Development Services
Planning and Zoning
Building Inspection
Telephone (903)892-7229
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AGENDA

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a regular meeting Tuesday, July 20, 2021 at 5:00P.M. in the Council Chambers at 220 W. Mulberry to consider the following:

All requests are under Ordinance No. 2280, unless otherwise stated.

1. **CALL TO ORDER**

2. **APPROVE MINUTES OF THE REGULAR JUNE 22, 2021, PLANNING AND ZONING COMMISSION MEETING.**

3. ANNOUNCEMENTS

4. **APPOINT BOARD OF ADJUSTMENTS**

5. **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.

6. **CONSENT AGENDA (ITEMS 15 & 19)**

7. **813 EAST PECAN STREET**
The request of Dhesi Investments, LLC (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 813 East Pecan Street, being 0.122 acres in the J.B. McAnair Survey, Abstract No. 763, also being a part of Lot 6 and Lot 7, Block 14, of Chaffins First Addition, as follows;
Board of Adjustments

   A. Exception under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 59.93' wide lot in lieu of the required 60' for a Residential dwelling in an R-1 (One-Family

Residential) District

Planning and Zoning Commission

B. Replat approval of a part of Lots 6 and 7, Block 14 of the Chaffins First Addition,
C. Zone change under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District

8. **4901 KNOLLWOOD ROAD (RECEIVED EMAIL FROM TODD YOUNG WITHDRAWING REQUEST 7/13/2021 2:58 P.M)**

The request of Cypress Lofts Sherman LP (Owners), Helvey-Wagner Surveying, Inc. (Surveyor), and Young Enterprises LP (Representative) concerning the property at 4901 Knollwood Road, being 2.358 acres in the James H. Clark Survey, Abstract No. 275, also being Lot 1-R, Block 2, Cypress Lofts Addition, and a portion of Lot One, Block 2, Replat of Blocks 2,3,4,5,6,7,8 and 9, North Creek Addition, Section One of All of Block No. 1 of the Replat of North Creek Addition, Section One (said Lot 1-R being a portion of said Lot One, Block 2), as follows;

Planning and Zoning Commission

Replat approval of Cypress Lofts Addition, Phase 1A, being a Replat of Lot 1-R, Block 2, Cypress Lofts Addition, and a portion of Lot One, Block 2, Replat of Blocks 2,3,4,5,6,7,8 and 9, North Creek Addition, Section One of All of Block No. 1 of the Replat of North Creek Addition, Section One

9. **2600 WEST TRAVIS STREET**

The request of The City of Sherman (Owner), Jonathan Hake, P.E., Cross Engineering Consultants (Civil Engineer/Representative), Hidell Associates (Architects) and Underwood Drafting and Surveying (Surveyor) concerning the property at 2600 West Travis Street, being 10 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows;

Planning and Zoning Commission

A. Final Plat approval of Sherman PD on West Travis Addition

B. Site plan approval and Exception under Ordinance No. 2252 Article IV Section 410 (2)(a), (2)(g)(i), (2)(j), and Section 510 to allow a Sherman Police Department Headquarters with a 85’ setback in lieu of the required 100’ required from any road, street or arterial highway in the Blalock Industrial Park.

10. **921 NORTH CLEVELAND AVENUE**

The request of Carlos & Adaluz Cartagena (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 921 North Cleveland Avenue, being Lot 1, Block 4, College Park Addition, as follows;

Board of Adjustments

Exception and variance under Ordinance No. 2280, Section 5 and Section 6.3, Subsection (1) to allow an addition to an existing nonconforming structure located 4.3’ from the north side street property line in lieu of the required 10’ and 20.2’ from the front property line in lieu of the required 25’ in an R-1 (One Family Residential) District/College Park Overlay District.

11. **3400 BLOCK WEST CANYON CREEK DRIVE**

The request of V PROP LLC (Owner) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 3400 block of West Canyon Creek Drive, being 14.227 acres in the James H. Vaden Survey, Abstract No. 1288, as follows:

Board of Adjustments

A. Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow 20' rear yard setbacks for Lots 5, 9, 18, 22, 31 & 35 in the proposed West Canyon Creek, Section 4 for residential dwellings in lieu of the required 25' in an R-1 (One-Family Residential) District.

B. Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow 7.5' side setbacks for Lots 1-39 in the proposed West Canyon Creek, Section 4 for residential dwellings in lieu of the required 10% of the lot width in an R-1 (One-Family Residential) District.

C. Exception under Ordinance No. 2280, Section 6.3, Subsection (1) to allow the following lot widths in lieu of the required 60' lot width in an R-1 (One-Family Residential) District.

Lot 6 – 42.63' lot width
Lot 7 – 46.84' lot width
Lot 8 – 42.63' lot width
Lot 19 – 42.63' lot width
Lot 20 – 46.84' lot width
Lot 21 – 42.63' lot width
Lot 32 – 42.63' lot width
Lot 33 – 46.84' lot width
Lot 34 – 42.63' lot width

Planning and Zoning Commission

D. Preliminary Plat approval of West Canyon Creek, Section 4

12. **3232 NORTHGATE DRIVE**

The request of Sherman Economic Development Corporation (Owner), 903 Brewers (Proposed Tenant) and Ashley Johnson, Method Architecture (Architect/Representative) concerning the property at 3232 Northgate Drive, being Lot 1, Block 2, Northgate Business Park Phase 1, as follows;

Planning and Zoning Commission

Site plan approval Exception and Variance under Ordinance No. 2252 Article IV Section 410 (2)(a), (2)(g), (2)(j), and Section 510 to allow 903 Brewers Restaurant, Brewery, Warehouse, Grain Silos and Outdoor Patio in the Blalock Industrial Park/O-1.1 (FM Highway 1417) Overlay District.

13. **3260 SOUTH U.S. HIGHWAY 75**

The request of PAGA LTD (Owner), BWG (Architect) and KRG Civil Engineers, Inc. (Civil Engineer) concerning the property located at 3260 South U.S. Highway 75, being Lot 26, Block 2 of the Replat of Sherman Crossroads, Phase II, Lots 25, 26 & 27, Block 2, a Replat of Sherman Crossroads, Phase II, Lot 6, Block 2, as follows:

Planning and Zoning Commission

Site plan approval and Variance under Ordinance No. 2252 Article IV Section 410 (2) (j) and (2)(g)(2) and Ordinance No. 2280, Section 6.13.7, Subsection (7) for a Domino's Pizza with Drive Thru with a 26' setback from the south property line in lieu of the required 55.7' in the Blalock Industrial Park/Blalock Commercial Overlay District.

14. **1008 SOUTH THROCKMORTON STREET**

The request of Devin Squeri (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 1008 South Throckmorton Street, being the south 25' of Lot 6 and the north 25' of Lot 7, Block 2, W.D. Fitch Addition, as follows;

Board of Adjustments

A. Exception under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 50' wide lot in lieu of the required 60' for a residential dwelling in an R-1 (One-Family Residential) District

Planning and Zoning Commission

B. Replat approval of the south 25 ft. of Lot 6 and the north 25 ft. of Lot 7, Block 2, W.D. Fitch Addition

15. *** 1108 EAST LAMAR STREET**

The request of Devin Squeri (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1108 East Lamar Street, being 0.238 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Planning and Zoning Commission

Replat approval of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition

16. **708 PIKES PLACE**

The request of Wyldewood Homes, LLC (Owner), Tim Pike (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 708 Pikes Place, being Lot 7, Block A, Washington Meadows, Phase 1, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 17' rear yard setback for a residential dwelling in lieu of the required 25' in an R-1 (One-Family Residential) District.

17. **712 PIKES PLACE**

The request of Wyldewood Homes, LLC (Owner), Tim Pike (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 712 Pikes Place, being Lot 6, Block A, Washington Meadows, Phase 1, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow an 18' rear yard setback for a residential dwelling in lieu of the required 25' in an R-1 (One-Family Residential) District.

18. **716 PIKES PLACE**

The request of Wyldewood Homes, LLC (Owner), Tim Pike (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 716 Pikes Place, being Lot 5, Block A, Washington Meadows, Phase 1, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 13' rear yard setback for a residential dwelling in lieu of the required 25' in an R-1 (One-Family Residential) District.

19. * **825 NORTH EAST STREET**

The request of Hambrick Triple H Investment Group LLC (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 825 North East Street, being Lot 7 and the north 14.25 feet of Lot 6, Block 1, Hall & Jones Addition, as follows;

Planning and Zoning Commission

Replat approval of Lot 7 & the north 14.25 feet of Lot 6, Block 1, Hall & Jones Addition

20. **OTHER BUSINESS**

- Consider updates to the Subdivision Ordinance No. 2684
- Consider updates to Ordinance No. 2280, Article 14.02 Airport Hazard Zoning

21. **ADJOURNMENT**

22. **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 July 15, 2021 at 4:00 p.m. and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 15th day of July, 2021
City of Sherman, Texas

_____

Patsy Reeves,
Developmental Services Coordinator

Sherman
CLASSIC TOWN. BROAD HORIZON.

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

Meeting Date: 07/20/2021

Prepared By: Patsy Reeves, Development Services Coordinator

Issue:

APPROVE MINUTES OF THE REGULAR JUNE 22, 2021, PLANNING AND ZONING COMMISSION MEETING.

List of Agenda Items:

Attachments

June 22, 2021 Draft Minutes

STATE OF TEXAS §

June 22, 2021

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustments of the City of Sherman, was begun and held on June 22, 2021.

MEMBERS PRESENT: CHAIRMAN MAHONE AND VICE-CHAIRMAN DOWNTAIN COMMISSION MEMBERS: MANLEY, SIMS, DAVIS, WHITAKER AND BLAGG

ALTERNATE: NONE

MEMBERS ABSENT:

STAFF PRESENT: ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES, PATSY REEVES, DEVELOPMENT SERVICES COORDINATOR, WAYNE LEE, DIRECTOR OF ENGINEERING AND CHRISTOPHER ARMSTRONG, ASSISTANT CITY ENGINEER.

CITY ATTORNEY: RICHARD ABERNATHY

CALL TO ORDER

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

APPROVE MINUTES

APPROVE MINUTES
The Planning and Zoning Commission reviewed the minutes of the May 18, 2021 regular meeting. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Whitaker. All present voted AYE.
MOTION CARRIED.

ANNOUNCEMENTS

ANNOUNCEMENTS
Rob Rae, Director of Development Services informed the board Richard Abernathy of Abernathy, Roeder, Boyd & Hullett, P.C. would be the Legal Counsel at the meeting.

APPOINT BOARD OF ADJUSTMENTS

BOARD OF ADJUSTMENTS
Chairman Mahone appointed the members of the Board of Adjustments: MAHONE, DOWNTAIN, DAVIS, SIMS AND MANLEY.

CONSENT AGENDA (ITEMS 16, 17, 19, 22, 23, 24, 29, 30, 32 & 33)

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

Commission Member Manley requested Item #32 "Site plan approval for an Accessory Building at 1905 East Lamar Street" be removed from the consent agenda.

Commission Member Blagg requested Item #35 "Final Plat approval of M.P.Y. Homes Second Addition" be added to the consent agenda.

The Commission reviewed the Consent Agenda. Commission Member Davis moved to approve the Items on the Consent Agenda including Item #35 subject to the Staff Review Letters and excluding Item #32. Second by Commission Member Manley. All present voted AYE.

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

REPLAT – CONSENT AGENDA ITEM

REPLAT – CORNERSTONE ADDITION, BLK. 2, LOT 9R, A REPLAT OF LOTS 8, 9 & 10, BLK. 2 CONERSTONE ADDITION 301, 305 & 309 CONERSTONE DR. (P&N SHERMAN, LLC)

THE REQUEST OF P & N SHERMAN, LLC (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 301, 305 and 309 CORNERSTONE DRIVE, BEING 1.774 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING LOTS 9 AND 10, BLOCK 2, CORNERSTONE ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF CORNERSTONE ADDITION, BLOCK 2, LOT 9R, BEING A REPLAT OF LOTS 8, 9 & 10, BLOCK 2, CORNERSTONE ADDITION.

The property is located at 301, 305 and 309 Cornerstone Drive off North Highway 75. The property is zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District.

The owner would like to Replat 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 – CONSENT AGENDA ITEM

FINAL PLAT – JARAMILLO ADDITION ON LESLIE LANE (ETJ) 3400 BLOCK E. LESLIE LANE (ANGEL M. JARAMILLO AND MARTHA LOPEZ)

THE REQUEST OF ANGEL M. JARAMILLO AND MARTHA LOPEZ (OWNERS), AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3400 BLOCK OF EAST LESLIE LANE, BEING 14.492 ACRES IN THE AARON BURLESON SURVEY, ABSTRACT NO. 61, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF JARAMILLO ADDITION ON LESLIE LANE IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ).

The property is located in the 3400 block of East Leslie Lane in the City of Sherman's Extra Territorial Jurisdiction.

The owners would like to Plat the property into four lots. 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

FINAL PLAT – AUSTIN LANDING, PHASE IV 700 BLK W. NORTHCREEK DR & 4900 BLK N. TRAVIS ST. (LEO JOSEPH BOWLER)

THE REQUEST OF LEO JOSEPH BOWLER, III (OWNER) AND WINDROSE LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 700 BLOCK OF WEST NORTHCREEK DRIVE AND THE 4900 BLOCK OF NORTH TRAVIS STREET, BEING 40.840 ACRES IN THE ALEXANDER AND RICHARDS SURVEY, ABSTRACT NO. 42, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF AUSTIN LANDING, PHASE IV.

The property is located in the 700 block of West Northcreek Drive and the 4900 block of North Travis Street between Travis Street and Plainview Road. The property is zoned an SF-1 (Single Family Residential) District.

The owner would like to Plat the property into 135 residential lots and 6 open space lots. 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

REPLAT – LOTS 6A & 6B, BLK 31, HILLTOP ESTATES 2701 DRIPPING SPRINGS RD AND 4200 BLK. COX ST. (TOBAR PROPERTIES)

THE REQUEST OF TOBAR PROPERTIES (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2701 DRIPPING SPRINGS ROAD AND THE 4200 BLOCK OF COX STREET, BEING 0.760 ACRES IN THE J. HENDRIX SURVEY, ABSTRACT NO. 503, ALSO BEING LOT 6, BLOCK 31, HILLTOP ESTATES SUBDIVISION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LOTS 6A & 6B, BLOCK 31, HILLTOP ESTATES.

The property is located at 2701 Dripping Springs Road and the 4200 block of Cox Street, the northeast corner of Dripping Springs Road and Cox Street. The property is zoned an R-1 (One Family Residential) District.

The owner would like to Replat the property into three lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – CONSENT AGENDA ITEM

REPLAT – LOT 1, OYAIL ESTATES (ETJ) 388 BENNETT RD. (RUSSELL ROGERS)

THE REQUEST OF RUSSELL ROGERS (OWNER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 388 BENNETT ROAD, BEING 4.135 ACRES IN THE JEREMIAH M.

MCDANIEL SURVEY, ABSTRACT NO. 774 AND BEING LOT 1, OYAIL ESTATES, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LOT 1, OYAIL ESTATES IN THE CITY OF SHERMAN EXTRA TERRITORIAL JURISDICTION (ETJ).

The property is located at 388 Bennett Road in the City of Sherman's Extra Territorial Jurisdiction.

The owner would like to Replat the property into two lots. 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 RICKY D. COOPER (OWNER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2113 SOUTH EAST STREET, BEING 0.326 ACRES IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LOTS 8 & 9, BLOCK 49, SOUTH SIDE ADDITION.

REPLAT – LOTS 8 & 9, BLK 49, SOUTH SIDE ADDITION 2113 S. EAST ST. (RICKY D. COOPER)

The property is located at 2113 South East Street between Sherman and Cottage Streets. The property is zoned an R-1 (One Family Residential) District.

The owner would like to Replat two lots 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.

REPLAT – CONSENT AGENDA ITEM
THE REQUEST OF TEXOMA LIBERTY LIGHTHOUSE (OWNER) AND UNDERWOOD DRAFTING AND SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 110 AND 120 WEST MULBERRY STREET, BEING 0.67 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, ALSO BEING PART OF LOTS 1-3 AND 8, BLOCK B OF THE T.J. SHANNON SUPPLEMENT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LIBERTY LIGHTHOUSE ADDITION, BEING A PART OF LOTS 1-3 AND 8, BLOCK B, T.J. SHANNON SUPPLEMENT.

REPLAT – LIBERTY LIGHTHOUSE ADDN., A REPLAT OF LOTS 1-3 AND 8, BLOCK B, T.J. SHANNON SUPPLEMENT 110 AND 120 W. MULBERRY ST. (TEXOMA LIBERTY LIGHTHOUSE)

The property is located at 110 and 120 West Mulberry Street; the southeast corner of Crockett and Mulberry Streets. The property is zoned a C-1 (Retail Business) District and located in the Central Business District. The owners would like to Replat the property into two lots to sell one of the

lots. 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/RETAIL/ WAREHOUSE 2309 GALLAGHER DR. (HOME PLACE PARTNERS, LP)

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF HOME PLACE PARTNERS, LP (OWNER), MAUREEN STEVENSON, ERIC L. DAVIS ENGINEERING, INC. (REPRESENTATIVE/CIVIL ENGINEER), BROADSTONE DESIGN GROUP (ARCHITECT) AND TOM FIDLER (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2309 GALLAGHER DRIVE, BEING 0.43 ACRES IN THE SAMUEL MCGLOTHLIN SURVEY, ABSTRACT NO. 81, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN OFFICE/RETAIL/WAREHOUSE.

The property is located at 2309 Gallagher Drive; the northwest corner of Gallagher Drive and Frisco Road. The property is zoned an M-1 (Light Manufacturing) District.

The owners would like to construct a 7,500 square foot office/retail/warehouse. The exterior will be architectural metal panels with storefront glazing. Fourteen parking spaces will be provided. They had seen the Staff Review Letter and would abide by the Recommendations.

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

REPLAT – LOT 1R, BLK. 4, CHAFFIN'S FIRST ADDITION, A REPLAT OF LOTS 1-7, BLK. 4, CHAFFIN'S FIRST ADDN. 609 E. PECAN ST. (SAM A. LORIA)

REPLAT – CONSENT AGENDA ITEM

THE REQUEST OF SAM A. LORIA (OWNER), VILBIG & ASSOCIATES, PLLC (CIVIL ENGINEER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 609 EAST PECAN STREET, BEING 0.959 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING ALL OF LOTS 1-7, BLOCK 4, CHAFFIN'S FIRST ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF LOT 1R, BLOCK 4, CHAFFIN'S FIRST ADDITION, BEING A REPLAT OF LOTS 1, 2, 3, 4, 5, 6 & 7, BLOCK 4, CHAFFIN'S FIRST ADDITION.

The property is located at 609 East Pecan Street, the northeast corner of Broughton Street and the Burlington Northern Santa Fe Railroad. The property is zoned an M-2 (Heavy Manufacturing) District.

The owners would like to Replat the property into one lot for an addition to the existing building. 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 – M.P.Y. HOMES SECOND ADDN.
214 E. COLLEGE ST.
(MPY HOMES, LLC)

FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF MPY HOMES LLC (OWNER), CHARLIE SHEARER (DEVELOPER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 214 EAST COLLEGE STREET, BEING 0.239 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF M.P.Y HOMES SECOND ADDITION.

The property is located at 214 East College Street between Walnut and Montgomery Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat two lots 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.

ZONE CHANGE – C-2 TO R-2
SITE PLAN – MULTI-FAMILY DEVELOPMENT
3311 LUTHER KNOX RD.
(RON HARMON PROPERTIES)

(TABLED)

ZONE CHANGE AND SITE PLAN APPROVAL
THE REQUEST OF RON HARMON PROPERTIES (OWNER), TAAS INVESTMENTS, LLC (PROSPECTIVE BUYER), JP ENGINEERING, BILL PERMAN (CIVIL ENGINEER/REPRESENTATIVE) AND CBG SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3311 LUTHER KNOX ROAD, BEING 17.18 ACRES IN THE HILLARD JENNINGS SURVEY, ABSTRACT NO. 639, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
ZONE CHANGE AND CONCEPTUAL SITE PLAN APPROVAL FOR A MULTI-FAMILY DEVELOPMENT UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-2 (GENERAL COMMERCIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

Chairman Mahone informed the Commission and audience a letter was received from Bill Perman requesting to table the request, 6/22/2021, 11:01 a.m.

Chairman Mahone stated comments would not be heard at this time because the applicant indicated in the letter that they plan on revising their submittal.

ACTION TAKEN.
Motion by Commission Member Davis to table the request for a zone change from a C-2 (General Commercial) District to an R-2 (Multi-Family Residential) District and conceptual site plan approval for a Multi-Family Development at 3311 Luther Knox Road. Second by Vice-Chairman Downtain.

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

THE REQUEST WAS TABLED.

EXCEPTION – NATURAL SCREEN (WITHDRAWN)

SITE PLAN – FIRST STREET TOWNHOMES

1400-1600 BLKS S. FIRST ST. (RUMSEY INVESTMENTS, LLC)

EXCEPTION

THE REQUEST OF RUMSEY INVESTMENTS, LLC (OWNER), RON MICHEL (REPRESENTATIVE), CROSS ARCHITECTS (ARCHITECT) AND BURNS SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 1400-1600 BLOCKS OF SOUTH FIRST STREET, BEING 3.17 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:
BOARD OF ADJUSTMENTS
EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(2) & (D)(1) TO ALLOW A NATURAL SCREEN IN LIEU OF THE REQUIRED SCREENING TO SURROUND THE MULTI-FAMILY DEVELOPMENT IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR FIRST STREET TOWNHOMES.

Brian Rumsey, 87 Junction Drive, Allen, TX
Mr. Rumsey appeared to represent the request and answer any questions. The property is located in the 1400-1600 blocks of South First Street between Martin Lane and Lake Street. The property is zoned an R-2 (Multi-Family Residential) District.

Mr. Rumsey explained, "We would like to construct townhomes on the 3.168 acre tract. There will be 48 units with 10, one-bedroom units, 25, two-bedroom units and 13, three-bedroom units. The townhomes will be a modern farmhouse look, the exterior of the building will be fiber cement siding. Parking will be provided for 109 spaces. R-2 (Multi-Family Residential) District zoning is in place."

"We are also requesting an exception to allow a natural screen (8' living fence) along the rear of the property where the railroad tracks are located. The living screen will be Red Tip Photinas or Evergreens. I do know the Red Tip Photinas are disease prone, so I may consider Wax Myrtles or something similar. Fencing will be provided on the north and south side." He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked if they would be required to have fencing on the front of the property to surround the development.

Rob Rae, Director of Development Services explained, "it is a little difficult to make that work within the 25' setback. The fence cannot go within the front 25'. They could tie it to the side of the building but their parking takes up the front of the buildings. I didn't see a need for an exception for the front of the property."

Commission Member Davis stated, "you can screen three sides of an apartment or multi-family development."

Mr. Rae responded, "in this situation, yes."

Mr. Rumsey explained, "we would install the fence on the north and south sides of the property either tied back to the buildings or taken all the way to the front of the property, either way is fine with us. I think we want a fence for the back yards because people will be using the backyard space. We may put a fence to the building for family outdoor space."

Commission Member Davis stated, "the 8' tall Red Tips may die; what happens then."

Mr. Rumsey responded, "we would like to plant a variety of plants and shrubs."

Commission Member Davis stated, "they all die over a 20 year span."

Mr. Rumsey responded, "we would replace them."

Chairman Mahone stated, "looking at the aerial view, it looks like a forest on the backside of the property."

Mr. Rae explained, "there is an active rail line behind this property."

Commission Member Davis stated, "that is all the more reason to provide a solid fence instead of bushes if there is a housing area near a railroad. Have you considered wrought iron with columns on three sides?"

Mr. Rumsey responded, "we would consider it. There is not a lot to look at back there, so a nice wrought iron would be great if there was some spacing that made sense."

Mr. Rae explained, "the new fence ordinance would allow a wrought iron fence with brick columns every 32'."

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

Chairman Mahone asked Mr. Abernathy, City Attorney, "if the Planning and Zoning Board voted on the site plan first which shows the natural screening and it was approved and then the Board of Adjustments did not approve the exception, does that create a problem for us doing them in that order."

Mr. Abernathy explained, "I do not think it is a problem with the order, it does affect the effectiveness of the validity of the site plan if you didn't grant the exception."

Mr. Rae explained, "the Staff Review Letter states if the exception is not granted they would be required to meet the ordinance for the fence."

Planning and Zoning Commission
ACTION TAKEN.
Motion by Vice-Chairman Downtain to approve the site plan for First Street Townhomes subject to the Staff Review Letter in the 1400-1600 blocks of South First Street. Second by Commission Member Davis.

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

Board of Adjustments
ACTION TAKEN.
Motion by Commission Member Manley to approve the exception to allow a natural screen in lieu of the required screening to surround the Multi-Family Development in an R-2 (Multi-Family Residential) District in the 1400-1600 blocks of South First Street. Second by Commission Member Sims.

VOTING AYE: MANLEY AND SIMS.
VOTING NAY: MAHONE, DOWNTAIN AND DAVIS
MOTION FAILED

Mr. Rumsey stated, "I will withdraw the request for the exception for the natural screen of the Multi-Family Development. I will be glad to the meet the City Ordinance for the wrought iron fence with masonry columns."

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

PLANNED DEVELOPMENT & SITE PLAN – SHEPHERD PLACE PLANNED DEVELOPMENT 100-1200 BLKS W. SHEPHERD DR. (YONGSHIK KIM)

PLANNED DEVELOPMENT AND SITE PLAN
THE REQUEST OF YONGSHIK KIM (OWNER), SPIARS ENGINEERING (CIVIL ENGINEER) LAUREN HELMBERGER (REPRESENTATIVE) AND J.E. SMITH (SURVEYOR) CONCERNING THE PROPERTIES LOCATED IN THE 100-1200 BLOCKS WEST SHEPHERD DRIVE, BEING 531.87 ACRES IN THE FRIAR MCNEELY SURVEY, ABSTRACT NO. 826, THE BENJAMIN LINDSAY SURVEY, ABSTRACT NO. 733 AND THE M. HUNT SURVEY, ABSTRACT NO. 603, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PLANNED DEVELOPMENT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.12, FOR SHEPHERD PLACE PLANNED DEVELOPMENT.

Charles Hodges, Hodges Architecture, 13642 Omega Rd., Dallas, TX
Mr. Hodges appeared to represent the request and answer any questions The property is located in the 100-1200 blocks of West Shepherd Drive; the southwest corner of Shepherd Drive and U.S. Highway 75. The property is zoned an R-1 (One- Family Residential)

Mr. Hodges explained, "the owners are requesting a Planned Development and conceptual site plan approval for Shepherd Place Planned Development. It is a very complex development with frontage along U.S. Highway 75. The primary use is single-family residential with an intermediate residential buffer area which includes multi-family and flex residential. When designing this type of development we like to include multiple types of residential. The flex residential is for multi-family, but also cottage homes. The commercial area will be along U.S. Highway 75 which will layer and shelter the single-family to the west, and provide what people need on an average daily living basis providing retail and entertainment opportunities."

"We have worked with City Staff on the character of the thoroughfares in the development. The overall campus includes open space designations. The area looks at the Choctaw Creek drainage area with open space and trails centered within the single-family residential. We have two transitional areas, drainage areas in the north and south portions of the property which will provide another open space."

"The multi-family provides the walk ability to the proximity of the commercial use. They are walkable not only to the green connector but also the commercial areas. The main thing is to have convenience streets, but try to create a plan where you don't use those streets in an average daily trip."

"The cottages will provide smaller lots for less maintenance for mixed generation uses. We will have more detailed site plans to come." We have seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone explained Halff and Associates is a company that is hired by the City to review the Planned Developments. They give recommendations to whether they conform to the City ordinance or not and also make suggestions for adjustments and changes. "We have a letter from Halff and Associates stating the proposed Planned Development is consistent with the City of Sherman Ordinance and recommend conditional approval with some adjustments."

Mr. Rae explained, "the applicant, or Hodges Architecture emailed me their modifications and changes today, they were included for your review. I have reviewed the changes and have no issues with the changes they have made."

<u>Gerald Luecke, Hodges Architecture, 13642 Omega Rd., Dallas, TX</u>
Mr. Luecke explained, "I did the majority of the work with Halff and Associates and Rob Rae. We had a couple of conference calls with our team, so we have worked through

items in those conference calls regarding the goals and potential updates. We have traded information and made the updates for the Planned Development."

Mr. Rae explained, "I have been involved in all the meetings."

Commission Member Davis asked about the green space being a creek," I know a detention pond doesn't count but you can include a creek for green space."

Mr. Rae responded, "you can and working with them, most of those creeks and floodways that can't be developed would be usable open space as having a trail along that green space."

Commission Member Manley asked for clarification. "You feel all of Halff's comments have been addressed, specifically the park space."

Mr. Rae responded, "yes and one of the things you could include in the motion, like you do regarding the Staff Review Letter, you could make a motion subject to the Staff Review Letter and Halff's comments."

Chairman Mahone asked the timeline of the project.

Mr. Hodges responded, "it will definitely be phases. We have done a number of these in the State. It takes a long time to bake a cake this big, particularly in markets like we have seen in the last 24 months. There is a tremendous need and we are constantly receiving calls from homebuilders that are wanting to be a part of a campus like this. The infrastructure has to start very quickly. There will probably be five phases at least to this development. We will do small pieces that are targeted to the market and deliver those in a timely fashion. I think it will be ten years."

Mr. Rae explained, "the first requirement is to get their conceptual plan approved. When it goes to the City Council, the conceptual site plan will be included as their zoning exhibit. They are still required to come back for detailed site plans as they phase their project."

<u>Shirley Hill, 1400 W. Shepherd Dr., Sherman, TX</u>
"My house is the second house to be built on West Shepherd Drive. This project is going to be 200 feet from my pasture. I have an agriculture exemption for that place as well and my neighbors do as well. We run cattle out there, we grow and sell our hay. We have lots of large equipment coming up and down Shepherd Drive. I am very curious as to what that is going to do to our road, to our access to our homes, to the cows. There is one of the creeks that runs to the back side of one of our properties that the cattle depends on and there is another creek that runs right behind my house; behind my shop actually. I

would like to know if any of that has been taken into consideration for approvals to all these homes."

Penny Curtis, 1600 W. Shepherd Dr., Sherman, TX
"There are a couple of questions I have. When we were reviewing the documents that were online, there were no hydrological survey to tell us what was going to happen with all the extra water, what was going to happen with the impervious surfaces. The other thing we had a question about was if they were going to start building in phases, is the first phase going to be multi-family and then residential. The reason I ask that is because a lot of times development gets built and the multi-family will get put up and then something will happen to the property owner or they will go bankrupt and all you will have is the residential, you won't have the other development. I'm afraid you are cornering yourself into agreeing to do the multi-family development after doing it if something happens then the property is already guaranteed to be sold right back, so there is no other tenants."

"The green space is not that large for that size of development. When you start looking at everything, the apartments that they want to put on that property; they are wanting to put forty units per acre; that is 4,000 apartments for 150 acres that they are requesting, that's a lot of people, that's a lot of traffic on Shepherd Road."

"I haven't seen any plans for Shepherd to be widened or developed. The other big issue is there is no sewer, sewer connection is not anywhere in the plans. Whose paying for the sewer, is it going to be the developer that is paying for the sewer or are they going to have to do a lift station and another sewer plant because of this multi-family plus all this residential and all the other stuff. Those were some of the questions some of the neighbors were talking about."

"I know it is a conceptual plan and there are still phases to it, if the residents could be a part of that, I think that would go a long way. We are residents that have been out there, we have our agriculture, we have our cows, we have hay, we have our tractors, not that we don't want new development, but we also don't want new development that is going to cause such an issue that I don't see in the City of Sherman. That type of development, the City of McKinney has one and their population is quite a bit larger than Sherman. In the City of Frisco, I think there is only two of those developments and one is still being built. It is a large development for the City of Sherman that I think the City of Sherman needs to really look at and consider before something maybe that size; that's just my thoughts."

Commission Member Davis explained, "if this passes, this will be our third or fourth one in Sherman."

Ms. Curtis stated, "I guess I only know about the one by my house. Some of those studies, the ecological studies on the creek, you have some ecological studies that are protected. I haven't seen anything saying what they would do about that, the erosion from the creek, the removal of all the trees and that is what I think we are all concerned about because that is going to cause flash flooding, when you start removing a bunch of the trees."

Dickie Thomas, 1411 W. Shepherd Dr., Sherman, TX
"Last year, Sherman was going to provide water out to Dorchester on the north side of Shepherd Drive; is that still going to be developed or it still in the planning stage. Years ago, someone else was going to develop up there but they couldn't develop because they had to have water and sewer; who is building the sewer. I really second the road development, Shepherd Drive is a narrow road, you can't see over the hill where the water tower is located, if there is large equipment there, you will have some accidents for sure; that road needs to widened real quick."

Mr. Hodges explained, "my family started ranching in the 1880's in Stephens County, Texas and we still are in the cattle business, so we are pretty sensitive to those kinds of things."

"Most of the creeks are running away from the properties, I believe the folks are talking about. We are required in our specific site plan submittal to have water detention, run off and things like that; it will be a part of those reviews."

"Our proposed multi-family is about 29 acres and about 1,160 units; not 4,000. The question about open space, I believe it will be about 80 acres out of the 531 total acres. Our understanding about utilities is the water is being extended along the north side of Shepherd Drive and the improvements to Shepherd were discussed in great detail. We recognize Shepherd Drive needs to be improved along with some other improvements. Sewer will be brought to the site, as we understand it, there is a joint effort."

Commission Member Manley asked if some of this would be paid by impact fees.

Mr. Rae stated, "they would pay impact fees, but the impact fees would not pay for the improvements for this project."

Wayne Lee, Director of Engineering explained, "Shepherd Drive is planning to be expanded to a six lane divided; ultimately it may go in as four lanes. The water line is proposed to be installed in the next twelve months. There is adequate sewer available about 3,000 feet north that would have to be extended to this site. As far as who is paying for that, it is just part of the overall development agreements and negotiations between the City and the Developer. Impact fees will be collected with the

development; those impact fees will go towards water and sewer and road projects identified in the impact fee study which are elsewhere around the City of Sherman which will help offset those cost."

Chairman Mahone asked if the Choctaw Creek runs north or south.

Mr. Hodges explained, "it runs toward Shepherd Road."

Mr. Hill stated, "there are three creeks out there."

Mr. Lee explained, "the Developer will be required to do hydrological studies and will be required to detain extra runoff created by their development."

Ms. Curtis stated, "there is also a cemetery there."

Mr. Hodges explained, "we have accounted for that and that area will not be disturbed. Also, that Fairview Farmland Company has been here since 1854; that is the Haggard Family and they have been farming this since Noah floated the Ark; it is not a group that is here today and gone tomorrow."

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

ACTION TAKEN.
Motion by Vice-Chairman Downtain to approve the Planned Development subject to the Staff Review Letter and the comments/recommendations from Halff and Associates in the 100-1200 blocks of West Shepherd Drive. Second by Commission Member Davis.

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

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

SUP & SITE PLAN – USED AUTOMOBILE SALES 5922 TEXOMA PKWY. (PATTERSON INVESTMENT PROPERTIES, LP)

<u>SPECIFIC USE PERMIT & SITE PLAN APPROVAL</u>
THE REQUEST OF PATTERSON INVESTMENT PROPERTIES, LP (OWNER), RONALD DAVIS, DAVIS MOTOR COMPANY (PROPOSED TENANT) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 5922 TEXOMA PARKWAY, BEING 5.52 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW USED AUTOMOBILE SALES IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

Ronald Davis, 1002 W. Main, Durant, OK
Ronald Davis appeared to represent the request and answer any questions. The property is located at 5922 Texoma Parkway between FM 691 and Woodlake Road; formerly a putt-putt golf facility. The property is zoned a C-2 (General Commercial) District.

Mr. Davis explained, "I am requesting a Specific Use Permit to allow a small used car dealership at 5922 Texoma Parkway. We plan to keep 20-30 cars in inventory. We have locations in Durant and McAlister, Oklahoma. I have seen the Staff Review Letter and would abide by the Recommendations."

Commission Member Davis asked if they would be doing repairs.

Mr. Davis responded, "no, not at that location."

Commission Member Davis asked how long he has been in business.

Mr. Davis responded, "I am a second generation and I have been doing it for 23 years now, but Davis Motor Company has been around since 1995."

Chairman Mahone asked if he planned to make any improvements to the property.

Mr. Davis explained, "we were talking about repairing the parking lot for customer parking, but mostly just use what is there."

Chairman Mahone stated, "it looks like there is a road from the parking lot that goes to another property."

Mr. Davis explained, "there is a road that goes to the storage buildings at the back of the property."

Chairman Mahone asked, "will that road be maintained to the storage facility."

Mr. Davis responded, "yes, but I will only be using the area in the front by Texoma Parkway."

Mr. Rae asked if he owns the mini-storage facility that is behind this property.

Mr. Davis responded, "no, I don't."

Mr. Rae asked if there was an access easement for the mini-storage facility and if it was going to remain open. "The site plan shows access to the south of this property, but after viewing the site, it looks like the main entrance is through this parking lot."

Mr. Davis explained, "I think there are two entrances to the storage facility."

Shane Patterson, 985 S. 8th Ave., Durant, OK
Mr. Patterson explained, "I am the owner of the property. The access point that goes through the property is not utilized; there is a lock on that gate 24/7. The main entrance is on the south side of the old Workforce Texoma property and that is a gated entrance. There will not be any access going through Mr. Davis' property to gain access to the storage facility."

Mr. Rae stated, "the mini-storage main office is in that building that is on their site plan based on what I saw when I went out there and the pole sign that they have is referencing the mini-storage facility. Is that sign going to change, they can't have two signs on one property."

Chairman Mahone asked if there would be a different office for the mini-storage facility.

Mr. Patterson explained, "the office will be shared space, the building is large enough to house both the car dealership as well as the office space for the mini-storage facility."

Mr. Rae explained, "we were not aware of that; that would be shared space. We would have to think through and see if that is allowed based on the Specific Use Permit for the used car dealership; not for the mini-warehouse."

Chairman Mahone asked if they had any plans for the sign. The ordinance allows one sign per lot.

Mr. Davis responded, "I was not aware of that."

Commission Member Blagg stated, "we have multi-tenants sharing signs. How is that sign utilized?"

Mr. Rae explained, "as long as they abide by the sign ordinance of what is allowed they can use one pole sign for two tenants. In this case I believe the mini-warehouse predated our Specific Use Permit requirement, so to allow that as an office for a mini-warehouse may need to come back for approval but we would have to research that."

Chairman Mahone asked, "is that something that would be addressed before the Certificate of Occupancy is approved."

Mr. Rae responded, "yes."

Commission Member Davis stated, "it looks like we are discussing a property that is next to this property and doesn't have anything to do with what we are trying to approve or not approve."

Vice-Chairman Downtain stated, "there is a shared office space on this property."

Mr. Rae, stated, "that we weren't aware of."

Commission Member Davis asked if it was two different properties.

Mr. Rae responded, "yes. The reason I am concerned, if a Specific Use Permit is granted for a used car dealership, if there is not already a Specific Use Permit for a mini-warehouse at this location where there needs to be an office, then he might need to come back to get a Specific Use Permit to allow that."

Mr. Patterson asked if he needed to request two Specific Use Permits for the office for the mini-storage facility and the used car dealership.

Mr. Rae responded, "you may. Tonight the Specific Use Permit is for the used car dealership, not for mini-warehouses, but based on what you have said, you want to share the use there."

Commission Member Davis stated, "you are probably moving to one small storage facility for your new office; aren't you."

Mr. Patterson responded, "yes. Our business is 100% online, so it is very rare for in person contact."

Vice-Chairman Downtain asked Mr. Rae if this is approved tonight for the car dealership and then he needs to come back for the mini-storage and that wasn't approved for some reason, where would that leave him.

Mr. Rae explained, "he would figure out where his office goes if it is online if it is not approved at this location."

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a Specific Use Permit and site plan approval to allow Used Automobile Sales in a C-2 (General Commercial) District subject to the Staff Review Letter at 5922 Texoma Parkway. Second by Commission Member Manley.

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

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

SITE PLAN – PATIO ADDITION FOR OUTDOOR DINING 306 E. HWY. 82 (306 E HWY 82 LLC)

SITE PLAN

THE REQUEST OF 306 E HWY 82 LLC (OWNERS), CATRINA'S COCINA & TEQUILA BAR (TENANT) AND BLUESTONE PARTNERS, LLC (GENERAL CONTRACTOR) CONCERNING THE PROPERTY AT 306 EAST U.S. HIGHWAY 82, BEING LOT 1, SHAFER PLAZA, AS FOLLOWS;

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.6, SUBSECTION (4) TO ALLOW 51 PARKING SPACES IN LIEU OF THE REQUIRED 74 IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A PATIO ADDITION FOR OUTDOOR DINING FOR CATRINA'S COCINA & TEQUILA BAR.

Drake Hitchcock, Bluestone Partners, 4708 N. FM 1417 (Heritage Parkway), Sherman, TX

Mr. Hitchcock appeared to represent the request and answer any questions. The property is located at 306 East U.S. Highway 82 between Highway 75 and Travis Street; Catrina's Cocina & Tequila Bar is the tenant. The property is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District.

Mr. Hitchcock explained, "Catrina's Cocina & Tequila Bar would like a patio addition for outdoor dining on the east side of the existing building. The restaurant is part of a larger retail development and their current property lines keep them from expanding their parking beyond their 51 spaces. To keep their business going they would like to offer patio dining which would entail doing away with nine parking spaces on the east side of their restaurant. We are asking for an exception to the parking requirement given the surplus of parking available around the restaurant in the shopping center. We have seen the Staff Review Letter and would abide by the Recommendations."

Commission Member Davis asked if they own or lease the parking in the shopping center around the restaurant.

Mr. Hitchcock responded, "no; we have no claim to the parking outside our lot, but there is not a fence to stop parking on those spaces."

Commission Member Davis stated, "42 parking spaces is almost half of what is required."

Chairman Mahone stated, "he is in the shopping center, is there any sort of agreement that allows tenants of this parking."

Mr. Rae explained, "since Bluestone has applied for this request, we have received some information from another property owner that shows that Shafer Plaza actually has a shared parking agreement, but they are still required to get an exception on parking but there is a shared parking agreement, it wasn't a part of this submittal. The parking agreement goes with the land for all businesses in Shafer Plaza."

Chairman Mahone asked if the patio would be covered.

Mr. Hitchcock responded, "no it would be open air; most likely tables with umbrellas. We will be putting small sections of wrought iron fence with planters around the perimeter."

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

Board of Adjustments
ACTION TAKEN.
Motion by Commission Member Davis to approve the exception to allow 51 parking spaces in lieu of the required 74 for Catrina's Cocina & Tequila Bar at 306 East U.S. Highway 82. Second by Commission Member Manley.

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

Planning and Zoning Commission
ACTION TAKEN.
Motion by Commission Member Davis to approve the site plan for a patio addition for outdoor dining for Catrina's Cocina & Tequila Bar at 306 East U.S. Highway 82 subject to the Staff Review Letter. Second by Commission Member Whitaker.

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

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

SPECIFIC USE PERMIT & SITE PLAN
THE REQUEST OF SHADOW TREE LANE, INC. (OWNER), KENT HUGHLETT, ARCHITECT PLLC (ARCHITECT/REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 817 NORTH SAM RAYBURN FREEWAY, BEING 0.45 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

SUP & SITE PLAN – DIGITAL BILLBOARD 817 N. SAM RAYBURN FWY. (SHADOW TREE LANE, INC.)

(DENIED)

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7 (14)(M) AND SECTION 8, SUBSECTION (5)(A) TO ALLOW A DIGITAL BILLBOARD IN A C-1 (RETAIL BUSINESS) DISTRICT/ O-1.2 (SAM RAYBURN OVERLAY) DISTRICT.

Kent Hughlett, 529 S Crockett, Sherman, TX

Mr. Hughlett appeared to represent the request and answer any questions. The property is located at 817 North Sam Rayburn Freeway; the southeast corner of Elm Street and North Sam Rayburn Freeway. The property is zoned a C-1 (Retail Business) District and also located in the O-1.2 (Sam Rayburn Overlay) District. A Specific Use Permit to allow a digital billboard with a 25' setback from Sam Rayburn Freeway and 20' from the Elm Street property line was denied December 18, 2018.

Mr. Hughlett explained, "the owner is requesting a Specific Use Permit to allow a two-sided, 40' tall, 300 square foot digital billboard. We brought this before the board about two years ago. We have moved the billboard to comply with the setbacks. A lot of expenses go out for property taxes and things like that and the owner would like to be approved for the billboard to offset some of those expenses. The nearest billboard is 2,054 feet, located at the southeast corner of East Sycamore Street and North Highway 75."

"Highway 75 is under construction, changing the access and exits locations. There may be some concerns with distractions to drivers, but that will be changing with the new thoroughfare. The digital billboard will meet the requirements of the ordinance regarding transition times. We have seen the Staff Review Letter and would abide by the Recommendations."

Chairman Mahone stated, "I can't think of too many digital billboards in the City right now."

Mr. Hughlett responded, "there is one on Highway 82 and one near Sherman Town Center."

Commission Member Manley stated, "there is one on the west side of Highway 75, not too far from this near Center Street."

Commission Member Blagg asked about the transition time for billboards.

Mr. Rae explained, "the maximum transition time is two seconds, the duration of the message shall be eight seconds, brightness can't be more than a certain amount, and automatic dimming is required."

Chairman Mahone asked how compliance is accomplished after it is approved.

Mr. Rae explained, "if there is a complaint, we investigate and inspect and if there are any changes after the inspection that need to be made we would notify the owner to get in compliance."

Mr. Hughlett explained, "there are annual inspections on the equipment."

Commission Member Manley stated, "the zoning to the east of the property shows to be a C-1 (Retail Business) District but when I drove by it appears it is all residential."

Mr. Rae explained, "there are residential uses there but it is zoned C-1 (Retail Business) District, the homes across the street and adjacent to this property are single-family dwellings."

Commission Member Manley stated, "the position of the billboard would be facing south and north so the homes to the east would see some of the illumination but not the full force of it. It would be unfortunate to have a billboard go up right next door to my house."

Chairman Mahone asked what happens at night, "is the illumination dimmed."

Mr. Hughlett responded, "it is controlled like your dashboard of your car, it is adjusted based on light; there are sensors that dim the lighting of the billboard."

Commission Member Davis asked if they would consider a normal billboard.

Mr. Hughlett responded, "not at this time; we would prefer the digital on both sides, but we would consider it to get the billboard in if we need to make some sort of an adjustment."

Vice-Chairman Downtain asked if they would consider a non-digital billboard.

Mr. Hughlett responded, "possibility one side, maybe and digital on the other side. There are several different options but the digital makes more sense as far as the rotation for multiple clients, it will increase the amount of income."

Chairman Mahone asked if they had the choice of which side was digital, "would you prefer the north or the south side."

Mr. Hughlett responded, "the north side."

Commission Member Davis asked if the setbacks would change with the highway construction and right-of-way changes.

Mr. Rae explained, "at this time, TXDOT has all the right-of-way they need for expansion."

Chairman Mahone asked if they had contacted TXDOT regarding the billboard.

Mr. Abernathy explained, "this is a TXDOT highway and there are certain regulations that apply within a certain distance from the highway and they would have to get a permit."

Commission Member Manley asked if the owner owns the property to the east of this property.

Blume Loe, Shadow Tree Lane, LLC, 780 Tanglewood Trail, Pottsboro, TX
Mr. Loe explained, "I own the corner where the billboard will be located, there is one property owner that has the next two lots, I have the next one, same property owner has the next two or three, I share the next lot with my brother. For years we have mowed and maintained the property and we are looking for a way to get some of our money back. It cost me $90 every two weeks to get it mowed. I am looking at a billboard to keep that maintained and manicured."

Appearing from the audience:
Rhonda Corley, 800 N. Elm St., Sherman, TX
"I have about an acre and one-half that backs up to this property on Elm Street. My north side of the house faces this lot. I have 6' French Windows, my house is 150 years old, so it is part of the historical downtown mixed use area and I would have a view looking out at that billboard all day and all night with lights blinking in my windows. My neighbor, Janie lives across the street and she would be looking at the billboard facing the other way; her house and windows face south. I can't imagine the billboard position in any way, form or fashion that wouldn't affect me. I have done research and every single selling point that the billboard companies make that put a positive spin on it have been shot down repeatedly. I know it is new technology but it has been out there long enough that the illuminatity, blinking and all that has been totally shot down; nobody wants a billboard, but they certainly don't want a digital billboard near their home. I have several pages of signatures from my neighbors that are against the billboard. There are a lot of retail uses mixed with residential in the neighborhood and none of them were in favor of the billboard. There are a lot of people including me that have bought; I own five lots there, I have no commercial ambition at all. I have lived there for sixteen years and expect to retire there."

Karrie Jane Lynn, 811 N. Elm, Sherman, TX
"I live right across the street from where the proposed billboard is going to be. If you drive down Elm Street, my house is up on a hill, it is not directly on Elm Street. This billboard will shine directly into my living room and dining room areas in my house; on the other side is my bedroom. I have a 115 year old house with 8' windows and French doors. This light will be all along the west side of my house

and I have numerous windows there. I relocated in 2018 from New Mexico, that's when I bought this house and I stated back then that had a billboard been there, I would not have purchased my home, because that is not what you want in the front windows of your house; a flashing billboard. It is very distracting, it is going to affect my property, property value and my sanity if there is a flashing light in my windows all the time."

Hillary Lindsey, 222 W. Brockett, Sherman, TX
"I own a Birthing Center on the corner of Elm and Brockett Street. I am totally against the billboard and I have a commercial building. I would never put something like that up to flash in my birthing window."

Jared Treadway, 505 N. McKown Ave., Sherman, TX
"The section of the freeway from the subject property south to Washington Street used to be a tremendous park and if you go to Google and search for this address, it still says Washington Park. As everyone has said before, this is a mixed use neighborhood, I think it would be good in the future if we revisited the zoning on it and zoned it to something more like mixed use. A billboard is inconsistent with the character of the neighborhood as it is now. On both sides of the freeway we have a spectacular historic residential neighborhood and I don't think this is what we want our downtown Cultural Arts District to look like in the future. I appreciate your consideration of this and your service on the board."

Bill Franklin, 712 N. Sam Rayburn Freeway, Sherman, TX
"My property is across the street from the proposed billboard. This area is definitely a mixed use, the house that I am in was built in 1930. I feel the billboard serves no purpose other than to benefit the owner of the billboard while the majority of nearby property owners and night sky will be inundated with the latest $2,99, all you can eat breakfast meal at IHOP. My digital billboard is my phone and most everyone in here has one. We all talk about 5G being the up and coming, but it is old news, it is 15G now. 15G will allow devices to be connected to automobiles to create what is referred to as the naked highway. We are continually cautioned by distractions while driving, yet a digital billboard is designed to do specifically that to take your attention away from what you are doing up to a sign. Currently there are no billboards to my knowledge in the downtown corridor of Highway 75 for very good reason. Sherman and North Texas can thrive without a digital billboard, digital night owl that serves no purpose but to distract motorist. If we have this digital billboard approved, it is going to set the precedent as we move forward. Sherman Vegas is not necessarily catching up because that is what happened in Nashville; take a trip there. As I indicated earlier, the naked highway is a term for a road which does not have any physical signage, no speed limit signs, no smart motorway gantridge and no stop signs.

