Development Services
Planning and Zoning
Building Inspection
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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, May 18, 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 APRIL 15, 2021 TRAINING SEMINAR AND REGULAR APRIL 20, 2021, PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENTS MEETING.**

3. **ANNOUNCEMENTS - APPOINT ACTING SECRETARY TO THE PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENTS**

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 11, 15, 17, 20, 22 & 23)**
   Asterisked (*) items are considered to be routine and non-controversial items. These items will be enacted in one motion without discussion unless a Commission Member or a member of the audience requests a specific item be discussed and voted on separately prior to a motion and vote.

7. **515 EAST CARTER STREET**

The request of Habitat for Humanity (Owner), Greg Benton (Representative) and David Baca Studio (Architect) concerning the property at 515 East Carter Street, being all of Lot 11 and the west 3' of Lot 12, Block 1, Hall & Jones Addition, containing 0.195 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Board of Adjustments

Amend a previously approved Exception under Ordinance No. 2280, Section 6.8.3, Subsection (4)(c) to allow a residential dwelling with 1,008 square foot living area in lieu of the required 1,200 square foot in an R-1 (One Family Residential) District/College Park Overlay District.

8. **222 SOUTH ELM STREET**

The request of Butterfly Properties V LLC (Owners), Tom Rhodes (Representative) and Copley Land Surveying (Surveyor) concerning the property at 222 South Elm Street, being Lots 2 & 4, Block 1, A.R. Loving Addition, as follows;

Board of Adjustments

Variance under Ordinance No. 2280, Section 7, Subsection (1)(3) to allow a 5' side street setback for an accessory building in lieu of the required 25' in an C-2 (General Commercial) District/Central Business District.

Planning and Zoning Commission

Site plan approval for an accessory building.

9. **1125 SOUTH MONTGOMERY STREET**

The request of Hyperstar Inc. (Owner), Danish Samad (Representative) and Copley Land Surveying (Surveyor) concerning the property located at 1125 South Montgomery Street, being Lot 7, Block 7, Jones & Wainright's Addition, as follows:

Planning and Zoning Commission

Zone change and site plan approval under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District.

10. **809 EAST JONES STREET**

The request of Rosewell Properties, LLC (Owner) and Copley Land Surveying (Surveyor) concerning the property located at 809 East Jones Street, being all of Lots 15, 16, 17 and 18 of Mrs. H.M. Summer's First Addition, as follows;

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.2, Subsection (1) to allow two 50' wide lots in lieu of the required 60' lot widths in the proposed Replat of Lot 15R and 17R of the Replat of Lots 15, 16, 17 & 18 of Mrs. H.M. Summer's First Addition in an R-1 (One-Family Residential) District.

Planning and Zoning Commission

Replat Lots 15, 16, 17 & 18 of Mrs. H.M. Summer's First Addition

11. * **3400-3500 BLOCKS SOUTH U.S. HIGHWAY 75**

The request of Sherman Crossroads, LTD (Owner) and A&W Surveying (Surveyor) concerning the property located in the 3400-3500 blocks of South U.S. Highway 75, being 5.727 acres in the Preston Kitchen Survey, Abstract No. 667 and being all of Lot 6, Block 2, Sherman Crossroads, Phase II, Lots 1R-1 and 6, as follows;

Planning and Zoning Commission

Replat Sherman Crossroads, Phase II, Lots 30 and 6R-2, Block 2

12. **1724 WEST U.S. HIGHWAY 82**

The request of Carrus Health Holdings (Owner), Peter Juul (Representative) and Neon Signs and Designs (Sign Contractor), concerning the property located at 1724 West U.S. Highway 82, being Lot 1, Carrus Medical Plaza Replat Lot 5, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.8, Subsection (5)(a)(1) to allow a 5' front setback for a 10' x 20' monument sign in lieu of the required 40' in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District.

13. **502 & 506 SONOMA COURT**

The request of Homes by JLS of Texoma LLC (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) for the property located at 502 and 506 Sonoma Court, being 0.325 acres in the James H. Clark Survey, Abstract No. 273 and being a Replat of Lot 12, Block C, Amended Plat of Magnolia Village, as follows:

Planning and Zoning Commission

A. Repeal a previously approved Specific Use Permit and site plan approval (Ord. 6132) under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes on Lots 12R-1 and 12R-2 of the Proposed Replat of Lot 12, Block C, of the Amended Plat of Magnolia Village and Lots 1-5, Block A, Lots 1-19, Block B, Lots 1-11 and 13-21, Block C, Amended Plat of Magnolia Village for a total of 46 patio homes in an R-1 (One-Family Residential) District.
B. Replat approval of Lots 12R-1 & 12R-2, Replat of Lot 12, Block C of Amended Plat of Magnolia Village.

14. **500 BLOCK EAST NORTHCREEK DRIVE**

The request of Young Enterprises, LP (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located in the 500 block of East Northcreek Drive, being 6.166 acres in the James H. Clark Survey, Abstract No. 273, as follows:

Board of Adjustments

A. Exception under Ordinance No. 2280, Section 8, Subsection (9) to allow the following lot widths and area in lieu of the required 40' lot width and 4,000 square foot lot area for patio homes in the proposed Cottages at Magnolia Village in an R-1 (One-Family Residential) District.

   Lot 3, Block 2 – 3,996 square foot lot area
   Lot 18, Block 1 – 33.66' lot width
   Lot 19, Block 1 - 33.66' lot width
   Lot 26, Block 1 – 30.19' lot width

B. Variance under Ordinance No. 2280, Section 8, Subsection (9) to allow the following lots with front yard setbacks in lieu of the maximum 25' front yard setback for patio homes in the proposed Cottages at Magnolia Village in an R-1 (One-Family Residential) District.

   Lot 1, Block 1 – 29' front setback
   Lot 26, Block 1 – 30' front setback

Lot 29, Block 1 – 26' front setback
Lot 30, Block 1 – 31' front setback

Planning and Zoning Commission

C. Final Plat approval of Cottages at Magnolia Village
D. Repeal (Ord. 6323) and granting a new Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes on Lots 1-12, 14-26 and 28-30, Block 1 and Lots 1-10, Block 2 of the proposed Cottages at Magnolia Village for a total of 38 patio homes in an R-1 (One-Family Residential) District.

15. * **900-1000 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY)**

The request of SSCGC Holdings, LLC (Owner) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 900-1000 blocks of South FM 1417 (Heritage Parkway), being 8.538 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

Planning and Zoning Commission

Final Plat approval of Heritage Court Addition

16. **212 NORTH WALNUT STREET**

The request of Everest LLC (Owner), Mont Taylor (Applicant), Texas Gift Winery, LLC dba Rio to Red Winery (Tenant) and Copley Land Surveying (Surveyor) concerning the property at 212 North Walnut Street, being 0.304 acres in the J.B. McAnair Survey, Abstract No. 763 and being part of Lots 7, 8 & 9, Block D, T.J. Shannon Supplement, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Wine Tasting and Bottling of Alcoholic Beverages in a C-2 (General Commercial) District/Central Business District.

17. * **515 & 519 SOUTH FIRST STREET**

The request of Earnhartbuilt, LLC (Owner), Moran Development (Developer) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 515 and 519 South First Street, being 0.402 acres in the Samuel Blagg Survey, Abstract No. 56 and being part of Block 2 of G.Y. Gray's Supplement Addition and being all of Lots 14, 15 and the North 5.333 feet of Lot 16, Block 2 except the north 8 feet of Lot 14 and all of the south 27.666 feet of Lot 16, Block 2, as follows:

Planning and Zoning Commission

Replat approval of Cunningham Place Addition.

18. **515 & 519 SOUTH FIRST STREET**

The request of Earnhartbuilt LLC (Owner), Moran Development (Developer) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 515 and 519 South First Street, being 0.402 acres in the Samuel Blagg Survey, Abstract No. 56 and being part of Block 2 of G.Y. Gray's Supplement Addition and being all of Lots 14, 15 and the North 5.333 feet of Lot 16, Block 2 except the north 8 feet of Lot 14 and all of the south 27.666 feet of Lot 16, Block 2, as follows:

Planning and Zoning Commission

Zone change and site plan approval for an 8-unit Multi-Family Complex under Ordinance No.

2280, Section 12, from a C-2 (General Commercial) District and R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District.

19. **213 EAST HILL STREET**

The request of Roberto Meraz (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 213 East Hill Street, being 0.172 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.2, Subsection (1) to allow a 50' lot width in lieu of the required 60' lot width in the proposed Lot 1, Meraz-Hill Addition, in an R-1 (One-Family Residential) District.

Planning and Zoning Commission

Final Plat approval of Meraz-Hill Addition

20. * **1438 SOUTH WALNUT STREET**

The request of Jaime Antonio Sanchez (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1438 South Walnut Street, being 0.326 acres in the Samuel Blagg Survey, Abstract No. 56 and being a part of Lot 14, M.B. Moore's Addition, as follows:

Planning and Zoning Commission

Replat approval of part of Lot 14, M.B. Moore's Addition and adjoining tract of land East of said Lot 14.

21. **2400-2700 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY)**

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

Zone change under Ordinance No. 2280, Section 12, from an R-A (Single-Family Agricultural) District and M-1 (Light Manufacturing) District to an R-1 (One-Family Residential) District.

22. * **300-1000 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY)**

The request of Terra Perpetua LLC (Owners), Kimley-Horn & Associates (Surveyor/Civil Engineer) and American Communities (Developer) concerning the property located in the 300-1000 Blocks East FM 1417 (Vietnam Veterans Parkway), being 62.329 acres in the Sherrod Dunman Survey Abstract No. 329, as follows:

Planning and Zoning Commission

Final Plat approval of Bel-Air Village, Phase 1

23. * **1406 WEST CENTER STREET**

The request of Eric and Kelly Popp (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 1406 West Center Street, being 0.463 acres in the Elizabeth Jones Survey Abstract No. 625, as follows:

Planning and Zoning Commission

Final Plat approval of Popp's Addition

24. **ADJOURNMENT**

25. **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 May 13, 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 13th day of May, 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: 05/18/2021

Prepared By: Patsy Reeves, Developmental Services Coordinator

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Issue:

APPROVE MINUTES OF THE APRIL 15, 2021 TRAINING SEMINAR AND REGULAR APRIL 20, 2021, PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENTS MEETING.

List of Agenda Items:

Attachments

April 15, 2021 Training Workshop Minutes

April 20, 2021 Draft Minutes

PLANNING & ZONING COMMISSION MINUTES – APRIL 15, 2021

STATE OF TEXAS §

April 15, 2021

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Called Meeting of the Sherman Planning and Zoning Commission and Board of Adjustments was begun and held in the City Council Chambers at City Hall, 220 W. Mulberry Street, Sherman, Texas, on April 15, 2021, when a quorum of Planning and Zoning Commission and Board of Adjustment Members attended the Training Seminar given by Ryan Pittman.

MEMBERS PRESENT:	Chairman Clay Mahone, Vice-Chairman David Downtain Commission Members: Paul Manley, Glen Whitaker, Bryan Blagg
MEMBERS ABSENT:	Commission Member Leigh Ann Sims and Shawn Davis
CITY STAFF PRESENT:	Rob Rae, Director of Development Services and Patsy Reeves, Development Services Coordinator, Wayne Lee, Director of Engineering
PURPOSE:	Planning and Zoning Commission and Board of Adjustments Training Workshop to receive Training and Legal Updates Regarding Developmental Regulations and Parliamentary Procedure

There was a quorum of City Planning and Zoning Commission and Board of Adjustments Members present at the Planning and Zoning Commission and Board of Adjustments Training Seminar on April 15, 2021, 2020, at 11:40 a.m.

Rob Rae, Director of Developmental Services introduced Mr. Ryan Pittman of the Law Firm Abernathy, Roeder, Boyd and Hullett. Mr. Pittman has served as the City Attorney for Sherman since September or October of 2020.

Mr. Pittman presented fundamentals of the Sherman Planning and Zoning Commission and Board of Adjustments, as well as issues that emerged from the Texas Legislative Session, and what that means for those in a planning and development role. "We will focus more on the Board of Adjustments side of the aisle."

He explained the purpose of the training; the authority of the Board of Adjustment, what the statutory authority is and also what role you play in the overall scheme of things in the City. "We are going to talk about some difficult cases. You won't be surprised to know Boards of Adjustments throughout the State of Texas, the decisions they have made have resulted in litigation. We will talk about a variance case and a special exception case. It provides a framework for the board's role, what decision making process you might bring to bear on those difficult cases. We will discuss practical tips for avoiding unsuccessful litigation, keeping you out of jail and ethics."

The Board of Adjustments is authorized by Section 211.008 of the Local Government Code; (a) the governing body of a municipality may provide for the appointment of a board of adjustment. In

the regulations adopted under this subchapter, the governing body may authorize the board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, to make special exceptions to the terms of the zoning ordinance that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance.

Mr. Pittman explained "having a Board of Adjustments is not mandatory, it is not something the City has to do; it is something the City is allowed to do and The City of Sherman has elected to do. There is good reason for it as you have all seen. There needs to be a relief valve for residents and citizens, homeowners and developers to come to a body like the Board of Adjustments and ask for variances and exceptions and a way to appeal Administrative Official's decisions."

The Board of Adjustments Authority per Section 211.009, Local Government Code is to hear and decide: appeals that allege an error in an order, requirement, decision or determination made by the Administrative Officer or other zoning administrator in the enforcement of the Zoning Ordinance; special exceptions as specified by the zoning ordinance; variance to the terms of the zoning ordinance; and other matters authorized by the zoning ordinance.

Mr. Pittman explained someone may not like what City Staff has told them, they come to you and ask you to basically tell Staff that they got it wrong and overturn Staff's opinion or a decision in a given case. We often see that in Building Permit type issues where staff has made a determination regarding a specific requirement placed on a development applies and the Developer believes it doesn't apply or Staff has misinterpreted it in some way. The ability for that person to come to this body and ask you to reconsider the Official's decision is right there in black and white. That is something the people have the power to do.

Mr. Rae explained a recent example would be the patio home designation. The fact that the developer didn't agree with our assessment that an easement that was going through Phase III of the Preserve. They thought the way it read that counted as separating the fifty patio homes on both sides, where we interpreted as no it wasn't; that does not count towards that separation.

Mr. Pittman stated that was a good one, so that case was at the last meeting and that is where we got into the issue of where the patio home developer has to provide open space in a development because they are providing more than fifty patio homes or do they not. Their interpretation was that there was a large easement that went through the middle of their development; they felt like the language of the ordinance would not require them to provide additional open space, even though they were doing more than fifty patio homes. If that developer had decided to bring that forward and challenge Staff's determination and interpretation of the ordinance, the Board of Adjustment would have the jurisdiction to hear that.

Commission Member Manley stated that is a good point. I have never really heard it phrased that way before. In that particular instance and a lot of instances we look to City Staff for guidance on what rulings should be, I really never thought about it that way in terms to weigh judgment or actually overrule that.

Mr. Pittman explained the way I think of a Board of Adjustment or Planning and Zoning interact with staff and what they are telling you and what their recommendation is. You are independent of staff so you have the power to disagree with staff, you have the power to agree with staff but there is nothing in the law that says you have to agree with staff. This is one way you see that; there is a relief valve, an appeal body and you are it when someone disagrees what staff says. You are in good hands here, the staff here at the City have a lot of experience, so far in my experience since September they have not steered you wrong, but that's not to suggest that they can't make a mistake, it happens all the time. Be aware of the staff's recommendations and interpretations. If

there was any desire for this body to dig into that specific example; what is your interpretation of this ordinance, this developer and let's make our own decision about whether we agree with one side or the other, you have the power to do that. Just because staff is telling you one thing that doesn't mean that is necessarily the case or what you follow, but all that said, staff is really good, they know what they are doing and they are living with these rules and it is their job to get it right.

Commission Member Downtain asked, let's say the Board of Adjustments didn't agree with City Staff and made a ruling otherwise and then it still passes at City Council and they make the ultimate decision.

Mr. Pittman responded, not necessarily. When it comes to the Board of Adjustments, you really are the final decision maker on variances, special exceptions and appeals from an administrative decisions. It does not go to City Council and if someone is unhappy with your decision at the Board of Adjustment level, their avenue in decision making is district court here in Grayson County; so it would be a lawsuit. That is true both on the applicant, developer, homeowner or the City Council level. If the City Council didn't support your decision in a given case, the City Council has the right to sue you and challenge your decision. The way that would happen is they would file a lawsuit against the Board of Adjustment here in Grayson County and a court would decide who is right. That's for the Board of Adjustments not the Planning and Zoning Commission.

The Board of Adjustment Process is to hear and take action as a quasi-judicial body after application or appeal where the Planning and Zoning is more of a legislative board. It doesn't happen often where the City sues its own Board of Adjustments but it has happened. So you are not lying awake at night, you individually would not be sued as long as you are not doing something unethical or you individually have not violated the law, it would be the City suing the Board of Adjustment as the body. Because of your role here, you might have to participate in that lawsuit depending on how it goes, but the City would probably in ninety-five percent of the cases pay for the defense of that lawsuit. If that happens, it is rare, but it is not like you would have to come out of pocket to pay for an attorney to represent you.

Commission Member Manley asked under what circumstances could we individually be named in a lawsuit and what insurance has the City provided for us in the event that might happen.

Mr. Pittman responded, in a situation where the Board of Adjustment gets sued, there would be no expectation that you have to hire an attorney of your own or that you would have to pay for the defense of that lawsuit. The City has an obligation if it is a mostly likely case the developer doesn't like some decision you made and they want to sue the Board of Adjustment. If they were to name you individually, as a member of the Board of Adjustment, if they were trying to come at you as an individual or personal liability, as long as there is no suggestion that you have done something unethical or you have taken a bribe or something like that, as long as the decision that you are being sued about was made in the course of scope as a role of Commissioner of the Board of Adjustment member, the City will step in and defend you and pay for the defense of that lawsuit. Only in a situation and I hope never happens, where you are taking a bribe or you knowing failed to disclose a conflict of interest. If you step outside the course of scope of your role as a Board of Adjustment member, then you might have some individual liability and then the City might not defend you. It is very similar what you see in an employment context.

Mr. Rae explained the Planning and Zoning Commission is usually not an issue because the appeal process goes to the City Council where the Board of Adjustment appeal process is district court.

Commission Member Blagg asked if the City decides to sue us individually, can we hire you.

Mr. Pittman responded, no because I would be representing the City, if the City is the one suing the Board of Adjustment and we would have to hire another counsel independent of the City. I don't think the City has any desire to sue this board.

The fourth area of authority is a catch all, it is what other areas of authority the City Council has given you. A lot of cities give their Board of Adjustment power over nonconforming rights issues, nonconforming structures as an appeal process. You have the power to decide if something is nonconforming if someone has asked you to do that.

When an applicant is seeking a variance, they have to present evidence to you, you have to consider that, if you don't and just ignore it that is potentially a basis to challenge it. That is one of the effects of being a quasi-judicial body versus a legislative body.

The process of the Board of Adjustment is made up of five members, plus alternates, two-year terms. Four members are required for a quorum. A concurring vote of four members is required: to reverse an administrative official; to decide in favor of an applicant on a special exception or other matter required under the zoning ordinance and; to approve a variance. Most of the time in the Planning and Zoning Commission it is a simple majority vote.

Chairman Mahone asked, in the past we have an adjustment that was not passed because only three of five members voted for it; can you then hear another motion or does it automatically not pass.

Mr. Pittman responded, "yes, you can hear another motion. The ordinances of the City of Sherman require you to follow Robert's Rule, if you are familiar with those they are very detailed and difficult to follow. There are all sorts of motions that can be made. If you have a situation where you have three people that want to grant the variance and two or one don't want to and are against it, the decision at that point for the Chairman is if there are no other motions, they could take the form of a slightly different motion than what is there, I move to approve it but on these conditions; that's a possible motion or the two people that voted against it could make their own motion, one could make a motion to deny the variance and that's fair game, probably unlikely that would pass because they only had two in the initial vote, but at some point, the Chair needs to make the call after we have exhausted all the possible motions that would be relevant. If you are simply deadlocked, a decision just to move on to the next item could be what you need to do or you could have a motion to that effect. To take a motion maybe protects the Chairman so it doesn't appear the Chairman running a rush on and allowing other people to make a motion if they have them. A best practice, I think, if it is clear that you are deadlocked and you are not going to get any movement one way or the other, then you might open it up for a motion to move on to the next item and if everybody agrees or a majority of people agree, in this case it only needs to be a majority, then you just move on to the next item and the variance fails because it didn't get enough votes. You have to use your judgement when that kind of thing happens. One thing you might want to think about and this is City Council call, does it make sense for us to be required to follow Robert's Rules or not. They are helpful in some cases, but in my experience they are not helpful because of how detailed they are and most people do not take the time to dig into them and it is very difficult to fully comply with them. If you have a requirement that we comply with the rules but you are not complying with the rules; that's a potential basis for somebody to say if you are trying to challenge a decision you made, that's an easy decision for somebody to say well they didn't follow their own ordinance because they didn't follow Robert's Rules and they could attack you on that basis."

Mr. Rae explained when items for the Planning and Zoning Commission are denied, if they take that to City Council to appeal it, a three-fourths vote is required.

Mr. Pittman stated that is correct. The City Council has to approve or overturn Planning and Zoning Commission's decision by a super majority vote which is three-fourths of all the members of the City Council, no matter how many are actually there.

Mr. Rae explained on the Board of Adjustments, when you deny something it is over, pretty much, unless there is a court case. But for Planning and Zoning, even if you deny it, it doesn't mean it dead, but it makes it harder for that applicant at the next level. They have to get the majority of the City Council to approve it for it to move forward. There is not that real fear that if you do deny something, if you are not comfortable with something, it is not hurting our feelings and if the project is really good, the City Council will hear it and they will have a chance to do it.

Mr. Pittman explained that is a State law, not a City thing. One other thing, a decision of the Planning and Zoning requires a super-majority vote is when there is a protest. State Law allows property owners within two-hundred feet of the property for a zoning change to file and sign a protest and give that to the City and if enough of them have protested and followed the procedure for protesting for the zone change; that triggers a vote of super-majority with three-fourths vote at the City Council. I think it is either twenty or thirty percent of the letters that were sent out. You take the acreage of the area within two-hundred feet, you figure out who owns that acreage, if there is one property owner who owns all the property around the zoning change area and they protest, that triggers it. It can't just be an email to Rob, it has to be an official protest and it has to be signed.

Chairman Mahone stated in the past we have seen a few petitions where someone has walked around the neighborhood. Is that an official protest and would we be told if it wasn't official.

Mr. Pittman explained, in a protest situation, that doesn't change your vote requirements, it is still simple-majority. Staff might tell you about it, but it doesn't bear on your decision. I would have to see the petition to see if it meets the elements of a formal protest. As long as the property owners have signed it, it could be a formal protest and we have to be careful because it does trigger that additional requirement but we have to be careful of what is an official protest and what is not. Some cities will put on their official website a specific form to cut down on the number of disputes that can arise out of protest issues. If you want to protest and vote the protest rules under State Law here's the form you fill out, send to us and you have to sign.

Mr. Lee stated the actual thing that triggers the City Council super-majority vote for a protest is the properties within that radius because you could have ninety people outside that is protesting and you have one property owner that owns everything; theirs are really just comments versus an official protest.

Mr. Pittman explained variances are regulated under Section 9 (2)(C), The City does not have discretion to change the criteria that you are supposed to use when evaluating a variance; that is dictated to you by State Law. The ordinance does a good job of tracking that; The specific language from State Law of what you are supposed to consider is "The Board may, in specific cases, grant a variance from the Zoning Ordinance terms, standards and criteria if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; Self-created or personal hardships do not qualify, ignorance of the law usually is no excuse; financial hardship alone is insufficient.

Mr. Pittman stated usually the case for financial hardships are when they have already done the work. A big case is when someone has built a house over the setback for example; that is a terrible case for you to get because if they are violating setback they shouldn't have built the house there and the only solution is grant the variance or tell them they have to tear the house down or that part of the house that is over the setback.

Mr. Rae explained usually in those cases, it usually gets to that point because they didn't come in to get a permit in the first place. If we didn't catch it and they did come in to get a building permit, then as staff we would say, hey our bad, we should have caught it when they pulled the permit but they didn't. Most cases in a situation like that is they didn't pull a permit in the first place and now we are enforcing it. You don't have to say yes just because they already started building it.

Mr. Pittman stated and it is going to cost them $10,000, $50,000 to fix it. The State has said that is not enough reason to approve it.

Vice-Chairman Downtain asked what if we have approved it before and set a precedent; how do you deal with that.

Mr. Pittman explained every case is different and so it has to be decided on by seven merits. If you had the rule where someone says look at all these other cases. The Board of Adjustments have granted all these other variances in the past. If you had a rule that said that decision must be followed in this case then you could never correct wrong decisions. If we assume we are going to make a different decision in this case that is before us tonight because those other cases were wrongly decided or something has changed or decided. The facts are different. You are forced to grant all variances even though you knew they were improperly granted. While that is a persuasive argument for someone to stand up and say just last meeting you granted "xyz" variance and I am seeking the exact same thing, why wouldn't you do it for me. That is a persuasive argument but as far as the law is concerned, that's not a valid argument. That doesn't make it easier for you because there is a lot of pressure placed on you by an applicant standing there looking you in the eye saying what is different. If there really is no real difference, you don't have anything to point to other than to say we have reconsidered our approach here and every case is different and decided on by certain merits and this is the decision that is right in this case. I wouldn't urge you to say that we have to vote this way because we have granted a variance in a similar case.

When making a decision, approval of variances require the following five criteria based on how the Texas Supreme Court has interpreted that general statement I mentioned before: (1) Special conditions of restricted area, shape, topography or physical features exist that are peculiar to the subject property and are not applicable to other parcels within the same zoning district. (2) Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance; (3) The special conditions and circumstances do not result from the actions of the applicant; (4) Granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures or buildings in the same district; and (5) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Mr. Pittman explained for a true variance to be properly requested the applicant's got to show evidence of each of these five criteria and many cases in my experience, it is hard for them to show number 1. Those applicants that come before you and know what they are doing are able to show you evidence of all five of these things. If they are not able to do that, then in my opinion the variance

should not be granted because this is what the Supreme Court has said, this is the criteria you have to use. I am never going to tell you how to vote and I don't think Staff is going to tell you how to vote so it is up to you, that is why you have your jobs as high paying as they are to do that. In virtually all cases, we are not going to second guess you. I don't set these things out to make you feel like you have to set common sense aside. There is a common sense element to a lot of what you do, but as it relates to State Law and what the Supreme Court has said Board of Adjustment must do, here is the criteria you are supposed to use. It is a fair response to an applicant that gets up to say show me how your case meets criteria number 4 and they may not know what you are talking about; they probably don't know what you are talking about. It is a fair question to ask them because they have the burden to prove these things to you.

Mr. Rae talked about some general examples, we have a lot of 50' lots in downtown or the older part of town that the Board of Adjustments get a lot of request for those. As Staff we don't really see any issue with those, they were platted as 50' lots originally, the zoning ordinance requires 60', we don't really have an issue with those variances being granted. From a legal standpoint, does that kind of check those boxes?

Mr. Pittman responded, I think they can, yes. I'm not going to second guess decisions that this body has made or Staff recommends approval for. It ultimately comes down to City Council's position on these kind of things. That can be a moving target in these kind of things. You are appointed by City Council, they make the rules and sets the ordinances and so the expectation of City Council has for Staff is that they are going to follow what the ordinances say. Similarly the expectations the City Council has is the citizens are going to follow the ordinances, otherwise why do we have ordinances. The concern I would have is at some point is we are just granting variances because we want to be nice and helpful and friendly, at some point, the result that creates is you are really taking on the role of City Council. You are saying your decision or discretion trumps whatever the ordinance says and where an applicant is not able to show you all five elements of this criteria, the courts would say you shouldn't grant the variance. As a practical matter, the City is not going to sue you as you grant those variances, if the City is even recommending that you grant them, ultimately it comes down to ask yourself, does it make sense for the City. If Staff has a recommendation that you grant these variances no matter what State Law might say and you know that Staff is recommending it, then there is kind of a no harm no foul type of situation. If we look at it from a legal prospective, technically speaking, this might not be proper variances.

Mr. Rae stated what you are saying those might not check all the boxes, but it might be okay in this kind of situation because every issue is different.

Mr. Pittman responded, I can't really answer that question, because they have the setback and lot size requirements and that's there for a reason, presumably and if City Council is okay with this then no, harm no foul. The flip side of this is maybe at some point, the City Council has a specific ordinance that allows this without going through the variance process. If City Council's answer to your question is yes and they are supportive of these variances be granted, then what I would say rather than taking them before the Board of Adjustment and knowing that they don't meet all this criteria, maybe we change the ordinance and even if it is a very specific tweak only in this specific area do we allow 50' lots, maybe that is a better solution than having all these people come before you and you granting all these ordinances that really shouldn't be granted.

Commission Member Blagg stated there are certain times when there is items for the Board of Adjustment and Planning and Zoning Commission. When the item goes to the City Council does it

take all the burden off the Planning and Zoning Commission and the board; the City Council is now the ultimate decision maker.

Mr. Pittman responded, you do often see those. Where the Board has granted a variance or exception and the variance or exception is required for the site plan or plat to go forward is often the case. The variance or exception runs with the land.

Mr. Rae explained there was a plat that was just denied by the City Council on North Broughton Street. The Developer bought the lot and there is an environmental obstacle there where a utility easement runs through the property and a drainage ditch in the back of the lot. The lot may work for one lot but not for two lots.

Mr. Pittman explained that is a good example of a site or lot specific condition that exist on that lot but not the one next door, so they are probably able to meet a lot of the criteria in that example.

Mr. Rae explained the site could work if it was just one lot. Even though that lot had hardship for two lots, it wasn't necessarily a hardship for one lot.

Chairman Mahone stated this hardship thing is kind of suggestive though, because he self-created that hardship because they should have known what the ordinances were and the setbacks were and the easement locations, they could have requested information on the easements before they bought the property.

Mr. Pittman responded, yes, that is true, they were on notice that they were buying the property that had an easement that would impact building on it. They should have known it was self-created that way but when you think about the site itself and what you can put on that lot, I think the easement and the creek given the setbacks, I think that would qualify under State Law. While there is an element there that is self-created, they knew what they were getting into but if you look at it that someone should be able to develop this property, State Law would probably say you have criteria #1, but you have to go through all the other criteria. They were intermixed with a platting issue and a Board of Adjustment issue. If there was a way to develop the lot with one home without a variance then there would not be a basis for a variance.

Commission Member Blagg stated the Board of Adjustment approved that action, so does it stay with the land or the applicant, even though the City Council denied the plat. The next use still has a variance on the lot width.

Mr. Pittman explained the variance stays with the land and there is an official record of it at the City. They would still need to get the property platted to be able to develop. The Board of Adjustments cannot tie variances to applicants; the Planning and Zoning Commission can with Specific Use Permits.

Mr. Rae explained variances and exceptions run with the land and I think we see often when there is a variance granted twenty, thirty, forty years ago, that a new development comes in and technically they are allowed as they redevelop as they maintain those same variances. So when you approve a variance on the Board of Adjustments, if you know that last forever when that changes from one use to another, they still have that variance or exception; just keep that in mind.

Mr. Pittman explained "Use" variances unauthorized; typically you are only dealing with setbacks or fence requirements. Someone that is coming in to ask you to allow them to do some type of use that is not a proper variance request. It is important to only make a decision on a variance request that is before you. If someone were to see the writing on the wall and say I don't want a 15' setback, I want a 20' and the request is for 25'. Technically speaking, you could say that's not what you asked for so you have to go back before the process; that is something you have the ability to do, we are only going on what is on your application. Another point is an erroneously issued City permit or approval may support a variance if relied on in good faith. If we make a mistake at the City about a building permit that has been issued, that can be a basis for granting a variance, but you still have to meet the other criteria. You also should consider the public interest – degree of violation, general public police power considerations and neighbor input are facts to consider.

The other big cases that you get are exceptions under Section 9 (2) (B) of the zoning ordinance "Special exceptions are site-specific special permissions that are created by the Zoning Ordinance. The Board of Adjustments may not grant a special exception unless that authority is specifically granted in a particular Zoning Ordinance provision. There is no "floating" special exception right outside the ordinance. The ordinance should establish criteria and standards. An example is Temporary Use Permits. The ordinance allows you to grant Temporary Use Permits as an exception.

Mr. Pittman gave examples of two difficult cases: the first being City of Dallas, Texas, Board of Adjustment versus Doug and Grace Vanesko. Mr. and Mrs. Vaneskos decided they wanted a larger home. Instead of hiring an architect and general contractor, the Vaneskos decided they would design and build it themselves. They submitted plans to the City of Dallas and paid an extra "review fee" to ensure the plans complied with all ordinances. The City approved plans and issued a building permit. After a year of frequent visits to the construction site by the City Inspector without complaint, and after the roof of the home was framed in, the Inspector informed the Vaneskos that the structure exceeded the city's height restrictions for that district by 8 feet. Instead of ordering the work to be stopped, the Inspector advised the Vaneskos to complete the construction of the home and seek a variance. At the Board of Adjustments hearing, City Staff and 80 percent of the neighbors supported the variance; no one opposed. Nonetheless, the Board of Adjustments denied it. Evidence indicated that it would cost the Vaneskos between $50,000-$100,000 to remove and replace the roof. The Vaneskos sued the Board of Adjustments and the; trial court reversed. The Texas Supreme Court upheld the Board of Adjustments decision. The Texas Supreme Court decision: A height restriction violation is not in any way related to the "area, shape or slope" of the land. The Vaneskos' hardship was personal in nature and "self-created" because it arose from their decision to design their home, as opposed to nature and configuration of the land. Dismissed the argument that the Board of Adjustments clearly abused its discretion when it failed to consider the fact that the city issued a building permit in error. The mere issuance of a building permit does not render a City's zoning ordinance unenforceable, nor does the fact that a permit was issued in error entitle the property owner to a variance in every case."

The second example was the Board of Adjustments of the City of Piney Point Village versus Michael Solar. Mr. Solar sought a variance to install a pool in his side yard in contravention of a City Ordinance which required that pools be at least 10 feet from nearest lot line. Mr. Solar explained it's not feasible to install the pool because of steep slope of the yard and existing structures and trees. No one objected. Mr. Solar's pool contractor testified that it would cost 3-4 times more to build the pool in the back yard as opposed to the side yard, and it might not even be feasible to build the pool in the back yard. No evidence presented to contradict Mr. Solar's evidence. Nonetheless, the Board of Adjustments denied the variance; Mr. Solar sued. Trial court reversed;

Board of Adjustments appealed, arguing that Mr. Solar's hardship was not "unnecessary" because it was merely financial. The Court of Appeals disagreed, reasoning that the undisputed evidence showed that the hardship was created by the unusual characteristics of Mr. Solar's property. The court noted that the Board of Adjustment's denial of the variance denied Mr. Solar and his family of the "right to recreate."

Commission Member Manley asked what point of the topography justify the variance. There is also the other argument that you bought this lot and knew what it looked like when you bought it and knew you probably were not going to be able to build a pool in the back yard. I don't know where the line is.

Mr. Pittman stated "It's a fine line and I don't think the courts would say you're stuck because you knew what the property looked like. In the Solar case the homeowner knew how the lot was configured and it was going to be a problem to build a swimming pool in the backyard. The court said the variance was properly granted. I don't think the fact that someone knew what they were buying and knew what they were getting into even though yourself would prevent you from granting a variance. I think you have to look at it as a standpoint, does it prevent the situation of the lot or the site interfere with the ability to go forward and if so, then that might be a proper variance request.

Mr. Pittman explained some practical tips. Comply with Open Meetings Act! Follow Rules of Procedure, whatever the rules are you have to follow them. An applicant who wants to challenge your decision has an easy argument to make if you are not following your own rules. We have a document that is not currently in the ordinance that answers a lot of the questions practically how this is all supposed to work. Ultimately, the City Council has to approve them. An example, in the rules an applicant that gets their variance denied has ten days to appeal it but it is not one hundred percent clear in the State Law when that clock starts ticking. The rules require staff to send the applicant a written notice saying here are the results of the Board of Adjustments meeting last night, and here is when the clock starts ticking. You would have a written record of telling them what the results of the meeting was and the date. If you want to make that timeline tight because the City is the one wanting to cut down on challenges, then that might help you.

Mr. Rae stated you told me there are ways to specify what we can ask exceptions for and what we cannot. Right now it is really vague what exceptions and variances the Board of Adjustments can address. I think your recommendation was let's specify that on practical things.

Mr. Pittman explained let's get a little more detailed in the criteria we use to consider exceptions for example. The rules I am talking about are much more practical like if you have two alternates, how do you pick which one is going to vote on a given night and does the Chair always go to that one person or do you rotate. Having a rule on that is helpful to know what to do, it is potentially a challenge because if you don't follow it, that is a basis for a challenge.

Mr. Rae asked Mr. Pittman to discuss executive session.

Mr. Pittman explained the act requires to meet in open session. The only exception that would require to meet in executive session is a consultation with an attorney. Where you have specific legal questions for the attorney representing the board or the Planning and Zoning Commission, you have the ability to recess into executive session. An executive session is not proper for you to go back and say what are we going to do in this case, let's take a straw vote, I don't want to talk about this in public because I don't want to hurt people's feelings, let's talk about what we are going to do in this case; that is not a proper executive session. A proper executive session is I have a

legal question about how this ordinance should be interpreted or how this applicant's request should be considered as a legal proposition. If you have specific questions about that, it is fair game to meet in executive session if someone could simply make a motion to recess in executive session, they would need to invoke the specific section they are relying on (Section 551.071) that allows you to consult with the attorney of the Texas Open Meetings Act, state that is what you are doing, have a motion and vote on that, it is on the record and recess to the conference room, the attorney would have to be there to address your questions or if the attorney is not in person you could do it by phone. The key is you just can't do a straw vote, you can't really talk about what you like about the case or what you don't like about it. The attorney will be present and help guide what is good to talk about and what's not.

The Board of Adjustments should not meet or communicate with an applicant or member of the public about a pending application or appeal outside of a public hearing. The Planning and Zoning Commission is different, often developers will want to come talk to you and that is fine. There is nothing illegal about a developer wanting to come talk to you about a zoning case or plat. There is no problem with an individual board member communicating with staff via email, via phone, whatever, that is no problem. The problem is with you communicating with other commissioners about a matter that is going to come before you is if there is just two board members that are talking to each other, there is probably nothing wrong with that but what you don't know is you talk to Shawn, Shawn talks to Paul and Paul talks to Bryan. All individual discussions but now you have created four board members talking about the same thing outside of a posted meeting and that is what the law says is a walking quorum. If we are trying to mind our p's and q's, it would be my advice not to talk about cases with other commissioners even if it is a one on one because you don't know what that other commissioner is going to do.

Mr. Pittman stated ensure decisions are consistent, unbiased and based on evidence presented in the hearing. It is fair to review the packet, it is fair for you as a member of the Board of Adjustment to drive by the property but you should not talk to the applicant about the merits of the case.

Mr. Rae explained before the meeting, I go to each site to review each site, so if you have questions about it I will answer those questions. If that makes you more comfortable so you do not have to go to the site.

Mr. Pittman stated, I don't have a problem if you drive by a site that is coming before you on the Board of Adjustments as long as you are not talking to the applicant, the neighbors or knocking on the doors to talk to the homeowner. You should not go out of your way to not drive by the site. The applicant might be a neighbor of yours so you don't go out of your way to not observe it.

Commission Member Blagg explained once you bring the information you have up in the meeting it is now in the room for everyone.

Mr. Pittman explained if you have a relevant piece of information that has not been brought up in the context of the case, it is fair game to inform the board.

Mr. Pittman discussed House Bill 2439 regarding building products or materials in the construction, renovation, maintenance or alteration of a residential or commercial building that became in effect September 1, 2019. He explained there are certain exceptions may apply such as being located in Overlay Districts. It does not change the Homeowner's Association (HOA) authority to enforce deed restrictions.

Mr. Rae explained Overlay Districts are the areas that we have the most stringent requirements for building materials. Outside the Overlay Districts, the only requirements we have are for multi-family requiring masonry.

Mr. Pittman explained if the City has an ordinance that says you have to build a home with 80% masonry for example and it is outside an overlay district, this law would say to that developer that they do not have to comply with the 80% masonry requirement. There are efforts underway in the current Legislator to claw back some of this authority to the sense that if you are politically connected and have someone's ear to maybe say does that make sense for us, if that is your opinion. There is a war between the Legislator and some of the large cities in Texas about the over stepping they have done and we are caught up in it.

Mr. Rae explained we are not planning on changing any of the ordinances for building materials that we currently have it in there. We are asking for voluntary compliance from our developers; that is what we tell them when we meet with them.

Mr. Pittman also discussed House Bill 3167. Municipal authority responsible for approving plats or "plans" must take the following action with regard to the plat or plan within 30 days after the date the plan or plat is filed: (1) approve, (2) approve with conditions, or (3) disapprove with explanation. Only the applicant can request an extension. Things like site plans, fascade plans, those kinds of plans have to be acted on within 30 days and you have an obligation to when you do anything but a full approval of a plat or plan, you have to give the reasons for the denial or conditional approval to the applicant. We have worked with staff on that, some of the language in the Staff Review Letters have changed. In my experience, this Bill has had the opposite effect the Legislative intended because the point was to speed things up and in many cities they have extended out the process.

Mr. Rae explained all the plats that were on the agenda on the February meeting that was cancelled due to the snowstorm were automatically approved at the Planning and Zoning Commission level and went on to the City Council because of the shot clock rule. The site plans are now included in that rule, they would have automatically approved as well as long as they are consent. If there were other items such as exceptions or variances together with that item, we decided we could push that forward to the next Planning and Zoning Commission Meeting.

Mr. Pittman explained if you violate the Texas Open Meetings Act you could be thrown in jail. Criminal penalties for noncompliance, punishment by fine of $100.00 to $500.00 and/or imprisonment in the County jail for 1-6 months.

Another thing you have to worry about is the Texas Public Information Act, your communications relating to City business as a board member are public information; communications on personal email, text, etc. If the information is related to City or Planning and Zoning business or the Commissioner uses the information in performing official duties and no exception applies. It is public information. (Ord. 2003-811 (2000)). To be deemed personal, the documents must not have any connection with the City's transaction or official business. There are record retention requirements imposed by the State, the City probably has some too. I would encourage you not to delete items that pertain to City Business. Records retention is usually 2-4 years.

Conflicts of interest are another thing to worry about. In general, a local public official commits an offense if the official knowingly participates in a vote on a matter involving a business entity or real

property in which the official has a substantial business interest if it is reasonably foreseeable that an action on the matter would confer a special economic benefit on the business entity or real property. Family member imputation – first degree of blood or marriage (parent, child, spouse, step-child, parent-in-law, child-in-law). The process that I would recommend is to do if you have a legal conflict of interest is to declare it, you are legally required to file a conflict disclosure statement and you supposed to not participate in the case. You should step down off the dais, so people can't say you were muttering under your breath and maybe even walk out of the room; that is the best practice. If you have a substantial business interest and the action on the matter is going to confer a special economic effect on you, so other words, if you approved it, then you are going to get the building contract, then that is probably a conflict of interest. If you have a contract and you are going to build no matter what, even if the action gets denied or approved, that is probably not a conflict. It may still be an apparent conflict or a perceived conflict of interest so you are not legally required to vote, so in that situation you might say this is close enough to being a legal conflict, I don't want any appearance of a legal conflict here, I'm going to go through the same steps, walk out of the room, not participate; nothing wrong with that.

Mr. Rae explained if there is an item on the consent agenda, we need to pull that item off of consent and handle that separately. If you know in advance you should let staff know that you have a conflict on that consent item before so that we can pull it off earlier or do it in the meeting.

Mr. Pittman explained you should feel free to reach out to us if you have any questions.

Commission Member Blagg asked if there is a conflict if the Commission Member is an applicant.

Mr. Pittman responded, no not legally. It would be best practice for the Commissioner not to present the request; I think there is an ethical standard on that.

Mr. Rae explained it kind of goes back to the same thing, the best practice is to leave the room.

The meeting was adjourned at 1:40 p.m.

_____
CHAIRMAN

_____
SECRETARY

STATE OF TEXAS §

April 20, 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 April 20, 2021.

MEMBERS PRESENT:	CHAIRMAN MAHONE AND VICE-CHAIRMAN DOWNTAIN COMMISSION MEMBERS: SIMS, DAVIS, MANLEY, WHITAKER AND BLAGG
ALTERNATE:	NONE
MEMBERS ABSENT:	NONE
STAFF PRESENT:	ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES, PATSY REEVES, DEVELOPMENT SERVICES COORDINATOR, CHRISTOPHER ARMSTRONG, ASSISTANT ENGINEER AND WAYNE LEE, DIRECTOR OF ENGINEERING
CITY ATTORNEY:	RYAN PITTMAN

CALL TO ORDER

CALL TO ORDER
Chairman Mahone called the meeting to order at 5:02 p.m.

APPROVE MINUTES

APPROVE MINUTES
The Planning and Zoning Commission reviewed the minutes of the March 16, 2021 regular meeting. Motion by Commission Member Sims to approve the Minutes as written. Second by Commission Member Davis. All present voted AYE.
MOTION CARRIED.

ANNOUNCEMENTS

ANNOUNCEMENTS
There were no announcements.

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 11, 14, 19, 21, 23, 24, 25, 26 & 28)

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

The Commission reviewed the Consent Agenda. Commission Member Manley moved to approve the Items on the Consent Agenda as presented subject to the Staff Review Letters. Second by Commission Member Davis. All present voted AYE.

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

SITE PLAN – ADDITION TO FEED SOURCES 1916 TEXOMA PARKWAY (FEED SOURCES, LLC)

SITE PLAN – CONSENT AGENDA ITEM
THE REQUEST OF FEED SOURCES, LLC (OWNER), KEVIN FINNERTY (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1916 GALLAGHER DRIVE, BEING ALL OF BLOCK 18 AND PART OF BLOCK 17 OF THE REPLAT OF LOTS 20-27, BLOCK 11 AND ALL OF BLOCK 12, 13, 14, 15 AND 16, TOWN NORTH ADDITION, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A 50' X 100' ADDITION FOR FEED SOURCES

The property is located at 1916 Gallagher Drive, the southeast corner of Gallagher Drive and Versaille Drive. The property is zoned a C-2 (General Commercial) District. An exception to allow the construction of a 6' chain link security fence topped with 3 strands of barbed wired to be placed on the front and side property lines was approved August 13, 1991. A Specific Use Permit to allow a feed store in a C-2 (General Commercial) District was approved November 2014.

The owner would like to construct a 50' x 100' addition to the back of the building for storage. The exterior will be metal. They had seen the Staff Review Letter and would abide by the Recommendations.

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

PRELIMINARY PLAT – SHERADEN MALL ADDITION 2800-3200 BLKS. TEXOMA PARKWAY (SHERMAN NEC TEXOMA & 82)

PRELIMINARY PLAT – CONSENT AGENDA ITEM
THE REQUEST OF SHERMAN NEC TEXOMA & 82, LP (OWNERS), JIM DUGGAN (DEVELOPER) AND SPIARS ENGINEERING, INC. (ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2800-3200 BLOCKS OF TEXOMA PARKWAY, BEING 44.249 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT NO. 504 AND THE SAM M. MCGLOTHLIN SURVEY, ABSTRACT NO. 811, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF SHERADEN MALL ADDITION

The property is located in the 2800-3200 blocks of Texoma Parkway bounded by Texoma Parkway, U.S. Highway 82, Gallagher Drive and Frisco Road; formerly the Sher-Den Mall. The property is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District.

The owner would like plat the property into ten lots for residential and 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 – LARA SOUTH GRIBBLE ADDITION
509 S. GRIBBLE
(JOSE & MARIA LARA)

FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF JOSE & MARIA LARA (OWNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 509 SOUTH GRIBBLE STREET, BEING 0.246 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF LARA SOUTH GRIBBLE ADDITION

The property is located at 509 South Gribble Street between Cherry and King Streets. The property is zoned an R-1 (One Family Residential) District.

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

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

REPLAT – LUX ON PACIFIC ADDITION, A REPLAT OF LOTS 2 & 3, BLOCK 11, G.W. BOND'S SUPPLEMENT NO. 2
500 BLK. N MONTGOMERY
(POLAR STAR LODGE #33)

REPLAT – CONSENT AGENDA ITEM
THE REQUEST OF POLAR STAR LODGE #33 (OWNER), LEAFY GODDESS VENTURES (DEVELOPER), JAQUITA L. EDWARDS (PROSPECTIVE BUYER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 500 BLOCK OF NORTH MONTGOMERY STREET, BEING 0.430 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, ALSO BEING ALL OF LOTS 2 & 3, BLOCK 11, G.W. BOND'S SUPPLEMENT NO. 2, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL LUX ON PACIFIC ADDITION, A REPLAT OF LOTS 2 & 3, BLOCK 11, G.W. BOND'S SUPPLEMENT NO. 2

The property is located in the 500 blocks of North Montgomery Street; the southeast corner of Montgomery and Pacific Streets. The property is zoned an R-1 (One-Family Residential) District.

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

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

PRELIMINARY PLAT – SWAMY ADDITION, PHASE II
5800-6100 BLKS. SWAMY DR.
(ONE GANESHA, LTD)

PRELIMINARY PLAT – CONSENT AGENDA ITEM

THE REQUEST OF ONE GANESHA LTD (OWNER), VILBIG & ASSOCIATES, INC. (CIVIL ENGINEER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 5800-6100 BLOCKS OF SWAMY DRIVE, BEING 15.679 ACRES IN THE A.C. SMITH SURVEY, ABSTRACT NO. 1561, THE WILLIAM MILLIGAN SURVEY, ABSTRACT NO. 875, THE DAVID HARRISON SURVEY, ABSTRACT NO. 581 AND THE W.S. THURMAN SURVEY, ABSTRACT NO. 1265, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT APPROVAL OF SWAMY ADDITION, PHASE II

The property is located in the 5800-6100 blocks of Swamy Drive between Blue Flame Road and FM Highway 691. The property is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District and O-1.3 (FM Highway 691) Overlay District.

The owner would like plat the property into nine lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

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

FINAL PLAT – GOODE ADDITION, NO. 2 (ETJ)
2774 PLAINVIEW RD.
(COURTNEY & JAY GOODE)

FINAL PLAT – CONSENT AGENDA ITEM

THE REQUEST OF COURTNEY AND JAY GOODE (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2774 PLAINVIEW ROAD, BEING 9.355 ACRES IN THE ALFRED HUME SURVEY, ABSTRACT NO. 522, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF GOODE ADDITION NO. 2 IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ)

The property is located at 2774 Plainview Road off North FM 1417 (Heritage Parkway) in the City of Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like to plat the property into three 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 – TEXOMA PLAZA MEDICAL OFFICE BUILDING
2511 SWAMY DRIVE
(SANJAY SINGHANIA)

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF SANJAY SINGHANIA (OWNER), PELOTON LAND SOLUTIONS (CIVIL ENGINEER/ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2511 SWAMY DRIVE, BEING LOT 1, BLOCK A, DR. SWAMY ADDITION III, A REPLAT OF LOT 5, BLOCK A OF THE DR. SWAMY ADDITION, LOTS 1-7, BLOCK A, AS FOLLOWS:

PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL TEXOMA PLAZA MEDICAL OFFICE BUILDING

The property is located at 2511 Swamy Drive, the southeast corner of Swamy Drive and FM Highway 691. The property is zoned a C-2 (General Commercial) District and located in the O-1.3 (FM Highway 691) Overlay District.

The owner would like construct four office buildings: Building 1 - 7085 sq. ft.; Building 2 - 6,870 sq. ft.; Building 3 - 7,033 sq. ft. and Building 4 - 7,033 sq. ft. Parking will be provided for 127 spaces. The exterior will be brick, stone, stucco and metal roofs. 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 – THE RESERVE AT COUNTRY VILLAGE 900 SOUTH FM 1417 (HERITAGE PARKWAY) (FL COUNTRY VILLAGE LTD)

FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF FL COUNTRY VILLAGE LTD (OWNERS), JOE GILBERT (DEVELOPER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 900 SOUTH FM 1417 (HERITAGE PARKWAY), BEING 5.14 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF THE RESERVE AT COUNTRY VILLAGE

The property is located at 900 South FM 1417 (Heritage Parkway) between Quail Run Road and West Houston Street; Country Village Apartments is the tenant. The property is zoned an R-2 (Multi-Family Residential) District and located in the O-1.1 (FM 1417) Overlay District.

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

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

PRELIMINARY PLAT – BEL-AIR VILLAGE, PHASE I 300-1000 BLKS. EAST FM 1417 (VIETNAM VETERANS PARKWAY) (TERRA PERPETUA LLC)

PRELIMINARY PLAT – CONSENT AGENDA ITEM
THE REQUEST OF TERRA PERPETUA LLC (OWNERS), KIMLEY-HORN & ASSOCIATES (SURVEYOR/CIVIL ENGINEER) CONCERNING THE PROPERTY LOCATED IN THE 300-1000 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING 61.772 ACRES IN THE SHERROD DUNMAN SURVEY ABSTRACT NO. 329, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF BEL-AIR VILLAGE, PHASE 1

The property is located in the 300-1000 blocks East FM 1417 (Vietnam Veterans Parkway) between U.S. Highway 75 and State Highway 11 (Dewey Avenue). A portion of the property (245.83 acres) was approved for a Planned Development for Terra Perpetua Village by Ordinance 6232, August 5, 2019. The owner purchased an additional 32.545 acres east of the development and amended the planned development to include this acreage for a total of 278.313 acres and rename it to Bel Air Village (Ord. 6319).

This request is for Preliminary Plat approval for Phase I, containing 61.772 acres, 318 lots residential lots and 10 Home Owner's Association (HOA) lots with mixed-use 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.

EXCEPTION & REPLAT

VARIANCE FRONT SETBACKS 1103 & 1105 N. BROUGHTON ST. (M&G HOME BUILDERS, LLC)

THE REQUEST OF M&G HOMEBUILDERS, LLC (OWNERS), MARTIN COVARRUBIAS (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY AT 1103 AND 1105 NORTH BROUGHTON STREET, BEING 0.239 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, ALSO BEING THE WEST 104 FOOT OF LOTS 21-24, BLOCK 7 OF W.P. CARTER'S ADDITION, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW 15' FRONT SETBACKS IN LIEU OF THE REQUIRED 25' FOR RESIDENTIAL DWELLINGS IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

(TABLED)

Mr. Covarrubias sent an email April 12, 2021, 11:06 a.m. requesting to table the request.

The property is located at 1103 and 1105 North Broughton Street, the northeast corner of Broughton and Richards Streets. The property is zoned an R-1 (One Family Residential) District. The owner was requesting a variance for 15' front setbacks on two lots because a City sewer line runs through the property.

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

ACTION TAKEN.

Motion by Commission Member Sims to table the request for a variance to allow 15' front setbacks in lieu of the required 25' for residential dwellings in an R-1 (One-Family Residential) District at 1103 and 1105 North Broughton Street. Second by Commission Member Whitaker.

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

THE REQUEST WAS TABLED.

EXCEPTION – SINGLE FAMILY DWELLINGS IN CBD 325 & 329 W. JONES ST. (THOMAS L. SHIELDS)

EXCEPTION
THE REQUEST OF THOMAS L. SHIELDS (OWNER), PAUL TERRELL (REPRESENTATIVE), NBS DRAFTING AND DESIGN (DRAFTSMAN) AND COPLEY LAND SURVEYING (SURVEYOR) CONCERNING THE PROPERTIES AT 325 AND 329 WEST JONES STREET, BEING ALL OF LOT 14 AND THE WEST 2' OF LOT 12, BLOCK 1, A R LOVING'S ADDITION, AS FOLLOWS;
PLANNING AND ZONING COMMISSION
EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (6) TO ALLOW SINGLE-FAMILY DWELLINGS ON LOTS 12R AND 14R OF THE PROPOSED REPLAT OF LOTS 14, 16 & W/2 OF LOT 12, A.R. LOVING'S ADDITION IN LIEU OF RESIDENTIAL OCCUPANCIES SHALL NOT BE ALLOWED IN THE FIRST HALF OF THE FIRST FLOOR OF ANY BUILDING FACING A FRONT STREET IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT.

Paul Terrell, 1207 N. Hopson, Sherman, TX
Mr. Terrell appeared to represent the request and answer any questions. This item was tabled at the March 16, 2021 meeting. The property is located at 325 and 329 West Jones Street; the northeast corner of Rusk and Jones Streets. The property is zoned a C-2 (General Commercial) District and located in the Central Business District.

Mr. Terrell explained "at the last meeting we were approved to Replat four lots into three lots, as well as an exception to allow 50' lot widths. At that time, we were asking to build duplexes on two of the lots and there was some opposition because of parking; I can see how it would overcrowd the street. After the meeting last month, I drove and considered doing parking from the alley, but it is not up to par and I did not want to get in the situation where we had to repave the whole alley. There is a significate amount of trees in the alley as well. At that point, we decided to go with two single-family homes on two lots similar to the house next door. The homes will be approximately 1,596 square foot, three-bedrooms, two-baths, with a two-car garage and two parking spaces located in front of each home. This is primarily a single-family neighborhood." He had seen the Staff Review Letter and would abide by the Recommendations.

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

ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the request for an exception and site plan approval to allow Single-Family Dwellings on Lots 12R and 14R of the proposed Replat of Lots 14, 16 & W/2 of Lot 12, A.R. Loving's Addition in lieu of residential occupancies shall not be allowed in the first half of the first floor of any building facing a front street in a C-2 (General Commercial) District/Central Business District subject to the Staff Review Letter at 325 and 329 West Jones Street. Second by Commission Member Whitaker.

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

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

SPEVIFIC USE PERMIT
THE REQUEST OF VICTRON STORES LP (OWNERS), KOFI ADDO, BOWMAN CONSULTING (REPRESENTATIVE) AND MERRIMAN ANDERSON (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 3100 NORTH U.S. HIGHWAY 75, BEING LOT 1, K SEVEN CORNER, AS FOLLOWS:
BOARD OF ADJUSTMENTS
VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (5) TO ALLOW AN 8' SETBACK IN LIEU OF THE REQUIRED 40' FOR A CARWASH CANOPY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.
AMEND A PREVIOUSLY APPROVED EXCEPTION AND VARIANCE UNDER ORDINANCE NO. 2280 SECTION 7, SUBSECTION (14)(I)(1) AND SECTION 6.8, SUBSECTION (5)(A)(1) TO ALLOW A 50' TALL FREESTANDING SIGN, WITH A 25' SETBACK IN LIEU OF 75' REQUIRED IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.
PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A CARWASH (WASH MASTERS CARWASH) IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

VARIANCE – SETBACK FOR CANOPY

EXCEPTION & VARIANCE – SIGN

SUP - CARWASH 3100 NORTH U.S. HIGHWAY 75 (VICTRON STORES, LP)

Kofi Addo, Bowman Consulting, 8201 Preston Rd., Ste. 700B, Dallas, TX
Mr. Addo appeared to represent the request and answer any questions. This item was tabled at the March 16, 2021 meeting. The property is located at 3100 North U.S.

Highway 75; the northwest corner of Highways 75 & 82, currently a convenience store and fueling station. The property is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District.

Mr. Addo explained, "the owner would like to demolish the existing convenience store and fueling station to build a 2,282 square foot carwash with vacuum stations. We are requesting a variance to allow an 8' setback from the U.S. Highway 75 access road property line for the canopy and to amend an exception to allow a 50' tall freestanding sign with a 25' setback."

Chairman Mahone stated, "it looks like the major change you have made from last month is rerouting the driveway."

Mr. Addo responded, "we changed the fire lane. Last month, we did not request the variance for the setback and we realized some of the canopy and pay stations were in the setback, so we are requesting an 8' setback from the property line."

Chairman Mahone asked about the sign, "you have a 50' tall sign and you want it 25' instead of 75' back from the property line."

Rob Rae, Director of Development Services explained, "in 2013 an exception and variance was granted for this property to allow a 50' tall freestanding sign with a 25' setback in lieu of the 75' required. So this request would update that so they could continue doing that with this new site. Those exceptions run with the property. The setback would be the same as the current sign that is out there. They are requesting to maintain that same setback."

Chairman Mahone stated, "they already have an exception and variance for that same setback, so why do they need another one?"

Mr. Rae explained, "it is just to amend it so it's an updated exception."

Commission Member Manley asked if they are refacing the same sign.

Mr. Addo responded, "it is going to be a new sign. The sign will be similar to what is there now. The height is the main thing; we are wanting to keep the height the same."

Commission Member Davis asked what the height requirement is in that area.

Mr. Rae responded, "the Overlay District requires it to be 25' plus the height of the sign, in this case if they are having a 50' sign, their setback requirement would be 75'."

Chairman Mahone stated, "the height of their sign is probably congruent with the height of other signs."

Commission Member Davis asked the height of the canopy; "is it 40' tall?"

Mr. Addo responded, "it will be approximately 15'."

Commission Member Manley asked if they were requesting the setback for the sign because the previous tenant had it or you don't believe there is any feasible way you could put it anywhere else.

Mr. Addo responded, "both, that is the most logical place to put the sign and the previous tenant is also the current property owner, we would like to maintain that variance. It is hard to have a place for a sign at this location; there is not a whole lot of space left."

Commission Member Manley stated, "that variance goes with the property."

Ryan Pittman, City Attorney explained, "one issue might be is the variance that was granted in 2013 was granted for a specific sign, if it were and he wants to erect a new sign, then there wouldn't need to be a new exception or variance granted for that. I don't know specifically what the action was in 2013."

Chairman Mahone stated, "I don't see any schematics for the new sign."

Mr. Addo explained, "we are just asking for the height of the sign. We will abide by all the regulations of the City for the sign as far as square footage."

Mr. Rae informed the board "as long as you are okay with the location of the sign, we will make sure when they come in for the permit for the sign it will match that."

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

Board of Adjustments
ACTION TAKEN.
Motion by Commission Member Davis to approve the request for variances to allow an 8' setback in lieu of the

permitted 40' for a carwash canopy and to allow a 50' tall freestanding sign with a 25' setback in lieu of the required 75' in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District at 3100 North U.S. Highway 75. Second by Commission Member Sims.

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

Planning and Zoning
ACTION TAKEN.
Motion by Commission Member Davis to approve the request for a Specific Use Permit to allow a carwash in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District at 3100 North U.S. Highway 75. Second by Commission Member Blagg.

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

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

SUP – CARWASH 6121 NORTH U.S. HIGHWAY 75 (SAAD HASSAN)

SPECIFIC USE PERMIT & SITE PLAN
THE REQUEST OF SAAD HASSAN (OWNER), SUNSHINE SUPER CENTER (TENANT), SERGIO LOPEZ (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR), CONCERNING THE PROPERTY LOCATED AT 6121 NORTH U.S. HIGHWAY 75, BEING LOT 2R, REPLAT LOTS 2 AND 3, BLOCK A, DR. SWAMY ADDITION, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A CARWASH FOR SUNSHINE SUPER CENTER IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT/O-1.3 (FM HIGHWAY 691) OVERLAY DISTRICT.

Saad Hassan, 201 S. Dewey, Sherman, TX
Mr. Hassan appeared to represent the request and answer any questions. The property is located at 6121 North U.S. Highway 75, the southeast corner of Highway 75 and FM 691. The property is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District and O-1.3 (FM Highway 691) Overlay District. Site plan approval was granted July 16, 2019 for Sunshine Super Center, a convenience store and fueling station.

Mr. Hassan explained, "we intend to build the future of gas stations. We would like to build a 120 square foot tunnel car wash; it is will be state of the art. At the fueling station

canopy, we have moved from a 10 pump configuration to a 9 pump configuration in order to conform to the Fire Marshal's standards. We have an additional cut to Swamy Drive. Reviewing the Staff Review Letter, we acknowledge and accept the guidelines. In light of Item #14 though, we would like to adjourn this until a new traffic impact analysis study is conducted and we are currently in the works of doing that."

Commission Member Davis asked if he wanted to table the request.

Mr. Hassan responded, "just #14 on the Staff Review Letter."

Mr. Rae explained, "the gas station was approved for site plan approval in 2019; this is coming back to you because they have added a carwash. In 2019, there was a driveway accessing FM 691, at that time the Staff Review Letter indicated that the City of Sherman would not permit a driveway at that location. In this case, the driveway is still on there, our Staff Review Letter has indicated again that the City of Sherman will not permit that driveway to FM 691. However, if they do conduct a traffic impact analysis that determines certain recommendations could be made."

Mr. Wayne Lee, Director of Engineering explained, "they entertained conducting a traffic impact analysis."

Chairman Mahone stated, "we could still take a motion on this subject to the Staff Review Letter and he would still come back with that study later to work with Staff."

Mr. Rae responded, "that is correct."

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

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

ACTION TAKEN.
Motion by Commission Member Davis to approve the Specific Use Permit to allow a carwash for Sunshine Super Center in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District/O-1.3 (FM Highway 691) Overlay District subject to the Staff Review Letter at 6121 North U.S. Highway 75. Second by Vice-Chairman Downtain.

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

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

EXCEPTION – SCREENING

SUP – OUTDOOR DISPLAYS

2801 NORTH U.S. HIGHWAY 75 (TEACHERS RETIREMENT SYSTEM OF KENTUCKY)

EXCEPTION & SITE PLAN

THE REQUEST OF TEACHERS RETIREMENT SYSTEM OF KENTUCKY (OWNER), LOWE'S HOME IMPROVEMENT (TENANT), KYLE HYMEL, DUPLANTIS DESIGN GROUP (ARCHITECT) FOR THE PROPERTY LOCATED AT 2801 NORTH U.S. HIGHWAY 75, BEING LOTS 3 & 4, TEXOMA CROSSING, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.8, SUBSECTION (7)(D)(3) TO ALLOW A NATURAL LANDSCAPE SCREEN TO SCREEN AN OUTDOOR STORAGE AREA IN LIEU OF THE REQUIRED SOLID SCREENING FROM ALL PUBLIC THOROUGHFARES AND ABUTTING USES IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

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

Mitchell Maier, 2801 N. Highway 75, Sherman, TX

Mr. Maier appeared to represent the request and answer any questions. The property is located at 2801 North U.S. Highway 75, the southeast corner of Highway 75 and 82; Lowe's is the tenant. The property is zoned a C-2 (General Commercial) District and located in the O-1 (75 & 82) Overlay District.

Mr. Maier explained, "at the back of Lowe's on Loy Lake Road you will see full hedges and trees blocking our delivery alley; we feel this is better than a solid wall that would look like the side of a penitentiary. Due to growth, we have some materials that are stored in the lot in the front and side. To be in compliance with the City, we would like an exception to continue with the hedges and trees along Highway 82 as a barrier and to be aesthetically pleasing." He had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked, "are there already trees there or are you planning to plant some?"

Mr. Maier responded, "both, we already have some patches of trees and in other locations we do not have trees, so we plan to do a combination of trees and plants."

Chairman Mahone asked if those would be facing the access road along Highway 82.

Mr. Maier responded, "yes, that is correct."

Chairman Mahone asked Mr. Rae if the ordinance says how thick or tall the natural screen has to be.
Mr. Rae responded, "the only thing in the ordinance, it says it needs on a natural screen it needs to be 60% coverage."

Mr. Maier explained, "it will be at least 60% coverage. It is 100% coverage on Loy Lake."

Commission Member Davis stated, "I see these storage buildings taking up 30 parking spaces that are required. To put stuff out by your building, you just need to put a fence up in Sherman."

Mr. Rae responded, "we asked the Architect to put together the parking requirement and in the main part of their parking lot, not on the side closest to the convenience store, they have enough of the required parking. So any of the area additional they are asking for storage is not their required parking. They will need to stripe it or paint it as outside storage."

Commission Member Davis stated, "as long as you put a wall up you can store anything outside here now."

Mr. Rae responded, "no, not without a Specific Use Permit and the location they specified on the site plan."

Chairman Mahone stated, "you are obviously storing things out there but you are not in compliance with the ordinance now."

Mr. Rae responded, "correct."

Mr. Maier explained, "it fluctuates with Spring time; this month we will probably do more business than winter. Soil, mulch and sod and those things will be stored now but in the winter they will all be gone and open. We certainly want to be in compliance with the City twelve months a year. Allowing us to do this with a thick amount of hedges and trees will allow that year round. It will be aesthetically pleasing and attractive."

Vice-Chairman Downtain asked if the same hedges along Loy Lake will continue in these two areas.

Mr. Maier responded, "it will be similar. I think we can put something in more of a decorative manner, some hedges that flower a couple of times a year and have some trees and hedges with more color; it is solid green right now in the back. I think from a landscaping standpoint we could kick it up a notch."

Commission Member Davis asked if it would be a solid screen.

Mr. Rae explained, "in the Overlay District, it would be a solid screen, but our fence ordinance allows for a natural screen being 60%."
Commission Member Manley asked, "which one applies here?"

Mr. Rae explained, "they are requesting for an exception for a natural screen."

Commission Member Davis stated, "they are asking for 60%, is that 60% of the bushes have to be alive or 40% has to be something besides bushes."

Mr. Rae explained, "if they plant Red Tip Photinas you might get that. In any case, if their natural screen were to die, we would be able to enforce that and require them to provide the screen."

Commission Member Davis stated, "in other words, it's a 6' tall fence. How tall are those storage buildings?"

Mr. Maier explained, "8'. Our hedges in the back are a lot higher than 8'. I would like to see something that is more of a hedge and trees. If a fence fell down we would have to replace it, if the trees or hedges die, we will have to replace them."

Commission Member Davis explained, "a 6' tree does not hide an 8' tall storage building."

Mr. Maier explained, "the trees and hedges will grow thick on a rotating color basis; that would be a color enhancement that would bloom on and off and a solid hedge behind it."

Commission Member Blagg asked if they have a timeline when these plants will need to be in the ground.

Mr. Rae explained, "they currently have a canopy project under construction and it should probably be done before that canopy project is completed. This Specific Use Permit to allow outdoor storage is a condition of that canopy project that was approved a few months ago."

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

Board of Adjustments
ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the request for an exception to allow a natural landscape screen to screen an outdoor storage area in lieu of the required solid screening from all public thoroughfares and abutting uses in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District

at 2801 North U.S. Highway 75. Second by Commission Member Manley.

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

Commission Member Blagg asked about an item in the Staff Review Letter #8 "If the Specific Use Permit is approved, merchandise shall only be stored in the area that was approved; all other merchandise shall be removed." Is the mulch area currently approved?

Mr. Rae explained, "that is what they are asking for tonight."

Commission Member Blagg explained, "there is currently the mulch area that is surrounded by a chain link fence like a temporary construction fencing. The ordinance requires solid screening for outdoor storage."

Vice-Chairman Downtain explained, "it is only screening from the public thoroughfare."

Commission Member Manley explained, "in this case the mulch where they have storage is blocked by the commercial strip center on the west side."

Mr. Rae explained, "the exception was to ask for the natural screening and showed where that natural screening would go. So now the Specific Use Permit would require them to keep the merchandise in the area they have designated on the site plan."

Commission Member Blagg explained, "we just approved screening for storage on the north end of their parking lot but they have storage on the other end as well that is in the middle of the parking lot."

Mr. Rae explained, "it is not visible from Highway 82."

Planning and Zoning Commission
ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the request for a Specific Use Permit to allow outdoor displays in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District at 2801 North U.S. Highway 75. Second by Commission Member Sims.

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

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

EXCEPTION – FAÇADE

SITE PLAN – ACCESSORY BLDG. 601 NORTH FM 1417 (SHERMAN FIRST CHURCH OF THE NAZARENE)

EXCEPTION & SITE PLAN

THE REQUEST OF SHERMAN FIRST CHURCH OF THE NAZARENE (OWNER) AND MIKE HASTINGS (REPRESENTATIVE) CONCERNING THE PROPERTY AT 601 NORTH FM 1417 (HERITAGE PARKWAY), BEING PART OF LOTS 1 & 2, BLOCK 5 AND 14.5127 ACRES IN THE G.W. MCGLOTHLIN SURVEY, ABSTRACT NO. 828, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (4) TO ALLOW A PREBUILT WOOD ACCESSORY BUILDING IN LIEU OF THE REQUIRED MASONRY IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT/R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM HIGHWAY 1417) OVERLAY DISTRICT.

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR AN ACCESSORY BUILDING FOR SHERMAN FIRST CHURCH OF THE NAZARENE

Mike Hastings, 381 Red Bard Rd., Bells, TX

Mr. Hastings appeared to represent the request and answer any questions. The property is located at 601 North FM 1417 (Heritage Parkway) between West Houston and West Washington Streets. The property is zoned an R-1 (One Family Residential) District and R-2 (Multi-Family Residential) District and located in the O-1.1 (FM 1417) Overlay District. A Specific Use Permit to allow a church facility and parking lot was approved May 31, 1993 (Ord.4286)

Mr. Hastings explained, "First Church of the Nazarene is a 107 year old resident; for the last twenty years we have been located at 601 North FM 1417 (Heritage Parkway). We gather clothing from the community and offer it free to the Sherman Community. The ministry is four years old. We have outgrown the dedicated space inside our educational wing and would like to relocate to a portable 14' x 40' wood building outside our church. We would match our church, a charcoal roof with a red building that will be trimmed in white, which are the colors of our church. We are up on one of the tallest points of Sherman, you cannot see an automobile once it goes by our church; it disappears by our hillside. We are a small church without a lot of resources, we had a gentleman pass away and left us a small amount of money to cover the building. We want to honor his memory and the citizens of Sherman. Usually, people pull up in their car, park in the parking lot and come in to receive free clothes, shoes and food from our food pantry. We are requesting an exception to allow a portable wood building in lieu of the required masonry." He had seen the Staff Review Letter and would abide by the Recommendations.

Appearing from the audience:
Stephanie Harris, 320 Laurel Ridge Circle, Sherman, TX
Mrs. Harris explained, "we live right behind the church. It sounds like it is going to be in the parking lot, if it is we would not see it. We wanted to make sure the trees were not going to come down and we would see it from the back. It sounds like that is not going to happen."

Mr. Hastings responded, "no, we do not plan to do that at all."

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

Commission Member Davis if they could upgrade the building to a masonry material.

Mr. Hasting explained, "it is cost prohibitive and we want to make sure it plays out, if it doesn't, it would only be $2,000-$3,000 to move the building."

Board of Adjustments
ACTION TAKEN.

Motion by Commission Member Manley to approve the exception to allow a prebuilt wood accessory building in lieu of the required masonry in an R-1 (One-Family Residential) District/R-2 (Multi-Family Residential) District/O-1.1 (FM Highway 1417) Overlay District subject to the Staff Review Letter at 601 North FM 1417 (Heritage Parkway). Second by Vice-Chairman Downtain.

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

Planning and Zoning Commission
ACTION TAKEN.

Motion by Commission Member Davis to approve the site plan for an accessory building for Sherman First Church of the Nazarene subject to the Staff Review Letter at 601 North FM 1417 (Heritage Parkway). Second by Commission Member Whitaker.

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

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

FINAL PLAT – MORAN ADDITION, PHASE 2

ZONE CHANGE – C-1 TO R-2

208 & 212 E. CHERRY ST. (THE CUNNINGHAM FAMILY TRUST, LTD I)

FINAL PLAT, ZONE CHANGE & SITE PLAN

THE REQUEST OF THE CUNNINGHAM FAMILY TRUST, LTD I (OWNER), LUIS MORAN (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 208 & 212 EAST CHERRY STREET, BEING 0.154 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56, AS FOLLOWS:

BOARD OF ADJUSTMENTS

EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW A 59.59' LOT WIDTH IN LIEU OF THE REQUIRED 60' LOT WIDTH IN THE PROPOSED MORAN ADDITION, PHASE 2 IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

- FINAL PLAT APPROVAL OF MORAN ADDITION, PHASE 2
- ZONE CHANGE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

Luis Moran, 910 S. Travis, Sherman, TX

Mr. Moran appeared to represent the request and answer any questions. The property is located at 208 and 212 East Cherry Street between Walnut and Montgomery Streets. The property is zoned a C-1 (Retail Business) District.

