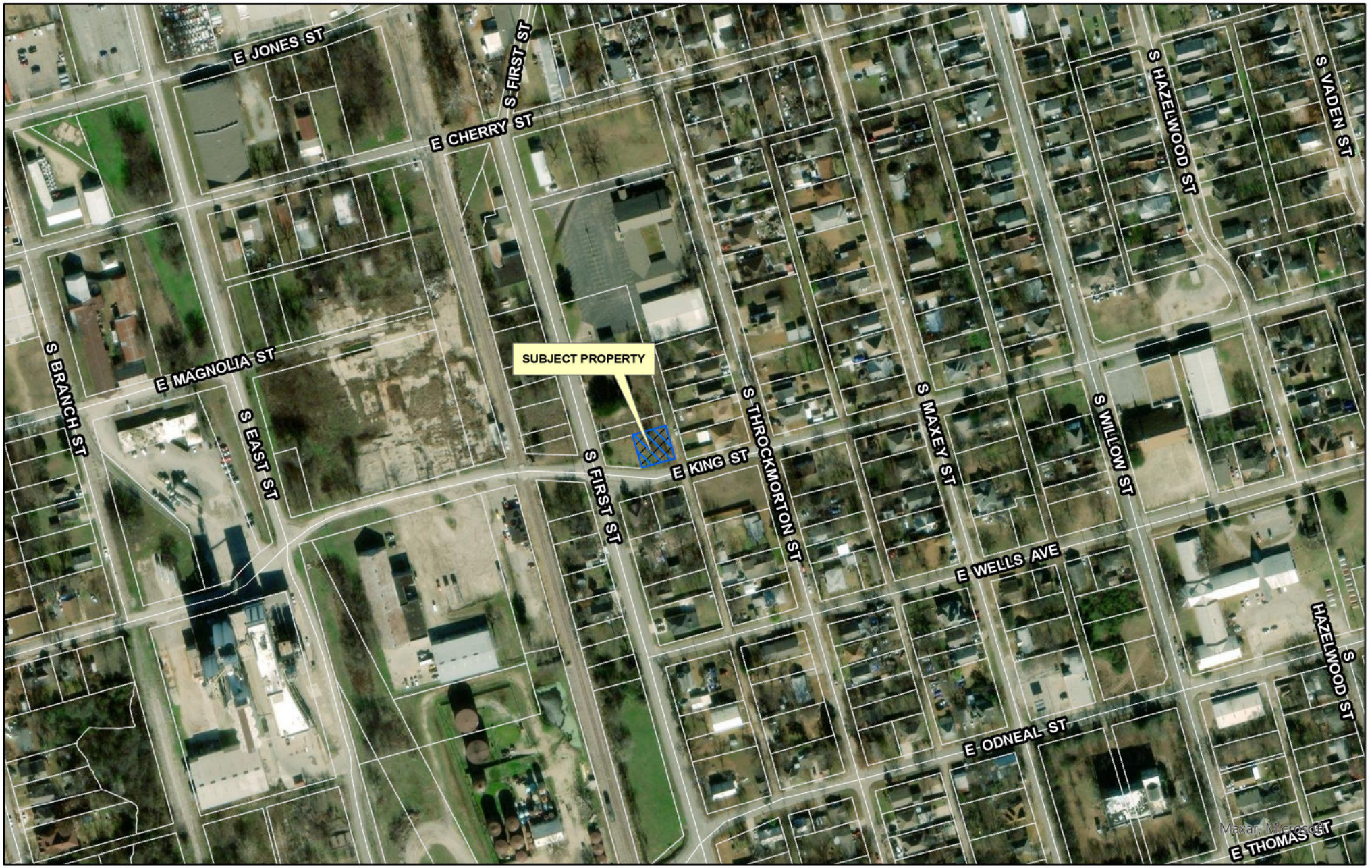
Number of notices mailed:
184

Objections Received:
0

Development Review Meeting:
Yes

Attachments

Location Map
Zoning Map
FLUM
Zoning Sign Photo
Survey
Site Plan
Floor Plan
STAFF REVIEW LETTER - Engineering
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

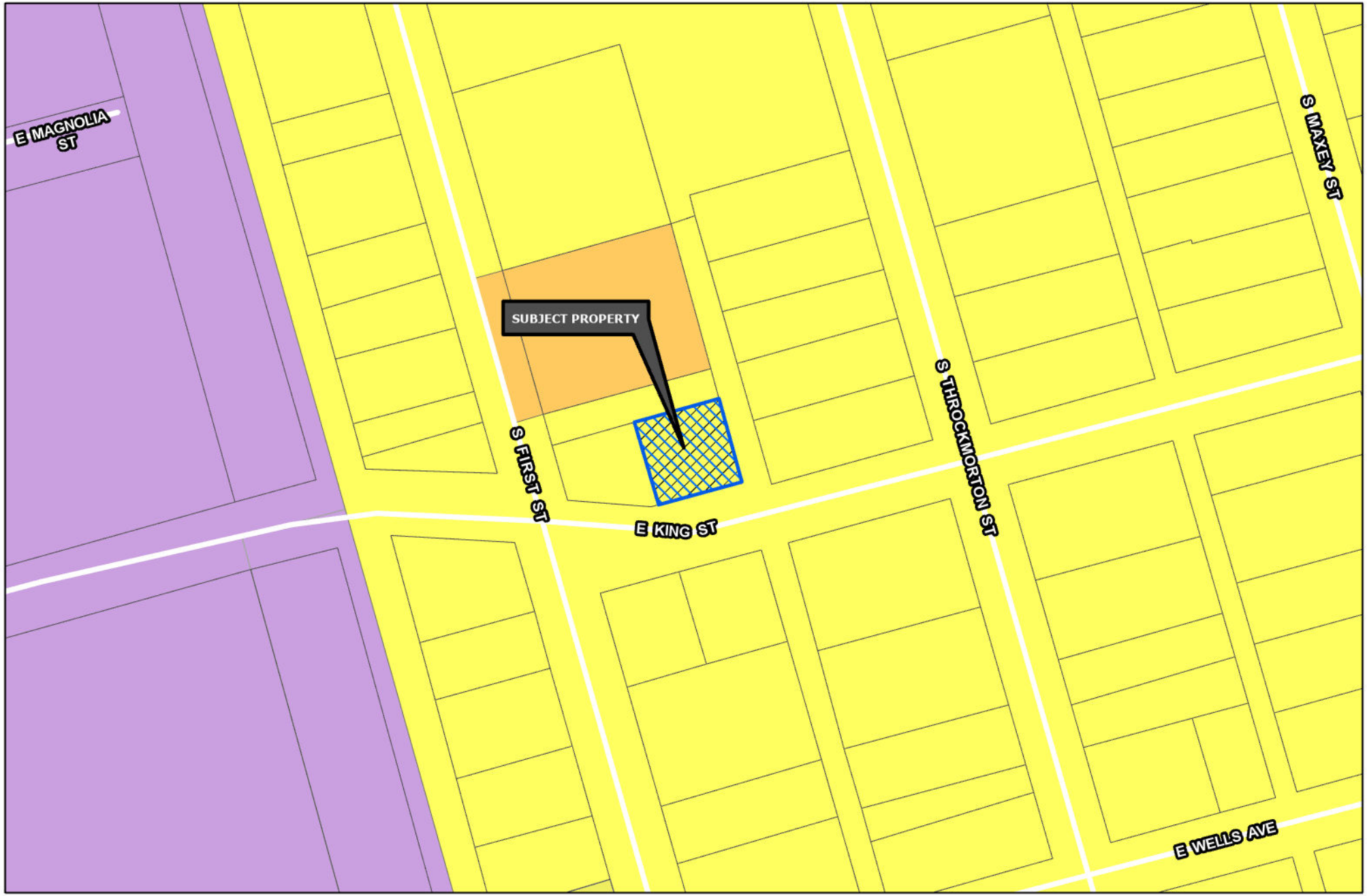
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
607 E KING ST

N
W E
S

Date: 8/11/2023 4:37 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN ZONING MAP 607 E KING ST

N
W E
S

Date: 8/11/2023 4:38 PM



CORE NEIGHBORHOOD

Intent & Character

The Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Appropriate Land Use Types

- Single-family detached
- Single-family attached
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Single-Family Residential (R-5, R-4, R-2F, and R-TH)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Retail Business
- Neighborhood Commercial

Considerations

- Infill that increases density should match the character of the surrounding structures.
- Small-scale commercial uses are appropriate along larger streets and should be compatible with the surrounding residential development.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
607 E KING ST

N
W E
S

Date: 8/11/2023 4:42 PM

Sherman
CLASSIC TOWN. BROAD HORIZONS.

NOTICE OF PROPOSED ZONING CHANGE

PROJECT #: 23-004415

FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229

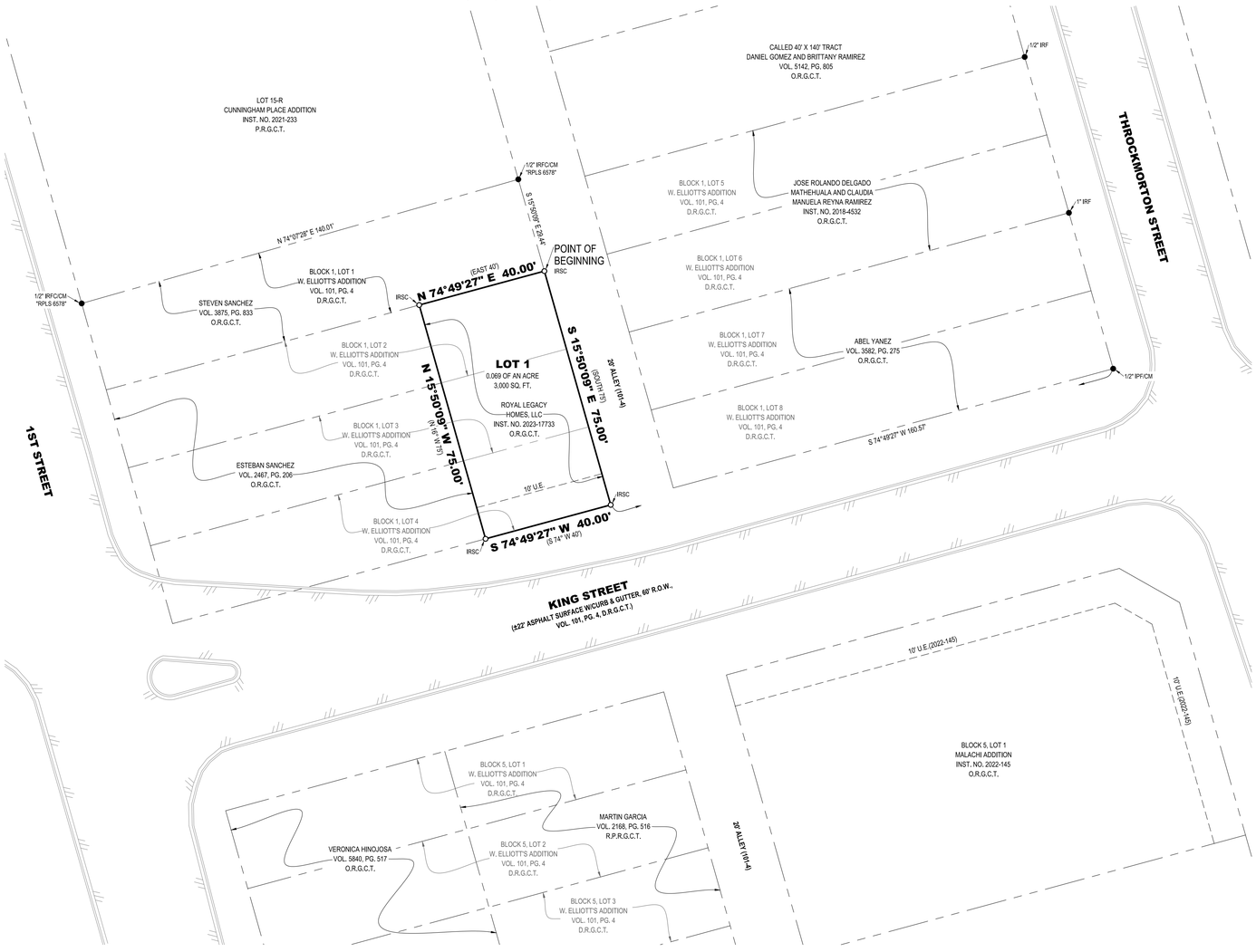
8/7/2023 at 2:50 P.M.

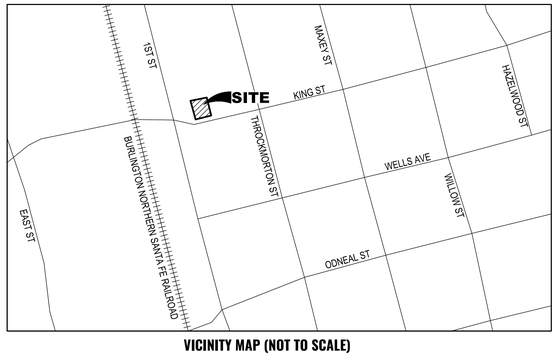
0 10 20
GRAPHIC SCALE IN FEET

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

FLOOD STATEMENT:

I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/01/2022 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0290 G of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.





VICINITY MAP (NOT TO SCALE)

LEGEND

●	FOUND MONUMENT
○	SET MONUMENT
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND W/PLASTIC CAP
IPF	IRON PIPE FOUND
CM	CONTROLLING MONUMENT
( )	DEED OR PLAT CALL
R.O.W.	RIGHT-OF-WAY
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
R.P.R.G.C.T.	REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS
VOL., PG.	VOLUME, PAGE
INST. NO.	INSTRUMENT NO.
B.L.	BUILDING LINE
U.E.	UTILITY EASEMENT
	BOUNDARY LINE
	ADJOINER LINE
	EASEMENT
	BUILDING LINE
	ASPHALT

STATE OF TEXAS §
COUNTY OF GRAYSON §

OWNER'S CERTIFICATE

WHEREAS Royal Legacy Homes, LLC are the owner of that certain tract or parcel of land situated in the George B. Pilant Survey, Abstract No. 963, the City of Sherman, Grayson County, Texas, and being part of Lots 2, 3 & 4, in Block 1, of W. Elliott's Addition, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 101, Page 4, Deed Records, Grayson County, Texas, and being the same tract of land described in the deed to Royal Legacy Homes LLC, recorded in Instrument No. 2023-17733, Official Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" (Hereinafter referred to as Capped Iron Rod) set for the northeast corner of said Royal Legacy Homes, LLC Tract, common to the northeast corner of said Lot 2, and common to the southeast corner of a tract of land described in the deed to Steven Sanchez, recorded in Volume 3875, Page 833, Official Records, Grayson County, Texas, and common to the southeast corner of Lot 1, in said Block 1, and on the westerly line of a called 20-foot alley, in said Block 1;

THENCE South 15°50'09" East, with the easterly line of said Royal Legacy Homes, LLC Tract, and with the easterly line of said Lot 2 part of the way, and with the easterly line of aforesaid Lot 3 part of the way, and with the easterly line of aforesaid Lot 4, and with the westerly line of said alley, a distance of 75.00 feet to a Capped Iron Rod set for the southeast corner of said Royal Legacy Homes, LLC Tract, and common to the southeast corner of said Lot 4, and on the northerly right-of-way line of King Street;

THENCE South 74°49'27" West, with the southerly line of said Royal Legacy Homes, LLC Tract, and with the southerly line of said Lot 4, and with the northerly right-of-way line of said King Street, a distance of 40.00 feet to a Capped Iron Rod set for the southwest corner of said Royal Legacy Homes, LLC Tract, common to the southeast corner of a tract of land described in the deed to Esteban Sanchez, recorded in Volume 2467, Page 206, said Official Records;

THENCE North 15°50'09" West, with the westerly line of said Royal Legacy Homes, LLC Tract, and with the easterly line of said Esteban Sanchez Tract, and crossing said Lot 4, and crossing aforesaid Lot 3, and crossing aforesaid Lot 1, a distance of 75.00 feet to a Capped Iron Rod set for the northwest corner of said Royal Legacy Homes, LLC Tract, common to the northeast corner of said Esteban Sanchez Tract, on the southerly line of aforesaid Steven Sanchez Tract, and on the southerly line of aforesaid Lot 1;

THENCE North 74°49'27" East, with the northerly line of said Royal Legacy Homes, LLC Tract, and with the northerly line of said Lot 2, and with the southerly line of said Steven Sanchez Tract, and with the southerly line of said Lot 1, a distance of 40.00 feet to the POINT OF BEGINNING and enclosing 0.069 of an acre (3,000 square feet) of land, more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That **Royal Legacy Homes, LLC**, does hereby adopt this plat designating the hereinbefore described property as **607 EAST KING ADDITION**, an Addition to the City of Sherman, Grayson County, Texas, and does hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

BY: Royal Legacy Homes, LLC

_____
Alexis Jaramillo, Manager

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **Alexis Jaramillo**, 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 considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

CITY COUNCIL CERTIFICATE OF ACCEPTANCE

Accepted by the City Council of the City of Sherman, Texas:

_____ _____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of **607 EAST KING ADDITION,** to the City of Sherman was submitted to the City Council on the _____ day of _____, 20_____, 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 hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 20____.

_____
Clerk, City of Sherman, Texas

PLANNING AND ZONING COMMISSION CERTIFICATE OF ACCEPTANCE

Accepted this _____ day of _____, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

AVIGATION RELEASE

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS, **Royal Legacy Homes, LLC**, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as **607 EAST KING ADDITION**, an addition to the City of Sherman, Grayson County, Texas.

OWNERS does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNERS may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER's described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNERS does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at **607 EAST KING ADDITION**, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this ____ day of _____, 20___.

By: Royal Legacy Homes, LLC

_____
Alexis Jaramillo, Manager

SURVEYORS CERTIFICATE

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground and that all monuments shown hereon actually actually exist and that their location, size, and material are correctly shown.

_____ _____
Chris R. Noah Date
Registered Professional Land Surveyor No. 6585

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

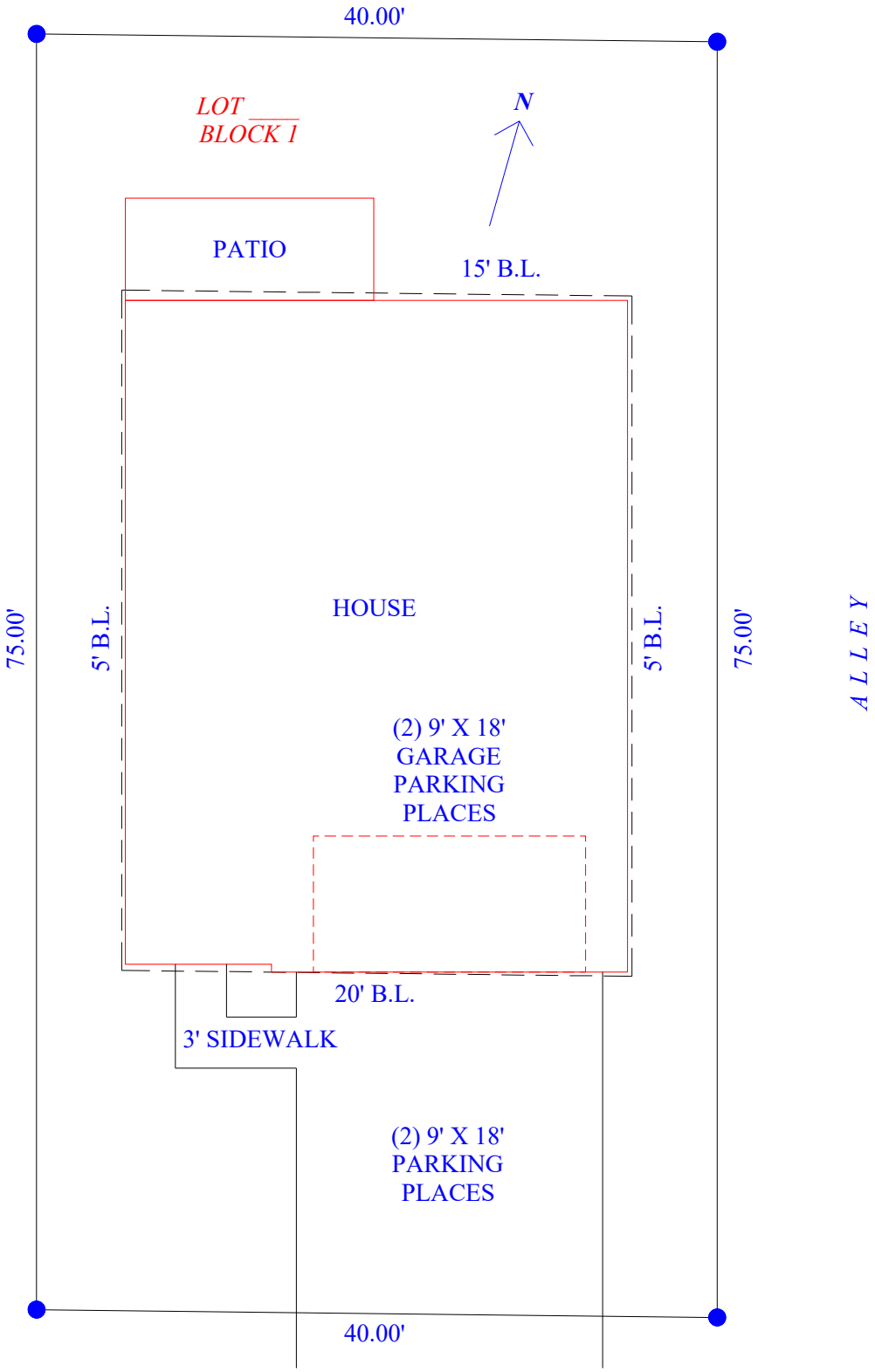
OWNER/DEVELOPER:
Alexis Jaramillo
Royal Legacy Homes, LLC
1019 East Lake Street
Sherman, TX 75090