Let's take out this light noise and let's move more to a technology based digital advertising."

Gail Utter, 2610 Shenandoah Circle, Sherman, TX
"I own some property on Brockett Street, it is not on Elm but it is turn the corner on Brockett, it is commercial property and there are a couple of small houses there. I plan to do some condominium development there. I would be really opposed if I was in one of the houses on Elm Street. I think it is a tragedy to have them subjected to that if they have been there for a very long time if it is not a necessary item. The distraction from a digital billboard is incredible. We are trying to develop downtown Sherman as a nice place of culture and heritage and a little bit of neighborhood feel and that is why I bought those properties. It is a nice street with lots of trees with a nice personality to it; it turns right there on Crockett and there is all that Heritage Row property as well, it is very quant. I would not like to see this billboard."

Mr. Hughlett responded, "I wasn't here when Highway 75 came through, I am sure that is not the original route of the north/south thoroughfare coming through downtown. Some time or another, some properties were taken by eminent domain to create Highway 75. When you say some houses have been there over 100 years, Highway 75 hasn't been there over 100 years, so you really can't take the property and look back that far and say nothing is really going to change. We moved to the downtown area and there is a whole lot of light around my house, but I call it security, I can walk out my house and there are four or five street lights that shine in my yard; we have black-out curtains and blinds on the windows so our bedroom is dark, but my yard is light and I see it as a benefit."

"I would say as far as the driving goes and the distractions; are there any extra accidents from existing digital billboards that are on Highway 75. I don't think that is the case to have a specific point that a lot of accidents are being caused by those digital billboards. Preference is one thing but reality has to be looked at on a scientific basis. The naked highway, I don't know that is something Highway 75 is going to be. Sign ordinances have been put in place for a number of years to help cities get control of billboards and signage on buildings. A lot of these sign ordinance cases came out of the Supreme Court cases of Lubbock and a lot of those billboards were taken out of Lubbock so the main thoroughfare is there for retail, they look a lot different there now than they did 25-30 years ago. Signage is something that you are going to see in most American Cities and I think that would be the case here."

Mr. Loe explained, "the street is a decent street. We have a house that has been under construction on that street between 2-4 years; completely unfinished, one of those people spoke here today, they told me they were building it for their grandmother, and it's not true. I understand Mrs.

Corley's point but I understand she wants to sell her property. The lady on the hill beside it, the billboard would be faced in a way where she is looking at it but the board is not facing her house. Everything north of that board is all commercial as well as everything south of the board. I think it is one of those things where you could put apartments there, the same people are going to oppose it, if we put a billboard there; the same people are going to oppose it. I am trying to find a way to utilize the property to benefit the City to advertise businesses."

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

Letters were received from:
Rhonda Corley, 800 N. Elm, Sherman, TX
"There are many debatable reasons to not erect a digital billboard in the proposed area. Over a year ago, the City of Sherman Planning and Zoning shot down an attempt to put a digital billboard on Highway 75 North bound in the downtown area of Sherman (Sam Rayburn Frwy) in the same exact location being proposed now, They shot it down because we are in a "mixed use" area peppered with residential homes. They shot it down because a digital billboard will affect all of us living & working in this area negatively. A digital billboard has sophisticated LED lighting designed to be seen in all directions for hundreds of feet or more depending on the level of luminous. The billboard company controls the level of luminous that flashes 24/7. Our future property values WILL be effected negatively, not just within 200 feet of the sign, but in the entire surrounding area of Sherman, even across the highway. Please remember, Highway 75 split a historical neighbor in Sherman. Additionally, the billboard will be planted in an extremely low lying area which means all of us who are on elevated property or own 2 story buildings, will likely be face to face with the lighting from this billboard. NO ONE WANTS A LIGHTED BILLBOARD GLARING INTO THEIR HOME and/or BUSINESS with FLASHING ADVERTISEMENTS AROUND THE CLOCK! There is NOTHING at all desirable about this. This type of billboard belongs in a highly commercialized area and not in a quiet, mixed use neighborhood in small town America. This billboard will benefit NO ONE except the owner of the property & the billboard company. Allowing this billboard will set a precedent that we will be forced to follow. Once done, this cannot be undone."

"You are receiving this because you are likely to be affected if the billboard is allowed to go up without a challenge. You are receiving this because it is within your power to STOP this. Last go round, we were able to pull enough folks into the hearing that opposed the digital billboard. The voices of those opposing this LED DIGITAL BILLBOARD are NOT just those living & owning property 200 feet from the area, as

suggested. A digital billboard's main goal is to target highway traffic for hundreds of feet (and even miles) from the screen of illuminating brightness and ever changing advertisements. Ongoing research continuously shows the negative effects of digital LED billboards. This will not just effect local residents, but highway travelers who are distracted by the absurd brightness of this new technology. Please do your research. Google is at your fingertips."

"SHERMAN CITY COUNCIL MEMBERS, PLANNING & ZONING COMMISSION AND THE BOARD OF ADJUSTEMENTS RESPONSIBILITIES: It is the job of Planning & Zoning as well at the Sherman City Council to fully educate themselves on LED DIGITAL BILLBOARDS and the concerns and issues associated with allowing them within the city limits & along our highways. The ordinance regarding billboards should be updated to include strict guidelines involving this new technology and the issues and concerns surrounding LED DIGITAL BILLBOARDS. There are NO positive effects on property owners or the community at large. The only ones to benefit from placement of DIGNITAL BILLBOARDS are the land owners who allow them on their property & the DIGITAL billboard companies. Right now there are a few lighted billboards in the county: 1.) One is on Highway 82 directed toward East bound traffic. It was converted from a regular billboard & is not in a residential area. It's also an eye sore as it towers up into what could be a beautiful view of the sky. The view from the West if just a metal monstrosity. 2.) This one is located in the very chaotic and highly trafficked area near Hwy 75 & 82 on the East side of Highway 75. More appropriately placed. 3.) Another is on Highway 75 near TMC Hospital and sits high on a hill & is placed more appropriately where there is nothing but pasture land with no sign of residential property."

"Considering that these signs can be viewed for miles in the correct lighting, why do we even need another one anywhere along the Highway 75 Corridor in Grayson County? If someone wants pay the astronomical fees associated with advertising on these boards, they already have choices. This is not the way small businesses advertise in a small community. In most cases, it's not even a financial possibility for a small business owner. WE DO NOT NEED ANOTHER LIGHTED DIGITAL BILLBOARD IN GRAYSON COUNTY. Permanent restrictions should be put in place immediately so that we do not have to face this fight again in the future."

"Currently there are only a few regular billboards on the downtown corridor of Highway 75 and Texoma Parkway for good reason. Let's put forth the effort to keep this in effect for the sake of our property values and our small town lifestyle. Let's leave the chaos, traffic jams & lighted digital signage to the highly commercialized areas. Adding an LED DIGITAL BILLBOARD without the proper investigations into

the repercussions is foolish. Continued research is already showing that this is not a good move for municipalities, nor for the safety of our highway travelers."

"The traffic accidents in this exact proposed area are already a serious issue. Shall we add more reasons for travelers to be distracted? This is another area to explore seriously."

"The research is being done for you with the click on a keyboard. We must preserve Sherman's small town feel, especially our downtown area. We must respect the property owners who have chosen to make the downtown area a place to work, shop & live. Remember: CLASSIC TOWN, BROAD HORIZONS."

"Thank you for your time and effort to study this matter for yourselves. Your neighbors, the City of Sherman and the voters in Grayson County will welcome and appreciate your support of this very important issue. We are counting on the City Council and Planning & Zoning Commission to act responsibility in this very delicate matter. NO ONE WANTS THE NEGATIVE EFFECTS OF A DIGITAL BILLBOARD IN THEIR NEIGHHOOD or in their community."

"I currently own about 1.5 acres that backs up to the proposed property, including my homestead. I am currently in contract for another .60 that also backs up to this property. While I know we are in a commercial area, there are a multitude of uses for Commercially Zoned properties that does NOT involve a BILLBOARD of any kind. Unfortunately, this is the type thing that will greatly diminish the property of others. Let's be honest, billboards will diminish even the interest of other commercial businesses and those interested in buying or developing property in the Commercial areas of downtown Sherman. Billboards are NOT selling points. Thank you for your deep exploration of the repercussions of your choices in this matter."

Eddie & Trenna Waw, 817 N. Crockett, Sherman, TX
"We would like to file a protest of the purposed digital billboard to be located at N. Elm & Sam Rayburn. We have owned our home for 28 years and enjoy the benefits of a mixed use community. However, we are opposed to a large bright digital sign. Our home is a two-story and this location would be an extreme nuisances, especially at night while our family is sleeping. Additionally, I find it ironic that an owner named "Shady Tree Lane LLC' would want to turn this actual shady tree lane into a flickering irritation. Please do not allow the placement of this sign at this location."

Helen Leatherwood & Ray Beaty, 716 N. Crockett, Sherman, TX
"My husband and I would like to express our deep concern about the proposed billboard that would go up on Highway 75 between Washington and Travis Streets. This location will greatly affect residents who live near that area not only

because of lights on the billboard but also the large size of the proposed billboard. We strongly urge you and the City of Sherman to disallow this request. We believe the quality of life for our neighborhood will be negatively affected by the presence of this billboard and we urge your board to vote no."

<u>William H. Franklin, 712 N. Sam Rayburn Freeway, Sherman, TX</u>
"I am attaching my protest letter as the executor for Helen Dean Franklin who is deceased as of November 2, 2020. Additionally, I plan to attend the hearing on Tuesday, June 22 located at 220 W. Mulberry. Attached is the protest letter and executors deed to prevent digital signage from being erected in a mixed use neighborhood. My property is located at 712 North Sam Rayburn Freeway, Sherman, Texas 75090."

"Previously, the City of Sherman Planning and Zoning board shot down an attempt to put a digital billboard on Highway 75 Northbound in the downtown area of Sherman."

"The area to be affected is mix use, and a digital billboard will drive all property values down. In addition, the billboard serves no purpose other than to benefit the owner of the billboard while the majority of nearby property owners and night sky will be inundated with the latest $2,99, all you can eat breakfast meal at IHOP."

"I have my digital billboard with me 24/7. It is called a smartphone which is also designed and built into my automobile, It too provides advertisements and directions to local hotels, restaurants, and all possibilities to businesses all over the world. Interestingly, the smart phone bothers no one, unless t have it voice activated while driving and those in car can listen in. Since most Americans now have access to either a smart phone or a similar device in their automobile, those of us who have property in the area can rest in the evening without having to wear sunglasses while sitting on their front porch."

"We are cautioned about distractions while driving, yet a digital billboard is by design doing just that, distracting motorists to look at their brightly lit sign that never takes pause. Currently, there are no billboards allowed on the downtown corridor of Highway 75 for good reason."

"Let's not go back in time. Let's move forward using the safest technology available for advertising local business as one comes into town. Yelp, Waze, Google Maps, Apple Maps, Maps.me, and Sygic GPS Navigation are alt apps and readily available to download. This technology does not include an obtrusive and distracting digital billboard."

"Sherman and North Texas can thrive without the unnecessary need of a digital night owl that serves no

purpose except to distract motorist while disrupting neighbors who have lived there for many years."

"Smartphones are just small digital signage displays! Smart phones have concentrated global business right at our fingertips, thus becoming the high-octane business channel for digital signage eliminating the need for bulky, obtrusive, and massive disruptions to neighborhoods."

If we have one digital sign approved, it will set the precedent for more to come. Sherm-Vegas is not a catchy name."

"What is the future of digital signage on highways and frontage roads?"

The naked highway: digital signage and safety; Rich Porter, Technology and Innovation Director at Zenzic, explains how 'naked highways' could ensure the safety of roads in the future without the need for physical roadside signage."

"What is a 'naked highway'?
A 'naked highway is a term for a road which does not have any physical roadside signage — no speed limit signs, no smart motorway gantries and no stop signs. Instead, the aim is for this information to be digitally transmitted directly to the vehicle. The naked highway is the culmination of the development of digital signage on roadways and it forces people to think about and engage with a whole new way of sharing information with drivers and vehicles. The reality is that true naked highways are not likely to become viable until a few years out, but aspects of digital signage replacing the physical are under development today and will be an important part of the introduction of self-driving vehicles in the UK."

"Let's for once be part of the future and remove the ugliness and motorist distractions called Physical roadside signage. Your automobile navigation system and smart should be more than sufficient to guide you to any local destinations. Therefore, I William H. Franklin, Executor on behalf of Helen Dean Franklin estate, am 100% opposed to this digital signage to be placed at Property ID # 159352. The address is 817 Sam Rayburn."

ACTION TAKEN.
Motion by Commission Member Manley to deny the request for a Specific Use Permit to allow a digital billboard in a C-1 (Retail Business) District/O-1.2 (Sam Rayburn) Overlay District at 817 North Sam Rayburn Freeway. Second by Commission Member Davis.

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

MOTION CARRIED

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

EXCEPTION – LOT WIDTHS LOTS 4, 11 & 12, BLOCK 4, PROPOSED THREE OAKS ADDITION 300-400 BLKS E. SHERMAN ST. (THREE OAKS DEVELOPMENT & CONSTRUCTION COMPANY)

EXCEPTIONS
THE REQUEST OF THREE OAKS DEVELOPMENT & CONSTRUCTION COMPANY (OWNER), KIRK ALLEN (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 300-400 BLOCKS OF EAST SHERMAN STREET, BEING LOTS 4, 11 AND 12, BLOCK 4 OF THE PROPOSED THREE OAKS ADDITION, AS FOLLOWS:
BOARD OF ADJUSTMENTS
EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW THE FOLLOWING LOT WIDTHS IN LIEU OF THE REQUIRED 60' LOT WIDTH IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

LOT 4, BLOCK 4 – 35.76' LOT WIDTH
LOT 11, BLOCK 4 – 39.20' LOT WIDTH
LOT 12, BLOCK 4 – 48.93' LOT WIDTH

Kirk Allen, 1313 W. Washington, Sherman, TX
Mr. Allen appeared to represent the request and answer any questions. The property is located in the 300-400 blocks of East Sherman Street in south Sherman, off South Montgomery Street. The property is zoned an R-1 (One Family Residential) District. The property was annexed into the City Limits of Sherman June 1, 2020 by Ordinance 6297. The final plat was approved April 20, 2020 with the condition exceptions were approved for the lot widths on four of the lots.

Mr. Allen explained, "these lots were a part of an approved plat that was put through last year by the Planning and Zoning Commission and City Council. When the Final Plat was to be filed, there was the notification that there were three lots that needed exceptions to the lot widths. I am requesting exceptions on the lots under 60' lot frontage in the cul-de-sacs."

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the exceptions to allow Lot 4, Block 4 to be 35.76' wide, Lot 11, Block 4 to be 39.20' wide and Lot 12, block 4 to be 48.93' wide in the proposed Three Oaks Addition in lieu of the required 60' in the 300-400 blocks of East Sherman Street. Second by Commission Member Sims.

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

MOTION CARRIED

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

VARIANCE- REAR SETBACK 1411 SARATOGA DR. (WYLDEWOOD HOMES LLC)

VARIANCE
THE REQUEST OF WYLDEWOOD HOMES, LLC (OWNER), TIM PIKE (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1411 SARATOGA DRIVE, BEING LOT 15, BLOCK 4, HERITAGE FARMS ESTATES, BEING A REPLAT OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10, AS FOLLOWS:
BOARD OF ADJUSTMENTS
VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW A 15' REAR YARD SETBACK FOR A RESIDENTIAL DWELLING IN LIEU OF THE REQUIRED 25' IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

Tim Pike, 518 Bledsoe Rd., Gunter, TX
Mr. Pike appeared to represent the request and answer any questions. The property is located at 1411 Saratoga Drive between Crown Street and Belmont Boulevard. The property is zoned an R-1 (One Family Residential) District.

Mr. Pike explained, "this is the last lot in this subdivision and we would like to construct a single family dwelling 15' from the rear property line. The lot is an odd shaped lot, it gets narrower at one side and there is an easement on the other side. We have 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.

> **Motion by Commission Member Davis to approve the variance to allow a 15' rear yard setback for a residential dwelling in lieu of the required 25' at 1411 Saratoga Drive subject to the Staff Review Letter. Second by Commission Member Manley.**

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

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

VARIANCE – SIDE STREET SETBACK 3517 SHERBROOKE PL.

VARIANCE
THE REQUEST OF NOEL & TAMMY PARAMANANTHAM (OWNERS) CONCERNING THE PROPERTY LOCATED AT 3517 SHERBROOKE PLACE, BEING LOT 1, BLOCK A, PEBBLEBROOKE SOUTH PHASE 1, AS FOLLOWS:

BOARD OF ADJUSTMENTS
VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (C)(3) TO ALLOW A 5' SIDE STREET SETBACK FOR A PATIO COVER IN LIEU OF THE REQUIRED 10' IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

(NOEL & TAMMY PARAMANANTHAM)

Noel Paramanantham, 3517 Sherbrooke Pl. Sherman, TX
Mr. Paramanantham appeared to represent the request and answer any questions. The property is located at 3517 Sherbrooke Place, the northeast corner of Peggey's Cove and Sherbrooke Place. The property is zoned an R-1 (One-Family Residential) District.

Mr. Paramanantham explained, "I would like to construct an 8' x 12' pavilion, 5' from the Peggey's Cove property line. There is a retaining wall with a fence on top. I have a deck 5' from the retaining wall with an existing patio cover behind it and the new patio cover would be in front of that; it is really a bit closer but it is not going to look any different. I will rebuild the deck because the original builder only used footings on top of the ground but I am digging into the ground for piers for the pavilion weight. This will be attached to the existing patio cover and will be open. I have 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.

Motion by Commission Member Davis to approve the variance to allow a 5' side street setback for a patio cover in in an R-1 (One-Family Residential) District at 3517 Sherbrooke Place subject to the Staff Review Letter. Second by Commission Member Manley.

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

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

RECESS
Chairman Mahone called a 10 minute recess at 7:03 p.m.

RECESS

RECONVENE MEETING
Chairman Mahone reconvened the meeting at 7:10 p.m.

RECONVENE MEETING

EXCEPTION AND VARIANCE
THE REQUEST OF ERIC EVANS (OWNER) CONCERNING THE PROPERTY LOCATED AT 411 WEST MCGEE STREET, BEING PART OF LOT 11, BLOCK 4, W.M. SHANNON SUPPLEMENT, AS FOLLOWS:
BOARD OF ADJUSTMENTS

EXCEPTION & VARIANCE – ADDITION TO NONCONFORMING STRUCTURE & SIDE SETBACK

EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280, SECTION 5 AND SECTION 6.3, SUBSECTION (1) TO ALLOW A 270 SQUARE FOOT ADDITION TO AN EXISTING NONCONFORMING STRUCTURE LOCATED 5' FROM THE WEST PROPERTY LINE AND 6.3' FROM THE EAST PROPERTY LINE IN LIEU OF THE REQUIRED 7' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

411 W. MCGEE ST. (ERIC EVANS)

Eric Evans, 411 W. McGee St., Sherman, TX
Mr. Evans appeared to represent the request and answer any questions. The property is located at 411 West McGee Street between Woods and Alexander Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Evans explained, "I would like to construct 15' x 18' addition to the existing home. The exterior will be brick or natural stone wainscot with painted siding. The house was built in 1958, 6'3" from the east property line and 5' from the west property line and I was told it needs to be 7'. The addition will be in line with the existing house. I have seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the request for an exception and variance to allow a 270 square foot addition to an existing nonconforming structure located 5' from the west property line and 6.3' from the east property line in lieu of the required 7' in an R-1 (One Family Residential) District at 411 West McGee subject to the Staff Review Letter. SECOND by Commission Member Davis.

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

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

EXCEPTION
THE REQUEST OF HEARRELL ENTERPRISES, INC. (OWNERS) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 3200 EAST U.S. HIGHWAY 82, BEING 1.812 ACRES IN THE FLEMING JENNINGS SURVEY, ABSTRACT NO. 638, AS FOLLOWS:
BOARD OF ADJUSTMENTS
EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.13.1, SUBSECTION (6)(C)(II) TO NOT REQUIRE A 10' BUFFER STRIP, LANDSCAPED AND IRRIGATED IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

EXCEPTION – BUFFER STRIP 3200 E. U.S. HWY. 82 (HEARRELL ENTERPRISES INC)

Stephen Hearrell, 2008 Norwood Street, Sherman, TX

Mr. Hearrell appeared to represent the request and answer any questions. The property is located at 3200 East U.S. Highway 82 between Baker Drive and Skaggs Road. The property is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District. Family of Faith Church was granted site plan approval to construct a 4,000 square foot church May 19, 2020 by the Planning and Zoning Commission.

Mr. Hearrell explained, "I am the owner/builder of the property. From the parking lot back to the east, we are not developing that portion of the property, behind that is a wheat field. We are requesting exceptions to the screening requirement to allow a natural screen on a portion of the property and to not require the 10' buffer strip along Highway 82 on that portion of the property. We will continue to do the buffer strip where the building is located just not where it is undeveloped. I have seen the Staff Review Letter and would abide by the Recommendations."

Commission Member Davis asked if the undeveloped property was his property.

Mr. Hearrell responded, "yes; that is a triangular shaped property. It is very long with a lot of road frontage, it is very narrow, it is just going to be mowed; there is not anything there."

Chairman Mahone asked what triggered the requirement for this request.

Mr. Rae explained, "the property owner was working on getting the Certificate of Occupancy Permit for the church that is under construction. The site plan was approved a number of months ago and part of that is as you know is the requirement on the Staff Review Letter to provide a 10' buffer strip landscaped and irrigated in the Overlay District. They requested an exception on the natural screening but since it is not adjacent to any residentially zoned property, we took that out of the request. The buffer is just along Highway 82 and they are still going to do the buffer in front of the church in the highlighted area on the site plan; they just want the exception on a portion of the property. I went to the site and they just need to finish the paving on the parking lot and driveway."

Commission Member Manley asked, "if the exception is approved and the corner of the property is sold or developed in the future, does the exception stay with the property."

Mr. Abernathy responded, "yes, it probably would. You could make your exception contingent on future development. I understand your concern, you don't want to

build something that doesn't have any purpose. If something was built there then you would."

Mr. Hearrell stated, "if we come back and develop that property, we will have to get a new site plan and go through the whole process again at that time. You have to have a septic system out there and the property becomes so narrow that I don't think you can get one in."

Mr. Abernathy stated, "whether you make a parking lot or do other things such as the church expands or whatever, you can condition your exception on if there is development then you have to comply with regulations. You could make the motion that the exception is contingent on development of the area east of the driveway as shown on the site plan so that it is clear when we are all dead and gone and someone else looks at it and understands what was voted on."

Mr. Hearrell stated, "I understand and will comply, I modify my request."

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for an exception as amended by the landowner to not require a 10' buffer strip, landscaped and irrigated on the eastern portion of the property until development occurs in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District subject to the Staff Review Letter at 3200 East U.S. Highway 82. Second by Commission Member Sims.

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

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

EXCEPTION, VARIANCE & SITE PLAN – ADDITION TO NONCONFORMING STRUCTURE
717 E. SUMMIT ST.
(OMAR & MARICELA PAULIN)

EXCEPTION, VARIANCE AND SITE PLAN
THE REQUEST OF OMAR & MARICELA PAULIN (OWNERS) CONCERNING THE PROPERTY LOCATED AT 717 EAST SUMMIT STREET, BEING LOT 16, BLOCK 2, LIVE OAK ADDITION, AS FOLLOWS:
BOARD OF ADJUSTMENTS
EXCEPTION, VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 5 AND SECTION 6.3, SUBSECTION (1) TO ALLOW AN ADDITION TO AN EXISTING NONCONFORMING STRUCTURE LOCATED 4.8' FROM THE SIDE PROPERTY LINE IN LIEU OF THE

REQUIRED 6' IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Omar & Maricela Paulin, 717 E. Summit St., Plano, TX
Mr. Paulin appeared to represent the request and answer any questions. The property is located at 717 East Summit Street between Willow and Throckmorton Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Paulin explained, "we would like to construct a 20' x 28' addition to the existing home. The exterior will be brick or natural stone wainscot with painted siding. The house was built in 1984, 4.8 from the west property line and we are requesting a variance for 6'. We will have three bedrooms total, there are two bedrooms now and we are adding one and enlarging another. Parking is available for three spaces. We have seen the Staff Review Letter and would abide by the Recommendations."

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for an exception, variance and site plan approval to allow an addition to an existing nonconforming structure located 4.8' from the side property line in lieu of the required 6' in an R-1 (One Family Residential) District subject to the Staff Review Letter at 717 East Summit Street. Second by Commission Member Manley.

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

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

SUP & SITE PLAN— AUTO SALES 3908 & 3924 TEXOMA PKWY. (MLJ REAL ESTATE, LP)

SPECIFIC USE PERMIT AND SITE PLAN
THE REQUEST OF MLJ REAL ESTATE, LP (OWNER), MATTHEW JOHNSON (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING AND COX LAND SURVEYING (SURVEYORS) CONCERNING THE PROPERTIES AT 3908 AND 3924 TEXOMA PARKWAY, BEING 0.648 ACRES AND 1.279 ACRES IN THE SAMUEL MCGLOTHLIN SURVEY, ABSTRACT NO. 811 AND THE HILLARD JENNINGS SURVEY, ABSTRACT NO. 639, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AUTOMOBILE SALES IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

Alvin Childress, 816 Walden Rd., Collinsville, TX

Mr. Childress appeared to represent the request and answer any questions. The property is located at 3908 and 3924 Texoma Parkway, the northwest corner of Highway 75 and Taylor Street. The property is zoned a C-2 (General Commercial) District.

Mr. Childress explained, "We are requesting a Specific Use Permit to allow automobile sales at these locations. It was formally a Power Sports store and they have closed down that location. We own both properties. We will not be doing any repairs or service to the vehicles; all that will be done at our Whitesboro location. There was a mechanic shop at 3924 Texoma Parkway before we purchased the property. It was service and a tire shop. We bought the property at 3908 Texoma Parkway and opened it up as a Holiday Power Sports store. We sold the business to Outdoor Power Sports, they operated out of there for two years and then they closed the doors. Instead of the buildings sitting empty we would like to put a used car lot there. We have seen the Staff Review Letter and would abide by the Recommendations."

Chairman Mahone asked if they plan any improvements to the property or signs.

Mr. Childress responded, "we are not making any improvements to the buildings. Some signs need to be refaced on the building. There is a pole sign that has Honda on it, that sign will be taken down and replaced as well. There will be some improvements to the parking lot; there are a lot of potholes."

Mr. Rae explained, "Texoma Parkway has a lot of abandoned signs that weren't replaced or fixed, they could get that in a motion that would improve that."

Chairman Mahone asked, "at what point, does a formerly paved surface become in disrepair where it is no longer considered paved."

Mr. Rae stated, "in the case of this parking lot, it is probably worse than a gravel driveway. Since a gravel driveway is not permitted, I would say that is something that needs to be improved."

Mr. Childress stated, "we will have contractors get with the City to do everything they need to do."

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

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a Specific Use Permit to allow automobile sales in a C-2 (General Commercial) District subject to the Staff

Review Letter at 3908 and 3924 Texoma Parkway. Second by Commission Member Manley.

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

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

SUP & SITE PLAN – EDUCATIONAL FACILITY/ PRESCHOOL 106-B N. SUNSET BLVD. (OWNERS MANUAL FOR LIFE)

SPECIFIC USE PERMIT AND SITE PLAN
THE REQUEST OF OWNERS MANUAL FOR LIFE (OWNER), MASTERKEY MINISTRIES OF GRAYSON COUNTY (TENANT) AND JULIE RICKEY (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 106-B NORTH SUNSET BOULEVARD, BEING LOT 3, BLOCK 1 WESTWOOD VILLAGE SECOND REPLAT PART BLOCK 2, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW AN EDUCATIONAL FACILITY/PRESCHOOL IN A C-1 (RETAIL BUSINESS) DISTRICT.

Dr. Clint Long, 2203 N. FM 1417 (Heritage Parkway), Sherman, TX
Dr. Long appeared to represent the request and answer any questions. The property is located at 106-B North Sunset Boulevard between Sunset Boulevard and Archer Drive. The property is zoned a C-1 (Retail Business) District.

Dr. Long explained, "MasterKey Ministries is located at 209 South FM 1417 (Heritage Parkway) and we have been utilizing this building for the last year for an after school program. Our main location has been taken over by Disaster Relief by Covid-19. We have an after school program and preschool at our current location at 600 South Dewey Avenue. We have lost our lease at that location and would like to move the preschool to this location at 106-B North Sunset Boulevard. MasterKey Ministries partners with Sherman ISD to provide early childhood education for low income families."

"We plan to modify the building which was a former restaurant, a Western Sizzlin and a Mexican Restaurant. The Rider's Family purchased the building for Owner's Manual for Life to put scripture readings on cars all over the area; it was a ministry and they still own this property. It is a wide open space, so it needs some partition divisions to create classroom space. There is some existing classroom space and office space that will remain. There will need to be a fenced playground on the west side of the property. One of the things requested was to elevate the air conditioning units and that was performed. The property was Replatted in 2005 and the City did not provide any access from

Houston Street or Archer Drive but access is available through the shopping center and a parking agreement is provided. We have seen the Staff Review Letter and would abide by the Recommendations."

Chairman Mahone asked how many children they plan to have on an average day.

Dr. Long responded, "the maximum will be 40; they will not all be there at one time. One group will be there until 2 p.m. and another group will be there after 3 p.m."

Chairman Mahone asked about drop off and pick up.

Dr. Long explained, "that would be addressed by an Architect. There are doorways north, that is the main entrance we use currently and we are planning to make that a locked secure entrance for the children coming and going. There is another entry on the east side that is a foyer; that will be turned into office space with another locked door for any visitors that come in will come through that entrance. Drop off and pick up will be on the north side. People will come in from Archer Drive and exit on Sunset Boulevard."

"This is a year-long program; we have a summer program also. The number of children does not change much. We target under privileged families and this is a prime location."

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

ACTION TAKEN.
Motion by Vice-Chairman Downtain to approve the request for a Specific Use Permit to allow an Educational Facility/Preschool in a C-1 (Retail Business) District subject to the Staff Review Letter at 106-B North Sunset Boulevard. Second by Commission Member Whitaker.

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

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

SUP &SITE PLAN – AUTO SALES 1804 N. U.S. HWY. 75 (SHERMAN PAG 1, LLC)

<u>SPECIFIC USE PERMIT AND SITE PLAN</u>
THE REQUEST OF SHERMAN PAG 1, LLC (OWNER), MARCUS TRIMBLE (ARCHITECT) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) FOR THE PROPERTY LOCATED AT 1804 NORTH U.S. HIGHWAY 75, BEING PART OF LOT 1, BLOCK 1, JAMES PLAZA ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO

ALLOW USED AUTOMOBILE SALES IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

Marcus Trimble, 3800 High Rd., Flower Mound, TX
Mr. Trimble appeared to represent the request and answer any questions. The property is located at 1804 North U.S. Highway 75, the northwest corner of Highway 75 and Taylor Street. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82 Overlay) District.

Mr. Trimble explained, "Public Automotive Group is a family of premier pre-owned vehicle dealerships; they have nine Texas dealerships. We are requesting a Specific Use Permit to allow used automobile sales at this location. We do not do any auto repair work; everything is sent to auto repair locations. The previous business for this site was for automobile sales. We want to improve the existing interior, paint the exterior and reface the signs. We would like to add a flag pole and resurface and re-stripe the parking lot. We have seen the Staff Review Letter and would abide by the Recommendations."

Mr. Rae had questions about the pipe fencing that surrounds the property and where access would be for the site. It is not very clear where the site is now.

Mr. Trimble explained, "access will be from U.S. Highway 75 and there looks like there is a cross access agreement for half the drive from Taylor Street."

Mr. Rae explained, "from what I saw when I went out there, along the drive that is adjacent to the gas station at the corner of Taylor and Travis Streets that the pipe fence pretty much goes along that whole side all the way to the back of their one-story building. It didn't seem like the current state of the property had an entrance there; the pipe fence blocks it."

Mr. Trimble stated, "we would definitely want that open; that access drive. If the fence is blocking the access it will go away. If it needs to be changed or rearranged to close the parking lot, we can do that."

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

ACTION TAKEN.
Motion by Commission Member Manley to approve the request for a Specific Use Permit to allow Used Automobile Sales in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District subject to the Staff Review Letter at 1804 North U.S. Highway 75. Second by Commission Member Davis.

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

VOTING NAY: NONE
MOTION CARRIED.

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

SITE PLAN – ABC SUPPLY

EXCEPTION – OUTDOOR STORAGE 4318 SOUTH U.S. HIGHWAY 75 (KAISER ALUMINUM FABRICATED PRODUCTS LLC)

SITE PLAN & EXCEPTION
THE REQUEST OF KAISER ALUMINUM FABRICATED PRODUCTS LLC (OWNER), ABC SUPPLY COMPANY, INC. (PROPOSED TENANT) AND VILBIG AND ASSOCIATES (CIVIL ENGINEER) CONCERNING THE PROPERTY LOCATED AT 4318 SOUTH U.S. HIGHWAY 75, BEING 11.73 ACRES IN THE SHEROD DUNMAN SURVEY, ABSTRACT NO. 329, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL AND EXCEPTION UNDER ORDINANCE NO. 2252 ARTICLE IV SECTION 410 (2) (J), (2)(G)(2) AND (2)(K) TO ALLOW OUTDOOR STORAGE IN THE FRONT AND REAR OF THE BUILDING SUBJECT TO THE SITE PLAN AS PRESENTED IN LIEU OF THE REQUIRED REAR ½ OF THE PROPERTY AND SHALL NOT BE PLACED ON THAT HALF OF THE PROPERTY ADJACENT TO AN EXISTING STREET (DORSETT DRIVE) IN THE BLALOCK INDUSTRIAL PARK.

David Vilbig, 517 W. Woodard St., Denison, TX and Kory Kunkel, ABC Supply, 3275 FM 1753, Denison, TX
Mr. Vilbig and Mr. Kunkel appeared to represent the request and answer any questions. The property is located at 4318 South U.S. Highway 75, the northwest corner of the Highway 75 access road and Dorsett Drive; Kaiser Aluminum was the former tenant. The property is located in the Blalock Industrial Park.

Mr. Vilbig explained, "Kaiser Aluminum would like to lease the property to ABC Supply Company and they would like to move their business to this location. They are requesting an exception to allow outdoor storage of their supplies. They will provide an 8' fence with vinyl slat inserts for screening of the materials. We have seen the Staff Review Letter and would abide by the Recommendations."

Chairman Mahone explained, "the ordinance allows them to have outdoor storage in the back half of the property. The front is Highway 75 and Dorsett Drive is also a front."

Mr. Rae explained, "the Blalock Industrial Park Ordinance states from any street; because they are a corner lot they need the back half of both front faces."

Chairman Mahone stated, "it is a pretty large lot, it looks like there would be a lot of storage in the allowed area, why do you need an exception."

Mr. Vilbig explained, "they are trying to use that area on the east side of the building. They will concrete the area for the

new storage area. There are some loading docks and roll up doors along from an operations standpoint where they will be coming in and out on the Highway 75 side. The fence will be 8' tall chain link fence with slats for screening."

Commission Member Davis stated, "you are up at the front of the lot, you have a lot of property on the north and west portion of the property; why are we crowding the highway."

Mr. Vilbig responded, "that is where the open doors are."

Mr. Kunkel explained, "I am the manager at ABC Supply Company in Sherman. We mostly store shingles; so you are looking at pallets of shingles stacked two high. We have plenty of storage in the back, but shingles take up a lot of space. It will be a while before it is full. Most of what we have currently on the lot will fit inside the building. The concern is years later; 15-20 years."

Commission Member Davis asked, "why are you blocking the front of your store with an 8' tall fence with plats."

Mr. Kunkel responded, "just so we can utilize this area for shingles, the other area will also be utilized for shingles."

Mr. Rae explained, "the back corner of the property is allowed for outdoor storage."

Mr. Kunkel explained, "there is an existing fence across the front and there will not be anything forward of the fence."

Commission Member Davis stated, "you could put a lot of shingles in the back but not right on Highway 75."

Mr. Kunkel explained, "the concern is in the back, it looks like grass but there is some concrete that we are going to be repairing and replacing in that area. For a long time, most of the shingle storage will be in the back; but sometime in the future with growth possibilities we will more than likely need to utilize all the storage area."

Chairman Mahone asked, "in the current location you have large racks that have shelves on them; will you be using that type of storage at this location."

Mr. Kunkel responded, "no, the only reason we have those is because they were existing structures. The new space will not be going vertical."

Chairman Mahone asked if there would be anything stored taller than 8'.

Mr. Kunkel responded, "no. We typically have pallets of shingles, each pallet is about 4' tall; at the most we double stack."

Chairman Mahone asked if this type of fencing with the vinyl slat is an allowed type of fencing.

Mr. Rae responded, "I think so."

Commission Member Sims asked if they are completely moving out of the current location.

Mr. Kunkel responded, "yes."

Commission Member Sims asked if there would be a showroom there as well.

Mr. Kunkel responded, "yes; the entire location will be moving to this location."

Mr. Rae asked if they plan to make any improvements to the building. "Will you be painting the building?"

Mr. Kunkel stated, "there will be a new paint job; our color scheme is close to what the building is now."

Commission Member Davis asked if they rent equipment.

Mr. Kunkel responded, "no."

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

ACTION TAKEN.
Motion by Commission Member Davis to approve the request for an exception and site plan for ABC Supply and to allow outdoor storage in the front and rear of the building subject to the site plan as presented in lieu of the required rear ½ of the property and shall not be placed on that half of the property adjacent to an existing street (Dorsett Drive) in the Blalock Industrial Park subject to the Staff Review Letter at 4318 South U.S. Highway 75. Second by Commission Member Whitaker.

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

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

ZONE CHANGE AND SITE PLAN
THE REQUEST OF MORAN DEVELOPMENTS LLC (OWNER), LUIS MORAN (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1229 NORTH BROUGHTON STREET, BEING 0.230 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

ZONE CHANGE – R-1 TO R-2

SITE PLAN – MULTI-FAMILY COMPLEX 1229 N. BROUGHTON ST.

PLANNING AND ZONING COMMISSION

ZONE CHANGE AND SITE PLAN APPROVAL FOR A MULTI-FAMILY COMPLEX UNDER ORDINANCE NO. 2280, SECTION 12, FROM AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

(MORAN DEVELOPMENTS LLC)

Luis Moran, 910 S. Travis St., Sherman, TX
Mr. Moran appeared to represent the request and answer any questions. The property is located at 1229 North Broughton Street, the southeast corner of Broughton and Sycamore Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Moran explained, "I would like to change the zoning to an R-2 (Multi-Family Residential) District to construct a four unit townhome on the property. The building will be two-stories, two bedrooms per unit. Each unit will be approximately 1,000 square foot. Parking will be in the back of the building off Sycamore Street; eight parking spaces will be provided. I have 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 or site plan.

ACTION TAKEN.
Motion by Commission Member Manley to approve the request for a zone change from an R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District and site plan approval for a Multi-Family Complex subject to the Staff Review Letter at 1229 North Broughton Street. Second by Commission Member Davis.

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

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

SITE PLAN
THE REQUEST OF CRISTOBAL MADRID (OWNER) CONCERNING THE PROPERTY LOCATED AT 1905 EAST LAMAR STREET, BEING LOTS 5 & 7, BLOCK 17, CHRISTIAN COLLEGE ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR AN ACCESSORY BUILDING.

SITE PLAN – ACCESSORY BLDG 1905 E. LAMAR ST. (CRISTOBAL MADRID)

Commission Member Manley pulled this item from consent agenda.

No one was at the meeting to represent the request.

The property is located at 1905 East Lamar Street, the northeast corner of Lamar Street and Burdette Avenue. The property is zoned a C-2 (General Commercial) District.

The following has been approved for the property: February 14, 1989 - Exception to allow a structure (motor vehicle lift) closer than 25' to the front property line. December 16, 2008 - To allow existing building finishes on all sides of all buildings visible from the front street ROW. January 5, 2009 - Zone change to a C-2 (General Commercial) District (Ord. 5583) January 5, 2009 - Specific Use Permit to allow automotive repair (Ord. 5584)

The owners would like to construct a 20' x 30' metal storage building behind the existing building.

Commission Member Manley explained, "I pulled the item because of a compliance issue not related to the building but I drive by this area and it is littered with vehicles in some various state of repair all in the front and on the sides of the building; I believe that is not in compliance with something. I wasn't certain whether pulling it out of the consent agenda was appropriate or not but I felt it was a time to discuss some of these issues."

Chairman Mahone stated, "the aerial shots look like a junk yard."

Commission Member Davis asked, "if the item does not have representation, is this like a normal item."

Mr. Rae explained, "this is like a normal item. Our City of Sherman Code Enforcement has an active case on this property and are working on abating the non-compliance issues. They are currently in the process of making it right and they have come to our office requesting to get a fence permit and since they are wanting to add a metal building, it needs site plan approval."

Commission Member Manley asked, "if this building is to place some of the vehicles in the building."

Mr. Rae explained, "the building is only large enough to fit only 2-3 vehicles. If they did park cars in there; they would be in conformance. If they put up a fence that screened the vehicles in the back they would still be in conformance. The issue we have on the City side is they have all those junk vehicles that are visible from the street."

Chairman Mahone asked if that would be dealt with when they get a Certificate of Occupancy Permit.

Mr. Rae explained, "when Code Enforcement gets involved they have to fix everything before any new project can happen there."

Commission Member Davis asked, "are we voting on a new project while they are out of compliance."

Commission Member Blagg stated, "I feel like this is their attempt to comply, but they need approval."

Mr. Rae explained, "they need our help but their site is changing."

Commission Member Blagg stated, "they need our help to build this building so they will have a place to store stuff."

Commission Member Davis stated, "we are sitting here discussing something that has no representation. My understanding if you don't representation it is done."

Mr. Rae explained, "site plan approval is a little different in the State of Texas now. If they have a reason to deny this, it is separate from plats and the shot clock; is that correct."

Mr. Abernathy explained, "they may be able to come back and make a request for the basis for the reasons; there is not a shot clock on it."

Commission Member Manley stated, "if we were to make a motion to table the request would it give them a chance to be here next month; would that be permissible."

Mr. Rae explained, "you can't make a motion to table without the applicant asking for that."

Mr. Abernathy stated, "you can table, but if you don't approve it then you are in violation of the law. I wouldn't table it."

Chairman Mahone stated, "it has been my understanding in the past if it conforms to City Ordinance even if we denied it there is a 30 day time limit which it automatically becomes approved anyway if it complies; is that correct."

Mr. Abernathy responded, "yes. I can't quote that yet because I have only lived with that statute a year and a half."

Chairman Mahone felt they needed to go into executive session to consult with the City Attorney.

Mr. Abernathy responded, "that is fine."

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

CHAIRMAN MAHONE ANNOUNCED THAT THE PLANNING & ZONING COMMISSION WILL NOW HOLD A CLOSED EXECUTIVE SESSION PURSUANT TO THE TEXAS OPEN MEETINGS ACT AT SECTION 551.071 TO CONSULT WITH THE CITY ATTORNEY

SECTION 551.071 -- CONSULTATION CONCERNING LEGAL MATTERS ON AGENDA ITEM #32, REGARDING THE

REQUEST OF CRISTOBAL MADRID (OWNER) CONCERNING THE PROPERTY LOCATED AT 1905 EAST LAMAR STREET, BEING LOTS 5 & 7, BLOCK 17, CHRISTIAN COLLEGE ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR AN ACCESSORY BUILDING

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 8:15 p.m.

On Motion duly made and carried, the Executive Session recessed at 8:25 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

No other citizens appeared before the Planning and Zoning Commission to discuss the zone change or site plan.

ACTION TAKEN.
Motion by Commission Member Davis to approve the request for site plan approval for an accessory building subject to the Staff Review Letter at 1905 East Lamar Street. Second by Commission Member Blagg.

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

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

FINAL PLAT, SPECIFIC USE PERMIT AND SITE PLAN

FINAL PLAT – SHERMAN HEIGHTS ADDN

SUP & SITE PLAN – PATIO HOMES 2400-2700 BLKS. S. FM 1417 (ARC STX HOLDINGS, LLC)

THE REQUEST OF ARC STX HOLDINGS, LLC (OWNERS), TESCH DEVELOPMENT & MANAGEMENT CO., LLC, (PROSPECTIVE BUYER), ROBERT TESCH (REPRESENTATIVE), PAPE-DAWSON ENGINEERS (CIVIL ENGINEER) AND PIERCE-MURRAY LAND SOLUTIONS (SURVEYOR) CONCERNING THE PROPERTIES IN THE 2400-2700 BLOCKS OF SOUTH FM 1417 (HERITAGE PARKWAY), BEING 43.727 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

A. **FINAL PLAT APPROVAL FOR SHERMAN HEIGHTS ADDITION**
B. **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.**

Matt Gilbertson, Pape-Dawson Engineeers, 5810 Tennyson Parkway, Ste. 425, Plano, TX

Mr. Gilbertson appeared to represent the request and answer any questions. The property is located in the 2400-2700 blocks of South FM 1417 (Heritage Parkway), the northwest corner of FM 1417 (Heritage Parkway) and O.B. Groner Road; across the highway from the new Sherman High School. A portion of the property (46.339 acres) was annexed into the City Limits of Sherman, at the December 7, 2020, City Council Meeting and is zoned R-A (Single Family Residential) District. Another portion of property (21.799 acres) is zoned an M-1 (Light Manufacturing) District and located in the O-1.1 (FM 1417) Overlay District. A zone change to a C-1 (Retail Business) District was denied at the January 4, 2021, City Council Meeting; the uses proposed were Commercial Retail, Multi-Family with two types (apartments and build to rent single-story units) and a self-storage facility. A zone change from an R-A (Single Family Residential) District and M-1 (Light Manufacturing) District was approved June 7, 2021 on 43.727 acres.

Mr. Gilbertson explained, "the owners are requesting to plat the property into 200 patio home lots. We were here last month for the R-1 (One-Family Residential) District change; it was approved by the City Council. We have seen the Staff Review Letter and would abide by the Recommendations."

Chairman Mahone asked about the open/green space.

Mr. Gilbertson explained, "we have two areas that meet the open space requirement. One is the one-acre site near the entrance and the other is labeled detention and open space. The detention is only about four acres, the other three acres are usable open space. We are also looking at using a portion of the detention space for soccer fields and walking trails."

Chairman Mahone asked about the lift station.

Mr. Gilbertson explained, "this entire development as well as the remainder of the 68 acres will sewer this lift station and then have a force main back to FM 1417 (Heritage Parkway) and O.B. Groner; the southeast corner there is an existing gravity line that we will tie into. There is a wet well that is below ground with a screening wall around it; it will look like a generator."

"We want to do all the R-1 (One-Family Residential) District as patio homes, there may be some that meet the width requirements but we would like the Specific Use Permit on all the lots."

Mr. Rae stated, "they meet the open space requirement for the patio homes."

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

ACTION TAKEN.
Motion by Vice-Chairman Downtain to approve the request for the Final Plat of the Sherman Heights Addition, Specific Use Permit to allow patio homes and site plan approval in an R-1 (One-Family Residential) District subject to the Staff Review Letter in the 2400-2700 blocks of South FM 1417 (Heritage Parkway). Second by Commission Member Manley.

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

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

EXCEPTION – LOT WIDTH

REPLAT LOTS 5 & 6, BLK. 16, W. ELLIOTT'S ADDN. 809 S. WILLOW ST. (GROW MORE INVEST, LLC)

EXCEPTION & FINAL PLAT
THE REQUEST OF GROW MORE INVEST, LLC (OWNER), CHARLIE SHEARER (DEVELOPER) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 809 SOUTH WILLOW STREET, BEING LOTS 5 & 6, BLOCK 16, W. ELLIOTT'S ADDITION, AS FOLLOWS:
BOARD OF ADJUSTMENTS
EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW A 50' WIDE LOT IN LIEU OF THE REQUIRED 60' LOT WIDTH IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LOTS 5 & 6, BLOCK 16, W. ELLIOTT'S ADDITION.

Charlie Shearer, 415 W. Main St., Denison, TX
Mr. Shearer appeared to represent the request and answer any questions. The property is located at 809 South Willow Street between Odneal and Thomas Streets. The property is zoned an R-1 (One Family Residential) District.

Mr. Shearer explained, "the owner of this lot bought this lot with the intention of building a single family residence. It seems these are two 25' lots that have been combined. They would like to plat two lots into one 50' wide lot for residential development. We have seen the Staff Review Letter and would abide by the Recommendations."

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

Board of Adjustments
ACTION TAKEN.
Motion by Vice-Chairman Downtain to approve the exception to allow a 50' wide lot in the proposed Replat of Lots 5 and 6, Block 16, W. Elliott's Addition in lieu of the required 60' wide in an R-1 (One-Family Residential) District at 809 South Willow Street. Second by Commission Member Manley.

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

Planning & Zoning Commission
ACTION TAKEN.
Motion by Vice-Chairman Downtain to approve the Replat of Lots 5 and 6, Block 16, W. Elliott's Addition subject to the Staff Review Letter at 809 South Willow Street. Second by Commission Member Whitaker.

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

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

ADJOURNMENT

ADJOURNMENT
On Motion duly made and carried, the meeting adjourned at 8:37 p.m.

CHAIRMAN

ACTING SECRETARY

Planning & Zoning Commission and Board of Adjustments **6.**

Meeting Date: 07/20/2021

Prepared By: Patsy Reeves, Development Services Coordinator

Issue:

CONSENT AGENDA (ITEMS 15 & 19)

List of Agenda Items:

15. * 1108 EAST LAMAR STREET

The request of Devin Squeri (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor)) concerning the property located at 1108 East Lamar Street, being 0.238 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Planning and Zoning Commission

Replat approval of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition

19. * 825 NORTH EAST STREET

The request of Hambrick Triple H Investment Group LLC (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 825 North East Street, being 0.206 acres in the J.B. McAnair Survey Abstract No. 763, also being all of Lot 7 and the north 14.25 feet of Lot 6, Block 1, Hall & Jones Addition, as follows;

Planning and Zoning Commission

Replat approval of Lot 7 & North 14.25 feet of Lot 6, Block 1, Hall & Jones Addition

Planning & Zoning Commission and Board of Adjustments **7.**

Meeting Date: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

813 EAST PECAN STREET

The request of Dhesi Investments, LLC (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 813 East Pecan Street, being 0.122 acres in the J.B. McAnair Survey, Abstract No. 763, also being a part of Lot 6 and Lot 7, Block 14, of Chaffins First Addition, as follows;

Board of Adjustments

A. Exception under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 59.93' wide lot in lieu of the required 60' for a Residential dwelling in an R-1 (One-Family Residential) District

Planning and Zoning Commission

B. Replat approval of a part of Lots 6 and 7, Block 14 of the Chaffins First Addition,
C. Zone change under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District

Background:

The property is located at 813 East Pecan Street between Maxey and Willow Streets. The property is zoned a C-1 (Retail Business) District.

The owner would like to Replat part of Lots 6 and 7 into one 59.93' wide lot in lieu of the required 60' for residential development. They are also requesting a zone change from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District.