Mr. Moran explained, "we would like to change the zoning on the property to an R-2 (Multi-Family Residential) District and plat the property into one lot to build a duplex on the lot. We built a duplex next door about two years ago. We are also requesting an exception to allow a 59.5 foot wide lot." They had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked if the other duplex is similar to this one; "will it be two-story also."

Mr. Moran responded, "yes, it will be similar. This one will have two, one-car garages, three bedrooms, two and one-half baths. We built one similar in Denison. (Mr. Moran provided a picture)."

No other citizens appeared before the Planning and Zoning Commission to discuss the exception, Final Plat or zone change.

Board of Adjustments

ACTION TAKEN.

Motion by Commission Member Davis to approve the Exception to allow a 59.59' lot width in lieu of the required 60' lot width in the proposed Moran Addition, Phase 2 Addition in an R-2 (Multi-Family

Residential) District at 208 and 212 East Cherry Street. Second by Vice-Chairman Downtain.

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

Planning and Zoning Commission
ACTION TAKEN.

Motion by Commission Member Davis to approve the Final Plat of Moran Addition, Phase 2 and zone change from a C-1 (Retail Business) District to an R-2 (Multi-Family Residential) District subject to the Staff Review Letter at 208 and 212 East Cherry Street. Second by Commission Member Manley.

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

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

EXCEPTIONS & SITE PLAN

THE REQUEST OF L&M SLAUGHTER PROPERTIES, LLC (OWNERS) AND JOSHUA YUSTEN, OMNIKEY REALTY (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 700 SOUTH CROCKETT STREET, BEING PART OF LOT 28, BLOCK 10, HARE & RANDOLPH ADDITION, AS FOLLOWS:

EXCEPTION – LOT WIDTH

EXCEPTION – SCREENING

SITE PLAN – MULTI-FAMILY RESIDENTIAL DEVELOPMENT (5 UNITS)

700 S. CROCKETT ST.
(L&M SLAUGHTER PROPERTIES, LLC)

(DENIED)

BOARD OF ADJUSTMENTS

- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) TO NOT REQUIRE SCREENING FOR A MULTI-FAMILY RESIDENTIAL COMPLEX IN LIEU OF THE REQUIRED MASONRY PERIMETER WALL IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.
- EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (1) TO ALLOW AN 80' LOT WIDTH IN LIEU OF THE REQUIRED 85' LOT WIDTH AND 10,800 SQUARE FOOT LOT AREA IN LIEU OF THE REQUIRED 12,000 SQUARE FOOT IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT (5 UNITS).

David Kane, General Counsel for L&M Slaughter Properties, 700 S. Crockett, Sherman, TX and Joshua Yusten, Omnikey Realty, 660 N. Central Expressway #100, Plano, TX

Mr. Kane and Mr. Yusten appeared to represent the request and answer any questions. The property is located at 700 South Crockett Street; the southwest corner of John Blaine

and Crockett Street. The property is zoned an R-2 (Multi-Family Residential) District and located in the Heritage Row Historical District. A Certificate of Appropriateness was approved March 9, 2021 for the front entrance/front porch projection for changes including siding, windows, doors and exterior paint colors (white with black trim) by the Historical Preservation Board.

Mr. Kane explained, "the owner owns 150 properties in the City of Sherman and manages several of those properties for 50 owners. The 700 South Crockett Street project was purchased in a transaction with Mr. Holley. The project has stalled a little bit and we are asking for these exceptions in order to improve the property and put it back into its historical significate condition. It is my understanding that nothing in the use is going to change. The need the wall exception to improve the esthetic. When Mr. Holley owned the property there were five to six units, based on how those segregated units were serviced since 1942. You have cast iron plumbing throughout, you have separately plumbed units in that condition. There is not much that is going to be changed with regard to the structure or any type of segregated areas or points of entry."

Chairman Mahone explained, "I am looking at a picture of a house and you are saying this has always been five or six units."

Mr. Kane responded, "yes, I think it was six and we are only going to require five."

Commission Member Davis asked if this is a boarding house." It looks like a house and all of a sudden you are talking about six units."

Mr. Kane explained, "it was maintained as a multi-family dwelling."

Commission Member Sims asked if they are renting out per the room.

Mr. Yusten explained, "it is basically a studio apartment, 400 square feet per apartment."

Chairman Mahone stated, "they are saying this has always been six units, but as far as the City is concerned is that the case."

Mr. Rae explained, "in the building department, we have no record of any building permits or Certificate of Occupancy permits that were issued for this property. The only record we have for this property in 1993, they requested three water meters at this location. The reason this came up is because they requested two additional water meters from the water department and the water department reached

out to our department to find out if this was allowed and that is when the process stopped."

Commission Member Davis asked, "how many does it have currently."

Mr. Yusten responded, "it has three water meters and three electric meters. We have three units leased out."

Mr. Rae explained, "currently the property is zoned R-2 (Multi-Family Residential) District as is the majority of this part of Sherman. But part of that R-2 (Multi-Family Residential) District doesn't mean you can just build 100 units on any lot. We have requirements for lot width, lot area to allow anything over a duplex. In this case, a duplex would be allowed, but anything over that would need special approval. In this case, to have a duplex, they would just need site plan approval and Historical Board approval. Our current R-2 (Multi-Family Residential) District requires the minimum lot width to be 60', for multi-family, anything over a duplex, the lot width requirement is 85', that was the requirement back in 1993 as well."

Vice-Chairman Downtain stated, "so it was out of compliance back in 1993."

Mr. Rae explained, "in our perspective that is illegal, not non-compliant."

Commission Member Manley stated, "they said they have six units, three meters."

Mr. Yusten explained, "we have three tenants, the back half of the property was gutted and is still open to the weather and conditions, so we would like to be approved by this board as soon as possible to get it closed up."

Commission Member Davis stated, "five units would require ten parking spots; where are you parking."

Mr. Yusten explained, "the parking will be in the back, the site plan was drawn by an Architect, he laid out the parking."

Mr. Kane explained, "the actual usage of the property, as long as Mr. Holley had it, had six units, all occupied at the time."

Chairman Mahone stated, "he had six units when he wasn't supposed to."

Mr. Kane responded, "no sir, I understand that, but my point is that single structure that you are looking at does not house six people there. There is another area where the other three units exist."

Mr. Yusten explained, "there is a rough pencil drawn floor plan that shows the layout of the units."

Chairman Mahone asked, "how many square feet is this building?"

Mr. Yusten responded, "I do not know, there is a site survey as well."

Vice-Chairman Downtain asked where the current occupied units were located on the floor plan.

Mr. Yusten explained, "units four and five and the ones that are torn up and open on the backside of the building."

Commission Member Blagg asked Mr. Rae if the Appraisal Office showed when the building was built.

Mr. Rae explained, "they would have different information about structures but they would not have information about additional units; I don't think."

Chairman Mahone stated, "I am on the Historical Board also and I seem to remember we tried to calculate how much square footage was in the building and I think it is just over 2,000 square feet."

Mr. Yusten did not remember, only that it is about 300-400 square foot per unit.

Chairman Mahone stated, "it looks like you have a gravel drive in the front for two and eight parking spots in the back. I guess the gravel is in compliance. "

Mr. Rae responded, "no, it is not."

Mr. Yusten responded, "by the end of the project it will be brought up to standards."

Commission Member Manley stated, "access to rear parking is from John Blain."

Mr. Yusten explained, "access is from the alley; there is no concrete in the alley."

Commission Member Davis stated, "you would have to concrete the alley to get to the parking."

Mr. Rae responded, "no, I believe the street/alley has asphalt."

Chairman Mahone talked about the perimeter wall fence, "does that exception kick in when he wants a three or more units."

Mr. Rae responded, "yes."

Commission Member Davis asked, "what is around the facility now?"

Mr. Yusten responded, "nothing in the front from Crockett to John Blain, in the back there is a chain link fence from one of the neighbors and some brush and overgrowth with a broken fence on the side."

Commission Member Blagg asked, "where the perimeter wall would have to be; three sides or all around the property."

Mr. Rae responded, "it would have to be the same as an apartment complex."

Chairman Mahone explained, "some of these requirements are kicking in because he is trying to put a small apartment unit with ten parking spots."

Vice-Chairman Downtain asked if five units is in compliance with the zoning regulations.

Mr. Rae responded, "no, that is what they are asking the exception for. He is asking for site plan approval for five units."

Chairman Mahone stated, "if we approve the site plan we are approving five units as it is drawn."

Mr. Rae responded," that is correct."

Commission Member Manley stated, "it is zoned an R-2 (Multi-Family Residential) District."

Mr. Rae explained, "if it is zoned an R-2 (Multi-Family Residential) District, you are giving exceptions to the lot, lot size and you are essentially saying it can be part of a multi-family dwelling as opposed as just a duplex."

Chairman Mahone stated, "it seems like too much concentration."

<u>Appearing from the audience:</u>
<u>Rick Wright, 712 S. Crockett, Sherman, TX</u>
Mr. Wright explained, "I don't really have any issues, we have been living with this situation for years and there is not a problem with what he has going, except for parking in the front yard and it seems that has been addressed. There is a hedge that divides all that goes almost to the sidewalk. I haven't noticed any problems there. Parking in the front is off the street, it is not on Crockett, so it is not as bad. I have no issues as long as there is not going to be a change in the front of the building. My thing is about changing the whole concept of Heritage Row."

Commission Member Manley wanted to be clear, "you are requesting no screening."

Mr. Yusten stated, "that is correct because we feel it would take away from the property; that is the biggest issue."

Commission Member Manley stated, "I don't disagree that a masonry wall is out of character what is basically a residential neighborhood, but I don't know that having nothing is appropriate. I see a wood fence in some of the pictures, I don't know if that is on your property or the neighbor's property."

Mr. Yusten explained, "there is nothing currently in front where I am assuming the fence would have to go on Crockett Street and the entire building."

Commission Member Manley thought that was what the ordinance would say. "I am talking about something in between nothing and a solid masonry wall."

Mr. Yusten explained, "the only thing there right now is a 6' picket fence that runs from the deck to the neighbors."

Chairman Mahone stated, "which makes sense for a neighborhood home. I can see why you wouldn't want a masonry fence."

Commission Member Blagg asked the City Attorney, approving a variance runs with the land, "is there any way to tie it differently."

Mr. Pittman responded, "not for the Board of Adjustments. Exceptions and variances granted by the Board of Adjustments run with the land in Texas."

Commission Member Blagg stated, "if this is approved we are saying this property would never have to be screened."

Mr. Pittman responded, "under these conditions, as long as the zoning remains in place and the structure remains as it is. If they come in and get it rezoned or the use changes that might kick in a different requirement."

Vice-Chairman Downtain asked if the exceptions or site plan is not approved, "what happens to the three units that are there; do they keep operating out of compliance."

Mr. Rae explained, "they would still be illegal or non-conforming at least one of the units if they have three."

Chairman Mahone stated, "because it was advertised as five, we could grant less than that; couldn't we."

Mr. Pittman responded, "I think you would want the applicant to tell you that they are okay with you granting

less than what they were requesting so they could amend their request. I would not recommend that you grant in a Board of Adjustments case less than what they are asking for unless they agree to amend their request."

Mr. Yusten stated, "there are two goals; one to move forward and to get this project cleaned up and get everything closed up with what the owners of the building bought it at, which is five units. With a reasonable plan to move forward, I'm okay with as long as we get out of here without having to come back arguing the same point."

Chairman Mahone stated, "having three units seems like a much more reasonable use of the property to me and if they have three units, they would still be required to get the exception for the 85' lot width."

Mr. Yusten asked about taking the entire back half because there are three tenants that are already occupying those units and the back half could be made into one unit, the four and five, what about just approving four units on that property as is."

Commission Member Davis asked if he heard earlier that a couple of these units were tore out and open to the elements.

Mr. Yusten explained, "the back half of the building is gutted with doors and windows without treatments."

Commission Member Davis explained, "it is hard for me to believe that your company bought a five unit building when it wasn't. It seems like it was three units with two open storage rooms."

Mr. Yusten explained, "I am the second project manager that has picked up on this and playing catch up. My main goal is to move forward on the project and get it cleaned up."

Commission Member Manley asked if it was feasible on his end to build a wood fence in the rear and side yards to close in parking.

Mr. Yusten responded, "I believe so. The way the parking is laid out, I don't think we would want to put a wood fence across the alleyway. We could clean up the fence that is there or replace it; that is definitely doable. We could put it where the chain link fence and the busted up wood fence is now."

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

Board of Adjustments
ACTION TAKEN.

Motion by Commission Member Davis to deny the request to not require screening for a Multi-Family Residential Complex and to deny the exception for 80' lot width in lieu of the required 85' lot width and 10,800 square foot lot area in lieu of the required 12,000 square foot in an R-2 (Multi-Family Residential) District at 700 South Crockett Street. Second by Vice-Chairman Downtain.

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

Mr. Pittman explained, "you need four votes to approve and you have 3/2. The motion was to deny and that was carried by a vote 3/2. The denial is approved. The motion to deny is approved with three votes. You would need four affirmative votes to approve the variance or exception. Just to clarify, that was action on both exceptions in this matter."

Chairman Mahone responded, "that is what I understood."

Commission Member Davis responded, "both on the Board of Adjustments; yes."

Planning and Zoning Commission
ACTION TAKEN.

Motion by Commission Member Davis to deny the site plan for a Multi-Family Residential Development (5 units) at 700 South Crockett Street Second by Vice-Chairman Downtain.

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

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

EXCEPTION - FENCE 1602 NORTH HOARD AVE. (MAUREEN CLARKE)

EXCEPTION
THE REQUEST OF MAUREEN CLARKE (OWNER) AND GREG SELLS, ACE QUALITY FENCING (GENERAL CONTRACTOR) CONCERNING THE PROPERTY AT 1602 NORTH HOARD AVENUE, BEING LOTS 11 & 12, BLOCK 30, COLLEGE PARK 2ND ADDITION, AS FOLLOWS;
BOARD OF ADJUSTMENTS
EXCEPTION AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (13)(H)(1 & 2) TO ALLOW AN 8' TALL PRIVACY FENCE ON THE PROPERTY LINE IN THE SIDE AND REAR YARDS IN LIEU OF THE ALLOWED 4' TALL IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT.

Greg Sells, Ace Quality Fencing, 1608 Ridgeway Dr., Sherman, TX

Mr. Sells appeared to represent the request and answer any questions. The property is located at 1602 North Hoard Avenue; the northwest corner of Hoard and Gulick Avenues. The property is zoned an R-1 (One Family Residential) District.

Mr. Sells explained, "the owner would like to erect an 8' tall privacy fence on the property line in the side and rear yards. I have a couple of questions about the Staff Review Letter. You said four foot tall and I don't think that is right."

Commission Member Davis thought "you could put an eight foot fence behind your house."

Mr. Rae responded, "no, because it is on a corner lot. The ordinance states that anything on a corner lot with a front facing street, 25' from that side street is a maximum 4' tall."

Mr. Sells explained, "we meet that criteria the way we have drawn it; I think we have that."

Chairman Mahone explained, "you are asking for an adjustment to allow an 8' fence."

Mr. Sells responded, "we are, but I am saying there is no blockage of the view in any direction from the two streets intersection. There is an alley on the plat on the west side of the property, but there would not be any blockage of view from the alley. The back of the house is north, the alley is on the side of the house because the front of the house is considered to the east on Hoard. The 16' alley, where the 40' piece comes across over to the driveway, that is at least 25' back from Gulick Avenue's curb; it is probably 6' off the property line. That is about 16' from the back of the curb."

Chairman Mahone asked if the alley is serviceable or a usable alley.

Mr. Rae responded, "it is not paved, there is no asphalt, just grass but I believe it is accessible."

Mr. Sells explained his part you can drive up and down that 100', I don't know what is past there.

Commission Member Davis asked, "why they would need an 8' fence all the way around; why not a 6'?"

Mr. Sells responded, "security. He is wanting the taller fence for security for his home. There are doors and windows back there that he wants to protect completely; the owners live in California."

Chairman Mahone explained, "the Staff Review Letter states the fence at Gulick and the alley must have a 10' x 10' site triangle across the property line."

Mr. Sells stated, "we are perfectly willing to do that; it is not an issue. I just wondered if that was necessary given where the fence is in light of where the curb is; if it is not necessary, we rather not do it, but if it is necessary, it is not an issue at all."

Chairman Mahone stated, "it looks like it would be a pretty big back yard as is so if you backed that fence up 4' you would be in compliance with that."

Mr. Sells stated, "then instead of 94' let's make it 90'; that is probably the easiest solution, the owner is not going to question that, so we will make that 90' instead of 94' and the 33' section will be 4' shorter. That's no issue at all. The gate is strictly for lawn mower access, there is nobody going to be driving in there. If in the future he builds something in there that he needs to drive through, he would have to get a variance or put an approach through the curb. The 4' part of the fence is only appropriate in certain conditions where it blocks the view of a corner. In this case all the fence is on the north side of the house at the intersection; there is no blockage of the view anywhere on the corner."

Commission Member Davis stated, "there is an alley."

Mr. Sells explained, "the alley is a different situation and they have asked me to put a 45 degree and that is perfectly fine if we need to do that, but now we have said move it back 4', then that takes the 4' section out of the issue. We are perfectly willing to work with you any way you need us to. The owner has been very adamant about an 8' fence, he may just not build a fence; that is the way he laid it out to me."

Commission Member Davis stated, "very secure or no security at all. I see if I don't get my way no security."

Mr. Sells explained, "the owners were very adamant they want an 8' fence. They don't live here full time, this is not their primary residence, so that might be the other reason."

Appearing from the audience:
Deanna Connell, 1516 N. Hoard, Sherman, TX
Mrs. Connell explained she has resided in this neighborhood for twenty years. "I have always been Momma Bear, I have always had all the neighborhood kids in my area and now have grandbabies. With an 8' request instead of 4' which is basically double the height. Where I reside on 1516 N. Hoard, there is a property on the corner lot which was his mother's home, she passed away and

now it is their property. Across the street which is Gulick and Hoard, which is his lot, I have a problem because from my home when my grandbabies are out riding a bicycle or any of the neighborhood kids, that is a very busy street by Old Settlers Park. Now in the Housing Authority area, they have it where traffic can't go through the Housing Authority anymore, so more traffic is coming down Hoard Street and there are no stop signs on the corner of Hoard and Lewis where that dead-end T is and there are no stop signs from Brents coming down Gulick where he lives to Hoard Street."

"The alley is accessible because there are people that live next to that residence that uses the alley quite frequently. An 8' fence would be where I can't monitor the vehicles and the children in the neighborhood because the vehicles don't pay attention to the children and they go very fast. Next to me on the corner lot there is a tree that makes it difficult to see traffic going north and south. He made a comment that they want to put the fence up for privacy, the property owners have cameras all around that property facing my property and there are also cameras on the house next door to me that are surrounding the whole neighborhood with no residents living in that home. There is plenty of security, so I don't know why an 8' fence is requested for security because he has cameras all around both properties."

"The other concern I have is what the City owns on the corners with the grass because we don't get along with the property owners, we have been advised to walk in the street instead of walking safely on the outskirts of the grass on the properties that it would be better for the peace to walk in the street. I just feel that an 8' fence would be a safety for my visual for the neighborhood children playing in that neighborhood with the increased traffic. I am not aware of any other 8' fences in the area. The corner house on Lewis and Hoard had a chain link fence and it is 4', so when I am standing on my property I can look easily through the fence to see traffic coming on that corner."

<u>Neil Whatley, 1508 N. Hoard, Sherman, TX</u>
Mr. Whatley agreed with everything Mrs. Connell said. "I have a 5 year old I try to watch ride a bicycle and if she were to run in the street, an 8' fence would block the view of cars coming, so we would have to be right up on our kids literally to stop someone from running over them. The traffic down Hoard is where people are going 40-50 miles per hour which is excessive for that road. We do have a lot of children in that area."

"As far as the alley goes, we use the alley all the time. An 8' fence would allow crime in the area because you can't see a car, so someone could be out there selling drugs or stealing something. In that area, luckily the Housing Authority hires a Police Officer, so we don't have too much

crime right now, but an 8' fence might bring in some people that we don't want in the neighborhood. It would allow our vision to be blocked to where we wouldn't be able to report suspicious activity or vehicles in the neighborhood. My fear is the guy is going to build it out where we can't see any cars coming especially down Gulick because they are cutting through the street to cut over to Hoard because of construction on Baker Road so people are coming out Brents and Ross and cutting over to Hoard and going all the way down to Lewis. An 8' fence would not allow us to have the visual we need to keep the neighborhood and children safe."

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the request for an exception to allow a 6' tall privacy fence on the property line in the side and rear yards with a 4' reduction off of Gulick Avenue reflecting 90' along the alleyway in lieu of the allowed 4' tall in an R-1 (One Family Residential) District at 1602 North Hoard Avenue subject to the Staff Review Letter.

Mr. Rae explained, "the current ordinance allows 8' in the rear yard but not 25' from Gulick."

Commission Member Manley explained, "6' wherever the 4' requirement exist."

Mr. Pittman stated, "before you vote on it I would suggest asking the applicant if they would agree to amend their request."

Mr. Sells responded, "I would assume that he would do that; I will have to ask. I'm not authorized to agree to that. What section of this fence as it is laid out now would have to be 4'."

Mr. Rae responded, "the section along Gulick and 25' back from the property line."

Mr. Sells stated, "when we shorted the fence back to 90' didn't that take it back far enough."

Mr. Rae responded, "you would only be allowed to do the 6' fence, 15' back from that point."

Mr. Sells stated, "so I could do the 8' fence everywhere except along Gulick and by the alley. I agree to that."

Chairman Mahone asked for a second.

Second by Commission Member Sims.

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

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

EXCEPTION – FACADE 2800 CANYON CREEK DR. (GRACE UNITED METHODIST CHURCH)

EXCEPTION
THE REQUEST OF GRACE UNITED METHODIST CHURCH (OWNER) AND DAVID BACA STUDIO (ARCHITECT) CONCERNING THE PROPERTY AT 2800 CANYON CREEK DRIVE, BEING PART OF LOT 10, BLOCK 2, CANYON CREEK ADDITION, SECTION 2-A, AS FOLLOWS:
BOARD OF ADJUSTMENTS
EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.8.1, SUBSECTION (4) TO ALLOW A DARK BRONZE ARCHITECTURAL METAL CLADDING ON A PORTION OF THE EXISTING CHURCH FACILITY IN LIEU OF THE REQUIRED MASONRY IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT/O-1.1 (FM HIGHWAY 1417) OVERLAY DISTRICT.

David Baca, 100 N. Travis, Ste. 500, Sherman, TX
Mr. Baca appeared to represent the request and answer any questions. The property is located at 2800 Canyon Creek Drive; the southeast corner of FM 1417 (Heritage Parkway) and Canyon Creek Drive; Grace United Methodist Church is the tenant. The property is zoned an R-1 (One-Family Residential) District and located in the O-1.1 (FM 1417) Overlay District.

Mr. Baca explained, "Grace United Methodist Church is requesting an exception to allow metal siding on a portion of the existing facility. The façade is currently a wood veneer, it is T-111, which is a sheet product 4' x 8'. We want to adjust a small area to put the metal siding on, to accentuate the architecture that is already there. We would be going in with a dark bronze architectural metal. We are not changing anything on the building just the one area where we want to put the metal. There is brick on the front of the building, but not on the side that faces Canyon Creek. The metal will be applied horizontally."

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

Planning and Zoning Commission
ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the request for an exception to allow a dark bronze architectural metal cladding on a portion of the existing church facility in lieu of the required masonry in an R-1 (One-Family Residential) District/O-1.1 (FM Highway 1417) Overlay District

subject to the Staff Review Letter at 2800 Canyon Creek Drive. Second by Commission Member Davis.

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

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

SITE PLAN – TACO BELL

VARIANCE – SETBACK FROM SOUTH PROPERTY LINE
3310 SOUTH U.S. HIGHWAY 75
(RAHESH KUMAR)

SITE PLAN & VARIANCE
THE REQUEST OF RAHESH KUMAR (OWNER) AND GABRIELA MARKS, MARKS ARCHITECT (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 3310 SOUTH U.S. HIGHWAY 75, BEING LOT 27, 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 6.8.4, SUBSECTION (7) FOR A TACO BELL RESTAURANT WITH DRIVE THRU AND OUTDOOR DINING WITH A 30' SETBACK FROM THE SOUTH PROPERTY LINE IN LIEU OF THE REQUIRED 55.7' IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT.

The property is located at 3310 South U.S. Highway 75 between West Travis Street and East FM 1417 (Heritage Parkway). The property is located in the Blalock Industrial Park and Blalock Commercial Overlay District.

Chairman Mahone stated, "we have no presenter and I assumed you have discussed this with them."

Mr. Rae explained, "the applicant has provided a letter for all of you. I went over the Staff Review Letter with the Architects and they do not have any issues with what we recommended. They are in San Diego and they are concerned with Covid and traveling kept them from coming here, so I asked her to provide a letter stating what they would say if they came."

Letter from Gabriela Marks, Marks Architect, 2643 4th Ave., San Diego, CA
"Mr. Rae and members of the Planning and Zoning Commission and Board of Adjustments,

Thank you for allowing us to present this letter in lieu of being at the hearing for the proposed Taco Bell restaurant at 3310 S. Hwy 75, Sherman TX."

"Our project proposes the construction of a 2,202 sf freestanding Taco Bell Restaurant with Drive Through

service at the vacant 1-acre lot in the Blalock Industrial Park/Blalock Commercial Overlay District."

"The proposed site amenities include a 14 seat outdoor patio, ample landscaped areas, 37 parking spaces and stacking for 11 cars at the drive through lane."

"The building has been designed to comply with all known development guidelines except the following:

A variance is hereby requested to allow a 30' setback on the south property line in lieu of the required 55.7' setback in order to allocate all of the required parking on the North side of the property and avoid cars crossing the drive through lane to enter the building. This variance was previously granted for a Panda Express Restaurant with Drive Thru in the same development."

"We have received the proposed Conditions of Approval for the project, have reviewed them with Mr. Rae and have no objections to said Conditions of Approval."

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

ACTION TAKEN.

Motion by Commission Member Manley to approve the request for Site plan approval and Variance for a Taco Bell Restaurant with Drive Thru and Outdoor Dining with a 30' setback from the south property line in lieu of the required 55.7' in the Blalock Industrial Park/Blalock Commercial Overlay District subject to the Staff Review Letter at 3310 South U.S. Highway 75. Second by Commission Member Sims.

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

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

RECESS

<u>RECESS</u>
Chairman Mahone called for a 5 minute recess at 6:58 p.m.

RECONVENE MEETING

RECONVENE MEETING
Chairman Mahone reconvened the meeting at 7:04 p.m.

ZONE CHANGE – R-1 TO R-2

SITE PLAN – FOUR TOWNHOMES

<u>ZONE CHANGE & SITE PLAN</u>
THE REQUEST OF POLAR STAR LODGE #33 (OWNER), LEAFY GODDESS VENTURES (DEVELOPER), JAQUITA L. EDWARDS (PROSPECTIVE BUYER) AND HELVEY-WAGNER SURVEYING (SURVEYOR) CONCERNING THE PROPERTY IN THE 500 BLOCK OF NORTH MONTGOMERY

STREET, BEING 0.430 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING ALL OF LOTS 2 & 3, BLOCK 11, G.W. BOND'S SUPPLEMENT NO. 2, AS FOLLOWS;

500 BLK. N. MONTGOMERY ST. (POLAR STAR LODGE #33)

PLANNING AND ZONING COMMISSION

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

Jaquita L. Edwards, 25 Highland Park Village #100-689, Dallas, TX

Ms. Edwards appeared to represent the request and answer any questions. The property is located in the 500 blocks of North Montgomery Street; the southeast corner of Montgomery and Pacific Streets. The property is zoned an R-1 (One-Family Residential) District.

Ms. Edwards explained, "I am the prospective buyer and developer of the Lux on Pacific. The vision of my project is my parents came out of that neighborhood, so the vision of my project is to enhance the esthetics of the neighborhood, increase the value without displacing the current residents, provide a quality product for the young urban professional like myself and creating a positive remedy for the City."

"I have provided you with a rendering of the site plan, floor plan and elevations for my project for (4) Townhomes. The townhomes will be three-bedrooms, per unit with a two-car garage and two car pad behind it in the driveway. There will be guest parking in the back as well. The exterior will be stucco with stone accents and concrete siding on the rear. We pushed the building back 35' from the front property line to make it more visually pleasing." She had seen the Staff Review Letter and would abide by the Recommendations.

Chairman Mahone asked about the 6' masonry perimeter wall; "do you have a problem with that."

Ms. Edwards responded, "no, we will provide the masonry perimeter wall fence."

Mr. Rae explained, "we don't want the fence to come into the front setback of 25', so it would probably just be the back portion of it. Most large multi-family developments have the 25' between the road and the perimeter fence, just because this is a smaller lot. The east of the property is single family homes, south of the property is zoned C-1 (Retail Business) District and it is vacant and just past that is the railroad tracks."

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 a zone change from an R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District and site plan approval for four townhomes subject to the Staff Review Letter in the 500 block of North Montgomery Street. Second by Commission Member Whitaker.

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

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

VARIANCE – REAR SETBACK

REPLAT – LOTS 1 & 3 AND PART OF LOT 5, BLOCK 3, ROBERT A. KING'S ADDITION 702 & 708 S. MONTGOMERY ST. (WALTER VENTURA)

<u>VARIANCE & REPLAT</u>
THE REQUEST OF WALTER VENTURA (OWNER) AND HELVEY-WAGNER SURVEYING, INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 702 AND 708 SOUTH MONTGOMERY STREET, BEING 0.510 ACRES IN THE SAMUEL BLAGG SURVEY, ABSTRACT NO. 56 AND BEING ALL OF LOTS 1 & 3, AND A PART OF LOT 5, BLOCK 3, ROBERT A. KING'S ADDITION, AS FOLLOWS:
BOARD OF ADJUSTMENTS
VARIANCE AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 9.3' REAR SETBACK IN LIEU OF THE REQUIRED 25' FOR AN EXISTING RESIDENTIAL DWELLING ON THE PROPOSED LOT 2R OF THE REPLAT OF LOTS 1 AND 3 AND A PART OF LOT 5, BLOCK 3, ROBERT A. KING'S ADDITION IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF LOTS 1 AND 3 AND A PART OF LOT 5, BLOCK 3, ROBERT A. KING'S ADDITION.

<u>Walter Ventura, 9692 Robinwoods Dr., Frisco, TX</u>
Mr. Ventura appeared to represent the request and answer any questions. The property is located at 702 and 708 South Montgomery Street; the southwest corner of Montgomery Street and Wells Avenue. The property is zoned an R-2 (Multi-Family Residential) District.

Mr. Ventura explained, "I bought these properties a couple of years ago and the City has worked with me to remove some of the structures on two of the lots. I would like to Replat two lots into three lots for residential development. There is an existing building on the corner lot at 702 South Montgomery Street and I am requesting a variance to allow a 9.3' rear setback. The other buildings on the lot have been demolished." He had seen the Staff Review Letter and would abide by the Recommendations.

Commission Member Davis asked where the parking was on the existing house.

Mr. Ventura responded, "on the side of Wells Avenue and we do plan to address that, we talked to the Surveyor and I think we can get that done."

Commission Member Davis stated, "with a smaller rear yard it limits the parking."

Chairman Mahone asked if the City has some way to address the house will get the appropriate parking.

Mr. Rae responded, "on that house I don't think we do, the other two properties we would, but not on that house because they wouldn't require any new Certificate of Occupancy Permits or building permits for the existing house."

Chairman Mahone asked Mr. Ventura if he is going to provide parking for the existing house.

Mr. Ventura responded, "yes, if down the line I want to sell the house, it is going to require it. It would be better for me to find a way to do it for resale value."

Commission Member Blagg asked about Lot 1R which will have access from the alley which on the survey says a 20' platted alley; "is Wells Avenue now a street."

Mr. Lee explained, "the Fire Marshal did make the comment the street is not adequate or wide enough for them."

Chairman Mahone stated, "he might run into a problem later with the Fire Marshal. You may not be able to get a Certificate of Occupancy Permit."

Mr. Ventura responded, "this is the first time I am hearing about that. I received the Staff Review Letter and I kind of see that, I got the letter at the end of last week, so I haven't had the chance to talk to anyone about that. Do you know how wide the streets have to be?"

Mr. Lee explained, "a fire lane is 24' wide; right now it is 12'."

Chairman Mahone explained, "even if this was approved, you would still have to comply with the Staff Review Letter, which includes the Fire Marshal approving that street access for fire protection. It is kind of pointless to Replat it if you are not going to be able to use it anyway. Would you like us to move forward with this?"

Mr. Ventura responded, "I understand that. What happens if I talk to the Fire Marshal and he doesn't allow it, do I just submit the plans for it or what happens."

Chairman Mahone explained, "if you are granted the adjustment and the Replat were approved and the Fire Marshal doesn't agree unless you build a new street or something like that, you would have a new plat that you couldn't use. If you wanted to work it out with the Fire Marshal we could table the request and you could come back and we could make a decision."

Mr. Lee explained, "there is another complication with the lot; it doesn't have a water main serving it, so a water main would have to be extended down Wells Avenue."

Mr. Ventura asked if he would have to wait until next month.

Chairman Mahone explained, "if you requested us to table it, then it would be back on the agenda next month."

Mr. Ventura stated, "if you make a decision today and I speak to the Fire Marshal and he says I can't do it what happens."

Chairman Mahone explained, "you are stuck with the Fire Marshal to work it out."

Mr. Ventura asked the board to make a decision today on the variance and Replat.

Mr. Pittman explained, "as the Board of Adjustments you have discretion to table the variance, you don't have the discretion to table the Planning and Zoning item unless the applicant ask you to table. The tabling request should the applicant request to table would only be for an additional 30 days, so you would need to act on this application at the next meeting."

Mr. Ventura asked the board to move forward with everything and I will do my homework starting tomorrow.

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

Board of Adjustments
ACTION TAKEN.

Motion by Commission Member Davis to approve the request for a variance to allow a 9.3' rear setback in lieu of the required 25' for an existing residential dwelling on the proposed (702 S. Montgomery) Lot 2R of the Replat of Lots 1 and 3 and a part of Lot 5, Block 3, Robert A. King's Addition in an R-2 (Multi-Family Residential) District subject to the Staff

Review Letter at 702 & 708 South Montgomery Street. Second by Commission Member Sims.

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

Planning and Zoning Commission
ACTION TAKEN.

Motion by Commission Member Davis to approve the request for Replat approval of Lots 1 and 3 and a part of Lot 5, Block 3, Robert A. King's Addition subject to the Staff Review Letter at 702 and 708 South Montgomery Street. Second by Commission Member Sims.

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

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

SUP – EVENT CENTER COMPLEX 4801 N. FM 1417 (HERITAGE PARKWAY) (ARIDI GROUP LLC)

(WITHDRAWN)

SPECIFIC USE PERMIT
THE REQUEST OF ARIDI GROUP LLC (OWNER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY AT 4801 NORTH FM 1417 (HERITAGE PARKWAY), BEING 5.742 ACRES IN THE ALFRED HUME SURVEY, ABSTRACT NO. 522, 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 EVENT CENTER COMPLEX (COMMERCIAL AMUSEMENT CENTER) IN A C-2 (GENERAL COMMERCIAL) DISTRICT/O-1.1 (FM HIGHWAY 1417) OVERLAY DISTRICT

Email received from Roger Aridi, April 14, 2021, 10:24 a.m. withdrawing the request.

The property is located at 4801 North FM 1417 (Heritage Parkway) between U.S. Highway 82 and Plainview Road; formerly a tennis club and most recently Sarah Cosmetics. The property is zoned a C-2 (General Commercial) District.

The owner would like to open The Club at Pecan Creek, a multi-purpose facility and recreational grounds for events such as meetings, seminars, classes, weddings, retreats, reunions, birthday celebrations, music festivals and corporate events. The Club at Pecan Creek will be set in a tranquil country-type atmosphere with room to sit outside on the numerous patios, walk by the creek through the trees, or have a family picnic, birthday party or wedding

under the shade trees or by the pool, as well as activities such as swimming, volleyball and tennis. The interior spaces will be set-up to provide meeting/event space for gatherings of a few, or up to 500. They will offer catering and service staff for the events.

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

THE REQUEST WAS WITHDRAWN.

EXCEPTION - SCREENING 3013 NORTHRIDGE DR. (NORTHRIDGE VILLAS LLC)

EXCEPTION
THE REQUEST OF NORTHRIDGE VILLAS LLC (OWNER), FELIX AGUIRRE (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3013 NORTHRIDGE DRIVE, BEING ALL OF LOT 13, BLOCK 8 OF THE REPLAT OF PART OF BLOCKS 7 AND 8, TOWN NORTH ADDITION, AS FOLLOWS:
BOARD OF ADJUSTMENTS
EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.3, SUBSECTION (7) TO ALLOW A 6' ORNAMENTAL IRON FENCE WITH GATES FOR A MULTI-FAMILY RESIDENTIAL COMPLEX IN LIEU OF THE REQUIRED MASONRY PERIMETER WALL IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT.

Felix Aguirre, 6901 Admiral Cove Court, Plano, TX
Mr. Aguirre appeared to represent the request and answer any questions. The property is located at 3013 Northridge Drive; the northeast corner of Northridge Drive and U.S. Highway 82; Northridge Apartments is the tenant. The property is zoned an R-2 (Multi-Family Residential) District and located in the O-1 (75 & 82) Overlay District.

Mr. Aguirre explained, "there is a single drive into the property and we would like to install an access gate and fence across the entry. The new owners put some money into it and would like to make some improvements. I can understand the requirement for the masonry fence along the sides and back but you don't see that across the front of the property or the driveway." He had seen the Staff Review Letter and would abide by the requirements.

"I have talked to the Fire Department and they said they want the KS2 switch and whatever he wants is not a problem. There is 12' in access gate, the pedestrian gate and some more fence is all we are adding; 55' less the gate."

Commission Member Sims asked if the only thing they are doing is the new gate up front.

Mr. Aguirre responded, "that is all we are doing. A couple of the residents here thought we were doing something on the perimeter but we are only doing the front entrance."

Appearing from the audience:
Anne Gooch, 1502 LaSalle Dr., Sherman, TX
Mrs. Gooch explained, "my house backs up to the Northridge Villa Apartments. I received this letter it was talking about a required masonry perimeter wall fence so I was wondering if there was a required wall to go around these apartments and that was what it sounded like. It sounded like you were going to put up an ornamental fence."

Chairman Mahone explained, "the ordinance typically requires a masonry wall around multi-family like apartments buildings. Sometimes they apply for exceptions and they are granted different type of fences like wrought iron fences instead of the masonry. In this case they are just wanting to put in a gate and they do not want that gate to be masonry, they want it to be wrought iron; that is why they are asking for this exception."

Mrs. Gooch stated, "at this point they can have several different fences, they have wood, chain link, mine backs up to chain link. When you read this you think it has to be masonry. Why do we keep making all these exceptions; that is how our neighborhoods get to looking so bad?"

Mr. Rae did not think there were any exceptions for the chain link fence on the other portions of the property. "When the development was first built there probably wasn't a requirement for the 6' masonry fence. If they do come in to improve the fence anywhere else they would be required to install the 6' masonry wall. The applicant only came in to change the front entry and that is why they are here tonight. Obviously the gate can be wrought iron, you don't make that a brick wall, but the portion that goes on the side of the driveway to the building needs to be masonry and they are asking for an exception to that."

Mrs. Gooch explained, "there are issues in the neighborhood with trailers and trucks staying in the streets for more than 72 hours. A guy parks it there for 5 or 6 years; who do you call. I have called about trailers, camping trailers."

Mr. Rae explained, "you would call Code Enforcement."

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

Emails received from:
Anne Gooch, 1502 LaSalle Dr., Sherman, TX
"My name is Anne Gooch and I live at 1502 LaSalle Drive my property backs up to the laundromat at the Northridge

Villas. I am against the iron fence due to cats and dogs and possibly kids coming through to my yard plus wouldn't have to view laundromat and with the chain link fence people throw cans, bottles and rocks in yard. Since my house backs up to the laundromat and another building that seems to be used for maintenance, there is a lot of unsightly trash, big appliances and pallets. My suggestion would be a masonry perimeter wall between the apartments and residential area!"

Dale Stein, 1510 LaSalle Dr., Sherman, TX
"I live at 1510 LaSalle Drive, and my back yard abuts the Northridge Villas apartment property. I DO NOT desire a decorative iron fence across my back yard, because we have watched cats, smaller dogs, and even determined kids come right through the iron fence that Easton Parc has along LaSalle Drive. A sturdily-built masonry perimeter wall would not only prevent intrusion into my yard, but eliminate unsightly views and help with sound deadening."

Commission Member Blagg wanted to make sure we are not approving the entire property for the exception for the perimeter wall fence.

Chairman Mahone explained, "this is only for the section on the site plan."

ACTION TAKEN.

Motion by Commission Member Davis to approve the request for an exception to allow a 6' ornamental iron fence with gates as presented on the site pan for a Multi-Family Residential Complex in lieu of the required masonry perimeter wall in an R-2 (Multi-Family Residential) District/O-1 (75 & 82) Overlay District subject to the Staff Review Letter at 3013 Northridge Drive. Second by Commission Member Manley.

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

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

REPLAT, SPECIFIC USE PERMIT & SITE PLAN

REPLAT SHANNON HEIGHTS ADDITION, BLOCK 3, LOTS 9R, 10R AND 11R, A REPLAT OF SHANNON HEIGHTS ADDITION, BLOCK 3, PART OF LOT 9 & ALL OF LOTS 10, 11 & 12

THE REQUEST OF STEADMAN INVESTMENTS (OWNER) AND PRESTON TRAIL LAND SURVEYING, LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2200 NORTH HICKORY STREET, BEING 0.520 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AND BEING PART OF LOT 9 AND ALL OF LOTS 10, 11 AND 12, BLOCK 3 OF THE REPLAT OF SHANNON HEIGHTS ADDITION, AS FOLLOWS:
BOARD OF ADJUSTMENTS

VARIANCE APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (1) TO ALLOW A 20' FRONT SETBACK IN LIEU OF THE REQUIRED 25' FOR AN EXISTING RESIDENTIAL DWELLING ON THE PROPOSED LOT 12R OF THE REPLAT OF SHANNON HEIGHTS ADDITION, BLOCK 3, LOTS 10R AND 12R, A REPLAT OF SHANNON HEIGHTS ADDITION, BLOCK 3, PART OF LOT 9 & ALL OF LOTS 10, 11 & 12 IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT

SUP – TWO-FAMILY DWELLING (DUPLEX)

2200 N. HICKORY ST. (STEADMAN INVESTMENTS)

PLANNING AND ZONING COMMISSION

- REPLAT APPROVAL OF SHANNON HEIGHTS ADDITION, BLOCK 3, LOTS 10R AND 12R, A REPLAT OF SHANNON HEIGHTS ADDITION, BLOCK 3, PART OF LOT 9 & ALL OF LOTS 10, 11 & 12.
- SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A TWO-FAMILY DWELLING (DUPLEX) ON LOT 10R, BLOCK 3 OF THE PROPOSED REPLAT OF SHANNON HEIGHTS ADDITION, BLOCK 3, LOTS 10R AND 12R, A REPLAT OF SHANNON HEIGHTS ADDITION, BLOCK 3, PART OF LOT 9 & ALL OF LOTS 10, 11 & 12 IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.

Chris Noah, Preston Trail Land Surveying, 83493 N. S.H. 289, Ste. 5, Pottsboro, TX

Mr. Noah appeared to represent the request and answer any questions. The property is located at 2200 North Hickory Street; the northwest corner of Hickory Street and Dupree Avenue; The property is zoned an R-1 (One Family Residential) District.

Mr. Noah explained, "this property involves three existing lots and a portion of a fourth lot. The owner would like to Replat the property into two lots for residential development. There is an existing one-story house located on one of the lots at the corner; they would like to remove an addition to the existing house and request a variance for a 20' front setback. They would also like to construct a 2,600 square foot, six-bedroom, two-car garage duplex on the other lot. Parking will be provided for six cars." He had seen the Staff Review Letter and would abide by the Recommendations.

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

Board of Adjustments

ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the variance to allow a 20' front setback in lieu of the required 25' for an existing residential dwelling on the proposed Lot 12R of the Replat of Shannon Heights Addition, Block 3, Lots 10R and 12R, a Replat of Shannon Heights Addition, Block 3, part of

Lot 9 & all of Lots 10, 11 & 12 at 2200 North Hickory Street. Second by Commission Member Davis.

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

Planning and Zoning Commission
ACTION TAKEN.

Motion by Vice-Chairman Downtain to approve the Replat of Shannon Heights Addition, Block 3, Lots 10R and 12R, a Replat of Shannon Heights Addition, Block 3, part of Lot 9 & all of Lots 10, 11 & 12 at 2200 North Hickory Street and Specific Use Permit and site plan approval to allow a Two-Family Dwelling (Duplex) on Lot 10R, Block 3 of the proposed Replat of Shannon Heights Addition, Block 3, Lots 10R and 12R, a Replat of Shannon Heights Addition, Block 3, part of Lot 9 & all of Lots 10, 11 & 12 in an R-1 (One-Family Residential) District. Second by Commission Member Manley.

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

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

OTHER BUSINESS – DRAFT PATIO HOME ORDINANCE & GENERAL ZONING ORDINANCE UPDATES

OTHER BUSINESS
Review Draft Ordinance for Patio Home.
Review General Zoning Ordinance Updates.

Mr. Rae explained, "the purpose of the zoning ordinance is to promote the health, safety and general welfare of the City of Sherman; to lessen congestion on the street, secure safety from fire and other dangers; encouraging the most appropriate use of land in accordance with the Comprehensive Master Plan."

"For the zoning ordinance update there are two big ones: Patio Home Ordinance and the fence ordinance; those are the big ones we would like to talk about tonight, the other is some clean up things that we would like to do as well."

"Starting with the Patio Home Ordinance, on October 19, 2020, the City Council directed staff to review the patio home ordinance to see if there are any changes that need to happen. On November 17, 2020, a P&Z subcommittee was set up to review the patio home ordinance and on March 2, 2021, the P&Z subcommittee met to review the ordinance recommendations."

"To give you some comparison on our residential zoning districts. Comparable cities have multiple residential zoning districts. We are just focused on single-family, not multi-family or commercial. A lot of cities have different requirements for each of those districts. If you look at ours in Sherman, we have two single-family districts; R-1 (One-Family Residential) District and SF-1 (Single-Family Residential) District, where McKinney, Anna, Melissa and Denison all have multiple single-family districts. The requirements for those zoning districts for setbacks and lot area and things like that all vary. For a 60' lot we are in the ballpark for what other cities do for setbacks for 25' in the front and back. A comparison on the side which is a little bit different, some cities just have a standard side setback. Denison has the same side yard setback as us, 10% of the lot width."

"Our current patio home ordinance shows what our setbacks are different and how different they are from our single-family requirement. For patio homes, our minimum lot width is 40', where our single–family is 60', 20' on the front and 10' on the rear, our side yard setbacks are 5' and 5' or 0' and 10'; it has to be consistent in the block. A minimum lot area is 4,000 square foot. In addition, the patio home ordinance requires that if there are over 50 lots, 51 or greater open space is required; a 10% requirement of a platted area."

"If you look to the right of the diagram, these are to scale lots of a 60' lot versus a 40' lot and the setbacks that are allowed in our R-1 (One-Family Residential) District versus the patio home minimum requirements."

"One of the issues that came up with Council is that there were developers coming in for 60' lots or greater and asking for patio homes; a patio home variance for that. What that ended up doing in these six developments: Magnolia Village, West Canyon Creek Estates, The Preserve Phase II, The Preserve Phase III, Country Ridge Estates No. 2, and Heritage Farms Estates is it changes their site plan footprint. It does change the size of the building and I'm not saying all builders build to those front and rear setbacks; generally they are looking on the front setback."

"After meeting with the Subcommittee and reviewing the comments we had with Staff we had some recommended changes to the Specific Use Permit. I put on here short term because this maybe a band-aid as sorts but there is a bigger vision that may happen as a result of this."

"Our recommendations to Staff is to leave the patio homes designation as a Specific Use Permit and to add the following requirements:

- **Maximum lot width of 50' (55' on corner lots)**
- **Maximum living area of 2,500 square foot**

- Open space requirement:
  - Developments with 25-49 patio homes will be required to provide 5% open space
  - Developments with 50 or more will still be required to provide 10% open space
  - Added language to include multiple phases of development will be required to provide open space
- No duplexes or Two-Family Dwelling permitted in the Patio Home Ordinance

"One of the things that might come up in Council is why don't we create a different district for patio homes. This is what we recommend if that were the case where it created a separate district, you could rename it SF-50 to reference the lot width. Cities do categorize their single-family districts in different ways. One reason staff wouldn't recommend creating a new zoning district is because we haven't updated our Master Plan to include where would you get guidance where that could be developed. If we just change that straight up then developers could come request that zoning district anywhere without any guidance from a Master Plan. The requirements could be for the SF-50 zoning district:

- Minimum Lot Area: 5,000 square feet
- Minimum Lot Width: 50 foot
- Minimum Front Setback: 20 foot
- Minimum Rear Setback: 10 foot
- Minimum Side Yard: 5 foot
- Permitted uses the same as SF-1
- No duplexes or two-family dwellings permitted in zoning district
- Recommend changing the name to SF-1 to SF-60, and R-1 to R-60 or similar

Vice-Chairman Downtain stated, "in this case it is a minimum lot width of 50' and the previous Specific Use Permit is 40'."

Mr. Rae explained, "when we are adding the maximum to discourage developers coming in and requesting that 60' or greater lot just to get a 5' side yard setback."

Commission Member Manley stated, "there the maximum doesn't exist nor does the square footage maximum exist."

Mr. Rae responded," right and that is typical that a zoning district wouldn't have those requirements in them where a Specific Use Permit could. That is not a recommendation we are doing tonight, but in the future we would consider if Council directed us to create a new zoning district."

Commission Member Manley stated, "in a nutshell we are assuring the homes remain affordable; would that be an accurate statement. You can't just buy a giant lot and fill it up with nothing but home and have no grass."

Mr. Rae explained, "one of the issues that Council had is when the patio home ordinance was created, the purpose was to create patio homes, garden homes, whatever it is, smaller homes on smaller lots, but what has happened they are building a bigger home on a smaller lot."

Commission Member Manley stated, "they are still going to sell it for $400,000."

Mr. Rae explained, "they are getting more square footage for the size of the lot."

"I will be presenting the same presentation at the Council meeting. We are going to look at updating the Master Plan in the coming years, maybe 1-2 years depending on what budget is approved, but we would look at updating that based on where higher density single-family would be appropriate in the City of Sherman. The last Future Land Use Plan was approved in 2009."

"This is the recommendation you have in the draft ordinance. I will be happy to go over questions if you want."

Commission Member Manley asked how he arrived at those particular numbers, 50', and 2,500 square foot; is that base off another municipality or yours.

Mr. Rae explained, "most municipalities have them in zoning districts and they have them for 60' lots, 50' lots, 40' lots, they have townhomes that are 20'. We actually went through the process of thinking what if we did 60' as the maximum, then developers would come in at 60', if we did 59', they would plat their development with 59' lots and so that is where we went to the 50' lot because in my opinion that is what the patio home ordinance is looking to get, a 40' or 50' lot."

Chairman Mahone wanted to talk about the open space requirement. "Currently we have the open space if you are at 51 or more lots."

Mr. Rae stated, "the way it is worded is 50 or under it isn't required."

Chairman Mahone stated, "because of that they come in at 49 lots."

Mr. Rae explained, "they come right at the threshold."

Chairman Mahone stated, "so you are wanting to add a section down to 25 lots. Are they just going to come in with two 24 lot groups?"

Mr. Rae stated, "that is a good point. One of the items that we have added is any contiguous subdivision including multiple phases. So in a case we had recently, where The Preserve Phase II had 20 patio home lots and The Preserve Phase III had 47 lots, they would be required to include that first phase into it as their patio home lots."

Chairman Mahone stated, "if I'm approved and I do 24 lots and a year later Shawn decides to be a developer and they do 24 more right next to mine; is he now on the hook for the open space requirement because he is the one that brought it over because he built it next to mine."

Mr. Rae responded, "possibly."

Commission Member Davis stated, "what do you mean possibly, City ordinance says I can build 24 patio homes and I just bought this land and I'm going to put 24 patio homes on there."

Mr. Rae explained, "the way we could look at it is, as staff if it is not separated by an easement larger than 60' or a collector facility like that it would be a continuous subdivision."

Commission Member Blagg stated, "it is like a double-edged sword. This scenario shouldn't happen. Two different property owners, the first one gets by it at 24 and the second guy gets hit."

Commission Member Davis provided a prime example, "the houses at Baker Park that has been there forever and now behind it that guy has come in and they are different from their setup. If that 20 year old section of town was townhomes or these, the next guy comes in, that's still the neighborhood, and you are still expanding over that field. You want to make a developer say no to Sherman, in 10 years nobody is going to build anything because they are on the hook for the percentages. Does that make sense?"

Chairman Mahone agreed. "There is only so much space you can build on because no one else is going to want to put one next to it."

Mr. Rae responded, "right. From a staff perspective open space is difficult to administer."

Commission Member Davis explained, "it would almost be easier to say it don't matter where you put them but if you are building townhomes at 50, you better provide

Sherman 10% and if I come along and build 50 more; the next guy gets hooked."

Vice-Chairman Downtain asked, "how does that apply if you did 5% because there were 49 in the beginning and then someone comes and adds 100 more, then you have to do 10% of both of those. So the person portion you have another portion to add essentially back on this side before it hits."

Mr. Rae explained, "it is a double-edged sword because if we have the requirement here they are going to piecemeal it to keep under it because every bit of open space is a lot to them that they could sell. So it is definitely a difficult situation whether we keep it the way it is written for continuous development or not."

Commission Member Davis thought it needs to be pretty defined. "I want the green space."

Commission Member Blagg stated, "developers usually get approval on all the acreage and phase it out and all those rules apply to the whole master plan. I do feel when you do things like this they find that loophole. It's not really problematic other places."

Mr. Rae explained, "this year is probably the first time outside of Austin Landing that we are going to have a very significate master plan community developed that is going to have a significate amount of their spaces is going to be open space. Something that our developers currently haven't been doing or required to do to an extent. There is going to be some competition, I anticipate. We added language thinking that would help if this ordinance was changed, they would know that the multiple phases would count toward open space, they have to anticipate that before instead of after."

Commission Member Davis stated, "I can see in Phase I, II, III and IV they need to comply, but if I just come in and buy the lot next door to his 24 lots or 48 lots, I shouldn't get slapped."

Vice-Chairman Downtain asked if it is technically a Phase II at that point or just a new subdivision next door.

Commission Member Manley asked if there was a way to tie it to the property ownership because chances are the developer is not going to risk losing if they are going to buy the whole piece of land next door and they only develop one section of it and do another section later.

Mr. Rae stated, "that might vary case by case. You might have a developer group that all owns portions that all work together but are individual property owners."

Commission Member Manley stated, "that's why he said to just split it up into four LLC and four lots."

Chairman Mahone asked if there was a way to tie the percentage not to the number of lots but to the total acreage or square footage or something. "If you come in and do 5 acres worth of development and it is 10% of 5 acres or 10 acres or whatever. That way it really doesn't matter if I come in with a 4 acre development or a 15 acre development, I still have to provide 10% of that space."

Commission Member Davis stated, "if my 15 acres, I don't want to do none of it but I'm willing to pay the City what my percent would have been to build a park or something similar."

Chairman Mahone stated, "it's a flat percentage of a total development space."

Mr. Rae stated, "then you take the number of units out of it totally. In that case you might want to consider lowering the percentage from 10% to something lower because that could be a significate amount."

Commission Member Blagg stated, "a lot of cities require open space for all their lot sizes which then pushes a Homeowners Association to maintain the open space. The City of Frisco communicates with the Homeowner Associations and the City maintains the medians and the Homeowners Association mows all the right-of-ways."

Mr. Rae stated, "in the cases where we have gotten open space whether it is a private entity that maintains that or the City."

Commission Member Blagg stated, "HOA's can go defunct and then it normally falls back on the City to maintain the property. I feel like we have plenty of resources down south that we can find the right language."

Mr. Rae asked Wayne Lee if the open space requirement would be located in the subdivision regulations as opposed to the zoning ordinance.

Mr. Lee explained, "there are a number of cities that have part of a green space dedication ordinance. It doesn't matter if is your 60' lots or others that they dedicate green space at a certain acreage, percentage minimum and whether it is a public green space or privately maintained. Green space is from development to development. Usually it is public green space the City has to agree they will take as public. Developers can't just say we are going to dedicate this to you; you have to take it."

Commission Member Davis stated, "you don't need all these little patches to mow either."

Commission Member Blagg stated, "there is a mechanism that I have seen used where the Developer can write a check in lieu of providing open space. Then the City can use that money for parks anywhere. A Developer would consider paying to get out of green space; that does happen. It's a formula for the amount of money that you would pay."

Mr. Rae stated, "I believe a City would administer that at the platting process through subdivision regulations or a separate ordinance that would be for an open space ordinance."

Commission Member Manley asked, "if I wanted to put in four patio homes, something small; how would that apply, where would the green space be, like a 6' strip in the back. In that case I would write a check to make it go away."

Commission Member Blagg stated, "everyone should be giving a fair portion."

Mr. Rae stated, "that is assuming you have one patio home in a development of 200 homes versus just the one patio home; I see there are two scenarios that we would have to administer. The one that is a development that is a platted subdivision versus just one lot."

Chairman Mahone stated, "the one lot could pay into the park fund."

Mr. Rae asked the board if there was a direction on the open space that you would like staff to go in.

Commission Member Davis wanted to decrease loopholes.

Commission Member Whitaker thought a percentage of the land because you break it up to 25 and 50 lots they are just going to come in under that. If you tell them it is a percentage of every acre.

Commission Member Blagg asked to go to other cities to get their input how they are handling these things and do a comparison chart and let's see if we can find something better that doesn't have loopholes because they don't have loopholes down there.

Chairman Mahone asked that their recommendation be to consider this with our comments because ultimately the City Council is one to make the final decision. Is anyone here in disagreement about that, does anybody think the 25 or 50 is a better option than a percentage of the land.

Commission Member Davis stated, "I would almost go flip it and say any patio home in excess of 5 require a percentage of open space."

Mr. Rae stated, "when you get to this you could make a motion with comments that you would like open space to be looked at a little differently."

Commission Member Blagg stated, "the way other cities get around this is they have a maximum lot coverage; I would think 45% is the norm that I have seen. You could quash a builder building to complete setbacks with a maximum lot coverage; that normally doesn't include the driveways. What that does, it includes anything in the foundation, so a lot of times if the foundation is poured as flatwork, it doesn't count, but if a patio is poured as a foundation it would count. If this is a major concern to everybody, we should include maximum lot coverage, most cities have it; I'm surprised we don't yet. It does give the builder flexibility because sometimes you have a master that shoots out so the setbacks will allow for configurations but you can't just fill in the whole box. I don't know why a City would have a maximum of 2,500 living area; you know a higher square footage is a higher appraised value, higher taxes, so I don't know why we would want to limit the maximum."

Commission Member Davis stated, "that is their way of going corner to corner."

Mr. Rae explained, "we calculated realistically what the square footage of the home could be minus the garage to get that so if a builder is building over that chances are they are not on a 50' lot."

Commission Member Manley stated, "if you handle that just with lot coverage, that doesn't stop them from growing vertically."

Commission Member Blagg responded, "except with roof height, you could only build a two-story home; they are limited to their height."

Commission Member Manley stated, "when I think of a patio home, I go back to affordability of the home. If we are creating an area that is designed to have in general smaller homes, more affordable homes and in my opinion I think Sherman needs more of, I was thinking 2,500 square feet was too big."

Commission Member Blagg stated, "you would be surprised, in Plano, patio homes are pretty popular the opposite way, they are more expensive; they are real deep, you could have a 3,500 square foot patio home."

Commission Member Manley asked the purpose of a patio home; "why would a builder choose to build a patio home."

Commission Member Blagg answered, "the reason is normally land price starts to escalate, so the builder or developer needs lot count. You do a smaller lot to increase your yield."

Vice-Chairman Downtain explained, "also there are people that don't want yards anymore."

Mr. Rae presented the fence ordinance updates. He explained, "the fence ordinance, one of the things we are getting busier as a City, we are getting more items coming to the Planning and Zoning Commission. We are getting a lot of request for variances/exceptions, fences are one of those things as staff we feel we get a lot of and maybe you don't need to be seeing those because they are pretty simple; generally they get approved pretty easily."

"The Board of Adjustment meetings have included many requests for fence variances and exceptions. Some subdivisions and properties have followed our current fence ordinance and some have gotten exceptions. Typical exceptions and variances requests are to allow an 8' fence in the side yard and to allow a 6' or 8' fence in the side and rear yard on a corner lot. Our recommendation to update the fence ordinance is to allow up to 8' fence in the side and rear yards, allow up to an 8' fence in the side and rear yards on property lines of corner lots and increase front yard ornamental fence to 4 feet."

Commission Member Davis stated, "no one puts up a chain link fence anymore. Years ago, a 4' chain link fence you could see to the other end of the block."

Mr. Rae stated, "in no case a chain link fence would be allowed in the front yard under our current ordinance. A 3' fence is allowed in the front yard, up to a 6' fence is allowed in the side yard and up to an 8' fence is allowed in the rear yard. What you see in a lot of subdivisions in Sherman, you see a 6' fence in the side yard and it will creep up to an 8' fence in the rear. On corner lots where there is a neighbor on a front facing street, so you don't have two lots that are backed up to each other, there are some unique requirements and regulations. You are allowed a 4' fence, it does not need to be ornamental; it can be a fully screened 4' fence. The 8' fence does not start until it is 25' back from that front facing street. The typical exception that we get is to allow an 8' fence in the side yard and to allow a 6' or 8' fence on the side or rear yard of a corner lot. We looked at four or five other cities to see what cities are allowing in other areas. Our

recommended update is to allow an 8' fence in the side and rear yard, allow 6' and 8' fence on the property line on corner lots and to increase the front yard ornamental fence to 4'. A 4' fence in the front yard and everywhere else an 8' fence would be allowed including corner lots."

"Site distance when it comes to fences is one of the major issues and why we have regulations in our zoning ordinance. I have been working with the Engineering Department to make sure our updates to the fence ordinance making sure safety and site distance are good. Our current site distance says no fences or hedges within 15' of the intersection of 2 street lines. Measuring a triangle, 15' off one property line, 15' off another connecting the dots and nothing inside that triangle. What we are recommending is no fence or hedge within 25' of the intersection of 2 property lines; no fence or hedge within 10' of the intersection of a street and an alley; variances to sight distance may be approved by the City Engineer. The City Engineer could change that because there are other factors that play into each roadway for site distance, it could be speed, it could be topography and how the road is designed."

"The changes to our fence ordinance would allow is if someone came into our office for a fence permit and wanted to build an 8' fence on their property line on a corner lot in their side or rear yard, we would allow that, we would double check there were no site distance issues."

Chairman Mahone asked why wouldn't the standard be 15' unless Engineering tells you it has to be more in which case they would if they were on a major thoroughfare. "I thought you were reasoning from going further from 15 to 25' was in the cases of major thoroughfares you needed 25'. Certainly, there are some streets and alleys where you don't need that much."

Mr. Lee explained, "it depends on the configuration of the street if you don't have a true ninety degree intersection, you have an acute angle, you may need more than that 15'x15' site distance."

Chairman Mahone stated, "you are able to grant them a lesser distance if you are able to show there is no site distance issue."

Vice-Chairman Downtain stated, "the Engineering Department is able to grant that variance not the board."

Commission Member Blagg stated, "if you are in the car and you are up at the intersection, you are already through that triangle, you are at the stop sign."

Mr. Lee explained, "there may not be a stop sign"

Mr. Rae explained in some cases if it is not controlled with a stop sign, yield sign or something that is sometimes a more dangerous intersection for site distance because the cars are moving, they are not having a reason to stop. Sometimes a stop controlled intersection would be safer because the vehicle comes to a stop.

Mr. Lee explained, "if you have a four way stop situation that changes a lot."

Mr. Rae explained the fence ordinance for Multi-Family Developments." A minimum 6' masonry perimeter wall shall be provided to surround the development. New fences at existing multi-family developments shall be masonry. Most multi-family developments have requested exceptions to allow wrought iron fences. Our recommendation is a minimum 6' foot masonry or wrought iron, with masonry columns, perimeter fence shall be provided to surround multi-family developments. The masonry columns shall be separated at a reasonable distance as approved by the Director of Development Services. We have situations where a multi-family developer will have a 300-500 foot line that they need to do masonry columns, as we were working through this and figuring out the right distance for the spacing of the columns. If it is 24', that is way too narrow for masonry columns on one side and it could be not enough for another side. That is why we added the item to say that it would be separated by a reasonable distance and it would administratively approved that distance. If a developer came in and didn't like our assessment of it, they could always appeal that to the board."

Chairman Mahone asked if you would have some kind of guideline to follow, just so you don't end up with one that is 300' and one every 24'.

Mr. Rae responded, "we could come up with that."

Commission Member Blagg stated, "I believe 24' is a rule in other cities. Why don't we consider just one number."

Mr. Rae explained, "a recent development had a variance for 24' and they thought that was pretty tight for a number of masonry columns. They thought it needed to be separated out a little bit more."

Commission Member Blagg felt the separation of zoning types that doesn't need to be omitted. If it is a single family or multi-family, they should still have to have a solid fence between different zoning types.

Mr. Rae explained, "we currently have that in our ordinance, even if it is next to single family it needs to be fully screened. We are keeping that in the update as well."

Commission Member Davis wanted to see something with a minimum, say 24', separated by a reasonable distance not to exceed 24', "whatever we decide and then if there is a weird deal they come here or get with you."

Mr. Rae explained, "one the purposes is trying to reduce the number of items that are brought to the board but if you want us to include that in the revisions we can do that."

Chairman Mahone agreed. "I would like to see something for the minimum distance between the columns. It is still cheaper than a brick wall."

Mr. Rae showed examples of Creed Canyon Apartments off of Travis Street, north of Highway 82. Each one of the sections is an 8' section, so you would have a masonry column every three panels.

Commission Member Davis stated, "it looks good too."

Chairman Mahone stated, "you might add not to exceed a certain amount. It could say on the front side of the street where you want it to look nice, we want it every 24' and on the back side you could do 32'. I like the idea of you being able to make your own adjustments just within a perimeter."

Commission Member Manley asked if there were any concerns with using the word wrought iron even though nowadays that is not wrought iron, its tubular steel."

Mr. Rae stated, "we could rename it or similar, we have a lot of language in our ordinance that says this, this, this or similar."

Commission Member Blagg stated, "I know a lot of cities approve an 8' fence, they want a post every 6' and four runners."

Chairman Mahone thought that had to do with building codes.

Commission Member Davis stated, "an 8' fence is a tall fence; I think an 8' masonry fence looks ugly."

Mr. Rae explained the proposed ordinance for agricultural uses. "Line fences can be used on properties greater than 3 acres. Special permission required for electric fences. Gates for vehicle access set back 20' from property line to allow if a truck pulls up to a gate, opens the gate, gets in. We did provide in the fence

ordinance some things that are restricted such as welded wire, such as a hog fence is not allowed with T-post, it is not allowed as a line fence. They can still use it for other reasons, but not as a property line fence. Another example was shown of a horse fence on wood post; it looks nicer and is a little sturdier. This would be for properties in the city for agricultural uses with more than 3 acres."

Appearing from the audience:
Peter Tracey, 700 S. Valentine, Sherman, TX
"I bought my house ten years ago and the neighborhood that I live in has a utility easement on the back of everyone's lot. Unfortunately, the current fence ordinance says that you can build your fence back to the property line. What has happened on my street, all the neighbors have built their fence to the property in the back including the easement. I was told by everyone, the listing realtor and the finance company, everyone said you cannot build anything in that 8' easement because the utility company has to have access to it. What has happened, all those fences are out there, and my driveway has become the utility company's access to get to those utilities. There is a development directly behind me, my concern is those houses are going to be built and I don't know if they have an 8' utility easement because to be able to get to those utility poles there is going to have to be some access. Now all these people on my side of the street, I direct the utility people to go through their yard; you are not going through mine. That needs to be something that is put in an ordinance that if you have a utility easement the fence cannot be out to the property line, it has to stop at the easement so the utility can have access to their utilities."

Mr. Rae explained, "as a result of updating the fence and patio home ordinances, it kind of sprung off onto other updates that I have noticed in the past year of things to do and I believe that is because our ordinance has not been updated in some time."

Section 6 – Schedule of District Regulations needed to be updated with the following:

- Update List of Districts
- Referring specific district regulations to Section 7 for Supplementary District Regulations (i.e. Fence Ordinance)
- Remove reference to "signs" in the permitted use table.
- Clarifying site plan requirements for multi-family and non-residential uses.
- Added "Clinic or office, medical" to C-O zoning district.
- Added "Automobile parking lot or structured parking" to C-O zoning district.

- Moved "Institution, nonresidential" to Section 8 for Specific Use Permits.
- Added "Contractors or construction offices, without outdoor storage: to permitted list for C-2.
- Updated list of permitted uses in M-1, M-1.5 and M-2 for consistency.
- Updated Section numbering for the Overlay Districts.

Section 7 – Supplementary District Regulations

- Updated regulation that an accessory building is to be 25' setback from side street to 10' (subject to fence ordinance update)
- Combining items related to the Central Business District into one section.
- Update to special setback streets:
  - Add Crockett, Moore Street, FM 691, Flanary Road, Friendship Road, Park Avenue and Quail Run Road.
  - Remove 200 Block of South Elm & 200 Block West Jones
  - Revise Houston, Lamar and Travis limits to not include downtown core (Central Business District)
- Signs:
  - Add detail to digital/LED sign requirements. Same details as required for digital billboards.
  - Specify that "no off-premise advertising is allowed"

Section 8 – Administration and Enforcement

- Update Temporary Use Permits
  - Add "Tents, Season Retail" as a Temporary Use
  - Add parking requirement of 2 space for each snow cone stand
  - Change time limit from 12 months to 6 months for Temporary Use Permits

Mr. Rae explained to the City Attorney, "in some cases such as batch plants we have approved them for 3 years or the life of the project and on the case of the model homes where they wanted to be extended; is that something that the Board of Adjustments could extend."

Mr. Pittman stated, "we probably should have language that says the board has the authority to grant a longer period of time on a case by case basis or if the ordinance allows staff to approve those for a longer period of time."

Mr. Rae explained, "currently we do not have that language in our ordinance. The Board of Adjustments has to approve all Temporary Use Permits."

- Update Specific Use Permit List

- Update "Contractors or construction office" to add "…with outside storage" and make it permitted "without storage" in C-2 District
- Add electric power substation or generating including ground-mounted solar and wind for public utility
- Add "Institution, non-residential" to the SUP list.
- Remove reference to "Shipping Containers" under "storage and shipping containers" and rename "Outdoor storage" for consistency
- Add wholesale for construction and building materials.

Mr. Rae explained, "we have gotten a lot of complaints about the number of shipping containers that are in the City. Our recommendation is to move shipping containers from the SUP list to the Temporary Use Permit list. The purpose for this would be hopefully if there are shipping containers being used and it is temporary and it would only be a requirement to go to the Board of Adjustments to get that approval and there would be a time limit that we could enforce."

Chairman Mahone stated, "it does make sense to have a Temporary Use Permit for shipping containers, we don't want them to be there forever."

Mr. Rae explained, "there is a house on Ross that has a shipping container in their driveway; it looks permanent. When I was driving past, it looked like a child was going to the shipping container to get whatever was needed out of there. If we had to enforce that now, we would tell them they could remove it or come in for a Specific Use Permit and it may not be allowed in an R-1 (One-Family Residential) District, so it wouldn't even be allowed. This gives us a little bit more teeth."

- Update Temporary Use Permits – Shipping Containers
  - Add "Portable Storage Containers" as a Temporary Use
  - Add reference to portable storage containers may be allowed without a TUP on properties with active building permits.

Section 15 – Penalties for Violation
- Increase penalty form $500 to $2,000 to match State Law.

Section 16 – Definitions
- Add definitions form Section 7 (15)
- Add definitions for Building Area

Exhibit A-1 Matrix of Permitted Uses

- **Updated the matrix to reflect the permitted uses, temporary uses, and specific uses identified in Section 6 and 8.**

No other citizens appeared before the Planning and Zoning Commission to discuss the Draft Ordinance Updates.

Chairman Mahone stated, "I see three sections, patio homes, fence ordinance and general zoning ordinance updates. We will address those one at time. For patio homes we need some kind of recommendation. There are two main issues the open space and maximum lot coverage."

Commission Member Manley stated, "in general we wanted to discourage ability to find loop holes."

Chairman Mahone thought it should be something in line with it should be triggered at a certain number, I suggest 5 lots, after 5 lots, it is a flat percentage of the total acreage of the land and I suggest that flat percent should be 5%.

Mr. Rae explained, "that would be an improvement from what we current get because we get 49 lots, they just go under the threshold."

Vice-Chairman Downtain asked if they want something in there for a fee for the smaller lots in lieu of the open space.

Commission Member Davis wanted in excess of 50 lots, it automatically goes to 10%.

Vice-Chairman Downtain stated, "if you do that, you are not stacking it on the second guy to overcome what the first guy did and putting the extra 5% on him."

Commission Member Davis wanted any number of patio homes in excess of 5 requiring an open space of 5-10% percent based on the number of patio homes.

Mr. Rae stated, "I would rather have a specific number if it is 5% or 10% or somewhere in between."

Commission Member Davis wanted to start at 5 and up.

Mr. Rae explained, "after this meeting we are going to update the ordinance on the motion or your comments and that draft ordinance is going to be included in the packet for approval for the May 17, 2021 City Council Meeting."

Commission Member Whitaker asked if there was enough time to gather information what other cities have done and tweak the language.

Chairman Mahone stated, "we would not have enough time to come back to vote on it."

Mr. Rae asked Chairman Mahone if he was wanting an open space requirement for all districts, not just patio homes.

Chairman Mahone responded, "I'm talking about just patio homes.

Vice-Chairman Downtain stated, "I think dealing with just 5 or 6 lots, if now you have to have a Homeowner's Association to maintain some common green space."

Commission Member Davis stated, "we have talked about them but we haven't required a Homeowner's Association."

Vice-Chairman Downtain asked who is going to maintain that green space.

Commission Member Manley thought the draft ordinance required an HOA.

Vice-Chairman Downtain stated, "my point is it would be such a small amount of land."

Chairman Mahone asked if they could legally require an HOA. If they don't have an HOA and the open space is not maintained; no one is going to want to live there.

Vice-Chairman Downtain stated, "I just think there is a whole another complexity coming in."

Commission Member Blagg stated, "the City does not want to take on the cost of mowing the open space so the HOA will have to."

Commission Member Manley stated, "it says maintenance requirements for common areas are property owners association is required or continued maintenance of common land and facilities."

Mr. Rae explained, "that is in our current ordinance."

Mr. Lee explained, "that is not any different for detention ponds for subdivisions."

Commission Member Davis asked if that counted as open space; a dentition pond.

Commission Member Blagg responded, "no."

Mr. Rae explained, "we didn't make any changes to that statement in that subsection. That will need to be done. There are cases where we have not done that and we are taking on as a City where the developer gave the City the land to develop for a park."

Commission Member Blagg stated, "our motion could be to follow along the bullet points on pages 8 and 9 of the presentation. We still like the 50' maximum lot width for patio homes; the maximum living area of 2,500; open space we want to go to over 5 lots."

Commission Member Davis stated, "I'm fine with the lot width, anything over 5 lots."

Commission Member Blagg stated, "we like the maximum living area of 2,500."

Chairman Mahone stated, "I'm for it."

Commission Member Blagg stated, "open space we want to go to over 5 lots."

Commission Member Davis responded, "anything over 5 is to be set."

Commission Member Blagg stated, "gross platted area."

Commission Member Davis stated, "the part you can't pin down."