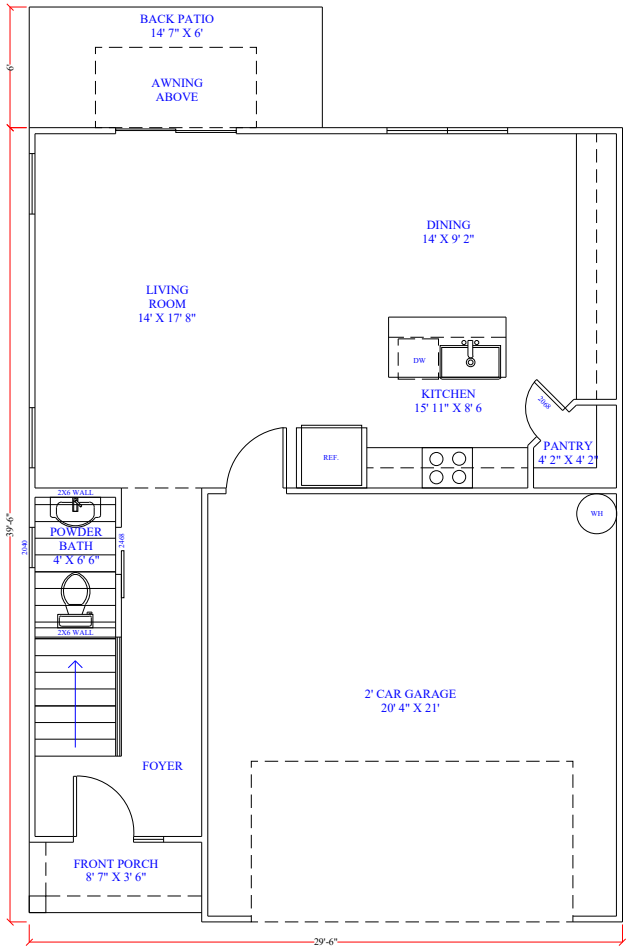
SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
787 W FM 996
Pottsboro, TX 75076
Ph: 903-786-6029

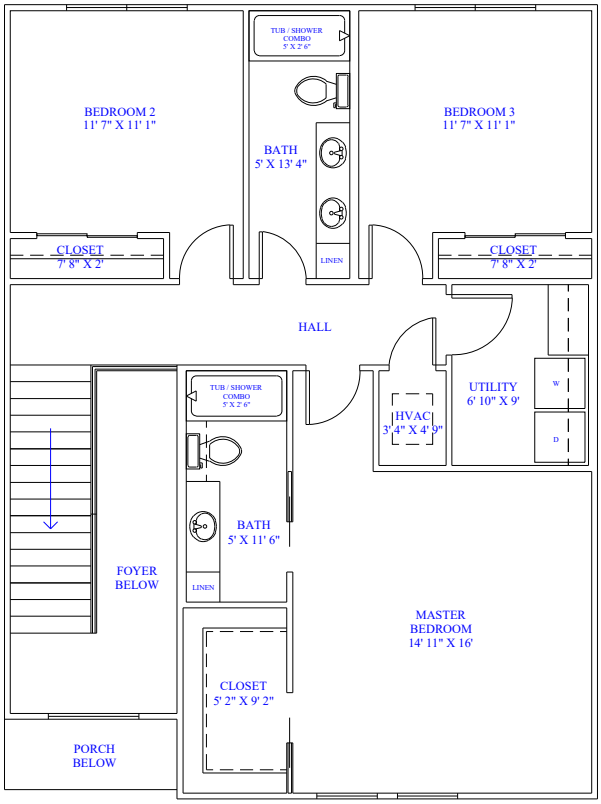
ONE LOT FINAL PLAT
607 EAST KING ADDITION
0.069 OF AN ACRE
GEORGE B. PILANT SURVEY, ABSTRACT NO. 963
City of Sherman
Grayson County, Texas

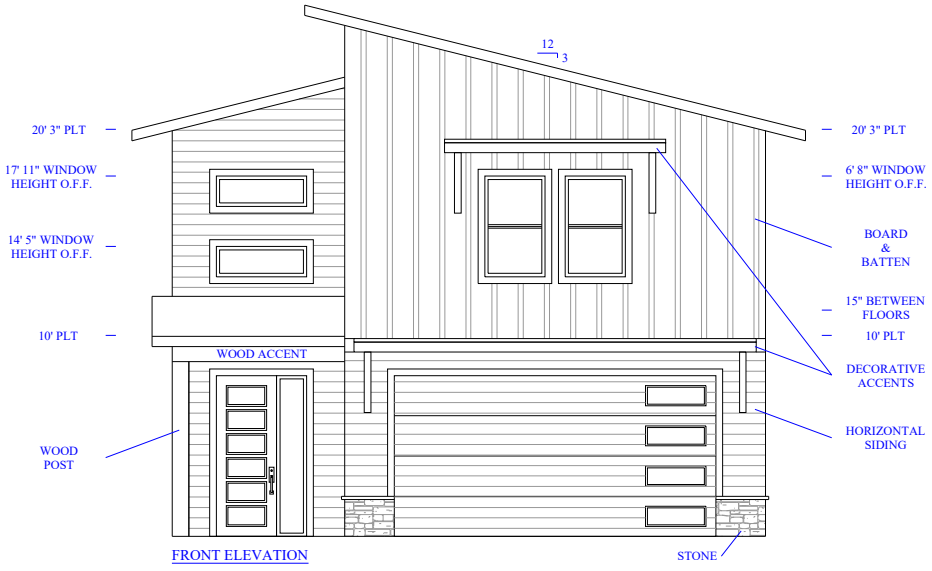
Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: LGT Checked by: CRN	Scale: 1"=20' Date: 07/21/2023	Project No. 23-0329 Sheet No. 1 of 1


40.00'
LOT ____
BLOCK 1
N
PATIO
15' B.L.
HOUSE
75.00'
5' B.L.
5' B.L.
75.00'
A L L E Y
(2) 9' X 18'
GARAGE
PARKING
PLACES
20' B.L.
3' SIDEWALK
(2) 9' X 18'
PARKING
PLACES
40.00'
K I N G S T R E E T







FRONT ELEVATION

SQUARE FOOTAGE

DOWNSTAIRS: 691
UPSTAIRS: 981
TOTAL HEATED: 1672

FRONT PORCH: 30
BACK PATIO: 88
GARAGE: 440

TOTAL FOOTAGE: 2230

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

August 14, 2023

Alexis Jaramillo
Royal Legacy Homes, LLC
1019 E. Lake St.
Sherman, TX 75090

Preston Trail Land Surveying, LLC
787 W. FM 996
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Final Plat of 607 East King Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, August 22, 2023 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. Remove "One Lot" from "One Lot Final Plat" in title block.
2. Plat title block to read as "607 East King Addition, Being a Replat of …"
3. Dedicate a 10'x10' Right of Way corner clip on Southeast corner of proposed Lot 1. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
4. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
5. 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.
6. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
7. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

Preston Trail Land Surveying
Chris Noah
787 W FM 996
Pottsboro, TX 75076

Royal Legacy Homes, LLC
1019 E. Lake Street
Sherman, TX 75090

Dear Applicants,

The request of a Public Hearing and Variance under Section 14.02.008 to allow a 75' lot depth in lieu of the required 90' and a Variance to allow a 3000 square feet lot area in lieu of the required 4000 square feet in an R-4 (Patio Home Residential) District and a Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-4 (Single Family Residential) District located at 607 East King Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
4. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
5. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering (Variance)

6. Platting of the property is required. *Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004*

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **24.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

1604SOUTH TRAVIS STREET (Project No. 23-004445)

The request of David Ashley (Owner), Luis Moran (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1604 South Travis Street consisting of 0.944 acres in the Samuel Blagg Survey, Abstract No. 56 being part of Block "B" of Staples Addition and currently zoned C-1 (Retail Business) District and R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

A. Public Hearing and Zoning Text Amendment to add regulations to Chapter 14, Zoning Ordinance, Section 14.02.010 R-TH (Townhome Residential) District to allow 22' wide lots for Townhomes with Rear Loaded Garages in a R-TH (Townhome Residential) District.
B. Public Hearing and Zone Change from C-1 (Retail Business) District and R-6 (Single Family Residential) District to R-TH (Townhome Residential) District.
C. Public Hearing and Replat of Colonial Virginia Addition, Lots 1 thru 9, Block A

Background:

The property is located at 1604 South Travis Street at the corner of West Staples Street and South Travis Street. The owner is requesting a Zoning Text Amendment to allow 22' wide lots for Townhomes with Rear Loaded Garages, a Zone Change from C-1 (Retail Business) District and R-6 (Single Family Residential) District to R-TH (Townhome Residential) District and plat the property into 9 lots for residential development.

The following has been approved for this location:

- November 11, 1986 - Specific Use Permit to allow a rehabilitation center with dormitory facilities in an R-1 (One Family Residential) District

Adjacent Zoning:

R-6 (Single-Family Residential) District
C-1 (Retail Business) District

Origination:

David Ashley (Owner)
Luis Moran (Representative)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

73

Objections Received:

0

Development Review Meeting:

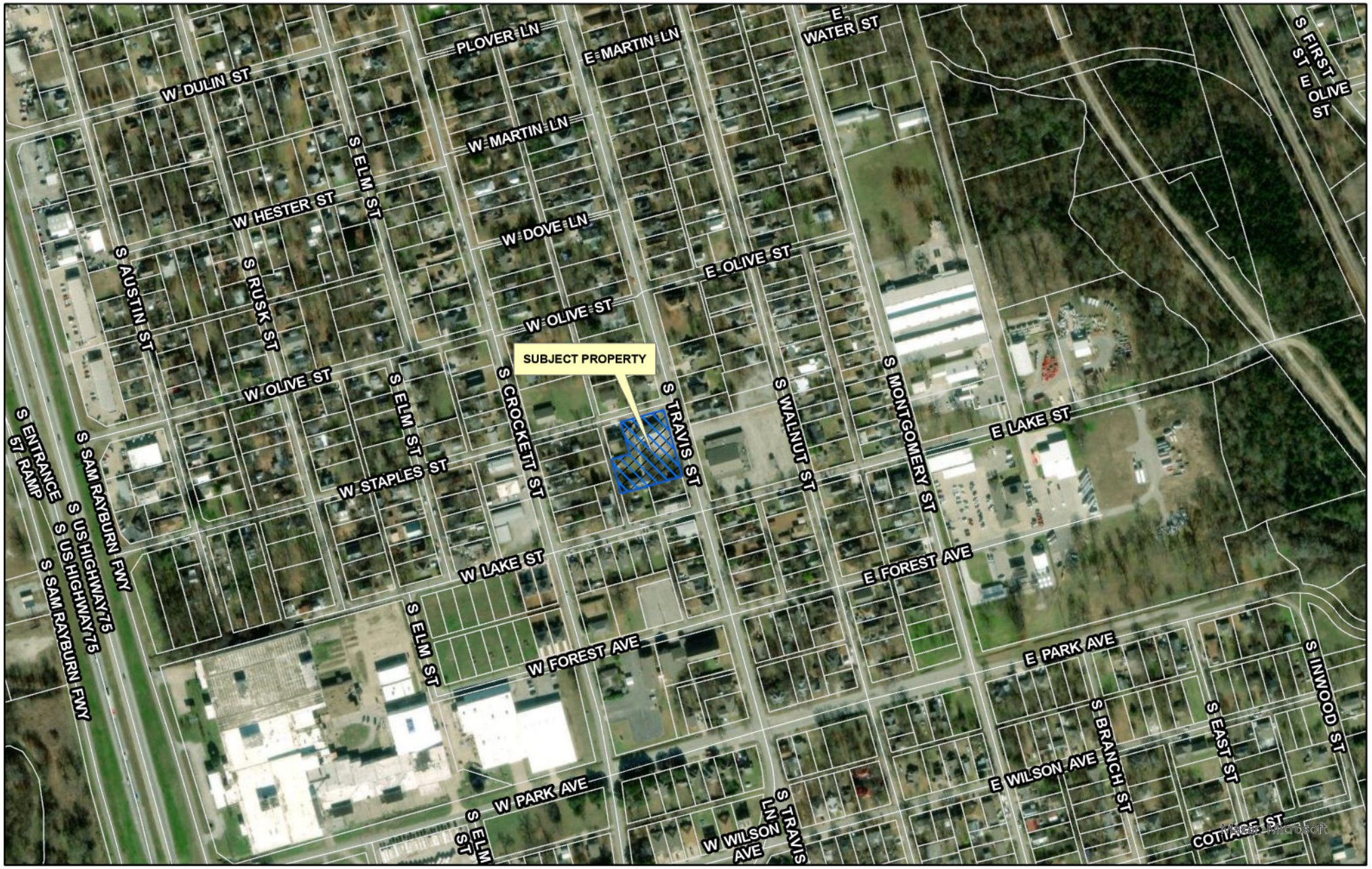
Yes

Staff Recommendation:

Staff recommends approval of the zoning ordinance text change to allow a minimum of 22 feet wide for townhome lots that have rear-loaded garages.

Attachments

Location Map
Zoning Map
FLUM
Narrative
Replat
STAFF REVIEW LETTER - Engineering
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

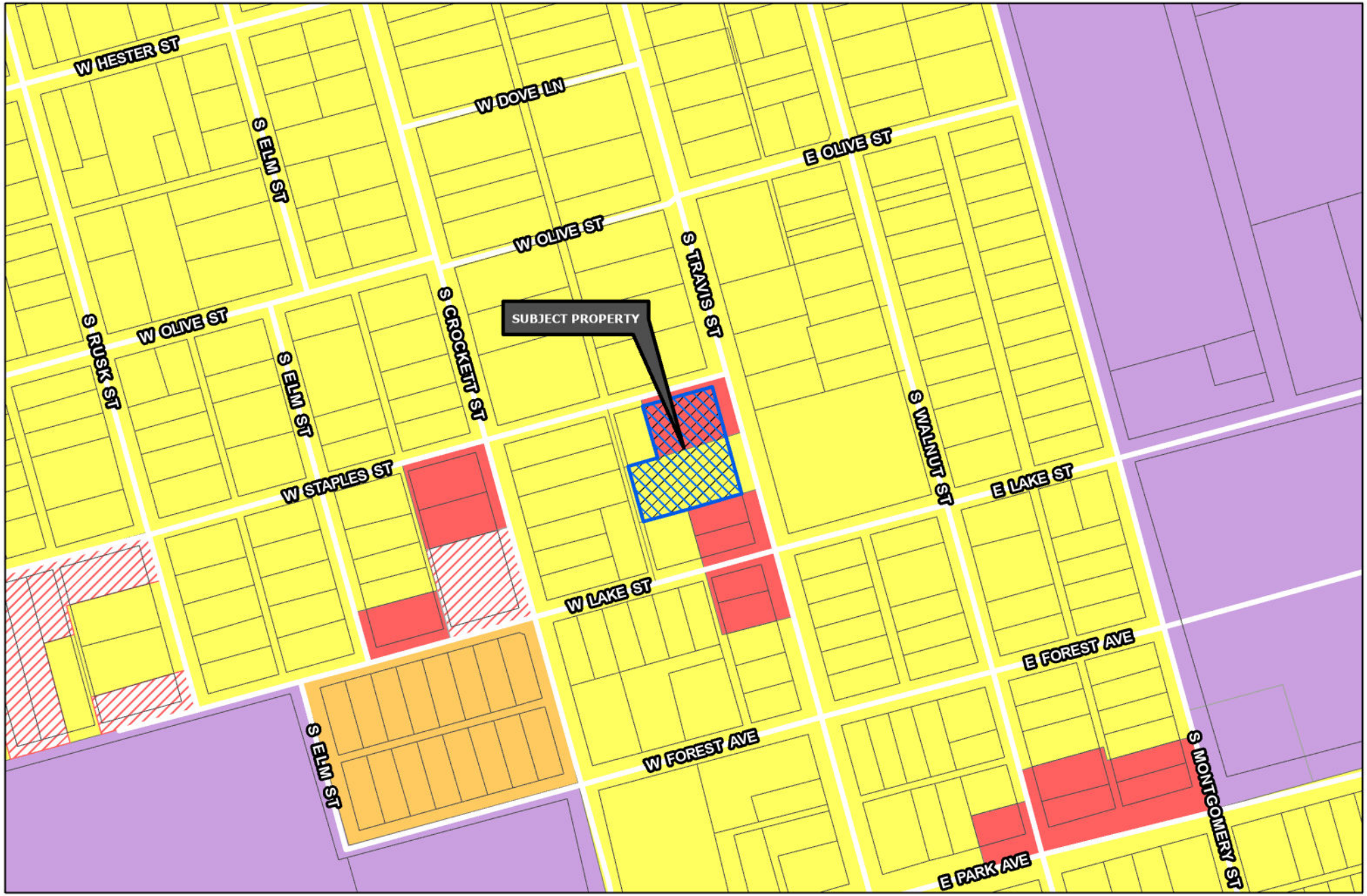
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
1604 S TRAVIS ST

N
W E
S

Date: 8/11/2023 4:44 PM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

Road Names All

CITY OF SHERMAN
ZONING MAP
1604 S TRAVIS ST

N
W E
S

Date: 8/15/2023 10:27 AM



CORE NEIGHBORHOOD

Intent & Character

The Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Appropriate Land Use Types

- Single-family detached
- Single-family attached
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Single-Family Residential (R-5, R-4, R-2F, and R-TH)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Retail Business
- Neighborhood Commercial

Considerations

- Infill that increases density should match the character of the surrounding structures.
- Small-scale commercial uses are appropriate along larger streets and should be compatible with the surrounding residential development.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
1604 S TRAVIS ST

N
W E
S

Date: 8/15/2023 10:28 AM

Project Narrative for:

Colonial Virginia Addition to the City of Sherman, Texas

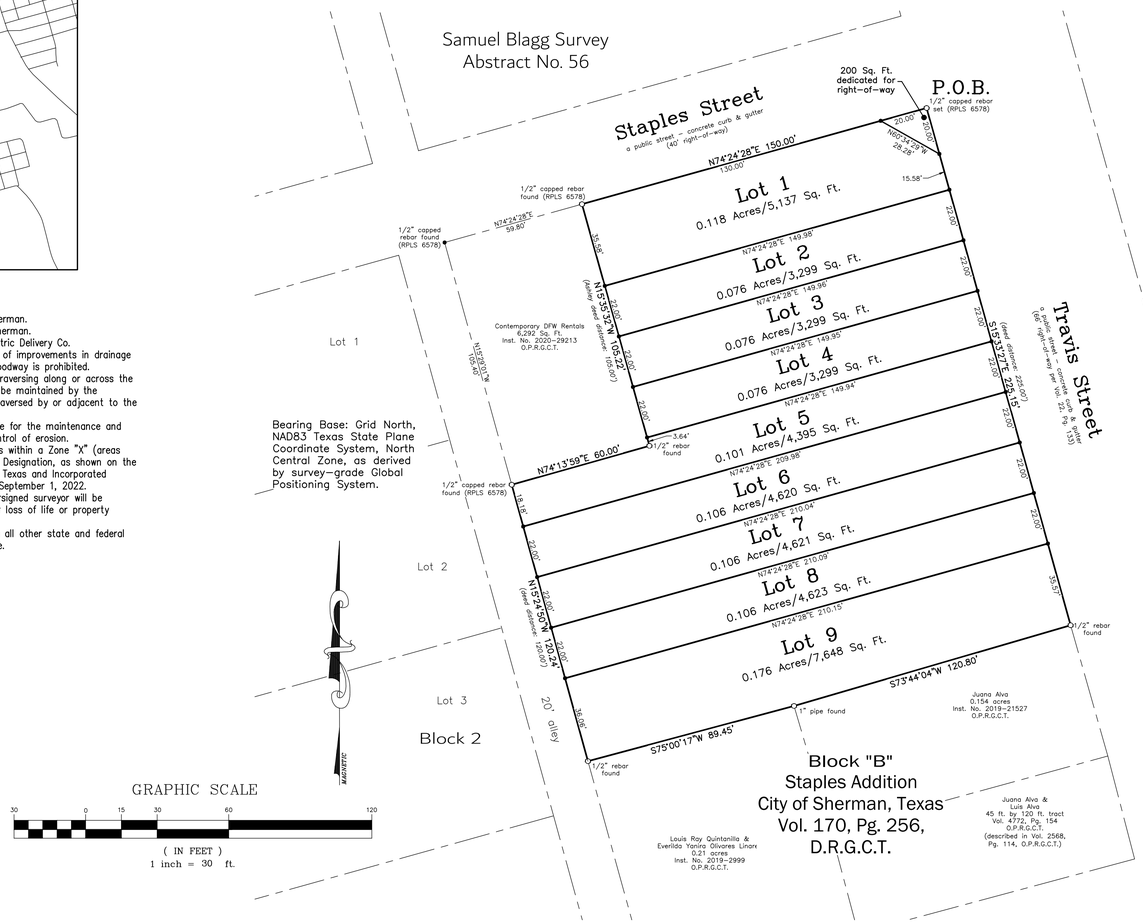
The proposed use of this property is for residential single-family townhomes, all fronting Travis Street and rear garages. We are proposing to rezone to R-TH zoning district (Residential Townhomes) at the same time as the replat request.