Adjacent Zoning:

R-1 (One-Family Residential) District
C-1 (Retail Business) District
M-2 (Heavy Manufacturing) District

Origination:

Dhesi Investments, LLC (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

17

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat part of Lots 6 & 7, Blk 14 Chaffin's First Addition
Staff Review Letter - Replat
Staff Review Letter

---

813 East Pecan Street

Sherman
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City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 200 ft

Zoning - 813 East Pecan Street

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

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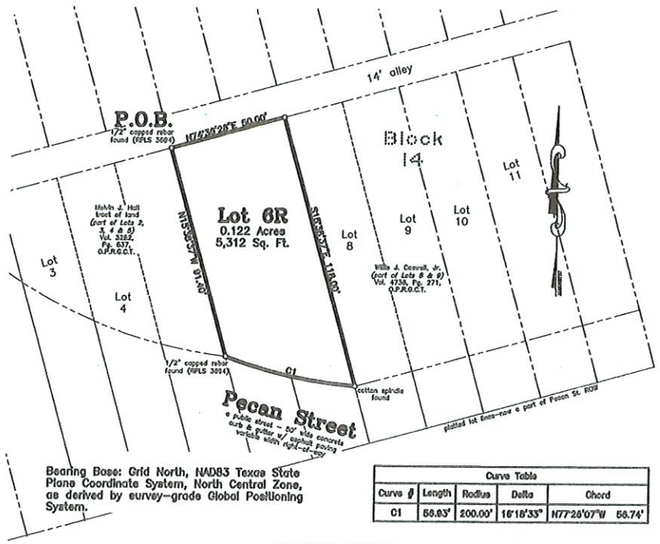
City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 100 ft

813 East Pecan Street



Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone, as derived by survey-grade Global Positioning System.

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	58.93'	200.00'	16°16'33"	N77°26'07"W 58.74'

GRAPHIC SCALE

30 0 15 30 60 120

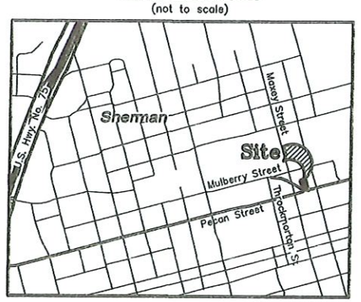
(IN FEET)
1 inch = 30 ft.

Replat of a part of Lots 6 and 7, Block 14 of the Chaffins First Addition to the City of Sherman, Texas 0.122 Acres in the J.B. McAnair Survey Abstract No. 763

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 Electrical Delivery Company.
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 "A" (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. 48181C0280 F, Revised Date: September 20, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Site Location
(not to scale)



Job No. CGS850521

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:
Dhesi Investments, LLC
3300 Ashford Lane
McKinney, Texas 75070

C:\Land Projects\Part-of-Lots-6-and-7-Block-14-Chaffins-1st-Addition\Civil 3D\Plat.dwg Layout: Plat Plot Date: May 25 21 Time: 3:14 PM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the J.B. McAnair Survey, Abstract No. 763, being a part of Lot 6 and Lot 7, Block 14, of Chaffins First Addition to the City of Sherman, Texas, as per plat of record in Volume 26, Page 49, Deed Records, Grayson County, Texas and being the same 0.12 acre of land conveyed by Warranty Deed from Gurmail Singh Dhesi to Dhesi Investments, LLC on October 9, 2019 as recorded in Instrument No. 2019-24787, 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 found (RPLS 3894) in the South line of a 14 ft. wide alley, at the Northwest corner of both said Lot 6 and Dhesi 0.12 ac. and the Northeast corner of both Lot 5, said Chaffins First Addition and the Melvin J. Hall property as conveyed in Volume 3282, Page 637, said Official Public Records;

THENCE North 74 deg. 38 min. 28 sec. East, with the South line of said 14 ft. alley and the North line of said Lots 6 and 7, a distance of 50.00 ft. to a 1/2 inch capped rebar (RPLS 3894) at the Northeast corner of both said Lot 7 and Dhesi 0.12 ac. and the Northwest corner of both Lot 8, said Chaffins First Addition and Willie J. Caswell, Jr. property as conveyed in Volume 4736, Page 271, said Official Public Records;

THENCE South 15 deg. 38 min. 37 sec. East, with the East line of said Lot 7 and the West line of said Lot 8, a distance of 118.00 ft. to a cotton spindle found at the Southeast corner of said Dhesi 0.12 ac. and the Southwest corner of said Caswell property;

THENCE in a Northwesterly direction, along the North line of Pecan Street, a public street, with a curve to the right having a radius of 200 ft. (chord bears North 77 deg. 26 min. 07 sec. West, 58.74 ft.), a distance of 58.93 ft. to a 1/2 inch capped rebar found (RPLS 3894) in the West line of said Lot 6 and the East line of said Lot 7, at the Southwest corner of said Dhesi 0.12 ac. and the Southeast corner of said Hall property;

THENCE North 15 deg. 38 min. 37 sec. West, with the West line of said Lot 6 and the East line of said Lot 5, a distance of 91.40 ft. to the **PLACE OF BEGINNING** and containing **0.122 ACRES** of land.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown 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
KATE A. WAGNER
6578
REGISTERED PROFESSIONAL LAND SURVEYOR

I, Dhesi Investments, LLC, owner of Replat of a part of Lots 6 and 7, Block 14, Chaffins First Addition, the the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Authorized Representative of Dhesi Investments, LLC

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that <he/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 _____, 2021.

Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the Replat of a part of Lots 6 and 7, Block 14, Chaffins First Addition, the the City of Sherman, Texas,, is hereby approved this _____ day of _____, 2021, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

This, the Replat of a part of Lots 6 and 7, Block 14, Chaffins First Addition, the the City of Sherman, Texas,, is hereby approved this _____ day of _____, 2021, 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 Replat of a part of Lots 6 and 7, Block 14, Chaffins First Addition, the the City of Sherman, Texas,, was submitted to the city council of Sherman, Texas, on the _____ day of _____, 2021, 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 _____, 2021, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Replat of a part of Lots 6 and 7, Block 14 of the Chaffins First Addition to the City of Sherman, Texas 0.122 Acres in the J.B. McAnair Survey Abstract No. 763

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

C:\Land Projects\Part-of-Lots-6-and-7-Block-14-Chaffins-1st-Addition\Civil 3D\Plat.dwg Layout: Plat Plot Date: May 25 21 Time: 3:14 PM

Sherman
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STAFF REVIEW LETTER

July 12, 2021

Dhesi Investments, LLC
3300 Ashford Lane
McKinney, TX 75070

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Replat of a part of Lots 6 & 7, Block 14 of the Chaffins First Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 20, 2021 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 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 10' Utility Easement along Pecan Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
3. Show Ownership block on both pages of plat. *Code of Ordinances Chapter 10.05, Section 6*
4. Dedication block has typo; correct accordingly. *Code of Ordinances Chapter 10.05, Section 6*
5. No parking will be permitted on Pecan Street.
6. Recommend rear entry from alley for safety purposes.
7. Alley encroachment and improvement of alley required for rear entry.
8. Add Avigation Release to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
9. 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)*
10. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *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

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
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 12, 2021

DHESI Investments, LLC
3300 Ashford Lane
McKinney, TX 75070

Helvey-Wagner Surveying, Inc.
222 W. Main Street
Denison, TX 75020

Dear Applicants,

The request for a zone change under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District located at 813 East Pecan Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 20, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. 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 General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Fence Ordinance, and the Residential Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.3; Sec. 7(13) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
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 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 Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
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 **8.**

Meeting Date: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

4901 KNOLLWOOD ROAD (RECEIVED EMAIL FROM TODD YOUNG WITHDRAWING REQUEST 7/13/2021 2:58 P.M)

The request of Cypress Lofts Sherman LP (Owners), Helvey-Wagner Surveying, Inc. (Surveyor), and Young Enterprises LP (Representative) concerning the property at 4901 Knollwood Road, being 2.358 acres in the James H. Clark Survey, Abstract No. 275, also being Lot 1-R, Block 2, Cypress Lofts Addition, and a portion of Lot One, Block 2, Replat of Blocks 2,3,4,5,6,7,8 and 9, North Creek Addition, Section One of All of Block No. 1 of the Replat of North Creek Addition, Section One (said Lot 1-R being a portion of said Lot One, Block 2), as follows;

Planning and Zoning Commission

Replat approval of Cypress Lofts Addition, Phase 1A, being a Replat of Lot 1-R, Block 2, Cypress Lofts Addition, and a portion of Lot One, Block 2, Replat of Blocks 2,3,4,5,6,7,8 and 9, North Creek Addition, Section One of All of Block No. 1 of the Replat of North Creek Addition, Section One

Background:

The property is located at 4901 Knollwood Road on the southeast corner of Knollwood Road and Hilre Drive. The property is zoned a C-1 (Retail Business) District. The owner would like to add a dog park area to the apartment complex (Cypress Lofts Apartments) which is currently under construction. They are Replatting the property into one lot, adding additional acreage to include the dog park.

Adjacent Zoning:

R-1 (One-Family Residential) District
R-2 (Multi-Family Residential) District
C-1 (Retail Business) District

Origination:

Cypress Lofts Sherman LP (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)
Young Enterprises LP (Representative)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

Not required.

Objections Received:

0

Development Review Meeting:

No

Attachments

Letter to Withdraw

Reeves, Patsy

From: tyoung@yecon.net
Sent: Tuesday, July 13, 2021 2:48 PM
To: Reeves, Patsy
Subject: Cancelling Replat for northcreek/cypress

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

Patsy

I have been talking with Amber today and she advised us to pull the replat application for cypress lofts where we were adding more property for a dog park....she is helping us through it but if we pull we will resubmit for the next cycle and I was wondering if we can just reuse the fee for that?? Or would we have to pay fee all over again???

TODD YOUNG
PRESIDENT

YOUNG ENTERPRISES L.P.
903.892.1508
WWW.YOUNGENTERPRISESLP.COM

CONFIDENTIALITY NOTE: The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

Planning & Zoning Commission and Board of Adjustments **9.**

Meeting Date: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

2600 WEST TRAVIS STREET

The request of The City of Sherman (Owner), Jonathan Hake, P.E., Cross Engineering Consultants (Civil Engineer/Representative), Hidell Associates (Architects) and Underwood Drafting and Surveying (Surveyor) concerning the property at 2600 West Travis Street, being 10 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows;

Planning and Zoning Commission

A. Final Plat approval of Sherman PD on West Travis Addition

B. Site plan approval and Exception under Ordinance No. 2252 Article IV Section 410 (2)(a), (2)(g)(i), (2)(j), and Section 510 to allow a Sherman Police Department Headquarters with a 85' setback in lieu of the required 100' required from any road, street or arterial highway in the Blalock Industrial Park.

Background:

The property is located at 2600 West Travis Street at the southwest corner of Travis Street and Northgate Drive. The property is located in the Blalock Industrial Park.

The City of Sherman would like to construct a new Police Department Headquarters on a 10-acre parcel at the southwest intersection of Travis Street and Northgate Drive. There will be two buildings, Building A - 27,641 square feet and Building B - 6,330 square feet, for a total of 33,971 square foot. There will be approximately 31 public parking spaces located to the north of the building and 109 secure parking spaces located south of the main building.

Adjacent Zoning:

R-1 (One-Family Residential) District
C-1 (Retail Business) District
Blalock Industrial Park

Origination:

City of Sherman (Owner)
Jonathan Hake, P.E., Cross Engineering Consultants (Civil Engineer/Representative)
Hidell Associates (Architects)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Business Park and Research – Business Park designation allows for compatibility with the use of the roadway and rail system for frequent truck and rail traffic. Industrial and office uses are the most appropriate and compatible land uses adjacent to a truck route and the state road and/or rail system. Typical tenants of a business park and research center include light industrial manufacturing, wholesaling, warehouse facilities, light assembly plants, research and development firms and distribution centers.

Number of notices mailed:

46

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Sherman PD on West Travis Addition
Site Plan
Building Elevations
Staff Review Letter - Plat
Staff Review Letter

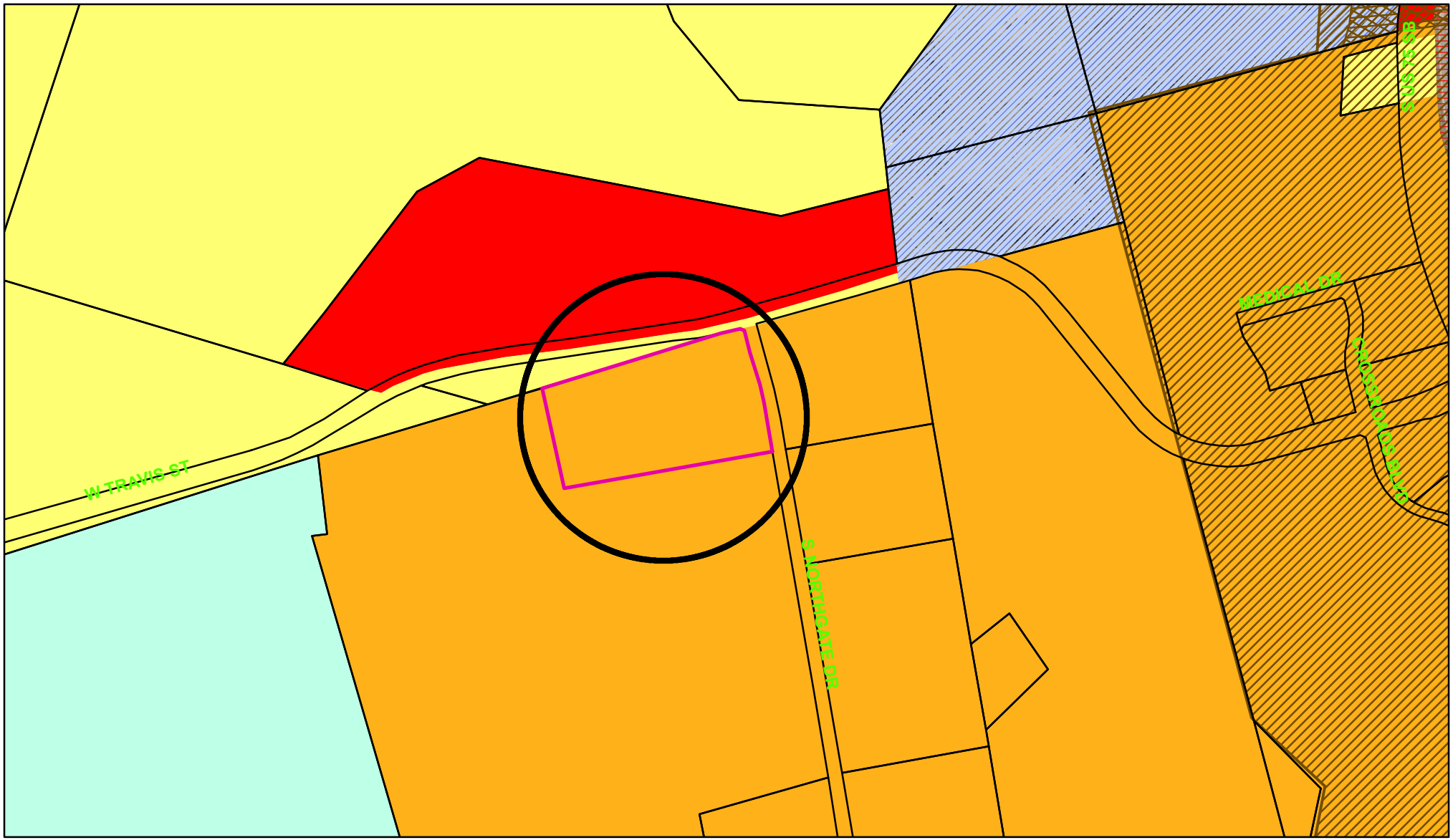
2600 West Travis Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 600 ft



Zoning - 2600 West Travis Street

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 600 ft

2600 West Travis Street

CROSS ENGINEERING CONSULTANTS

1720 W. Virginia St. • McKinney, Texas 75069
972.562.4409 • Fax 972.562.4471

June 23, 2021

City of Sherman
220 W. Mulberry Street
Sherman, Texas 75090

Attn: Mr. Rob Rae, AICP, Director of Development Services

Re: Site Plan
Sherman Police Department Headquarters

Dear Mr. Rae:

Attached please find the Site Plan submittal for the Sherman Police Department Headquarters located at the southwest intersection of West Travis Street and Northgate Drive. The proposed project is located on a 10-acre parcel that will also be platted as part of the development process. The proposed site consists of two buildings totaling approximately 33,971 square feet. There will be approximately 31 public parking spaces located to the north of the building and 109 secure parking spaces located south of the main building. The site is currently zoned BIP – Blalock Industrial Park. It is the intent of the owner and all consultants to construct a quality project within the standards set by the City of Sherman. Project details are listed in detail below:

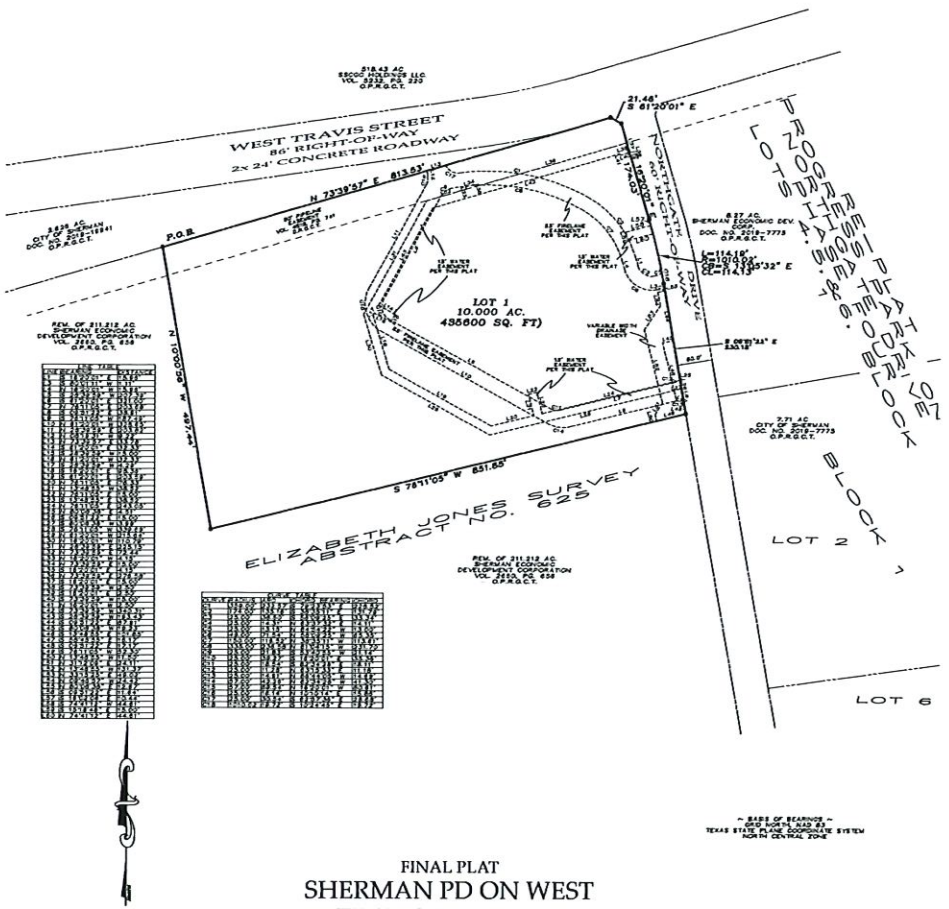
- SWC West Travis Street and Northgate Drive
- 10 Acres
- 33,971 Square Feet in Two Buildings
- Zoned: BIP – Blalock Industrial Park

Thank you in advance for your consideration of the site plan. Please contact me if you have any questions or concerns.

Sincerely,
CROSS ENGINEERING CONSULTANTS, INC.

Jonathan D. Hake, P.E.
Vice President

JOB NO. 20080858



FINAL PLAT
SHERMAN PD ON WEST TRAVIS ADDITION

Being a all of a 10.0 acre tract of Land in the Elizabeth Jones Survey, Abstract Number 625. Being in the City of Sherman, Grayson County, Texas. Containing 10.00 acres of land

GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.

OWNERS/DEVELOPER
CITY OF SHERMAN
220 W. MULBERRY
SHERMAN, TX 75092

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

06-23-21

UNDERWOOD
DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

SHEET 1 OF 2

JOB NO. 20080858

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being all of the same tract of land described as 10.0 acres conveyed to the City of Sherman by deed recorded in Document Number 2020-30104, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at a found 3/4" pipe at the Northwest corner of said 211.212 acre tract

Thence North 73°39'57" East a distance of 1070.54 feet to a set 1/2" steel rod, the True Point-of-Beginning;

Thence North 73°39'57" East, a distance of 813.53 feet to a set 1/2" steel rod;

Thence South 61°20'01" East, a distance of 21.46 feet to a set 1/2" steel rod;

Thence South 18°20'01" East, a distance of 174.03 feet to a set 1/2" steel rod;

Thence with a tangent curve to the right having a radius of 1010.02 feet, (chord bears South 13°05'32" East, a distance of 114.13 feet) an arc length of 114.19 feet to a set 1/2" steel rod;

Thence South 09°51'22" East, a distance of 230.18 feet to a set 1/2" steel rod;

Thence South 78°11'05" West, a distance of 831.65 feet to a set 1/2" steel rod;

Thence North 10°00'56" West, a distance of 487.44 feet to the Point-of-Beginning and containing 10.000 acres of land.

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing SHERMAN PD ON WEST TRAVIS ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the ____day of _____, 2021, 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 and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereto above subscribed.

Witness my hand this_____day of _____, 2021.

_____
Clerk, City of Sherman, Texas

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

_____ _____
Douglas W. Underwood Date
Registered Professional
Land Surveyor, No. 4709

~ 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 to be provided by Grayson County Electric Cooperative.
4. Building setback lines and all utility easements in drainage easements and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or portions drainage flowing 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 any damage to private property or persons.
7. Submit the City of Sherman and the undersigned harmless for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding development of this lot.
9. Bearings are based on the City of Sherman Control Monument Network.

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, CITY OF SHERMAN, do hereby adopt this plat designating the hereinbefore property as the SHERMAN PD ON WEST TRAVIS ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in 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 _____, 2021.

_____
CITY MANAGER
ROBBY NEPTON

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, ROBBY NEPTON 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_____, 2021.

_____
Notary Public in and for
the State of Texas
Commission Expires_____

ACCEPTANCE

Approved this ____day of _____, 2021, 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

FINAL PLAT
SHERMAN PD ON WEST TRAVIS ADDITION
Being a all of a 10.0 acre tract of Land in the Elizabeth Jones Survey, Abstract Number 625. Being in the City of Sherman, Grayson County, Texas. Containing 10.00 acres of land

OWNERS/DEVELOPER
CITY OF SHERMAN
220 W. MULBERRY
SHERMAN, TX 75092

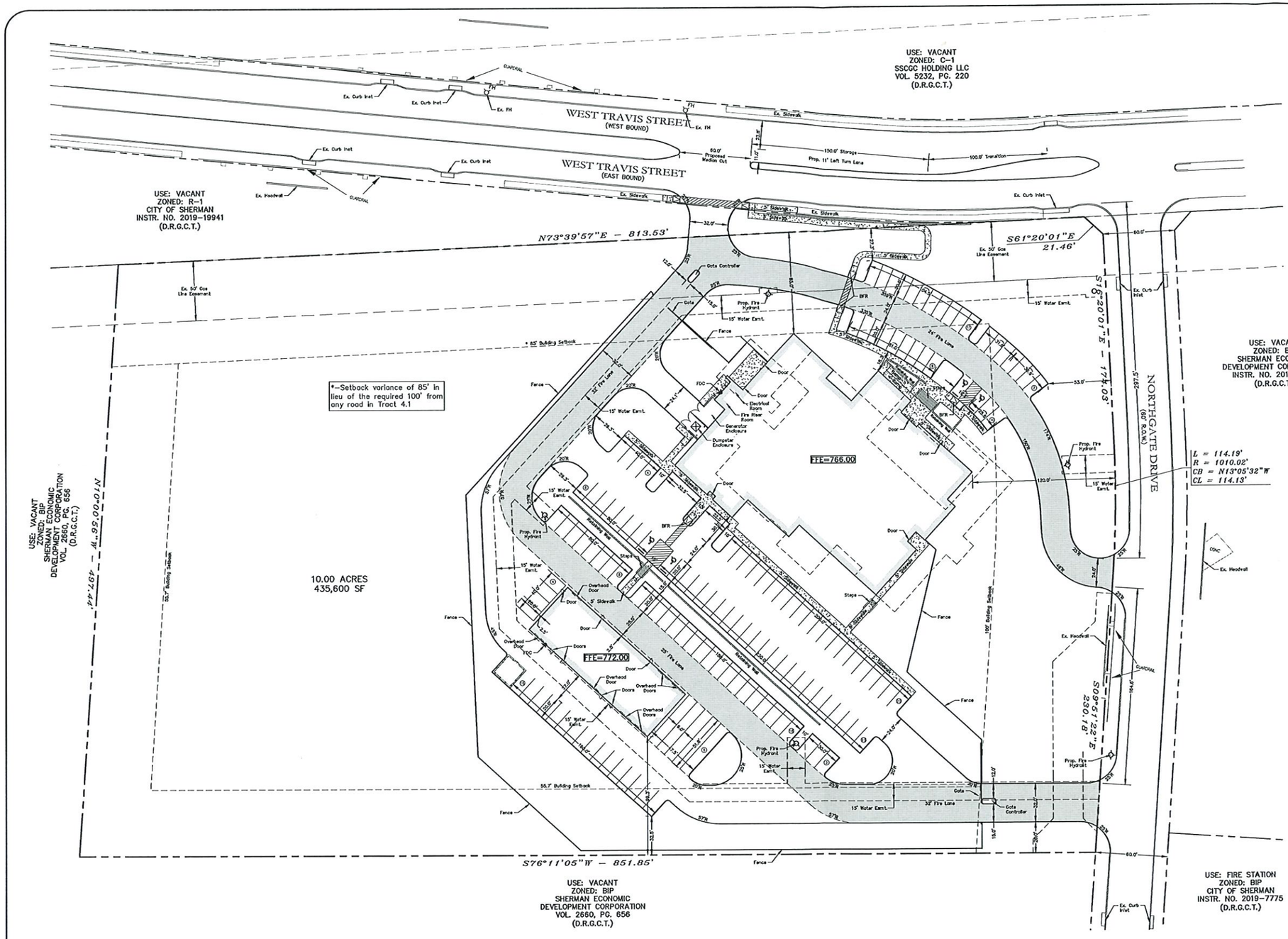
SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

06-23-21

UNDERWOOD
DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

SHEET 2 OF 2



LEGEND

- Firelane
- Proposed Sidewalk
- Ex. Concrete
- Proposed Retaining Wall
- Proposed Wheel Stop Typical
- Existing Fire Hydrant
- Proposed Fire Hydrant
- BFR Barrier Free Ramp

SYNOPSIS

Address:	W. Travis Street Sherman, Texas 75092	
Zoning:	BIP – Blalock Industrial Park	
Proposed Use:	Police Headquarters	
Lot Area:	10.00 Acres (435,600 sf)	
Building Areas:	Building A	27,641 sf
	Building B	6,330 sf
	Total Bldg Area:	33,971 sf
Lot Coverage:	7.80% (Total Bldg Area 33,971 sf)	
Floor Area Ratio:	0.08 : 1	
Building Height:	27'	
Impervious Area:	137,993 sf	
Landscape Area:	297,607 sf	
Required Parking:	1 Space For Every 2 Employees 96 Employees (96/2) = 48 Spaces	
Parking Provided:	29 – Public Parking 2 – Handicap Spaces 31 – Total Public Parking Spaces	
	102 – Secure Parking 2 – Handicap Spaces 5 – Oversized Parking 109 – Total Secure Parking Spaces	
Parking Required Total:	48 Parking Spaces	
Parking Provided Total:	140 Parking Spaces (4 HC)	

ENGINEER:
Cross Engineering Consultants, Inc.
1720 W. Virginia Street
McKinney, Texas 75069
Phone (972) 562-4409
Fax (972) 562-4471
Contact: Jonathon D. Hake, P.E.

ARCHITECT:
Hidell & Associates Architects, Inc.
3033 Kellway Drive, Suite 120
Carrollton, Texas 75006
Phone (972) 416-4666
Contact: Aaron Babcock

SURVEYOR:
Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Denison, Texas 75021
Phone (903) 465-2151
Fax (903) 465-2152
Contact: Doug Underwood, RPLS

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY.

Issue Dates:	Revision & Date:
1 04/13/2021	1
2	2
3	3
4	4
5	5
6	6

CROSS ENGINEERING CONSULTANTS
1720 W. Virginia Street, McKinney, Texas 75069
972.562.4409, Texas P.E. Firm No. F-5935

Drawn By:	Checked By:	Scale:
C.E.C.I.	C.E.C.I.	1"=40'

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF JONATHAN D. HAKE, P.E. NO. 94738 ON 6/23/2021. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

SITE PLAN

SHERMAN PD HQ

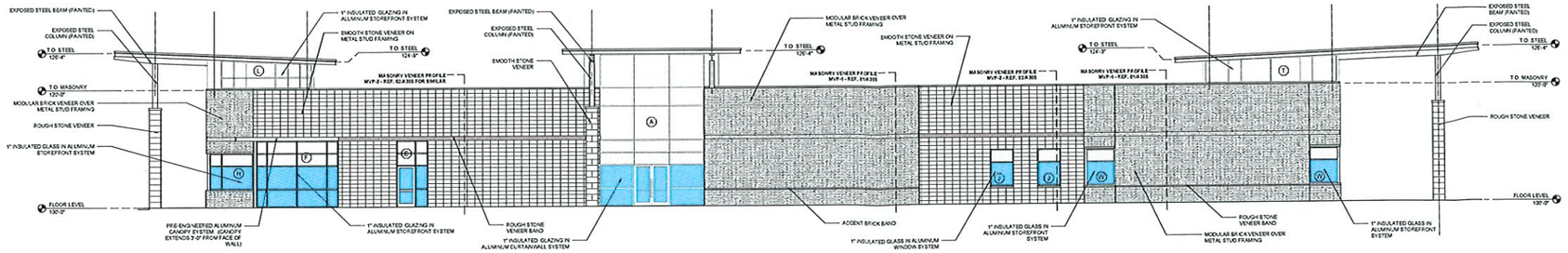
HIDELL ASSOCIATES ARCHITECTS

SHERMAN, TEXAS

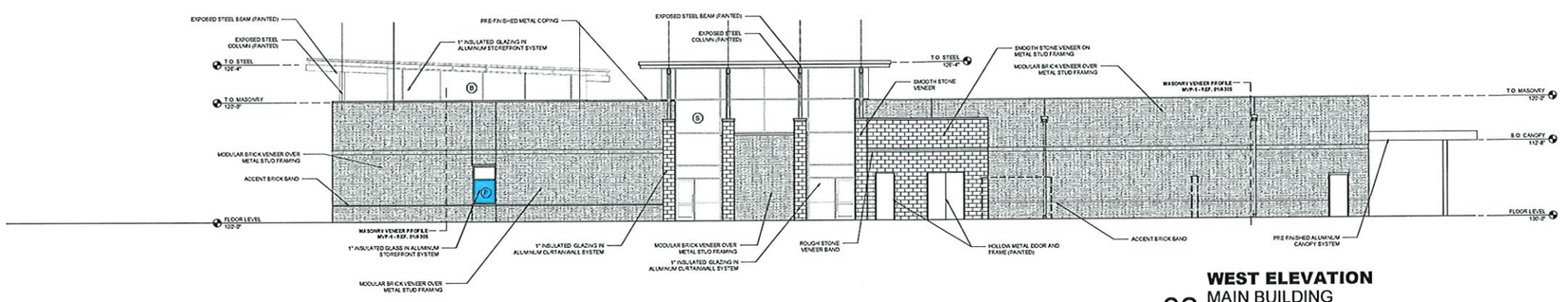
Sheet No. SP

Project No. 20119

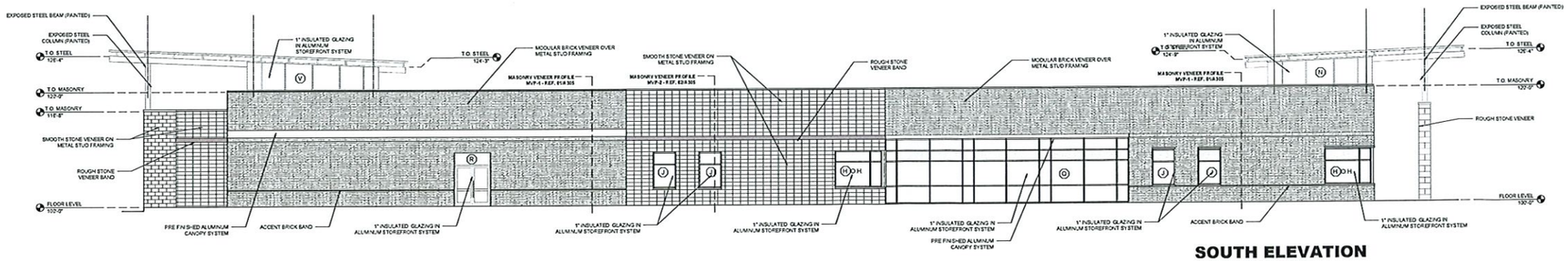
SHERMAN POLICE DEPARTMENT HEADQUARTERS



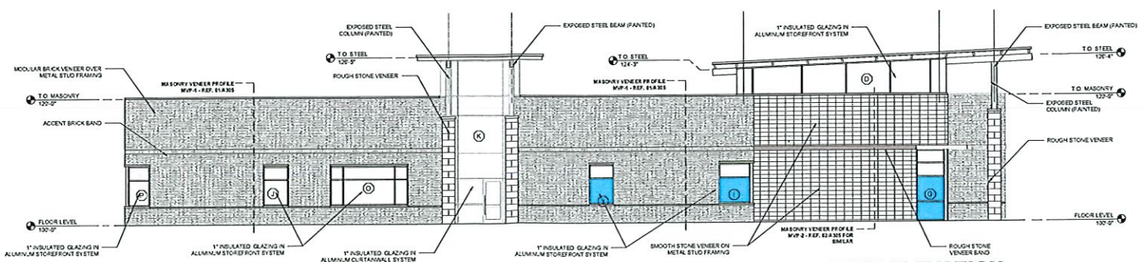
NORTH ELEVATION
MAIN BUILIDING
01 3/32" = 1'-0"



WEST ELEVATION
MAIN BUILDING
02 3/32" = 1'-0"



SOUTH ELEVATION
MAIN BUILDING
03 3/32" = 1'-0"



EAST ELEVATION
MAIN BUILDING
04 3/32" = 1'-0"

SHERMAN POLICE HQ

Sherman, Texas

HIDELL ASSOCIATES ARCHITECTS
3033 KELLWAY DRIVE, SUITE 120
CARROLLTON, TEXAS 75006 (972) 416-4666
FAX (972) 416-0169 E-MAIL ababcock@hidell.com

REGISTERED ARCHITECT — ANDREW H. HIDELL — 17375 — STATE OF TEXAS

OWNER
CITY OF SHERMAN
220 W MULBERRY STREET
SHERMAN, TX 75090
PHONE: (903) 892-7206

CIVIL ENGINEER
CROSS ENGINEERING CONSULTANTS
131 S. TENNESSEE STREET
MCKINNEY, TX 75069
PHONE: (972) 562-4409
FAX: (972) 562-4471
jdc@crossengineering.biz

STRUCTURAL ENGINEER
RLG CONSULTING ENGINEERS
12001 N. CENTRAL EXP. SUITE 300
DALLAS, TX 75243
PHONE: (214) 739-8100
mkaiser@rlginc.com

MEP ENGINEER
BASHARKHAH ENGINEERING
13101 PRESTON ROAD SUITE 601
DALLAS, TEXAS 75240
PHONE: (214) 659-9015
EMAIL: LLane@be7exas.com

SITE PLAN REVIEW

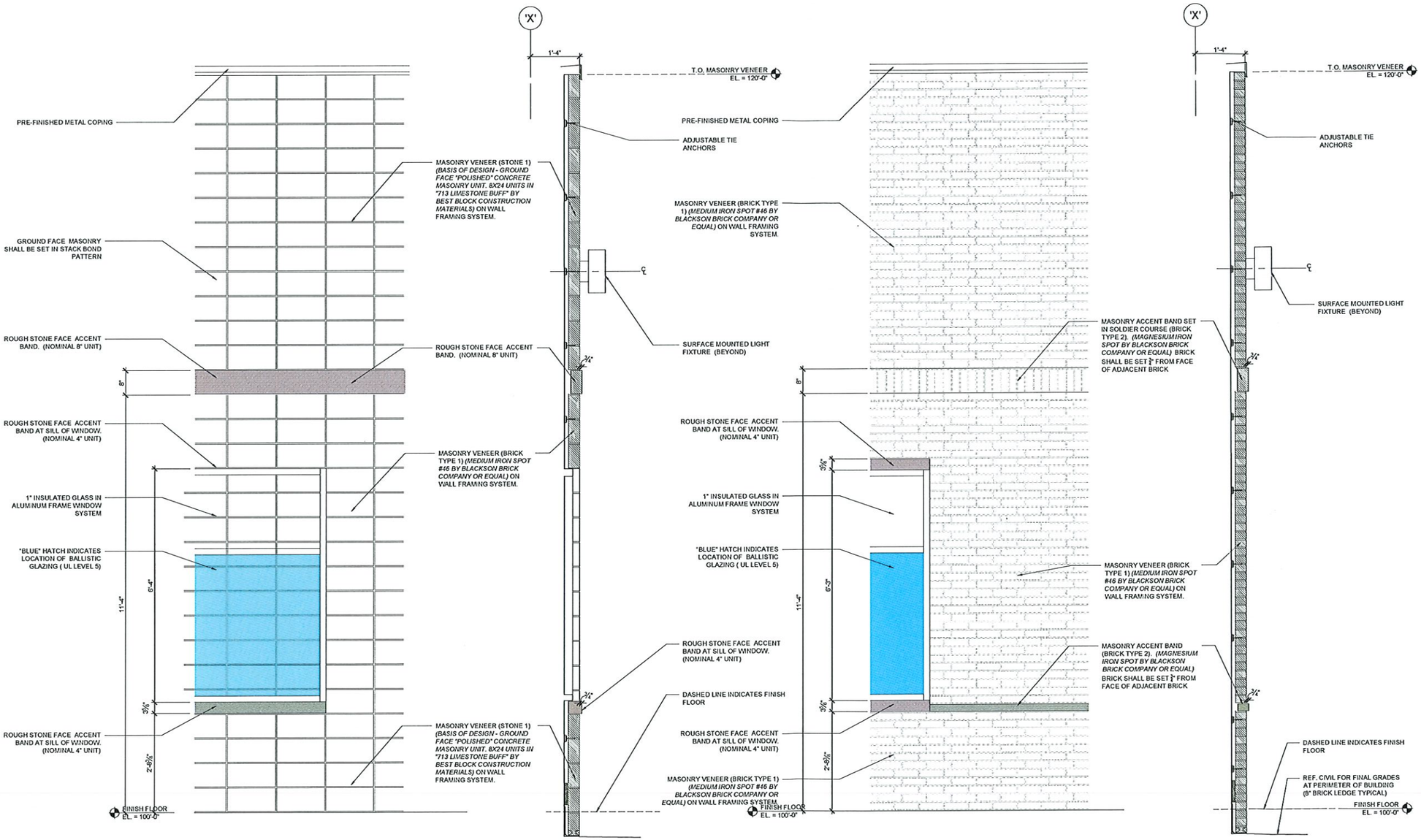
TITLE
EXTERIOR ELEVATIONS
MAIN BUILDING

REVISIONS

JOB NO. 20238
Issue Date: June 11, 2021
Drawn By:
Checked By:

SHEET NO.
A300

ISSUE FOR REVIEW



02 TYPICAL MASONRY VENEER PROFIE (MVP-2)
3/4" = 1'-0"

01 TYPICAL MASONRY VENEER PROFIE (MVP-1)
3/4" = 1'-0"

SHERMAN POLICE HQ

Sherman, Texas

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3033 KELLWAY DRIVE, SUITE 120
CARROLLTON, TEXAS 75006 (972) 416-4666
FAX (972) 416-0169 E-MAIL ababcock@hidell.com

REGISTERED ARCHITECT BENJAMIN N. HIDELL 15375 STATE OF TEXAS

OWNER
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220 W MULBERRY STREET
SHERMAN, TX 75090
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13101 PRESTON ROAD SUITE 601
DALLAS, TEXAS 75240
PHONE: (214) 659-9015
EMAIL: LLane@be1texas.com

SITE PLAN REVIEW

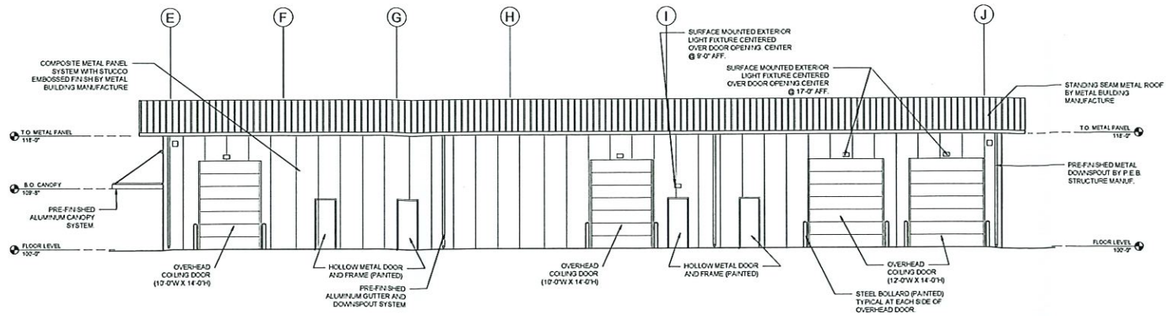
TITLE
EXTERIOR ELEVATIONS
ANNEX BUILDING

REVISIONS

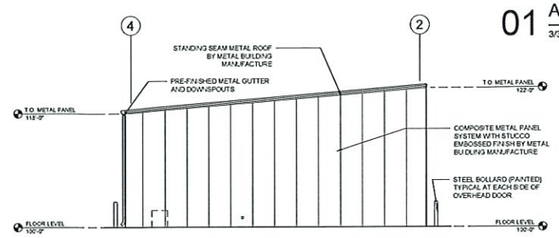
JOB NO. 20238
Issue Date: June 11, 2021
Drawn By:
Checked By:

SHEET NO.
A305

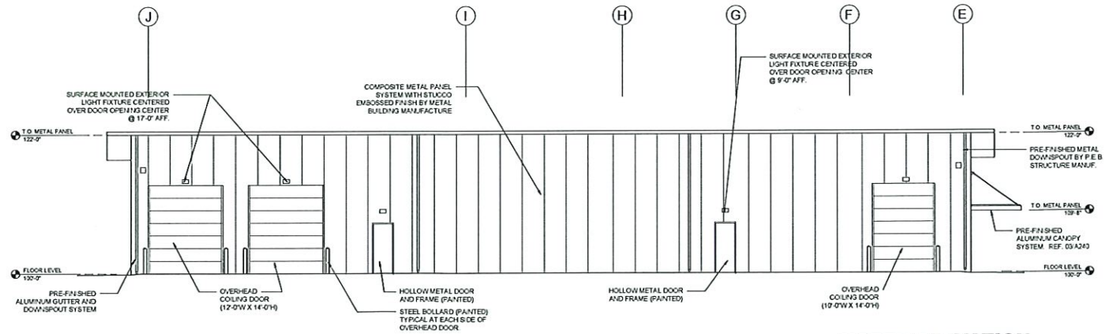
ISSUE FOR REVIEW



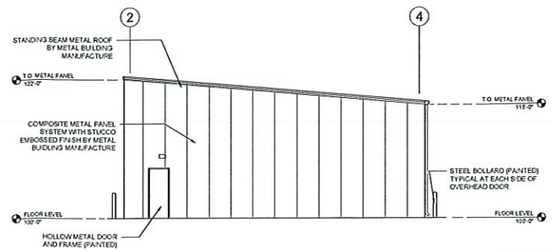
SOUTH ELEVATION
01 ANNEX BUILDING
3/32"" = 1'-0"



EAST ELEVATION
01 ANNEX BUILDING
3/32"" = 1'-0"



NORTH ELEVATION
01 ANNEX BUILDING
3/32"" = 1'-0"



WEST ELEVATION
01 ANNEX BUILDING
3/32"" = 1'-0"

SHERMAN POLICE HQ

Sherman, Texas

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EMAIL: LLaw@beltexas.com

SITE PLAN REVIEW

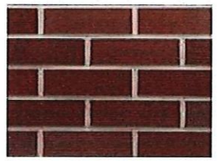
TITLE
EXTERIOR ELEVATIONS
ANNEX BUILDING

REVISIONS

JOB NO. 20238
Issue Date: June 11, 2021
Drawn By:
Checked By:

SHEET NO.
A310

ISSUE FOR REVIEW



FIELD BRICK

SMOOTH STONE

ROUGH ACCENT STONE

ARTIST RENDERING - **NORTH PUBLIC ENTRY**

ARTIST RENDERING - **SOUTH SECURE PARKING**

SHERMAN POLICE HQ

Sherman, Texas

HIDELL
ASSOCIATES
ARCHITECTS

3033 KELLWAY DRIVE, SUITE 120
CARROLLTON, TEXAS 75006 (972) 416-4666
FAX (972) 416-0169 E-MAIL ababcock@hidell.com

REGISTERED ARCHITECT
ANDREW H. HIDELL
7315
STATE OF TEXAS

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PHONE: (214) 659-9015
EMAIL: LLane@beltexas.com

SITE PLAN REVIEW

TITLE
RENDERINGS

REVISIONS

JOB NO. 20238
Issue Date: June 11, 2021
Drawn By:
Checked By:

SHEET NO.
A315

ISSUE FOR REVIEW

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 12, 2021

City of Sherman
220 W. Mulberry
Sherman, TX 75091

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Sherman PD on West Travis Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 20, 2021 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 Fire Lane Easement from plat.
2. Remove 15' Water Line Easement that surrounds proposed building from Plat.
3. Dedicate 10' Utility Easement along Northgate Drive. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
4. Show Point of Commencement on drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
5. Show a minimum of three (3) found monuments on drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec. 15(A).*
6. Add zip code to Surveyor block on both pages of plat.
7. Show pavement width of Northgate Drive. *Code of Ordinances Chapter 10.05, Section 6*
8. Add Avigation Release to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
9. 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)*
10. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *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
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 12, 2021

City of Sherman
220 W Mulberry Street
Sherman, TX 75090

Hidell Associates
3033 Kellway Drive Ste. 120
Carrollton, TX 75006

Jonathan Hake, P.E.,
Cross Engineering Consultants
1720 W. Virginia Street
McKinney, TX 75069

Underwood Drafting and Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for site plan approval and exception under Ordinance No. 2252 Article IV Section 410 (2)(a), (2)(g)(i), (2)(j), and Section 510 to allow a Sherman Police Department Headquarters with a 85' setback in lieu of the required 100' required from any road, street or arterial highway in the Blalock Industrial Park located at 2600 West Travis Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 20, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. 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 General Zoning Ordinance, Ordinance No. 2280 and Ordinance No. 2252, the regulations applicable to the Blalock Industrial Park. (*Chapter 14, Exhibit B)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
5. Shall provide access agreement for driveway from West Travis Street for the development before a permit will be issued.
6. Shall comply with all EPA, City, Federal and State regulations for this use.
7. 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.
8. 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:

9. Platting of the property is required. *(Code of Ordnances Chapter 10, Section 10.02.021)*

10. 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).*
11. 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)*
12. Permit from Engineering Department required for retaining wall that meets or exceeds 4 feet in total height.
13. Sanitary Sewer main must be extended in accordance with City criteria to serve proposed Lot. Sewer capacity shall be verified for proposed use. *(Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)).*
14. Internal water and sewer lines will be privately owned and maintained.
15. Right of Way Permit from Engineering Department required for all water and sewer taps.
16. Verify fire requirements and code compliance with Fire Marshal. *(Code of Ordinances Chapter 3.02(c))*
17. The location of the trash receptors must be approved by the Public Works Department.
18. Three Party Agreement required for Public Infrastructures.

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 Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
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 **10.**

Meeting Date: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

921 NORTH CLEVELAND AVENUE

The request of Carlos & Adaluz Cartagena (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 921 North Cleveland Avenue, being Lot 1, Block 4, College Park Addition, as follows;

Board of Adjustments

Exception and variance under Ordinance No. 2280, Section 5 and Section 6.3, Subsection (1) to allow an addition to an existing nonconforming structure located 4.3' from the north side street property line in lieu of the required 10' and 20.2' from the front property line in lieu of the required 25' in an R-1 (One Family Residential) District/College Park Overlay District.

Background:

The property is located at 921 North Cleveland Avenue at the southeast corner of Cleveland Avenue and Williams Street. The property is zoned an R-1 (One Family Residential) District and CPO (College Park Overlay) District.

The owners are requesting an exception to construct a two-story addition to an existing nonconforming structure. The house is located 4.3' from the side street property line so they are requesting a variance to allow a 4.3' side street setback in lieu of the required 10' on a corner lot and a 20.2' front setback in lieu of the required 25'. The house will have a total of five bedrooms and parking will be provided in the front and back of the property.