Commission Member Blagg asked if they could tie it to the concept plan.

Mr. Rae explained, "sometimes they don't. In the case of the Preserve, we only saw Phase II and I think we got a master Preliminary Plat of all the phases so we didn't see Phase III until after Phase II was done and they were ready to start Phase III."

Commission Member Blagg states, "that is what happens because a Developer will buy this piece of property because it is for sale, he develops it and sells lots to builders. Then he negotiates with this next land and he finally gets this deal done, he is just going to merge it into the Preserved Phase II, so I think the City can protect us from that scenario so I feel like the 5% after 5 lots does that because a Developer is not going to develop 5 lots at a time."

Commission Member Manley asked about the idea of being to forego the open space requirement and write a check instead.

Mr. Rae explained, "that would take some time."

Mr. Pittman explained, "there are two different concepts, one is open space and the other is park land dedication requirement; those are two very different animals. The cash in lieu you are describing is on the park land side."

Mr. Rae explained, "I would think of doing something not as significate as requiring a cash in lieu type of thing."

Mr. Pittman explained, "there are some constitutional issues with park land dedication requirements in cash in lieu."

Mr. Rae explained, "I would prefer if you didn't make a recommendation on a dedication on somewhere else. I believe that may involve us pushing this back a month to show you what you have come up with as opposed to something a little bit simpler of what you have recommended for open space."

Commission Member Whitaker stated, "we may can address that at another time."

Mr. Rae explained, "that would probably be a separate zoning ordinance or subdivision ordinance that would have all of that involved in it. What I have heard is to hold patio homes over 5 units would be required to provide 5% of the gross platted area for open space. I would anticipate that what you would see is you will get one off lots in the downtown area or wherever and the larger developments would include larger than five units other places. I think that separation will work for us administratively."

Vice-Chairman Downtain stated, "or the Council could consider some number around five."

ACTION TAKEN.
Motion by Commission Member Manley recommended to the City Council to update the Draft Patio Home Ordinance with comments from this meeting to provide the open space requirement changed to 5% for developments with 5 or more patio homes, 10% with 50 or more patio homes. Second by Commission Member Whitaker.

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

Chairman Mahone asked for a motion on the fence ordinance updates. Does anyone have any problems with the side and back yards going to 8', front yards okay at 4', the spacing on the masonry columns.

Commission Member Davis stated, "the masonry columns should not exceed 24' in high visibility areas and not to

exceed 32' in the side and rear yards where they are not as visible."

Mr. Rae explained, "maybe the spacing is 24' in the front frontage and 32' on the sides and rear yard. That will make it easier for us to enforce."

Commission Member Davis stated, "I don't like the word the front because what if the front and side are a high visibility area."

Commission Member Sims stated, "street frontage."

ACTION TAKEN.
Motion by Commission Member Davis recommended to the City Council to update the Draft Fence Ordinance with the Multi-Family perimeter fence requirement to state masonry columns to be separated at 24 feet on property line facing public streets and 32 feet on other property lines. Second by Vice-Chairman Downtain.

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

Chairman Mahone asked for a motion on the other updates. I don't see anything on the other updates that I have concerns about.

Mr. Rae asked to add one thing. "I crossed out the section for Specific Use Permits for sexually oriented businesses on the list thinking that wasn't something that the board could regulate, but after talking to the City Attorney that is something that can be required as a Specific Use Permit so we are leaving that in there. I just want it in the motion so we have the permission to."

ACTION TAKEN.
Motion by Commission Member Blagg recommended to the City Council to update the additional Draft Ordinance changes and to leave the requirement for sexually oriented businesses in the Specific Use Permit list. Second by Commission Member Sims.

VOTING AYE: DAVIS, MANLEY, MAHONE, DOWNTAIN, SIMS, 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 9:33 p.m.

_____

CHAIRMAN

_____

SECRETARY

Planning & Zoning Commission and Board of Adjustments **3.**

Meeting Date: 05/18/2021

Prepared By: Patsy Reeves, Developmental Services Coordinator

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Issue:

ANNOUNCEMENTS - APPOINT ACTING SECRETARY TO THE PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENTS

List of Agenda Items:

Chapter 14, Article 14.03, Planning and Zoning Board, Section 14.03.002 Officers requires the Planning and Zoning Board elect a Secretary, Acting Secretary and such other officers as it may deem expedient. It shall be the duty of the Secretary to keep a record of all meetings and the business transacted at such meetings.

Scott Shadden who retired in January, 2021 was the former Secretary of the Planning and Zoning Commission.

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

Meeting Date: 05/18/2021

Prepared By: Patsy Reeves, Developmental Services Coordinator

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Issue:

CONSENT AGENDA (ITEMS 11, 15, 17, 20, 22 & 23)

Asterisked (*) items are considered to be routine and non-controversial items. These items will be enacted in one motion without discussion unless a Commission Member or a member of the audience requests a specific item be discussed and voted on separately prior to a motion and vote.

List of Agenda Items:

11. * 3400-3500 BLOCKS SOUTH U.S. HIGHWAY 75

The request of Sherman Crossroads, LTD (Owner) and A&W Surveying (Surveyor) concerning the property located in the 3400-3500 blocks of South U.S. Highway 75, being 5.727 acres in the Preston Kitchen Survey, Abstract No. 667 and being all of Lot 6, Block 2, Sherman Crossroads, Phase II, Lots 1R-1 and 6, as follows;

Planning and Zoning Commission

Replat Sherman Crossroads, Phase II, Lots 30 and 6R-2, Block 2

15. * 900-1000 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY)

The request of SSCGC Holdings, LLC (Owner), Bluestone Partners, LLC (Developer) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 900-1000 blocks of South FM 1417 (Heritage Parkway), being 8.538 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

Planning and Zoning Commission

Final Plat approval of Heritage Court Addition

17. * 515 & 519 SOUTH FIRST STREET

The request of Earnhartbuilt, LLC (Owner), Moran Development (Developer) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 515 and 519 South First Street, being 0.402 acres in the Samuel Blagg Survey, Abstract No. 56 and being part of Block 2 of G.Y. Gray's Supplement Addition and being all of Lots 14, 15 and the North 5.333 feet of Lot 16, Block 2 except the north 8 feet of Lot 14 and all of the south 27.666 feet of Lot 16, Block 2, as follows:

Planning and Zoning Commission

Replat approval of Cunningham Place Addition.

20. * <u>1438 SOUTH WALNUT STREET</u>

The request of Jaime Antonio Sanchez (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1438 South Walnut Street, being 0.326 acres in the Samuel Blagg Survey, Abstract No. 56 and being a part of Lot 14, M.B. Moore's Addition, as follows:

Planning and Zoning Commission

Replat approval of part of Lot 14, M.B. Moore's Addition and adjoining tract of land East of said Lot 14.

22. * <u>300-1000 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY)</u>

The request of Terra Perpetua LLC (Owners), Kimley-Horn & Associates (Surveyor/Civil Engineer) and American Communities (Developer) concerning the property located in the 300-1000 Blocks East FM 1417 (Vietnam Veterans Parkway), being 62.329 acres in the Sherrod Dunman Survey Abstract No. 329, as follows:

Planning and Zoning Commission

Final Plat approval of Bel-Air Village, Phase 1

23. * <u>1406 WEST CENTER STREET</u>

The request of Eric and Kelly Popp (Owners), Underwood Drafting and Surveying (Surveyor) concerning the property located at 1406 West Center Street, being 0.463 acres in the Elizabeth Jones Survey Abstract No. 625, as follows:

Planning and Zoning Commission

Final Plat approval of Popp's Addition

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

Meeting Date: 05/18/2021

Prepared by: Patsy Reeves, Developmental 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:

515 EAST CARTER STREET

The request of Habitat for Humanity (Owner), Greg Benton (Representative) and David Baca Studio (Architect) concerning the property at 515 East Carter Street, being all of Lot 11 and the west 3' of Lot 12, Block 1, Hall & Jones Addition, containing 0.195 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Board of Adjustments

Amend a previously approved Exception under Ordinance No. 2280, Section 6.8.3, Subsection (4)(c) to allow a residential dwelling with 1,008 square foot living area in lieu of the required 1,200 square foot in an R-1 (One Family Residential) District/College Park Overlay District.

Background:

The property is located at 515 East Carter Street between East and Broughton Streets. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District. An exception to allow a residential dwelling to have 1,097 square foot living area in lieu of the required 1,200 square foot in the College Park Overlay District was approved June 16, 2020.

The property was sold to Habitat for Humanity and they would like to construct a house with 1,008 square foot living area. The house will be two-bedrooms, two-baths. The exterior will be concrete lap siding.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Habitat for Humanity (Owner)
Greg Benton (Representative)
David Baca Studio (Architect)

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:

25

Objections Received:

0

Development Review Meeting:

No

Attachments

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

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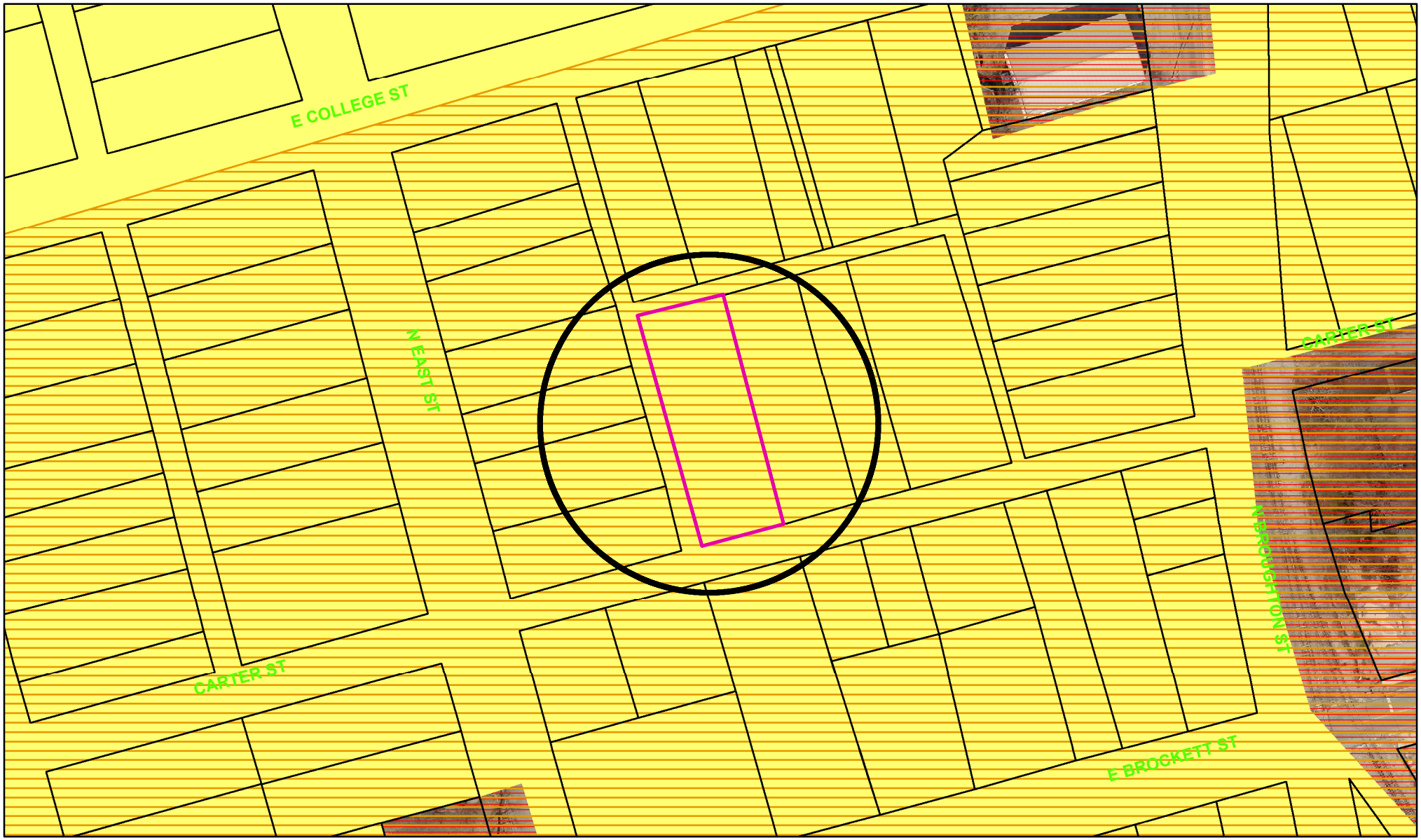
515 East Carter Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 200 ft



Zoning - 515 East Carter Street

Legend

Parcels_Buffer3

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

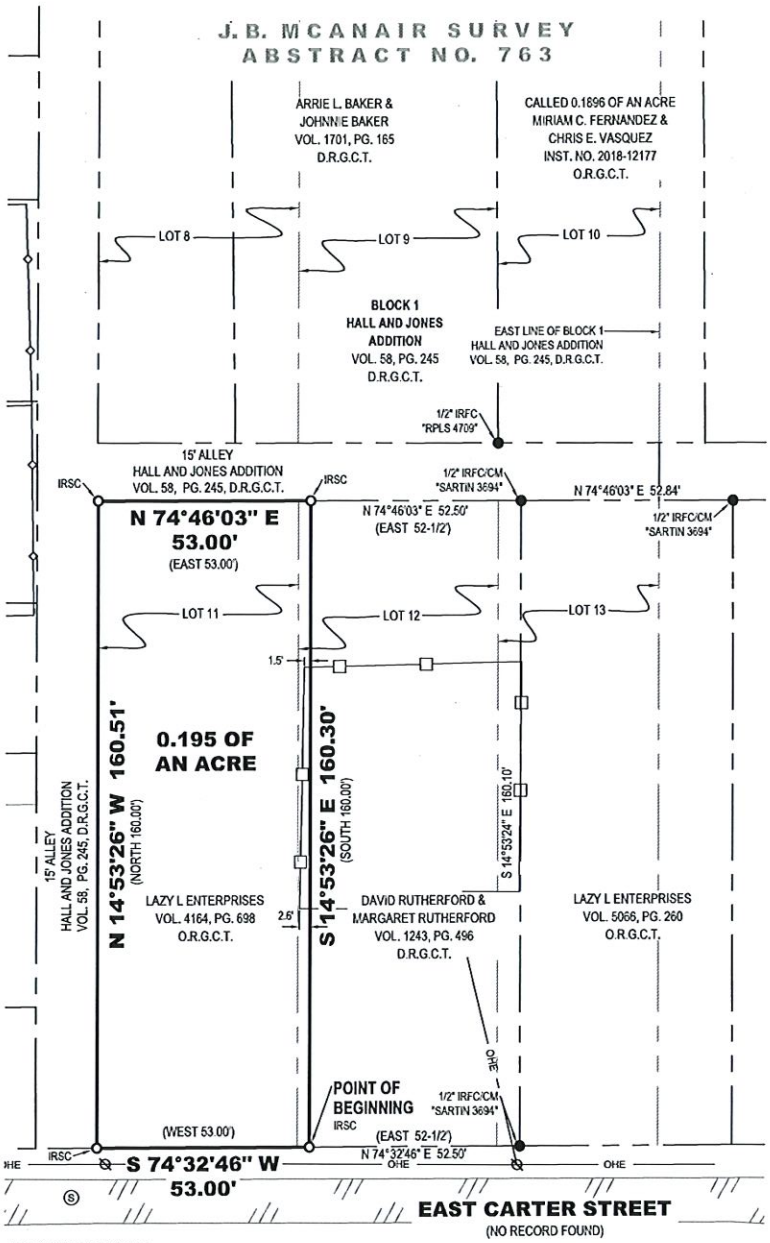
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 98 ft

515 East Carter Street



All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

LAND DESCRIPTION:

BEING all of that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being all of Lot 11 and part of Lot 12 in Block 1 of Hall and Jones Addition, according to the plat thereof recorded in Volume 58, Page 245, Deed Records of Grayson County, Texas, and being a re-tracement survey of a tract of land described in the deed to Lazy L. Enterprises, recorded in Volume 4164, Page 698, Official Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" (hereinafter referred to as Capped Iron Rod) set for the southeast corner of said Lazy L. Enterprises Tract, common to the southwest corner of a tract of land described in the deed to David Rutherford and Margaret Rutherford, recorded in Volume 1243, Page 496, said Deed Records, and on the southerly line of said Lot 12, and on the northerly line of East Carter Street (no record found), and from which a 1/2-inch iron rod with a plastic cap stamped "SARTIN 3694" found for the southeast corner of said Rutherford Tract bears North 74°32'46" East, a distance of 52.50 feet;

THENCE South 74°32'46" West, with the southerly line of said Lazy L. Enterprises Tract, and with the southerly line of said Lot 12, and with the southerly line of aforesaid Lot 11, and with the northerly line of said East Carter Street, a distance of 53.00 feet to a Capped Iron Road set for the southwest corner of said Lazy L. Enterprises Tract, and common to the southwest corner of said Lot 11, and at the intersection of the northerly line of said East Carter Street and the easterly line of 15-foot alley in aforesaid Block 1;

THENCE North 14°53'26" West, with the westerly line of said Lazy L. Enterprises Tract, and with the westerly line of said Lot 11, and with the easterly line of said 15-foot alley, a distance of 160.51 feet to a Capped Iron Rod set for the northwest corner of said Lazy L. Enterprises Tract, common to the northwest corner of said Lot 11, and at the intersection of the easterly line of said 15-foot alley and the southerly line of 15-foot alley in said Block 1;

THENCE North 74°46'03" East, with the northerly line of said Lazy L. Enterprises Tract, and with the northerly line of said Lot 11, and with the northerly line of aforesaid Lot 12, and with the southerly line of said 15-foot alley, a distance of 53.00 feet to a Capped Iron Rod set for the northeast corner of said Lazy L. Enterprises Tract, common to the northwest corner of aforesaid Rutherford Tract, and from which a 1/2-inch iron rod with a plastic cap stamped "SARTIN 3694" found for the northeast corner of said Rutherford Tract bears North 74°46'03" East, a distance of 52.50 feet;

THENCE South 14°53'26" East, with the easterly line of said Lazy L. Enterprises Tract, and with the westerly line of said Rutherford Tract, and crossing said Lot 12, a distance of 160.30 feet to the POINT OF BEGINNING and enclosing 0.195 of an acre (8,501 square feet) of land, more or less.

FLOOD STATEMENT:

I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/29/2010 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0290 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

NOTES ADDRESSING SCHEDULE 'B' EXCEPTIONS:

Only those easements and/or other matters of record, as listed in Title Commitment GF No. 316804, issued by First American Title Guaranty Company, countersigned by Chapin Title Company, with an effective date of April 12, 2020, and an issued date of April 22, 2020, and relisted below were considered for this Survey. The surveyor did not perform an abstract of title.

1. The surveyed property is subject to restrictive covenants recorded in Volume 4138, Page 557, of the Official Public Records of Grayson County, Texas.

Certify to: Habitat for Humanity of Grayson County, Lazy L. Enterprises, First American Title Guaranty Company, Chapin Title Company;

I, Chris R. Noah, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey has been prepared from an actual on-the-ground survey of the premises depicted hereon and described in the land description attached hereto, conducted under my direction and supervision on 05/03/2020, and there are no discrepancies, conflicts, shortages in area or boundary line conflicts, or any intrusions of visible improvements from adjoining tracts, or protrusions of visible improvements onto adjoining tracts, to the best of my knowledge and belief, except as shown. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying.

Chris R. Noah, R.P.L.S. No. 6585

LEGEND

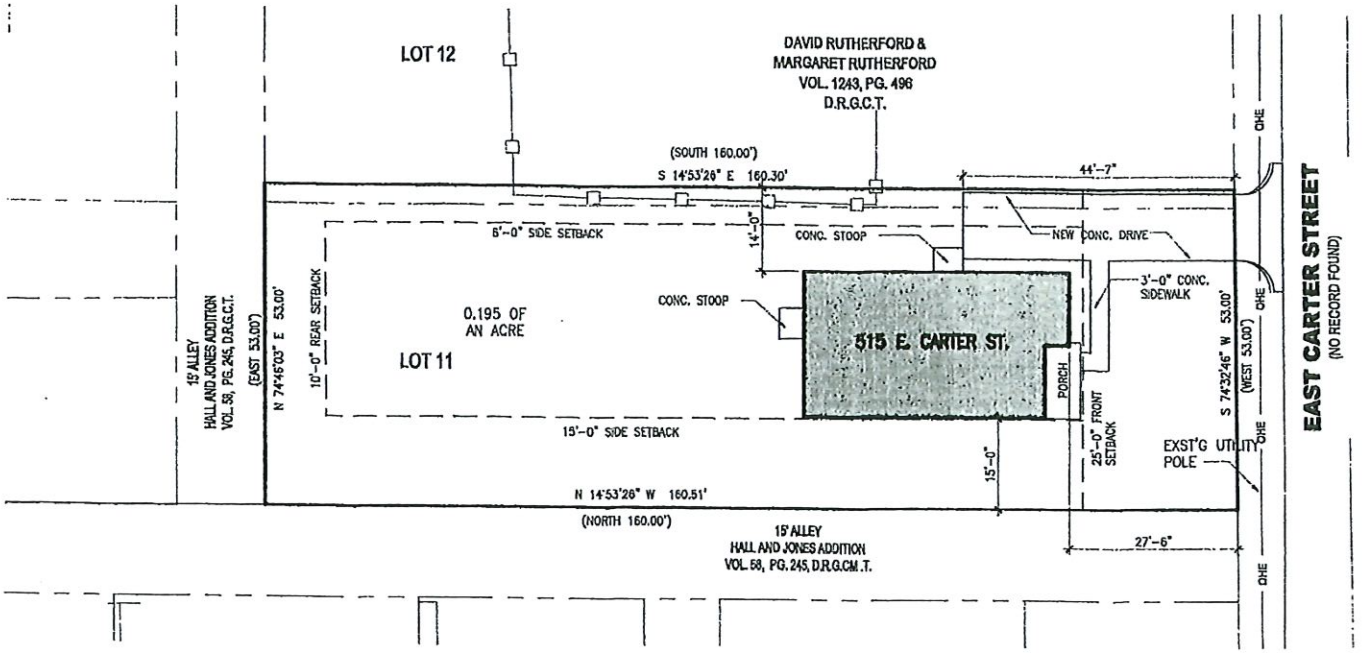
●	FOUND MONUMENT	INST. NO.	INSTRUMENT NO.
○	SET MONUMENT	CM	CONTROLLING MONUMENT
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET	⊘	UTILITY/POWER POLE
		Ⓢ	SANITARY SEWER MANHOLE
IRFC	IRON ROD FOUND W/PLASTIC CAP	———	BOUNDARY LINE
D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS	- - - -	ADJOINER LINE
		///	ASPHALT
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS	—OHE—	OVERHEAD ELECTRIC/UTILITY
		—□—	WOOD FENCE
VOL., PG.	VOLUME, PAGE	—◇—	CHAIN LINK FENCE

STATE OF TEXAS · REGISTERED · CHRIS R. NOAH 6585 · PROFESSIONAL LAND SURVEYOR

TITLE SURVEY
0.195 OF AN ACRE
HALL AND JONES ADDITION
BLOCK 1, LOT 11 & PART OF LOT 12
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
515 East Carter Street, Sherman
Grayson County, Texas

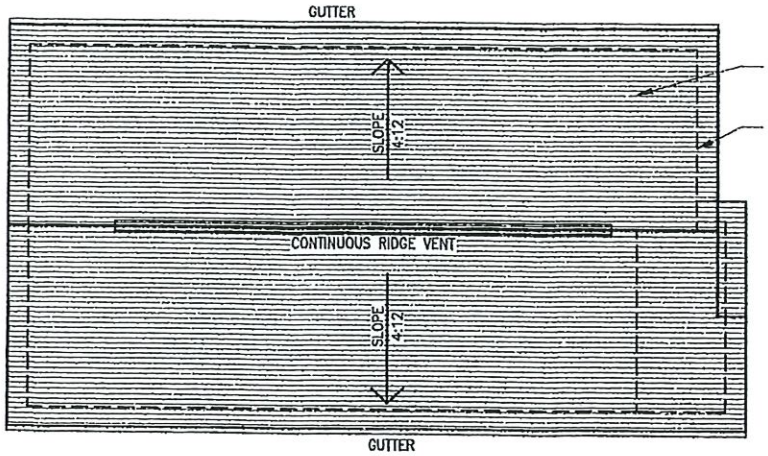
Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNH	Scale: 1"=30'	Project No. 20-0190
	Checked by: CRN	Date: 05/04/2020	Sheet No. 1 of 1



N

1 LOT PLAN
SCALE: 1" = 20'-0"



2 ROOF PLAN
SCALE: 1/8" = 1'-0"

LIST OF DRAWINGS	
A1.0	LOT & ROOF PLAN
A2.0	FLOOR PLAN & DETAILS
A3.0	EXTERIOR ELEVATIONS & DETAILS
A3.1	EXTERIOR ELEVATIONS & DETAILS
E1.0	POWER & PLUMBING PLAN
E2.0	LIGHTING PLAN

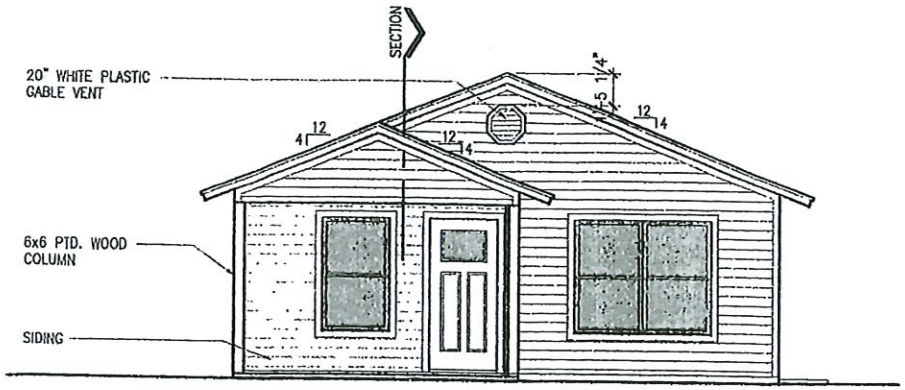
REGISTERED ARCHITECT
DAVID L. BACA
22058
STATE OF TEXAS
01.18.21

BACA
100 NORTH TRAVIS STREET
SUITE NO.500
SHERMAN, TEXAS 75090
903.893.5500
www.BACA.team

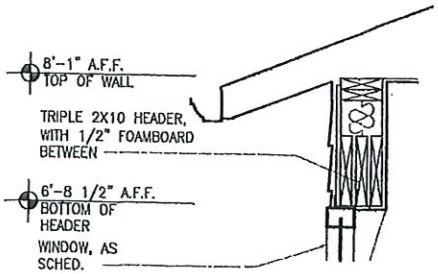
REVISIONS
NO. | DESCRIPTION | DATE

HABITAT FOR HUMANITY
515 East Carter Street
Sherman, Texas

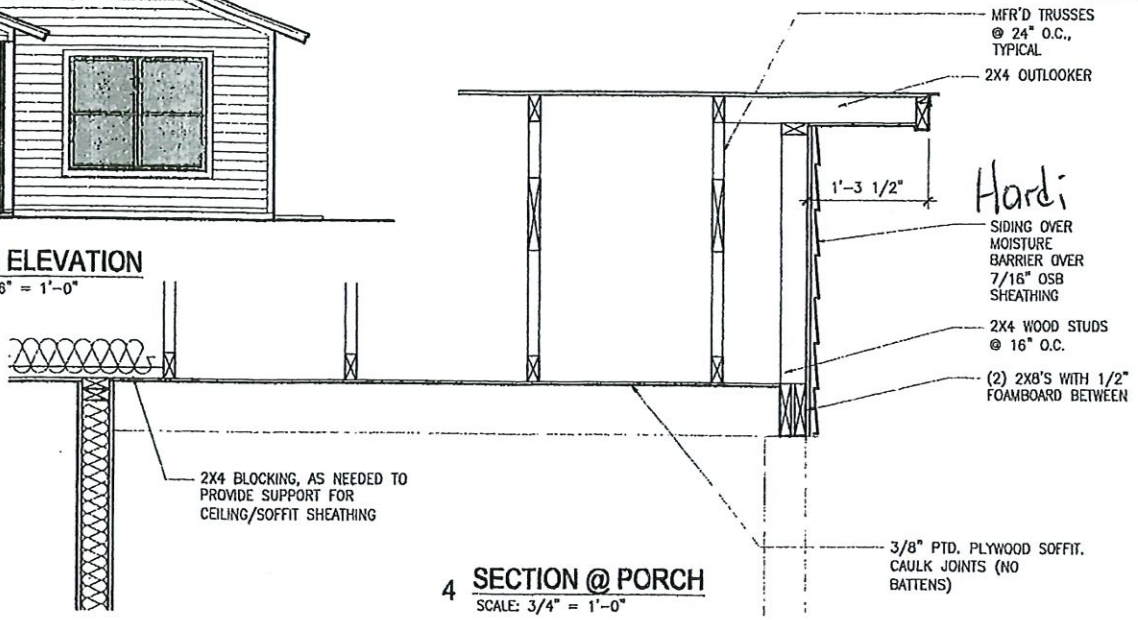
PROJECT NUMBER
2103
DATE
01.14.21
SHEET NUMBER
A1.0



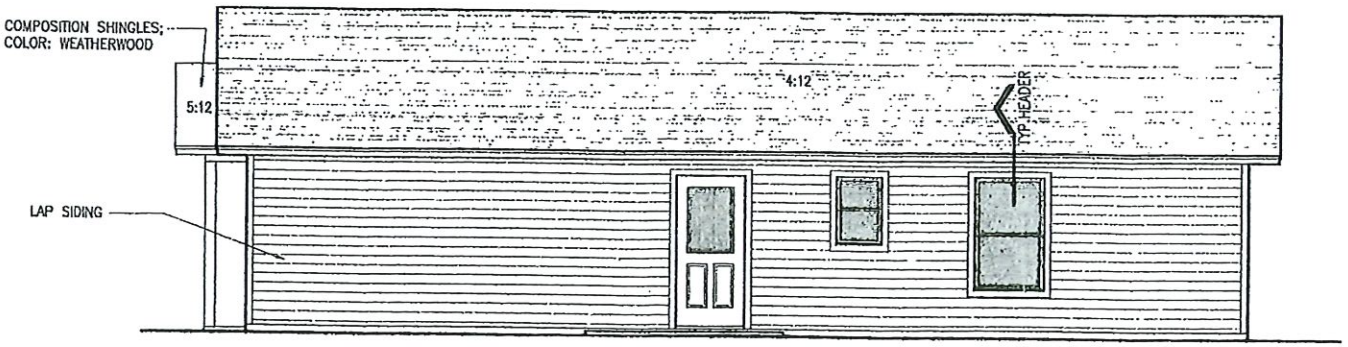
1 **SOUTH ELEVATION**
SCALE: 3/16" = 1'-0"



3 **TYP. HEADER DETAIL**
SCALE: 3/4" = 1'-0"



4 **SECTION @ PORCH**
SCALE: 3/4" = 1'-0"



2 **EAST ELEVATION**
SCALE: 3/16" = 1'-0"

REGISTERED ARCHITECT
DAVID L. BACA
22058
STATE OF TEXAS
01.18.21

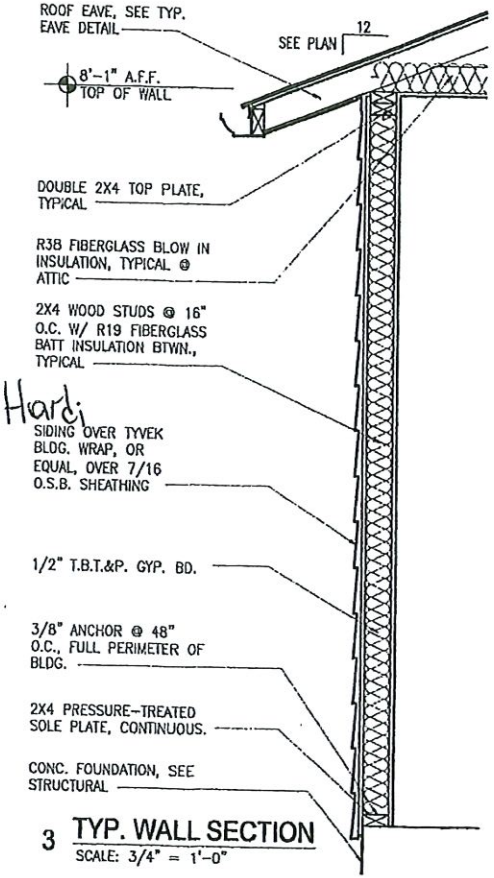
BACA
100 NORTH TRAVIS STREET
SUITE NO.500
SHERMAN, TEXAS 75090
903.893.5600
www.BACA.com

REVISIONS

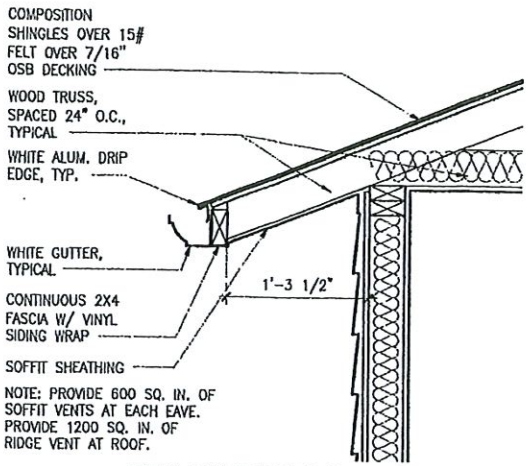
NO.	DESCRIPTION	DATE

HABITAT FOR HUMANITY
515 East Carter Street
Sherman, Texas

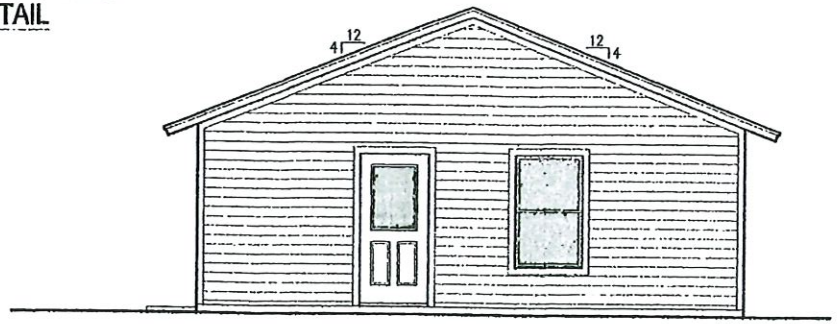
PROJECT NUMBER
2103
DATE
01.14.21
SHEET NUMBER
A3.0



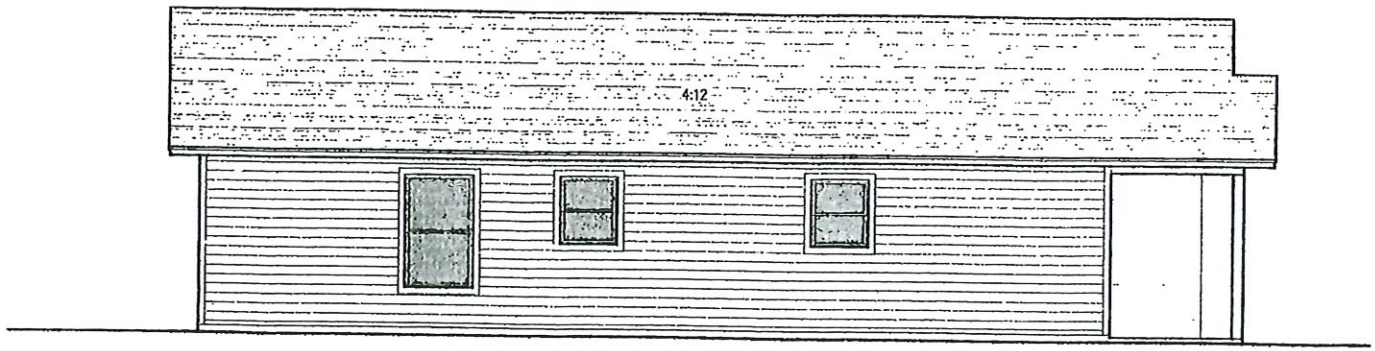
3 **TYP. WALL SECTION**
SCALE: 3/4" = 1'-0"



4 **TYP. EAVE DETAIL**
SCALE: 1" = 1'-0"



1 **NORTH ELEVATION**
SCALE: 3/16" = 1'-0"



2 **WEST ELEVATION**
SCALE: 3/16" = 1'-0"

REGISTERED ARCHITECT
DAVID L. BACA
32058
STATE OF TEXAS
01.18.21

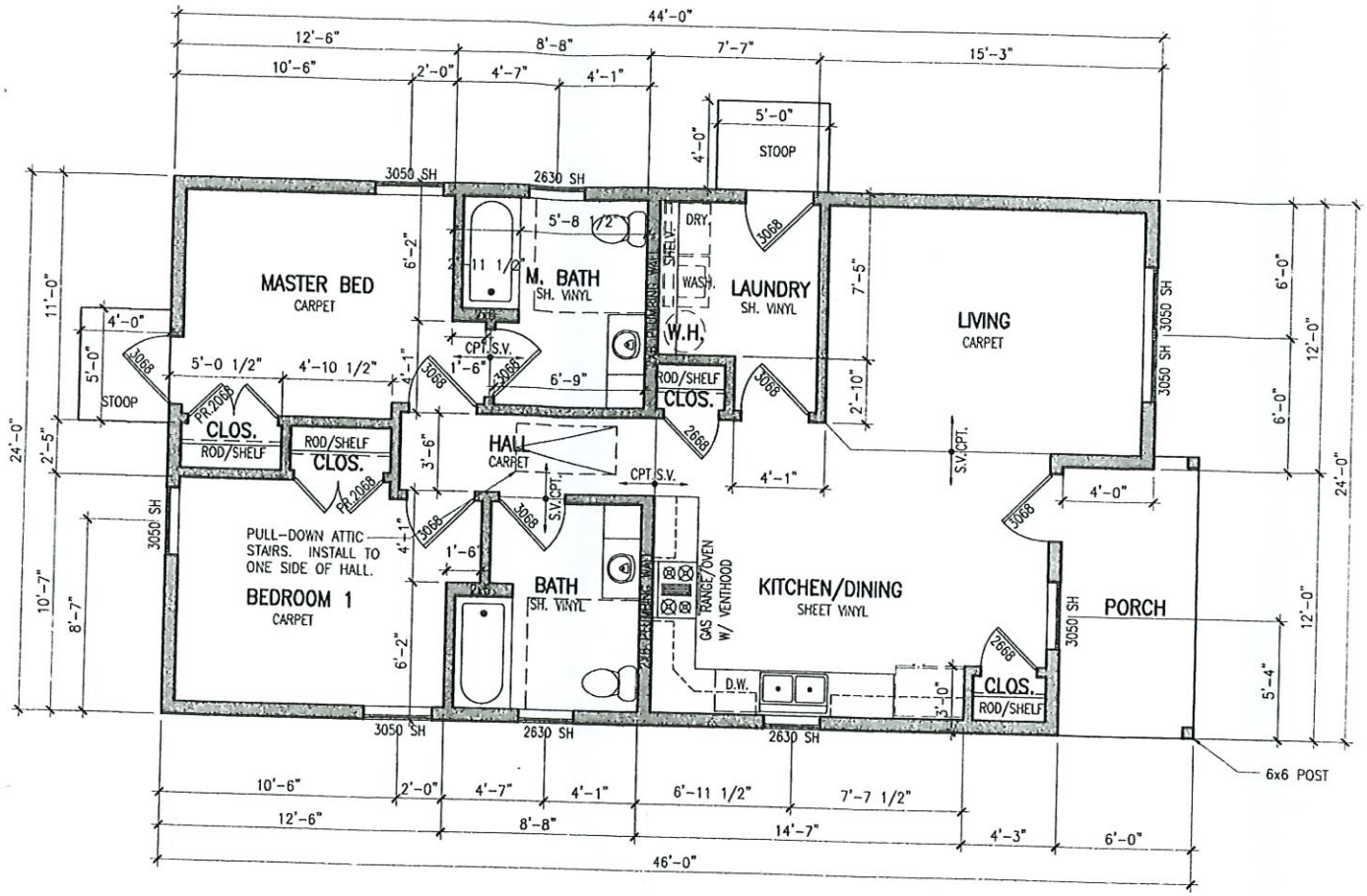
BACA
100 NORTH TRAVIS STREET
SUITE NO.500
SHERMAN, TEXAS 75090
903.893.5600
www.BACA.com

REVISIONS

NO.	DESCRIPTION	DATE

HABITAT FOR HUMANITY
515 East Carter Street
Sherman, Texas

PROJECT NUMBER
2103
DATE
01.14.21
SHEET NUMBER
A3.1



1 FLOOR PLAN
SCALE: 3/16" = 1'-0"

GENERAL FLOOR PLAN NOTES:

1. DIMENSIONS ARE FROM EDGE OF FOUNDATION TO ONE SIDE OF FINISHED WALL TO THE SAME SIDE OF THE NEXT FINISHED WALL.

2. CALLOUTS FOR DOORS AND WINDOWS ARE LISTED IN FEET & INCHES (3068 = 3'-0"X6'-8"), TYPICAL UNLESS NOTED OTHERWISE (UNO).

3. ALL WINDOWS ARE SINGLE HUNG 2 PANE VINYL WITH LOW-E GLASS (SH). ALL S.H. WINDOW HEADERS ARE AT 6'-8" AFF.

4. ALL INTERIOR WALLS ARE 2X4, UNO AT 2X6 PLUMBING WALLS. EXTERIOR WALLS ARE 2X6.

5. ALL DOORS NOT DIMENSIONED SHOULD BE LOCATED 4" FROM THE NEAREST PERPENDICULAR WALL OR CENTERED IN THE SPACE THEY SERVE

TOTAL LIVING AREA: 1,008 SQUARE FEET

REGISTERED ARCHITECT
DAVID L. BACA
22058
STATE OF TEXAS
01.18.21

BACA
100 NORTH TRAVIS STREET
SUITE NO.500
SHERMAN, TEXAS 75090
903.893.5600
www.BACA.team

REVISIONS
NO. | DESCRIPTION | DATE

HABITAT FOR HUMANITY
515 East Carter Street
Sherman, Texas

PROJECT NUMBER
2103
DATE
01.14.21
SHEET NUMBER
A2.0

floor plan

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

May 11, 2021

Habitat for Humanity
901 N. Grand Ave.
Sherman, TX 75090

David Baca Studio
100 N. Travis, Ste. 500
Sherman, TX 75090

Greg Benton
PO Box 910293
Sherman, TX 75091

Dear Applicants,

The request for an amendment of a previously approved exception under Ordinance No. 2280, Section 6.8.3, Subsection (4)(c) to allow a residential dwelling with 1,008 square foot living area in lieu of the required 1,200 square foot in an R-1 (One Family Residential) District/College Park Overlay District located at 515 East Carter Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 18, 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.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
4. Parking is permitted on paved surfaces only (concrete or asphalt).
5. All parking shall be on private property and shall not encroach into East Carter Street right-of-way.
6. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
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 subject property is required.

10. Drive approach on site plan does not meet City standard and will not be permitted. Drive approach flares must not cross property lines. *Chapter 3, Division 5, Sec. 3.10.156*
11. Drive approaches 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. *Chapter 3, Division 5, Sec. 3.10.154*
12. The City of Sherman does not maintain alleys.
13. Sanitary Sewer main lies within alley along west property line. Structures will not be permitted over easements or existing utility lines.

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
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
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: 05/18/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
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:

222 SOUTH ELM STREET

The request of Butterfly Properties V LLC (Owners), Tom Rhodes (Representative) and Copley Land Surveying (Surveyor) concerning the property at 222 South Elm Street, being Lots 2 & 4, Block 1, A.R. Loving Addition, as follows;

Board of Adjustments

Variance under Ordinance No. 2280, Section 7, Subsection (1)(3) to allow a 5' side street setback for an accessory building in lieu of the required 25' in an C-2 (General Commercial) District/Central Business District.

Planning and Zoning Commission

Site plan approval for an accessory building.

Background:

The property is located at 222 South Elm Street; the northwest corner of Elm and Jones Streets. The property is zoned a C-2 (General Commercial) District and located in the Central Business District. A Specific Use Permit to allow an Intellectual and Developmental Disabilities Facility in a C-2 (General Commercial) District/Central Business District was approved December 7, 2020 (Ord 6336). Site plan approval for an accessory building for Ambience Community Services, LLC was approved November 17, 2020.

The owner would like to construct a 14' x 32' office building on the south side of their existing building, 5' from the Jones Street property line. The exterior of the building will hardy board siding.

Adjacent Zoning:

R-2 (Multi-Family Residential) District
C-1 (Retail Business) District
C-2 (General Commercial) District
C-O (Office)

Origination:

Butterfly Properties V LLC (Owners)
Tom Rhodes (Representative)
Copley Land Surveying (Surveyor)

Master Plan Designation:

Urban/Downtown – Buildings are two to five stories and are built right up to the sidewalk, creating a sense of enclosure. Sidewalks provide pedestrian access and streetscape amenities. Parking is available along the street or in small parking lots in the rear of the buildings. A Specific Use Permit to allow an Intellectual and Developmental Disabilities Facility was approved November 17, 2020

Number of notices mailed:

13

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Building Elevations
Photos of Existing Accessory Building
Staff Review Letter

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

222 South Elm Street

NOT TO SCALE

1 in = 300 ft

Zoning - 222 South Elm 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

ImageGIS.DBO.ORTHOS_2020
RGB
- Red: Band_1
- Green: Band_2
- Blue: Band_3

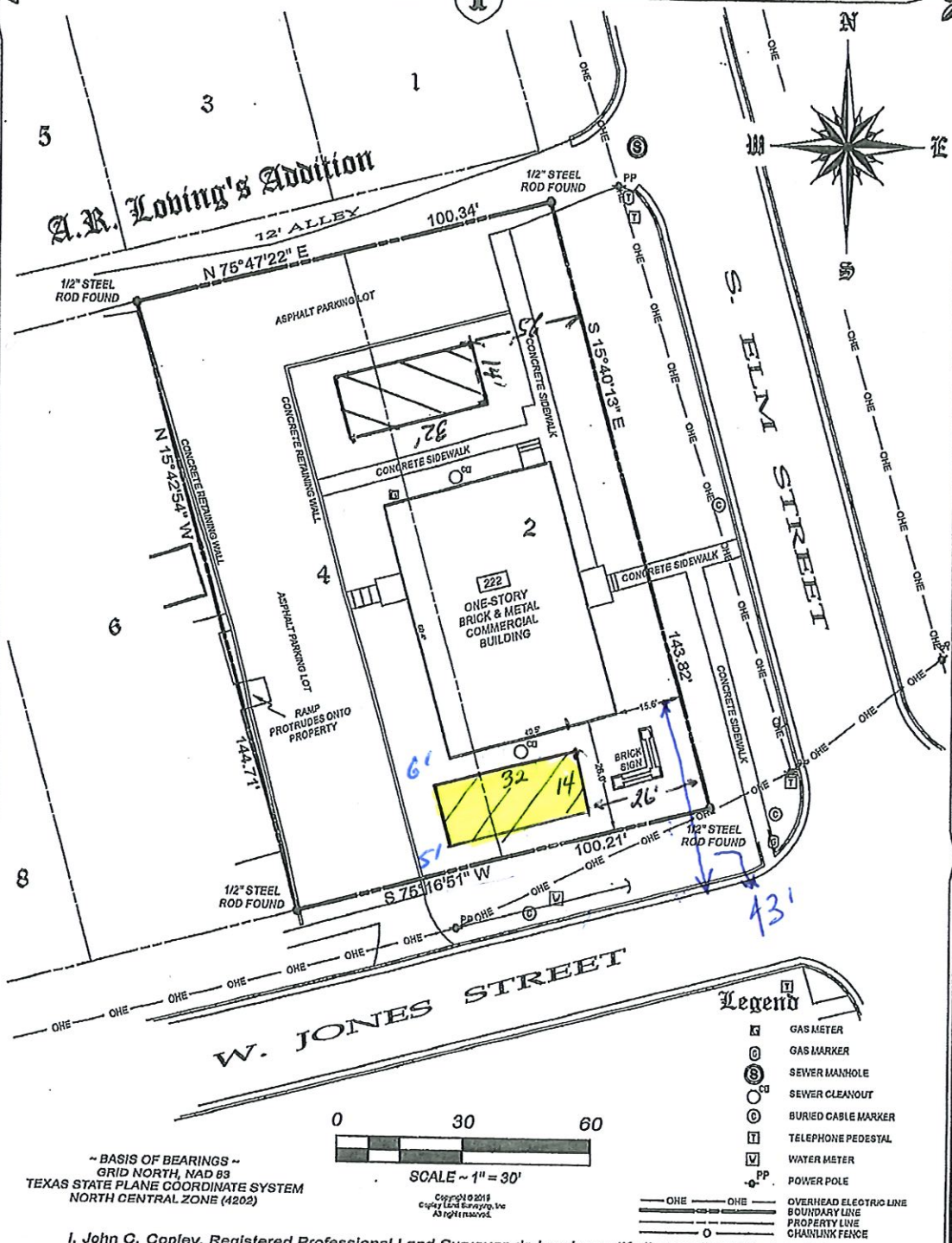
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

222 South Elm Street



0 30 60

SCALE ~ 1" = 30'

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)

Copyright © 2019
Copley Land Surveying, Inc
All rights reserved.

Legend

- GAS METER
- GAS MARKER
- SEWER MANHOLE
- SEWER CLEANOUT
- BURIED CABLE MARKER
- TELEPHONE PEDESTAL
- WATER METER
- POWER POLE
- OVERHEAD ELECTRIC LINE
- BOUNDARY LINE
- PROPERTY LINE
- CHAINLINK FENCE

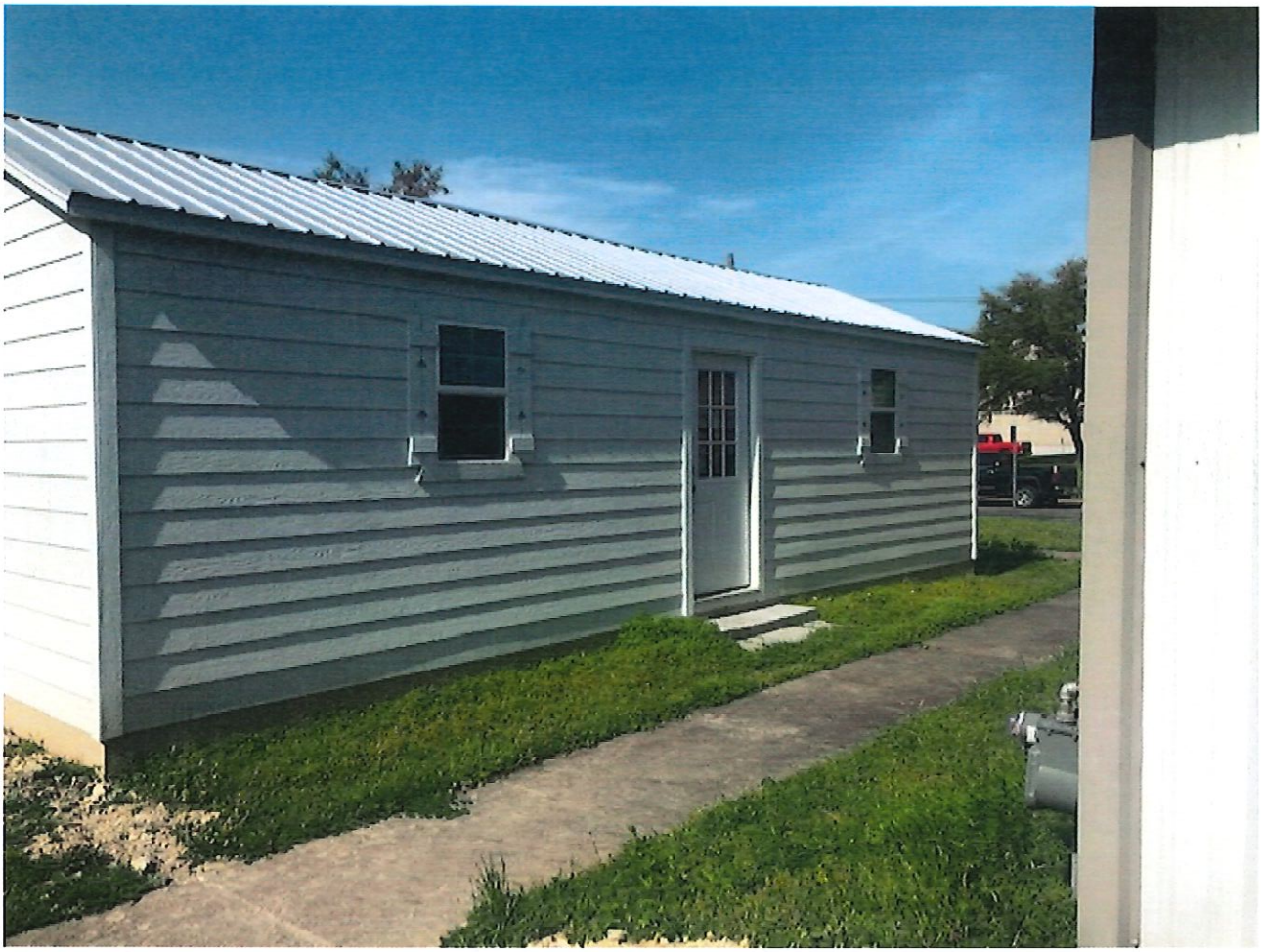
I, John C. Copley, Registered Professional Land Surveyor do hereby certify that on the 12th day of June 2019, a survey was made on the ground of the property shown hereon, described as Lots 2 & 4, of the A.R. LOVING'S ADDITION, an addition to the City of Sherman, Texas, as shown by plat of record in Volume 27, Page 117, Deed Records, Grayson County, Texas, and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

The building on said lot is known as 222 S. Elm Street, Sherman, Texas, and is wholly located on said lot; there are no encroachments or protrusions from buildings on adjoining lots or tracts of land except as shown.

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429

Copley Land Surveying
198 Keefer Rd., Pottsboro, Texas 75076
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

CLS Job# 19060141



Texas law requires all license holders to provide the Information About Brokerage Services form to prospective clients.

--

Tom Rhodes
The Rhodes Group
Broker Associate

m: 214.202.7008
therhodesgroup.com

COMPASS

NEW YORK | BROOKLYN | EAST HAMPTON | BRIDGEHAMPTON | SOUTHAMPTON | SAG HARBOR | WASHINGTON DC | CHEVY CHASE | ARLINGTON | MCLEAN | BOSTON | CAMBRIDGE | MIAMI | COCONUT GROVE | BEVERLY HILLS | MALIBU | PASADENA | MONTECITO | SANTA BARBARA | BASALT | ASPEN | SAN FRANCISCO | NEWPORT BEACH | NAPLES | CHICAGO | DALLAS

If you want to go fast, go alone.

If you want to go far, go with others

Life is not a journey to the grave with the intention
of arriving safely in a pretty and well preserved body,
but rather to skid in broadside, thoroughly used up,
totally worn out, and loudly proclaiming..."Wow, what a ride"

Subject: Elm
From: "Tom Rhodes" <tom@therhodesgroup.com>
Sent: 4/14/2021 5:39:50 PM
To: "Tom Rhodes" <tom@therhodesgroup.com>;

May 12, 2021 at 3:10 P

May 12, 2021 at 3:08 P

May 12, 2021 at 3:09 P

May 12, 2021 at 3:09 P

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

May 11, 2021

Tom Rhodes
3517 Drexel Dr.
Dallas, TX 75205

Dear Applicants,

The request for Site plan approval for an accessory building located at 222 South Elm Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 18, 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 C-2 (General Commercial) District, the Central Business District, the Sign Ordinance, the Fence Ordinance and the Commercial Tree and Landscaping Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking is permitted on paved surfaces only (concrete or asphalt).
4. Masonry or equivalent shall be required on all sides of all commercial buildings in the Central Business District. Masonry shall be brick, stone, EFIS (Exterior Finish Insulation System) or concrete lap siding.
5. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
6. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
7. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

8. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Chapter 3, Division 5, Sec. 3.10.154*
9. The City of Sherman does not maintain alleys.

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
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
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 **9.**

Meeting Date: 05/18/2021

Prepared by: Patsy Reeves, Developmental 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:

1125 SOUTH MONTGOMERY STREET

The request of Hyperstar Inc. (Owner), Danish Samad (Representative) and Copley Land Surveying (Surveyor) concerning the property located at 1125 South Montgomery Street, being Lot 7, Block 7, Jones & Wainright's Addition, as follows:

Planning and Zoning Commission

Zone change and site plan approval 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 1125 South Montgomery Street between Kentucky and Rosedale Streets. The property is zoned a C-1 (Retail Business) District. The owner would like to change the zoning on the property to an R-1 (One Family Residential) District to construct a residential dwelling on the lot.

Adjacent Zoning:

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

Origination:

Hyperstar Inc. (Owner)
Danish Samad (Representative)
Copley Land Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

23

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey
Staff Review Letter

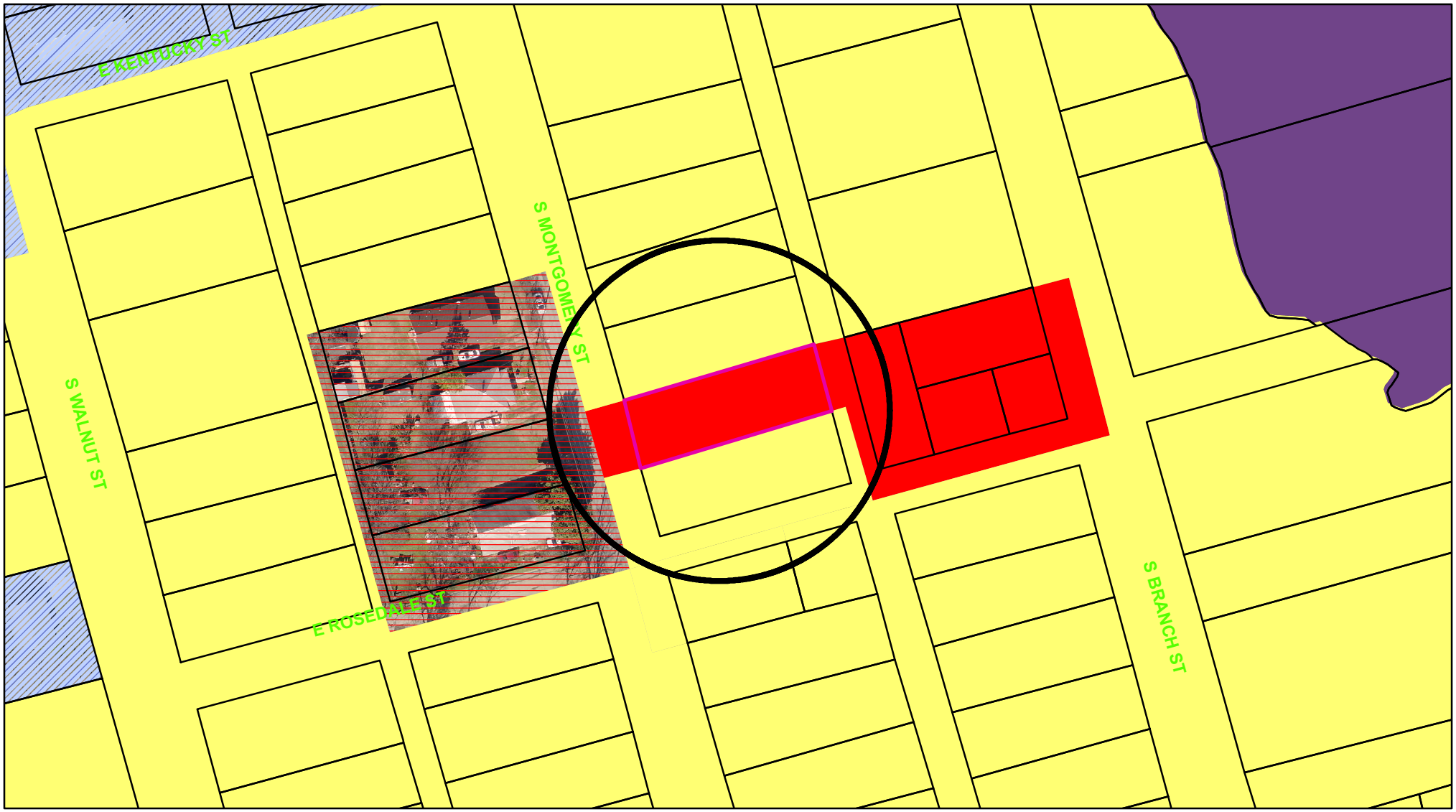
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

1125 South Montgomery Street

NOT TO SCALE

1 in = 100 ft



Zoning - 1125 South Montgomery 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
Developmental Services Department

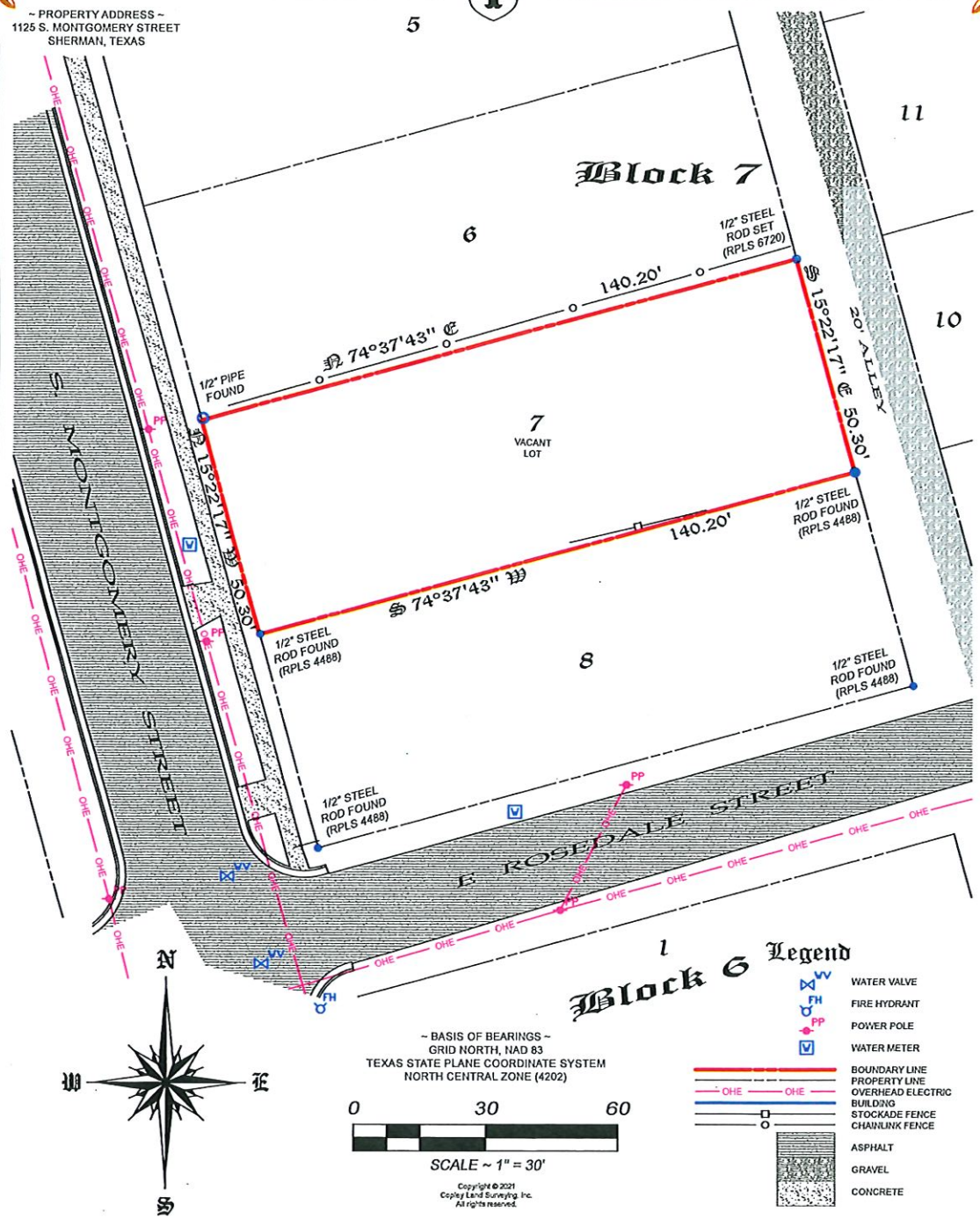
NOT TO SCALE

1 in = 100 ft

1125 South Montgomery Street

1125 S MONTGOMERY ST, SHERMAN, TX 75090

~ PROPERTY ADDRESS ~
1125 S. MONTGOMERY STREET
SHERMAN, TEXAS



~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)

0 30 60

SCALE ~ 1" = 30'

Legend

- WV WATER VALVE
- FH FIRE HYDRANT
- PP POWER POLE
- WATER METER
- BOUNDARY LINE
- PROPERTY LINE
- OHE OVERHEAD ELECTRIC
- BUILDING
- STOCKADE FENCE
- CHAINLINK FENCE
- ASPHALT
- GRAVEL
- CONCRETE

Copyright © 2021
Copley Land Surveying, Inc.
All rights reserved.

I, John C. Copley, Registered Professional Land Surveyor do hereby certify that on the 29th day of March, 2021, a survey was made on the ground of the property shown hereon, described as ***Lot 7, Block 7, JONES & WAINRIGHTS ADDITION****, an addition to the City of Sherman, Texas, as shown by plat of record in Volume 35, Page 96, Deed Records, Grayson County, Texas and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.*

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429

STATE OF TEXAS
REGISTERED
JOHN C. COPLEY
6720
PROFESSIONAL
LAND SURVEYOR

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

CLS Job# 21030166

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

May 11, 2021

Hyperstar Inc.
Danish Samad
115 S. Travis, Ste. 310
Sherman, TX 75090

Copley Land Surveying
1702 Verdi Ln.
Sherman, TX 75090

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 1125 South Montgomery Elm Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 18, 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.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking is permitted on paved surfaces only (concrete or asphalt).
4. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
5. All parking shall be on private property and shall not encroach into the right-of-way.
6. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
7. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

8. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Chapter 3, Division 5, Sec. 3.10.154*
9. The City of Sherman does not maintain alleys.

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
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
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: 05/18/2021

Prepared by: Patsy Reeves, Developmental 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:

809 EAST JONES STREET

The request of Rosewell Properties, LLC (Owner) and Copley Land Surveying (Surveyor) concerning the property located at 809 East Jones Street, being all of Lots 15, 16, 17 and 18 of Mrs. H.M. Summer's First Addition, as follows;

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.2, Subsection (1) to allow two 50' wide lots in lieu of the required 60' lot widths in the proposed Replat of Lot 15R and 17R of the Replat of Lots 15, 16, 17 & 18 of Mrs. H.M. Summer's First Addition in an R-1 (One-Family Residential) District.

Planning and Zoning Commission

Replat Lots 15, 16, 17 & 18 of Mrs. H.M. Summer's First Addition

Background:

The property is located at 809 East Jones Street between Maxey and Willow Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into two 50' wide lots for residential development.

Adjacent Zoning:

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

Origination:

Rosewell Properties, LLC (Owner)
Copley Land Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

33

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Mrs. H.M. Summer's First Addition Replat Lots 15-18

Staff Review Letter

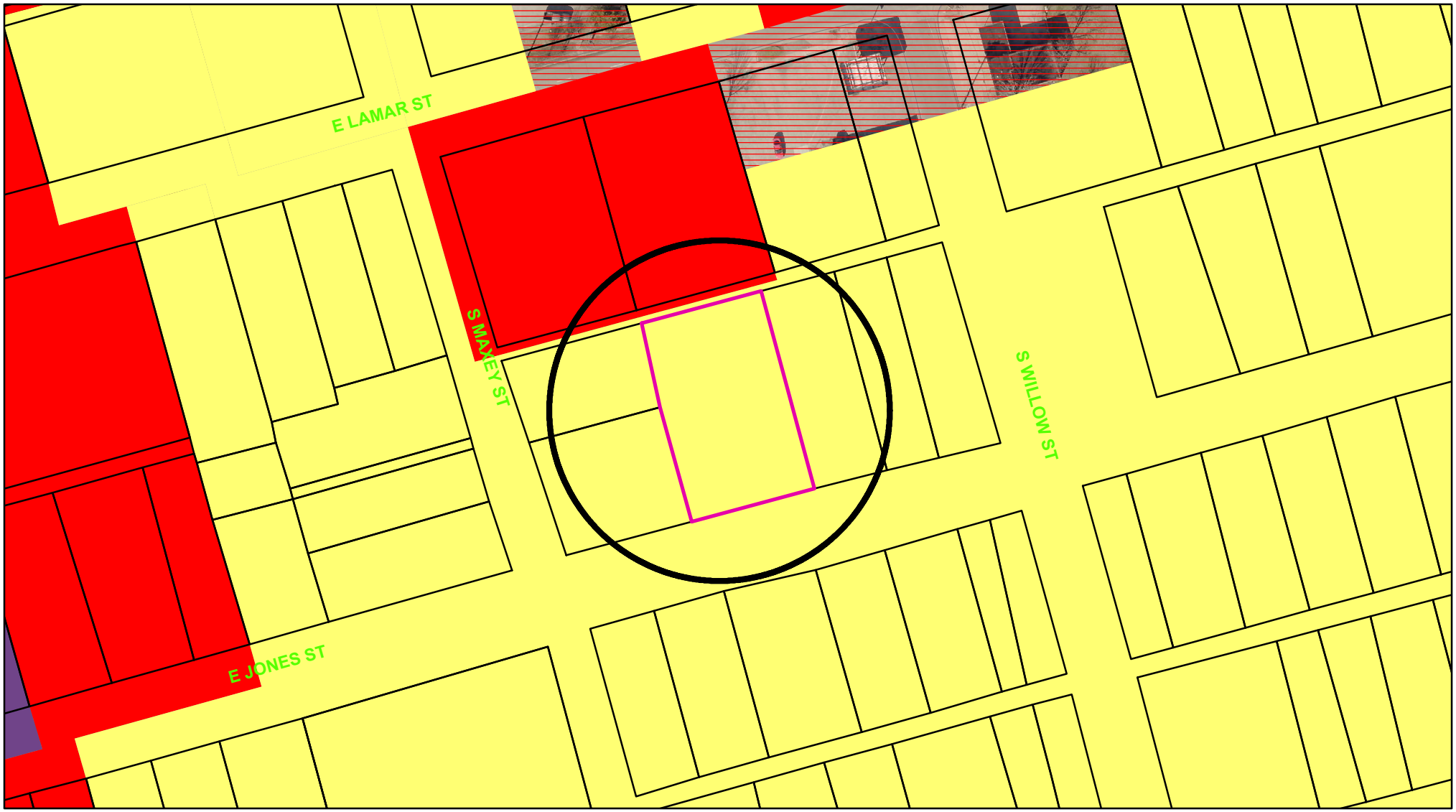
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

809 East Jones Street

NOT TO SCALE

1 in = 100 ft



Zoning - 809 East Jones 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

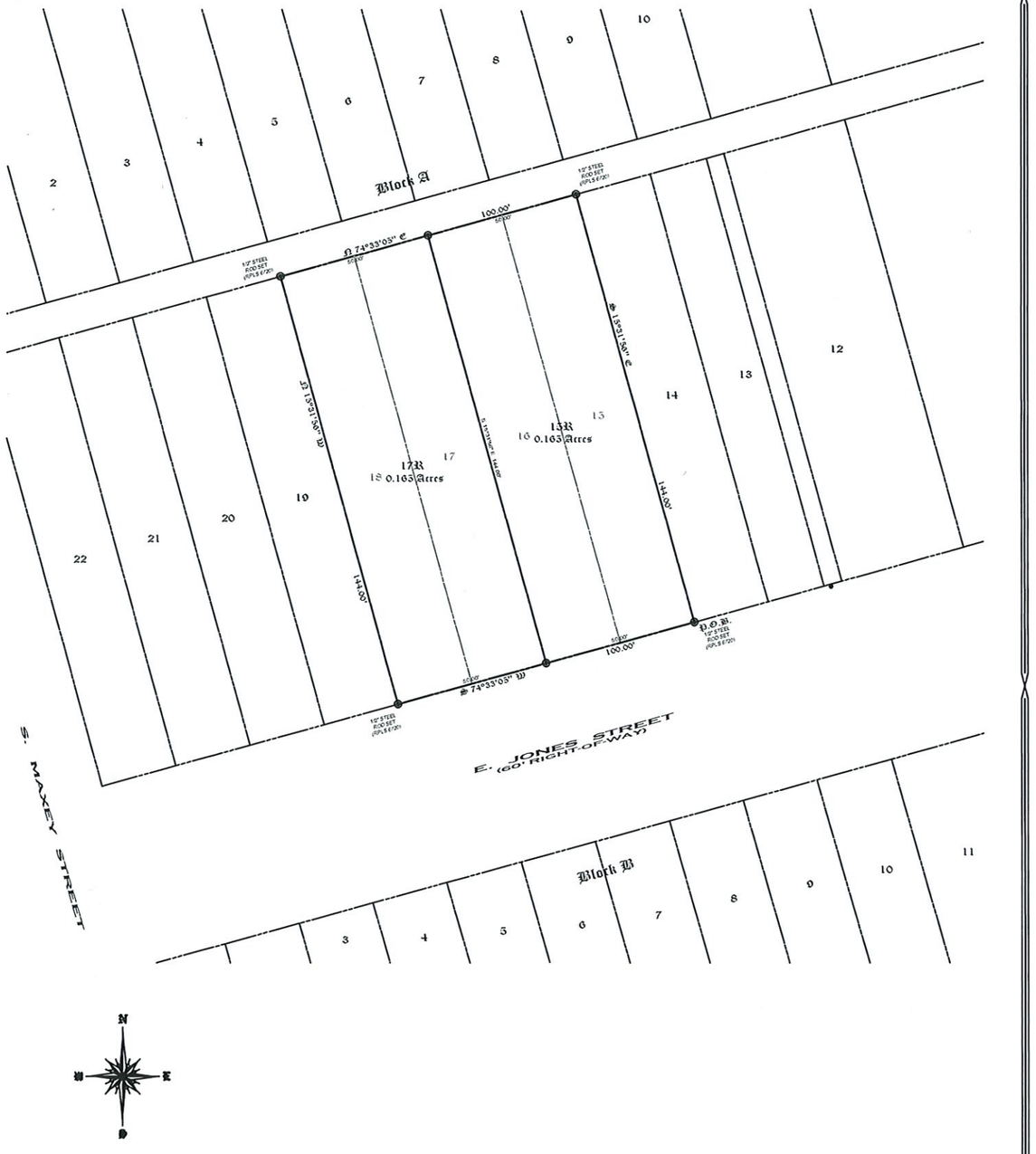
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

809 East Jones Street



~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)

0 20 40
SCALE - 1" = 20'

Replat of
Lots 15, 16, 17 & 18 of Mrs. H.M. Summer's First Addition
an addition to the City of Sherman Grayson County, Texas

3/17/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0043, OK 580-080-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
ROSEWELL PROPERTIES, LLC
7613 OAK CREST DRIVE
FRISCO, TEXAS

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN
SHERMAN, TEXAS

CLS Job# 210301473

Legal Description

Situated *in the City of Sherman, County of Grayson, State of Texas, being all of Lots 15, 16, 17, and 18, Block "A" of Mrs. H.M. Summer's First Addition to the City of Sherman as shown by plat of record in Volume 38, Page 627, Deed Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:*

Beginning *at a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the north line of E. Jones Street and the south line of said Block "A" for the southeast corner of Lot 15 and the southwest corner of Lot 14;*

Thence ***South 74°33'05" West****, along the north line of said E. Jones Street and the south line of said Block "A" passing a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 at a distance of 50.00 feet for the shared south corner of Lots 16 and 17 and continuing for a total distance of* ***100.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the southwest corner of Lot 18 and the southeast corner of Lot 19;*

Thence ***North 15°31'56" West****, along the west line of Lot 18 and the east line of Lot 19, a distance of* ***144.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the south line of an alley for the northwest corner of Lot 18 and the northeast corner of Lot 19;*

Thence ***North 74°33'05" East****, along the south line of said alley and the north line of Lots 15, 16, 17, & 18 passing a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 at a distance of 50.00 feet for the shared north corner of Lots 16 and 17 and continuing for total distance of* ***100.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the northeast corner of Lot 15 and the northwest corner of Lot 14;*

Thence ***South 15°31'56" East****, along the east line of Lot 15 and the west line of Lot 14, a distance of* ***144.00 feet*** *to the* ***Point-of-Beginning*** *and containing* ***0.331 acres*** *of land.*

KNOWN ALL MEN BY THESE PRESENTS:

That I, John C. Copley, 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.