Vicinity Map
(not to scale)



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 floodway 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 "X" (areas 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. 48181C0405 G, Revised Date: September 1, 2022.
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.



LEGAL DESCRIPTION

SITUATED in the City of Sherman, State of Texas, being a part of the Samuel Blagg Survey, Abstract No. 56, being a part of Block "B" of Staples Addition to the City of Sherman, Texas, as per plat of record in Vol. 170, Pg. 256, Deed Records, Grayson County, Texas, and being the same 0.940 acres conveyed by Warranty Deed with Vendor's Lien from The Crisis Center, Inc. to David Ashley on October 22, 2004, as recorded in Vol. 3753, Pg. 425, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows, to–wit:

BEGINNING at a 1/2 inch capped rebar set (RPLS 6578) lying at the intersection of the South right–of–way line of Staples Street, a public street, with the West right–of–way line of Travis Street, a public street, being the Northeast corner of both said Block "B" and Ashley 0.940 ac.;

THENCE South 15 deg. 33 min. 27 sec. East, with the West line of said Travis Street and the East line of said Ashley 0.940 ac., a distance of 225.15 ft. to a 1/2 inch rebar found at the Northeast corner of 0.154 acre tract conveyed to Juana Alva, as recorded in Inst. No. 2019–21527, said Official Public Records and being the Southeast corner of said Ashley 0.940 ac.;

THENCE South 73 deg. 44 min. 04 sec. West, with the North line of said Alva 0.154 ac., a distance of 120.80 ft. to a 1–inch pipe found at the Northwest corner of said Alva 0.154 ac., and being the Northeast corner of 0.21 acres conveyed to Louis Ray Quintanilla and Everilda Yanira Olivares Linares, as recorded in Inst. No. 2019–2999, said Official Public Records;

THENCE South 75 deg. 00 min. 17 sec. West, with the North line of said Quintanilla & Linares 0.21 ac., a distance of 89.45 ft. to a 1/2 inch rebar found in the East line of a 20 ft. platted alley and being the Northwest corner of said Quintanilla & Linares 0.21 ac and the Southwest corner of said Ashley 0.940 ac.;

THENCE North 15 deg. 24 min. 50 sec. West, with the East line of said 20 ft. alley and the West line of said Block B, a distance of 120.24 ft. to a 1/2 inch capped rebar found (RPLS 6578) at the Southwest corner of the 6,292 sq. ft. tract conveyed to Contemporary DFW Rentals, as recorded in Inst. No. 2020–29213, said Official Public Records and being the most Westerly Northwest corner of said Ashley 0.940 ac.;

THENCE North 74 deg. 13 min. 59 sec. East, with the South line of said Contemporary DFW Rentals tract, a distance of 60.00 ft. to a 1/2 inch rebar found at the Southeast corner of said Contemporary DFW Rentals tract and being an Ell corner of said Ashley 0.940 ac.;

THENCE North 15 deg. 35 min. 32 sec. West, with the East line of said Contemporary DFW Rentals tract, a distance of 105.22 ft. to a 1/2 inch capped rebar found (RPSL 6578) lying in the South line of said Staples Street, at the Northeast corner of said Contemporary DFW Rentals tract and being the most Northerly Northwest corner of said Ashley 0.940 ac.;

THENCE North 74 deg. 24 min. 28 sec. East, with the South line of said Staples Street and the North line of both said Block B and Ashley 0.940 ac.,, a distance of 150.00 ft. to the **PLACE OF BEGINNING** and containing **0.944 ACRES** of land.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kate A. Wagner, 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 shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

_____
Kate A. Wagner, R. P. L. S. No. 6578 Date:

STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
LAND SURVEYOR

Job No. CGS420723

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463–6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owner:
David Ashley
12609 Montfort Drive
Dallas, Texas 75230

P:\Land Projects R2\1604–S–Travis–Street–Sherman\Civil 3D\1604 S.Travis Street.dwg 8/1/2023 8:51 AM

KNOW ALL MEN BY THESE PRESENTS:

I, David Ashley, sole owner of Colonial Virginia Addition to the City of Sherman, Texas, do hereby dedicate the streets, easements, alleys, rights–of–way, parks, school sites and other public places shown hereon to the public use forever.

_____
David Ashley

AVIGATION RELEASE

WHEREAS, David Ashley, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as Colonial Virginia Addition, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER's described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNER does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at Colonial Virginia Addition, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this _____ day of _____, 2023.

By:_____

By: David Ashley, Owner

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared David Ashley, 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 _____ day of _____, 2023.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of Colonial Virginia Addition to the City of Sherman, Texas is hereby approved this _____ day of _____, 2023, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the final plat of Colonial Virginia Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2023, 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 plat of Colonial Virginia Addition to the City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 2023, 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 hereinabove subscribed.

WITNESS MY HAND THIS _____ DAY OF _____, 2023, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Replat
Lots 1 thru 9, Block A
Colonial Virginia Addition
Being a Replat of part of Block B, Staples Addition
to the
City of Sherman
Grayson County, Texas
0.944 Acres
in the
Samuel Blagg Survey
Abstract No. 56

Date of Preparation: July 25, 2023

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

August 14, 2023

David Ashley
12609 Montfort Drive
Dallas, TX 75230

Helvey-Wagner Surveying, Inc.
222 W. Main Street
Denison, TX 75020

Dear Applicants,

The request for approval of the Replat of Colonial Virginia Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, August 22, 2023 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. Dedicate a 5' Right of Way Dedication along Staples Street in regards to Grayson County/City of Sherman Thoroughfare Plan. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
2. Dedicate a 12' Right of Way Dedication along Travis Street in regards to Grayson County/City of Sherman Thoroughfare Plan. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
3. Dedicate a 10' Utility Easement along Staples Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
4. Dedicate a 15' Utility, Landscape, & Sidewalk Easement along Travis Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
5. Modify Utility Easement on Northeast corner of proposed Lot 1 to parallel new right of way created by corner clip.
6. Dedication of Mutual Access Easement may be required to access rear parking for all lots. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12*
7. Residential drive approaches will not be permitted off of Minor Thoroughfare roads. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154; Chapter 3, Division 5, Sec. 3.10.156(b)*
8. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
9. Notary block for Owner's signature to be placed with Owner's Dedication. Avigation Release to require Owner's signature without notary acknowledgement. *Chapter 10.05, Section 6*

10. Rear access plan for all lots to be reviewed and approved by Engineering Department.
11. City wastewater is not directly available to proposed Lots 1-4. Extension of wastewater main by developer is required prior to building permit being issued or plat being filed. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
12. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Civil Plan submittal requirements can be requested by emailing engineering@cityofsherman.com. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
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. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
15. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

Luis Moran
910 S. Travis Street
Sherman, TX 75090

Helvey-Wagner Surveying, Inc
222 W. Main St.
Denison, TX 75020

David Ashley
12609 Montfort Drive
Dallas, TX 75230

Dear Applicants,

The request of a Public Hearing and Zoning Text Amendment to add regulations to Chapter 14, Zoning Ordinance, Section 14.02.010 R-TH (Townhome Residential) District to allow 22' wide lots for Townhomes with Rear Loaded Garages in a R-TH (Townhome Residential) District and a Public Hearing and Zone Change from C-1 (Retail Business) District and R-6 (Single Family Residential) District to R-TH (Townhome Residential) District located at 1604 South Travis Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
5. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
6. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **25.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

2813 SOUTH TRAVIS STREET (Project No. 23-004450)

The request of J & E Casas Homes, LLC, Series A (Owner), Jose Martinez (Representatives) and Underwood Drafting & Surveying (Surveyor) concerning the property located at 2813 South Travis Street consisting of 2.863 acres in the Preston Kitchen Survey, Abstract No. 667 and currently zoned C-2 (General Commercial) District, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from C-2 (General Commercial) District to MF-15 (Multi Family Residential) District.

Background:

The property is located at 2813 South Travis Street between Arkansas Street and South Travis Street. The owner is requesting a Zone Change from an C-2 (General Commercial) District to MF-15 (Multi Family Residential) District.

The following has been approved for this location:

- August 11, 1987 - Temporary Use Permit to allow a mobile home to be used for a residence in a C-2 (General Commercial) District for a 1 year period

In March, 2023, it came to the attention of city staff that this property was being operated as a multi-family apartment complex. The property had a certificate of occupancy to operate a motel. Staff sent a violation letter to the property owner on March 27th, 2023 to inform them of the violation and to come into compliance with the violations. The property owner indicated that they would like to come into compliance by allowing for multi-family operations. Staff gave the property owner a deadline of 6/22/2023 to get an application in to request a zone change. The applicant failed to meet that deadline and staff issued a citation for the violation on July 11, 2023. A court hearing occurred on 8/15/2023 in municipal court in which the judge determined the property owner to be guilty in the violation of the city code of ordinances regarding operating a business without an appropriate certificate of occupancy and was ordered to pay $1,076 in a penalty.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

J & E Casas Homes, LLC, Series A (Owner)
Jose Martinez (Representatives)
Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

City Parkland

Number of notices mailed:

6

Objections Received:

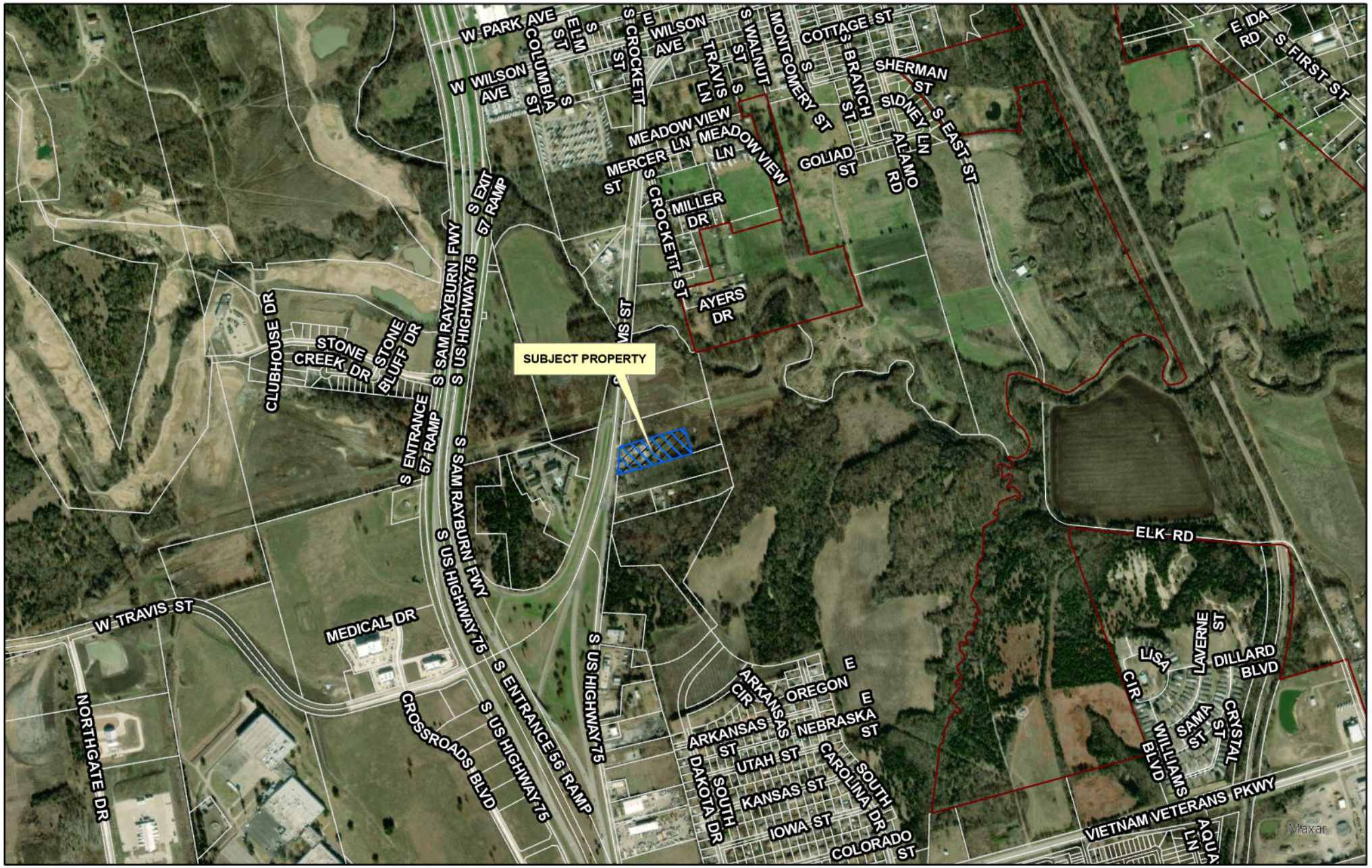
0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
FLUM
Zoning Sign Photo
Narrative
Survey & Site Plan
STAFF REVIEW LETTER
Zoning Violation Letter



dlagrone H:\PLANNING\Public Notification KT.aprx

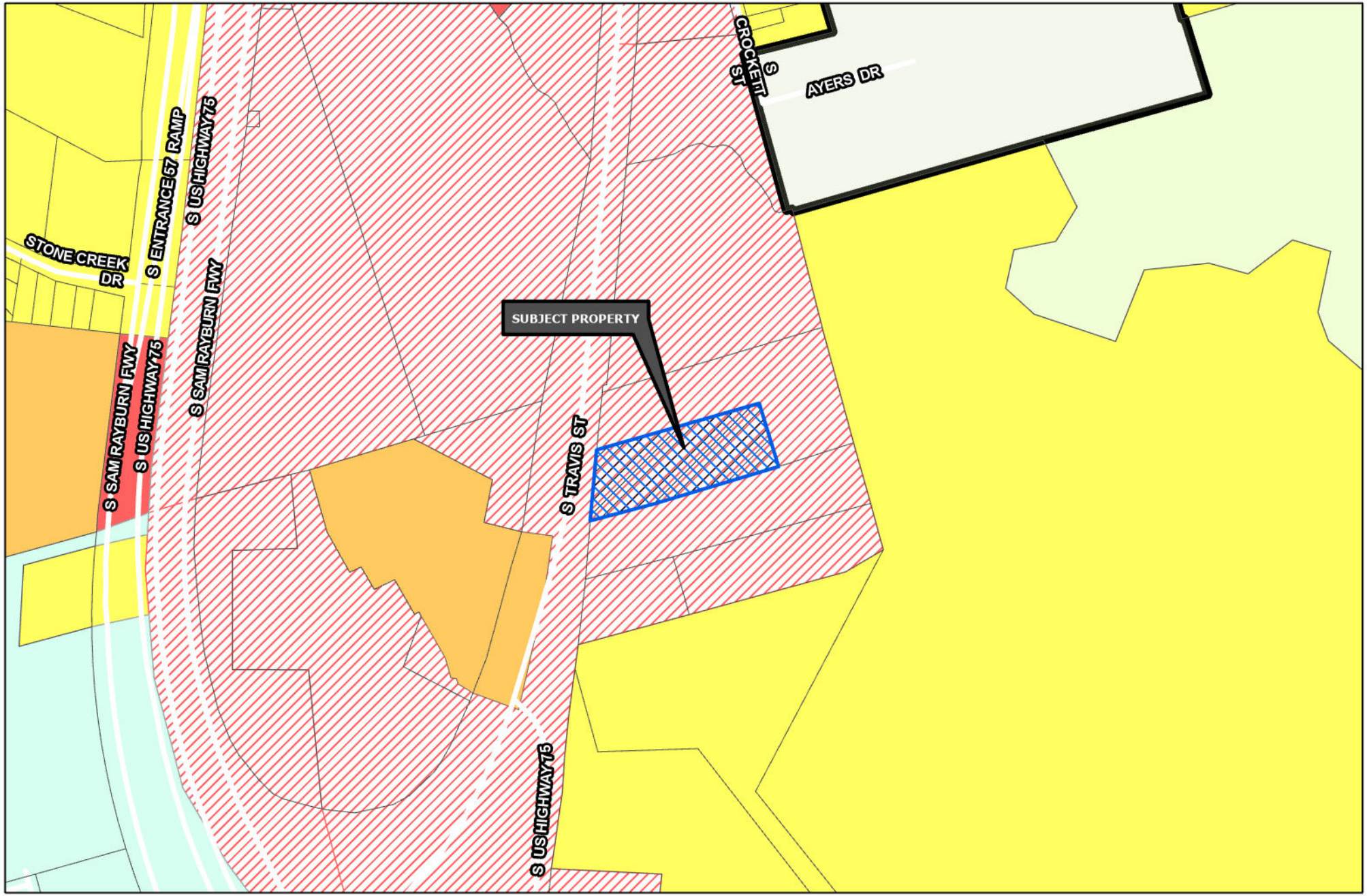
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
2813 S TRAVIS ST

N
W E
S

Date: 8/15/2023 10:28 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

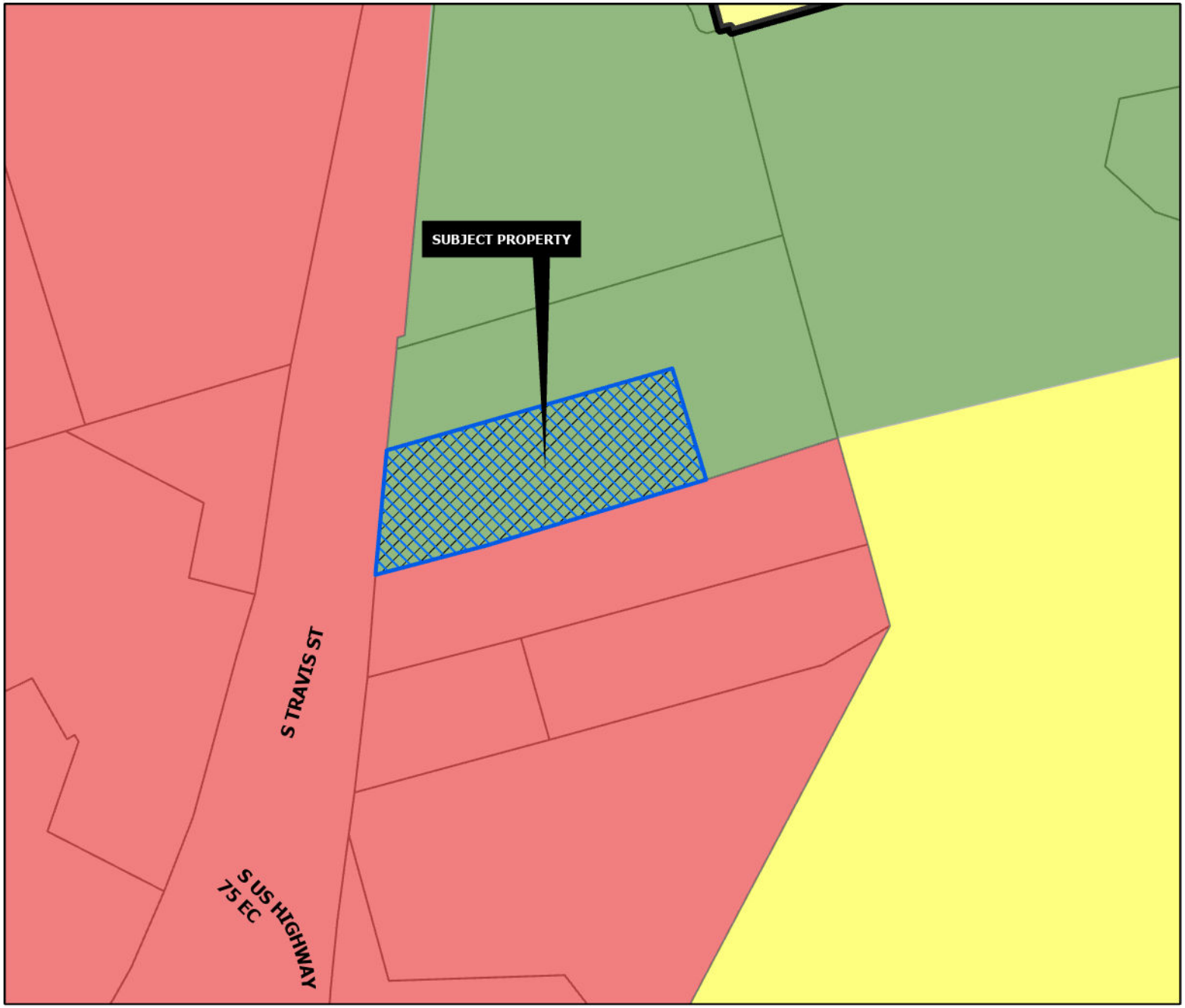
Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN ZONING MAP 2813 S TRAVIS ST

N
W E
S

Date: 8/15/2023 10:32 AM



FLOODPLAIN & OPEN SPACE

Intent & Character

The Floodplain & Open Space category is intended to preserve areas to handle stormwater and provide open space corridors for passive trail and recreation activities. These areas are not suitable for land development projects and buildings but may become future parkland managed by the City. These green corridors help protect the community from flood hazards and property damage and offer opportunity for trees, trails, and community connection. It should be noted that floodplains and floodways are regularly adjusted and reevaluated so the boundaries depicted for this land use category on the map should subsequently be interpreted as fluid.

Appropriate Land Use Types

- Parks
- Trails
- Open Space

Compatible Zoning Districts

- All zoning districts

Considerations

- These areas should be located throughout the community and incorporated into new developments.
- There are opportunities for trails, trailheads, and stream crossings throughout floodplain corridors that should be constructed or funded in coordination with adjacent development projects.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
2813 S TRAVIS ST

N
W E
S

Date: 8/15/2023 10:35 AM


Sherman
NOTICE OF PROPOSED ZONING CHANGE
PROJECT #: 23-004450
FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229

7/24/23

TO: Department of blg Inspection

FROM: Jose' P. Martinez and
Elba Nury Martinez
owners of the OK INN MOTEL & APTS.