Adjacent Zoning:

R-1 (One-Family Residential) District
CPO (College Park Overlay) District

Origination:

Carlos & Adaluz Cartagena (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

18

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Building Elevations
Staff Review Letter

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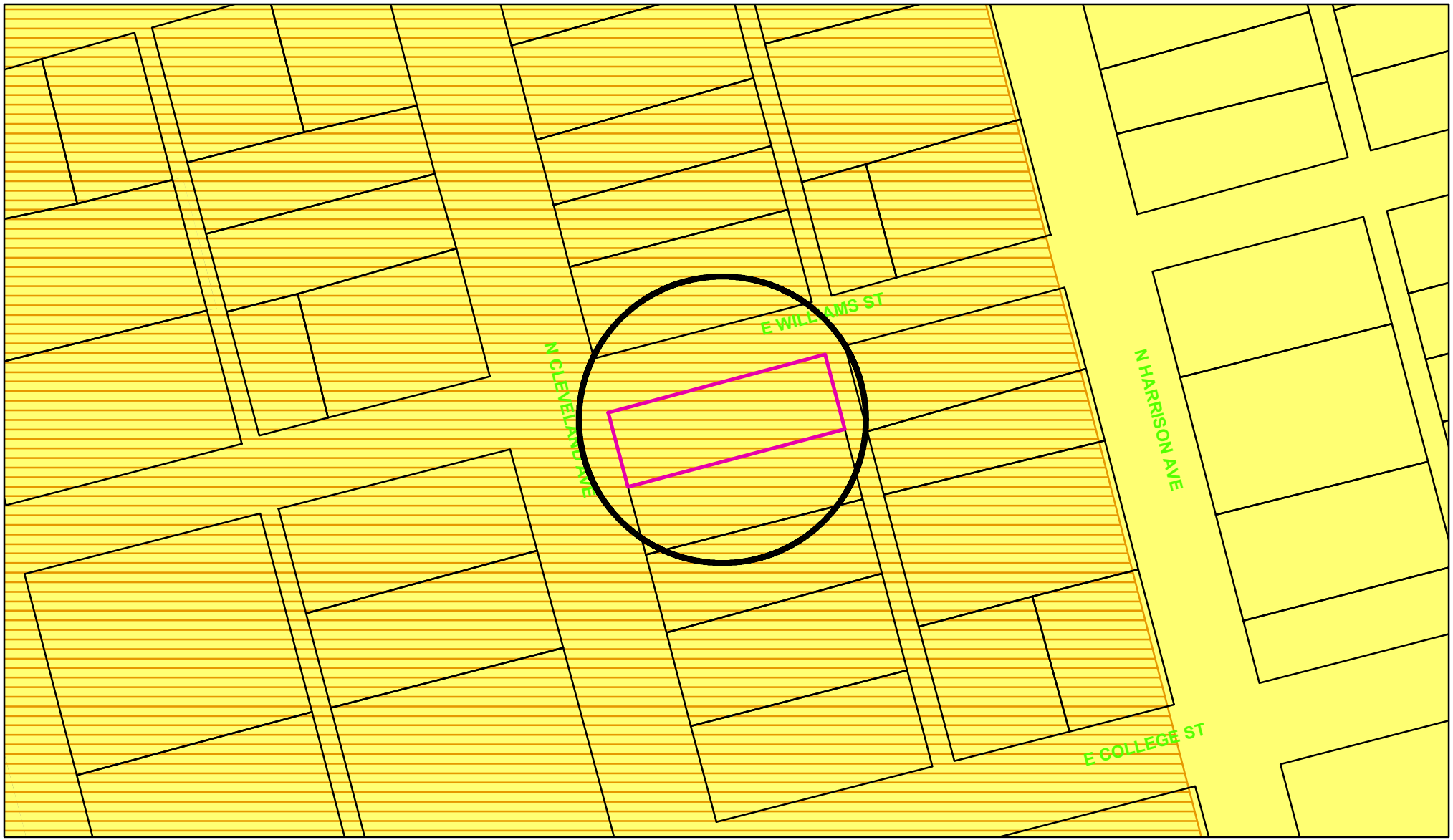
921 North Cleveland Avenue

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 200 ft



Zoning - 921 North Cleveland Avenue

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

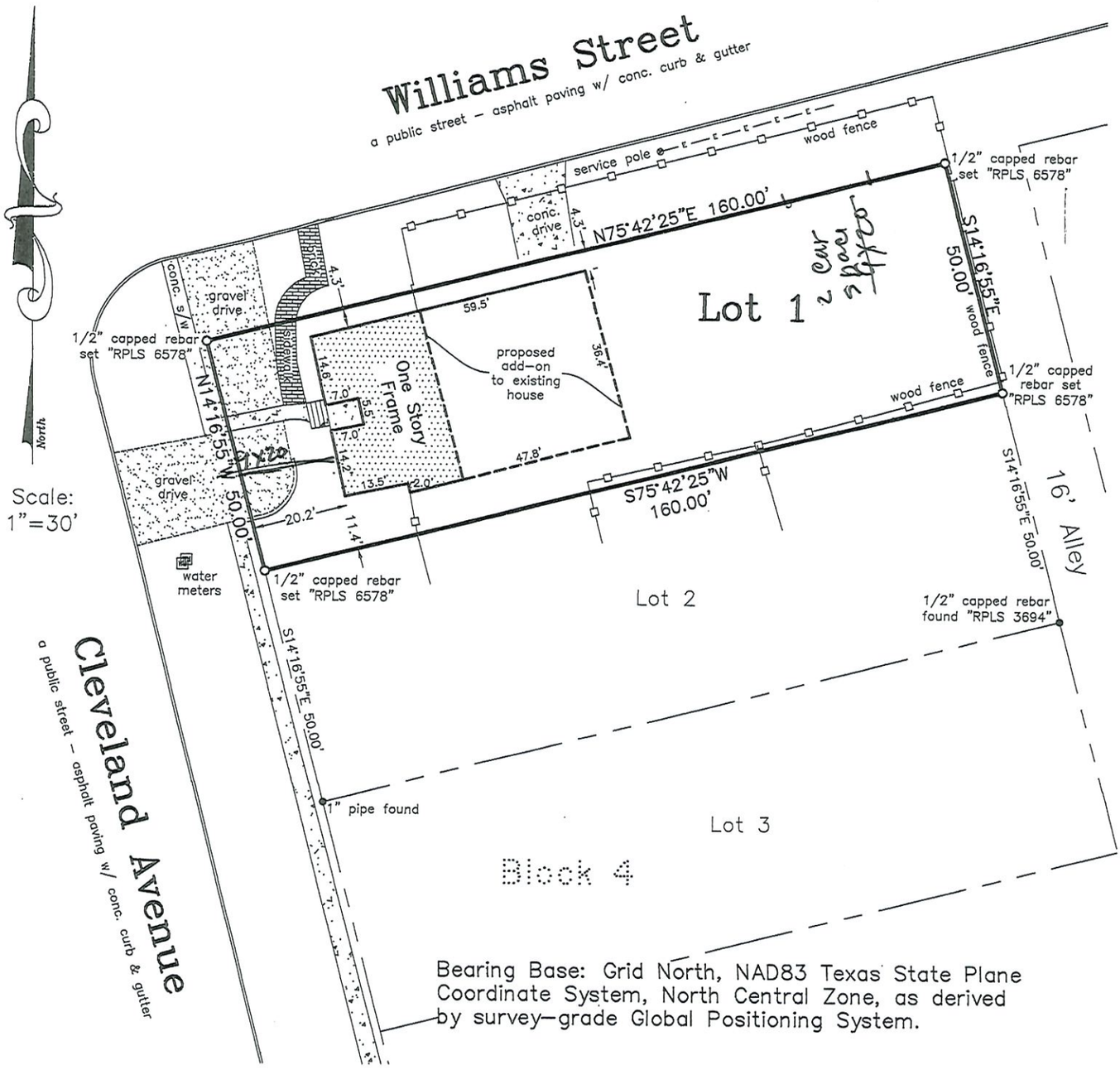
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 100 ft

921 North Cleveland Avenue



Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone, as derived by survey–grade Global Positioning System.

Owner: Carlos Cartagena & Adaluz Cartagena
Address: 921 N. Cleveland Avenue 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 3, TSPS Land Title Survey and is a true and correct representation of the property shown hereon to the best of my knowledge and belief.

Legal Description is as follows: Lot 1, Block 4 of College Park Addition to the City of Sherman, Texas, as per plat of record in Volume 81, Page 438, 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 29, 2010.

Note: This survey was done without the benefit of a title commitment. Not all improvements are shown hereon.

STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
LAND SURVEYOR

Kate A. Wagner, R.P.L.S. No. 6578
Copyright Date: June 7, 2021
Revision Date: June 24, 2021

Job No. AGS150621

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463–6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Z:\Shared Projects\Land Projects R2\Lot–1–Block–4–College–Park–Addition\Civil 3D\921–N–Cleveland.dwg Layout: Legal–Portrait Plot Date Jun 24 21 Time: 8:51 AM

921 N. Cleveland Avenue

LOWE'S
LOWE'S
Mar 16, 2021 at 10:16 AM

LOWE'S
Dec 16, 2020 at 4:33 PM

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 12, 2021

Carlos & Adaluz Cartagena
921 N. Cleveland Ave.
Sherman, TX 75090

Dear Applicants,

The request for an Exception and variance under Ordinance No. 2280, Section 5 and Section 6.3, Subsection (1) to allow an addition to an existing nonconforming structure located 4.3' from the north side street property line in lieu of the required 10' and 20.2' from the front property line in lieu of the required 25' in an R-1 (One Family Residential) District/College Park Overlay District located at 921 North Cleveland Avenue has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. 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 General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the College Park Overlay District, the Fence Ordinance, and the Residential Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.3; 6.13.6; Sec. 7(13) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
5. Any structures built over any of the easements on the property will require approval from the City Council for an encroachment easement.
6. Approval of the variance and exception does not apply to the existing fence located in the right-of-way.
7. No building shall exceed 35 feet or 2 stories in height. *(Chapter 14, Exhibit A, Section 6.3)*
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. All improvements must be within property lines.
12. No improvements will be permitted within any easements or public rights of way.

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 Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
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 **11.**

Meeting Date: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

3400 BLOCK WEST CANYON CREEK DRIVE

The request of V PROP LLC (Owner) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 3400 block of West Canyon Creek Drive, being 14.227 acres in the James H. Vaden Survey, Abstract No. 1288, as follows:

Board of Adjustments

A. Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow 20' rear yard setbacks for Lots 5, 9, 18, 22, 31 & 35 in the proposed West Canyon Creek, Section 4 for residential dwellings in lieu of the required 25' in an R-1 (One-Family Residential) District.
B. Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow 7.5' side setbacks for Lots 1-39 in the proposed West Canyon Creek, Section 4 for residential dwellings in lieu of the required 10% of the lot width in an R-1 (One-Family Residential) District.
C. Exception under Ordinance No. 2280, Section 6.3, Subsection (1) to allow the following lot widths in lieu of the required 60' lot width in an R-1 (One-Family Residential) District.

Lot 6 – 42.63' lot width
Lot 7 – 46.84' lot width
Lot 8 – 42.63' lot width
Lot 19 – 42.63' lot width
Lot 20 – 46.84' lot width
Lot 21 – 42.63' lot width
Lot 32 – 42.63' lot width
Lot 33 – 46.84' lot width
Lot 34 – 42.63' lot width

Planning and Zoning Commission

D. Preliminary Plat approval of West Canyon Creek, Section 4

Background:

The property is located in the 3400 block of West Canyon Creek Drive between Deerwood Court and West Lamberth Road. The property is zoned an R-1 (One Family Residential) District.

The owner would like to plat the property into thirty-nine (39) lots to construct single-family homes. They are requesting variances for 7.5' side yard setbacks in lieu of the required 8.8' to shift homes closer to one side of the lot to allow for side entry garages, variances for Lots 5, 9, 18, 22, 31, and 35 to allow 20' rear setbacks in lieu of the required 25' because the current build line on the cul-de-sac makes these lots very shallow and variances on Lots 6, 7, 8, 19, 20, 21, 32, 33 and 34 to allow lot widths less than the required 60'.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

V PROP LLC (Owner)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

5

Objections Received:

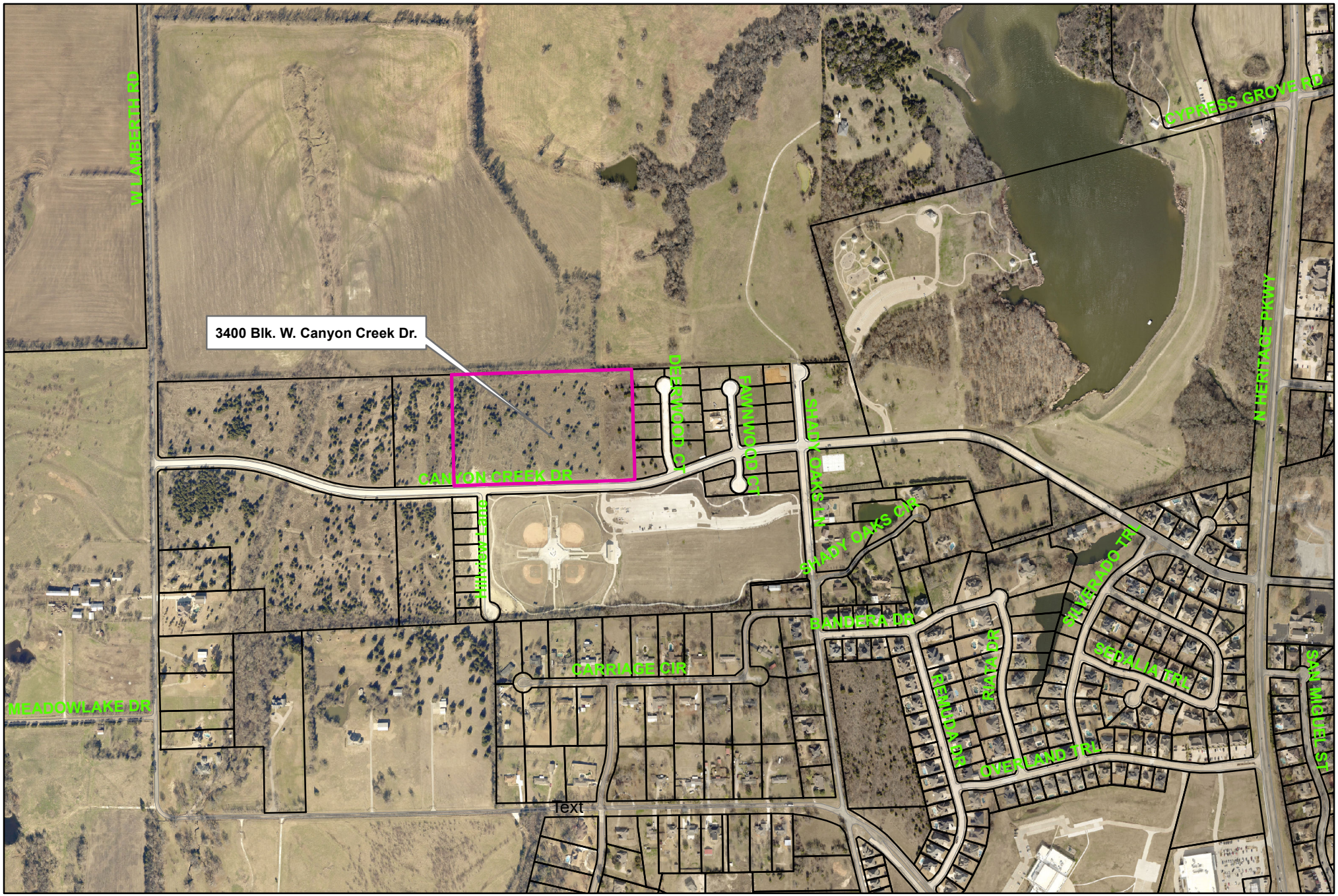
0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Lot Width Exceptions
Preliminary Plat
Side Setback Exhibit
Side Setback Exhibit
Rear Setback Exhibit
Building Elevations
Staff Review Letter - Plat



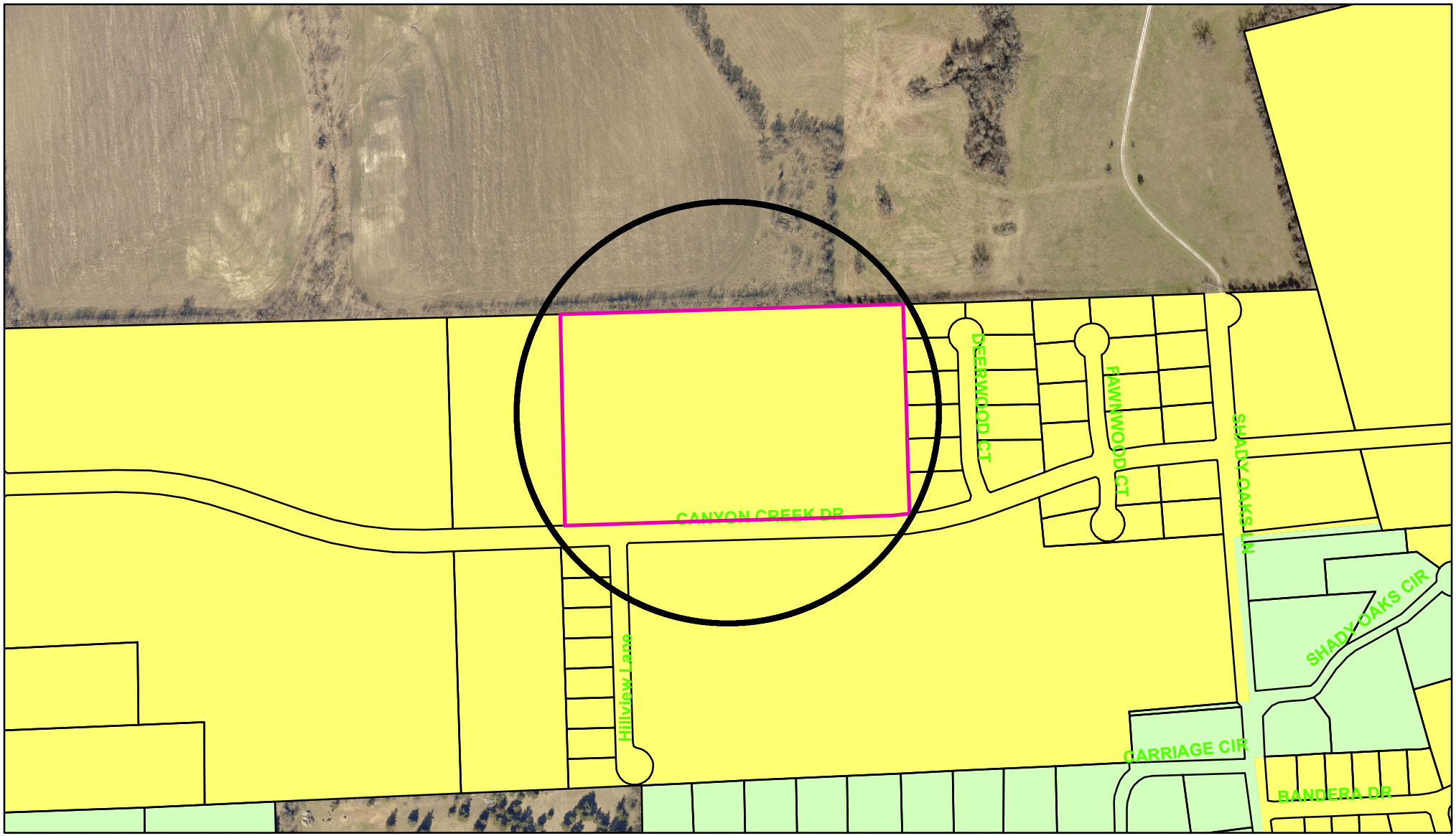
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

3400 Block West Canyon Creek Drive

NOT TO SCALE

1 in = 700 ft



Zoning - 3400 Block West Canyon Creek Drive

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 400 ft

3400 Block West Canyon Creek Drive

V-PROP, LLC.

EST. 2007

June 24, 2021

Planning & Zoning Board:

We are asking for a variance of 1.3' on the side lot setback. (7.5' build line in lieu of 8.8') on the 88' wide lots for 39 lots in Phase III of West Canyon Creek Estates. We are looking to shift homes closer to one side of the lot to allow for side entry garages. Homes will continue to have the required spaces between each (18' or more).

On lots 5, 9, 18, 22, 31, 35, we would like to ask for 20' rear build line in lieu of 25'. The reason for this is the build line on the cul-de-sac makes these lots very shallow.

This will allow us to continue with the size and style of home that we are presently building. These homes are selling from $550K - $650K. Highland Homes is having great success with these homes.

Sincerely,

Lynn Vessels

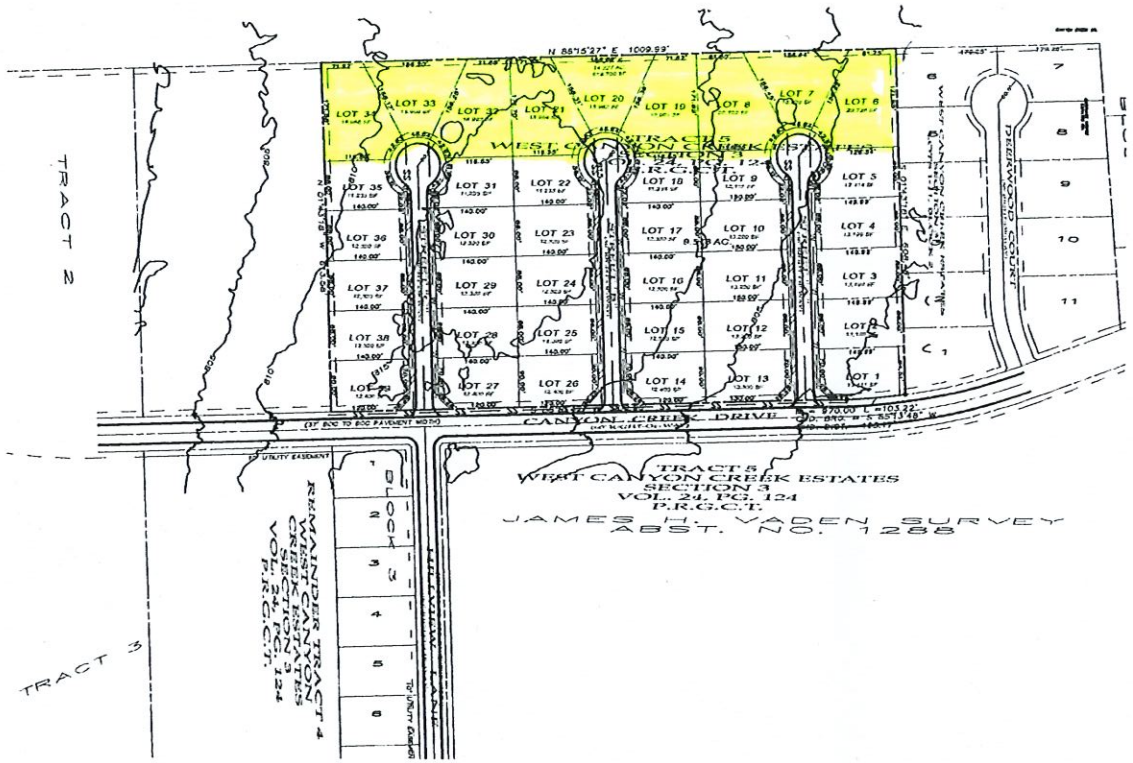
&

Highland Homes

KIM VESSELS
KIM@LV-LLC.COM
P: 903.815.4176
F: 903.893.4310

LYNN VESSELS
LYNN@LV-LLC.COM
P: 903.815.2325
P.O. BOX 1171, SHERMAN, TEXAS 75091-1171

JOB NO. 21040560



LOCATION MAP

"Preliminary Plat, for Inspection Purposes Only. In No Way Official or Approved for Record Purposes."

APPROVED BY:

Chairman, City of Sherman
Planning and Zoning Commission

Date

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

PRELIMINARY PLAT

WEST CANYON CREEK SECTION 4

BEING A TOTAL OF 14.227 ACRES IN THE JAMES H. VADEN SURVEY, ABST. NO. 1288 AN ADDITION TO THE CITY OF SHERMAN GRAYSON COUNTY, TEXAS

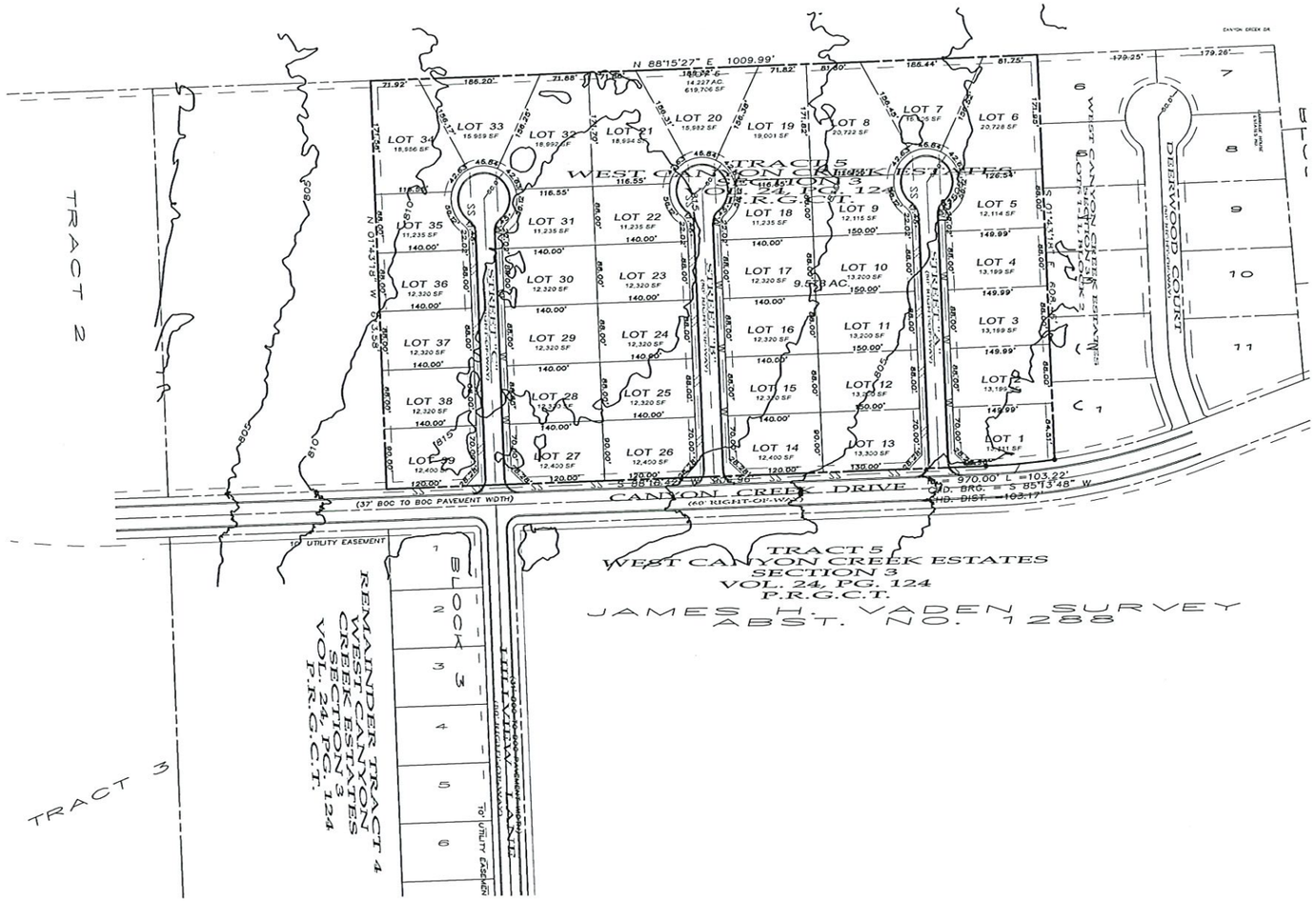
09-22-2021

OWNERS/DEVELOPER
V PROP, LLC
132 COWFORD WAY DRIVE
SHERMAN, TX 75092

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

JOB NO. 21060560



LOCATION MAP

"Preliminary Plat, for Inspection Purposes Only. In No Way Official or Approved for Record Purposes."

APPROVED BY:

_____ _____
Chairman, City of Sherman Planning and Zoning Commission — Date

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

PRELIMINARY PLAT

WEST CANYON CREEK SECTION 4

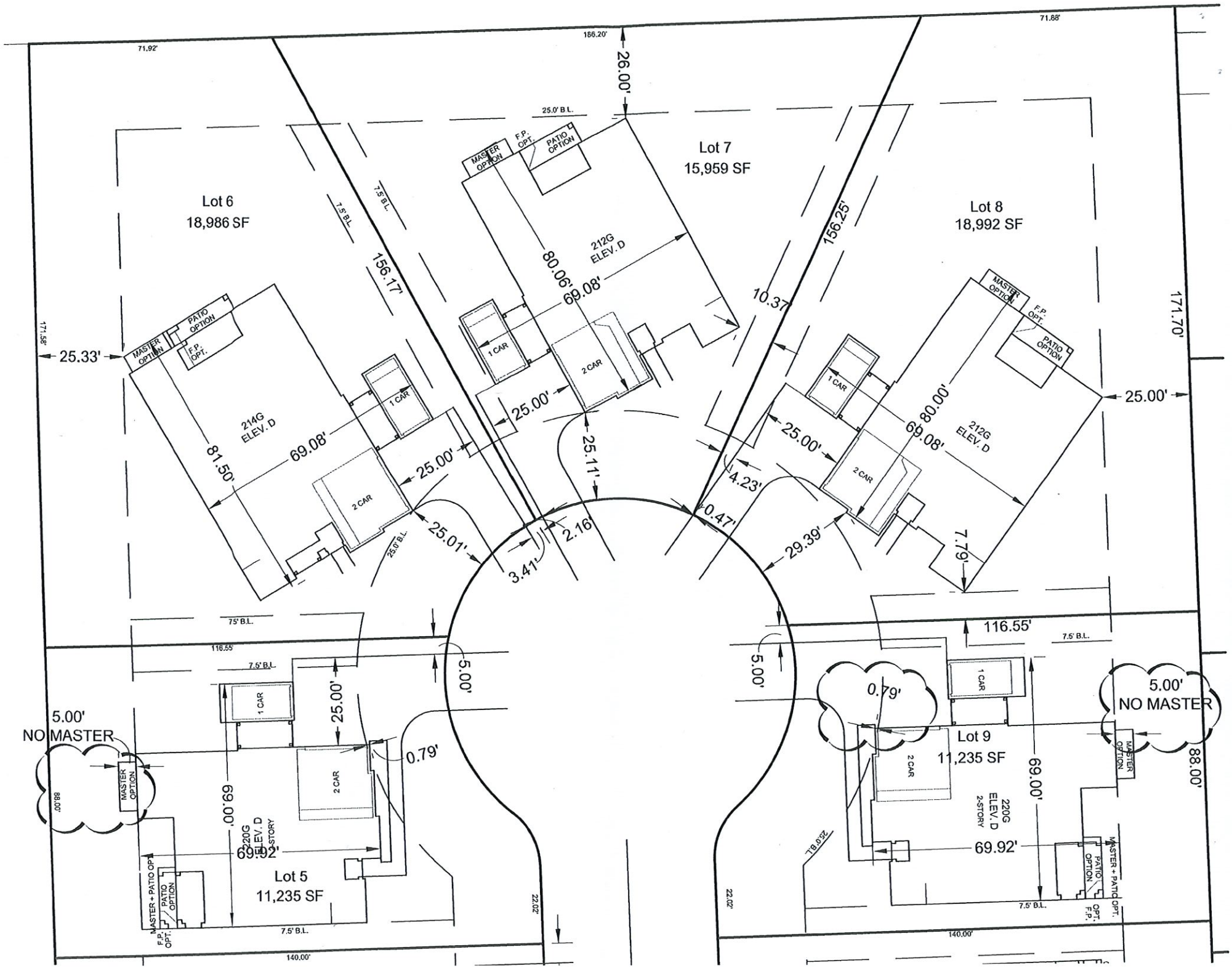
BEING A TOTAL OF 14.227 ACRES IN THE JAMES H. VADEN SURVEY, ABST. NO. 1288 AN ADDITION TO THE CITY OF SHERMAN GRAYSON COUNTY, TEXAS

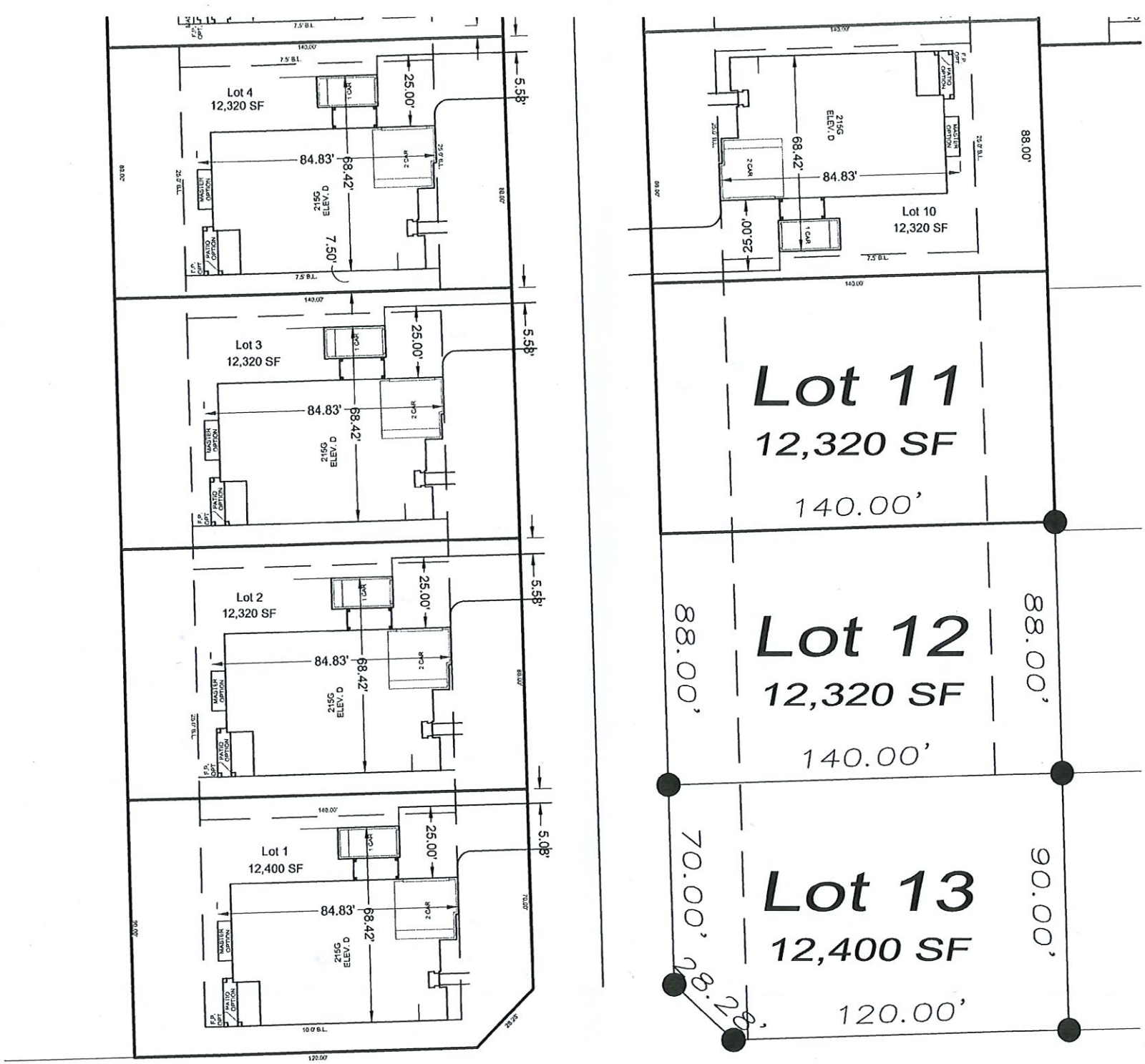
06-22-2021

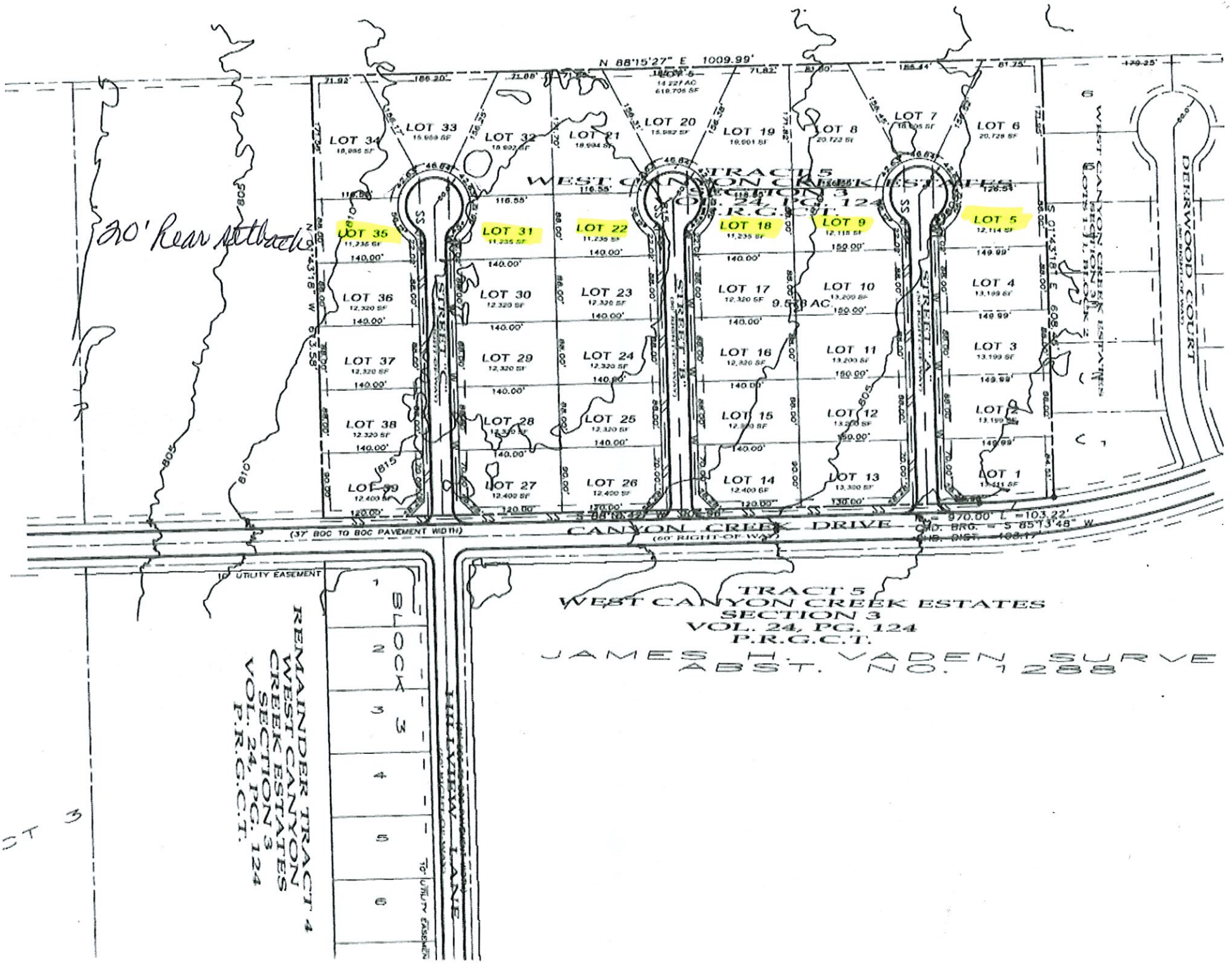
OWNERS/DEVELOPER
V PROP, LLC
132 COMFORT WAY DRIVE
SHERMAN, TX 75092

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

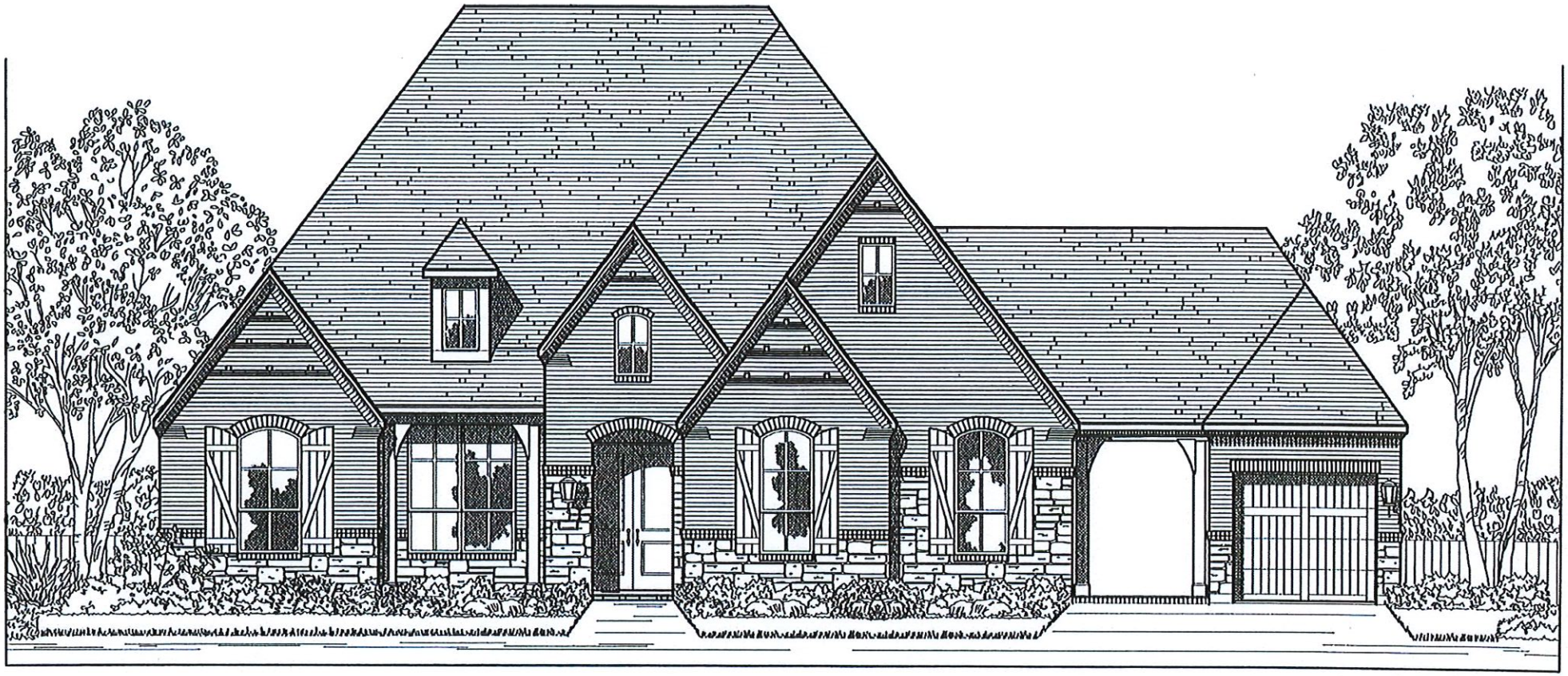

Lot 6
18,986 SF
Lot 7
15,959 SF
Lot 8
18,992 SF
Lot 5
11,235 SF
Lot 9
11,235 SF
214G
ELEV. D
212G
ELEV. D
220G
ELEV. D
2-STORY
MASTER OPTION
PATIO OPTION
F.P. OPT.
MASTER + PATIO OPT.
1 CAR
2 CAR
5.00'
NO MASTER
7.5' B.L.
25.0' B.L.
26.00'
156.17'
156.25'
171.70'
171.58'
71.92'
71.88'
186.20'
25.33'
81.50'
69.08'
80.06'
25.00'
25.11'
10.37'
4.23'
0.47'
29.39'
7.79'
25.01'
3.41'
2.16'
0.79'
69.00'
69.92'
88.00'
116.55'
140.00'
22.02'


Lot 4
12,320 SF
Lot 3
12,320 SF
Lot 2
12,320 SF
Lot 1
12,400 SF
Lot 10
12,320 SF
Lot 11
12,320 SF
140.00'
Lot 12
12,320 SF
88.00'
140.00'
Lot 13
12,400 SF
70.00'
90.00'
120.00'
84.83'
68.42'
25.00'
5.5B'
5.0B'
7.50'
25.00'
215G
ELEV. D


N 88°15'27" E 1009.99'
30' Rear setback
TRACT 5
WEST CANYON CREEK ESTATES
SECTION 3
VOL. 24, PG. 124
P.R.G.C.T.
9.5 AC.
LOT 35
LOT 31
LOT 22
LOT 18
LOT 9
LOT 5
LOT 36
LOT 30
LOT 23
LOT 17
LOT 10
LOT 4
LOT 37
LOT 29
LOT 24
LOT 16
LOT 11
LOT 3
LOT 38
LOT 28
LOT 25
LOT 15
LOT 12
LOT 2
LOT 39
LOT 27
LOT 26
LOT 14
LOT 13
LOT 1
CANYON CREEK DRIVE
(60' RIGHT-OF-WAY)
(37' BOC TO BOC PAVEMENT WIDTH)
10' UTILITY EASEMENT
DERWOOD COURT
WEST CANYON CREEK ESTATES
SECTION 3
LOTS 1-11, BLOCK 2
BLOCK 3
HILLVIEW LANE
REMAINDER TRACT 4
WEST CANYON
CREEK ESTATES
SECTION 3
VOL. 24, PG. 124
P.R.G.C.T.
TRACT 5
WEST CANYON CREEK ESTATES
SECTION 3
VOL. 24, PG. 124
P.R.G.C.T.
JAMES H. VADEN SURVE
ABST. NO. 1288

PLAN 212G

(Elevation E)
shown with optional stone



RICHARD HALES

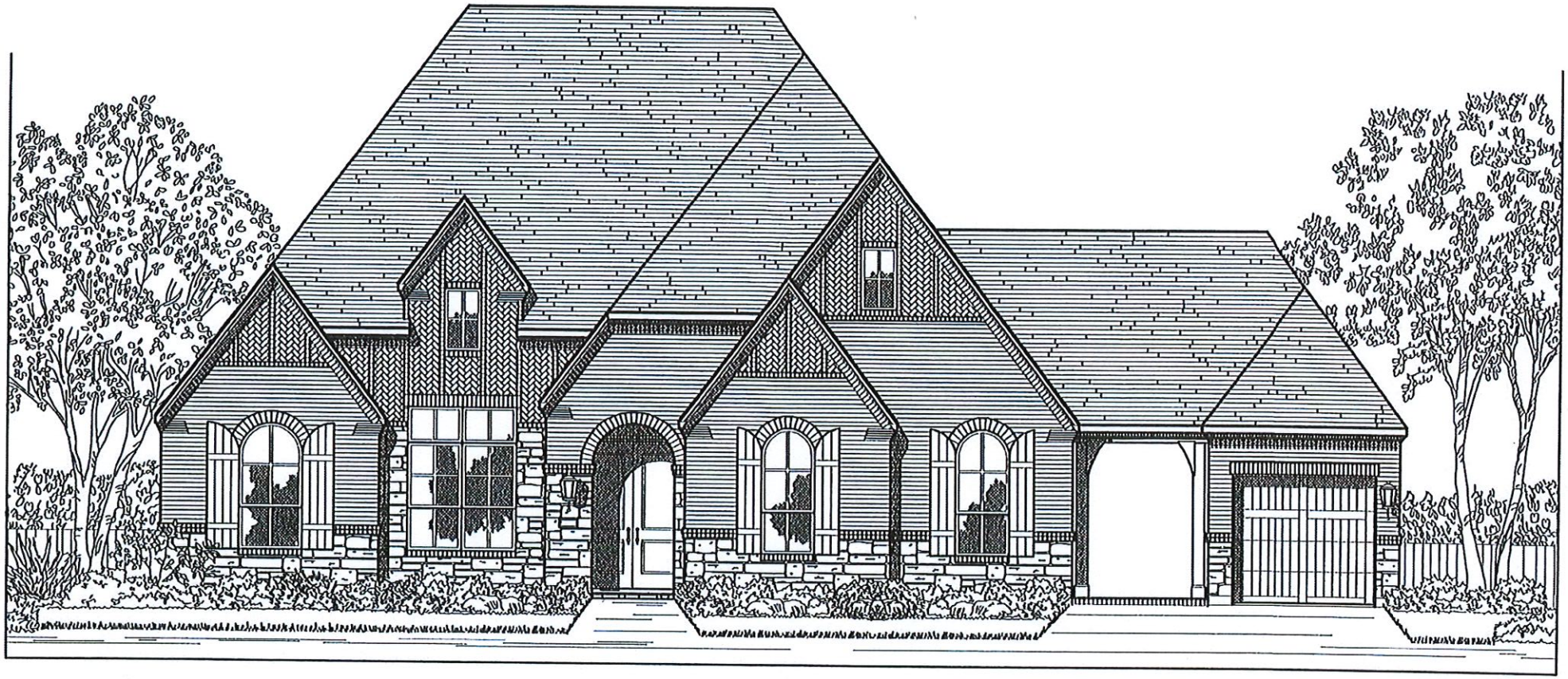
HIGHLAND

3001 Dominion Drive, Ste. 300
Plano, Texas 75024
(972) 769-3500
www.highlandhomes.com

This is a representation of a prototype plan. Prices, plans, specifications, square footage and availability subject to change without notice or prior obligation. Square footage is approximate and may vary upon elevations and/or options selected. Please see your Sales Counselor for more information.

PLAN 212G

(Elevation D)
shown with optional stone



©HIGHLANDHOMES

HIGHLAND HOMES
5001 Democracy Drive, Ste. 300
Plano, Texas 75024
(972) 783-3500
www.highlandhomes.com

This is a representation of a prototype plan. Prices, plans, specifications, square footage and availability subject to change without notice or prior obligation. Square footage is approximate and may vary upon elevations and/or options selected. Please see your Sales Counselor for more information.

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 12, 2021

V Prop, LLC
132 Comfort Way Drive
Sherman, TX 75092

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Preliminary Plat of West Canyon Creek Section 4 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 20, 2021 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. Final plat required.
2. Proposed street names must be approved by the City of Sherman Development Services Department. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(B)(1)(h)*
3. Cul-de-sac does not meet City Ordinance. *Code of Ordinances Chapter 3.02.002(c)(37)*
4. Verify fire requirements and code compliance with Fire Marshal. *Code of Ordinances Chapter 3.02(c)*
5. 10' Utility Easement along all street frontage to be indicated as such on drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
6. Proposed pavement width to be shown on plat. *Code of Ordinances Chapter 10.05, Section 5*
7. Water and sewer mains must be extended in accordance with City criteria to serve proposed development. *Code of Ordinances Chapter 13, Sec. 13.07.282*
8. 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)*
9. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Final 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.*
10. Three Party Agreement required for Public Infrastructures.
11. Preliminary Plat does not meet layout requirements. Final plat must meet layout requirements prior to submittal. *Code of Ordinances Chapter 10.05, Section 5, Code of Ordinances Chapter 10.05, Section 6*
12. Final plat to be filed of record in the Grayson County Plat Records prior to addresses being assigned or building permits being issued.

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
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 12, 2021

V-Prop, LLC
Lynn Vessels
PO Box 1171
Sherman, TX 75091

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow 20' rear yard setbacks for Lots 5, 9, 18, 22, 31 & 35 in the proposed West Canyon Creek, Section 4; Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow 7.5' side setbacks for Lots 1-39 in the proposed West Canyon Creek, Section 4; Exception under Ordinance No. 2280, Section 6.3, Subsection (1) to allow Lots 6-8, 19-21 and 32-34 less than the required 60' lot widths in an R-1 (One-Family Residential) District located in the 3400 block of West Canyon Creek Drive has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. 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 General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Fence Ordinance, and the Residential Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.3; Sec. 7(13) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
5. Any structures built over any of the easements on the property will require approval from the City Council for an encroachment easement.
6. No building shall exceed 35 feet or 2 stories in height. *(Chapter 14, Exhibit A, Section 6.3)*
7. Platting of the property is required.
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. Verify fire requirements and code compliance with Fire Marshal. (*Code of Ordinances Chapter 3.02(c))*
11. Lot widths will change due to 60' radius cul-de-sac. *(Code of Ordinances Chapter 10.05, Exhibit A, Sec. 12, 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 Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
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 **12.**

Meeting Date: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

3232 NORTHGATE DRIVE

The request of Sherman Economic Development Corporation (Owner), 903 Brewers (Proposed Tenant) and Ashley Johnson, Method Architecture (Architect/Representative) concerning the property at 3232 Northgate Drive, being Lot 1, Block 2, Northgate Business Park Phase 1, as follows;

Planning and Zoning Commission

Site plan approval Exception and Variance under Ordinance No. 2252 Article IV Section 410 (2)(a), (2)(g), (2)(j), and Section 510 to allow 903 Brewers Restaurant, Brewery, Warehouse, Grain Silos and Outdoor Patio in the Blalock Industrial Park/O-1.1 (FM Highway 1417) Overlay District.

Background:

The property is located at 3232 Northgate Drive at the northwest corner of Northgate Drive and West FM 1417. The property is zoned a BIP (Blalock Industrial Park) and also located in the O-1.1 (FM Highway 1417) Overlay District.