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429

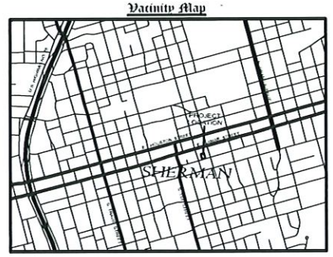
Date

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

Purpose of this plat is to combine 4 Lots into 2 Lots.

Vacinity Map



Owners Certificate & Dedication

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, ROSEWELL PROPERTIES, LLC, do hereby adopt this plat designating the hereinabove property as the Replat of LOTS 15, 16, 17 & 18 OF MRS. H.M. SUMMER'S FIRST 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 or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this ____ day of _____, 2021.

TRUSTEE

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 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

Acceptance of Dedication

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, the Replat of LOTS 15, 16, 17 & 18 OF MRS. H.M. SUMMER'S FIRST 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 in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this ____ day of _____, 2021.

Clerk, City of Sherman, Texas

Approved this ____ day of _____, 2021, by the City Planning Commission to the City of Sherman, Texas.

Chairman *Secretary*

Accepted by the City Council of the City Sherman.

Mayor, City of Sherman, Texas *Date*

Replat of
Lots 15, 16, 17 & 18 of Mrs. H.M. Summer's First Addition
an addition to the City of Sherman Grayson County, Texas
3/17/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0043, OK 580-080-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
ROSEWELL PROPERTIES, LLC
7613 OAK CREST DRIVE
FRISCO, TEXAS

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN
SHERMAN, TEXAS

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

Rosewell Properties, LLC
7613 Oak Crest Drive
Frisco, TX 75034

Copley Land Surveying
1702 Verdi Lane
Sherman, TX 75090

Dear Applicants,

The request for approval of the Replat of Lots 15, 16, 17 & 18 of Mrs. H.M. Sumner's First Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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. Show zip code on Owner/Developer and Surveyor blocks.
2. Replat name to be changed to read "Replat Lots 15, 16, 17, & 18 of Mrs. H.M. Sumner's First Addition to reflect original plat recorded in Vol. 38, Page 627.
3. Change all references to Summer's First Addition to Sumner's First Addition to reflect original plat recorded in Vol. 38, Pg. 627.
4. Addition Name, surrounding plat references, and calls must be in Arial, Calibri, or Times New Roman font. *Chapter 10.05, Exhibit A, Section 6(B)*
5. Metes and bounds do not match drawing.
6. Show a minimum of three (3) found monuments on drawing.
7. Dedicate 10' Utility Easement along E. Jones Street frontage.
8. Remove Direction (E.) from Jones Street and (S.) from Maxey Street on drawing.
9. Show pavement width for Maxey and Jones Streets on drawing.
10. Show alley width on drawing.
11. Minimum lot width at property line is 60 feet. Variance required for all lots not meeting 60 feet. *Chapter 14, Sec. 6.1.1*
12. The City of Sherman does not maintain alleys.
13. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Chapter 3, Division 5, Sec. 3.10.154*
14. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
15. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.

16. 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. *Chapter 10, 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 **11.**

Meeting Date: 05/18/2021

Prepared by: Patsy Reeves, Developmental 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:

*** 3400-3500 BLOCKS SOUTH U.S. HIGHWAY 75**

The request of Sherman Crossroads, LTD (Owner) and A&W Surveying (Surveyor) concerning the property located in the 3400-3500 blocks of South U.S. Highway 75, being 5.727 acres in the Preston Kitchen Survey, Abstract No. 667 and being all of Lot 6, Block 2, Sherman Crossroads, Phase II, Lots 1R-1 and 6, as follows;

Planning and Zoning Commission

Replat Sherman Crossroads, Phase II, Lots 30 and 6R-2, Block 2

Background:

The property is located in the 3400-3500 blocks of South U.S. Highway 75 between West Travis Street and FM 1417. The property is zoned Blalock Industrial Park and located in the Blalock Commercial Overlay District. The owner would like to Replat the property into two lots for commercial development and dedicate right-of-way for Aston Drive.

Adjacent Zoning:

Blalock Industrial Park
Blalock Commercial Overlay District

Origination:

Sherman Crossroads, LTD (Owner)
A&W Surveying (Surveyor)

Master Plan Designation:

Suburban Commercial - Suburban character primarily from reduced site coverage relative to more auto-oriented commercial development. Especially at key community entries and along high-profile corridors, may also involve other criteria to yield less intensive and more attractive development outcomes relative to auto-oriented areas, including higher standards for landscaping (along street frontages and within parking areas), signs, and building design. Range of commercial retail and service uses, at varying scales and intensities depending on the site.

Number of notices mailed:

Not required.

Objections Received:

0

Development Review Meeting:

No

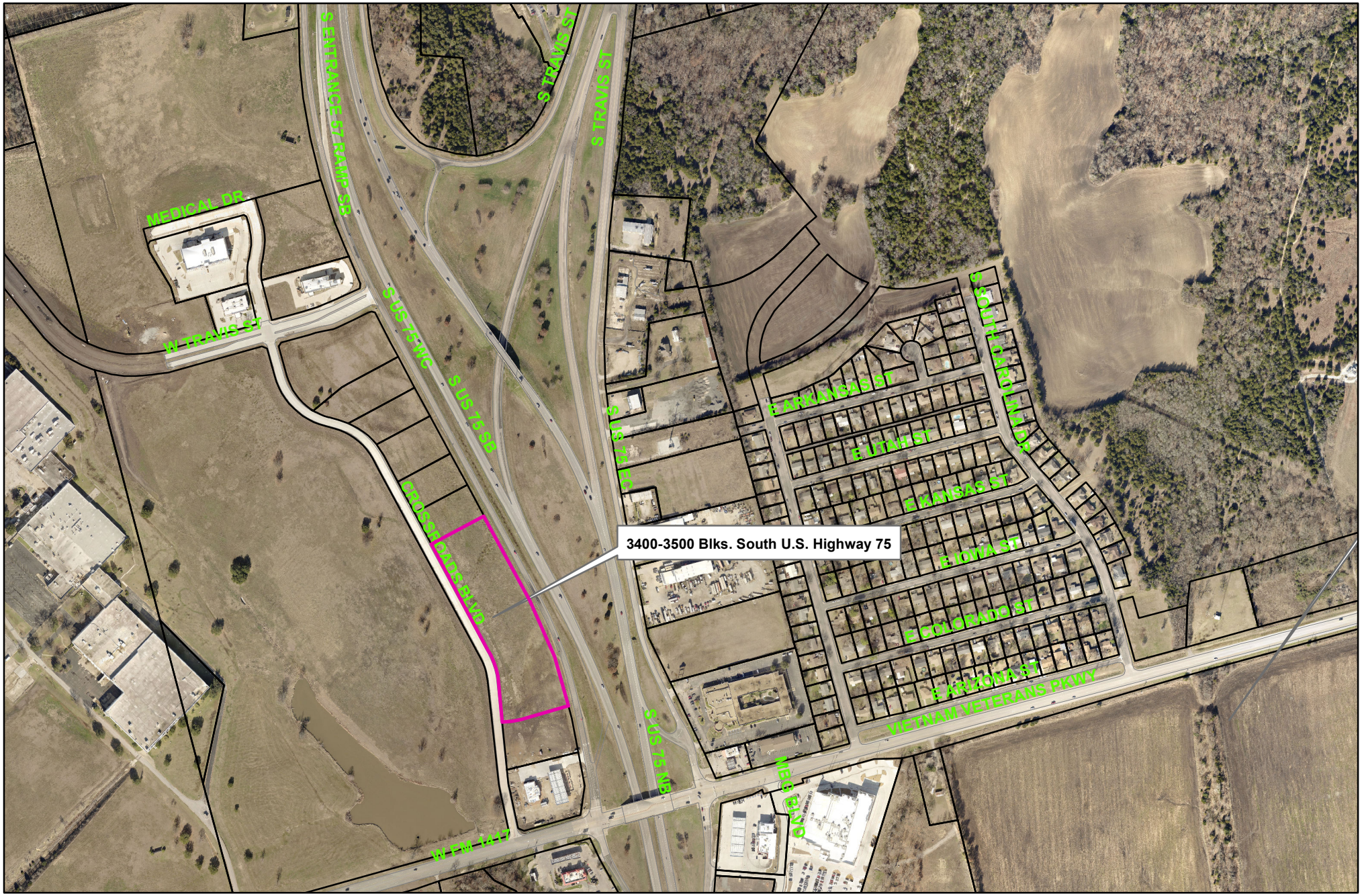
Attachments

Location Map

Zoning Map

Sherman Crossroad Phase II Replat Lots 30 & 6R-2, Blk 2

Staff Review Letter



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

3400-3500 Blocks South U.S. Highway 75

NOT TO SCALE

1 in = 587 ft

Zoning - 3400-3500 Blocks South U.S. Highway 75

Legend

Special Districts Overlay

DISTRICT_NAME

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

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

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

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

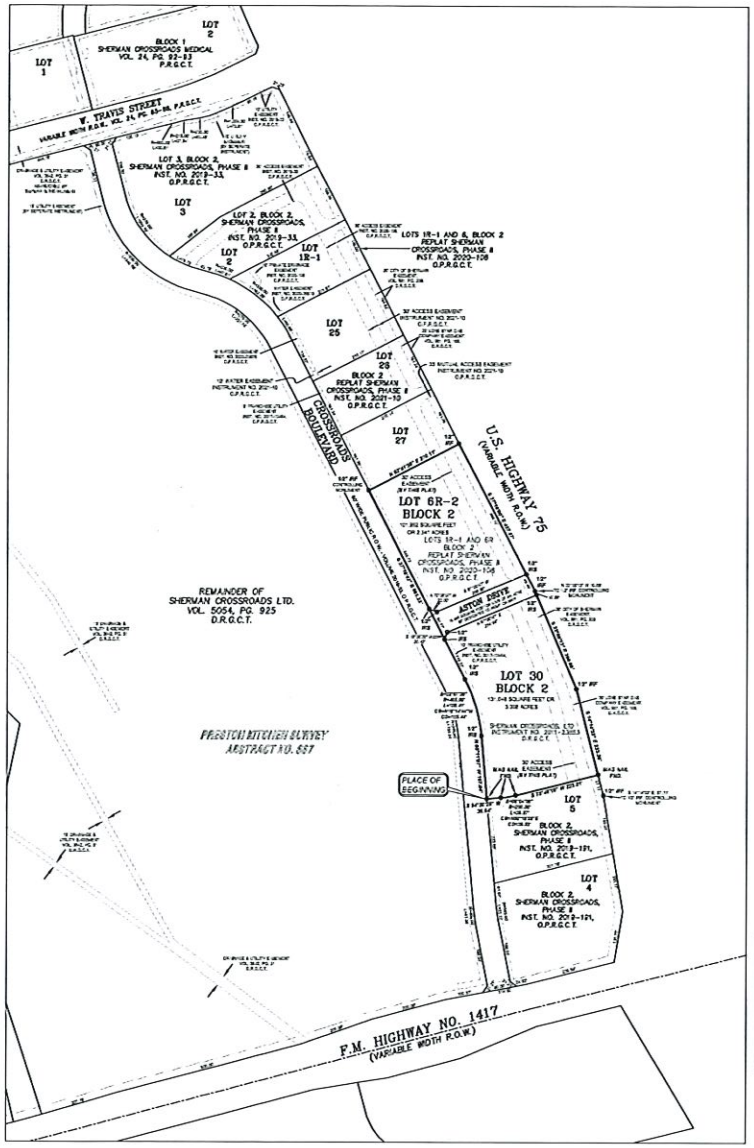
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential 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
Developmental Services Department

N
NOT TO SCALE

1 in = 400 ft



N

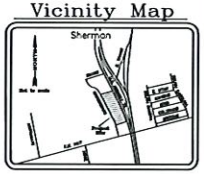
0 150

GRAPHIC SCALE
1-INCH = 150 FEET

LEGEND

IRF	IRON ROD FOUND
IRS	IRON ROD SET
R.O.W.	RIGHT-OF-WAY
VOL.	VOLUME
PG.	PAGE
INST. NO.	INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS

Vicinity Map



PURPOSE OF PLAT:

To develop one lot from a portion of a larger lot.

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. 48181D 0425 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

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870028, MESQUITE, TX. 75187
PHONE: (972) 681-4973 FAX: (972) 681-4954
WWW.AWSURVEY.COM

OWNER:
SHERMAN CROSSROADS, LTD
4455 LBJ Fwy. Ste. 812
DALLAS, TEXAS 75244

Job No. 21-0437 Drawn by: SAS Date: 6-10-2021

"A professional company operating in your best interest"

REPLAT
SHERMAN CROSSROADS, PHASE II
LOTS 30 AND 6R-2, 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 667, City of Sherman, Grayson County, Texas, and being all of 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 mag nail found in concrete paving in the East line of Crossroads Boulevard, a 60' wide public right-of-way, at the Northwest corner of Lot 5, Block 2 of Sherman Crossroads, Phase II, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Instrument No. 2019-191, Official Public Records, Grayson County, Texas;

Thence North 05°11'07" West, along said East line, a distance of 167.04' 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 left having a central angle of 22°07'39", a radius of 405.00' and a chord bearing and distance of North 16°14'44" West, 155.44';

Thence Northerly along said East line and said curve to the left, an arc distance of 156.41' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence North 27°18'42" West, along said East line, a distance of 561.22' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" found at the South corner of Lot 27 of Block 2, Replat Sherman Crossroads, Phase II, an addition to the City of Sherman, according to the plat thereof recorded in Instrument 2021-10, Official Public Records, Grayson County, Texas;

Thence North 62°41'38" East, a distance of 270.11' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" found for corner in the West line of U.S. Highway 75;

Thence South 27°18'00" East, along said West line, a distance of 437.57' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence South 22°59'13" East, along said West line, a distance of 280.69' to a 1/2" iron rod found for corner;

Thence South 14°14'33" East, along said West line, a distance of 233.36' to a mag nail found in concrete paving at the Northeast corner of said Lot 5;

Thence South 75°45'19" West, along the Northerly line of said Lot 5, a distance of 223.01' to a mag nail found in concrete paving 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 80°18'25" West, 39.53';

Thence Westerly along said Northerly line and said curve to the right, an arc distance of 39.57' to a mag nail found for corner in concrete paving;

Thence South 84°50'29" West, a distance of 36.64' to the PLACE OF BEGINNING and containing 249,470 square feet or 5.727 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 30 AND 6R-2, BLOCK 2, an addition to the City of Sherman, Grayson County, Texas, Being 3.008 acres situated in and being a portion of the Preston Kitchen Survey, Abstract No. 667, City of Sherman, Grayson County, Texas and does hereby dedicate to the public's use forever, the streets, alleys, parks, right-of-ways, school sites and other public places, easements shown thereon.

WITNESS, my hand at _____, _____ County, Texas, this ____ day of _____, 20____.

By: Sherman Crossroads GP, LLC

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 ____ day of _____, 20____.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires On:

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 sub-division regulations of the City of Sherman, Texas.

_____
John S. Turner
Registered Professional Land Surveyor, No. 5310

Date:_____

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 ____ day of _____, 20____.

_____
Notary Public in and for the State of Texas

_____
My Commission Expires On:

STATE OF TEXAS
COUNTY OF GRAYSON

Approved this ____day of_____, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

Accepted by the City Council of the City of Sherman:

_____
Mayor 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 30 AND 6R-2, BLOCK 2, to the City of Sherman was submitted to the City Council on the ____ day of _____, 20____, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements, and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the May to not the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this ____ day of _____, A.D. 20____.

_____
City Clerk, City of Sherman, Texas

A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P.O. BOX 870028, MESQUITE, TX. 75187
PHONE: (972) 681-4973 FAX: (972) 681-4954
WWW.AWSURVEY.COM

OWNER:
SHERMAN CROSSROADS, LTD
4455 LBJ Fwy. Ste. 812
DALLAS, TEXAS 75244

Job No. 21-0437 Drawn by: SAS Date: 10-05-2020

"A professional company operating in your best interest"

REPLAT
SHERMAN CROSSROADS, PHASE II
LOTS 30 AND 6R-2, 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 2 OF 2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

Sherman Crossroads, Ltd.
4455 LBJ Frwy., Ste. 812
Dallas, TX 75244

A&W Surveyors, Inc.
P.O. Box 870029
Mesquite, TX 75187

Dear Applicants,

The request for approval of the Replat Sherman Crossroads, Ph. II Lots 30 and 6-R2, Block 2 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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. Detention pond must be under construction prior to approval of any site work being done.
2. Civil plans to be submitted to the City of Sherman Engineering Department for review and approval. Plat to reflect changes upon Engineering review.
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. *Chapter 3, Division 5, Sec. 3.10.154*
4. Metes and bounds do not match drawing. Correct appropriately.
5. Dedication block sentence is not clearly written. Please revise accordingly. i.e. "...and said City Council further authorized the May to not the acceptance thereof by signing..." *Chapter 10.05, Section 6*
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.
7. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
8. 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. *Chapter 10, 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 **12.**

Meeting Date: 05/18/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
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:

1724 WEST U.S. HIGHWAY 82

The request of Carrus Health Holdings (Owner), Peter Juul (Representative) and Neon Signs and Designs (Sign Contractor), concerning the property located at 1724 West U.S. Highway 82, being Lot 1, Carrus Medical Plaza Replat Lot 5, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.8, Subsection (5)(a)(1) to allow a 5' front setback for a 10' x 20' monument sign in lieu of the required 40' in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District.

Background:

The property is located at 1724 West U.S. Highway 82 between Post Oak Crossing and Rex Cruse Drive; Carrus Specialty Hospital and Davita are the tenants. The property is zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District. An exception to allow an aluminum composite panel system as accent features in lieu of the required masonry requirements for a medical office building was approved October 18, 2016. A Specific Use Permit to allow Carrus Behavioral Hospital for inpatient/outpatient care was approved February 18, 2019 (Ord. 6179).

The owner is requesting a variance to allow a 5' front setback for a 10' x 20' multi-tenant monument sign.

Adjacent Zoning:

SF-1 (Single-Family Residential) District
R-1 (One-Family Residential) District
C-O (Office) District
C-1 (Retail Business) District

Origination:

Carrus Health Holdings (Owner)
Peter Juul (Representative)
Neon Signs and Designs (Sign Contractor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

6

Objections Received:

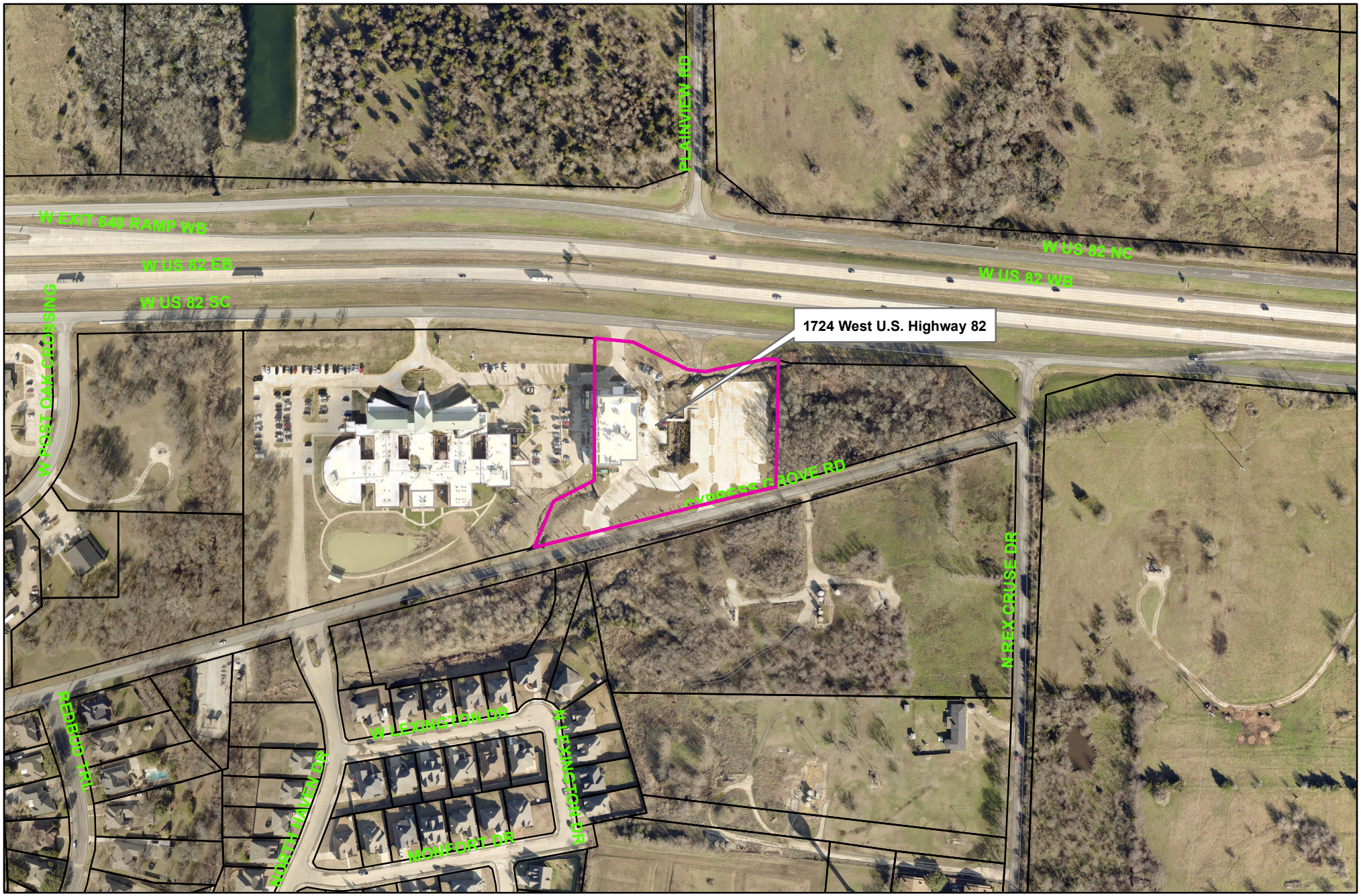
0

Development Review Meeting:

No

Attachments

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



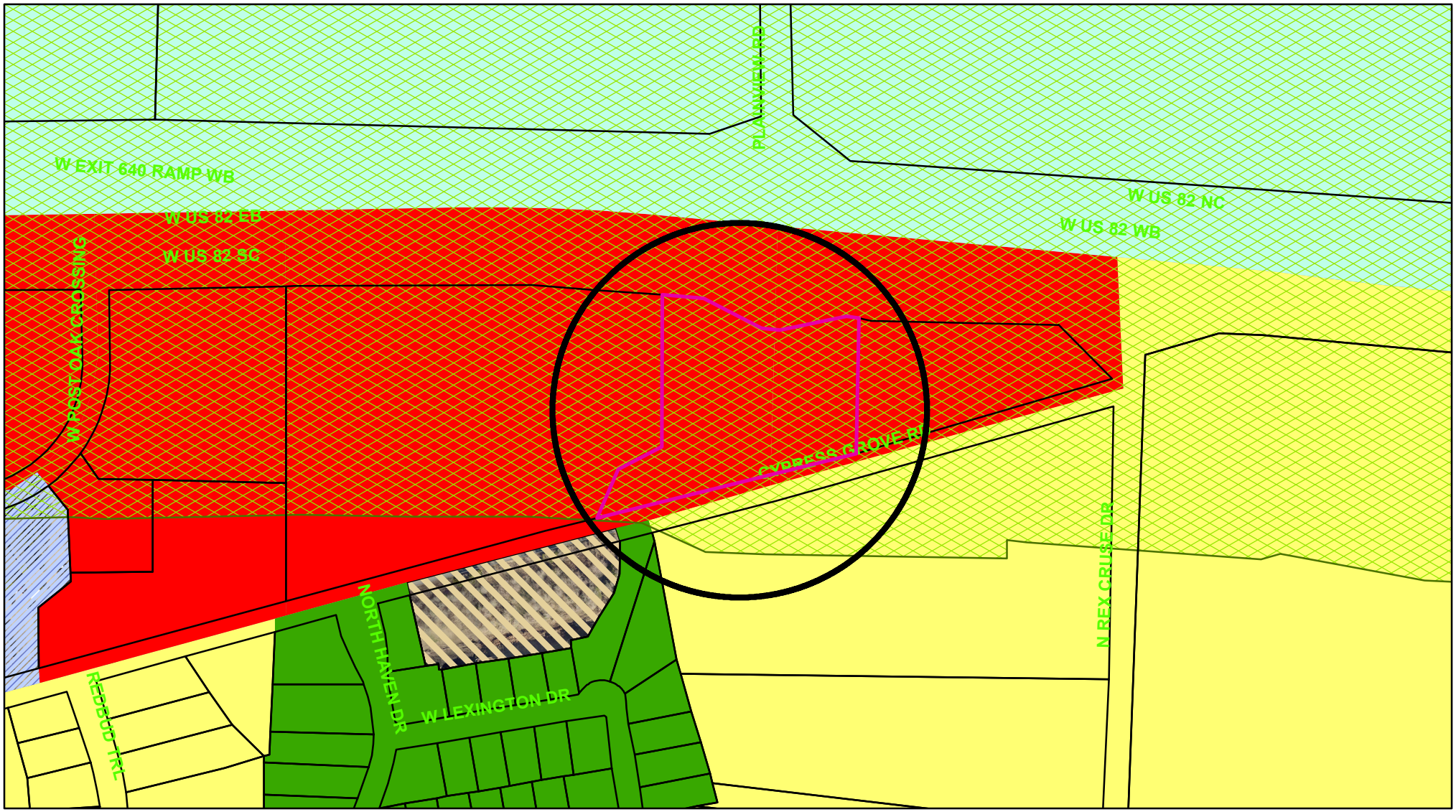
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

1724 West U.S. Highway 82

NOT TO SCALE

1 in = 300 ft



Zoning - 1724 West U.S. Highway 82

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

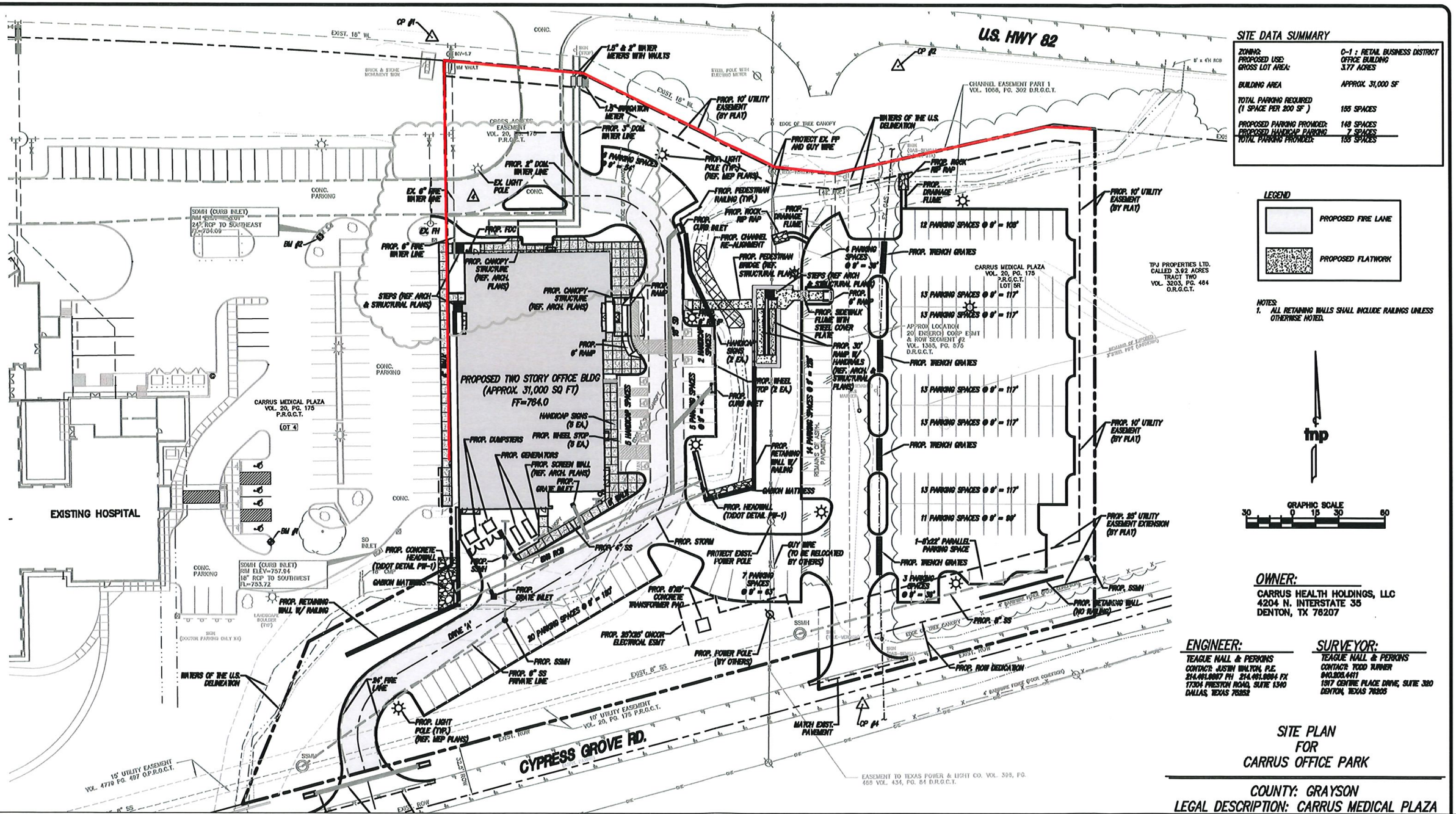
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 300 ft

1724 West U.S. Highway 82



The Sign Machine
103 E. CRAWFORD
DENISON, TEXAS
TEXAS STATE LICENSE #18308
1-800-225-SIGN
www.signmachine.us

Client Name: CARRUS HEALTH

Location: Sherman, TEXAS

Date: 04-20-21
Last Revision:
Job#:
Drawing#: VARIANCE
Page: 5 of 8

UL LISTED

Client Approval

Landlord Approval

Sales Rep: R. BATES
Designer: R. BATES
Project Manager: J.B

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103 E. CRAWFORD
DENISON, TEXAS

TEXAS STATE
LICENSE #18308

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Location: Sherman, TEXAS

Date: 04-20-21
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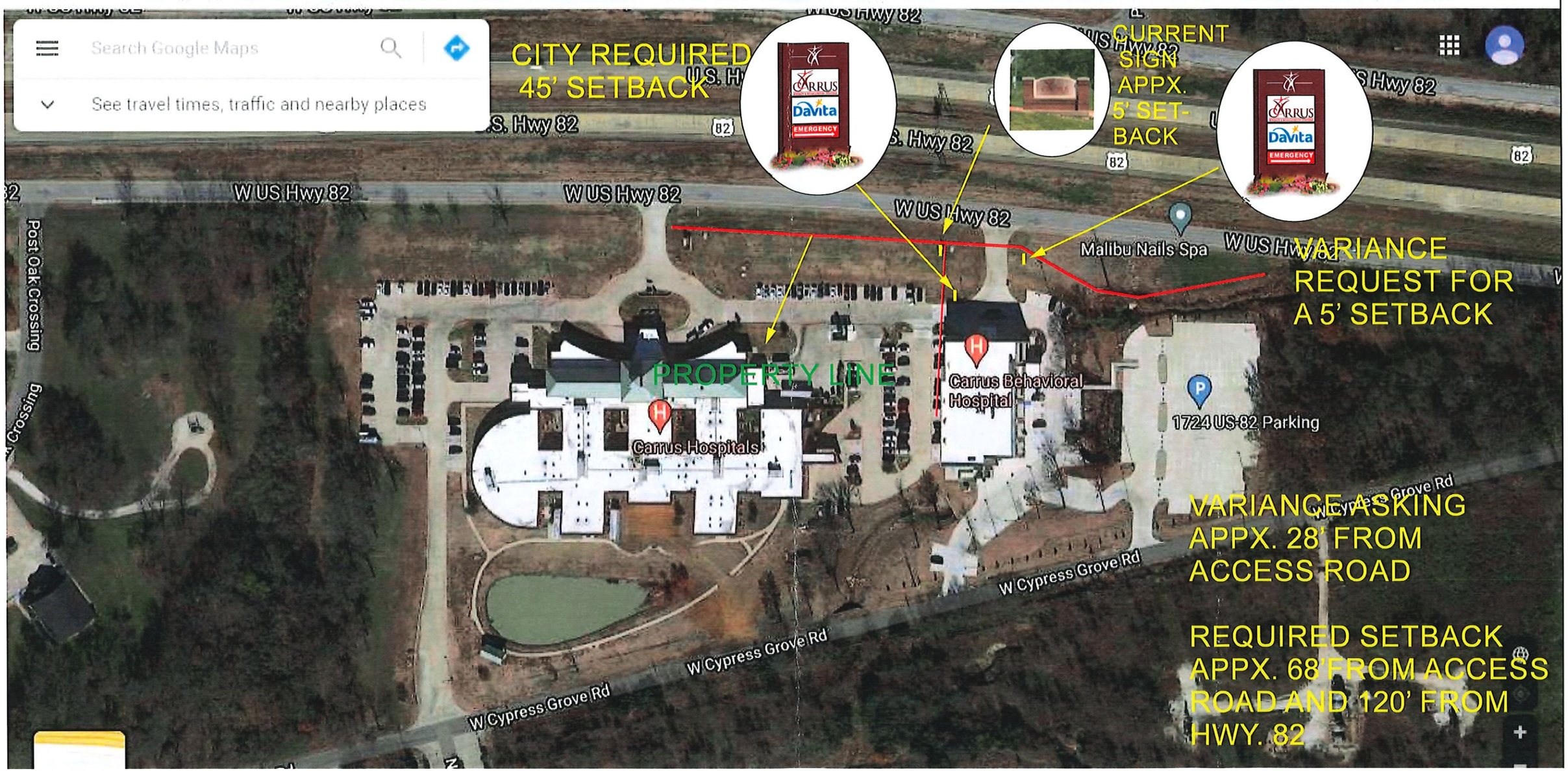

The Sign Machine 103 E. CRAWFORD DENISON, TEXAS 1-800-225-SIGN TEXAS STATE LICENSE #18308 www.signmachine.us	**Client Name:** CARRUS HEALTH **Location:** Sherman, TEXAS	**Date:** 04-20-21 **Last Revision:** **Job#:** **Drawing#:** VARIANCE **Page:** 6 of 8	• ---------- Client Approval • ---------- Landlord Approval	**Sales Rep:** R. BATES **Designer:** R. BATES Project Manager: J.B

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The Sign Machine
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103 E. CRAWFORD
DENISON, TEXAS
TEXAS STATE
LICENSE #18308
www.signmachine.us

Client Name: CARRUS HEALTH

Location: Sherman, TEXAS

Date: 04-20-21
Last Revision:
Job#:
Drawing#: VARIANCE
Page: 7 of 8

UL LISTED

Client Approval

Landlord Approval

Sales Rep: R. BATES
Designer: R. BATES
Project Manager: J.B

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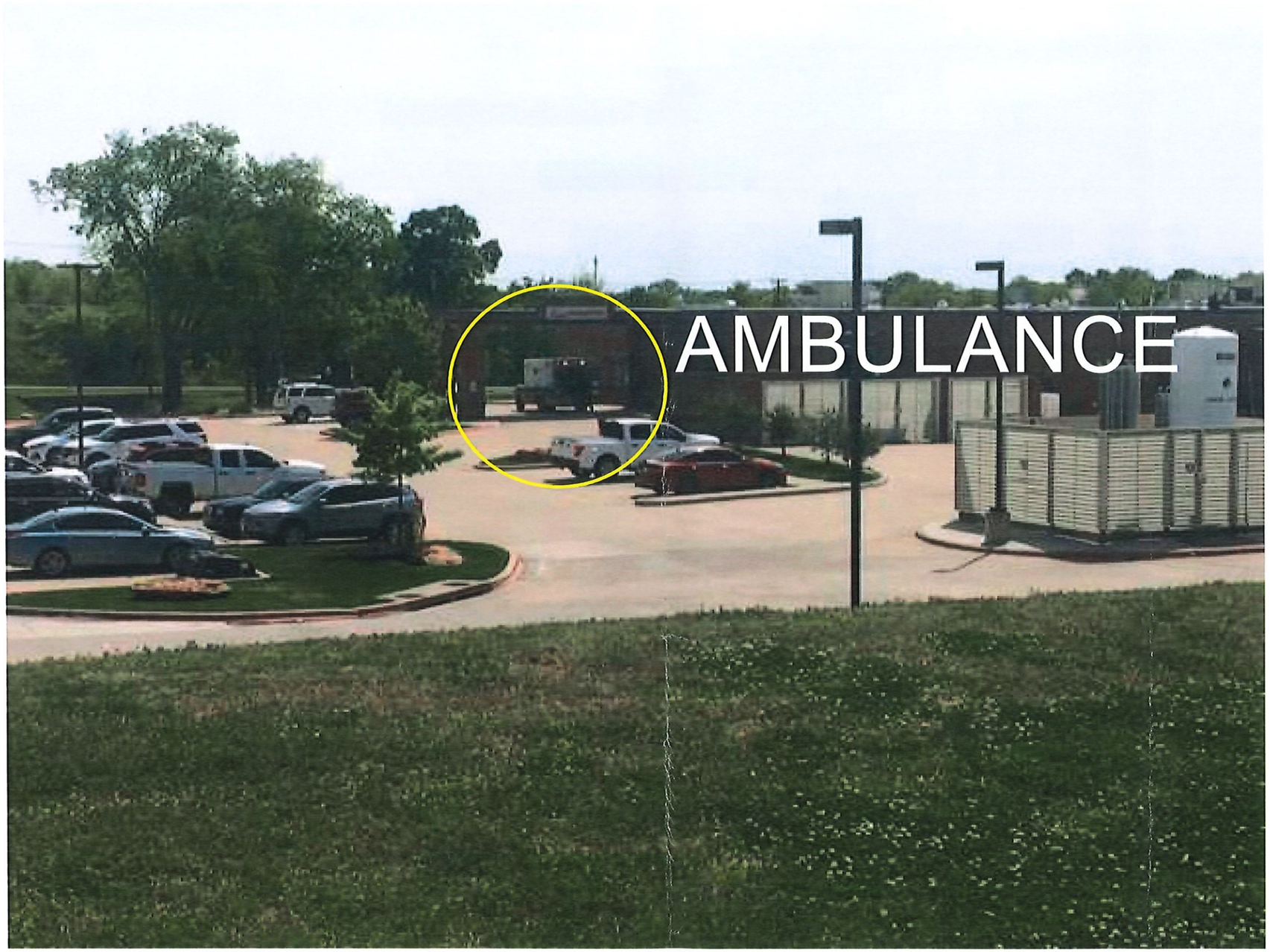

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Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

May 11, 2021

Carrus Helath Holdings
1810 West U.S. Highway 82
Sherman, TX 75092

Peter Juul
1810 West U.S. Highway 82
Sherman, TX 75092

The Sign Machine
Ricky Bates
103 E. Crawford
Denison, TX

Dear Applicants,

The request for a variance under Ordinance No. 2280, Section 6.8, Subsection (5)(a)(1) to allow a 5' front setback for a 10' x 20' monument sign in lieu of the required 40' in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District located at 1724 West U.S. Highway 75 has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 18, 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 C-1 (Retail Business) District, the O-1 (75 & 82) Overlay District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. The existing monument sign shall be removed before a building permit will be issued.
4. Any modifications or additions to the sign will require review and approval of the Planning and Zoning Commission.
5. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
6. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
7. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

8. Sign shall not be placed within any easement.

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
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
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: 05/18/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
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:

502 & 506 SONOMA COURT

The request of Homes by JLS of Texoma LLC (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) for the property located at 502 and 506 Sonoma Court, being 0.325 acres in the James H. Clark Survey, Abstract No. 273 and being a Replat of Lot 12, Block C, Amended Plat of Magnolia Village, as follows:

Planning and Zoning Commission

A. Repeal a previously approved Specific Use Permit and site plan approval (Ord. 6132) under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes on Lots 12R-1 and 12R-2 of the Proposed Replat of Lot 12, Block C, of the Amended Plat of Magnolia Village and Lots 1-5, Block A, Lots 1-19, Block B, Lots 1-11 and 13-21, Block C, Amended Plat of Magnolia Village for a total of 46 patio homes in an R-1 (One-Family Residential) District.
B. Replat approval of Lots 12R-1 & 12R-2, Replat of Lot 12, Block C of Amended Plat of Magnolia Village.

Background:

The property is located in the Magnolia Village subdivision off East Northcreek Drive and is zoned an R-1 (One-Family Residential) District. A Specific Use Permit to allow 45 patio homes in the Magnolia Village Addition was approved July 16, 2018 (Ord. 6132).

The owner would like to Replat Lot 12, Block C of the Amended Plat of Magnolia Village into two lots for residential development. The owner would like to amend the Specific Use Permit to allow an additional patio home for a total of 46 patio homes.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

Homes by JLS of Texoma LLC (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:

43

Objections Received:

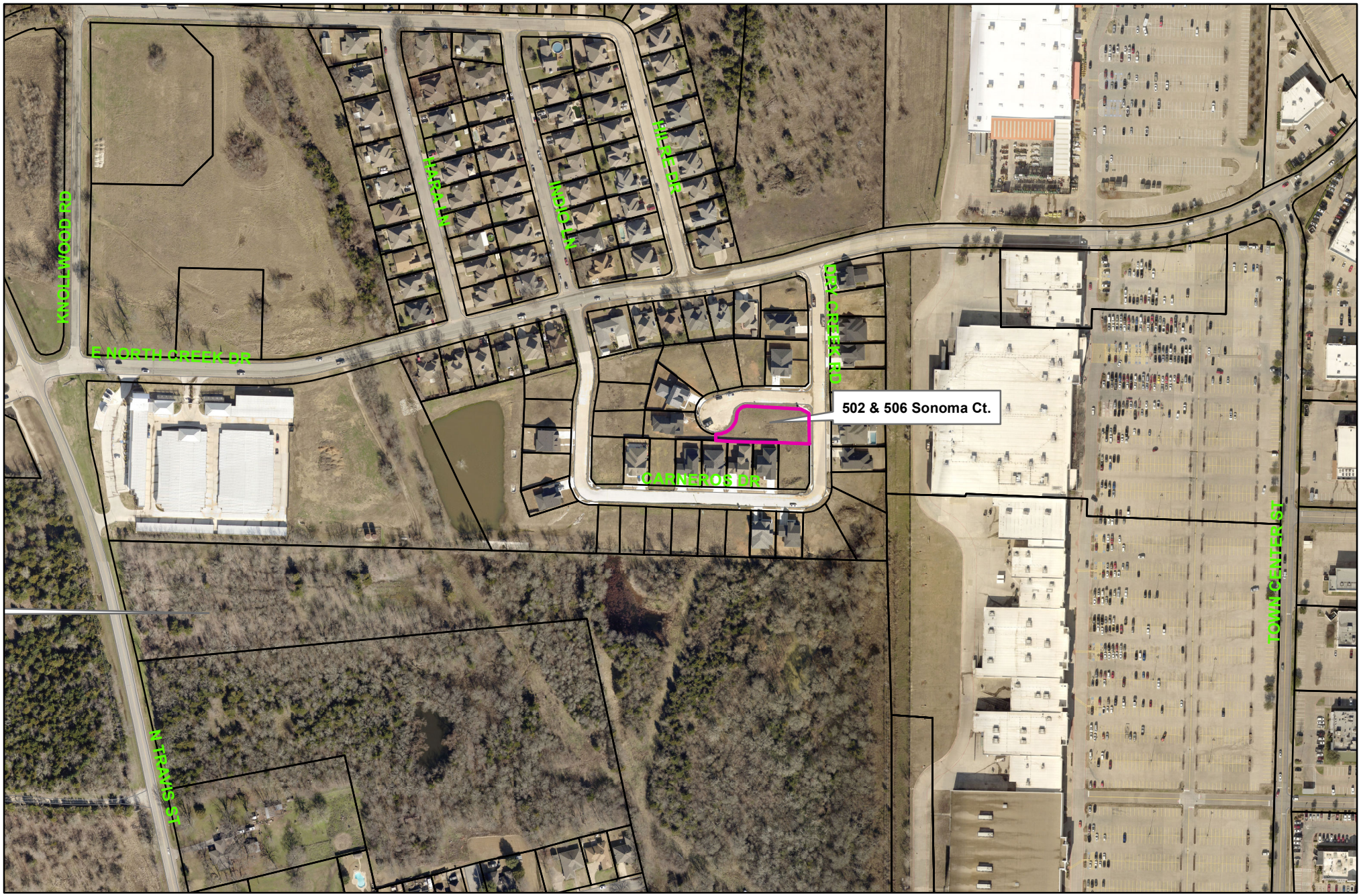
0

Development Review Meeting:

No

Attachments

Location Map - Replat
Location Map Patio Homes
Zoning Map - Replat
Zoning Map - Magnolia Village Patio Home Lots
Zoning Sign Photo
Magnolia Village Replat Lots 12R-1 & 12R-2
Ordinance 6132
Patio Home Lots
Staff Review Letter - Replat
Staff Review Letter - SUP



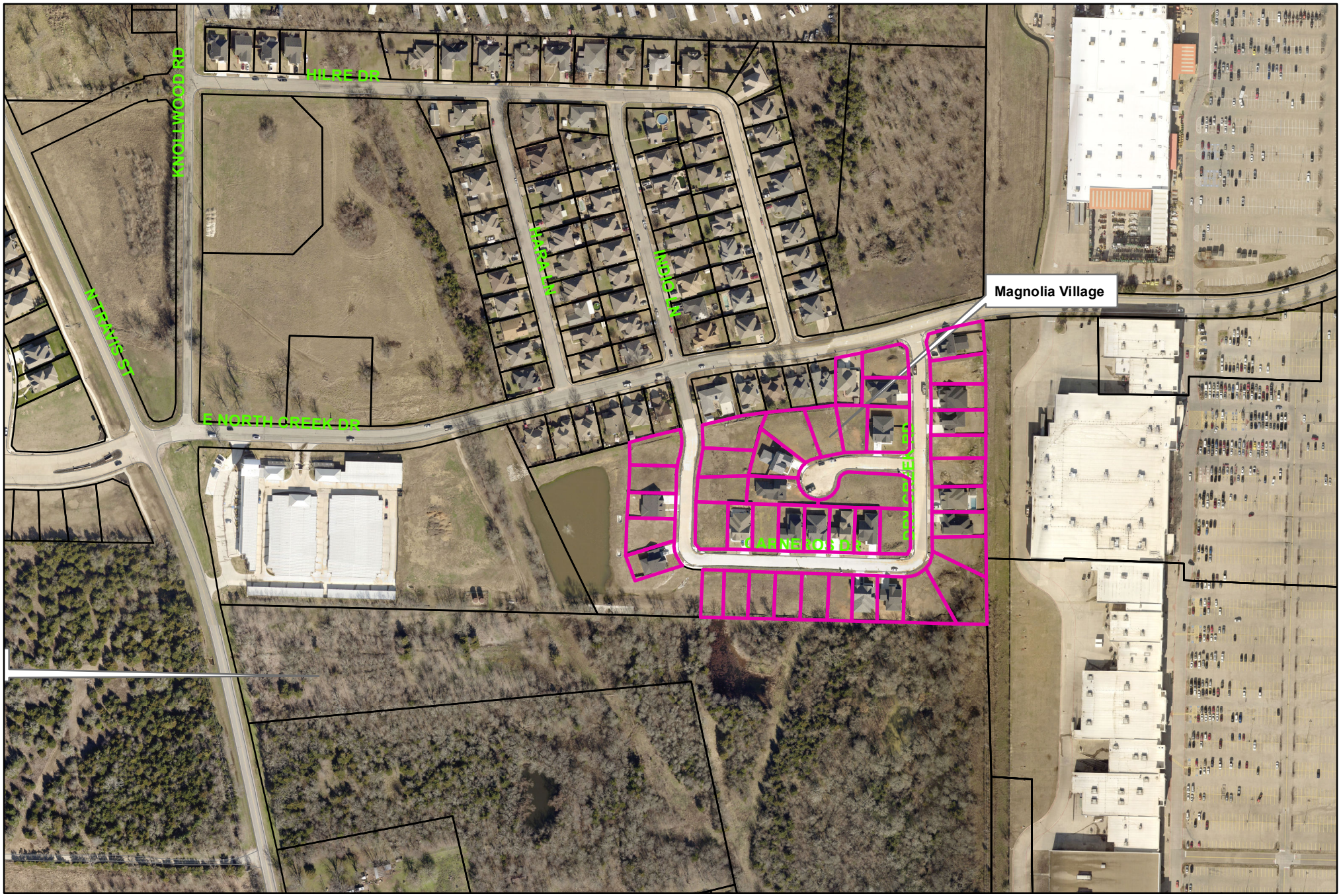
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

502 & 506 Sonoma Court

NOT TO SCALE

1 in = 300 ft



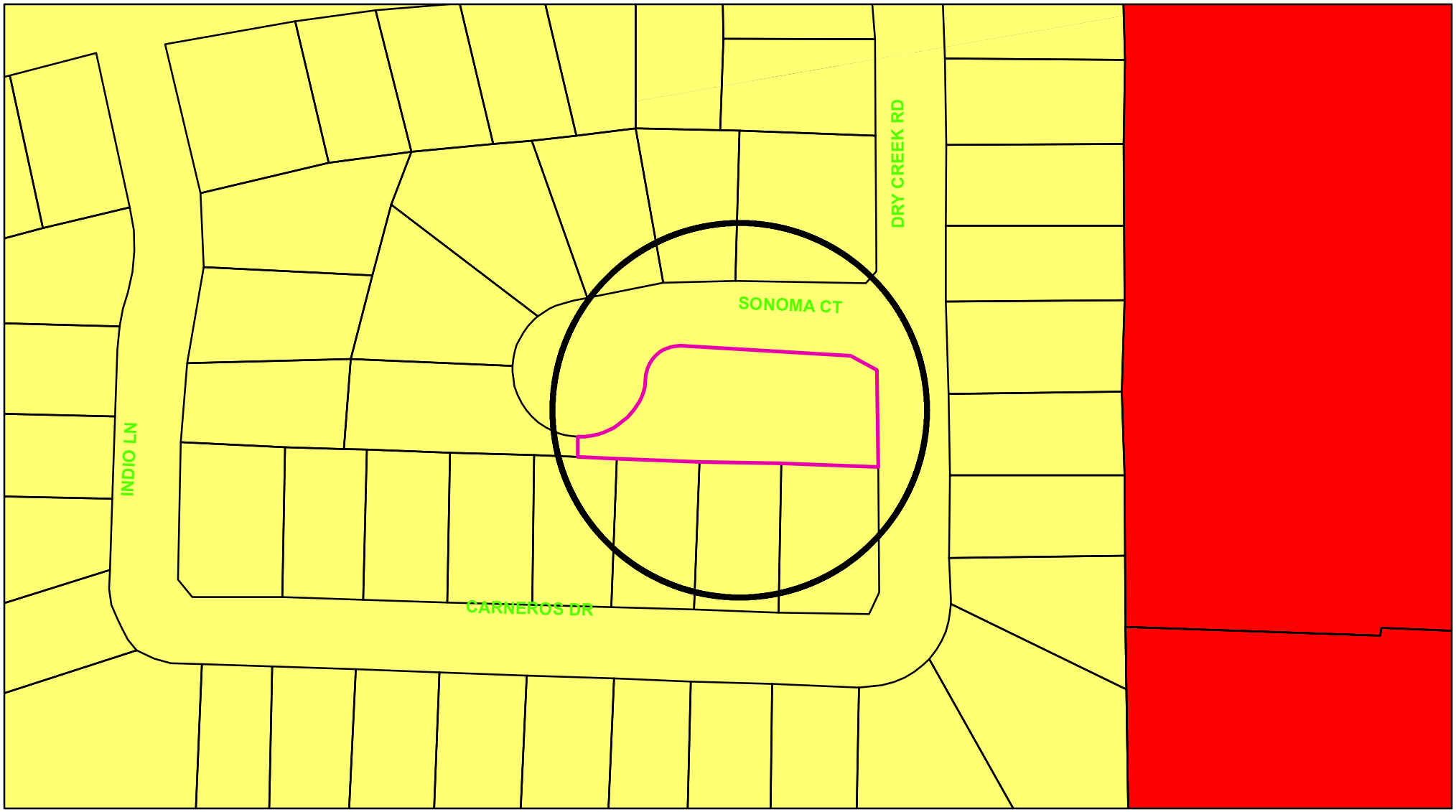
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

Magnolia Village Patio Home Lots

NOT TO SCALE

1 in = 300 ft



Zoning - 502 & 506 Sonoma Court

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

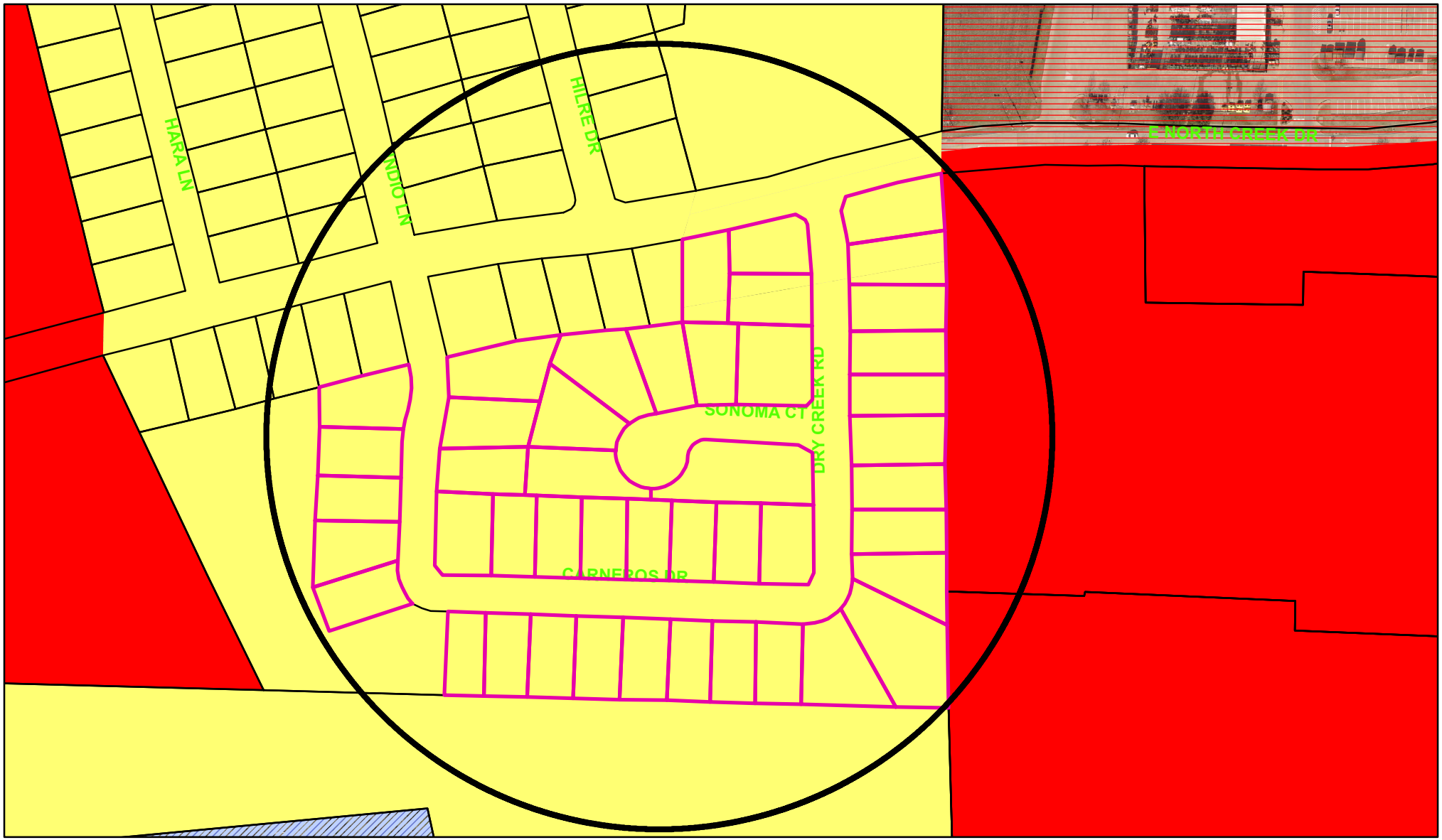
Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- 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
Developmental Services Department

NOT TO SCALE

1 in = 100 ft



Zoning - Magnolia Village Patio Home Lots

Legend

Special Districts Overlay
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- Downtown Overlay District
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Zoning Districts
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- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

Sherman
CLASSIC TOWN. BROAD HORIZON.

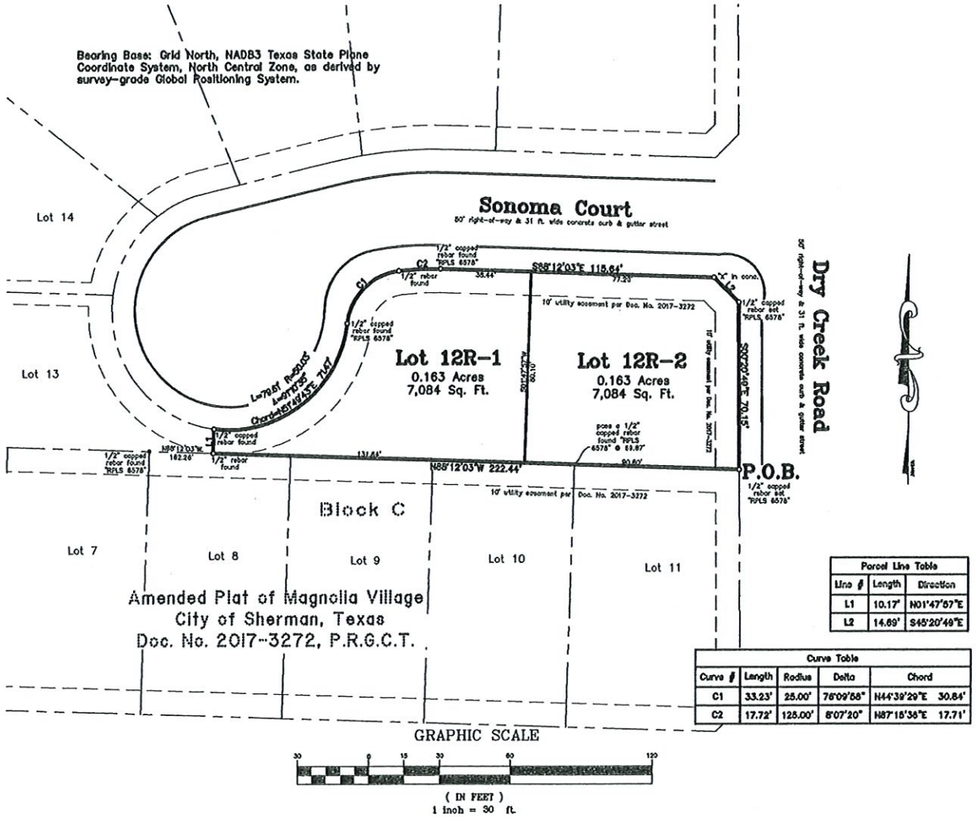
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 183 ft

502 & 506 Sonoma Court

Magnolia Village Patio Homes



Parcel Line Table		
Line #	Length	Direction
L1	10.17'	N01°47'57"E
L2	14.69'	S45°20'49"E

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	33.23'	25.00'	76°09'58"	N44°39'29"E 30.84'
C2	17.72'	125.00'	8°07'20"	N87°15'36"E 17.71'

Lots 12R-1 & 12R-2
Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village to the City of Sherman, Texas
0.325 Acres
in the
James H. Clark Survey
Abstract No. 273
Job No. CGS710421

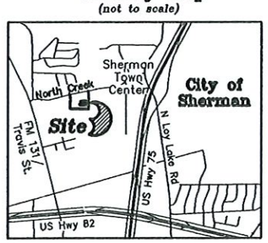
General Notes:

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 Delivery Coop.
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 26, 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.
10. Lot 13 shall be used as an access area and to be owned and maintained by the Homeowner's Association for this development.

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:
Homes by JLS of Texoma, LLC
3409 N FM Hwy. 1417
Sherman, Texas 75092

Vicinity Map
(not to scale)



\\LS2100001\share\Shared Projects\Land Projects R2\Replat-Lot-12-Block-C-Magnolia-Village\Civil 30\502-Sonoma.dwg Layout: Plat Plot Date Apr 26 21 Time: 5:10 PM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the James H. Clark Survey, Abstract No. 273, and being a Replat of Lot 12, Block "C", Amended Plat of Magnolia Village to the City of Sherman, Texas, recorded in Document No. 2017-3272, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar set, stamped "RPLS 6578" in the West right-of-way line of said Dry Creek Road, a public road, at the Northeast corner of Lot 11, said Block C, Magnolia Village and the Southeast corner of said Lot 12;

THENCE North 88 deg. 12 min. 03 sec. West, with the North lines of Lots 11, 10, 9 and 8, said Block C, Magnolia Village and the South line of said Lot 12, passing a 1/2 inch capped rebar found "RPLS 6578" at 69.97, and continuing on said course for a **TOTAL** distance of 222.44 ft. to a 1/2 inch rebar found in the North line of said Lot 8, at the Southeast corner of Lot 13, said Block C, Magnolia Village and the Southwest corner of said Lot 12, **SAID** rebar bears South 88 deg. 12 min. 03 sec. East, 162.26 ft. from a 1/2 inch capped rebar found, stamped "RPLS 6578" at the Northwest corner of said Lot 8;

THENCE North 01 deg. 47 min. 57 sec. East, with the East line of said Lot 13 and the West line of said Lot 12, a distance of 10.17 ft. to a 1/2 inch capped rebar found in the South right-of-way line of Sonoma Court, a public road, at the Easterly Northeast corner of said Lot 13, the Westerly Northwest corner of said Lot 12 and the beginning of said curve;

THENCE Northeasterly, with the South line of said Sonoma Court and a North line of said Lot 12, a curve to the left having a radius of 50.03 ft. and a central angle of 91 deg. 10 min. 35 sec., (chord bears North 51 deg. 49 min. 43 sec. East, 71.47 ft.), an arc distance of 79.61 ft. to a 1/2 inch capped rebar found, stamped "RPLS 6578" at the end of said curve, at the beginning of another curve;

THENCE Northeasterly, continuing with the South line of said Sonoma Court and a North line of said Lot 12, with a reverse curve to the right, having a radius of 25.00 ft. and a central angle of 76 deg. 09 min. 58 sec., (chord bears North 44 deg. 39 min. 29 sec. East, 30.84 ft.), an arc distance of 33.23 ft. to a 1/2 inch rebar found at the end of said curve, at the beginning of another curve;

THENCE Northeasterly, continuing with the South line of said Sonoma Court and a North line of said Lot 12, with a compound curve to the right, having a radius of 125.00 ft. and a central angle of 08 deg. 07 min. 20 sec., (chord bears North 87 deg. 15 min. 36 sec. East, 17.71 ft.), an arc distance of 17.72 ft. to a 1/2 inch capped rebar found, stamped "RPLS 6578" at the end of said curve;

THENCE South 88 deg. 12 min. 03 sec. East, continuing with the South line of said Sonoma Court and a North line of said Lot 12, a distance of 115.64 ft. to a "x" found in concrete sidewalk at the Northwest corner of said Lot 12 and the intersection of the South right-of-way line of said Sonoma Court and the West right-of-way line of said Dry Creek Road, at the most Northerly Northeast corner of said Lot 12;

THENCE South 45 deg. 20 min. 49 sec. East, with the West right-of-way line of said Dry Creek Road and the East line of said Lot 12, a distance of 14.69 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the most Easterly Northeast corner of said Lot 12;

THENCE South 00 deg. 20 min. 49 sec. East, continuing with the West right-of-way line of said Dry Creek Road and the East line of said Lot 12, a distance of 70.15 ft. to the **PLACE OF BEGINNING** and containing **0.325 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, Authorized Representative for Homes by JLS of Texoma, LLC, owner of Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Jason Basserman, Authorized Representative for Homes by JLS of Texoma, LLC

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Jason Basserman, 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, Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village 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, Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village to 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 Replat of Lot 12, Block C, Amended Plat of Magnolia Village to 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

Lots 12R-1 & 12R-2
Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village to the City of Sherman, Texas
0.325 Acres
in the
James H. Clark Survey, Abst. No. 273

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

\\LS2100001\share\Shared Projects\Land Projects R2\Replat-Lot-12-Block-C-Magnolia-Village\Civil 30\502-Sonoma.dwg Layout: Plat Plot Date Apr 26 21 Time: 5:10 PM

ORDINANCE NO. 6132

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 502 EAST NORTHCREEK DRIVE, 4706-4723 INDIO LANE, 400-516 CARNEROS DRIVE, 4701-4733 DRY CREEK ROAD AND 400-505 SONOMA COURT, BEING LOTS 1-5, BLOCK A, LOTS 1-19, BLOCK B, LOTS 1-21, BLOCK C, MAGNOLIA VILLAGE ADDITION (CECI BATES VENTURES, LLC, HOMES BY JLS OF TEXOMA AND MAGNOLIA VILLAGE, LP, OWNERS; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, CeCi Bates Ventures, LLC, Homes by JLS of Texoma and Magnolia Village LP (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 502 East Northcreek Drive, 4706-4723 Indio Lane, 400-516 Carneros Drive, 4701-4733 Dry Creek Road and 400-505 Sonoma Court and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lots 1-5, Block A, Lots 1-19, Block B, Lots 1-21, Block C, Magnolia Village Addition

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

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the patio home ordinance, the screening ordinance, and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Side yard setbacks must be uniform for all homes within a given block.
4. All aspects of the Flood Plain Ordinance must be followed.
5. Parking shall be provided for one space per bedroom; a parking space is considered to be 9'x20.
6. Parking is permitted on paved surfaces only (concrete or asphalt).
7. Violation of the conditions of the SUP will terminate the Specific Use Permit.
8. Review the zoning and development ordinance for additional requirements.
9. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

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

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

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

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

INTRODUCED on this the 16th day of July, 2018.

ADOPTED on this the 16th day of July, 2018.

EFFECTIVE DATE on this the 16th day of July, 2018.

CITY OF SHERMAN, TEXAS

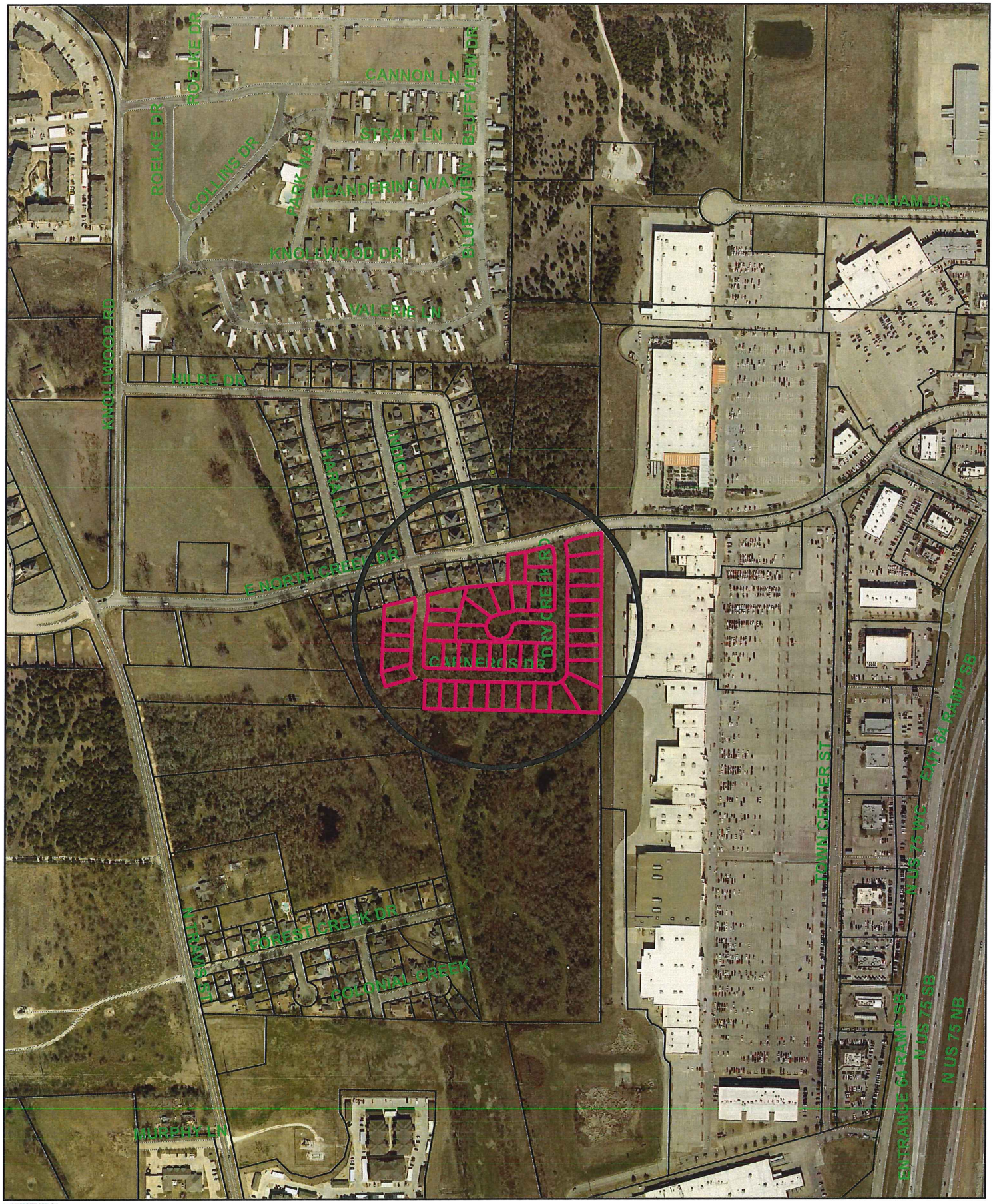
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY:
BRANDON S. SHELBY, CITY ATTORNEY



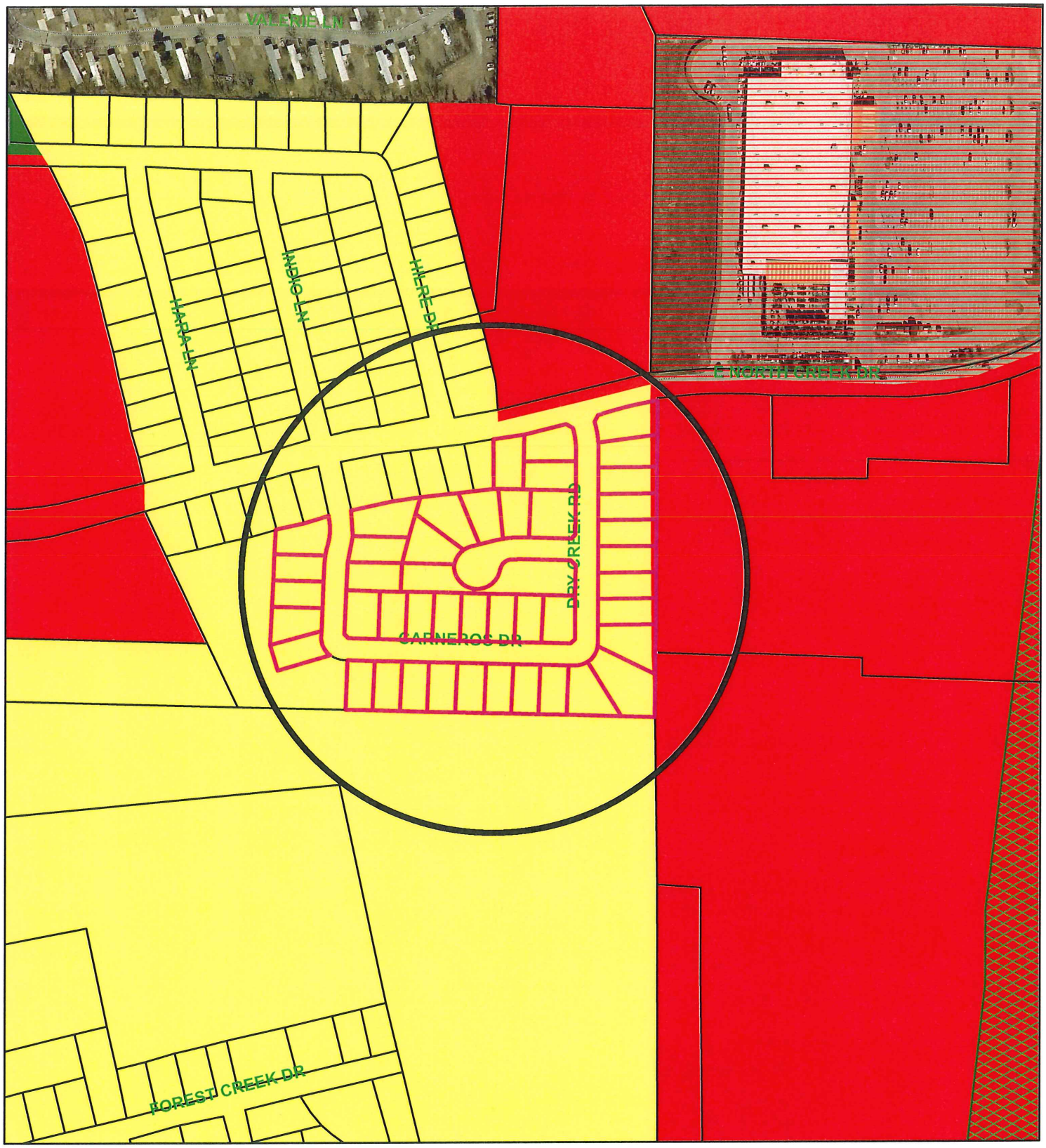
Sherman
CLASSIC TOWN. BROAD HORIZON.

Magnolia Village - SUP - Patio Homes

NOT TO SCALE

1 in = 500 ft

City of Sherman, Texas
Developmental Services Department



Zoning - Magnolia Village
SUP - Patio Homes

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
- 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 Agricutural District
- SF-1 Single Family Residential District

NOT TO SCALE

1 in = 300 ft

Sherman
CLASSIC TOWN. BROAD HORIZON.