REF: 3 acre track at 2813 S. Travis

This letter is to let you know that the following changes are going to be requested and done

1) The owners of the OK Inn Motel and Apts. are requesting and informing that the blg

A) The property is going to be used as an Apt. building.

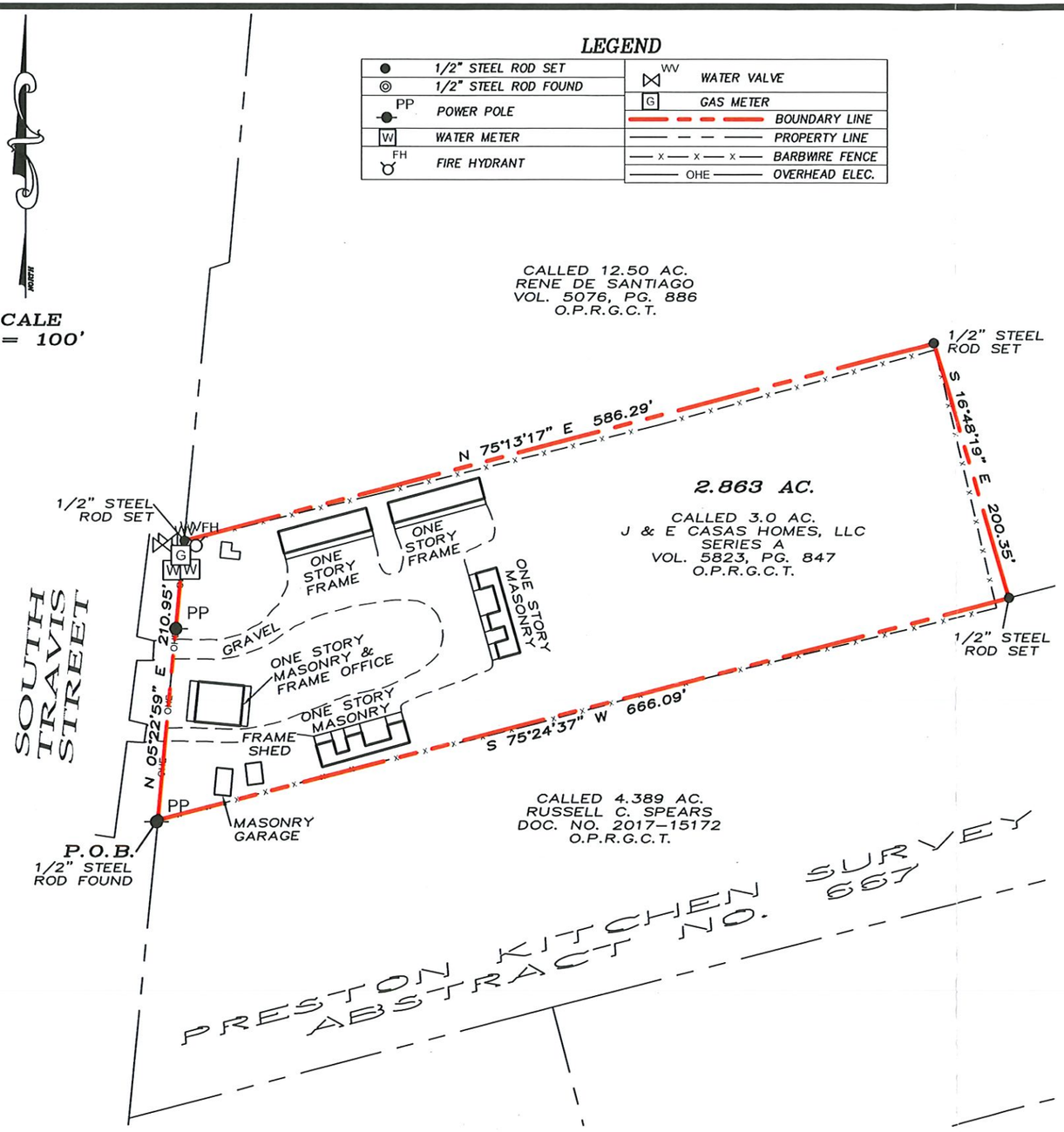
B) No longer will be used as Motel

c) An Electrical inspection was done and all Electrical was in order

d) Building inspection was completed and all doors have access free

Jose' P. Martinez

JOB NO. 23040435
FW: LR – DFT: BH



LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of Preston Kitchen Survey, Abstract No. 667, and being a retracement survey of a called 3.0 acre tract of land described in the deed to J & E Casas Homes, LLC, Series A, recorded in Volume 5823, Page 847, Official Grayson County, Texas, and being described by metes and bounds as follows:

Beginning at a 1/2" steel rod found for the southwest corner of said 3.0 acre tract, common to the northwest corner of a called 4.389 acre tract of land described in the deed to Russell C. Spears, recorded in Document No. 2017–15172, said Official Public Records, and on the easterly right–of–way line of South Travis Street;

Thence North 05°22'59" East, with the westerly line of said 3.0 acre tract, and with the easterly right–of–way line of said South Travis Street, a distance of 210.95 feet to a 1/2" steel rod set for the northwest corner of said 3.0 acre tract, common to the western–most southwest corner of a called 12.50 acre tract of land described in the deed to Rene De Santiago, recorded in Volume 5076, Page 886, said Official Public Records;

Thence North 75°13'17" East, with the northerly line of said 3.0 acre tract, and with a southerly line of said 12.50 acre tract, a distance of 586.29 feet to a 1/2" steel rod set for the northeast corner of said 3.0 acre tract;

Thence South 16°48'19" East, with the easterly line of said 3.0 acre tract, and with a westerly line of said 12.50 acre tract, a distance of 200.35 feet to a 1/2" steel rod set for the southeast corner of said 3.0 acre tract, common to the southern–most southwest corner of said 12.50 acre tract, and on the northerly line of aforesaid 4.389 acre tract;

Thence South 75°24'37" West, with the southerly line of said 3.0 acre tract, and with the northerly line of said 4.389 acre tract, a distance of 666.09 feet to the Point of Beginning and containing 2.863 acres of land, more or less.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

STATE OF TEXAS
REGISTERED
DOUGLAS W. UNDERWOOD
4709
PROFESSIONAL
LAND SURVEYOR

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 05/02/23

This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.

This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:

Copyright ©2023
Underwood Drafting & Surveying, Inc.
All rights reserved.

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465–2151

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023

Sent via email

Jose Martinez
721 Westwood Drive
Sherman, TX 75092

J&E Casas Homes, LLC, Series A
721 Westwood Street
Sherman, TX 75092

Dear Applicants,

The request of a Public Hearing and Zone Change from C-2 (General Commercial) District to MF-15 (Multi Family Residential) District located at 2813 South Travis Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Fence Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Sec. 14.04.004)*
4. Sign Permits shall be permitted separately from the building permit and must adhere to the City's Zoning Ordinance/Code of Ordinance Chapter 14. *(Article 14.07)*
5. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
6. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Sherman
CLASSIC TOWN. BROAD HORIZON.

March 27, 2023

J AND E CASAS HOMES LLC
721 Westwood Drive
Sherman, TX, 75092

Via Certified Mail, RRR
and Hand Delivered to 2813 S.
Travis Street

OK Inn
2813 S Travis Street
Sherman, TX 75090

Certified Mail: 7022 0410 0001 4756 0256

NOTICE OF CODE VIOLATIONS

Dear Owner/Occupant,

This letter is being sent to you as the listed owner of the real property located at 2813 S. Travis Street, Sherman, Texas, commonly known as the OK Inn, according to the Real Property Records of Grayson County, Texas (the "Property").

It has come to the attention of the City of Sherman that the OK Inn is operating without an appropriate Certification of Occupancy (CO) in violation of the City's Code of Ordinances and that there are other violations of the Zoning Ordinance occurring on the Property. Moreover, it is the understanding of the City of Sherman that this Property is being used for permanent residential uses, and not for a hotel or motel use, in violation of the City Code. Furthermore, occupying permanent structures on the Property without a correct CO constitutes a violation of the City Code. Accordingly, the City of Sherman hereby demands that you and all other entities and persons occupying and/or using the Property immediately cease all acts and omissions that are in violation of the City Code, including but not limited to, the acts described herein.

To operate the Property as a hotel/motel, the Property is required to come into conformance with the City Code for a hotel/motel by requesting a zone change from a C-2 to a C-1 district, together with a request for an SUP for a hotel/motel in a C-1 district. You will be required to submit all the relevant application materials necessary for a zone change/SUP request. If approved, you would then be permitted to apply for a CO for the use at that site.

If you choose not to go in the direction of a hotel/motel, and instead wish to operate the Property as a permanent residential use, you may consider requesting a zone change to a multi-family zoning district. You will be required to submit all the relevant application materials necessary for a zone change. If approved, you would be allowed to use the Property for permanent residential purposes; however, you will be required to bring all the units up to the then-current building code requirements for multi-family dwelling units.

You are required to respond to this notice by April 7, 2023 to advise how you intend to conform to the City Code and your proposed timeline to get into conformity. Should you fail to respond as required and/or the Code violations be permitted to continue on the Property, the City may begin issuing citations for each day such you or other persons continue to violate the City Code. Violation of the City Code constitutes a misdemeanor, and an entity or person convicted may be fined up to $2,000 for each offense. A violation of any provision of the Code shall constitute a separate violation for each calendar day in which it occurs. In addition, the City may bring a civil action for enforcement of the Code and seek the following relief: (i) an injunction; (ii) a civil penalty of up to $1,000.00 per day; (iii) the repair or demolition of structure(s) on the Property; (iv) an action in rem against the Property, meaning that the City will seek to foreclose on the Property to collect expenses associated with bringing the structure(s) and Property into compliance with the Code; and (v) any other relief to which the City may be entitled. *See* TEX. LOC. GOV'T CODE §§ 54.012, 54.016, 54.017, 54.018.

If you no longer own the Property, you must execute an affidavit, in the form acceptable to the City, stating, among other requirements to be included in a valid affidavit, that you no longer owns the Property, the name and address of the person(s) who acquired the Property from you and the document utilized to transfer ownership of the Property. The affidavit must be delivered in person or by certified mail, return receipt request, to my attention at City Hall, 220 W. Mulberry, no later than seven (7) days from the date of this letter. If no affidavit is submitted as provided herein, the City will move forward with the matters set forth herein with you as the apparent legal owner of the Property.

Nothing contained in this letter shall be deemed to be a waiver of any right, remedy or recourse available to the City as a result of your failure to comply with the Code, Zoning Ordinance and any other applicable statute or ordinance.

If additional information or clarification is needed, do not hesitate to contact me at 220 W. Mulberry or by phone 903-892-7229

Respectfully,



Rob Rae, AICP
Director of Development Services

Cc: Robby Hefton, City Manager
Ryan Pittman, City Attorney, Abernathy Roeder Boyd & Hullett, P.C.

Planning & Zoning Commission and Board of Adjustments **26.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

1515 SOUTH RUSK STREET (Project No. 23-004452)

The request of Jose Perez (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1515 South Rusk Street, being Lot 4, Block 1 Mayhew Supplement Addition and currently zoned R-6 (Single-Family Residential) District, as follows:

Board of Adjustment

A. Public Hearing and Variance under Section 14.02.006 to allow a 2.0' side setback in lieu of the required 6' in a R-6 (Single-Family Residential) District for the existing structure.
B. Public Hearing and Variance under Section 14.02.006 to allow a 11.2' front setback in lieu of the required 20' in a R-6 (Single-Family Residential) District for the carport.

Background:

The property is located at 1515 South Rusk Street between West Olive Street and West Staples Street. The property owner is requesting a Variance for the existing structure, carport and main structure.

Adjacent Zoning:

R-6 (Single Family Residential) District

Origination:

Jose Perez (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

24

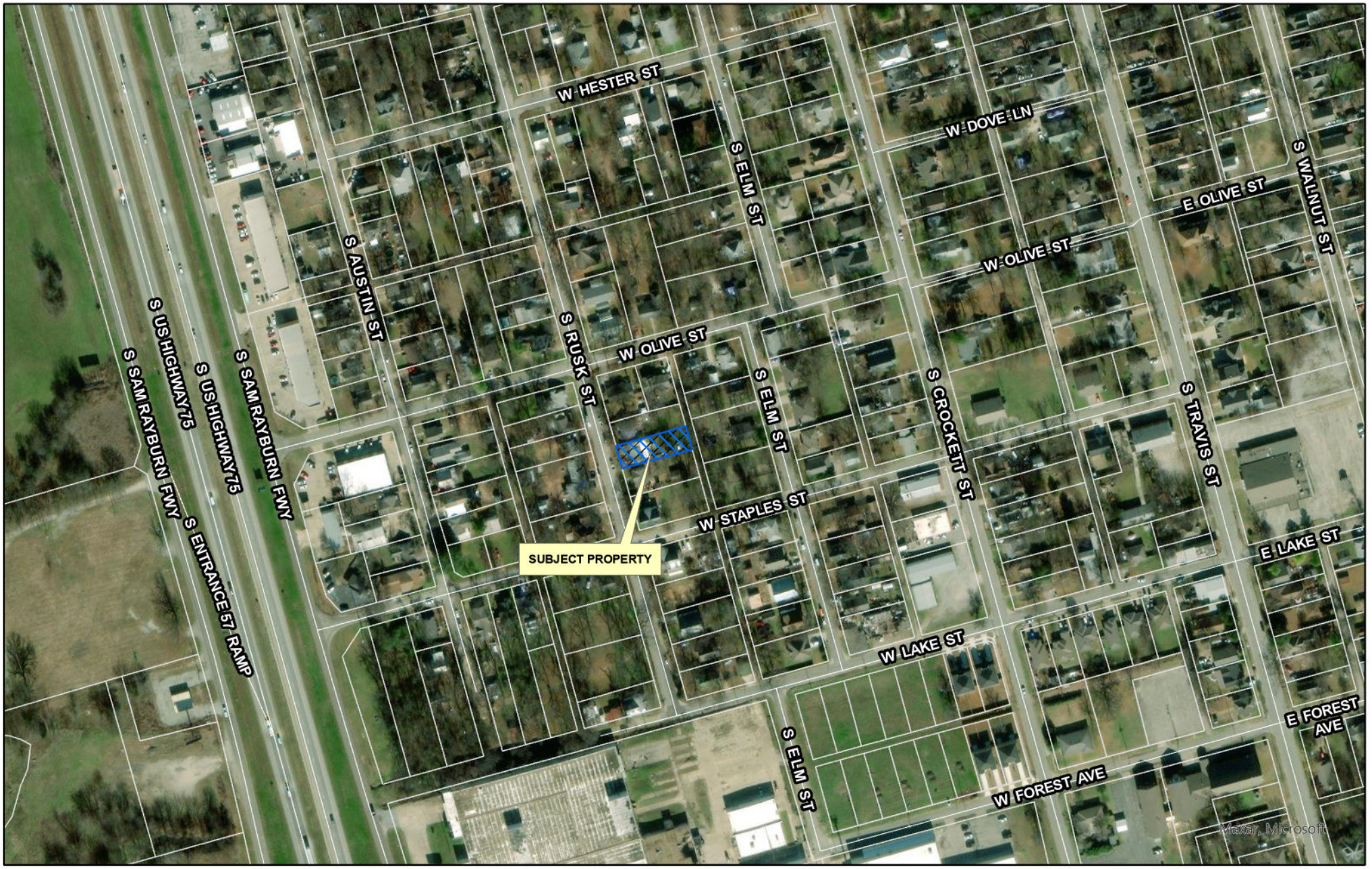
Objections Received:

0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Site Plan
STAFF REVIEW LETTER



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
1515 S RUSK ST

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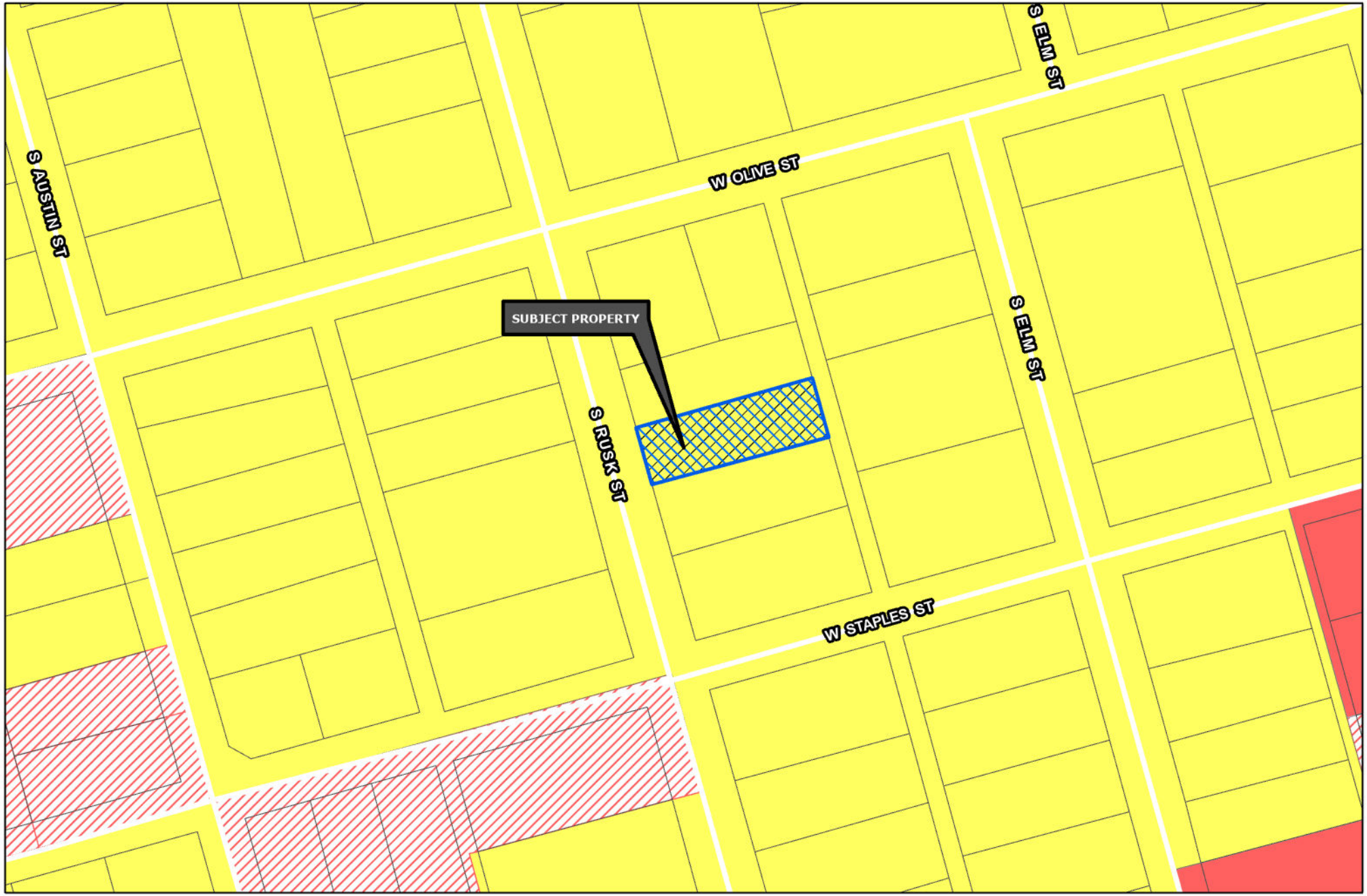
Date: 8/15/2023 10:39 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
1515 S RUSK ST

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Date: 8/15/2023 10:40 AM

Marlow, Lauren

From: laurenm@cityofsherman.com
To: jose perez
Subject: RE:

From: jose perez
Sent: Tuesday, August 8, 2023 3:13 PM
To: Marlow, Lauren
Subject:



Sent from my iPhone

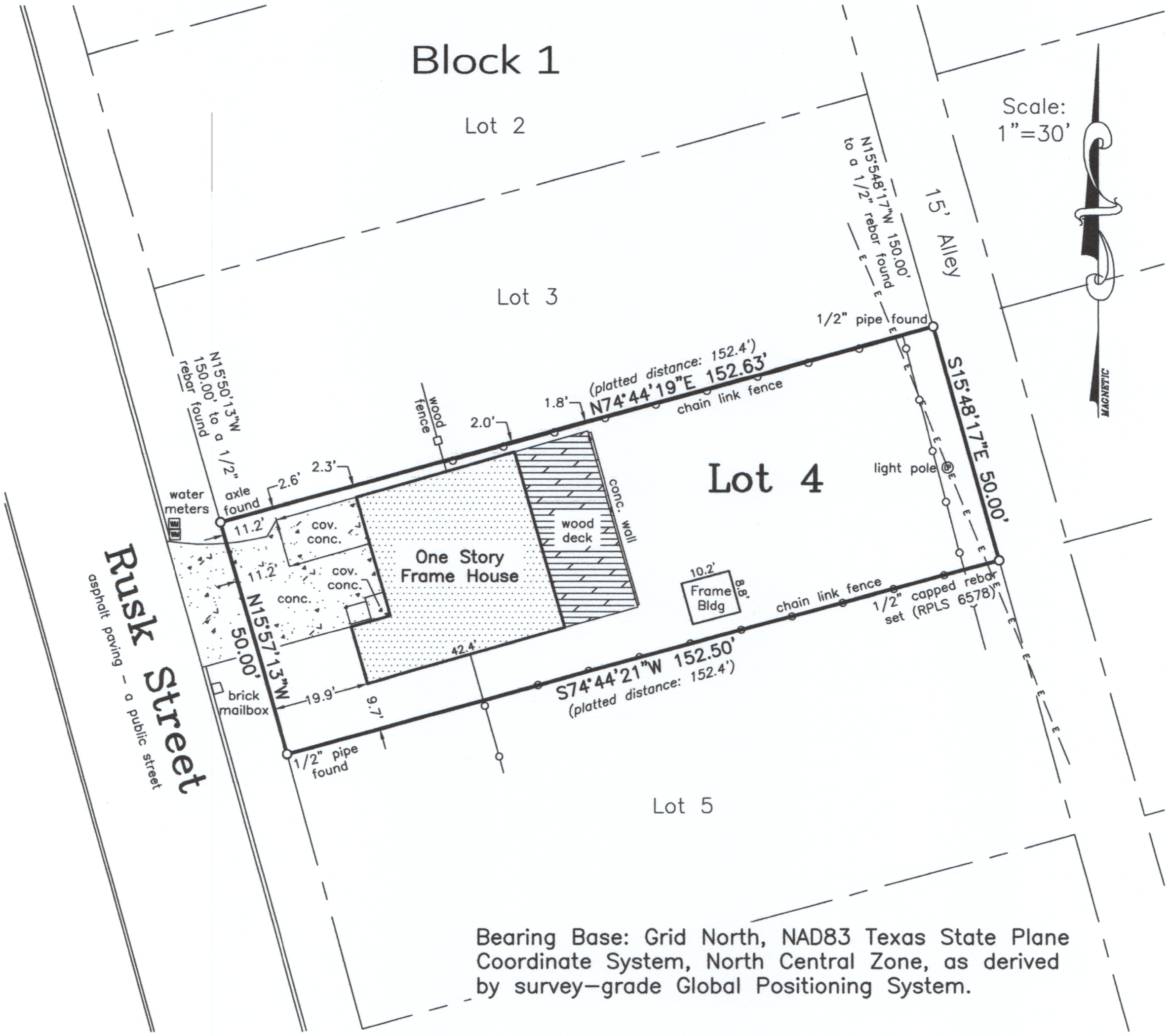
Jose Perez
1515 S Rusk
Sherman TX 75090

To Whom It May Concern:

I am requesting a variance for a side setback of 2 feet in lieu of the required 6feet to be able to add on to the main structure of the house.