The proposed tenant (903 Brewers) would like to construct a 45,717 square foot building. This breaks down to a 30,047 square foot restaurant, brewery, and warehouse with a 3,873 square foot upper office and mezzanine, a 10,118 white metal panel covered patio, and a 1,679 square foot uncovered patio. The exterior of the building will be red brick, white painted concrete, dark brown corrugated metal panels, glazing with thick black anodized metal framing, and a gray metal roof. The drive, parking, sidewalk, and loading dock will total 80,233 square feet consisting of 165 provided parking places, including 3 regular ADA spaces and 2 ADA van spaces. The landscaped area will be 96,641.6 square feet.

Adjacent Zoning:

BIP (Blalock Industrial Park)

Origination:

Sherman Economic Development Corporation (Owner)
903 Brewers (Proposed Tenant)
Ashley Johnson, Method Architecture (Architect/Representative)

Master Plan Designation:

Business Park and Research – Business Park designation allows for compatibility with the use of the roadway and rail system for frequent truck and rail traffic. Industrial and office uses are the most appropriate and compatible land uses adjacent to a truck route and the state road and/or rail system. Typical tenants of a business park and research center include light industrial manufacturing, wholesaling, warehouse facilities, light assembly plants, research and development firms and distribution centers.

Number of notices mailed:

45

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Plat
Site Plan
Building Elevations
Staff Review Letter

3232 Northgate Drive

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 600 ft

Zoning - 3232 Northgate Drive

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 300 ft

3232 Northgate Drive

METHOD architecture

903 BREWERY
SITE PLAN SUBMISSION
June 29, 2021

ATTN: ROB RAE

Director of Development Services

City of Sherman, Texas

Dear Mr. Rae,

The attached submission is for Lot 1, Block 2, Tract 4.1 off of FM 1417 and Northgate Dr. in the Northgate Drive Business Park. Our Parcel is 5.11 Acres in the Blalock Industrial and FM 1417 Overlay District.

We are proposing a 45,717 Gross square foot brewery, restaurant, and warehouse distribution center. This breaks down to 30,047 SF Of Brewery, Restaurant, and warehouse space. 3,872 SF of upper mezzanine and second floor offices. 10,118 SF Of covered outdoor patio. And 1,679 SF of uncovered patio.

The building is made up of light concrete, brick, metal panel, and glazing. It features differentiated roofing, gabled and flat, varying heights, articulated fenestration, and a covered patio structure.

We are providing parking for guests as well as employees, a loading dock for the warehouse distribution, and a fire lane throughout the site. We are also proposing relocation of existing trees on site, additional trees along Northgate Dr. a 10'-0" irrigated buffer, and a detention pond to the west.

We are requesting a variance for a 57'-0" building setback from the property line on the Eastern side of the site in lieu of the required 100' from any road, street, or arterial highway in the Blalock Industrial Park.

Thanks

Ashley Johnston

Designer III

METHODarchitecture

P 214.790.7171-ext. 302 | W methodarchitecture.com

JOB NO. A4010002

LEGAL DESCRIPTION

Situated in the City of Sherman, Grayson County, Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 314.444 acre tract of land surveyed for Sherman Industrial Districts, Inc., by Johnson & Johnson by deed dated November 26, 1963, recorded in Volume 934, Page 45, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" steel rod set for corner at the point of intersection of the north right-of-way line of F. M. No. 1417 and the east right-of-way line of the St. Louis & San Francisco Railway Company service track west of the main plant and facilities of said company & Johnson;

Thence South 74°59'00" West with said north line, a distance of 1,172.50 feet to a set 1/2" steel rod;

Thence North 15°01'00" West, a distance of 830.00 feet to a set 1/2" steel rod;

Thence North 11°54'28" West, a distance of 823.50 feet to a set 1/2" steel rod;

Thence North 74°59'34" East, a distance of 603.10 feet to a set 1/2" steel rod;

Thence North 78°14'40" East, a distance of 60.08 feet to a set 1/2" steel rod;

Thence North 81°31'01" East, a distance of 639.16 feet to a set 1/2" steel rod said west right-of-way line of the St. Louis & San Francisco Railway Company;

Thence South 04°48'59" East, a distance of 1,580.21 feet to a set 1/2" steel rod to the POINT-OF-BEGINNING and containing 48.611 acres of land.

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Douglas W. Underwood, known to me to be the person whose name is subscribed to the foregoing instrument acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 30th day of Jan., 2004.

Elaine Jones
Notary Public in and for
the State of Texas

Commission Expires 5/26/07

Approved this 27th day of January, 2004, by the City Planning and Zoning Commission of the City of Sherman, Texas.

Chairman

Secretary

Accepted by the City Council of the City Sherman

Mayor, City of Sherman, Texas

2-2-04
Date

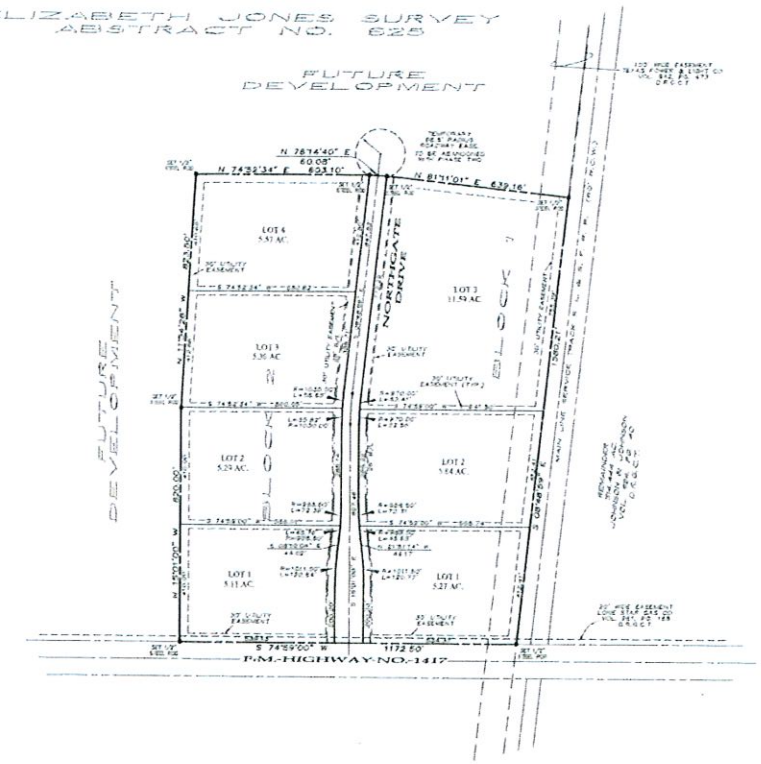
The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing Final Plat of Northgate Business Park, to the City of Sherman, Texas, was submitted to the City Council on the 2nd day of February, 2004, and the City Council by formal action then and there accepted the dedication 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 hereon above subscribed.

Witness my hand this 2nd day of February, 2004.

Linda Ashley
Clerk, City of Sherman, Texas

GRAPHIC SCALE

(IN FEET)
1 inch = 200 ft.



NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT We, Sherman Economic Development Corporation, being the owner of the hereinabove described property hereby adopt this plat designating said property as Final Plat of Northgate Business Park, Phase One, an addition to the City of Sherman, Texas, and does hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way may endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public or private utility shall, at all times, have the right of ingress and egress to, from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules, regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this 6th day of February, 2004

Sherman Economic
Development Corporation

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 _____, known to me to be the person whose name is subscribed to the foregoing instrument acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 5th day of February, 2004.

Notary Public in and for
the State of Texas

Commission Expires 11/5/06

3132
FILED FOR RECORD
at 8:15 o'clock A M.
on the 6th day of Feb. 2004
Recorded in Vol. 16 Page 166
of the Records Grayson County.
WILMA BLACKSHEAR BUSH
County Clerk, Grayson Co., Texas
By Linda Ashley Deputy

FINAL PLAT
OF
NORTHGATE BUSINESS PARK
PHASE ONE
A 48.611 ACRE ADDITION
TO THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

UNDERWOOD
SURVEYING & SUBDIVISION
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-6151

OWNER
SHERMAN ECONOMIC
DEVELOPMENT CORPORATION

16026

VOL 16 pg 166

E-1-216

PROJECT DATA

SITE DESCRIPTION:
LOT 1 , BLOCK 2, TRACT 1
PARCEL ID 231107
5.11 ACRES

ZONING:
CURRENT: BLALOCK INDUSTRIAL PARK AND
FM 1417 OVERLAY DISTRICT
ORDINANCE SOUTH AND NORTH FM 1417 AND
EAST AND WEST OF S US 75
PROPOSED: NO CHANGE

GROSS SQUARE FT. OF BUILDING: 45,717

30,047 SF BREWERY, RESTAURANT, AND WAREHOUSE SPACE

3,873 SF UPPER OFFICE AND MEZZANINE

10,118 METAL PANEL COVERED PATIO

1,679 SF UNCOVERED PATIO

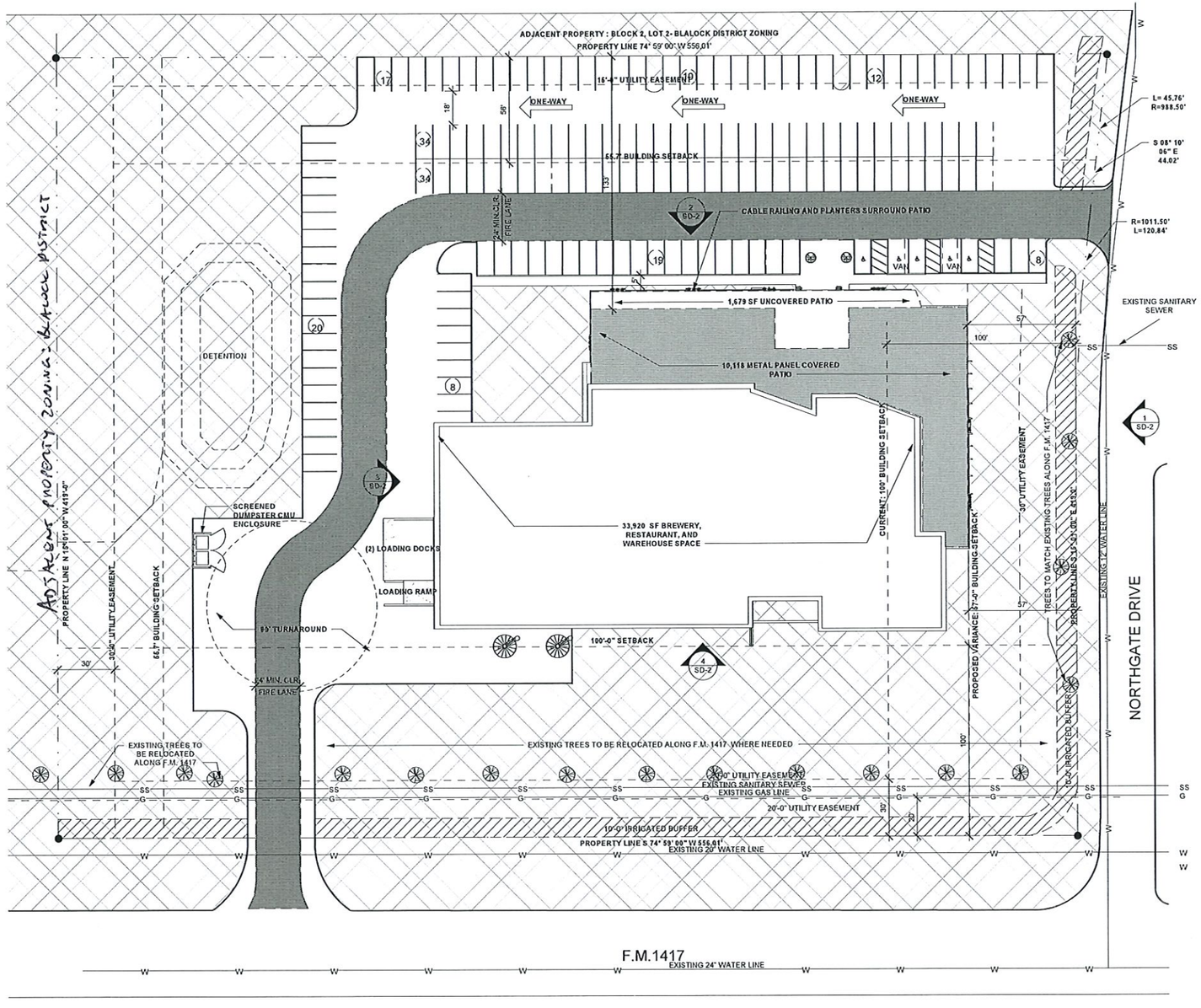
REQUIRED PARKING:
1 PER 2 EMPLOYEES: 20 SPACES REQUIRED

PROVIDED PARKING:
162, INCLUDES 3 REGULAR ADA SPACES AND 2 ADA VAN SPACES

HARD SURFACE AREA: 125,950 SF- 57% OF LOT
45,717 SF OF BUILDING
80,233 SF OF DRIVE, PARKING, SIDEWALK, AND LOADING DOCK

LANDSCAPED AREA: 96,641.6 SF- 43% OF LOT

F.A.R.= .19



ARCHITECTURAL SITE PLAN EXHIBIT (1)
1" = 30'-0"

METHOD architecture
1919 MCKINNEY AVE, SUITE 2011
DALLAS, TEXAS 75201
(469) 640 - 6331

REVISIONS:

TBAE REGISTERED ARCHITECTURAL FIRM F-12,000

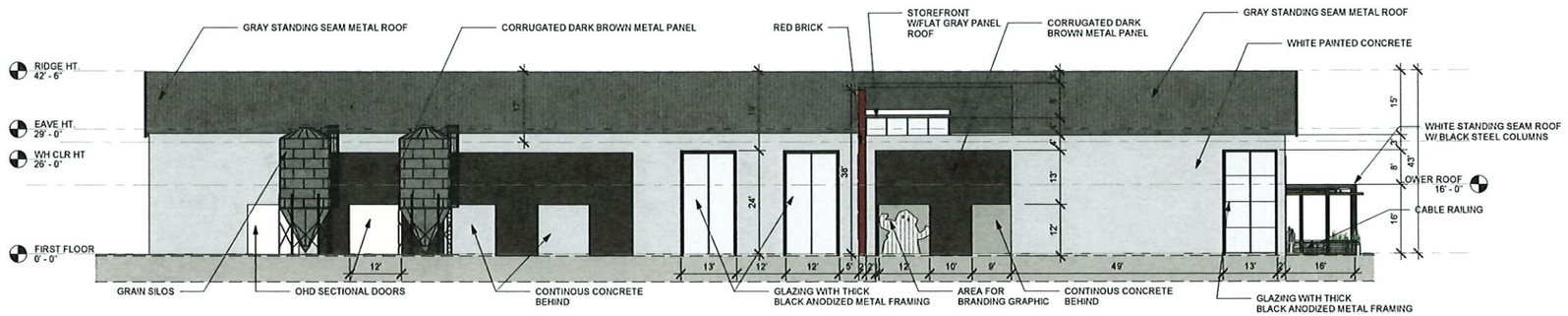
METHOD ARCHITECTURE, PLLC
© COPYRIGHT 2020
THE DESIGNS AND PLANS SHOWN AND DESCRIBED IN THESE ARCHITECTURAL DRAWINGS ARE PROPRIETARY AND ARE THE PROPERTY OF METHOD ARCHITECTURE, LLC.

903 BREWERY
U.S. HWY 82 & F.M. 1417

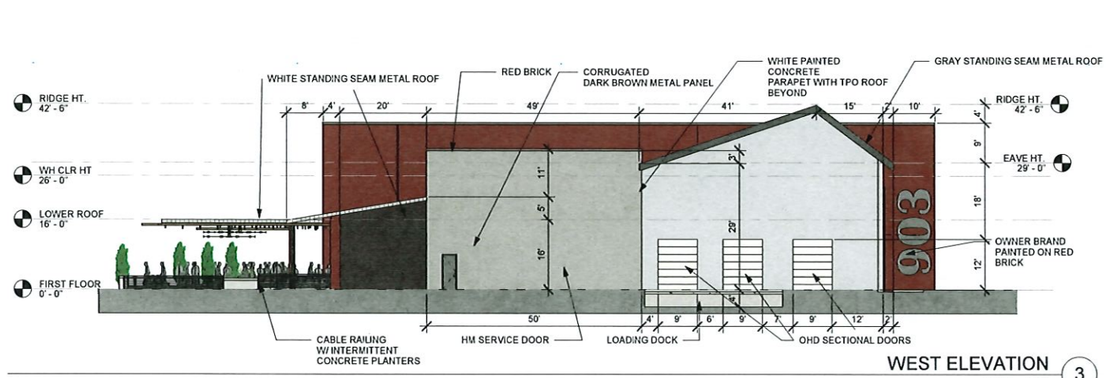
PM: PMG DE:DSG
PROJECT: M215003
SHEET: **SD-1**
SITE PLAN EXHIBIT

FACADE MATERIAL PERCENTAGES

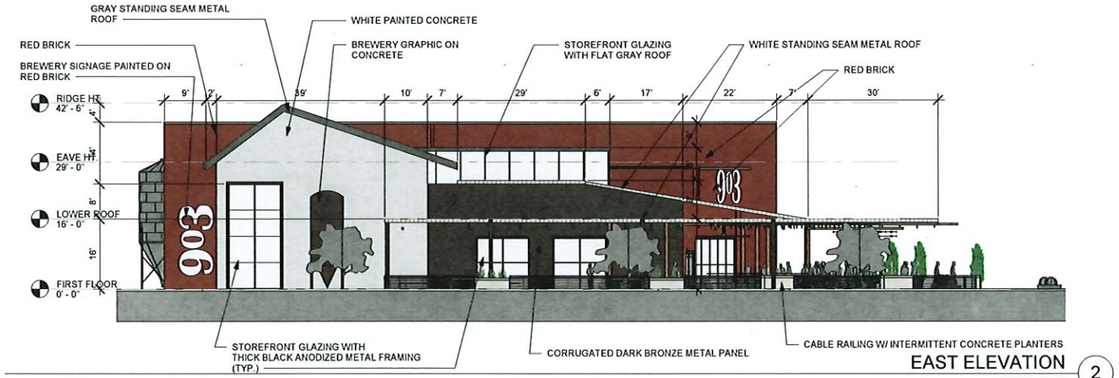
SOUTH ELEVATION (7,666 SF)	**100%**
MASONRY (4,736 SF)	61%
CONCRETE: 4,669 SF	
BRICK: 67 SF	
METAL PANEL (1,887 SF)	25%
GLAZING (1,043 SF)	14%
EAST ELEVATION (5,540 SF)	**100%**
MASONRY (3,725 SF)	67%
CONCRETE: 1,726 SF	
BRICK: 1,999 SF	
METAL PANEL (1,193 SF)	22%
GLAZING (622 SF)	11%
WEST ELEVATION (5,403 SF)	**100%**
MASONRY (4,703 SF)	87%
CONCRETE: 3,174 SF	
BRICK: 1,529 SF	
METAL PANEL (700 SF)	13%
NORTH ELEVATION (8,170)	**100%**
MASONRY (5,196 SF)	64%
CONCRETE: 3,570SF	
BRICK: 1,626 SF	
METAL PANEL (1,480 SF)	18%
GLAZING (1,494 SF)	18%



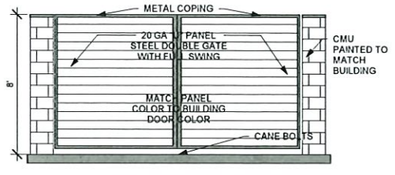
SOUTH ELEVATION 4
1/16" = 1'-0"



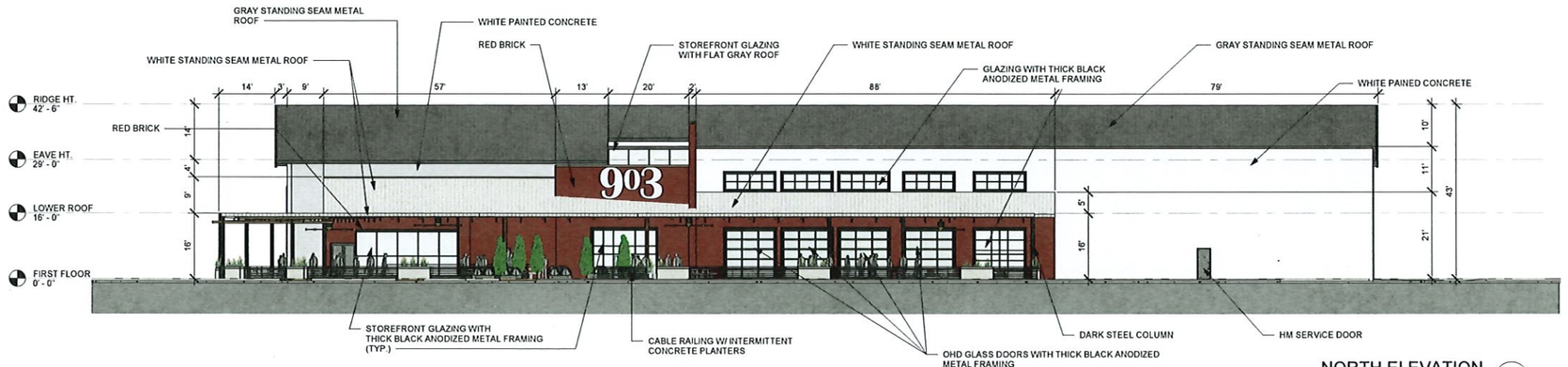
WEST ELEVATION 3
1/16" = 1'-0"



EAST ELEVATION 2
1/16" = 1'-0"



SCREENED DUMPSTER ELEVATION 5
1/4" = 1'-0"



NORTH ELEVATION 1
1/16" = 1'-0"

METHOD architecture
1919 MCKINNEY AVE, SUITE 2011
DALLAS, TEXAS 75201
(469) 640 - 6331

REVISIONS:

TBAE
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION
REGISTERED ARCHITECT

METHOD ARCHITECTURE, PLLC
© COPYRIGHT 2020
THESE DRAWINGS ARE NOT PROPERTY OF ANY MODIFICATIONS ARE NOT PERMITTED WITHOUT THE WRITTEN PERMISSION OF METHOD ARCHITECTURE, LLC

903 BREWERY
U.S. HWY 82 & F.M. 1417

PM: PMG DE: DSG

PROJECT:
M215003

SHEET:
SD-2
ELEVATIONS EXHIBIT

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 12, 2021

SEDCO
307 W. Washington St. #102
Sherman, TX 75090

Phillip Page
1718 W. Elm St.
Sherman, TX 75090

Method Architecture
Ashley Johnson
1919 McKinney Ave., Ste. 2011
Dallas, TX 75201

903 Brewers
1718 S. Elm St.
Sherman, TX 75090

Dear Applicants,

The request for site plan approval exception and variance under Ordinance No. 2252 Article IV Section 410 (2)(a), (2)(g)(1), (2)(j), and Section 510 to allow 903 Brewers Restaurant, Brewery, Warehouse, Grain Silos and Outdoor Patio with a 57' setback from the east property line in lieu of the required 100' required from any road, street or arterial located at 3232 Northgate Drive has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 20, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. 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 General Zoning Ordinance, Ordinance No. 2280 and Ordinance No. 2252, the regulations applicable to the Blalock Industrial Park and O-1.1 (FM Highway 1417) Overlay District. (*Chapter 14, Exhibit A, Section 6.13.2 and Exhibit B)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
5. The grain silos shall have a minimum 100' setback from the south property line or a variance will need to be approved by the Planning and Zoning Commission and City Council. (*Chapter 14, Exhibit B, Subsection 410 (2)(g)(1))*
6. No loading docks may be on any street frontage. Provision for handling all freight either by railroad or truck shall be on those sides of any buildings, which do not face on any street or proposed street, and no loading dock entrance doors for such loading docks shall be so located without written consent of the city council. (*Chapter 14, Exhibit B, Subsection 410 (2)(i))*
7. No article, material, or commodities shall be kept, stored or displayed outside the confines of buildings unless it be so screened by fences, walls, or planting that it cannot be seen from a public street. The area used for outside storage shall be located to the rear ½ of the property which shall in no instance be placed on that half of the property adjacent to any existing or proposed street.

Shall comply with all EPA, City, Federal and State regulations for this use. (*Chapter 14, Exhibit B, Subsection 410 (2)(k)*)

8. No billboards or advertising signs other than those identifying the name, business and products of the person, firm, or establishment occupying the premises shall be permitted, and such signs so permitted shall not exceed 300 square feet in size. (*Chapter 14, Exhibit B, Subsection 410 (2)(n)*)
9. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way. *(Chapter 14, Exhibit A, Section 6.13.2 (6)(ii))*
10. 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.
11. 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:

12. 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)*
13. Drive approach on FM 1417 must be right-in, right-out only.
14. Improvements (Irrigation) cannot cross property lines.
15. The location of the trash receptors must be approved by the Public Works Department.
16. Verify fire requirements and code compliance with Fire Marshal. (*Code of Ordinances Chapter 3.02(c))*
17. On-site detention will be privately owned and maintained.
18. Water tap must be coordinated with Utilities Engineer to ensure the use of the correct water main.
19. Civil Engineering plans shall be provided to the Engineering Department for review and approval. (*Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15).*

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 Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
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: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

3260 SOUTH U.S. HIGHWAY 75

The request of PAGA LTD (Owner), BWG (Architect) and KRG Civil Engineers, Inc. (Civil Engineer) concerning the property located at 3260 South U.S. Highway 75, being Lot 26, Block 2 of the Replat of Sherman Crossroads, Phase II, Lots 25, 26 & 27, Block 2, a Replat of Sherman Crossroads, Phase II, Lot 6, Block 2, as follows:

Planning and Zoning Commission

Site plan approval and Variance under Ordinance No. 2252 Article IV Section 410 (2) (j) and (2)(g)(2) and Ordinance No. 2280, Section 6.13.7, Subsection (7) for a Domino's Pizza with Drive Thru with a 26' setback from the south property line in lieu of the required 55.7' in the Blalock Industrial Park/Blalock Commercial Overlay District.

Background:

The property is located at 3260 South U.S. Highway 75 between West FM 1417 (Heritage Parkway) and West Travis Street. The property is zoned Blalock Industrial Park and Blalock Commercial Overlay District.

The owner is requesting site plan approval for a 3,178 square foot Domino's Pizza with a Drive Thru. The exterior of the building will be brick veneer with stone accents. They are also requesting a 26' setback in lieu of the required 55.7' from the south property line. Parking will be provided for 32 spaces.

Adjacent Zoning:

Blalock Industrial Park
Blalock Commercial Overlay District

Origination:

PAGA LTD (Owner)
BWG (Architect)
KRG Civil Engineers, Inc. (Civil Engineer)

Master Plan Designation:

Suburban Commercial - Suburban character primarily from reduced site coverage relative to more auto-oriented commercial development. Especially at key community entries and along high-profile corridors, may also involve other criteria to yield less intensive and more attractive development outcomes relative to auto-oriented areas, including higher standards for landscaping (along street frontages and within parking areas), signs, and building design. Range of commercial retail and service uses, at varying scales and intensities depending on the site

Number of notices mailed:

45

Objections Received:

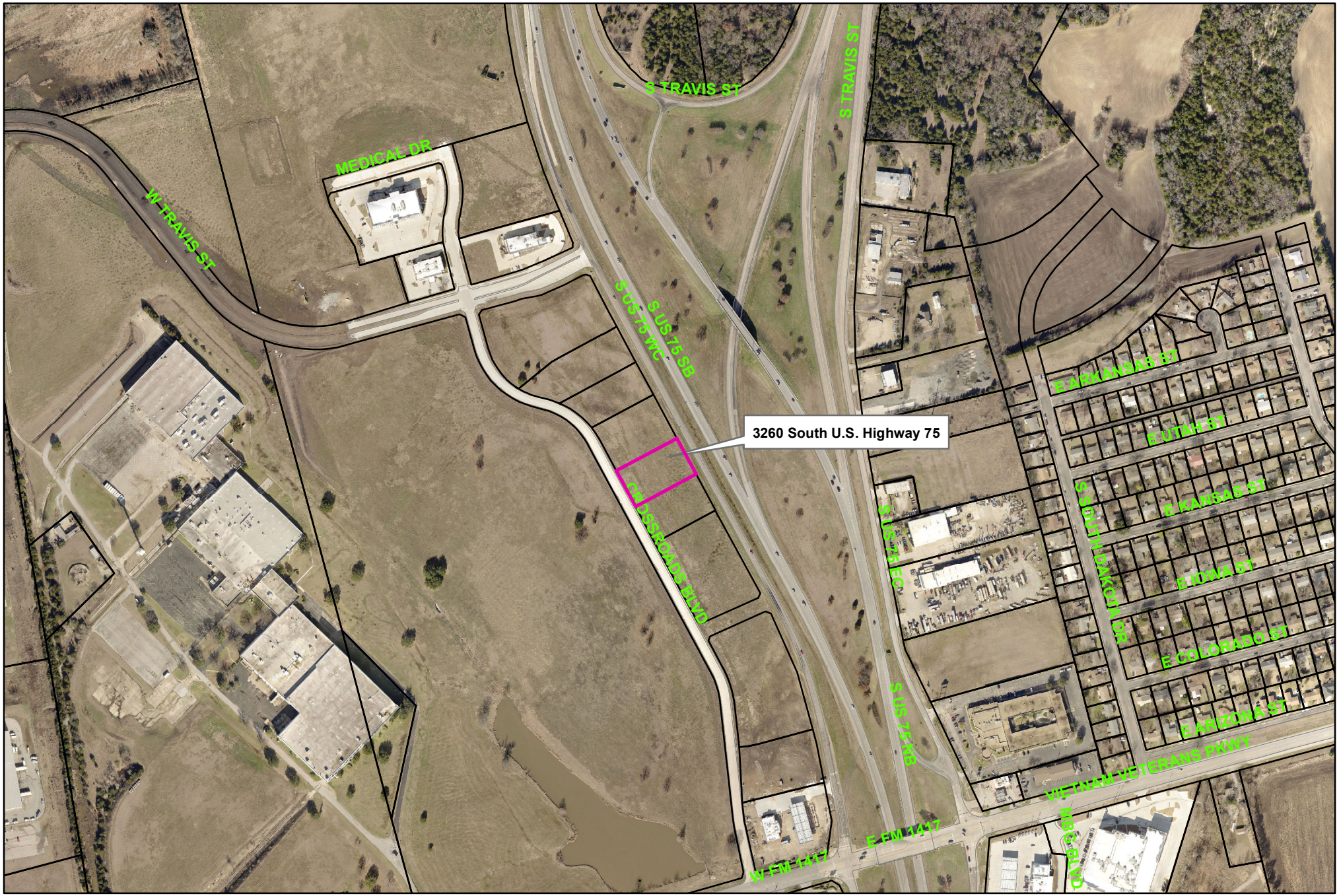
0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Plat
Site Plan
Building Elevations
Landscape Plan
Staff Review Letter



3260 South U.S. Highway 75

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 500 ft

Zoning - 3260 South U.S. Highway 75

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

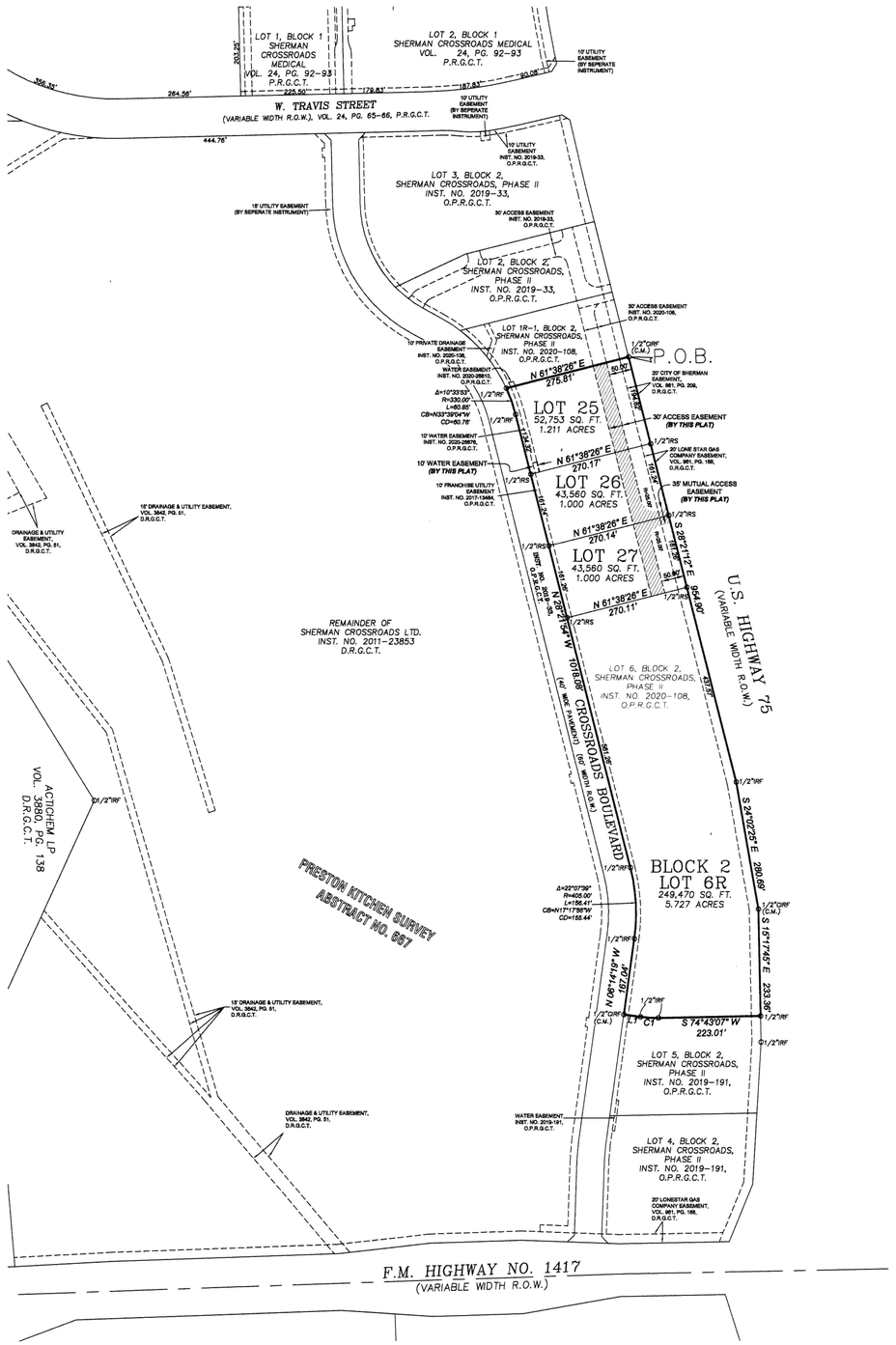
Sherman
CLASSIC TOWN. BROAD HORIZON.

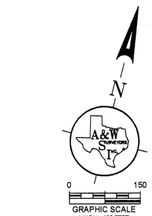
City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 200 ft

3260 North Highway 75





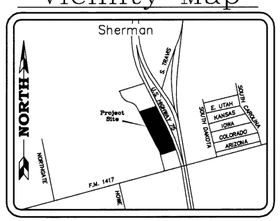
LEGEND

IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CIRS	YELLOW CAPPED IRON ROD SET
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
VOL.	VOLUME
PG.	PAGE
C.M.	CONTROLLING MONUMENT
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
	LOT LINE
	BOUNDARY LINE

LINE TABLE		
LINE	LENGTH	BEARING
L1	36.64'	S83°47'17"W

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH. BEAR.	CHORD
C1	09°04'08"	250.00'	39.57'	S79°15'13"W	39.53'

Vicinity Map



Filed for Record
in the Official Records Of:
Grayson County Clerk
On: 1/20/2021 11:15:01 AM
In the PLAT Records
SHERMAN CROSSROADS PH II
Doc Number: 2021-10
Number of Pages: 2
Amount: 75.00
Order#: 20210120000058
By: CM

PURPOSE OF PLAT:

To create three (3) smaller lots from one (1) existing lot for redevelopment.

NOTES:

1. *No portion of the subject property lies within any area of 100-year flood according to FEMA's Flood Insurance Rate Map, Community-Panel No. 485509 0405 F, dated September 29, 2010. Property is in Zone X.*

2. *Bearings are based upon the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83), North Central Zone 4202.*

22076

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029. MESQUITE. TX. 75187
PHONE (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

OWNER:
SHERMAN CROSSROADS LTD.,
4650 BELTLINE ROAD, STE 400
ADDISON, TEXAS 75001

Job No.: 20-1943 Drawn by: 517 Date: 10-05-2020 Revised:

"A professional company operating in your best interest"

REPLAT
SHERMAN CROSSROADS, PHASE II
LOTS 25, 26 & 27, BLOCK 2
AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING A REPLAT OF SHERMAN CROSSROADS, PHASE II, LOT 6, BLOCK 2
AND BEING SITUATED IN THE
PRESTON KITCHEN SURVEY, ABSTRACT NO. 667
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

SHEET 1 OF 2

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF GRAYSON

WHEREAS SHERMAN CROSSROADS LTD, are owners of a tract of land situated in the Preston Kitchen Survey, Abstract Number 867, City of Sherman, Grayson County, Texas, and being Lot 6, Block 2, of Sherman Crossroads, Phase II, Lots 1R-1 and 6, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Instrument No. 2020-108, Official Public Records, Grayson County, Texas, and being part of a tract of land conveyed to Sherman Crossroads LTD by Special Warranty Deed with Vendor's Lien, recorded in Instrument No. 2011-23853, Official Public Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" found in the southwest right-of-way line of U.S. Highway 75 Southbound service road (variable width R.O.W.), at the Southeast corner of Lot 1R-1, Block 2, said of Sherman Crossroads, Phase II;

Thence South 28°21'12" East, along said Southwest line, a distance of 954.90' to a 1/2" iron rod found for corner;

Thence South 24°02'25" East, along said Southwest line, a distance of 280.69' to a 1/2" iron rod found for corner;

Thence South 15°17'45" East, along said Southwest line, a distance of 233.36' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" found at the Northeast corner of Lot 5, Block 2, of said Sherman Crossroads, Phase II, recorded in Instrument No. 2019-191, Official Public Records, Grayson County, Texas;

Thence South 74°43'07" West, a distance of 223.01' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner at the beginning of a curve to the right, having a central angle of 09°04'08", a radius of 250.00', and a chord bearing and distance of South 79°15'13" West, 39.53';

Thence Southwesterly, along said curve to the right, an arc distance of 39.57' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 83°47'17" West, a distance of 36.64' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" found in the Northeast line of Crossroads Boulevard, a 60' right-of-way, dedicated by Instrument No. 2019-33, Official Public Records, Grayson County, Texas, and being at the Northwest corner of said Lot 5, Block 2;

Thence North 06°14'19" West, along said Northeast line, a distance of 167.04' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" found for corner at the beginning of a curve to the left, having a central angle of 22°07'39", a radius of 405.00', and a chord bearing and distance of North 17°17'56" West, 155.44';

Thence Northwesterly, along said curve to the left and said Northeast line, an arc distance of 156.41' to a 1/2" iron rod found for corner;

Thence North 28°21'54" West, along said Northeast line, a distance of 1018.08' to a 1/2" iron rod found for corner at the beginning of a curve to the left, having a central angle of 10°33'53", a radius of 330.00', and a chord bearing and distance of North 33°39'04" West, 60.76';

Thence Northwesterly, along said curve to the left and said Northeast line, an arc distance of 60.85' to a 1/2" iron rod found at the Southwest corner of said Lot 1R-1, Block 2;

Thence North 61°38'26" East, a distance of 275.81' to the PLACE OF BEGINNING and containing 389,343 square feet or 8.938 acres of land.

OWNER'S CERTIFICATE OF DEDICATION:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That SHERMAN CROSSROADS LTD, acting by and through its duly authorized agent, does hereby adopt this Replat designating the herein described real property as REPLAT SHERMAN CROSSROADS, PHASE II, LOTS 25, 26 & 37, BLOCK 2, an addition to the City of Sherman, Grayson County, Texas, Being 9.950 acres situated in and being a portion of the Preston Kitchen Survey, Abstract No. 867, 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 _____, Dallas _____ County, Texas, this 12 day of January, 2021.

SHERMAN CROSSROADS, LTD
A Texas Limited Partnership
By: Sherman Crossroads GP, LLC
Its General Partner

By: _____
William J. Harkinson, Manager

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared William J. Harkinson, the Manager of Sherman Crossroads GP, LLC, a Texas limited liability company, the general partner of Sherman Crossroads, Ltd., a Texas limited partnership, 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 purposes therein expressed, and in the capacity therein stated, and as the act and deed of said limited liability company acting as general partner of said Limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 12 day of January 2021.

Sheena M. Love
Notary Public in and for the State of Texas

February 3, 2021
My Commission Expires On:

SHEENA MARIE LOVE
My Notary ID # 126791818
Expires February 3, 2021

STATE OF TEXAS
COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, John S. Turner, do hereby certify that I prepared this Replat 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.

John S. Turner
Registered Professional Land Surveyor, No. 5310

STATE OF TEXAS
JOHN S. TURNER
#5310
PROFESSIONAL LAND SURVEYOR

Date 1-11-21

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared John S. Turner, known to me by the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for purposes and consideration expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 11th day of January, 2021.

Notary Public in and for the State of Texas

2-24-22
My Commission Expires On:

BILLY RAY DUCKWORTH
Notary ID #124506542
My Commission Expires
February 24, 2022

STATE OF TEXAS
COUNTY OF GRAYSON

Approved this 17th day of November, 2020, 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 01/15/2021 Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final plat of REPLAT SHERMAN CROSSROADS, PHASE II, LOTS 25, 26 & 27, BLOCK 2, to the City of Sherman was submitted to the City Council on the 17th day of November, 2020, 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 15th day of January A.D. 2021

Linda Ashby
City Clerk, City of Sherman, Texas

SHERMAN, TEXAS CITY SEAL

Filed for Record
in the Official Records Of:
Grayson County Clerk
On: 1/20/2021 11:15:01 AM
In the PLAT Records
SHERMAN CROSSROADS PH II
Doc Number: 2021-10
Number of Pages: 2
Amount: 75.00
Order#: 20210120000058
By: CM

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870029. MESQUITE. TX. 75187
PHONE (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

OWNER:
SHERMAN CROSSROADS, LTD.,
4650 BELTLINE ROAD, STE 400
ADDISON, TEXAS 75001

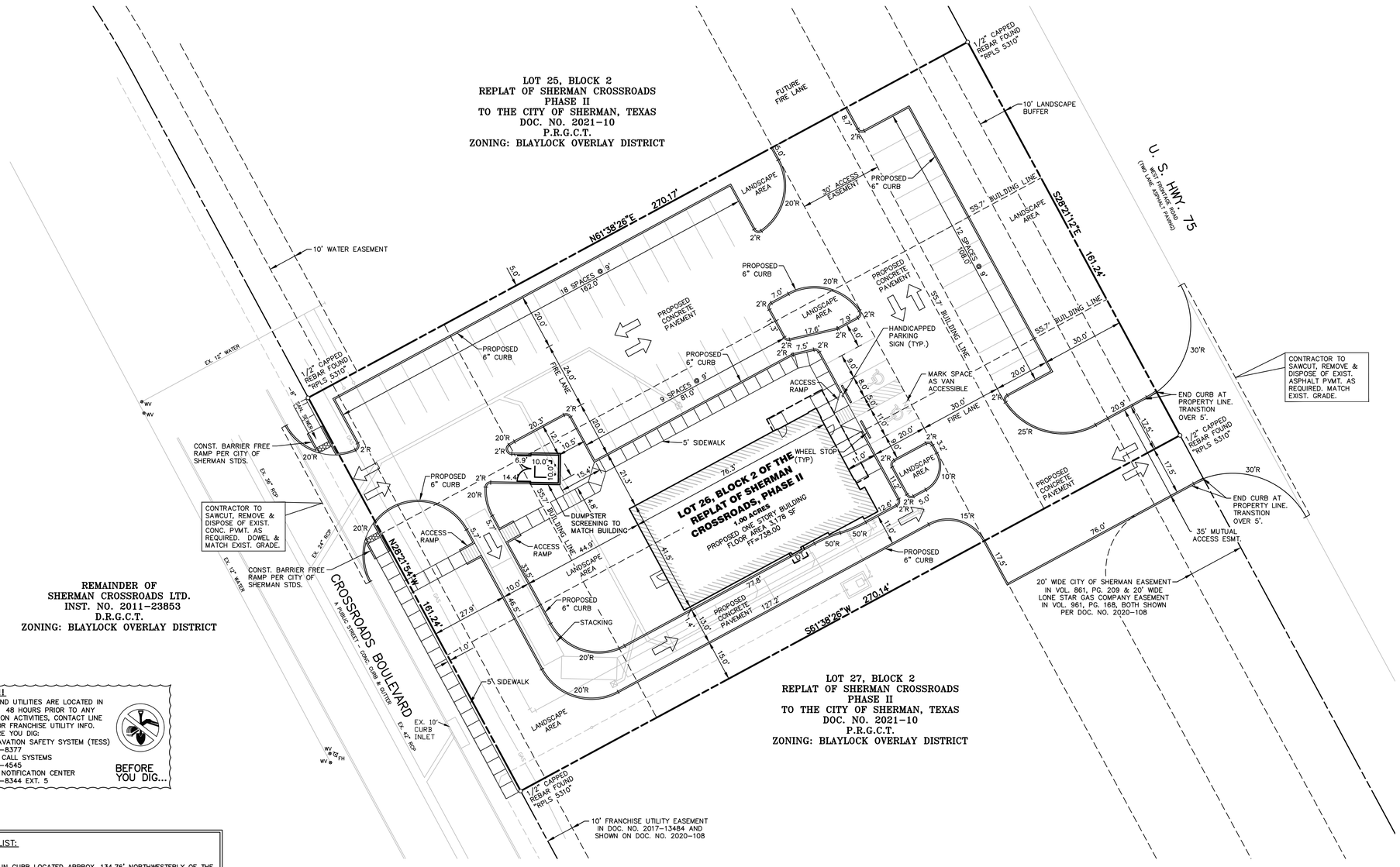
Job No.: 20-1943 Drawn by: 517 Date: 10-05-2020 Revised:

"A professional company operating in your best interest"

REPLAT
SHERMAN CROSSROADS, PHASE II
LOTS 25, 26 & 27, BLOCK 2
AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING A REPLAT OF SHERMAN CROSSROADS, PHASE II, LOT 6, BLOCK 2
AND BEING SITUATED IN THE
PRESTON KITCHEN SURVEY, ABSTRACT NO. 667
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

E-9-418

SHEET 2 OF 2



VICINITY MAP
N.T.S.

0 10 20 40 60
GRAPHIC SCALE IN FEET
SCALE: 1" = 20'

BEARING BASE:
GRID NORTH, NAD83 TEXAS STATE PLANE COORDINATE SYSTEM, AS DERIVED BY SURVEY-GRADE GLOBAL POSITIONING SYSTEM.

LEGEND

	BOLLARD
EM	ELECTRIC METER
PP	POWER POLE
LS	LIGHT STANDARD
WM	WATER METER
WV	WATER VALVE
ICV	IRRIGATION CONTROL VALVE
FH	FIRE HYDRANT
FDC	FIRE DEPARTMENT CONNECTION
CO	CLEAN OUT
MH	MANHOLE
GM	GAS METER
TSC	TRAFFIC SIGNAL CONTROL
TSP	TRAFFIC SIGNAL POLE
TELE	TELEPHONE BOX
TV	TV BOX
FP	FLAG POLE
VG	VALLEY GUTTER
	PROPERTY LINE
OHL	O.H. POWER LINES
TEL	U/G TELEPHONE LINES
WATER	U/G WATER LINE
GAS	U/G GAS LINE
	FENCE
500	EXISTING CONTOURS
XXX	PROPOSED CONTOURS
XXX.XX	EXISTING SPOT GRADES
TC XXX.XX / G XXX.XX	PROPOSED SPOT GRADES
	PROPOSED EROSION CONTROL
	PROPOSED DRAINAGE DIVIDES

CAUTION!!!
UNDERGROUND UTILITIES ARE LOCATED IN THIS AREA. 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, CONTACT LINE LOCATES FOR FRANCHISE UTILITY INFO. CALL BEFORE YOU DIG:
TEXAS EXCAVATION SAFETY SYSTEM (TESS)
1-800-344-8377
TEXAS ONE CALL SYSTEMS
1-800-245-4545
LONE STAR NOTIFICATION CENTER
1-800-669-8344 EXT. 5
BEFORE YOU DIG...