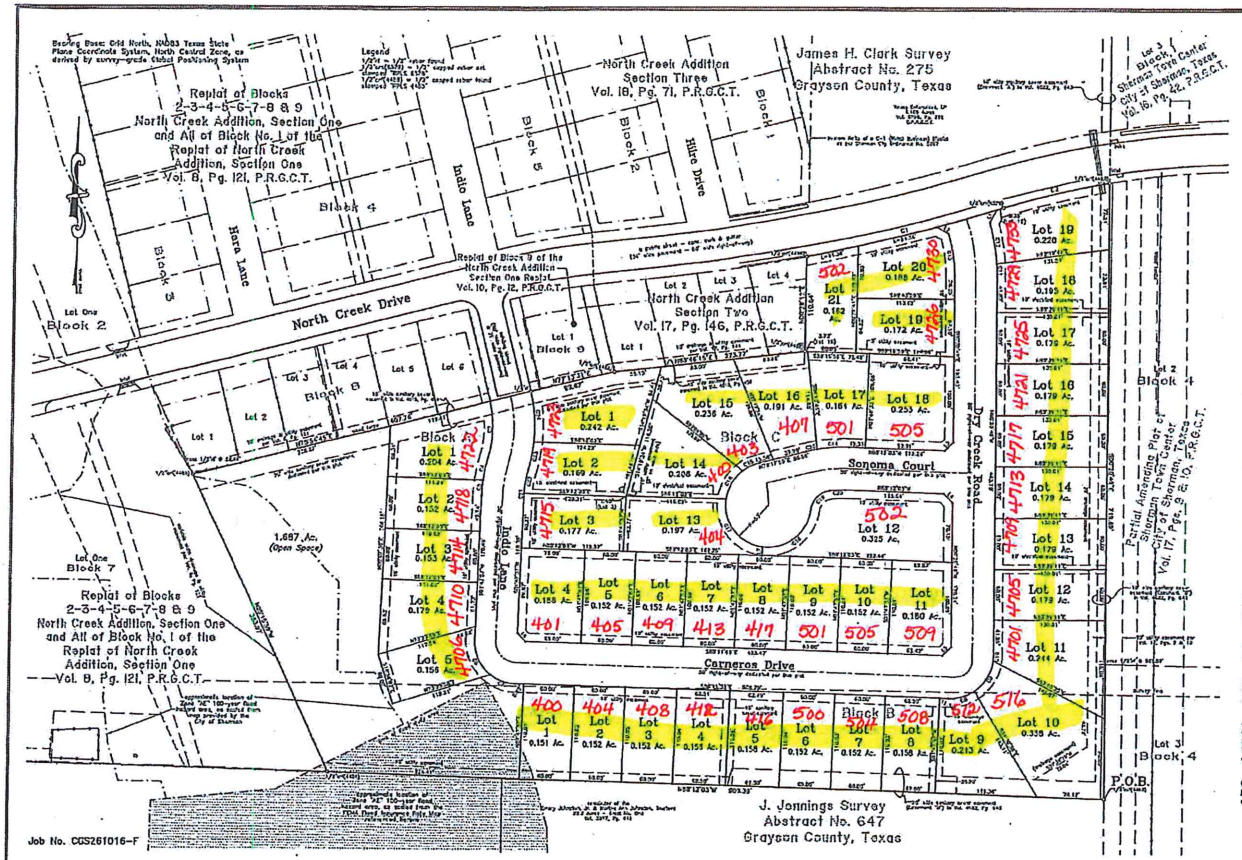
City of Sherman, Texas
Developmental Services Department

Magnolia Village – SUP – Patio Homes

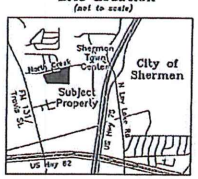
400-516 Carneros

4706-4723 Indio Lane

4701-4733 Dry Creek Road



Site Location
(not to scale)



SITUATED in the County of Grayson, State of Texas, and being a part of the James H. Clark Survey, Abstract No. 275, and being a part of the J. Jennings Survey, Abstract No. 647, and being all of the 12.000 acre tract of land conveyed by Bluestick, L.P. (also Bluestick, L.P.) and Vesta, L.P. to Young Enterprises, L.P. by Special Warranty Deed dated April 28, 2016 and recorded in Volume 5736, Page 592, 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 stamped "RPLS 4488" in the West line of Lot 3, Block 4, Sherman Town Center to the City of Sherman, Texas, as per plat of record in Volume 16, Page 42, Plat Records, Grayson County, Texas, at the Northeast corner of the 22.3 ac. tract of land (Tract No. One) conveyed to Emery Johnson, Jr. and Martha Ann Johnston, Trustees in Volume 2617, Page 442 said Official Public Records, at the Southeast corner of said Young 12.000 ac.;

THENCE North 88 deg. 12 min. 03 sec. West, with the North line of said Johnston 22.3 ac. and the South line of said Young 12.000 ac., a distance of 809.38 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Southeast corner of Lot One, Block 7, Replat of Blocks 2-3-4-5-6-7-8 & 9, North Creek Addition, Section One and All of Block No. 1 of the Replat of North Creek Addition, Section One to the City of Sherman, Texas, as per plat of record in Volume B, Page 121, said Plat Records, at the Southwest corner of said Young 12.000 ac.;

THENCE North 25 deg. 15 min. 59 sec. West, with the East line of said Lot One and an East line of said Young 12.000 ac., a distance of 383.97 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Southeast corner of Lot 1, Block 8, said North Creek Addition Replat, at the most Westerly Northwest corner of said Young 12.000 ac.;

THENCE North 76 deg. 54 min. 45 sec. East, with a North line of said Young 12.000 ac. and the South line of said Lot 1, passing a 1/2 inch rebar found at the Southeast corner of said Lot 1 and the Southwest corner of Lot 2 at 58.44 ft. and continuing now with the South line of said Lot 2 and Lots 3, 4, 5 and 6, said Block 8, passing the Southeast corner of said Lot 6 and continuing for a total distance of 409.76 ft. to a 1/2 inch rebar found at the Southeast corner of Lot 1, Block 9, Replat of Block 9 of the North Creek Addition Section One Replat to the City of Sherman, Texas, as per plat of record in Volume 10, Page 12, said Plat Records, at an angle point in a North line of said Young 12.000 ac.;

THENCE North 77 deg. 13 min. 31 sec. East, continuing with a North line of said Young 12.000 ac. and now with the South line of said Lot 1, Block 9, a distance of 93.67 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Southwest corner of Lot 1, North Creek Addition, Section Two to the City of Sherman, Texas, as per plat of record in Volume 17, Page 146, said Plat Records, at the Southeast corner of said Lot 1, Block 9, of said Replat, at an angle point in a North line of said Young 12.000 ac.;

THENCE North 83 deg. 46 min. 15 sec. East, continuing with a North line of said Young 12.000 ac. and now with the South line of said Lot 1, said North Creek Addition, Section Two, passing the Southeast corner of said Lot 1 and the Southwest corner of Lot 2 and continuing now with the South line of said Lot 2, passing the Southeast corner of said Lot 2 and the Southwest corner of Lot 3 and continuing now with the South line of said Lot 3, passing a 1/2 inch rebar found at the Southeast corner of said Lot 3 and the Southwest corner of Lot 4 at 181.68 ft. and continuing now with the South line of said Lot 4 for a total distance of 223.77 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Southeast corner of said Lot 4, at an Ell corner of said Young 12.000 ac.;

THENCE North 00 deg. 29 min. 12 sec. East, with the East line of said Lot 4, a distance of 110.84 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" in the South line of North Creek Drive, a public street, at the Northeast corner of said Lot 4, at the most Northerly Northwest corner of said Young 12.000 ac.;

THENCE Easterly, with the South line of said North Creek Drive and a North line of said Young 12.000 ac. and with a non-tangent curve to the left having a radius of 7,168.50 ft. and a central angle of 06 deg. 10 min. 10 sec. (chord bears North 75 deg. 49 min. 46 sec. East, 236.65 ft.), an arc distance of 236.97 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the end of said curve, at the beginning of another curve;

THENCE Easterly, continuing with the South line of said North Creek Drive and a North line of said Young 12.000 ac., and with a reverse curve to the right having a radius of 970.00 ft. and a central angle of 07 deg. 27 min. 52 sec. (chord bears North 78 deg. 24 min. 05 sec. East, 126.28 ft.), an arc distance of 126.37 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Northwest corner of Lot 2, Block 4, Partial Amending Plat of Sherman Town Center to the City of Sherman, Texas, as per plat of record in Volume 17, Pages 9 & 10, said Plat Records, at the Northeast corner of said Young 12.000 ac.;

THENCE South 00 deg. 20 min. 49 sec. East, with the West line of said Lot 2, Block 4, said Amending Plat and the East line of said Young 12.000 ac., passing a 1/2 inch rebar found at the Southwest corner of said Lot 2, and the Northwest corner of said Lot 3, Block 4, said Sherman Town Center at 362.59 ft. and continuing now with the West line of said Lot 3 for a total distance of 710.69 ft. to the PLACE OF BEGINNING and containing 12.000 ACRES of land.

Magnolia Village, LP
Owner/Developer
5014 N FM 1417
Sherman, Texas 75092
Phone 903-892-1508

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 Grayson Electrical Delivery Company.
4. A portion of the property shown on the plat hereon lies within a Zone "AE" 100-Year Flood Hazard Area Designation, as scaled from the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0210 F, Revised Date: September 26, 2008.
5. Proposed land use of lots are residential.

Halvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (903) 463-6191 Fax: (903) 463-4068
Email: halveysurvey@sbcglobal.net
Texas Board of Professional Land Surveying
Firm Registration No. 10068100

21814

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	218.57'	2153.00'	5°49'10"	N72°41'43"E 218.47'
C2	111.27'	130.00'	49°02'31"	N51°23'52"E 107.90'
C3	95.27'	121.50'	44°55'31"	N51°18'21"E 92.86'
C4	15.81'	121.50'	7°27'29"	N74°59'36"E 15.80'
C5	19.82'	121.50'	9°20'58"	S84°06'04"E 19.80'
C6	47.81'	55.00'	49°48'07"	S53°03'04"E 46.30'
C7	31.45'	25.00'	72°04'20"	N72°27'52"E 29.43'
C8	31.45'	25.00'	72°04'20"	N0°23'32"E 29.43'
C9	47.81'	55.00'	49°48'07"	N53°03'04"W 46.30'
C10	6.15'	55.00'	6°24'18"	N80°51'00"W 6.15'
C11	15.20'	121.50'	7°09'55"	N83°18'13"W 15.19'
C12	45.89'	121.50'	21°38'29"	N69°03'30"W 45.61'
C13	49.83'	121.50'	23°29'57"	N45°21'30"W 49.48'
C14	31.39'	121.50'	14°48'04"	N30°50'31"W 31.31'
C15	29.36'	30.00'	56°04'15"	S48°31'55"W 28.20'
C16	28.86'	30.00'	55°07'04"	S7°23'16"W 27.76'
C17	18.72'	30.00'	35°45'11"	S37°49'21"E 18.41'
C18	29.31'	30.00'	55°58'36"	S89°54'24"E 28.17'
C19	31.12'	25.00'	71°19'20"	N72°27'52"E 29.17'
C20	31.12'	25.00'	71°19'20"	N0°23'32"E 29.17'
C21	47.81'	55.00'	49°48'07"	N53°03'04"W 46.30'
C22	31.87'	121.50'	15°01'51"	N82°16'16"W 31.77'
C23	32.32'	121.50'	15°14'26"	N67°08'54"W 32.22'
C24	32.32'	121.50'	15°14'26"	N51°54'28"W 32.22'
C25	11.77'	121.50'	5°33'02"	N43°17'15"W 11.77'

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.56'	S87°35'54"E
L2	15.56'	S87°35'54"E
L3	13.92'	S41°23'14"E
L4	13.92'	S41°23'14"E
L5	14.14'	S48°36'46"E
L6	14.14'	S48°36'46"E
L7	13.17'	S5°41'33"W

Filed for Record
October 23, 2017
Document No. 2017-32468
Grayson County, Texas

GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

Magnolia Village to the City of Sherman, Texas
12.000 Acres
in the James H. Clark Survey Abstract No. 275 & the J. Jennings Survey Abstract No. 647

I, Kole 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.

Kole A. Wagner, R. P. L. S. No. 6578 — 10/10/17 Date

STATE OF TEXAS — KOLE A. WAGNER — 6578 — REGISTERED PROFESSIONAL LAND SURVEYOR

I, Authorized Representative for Magnolia Village, LP, owner of Magnolia Village, to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Authorized Representative of Magnolia Village, LP — 10/18/17

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Authorized Representative for Magnolia Village, LP, 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 18th day of October 2017.

Notary Public, Grayson County, Texas

ANGELA DOAN — Notary Public, State of Texas — Comm. Expires 09-10-2019 — Notary ID 13451931-4

City of Sherman

This, the final plat of Magnolia Village to the City of Sherman, Texas is hereby approved this 20th day of December, 2017, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman — Secretary

This the final plat of Magnolia Village to City of Sherman, Texas, is hereby approved this 9th day of January, 2017, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: 10/20/2017

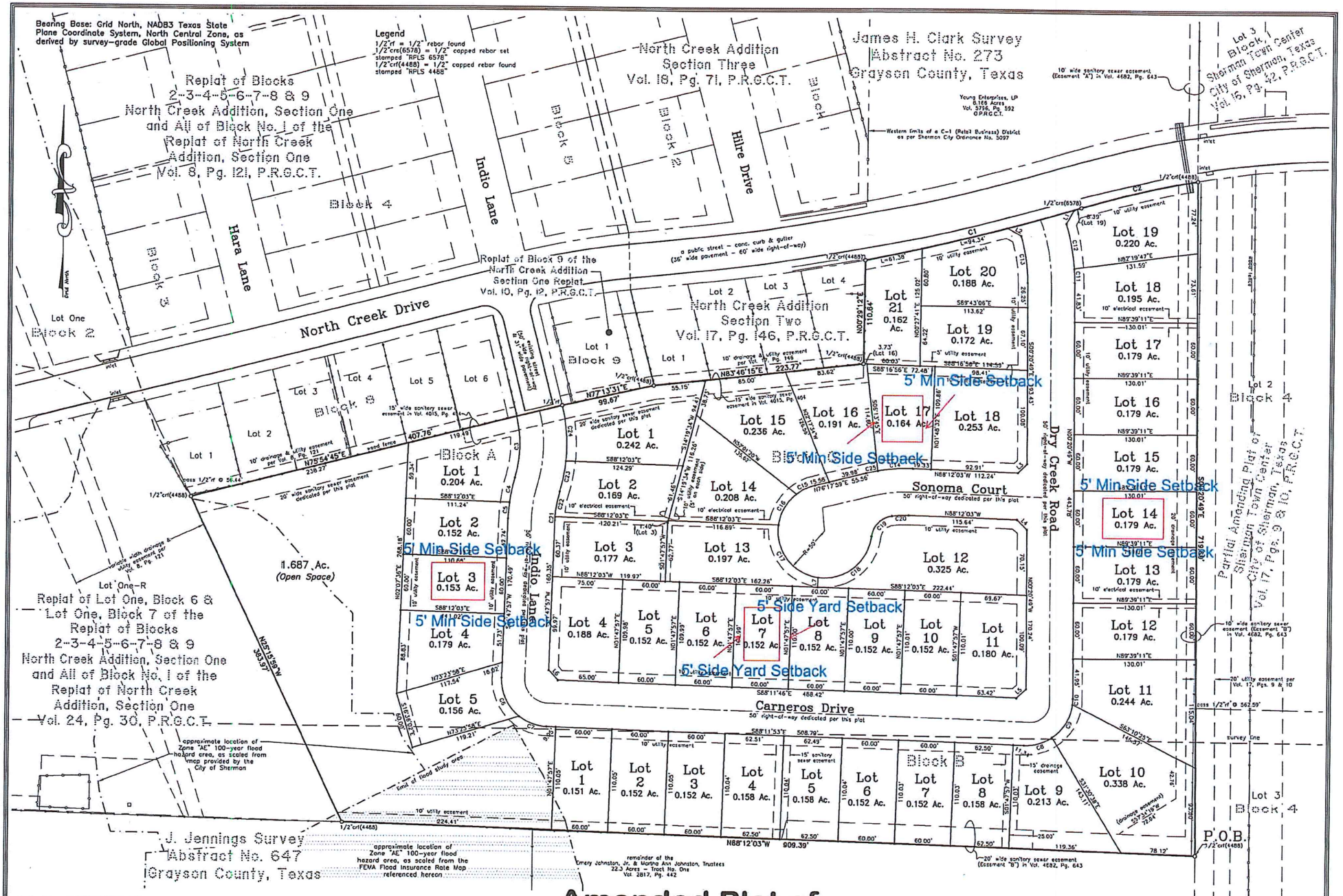
DATE — MAYOR, CITY OF SHERMAN, TEXAS

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of Magnolia Village to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the 9th day of January, 2017, 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 hereinabove subscribed.

CERTIFIED THIS 18th DAY OF October, 2017, BY

CITY CLERK, CITY OF SHERMAN, TEXAS

E-9-307



Job No. CGS261016-F

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

Note: The purpose of this amended plat is to correct a scrivener's error and update the vesting deed for subject property and West adjoiner plat filing information.

Amended Plat of Magnolia Village to the City of Sherman, Texas

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

C:\Land Projects R2\North-Creek-Addition\dwg\Topo-9-15-2016-r2000.dwg 11/28/2016 12:53:58 PM CST

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

June 12, 2018

CeCi Bates Ventures, LLC
Tom CeCi
PO Box 2163
Pottsboro, TX 75076

Magnolia Village, LP
5414 N. FM 1417 (Heritage Parkway)
Sherman, TX 75092

Homes by JLS of Texoma
5022 S. S.H. 91
Denison, TX 75020

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow patio homes in an R-1 (One Family Residential) District for the property located at 502 East Northcreek Drive, 4706-4723 Indio Lane, 400-516 Carneros Drive, 4701-4733 Dry Creek Road and 400-505 Sonoma Court has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 19, 2018 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the patio home ordinance, the screening ordinance, and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Side yard setbacks must be uniform for all homes within a given block.
4. All aspects of the Flood Plain Ordinance must be followed.
5. Parking shall be provided for one space per bedroom; a parking space is considered to be 9'x20.
6. Parking is permitted on paved surfaces only (concrete or asphalt).
7. Violation of the conditions of the SUP will terminate the Specific Use Permit.
8. Review the zoning and development ordinance for additional requirements.
9. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

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

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

Respectfully,

Scott Shadden

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator
Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager

Sherman
CLASSIC TOWN. BROAD HORIZON.

Planning & Zoning Commission and Board of Adjustments **Agenda Item No. 10.**

Meeting Date: 06/19/2018

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

Clay Mahone, Chairman
Eric Elliott, Vice Chairman
Shawn Davis, Commissioner
Jeff Adams, Commissioner
David Downtain, Commissioner
Trish Wood, Commissioner
Leigh Ann Sims, Commissioner

Requested Action/Proposed Use:

502 E. NORTHCREEK DRIVE, 4706-4723 INDIO LANE, 400-516 CARNEROS DRIVE, 4701-4733 DRY CREEK ROAD AND 400-505 SONOMA COURT

The request of CeCi Bates Ventures, LLC, Homes by JLS of Texoma and Magnolia Village LP (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 502 East Northcreek Drive, 4706-4723 Indio Lane, 400-516 Carneros Drive, 4701-4733 Dry Creek Road and 400-505 Sonoma Court, being Lots 1-5, Block A, Lots 1-19, Block B, Lots 1-21, Block C, Magnolia Village 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 patio homes in an R-1 (One Family Residential) District.

Background:

The property is located at 502 East Northcreek Drive, 4706-4723 Indio Lane, 400-516 Carneros Drive, 4701-4733 Dry Creek Road and 400-505 Sonoma Court in the Magnolia Village Subdivision off Northcreek Drive. The owners would like to construct patio homes on the lots. A patio home development is intended to provide for areas of detached, zero-lot-line, single-family development in a clustered lot pattern with a common usable open space system that is an integral part of the development.

Adjacent Zoning:

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

Origination:

CeCi Bates Ventures, LLC, Homes by JLS of Texoma and Magnolia Village LP (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.
and
Natural – Natural areas are wooded or vegetated lands which are essentially untouched by development and still retain significant resources.

Number of notices mailed:

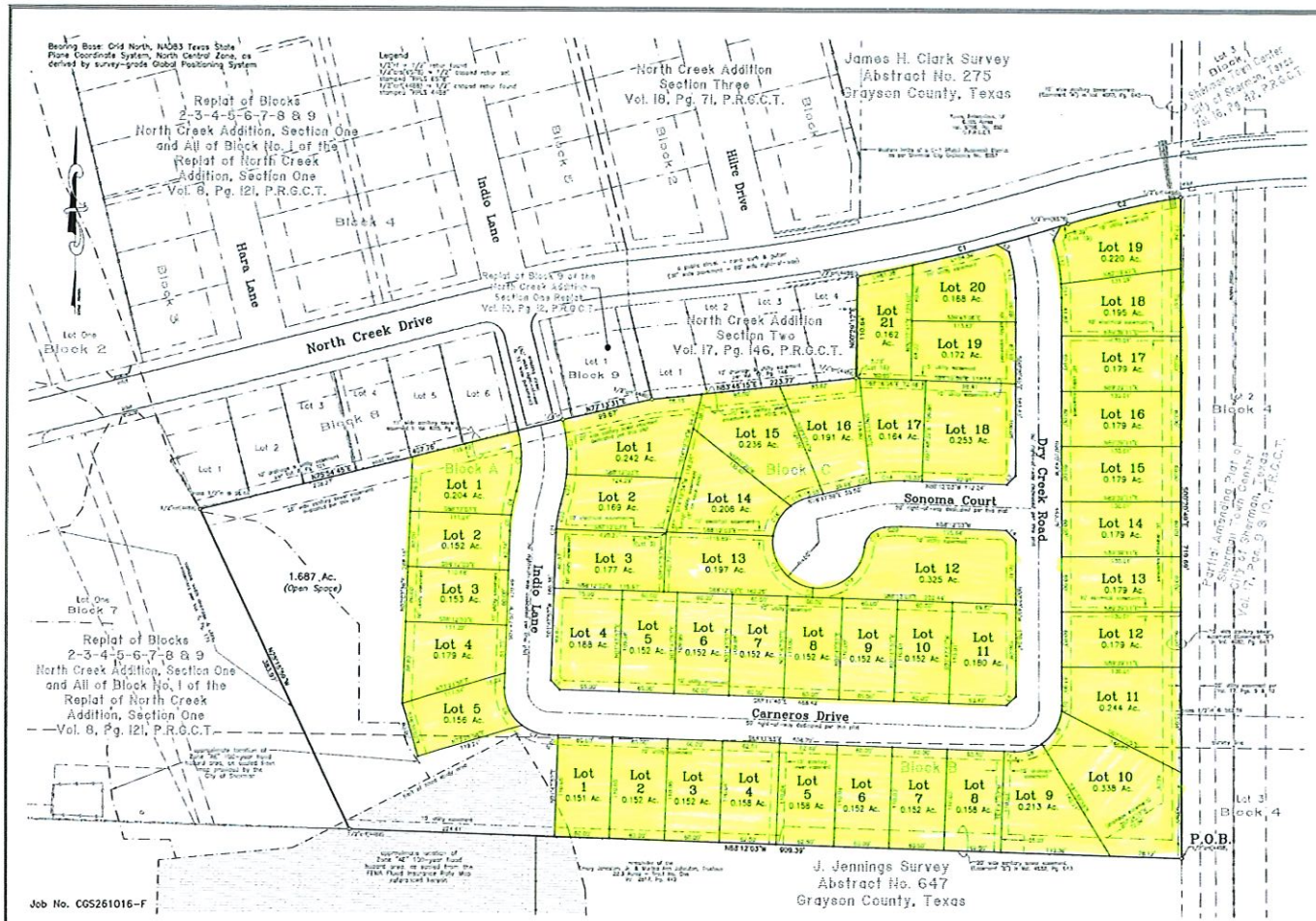
23

Objections Received:

1

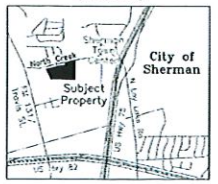
Attachments

Location Map
Zoning Map
Zoning Sign Photo
Plat
Site Plan
Letter from Earl McKinney
Staff Review Letter



Site Location

(not to scale)



SITUATED in the County of Grayson, State of Texas, and being a part of the James H. Clark Survey, Abstract No. 275, and being a part of the J. Jennings Survey, Abstract No. 647, and being all of the 12.000 acre tract of land conveyed by Bountiful, L.P. (aka: Bountiful, L.P.) and Vesta, L.P. to Young Enterprises, L.P. by Special Warranty Deed dated April 28, 2016 and recorded in Volume 5795, Page 592, 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 stamped "RPLS 4488" in the West line of Lot 3, Block 4, Sherman Town Center to the City of Sherman, Texas, as per plat of record in Volume 16, Page 42, Plat Records, Grayson County, Texas, at the Northeast corner of the 22.3 ac. tract of land (Tract No. One) conveyed to Emery Johnson, Jr. and Martha Ann Johnston, Trustees in Volume 2817, Page 442 said Official Public Records, at the Southeast corner of said Young 12.000 ac.;

THENCE North 88 deg. 12 min. 03 sec. West, with the North line of said Johnston 22.3 ac. and the South line of said Young 12.000 ac., a distance of 909.39 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Southeast corner of Lot One, Block 7, Replat of Blocks 2-3-4-5-6-7-8 & 9, North Creek Addition, Section One and All of Block No. 1 of the Replat of North Creek Addition, Section One to the City of Sherman, Texas, as per plat of record in Volume 8, Page 121, said Plat Records, at the Southwest corner of said Young 12.000 ac.;

THENCE North 25 deg. 15 min. 59 sec. West, with the East line of said Lot One and an East line of said Young 12.000 ac., a distance of 383.97 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Southeast corner of Lot 1, Block 8, said North Creek Addition Replat, at the most Westerly Northwest corner of said Young 12.000 ac.;

THENCE North 75 deg. 54 min. 45 sec. East, with a North line of said Young 12.000 ac. and the South line of said Lot 1, passing a 1/2 inch rebar found at the Southeast corner of said Lot 1 and the Southwest corner of Lot 2 at 56.44 ft. and continuing now with the South line of said Lot 2 and Lots 3, 4, 5 and 6, said Block 8, passing the Southeast corner of said Lot 6 and continuing for a total distance of 407.76 ft. to a 1/2 inch rebar found at the Southwest corner of Lot 1, Block 9, Replat of Block 9 of the North Creek Addition Section One Replat to the City of Sherman, Texas, as per plat of record in Volume 10, Page 12, said Plat Records, at an angle point in a North line of said Young 12.000 ac.;

THENCE North 77 deg. 13 min. 31 sec. East, continuing with a North line of said Young 12.000 ac. and now with the South line of said Lot 1, Block 9, a distance of 59.67 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Southwest corner of Lot 1, North Creek Addition, Section Two to the City of Sherman, Texas, as per plat of record in Volume 17, Page 146, said Plat Records, at the Southeast corner of said Lot 1, Block 9, of said Replat, at an angle point in a North line of said Young 12.000 ac.;

THENCE North 83 deg. 45 min. 15 sec. East, continuing with a North line of said Young 12.000 ac. and now with the South line of said Lot 1, said North Creek Addition, Section Two, passing the Southeast corner of said Lot 1 and the Southwest corner of Lot 2 and continuing now with the South line of said Lot 2, passing the Southeast corner of said Lot 2 and the Southwest corner of Lot 3 and continuing now with the South line of said Lot 3, passing a 1/2 inch rebar found at the Southeast corner of said Lot 3 and the Southwest corner of Lot 4 at 181.65 ft. and continuing now with the South line of said Lot 4 for a total distance of 223.77 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Southeast corner of said Lot 4, at an Ell corner of said Young 12.000 ac.;

THENCE North 00 deg. 29 min. 12 sec. East, with the East line of said Lot 4, a distance of 110.64 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" in the South line of North Creek Drive, a public street, at the Northeast corner of said Lot 4, at the most Northerly Northwest corner of said Young 12.000 ac.;

THENCE Easterly, with the South line of said North Creek Drive and a North line of said Young 12.000 ac., and with a non-tangent curve to the left having a radius of 1,149.50 ft. and a central angle of 06 deg. 19 min. 10 sec. (chord bears North 75 deg. 49 min. 44 sec. East, 236.85 ft.), an arc distance of 236.97 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the end of said curve, at the beginning of another curve;

THENCE Easterly, continuing with the South line of said North Creek Drive and a North line of said Young 12.000 ac., and with a reverse curve to the right having a radius of 970.00 ft. and a central angle of 07 deg. 27 min. 52 sec., (chord bears North 76 deg. 24 min. 05 sec. East, 126.28 ft.), an arc distance of 126.37 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at the Northwest corner of Lot 2, Block 4, Partial Amending Plat of Sherman Town Center to the City of Sherman, Texas, as per plat of record in Volume 17, Pages 9 & 10, said Plat Records, at the Northeast corner of said Young 12.000 ac.;

THENCE South 00 deg. 20 min. 49 sec. East, with the West line of said Lot 2, Block 4, said Amending Plat and the East line of said Young 12.000 ac., passing a 1/2 inch rebar found at the Southwest corner of said Lot 2, and the Northeast corner of said Lot 3, Block 4, said Sherman Town Center at 562.59 ft. and continuing now with the West line of said Lot 3 for a total distance of 719.69 ft. to the PLACE OF BEGINNING and containing **12.000 ACRES** of land.

Magnolia Village, LP
Owner/Developer
5410 N. FM 1417
Sherman, Texas 75092
Phone: 903-892-1508

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. A portion of the property shown on the plat hereon lies within a Zone "AE" 100-Year Flood Hazard Area Designation, as scaled from the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0290 F, Revised Date: September 29, 2010.
5. Proposed land use of lots are residential.

Halvey-Wagner Surveying, Inc.
222 W. Main St. Denison, Texas 75020
Ph. (903) 463-6181 Fax: (903) 463-4585
Email: halveysurvey@sbcglobal.net
Texas Board of Professional Land Surveying Firm Registration No. 10055100

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	
C1	236.97'	1149.50'	11°48'49"	N75°49'44"E	236.59'
C2	126.37'	970.00'	7°27'52"	S76°24'01"W	126.28'
C3	66.27'	144.84'	26°12'51"	S0°38'18"E	65.70'
C4	18.39'	175.00'	6°00'37"	S17°51'36"E	18.38'
C5	17.28'	175.00'	5°39'21"	S24°42'47"E	17.27'
C6	47.61'	30.00'	90°56.05"	S45°03'05"E	42.76'
C7	47.12'	30.00'	90°00'00"	S44°47'58"W	42.43'
C8	31.46'	30.00'	60°03.00"	N74°46'31"E	30.04'
C9	62.12'	30.00'	118°38.08"	N3°14'28"E	51.50'
C10	8.18'	25.00'	18°44'51"	N62°51'30"E	8.15'
C11	15.61'	225.50'	3°58'05"	N60°23'43"E	15.61'
C12	48.80'	225.50'	12°23'51"	N72°22'30"E	48.71'
C13	55.57'	139.50'	22°49.33"	N82°34'12"E	55.24'
C14	51.30'	175.00'	16°47.36"	S80°54'54"E	51.11'
C15	32.24'	50.50'	36°34'56"	S66°51'31"E	31.70'
C16	30.64'	50.50'	34°46.43"	S32°48'16"E	30.17'
C17	74.73'	50.50'	84°48.44"	S37°20'49"E	70.85'
C18	74.51'	50.50'	84°32.40"	N55°18'43"E	71.47'
C19	47.82'	50.50'	54°16.08"	S44°49'43"E	46.05'
C20	31.39'	174.83'	10°18'00"	N10°56'30"E	31.34'
C21	43.26'	174.83'	14°10'57"	N23°52'29"E	43.15'
C22	14.23'	125.00'	6°31'32"	S27°55'47"W	14.23'

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.98'	S27°55'47"W
L2	15.04'	S60°05'15"E
L3	13.87'	S44°23'17"E
L4	14.86'	N62°20'40"W
L5	14.14'	N45°48'14"E
L6	14.14'	S45°11'46"E
L7	15.17'	S01°47'57"W

Filed for Record
October 23, 2017
Document No. 2017-32618
Grayson County, Texas

21814

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

Magnolia Village to the City of Sherman, Texas

12.000 Acres in the James H. Clark Survey Abstract No. 275 & the J. Jennings Survey Abstract No. 647

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: 10/10/17

I, Authorized Representative for Magnolia Village, LP, owner of Magnolia Village, to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Authorized Representative, Magnolia Village, LP — 10/18/17

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Authorized Representative for Magnolia Village, LP, 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 18th day of October, 2017.

Notary Public, Grayson County, Texas

City of Sherman

This the final plat of Magnolia Village to the City of Sherman, Texas is hereby approved this 20th day of December, 2017, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman — Secretary

This the final plat of Magnolia Village to City of Sherman, Texas, is hereby approved this 18th day of January, 2017, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS — 10/18/2017

MAYOR, CITY OF SHERMAN, TEXAS — DATE

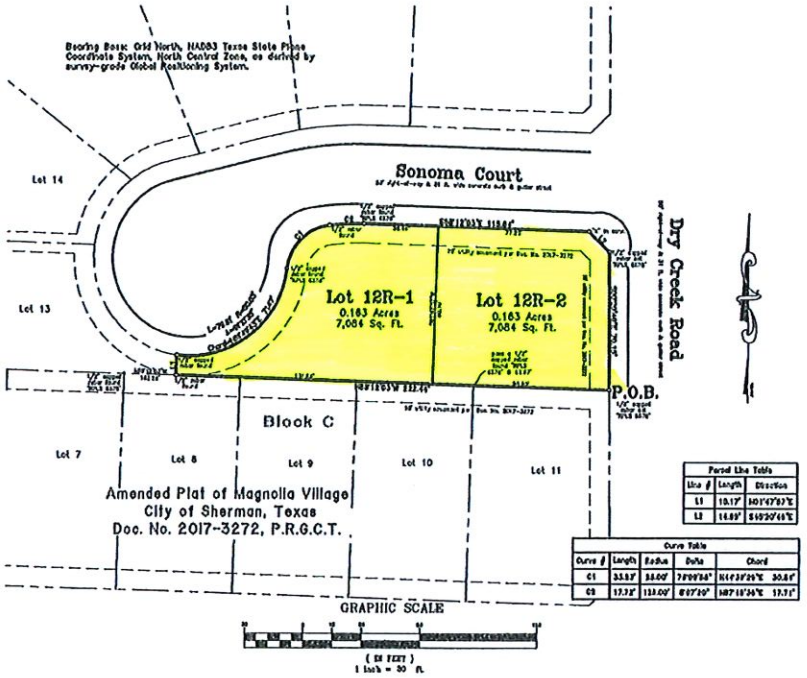
The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of Magnolia Village to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the 18th day of January, 2017, and that the City Council, by formal action, then 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 hereinabove subscribed.

CERTIFIED THIS 18th DAY OF October, 2017, BY

CITY CLERK, CITY OF SHERMAN, TEXAS

E-9-307

S:\Land Projects\2016\North Creek-Additions\Magnolia Village\Eng Layout\ Final Plat Filed Plat Date Oct 18 17 Time: 8:25 AM



Lots 12R-1 & 12R-2
Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village
to the City of Sherman, Texas
0.325 Acres
In the
James H. Clark Survey
Abstract No. 273
Job No. C0S710421

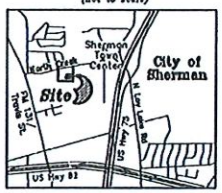
General Notes:

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 to be provided by Oncor Electric Delivery Corp.
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 lots 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" (area determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0220 F, Revised Date: September 26, 2008.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any driveway, 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.
10. Lot 12 shall be used as an access area and to be owned and maintained by the Homeowner's Association for this development.

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:
Homes by JLS of Texoma, LLC
3409 N FM Hwy. 1417
Sherman, Texas 75092

Vicinity Map
(not to scale)



FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the James H. Clark Survey, Abstract No. 273, and being a Replat of Lot 12, Block "C", Amended Plat of Magnolia Village to the City of Sherman, Texas, recorded in Document No. 2017-3272, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar set, stamped "RPLS 6578" in the West right-of-way line of said Dry Creek Road, a public road, at the Northeast corner of Lot 11, said Block C, Magnolia Village and the Southeast corner of said Lot 12;

THENCE North 88 deg. 12 min. 03 sec. West, with the North lines of Lots 11, 10, 9 and 8, said Block C, Magnolia Village and the South line of said Lot 12, passing a 1/2 inch capped rebar found "RPLS 6578" at 69.97, and continuing on said course for a TOTAL distance of 222.44 ft. to a 1/2 inch rebar found in the North line of said Lot 8, at the Southeast corner of Lot 13, said Block C, Magnolia Village and the Southwest corner of said Lot 12, BAD rebar bears South 88 deg. 12 min. 03 sec. East, 162.26 ft. from a 1/2 inch capped rebar found, stamped "RPLS 6578" at the Northwest corner of said Lot 8;

THENCE North 01 deg. 47 min. 57 sec. East, with the East line of said Lot 13 and the West line of said Lot 12, a distance of 10.17 ft. to a 1/2 inch capped rebar found in the South right-of-way line of Sonoma Court, a public road, at the Easterly Northeast corner of said Lot 13, the Westerly Northwest corner of said Lot 12 and the beginning of said curve;

THENCE Northeasterly, with the South line of said Sonoma Court and a North line of said Lot 12, a curve to the left having a radius of 50.03 ft. and a central angle of 91 deg. 10 min. 35 sec. (chord bears North 51 deg. 49 min. 43 sec. East, 71.47 ft.), an arc distance of 79.61 ft. to a 1/2 inch capped rebar found, stamped "RPLS 6578" at the end of said curve, at the beginning of another curve;

THENCE Northeasterly, continuing with the South line of said Sonoma Court and a North line of said Lot 12, with a reverse curve to the right, having a radius of 25.00 ft. and a central angle of 78 deg. 09 min. 58 sec., (chord bears North 44 deg. 39 min. 29 sec. East, 30.84 ft.), an arc distance of 33.23 ft. to a 1/2 inch rebar found at the end of said curve, at the beginning of another curve;

THENCE Northeasterly, continuing with the South line of said Sonoma Court and a North line of said Lot 12, with a compound curve to the right, having a radius of 125.00 ft. and a central angle of 08 deg. 07 min. 20 sec., (chord bears North 87 deg. 15 min. 36 sec. East, 17.71 ft.), an arc distance of 17.72 ft. to a 1/2 inch capped rebar found, stamped "RPLS 6578" at the end of said curve;

THENCE South 88 deg. 12 min. 03 sec. East, continuing with the South line of said Sonoma Court and a North line of said Lot 12, a distance of 118.64 ft. to a "+" found in concrete sidewalk at the Northeast corner of said Lot 12 and the intersection of the South right-of-way line of said Sonoma Court and the West right-of-way line of said Dry Creek Road, at the most Northerly Northeast corner of said Lot 12;

THENCE South 45 deg. 20 min. 49 sec. East, with the West right-of-way line of said Dry Creek Road and the East line of said Lot 12, a distance of 14.69 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the most Easterly Northeast corner of said Lot 12;

THENCE South 00 deg. 20 min. 49 sec. East, continuing with the West right-of-way line of said Dry Creek Road and the East line of said Lot 12, a distance of 70.15 ft. to the PLACE OF BEGINNING and containing 0.325 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:

I, Authorized Representative for Homes by JLS of Texoma, LLC, owner of Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Jason Bosserman, Authorized Representative for Homes by JLS of Texoma, LLC

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Jason Bosserman, 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 HORIZONS.

This, Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village 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, Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village to 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 Replat of Lot 12, Block C, Amended Plat of Magnolia Village to 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

Lots 12R-1 & 12R-2
Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village
to the City of Sherman, Texas
0.325 Acres
In the
James H. Clark Survey, Abst. No. 273

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-8191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

Homes by JLS of Texoma, LLC
3409 N. FM Hwy. 1417
Sherman, TX 75092

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

Dear Applicants,

The request for approval of the Lots 12R-1 & 12R-2 Replat of Lot 12, Block "C" of Amended Plat of Magnolia Village has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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. *Chapter 3, Division 5, Sec. 3.10.154*
2. Bearing at SW corner does not match metes and bounds description. Correct appropriately.
3. Delta for C2 in curve table does not match metes and bounds. All calls must be two digits. Correct appropriately.
4. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
5. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
6. 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. *Chapter 10, 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

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

May 11, 2021

JLS Homes of Texoma
3409 N. FM 1417 (Heritage Parkway)
Sherman, TX 75092

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

Dear Applicants,

The request to Repeal a previously approved Specific Use Permit and site plan approval (Ord. 6132) under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes on Lots 12R-1 and 12R-2 of the Proposed Replat of Lot 12, Block C, of the Amended Plat of Magnolia Village and Lots 1-5, Block A, Lots 1-19, Block B, Lots 1-11 and 13-21, Block C, Amended Plat of Magnolia Village for a total of 46 patio homes in an R-1 (One-Family Residential) District located at 502 and 506 Sonoma Court has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 18, 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 Patio Home Ordinance, the Fence Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Side yard setbacks must be uniform for all homes within a given block.
4. All aspects of the Flood Plain Ordinance must be followed.
5. Parking shall be provided for one space per bedroom; a parking space is considered to be 9'x 20'.
6. Parking is permitted on paved surfaces only (concrete or asphalt).
7. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
8. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
9. Any subdivision developed under the Patio Home (PH) standards of this ordinance shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Usable open space shall not be required for a patio home development if it contains fifty (50) or fewer lots and the property contiguous (abutting or separating only by a local or collector street) to the subdivision is either developed for use other than patio homes or is restricted by zoning to not permit patio home development. Properties separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.
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.

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
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
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: 05/18/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
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:

500 BLOCK EAST NORTHCREEK DRIVE

The request of Young Enterprises, LP (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located in the 500 block of East Northcreek Drive, being 6.166 acres in the James H. Clark Survey, Abstract No. 273, as follows:

Board of Adjustments

A. Exception under Ordinance No. 2280, Section 8, Subsection (9) to allow the following lot widths and area in lieu of the required 40' lot width and 4,000 square foot lot area for patio homes in the proposed Cottages at Magnolia Village in an R-1 (One-Family Residential) District.

Lot 3, Block 2 – 3,996 square foot lot area
Lot 18, Block 1 – 33.66' lot width
Lot 19, Block 1 - 33.66' lot width
Lot 26, Block 1 – 30.19' lot width

B. Variance under Ordinance No. 2280, Section 8, Subsection (9) to allow the following lots with front yard setbacks in lieu of the maximum 25' front yard setback for patio homes in the proposed Cottages at Magnolia Village in an R-1 (One-Family Residential) District.

Lot 1, Block 1 – 29' front setback
Lot 26, Block 1 – 30' front setback
Lot 29, Block 1 – 26' front setback
Lot 30, Block 1 – 31' front setback

Planning and Zoning Commission

C. Final Plat approval of Cottages at Magnolia Village
D. Repeal (Ord. 6323) and granting a new Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes on Lots 1-12, 14-26 and 28-30, Block 1 and Lots 1-10, Block 2 of the proposed Cottages at Magnolia Village for a total of 38 patio homes in an R-1 (One-Family Residential) District.

Background:

The property is located in the 500 block of East Northcreek Drive between Hilre Drive and Town Center Street. The property was rezoned from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District and a Specific Use Permit to allow 39 patio homes was approved September 8, 2020 (Ord. 6323).

The owner would like to plat the property into forty lots for residential development, one lot being for detention and another for access area to be owned and maintained by the Homeowner's Association. They are requesting to amend a previously approved Specific Use Permit to allow 39 patio homes reducing it to 38. Exceptions are requested on four lots for lot width and area and variances to allow larger front setbacks than allowed in the patio home ordinance.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Young Enterprises, LP (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:

32

Objections Received:

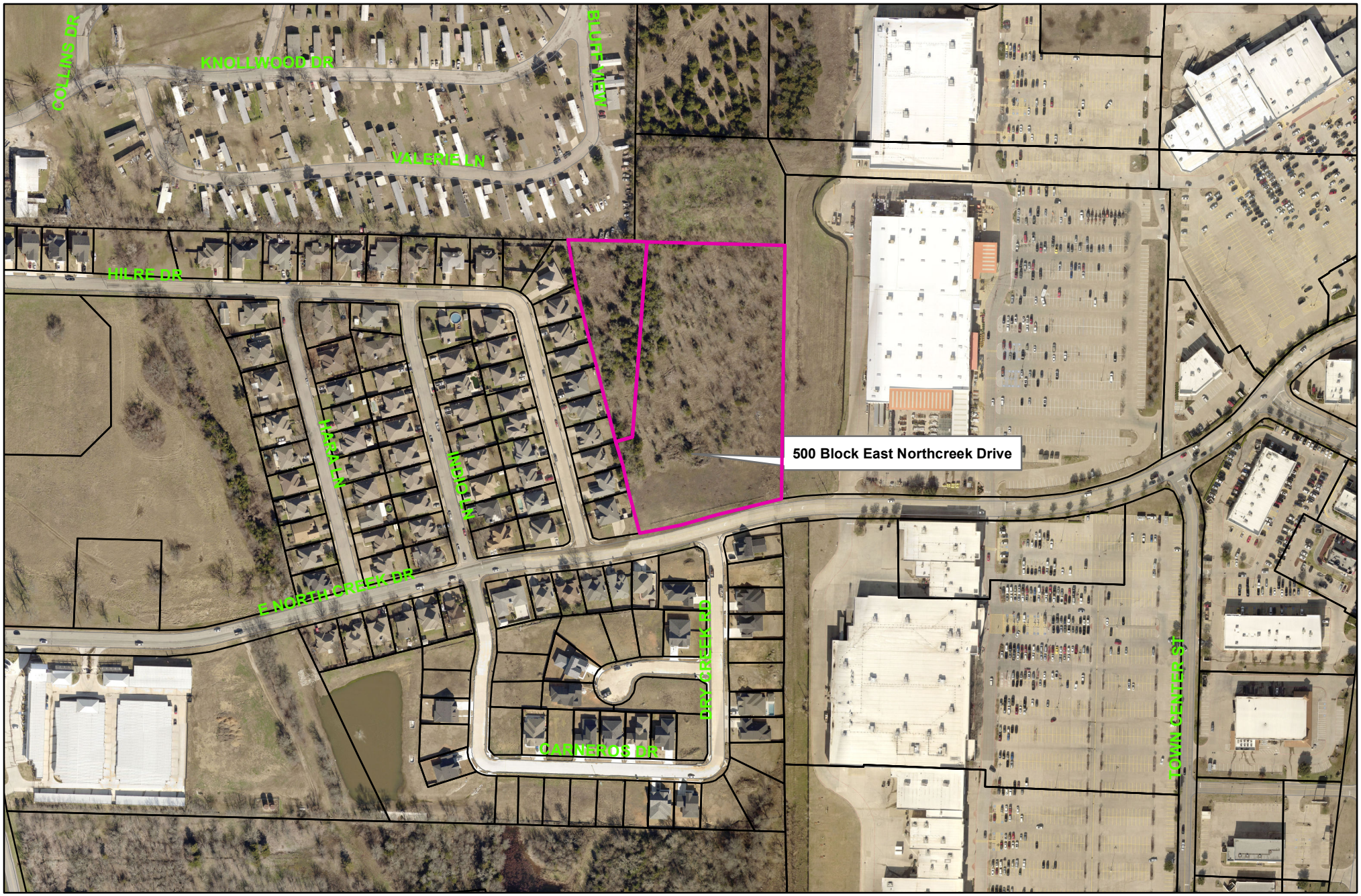
0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Cottages at Magnolia Village
Lots for Exception Lot Width & Area
Ordinance 6323
Patio Home Lots
Site Plan Setbacks
Staff Review Letter - Plat
Staff Review Letter - SUP



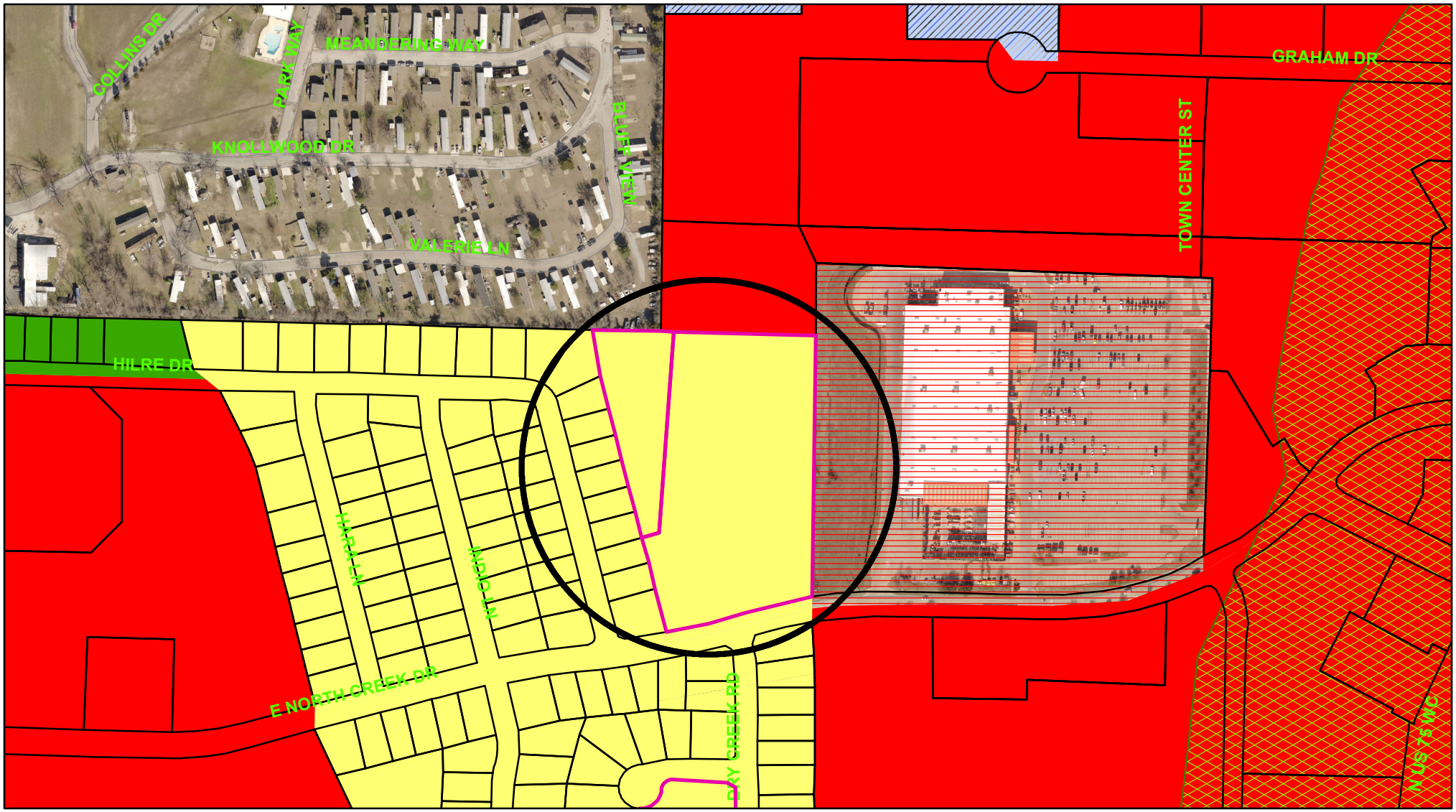
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

500 Block East Northcreek Drive

NOT TO SCALE

1 in = 300 ft



Zoning - 500 Block East Northcreek 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
Developmental Services Department

NOT TO SCALE

1 in = 311 ft

500 Block East Northcreek Drive

YOUNG ENTERPRISES, INC.

April 22, 2021

City of Sherman
Developmental Services
220 W. Mulberry St.
Sherman, TX 75090

Developmental Services:

With regards to the Cottages at Magnolia Village patio home development, attached you will find our application for variance on lots 1, 26, 29, and 30 on the maximum front yard setback of 25 ft.. Also attached is a copy of a portion of the site plan with the areas of setbacks identified in red. The variances were/are necessary to fit into the contours around those lots.

Additionally, a variance is requested for Lot 3 on the lot size which is 4 ft. under the required 4,000 sq. ft.. Lots 18, 19, and 26 require a variance as they are just under the 40 ft. minimum lot width. Finally, the Cottages development should be amended from 39 lots to 38 lots.

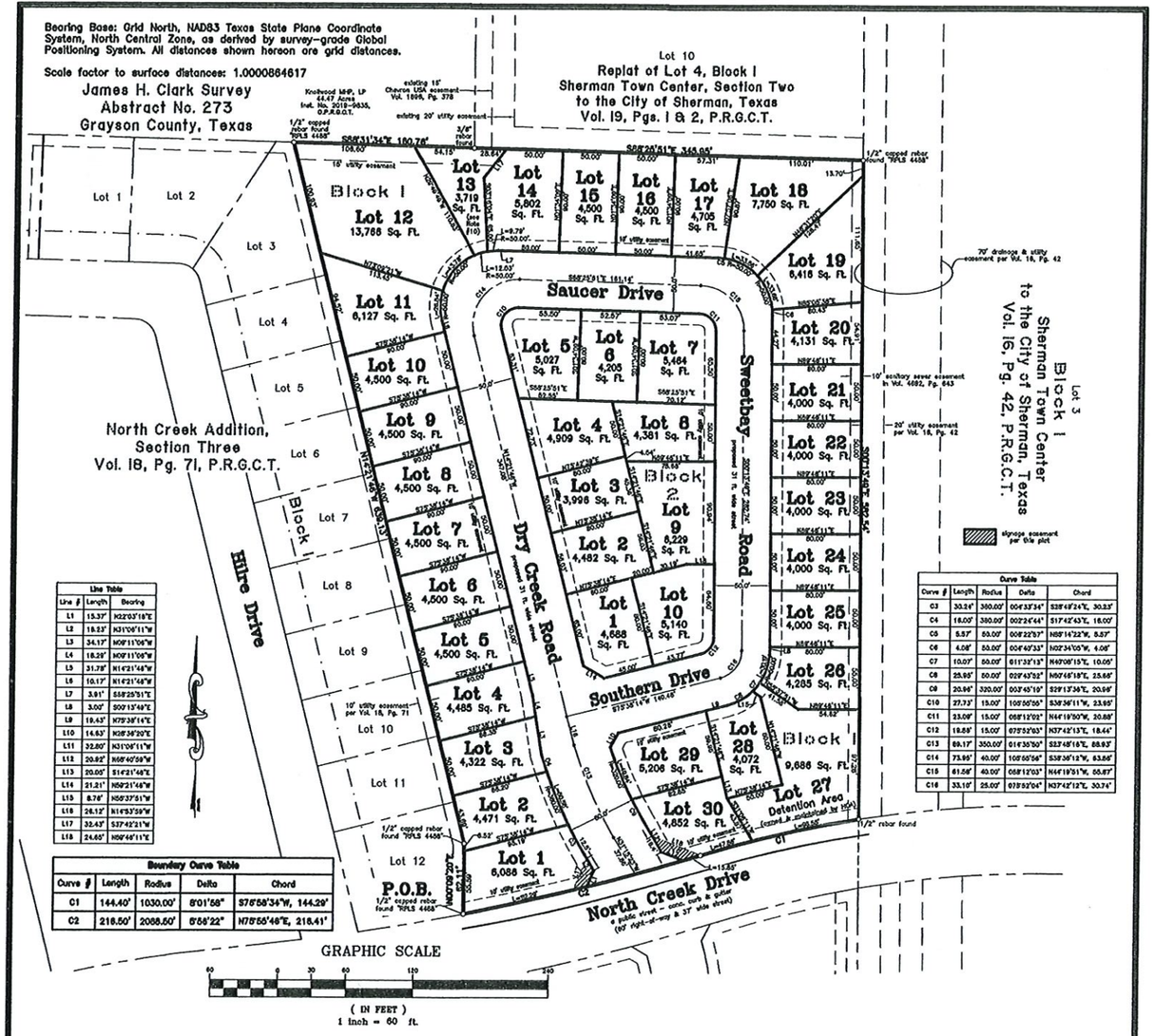
This application, along with attachments and our check, should accompany our final plat application for the Cottages at Magnolia Village. I hope you will find everything in order. Please let me know if additional information is needed. Thank you for your help in this process.

Best regards,

Mike DeLong
Young Enterprises

Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone, as derived by survey-grade Global Positioning System. All distances shown hereon are grid distances.

Scale factor to surface distances: 1.0000864617



Line Table		
Line #	Length	Bearing
L1	15.37'	N22°03'18"E
L2	18.23'	N31°06'11"W
L3	34.17'	N09°11'06"W
L4	18.29'	N09°11'06"W
L5	31.78'	N14°21'48"W
L6	10.17'	N14°21'48"W
L7	3.91'	S88°25'51"E
L8	3.00'	S00°13'49"E
L9	19.43'	N79°38'14"E
L10	14.63'	N39°36'20"E
L11	32.80'	N31°06'11"W
L12	20.82'	N68°40'59"W
L13	20.05'	S14°21'48"E
L14	21.21'	N59°21'48"W
L15	8.78'	N56°37'51"W
L16	28.13'	N14°53'39"W
L17	32.43'	S37°42'21"W
L18	24.65'	N59°48'11"E

Curve Table				
Curve #	Length	Radius	Delta	Chord
C3	30.26'	350.00'	004°57'34"	S28°49'24"E, 30.25'
C4	18.00'	350.00'	002°56'44"	S17°42'43"E, 18.00'
C5	5.57'	50.00'	006°22'57"	N85°14'22"W, 5.57'
C6	4.08'	50.00'	004°40'33"	N02°34'05"W, 4.08'
C7	10.07'	50.00'	011°32'13"	N47°08'15"E, 10.05'
C8	25.95'	50.00'	029°43'52"	N07°48'18"E, 25.66'
C9	20.94'	320.00'	003°45'10"	S29°13'36"E, 20.94'
C10	27.73'	15.00'	105°56'06"	S38°36'11"W, 23.95'
C11	23.08'	15.00'	088°12'02"	N44°19'30"W, 20.86'
C12	18.85'	15.00'	075°52'03"	N37°42'13"E, 18.44'
C13	89.17'	350.00'	014°35'50"	S37°48'18"E, 88.93'
C14	73.95'	45.00'	105°06'56"	S38°36'13"W, 63.86'
C15	61.06'	45.00'	086°47'03"	N46°19'51"W, 55.42'
C16	33.19'	25.00'	075°52'04"	N37°42'12"E, 30.74'

Boundary Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	144.40'	1030.00'	8°01'58"	S76°58'34"W, 144.29'
C2	218.50'	2088.50'	5°59'22"	N75°55'48"E, 218.41'

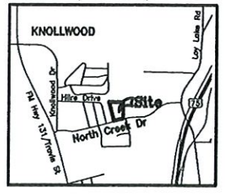
Final Plat of
Cottages at Magnolia Village
to the
City of Sherman, Texas
6.166 Acres
in the
James H. Clark Survey
Abstract No. 273

Job No. CGS490920

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 Delivery Corp.
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.
10. Lot 13 shall be used as an access area and to be owned and maintained by the Homeowner's Association for this development.

Vicinity Map
(not to scale)



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

Owner/Developer
Young Enterprises, L.P.
5415 N. Highway 1417
Sherman, Texas

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the James H. Clark Survey, Abstract No. 273 and being all of the 6.166 acre tract of land conveyed by Special Warranty Deed from Bountifull, L.P. and Vesta, L.P., to Young Enterprises, L.P., on April 28, 2016, recorded in Volume 5796, Page 592, 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 stamped "RPLS 4488" on the North right-of-way line of North Creek Drive, the Southwest corner of said Young 6.166 ac., the Southeast corner of Lot 12, Block 1, North Creek Addition, Section Three, to the City of Sherman, Texas, as per plat of record in Volume 18, Page 71, Plat Records, Grayson County, Texas, the Southwest corner of the herein described tract;

THENCE North 00 deg. 09 min. 20 sec. East, with a West line of said Young 6.166 ac., an East line of said Lot 12, Block 1, North Creek Addition, a distance of 62.11 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at an angle point of all said Lot 12, Young 6.166 ac., and the herein described tract;

THENCE North 14 deg. 21 min. 48 sec. West, with a West line of said Young 6.166 ac., an East line of said Block 1, North Creek Addition, a distance of 639.13 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" on the South line of Knollwood MHP, L.P. 44.47 acre tract of land, recorded in Instrument No. 2019-9835, said Official Public Records, Grayson County, Texas, the Northeast corner of Lot 3, said Block 1, North Creek Addition, the Northwest corner of both said Young 6.166 ac. and the herein described tract;

THENCE South 88 deg. 31 min. 34 sec. East, with a North line of said Young 6.166 ac., the South line of said Knollwood 44.47 ac., a distance of 180.76 ft. to a 3/8 inch rebar found at the Southwest corner of Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, to the City of Sherman, Texas, as per plat of record in Volume 19, Pages 1 & 2, said Plat Records, Grayson County, Texas, the Southeast corner of said Knollwood 44.47 ac., an angle point of both said Young 6.166 ac. and the herein described tract;

THENCE South 88 deg. 25 min. 51 sec. East, with a North line of said Young 6.166 ac., the South line of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, a distance of 345.95 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" on the West line of Lot 3, Block 1, Sherman Town Center, to the City of Sherman, Texas, as per plat of record in Volume 16, Page 42, said Plat Records, Grayson County, Texas, the Southeast corner of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, the Northeast corner of both said Young 6.166 ac. and the herein described tract;

THENCE South 00 deg. 13 min. 49 sec. East, with the East line of said Young 6.166 ac., the West line of said Lot 3, Block 1, Sherman Town Center, a distance of 582.54 ft. to a 1/2 inch rebar found on the North right-of-way line of said North Creek Drive, the Southwest corner of said Lot 3, Block 1, Sherman Town Center, the Southeast corner of both said Young 6.166 ac. and the herein described tract;

THENCE Southwesterly, with a curve to the left having a radius of 1,030.00 ft., a central angle of 08 deg. 01 min. 58 sec. (Chord Bears: South 76 deg. 58 min. 34 sec. West, 144.29 ft.) an arc distance of 144.40 ft. to a point at the end of said curve, on the North right-of-way line of said North Creek Drive, an angle point of both said Young 6.166 ac. and the herein described tract;

THENCE Southwesterly, with a curve to the right having a radius of 2,088.50 ft., a central angle of 05 deg. 56 min. 22 sec. (Chord Bears: South 75 deg. 55 min. 48 sec. West, 216.41 ft.) an arc distance of 216.50 ft. to the **PLACE OF BEGINNING** and containing **6.166 ACRES** of land.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Kate A. Wagner, R. P. L. S. No. 6578 Date:

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

I, Authorized Representative for Young Enterprises, L.P., sole owner of Final Plat of Cottages at Magnolia Village 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.

Authorized Representative for Young Enterprises

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Authorized Representative for Young Enterprises, 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 _____, 2020.

Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the Final Plat of Cottages at Magnolia Village to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2020, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

This, the Final Plat of Cottages at Magnolia Village to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2020, by the City Council of the City of Sherman, Texas.

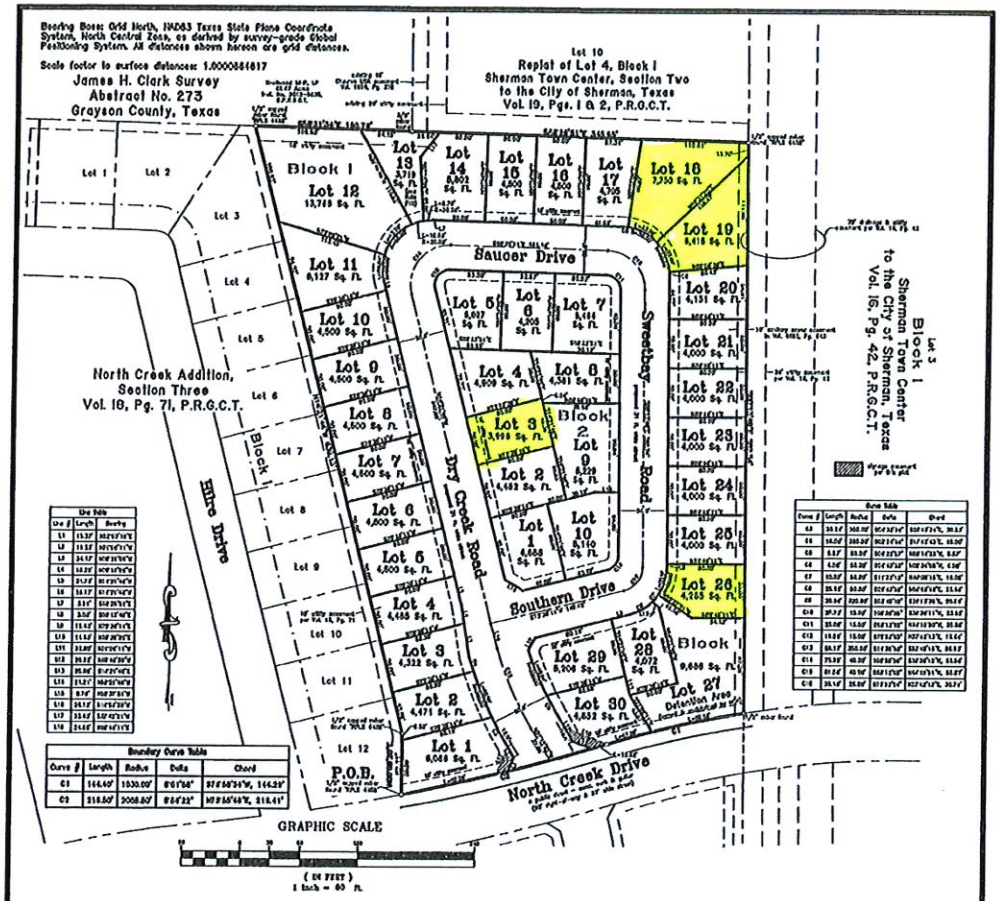
ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing Final Plat of Cottages at Magnolia Village to the City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 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 Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

WITNESS MY HAND THIS _____ DAY OF _____, 2020, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Final Plat of
Cottages at Magnolia Village
to the
City of Sherman, Texas

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



Line Table		
Line #	Length	Bearing
L1	13.32'	N01°21'19"E
L2	13.32'	N01°21'19"E
L3	24.13'	N01°21'19"E
L4	14.25'	N01°21'19"E
L5	21.24'	N01°21'19"E
L6	24.13'	N01°21'19"E
L7	3.51'	S88°38'41"E
L8	3.51'	S88°38'41"E
L9	11.44'	N01°21'19"E
L10	11.44'	S88°38'41"E
L11	21.88'	N01°21'19"E
L12	20.13'	S88°38'41"E
L13	20.13'	N88°38'41"W
L14	21.88'	S01°21'19"W
L15	0.74'	S01°21'19"W
L16	24.13'	S01°21'19"W
L17	23.43'	S01°21'19"W
L18	21.68'	S01°21'19"W

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	144.40'	1030.00'	8°01'58"	S74°58'31"W, 144.29'
C2	218.50'	2058.50'	6°04'22"	N73°55'48"E, 218.41'

Curve Table				
Curve #	Length	Radius	Delta	Chord
C3	33.11'	300.00'	6°19'26"	S74°47'54"E, 33.09'
C4	14.06'	300.00'	2°41'04"	S71°41'21"E, 14.06'
C5	6.87'	25.00'	15°44'22"	N80°13'53"E, 6.85'
C6	4.26'	25.00'	9°45'49"	N88°38'04"E, 4.26'
C7	15.52'	25.00'	35°33'10"	S69°38'15"E, 15.28'
C8	25.12'	25.00'	57°34'00"	S00°21'19"E, 24.08'
C9	25.96'	300.00'	4°57'49"	S03°17'24"E, 25.95'
C10	27.27'	15.00'	104°09'56"	S50°38'41"E, 23.65'
C11	23.56'	15.00'	90°00'00"	N01°21'19"E, 21.21'
C12	11.81'	15.00'	45°06'10"	N23°54'24"E, 11.51'
C13	68.13'	250.00'	15°36'56"	S07°47'51"E, 67.91'
C14	75.30'	45.00'	95°52'49"	S46°40'16"E, 66.84'
C15	81.62'	45.00'	104°01'05"	N43°40'16"W, 70.87'
C16	28.14'	25.00'	64°29'12"	N01°21'19"E, 26.67'

Final Plat of
Cottages at Magnolia Village
to the
City of Sherman, Texas
6.166 Acres
In the
James H. Clark Survey
Abstract No. 273
Job No. C0S490920

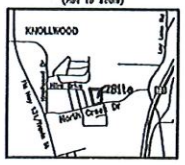
General Notes:

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 to provided by Grayson Electric Delivery Corp.
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 lots 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. 48181C0320 F, Panel No. F, Effective Date: September 26, 2008.
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 development of this type.
10. Lot 10 shall be used as an access area and to be owned and maintained by the Homeowner's Association for the development.

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

Owner/Developer
Young Enterprises, L.P.
5415 N. Highway 1417
Sherman, Texas

Vicinity Map
(not to scale)



\\L52100081\shared\Shared Projects\Land Projects 22\Cottages-at-Magnolia-Village\Drawings\Final-Plat-Cottages-at-Magnolia-Village.dwg 4/21/2021 2:15 PM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the James H. Clark Survey, Abstract No. 273 and being all of the 6.166 acre tract of land conveyed by Special Warranty Deed from Bountiful, L.P. and Vesta, L.P., to Young Enterprises, L.P., on April 26, 2018, recorded in Volume 5789, Page 592, 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 stamped "RPLS 4468" on the North right-of-way line of North Creek Drive, the Southeast corner of said Young 6.166 ac., the Southeast corner of Lot 12, Block 1, North Creek Addition, Section Three, to the City of Sherman, Texas, as per plat of record in Volume 18, Page 71, Plat Records, Grayson County, Texas, the Southeast corner of the herein described tract;

THENCE North 00 deg. 09 min. 20 sec. East, with a West line of said Young 6.166 ac., an East line of said Lot 12, Block 1, North Creek Addition, a distance of 62.11 ft. to a 1/2 inch capped rebar found stamped "RPLS 4468" at an angle point of at said Lot 12, Young 6.166 ac., and the herein described tract;

THENCE North 14 deg. 21 min. 46 sec. West, with a West line of said Young 6.166 ac., an East line of said Block 1, North Creek Addition, a distance of 639.13 ft. to a 1/2 inch capped rebar found stamped "RPLS 4468" on the South line of Knollwood MHP, L.P. 44.47 acre tract of land, recorded in Instrument No. 2019-28335, said Official Public Records, Grayson County, Texas, the Northeast corner of Lot 3, said Block 1, North Creek Addition, the Northwest corner of both said Young 6.166 ac. and the herein described tract;

THENCE South 88 deg. 31 min. 34 sec. East, with a North line of said Young 6.166 ac., the South line of said Knollwood 44.47 ac., a distance of 180.78 ft. to a 3/8 inch rebar found at the Southwest corner of Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, to the City of Sherman, Texas, as per plat of record in Volume 19, Pages 1 & 2, said Plat Records, Grayson County, Texas, the Southeast corner of said Knollwood 44.47 ac., an angle point of both said Young 6.166 ac. and the herein described tract;

THENCE South 88 deg. 25 min. 51 sec. East, with a North line of said Young 6.166 ac., the South line of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, a distance of 315.95 ft. to a 1/2 inch capped rebar found stamped "RPLS 4468" on the West line of Lot 3, Block 1, Sherman Town Center, to the City of Sherman, Texas, as per plat of record in Volume 16, Page 42, said Plat Records, Grayson County, Texas, the Southeast corner of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, the Northeast corner of both said Young 6.166 ac. and the herein described tract;

THENCE South 00 deg. 13 min. 49 sec. East, with the East line of said Young 6.166 ac., the West line of said Lot 3, Block 1, Sherman Town Center, a distance of 562.54 ft. to a 1/2 inch rebar found on the North right-of-way line of said North Creek Drive, the Southwest corner of said Lot 3, Block 1, Sherman Town Center, the Southeast corner of both said Young 6.166 ac. and the herein described tract;

THENCE Southwesterly, with a curve to the left having a radius of 1,030.00 ft., a central angle of 08 deg. 01 min. 58 sec. (Chord Bears: South 78 deg. 58 min. 31 sec. West, 144.29 ft.) an arc distance of 144.40 ft. to a point at the end of said curve, on the North right-of-way line of said North Creek Drive, an angle point of both said Young 6.166 ac. and the herein described tract;

THENCE Southwesterly, with a curve to the right having a radius of 2,058.50 ft., a central angle of 06 deg. 04 min. 22 sec. (Chord Bears: South 76 deg. 55 min. 48 sec. West, 218.41 ft.) an arc distance of 218.50 ft. to the **PLACE OF BEGINNING** and containing **6.166 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

I, Authorized Representative for Young Enterprises, L.P., sole owner of Final Plat of Cottages at Magnolia Village 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.

Authorized Representative for Young Enterprises

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Authorized Representative for Young Enterprises, 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 _____, 2020.

Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the Final Plat of Cottages at Magnolia Village to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2020, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

This, the Final Plat of Cottages at Magnolia Village to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2020, 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 Cottages at Magnolia Village to the City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 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 Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

WITNESS MY HAND THIS _____ DAY OF _____, 2020, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Final Plat of
Cottages at Magnolia Village
to the
City of Sherman, Texas

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

\\L52100081\shared\Shared Projects\Land Projects 22\Cottages-at-Magnolia-Village\Drawings\Final-Plat-Cottages-at-Magnolia-Village.dwg 4/21/2021 2:15 PM

ORDINANCE NO. 6323

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AND SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW UP TO THIRTY-NINE (39) PATIO HOMES IN THE PROPOSED COTTAGES OF MAGNOLIA VILLAGE IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT IN THE 500 BLOCK OF EAST NORTHCREEK DRIVE, BEING 6.166 ACRES IN THE JAMES H. CLARK SURVEY, ABSTRACT NO. 273 (YOUNG ENTERPRISES, LP, OWNERS; VINCENT STANKO, JONES/CARTER, CIVIL ENGINEER; DREAM TO LIFE DESIGNS, DESIGNER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the R-1 (One-Family Residential) District in the 500 block of East Northcreek Drive, and Young Enterprises, LP (Owners), Vincent Stanko, Jones/Carter (Civil Engineer), Dream to Life Designs (Designer) and Helvey-Wagner Surveyor, Inc. (Surveyor) are granted a Specific Use Permit to allow up to 39 (thirty-nine) patio homes in the proposed Cottages of Magnolia Village and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the James H. Clark Survey, Abstract No. 275 and being all of the 6.166 acre tract of land conveyed by Special Warranty Deed from Bountifull, L.P. and Vesta, L.P., to Young Enterprises, L.P., on April 2016, recorded in Volume 5796, Page 592, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a ½ inch capped rebar found stamped "RPLS 4488" on the North right-of-way line of North Creek Drive, the Southwest corner of said Young 6.166 ac., the Southeast corner of Lot 12, Block 1, North Creek Addition, Section Three, to the City of Sherman, Texas, as per plat of record in Volume 18, Page 71, Plat Records, Grayson County, Texas, the Southwest corner of the herein described tract;

THENCE North 00 deg. 09 min. 20 sec. East, with a West line of said Young 6.166 ac., an East line of said Lot 12, Block 1, North Creek Addition, a distance of 62.11 ft. to a ½ inch capped rebar found stamped "RPLS 4438" at an angle point of all said Lot 12, Young 6.166 ac., and the herein described tract;

THENCE North 14 deg. 21 min. 46 sec. West, with a West line of said Young 6.166 ac., an East line of said Block 1, North Creek Addition, a distance of 639.13 ft. to a ½ inch capped rebar found stamped "RPLS 4488" on the South line of Knollwood MHP, LP. 44,47 acre tract of land, recorded in Instrument No. 2019-9835, said Official Public Records, Grayson County, Texas, the Northeast corner of Lot 3, said Block 1, North Creek Addition, the Northwest corner of both said Young 6.166 ace and the herein described tract;

THENCE South 88 deg. 31 min. 34 sec. East, with a North line of said Young 6.166 ac., the South line of said Knollwood 44.47 ac., a distance of 160.76 ft. to a 3/8 inch rebar found at the Southwest corner of Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, to the City of Sherman, Texas, as per plat of record in Volume 19, Pages 1 & 2, said Plat Records, Grayson County, Texas, the Southeast corner of said Knollwood 44.47 ac., an angle point of both said Young 6.166 ac. and the herein described tract;

THENCE South 88 deg. 25 min. 51 sec. East, with a North line of said Young 6,166 ac., the South line of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, a distance of 345.95 ft. to a ½ inch capped rebar found stamped "RPLS 4488" on the West line of Lot 3, Block 1, Sherman Town Center, to the City of Sherman, Texas, as per plat of record in Volume 16, Page 42, said Plat Records, Grayson County, Texas, the Southeast corner of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, the Northeast corner of both said Young 6.166 ac. and the herein described tract;

THENCE South 00 deg. 13 min, 49 sec. East, with the East line of said Young 6.166 ac., the West line of said Lot 3, Block 1, Sherman Town Center, a distance

of 582.54 ft. to a ½ inch Lot 3, Block 1, Sherman Town Center, the Southeast corner of both said Young 6.166 ac. and the herein rebar found on the North right-of-way line of said North Creek Drive, the Southwest corner of said described tract;

THENCE Southwesterly, with a curve to the left having a radius of 1,030.00 ft., a central angle of 08 deg. 01 min. 58 sec. (Chord Bears: South 76 deg. 58 min. 34 sec. West, 144.29 ft.) an arc distance of 144.40 ft. to a point at the end of said curve, on the North right-of-way line of said North Creek Drive, an angle point of both said Young 6.166 ac, and the herein described tract;

THENCE Southwesterly, with a curve to the right having a radius of 2,088.50 ft., a central angle of 05 deg. 56 min. 22 sec. (Chord Bears: South 75 deg. 55 min. 46 sec. West, 216.41 ft.) an arc distance of 216.50 ft. to the **PLACE OF BEGINNING and containing 6.166 acres of land**.....