Jose Perez

Jose Perez



Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone, as derived by survey-grade Global Positioning System.

Owner: Jose Elias Perez Ramirez

Address: 1515 S. Rusk Street
Sherman Texas

This survey is for the sole benefit of the owner and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey with the current Texas Society of Professional Surveyors Manual of Practice for a Category 1A, Condition 2, TSPS Land Title Survey and is a true and correct to the best of my knowledge and belief as shown hereon.

Legal Description is as follows: Lot 4, Block 1 Mayhew Supplement Addition to the City of Sherman Texas, as per plat of record in Volume 377, Page 294, Deed Records, Grayson County, Texas.

The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0405 G, Revised Date: September 1, 2022.

Note: This survey was done without the benefit of a title commitment.

Job No. AGS410723

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

P:\Land Projects R2\1515 Rusk Street\Civil 3D\1515-Rusk Block 1 Lot 4.dwg 7/31/2023 3:26 PM


Fence
Fence
Ram
Door
Kitchen
6 Ft
Parking
Hallway
Door To Pantry
Front Door
Living room
Pantry
Room
bathroom
Room
Room
Door
40 Ft
18
Parking
2 Spaces
16 Ft
6 Ft

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023 Sent via email

Jose Perez
1515 South Rusk Street
Sherman, TX 75090

Dear Applicants,

The request of a Public Hearing and Variance under Section 14.02.006 to allow a 2.0' side setback in lieu of the required 6' in a R-6 (Single-Family Residential) District for the existing structure; a Public Hearing and Variance under Section 14.02.006 to allow a 11.2' front setback in lieu of the required 20' in a R-6 (Single-Family Residential) District for the carport; and a Public Hearing and Variance under Section 14.02.006 to allow a 1.8' side setback in lieu of the required 6' in a R-6 (Single-Family Residential) District for an addition to the main structure located at 1515 South Rusk Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal. (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
4. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **27.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

1900-2600 BLOCKS EAST TUCK STREET (Project No. 22-003530) AN EMAIL WAS RECEIVED FROM ROZANN MARQUIS ON AUGUST 17, 2023 AT 11:45 A.M REQUESTING TO WITHDRAWN THIS ITEM

The request of Grayson County Land Trust (Owners), Rozann Marquis (Representative) and Kimley-Horn and Associates, Inc. (Surveyor) concerning the property located in the 1900-2600 Blocks East Tuck Street, consisting of 216.22 acres in the Charles Carter Survey, Abstract No. 229, and the Henry C. Atchison Survey, Abstract No. 22, and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change for a PD (Planned Development) of Aspen Park.

Background:

The property is located in the 1900-2600 Blocks East Tuck Street between North Brents Avenue and North FM 1417 (Heritage Parkway). The owner is requesting a Zone Change for a PD (Planned Development) of Aspen Park.

Adjacent Zoning:

R-6 (Single-Family Residential) District
ETJ (Extra Territorial Jurisdiction)
MF-30 (Multi-Family Residential) District
M-1 (Light Manufacturing) District

Origination:

Grayson County Land Trust (Owners)
Rozann Marquis (Representative)
Kimley-Horn and Associates, Inc. (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Floodplain & Open Space category is intended to preserve areas to handle stormwater and provide open space corridors for passive trail and recreation activities. These areas are not suitable for land development projects and buildings but may become future parkland managed by the City. These green corridors help protect the community from flood hazards and property damage and offer opportunity for trees, trails, and community connection. It should be noted that floodplains and floodways are regularly adjusted and reevaluated so the boundaries depicted for this land use category on the map should subsequently be interpreted as fluid.

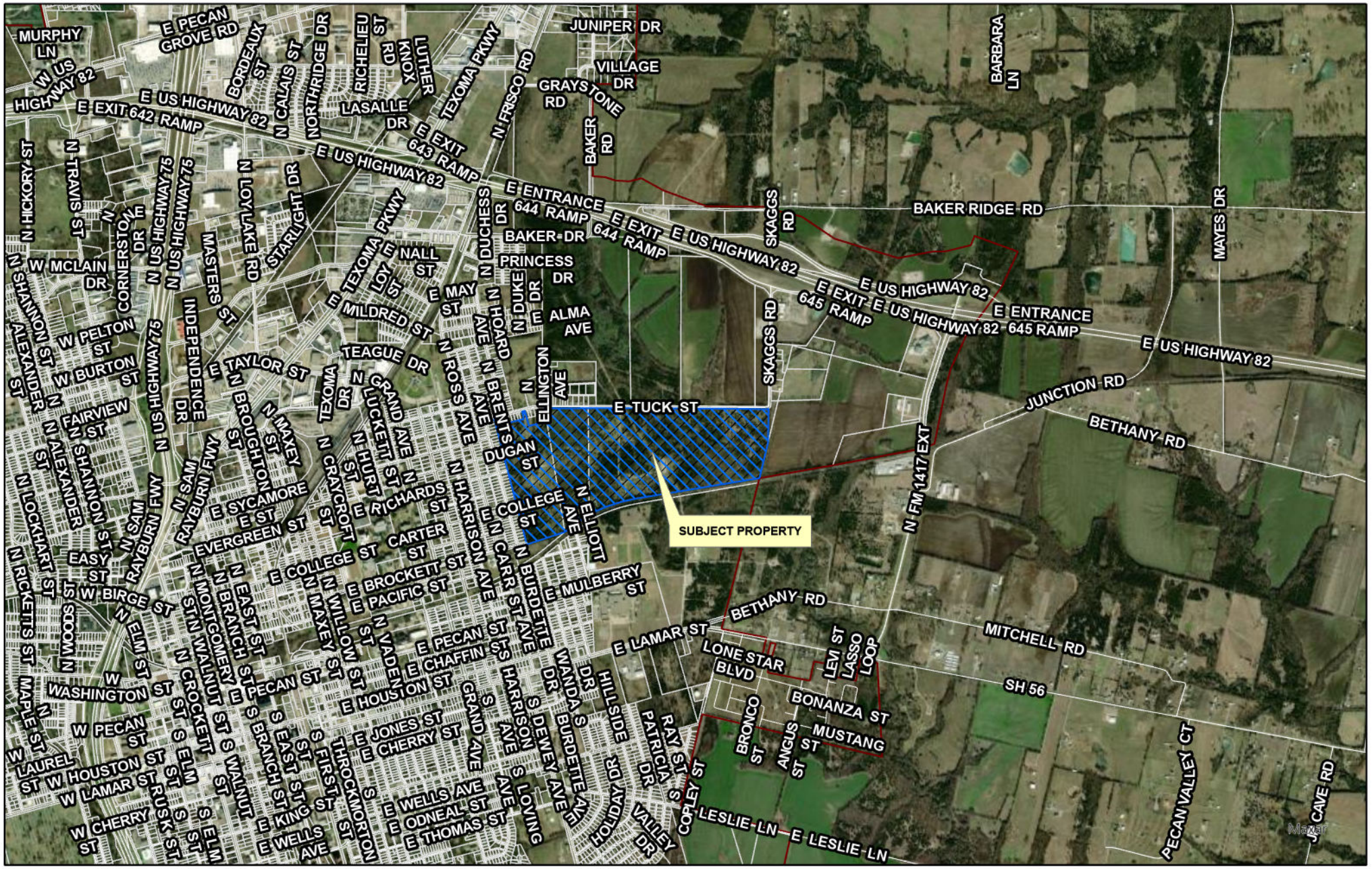
Number of notices mailed:
117

Objections Received:
0

Development Review Meeting:
Yes

Attachments

Location Map
Zoning Map
FLUM
Zoning Sign Photo
Survey



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
1900-2600 BLKS E TUCK ST

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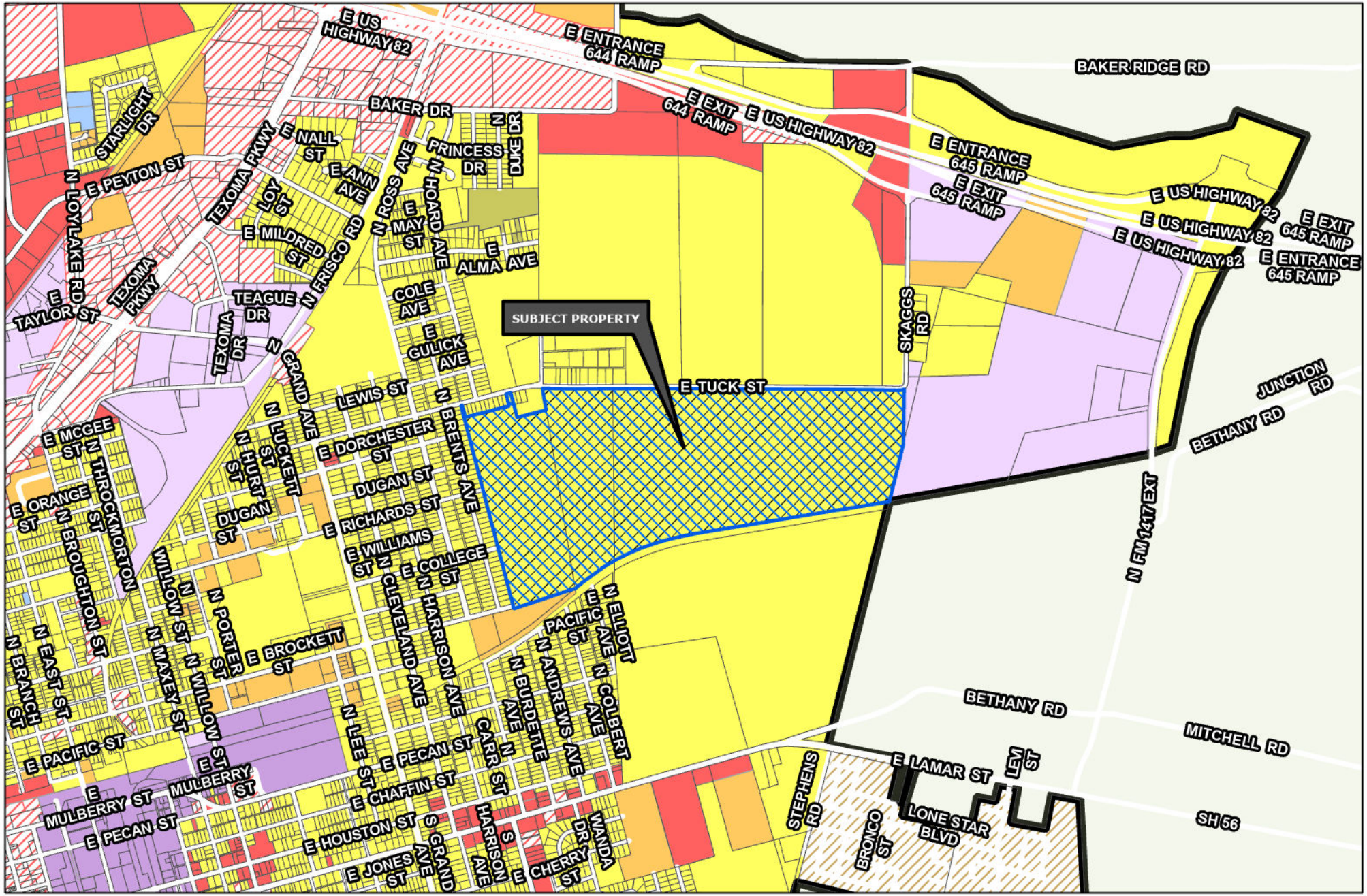
Date: 8/15/2023 10:47 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations
- Road Names All

CITY OF SHERMAN
ZONING MAP
1900-2600 BLKS E TUCK ST

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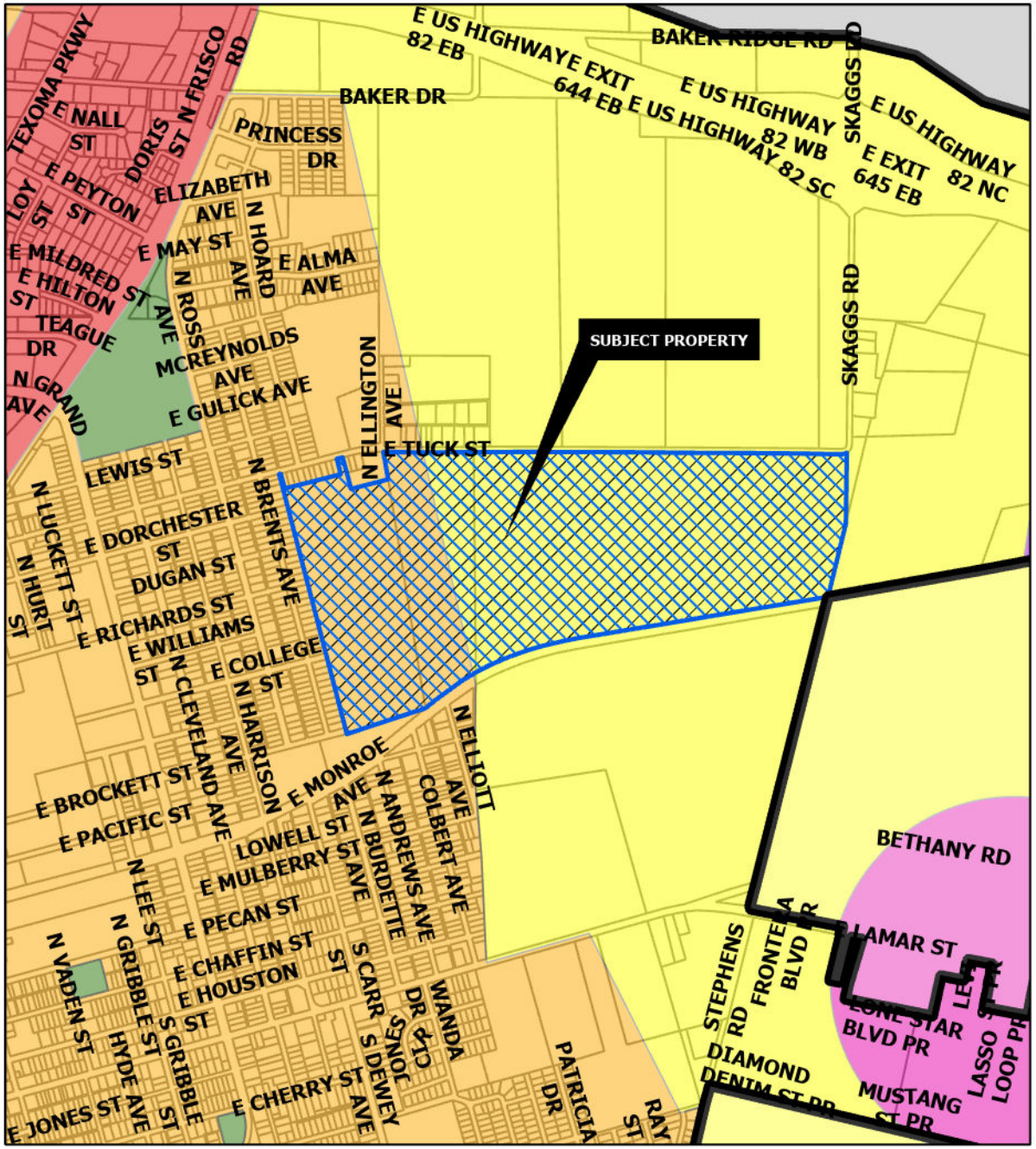
Date: 8/15/2023 10:45 AM



CORE NEIGHBORHOOD

Intent & Character

The Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Appropriate Land Use Types

- Single-family detached
- Single-family attached
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Single-Family Residential (R-5, R-4, R-2F, and R-TH)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Retail Business
- Neighborhood Commercial

Considerations

- Infill that increases density should match the character of the surrounding structures.
- Small-scale commercial uses are appropriate along larger streets and should be compatible with the surrounding residential development.

SUBURBAN NEIGHBORHOOD

Intent & Character

The Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Appropriate Land Use Types

- Single-family detached (primary land use type)
- Single-family attached (duplexes and townhomes)
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Estate Residential
- Single-Family Residential (R-12, R-6, R-5, and R-4)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Neighborhood Commercial
- Planned Development

Considerations

- Street connections to existing and future developments.
- Smaller lots and denser development can serve as a transition from the local commercial areas.