BENCH MARK LIST:

BENCHMARK #1
MAG-NAIL FOUND IN CURB LOCATED APPROX. 134.76' NORTHWESTERLY OF THE NORTHWESTERLY PROPERTY CORNER OF SUBJECT TRACT AND APPROX. 18.2' EASTERLY OF THE CENTERLINE OF CROSSROADS BLVD.
ELEVATION = 741.39'

SITE TABULATION TABLE:

CURRENT ZONING: BLAYLOCK OVERLAY DISTRICT
PROPOSED ZONING: SAME

GROSS AREA OF STRUCTURE: 3,178 SF
GROSS AREA OF SITE: 43,560 SF
HARD SURFACE AREA: 27,259 SF
LANDSCAPE AREA: 16,301 SF
FLOOR TO AREA RATIO: 0.07:1

PARKING RATIOS:
RESTAURANT: 1 SPACE / 100 SF

PROPOSED BUILDING:
RESTAURANT: 3,178 SF

REQUIRED PARKING:
3,178 SF / 100 SF = 32 SPACES
TOTAL REQUIRED PARKING = 32 SPACES

PARKING PROVIDED:
42 REGULAR PARKING SPACES
2 HANDICAPPED PARKING SPACES
44 TOTAL PARKING SPACES PROVIDED

NO.	DATE	REVISION / DESCRIPTION

DESIGN	DRAWN	DATE	SCALE	NOTES
KRG	KRG	7-20-20	AS SHOWN	-

PROJECT INFORMATION
1.00 ACRE TRACT
LOT 26, BLOCK 2 OF THE REPLAT OF
SHERMAN CROSSROADS, PHASE II
PRESTON KITCHEN SURVEY, ABSTRACT No. 667

CLIENT
PAGA, LTD.
430 CHURCHILL LANE
POTTSBORO, TEXAS 75076
MR. STEVE PALMER
(903) 815-1407 PHONE
dominan@aol.com

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY KELVIN R. GOMEZ, P.E. 83268 ON 09/29/2021. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

Kelvin R. Gomez

STATE OF TEXAS
KELVIN R. GOMEZ
83268
LICENSED
PROFESSIONAL ENGINEER

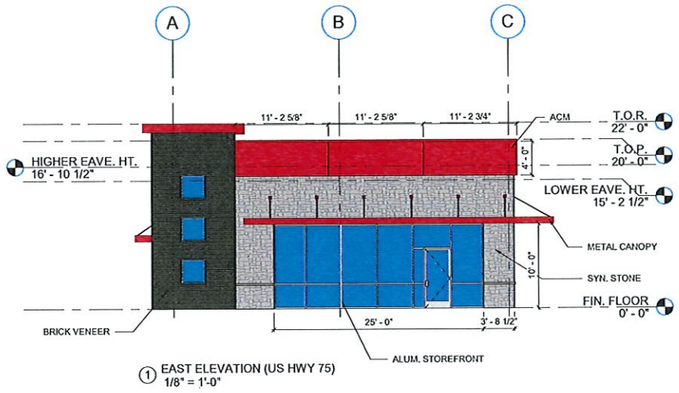
KRG Civil Engineers, Inc.
2150 SOUTH CENTRAL EXPY., SUITE 200
McKINNEY, TEXAS 75072
(469) 219-3137 PHONE
(469) 219-3201 FAX
KELLY@KRGCIVIL.COM
FIRM REGISTRATION F-9131

SITE PLAN

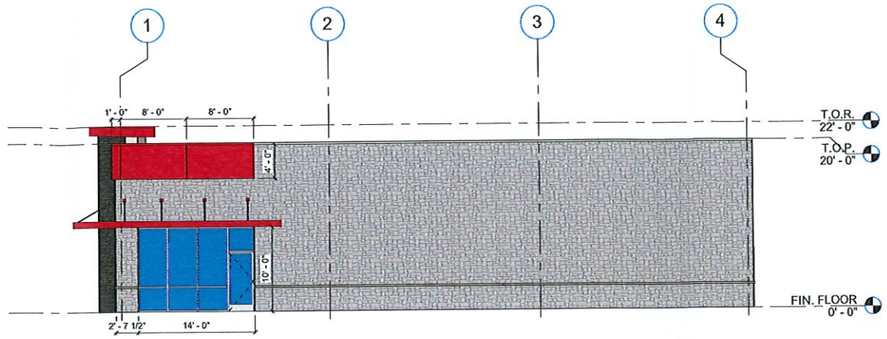
DOMINOS
SOUTHBOUND HWY 75 & 1417
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

SHEET NO. C1.00

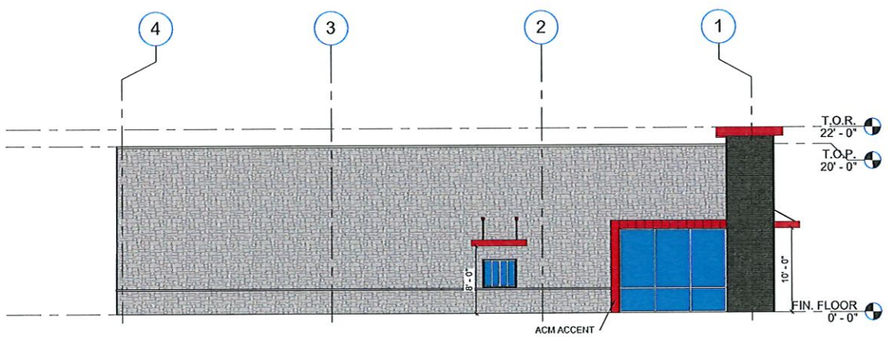
JOB NO: 03606
DWG NO: CROSSROADS DOMINOS.DWG



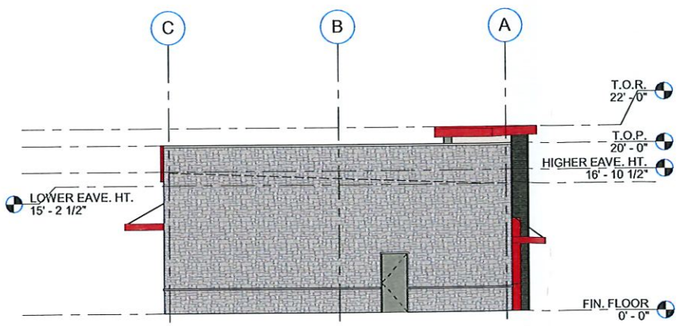
① EAST ELEVATION (US HWY 75)
1/8" = 1'-0"



② NORTH ELEVATION
1/8" = 1'-0"



③ SOUTH ELEVATION
1/8" = 1'-0"



④ WEST ELEVATION
1/8" = 1'-0"

BWG
ARCHITECTURE
P.O. Box 923
Van Alstyne, TX 75
(903) 815-9273
www.bwgarchitectur
© B.W. Green, LLC
Bruce W. Green, Archi
Texas: 18,293
Oklahoma: a4980

NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION
REGISTERED ARCHITECT
STATE OF TEXAS

project address:
HWY 75
SHERMAN,

project owner:
PAGA, LTD. - S
PALMER

project descripti
DOMINO'S
SHERMAN

consultants:
CIVIL:
STRUCTURAL:
MEP:

project team:
approved by: BWG
designed by: BWG
checked by: BWG
drafted by: BWG

project issue dat
00

project status:
DESIGN DEVELOPM

project number
19003

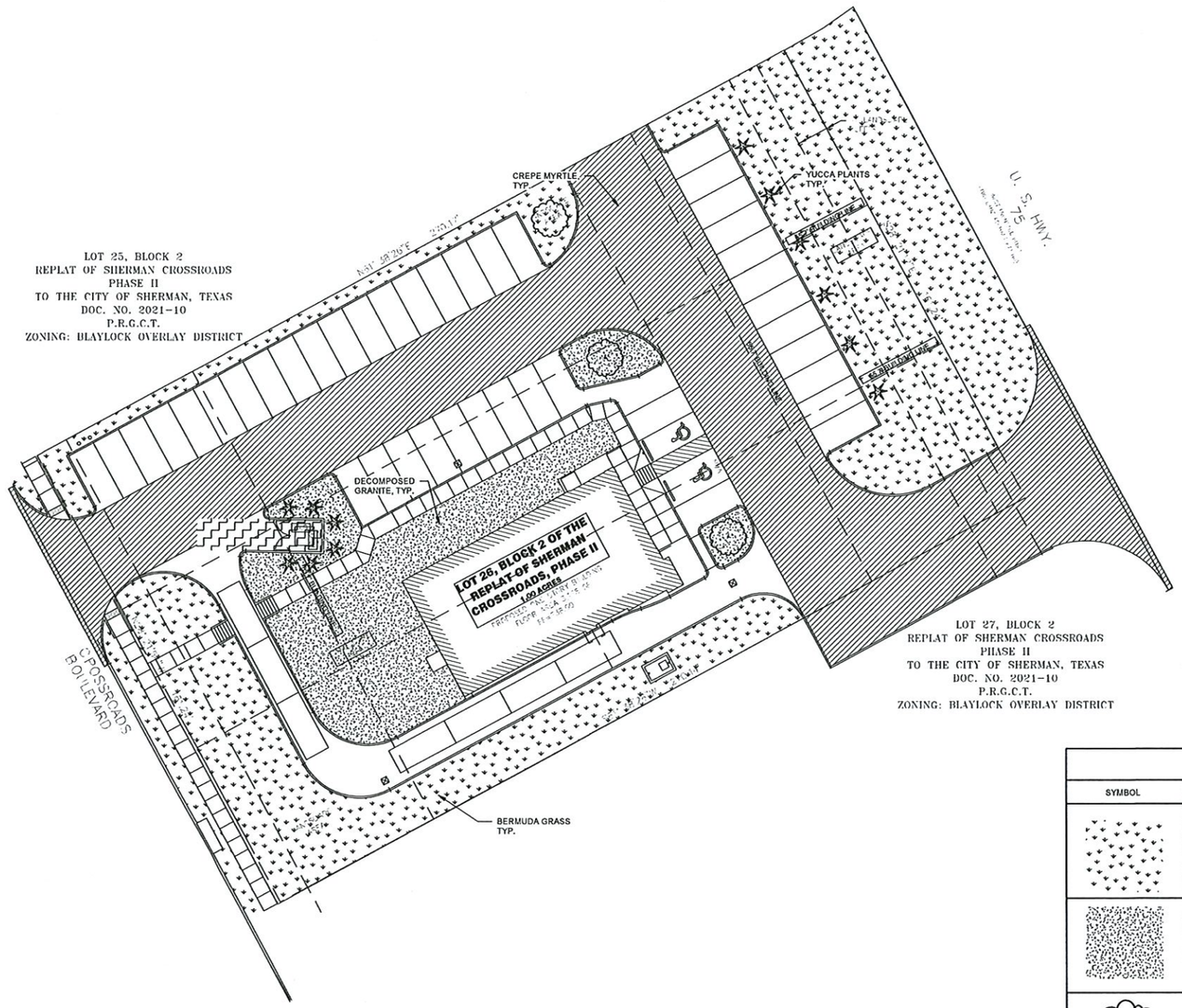
revisions:

Rev.	Description

sheet name:
ELEVATION

sheet issue dat
6/22/2021

A301



① SITE PLAN
1" = 20'-0"

SITE DATA TABULATION

SITE AREA: 43,560 SF 1.00 ACRES

BUILDING FOOTPRINT: 3,178 SF

LANDSCAPE AREA: 15,487 SF

IMPERVIOUS AREA: 24,695 SF

(ROW LANDSCAPING - 4,134 SF)

PLANT SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	QTY
	BERMUDA GRASS	CYNODON DACTYLON "TIF 419"	14902 SF
	DECOMPOSED GRANITE	SAME	4713 SF
	CREPE MYRTLE	LAGERSTROEMIA INDICA "TUSCARORA"	3
	YUKKA PLANT	YUCCA SPP.	12

BWG
ARCHITECTURE
P.O. Box 923
Van Alstyne, TX 75495
(903) 815-9273
www.bwgarchitecture.com
© B.W. Green, LLC
Bruce W. Green, Architect
Texas: 18,293
Oklahoma: 24980

REGISTERED ARCHITECT
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION
STATE OF TEXAS

project address:
3260 S US HWY 75
SHERMAN, TEXAS

project owner:
PAGA, LTD. - STEVE PALMER

project description:
DOMINO'S
SHERMAN

consultants:
CIVIL:
STRUCTURAL:
MEP:

project team:
approved by: BWG
designed by: BWG
checked by: BWG
drafted by: BWG

project issue date:
00

project status:
PLANNING & ZONING

project number:
19003

revisions:

Rev.	Description	Date

sheet name:
LANDSCAPE PLAN

sheet issue date:
06/29/21

A101

C:\Users\Bruce Green\Dropbox\BWG-SKIP\Sherman Crossroads Dominos Landscape Plan.rvt
6/29/2021 5:31:41 PM

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 12, 2021

PAGA LTD
Steve Palmer
430 Churchill Lane
Pottsboro, TX 75076

KRG Civil Engineers, Inc.
2150 South Central Expy, Ste. 200
McKinney, TX 75072

BWG Architecture
PO Box 923
Van Alstyne, TX 75495

Dear Applicants,

The request for site plan approval and variance under Ordinance No. 2252 Article IV Section 410 (2) (j) and (2)(g)(2) and Ordinance No. 2280, Section 6.13.7, Subsection (7) for a Domino's Pizza with Drive Thru with a 26' setback from the south property line in lieu of the required 55.7' in the Blalock Industrial Park/Blalock Commercial Overlay District located at 3260 South Highway 75 has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 20, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. 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 General Zoning Ordinance, Ordinance No. 2280 and 2252, the regulations applicable to the Blalock Industrial Park and Blalock Commercial Overlay District. (*Chapter 14, Exhibit A, Section 6.13.7 & Exhibit B)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
5. A parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
6. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way. *(Chapter 14, Exhibit A, Section 6.13.7, Subsection 10 (C)(ii)).*
7. The drive thru shall provide stacking for eight cars (9' x 20'). *(Chapter 14, Exhibit A, Section 6.6 (4))*
8. One freestanding sign per lot is allowed. Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the property line. *(Chapter 14, Exhibit A, Section 6.13.7, Subsection 8)*
9. The trash dumpster must be located inside the main building area. *(Chapter 14, Exhibit A, Section 7, Subsection 13(d)(4))*

10. 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.
11. 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:

12. 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)*
13. Civil Engineering plans shall be provided to the Engineering Department for review and approval. (*Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15).*
14. Fire lane and radii do not meet requirements. Verify fire requirements and code compliance with Fire Marshal. (*Code of Ordinances Chapter 3.02(c)).*

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 Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
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: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

1008 SOUTH THROCKMORTON STREET

The request of Devin Squeri (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 1008 South Throckmorton Street, being the south 25' of Lot 6 and the north 25' of Lot 7, Block 2, W.D. Fitch Addition, as follows;

Board of Adjustments

A. Exception under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 50' wide lot in lieu of the required 60' for a residential dwelling in an R-1 (One-Family Residential) District

Planning and Zoning Commission

B. Replat approval of the south 25 ft. of Lot 6 and the north 25 ft. of Lot 7, Block 2, W.D. Fitch Addition

Background:

The property is located at 1008 South Throckmorton Street between Epstein and Spring Streets. The property is zoned an R-1 (One-Family Residential) District.

The owner would like to Replat the south 25 feet of Lot 6 and the north 25 feet of Lot 7, Block 2 into one lot for a single-family residential dwelling. They are also requesting an exception to allow a 50' wide lot in lieu of the required 60' for a residential dwelling.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

Devin Squeri (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

58

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat Lots 6 & 7 Blk 2 WD Fitch Addition
Staff Review Letter

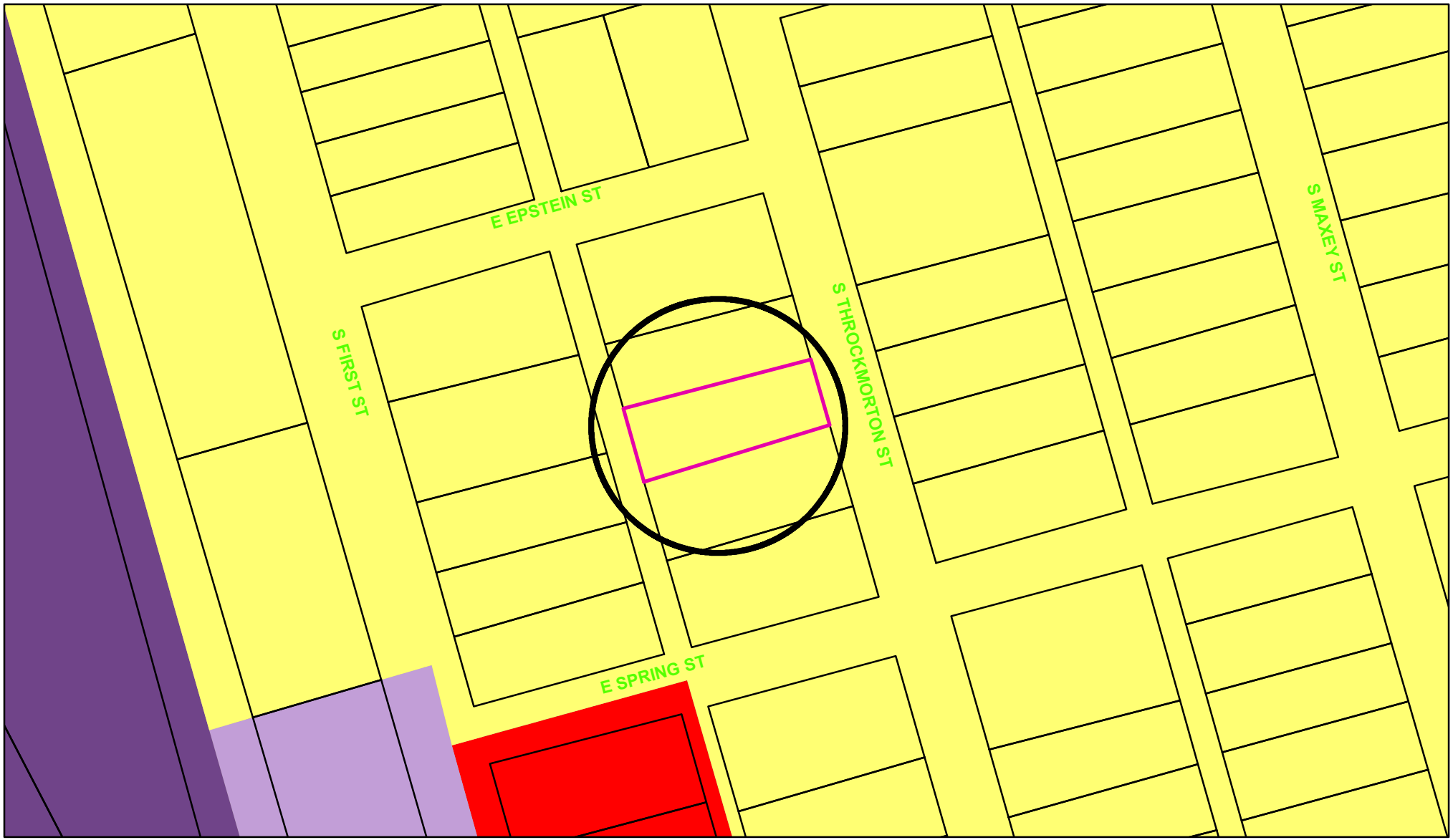
1008 South Throckmorton Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 200 ft



Zoning - 1008 South Throckmorton Street

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

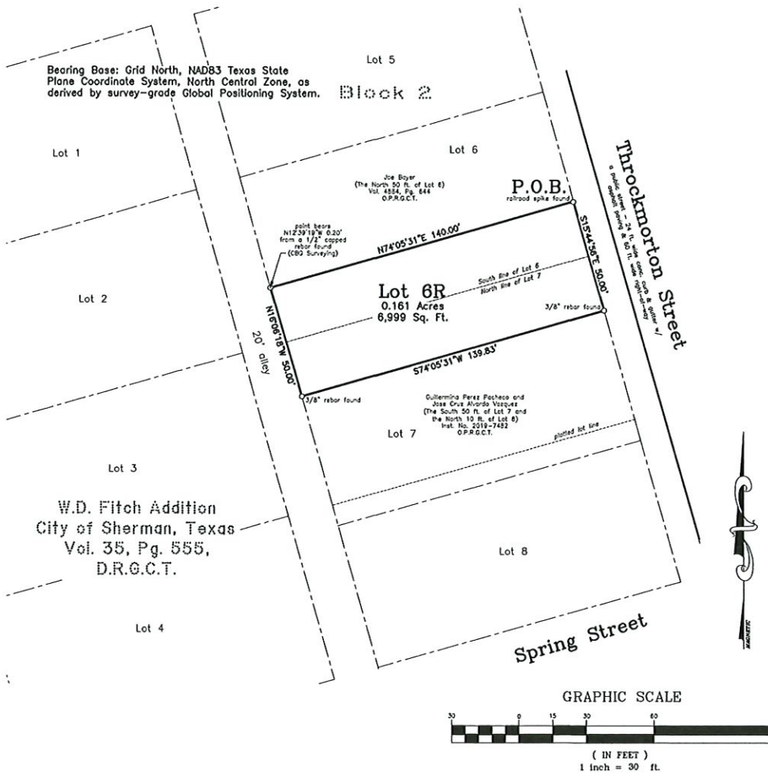
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 100 ft

1008 South Throckmorton Street



Replat of the South 25 ft. of Lot 6 and the North 25 ft. of Lot 7, Block 2, W.D. Fitch Addition

to the

City of Sherman, Texas

0.161 Acres

in the

G.B. Pilant Survey Abstract No. 963

General Notes:

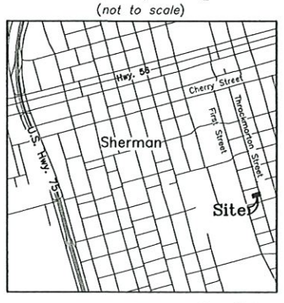
1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Encore Electric.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. 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. Grayson County 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. 48181C0290 F, Revised Date: September 29, 2010.
8. Neither Grayson County 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.

Job No. CGS880621

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:
Devin Squeri
2026 Spindletop Trail
Frisco, Texas 75033

Vicinity Map
(not to scale)



Z:\Shared Projects\Land Projects R2\1008-S-Throckmorton-Street-Sherman\Civil 3D\Replat.dwg 6/24/2021 11:58 AM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the G.B. Pilant Survey, Abstract No. 963 and being the South 25 ft. of Lot 6 and the North 25 ft. of Lot 7, Block 2, W.D. Fitch Addition to the City of Sherman, Texas, as per plat of record in Volume 35, Page 555, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a railroad spike found in the West right-of-way line of Throckmorton Street, a generally North-South street, and the East line of said Lot 6, at the Southwest corner of the Jose Boyer tract of land described as the North 50 ft. of said Lot 6 conveyed in Volume 4884, Page 644, Official Public Records and the Northwest corner of the herein described tract;

THENCE South 15 deg. 14 min. 56 sec. East, with the West right-of-way line of said Throckmorton Street and the East lines of said Lots 6 and 7, a distance of 50.00 ft. to a 3/8 inch rebar found at the Northeast corner of the Guillermina Perez Pacheco and Jose Cruz Alvarado Vazquez tract of land described as the South 50 ft. of said Lot 7 and the North 10 ft. of Lot 8, said Block 2 as conveyed in Inst. No. 2019-7482, said Official Public Records and the Southeast corner of the herein described tract;

THENCE South 74 deg. 05 min. 31 sec. West, over and across said Lot 7, a distance of 139.83 ft. to a 3/8 inch rebar found in the East line of a 20 ft. wide alley, at the Southwest corner of the herein described tract;

THENCE North 16 deg. 06 min. 18 sec. West, with the East line of said 20 ft. alley and the West lines of said Lots 6 and 7, a distance of 50.00 ft. to the Northwest corner of the herein described tract, from which point bears North 12 deg. 39 min. 19 sec. West 0.20 ft. from a 1/2 inch capped rebar found (CBG Surveying)

THENCE North 74 deg. 05 min. 31 sec. East, over and across said Lot 6, a distance of 140.00 ft. to the **PLACE OF BEGINNING** and containing **0.161 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 — KATE A. WAGNER — 6578 — REGISTERED PROFESSIONAL LAND SURVEYOR

I, Devin Squeri, sole owner of the Replat of South 25 ft. of Lot 6 and the North 25 ft. of Lot 7, Block 2, W.D. Fitch Addition to the City of Sherman, do hereby dedicate the streets, easements, alleys, rights-of-way, parks, school sites and other public places shown hereon to the public use forever.

_____
Devin Squeri

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Devin Squeri, 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 _____, 2021.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of the Replat of South 25 ft. of Lot 6 and the North 25 ft. of Lot 7, Block 2, W.D. Fitch Addition to the City of Sherman to the City of Sherman, is hereby approved this _____ day of _____, 2021, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the final plat of Replat of South 25 ft. of Lot 6 and the North 25 ft. of Lot 7, Block 2, W.D. Fitch Addition to the City of Sherman to <City or county>, is hereby approved this _____ day of _____, 2021, 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 Replat of South 25 ft. of Lot 6 and the North 25 ft. of Lot 7, Block 2, W.D. Fitch Addition to the City of Sherman to the City of Sherman, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 2021, 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 _____, 2021, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Replat of the South 25 ft. of Lot 6 and the North 25 ft. of Lot 7, Block 2, W.D. Fitch Addition

to the

City of Sherman, Texas

0.161 Acres

in the

G.B. Pilant Survey Abstract No. 963

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:
Devin Squeri
2026 Spindletop Trail
Frisco, Texas 75033

Z:\Shared Projects\Land Projects R2\1008-S-Throckmorton-Street-Sherman\Civil 3D\Replat.dwg 6/24/2021 11:58 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 12, 2021

Devin Squeri
2026 Spindletop Trail
Frisco, TX 75033

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Replat of the South 25 ft. of Lot 6 and the North 25 ft. of Lot 7, Block 2, W.D. Fitch Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 20, 2021 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. General Notes Item No. 6 must have "Grayson County" replaced with "City of Sherman."
2. The City of Sherman does not maintain alleys.
3. City Council approval block has typo. Correct appropriately. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
4. Dedicate a 10' Utility Easement along Throckmorton Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
5. Add Avigation Release to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
6. 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*
7. 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)*
8. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *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
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal

Planning & Zoning Commission and Board of Adjustments **15.**

Meeting Date: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

*** 1108 EAST LAMAR STREET**

The request of Devin Squeri (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1108 East Lamar Street, being 0.238 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Planning and Zoning Commission

Replat approval of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition

Background:

The property is located at 1108 East Lamar Street between South Vaden Street and Hyde Avenue. The property is zoned an R-1 (One-Family Residential) District. The owner would like to Replat Lot 6 and One-Half of Lot 7 into to one lot for residential development.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

Devin Squeri (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:
44

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat Lots 6 & 7 JP Geren's Addition
Staff Review Letter

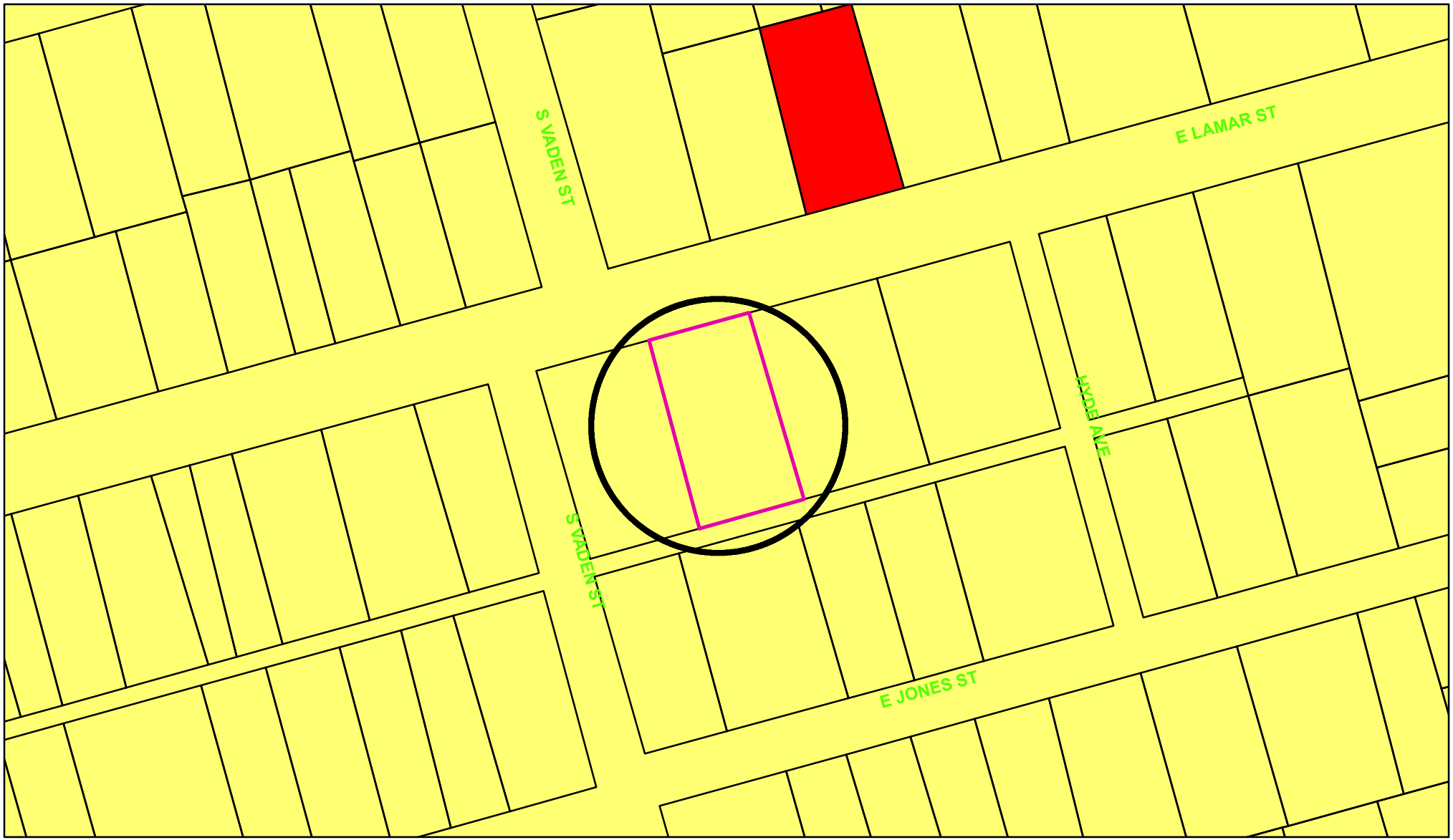
1108 East Lamar Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 200 ft



Zoning - 1108 East Lamar Street

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

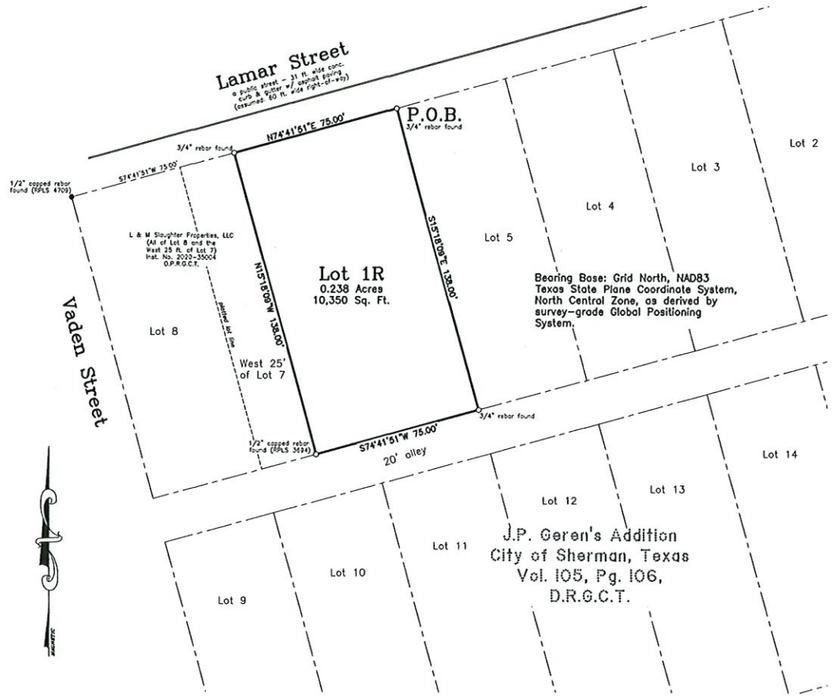
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 100 ft

1108 East Lamar Street



GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)

1 inch = 30 ft.

Replat of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition to the City of Sherman, Texas 0.238 Acres in the G.B. Pilant Survey Abstract No. 963

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. 48181C0290 F, Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Job No. CGS890621

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:
Devin Squeri
2026 Spindletop Trail
Frisco, Texas 75033

Vicinity Map
(not to scale)

Z:\Shared Projects\Land Projects R2\1108-E-Lamar-Street-Sherman\Civil 3D\Replat.dwg 6/24/2021 1:33 PM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the G.B. Pilant Survey, Abstract No. 963 and being all of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition to the City of Sherman, Texas as shown by plat of record in Volume 105, Page 106, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 3/4 inch rebar found in the South right-of-way line of Lamar Street, a generally East-West street, at the Northwest corner of Lot 5 of said J.P. Geren's Addition, and the Northeast corner of both said Lot 6 and the herein described tract;

THENCE South 15 deg. 18 min. 09 sec. East, with the West line of said Lot 5 and the East line of said Lot 6, a distance of 138.00 ft. to a 3/4 inch rebar found in the North line of a platted alley, at the Southwest corner of said Lot 5 and the Southeast corner of both said Lot 6 and the herein described tract;

THENCE South 74 deg. 41 min. 51 sec. West, with the North line of said alley and the South lines of said Lots 6 and 7, a distance of 75.00 ft. to a 1/2 inch capped rebar found (RPLS 3694) at the Southeast corner of the L & M Slaughter Properties, LLC tract of land described as All of Lot 8, said J.P. Geren's Addition and the West One-Half of said Lot 7 as conveyed in Instrument No. 2020-35004, Official Public Records and the Southwest corner of the herein described tract;

THENCE North 15 deg. 18 min. 09 sec. West, over and across said Lot 7, a distance of 138.00 ft. to a 3/4 inch rebar found in the South right-of-way line of said Lamar Street and the North line of said Lot 7, at the Northeast corner of said L & M Slaughter Properties, LLC tract and the Northwest corner of the herein described tract;

THENCE North 74 deg. 41 min. 51 sec. East, with the South right-of-way line of said Lamar Street, with the North lines of said Lots 7 and 6, a distance of 75.00 ft. to the **PLACE OF BEGINNING** and containing **0.238 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 · KATE A. WAGNER · 6578 · REGISTERED PROFESSIONAL LAND SURVEYOR

I, Devin Squeri, sole owner of Replat of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition to the City of Sherman, do hereby dedicate the streets, easements, alleys, rights-of-way, parks, school sites and other public places shown hereon to the public use forever.

_____
Devin Squeri

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Devin Squeri, 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 _____, 2021.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of Replat of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition to the City of Sherman to the City of Sherman, is hereby approved this _____ day of _____, 2021, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the final plat of Replat of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition to the City of Sherman, is hereby approved this _____ day of _____, 2021, 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 Replat of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition to the City of Sherman, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 2021, 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 _____, 2021, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Replat of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition to the City of Sherman, Texas 0.238 Acres in the G.B. Pilant Survey Abstract No. 963

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:
Devin Squeri
2026 Spindletop Trail
Frisco, Texas 75033

Z:\Shared Projects\Land Projects R2\1108-E-Lamar-Street-Sherman\Civil 3D\Replat.dwg 6/24/2021 1:33 PM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 12, 2021

Devin Squeri
2026 Spindletop Trail
Frisco, TX 75033

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Replat of Lot 6 and the East One-Half of Lot 7, J.P. Geren's Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 20, 2021 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. Lot 1R to be renamed Lot 6R for clarity.
2. Dedicate a 10' Utility Easement along Lamar Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
3. 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*
4. The City of Sherman does not maintain alleys.
5. Add Avigation Release to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
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. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *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
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **16.**

Meeting Date: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

708 PIKES PLACE

The request of Wyldewood Homes, LLC (Owner), Tim Pike (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 708 Pikes Place, being Lot 7, Block A, Washington Meadows, Phase 1, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 17' rear yard setback for a residential dwelling in lieu of the required 25' in an R-1 (One-Family Residential) District.

Background:

The property is located at 708 Pikes Place between North FM 1417 (Heritage Parkway) and Nolan Drive. The property is zoned an R-1 (One-Family Residential) District. The owner would like to construct a single-family dwelling and is requesting a 17' rear yard setback in lieu of the required 25'.

Adjacent Zoning:

R-1 (One-Family Residential) District
C-1 (Retail Business) District

Origination:

Wyldewood Homes, LLC (Owner)
Tim Pike (Representative)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

2

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Building Elevations
Staff Review Letter

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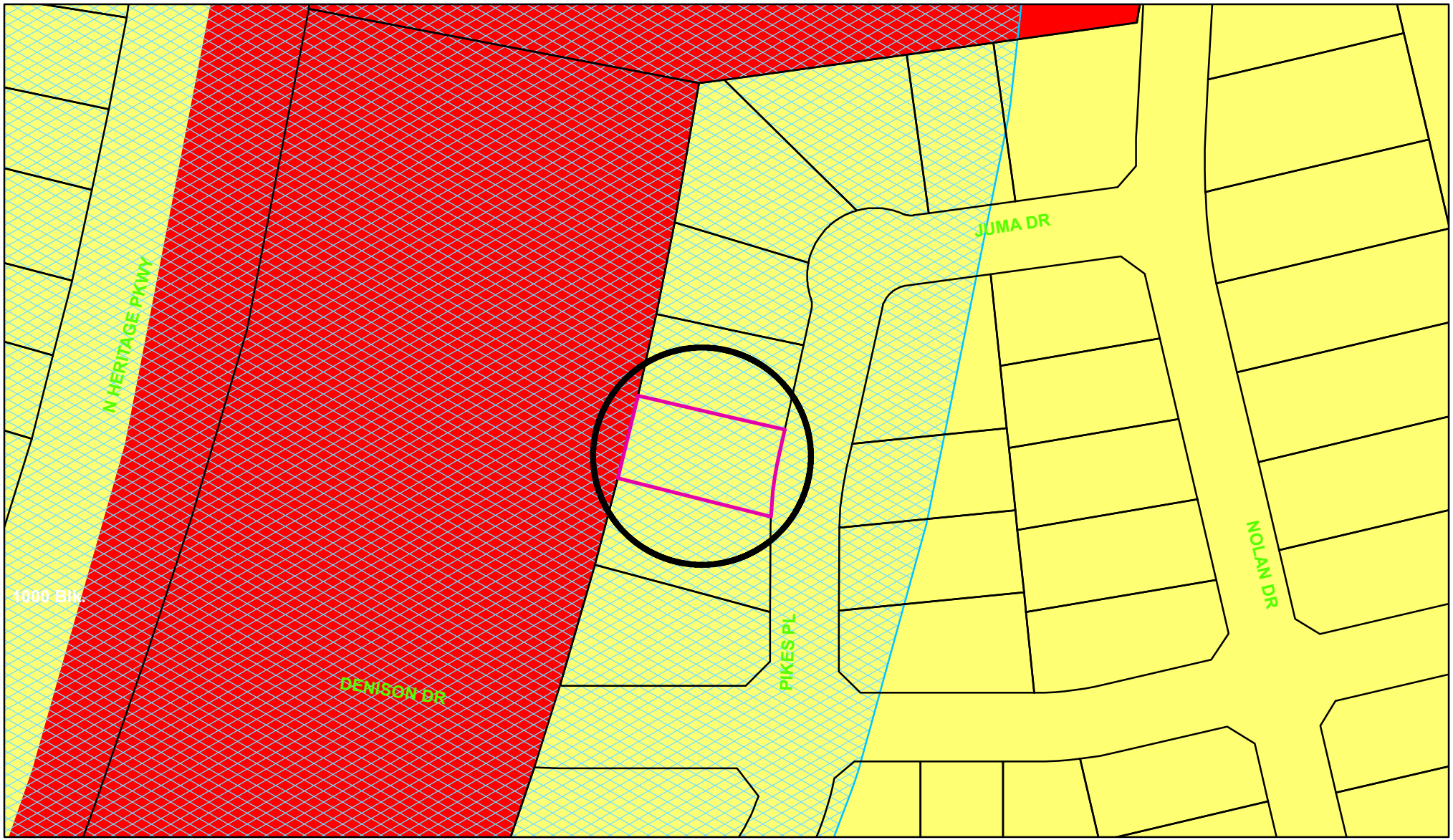
708 Pikes Place

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 300 ft



Zoning - 708 Pikes Place

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 100 ft

708 Pikes Place

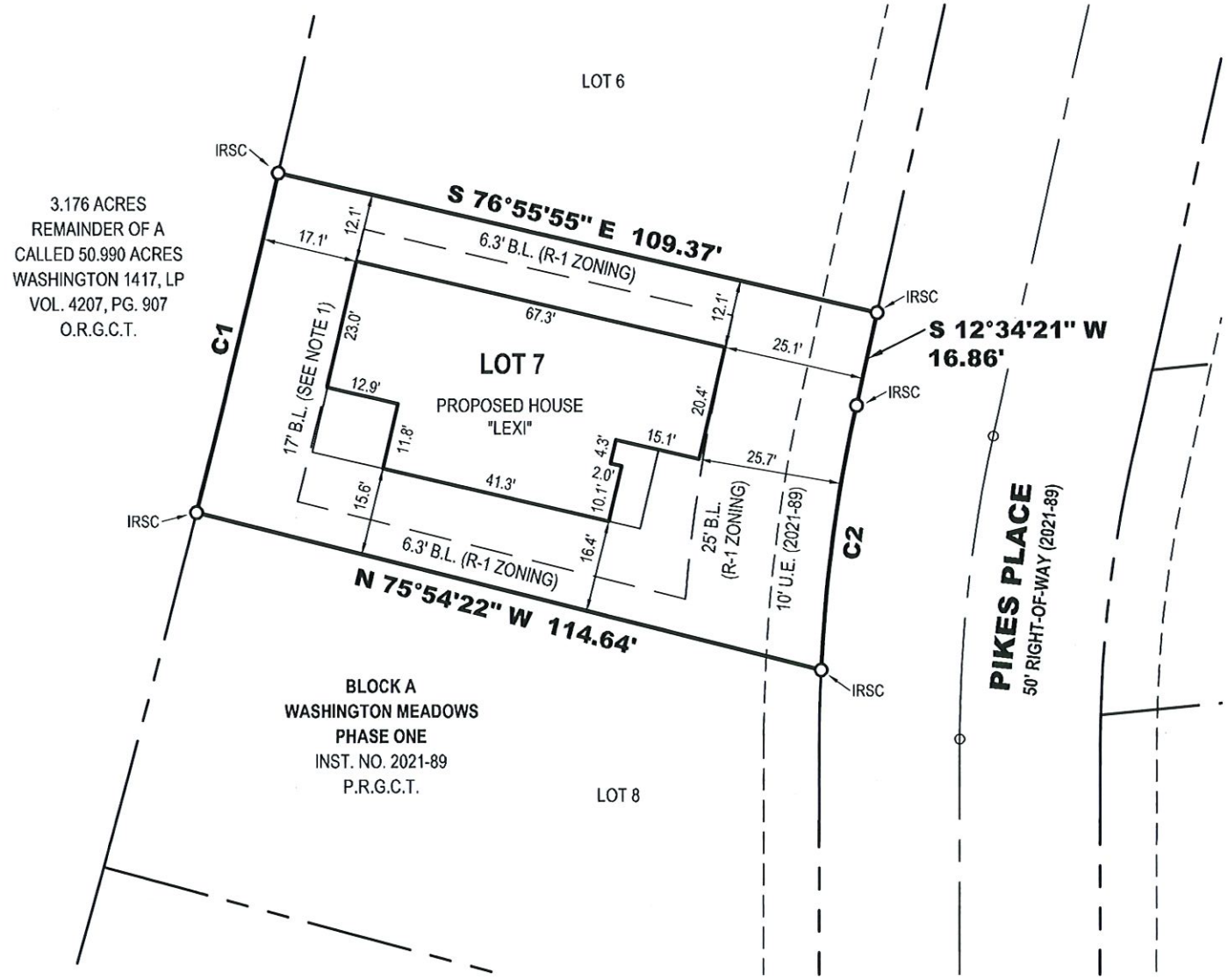
All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

0 15 30
GRAPHIC SCALE IN FEET

GENERAL NOTES:

1. 17' variance for Rear Building Set Back required. (25' Required per R1 Zoning)

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	61.93'	3225.25'	1°06'01"	N 13°38'48" E	61.93'
C2	47.39'	275.00'	9°52'24"	S 07°38'09" W	47.33'



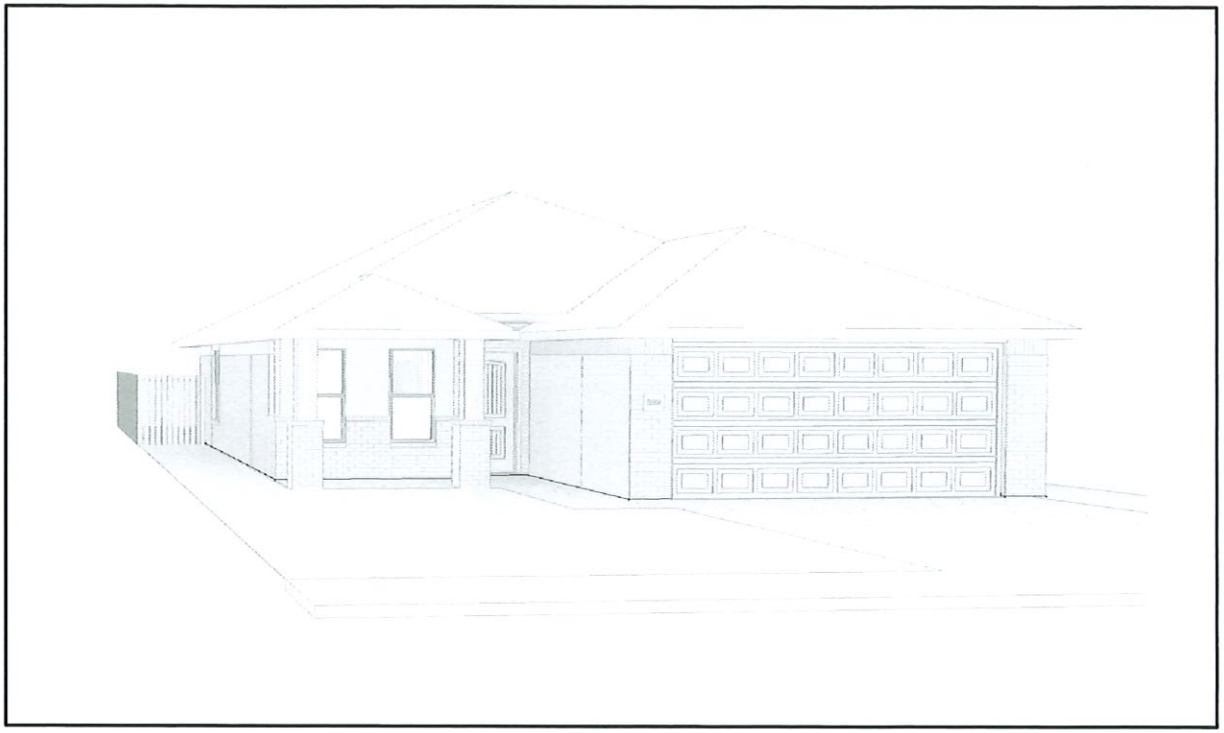
PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

SITE PLAN
WASHINGTON MEADOWS, PHASE ONE
BLOCK A, LOT 7
TBD Pikes Place, Sherman
Grayson County, Texas

Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNH Checked by: CRN	Scale: 1"=30' Date: 05/22/2021	Project No. 20-0204.A-7 Sheet No. 1 of 1



PLAN: Lexi

ADDRESS: 7088 pikes place

CUSTOMER: AVAILABLE

PLAN: Lexi

ADDRESS:

CUSTOMER: AVAILABLE

This plan has been produced for the address listed for the purpose of construction by Betenbough Homes. Any unauthorized use is prohibited by law without the express written consent of Betenbough Homes.

PROGRESS PRINT
NOT FOR CONSTRUCTION

COVER PAGE

DATE: 9/18/2015

VERSION: 3.0

1.0

BETENBOUGH HOMES

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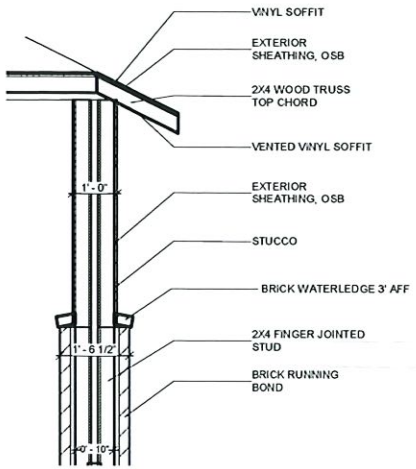
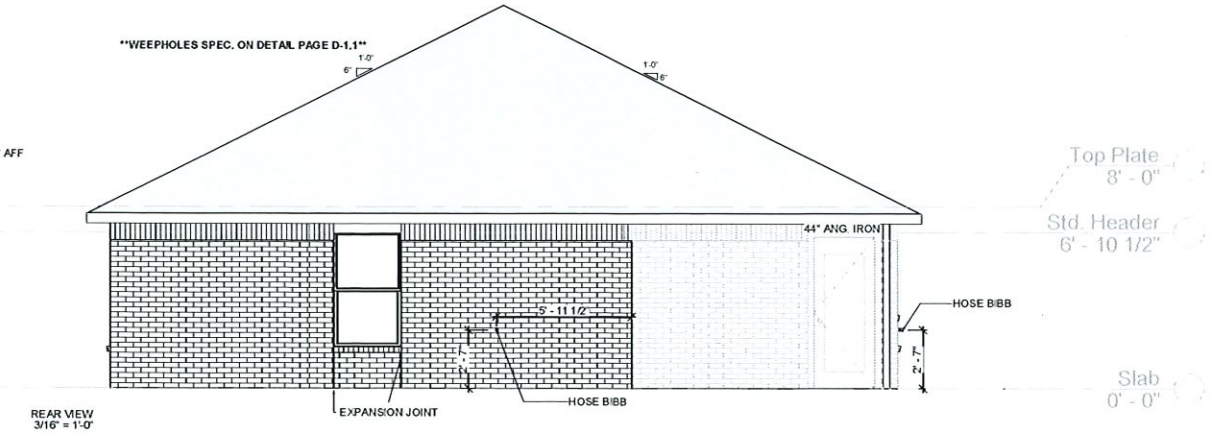
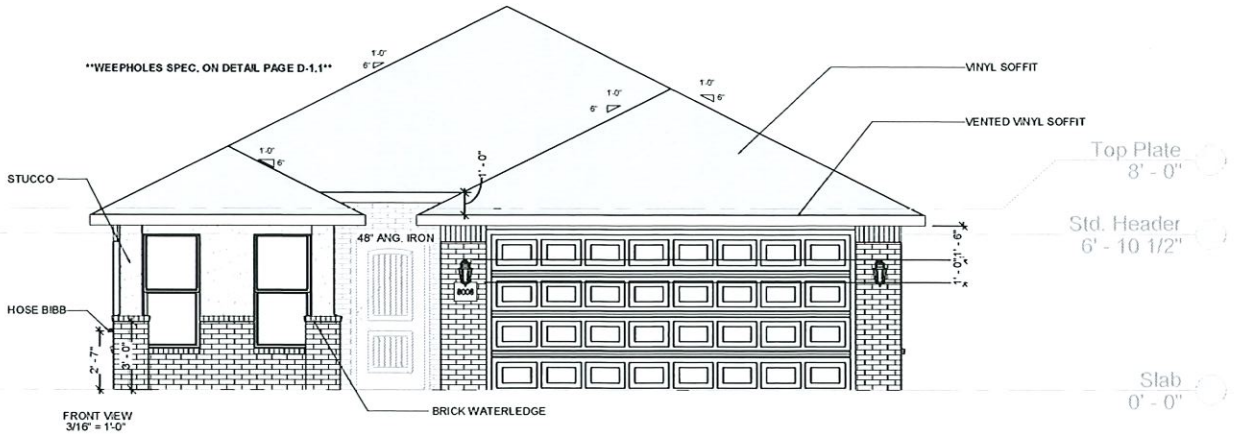
Plans, specifications and pricing subject to change without notification. Plans must be printed at 11"x17" for details scale.