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

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the patio home ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
3. A parking space is considered to be 9'x20'.
4. Parking ratio required: one space per bedroom, minimum two per unit.
5. Side yard setbacks must be uniform for all homes within a given block.
6. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
7. Review the zoning and development ordinance for additional requirements.
8. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

9. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from Engineering Department.
10. Platting of the subject property is required.
11. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
12. Water and sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
13. Development Agreement required for public infrastructures.
14. Variance required for lots with less than 40' street frontage.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

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

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

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

INTRODUCED on this the 8th day of September, 2020.

ADOPTED on this the 8th day of September, 2020.

EFFECTIVE DATE on this the 8th day of September, 2020.

CITY OF SHERMAN, TEXAS

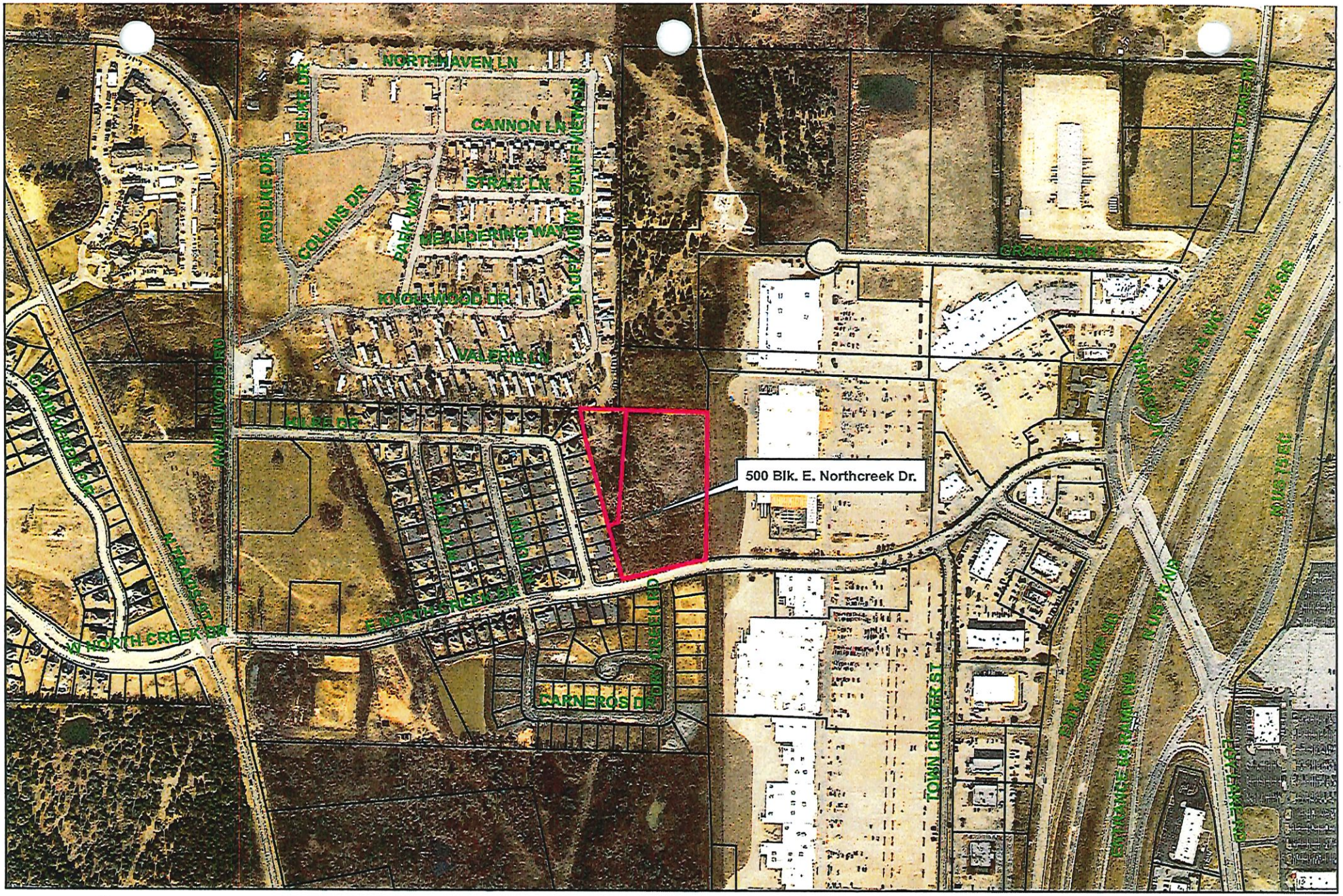
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____
BRANDON S. SHELBY, CITY ATTORNEY



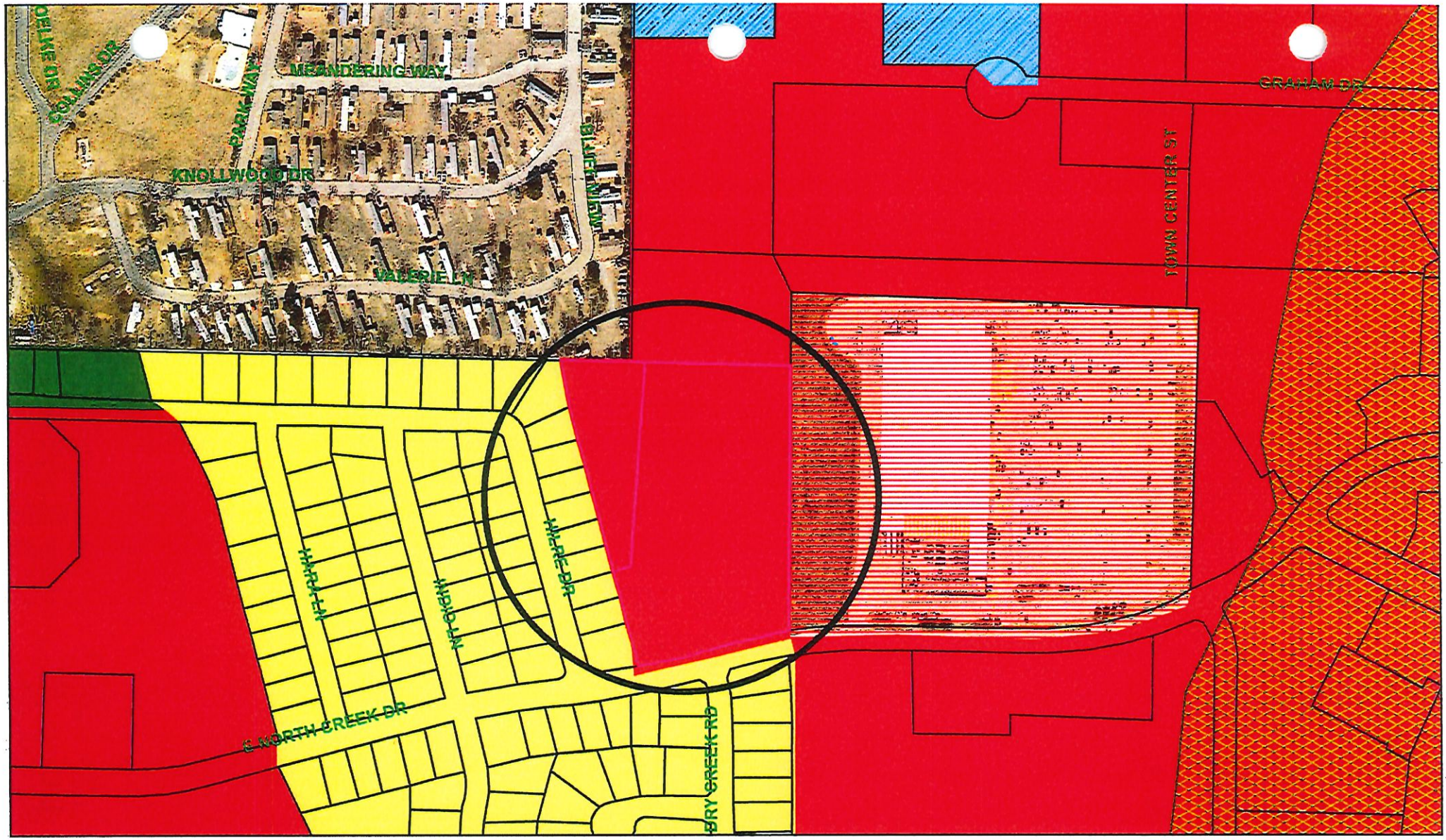
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

500 Blk. East Northcreek Drive

NOT TO SCALE

1 in = 500 ft



Zoning - 500 Blk. East Northcreek Drive

Legend

Parcels

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

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Bialock 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

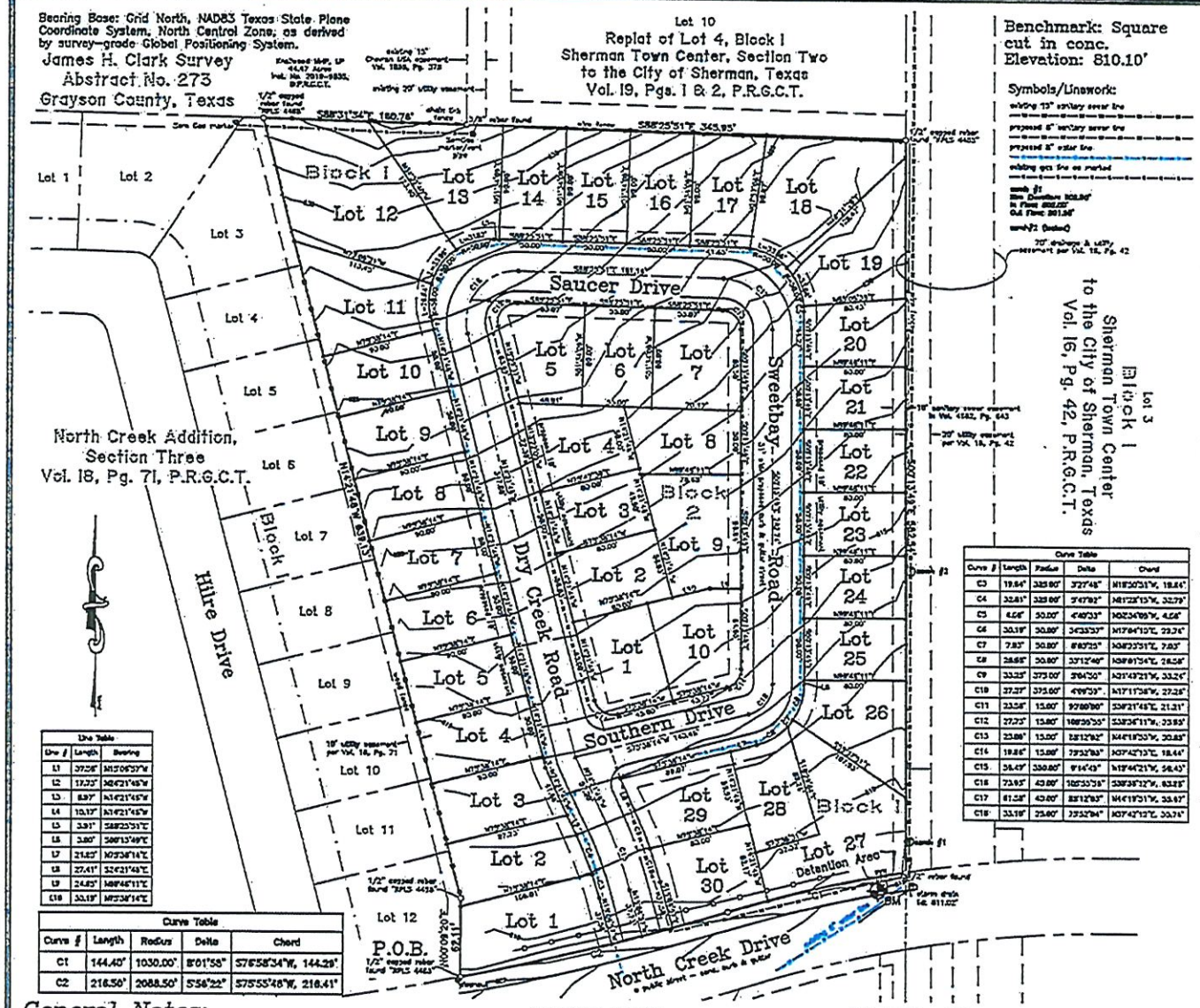
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 in = 300 ft

500 East Northcreek Drive



FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the James H. Clark Survey, Abstract No. 273 and being all of the 6.166 acre tract of land conveyed by Special Warranty Deed from Beautiful, L.P. and Vesta, L.P., to Young Enterprises, L.P., on April 28, 2016, recorded in Volume 5796, Page 592, 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 stamped "RPLS 4488" on the North right-of-way line of North Creek Drive, the Southwest corner of said Young 6.166 ac., the Southeast corner of Lot 12, Block 1, North Creek Addition, Section Three, to the City of Sherman, Texas, as per plat of record in Volume 18, Page 71, Plat Records, Grayson County, Texas, the Southwest corner of the herein described tract;

THENCE North 00 deg. 09 min. 20 sec. East, with a West line of said Young 6.166 ac., an East line of said Lot 12, Block 1, North Creek Addition, a distance of 52.11 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" at an angle point of on said Lot 12, Young 6.166 ac., and the herein described tract;

THENCE North 14 deg. 21 min. 45 sec. West, with a West line of said Young 6.166 ac., an East line of said Block 1, North Creek Addition, a distance of 639.13 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" on the South line of Knollwood LHP, L.P. 44.47 acre tract of land, recorded in Instrument No. 2019-9835, said Official Public Records, Grayson County, Texas, the Northeast corner of Lot 3, said Block 1, North Creek Addition, the Northwest corner of both said Young 6.166 ac., and the herein described tract;

THENCE South 88 deg. 31 min. 34 sec. East, with a North line of said Young 6.166 ac., the South line of said Knollwood 44.47 ac., a distance of 180.76 ft. to a 3/8 inch rebar found at the Southwest corner of Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, to the City of Sherman, Texas, as per plat of record in Volume 19, Pages 1 & 2, said Plat Records, Grayson County, Texas, the Southeast corner of said Knollwood 44.47 ac., an angle point of both said Young 6.166 ac. and the herein described tract;

THENCE South 88 deg. 25 min. 31 sec. East, with a North line of said Young 6.166 ac., the South line of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, a distance of 345.95 ft. to a 1/2 inch capped rebar found stamped "RPLS 4488" on the West line of Lot 3, Block 1, Sherman Town Center, to the City of Sherman, Texas, as per plat of record in Volume 16, Page 42, said Plat Records, Grayson County, Texas, the Southeast corner of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, the Northeast corner of both said Young 6.166 ac. and the herein described tract;

THENCE South 00 deg. 13 min. 49 sec. East, with the East line of said Young 6.166 ac., the West line of said Lot 3, Block 1, Sherman Town Center, a distance of 582.54 ft. to a 1/2 inch rebar found on the North right-of-way line of said North Creek Drive, the Southwest corner of said Lot 3, Block 1, Sherman Town Center, the Southeast corner of both said Young 6.166 ac. and the herein described tract;

THENCE Southwesterly, with a curve to the left having a radius of 1,030.00 ft., a central angle of 08 deg. 01 min. 58 sec. (Chord Bears: South 76 deg. 58 min. 34 sec. West, 144.28 ft.) an arc distance of 144.40 ft. to a point at the end of said curve, on the North right-of-way line of said North Creek Drive, an angle point of both said Young 6.166 ac. and the herein described tract;

THENCE Southwesterly, with a curve to the right having a radius of 2,088.50 ft., a central angle of 05 deg. 56 min. 22 sec. (Chord Bears: South 75 deg. 55 min. 48 sec. West, 216.41 ft.) an arc distance of 216.50 ft. to the PLACE OF BEGINNING and containing 6.166 ACRES of land.

This, the preliminary plat of Cottages at Magnolia Village to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2020, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman _____ Secretary _____

This, the preliminary plat of Cottages at Magnolia Village to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2020, 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 preliminary plat of Cottages at Magnolia Village to the City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 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 Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

WITNESS MY HAND THIS _____ DAY OF _____, 2020, BY

_____ CITY CLERK, CITY OF

SHERMAN, TEXAS

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 Delivery Corp.
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. 48181C0230 F, Revised Date: September 26, 2008.
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. CGS730720

Halvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-5191 Fax (903) 463-4088
Email: kate@halveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10055100

Owner/Developer:
Young Enterprises, L.P.
5415 N. Highway 1417
Sherman, Texas

S:\Land Projects RZ\Cottages-at-Magnolia-Village\Drawings\Cottages-at-Magnolia-Village.dwg 7/22/2020 4:39 PM

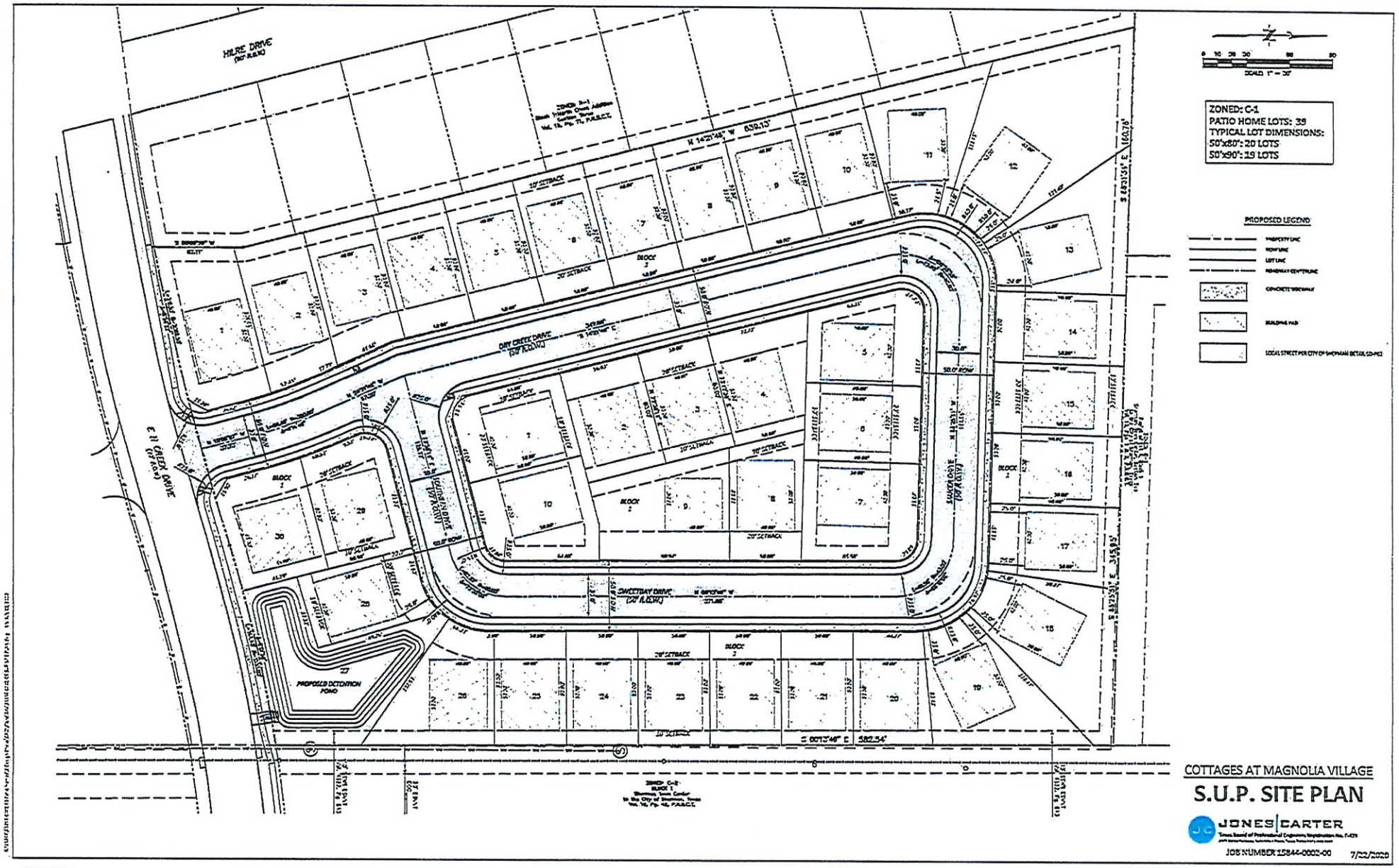
Preliminary Plat of Cottages at Magnolia Village

City of Sherman, Texas

6.166 Acres

in the

James H. Clark Survey, Abstract No. 273


HILRE DRIVE
DRY CREEK DRIVE
SWEETBAY DRIVE
PROPOSED DETENTION POND
ZONED: C-1
PATIO HOME LOTS: 39
TYPICAL LOT DIMENSIONS:
50'x80': 20 LOTS
50'x90': 19 LOTS
PROPOSED LEGEND
PROPERTY LINE
ROW LINE
LOT LINE
ROADWAY CENTERLINE
CONCRETE SIDEWALK
BUILDING PAD
LOCAL STREET PER CITY OF SHERMAN DETAIL (28-FC)
SCALE: 1" = 30'
COTTAGES AT MAGNOLIA VILLAGE
S.U.P. SITE PLAN
JONES|CARTER
JOB NUMBER 15844-0002-00
7/22/2020

MAGNOLIA PLAN 3

NOTES:

- CONTRACTOR TO REVIEW AND APPROVE ALL PLANS PRIOR TO CONSTRUCTION.
- HOUSE TO BE BUILT BY DIMENSIONS WITH LINES, NOT BY DIMENSIONS ON ROOM LABELS.
- BUILDING TO BE BUILT PER 2015 IRC CODES.
- IF A DOOR OR WINDOW IS NOT DIMENSIONED, IT IS EITHER 6" OFF A WALL OR CENTERED IN A WALL.

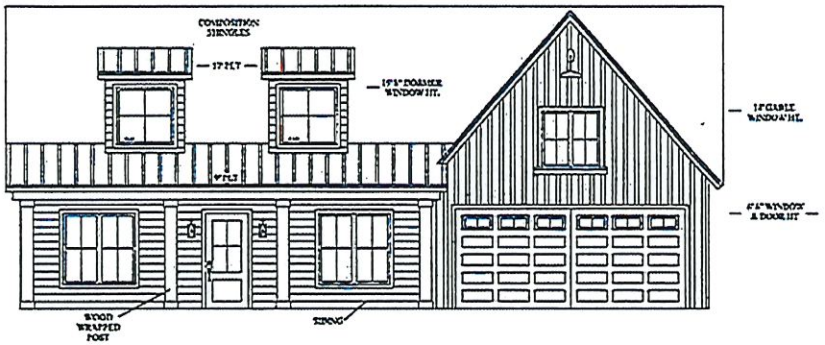
SQUARE FOOTAGE:
HEATED: 1673

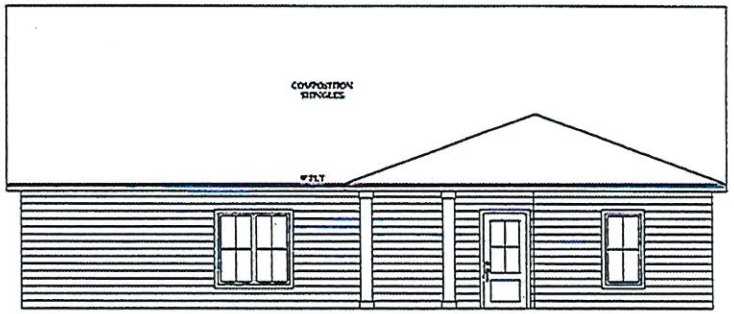
FRONT PORCH: 173
BACK PORCH: 68
GARAGE: 461

MAXIMUM JOIST SPANS (16" O.C.)

2X8	10' 6"
2X10	15' 2"
2X12	18' 0"

PLAN DESIGNER:
DREAM TO LIFE DESIGNS
D2LDESIGNS@YAHOO.COM
903.267.1284





MAGNOLIA #3

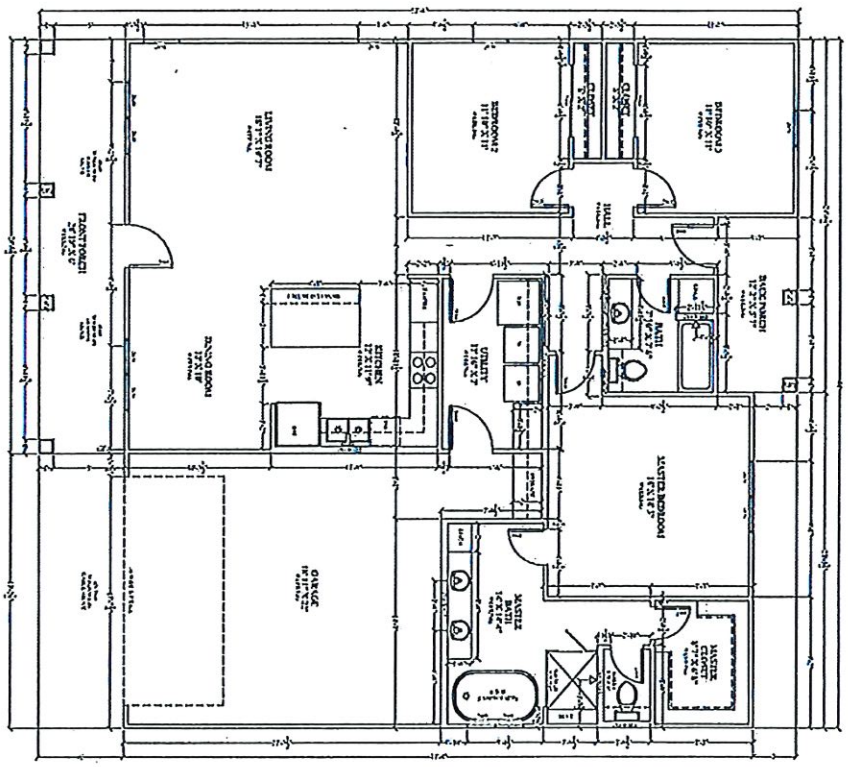
MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

DATE
08/08/17

SHEET
ELEVATIONS

SCALE
1/4" = 1'



DATE
08/08/17

SHEET
FLOOR PLAN

SCALE
1/4" = 1'

MAGNOLIA #3

MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

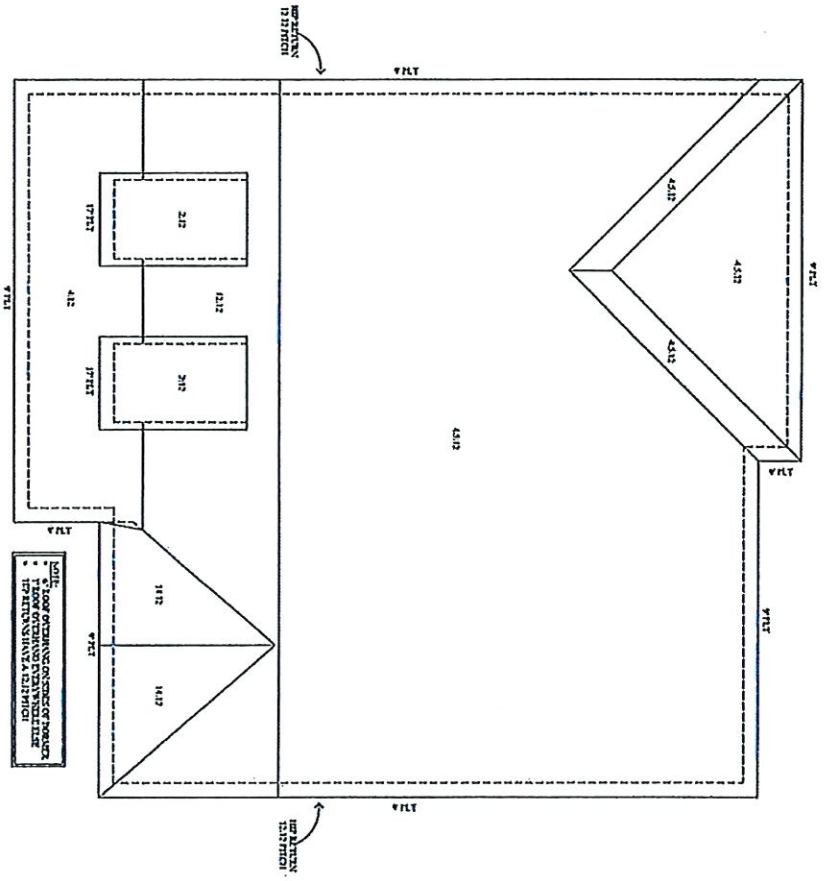
D2LDESIGNS@YAHOO.COM

MAGNOLIA #3

MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

DATE	SHEET	SCALE
08/08/17	ELECTRICAL	1/4" = 1'

ELECTRICAL SCHEDULE



DATE
08/08/17

SHEET
ROOF

SCALE
1/4" = 1'

MAGNOLIA #3

MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

D2LDESIGNS@YAHOO.COM

MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

MAGNOLIA #3

DATE	SHEET	SCALE
08/08/17	FLOORING & TILE	1/4" = 1'

MAGNOLIA PLAN 2

NOTES:

- CONTRACTOR TO REVIEW AND APPROVE ALL PLANS PRIOR TO CONSTRUCTION.
- HOUSE TO BE BUILT BY DIMENSIONS WITH LINES, NOT BY DIMENSIONS ON ROOM LABELS.
- BUILDING TO BE BUILT PER 2015 IRC CODES.
- IF A DOOR OR WINDOW IS NOT DIMENSIONED, IT IS EITHER 6" OFF A WALL OR CENTERED IN A WALL.

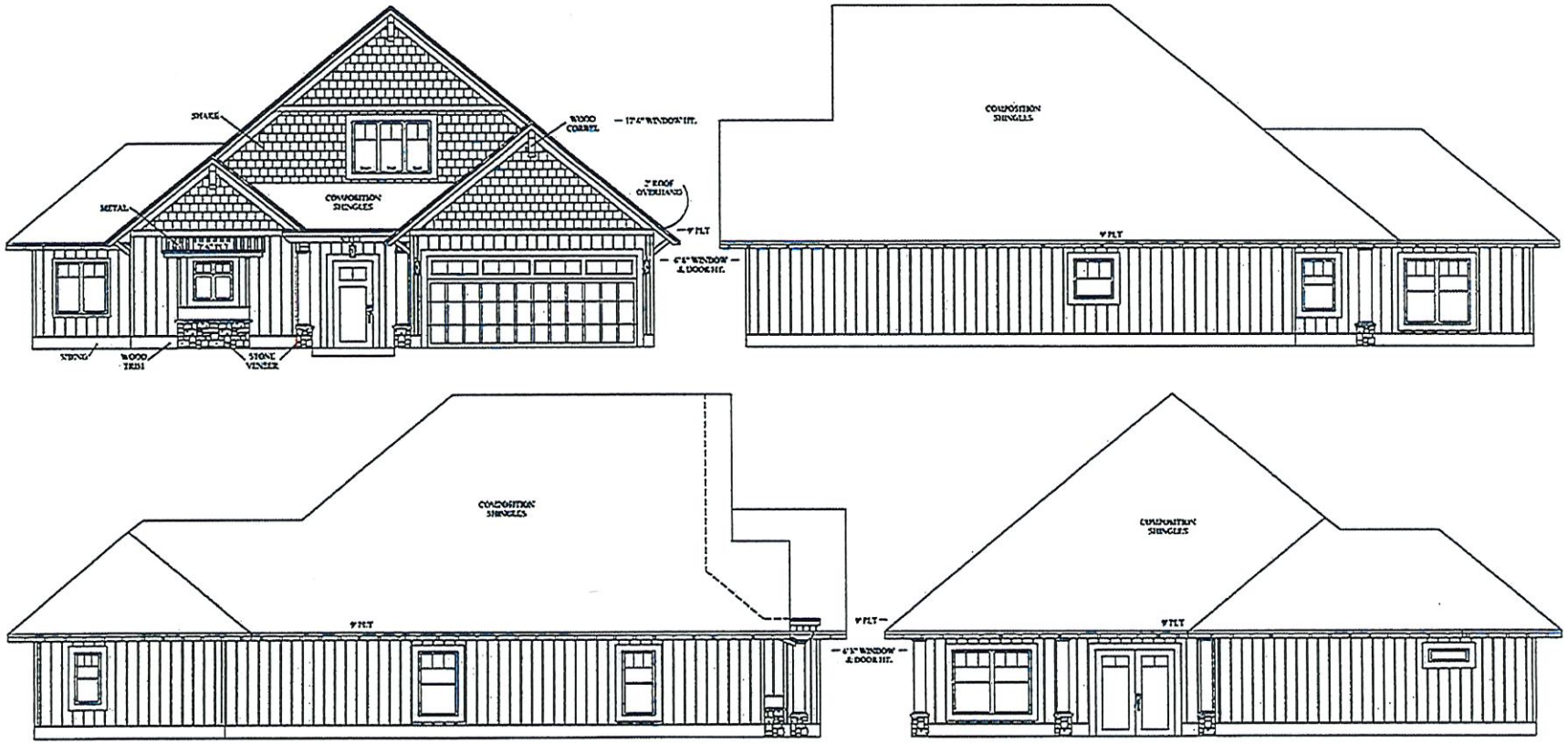
SQUARE FOOTAGE:
HEATED: 1601

FRONT PORCH: 44
BACK PORCH: 139
GARAGE: 388

MAXIMUM JOIST SPANS (16" O.C.)

2X8	10' 6"
2X10	15' 2"
2X12	18' 0"

PLAN DESIGNER:
DREAM TO LIFE DESIGNS
D2LDESIGNS@YAHOO.COM
903.267.1284



MAGNOLIA #2

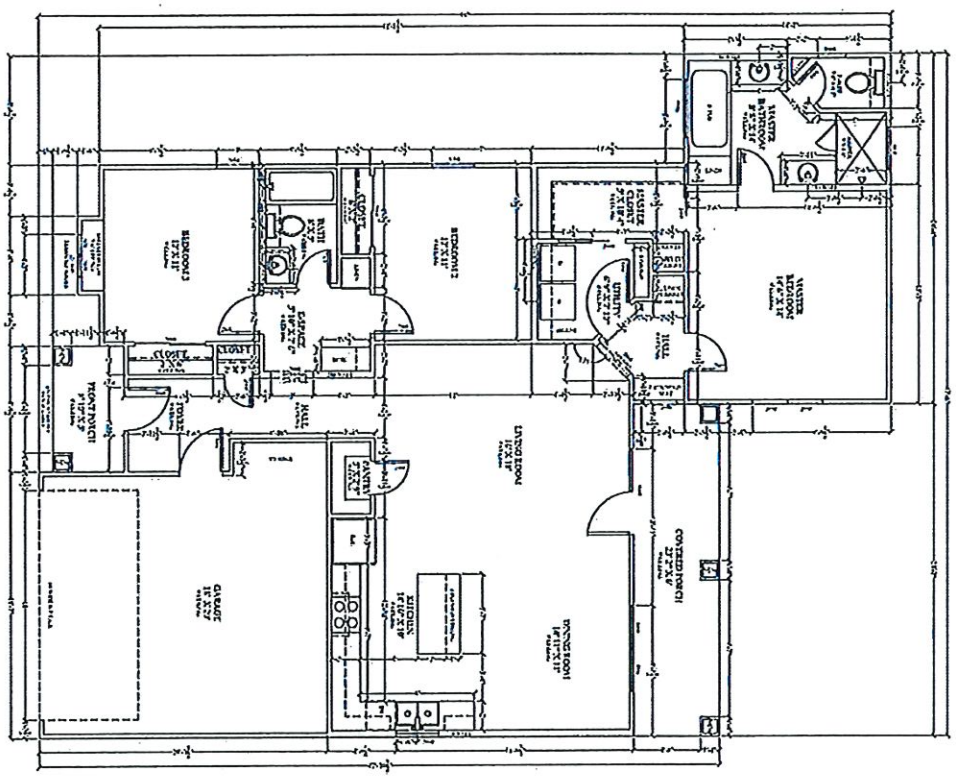
MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

DATE
11/20/17

SHEET
ELEVATIONS

SCALE
1/4" = 1'



DATE
11/20/17

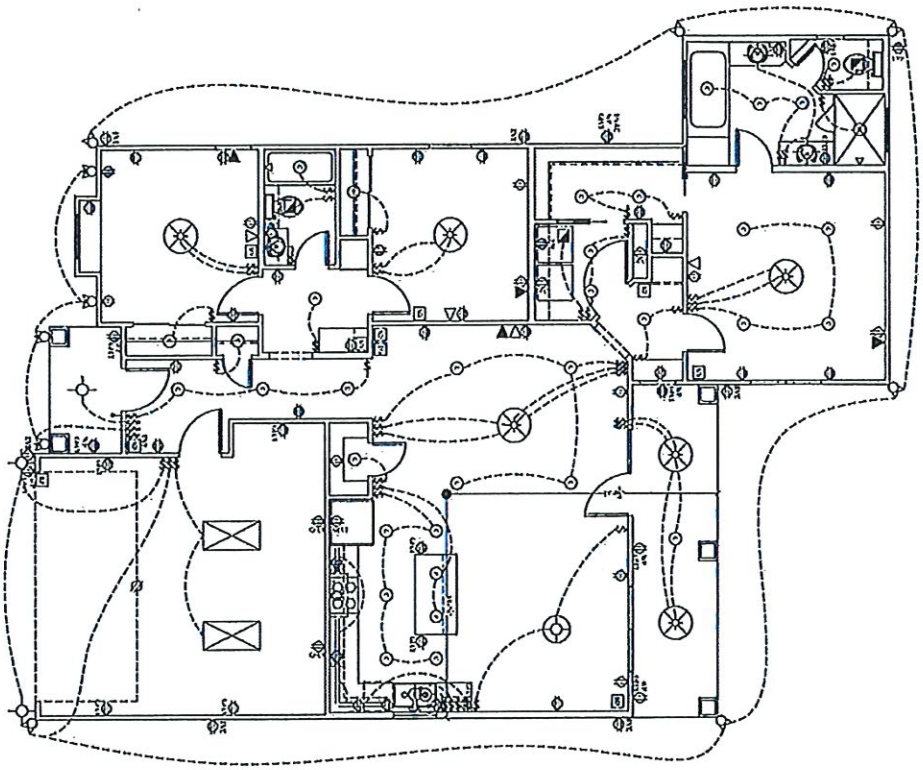
SHEET
FLOOR PLAN

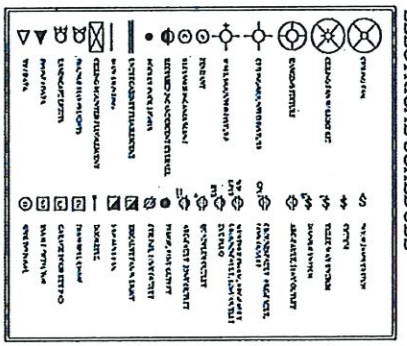
SCALE
1/4" = 1'

MAGNOLIA #2

MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM





ELECTRICAL SCHEDULE

MAGNOLIA #2

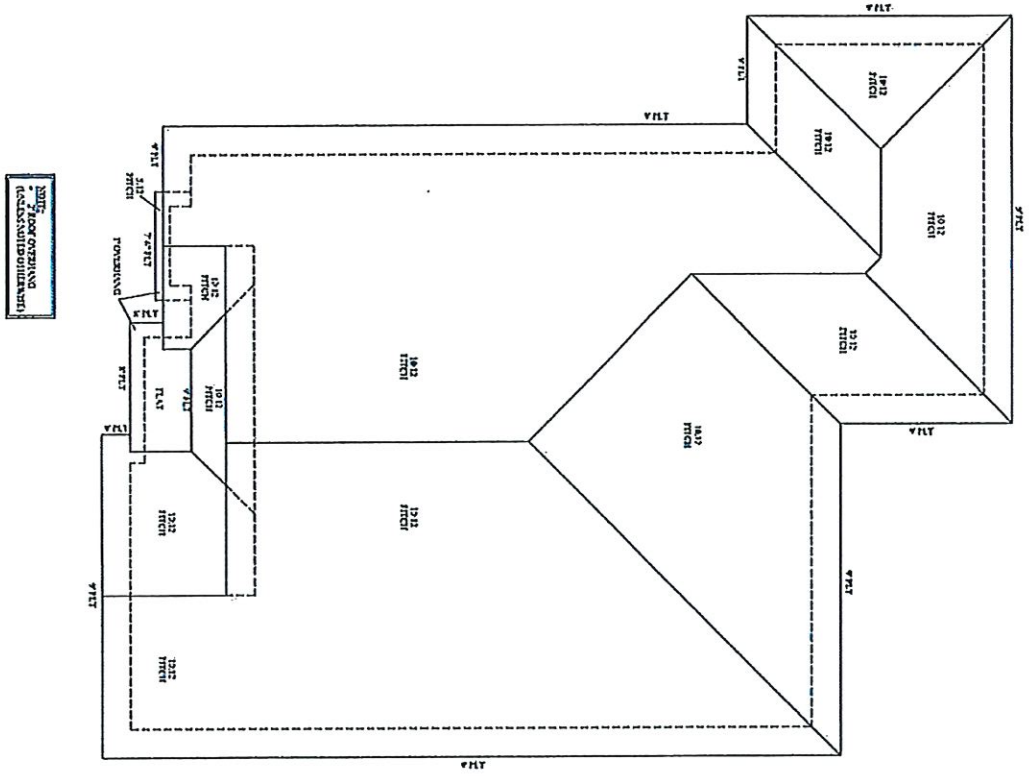
MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

DATE
11/20/17

SHEET
ELECTRICAL

SCALE
1/4" = 1'



DATE
11/20/17

SHEET
ROOF

SCALE
1/4" = 1'

MAGNOLIA #2

MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

D2LDESIGNS@YAHOO.COM

MAGNOLIA #2

MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

DATE	SHEET	SCALE
11/20/17	FLOORING & TILE	1/4" = 1'

MAGNOLIA PLAN 1

NOTES:

- CONTRACTOR TO REVIEW AND APPROVE ALL PLANS PRIOR TO CONSTRUCTION.
- HOUSE TO BE BUILT BY DIMENSIONS WITH LINES, NOT BY DIMENSIONS ON ROOM LABELS.
- BUILDING TO BE BUILT PER 2015 IRC CODES.
- IF A DOOR OR WINDOW IS NOT DIMENSIONED, IT IS EITHER 6" OFF A WALL OR CENTERED IN A WALL.

SQUARE FOOTAGE:

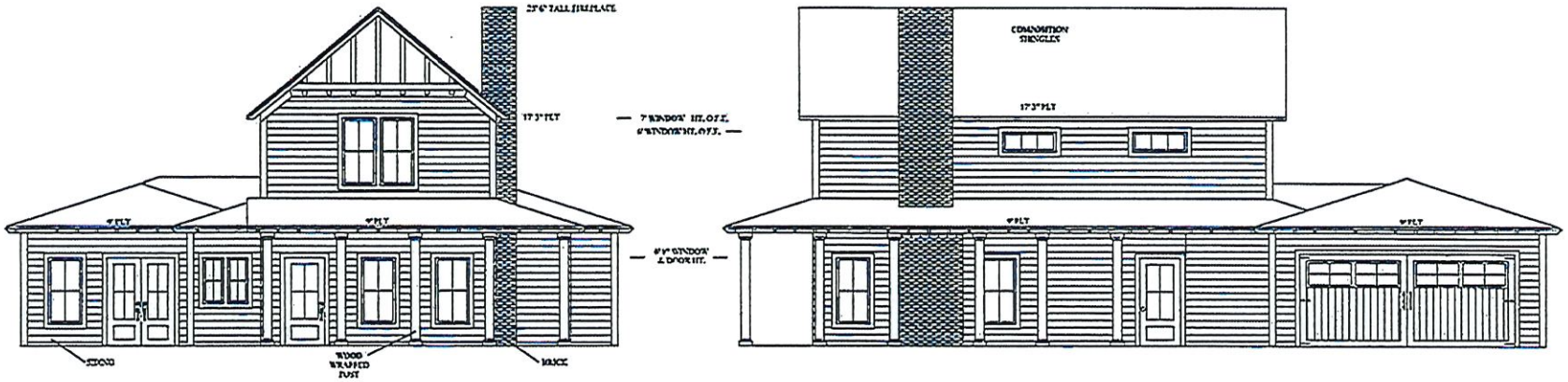
1ST FLOOR: 1226
2ND FLOOR: 559
TOTAL HEATED: 1785

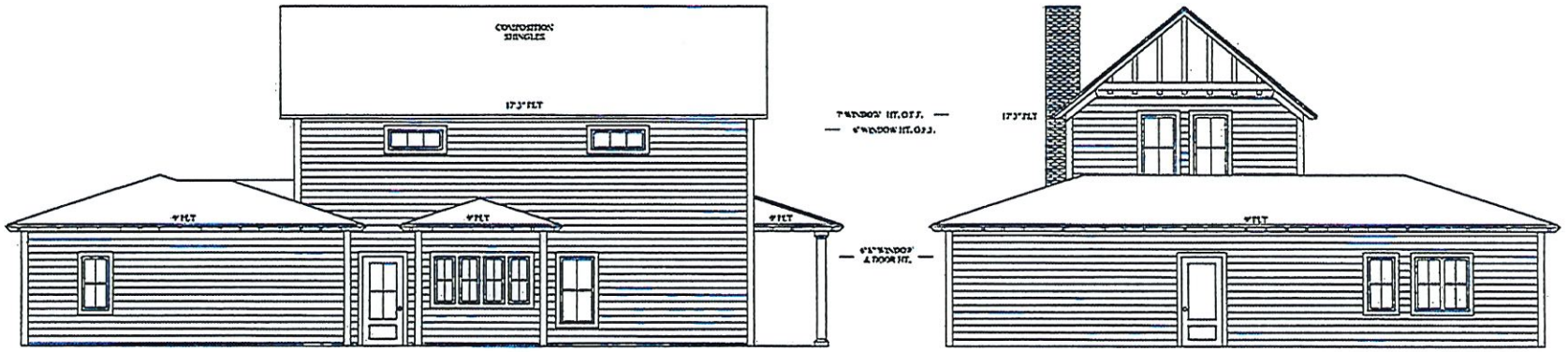
FRONT PORCH: 272
GARAGE: 452
STOOP: 20

MAXIMUM JOIST SPANS (16" O.C.)

2X8	10' 6"
2X10	15' 2"
2X12	15' 0"

PLAN DESIGNER:
DREAM TO LIFE DESIGNS
D2LDESIGNS@YAHOO.COM
903.267.1284





MAGNOLIA #1

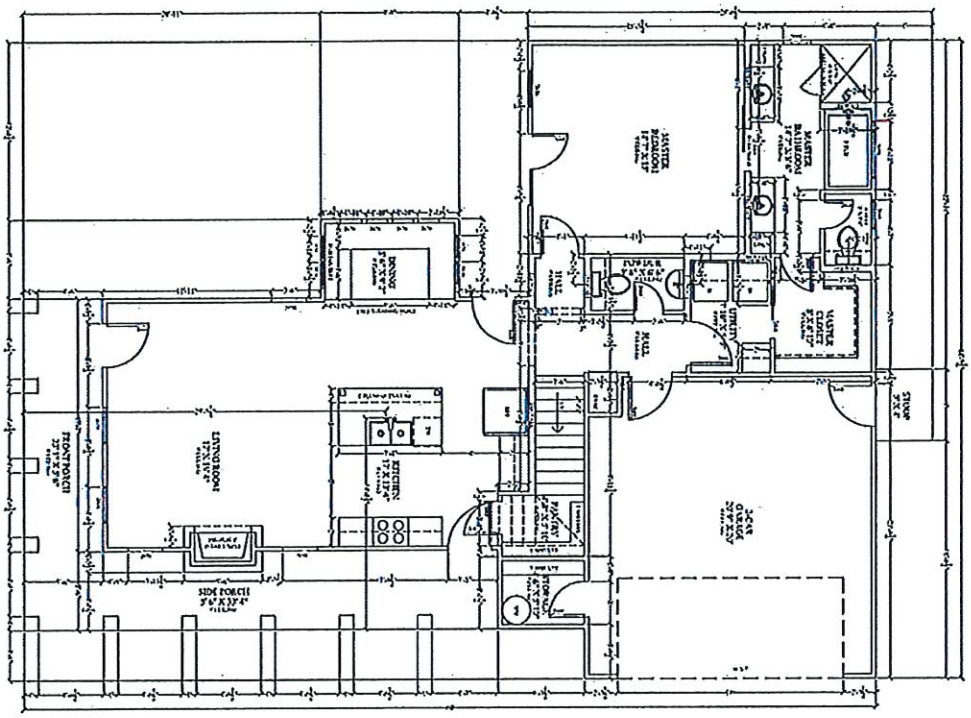
MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

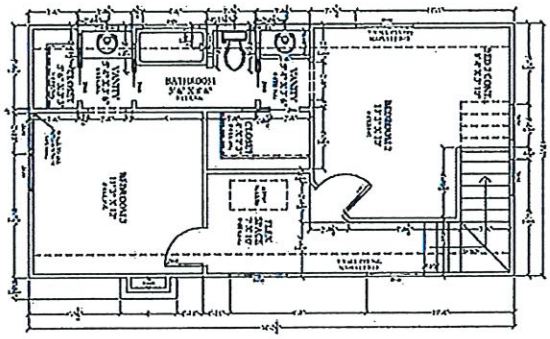
D2LDESIGNS@YAHOO.COM

DATE
11/14/17

SHEET
ELEVATIONS

SCALE
1/4" = 1'





DATE
11/14/17

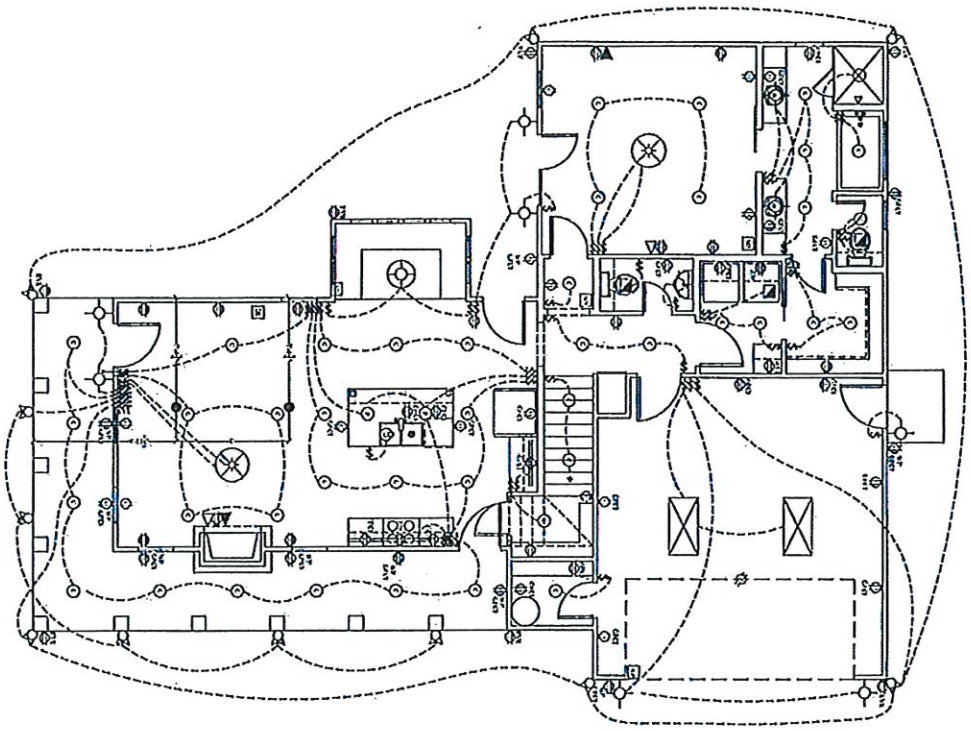
SHEET
FLOOR PLAN

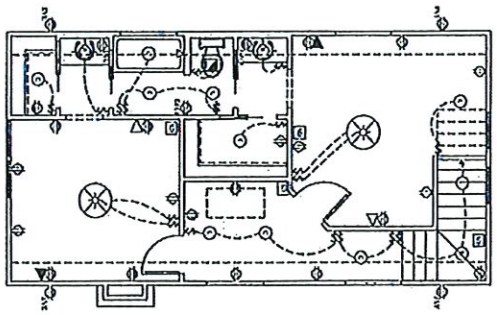
SCALE
1/4" = 1'

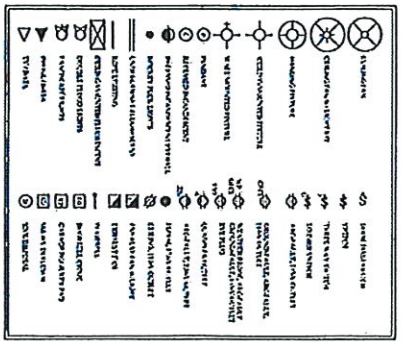
MAGNOLIA #1

MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM







ELECTRICAL SCHEDULE

MAGNOLIA #1

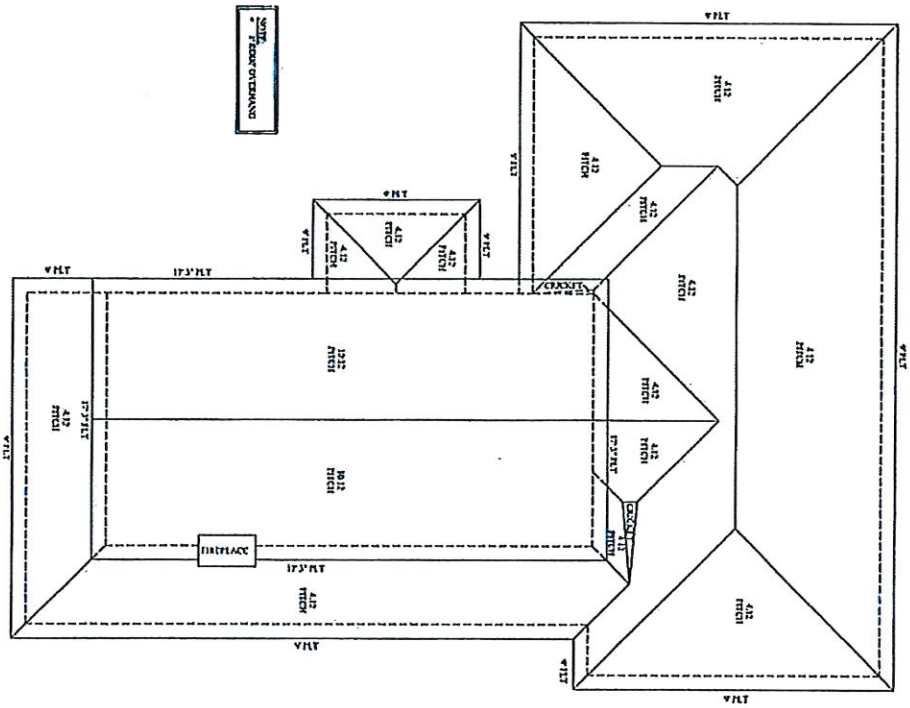
MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

DATE
11/14/17

SHEET
ELECTRICAL

SCALE
1/4" = 1'

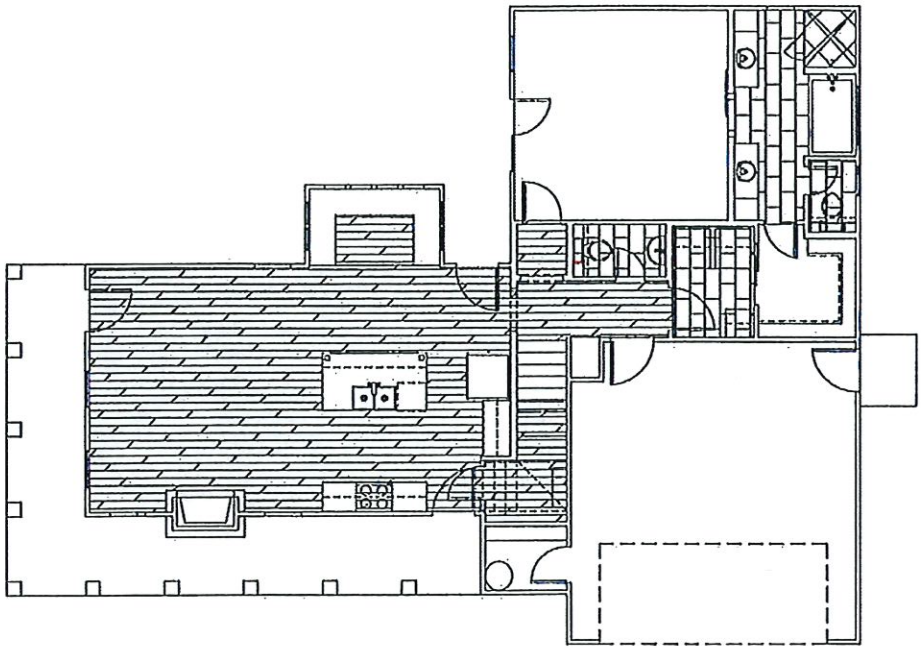


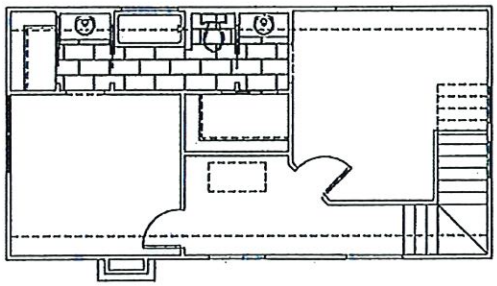
DATE	11/14/17
SHEET	ROOF
SCALE	1/4" = 1'

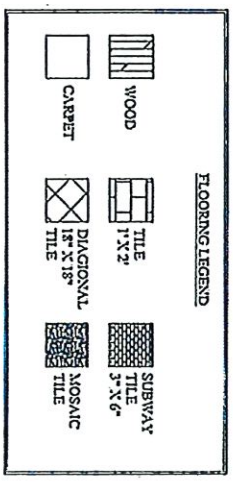
MAGNOLIA #1

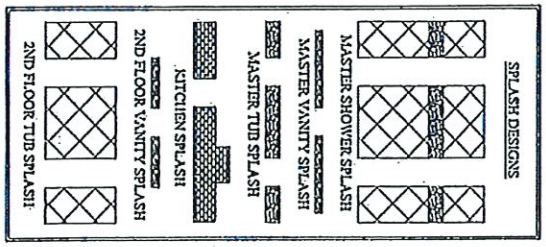
MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM









MAGNOLIA #1

MAGNOLIA SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

DATE
11/14/17

SHEET
FLOORING & TILE

SCALE
1/4" = 1'

HILRE PLAN 1

NOTES:

- CONTRACTOR TO REVIEW AND APPROVE ALL PLANS PRIOR TO CONSTRUCTION.
- HOUSE TO BE BUILT BY DIMENSIONS WITH LINES, NOT BY DIMENSIONS ON ROOM LABELS.
- BUILDING TO BE BUILT PER 2015 IRC CODES.
- IF A DOOR OR WINDOW IS NOT DIMENSIONED, IT IS EITHER 6" OFF A WALL OR CENTERED IN A WALL.

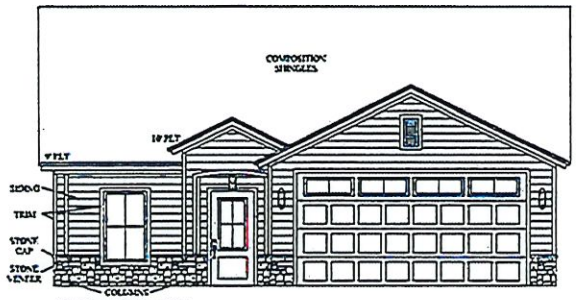
SQUARE FOOTAGE:
HEATED: 1289

FRONT PORCH: 96
GARAGE: 407

MAXIMUM JOIST SPANS (16" O.C.)

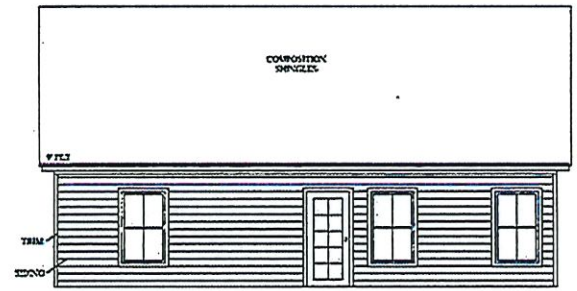
2X8	10' 6"
2X10	15' 2"
2X12	18' 0"

PLAN DESIGNER:
DREAM TO LIFE DESIGNS
D2LDESIGNS@YAHOO.COM
903.267.1284



FRONT ELEVATION

RIGHT SIDE ELEVATION



BACK ELEVATION

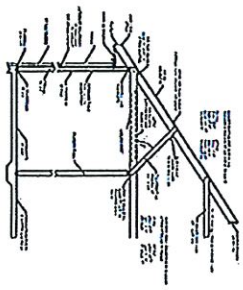
LEFT SIDE ELEVATION

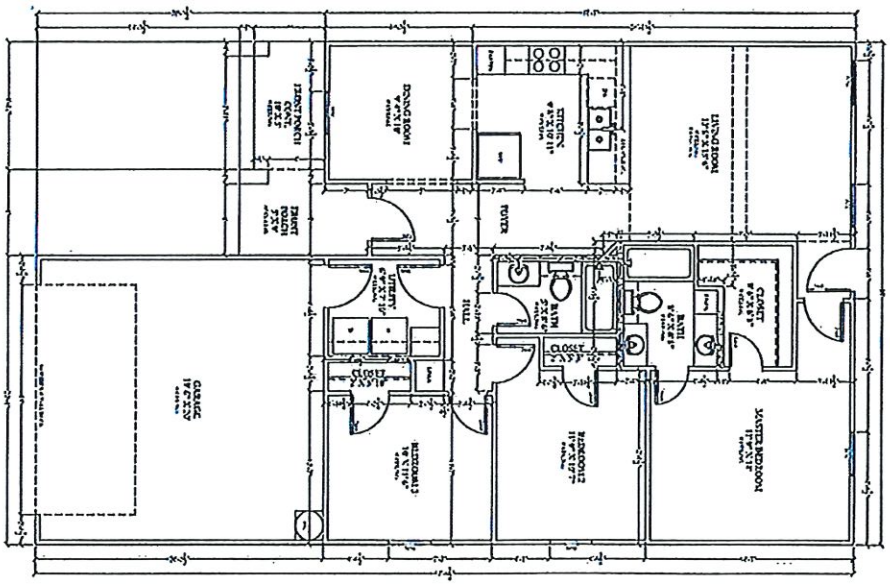
YOUNG ENTERPRISES
205 HILRE DRIVE
SHERMAN, TEXAS 75092
D2LDESIGNS@YAHOO.COM

DATE
04/23/18

SHEET
ELEVATION

SCALE
1/4" = 1'





DATE
04/23/18

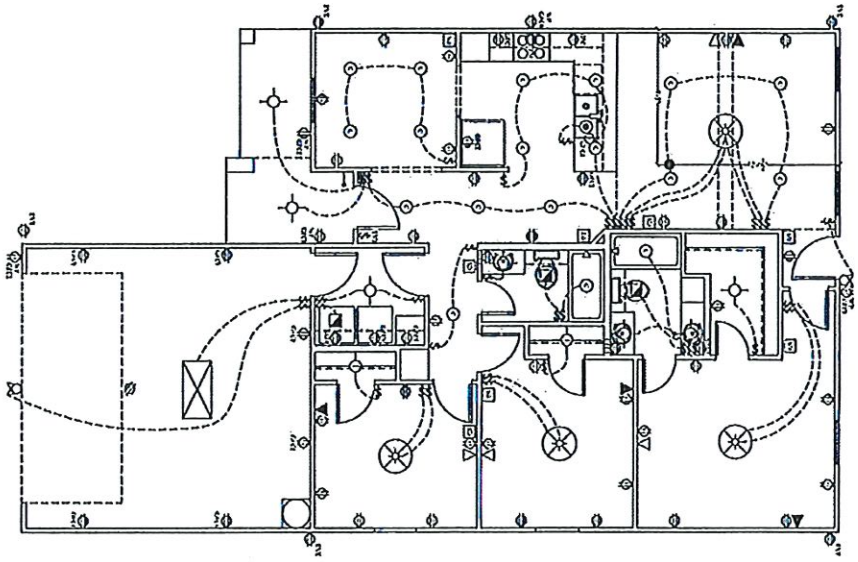
SHEET
FLOOR PLAN

SCALE
1/4" = 1'

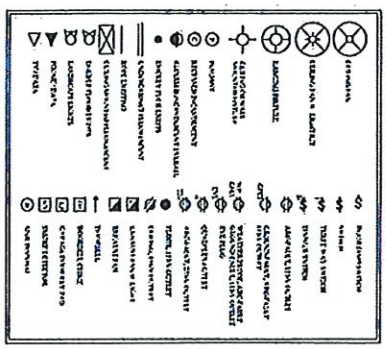
YOUNG ENTERPRISES

205 HILRE DRIVE
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM



ELECTRICAL SCHEDULE



YOUNG ENTERPRISES

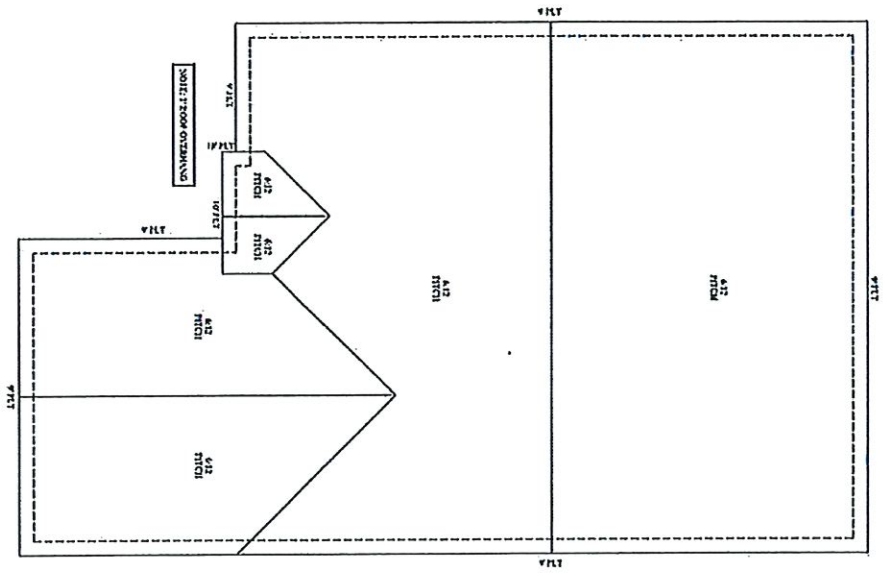
205 HILRE DRIVE
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

DATE
04/23/18

SHEET
ELECTRICAL

SCALE
1/4" = 1'



DATE
04/23/18

SHEET
ROOF

SCALE
1/4" = 1'

YOUNG ENTERPRISES

205 HILRE DRIVE
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

D2LDESIGNS@YAHOO.COM

YOUNG ENTERPRISES

205 HILRE DRIVE
SHERMAN, TEXAS 75092

DATE 04/23/18

SHEET SITE - LOT 2R

SCALE 1/8" = 1'

HILRE PLAN 2

NOTES:

- CONTRACTOR TO REVIEW AND APPROVE ALL PLANS PRIOR TO CONSTRUCTION.
- HOUSE TO BE BUILT BY DIMENSIONS WITH LINES, NOT BY DIMENSIONS ON ROOM LABELS.
- BUILDING TO BE BUILT PER 2015 IRC CODES.
- IF A DOOR OR WINDOW IS NOT DIMENSIONED, IT IS EITHER 6" OFF A WALL OR CENTERED IN A WALL.

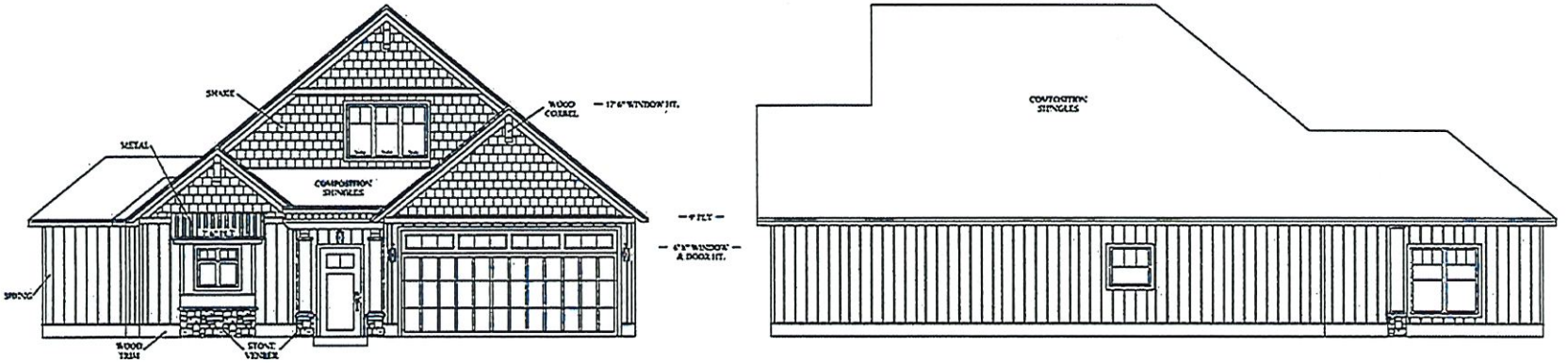
SQUARE FOOTAGE:
HEATED: 1356

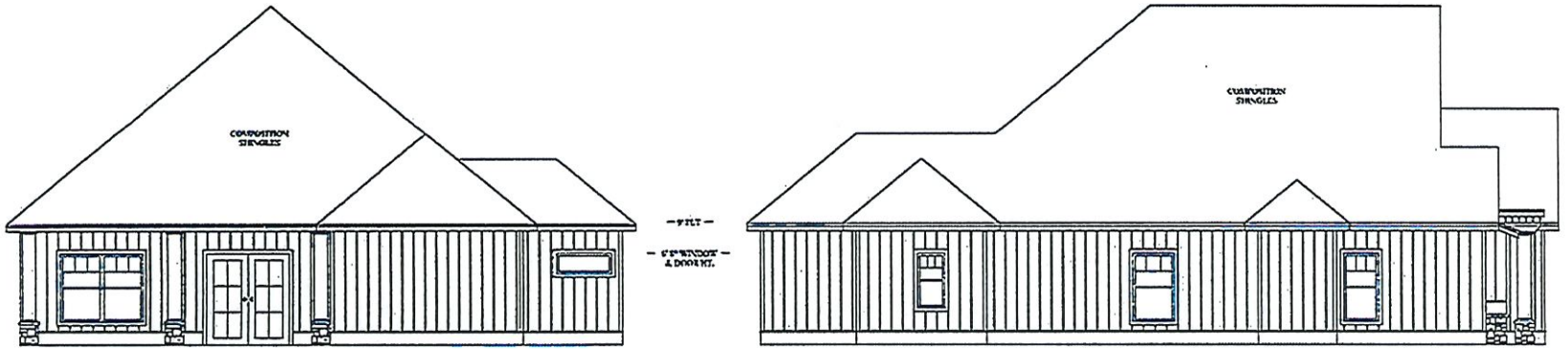
FRONT PORCH: 26
BACK PORCH: 135
GARAGE: 372

MAXIMUM JOIST SPANS (16" O.C.)