Sherman
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Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
1900-2600 BLKS E TUCK ST

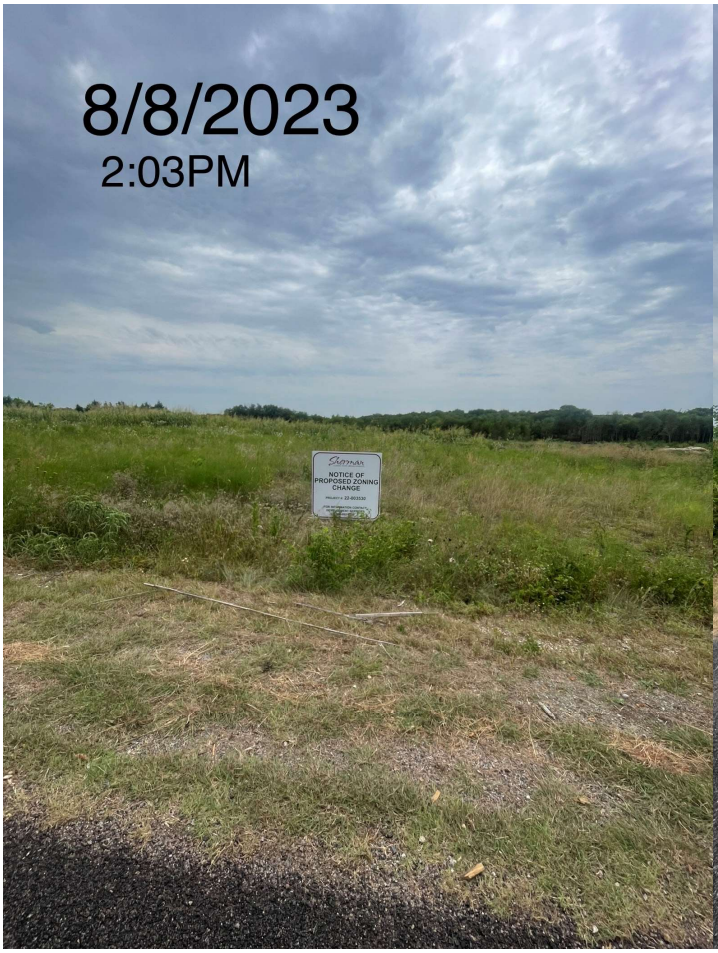
N W E S

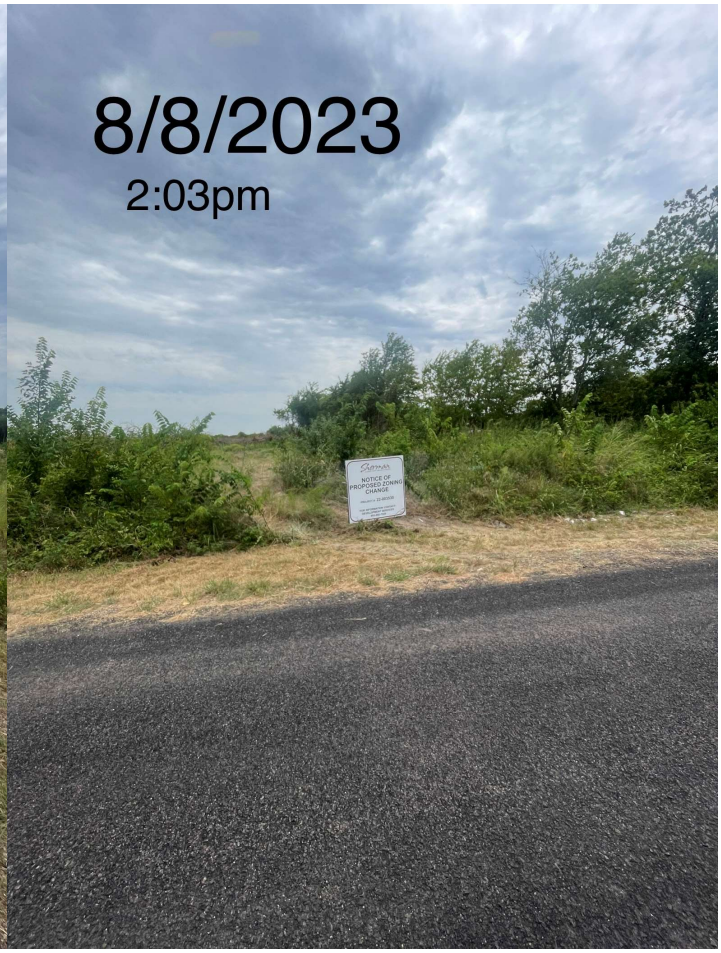
Date: 8/15/2023 10:56 AM

Marlow, Lauren

From: Planning
To: Rozann Marquis
Subject: RE: Time stamp added Re: Sign pictures

From: Rozann Marquis
Sent: Tuesday, August 8, 2023 4:19 PM
To: Planning
Subject: Time stamp added Re: Sign pictures



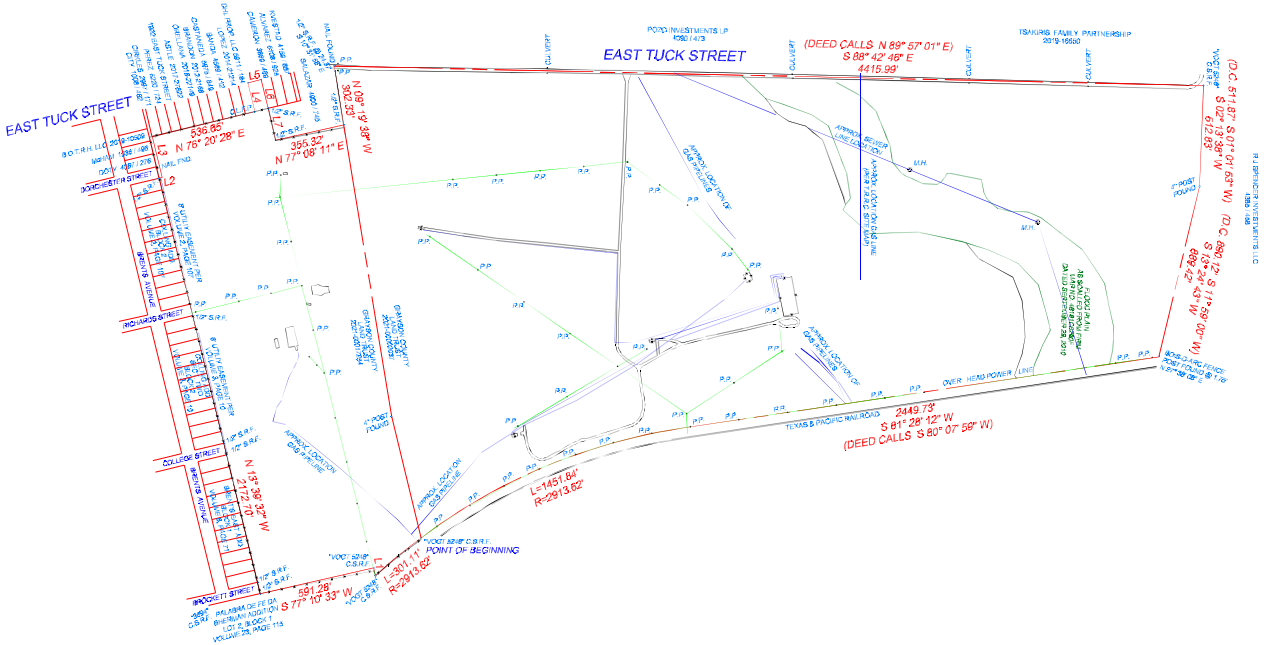


Thank You,
Rozann Marquis
972-805-7587

SURVEY

ADDRESS: East Tuck Street, Sherman, Texas
LEGAL: All that certain lot, tract or parcel of land situated in the Charles Cotter Survey, Abstract No. 229 and the Harry C. Nicholson Survey, Abstract No. 22, Grayson County, Texas, same being those tracts of land conveyed to the Grayson County Land Trust, in Instrument Number 2021-00002037 and Instrument Number 2021-00017261, Official Public Records of Grayson County, Texas, and being more particularly described as follows:
BEGINNING at a "Vogt 5218" capped steel rod found for the southeastic corner of the Instrument Number 2021-00017261, Official Public Records of Grayson County, Texas, same bein
THENCE in a southwesterly direction with a curve to the left, along the north right-of-way of rail road, said curve having a radius of 2913.62 feet and a chord bearing South 80 degrees 24 minutes 05 seconds West, 300.68 feet, for a length of 301.11 feet to a "Vogt 5248" capped steel rod found for corner;
THENCE North 12 degrees 49 minutes 27 seconds West, 40.38 feet to a "Vogt 5248" capped steel rod found for corner;
THENCE South 77 degrees 10 minutes 33 seconds West, 591.28 feet to a 1/2 inch steel rod found for the southwest corner of the Blackhill Street right-of-way, from which a "PBM" capped steel rod found bears South 77 degrees 10 minutes 33 seconds West at 267.20 feet for witness;
THENCE North 13 degrees 39 minutes 32 seconds West, 2172.10 feet to a point for the southwest corner of the Donaldson Street right-of-way, same being the southwest corner of a tract of land conveyed to the City of Sherman in Volume 1108, Page 487, Deed Records of Grayson County, Texas;
THENCE North 76 degrees 20 minutes 28 seconds East, with the south line of said City tract, 16.00 feet to a point for corner;
THENCE North 13 degrees 39 minutes 32 seconds West, with the east line of said City tract, 214.05 feet to a point for corner;
THENCE North 76 degrees 20 minutes 28 seconds East, 536.65 feet to a steel fence post found for corner;
THENCE North 13 degrees 39 minutes 57 seconds West, 160.03 feet to a "Vogt 5248" capped steel rod found for corner in the south right-of-way of East Tuck Street;
THENCE North 76 degrees 42 minutes 57 seconds East, with the south right-of-way of East Tuck Street, 89.34 feet to a "Vogt 5218" capped steel rod found for corner;
THENCE South 13 degrees 57 minutes 12 seconds East, 160.30 feet to a 1/2 inch steel rod found for corner;
THENCE South 13 degrees 05 minutes 42 seconds East, 187.53 feet to a 1/2 inch steel rod found for corner;
THENCE North 77 degrees 08 minutes 11 seconds East, 395.32 feet to a 1/2 inch steel rod found for corner;
THENCE North 09 degrees 19 minutes 38 seconds West, 202.33 feet to a nail found for corner within East Tuck Street, from which a 1/2 inch steel rod found bears South 10 degrees 31 minutes 58 seconds East at 21.31 feet for witness;
THENCE South 88 degrees 42 minutes 48 seconds East, within East Tuck Street, 4416.99 feet to a "Vogt 5248" capped steel rod found for corner;
THENCE South 01 degrees 13 minutes 36 seconds West, 312.93 feet to a 1 inch pipe found for corner;
THENCE South 13 degrees 24 minutes 43 seconds West, 889.42 feet to a point, for corner, from which a bolt on set post bears North 27 degrees 36 minutes 08 seconds East at 1.73 feet for witness;
THENCE South 81 degrees 28 minutes 12 seconds West, along the north right-of-way of rail road, 2449.73 feet to a point for corner;
THENCE in a southwesterly direction with a curve to the left, along the north right-of-way of rail road, said curve having a radius of 2913.62 feet and a chord bearing South 87 degrees 11 minutes 42 seconds West, 1438.87 feet, for a length of 1451.84 feet to the Point of Beginning and containing 218.22 acres of land.

LINE DATA
L1 - 40.38' N 12° 49' 27" W
L2 - 16.00' N 76° 20' 28" E
L3 - 214.05' N 13° 39' 32" W
L4 - 160.00' N 13° 39' 32" W
L5 - 89.34' N 75° 42' 57" E
L6 - 160.03' S 13° 37' 12" E
L7 - 167.53' S 13° 05' 42" E


EAST TUCK STREET
(DEED CALLS N 89° 57' 01" E)
S 88° 42' 46" E
4415.99'
POPO INVESTMENTS LP
4560 / 413
TSAKIRIS FAMILY PARTNERSHIP
2019-16560
(D.C. 514.87' S 01° 01' 43" W)
S 01° 13' 36" W
2125.83'
(D.C. 889.12' S 11° 39' 00" W)
S 13° 24' 43" W
889.42'
N 76° 20' 28" E
536.65'
N 77° 08' 11" E
395.32'
N 13° 39' 32" W
2172.10'
S 77° 10' 33" W
591.28'
L=301.11'
R=2913.62'
L=1451.84'
R=2913.62'
2449.73'
S 81° 28' 12" W
(DEED CALLS S 80° 07' 56" W)
POINT OF BEGINNING
"VOGT 5248" C.B.F.I.
"VOGT 5248" C.B.F.I.
BOS-LARKIN TRUST
4560 / 413
PALOMA DE FE DA
BRENHAM ADDITION
LOT 5, BLOCK 1
VOLUME 29, PAGE 115
BLACKHILL STREET
COLLEGE STREET
RICHARDS STREET
DONALDSON STREET
WATER AVENUE
EAST TUCK STREET
CULVERT
OVER HEAD POWER LINE
TEXAS & PACIFIC RAILROAD
APPROX. LOCATION OF GAS PIPELINE
APPROX. LOCATION OF OVER HEAD POWER LINE
APPROX. LOCATION OF GAS PIPELINE
APPROX. LOCATION OF GAS PIPELINE
APPROX. LOCATION OF GAS PIPELINE
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5" POST FOUND
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M.H.
M.H.

All that certain lot, tract or parcel of land situated in the Charles Carter Survey, Abstract No. 229 and the Henry C. Atchison Survey, Abstract No. 22, Grayson County, Texas, same being those tracts of land conveyed to the Grayson County Land Trust in Instrument Number 2021-00002037 and Instrument Number 2021-00017254, Official Public Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a "Vogt 5248" capped steel rod found for the southeast corner of the Instrument Number 2021-00017254, Official Public Records of Grayson County, Texas described tract;

THENCE in a southwesterly direction with a curve to the left, along the north right-of-way of rail road, said curve having a radius of 2913.62 feet and a chord bearing South 50 degrees 24 minutes 05 seconds West - 300.98 feet, for a length of 301.11 feet to a "Vogt 5248" capped steel rod found for corner;

THENCE North 12 degrees 49 minutes 27 seconds West, 40.38 feet to a "Vogt 5248" capped steel rod found for corner;

THENCE South 77 degrees 10 minutes 33 seconds West, 591.28 feet to a 1/2 inch steel rod found for the southeast corner of the Brockett Street right-of-way, from which a "3694" capped steel rod found bears South 77 degrees 10 minutes 33 seconds West at 267.20 feet for witness;

THENCE North 13 degrees 39 minutes 32 seconds West, 2172.70 feet to a point for the southeast corner of the Dorchester Street right-of-way, same being the southwest corner of a tract of land conveyed to the City of Sherman in Volume 1008, Page 482, Deed Records of Grayson County, Texas;

THENCE North 76 degrees 20 minutes 28 seconds East, with the south line of said City tract, 16.00 feet to a point for corner;

THENCE North 13 degrees 39 minutes 32 seconds West, with the east line of said City tract, 214.05 feet to a point for corner;

THENCE North 76 degrees 20 minutes 28 seconds East, 536.65 feet to a chain link fence post found for corner;

THENCE North 13 degrees 39 minutes 32 seconds West, 150.00 feet to a "Vogt 5248" capped steel rod found for corner in the south right-of-way of East Tuck Street;

THENCE North 75 degrees 42 minutes 57 seconds East, with the south right-of-way of East Tuck Street, 69.34 feet to a "Vogt 5248" capped steel rod found for corner;

THENCE South 13 degrees 37 minutes 12 seconds East, 150.30 feet to a 1/2 inch steel rod found for corner;

THENCE South 13 degrees 05 minutes 42 seconds East, 167.53 feet to a 1/2 inch steel rod found for corner;

THENCE North 77 degrees 08 minutes 11 seconds East, 355.32 feet to a 1/2 inch steel rod found for corner;

THENCE North 09 degrees 19 minutes 38 seconds West, 302.33 feet to a nail found for corner within East Tuck Street, from which a 1/2 inch steel rod found bears South 10 degrees 31 minutes 58 seconds East at 24.37 feet for witness;

THENCE South 88 degrees 42 minutes 46 seconds East, within East Tuck Street, 4415.99 feet to a "Vogt 5248" capped steel rod found for corner;

THENCE South 02 degrees 13 minutes 38 seconds West, 512.83 feet to a 4 inch post found for corner;

THENCE South 13 degrees 24 minutes 43 seconds West, 889.42 feet to a point for corner, from which a bois d' arc post bears North 27 degrees 38 minutes 08 seconds East at 1.75 feet for witness;

THENCE South 81 degrees 28 minutes 12 seconds West, along the north right-of-way of rail road, 2449.73 feet to a point for corner;

THENCE in a southwesterly direction with a curve to the left, along the north right-of-way of rail road, said curve having a radius of 2913.62 feet and a chord bearing South 67 degrees 11 minutes 42 seconds West - 1436.87 feet, for a length of 1451.84 feet to the Point of Beginning and containing 216.22 acres of land.

Planning & Zoning Commission and Board of Adjustments **28.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

402 NORTH GRAND AVENUE (Project No. 23-004476) AN EMAIL WAS RECEIVED FROM WALTER HOOPS ON AUGUST 14, 2023 AT 3:05 P.M. REQUESTING TO WITHDRAW THIS ITEM

The request of Walter Hoops (Owner) and Sartin & Associates, Inc. (Surveyor) concerning the property located at 402 North Grand Avenue, consisting of 0.2927 acres being the South One-half (25.00 ft.) of Lot 11, and all of Lot 12 in Block 22 of College Park First Addition and currently zoned R-6 (Single Family Residential) District, as follows:

Planning and Zoning Commission

Public Hearing and Zone Change from R-6 (Single Family Residential) District to R-12 (Single Family Residential) District.

Background:

The property is located at 402 North Grand Avenue at the corner of North Grand Avenue and East Mulberry Street. The owner is requesting a Zone Change from R-6 (Single Family Residential) District to R-12 (Single Family Residential) District.

Adjacent Zoning:

R-6 (Single-Family Residential) District

Origination:

Walter Hoops (Owner)
Sartin & Associates, Inc. (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

20

Objections Received:
0

Development Review Meeting:
No

Attachments

Zoning Sign Photo
Narrative
Survey
Elevations / Photos
Withdraw Request

Marlow, Lauren

From: Planning
To: Mikayla Ross
Subject: RE: 402 N Grand NOPZC

From: Mikayla Ross
Sent: Wednesday, August 9, 2023 11:27 AM
To: Planning
Subject: Re: 402 N Grand NOPZC



Sent from my iPhone

Marlow, Lauren

From: Planning
To: Terry Hoops
Subject: RE: Request for a zoning change from R-6 to R-12

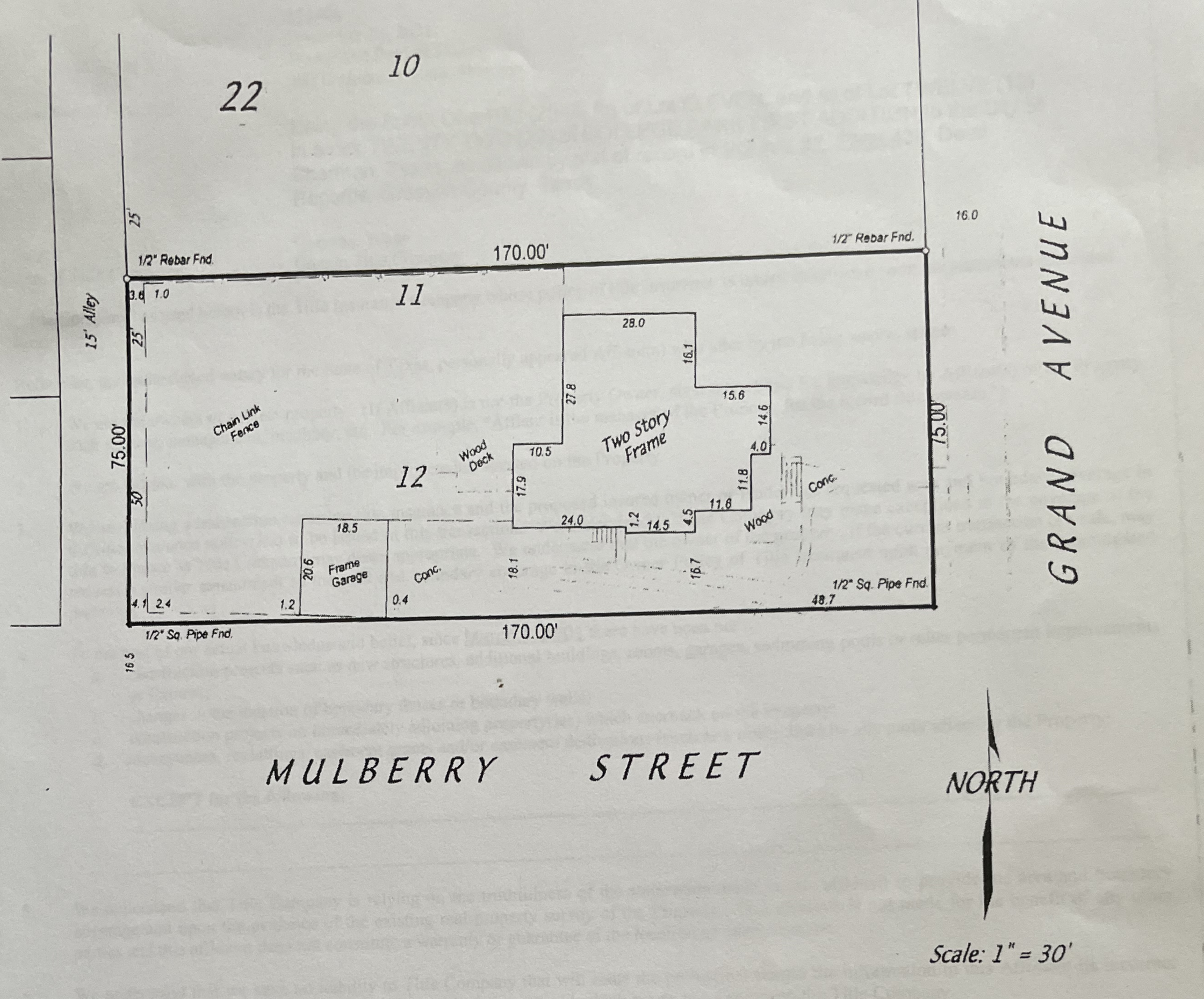
From: Terry Hoops
Sent: Thursday, July 27, 2023 3:56 PM
To: Planning
Subject: Re: Request for a zoning change from R-6 to R-12

July 28, 2023

From: Walter Hoops
Residence: 402 N. Grand Ave., Sherman, TX. 75090
To: City of Sherman Planning and Zoning Commission

The aim of this memo is to request a Zoning change for my homestead address located at 402 N. Grand Ave, Sherman, TX. 75090, from R-6 to R-12. This has been my family's residence since 2001. The property is owned entirely, without liens, by myself and my wife Patricia Hoops. The property measures 75 ft X 150 ft, for a total of 12,750 square feet. During the length of our stay my family has made many improvements to the property, including new water and drainage systems, new water heater, new heat pump, new and added gutters, a french drain serving the entire back yard, changes to the interior of the house (improvements in the kitchen, the bathrooms, bedrooms, etc.), and to the exterior, including gardens, a back patio, and fencing the entire back yard. I say this to make note that our intentions have always been to improve both quality of life in the house and enhancement of the neighborhood. Our current project is to transform a built space external to the house which originally (we think) was devoted as an external garage, but never served as a garage since the time of the previous owners of the house. It has never been a garage during our ownership, and could never function as a garage given the modifications made to the yard and garden. While structurally sound, this external building has served simply as a storage space. It has foundational problems but is otherwise structurally sound.

Our aim is to repair the foundations of that structure, to add water and electric services to the building, and to transform it into an efficiency apartment. The aim is to make it habitable for family members, particularly our daughter-in-law, with the eventual purpose perhaps of turning that space into the residence of both my wife and I. Patricia Hoops is currently retired from the Sherman Independent School District, and I am employed by Austin College. I have enclosed pictures of the building which will illustrate that it cannot serve as a garage, nor could it ever serve as a garage. As an external building, its best use is to serve as a residential space.