S-1.2 COLUMN SECTION
3/8" = 1'-0"



REAR VIEW
3/16" = 1'-0"



FRONT VIEW
3/16" = 1'-0"

ELEVATIONS

A-1.1

DATE: 9/18/2015

VERSION: 3.0

PROGRESS PRINT
NOT FOR CONSTRUCTION

PLAN: Lexi

ADDRESS:

CUSTOMER: AVAILABLE

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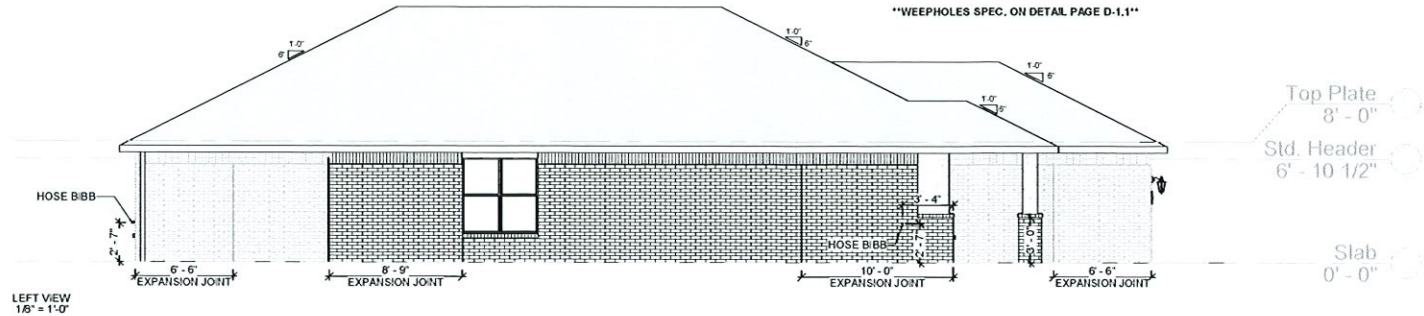
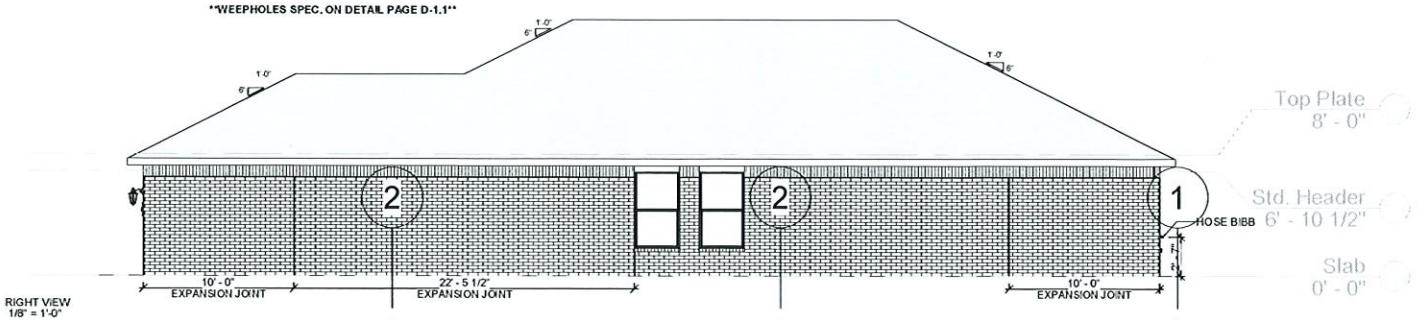
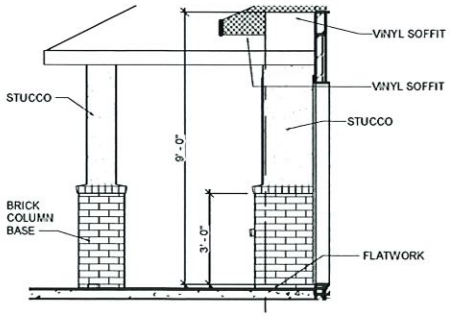
BETENBOUGH HOMES



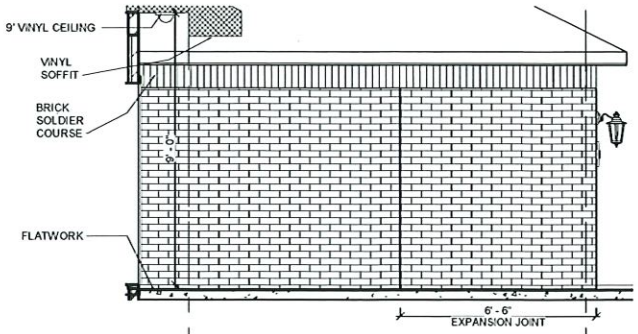
LEFT VIEW
1/8" = 1'-0"



RIGHT VIEW
1/8" = 1'-0"



DETAIL ELEVATION LEFT OF MAIN ENTRY
1/4" = 1'-0"



DETAIL ELEVATION RIGHT OF MAIN ENTRY
1/4" = 1'-0"

ELEVATIONS

A-1.2

VERSION: 3.0

DATE: 9/18/2015

PROGRESS PRINT
NOT FOR CONSTRUCTION

PLAN: Lexi

ADDRESS:

CUSTOMER: AVAILABLE

This plan has been produced for the address listed for the purpose of construction by Betenbough Homes. Any unauthorized use is prohibited by law without the express written consent of Betenbough Homes.

© Copyright Betenbough Companies

Plans, specifications and pricing subject to change without notification. Plans must be printed at 11"x17" for accurate scale.

BETENBOUGH HOMES

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 12, 2021

Wyldewood Homes
Al Denson
3803 Ward Neal Rd.
Bells, TX 75414

Preston Trail Land Surveying
83493 N. State Highway 289, Ste. 5
Pottsboro, TX 75076

Tim Pike
518 Bledsoe Rd.
Gunter, TX 75058

Dear Applicants,

The request for a variance to allow a 17' rear yard setback for a residential dwelling in lieu of the required 25' in an R-1 (One-Family Residential) District located at 708 Pikes Place has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 20, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. 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 General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Fence Ordinance, and the Residential Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.3; Sec. 7(13) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
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 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 Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
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 **17.**

Meeting Date: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

712 PIKES PLACE

The request of Wyldewood Homes, LLC (Owner), Tim Pike (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 712 Pikes Place, being Lot 6, Block A, Washington Meadows, Phase 1, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow an 18’ rear yard setback for a residential dwelling in lieu of the required 25’ in an R-1 (One-Family Residential) District.

Background:

The property is located at 712 Pikes Place between North FM 1417 (Heritage Parkway) and Nolan Drive. The property is zoned an R-1 (One-Family Residential) District. The owner would like to construct a single-family dwelling and is requesting an 18' rear yard setback in lieu of the required 25'.

Adjacent Zoning:

R-1 (One-Family Residential) District
C-1 (Retail Business) District

Origination:

Wyldewood Homes, LLC (Owner)
Tim Pike (Representative)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

2

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Building Elevations
Staff Review Letter

---

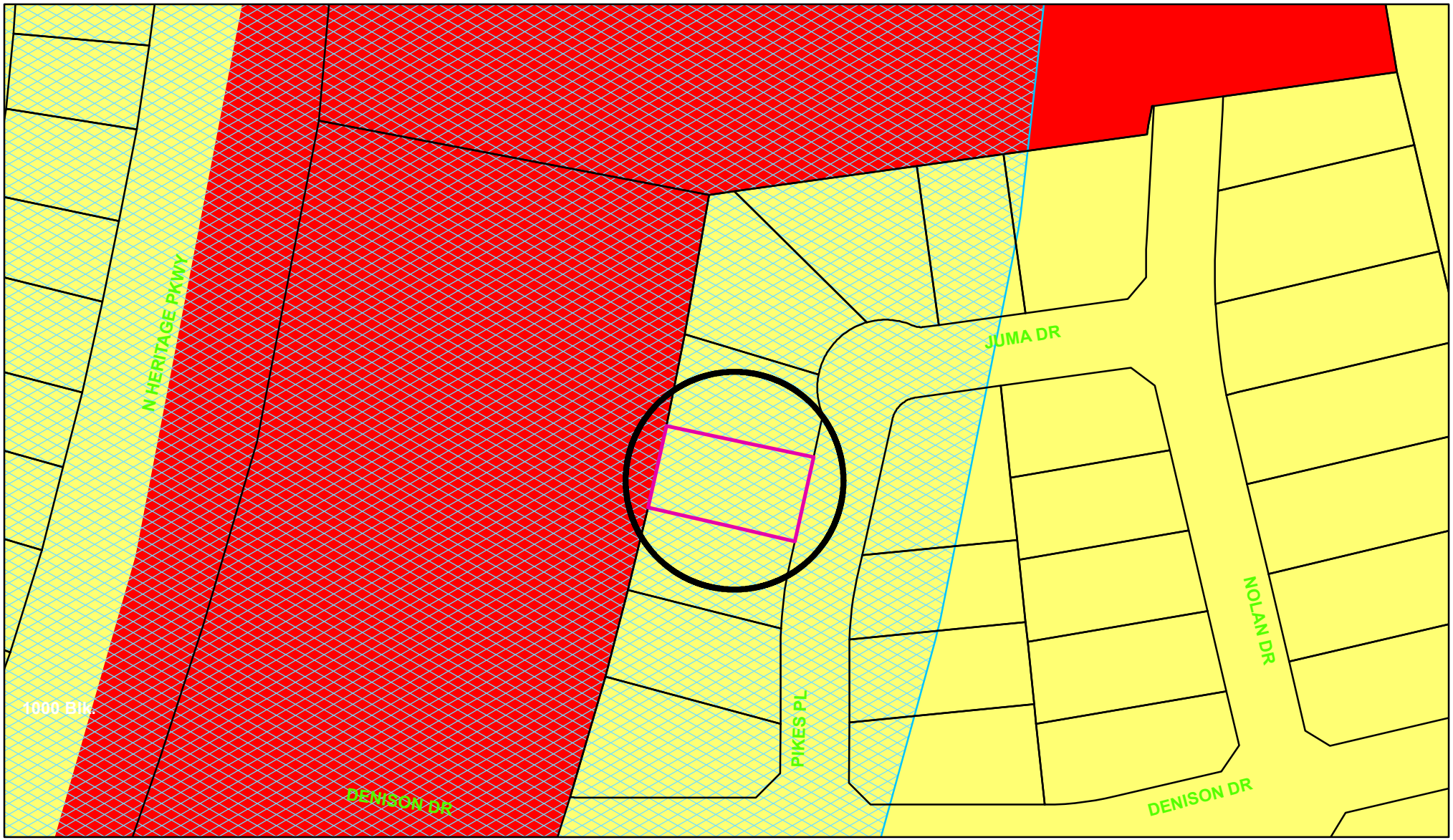
712 Pikes Place

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 300 ft



Zoning - 712 Pikes Place

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 100 ft

712 Pikes Place

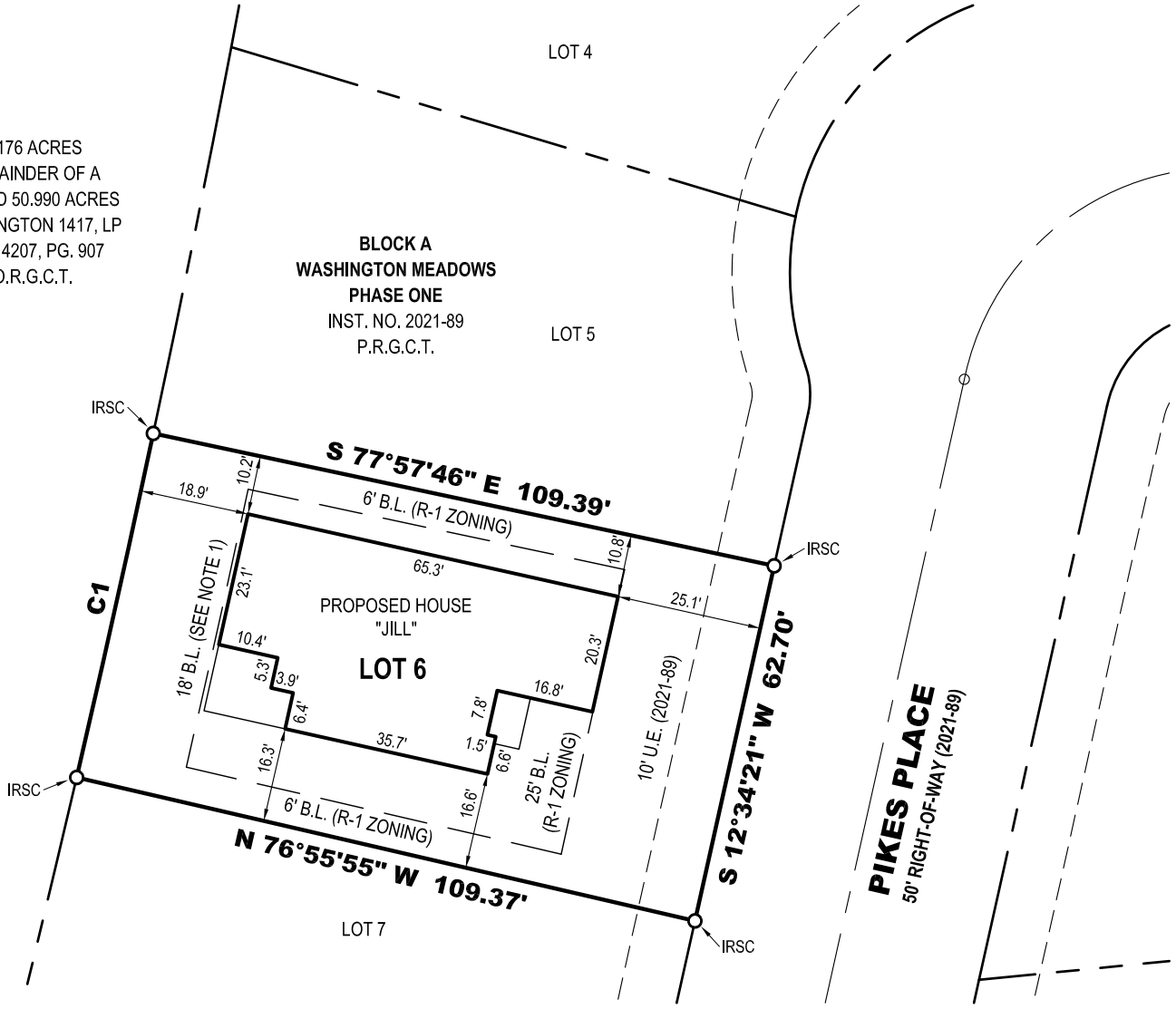
All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

GENERAL NOTES:

1. 18' variance for Rear Building Set Back required. (25' Required per R1-Zoning)

0 15 30
GRAPHIC SCALE IN FEET

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	60.73'	3225.25'	1°04'44"	N 12°33'26" E	60.73'



PRELIMINARY

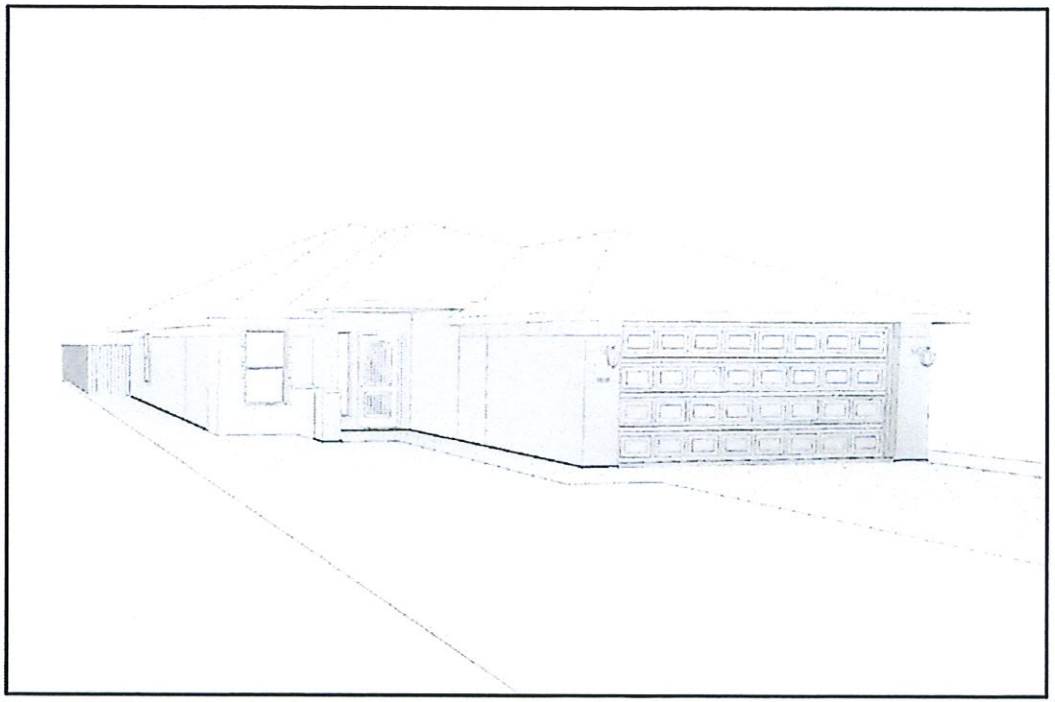
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

SITE PLAN
WASHINGTON MEADOWS, PHASE ONE
BLOCK A, LOT 6
TBD Pikes Place, Sherman
Grayson County, Texas

REVISION 07-12-2021

Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNH Checked by: CRN	Scale: 1"=30' Date: 05/22/2021	Project No. 20-0204.A-6 Sheet No. 1 of 1



PLAN: Jill

ADDRESS: Enter address here 712 ~~Dot~~ Blessplace

CUSTOMER: CUSTOMER NAME

Living - 1404
Garage - 333
Patio - 209

Total: 1946

BETENBOUGH HOMES	PLAN: Jill	PROGRESS PRINT NOT FOR CONSTRUCTION	COVER PAGE	1.0
	ADDRESS: Enter address here		DATE: 9/23/2015	VERSION: 3.0
	CUSTOMER: CUSTOMER NAME			

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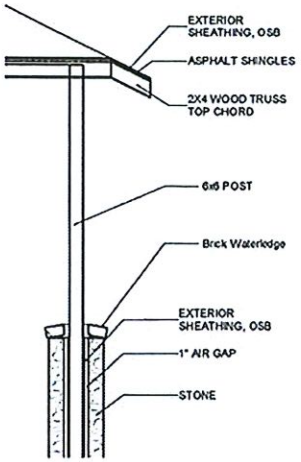
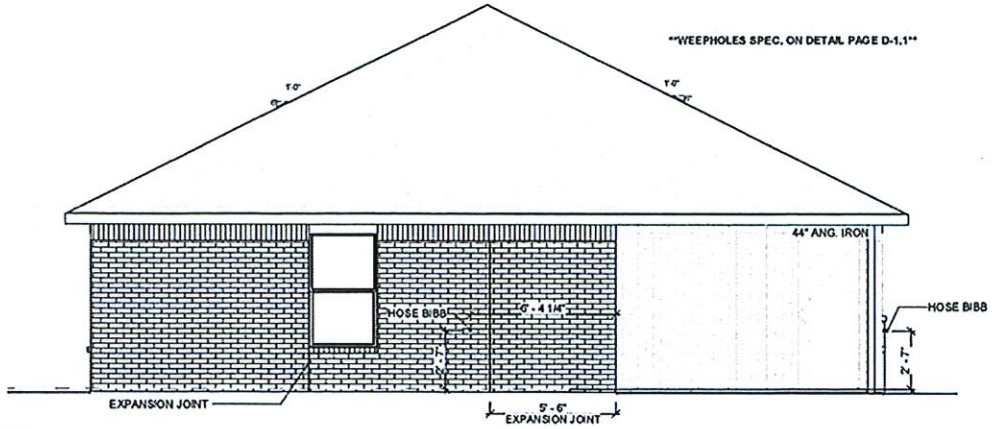


S-1.2 COLUMN SECTION
3/8" = 1'-0"

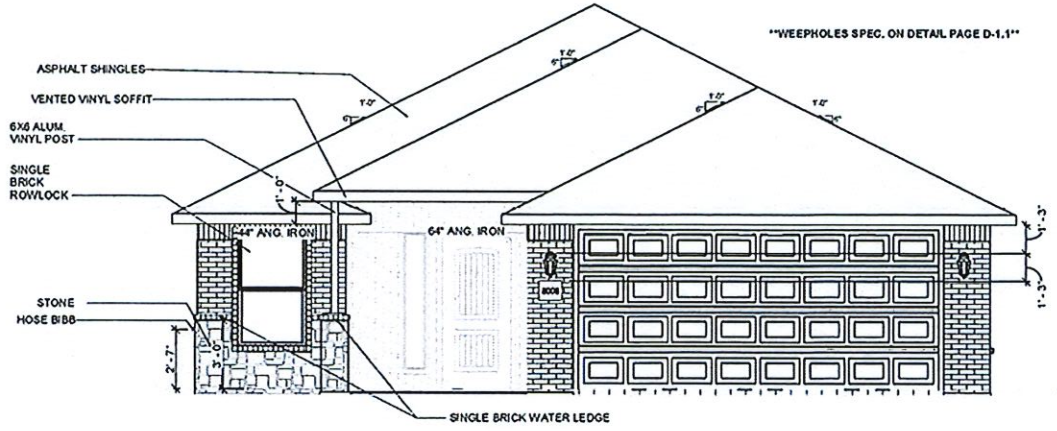


REAR VIEW
3/16" = 1'-0"

Top Plate
8' - 0"

Std. Header
6' - 10 1/2"

Slab
0' - 0"



FRONT VIEW
3/16" = 1'-0"

Top Plate
8' - 0"

Std. Header
6' - 10 1/2"

Slab
0' - 0"

ELEVATIONS

DATE: 9/23/2015

VERSION: 3.0

A-1.1

PROGRESS PRINT
NOT FOR CONSTRUCTION

PLAN: Jill

ADDRESS: Enter address here

CUSTOMER: CUSTOMER NAME

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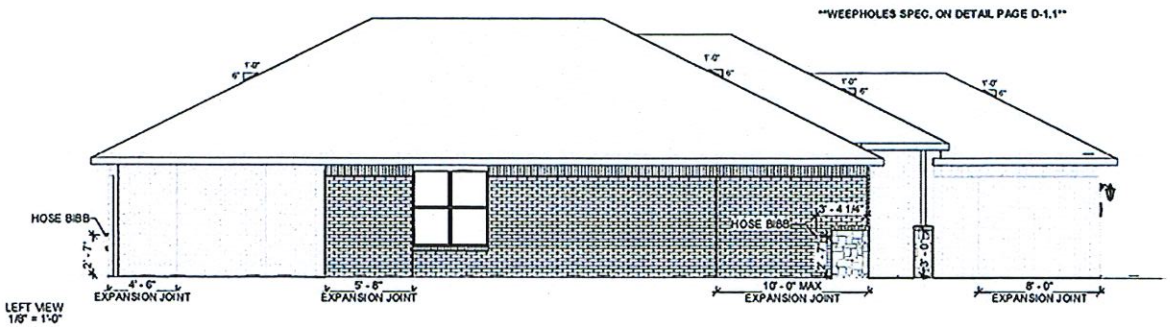
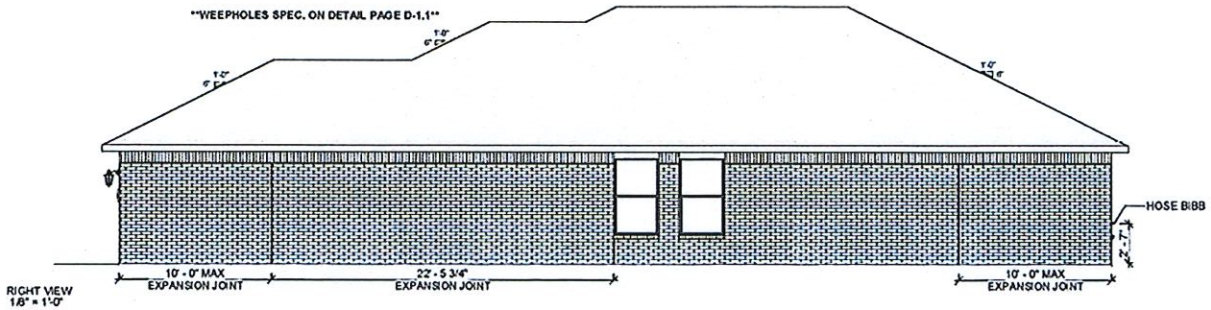
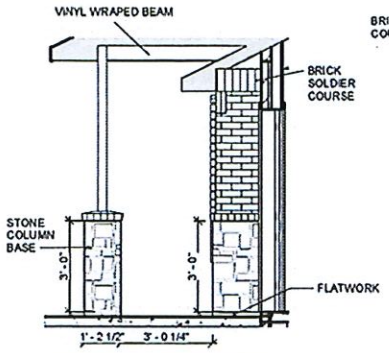
BETENBOUGH HOMES



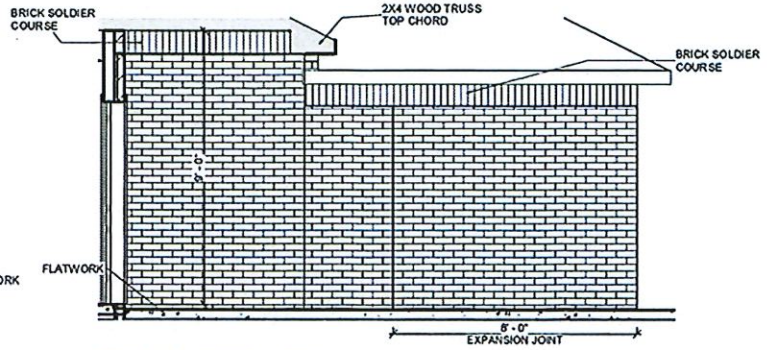
LEFT VIEW
1/8" = 1'-0"



RIGHT VIEW
1/8" = 1'-0"



DETAIL ELEVATION LEFT OF MAIN ENTRY
1/4" = 1'-0"



DETAIL ELEVATION RIGHT OF MAIN ENTRY
1/4" = 1'-0"

ELEVATIONS

DATE: 9/23/2015

VERSION: 3.0

A-1.2

PROGRESS PRINT
NOT FOR CONSTRUCTION

This plan has been produced for the address listed for the purpose of construction by Beazer Homes. Any unauthorized use is prohibited by law without the express written consent of Beazer Homes.

PLAN: Jill

ADDRESS: Enter address here

CUSTOMER: CUSTOMER NAME

© Copyright Beazer Homes Plans, specifications and pricing subject to change without notification. Plans must be printed at 11"x17" to obtain scale.

BEAZER HOMES

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 12, 2021

Wyldewood Homes
Al Denson
3803 Ward Neal Rd.
Bells, TX 75414

Preston Trail Land Surveying
83493 N. State Highway 289, Ste. 5
Pottsboro, TX 75076

Tim Pike
518 Bledsoe Rd.
Gunter, TX 75058

Dear Applicants,

The request for a variance to allow a 18' rear yard setback for a residential dwelling in lieu of the required 25' in an R-1 (One-Family Residential) District located at 712 Pikes Place has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 20, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. 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 General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Fence Ordinance, and the Residential Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.3; Sec. 7(13) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
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 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 Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
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: 07/20/2021

Prepared by: Kerri Turner, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

716 PIKES PLACE

The request of Wyldewood Homes, LLC (Owner), Tim Pike (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 716 Pikes Place, being Lot 5, Block A, Washington Meadows, Phase 1, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 13' rear yard setback for a residential dwelling in lieu of the required 25' in an R-1 (One-Family Residential) District.

Background:

The property is located at 716 Pikes Place between North FM 1417 (Heritage Parkway) and Nolan Drive. The property is zoned an R-1 (One-Family Residential) District. The owner would like to construct a single-family dwelling and is requesting a 13' rear yard setback in lieu of the required 25'.

Adjacent Zoning:

R-1 (One-Family Residential) District
C-1 (Retail Business) District

Origination:

Wyldewood Homes, LLC (Owner)
Tim Pike (Representative)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

2

Objections Received:

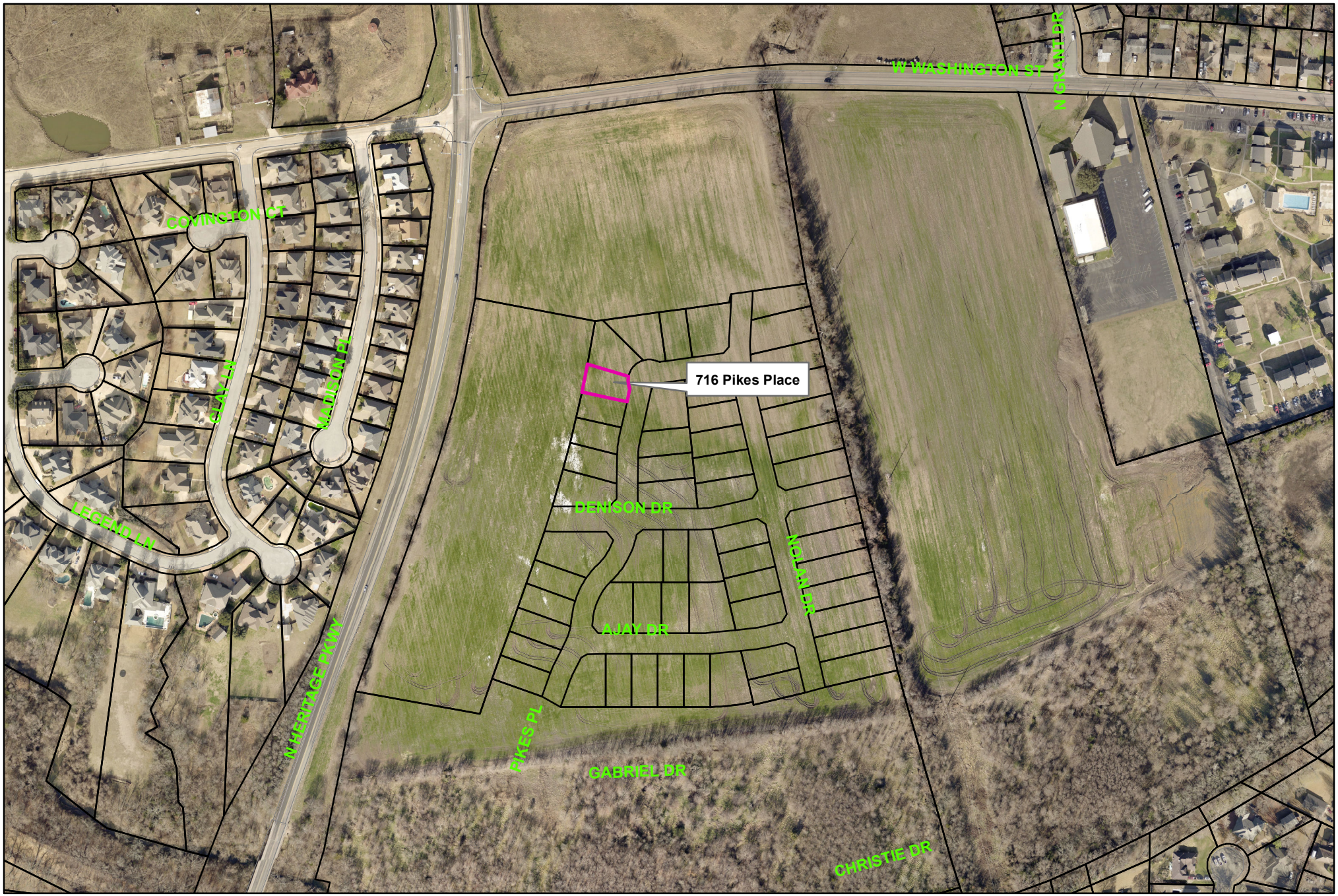
0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Building Elevations
Staff Review Letter



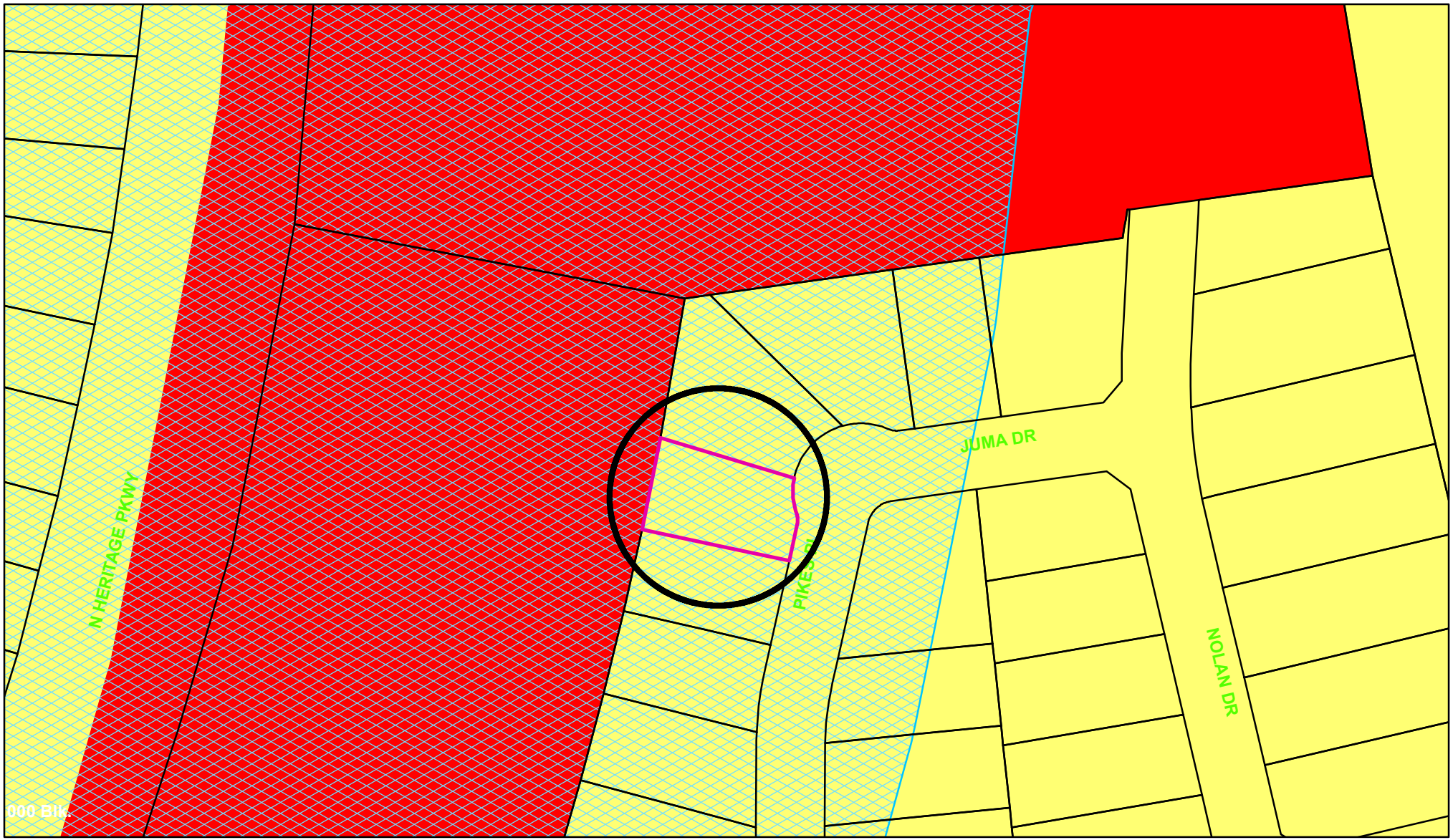
716 Pikes Place

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 300 ft



Zoning - 716 Pikes Place

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 100 ft

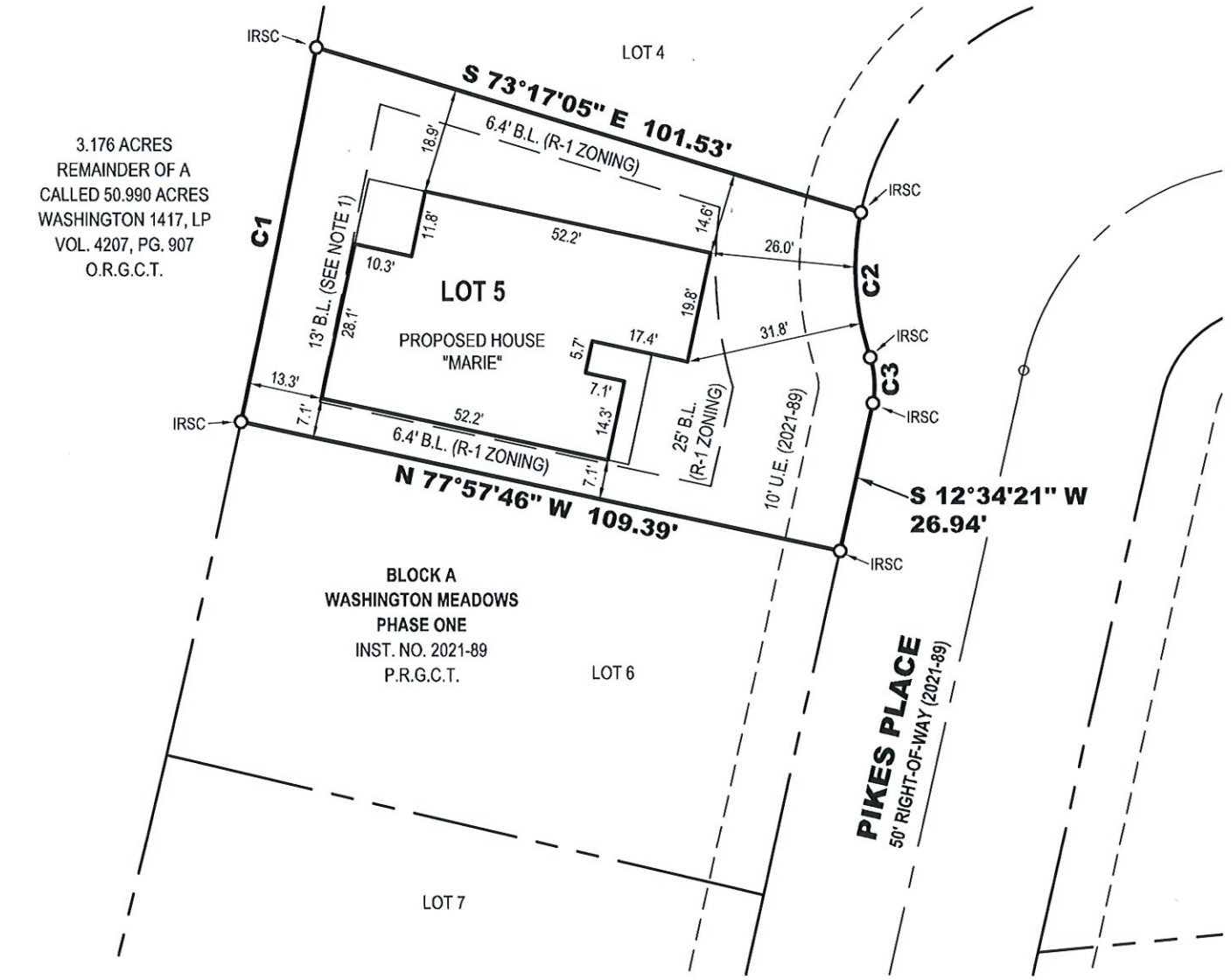
716 Pikes Place

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

GENERAL NOTES:

1. 13' variance for Rear Building Set Back required. (25' Required per R1 Zoning)

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	67.91'	3225.25'	1°12'23"	N 11°24'52" E	67.91'
C2	26.11'	49.27'	30°22'11"	S 03°48'27" E	25.81'
C3	8.24'	15.00'	31°29'31"	S 03°10'25" E	8.14'



PRELIMINARY

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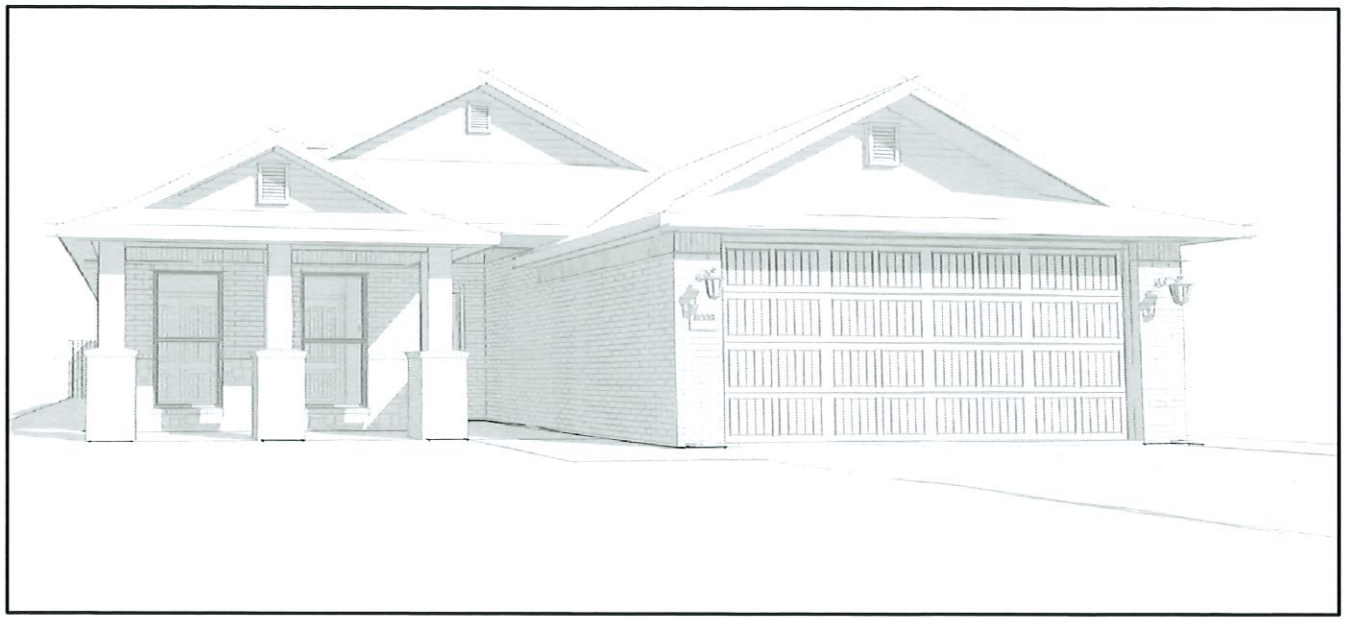
SITE PLAN
WASHINGTON MEADOWS, PHASE ONE
BLOCK A, LOT 5
TBD Pikes Place, Sherman
Grayson County, Texas

Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNH Checked by: CRN	Scale: 1"=30' Date: 05/22/2021	Project No. 20-0204.A-5 Sheet No. 1 of 1



PLAN: MARIE

ADDRESS: 716 Pikes place

CUSTOMER:

PLAN:	MARIE
ADDRESS:	
CUSTOMER:	

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BETENBOUGH HOMES

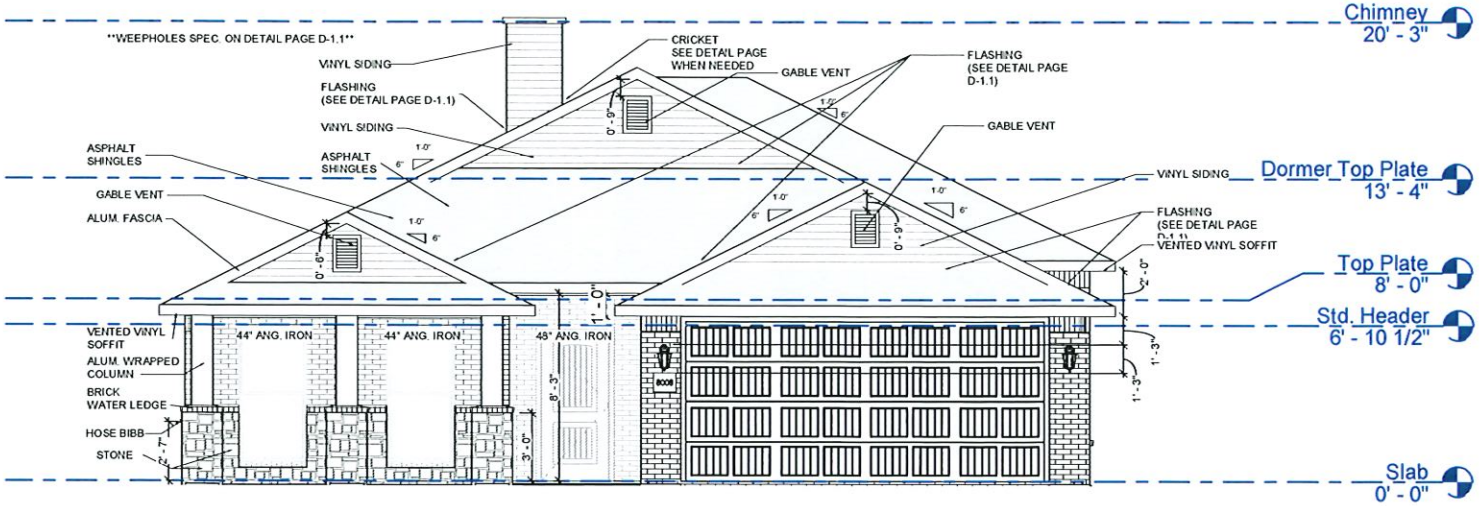
PROGRESS PRINT
NOT FOR CONSTRUCTION

COVER PAGE

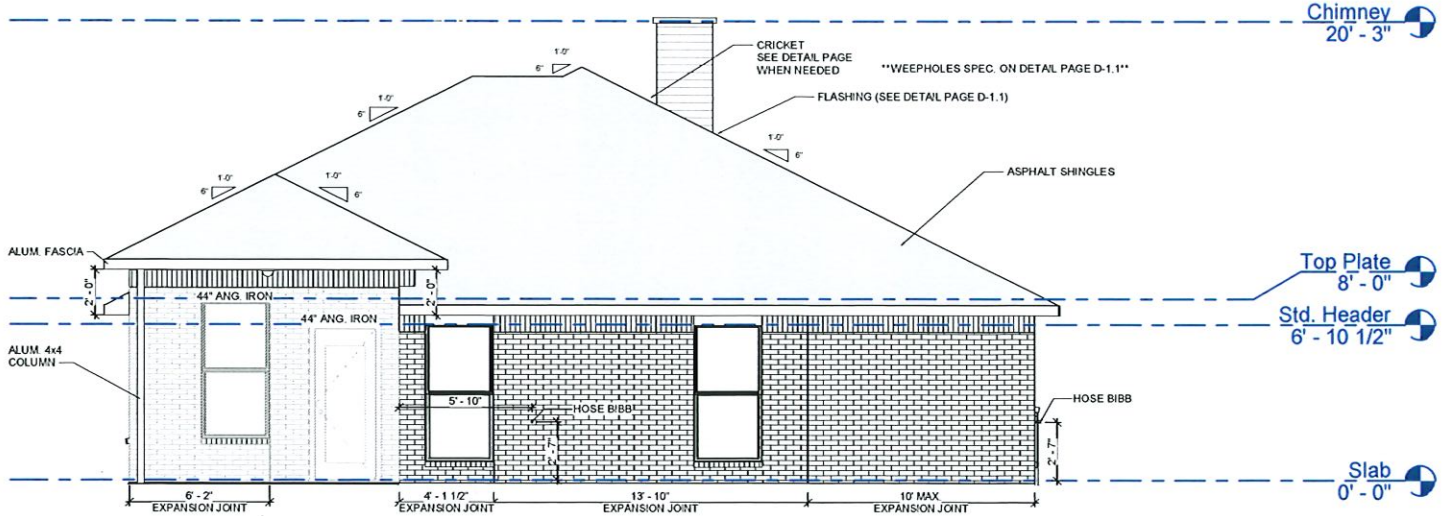
DATE: 11/29/2017

VERSION: V3.0

1.0



1 FRONT VIEW
3/16" = 1'-0"



2 REAR VIEW
3/16" = 1'-0"

ELEVATIONS

A-1.1

VERSION: V3.0

DATE: 11/29/2017

PROGRESS PRINT
NOT FOR CONSTRUCTION

PLAN: MARIE

ADDRESS:

CUSTOMER:

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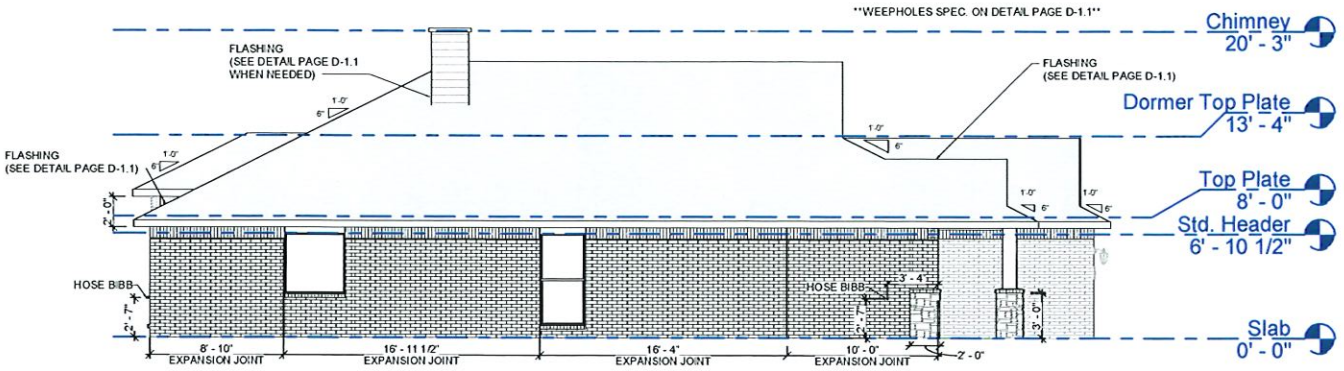
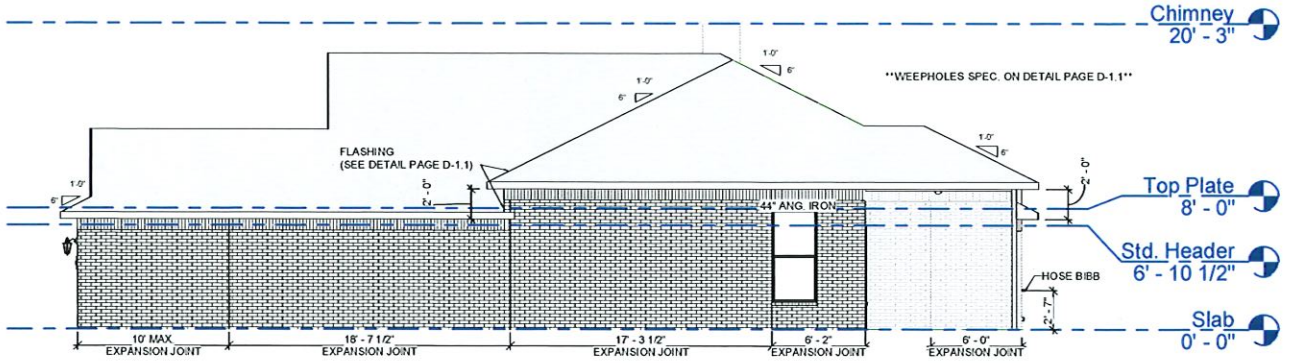
BETENBOUGH HOMES



② LEFT VIEW
1/8" = 1'-0"



① RIGHT VIEW
1/8" = 1'-0"

ELEVATIONS

DATE: 11/29/2017

VERSION: V3.0

A-1.2

PROGRESS PRINT
NOT FOR CONSTRUCTION

PLAN: MARIE

ADDRESS:

CUSTOMER:

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BETENBOUGH HOMES

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

July 12, 2021

Wyldewood Homes
Al Denson
3803 Ward Neal Rd.
Bells, TX 75414

Preston Trail Land Surveying
83493 N. State Highway 289, Ste. 5
Pottsboro, TX 75076

Tim Pike
518 Bledsoe Rd.
Gunter, TX 75058

Dear Applicants,

The request for a variance to allow a 13' rear yard setback for a residential dwelling in lieu of the required 25' in an R-1 (One-Family Residential) District located at 716 Pikes Place has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, July 20, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. 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 General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Fence Ordinance, and the Residential Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.3; Sec. 7(13) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))*
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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.

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

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
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: 07/20/2021

Prepared by: Patsy Reeves, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

*** 825 NORTH EAST STREET**

The request of Hambrick Triple H Investment Group LLC (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 825 North East Street, being Lot 7 and the north 14.25 feet of Lot 6, Block 1, Hall & Jones Addition, as follows;

Planning and Zoning Commission

Replat approval of Lot 7 & the north 14.25 feet of Lot 6, Block 1, Hall & Jones Addition

Background:

The property is located at 825 North East Street, the southeast corner of College and East Streets. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District. The owner would like to Replat one lot and a portion of another lot into one lot for residential development.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

Hambrick Triple H Investment Group LLC (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Auto-Urban Single Family Residential – This character type is the single-family residential category with the greatest density and the shortest building setbacks. Most driveways will face the street as well as the garage. Sidewalks are available for pedestrians. Less lot area is devoted to open space and greenery.