2X8	10' 6"
2X10	15' 2"
2X12	18' 0"

PLAN DESIGNER:
DREAM TO LIFE DESIGNS
D2LDESIGNS@YAHOO.COM
903.267.1284



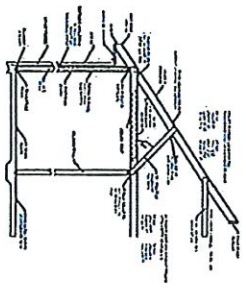


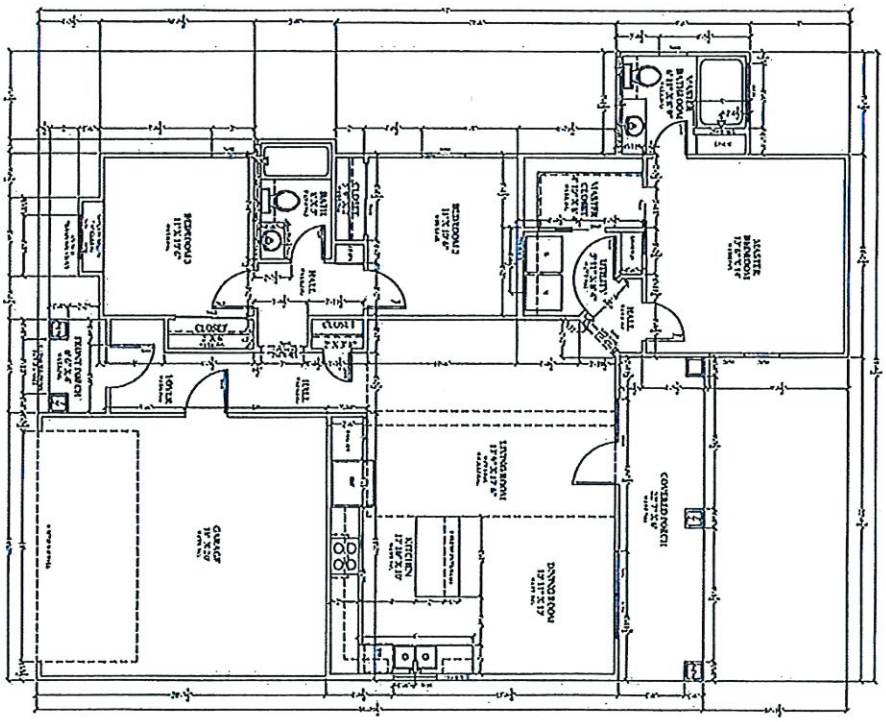
YOUNG ENTERPRISES
201 HILRE DRIVE
SHERMAN, TEXAS 75092
D2LDESIGNS@YAHOO.COM

DATE
04/20/18

SHEET
ELEVATIONS

SCALE
1/4" = 1'



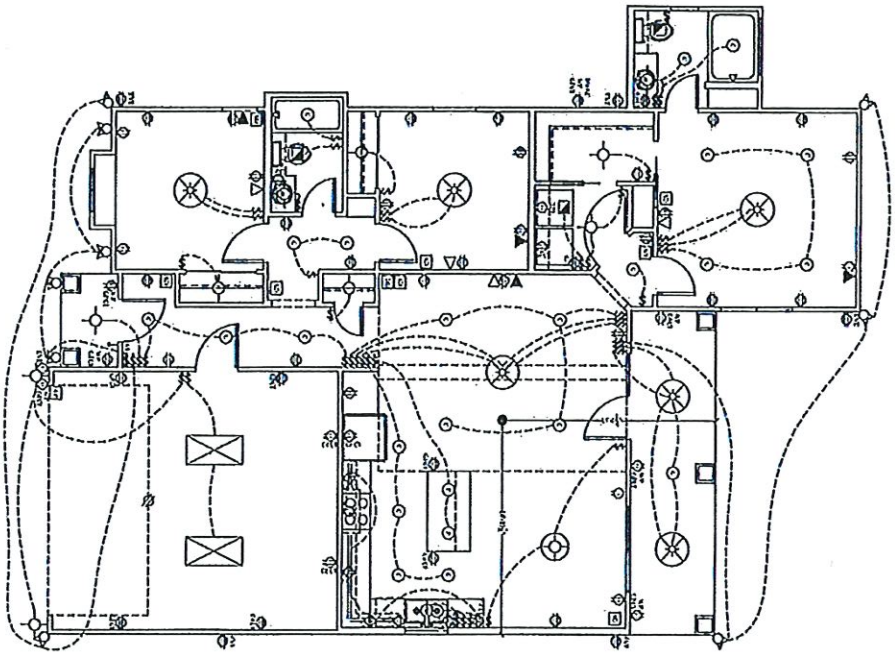


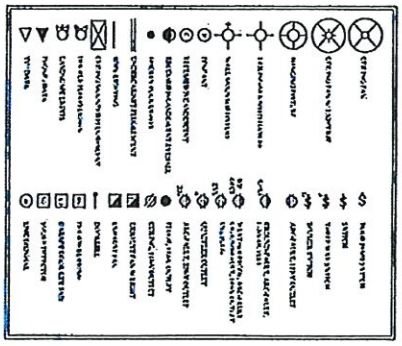
DATE	04/20/18
SHEET	FLOOR PLAN
SCALE	1/4" = 1'

YOUNG ENTERPRISES

201 HILRE DRIVE
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM





ELECTRICAL SCHEDULE

DATE
04/20/18

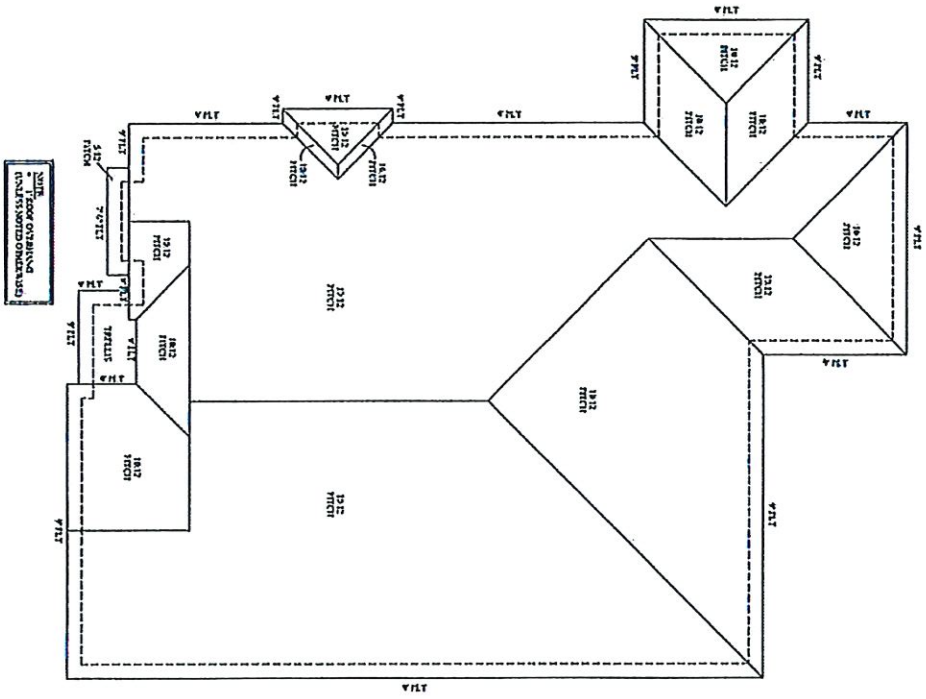
SHEET
ELECTRICAL

SCALE
1/4" = 1'

YOUNG ENTERPRISES

201 HILRE DRIVE
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM



DATE 04/20/18

SHEET ROOF

SCALE 1/4" = 1'

YOUNG ENTERPRISES

201 HILRE DRIVE
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

D2LDESIGNS@YAHOO.COM

YOUNG ENTERPRISES

201 HILRE DRIVE
SHERMAN, TEXAS 75092

DATE	SHEET	SCALE
04/20/18	SITE - LOT 1R	1/8" = 1'

MAGNOLIA
VILLAGE HOMES

ABOUT THE NEIGHBORHOOD | AVAILABLE HOMES | SITE MAP | OUR PARTNERS | CONTACT US

About the Neighborhood

new affordable homes in
Sherman TX at Magnolia Village

ABOUT MAGNOLIA VILLAGE

This is where the description of the neighborhood concept will go. Lorem ipsum do eiusmod tempor incididunt ut labore et dolore magna aliqua. Ut enim ad minim veniam, quis nostrud exercitation ullamco laboris nisi ut aliquip ex ea commodo consequat

Duis aute irure dolor in reprehenderit in voluptate velit esse cillum dolore eu fugiat nulla pariatur. Excepteur sint occaecat cupidatat non proident, sunt in culpa qui officia deserunt mollit anim id est laborum

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AVAILABLE HOMES

Single-Family Open Floor Plans

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EXPLORE FLOOR PLANS

TIMELESS DESIGN AT AN AFFORDABLE PRICE
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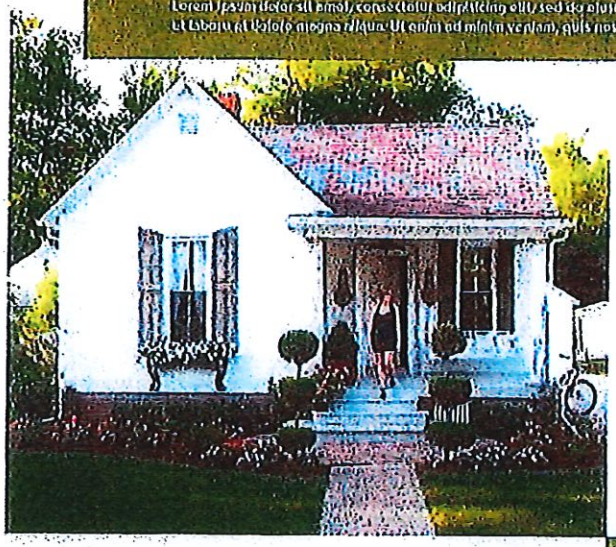
REQUEST MORE INFO



leave a lasting impression with our
Homeowners' Association

This is where the description of the HOA and other neighborhood information will go. Lorem ipsum dolor sit amet, consectetur adipisicing elit, sed do eiusmod tempor incididunt ut labore et dolore magna aliqua. Ut enim ad minim veniam, quis nostrud exercit ation ullamco laboris nisi ut aliquip ex eacommodo consequat.

Duis aute irure dolor in reprehenderit in voluptate velit esse cillum dolore eu fugiat nulla pariatur. Excepteur sint occaecat cupidatat non proident,

request more information from
Magnolia Villages

1234 Street Address
Sherman, TX 12345

P: +1 (555) 555-555

F: +1 (555) 555-555

contact@magnoliavillage.com

FIRST | LAST

EMAIL | PHONE

MESSAGE

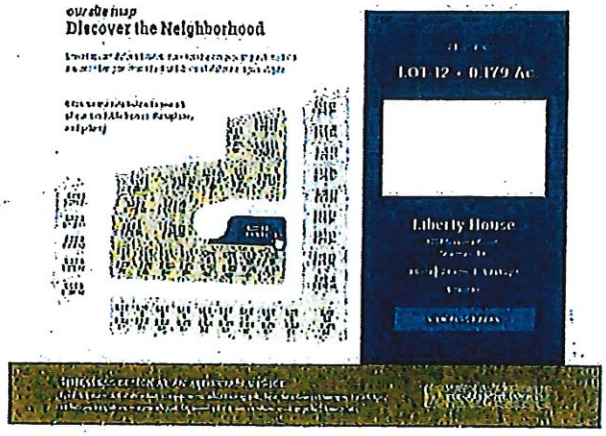
CONTACT MAGNOLIA VILLAGES

Magnolia Villages is managed by Young Enterprises
© 2017 MAGNOLIA VILLAGE. Powered by Real Estate Foundations

MAGNOLIA

learn about
Magnolia Village

our site map
Discover the Neighborhood

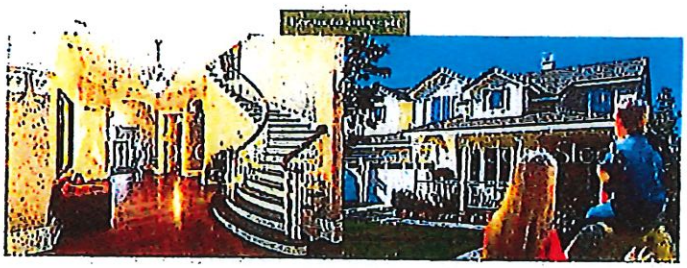


available homes in
Magnolia Village

NEW HOMES IN THE $360-$410K PRICE RANGE

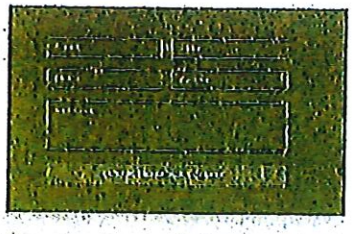
LIBERTY

LIBERTY

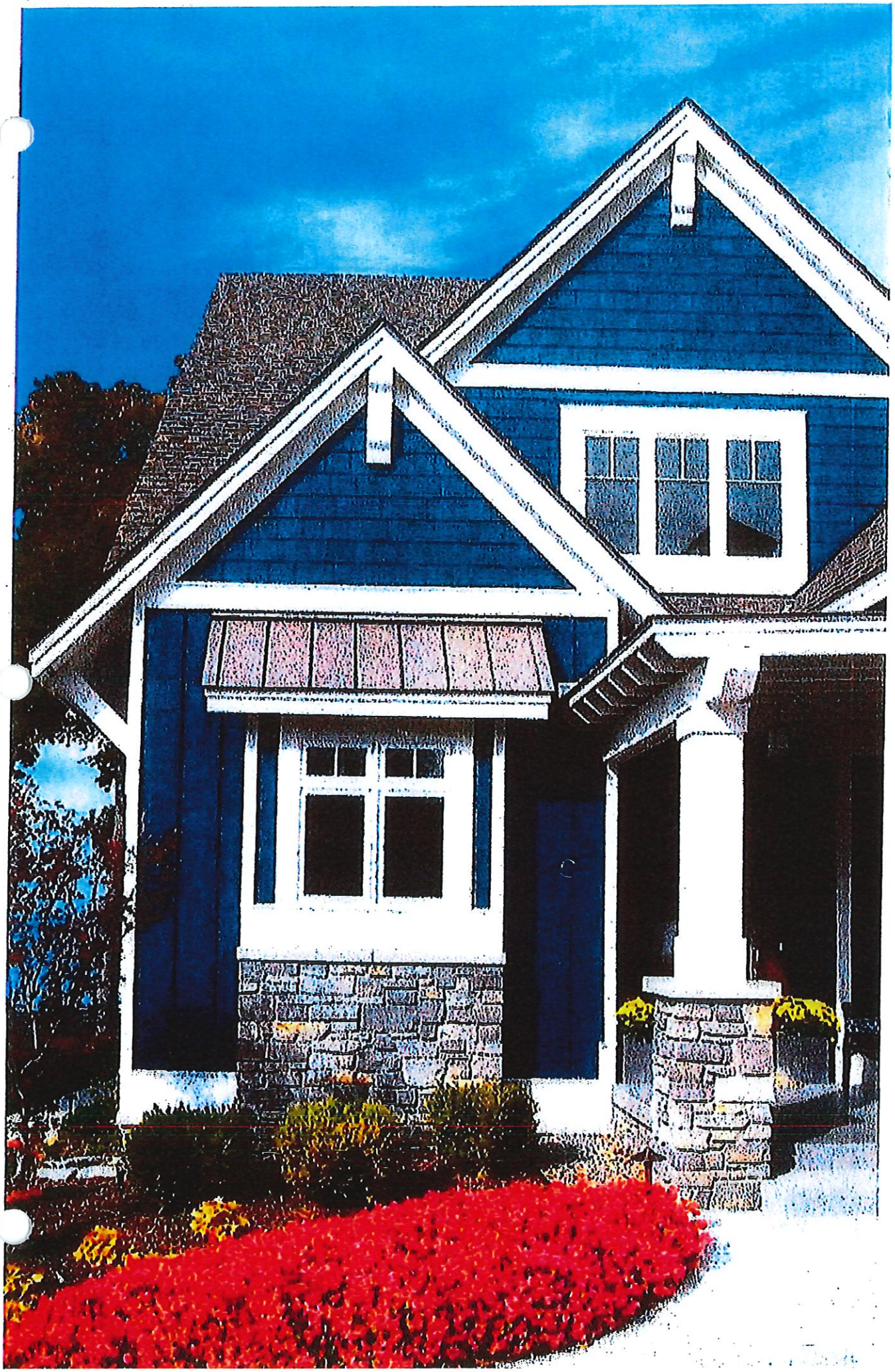


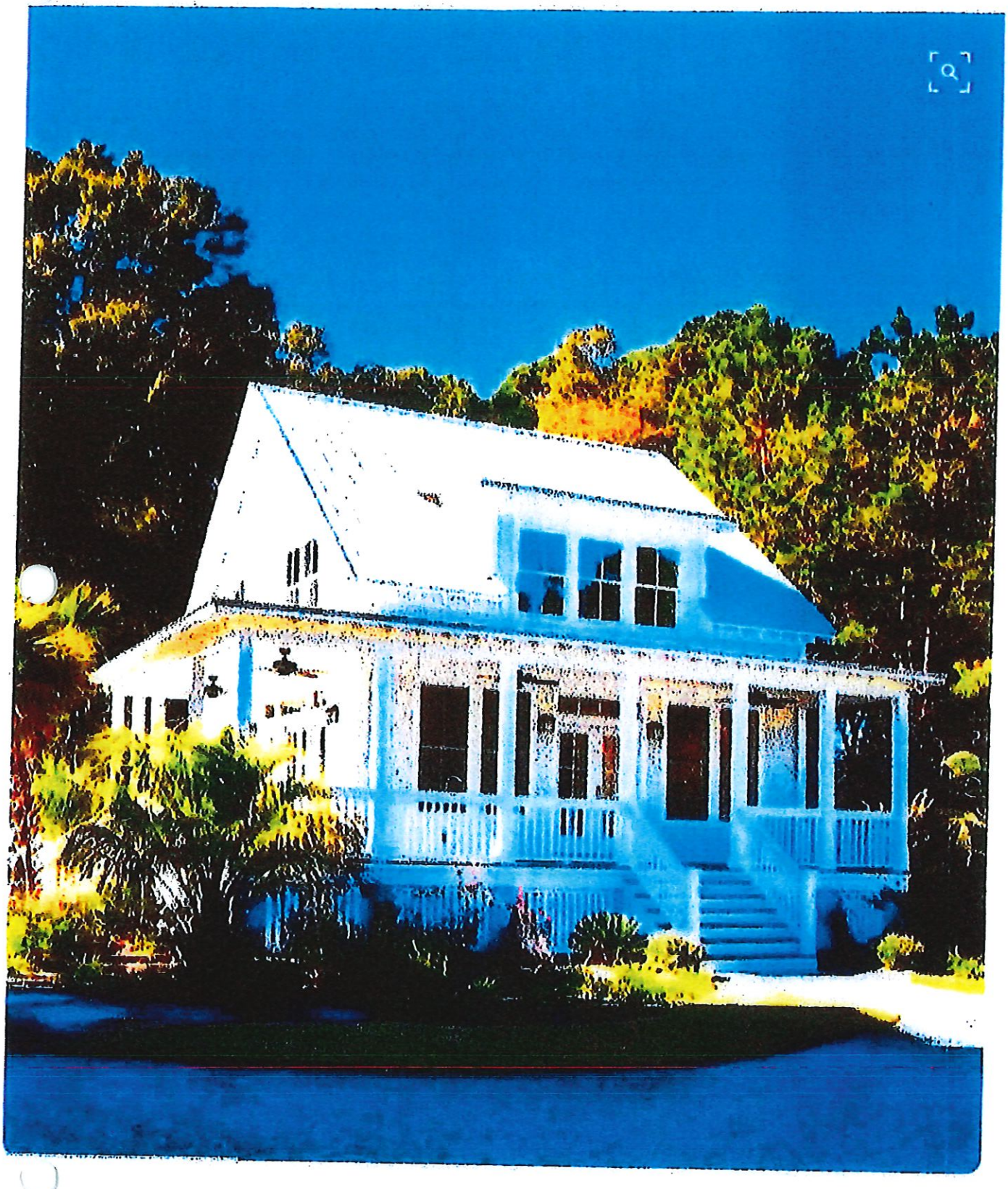
we work with experienced
Builder Partners

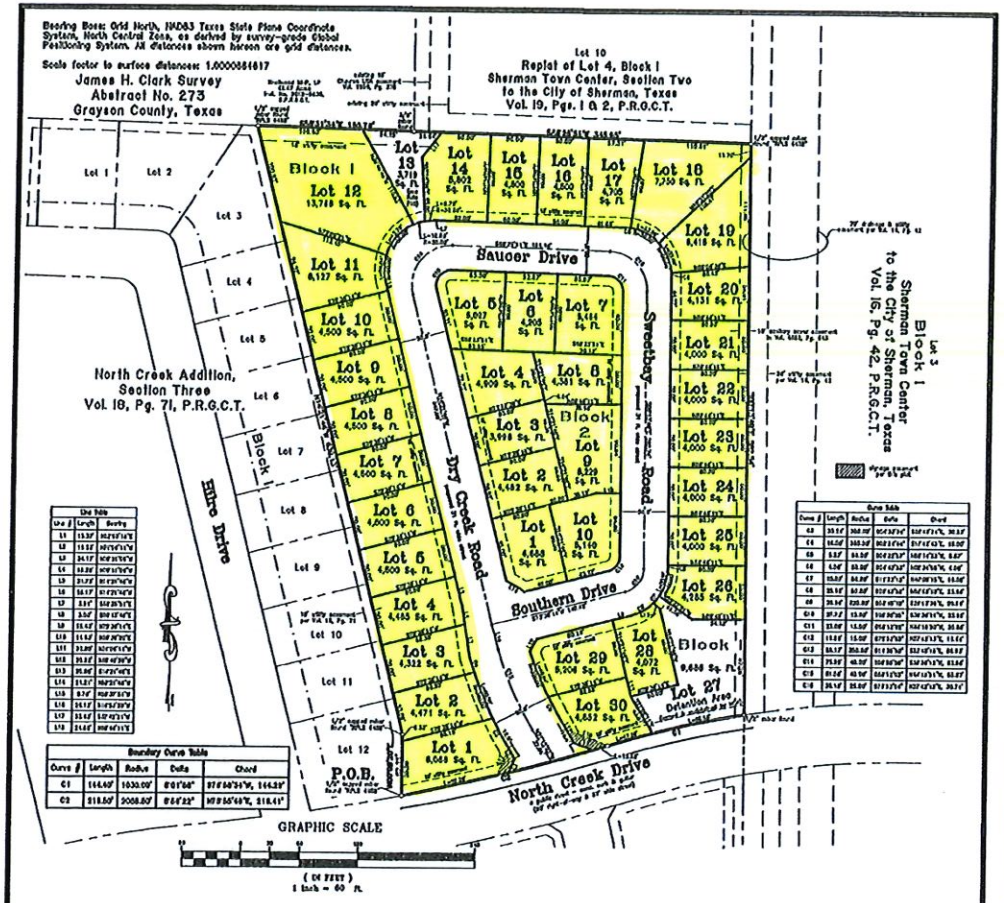
request more information from
Magnolia Villages



MAGNOLIA
VILLAGE HOMES







Final Plat of
Cottages at Magnolia Village
to the
City of Sherman, Texas
6.166 Acres
In the
James H. Clark Survey
Abstract No. 273
Job No. COS490920

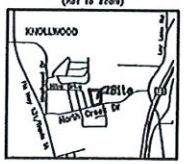
General Notes:

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 Grayson Electric Delivery Corp.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any building grades 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" (area determined to be outside 500-year floodplain) designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0320 F, Panel No. 320 F, Effective September 26, 2008.
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 development of this tract.
10. Lot 10 shall be used as an access area and to be owned and maintained by the Homeowner's Association for the development.

Halvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-8191 Fax (903) 463-4088
Email: kate@halveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

Owner/Developer
Young Enterprises, L.P.
5415 N. Highway 1417
Sherman, Texas

Vicinity Map
(not to scale)



FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the James H. Clark Survey, Abstract No. 273 and being all of the 6.166 acre tract of land conveyed by Special Warranty Deed from Beuntrift, L.P. and Vesta, L.P., to Young Enterprises, L.P., on April 24, 2018, recorded in Volume 5789, Page 592, 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 stamped "RPLS 4468" on the North right-of-way line of North Creek Drive, the Southeast corner of said Young 6.166 ac., the Southeast corner of Lot 12, Block 1, North Creek Addition, Section Three, to the City of Sherman, Texas, as per plat of record in Volume 18, Page 71, Plat Records, Grayson County, Texas, the Southeast corner of the herein described tract;

THENCE North 00 deg. 09 min. 20 sec. East, with a West line of said Young 6.166 ac., an East line of said Lot 12, Block 1, North Creek Addition, a distance of 62.11 ft. to a 1/2 inch capped rebar found stamped "RPLS 4468" at an angle point of at said Lot 12, Young 6.166 ac., and the herein described tract;

THENCE North 14 deg. 21 min. 48 sec. West, with a West line of said Young 6.166 ac., an East line of said Block 1, North Creek Addition, a distance of 639.13 ft. to a 1/2 inch capped rebar found stamped "RPLS 4468" on the South line of Knollwood LOOP, L.P. 44.47 acre tract of land, recorded in Instrument No. 2019-8353, said Official Public Records, Grayson County, Texas, the Northwest corner of Lot 3, said Block 1, North Creek Addition, the Northwest corner of both said Young 6.166 ac. and the herein described tract;

THENCE South 88 deg. 31 min. 34 sec. East, with a North line of said Young 6.166 ac., the South line of said Knollwood 44.47 ac., a distance of 180.78 ft. to a 3/8 inch rebar found at the Southwest corner of Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, to the City of Sherman, Texas, as per plat of record in Volume 19, Pages 1 & 2, said Plat Records, Grayson County, Texas, the Southeast corner of said Knollwood 44.47 ac., an angle point of both said Young 6.166 ac. and the herein described tract;

THENCE South 88 deg. 25 min. 51 sec. East, with a North line of said Young 6.166 ac., the South line of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, a distance of 365.95 ft. to a 1/2 inch capped rebar found stamped "RPLS 4468" on the West line of Lot 3, Block 1, Sherman Town Center, to the City of Sherman, Texas, as per plat of record in Volume 16, Page 42, said Plat Records, Grayson County, Texas, the Southeast corner of said Lot 10, Replat of Lot 4, Block 1, Sherman Town Center, Section Two, the Northeast corner of both said Young 6.166 ac. and the herein described tract;

THENCE South 00 deg. 13 min. 49 sec. East, with the East line of said Young 6.166 ac., the West line of said Lot 3, Block 1, Sherman Town Center, a distance of 562.54 ft. to a 1/2 inch rebar found on the North right-of-way line of said North Creek Drive, the Southwest corner of said Lot 3, Block 1, Sherman Town Center, the Southeast corner of both said Young 6.166 ac. and the herein described tract;

THENCE Southwesterly, with a curve to the left having a radius of 1,030.00 ft., a central angle of 08 deg. 01 min. 58 sec. (Chord Bears: South 78 deg. 56 min. 31 sec. West, 144.29 ft.) an arc distance of 144.40 ft. to a point at the end of said curve, on the North right-of-way line of said North Creek Drive, an angle point of both said Young 6.166 ac. and the herein described tract;

THENCE Southwesterly, with a curve to the right having a radius of 2,088.50 ft., a central angle of 05 deg. 59 min. 22 sec. (Chord Bears: South 75 deg. 55 min. 48 sec. West, 218.41 ft.) an arc distance of 218.50 ft. to the **PLACE OF BEGINNING** and containing **6.166 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

I, Authorized Representative for Young Enterprises, L.P., sole owner of Final Plat of Cottages at Magnolia Village 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.

_____
Authorized Representative for Young Enterprises

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Authorized Representative for Young Enterprises, 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 _____, 2020.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the Final Plat of Cottages at Magnolia Village to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2020, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the Final Plat of Cottages at Magnolia Village to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2020, by the City Council of the City of Sherman, Texas.

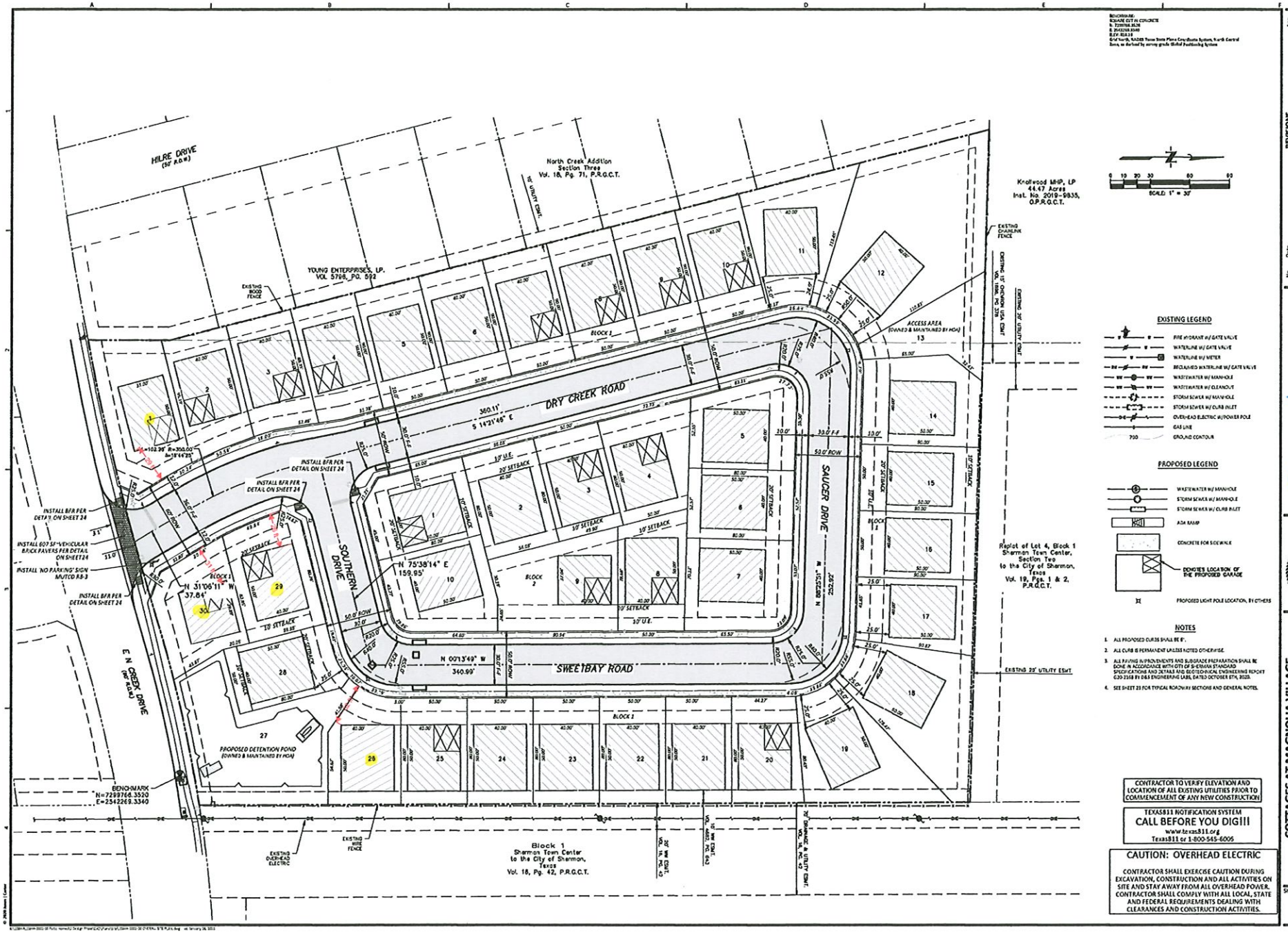
ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing Final Plat of Cottages at Magnolia Village to the City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 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 Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

WITNESS MY HAND THIS _____ DAY OF _____, 2020, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Final Plat of
Cottages at Magnolia Village
to the
City of Sherman, Texas

Halvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-8191 Fax (903) 463-4088
Email: kate@halveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100



NOTES

1. ALL PROPOSED CURBS SHALL BE 6".
2. ALL CURB IS PERMANENT UNLESS NOTED OTHERWISE.
3. ALL PAVING IMPROVEMENTS AND SUBGRADE PREPARATION SHALL BE DONE IN ACCORDANCE WITH CITY OF SHERMAN STANDARD SPECIFICATIONS AND DETAILS AND GEOTECHNICAL ENGINEERING REPORT G20-2268 BY D&S ENGINEERING LABS, DATED OCTOBER 8TH, 2020.
4. SEE SHEET 23 FOR TYPICAL ROADWAY SECTIONS AND GENERAL NOTES.

CONTRACTOR TO VERIFY ELEVATION AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY NEW CONSTRUCTION

TEXAS811 NOTIFICATION SYSTEM
CALL BEFORE YOU DIG!!!
www.texas811.org
Texas811 or 1-800-545-6005

CAUTION: OVERHEAD ELECTRIC

CONTRACTOR SHALL EXERCISE CAUTION DURING EXCAVATION, CONSTRUCTION AND ALL ACTIVITIES ON SITE AND STAY AWAY FROM ALL OVERHEAD POWER. CONTRACTOR SHALL COMPLY WITH ALL LOCAL, STATE AND FEDERAL REQUIREMENTS DEALING WITH CLEARANCES AND CONSTRUCTION ACTIVITIES.

REVISIONS

No.	Date	Apn.

JONES|CARTER
Texas Board of Professional Engineers Registration No. F-439
2501 Dallas Parkway, Suite 400 • Plano, Texas 75093 • 972.490.9000

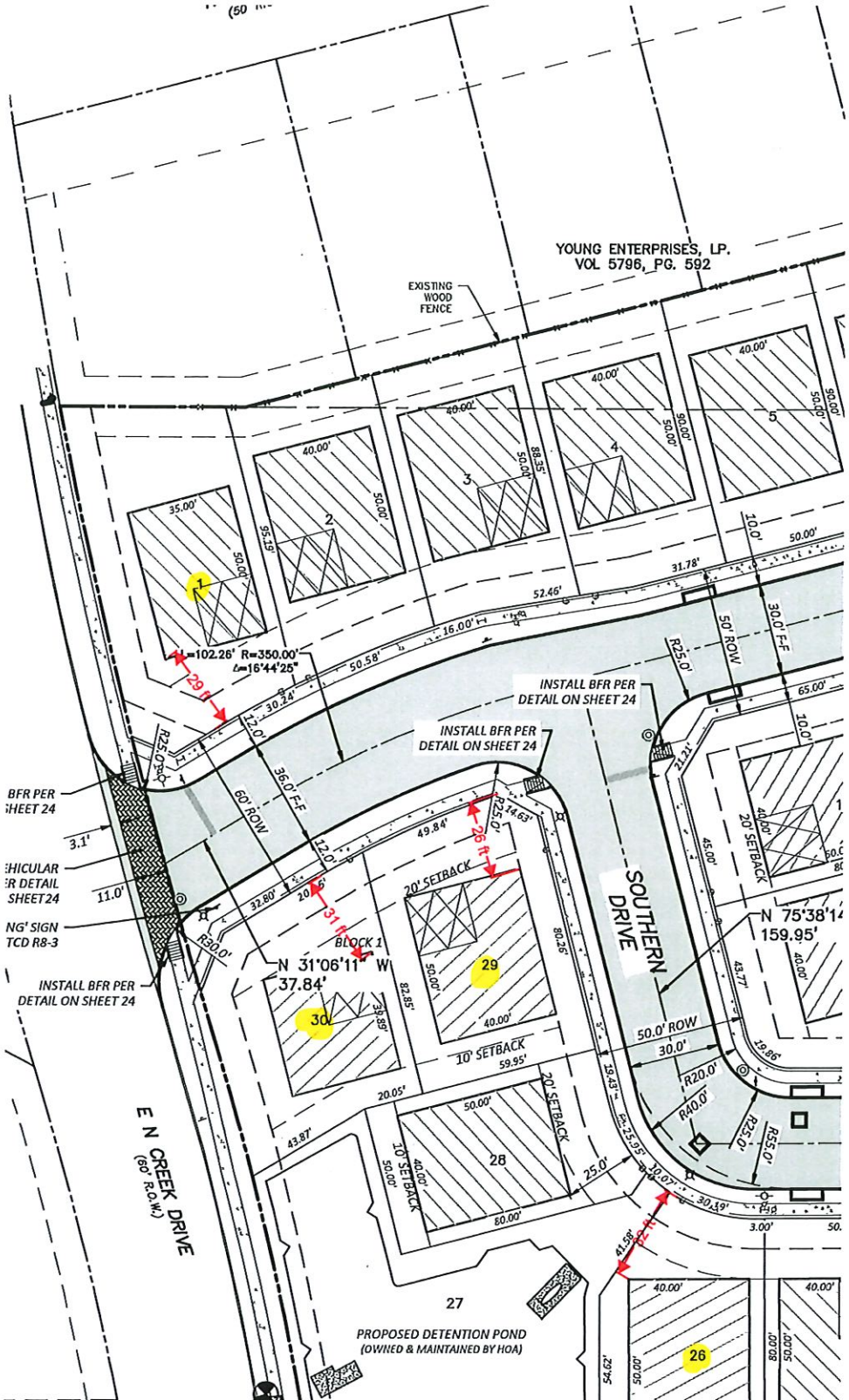
SCALE: AS SHOWN | DESIGNED BY: VPC
DATE: JANUARY 2021 | CHECKED BY: SCG
JOB NO.: 17644-0000-05 | DRAWN BY: RLS

STATE OF TEXAS
VINCENT C. STANKO
128428
REGISTERED
PROFESSIONAL ENGINEER
01/29/21

COTTAGES AT MAGNOLIA VILLAGE
CITY OF SHERMAN

OVERALL SITE PLAN

SHEET NO. 5
OF 27


YOUNG ENTERPRISES, LP.
VOL 5796, PG. 592
EXISTING WOOD FENCE
L=102.26' R=350.00'
Δ=16°44'25"
INSTALL BFR PER DETAIL ON SHEET 24
INSTALL BFR PER DETAIL ON SHEET 24
INSTALL BFR PER DETAIL ON SHEET 24
60' ROW
36.0' F-F
50' ROW
30.0' F-F
SOUTHERN DRIVE
BLOCK 1
N 31°06'11" W
37.84'
N 75°38'14"
159.95'
20' SETBACK
10' SETBACK
50.0' ROW
30.0'
E N CREEK DRIVE
(60' R.O.W.)
PROPOSED DETENTION POND
(OWNED & MAINTAINED BY HOA)
29 ft
26 ft
31 ft
42 ft
1
2
3
4
5
26
27
28
29
30

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

Young Enterprises, L.P.
5415 N. Highway 1417
Sherman, TX 75092

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

Dear Applicants,

The request for approval of the Final Plat of Cottages at Magnolia Village has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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. *Chapter 3, Division 5, Sec. 3.10.154*
2. The following General Note must be added: "11. Lot 13, Block 1 and Lot 27, Block 1 are owned and maintained by the Homeowner's Association and cannot be used for residential land use purposes."
3. General Note No. 10 needs Block number added to note for clarity.
4. Note on Lot 13, Block 1 shall read "(See Notes # 10 & 11)"
5. Note on Lot 27, Block 1 shall read "(Owned and maintained by HOA-see note # 11)"
6. 10' Utility Easement on Lot 1, Block 1 shall be established from L1.
7. 10' Utility Easement on Lot 30, Block 1 shall be established from L12.
8. Deltas in curve tables do not match metes and bounds. All Deltas less than 100° must be two (2) digits. Correct appropriately.
9. Metes and bounds do not match drawing.
10. Dates on approvals and signatures need to be updated to current signing year.
11. Show zip code on Owner/Developer block.
12. 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.
13. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.

14. 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. *Chapter 10, 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

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

May 11, 2021

Young Enterprises
5414 N FM 1417 (Heritage Parkway)
Sherman, TX 75092

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

Mike DeLong
5414 N. FM 1417 (Heritage Parkway)
Sherman, TX 75092

Dear Applicants,

The request to Repeal Ordinance No. 6323 and grant a new Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes on Lots 1-12, 14-26 and 28-30, Block 1 and Lots 1-10, Block 2 of the proposed Cottages at Magnolia Village for a total of 38 patio homes in an R-1 (One-Family Residential) District located in the 500 block of East Northcreek Drive has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 18, 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 Patio Home Ordinance, the Fence Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Side yard setbacks must be uniform for all homes within a given block.
4. Parking shall be provided for one space per bedroom; a parking space is considered to be 9'x 20'.
5. Parking is permitted on paved surfaces only (concrete or asphalt).
6. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
7. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
8. Any subdivision developed under the Patio Home (PH) standards of this ordinance shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Usable open space shall not be required for a patio home development if it contains fifty (50) or fewer lots and the property contiguous (abutting or separating only by a local or collector street) to the subdivision is either developed for use other than patio homes or is restricted by zoning to not permit patio home development. Properties separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.
9. 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.

10. 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
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
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 **15.**

Meeting Date: 05/18/2021

Prepared by: Patsy Reeves, Developmental 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:

*** 900-1000 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY)**

The request of SSCGC Holdings, LLC (Owner) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 900-1000 blocks of South FM 1417 (Heritage Parkway), being 8.538 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

Planning and Zoning Commission

Final Plat approval of Heritage Court Addition

Background:

The property is located in the 900-1000 blocks of South FM 1417 (Heritage Parkway) between Brookstone Drive and Quail Run Road. The property is zoned an R-2 (Multi-Family Residential) District and located in the O-1.1 (FM 1417) Overlay District.

The owner would like to plat the property into one lot for residential development of an apartment complex.

Adjacent Zoning:

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

Origination:

SSCGC Holdings, LLC (Owner)
Bluestone Partners, LLC (Developer)
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:

Not required.

Objections Received:

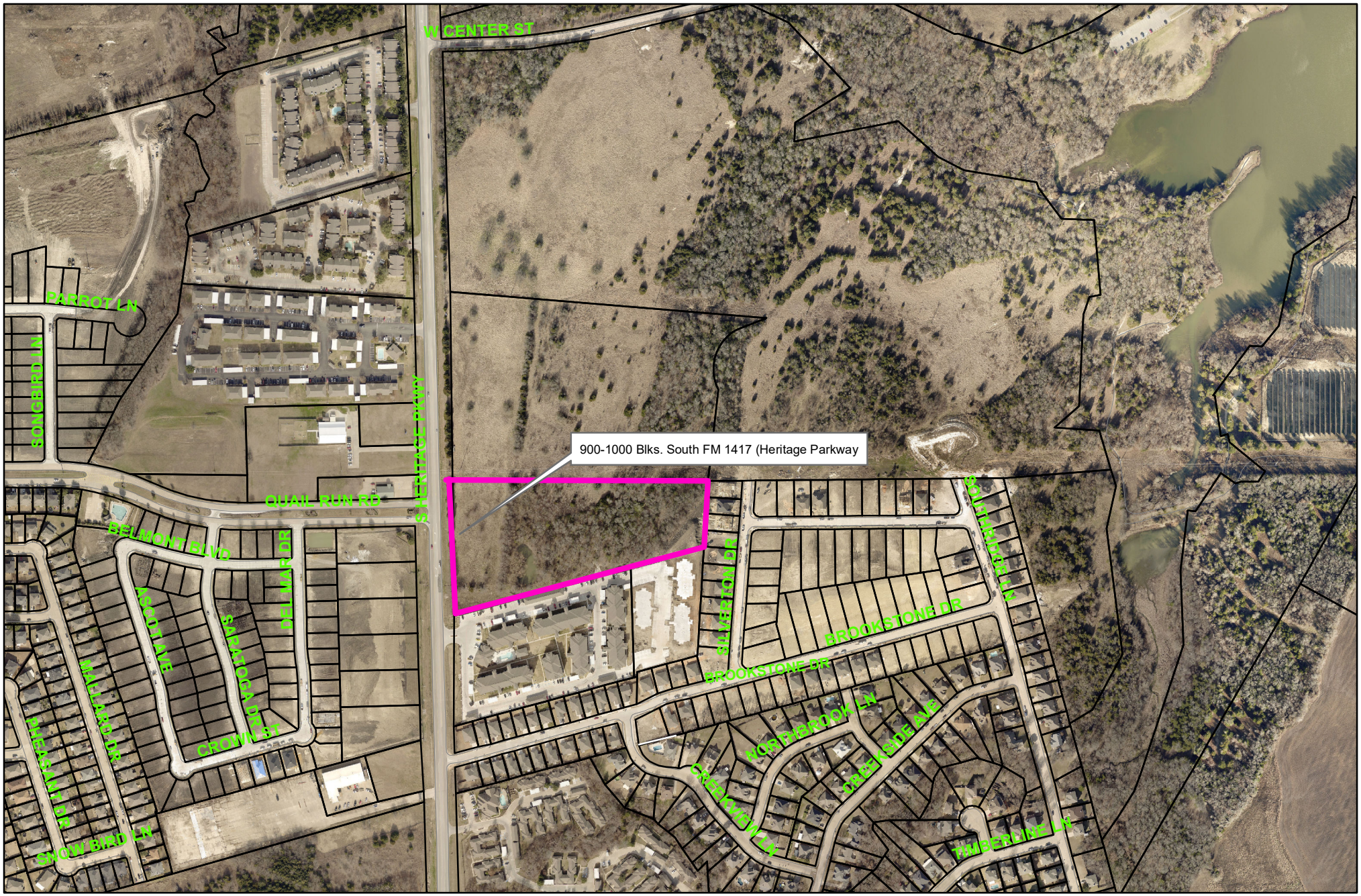
0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Heritage Court Addition
Staff Review Letter



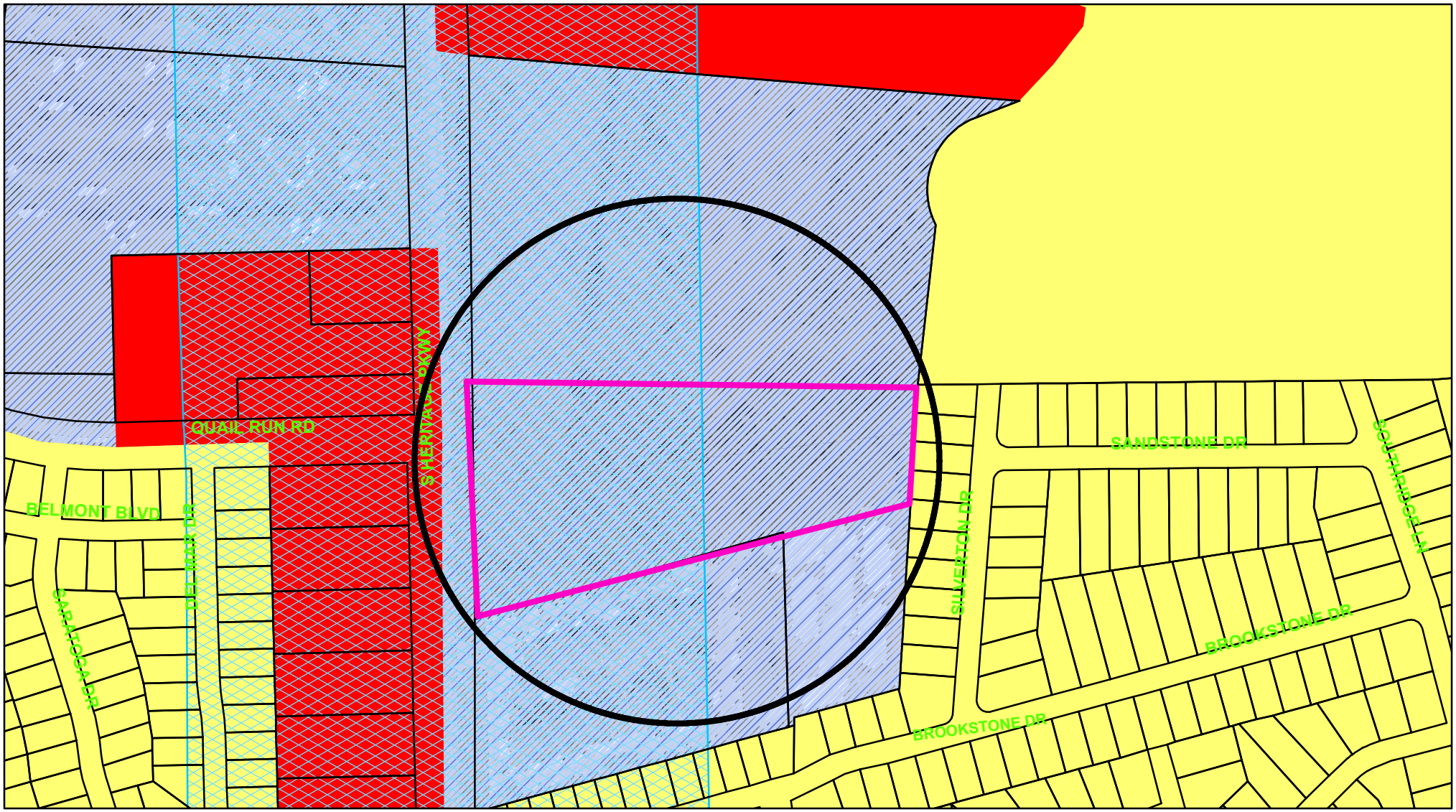
900-1000 Blocks South FM 1417 (Heritage Parkway)

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 489 ft



Zoning - 900-1000 Blocks South FM 1417 (Heritage Parkway)

Legend

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

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

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing 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

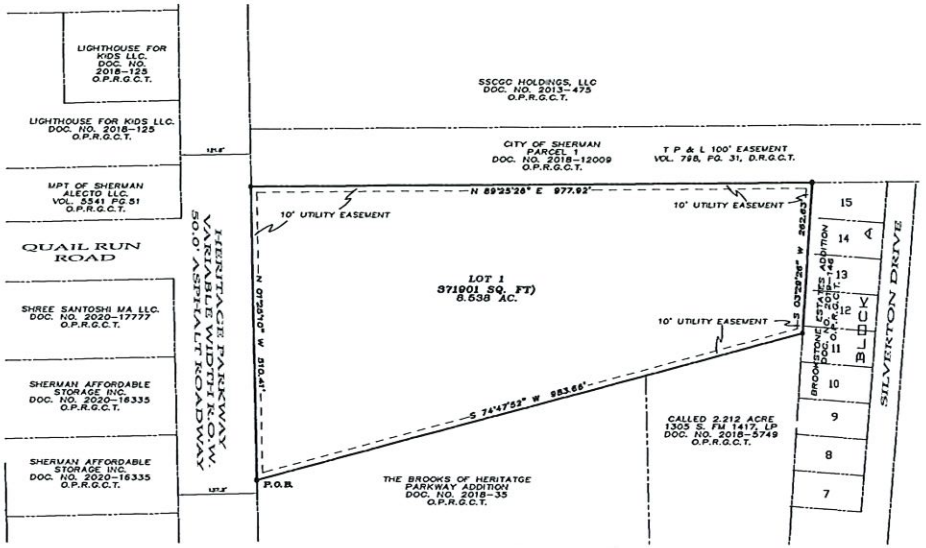
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 300 ft

JOB NO. 21040354



~ BASIS OF BEARINGS ~
GEO NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

FINAL PLAT

HERITAGE COURT ADDITION

Being a part of a 136.88 acre tract of Land in the Elizabeth Jones Survey, Abstract Number 625. Being in the City of Sherman, Grayson County, Texas. Containing 8.538 acres of land

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

04-21-21

OWNERS/DEVELOPER
SSCGC HOLDINGS LLC.
4 TIMBERCREEK
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. 21040354

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 136.88 acre tract called Tract 2 of lands conveyed to SSCGC Holdings, LLC by deed of record in Instrument No. 2013-473, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod at the northwest corner of The Brooks of Heritage Parkway Addition, an addition to the City of Sherman, Texas as recorded in Document No. 2018-33, Plat Records, Grayson County, Texas;

Thence North 01°25'10" West with the east right-of-way line of F. M. 1417 (locally knew as Heritage Parkway), a distance of 810.41 feet to a set 1/2" steel rod at the southwest corner of Parcel 1 as conveyed to the City Of Sherman, Texas in Document No. 2018-12009 of said Public Records;

Thence North 88°25'26" East with the south line of said City of Sherman Tract, a distance of 977.92 feet to a found 1/2" steel rod at the northwest corner of Lot 15, Block A, Brookstone Estates Addition, an addition to the City of Sherman, Texas as recorded in Document No. 2018-148, Plat Records, Grayson County, Texas;

Thence South 03°29'28" West with the west line of said Block A, a distance of 282.63 feet to a set 1/2" steel rod at the northeast corner of that called 2.212 acre tract as conveyed to 1303 S. FM 1417, LP, as recorded in Document No. 2018-5749 of said Public Records;

Thence South 74°47'53" West with the north line of said 2.212 acre tract and the north line of said The Brooks of Heritage Parkway Addition, a distance of 983.66 feet to the Point of Beginning and containing 8.538 acres of land.

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, SSCGC HOLDINGS LLC, do hereby adopt this plat designating the hereinabove property as the HERITAGE COURT 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 construction, reconstruction, 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.

_____
SSCGC HOLDINGS LLC. (BILL MASERS)

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, BILL MASERS 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_____

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing HERITAGE COURT 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 in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this_____day of_____,2021.

_____
Clerk, City of Sherman, Texas

ACCEPTANCE

Approved this_____day of_____2021, by the City Planning Commission to the City of Sherman, Texas.

_____ _____
Chairman Secretary

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

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

_____ _____
Mayor, City of Sherman, Texas Date

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer service is to be provided by the City of Sherman.
3. Electric service is to be provided by Grayson-Collin Electric Cooperative.
4. Building set back 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 will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned owner will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. All owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Elevations are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

FINAL PLAT

HERITAGE COURT ADDITION

Being a part of a 136.88 acre tract of Land in the Elizabeth Jones Survey, Abstract Number 625. Being in the City of Sherman, Grayson County, Texas. Containing 8.538 acres of land

04-21-21

OWNERS/DEVELOPER
SSCGC HOLDINGS LLC.
4 TIMBERCREEK
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

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

SSCGC Holdings, LLC
4 Timbercreek
Sherman, TX 75092

Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Heritage Court Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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 0.3356 acres of ROW along FM 1417 to reflect TxDOT FM 1417 ROW Project. Coordinate with City of Sherman Engineering Department for exact ROW metes and bounds to be taken.
2. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval. Ownership and Maintenance information to be shown on plat.
3. Sanitary Sewer main must be extended in accordance with City criteria to serve proposed Lot. Sewer capacity shall be verified for proposed use. *Chapter 13, Sec. 13.07.282*
4. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review.
5. Show a minimum of three (3) found monuments on drawing.
6. Heritage Parkway on plat shall be shown as "F.M. 1417 (Heritage Parkway)"
7. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Chapter 3, Division 5, Sec. 3.10.154*
8. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
9. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.

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. *Chapter 10, 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: 05/18/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
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:

212 NORTH WALNUT STREET

The request of Everest LLC (Owner), Mont Taylor (Applicant), Texas Gift Winery, LLC dba Rio to Red Winery (Tenant) and Copley Land Surveying (Surveyor) concerning the property at 212 North Walnut Street, being 0.304 acres in the J.B. McAnair Survey, Abstract No. 763 and being part of Lots 7, 8 & 9, Block D, T.J. Shannon Supplement, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Wine Tasting and Bottling of Alcoholic Beverages in a C-2 (General Commercial) District/Central Business District.

Background:

The property is located at 212 North Walnut Street between Pecan and Wall Streets. The property is zoned a C-2 (General Commercial) District and located in the Central Business District.

Texas Gift Winery, LLC, dba Rio to Red Winery is requesting a Specific Use Permit to allow wine tasting and bottling of alcoholic beverages at this location. The property is part of a single-story building with brick walls and concrete floor. The winery will be one large open area room, 346 square feet, separated with partitions and lockable gate. The production area will be 809 square feet for bottling, labeling, packaging and storing wine.

Adjacent Zoning:

C-1 (Retail Business) District
C-2 (General Commercial) District

Origination:

Everest LLC (Owner)
Mont Taylor (Applicant)
Texas Gift Winery, LLC dba Rio to Red Winery (Tenant)
Copley Land Surveying (Surveyor)

Master Plan Designation:

Urban/Downtown – Buildings are two to five stories and are built right up to the sidewalk, creating a sense of enclosure. Sidewalks provide pedestrian access and streetscape amenities. Parking is available along the street or in small parking lots in the rear of the buildings.

Number of notices mailed:

18

Objections Received:

0

Development Review Meeting:

No

Attachments

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

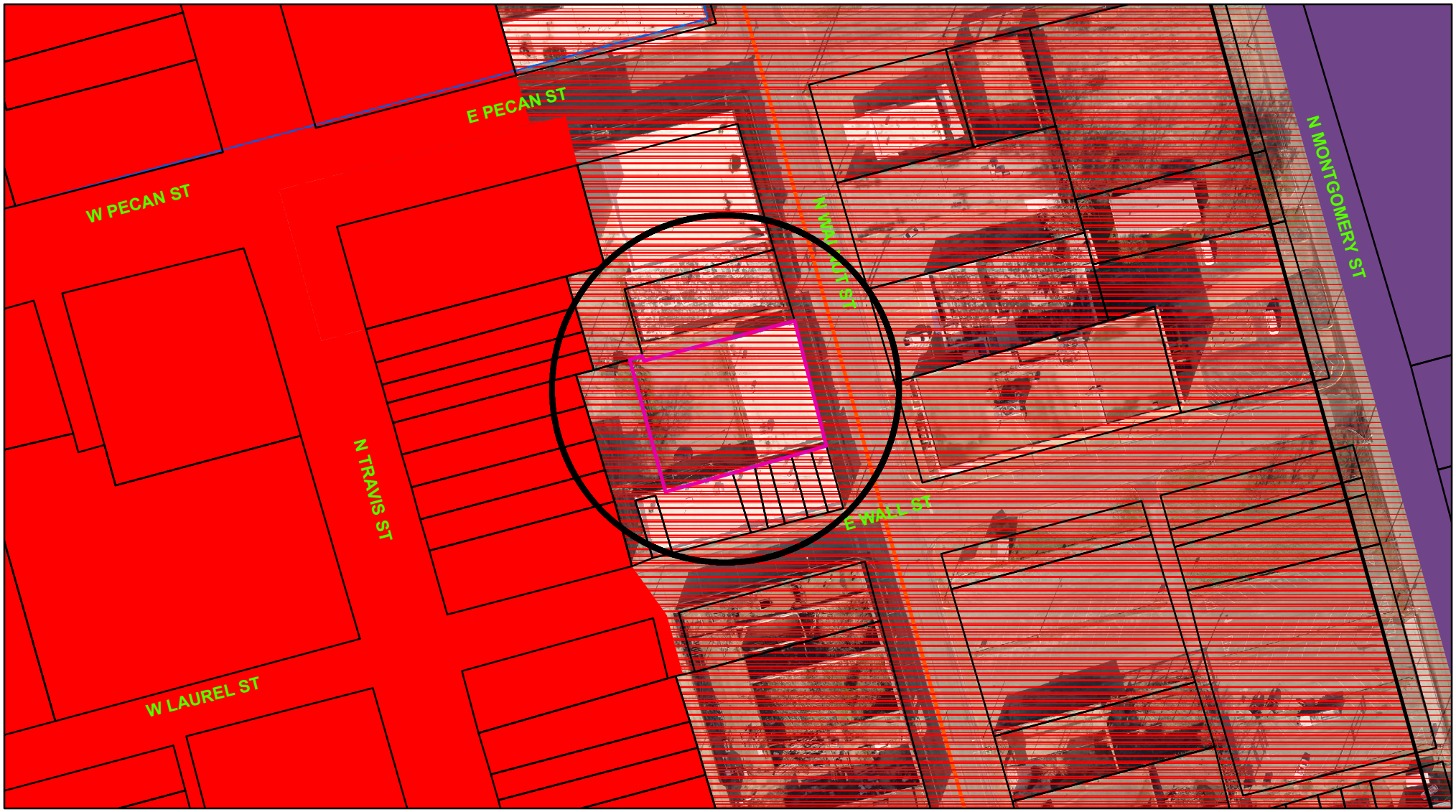
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

212 North Walnut Street

NOT TO SCALE

1 in = 147 ft



Zoning - 212 North Walnut 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
Developmental Services Department

NOT TO SCALE

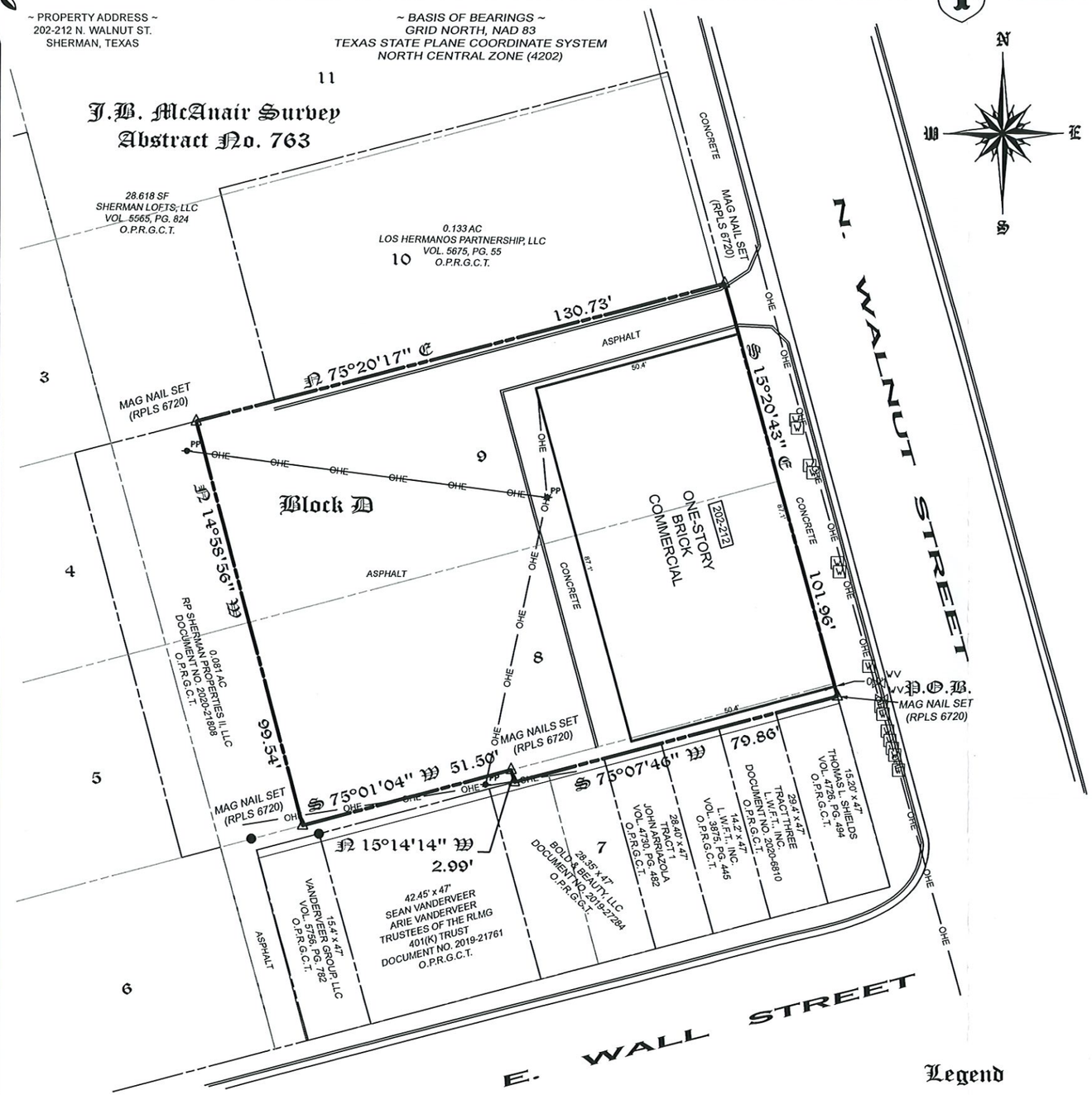
1 in = 100 ft

212 North Walnut Street

CLS Job# 20120452

~ PROPERTY ADDRESS ~
202-212 N. WALNUT ST.
SHERMAN, TEXAS

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)



Legend

- WATER METER
- WATER VALVE
- POWER POLE
- OHE — OHE — OVERHEAD ELECTRIC LINE
- BOUNDARY LINE
- PROPERTY LINE

0 30 60

SCALE ~ 1" = 30'

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Copley Land Surveying, Inc.
All rights reserved

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75076
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

Legal Description

Situated *in the City of Sherman, County of Grayson, State of Texas being part of the J.B. McAnair Survey, Abstract No. 763, and being a part of Lots 7, 8 & 9, Block "D" of the T.J. Shannon Supplement an addition to the City of Sherman as shown by plat of record in Volume D, Page 259, Deed Records, Grayson County, Texas conveyed to Shone Nix by deed of record in Document No. 2020-965, Official Public Records, Grayson County, Texas;*

Beginning *at a mag nail set with an aluminum washer marked COPLEY RPLS 6720 in the west line of a N. Walnut Street said nail being set for the northeast corner of a 15.20' x 47' tract of land conveyed to Thomas L. Shields by deed of record in Volume 4726, Page 494 of said Official Public Records and the south west corner of the herein described tract said nail being N 15°20'43" W, a distance of 47.0 feet from the southeast corner of said Lot 7;*

Thence ***South 75°07'46" West****, over and across said Lot 7, Block D along the north line of said 15.20' x 47' tract, the north line of a 29.4' x 47' tract called Tract Three conveyed to L.W.F.T., INC. by deed of record in Document No. 2020-6810 of said Official Public Records, the north line of a 14.2' x 47' tract conveyed to L.W.F.T., INC. by deed of record in Volume 3875, Page 445 of said Official Public Records, the north line of a 28.40' x 47' tract called Tract 1 conveyed to John Arriazola by deed of record in Volume 4730, Page 482 of said Official Public Records, and the north line of a 28.35' x 47' tract conveyed to Bold & Beauty, LLC by deed of record in Document No. 2019-27284 of said Official Public Records, a distance of* ***79.86 feet*** *to a mag nail set with an aluminum cap marked COPLEY RPLS 6720 for an angle point in the east line of a 0.081 acre tract of land conveyed to RP SHERMAN PROPERTIES II, LLC by deed of record in Document No. 2020-21808 of said Official Public Records;*

Thence ***North 15°14'14" West****, along the east line of said 0.081 acre tract, a distance of* ***2.99 feet*** *to a mag nail set with an aluminum washer marked COPLEY RPLS 6720 in the south line of said Lot 8 for an ell corner in the south line of the herein described tract and an angle in the east line of said 0.081 acre tract;*

Thence ***South 75°01'04" West****, continuing along the east line of said 0.081 acre tract and the south line of said Lot 8, a distance of* ***51.50 feet*** *to a mag nail set with an aluminum washer marked COPLEY RPLS 6720 for an ell corner in the east line of said 0.081 acre tract and the southwest corner of the herein described tract;*

Thence ***North 14°58'56" West****, continuing along the east line of said 0.081 acre tract over and across said Lots 8 & 9, a distance of* ***99.54 feet*** *to a mag nail set with an aluminum washer marked COPLEY RPLS 6720 in the north line of said Lot 9 and the south line of a 28.618 square foot tract of land conveyed to Sherman Lofts, LLC by deed of record in Volume 5565, Page 824 of said Official Public Records for the northeast corner of said 0.081 acre tract and the northwest corner of the herein described tract;*

Thence ***North 75°20'17" East****, along the north line of said Lot 9 and the south line of said 28.618 square foot tract passing the southwest corner of a 0.133 acre tract of land conveyed to Los Hermanos Partnership, LLC by deed of record in Volume 5875, Page 55 of said Official Public Records at a distance of 19.50 feet and continuing along its south line for a total distance of* ***130.73 feet*** *to a mag nail set with an aluminum washer marked COPLEY RPLS 6720 in west line of said N. Walnut Street for the northeast corner of said Lot 9 and the southeast corner of said 0.133 acre tract;*

Thence ***South 15°20'43" East****, along the west line of said N. Walnut Street, a distance of* ***101.96 feet*** *to the* ***Point-of-Beginning*** *and containing* ***0.304 acres*** *of land.*

I, John C. Copley, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429
DATE OF SURVEY: 12/23/20

STATE OF TEXAS
REGISTERED
JOHN C. COPLEY
6720
PROFESSIONAL
LAND SURVEYOR

223
216
217
212
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131
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205
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122
118
N Walnut St
E Wall St

212

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

May 11, 2021

Everest LLC
1716 Davy Ln.
Denison, TX 75020

Copley Land Surveying
1702 Verdi Ln.
Sherman, TX 75090

Mont Taylor
289 Westridge Dr.
Denison, TX 75020

Dear Applicants,

The request for a Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Wine Tasting and Bottling of Alcoholic Beverages in a C-2 (General Commercial) District/Central Business District located at 212 North Walnut Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 18, 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 C-2 (General Commercial) District, the Central Business District and the Sign Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Shall comply with all EPA, City, Federal and State regulations for this use.
4. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
5. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of 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
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
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: 05/18/2021

Prepared by: Patsy Reeves, Developmental 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:

*** 515 & 519 SOUTH FIRST STREET**

The request of Earnhartbuilt, LLC (Owner), Moran Development (Developer) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 515 and 519 South First Street, being 0.402 acres in the Samuel Blagg Survey, Abstract No. 56 and being part of Block 2 of G.Y. Gray's Supplement Addition and being all of Lots 14, 15 and the North 5.333 feet of Lot 16, Block 2 except the north 8 feet of Lot 14 and all of the south 27.666 feet of Lot 16, Block 2, as follows:

Planning and Zoning Commission

Replat approval of Cunningham Place Addition.

Background:

The property is located at 515 and 519 South First Street between King and Cherry Streets. The property is zoned a C-2 (General Commercial) District and an R-1 (One Family Residential) District. The owner would like to Replat the property into one lot for Multi-Family Residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Earnhartbuilt, LLC (Owner)
Moran Development (Developer)
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:
54

Objections Received:
0

Development Review Meeting:
Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Cunningham Place Addition
Staff Review Letter

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

515 & 519 South First Street

NOT TO SCALE

1 in = 200 ft

Zoning - 515 & 519 South First 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

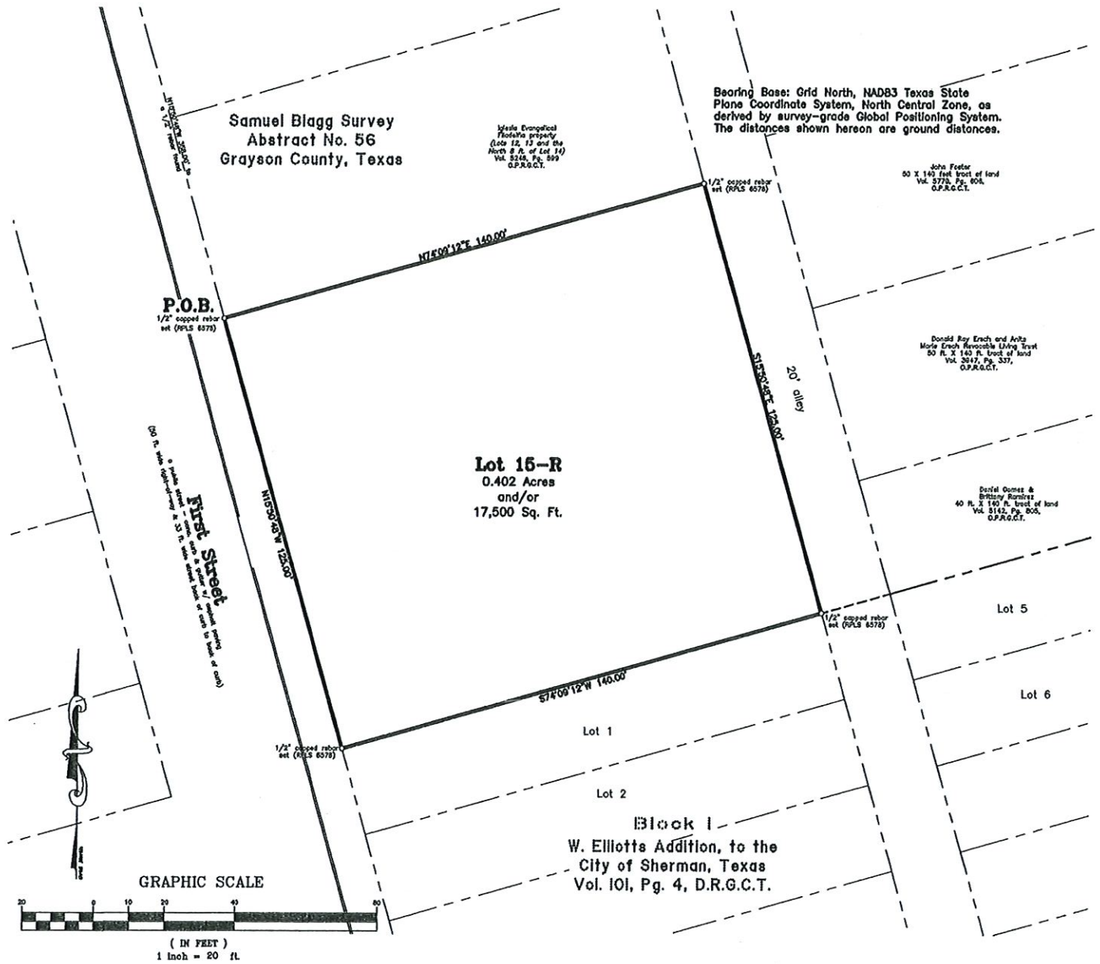
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

515 & 519 South First Street



Cunningham Place Addition
to the
City of Sherman, Texas
0.402 Acres
in the
Samuel Blagg Survey
Abstract No. 56

General Notes:

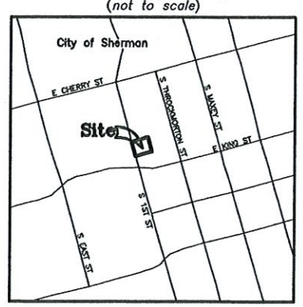
1. Water Supply to be provided by the City of Sherman, Texas.
2. Sewer service to be provided by the City of Sherman, Texas.
3. Electrical service is provided by Oncor Electric Delivery Company.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction 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 "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. CGS770421

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:
EarnhartBuilt, LLC
110 S. Houston Avenue
Denison, TX 75020

Vicinity Map
(not to scale)



\\LS210DC01\share\Shared Projects\Land Projects R2\Plat-Block-2-G-Y-Grays-Supplement\Drawings\Plat.dwg 4/22/2021 11:37 AM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the Samuel Blagg Survey, Abstract No. 56 and being a part of Block 2 of G.Y. Gray's Supplement Addition to the City of Sherman, Texas, as per plat of record in Volume 309, Pg. 493, Deed Records, Grayson County, Texas and being all of Lots 14, 15, and the North 5.333 ft. of Lot 16, said Block 2, **Except** the North 8 ft. of Lot 14, conveyed by Sheriff's Tax Deed, to EarnhartBuilt, LLC, on April 22, 2019, recorded in Instrument No. 2019-12825, Official Public Records, Grayson County, Texas, and all of the South 27.666 ft. of Lot 16, said Block 2 conveyed by Sheriff's Tax Deed, to EarnhartBuilt, LLC, on April 22, 2019, recorded in Instrument No. 2019-12824, said Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar set stamped (*RPLS 6578*) in the East right-of-way line of First Street, at the Southwest corner of the Iglesia Evangelical Filadelfia property described as Lots 12, 13, and the North 8 ft. of Lot 14, said Block 2, recorded in Volume 5245, Page 599, said Official Public Records and the Northwest corner of both EarnhartBuilt property in Inst. No. 2019-12825 and the herein described tract, **SAID** rebar being South 15 deg. 50 min. 48 sec. East, 358.00 ft. from a 1/2 inch rebar found at the Northwest corner of said Block 2, G.Y. Gray's Supplement;

THENCE North 74 deg. 09 min. 12 sec. East, over and across said Lot 14, with the North line of said EarnhartBuilt tract in Inst. No. 2019-12825 and the South line of said Iglesia Evangelical Filadelfia property, a distance of 140.00 ft. to a 1/2 inch capped rebar set stamped (*RPLS 6578*) in the West line of an alley, at the Southeast corner of said Iglesia Evangelical Filadelfia property and the Northeast corner of both said EarnhartBuilt tract in Inst. No. 2019-12825 and the herein described tract;

THENCE South 15 deg. 50 min. 48 sec. East, with the East line of said Lots 14, 15 and 16 and the West line of said alley, a distance of 125.00 ft. to a 1/2 inch capped rebar set stamped (*RPLS 6578*) at the apparent Southeast corner of both said EarnhartBuilt tract in Inst. No. 2019-12824 and the herein described tract;

THENCE South 74 deg. 09 min. 12 sec. West, with the apparent South line of said Lot 16, a distance of 140.00 ft. to a 1/2 inch capped rebar set stamped (*RPLS 6578*) in the East right-of-way line of said First Street, at the apparent Southwest corner of both said Lot 16 and the herein described tract;

THENCE North 15 deg. 50 min. 48 sec. West, with the East right-of-way line of said First Street, the West line of said Lots 16, 15 and 14, a distance of 125.00 ft. to the **PLACE OF BEGINNING** and containing **0.402 ACRES and/or 17,500 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 EarnhartBuilt, LLC, sole owner of Cunningham Place 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.

Authorized Representative for EarnhartBuilt, LLC

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Authorized Representative for EarnhartBuilt, LLC, 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 final plat of Cunningham Place 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 Cunningham Place 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 Cunningham Place 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

Cunningham Place Addition
to the
City of Sherman, Texas
0.402 Acres
in the
Samuel Blagg Survey
Abstract No. 56

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-8191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

\\LS210DC01\share\Shared Projects\Land Projects R2\Plat-Block-2-G-Y-Grays-Supplement\Drawings\Plat.dwg 4/22/2021 11:37 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

EarnhartBuilt, LLC
110 S. Houston Avenue
Denison, TX 75020

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

Dear Applicants,

The request for approval of the Final Plat of Cunningham Place Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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. *Chapter 3, Division 5, Sec. 3.10.154*
2. Water main must be extended in accordance with City criteria along First Street to serve proposed Lot 15-R. *Chapter 13, Sec. 13.07.282*
3. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review.
4. Dedicate a 10' Utility Easement along First Street.
5. The City of Sherman does not maintain alleys.
6. Owner block to be shown on both Pages 1 and 2.
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.
8. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
9. 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. *Chapter 10, 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 **18.**

Meeting Date: 05/18/2021

Prepared by: Patsy Reeves, Developmental 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:

515 & 519 SOUTH FIRST STREET

The request of Earnhartbuilt LLC (Owner), Moran Development (Developer) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 515 and 519 South First Street, being 0.402 acres in the Samuel Blagg Survey, Abstract No. 56 and being part of Block 2 of G.Y. Gray's Supplement Addition and being all of Lots 14, 15 and the North 5.333 feet of Lot 16, Block 2 except the north 8 feet of Lot 14 and all of the south 27.666 feet of Lot 16, Block 2, as follows:

Planning and Zoning Commission

Zone change and site plan approval for an 8-unit Multi-Family Complex under Ordinance No. 2280, Section 12, from a C-2 (General Commercial) District and R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District.