Scale: 1" = 30'

SARTIN & ASSOCIATES, INC.
Registered Professional Land Surveyors
P.O. Box 1843 - 109 S. Travis - Sherman, Texas 75091-1843
phone (903)892-8003 - fax (903)868-2970

SURVEY FOR: WALTER HOOPS & PATRICIA HOOPS

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 1 st day of March, 2001 of the following described property:

The South One-half (25.00 ft.) of Lot ELEVEN, and all of Lot TWELVE (12) in Block TWENTY TWO (22) of COLLEGE PARK FIRST ADDITION to the City of Sherman, Texas as shown by plat of record in Volume 81, Page 438, Deed Records, Grayson County, Texas.

That the improvements located on said property are known as **402 N. GRAND AVENUE, SHERMAN, TEXAS** and that this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying.

Marshall Sartin
R.P.L.S. # 3694

STATE OF TEXAS
REGISTERED
MARSHALL SARTIN
3694
PROFESSIONAL
LAND SURVEYOR

402GRAND.pcs




TEXAS
KSP 5915



Marlow, Lauren

From: Planning
To: Terry Hoops
Subject: RE: Pictures supporting request for zoning change

From: Terry Hoops
Sent: Monday, August 14, 2023 3:26 PM
To: Planning **Subject:** RE: Pictures supporting request for zoning change

Hi Kerri,

Yes, we are withdrawing from our application, with the intention of getting all the necessary variances in place to go with our request for a Zoning variance. We truly appreciate the help you have given us walking through this process.

Walter Hoops
402 N. Grand Ave.
Sherman, TX 75090

From: Planning
Sent: Monday, August 14, 2023 3:05 PM
To: Walter Hoops
Cc: Terry Hoops; Planning
Subject: RE: Pictures supporting request for zoning change

Mr. Hoops,
I just want to confirm that you are withdrawing this item so that we can get all the necessary Variances in place to go with this Zoning request.

Thank you.

Kerri Turner, Development Services Planning Technician
City of Sherman
Development Services Department

Sherman
CLASSIC TOWN. BROAD HORIZON.

The City of Sherman is a public entity; therefore, this correspondence may be subject to disclosure under the Texas Public Records Act. Any views or opinions presented herein are solely those of the author and do not necessarily represent official City of Sherman policy.

CONFIDENTIALITY NOTICE: This correspondence and any files accompanying its transmission are intended only for the recipient to whom they are addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you have received this in error, please notify the sender (only) and permanently delete this message.

Planning & Zoning Commission and Board of Adjustments **29.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

901 SOUTH THROCKMORTON STREET (Project No. 23-004455)

The request of Roberto and Nancy Garcia (Owner), Chris Noah (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 901 South Throckmorton Street, being 0.165 acres in the George B. Pilant Survey, Abstract 963, being a Replat of Lots 1 and 2, in Block 18, W. Elliott's Addition, as follows:

Planning and Zoning Commission

A. Public Hearing and Replat of 901 S. Throckmorton Addition
B. Public Hearing and Zone change from R-6 (Single-Family Residential) District to R-5 (Single-Family Residential) District

Background:

The property is located at 901 South Throckmorton Street at the corner of East Thomas Street and South Throckmorton Street. The owner is requesting to plat the property into one lot for residential development and a Zone Change from a R-6 (Single-Family Residential) District to R-5 (Single-Family Residential) District.

Adjacent Zoning:

R-6 (Single-Family Residential) District

Origination:

Roberto and Nancy Garcia (Owner)
Chris Noah (Representative)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

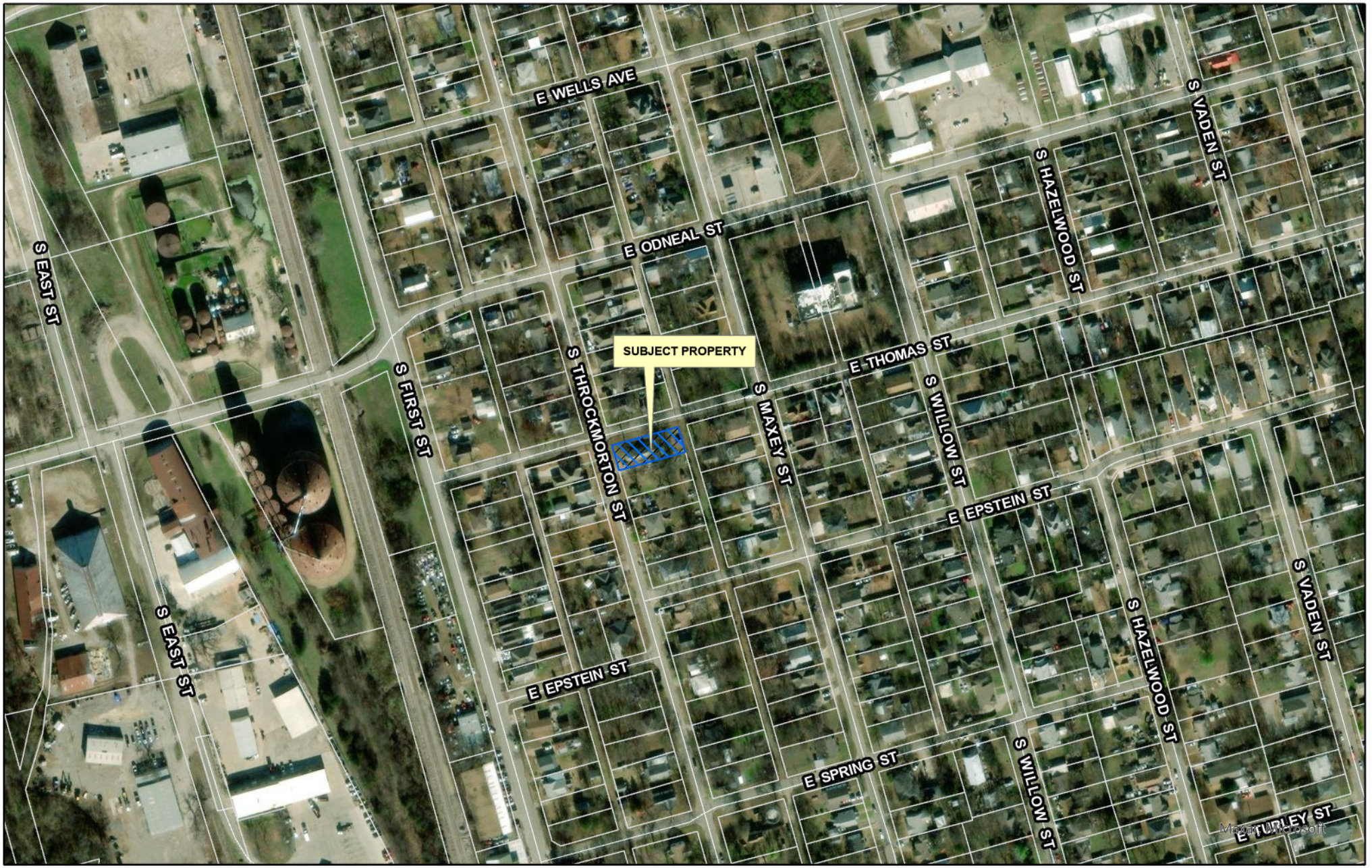
189

Objections Received:
0

Development Review Meeting:
Yes

Attachments

Location Map
Zoning Map
FLUM
Zoning Sign Photo
Survey
STAFF REVIEW LETTER - Engineering
STAFF REVIEW LETTER



dlagrone H:\PLANNING\Public Notification KT.aprx

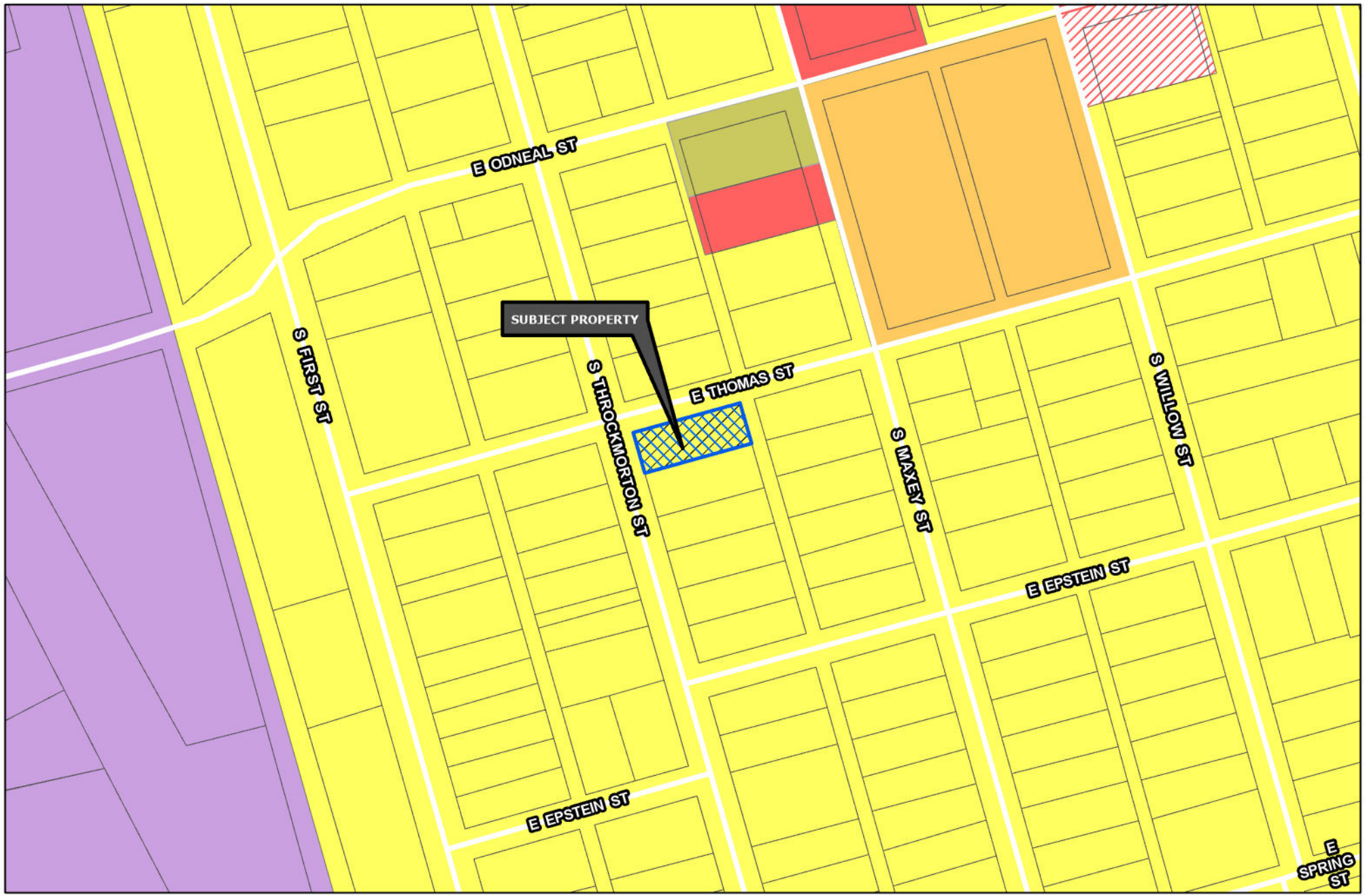
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
LOCATION MAP
901 S THROCKMORTON ST

N
W E
S

Date: 8/15/2023 10:58 AM



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- R-A Residential Agricultural
- R-E Estate Residential
- R-12 Single Family Residential
- R-6 Single Family Residential
- R-5 Single Family Residential
- R-4 Patio Home Residential
- R-2F Duplex Residential
- R-TH Townhome Residential
- MF-15 Multi-Family Residential
- MF-30 Multi-Family Residential
- MH Manufactured Housing
- C-N Neighborhood Commercial
- C-O Office
- C-1 Retail Business
- C-2 General Commercial
- M-1 Light Manufacturing
- M-1.5 Medium Manufacturing
- M-2 Heavy Manufacturing
- PD Planned Development
- Subject Locations

Road Names All

CITY OF SHERMAN
ZONING MAP
901 S THROCKMORTON ST

N
W E
S

Date: 8/15/2023 10:59 AM



CORE NEIGHBORHOOD

Intent & Character

The Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Appropriate Land Use Types

- Single-family detached
- Single-family attached
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Single-Family Residential (R-5, R-4, R-2F, and R-TH)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Retail Business
- Neighborhood Commercial

Considerations

- Infill that increases density should match the character of the surrounding structures.
- Small-scale commercial uses are appropriate along larger streets and should be compatible with the surrounding residential development.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services Department

- Agriculture/Rural
- Airport
- City Parkland
- Community Commercial
- Core Neighborhood
- Downtown
- Regional Commercial
- Suburban Neighborhood
- Technology Hub
- Subject Locations

CITY OF SHERMAN
FUTURE LAND USE MAP
901 S THROCKMORTON ST

N
W E
S

Date: 8/15/2023 11:01 AM

Sherman
CLASSIC TOWN, BROAD HORIZON

NOTICE OF
PROPOSED ZONING
CHANGE

PROJECT #: 23-004455

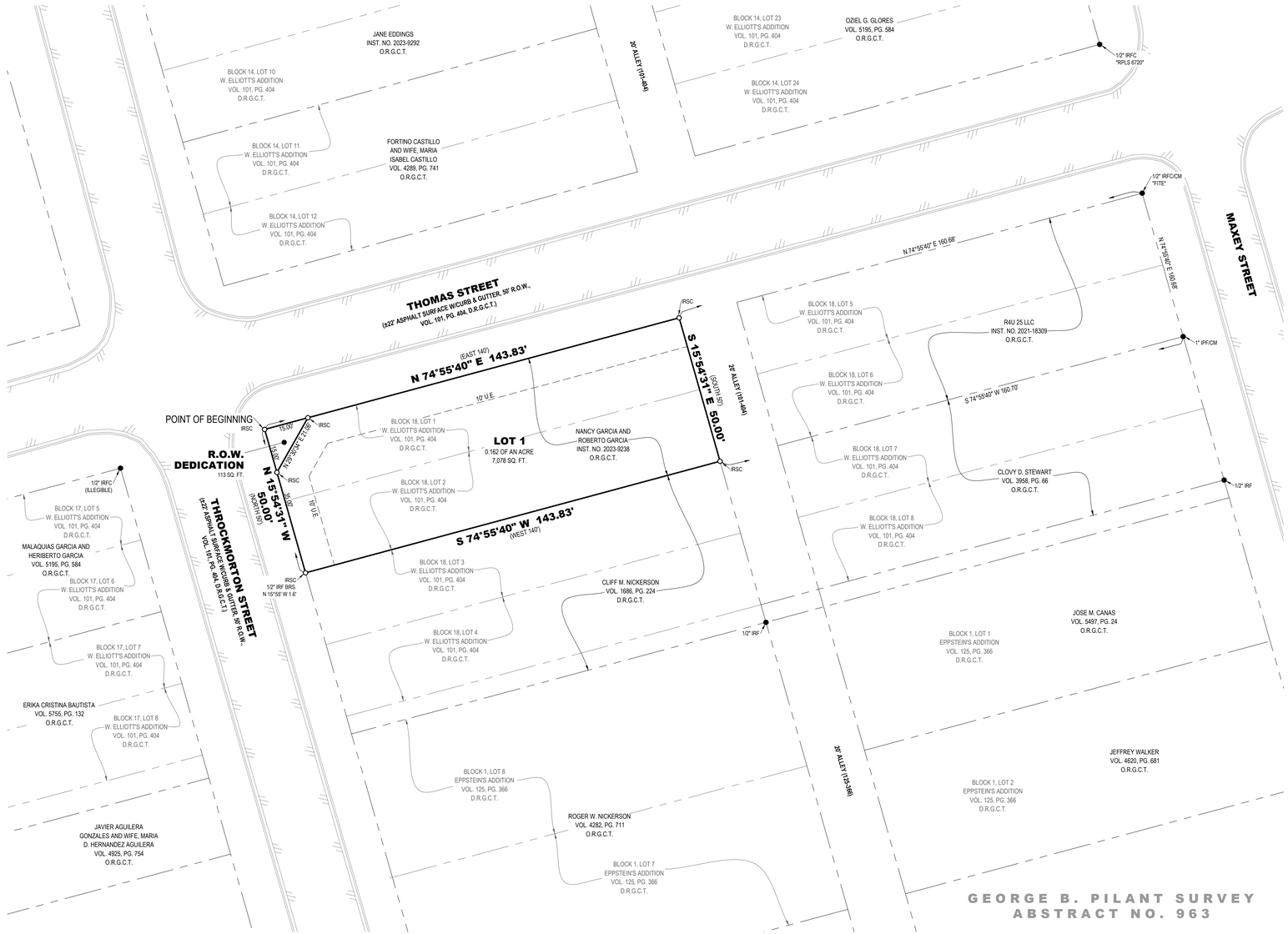
FOR INFORMATION CONTACT:
DEVELOPMENT SERVICES
903-892-7229

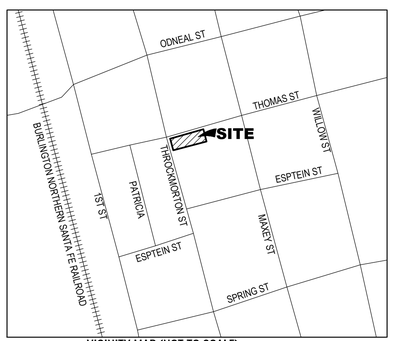
8/7/2023 at 2:50 P.M.

GRAPHIC SCALE IN FEET
0 10 20

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

FLOOD STATEMENT:
I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/01/2022 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0290 G of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.





VICINITY MAP (NOT TO SCALE)

LEGEND

●	FOUND MONUMENT
○	SET MONUMENT
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND W/PLASTIC CAP
IPF	IRON PIPE FOUND
BRS	BEARS
CM	CONTROLLING MONUMENT
( )	DEED OR PLAT CALL
R.O.W.	RIGHT-OF-WAY
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
VOL., PG.	VOLUME, PAGE
INST. NO.	INSTRUMENT NO.
B.L.	BUILDING LINE
U.E.	UTILITY EASEMENT
———	BOUNDARY LINE
——— - - ———	ADJOINER LINE
- - - - - - -	EASEMENT
	BUILDING LINE
//////	ASPHALT

STATE OF TEXAS §
COUNTY OF GRAYSON §

OWNER'S CERTIFICATE

WHEREAS Roberto and Nancy Garcia are the owners of that certain tract or parcel of land situated in the George B. Pilant Survey, Abstract No. 963, the City of Sherman, Grayson County, Texas, and being all of Lots 1 and 2, in Block 18, of W. Elliott's Addition, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 101, Page 404, Deed Records, Grayson County, Texas, and being the same tract of land described in the deed to Nancy and Roberto Garcia, recorded in Instrument No. 2023-9238, Official Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" (Hereinafter referred to as Capped Iron Rod) set for the northwest corner of said Garcia Tract, common to the northwest corner of said Lot 1, and at the intersection of the southerly right-of-way line of Thomas Street and the easterly right-of-way line of Throckmorton Street;

THENCE North 74°55'40" East, with the northerly line of said Garcia Tract, and with the northerly line of said Lot 1, and with the southerly right-of-way line of said Thomas Street, a distance of 143.83 feet to a Capped Iron Rod set for the northeast corner of said Garcia Tract, common to the northeast corner of said Lot 1, and common to the northwest corner of a called 20-foot alley, in said Block 18;

THENCE South 15°54'31" East, with the easterly line of said Garcia Addition, and with the easterly line of said Lot 1 part of the way, and with the easterly line of aforesaid Lot 2, and with the westerly line of said alley, a distance of 50.00 feet to a Capped Iron Rod set for the southeast corner of said Garcia Tract, common to the southeast corner of said Lot 2, and common to the northeast corner of a tract of land described in the deed to Cliff M. Nickerson, recorded in Volume 1686, Page 224, said Deed Records, and common to the northeast corner of Lot 3, in said Block 18;

THENCE South 74°55'40" West, with the southerly line of said Garcia Tract, and with the southerly line of said Lot 2, and with the northerly line of said Nickerson Tract, and with the northerly line of said Lot 3, a distance of 143.83 feet to a Capped Iron Rod set for the southwest corner of said Garcia Tract, common to the southwest corner of said Lot 2, and common to the northwest corner of said Nickerson Tract, and common to the northwest corner of said Lot 3, and on the easterly right-of-way line of aforesaid Throckmorton Street, and from which a found 1/2-inch iron rod bears North 15°55' West, a distance of 1.6 feet;

THENCE North 15°54'34" West, with the westerly line of said Garcia Tract, and with the westerly line of said Lot 2 part of the way, and with the westerly line of aforesaid Lot 1, and with the easterly right-of-way line of said Throckmorton Street, a distance of 50.00 feet to the POINT OF BEGINNING and enclosing 0.165 of an acre (7,191 square feet) of land, more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That **Roberto and Nancy Garcia**, do hereby adopt this plat designating the hereinbefore described property as **901 S. THROCKMORTON ADDITION**, an Addition to the City of Sherman, Grayson County, Texas, and do hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

BY:_____
Roberto Garcia

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **Roberto Garcia**, 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 considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

BY:_____
Nancy Garcia

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **Nancy Garcia**, 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 considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

CITY COUNCIL CERTIFICATE OF ACCEPTANCE

Accepted by the City Council of the City of Sherman, Texas:

_____ _____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of **901 S. THROCKMORTON ADDITION,** to the City of Sherman was submitted to the City Council on the _____ day of _____, 20_____, 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 hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 20____.