Number of notices mailed:

45

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat Lot 7 & N 14.25 ft. Lot 6 Block 1 Hall & Jones Addition
Staff Review Letter

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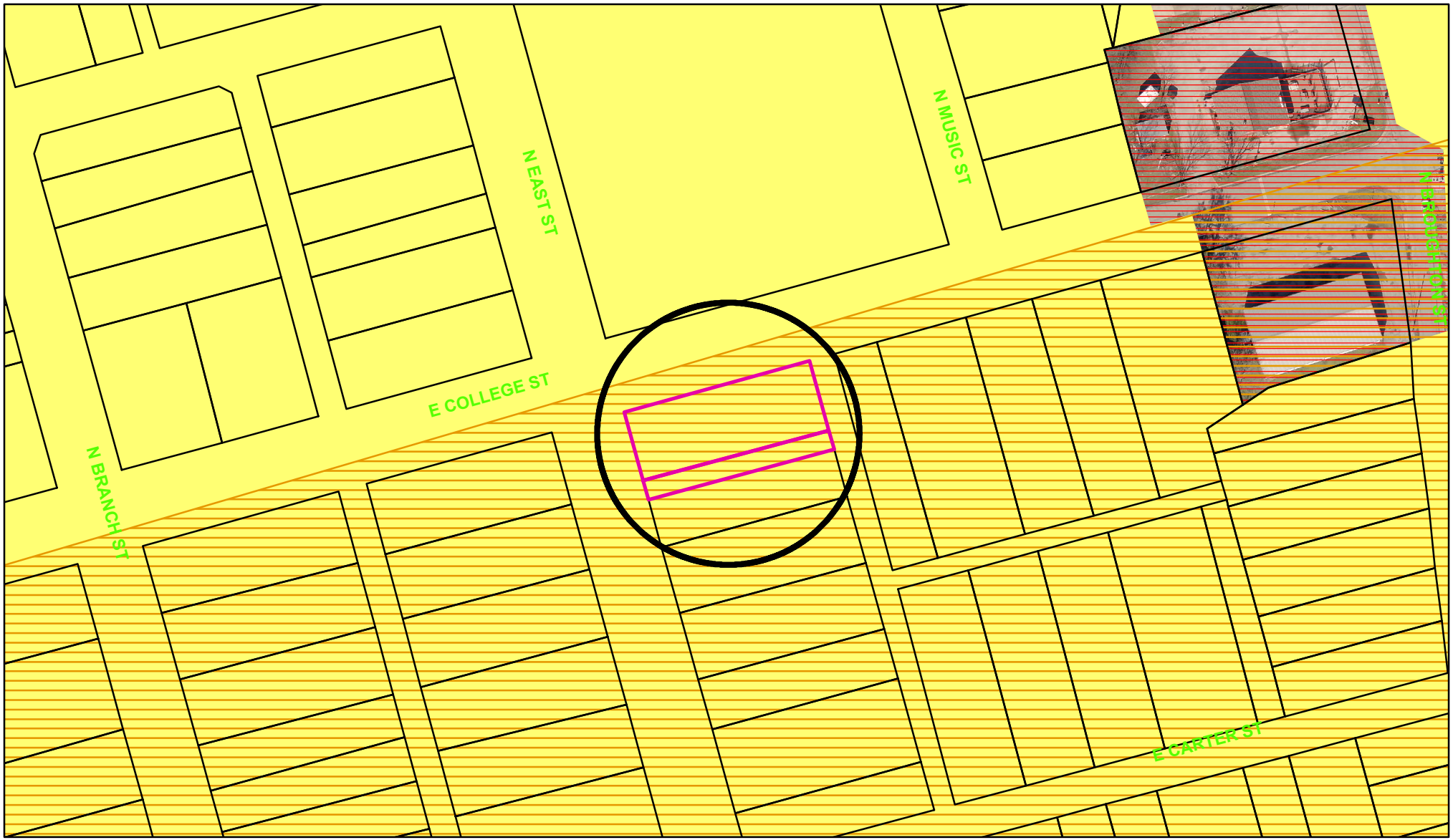
825 North East Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 200 ft



Zoning - 825 North East Street

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

Sherman
CLASSIC TOWN. BROAD HORIZON.

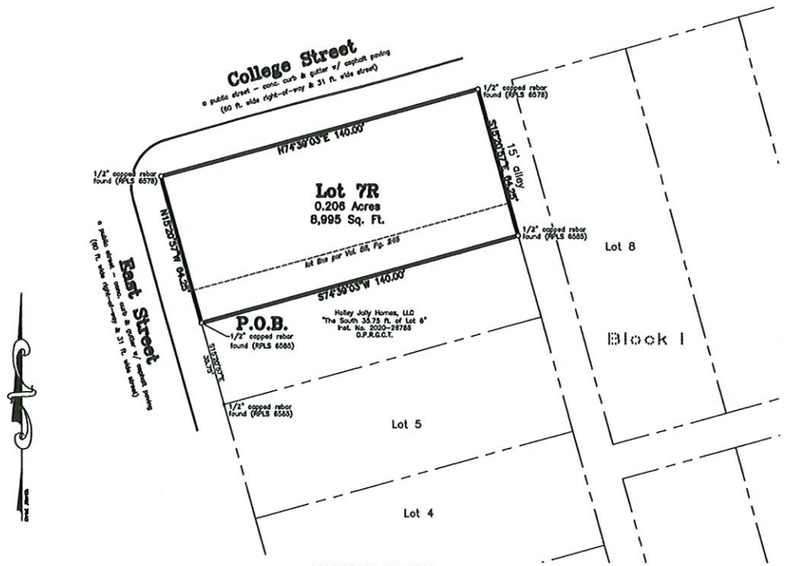
City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 100 ft

825 North East Street

Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone (4202), as derived by survey-grade Global Positioning System. The distances shown hereon are ground distances.



GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

Replat of Lot 7, & North 14.25 ft. of Lot 6, Block 1, Hall & Jones Addition to the City of Sherman, Texas 0.206 Acres in the J. B. McAnair Survey Abstract No. 763

General Notes:

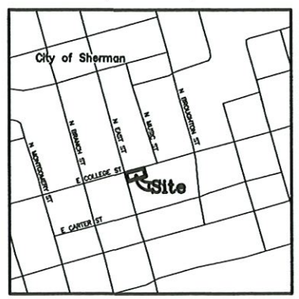
1. Water Supply to be provided by the City of Sherman, Texas.
2. Sewer service to be provided by the City of Sherman, Texas.
3. Electrical service is provided by Oncor Electric Company.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of 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. 48181C0270 F, Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damages, 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.

Job No. CGS1040621

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-8191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owner:
Hambrick Triple H Investment Group, LLC
1920 Timberline Lane
Sherman, Texas 75090

Vicinity Map
(not to scale)



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FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the J. B. McAnair Survey, Abstract No. 763 and being all of Lot 7 and the North 14.25 ft. of Lot 6, Block 1, Hall & Jones Addition, to the City of Sherman, Texas, as per plat of record in Volume 58, Page 245, Deed 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 found stamped (*RPLS 6585*) in the East right-of-way line of East Street and the West line of said Lot 6, at the Northwest corner of the Holley Jolly Homes, LLC tract of land described as the South 35.75 ft. of Lot 6, said Block 1 in Instrument No. 2020-26765, said Official Public Records and the Southwest corner of the herein described tract, **SAID** rebar being North 15 deg. 20 min. 57 sec. West, 35.75 ft. from a 1/2 inch capped rebar found stamped (*RPLS 6585*) at the Southwest corner of both said Lot 6 and Holley Jolly Homes tract;

THENCE North 15 deg. 20 min. 57 sec. West, with the East right-of-way line of said East Street and the West line of said Lot 6 and Lot 7, a distance of 64.25 ft. to a 1/2 inch capped rebar found stamped (*RPLS 6578*) at the intersection of the East right-of-way line of said East Street with the South right-of-way line of College Street, at the Northwest corner of both said Lot 7 and the herein described tract;

THENCE North 74 deg. 39 min. 03 sec. East, with the South right-of-way line of said College Street and the North line of said Lot 7, a distance of 140.00 ft. to a 1/2 inch capped rebar found stamped (*RPLS 6578*) at the Northeast corner of both said Lot 7 and the herein described tract;

THENCE South 15 deg. 20 min. 57 sec. East, with the East line of said Lot 7 and Lot 6, a distance of 64.25 ft. to a 1/2 inch capped rebar found stamped (*RPLS 6585*) at the Southeast corner of the herein described tract;

THENCE South 74 deg. 39 min. 03 sec. West, over and across said Lot 6, a distance of 140.00 ft. to the **PLACE OF BEGINNING** and containing **0.206 ACRES and/or 8,995 SQUARE FEET** 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
KATE A. WAGNER
6578
REGISTERED PROFESSIONAL LAND SURVEYOR

I, Authorized Representative for Hambrick Triple H Investment Group, LLC, sole owner of Lot 7 & North 14.25 ft. of Lot 6, Block 1, Hall & Jones 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.

Al Hambrick
Authorized Representative for Hambrick Triple H Investment Group, LLC

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Al Hambrick, 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 _____, 2021.

Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of Replat of Lot 7 & North 14.25 ft. of Lot 6, Block 1, Hall & Jones Addition, to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2021, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

This, the final plat of Replat of Lot 7 & North 14.25 ft. of Lot 6, Block 1, Hall & Jones Addition, to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2021, 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 Replat of Lot 7 & North 14.25 ft. of Lot 6, Block 1, Hall & Jones Addition, to the City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 2021, 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 _____, 2021, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Replat of Lot 7, & North 14.25 ft. of Lot 6, Block 1, Hall & Jones Addition to the City of Sherman, Texas 0.206 Acres in the J. B. McAnair Survey Abstract No. 763

Owner:
Hambrick Triple H Investment Group, LLC
1920 Timberline Lane
Sherman, Texas 75090

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-8191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

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Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

July 12, 2021

Hambrick Triple H Investment Group, LLC
1920 Timberline Lane
Sherman, TX 75090

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Replat of Lot 7, & North 14.25 ft. of Lot 6, Block 1, Hall & Jones Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, July 20, 2021 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 15'x15' corner clip on northwest corner of proposed Lot 7R. *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 10' Utility Easement along College Street and East Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
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. The City of Sherman does not maintain alleys.
5. Add Avigation Release to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
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. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *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
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **20.**

Meeting Date: 07/20/2021

Prepared By: Patsy Reeves, Development Services Coordinator

Issue:

OTHER BUSINESS

- Consider updates to the Subdivision Ordinance No. 2684
- Consider updates to Ordinance No. 2280, Article 14.02 Airport Hazard Zoning

List of Agenda Items:

Attachments

Draft Ordinance Updates Airport Hazard Zoning

Draft Ordinance Updates Subdivisions & Site Plans

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS, ENTITLED "SUBDIVISION ORDINANCE", ARTICLE 10.05, ENTITLED "SUBDIVISION ORDINANCE", AT EXHIBIT A, ENTITLED "SUBDIVISION ORDINANCE" AND CHAPTER 14 OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS, ENTITLED "ZONING ORDINANCE", ARTICLE 14.02, ENTITLED "AIRPORT HAZARD ZONING"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; MODIFYING CERTAIN REGULATIONS RELATING TO THE AIRPORT HAZARD ZONING REGULATIONS; PROVIDING A REPEALING CLAUSE, A SEVERABILITY CLAUSE AND A PENALTY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") has investigated and determined that the Code of Ordinances, Chapter 14, Article 14.02 (Airport Hazard Zoning) of the City of Sherman, Texas ("City" or "Sherman") should be amended as provided herein; and

WHEREAS, Sherman has complied with all legal notices and public hearings as required by law; and

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Sherman to amend the Code of Ordinances as set forth below.

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

SECTION 1. That Chapter 10, Article 10.05 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Exhibit A, Section 6. Final Plat and Chapter 14, Article 14.02 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at as follows[1]:

Chapter 10, Article 10.05 Subdivision Ordinance, Exhibit A, Section 6. Final Plat

…[2]

(B) **Form and content of final plat.**

…

[1] Deletions are evidenced by ~~strikethrough~~; all other text is additions.

[2] Ellipses (…) reflect those portions of the Code of Ordinances that are not being amended or modified in this Ordinance.

(16) Avigation Release: (To be placed on the plat in a manner that will permit the completion of the certificate by filling in the blank spaces.)

STATE OF TEXAS

COUNTY of GRAYSON

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, _____, 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 _____, 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 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 full 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 _____, 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___.

_____
(Owner)

Chapter 14, Article 10.02 Airport Hazard Zoning

~~(a) Sherman Municipal Airport Hazard Zoning Ordinance 95-1, adopted by the Sherman-Grayson County Joint Airport Zoning Board in its meeting of December 19, 1995, is hereby adopted by reference.~~

~~(b) The board of adjustment established in section 9 of Ordinance 2280 is hereby designated as the zoning board of adjustment.~~

Sherman Municipal Airport Hazard Zoning Ordinance

Sec. 1. Purpose

(1) It is hereby found that an airport hazard has the potential for endangering the lives and property of users of the Sherman Municipal Airport and property or occupants of land in its vicinity, that an obstruction may affect existing and/or future instrument approach minimums at the Sherman Municipal Airport, and that an obstruction may reduce the size of areas availab1e for the landing, takeoff, and maneuvering of aircraft thus tending to destroy or impair the utility of the Sherman Municipal Airport and the public investment therein. Accordingly, it is declared that:

(a) the Sherman Municipal Airport fulfills an essential community purpose; and

(b) the creation or establishment of an airport hazard has the potential of being a public nuisance and may injure the region served by the Sherman Municipal Airport; and

(c) it is necessary in the interest of the public health, safety, and general welfare that the creation or establishment of airport hazards be prevented; and

(d) the prevention of these airport hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

(2) It is further declared that the prevention of the creation or establishment of airport hazards; the elimination, removal, alteration, or mitigation of airport hazards; and the marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

Sec. 2. Short Title

(1) This ordinance shall be known and may be cited as the "Sherman Municipal Airport Hazard Zoning Ordinance."

Sec. 3. Definitions

As used in this ordinance, unless the context otherwise requires:

Administrating Agency: The appropriate office of a political subdivision which is responsible for the administration and enforcement of the zoning regulations prescribed by this ordinance. The office of the City Manager of the City of Sherman, Texas is hereby designated as the administrating agency.

Airport: Means Sherman Municipal Airport, Sherman, Texas.

Airport Elevation: The established elevation of the highest point on the usable landing area measured in feet above mean sea level (MSL). The airport e1evation of the Sherman Municipal Airport is seven-hundred-forty-six and one tenth (746.1) feet above mean sea leve1 (MSL).

Airport hazard: Any structure, object of natural growth, or use of land that obstructs the airspace required for the flight of aircraft or obstructs or interferes with the control, tracking, and/or data acquisition in the landing, takeoff, or flight at an airport or any installation or facility relating to flight, tracking, and/or data acquisition of the flight craft; is hazardous to, interferes with, or obstructs such landing, takeoff, or flight of aircraft; or is hazardous to or interferes with tracking and/or data acquisition pertaining to flight and fright vehicles.

Airport Hazard Area: Any area of land or water upon which an airport hazard might be established if not prevented as provided by this ordinance.

Airport Reference Point: The point established as the approximate geographic center of the airport landing area and so designated. For the Sherman Municipal Airport, the airport reference point (ARP) is located at Latitude 33°37'26.6" North, and Longitude 96°35'09.1" West, North American Datum of 1927 (NAD 27); or Latitude 33°37'27.0" North, and Longitude 96°35'10.1" West, North American Datum 1983 (NAD 83).

Approach Surface: A surface longitudinally centered on the extended runway centerline, extending outward and upward from each end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 4 of this ordinance. In plan the perimeter of the approach surfaces coincide with the perimeter of the approach zones.

Approach Surface: A surface longitudinally centered on the extended runway centerline, extending outward and upward from each end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 4 of this ordinance. In plan the perimeter of the approach surfaces coincide with the perimeter of the approach zones.

Board of Adjustments: A board appointed by the Sherman Planning and Zoning Commission or the administrating agency as provided by Tex. Local Gov't. Code Ann., §211.008.

Conical Surface: A surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally for each one (1) foot vertically for a horizontal distance of four-thousand (4,000) feet.

Hazard to Air Navigation: An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.

Height: For the purpose of determining the height limits in all zones set forth in this ordinance and shown on the hazard zoning map, the datum shall be height above mean sea level (MSL) e1evation as measured in feet.

Horizontal Surface: A horizontal plane one-hundred-fifty (150) feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Nonconforming Use: Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this ordinance or an amendment thereto.

Non-precision Instrument (NPI) Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, or a runway for which a straight-in non-precision instrument approach procedure has been approved or planned.

Obstruction: Any structure, tree, or other object, including a mobile object, which exceeds Federal Aviation Regulations (FAR) Part 77 imaginary surfaces.

Permit: A document issued by Development Services to erect, replace, or increase the height of any structure, or the construction of a new structure on property, which may include an airspace determination, Form 7460-1, from the FAA.

Person: An individual, firm, partnership, coloration, company, association, joint stock association, or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Primary Surface: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two- hundred (200) feet beyond each end of that runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations (FAR) for the most precise approach, existing or planned, for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline or crown. The width of the primary surface is five-hundred (500) feet for a utility runway having a non-precision instrument approach to either or both ends of that runway.

Runway: A defined area on an airport prepared for the landing and taking off of aircraft along its length. The zoned length of Runway 16-34 at the Sherman Municipal Airport is four-thousand (4,000) feet.

Structure: An object, including a mobile object, constructed or installed by man including, but not limited to: buildings, towers, cranes, smokestacks, earth formations, and overhead transmission or power lines.

Transitional Surfaces: Surfaces extending outward at ninety (90) degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each one (1) foot vertically from the sides of the primary surface and the approach surfaces to where they intersect the horizontal surface.

Tree: Any object of natural growth.

Utility Runway: A runway constructed for and intended to be used by propeller driven aircraft of twelve-thousand-five-hundred (12,500) pounds maximum gross weight or less.

Visual Runway: A runway intended solely for the operation of aircraft using visual approach procedures.

Sec. 4. Zones

(1) In order to carry out the provisions of this ordinance, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surface, and conical surface as they apply to the Sherman Municipal Airport, Sherman, Texas. Such zones are shown on the current "Airport Airspace Drawing", the most recent prepared by Corgan, LLC dated December 10, 2019, which is attached to this ordinance and made a part hereof. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

(a) Approach Zones

1. An approach zone is hereby established beneath the approach surface at the end of Runway 34 at the Sherman Municipal Airport for a utility runway

with non-precision instrument landings and takeoffs. The approach zone shall have an inner edge width of five-hundred (500) feet which coincides with the width of the primary surface at a distance of two-hundred (200) feet beyond the runway end, widening thereafter uniformly to a width of three-thousand-five-hundred (3,500) feet at a horizontal distance of ten-thousand (10,000) feet beyond the end of the primary surface. Its centerline being the continuation of the centerline of the runway.

2. An approach zone is hereby established beneath the approach surface at the end of Runway 16 at the Sherman Municipal Airport for a utility runway with visual landings and takeoffs. The approach zone shall have an inner edge width of five-hundred (500) feet which coincides with the width of the primary surface at a distance of two-hundred (200) feet beyond the runway end, widening thereafter uniformly to a width of three-thousand-five-hundred (3,500) feet at a horizontal distance of ten-thousand (10,000) feet beyond the end of the primary surface. Its centerline being the continuation of the centerline of the runway.

(b) Transitional Zones — Transitional zones are hereby established beneath the transitional surfaces for the runway as indicated on the hazard zoning map. Transitional surfaces, symmetrically located on either side of the runway, have variable widths as shown on the hazard zoning map. Transitional surfaces extend outward at right angles to the runway centerline and the runway centerline extended from the periphery of the primary surface and the approach surfaces to where they intersect the horizontal surface.

(c) Horizontal Zone — A horizontal zone is hereby established beneath the horizontal surface which is a plane one-hundred-fifty (150) feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of ten-thousand (10,000) feet radii from the center of each end of the primary surface and connecting the adjacent arcs by lines tangent to those arcs.

(d) Conical Zone — A conical zone is hereby established beneath the conical surface which extends outward from the periphery of the horizontal surface for a horizontal distance of four-thousand (4,000) feet.

Sec. 5. Height Limitations

(1) Except as otherwise provided in this ordinance, no structure shall be erected, altered, or maintained and no tree shall be allowed to grow in any zone created by this ordinance to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

(a) Approach Zones — Slope one (1) foot in height for each twenty (20) feet in horizontal distance beginning at the ends of and at the same elevation as the primary surface and extending to points ten-thousand (10,000) feet from the ends of primary surface. The City of Sherman Engineering Department will review the Airspace Determination, as issued by the FAA, resulting from the submission of the FAA Notice of Proposed Construction or Alteration to determine if any remediation is

required as part of the development.

(b) Transitional Zones — Slope one (1) foot in height for each seven (7) feet in horizontal distance beginning at the sides of and at the same elevation as the primary surface and the approach surfaces and extending to a height of one-hundred-fifty (150) feet above the airport elevation, or to a height of eight-hundred-ninety-six (896) feet above mean sea level. The City of Sherman Engineering Department will review the Airspace Determination, as issued by the FAA, resulting from the submission of the FAA Notice of Proposed Construction or Alteration to determine if any remediation is required as part of the development.

(c) Horizontal Zone — Established at one-hundred-fifty (150) feet above the airport elevation, or at a height of eight-hundred-ninety-six (896) feet above mean sea level. The City of Sherman Engineering Department will review and determine if the development has the potential to be a hazard to the navigable airspace, and may require the filing of an FAA Form 7460-1 to receive an airspace determination as part of the development. The development will adhere to the requirements of the airspace determination.

(d) Conical Zone - Slopes one (1) foot in height for each twenty (20) feet in horizontal distance beginning at the periphery of the horizontal zone and at one-hundred-fifty (150) feet above the airport elevation and extending to a height of three-hundred-fifty (350) above the airport elevation, or to a height of one-thousand-ninety-five (1,095) feet above mean sea level. The City of Sherman Engineering Department will review and determine if the development has the potential to be a hazard to the navigable airspace, and may require the filing of an FAA Form 7460-1 to receive an airspace determination as part of the development. The development will adhere to the requirements of the airspace determination.

Sec. 6. Land Use Restrictions

Notwithstanding any other provision of this ordinance, no use may be made of land or water within any zone established by this ordinance in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the airport.

Sec. 7. Nonconforming Uses

(1) Regulations not Retroactive — The regulations prescribed by this ordinance shall not be construed as to require the removal, 1owering, or other change or alteration of any structure or use of land not conforming to the regulations as of the effective date of this ordinance or otherwise interfere with the continuance of any nonconforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure, the construction or alternation of which was begun prior to the effective date of this ordinance and is diligently prosecuted. Trees are not a permitted nonconforming use.

(2) Lighting and Marking, — Notwithstanding the preceding provision of this Section, the owner of any nonconforming structure is hereby required to permit the installation,

operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the administrating agency or their designated representative to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. Such markers and lights, if installed by the City of Sherman, shall be, operated, and maintained at the expense of the City of Sherman, Texas.

Sec. 8. Permits

(1) Future Uses — Except as specifically provided hereunder, no structure shall be erected or otherwise established and no tree shall be permitted to grow in any zone hereby created in excess of the excepted height limitation of the zone, and no material change shall be made in the use of land that would create a hazardous condition as described in Section 5, unless a permit therefor shall have been applied for and granted by the administrating agency or their designated representative. Each application for a permit shall indicate the purpose for which the permit is desired with sufficient particularity to permit it to be determined whether the resulting structure, tree, or use would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit allowing inconsistency with the provisions of this ordinance shall be granted unless a variance has been approved in accordance with Section 8 (4).

(2) Existing Uses — No permit shall be granted that would allow the establishment or creation of any airport hazard or permit a nonconforming use, structure, or tree to be made or become higher or become a greater hazard to air navigation.

(3) Nonconforming Uses Abandoned or Destroyed — Whenever the administrating agency or their designated representative determines that a nonconforming structure has been abandoned, physically deteriorated, or decayed, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.

(4) Variances — Any person desiring to erect, replace, or increase the height of any structure, permit the growth of any tree, or use his property in violation of the regulations prescribed in this ordinance must apply to the Board of Adjustments for a variance from such regulations in question. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities (FORM 7460-1 or approved equal form) and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and the relief granted would not be contrary to the public interest, but do substantial justice, and be in accordance with the spirit of this ordinance.

(5) Obstruction, Marking and Lighting — Any permit granted under these regulations may require the owner of the structure, tree or installation in question to install, operate, and maintain thereon such markers and lights as the Board of Adjustments may find necessary to indicate the presence of the Airport Hazard. The owner will install, operate and maintain the marking and/or lighting. If the owner does not maintain the marking and/or lighting, the City has the right to enter, make repair and bill the owner for the cost of the repair.

Sec. 9. Enforcement

It shall be the duty of Development Services of the City of Sherman, Texas or a representative

designated by Development Services of the City of Sherman, Texas to administer and enforce the regulations prescribed herein. Applications for permits shall be made to the office of Development Services of the City of Sherman, Texas or the designated representative and shall be promptly considered and granted or denied. Applications for variances shall be made to the Board of Adjustments by first filing said application for variance with Development Services of the City of Sherman, Texas or the designated representative who shall forthwith transmit said application to the board of adjustment for determination.

Sec. 10. Board of Adjustments

(1) The Planning and Zoning Commission shall designate the Board of Adjustments

(2) The Board of Adjustments will have the following powers:

(a) To hear and decide appeals from any ordinance, requirement, decision, or determination made by the City Manager of the City of Sherman, Texas or the designated representative in the enforcement of this ordinance; and

(b) To hear and decide special exceptions to the terms of this ordinance upon which such board of adjustment under such regulations may be required to pass; and

(c) To hear and decide specific variances.

(3) The schedule of meetings of the Board of Adjustments are published annually and are available as part of the Development Application Checklist. The chairman, or in his/her absence the vice-chairman, may administer oaths and compel the attendance of witnesses. All hearings of the board of adjustment shall be public. The Board of Adjustments shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the Development Services office of Sherman, Texas. All such records shall be a public record.

(4) The Board of Adjustments shall make written findings of fact and conclusions of law stating the facts upon which it relied when mating its legal conclusions in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of this ordinance.

(5) The concurring vote of four (4) members of the Board of Adjustments shall be necessary to reverse any order, requirement, decision, or determination of the City Manager of the City of Sherman, Texas or the designated representative, to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in this ordinance as provided in the Tex. Local Gov't. Code Ann., §241.032 (d).

Sec. 11. Appeals

(1) Any person aggrieved or any taxpayer affected by any decision of the City Staff of the City of Sherman, Texas or the designated representative made in the administration of this ordinance may appeal to the Board of Adjustments. The same right of appeal is extended to the governing body of a political subdivision, if they are of the opinion that a decision of the City Staff of Sherman, Texas or the designated representative is an improper application of these regulations.

(2) All appeals hereunder must be taken within a reasonable time as provided by the ru1es of

the Board of Adjustments by filing with the City Staff of the City of Sherman, Texas or the designated representative a notice of appeal specifying the grounds thereof. City Staff of the City of Sherman, Texas or the designated representative shall forthwith transmit to the board of adjustment all papers constituting the record upon which the action appealed was taken.

(3) An appeal shall stay all proceedings in furtherance of the action appealed unless City Staff of the City of Sherman, Texas or the designated representative certifies to the Board of Adjustments, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the opinion of City Staff of the City of Sherman, Texas or the designated representative, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the board of adjustment on notice to City Staff of the City of Sherman, Texas or the designated representative and on due cause shown.

(4) The Board of Adjustments shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, and/or by attorney.

(5) The Board of Adjustments may, in conformity with the provisions of this ordinance, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as may be appropriate under the circumstances.

Sec. 12. Judicial Review

Any person aggrieved or any taxpayer affected by any decision of the board of adjustment may appeal to a court of competent jurisdiction as provided by Tex. Local Gov't. Code Ann., §241.041. The same right of appeal is extended to the governing body of a political subdivision and the joint airport zoning board.

Sec. 13. Enforcement and Remedies

A political subdivision or the City of Sherman Planning and Zoning Commission may institute in a court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of this ordinance or of any order or ruling made in connection with its administration or enforcement including, but not limited to, an action for injunctive relief as provided by Tex. Local Gov't. Code Ann., §241.044.

Sec. 14. Penalties

Each violation of this ordinance or of any regulation, order, or ruling promu1gated hereunder shall constitute a misdemeanor and upon conviction shall be punishable by a fine of not more than $2000.00 and each day a violation continues to exist shall constitute a separate offense.

Sec. 15. Conflicting Regulations

Where there exists a conflict between any of the regulations or limitations prescribed in this ordinance and any other regulation applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail as provided by Tex. Local Gov't. Code Ann., §241.901.

Sec. 16. Severability

If any of the provisions of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

Sec. 17. Effective Date

Whereas, the immediate operation of the provisions of this ordinance is necessary for the preservation of the public health, safety, and general welfare, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the City of Sherman- City Council and its publication and posting as required by law. Adopted by the City of Sherman-City Council this _____ day of _____ 20__.

SECTION 2. That the Code of Ordinances 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 3. That in the event 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 4. That it is hereby officially found and determined that the meetings at which this Ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 5. That this Ordinance shall become effective from and after its adoption and publication as required by law.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Dates of publication: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS, ENTITLED "SUBDIVISION ORDINANCE", ARTICLE 10.05, ENTITLED "SUBDIVISION ORDINANCE", AT EXHIBIT A, ENTITLED "SUBDIVISION ORDINANCE" AND CHAPTER 14 OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TX, ENTITLED "ZONING ORDINANCE", ARTICLE 14.04, ENTITLED "GENERAL ZONING ORDINANCE", AT EXHIBIT A, ENTITLED "GENERAL ZONING ORDINANCE"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; MODIFYING CERTAIN REGULATIONS RELATING TO THE DEVELOPMENT APPLICATION AND PROCESSING PROCEDURES FOR PLATTING AND SITE PLAN APPROVAL; PROVIDING A REPEALING CLAUSE, A SEVERABILITY CLAUSE AND A PENALTY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") has investigated and determined that the Code of Ordinances, Chapter 14, Article 14.04 (General Zoning Ordinance) of the City of Sherman, Texas ("City" or "Sherman") should be amended as provided herein; and

WHEREAS, Sherman has complied with all legal notices and public hearings as required by law; and

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Sherman to amend the Code of Ordinances as set forth below.

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

SECTION 1. That Chapter 10, Article 10.05 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Exhibit A, Section 4. Preapplication conference and Chapter 14, Article 14.04 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Exhibit A, Section 7, Subsection (12) Site plan as follows[1]:

"**Chapter 10, Article 10.05, Exhibit A, Sec. 4 ~~Preapplication conference~~ *Development Application and Processing Procedures*.**

[1] Deletions are evidenced by ~~strikethrough~~; all others are additions.

~~Prior to the filing of a preliminary plat, the developer shall meet with the city engineer to familiarize himself with the city's development regulations and the relationship of the proposed subdivision to the comprehensive plan for Sherman. At such meeting, the general character of the development will be discussed, and items will be included concerning zoning, utility service, street requirements, and other pertinent factors related to the proposed subdivision. At the preapplication conference the developer may be represented by his engineer and surveyor.~~

(A) Preapplication Meeting

(1) It is recommended that the applicant meet with an authorized representative of the Development Services Department to allow the applicant to learn the general procedures for approval, and to review the general plan of the proposed development, but the development/project shall not be discussed in sufficient detail to provide the City with fair notice of the project.

(2) No applications may be submitted to or accepted for filing with representatives of the Development Services Department during the meeting.

(3) No rights derived from Chapter 245 of the Texas Local Government Code, as amended, shall accrue from any Preapplication Meeting, Development Review Process or documents offered for review in connection therewith. There shall be no vested rights based on a Preapplication Meeting.

(B) General Application Contents

(1) *Application Contents Generally*. All applications and filings shall meet the requirements as defined by the Development Application Checklist and Engineering Standards, as exists or may be amended, which shall be established and maintained by the Director of Development Services and the Director of Engineering Services, respectively. Incomplete applications shall not be accepted for filing and shall not be considered officially filed.

(a) Filing Procedure

(i) All applications and filings for approval required by this Ordinance shall be filed with the Development Services Department.

(ii) The Development Application Checklist as it exists or may be amended, shall prescribe the procedures for filing.

(iii) All applications and filings shall occur only on official Development Services Schedule Dates, published as part of the Development Application Checklist.

(iv) If an application or filing is rejected by the Development Services Department, then it is not considered filed under this Ordinance or the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

(v) Any application submitted on a date other than an official Development Services Schedule Date shall be rejected and shall not be considered filed under this Ordinance and the law or

regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

(vi) An application must be considered complete and officially filed in accordance with Section 4 (C) of this Subdivision Ordinance prior to being processed for review and consideration.

(b) *Development Review Schedule Dates*. The Director of Development Services shall publish schedules of the official Development Review Processing Dates as follows:

(i) A Development Services Schedule for all land development applications and filings for the period January 1 to December 31 of each year shall be set by the Planning & Zoning Commission on or before December 1 of each year and shall be published as part of the Development Application Checklist. Any changes or amendments to the approved schedule require Planning & Zoning Commission approval.

(ii) A Disapproval Development Services Schedule for the period January 1 to December 31 of each year shall be set by the Planning & Zoning Commission on or before December 1 of each year and shall be published as part of the Development Application Checklist. Any changes or amendments to the schedule require Planning & Zoning Commission Approval. The Disapproval Development Services Schedule shall govern an applicant's response to the conditional approval or disapproval of a plan or plat subject to Section 212.0093 of the Texas Local Government Code. Any such response submitted on a date other than an official Development Services Schedule Date shall be rejected and shall not be considered filed under this Ordinance and the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

(iii) A Construction Plan Review Schedule for the period January 1 to December 31 of each year shall be approved set by the Director of Engineering Services on or before September 1 of each year and shall be published as part of the Development Application Checklist. Any changes or amendments to the schedule shall must be approved by the Director of Engineering Services.

(c) *Fees Required*. Every application shall be accompanied by the prescribed fees set forth in the City's fee schedule, as approved by City Council and as may be amended from time to time. The prescribed fee is not refundable.

(d) *Delinquent City Taxes on Property*. An application shall not be deemed complete, nor shall it be approved, if there are delinquent City taxes on the subject property.

(2) *Modification of Applications Prior to Approval*. The applicant may modify a complete application following its filing and prior to the expiration of the period during which the City is required to act on the application only in accordance with the following conditions.

(a) If the modification is for revisions requested by the City, and the modification is received at least fourteen (14) calendar days prior to the time scheduled for decision on the application, the application shall be decided within the original period for decision (from the original official filing date) prescribed by this Subdivision Ordinance.

(b) Any other modifications to an application will not be accepted.

(C) Initiation, Complete Application & Expiration

(1) Initiation by Owner. An application required under this Subdivision Ordinance, may be initiated only by the owner of the land subject to the application, or by the owner's duly authorized representative. If the applicant is a representative of the property owner, the application shall include a written and notarized statement from the property owner, such as a duly executed "Power of Attorney", authorizing the representative to file the application on the owner's behalf.

(2) Applicability. The procedures within this Section 4 shall apply to all applications that are required by the City and submitted in accordance with this Subdivision Ordinance.

(3) Determination of Completeness. Every application shall be subject to a determination of completeness by the responsible official for processing the application. An application must be complete in order to be accepted for review by the City.

(a) The application shall only be accepted by the responsible official for processing when it is accompanied by all documents required by, and prepared in accordance with, the requirements of this Subdivision Ordinance. A typographical error shall not, by itself, constitute an incomplete application.

(b) A determination of completeness shall not constitute a determination of compliance with the substantive requirements of this Subdivision Ordinance.

(c) A determination of completeness shall be conducted in accordance with the following procedures:

(i) If the application does not contain all information, as defined by the Development Application Checklist, as exists or may be amended, and/or does not conform to all standards required by any ordinance, law, or regulation governing the application, then it shall be considered incomplete. The applicant shall be notified in writing within ten (10) business days if the submitted application is incomplete.

(ii) The City shall reject all incomplete applications and provide written notice of the rejection to the applicant by one of the following methods:

(1) Mail;

(2) Email;

(3) Delivery service; or

(4) Hand delivery or other delivery method of written notice approved by the Director of Development Services.

The written notice need not identify all reasons why the application was deemed incomplete. If the notice contains one or more reasons why the application was deemed incomplete, addressing the reason(s) identified in the notice does not guarantee acceptance of a subsequent application.

(iii) If the application is determined to be complete, the application shall be processed as prescribed by this Subdivision Ordinance.

(d) It is not guaranteed that an accepted, complete application will be approved, if after the application is deemed complete, it is determined that the application does not comply with this Subdivision Ordinance and all other applicable laws or regulations.

(4) 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 plats 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 at which action would have to be taken on the application (based on the 30-day requirement in State law). Extension requests that are not received by that day shall not be considered properly submitted, and action shall be taken on the application at such meeting as scheduled.

(c) Requirements Maintained. Submission of a request to extend the 30-Day action, and acceptance of such Waiver by the municipal authority, shall not be deemed in any way a Waiver of any requirement within this Subdivision Ordinance. A Waiver from requirements herein is a separate and distinct process.

(5) Official Filing Date. The 30-day time period established by State law for taking action on an application shall commence on the official filing date for the complete application pursuant to the Development Services Schedule, published as part of the Development Application Checklist. The official filing date shall be defined as the date the application is deemed complete by the responsible official in the manner prescribed by Section 4(C)(3)."

Chapter 14, Article 14.04, Exhibit A, Sec. 7 (12) Site plan.

(12) Site ~~p~~*P*lan *Requirements*:

(a) Purpose: The purpose of site plan approval is to determine compliance with this ordinance and to promote the orderly and harmonious development of the city.

(b) General Standards:

1. A site plan is a plan of development drawn to scale indicating:

(i) The location and arrangement of buildings on subject property.

(ii) Building setbacks and yards.

(iii) Landscaping and/or walls and fences for screening purposes.

(iv) Off-street parking and loading areas and design of ingress and egress to and from abutting streets.

(v) Zoning of adjacent property.

(vi) The location of screened trash receptors.

(vii) Fire lanes.

(viii) When required, a site tabulation table including:

- Gross square feet of each structure.
- Gross square feet of property.
- Required parking.
- Parking provided.
- Current zoning.
- Proposed zoning.
- Impervious/Hard surface area (square feet).
- Landscaped area (square feet).
- Floor-to-Area Ratio (FAR).

2. Site plans for new commercial projects shall be prepared by a design professional (architect, engineer, surveyor, etc.) except as listed below:

(i) Temporary Use Permits.

(ii) Additions to existing buildings under one thousand (1,000) square feet

3. Site plans for review by the Planning and Zoning Commission will be on file in the Development Services office fifteen (15) days prior to

hearing by the Planning and Zoning Commission. The Development Services Director may waive this requirement when deemed necessary.

4. Where a site plan is required, a zoning permit shall not be issued until a site plan of development has been approved by the Development Services Director, except for site plans required for approval through the Planning and Zoning Commission subject to Section 7(6)(b) of this ordinance.

5. A site plan required for a zone change may be a conceptual plan.

6. For any specific use permit application or whenever two or more main buildings, or portions thereof, are placed upon a single lot or tract and such buildings will not face upon a street or officially approved place, a site plan shall be submitted to and approved by the Planning and Zoning Commission.

7. For any temporary use permit application, a site plan shall be submitted to and approved by the Board of Adjustments.

8. Blalock Industrial Park of Sherman: The provisions of Ordinance No. 2252* providing zoning for Blalock Industrial District are reenacted and said provisions of said ordinance shall be applicable in the said district.

(c) Site Plan Application Procedure:

1. Preapplication Meeting

   (i) It is recommended that the applicant meet with an authorized representative of the Development Services Department to allow the applicant to learn the general procedures for approval, and to review the general plan of the proposed development, but the development/ project shall not be discussed in sufficient detail to provide the City with fair notice of the project.

   (ii) No applications may be submitted to or accepted for filing with representatives of the Development Services Department during the meeting.

2. *Application Contents Generally*. All applications and filings shall meet the requirements as defined by the Development Application Checklist and Engineering Standards, as exists or may be amended, which shall be established and maintained by the Director of Development Services and the Director of Engineering Services, respectively. Incomplete applications shall not be accepted for filing and shall not be considered officially filed.

   (i) Filing Procedure

1. All applications and filings for approval required by this Ordinance shall be filed with the Development Services Department.

2. The Development Application Checklist as it exists or may be amended, shall prescribe the procedures for filing.

3. All applications and filings shall occur only on official Development Services Schedule Dates, published as part of the Development Application Checklist.

4. If an application or filing is rejected by the Development Services Department, then it is not considered filed under this Ordinance or the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

5. Any application submitted on a date other than an official Development Services Schedule Date shall be rejected and shall not be considered filed under this Ordinance and the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

6. An application must be considered complete and officially filed in accordance with Section 4 (C) of this Subdivision Ordinance prior to being processed for review and consideration.

(ii) *Development Review Schedule Dates*. The Director of Development Services shall publish schedules of the official Development Review Processing Dates as follows:

1. A Development Services Schedule for all land development applications and filings for the period January 1 to December 31 of each year shall be set by the Planning & Zoning Commission on or before December 1 of each year and shall be published as part of the Development Application Checklist. Any changes or amendments to the approved schedule require Planning & Zoning Commission approval.

2. A Disapproval Development Services Schedule for the period January 1 to December 31 of each year shall be set by the Planning & Zoning Commission on or before December 1 of each year and shall be published as part of the Development Application Checklist. Any changes or amendments to the

schedule require Planning & Zoning Commission Approval. The Disapproval Development Services Schedule shall govern an applicant's response to the conditional approval or disapproval of a plan or plat subject to Section 212.0093 of the Texas Local Government Code. Any such response submitted on a date other than an official Development Services Schedule Date shall be rejected and shall not be considered filed under this Ordinance and the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

(iii) *Fees Required*. Every application shall be accompanied by the prescribed fees set forth in the City's fee schedule, as approved by City Council and as may be amended from time to time. The prescribed fee is not refundable.

(iv) *Delinquent City Taxes on Property*. An application shall not be deemed complete, nor shall it be approved, if there are delinquent City taxes on the subject property.

3. *Modification of Applications Prior to Approval*. The applicant may modify a complete application following its filing and prior to the expiration of the period during which the City is required to act on the application only in accordance with the following conditions.

(i) If the modification is for revisions requested by the City, and the modification is received at least fourteen (14) calendar days prior to the time scheduled for decision on the application, the application shall be decided within the original period for decision (from the original official filing date) prescribed by this Zoning Ordinance.

(ii) Any other modifications to an application will not be accepted.

4. *Incomplete Application Procedures:*

(i) Period of Time for Determining Incomplete Application: On or before the tenth (10^{th}) calendar day after an application is filed with the Development Services Department, the City shall determine if an application is complete.

(ii) Determination of Incomplete Applications: If the application does not contain all information and/or does not conform to all standards required by any ordinance, checklist, law or regulation governing the application, then it shall be considered incomplete and rejected.

(iii) City Shall Provide Notice of Incomplete Applications:

1. Written Notice Delivery Methods: The City shall reject all incomplete applications and provide written notice of the failure to the applicant by one of the following methods:
    - Mail,
    - Email,
    - Delivery Service, or
    - Hand delivery or other delivery method of written notice approved by the Director.
2. The written notice need not identify all reasons why the application was deemed incomplete. If the notice contains one or more reasons why the application was deemed incomplete, addressing the reason(s) identified in the notice does not guarantee acceptance of a subsequent application.

5. *No Accrual of Vested rights from Specific Applications:* No rights derived from Chapter 245 of the Texas Local Government Code, as amended, shall accrue from an application for a permit that expires, from an application for a permit that is denied or from an application that does not provide fair notice.
6. *30-Day Action Extension Request:*
    (i) 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.
    (ii) Received. If the applicant requests an extension, such request must be received by the municipal authority on or before the eleventh (11^{th}) calendar day prior to the municipal authority's deadline to act.

~~(a) A site plan is a plan of development drawn to scale indicating:~~

~~1. The location and arrangement of buildings on subject property.~~

~~2. Building setbacks and yards.~~

~~3. Landscaping and/or walls and fences for screening purposes.~~

~~4. Off-street parking and loading areas and design of ingress and egress to and from abutting streets.~~

~~5. Zoning of adjacent property.~~

~~6. The location of screened trash receptors.~~

~~7. Fire lanes.~~

~~8. When required, a site tabulation table including:~~

~~a. Gross square feet of each structure.~~

b. Gross square feet of property.

c. Required parking.

d. Parking provided.

e. Current zoning.

f. Proposed zoning.

g. Hard surface area (square feet).

h. Landscaped area (square feet).

i. Floor-to-Area Ratio (FAR).

Site plans for new commercial projects shall be prepared by a design professional (architect, engineer, surveyor, etc.) except as listed below:

(1) Temporary Use Permits.

(2) Additions to existing buildings under one thousand (1,000) square feet.

Note: A site plan for a zone change may be a conceptual plan.

Site plans for review by the Planning and Zoning Commission will be on file in the Development Services office fifteen (15) days prior to hearing by the Planning and Zoning Commission. The Development Services Director may waive this requirement when deemed necessary.

(b) Where a site plan is required, a zoning permit shall not be issued until a site plan of development has been approved by the Development Services Director, except for site plans required for approval through the Planning and Zoning Commission subject to Section 7(6)(b) of this ordinance.

(c) For any specific use permit application or whenever two or more main buildings, or portions thereof, are placed upon a single lot or tract and such buildings will not face upon a street or officially approved place, a site plan shall be submitted to and approved by the Planning and Zoning Commission.

(d) For any temporary use permit application, a site plan shall be submitted to and approved by the Board of Adjustments.

(e) The reviewing body (the Planning and Zoning Commission or the Board of Adjustments) may recommend disapproval of a site plan, or in recommending approval of a site plan may require revisions of the proposed arrangement of building, streets, parking areas and ingress and egress. They may recommend the installation of storm sewers, storm-sewer inlets, sidewalks, paving, platting of streets, protective screening and/or additional open space for right-of-way or other public use.

~~(f) Disapproval, approval or conditional approval of a site plan together with all recommendations or revisions shall be indicated on the site plan together with the date of review and the signatures of the Development Services Director. This site plan shall be the official copy and kept on file together with all previous site plans.~~

~~(g) A duplicate copy of the official site plan disapproved, approved or conditionally approved shall be given to the applicant together with all the recommendations of the reviewing body.~~

~~(h) The purpose of site plan approval is to determine compliance with this ordinance and to promote the orderly and harmonious development of the city.~~

~~(i) Blalock Industrial Park of Sherman: The provisions of Ordinance No. 2252* providing zoning for Blalock Industrial District are reenacted and said provisions of said ordinance shall be applicable in the said district.~~

"

SECTION 2. That the Code of Ordinances 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 3. That in the event 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 4. That it is hereby officially found and determined that the meetings at which this Ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 5. That this Ordinance shall become effective from and after its adoption and publication as required by law.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Dates of publication: _____

Planning & Zoning Commission and Board of Adjustments **22.**

Meeting Date: 07/20/2021

Prepared By: Patsy Reeves, Development Services Coordinator

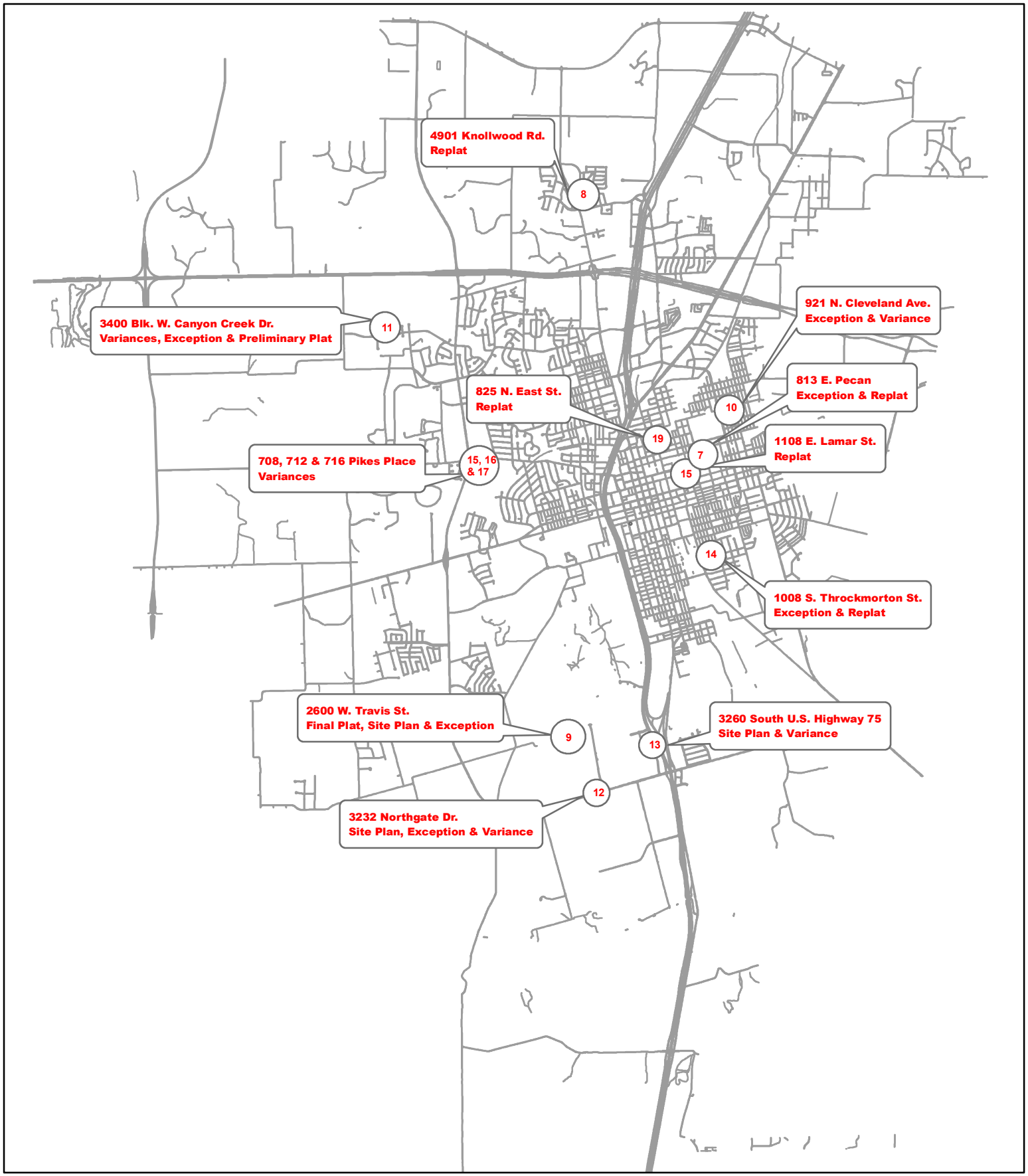
Issue:

OVERALL LOCATION MAP

List of Agenda Items:

Attachments

Overall Location Map



Planning and Zoning and Board of Adjustments Meeting
July 20, 2021

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N

NOT TO SCALE

1 inch = 7,000 feet