_____
Clerk, City of Sherman, Texas

PLANNING AND ZONING COMMISSION CERTIFICATE OF ACCEPTANCE

Accepted this _____ day of _____, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____ _____ _____
Chairman Secretary

AVIGATION RELEASE

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS, **Roberto and Nancy Garcia**, hereinafter called OWNERS (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as **901 S. THROCKMORTON ADDITION**, an addition to the City of Sherman, Grayson County, Texas.

OWNERS does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNERS may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER'S described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNERS does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNERS, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at **901 S. THROCKMORTON**, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this ____ day of _____, 20___.

BY:_____
Roberto Garcia

BY:_____
Nancy Garcia

FINAL PLAT
901 S. THROCKMORTON ADDITION
0.165 OF AN ACRE
GEORGE B. PILANT SURVEY, ABSTRACT NO. 963
Being a Replat of Lots 1 and 2, Block 18
W. Elliott's Addition
City of Sherman, Grayson County, Texas

OWNER/DEVELOPER:
Roberto and Nancy Garcia
1505 East Lamar Street
Sherman, TX 75090

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
787 W FM 996
Pottsboro, TX 75076
Ph: 903-786-6029

Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: LGT Checked by: CRN	Scale: 1"=20' Date: 07/24/2023	Project No. 23-0323 Sheet No. 1 of 1

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

August 14, 2023

Roberto and Nancy Garcia
1505 E. Lamar St.
Sherman, TX 75090

Preston Trail Land Surveying
787 W. FM 996
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Final Plat of 901 S. Throckmorton Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, August 22, 2023 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. Dedicate a 10'x10' Right of Way corner clip on Northeast corner of proposed Lot 1. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
2. Metes and bounds description for western boundary line does not match drawing. Correct appropriately. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
4. 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.
5. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
6. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Dillon Stewart, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

August 15, 2023 Sent via email

Preston Trail Land Surveying
Chris Noah
787 W FM 996
Pottsboro, TX 75076

Dear Applicants,

The request of a Public Hearing and Zone change from R-6 (Single-Family Residential) District to R-5 (Single-Family Residential) District located at 901 South Throckmorton Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, August 22, 2023, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request and the following items need to be noted/addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's Zoning Ordinance/Code of Ordinance Chapter 14.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (dillons@cityofsherman.com). *(Code of Ordinances Chapter 3.02(c))*
3. Impact fees will be required at the time of building permit application. *(Chapter 13, Article. 13.11)*
4. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
5. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, contact Development Services by emailing planning@cityofsherman.com prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Dillon Stewart, Fire Chief
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **30.**

Meeting Date: 08/22/2023

Prepared by: Lauren Marlow, Development Services Coordinator

Requested Action/Proposed Use:

OTHER BUSINESS

Public Hearing And Consideration Of An Ordinance Of The City Council Of The City Of Sherman, Texas, Amending The Code Of Ordinances Of The City Of Sherman, Texas, Chapter 14 (Zoning Ordinance), Section 14.06.004 (Site Plan Requirements); Modifying Certain Existing Regulations Relating To The Site Plan Approval Process; Providing A Penalty Clause With A Maximum Fine Of $2,000, Savings/Repealing Clause, Severability Clause And An Effective Date; Providing For The Publication Of The Caption Hereof; Finding And Determining That The Meeting At Which This Ordinance Is Passed Was Noticed And Is Open To The Public As Required By Law

Background:

In the most recent state legislative session, certain changes to the development process were signed into law by Governor Abbott. According to HB 3699, site plan approval is no longer subject to the 30-day review and approval shot clock. This recommended change removes references in the zoning ordinance to 30-day action for site plan approvals.

Adjacent Zoning:

Not Applicable

Origination:

City of Sherman

Master Plan Designation:

Not Applicable

Number of notices mailed:

Not required

Objections Received:

0

Attachments

Proposed Zoning Ordinance Amendment

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SHERMAN, TEXAS, CHAPTER 14 (ZONING ORDINANCE), SECTIONS 14.02.001 (ZONING DISTRICTS ESTABLISHED), 14.06.004 (SITE PLAN REQUIREMENTS); MODIFYING CERTAIN EXISTING REGULATIONS; PROVIDING A PENALTY CLAUSE WITH A MAXIMUM FINE OF $2,000, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") finds that it is necessary to amend Chapter 14 (Zoning Ordinance) of the Code of Ordinances, City of Sherman, Texas ("Code of Ordinance") for the purpose of prescribing regulations relating to the Central Business District Overlay ("City" or "Sherman"); and

WHEREAS, Sherman has complied with all legal notices and public hearings as required by law; and

WHEREAS, the City Council finds that adopting this Ordinance promotes the health, safety and morals of Sherman and is in the best interest of the citizens of Sherman.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to the Code of Ordinances, Chapter 14 (Zoning Ordinance). Sections 14.06.004 (Site Plan Requirements) of the Code of Ordinances are amended as follows[1]:

"ARTICLE 14.06 DEVELOPMENT PROCEDURES

…

Sec. 14.06.004 Site plan requirements.

…

(c) Site plan application procedure.

…

(4) Initiation, complete application and expiration.

…

(C) Determination of completeness.

[1] Deletions are evidenced by ~~strikethrough~~; additions are *italicized*.

…

~~(vi) 30-day action extension request:~~

~~a. Request. An applicant may submit in writing a request to extend the 30-day action in relation to the decision time for site plans of thirty (30) days, as mandated by state law.~~

~~b. Received. If the applicant requests an extension, such request must be received by the municipal authority on or before the eleventh (11th) calendar day prior to the municipal authority's deadline to act.~~"

SECTION 3: Penalty. Any person, firm, corporation or entity violating any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude Sherman from filing suit to enjoin the violation. Sherman retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 5: Repealing/Savings. The Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4: Open Meeting. The meeting at which this Ordinance was introduced and passed was open to the public and that public notice of the time, place and purpose of said meeting was given all as required by law.

SECTION 5: Effective Date; Publication. This Ordinance shall become effective from and after its adoption and publication as required by law. The City Clerk is directed to publish the caption of this Ordinance as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this ___ day of _____, 2023.

DAVID PLYLER, MAYOR

ATTEST:

LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
ABERNATHY, ROEDER,
BOYD & HULLETT, P.C.

RYAN D. PITTMAN, CITY ATTORNEY

AN ACT

relating to municipal regulation of subdivisions and approval of subdivision plans or plats.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 212.001(2) and (3), Local Government Code, are amended to read as follows:

(2) [~~"Plan" means a subdivision development plan, including a subdivision plan, subdivision construction plan, site plan, land development application, and site development plan.~~

[~~(3)~~] "Plat" includes a preliminary plat, [~~general plan,~~] final plat, and replat.

SECTION 2. Subchapter A, Chapter 212, Local Government Code, is amended by adding Section 212.0015 to read as follows:

Sec. 212.0015. CONSTRUCTION OF SUBCHAPTER. This subchapter may not be construed to restrict a municipality from establishing a submittal calendar to be used by an applicant to facilitate compliance with the approval process described by Sections 212.009, 212.0091, 212.0093, and 212.0095.

SECTION 3. Subchapter A, Chapter 212, Local Government Code, is amended by adding Section 212.0021 to read as follows:

Sec. 212.0021. SUBDIVISION REQUIREMENTS. The governing body of a municipality, by ordinance and after notice is published in a newspaper of general circulation in the municipality, may:

(1) adopt, based on the amount and kind of travel over

each street or road in a subdivision, reasonable specifications relating to the construction of each street or road; and

(2) adopt reasonable specifications to provide adequate drainage for each street or road in a subdivision in accordance with standard engineering practices.

SECTION 4. Section 212.004, Local Government Code, is amended by amending Subsections (a) and (b) and adding Subsections (f) and (g) to read as follows:

(a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended by the owner of the tract to be dedicated to public use [~~or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts~~] must have a plat of the subdivision prepared. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated.

(b) To be recorded, the plat must:

(1) describe the subdivision by metes and bounds;

(2) locate the subdivision with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part; and

(3) state the dimensions of the subdivision and of each street, alley, square, park, or other part of the tract intended by the owner of the tract to be dedicated to public use [~~or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part~~].

(f) A plat is considered filed on the date the applicant submits the plat, along with a completed plat application and the application fees and other requirements prescribed by or under this subchapter, to:

(1) the governing body of the municipality; or

(2) the municipal authority responsible for approving plats.

(g) The governing body of a municipality or the municipal authority responsible for approving plats may not require an analysis, study, document, agreement, or similar requirement to be included in or as part of an application for a plat, development permit, or subdivision of land that is not explicitly allowed by state law.

SECTION 5. Section 212.005, Local Government Code, is amended to read as follows:

Sec. 212.005. APPROVAL BY MUNICIPALITY REQUIRED. (a) The municipal authority responsible for approving plats must approve a plat or replat that is required to be prepared under this subchapter and that satisfies the requirements of this subchapter [~~all~~

~~applicable regulations~~].

(b) This subchapter may not be construed to convey any authority to a municipality regarding the completeness of an application or the approval of a plat or replat that is not explicitly granted by this subchapter.

SECTION 6. Sections 212.0065(a) and (c), Local Government Code, are amended to read as follows:

(a) The governing body of a municipality or the municipal planning commission may delegate to one or more officers or employees of the municipality or of a utility owned or operated by the municipality the ability to approve, approve with conditions, or disapprove a plat [~~:~~

[~~(1) amending plats described by Section 212.016;~~

[~~(2) minor plats or replats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities; or~~

[~~(3) a replat under Section 212.0145 that does not require the creation of any new street or the extension of municipal facilities~~].

(c) An applicant has the right to appeal to the governing body of the municipality or the municipal planning commission if the designated [~~The~~] person disapproves a [~~or persons shall not disapprove the~~] plat [~~and shall be required to refer any plat which the person or persons refuse to approve to the municipal authority responsible for approving plats within the time period specified in Section 212.009~~].

SECTION 7. Subchapter A, Chapter 212, Local Government

Code, is amended by adding Section 212.0081 to read as follows:

Sec. 212.0081. REQUIRED APPLICATION MATERIALS. (a) Each municipality to which this subchapter applies shall adopt and make available to the public a complete, written list of all documentation and other information that the municipality requires to be submitted with a plat application. The required documentation and other information must be related to a requirement authorized under this subchapter.

(b) An application submitted to the municipal authority responsible for approving plats that contains all documents and other information on the list provided under Subsection (a) is considered complete.

(c) A municipality that operates an Internet website shall publish and continuously maintain the list described by Subsection (a) on the Internet website not later than the 30th day after the date the municipality adopts or amends the list.

(d) A municipality that does not operate an Internet website shall publish the list described by Subsection (a) on adoption of the list or an amendment to the list in:

(1) a newspaper of general circulation in the municipality; and

(2) a public place in the location in which the governing body of the municipality meets.

SECTION 8. Sections 212.009(a), (b), (b-2), (c), and (d), Local Government Code, are amended to read as follows:

(a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a [~~plan or~~]

plat within 30 days after the date the [~~plan or~~] plat is filed. A [~~plan or~~] plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

(b) If an ordinance requires that a [~~plan or~~] plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the [~~plan or~~] plat within 30 days after the date the [~~plan or~~] plat is approved by the planning commission or is approved by the inaction of the commission. A [~~plan or~~] plat is approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

(b-2) Notwithstanding Subsection (a) or (b), the parties shall [~~may~~] extend the 30-day period described by those subsections for one or more periods, each [~~a period~~] not to exceed 30 days if:

(1) both:

(A) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(B) [~~(2)~~] the municipal authority or governing body, as applicable, approves the extension request; or

(2) Chapter 2007, Government Code, requires the municipality to perform a takings impact assessment in connection with the plan or plat.

(c) If a [~~plan or~~] plat is approved, the municipal authority giving the approval shall endorse the [~~plan or~~] plat with a

certificate indicating the approval. The certificate must be signed by:

(1) the authority's presiding officer and attested by the authority's secretary; or

(2) a majority of the members of the authority.

(d) If the municipal authority responsible for approving plats fails to approve, approve with conditions, or disapprove a [~~plan or~~] plat within the prescribed period, the authority on the applicant's request shall issue a certificate stating the date the [~~plan or~~] plat was filed and that the authority failed to act on the [~~plan or~~] plat within the period. The certificate is effective in place of the endorsement required by Subsection (c).

SECTION 9. Section 212.0091(a), Local Government Code, is amended to read as follows:

(a) A municipal authority or governing body that conditionally approves or disapproves a [~~plan or~~] plat under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

SECTION 10. Sections 212.0093, 212.0095, and 212.0096, Local Government Code, are amended to read as follows:

Sec. 212.0093. APPROVAL PROCEDURE: APPLICANT RESPONSE TO CONDITIONAL APPROVAL OR DISAPPROVAL. After the conditional approval or disapproval of a [~~plan or~~] plat under Section 212.0091, the applicant may submit to the municipal authority or governing body that conditionally approved or disapproved the [~~plan or~~] plat

a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The municipal authority or governing body may not establish a deadline for an applicant to submit the response.

Sec. 212.0095. APPROVAL PROCEDURE: APPROVAL OR DISAPPROVAL OF RESPONSE. (a) A municipal authority or governing body that receives a response under Section 212.0093 shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved [~~plan or~~] plat not later than the 15th day after the date the response was submitted.

(b) A municipal authority or governing body that conditionally approves or disapproves a [~~plan or~~] plat following the submission of a response under Section 212.0093:

(1) must comply with Section 212.0091; and

(2) may disapprove the [~~plan or~~] plat only for a specific condition or reason provided to the applicant under Section 212.0091.

(c) A municipal authority or governing body that receives a response under Section 212.0093 shall approve a previously conditionally approved or disapproved [~~plan or~~] plat if the response adequately addresses each condition of the conditional approval or each reason for the disapproval.

(d) A previously conditionally approved or disapproved [~~plan or~~] plat is approved if:

(1) the applicant filed a response that meets the requirements of Subsection (c); and

(2) the municipal authority or governing body that

received the response does not disapprove the [~~plan or~~] plat on or before the date required by Subsection (a) and in accordance with Section 212.0091.

Sec. 212.0096. APPROVAL PROCEDURE: ALTERNATIVE APPROVAL PROCESS. (a) Notwithstanding Sections 212.009, 212.0091, 212.0093, and 212.0095, an applicant may elect at any time to seek approval for a [~~plan or~~] plat under an alternative approval process adopted by a municipality if the process allows for a shorter approval period than the approval process described by Sections 212.009, 212.0091, 212.0093, and 212.0095.

(b) An applicant that elects to seek approval under the alternative approval process described by Subsection (a) is not:

(1) required to satisfy the requirements of Sections 212.009, 212.0091, 212.0093, and 212.0095 before bringing an action challenging a disapproval of a [~~plan or~~] plat under this subchapter; and

(2) prejudiced in any manner in bringing the action described by Subdivision (1), including satisfying a requirement to exhaust any and all remedies.

SECTION 11. Section 212.0099, Local Government Code, is amended to read as follows:

Sec. 212.0099. JUDICIAL REVIEW OF DISAPPROVAL. In a legal action challenging a disapproval of a [~~plan or~~] plat under this subchapter, the municipality has the burden of proving by clear and convincing evidence that the disapproval meets the requirements of this subchapter or any applicable case law. The court may not use a deferential standard.

SECTION 12. Section 212.010, Local Government Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) The municipal authority responsible for approving plats may not require the dedication of land within a subdivision for a future street or alley that is:

(1) not intended by the owner of the tract; and

(2) not included, funded, and approved in:

(A) a capital improvement plan adopted by the municipality; or

(B) a similar plan adopted by a county in which the municipality is located or the state.

(d) A municipal authority responsible for approving plats may not refuse to review a plat or to approve a plat for recordation for failure to identify a corridor, as defined by Section 201.619, Transportation Code, unless the corridor is part of an agreement between the Texas Department of Transportation and a county in which the municipality is located under that section.

(e) If a municipal authority responsible for approving plats fails or refuses to approve a plat that meets the requirements of this subchapter, the owner of the tract that is the subject of the plat may bring an action in a district court in a county in which the tract is located for a writ of mandamus to compel the municipal authority to approve the plat by issuing to the owner applicable approval documentation. The applicant shall recover reasonable attorney's fees and court costs in the action if the applicant prevails. The municipality may recover reasonable attorney's fees and court costs in the action if the municipality prevails and the

court finds the action is frivolous.

SECTION 13. As soon as practicable after the effective date of this Act but not later than January 1, 2024, each municipality shall adopt and publish the list described by Section 212.0081, Local Government Code, as added by this Act.

SECTION 14. The changes in law made by this Act apply only to an application submitted on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law applicable to the application immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 15. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 3699 was passed by the House on May 9, 2023, by the following vote: Yeas 130, Nays 12, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3699 on May 25, 2023, and requested the appointment of a conference committee to consider the differences between the two houses; that the House adopted the conference committee report on H.B. No. 3699 on May 28, 2023, by the following vote: Yeas 139, Nays 3, 1 present, not voting; and that the House adopted H.C.R. No. 126 authorizing certain corrections in H.B. No. 3699 on May 28, 2023, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3699 was passed by the Senate, with amendments, on May 21, 2023, by the following vote: Yeas 22, Nays 9; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; that the Senate adopted the conference committee report on H.B. No. 3699 on May 28, 2023, by the following vote: Yeas 20, Nays 11; and that the Senate adopted H.C.R. No. 126 authorizing certain corrections in H.B. No. 3699 on May 28, 2023, by the following vote: Yeas 31, Nays 0.

_____

Secretary of the Senate

APPROVED: _____

Date

_____

Governor

Planning & Zoning Commission and Board of Adjustments **32.**

Meeting Date: 08/22/2023

Prepared By: Kerri Turner, Planning Technician

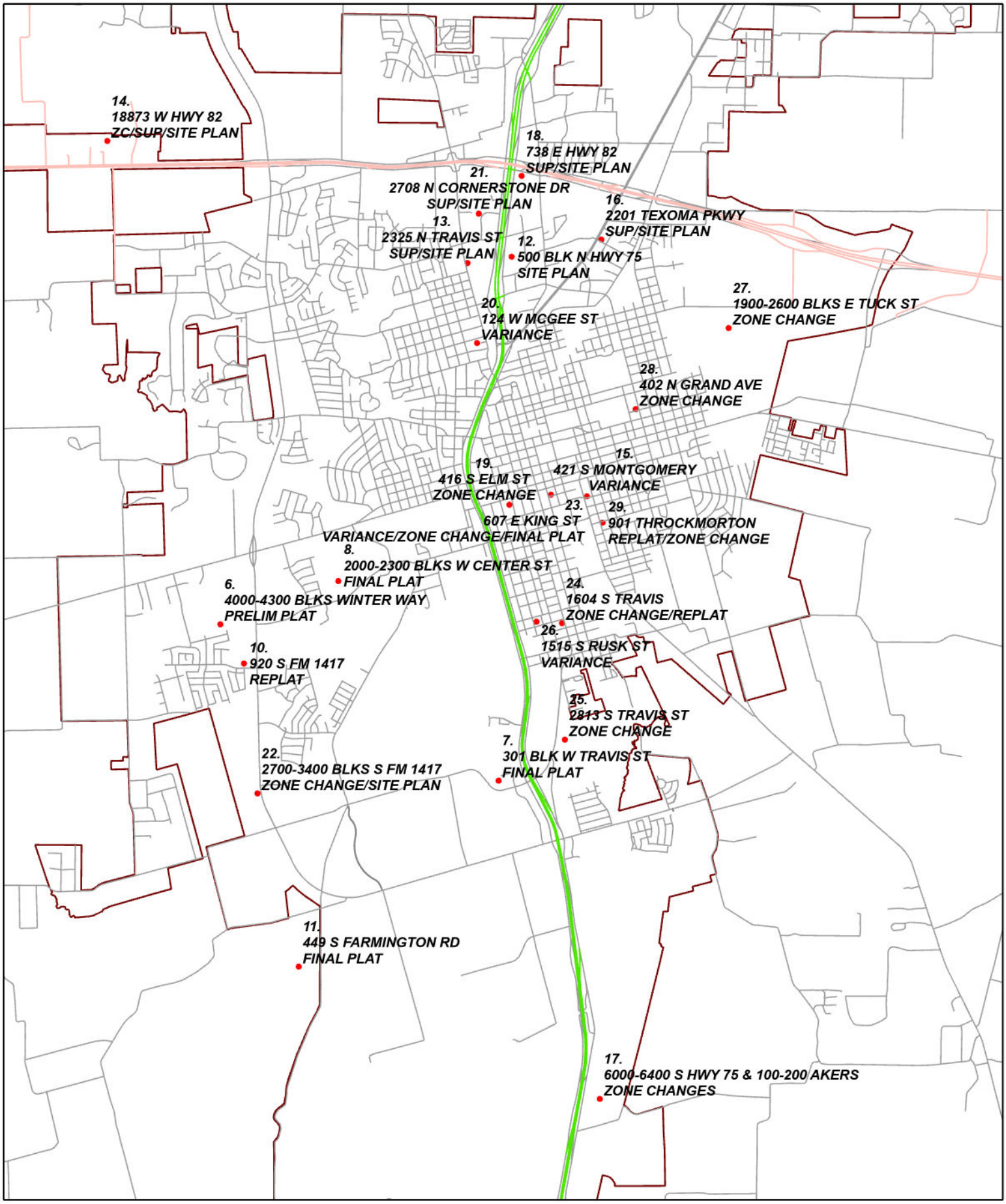
Issue:

OVERALL LOCATION MAP

List of Agenda Items:

Attachments

Overall Location Map



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

OVERALL MAP
PLANNING AND ZONING & BOARD OF ADJUSTMENT
8/22/2023

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W E
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Date: 8/16/2023 12:09 PM