Background:

The property is located at 515 and 519 South First Street between King and Cherry Streets. The property is zoned a C-2 (General Commercial) District and an R-1 (One Family Residential) District The owner would like to Replat the property into one lot, rezone the property from a C-2 (General Commercial) District and R-1 (One Family Residential) District to an R-2 (Multi-Family Residential) District for development of an eight-unit, one bedroom per unit apartment complex. The two-story building will be approximately 2,400 square feet. Sixteen parking spaces will be provided.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Earnhartbuilt, LLC (Owner)
Moran Development (Developer)
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:

22

Objections Received:

0

Development Review Meeting:

Yes

Attachments

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

515 & 519 South First Street

NOT TO SCALE

1 in = 200 ft

Zoning - 515 & 519 South First 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

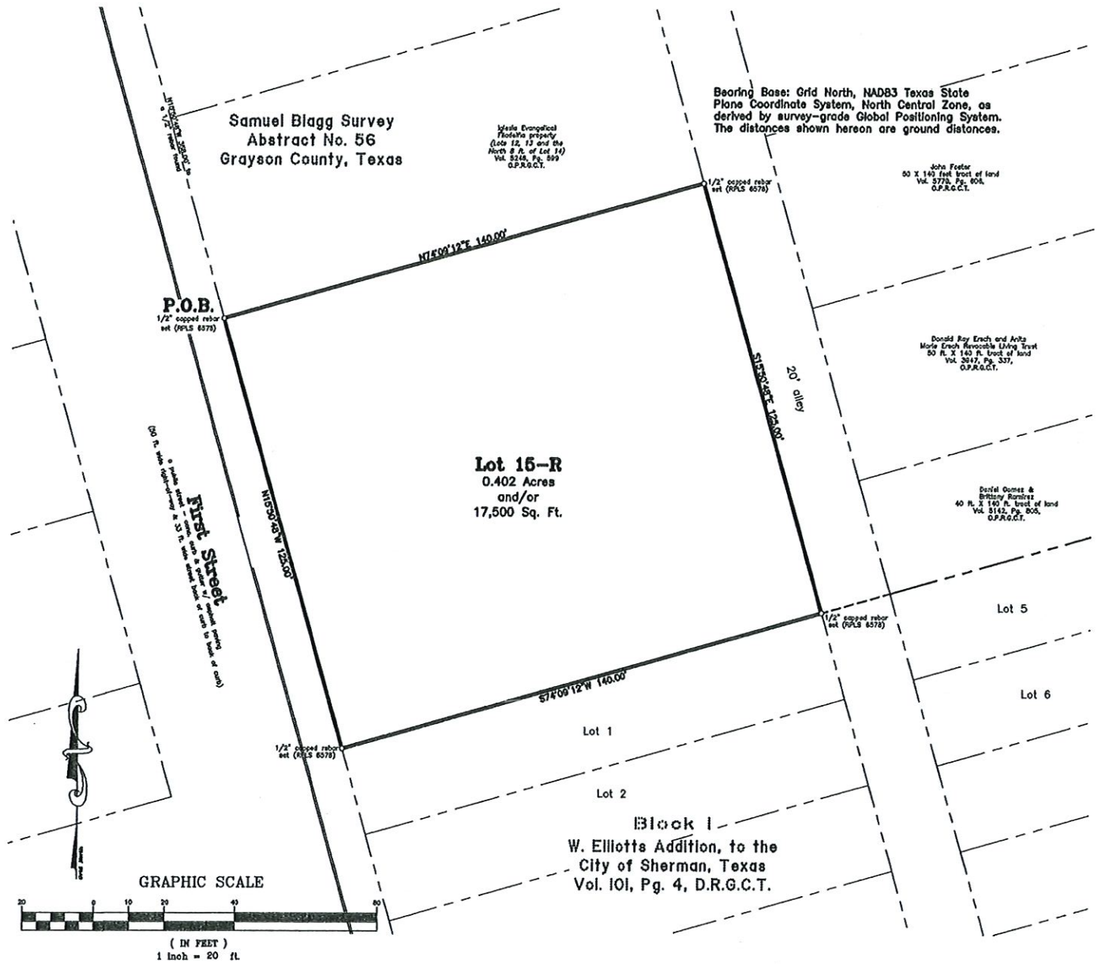
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

515 & 519 South First Street



Cunningham Place Addition
to the
City of Sherman, Texas
0.402 Acres
in the
Samuel Blagg Survey
Abstract No. 56

General Notes:

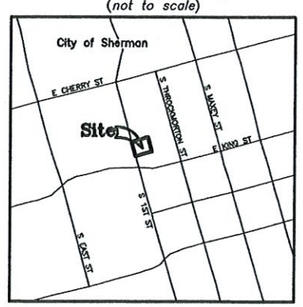
1. Water Supply to be provided by the City of Sherman, Texas.
2. Sewer service to be provided by the City of Sherman, Texas.
3. Electrical service is provided by Oncor Electric Delivery Company.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction 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 "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. CGS770421

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:
EarnhartBuilt, LLC
110 S. Houston Avenue
Denison, TX 75020

Vicinity Map
(not to scale)



\\LS210DC01\share\Shared Projects\Land Projects R2\Plat-Block-2-G-Y-Grays-Supplement\Drawings\Plat.dwg 4/22/2021 11:37 AM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the Samuel Blagg Survey, Abstract No. 56 and being a part of Block 2 of G.Y. Gray's Supplement Addition to the City of Sherman, Texas, as per plat of record in Volume 309, Pg. 493, Deed Records, Grayson County, Texas and being all of Lots 14, 15, and the North 5.333 ft. of Lot 16, said Block 2, **Except** the North 8 ft. of Lot 14, conveyed by Sheriff's Tax Deed, to EarnhartBuilt, LLC, on April 22, 2019, recorded in Instrument No. 2019-12825, Official Public Records, Grayson County, Texas, and all of the South 27.666 ft. of Lot 16, said Block 2 conveyed by Sheriff's Tax Deed, to EarnhartBuilt, LLC, on April 22, 2019, recorded in Instrument No. 2019-12824, said Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar set stamped (*RPLS 6578*) in the East right-of-way line of First Street, at the Southwest corner of the Iglesia Evangelical Filadelfia property described as Lots 12, 13, and the North 8 ft. of Lot 14, said Block 2, recorded in Volume 5245, Page 599, said Official Public Records and the Northwest corner of both EarnhartBuilt property in Inst. No. 2019-12825 and the herein described tract, **SAID** rebar being South 15 deg. 50 min. 48 sec. East, 358.00 ft. from a 1/2 inch rebar found at the Northwest corner of said Block 2, G.Y. Gray's Supplement;

THENCE North 74 deg. 09 min. 12 sec. East, over and across said Lot 14, with the North line of said EarnhartBuilt tract in Inst. No. 2019-12825 and the South line of said Iglesia Evangelical Filadelfia property, a distance of 140.00 ft. to a 1/2 inch capped rebar set stamped (*RPLS 6578*) in the West line of an alley, at the Southeast corner of said Iglesia Evangelical Filadelfia property and the Northeast corner of both said EarnhartBuilt tract in Inst. No. 2019-12825 and the herein described tract;

THENCE South 15 deg. 50 min. 48 sec. East, with the East line of said Lots 14, 15 and 16 and the West line of said alley, a distance of 125.00 ft. to a 1/2 inch capped rebar set stamped (*RPLS 6578*) at the apparent Southeast corner of both said EarnhartBuilt tract in Inst. No. 2019-12824 and the herein described tract;

THENCE South 74 deg. 09 min. 12 sec. West, with the apparent South line of said Lot 16, a distance of 140.00 ft. to a 1/2 inch capped rebar set stamped (*RPLS 6578*) in the East right-of-way line of said First Street, at the apparent Southwest corner of both said Lot 16 and the herein described tract;

THENCE North 15 deg. 50 min. 48 sec. West, with the East right-of-way line of said First Street, the West line of said Lots 16, 15 and 14, a distance of 125.00 ft. to the **PLACE OF BEGINNING** and containing **0.402 ACRES and/or 17,500 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 EarnhartBuilt, LLC, sole owner of Cunningham Place 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.

Authorized Representative for EarnhartBuilt, LLC

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Authorized Representative for EarnhartBuilt, LLC, 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 final plat of Cunningham Place 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 Cunningham Place 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 Cunningham Place 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

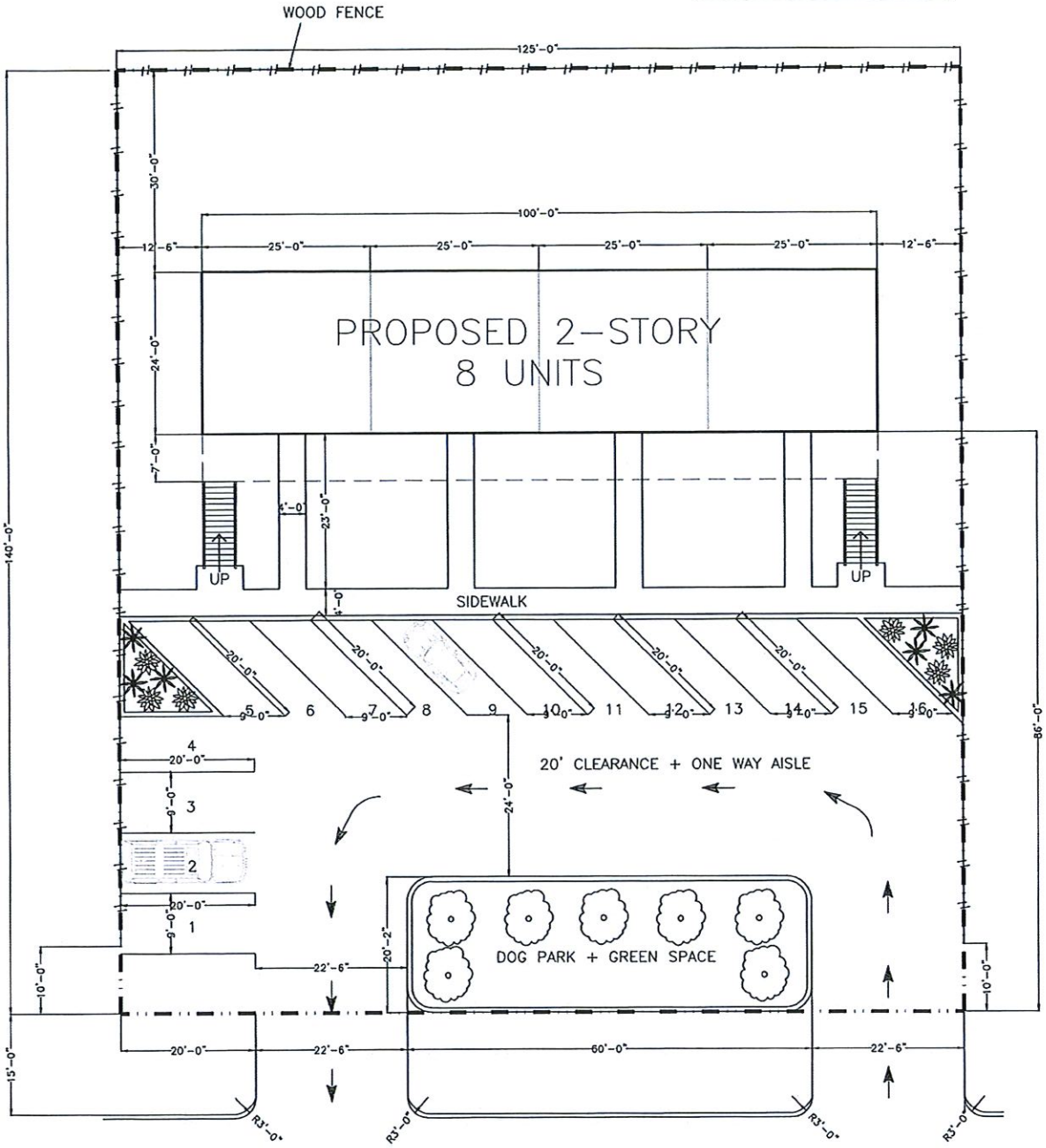
Cunningham Place Addition
to the
City of Sherman, Texas
0.402 Acres
in the
Samuel Blagg Survey
Abstract No. 56

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-8191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

\\LS210DC01\share\Shared Projects\Land Projects R2\Plat-Block-2-G-Y-Grays-Supplement\Drawings\Plat.dwg 4/22/2021 11:37 AM

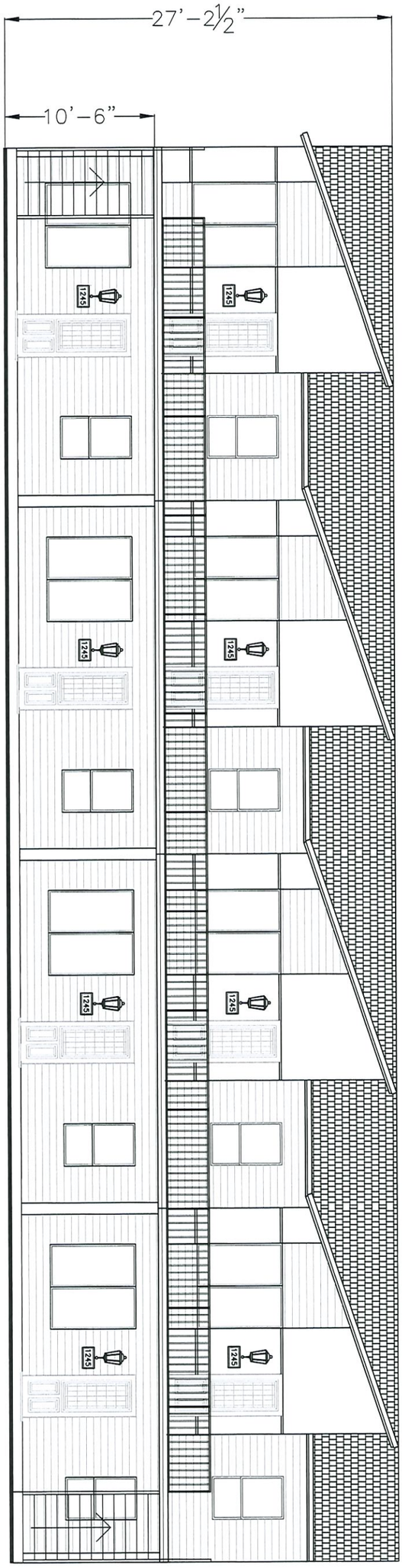
SCALE: 3/4" = 1-0'

DESCRIPTION	SQ. FT./DESCRIP.
GROSS SQFT OF STRUCTURE	2400
GROSS SQFT OF PROPERTY	17500
REQUIRED PARKING	16
PARKING PROVIDED	16
CURRENT ZONING	COMMERCIAL
PROPOSED ZONING	R2
HARD SURFACE AREA	5164
LANDSCAPED AREA	7450



FIRST STREET

	PROJECT NAME: THE RETREAT	DRAWINGS TITLE: PROPOSED PLOT PLAN	SCALE: 3/4" = 1'-0"
	DATE: APRIL, 24TH 2021	ADDRESS: 515 FIRST STREET	SHEET SIZE: 11X17



FRONT ELEVATION

SCALE: 1 - 1/2" = 1'-0"

	PROJECT NAME: THE RETREAT	DRAWINGS TITLE: PROPOSED FRONT ELEVATION	SCALE: 1 1/2"=1'-0"
	DATE: APRIL, 24TH 2021	ADDRESS: 515 FIRST STREET	SHEET SIZE: 11X17

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

May 11, 2021

Earnhartbuilt LLC
110 S. Houston Ave.
Denison, TX 75020

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

Moran Developments
910 S. Travis St.
Sherman, TX 75090

Dear Applicants,

The request for a zone change and site plan approval for an 8-unit Multi-Family Complex under Ordinance No. 2280, Section 12, from a C-2 (General Commercial) District to an R-2 (Multi-Family Residential) District located at 515 an 519 South First Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 18, 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-2 (Multi-Family Residential) District, the Fence Ordinance and the Residential Tree and Landscaping Ordinance.
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.
4. A minimum 6' masonry perimeter wall shall be provided to surround the development unless an exception is granted.
5. No building shall exceed 35 feet in height unless an exception is granted.
6. Parking is permitted on paved surfaces only (concrete and asphalt).
7. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20'.
8. Any structures built over any of the easements on the property will require approval from the City Council for an encroachment easement.
9. 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.
10. 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
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
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: 05/18/2021

Prepared by: Patsy Reeves, Developmental 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:

213 EAST HILL STREET

The request of Roberto Meraz (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 213 East Hill Street, being 0.172 acres in the J.B. McAnair Survey, Abstract No. 763, as follows;

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.2, Subsection (1) to allow a 50' lot width in lieu of the required 60' lot width in the proposed Lot 1, Meraz-Hill Addition, in an R-1 (One-Family Residential) District.

Planning and Zoning Commission

Final Plat approval of Meraz-Hill Addition

Background:

The property is located at 213 East Hill Street between Walnut and Montgomery Streets. The property was zoned an R-1 (One-Family Residential) District at the April 5, 2021, City Council Meeting by Ordinance 6373. The owner would like to plat the property into one, 50' wide lot for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District
R-2 (Two-Family Residential) District
C-2 (General Commercial) District
C-1 (Retail Business) District

Origination:

Roberto Meraz (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:

13

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey
Meraz-Hill Addition
Site Plan
Building Elevations
Staff Review Letter

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213 East Hill Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 300 ft

Zoning - 213 East Hill 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.

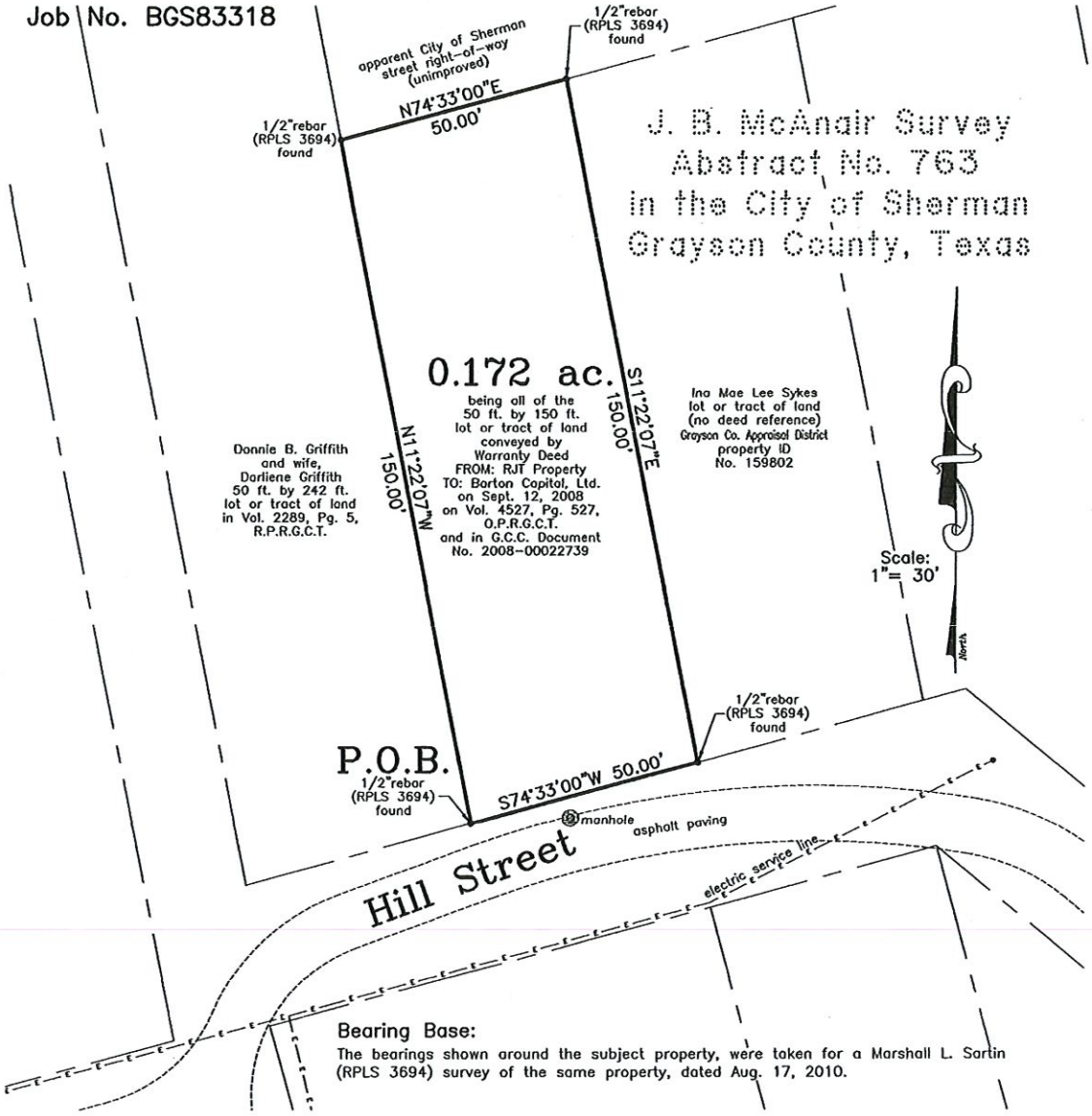
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 98 ft

213 East Hill Street

Job No. BGS83318



Bearing Base:
The bearings shown around the subject property, were taken for a Marshall L. Sartin (RPLS 3694) survey of the same property, dated Aug. 17, 2010.

Owner: Barton Capital, LTD

Address: 213 E. Hill Street
Sherman, Texas

This survey was prepared for the sole benefit of the transaction (boundary survey) for the Owner stated hereon, and is null and void for any other transactions. Any other use of this survey without the sole consent of the undersigned surveyor is prohibited, and would 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 both the General Rules of Procedures and Practices as adopted by the Texas Board of Professional Land Surveying and the current Texas Society of Professional Surveyors standards and is a true and correct representation of the property shown hereon. Field Notes attached hereto.

The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 F, Revised Date: September 29, 2010.

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

Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: March 27, 2018

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

C:\Land Projects R2\213-E-Hill-St-Sherman\dwg\213-E-Hill.dwg 3/27/2018 10:05:25 AM CDT

Helvey-Wagner Surveying, Inc.

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

FIELD NOTES
0.172 Acres

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 all of the 50 ft. by 150 ft. lot or tract of land conveyed by Warranty Deed, **FROM:** RJT Property, **TO**: Barton Capital, Ltd., on September 12, 2008, and recorded in Volume 4527, Page 527, Official Public Records, Grayson County, Texas, and in Grayson County Clerk's Document No. 2008-00022739, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a ½ inch rebar (RPLS 3694) found in the North line of Hill Street, an "East-West" city street, at the Southwest corner of said Barton Capital tract of land, and at the Southeast corner of the Donnie B. Griffith and wife, Darliene Griffith 50 ft. by 242 ft. lot or tract of land in Vol. 2289, Pg. 5, R.P.R.G.C.T.;

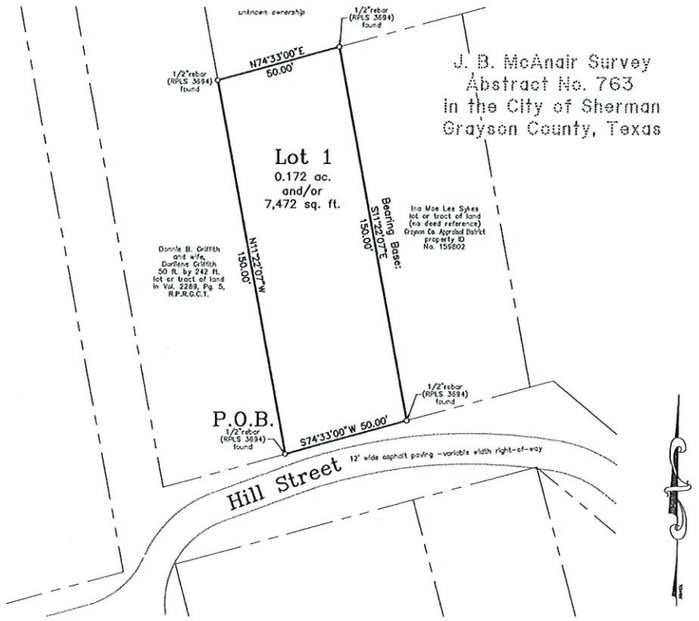
THENCE North 11 deg. 22 min. 07 sec. West, with the East line of said Griffith tract of land, a distance of 150.00 ft. to a ½ inch rebar (RPLS 3694) found in said Griffith East line, and in a South line of an apparent street right-of-way of the City of Sherman (Texas), at an apparent Southwest corner of said street right-of-way, "unimproved" along here, and at the Northwest corner of said Barton Capital tract of land;

THENCE North 74 deg. 33 min. 00 sec. East, with said South line of the apparent street right-of-way, a distance of 50.00 ft. to a ½ inch rebar (RPLS 3694) found in said street line, at the Northeast corner of said Barton Capital tract of land, and at the Northwest corner of the Ina Mae Lee Sykes lot or tract of land (no deed reference);

THENCE South 11 deg. 22 min. 07 sec. East, with the West line of said Sykes tract of land, a distance of 150.00 ft. to a ½ inch rebar (RPLS 3694) found in the North line of Hill Street, at the Southeast corner of said Barton Capital tract of land, and at the Southwest corner of said Sykes tract of land;

THENCE South 74 deg. 33 min. 00 sec. West, with the North line of Hill Street, a distance of 50.00 ft. to the **PLACE OF BEGINNING** and a containing **0.172 ACRES** of land.

Kate A. Wagner, R.P.L.S. No. 6578
March 27, 2018



GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

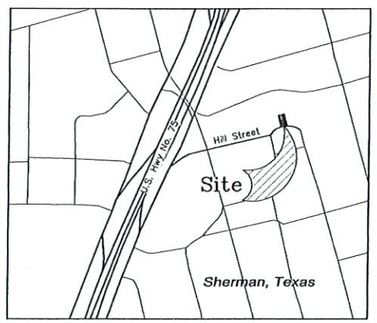
Meraz-Hill Addition
to
City of Sherman, Texas
0.172 Acres
in the
J.B. McAnair Survey
Abstract No. 763

Job No. CGS730421

General Notes:

1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Oncor Electric Delivery Co..
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 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.

Site Location
(not to scale)



Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net

Owner:
Roberto Meraz
3294 Dripping Springs Road
Sherman, Texas 75090

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 all of the 0.172 acre tract of land (Tract One) conveyed by Warranty Deed, FROM: R-Meraz Construction, LLC, TO: Roberto Meraz, on March 4, 2019, and recorded in Instrument No. 2019-5015, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a ½ inch rebar (RPLS 3694) found in the North line of Hill Street, an "East-West" city street, at the Southwest corner of said Meraz 0.172 ac. and the Southeast corner of the Donnie B. Griffith and wife, Darlene Griffith 50 ft. by 242 ft. lot or tract of land in Vol. 2289, Pg. 5, R.P.R.G.C.T.;

THENCE North 11 deg. 22 min. 07 sec. West, with the East line of said Griffith tract of land, a distance of 150.00 ft. to a ½ inch rebar (RPLS 3694) found in said Griffith East line, and in a South line of an apparent street right-of-way of the City of Sherman (Texas), at an apparent Southwest corner of said street right-of-way, "unimproved" along here, and at the Northwest corner of said Meraz 0.172 ac.;

THENCE North 74 deg. 33 min. 00 sec. East, with said South line of the apparent street right-of-way, a distance of 50.00 ft. to a ½ inch rebar (RPLS 3694) found in said street line, at the Northeast corner of said Meraz 0.172 ac., and at the Northwest corner of the Ina Mae Lee Sykes lot or tract of land (no deed reference);

THENCE South 11 deg. 22 min. 07 sec. East, with the West line of said Sykes tract of land, a distance of 150.00 ft. to a ½ inch rebar (RPLS 3694) found in the North line of Hill Street, at the Southeast corner of said Meraz 0.172 ac., and at the Southwest corner of said Sykes tract of land;

THENCE South 74 deg. 33 min. 00 sec. West, with the North line of Hill Street, a distance of 50.00 ft. to the PLACE OF BEGINNING and a containing 0.172 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
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
LAND SURVEYOR

I, Roberto Meraz, owner of Meraz-Hill Addition to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

_____
Roberto Meraz

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Roberto Meraz, 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 Meraz-Hill 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 Meraz-Hill Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2021, by the City Council of the City of Sherman, Texas.

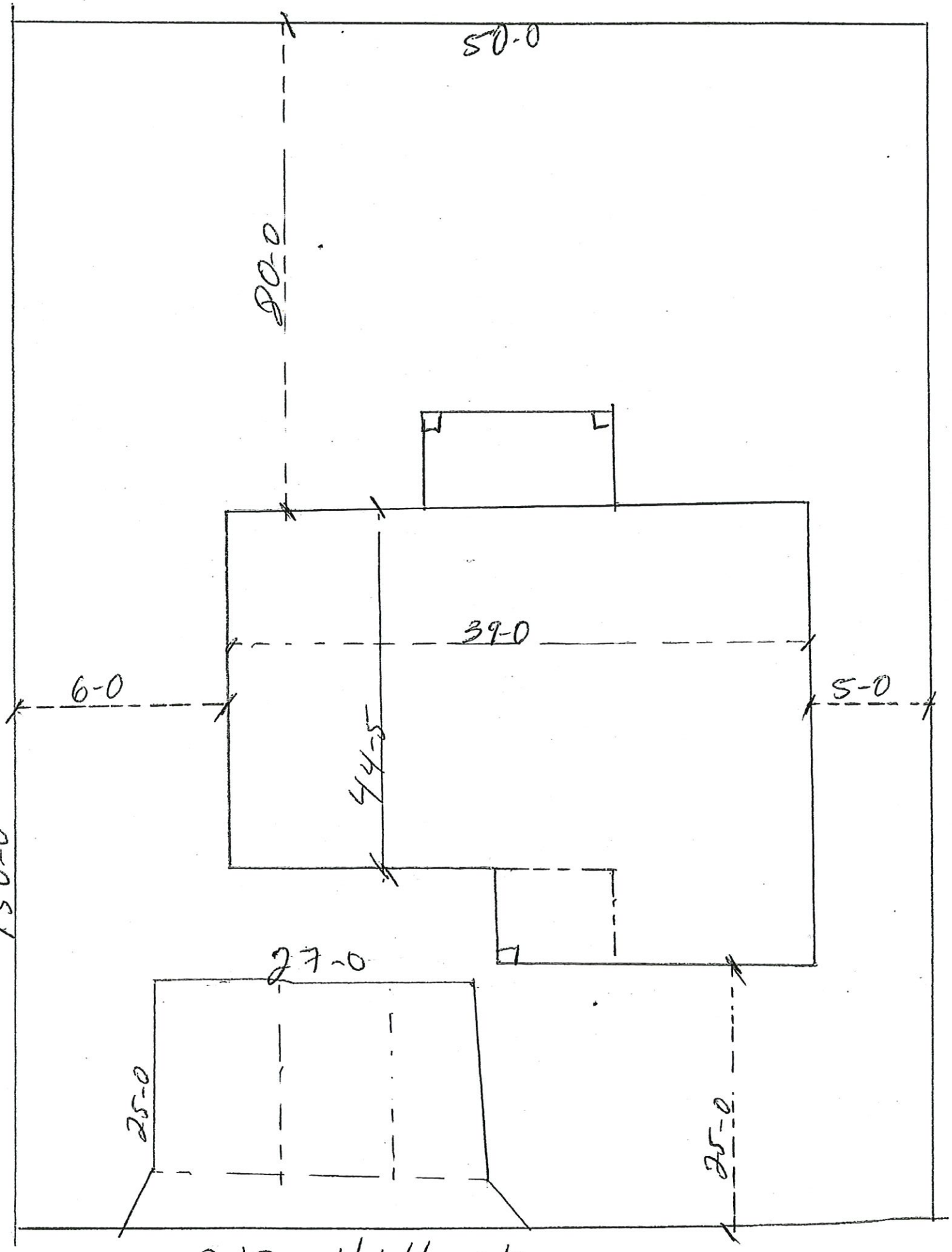
ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of Meraz-Hill Addition to 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

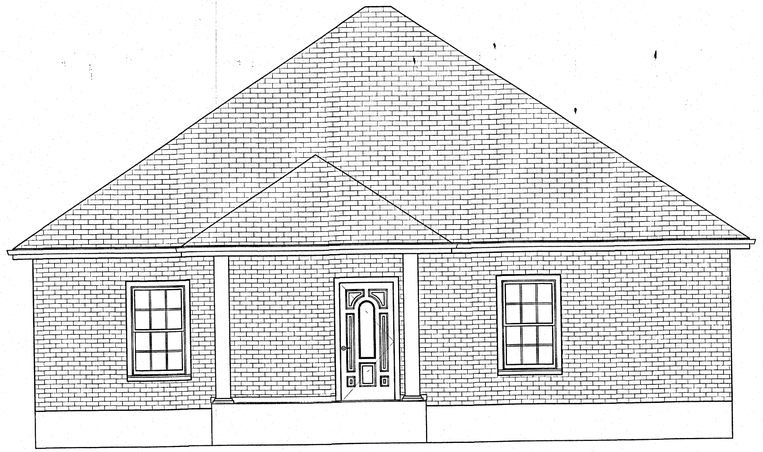
Meraz-Hill Addition
to
City of Sherman, Texas
0.172 Acres
in the
J.B. McAnair Survey
Abstract No. 763

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net


50-0
90-0
39-0
6-0
5-0
44-5
150-0
27-0
25-0
25-0
213 Hill st

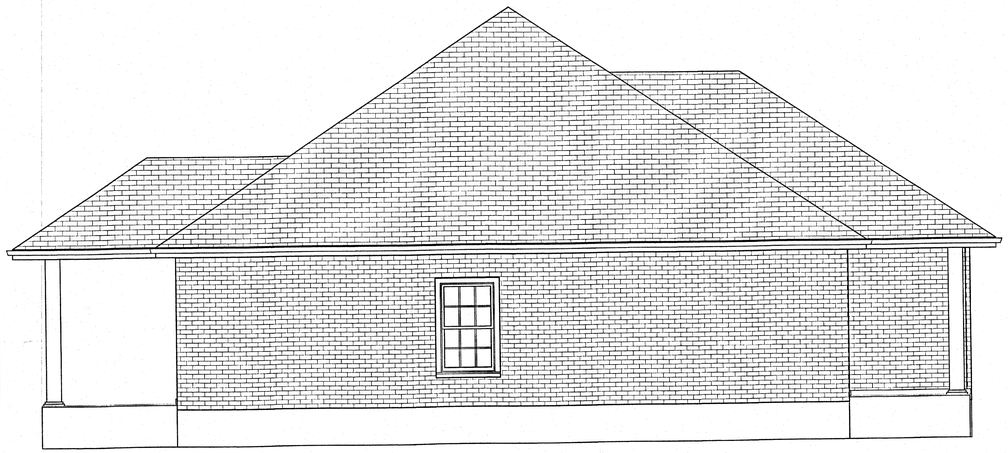
Front Elevation

Cross Section 7



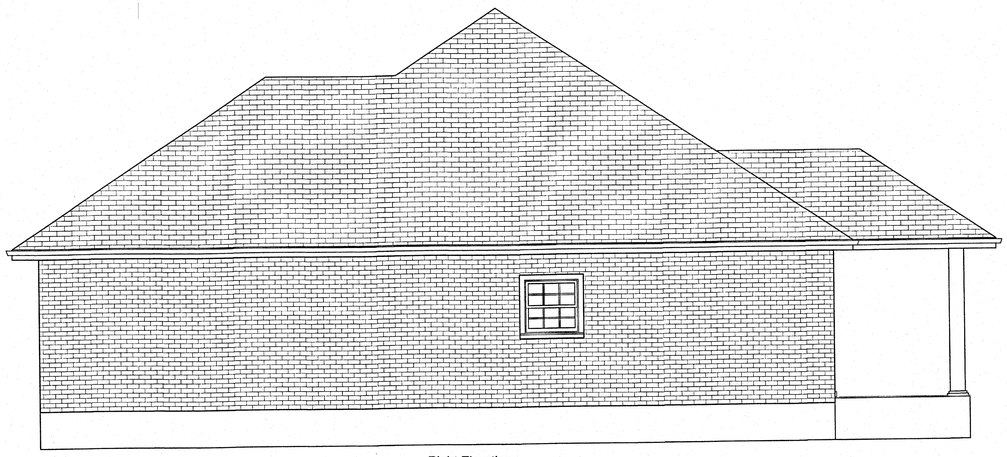
Rear Elevation

Cross Section 8



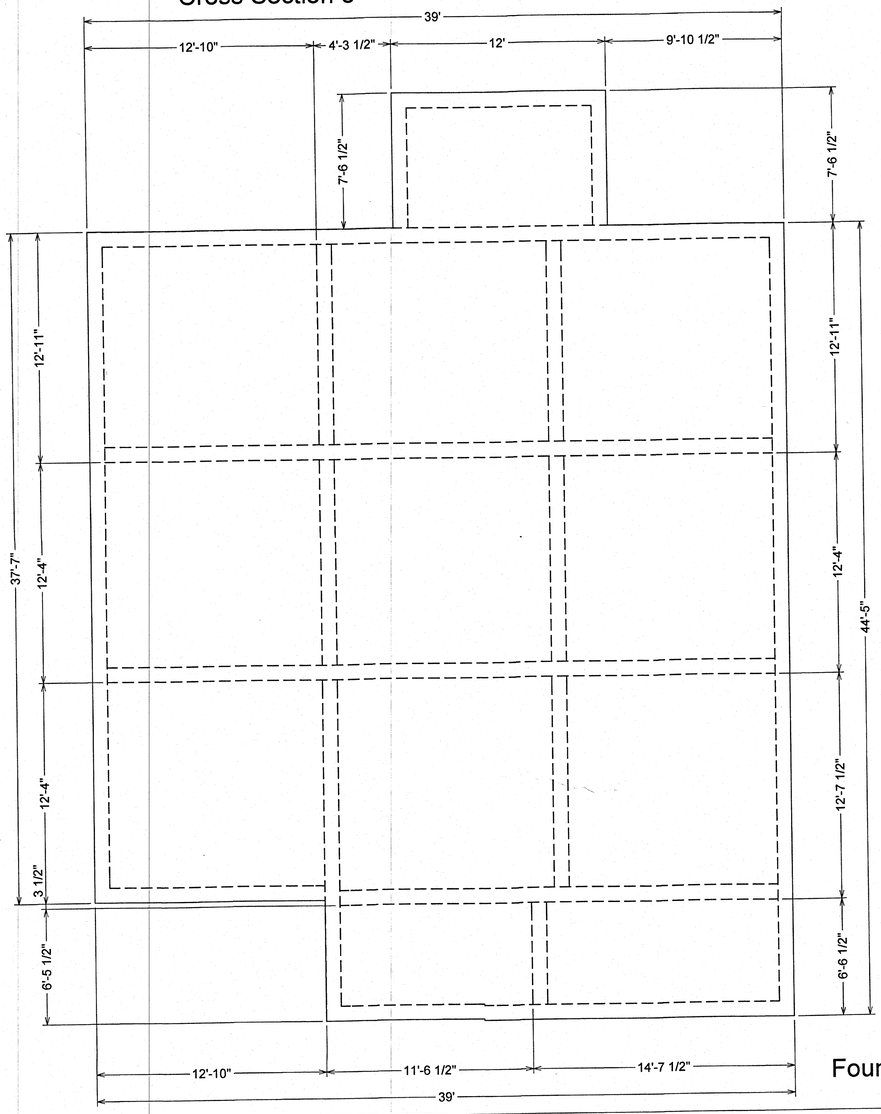
Left Elevation

Cross Section 9

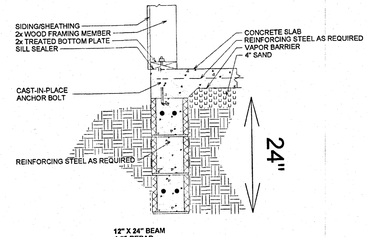


Right Elevation

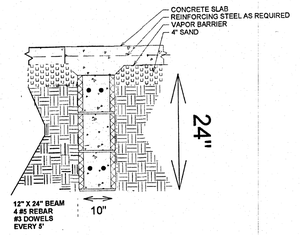
Cross Section 10



Foundation



Monolithic Slab exterior beam
(print at 1"=1')



Monolithic Slab Interior beam
(print at 1"=1')

NO.	DESCRIPTION	BY	DATE

SHEET TITLE: Elevations, Foundation

PROJECT DESCRIPTION: 213 Hill st
Roberto Meraz
903-821-5862

DRAWINGS PROVIDED BY:
Cupid Homes
715 S. Hwy 75
Sherman, Texas 75090
903-868-4201 -

DATE: 2/13/2018

SCALE: 1/4" = 1'

SHEET: A-0

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

Roberto Meraz
3294 Dripping Springs Rd.
Sherman, TX 75090

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

Dear Applicants,

The request for approval of the Final Plat of Meraz-Hill Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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. *Chapter 3, Division 5, Sec. 3.10.154*
2. Dedicate 20' right of way along Hill Street.
3. Dedicate 10' Utility Easement along Hill Street.
4. Ownership block to be shown on both Pages 1 and 2.
5. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
6. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
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. *Chapter 10, 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: 05/18/2021

Prepared by: Patsy Reeves, Developmental 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:

*** 1438 SOUTH WALNUT STREET**

The request of Jaime Antonio Sanchez (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1438 South Walnut Street, being 0.326 acres in the Samuel Blagg Survey, Abstract No. 56 and being a part of Lot 14, M.B. Moore's Addition, as follows:

Planning and Zoning Commission

Replat approval of part of Lot 14, M.B. Moore's Addition and adjoining tract of land East of said Lot 14.

Background:

The property is located at 1438 South Walnut Street; the northwest corner of Walnut and Olive Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into two lots for residential development.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

Jaime Antonio Sanchez (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:
133

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat pt. Lot 14, M.B. Moore's Addition & Adjoining Tract of Land
Staff Review Letter

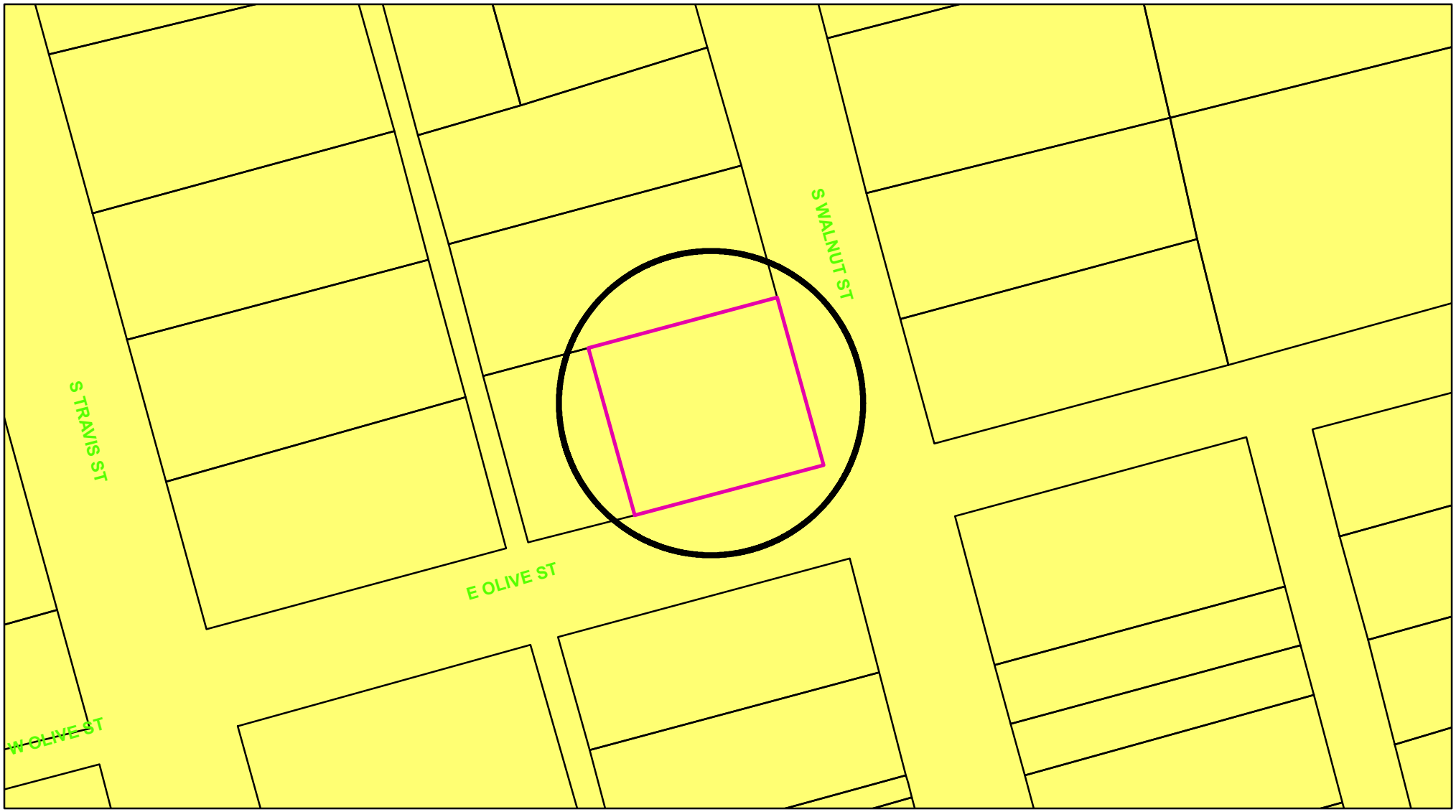
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

1438 South Walnut Street

NOT TO SCALE

1 in = 100 ft



Zoning - 1438 South Walnut 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

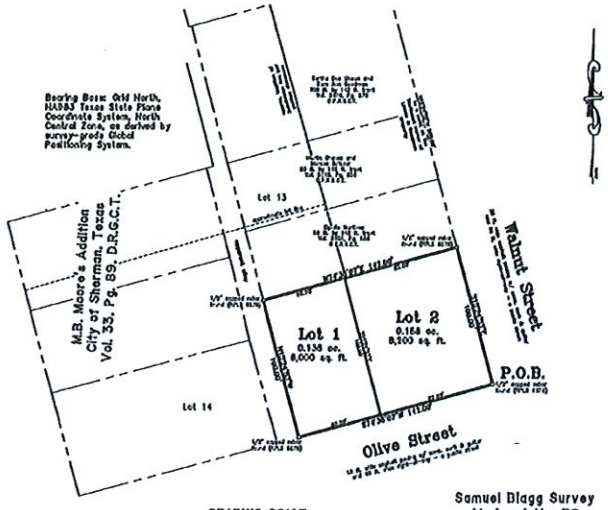
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 65 ft

1438 South Walnut Street



Samuel Blagg Survey
Abstract No. 56
Grayson County, Texas

Replat of part of Lot 14, M.B. Moore's Addition & adjoining tract of land East of said Lot 14 to City of Sherman, Texas

0.326 Acres

in the

Samuel Blagg Survey Abstract No. 56

General Notes:

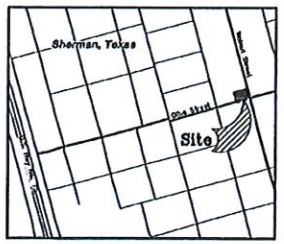
1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service to be provided by Oncor Electric Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any building, eaves or drainage shrubs traversing along or across this 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" (area determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0405 F, Revised Date: September 26, 2008.
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 holders must comply with all other state and federal regulations regarding developments of this type.

Job No. COS700421

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-8191
Email: kate@helveywagnersurveying.net
TBPELS Firm Registration No. 10065100

Owner:
Jaime Antonio Sanchez
305 E. Arkansas Street
Sherman, Texas 75091

Site Location
(not to scale)



FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, being out of the Samuel Blagg Survey, Abstract No. 56, being a part of Lot 14, M.B. Moore's Addition to the City of Sherman, Texas, recorded in Volume 33, Page 89, Deed Records, Grayson County, Texas, and all of the 142.00 ft. by 100.00 ft. tract of land conveyed by Warranty Deed with Vendor's Lien from Michael L. Alsip to Jaime Antonio Sanchez on April 4, 2019 and recorded in Instrument No. 2019-7321, 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 rebar set, stamped "RPLS 6578" at the intersection of the North line of Olive Street, a public street, and the West line of Walnut Street, a public street, at the Southeast corner of said Sanchez tract;

THENCE South 74 deg. 35 min. 07 sec. West, with the North right-of-way line of said Olive Street and the South line of both said Sanchez tract and Lot 14, a distance of 142.00 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" in the East line of an apparent alley, at the Southwest corner of said Sanchez tract;

THENCE North 15 deg. 24 min. 53 sec. East, over and across said Lot 14, with the East line of said alley and the West line of said Sanchez tract, a distance of 100.00 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the Southwest corner of the 50 ft. by 142 ft. tract of land conveyed to Eydie Martinez, recorded in Volume 6191, Page 886, said Official Public Records, and the Northwest corner of said Sanchez tract;

THENCE North 74 deg. 35 min. 07 sec. East, continuing over and across said Lot 14, with the South line of said Martinez tract and the North line of said Sanchez tract, passing the East line of said Lot 14 and continuing on for a total distance of 142.00 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" in the West right-of-way line of said Walnut Street, at the Southeast corner of said Martinez tract and the Northeast corner of said Sanchez tract;

THENCE South 15 deg. 24 min. 53 sec. East, with the West right-of-way line of said Walnut Street and the East line of said Sanchez tract, a distance of 100.00 ft. to the PLACE OF BEGINNING and containing 0.326 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

I, Jamie Antonio Sanchez, owner of Replat of part of Lot 14, M.B. Moore's Addition & adjoining tract of land East of said Lot 14 to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Jamie Antonio Sanchez

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Jamie Antonio Sanchez, 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 part of Lot 14, M.B. Moore's Addition & adjoining tract of land East of said Lot 14 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 part of Lot 14, M.B. Moore's Addition & adjoining tract of land East of said Lot 14 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 part of Lot 14, M.B. Moore's Addition & adjoining tract of land East of said Lot 14 to 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 part of Lot 14, M.B. Moore's Addition & adjoining tract of land East of said Lot 14 to City of Sherman, Texas
0.326 Acres
in the
Samuel Blagg Survey Abstract No. 56

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-8191
Email: kate@helveywagnersurveying.net
TBPELS Firm Registration No. 10065100

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

Jaime Antonio Sanchez
305 E. Arkansas
Sherman, TX 75091

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

Dear Applicants,

The request for approval of the Replat of part of Lot 14, M.B. Moore's Addition and adjoining tract of land East of said Lot 14 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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. *Chapter 3, Division 5, Sec. 3.10.154*
2. Water main must be extended in accordance with City criteria within Olive Street to serve proposed Lot 1. *Chapter 13, Sec. 13.07.282*
3. Water service line serving proposed Lot 1 to be relocated to extended water line on Olive Street.
4. Drawing shows 4 found monuments, but metes and bounds shows all monuments as being set. Correct appropriately. If monuments have been set, show a minimum of 3 found monuments on drawing.
5. Dedicate 5' Right of Way along Olive Street. (NOTE: After ROW is dedicated, Lot 1 no longer meets standard and will need to request a variance.)
6. Dedicate 15'x15' Corner clip to corner of proposed Lot 2 at Olive and Walnut streets.
7. Dedicate 10' Utility Easement along Olive and Walnut Streets.
8. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
9. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
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. *Chapter 10, 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 **21.**

Meeting Date: 05/18/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
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:

2400-2700 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY)

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

Zone change under Ordinance No. 2280, Section 12, from an R-A (Single-Family Agricultural) District and M-1 (Light Manufacturing) District to an R-1 (One-Family Residential) District.

Background:

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.

The owners are requesting to rezone 43.727 acres to an R-1 (One Family Residential) District for residential development.

Adjacent Zoning:

R-A (Single Family Agricultural) District
(C-1 (Retail Business) District
M-1 (Light Manufacturing) District
Planned Development with Mixed Uses

Origination:

ARC STX Holdings, LLC (Owners)
Tesch Development & Management Co., LLC, (Prospective Buyer)
Robert Tesch (Representative)
Pape-Dawson Engineers (Civil Engineer)
Pierce-Murray Land Solutions (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

4

Objections Received:

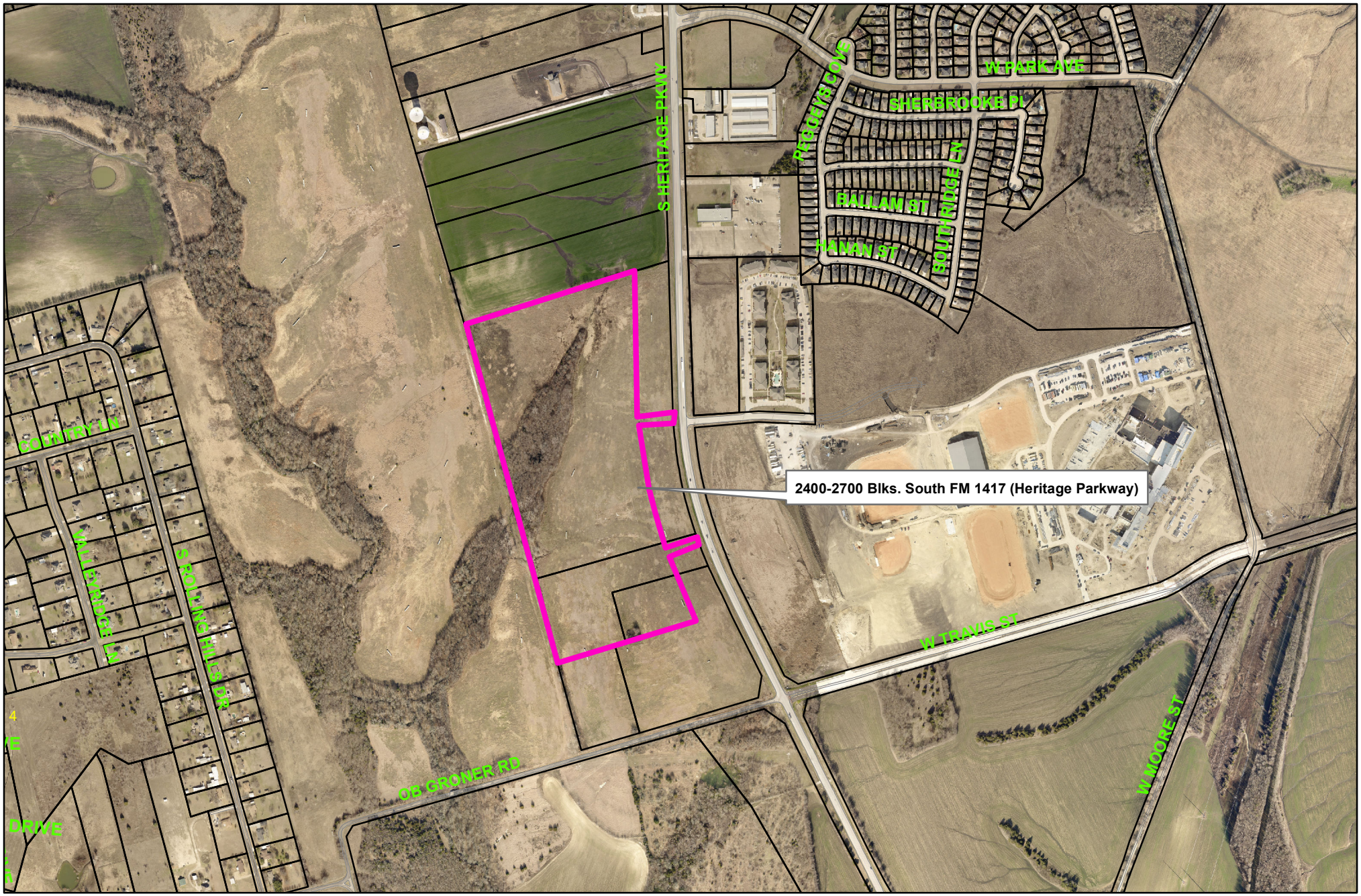
0

Development Review Meeting

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey
Conceptual Site Plan
Staff Review Letter



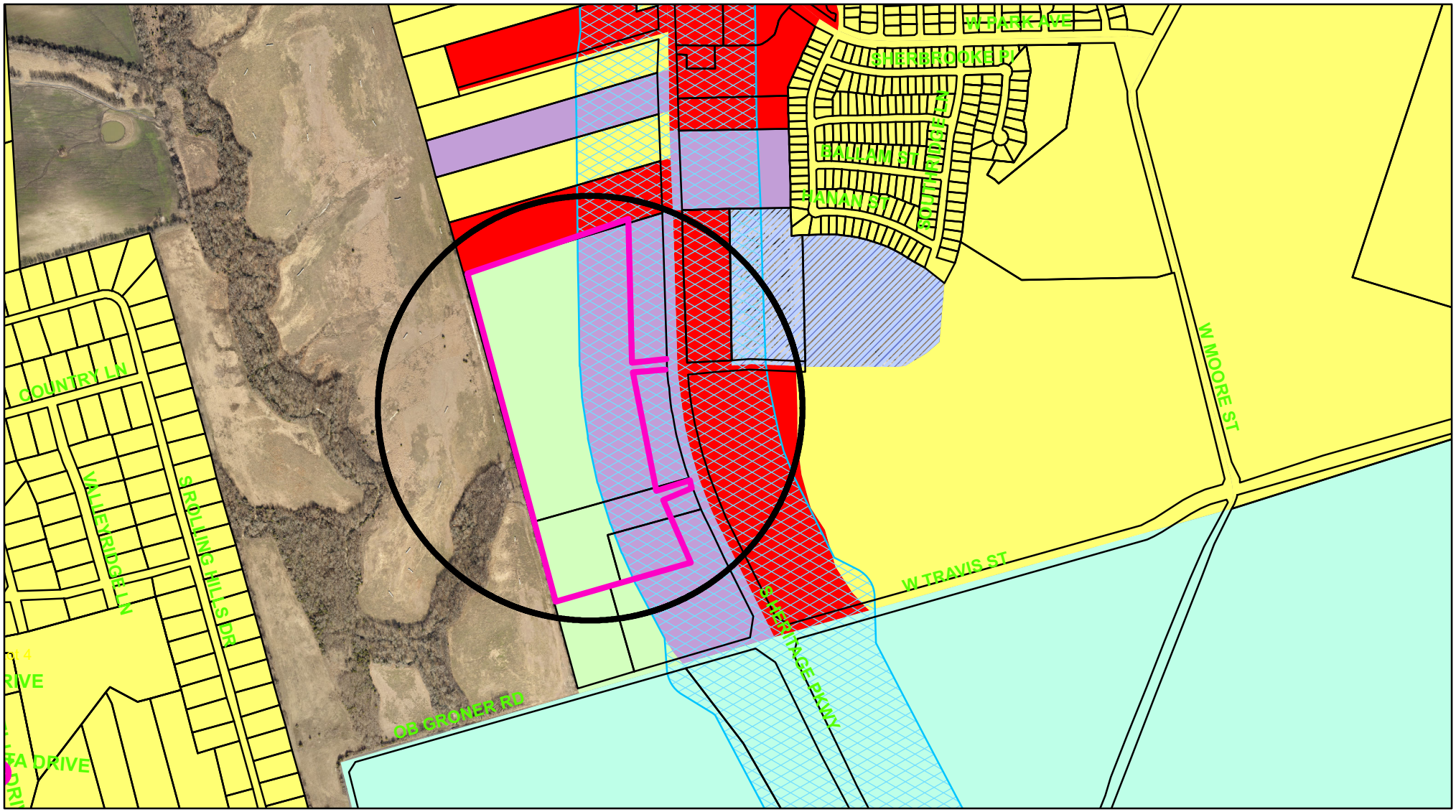
2400-2700 Blocks South FM 1417 (Heritage Parkway)

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 800 ft



Zoning - 2400-2700 Blocks South FM 1417 (Heritage Parkway)

Legend

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

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

Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing 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.

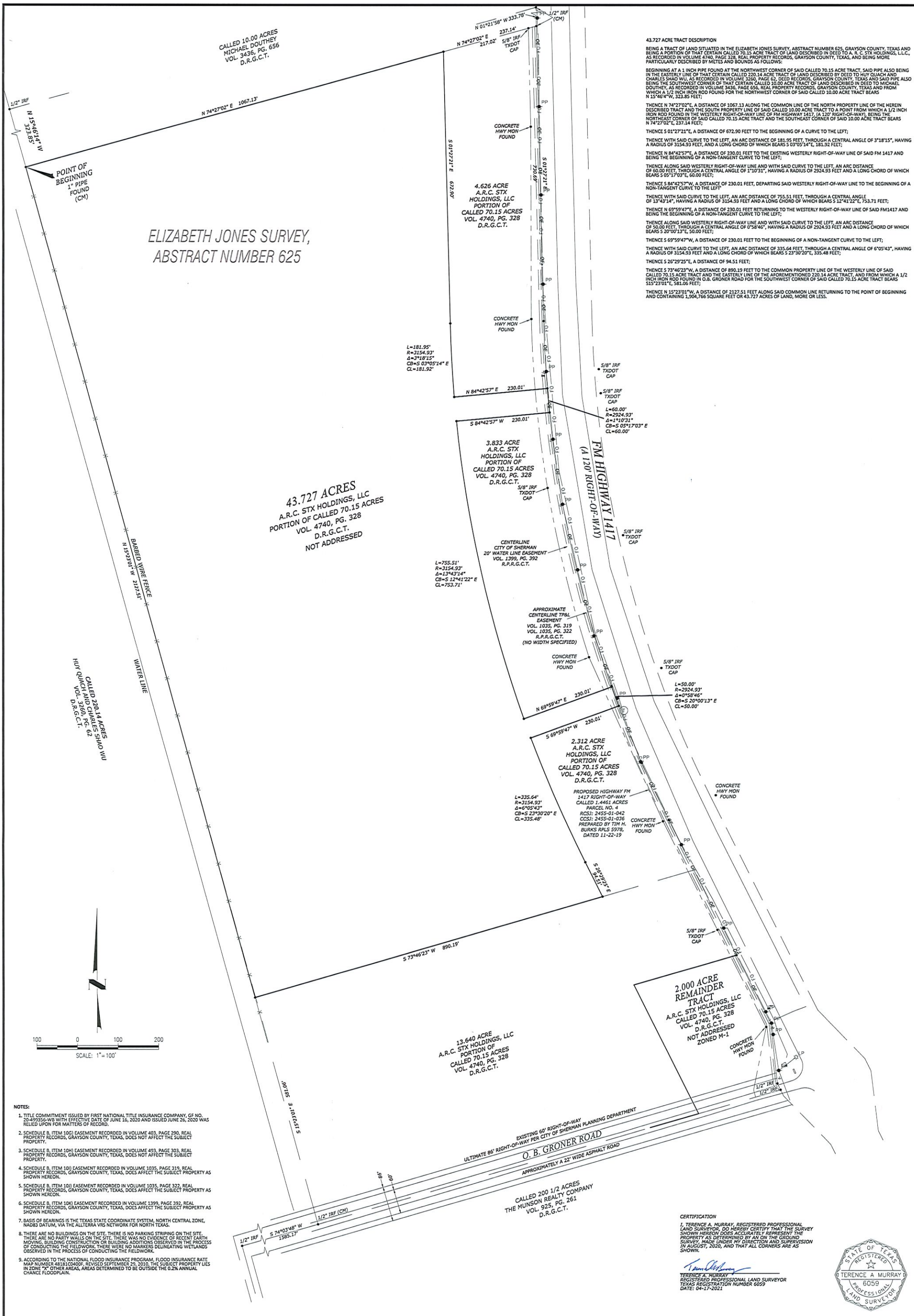
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 880 ft

2400-2700 Blocks South FM 1417

(Heritage Parkway)



43.727 ACRE TRACT DESCRIPTION

BEING A TRACT OF LAND SITUATED IN THE ELIZABETH JONES SURVEY, ABSTRACT NUMBER 625, GRAYSON COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN CALLED 70.15 ACRE TRACT OF LAND DESCRIBED IN DEED TO A. R. C. STX HOLDINGS, L.L.C., AS RECORDED IN VOLUME 4740, PAGE 328, REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1 INCH PIPE FOUND AT THE NORTHWEST CORNER OF SAID CALLED 70.15 ACRE TRACT, SAID PIPE ALSO BEING IN THE EASTERLY LINE OF THAT CERTAIN CALLED 220.14 ACRE TRACT OF LAND DESCRIBED BY DEED TO HUY QUACH AND CHARLES SHAO WU, AS RECORDED IN VOLUME 3260, PAGE 62, DEED RECORDS, GRAYSON COUNTY, TEXAS AND SAID PIPE ALSO BEING THE SOUTHWEST CORNER OF THAT CERTAIN CALLED 10.00 ACRE TRACT OF LAND DESCRIBED IN DEED TO MICHAEL DOUTHEY, AS RECORDED IN VOLUME 3436, PAGE 656, REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS AND FROM WHICH A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID CALLED 10.00 ACRE TRACT BEARS N 15°46'4"W, 323.85 FEET;

THENCE N 74°27'02"E, A DISTANCE OF 1067.13 ALONG THE COMMON LINE OF THE NORTH PROPERTY LINE OF THE HEREIN DESCRIBED TRACT AND THE SOUTH PROPERTY LINE OF SAID CALLED 10.00 ACRE TRACT TO A POINT FROM WHICH A 1/2 INCH IRON ROD FOUND IN THE WESTERLY RIGHT-OF-WAY LINE OF FM HIGHWAY 1417, (A 120' RIGHT-OF-WAY), BEING THE NORTHEAST CORNER OF SAID CALLED 70.15 ACRE TRACT AND THE SOUTHEAST CORNER OF SAID 10.00 ACRE TRACT BEARS N 74°27'02"E, 237.14 FEET;

THENCE S 01°27'21"E, A DISTANCE OF 672.90 FEET TO THE BEGINNING OF A CURVE TO THE LEFT;

THENCE WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 181.95 FEET, THROUGH A CENTRAL ANGLE OF 3°18'15", HAVING A RADIUS OF 3154.93 FEET, AND A LONG CHORD OF WHICH BEARS S 03°05'14"E, 181.92 FEET;

THENCE N 84°42'57"E, A DISTANCE OF 230.01 FEET TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF SAID FM 1417 AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 60.00 FEET, THROUGH A CENTRAL ANGLE OF 1°10'31", HAVING A RADIUS OF 2924.93 FEET AND A LONG CHORD OF WHICH BEARS S 05°17'03"E, 60.00 FEET;

THENCE S 84°42'57"W, A DISTANCE OF 230.01 FEET, DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT"

THENCE WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 755.51 FEET, THROUGH A CENTRAL ANGLE OF 13°43'14", HAVING A RADIUS OF 3154.93 FEET AND A LONG CHORD OF WHICH BEARS S 12°41'22"E, 753.71 FEET;

THENCE N 69°59'47"E, A DISTANCE OF 230.01 FEET RETURNING TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID FM1417 AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 50.00 FEET, THROUGH A CENTRAL ANGLE OF 0°58'46", HAVING A RADIUS OF 2924.93 FEET AND A LONG CHORD OF WHICH BEARS S 20°00'13"E, 50.00 FEET;

THENCE S 69°59'47"W, A DISTANCE OF 230.01 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 335.64 FEET, THROUGH A CENTRAL ANGLE OF 6°05'43", HAVING A RADIUS OF 3154.93 FEET AND A LONG CHORD OF WHICH BEARS S 23°30'20"E, 335.48 FEET;

THENCE S 26°29'25"E, A DISTANCE OF 94.51 FEET;

THENCE S 73°46'23"W, A DISTANCE OF 890.19 FEET TO THE COMMON PROPERTY LINE OF THE WESTERLY LINE OF SAID CALLED 70.15 ACRE TRACT AND THE EASTERLY LINE OF THE AFOREMENTIONED 220.14 ACRE TRACT, AND FROM WHICH A 1/2 INCH IRON ROD FOUND IN O.B. GRONER ROAD FOR THE SOUTHWEST CORNER OF SAID CALLED 70.15 ACRE TRACT BEARS S15°23'01"E, 581.06 FEET;

THENCE N 15°23'01"W, A DISTANCE OF 2127.51 FEET ALONG SAID COMMON LINE RETURNING TO THE POINT OF BEGINNING AND CONTAINING 1,904,766 SQUARE FEET OR 43.727 ACRES OF LAND, MORE OR LESS.

NOTES:

1. TITLE COMMITMENT ISSUED BY FIRST NATIONAL TITLE INSURANCE COMPANY, GF NO. 20-499356-WB WITH EFFECTIVE DATE OF JUNE 16, 2020 AND ISSUED JUNE 26, 2020 WAS RELIED UPON FOR MATTERS OF RECORD.
2. SCHEDULE B, ITEM 10G) EASEMENT RECORDED IN VOLUME 403, PAGE 290, REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS, DOES NOT AFFECT THE SUBJECT PROPERTY.
3. SCHEDULE B, ITEM 10H) EASEMENT RECORDED IN VOLUME 493, PAGE 303, REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS, DOES NOT AFFECT THE SUBJECT PROPERTY.
4. SCHEDULE B, ITEM 10I) EASEMENT RECORDED IN VOLUME 1035, PAGE 319, REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT PROPERTY AS SHOWN HEREON.
5. SCHEDULE B, ITEM 10J) EASEMENT RECORDED IN VOLUME 1035, PAGE 322, REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT PROPERTY AS SHOWN HEREON.
6. SCHEDULE B, ITEM 10K) EASEMENT RECORDED IN VOLUME 1399, PAGE 392, REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT PROPERTY AS SHOWN HEREON.
7. BASIS OF BEARINGS IS THE TEXAS STATE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83 DATUM, VIA THE ALLTERRA VRS NETWORK FOR NORTH TEXAS.
8. THERE ARE NO BUILDINGS ON THE SITE. THERE IS NO PARKING STRIPING ON THE SITE. THERE ARE NO PARTY WALLS ON THE SITE. THERE WAS NO EVIDENCE OF RECENT EARTH MOVING, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK. THERE WERE NO MARKERS DELINEATING WETLANDS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
9. ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP NUMBER 48181C0400F, REVISED SEPTEMBER 29, 2010, THE SUBJECT PROPERTY LIES IN ZONE "X" OTHER AREAS, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

CERTIFICATION

I, TERENCE A. MURRAY, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON DOES ACCURATELY REPRESENT THE PROPERTY AS DETERMINED BY AN ON THE GROUND SURVEY, MADE UNDER MY DIRECTION AND SUPERVISION IN AUGUST, 2020, AND THAT ALL CORNERS ARE AS SHOWN.

TERENCE A. MURRAY
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 6059
DATE: 04-17-2021

STATE OF TEXAS
REGISTERED
TERENCE A MURRAY
6059
PROFESSIONAL
LAND SURVEYOR

LEGEND

IRF	IRON ROD FOUND
IRS	1/2" IRON ROD STAMPED "PIERCE MURRAY" SET
CM	CONTROLLING MONUMENT
PP	GUYWIRE
	POWER POLE
	WATER VALVE
T	TELEPHONE MANHOLE
	PIPELINE MARKER
LP	LIGHT POLE

A ZONING EXHIBIT OF A 43.727 ACRE TRACT SITUATED IN THE ELIZABETH JONES SURVEY, ABSTRACT NUMBER 625, GRAYSON COUNTY, TEXAS

PAPE-DAWSON ENGINEERS
DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
5012 TOWNSON PKWY, STE 425 | PLANO, TX 75024 | 214.420.8496
TBPE FIRM REGISTRATION: 470 | TBPLS FIRM REGISTRATION: 10194300

PIERCE-MURRAY LAND SOLUTIONS
Engineering ◁▷ Surveying
800 TALLYHO CIRCLE
TYLER, TEXAS 75703
(817) 239-5646
(903) 539-2256
TBPELS FIRM REGISTRATION NO. 10194437

DRAWN BY: TAM CHECKED BY: CDP DATE: 04-15-2021 JOB NO. 2008-072 TBPELS NO. 10194437 FILE: 2008-072 BN5

LOCATION MAP
NOT-TO-SCALE

LEGEND

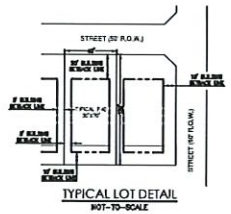
- DEVELOPMENT BOUNDARY
- 10' CONTOURS
- PROPERTY LINE
- BUILDING SETBACK LINE

ZONING	
CURRENT	M-1 & R-A
PROPOSED	R-1 W/ SUP PH (PATIO HOME)

LAND USAGE	
GROSS SF OF PROPERTY	1,905,028 (43.7 AC)
RESIDENTIAL AREA	1,144,645 (26.3 AC)
RIGHT-OF-WAY	360,759 (8.2 AC)
REQUIRED OPEN SPACE (10%)	190,502 (4.4 AC)
DETENTION/OPEN SPACE	365,733 (8.4 AC)
TOTAL LOTS	206

PATIO HOME (PH) SUP ZONING	
MIN. LOT AREA	4,000 SF
MIN. LOT WIDTH/CORNER	40 FT/45 FT
MIN. FRONT SETBACK	20 FT
MAX FRONT SETBACK	25 FT
MIN. SIDE YARD/CORNER	5 FT/10 FT
MIN. REAR YARD	10 FT
PARKING REQUIRED	1/BEDROOM (MIN 2/UNIT)

NOTE: DEVELOPMENT TO COMPLY WITH REQUIREMENTS FOR PATIO HOME SUP AS LISTED IN CITY OF SHERMAN ZONING ORDINANCE SECTION 8.9



TYPICAL LOT DETAIL
NOT-TO-SCALE

SHERMAN HEIGHTS

SHERMAN, TEXAS
(43.7 ACRES)

SCALE: 1" = 100'
0' 100' 200' 300'

TDM
Tesch Development & Management Co., LLC
TESCH DEVELOPMENT & MANAGEMENT CO., LLC
BOB TESCH, PRESIDENT
512-970-0530
Bob@TeschAssociates.com

PAPE-DAWSON ENGINEERS
DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
2910 TEMPLETON PARKWAY, SITE 425 | PLANO, TX 75024 | 214.420.8434

Date: Apr 20, 2021, 4:27pm User ID: mcombs
File: N:\projects\VSH\05\03\3.0 Design\2.4 Civil\2.4.4 Exhibits\210405 Zoning.dwg

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

May 11, 2021

ARC STX Holdings, LLC
PO Box 451714
Laredo, TX 78045

Robert Tesch
6950 TPC Drive, Ste. 100
McKinney, TX 75070

Pape-Dawson Engineers
Matt Gilbertson P.E.
5810 Tennyson Parkway, Ste. 425
Plano, TX 75024

Dear Applicants,

The request for a zone change under Ordinance No. 2280, Section 12, from an R-A (Single-Family Agricultural) District and M-1 (Light Manufacturing) District to an R-1 (One-Family Residential) District located in the 2400-2700 blocks of South FM 1417 (Heritage Parkway) has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 18, 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.
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.
4. Parking is permitted on paved surfaces only (concrete and asphalt).
5. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20'.
6. Any structures built over any of the easements on the property will require approval from the City Council for an encroachment easement.
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 upon development.

10. Right of Way dedication will be required upon platting along FM 1417 to reflect TxDOT FM 1417 ROW Project. Coordinate with City of Sherman Engineering Department for exact ROW metes and bounds to be taken.
11. Privately owned and maintained detention in accordance with City criteria is required upon development.
12. Water Pro-Rata will be due at the time of development.
13. Sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.

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
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
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 **22.**

Meeting Date: 05/18/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
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:

* **300-1000 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY)**

The request of Terra Perpetua LLC (Owners), Kimley-Horn & Associates (Surveyor/Civil Engineer) and American Communities (Developer) concerning the property located in the 300-1000 Blocks East FM 1417 (Vietnam Veterans Parkway), being 62.329 acres in the Sherrod Dunman Survey Abstract No. 329, as follows:

Planning and Zoning Commission

Final Plat approval of Bel-Air Village, Phase 1

Background:

The property is located in the 300-1000 blocks East FM 1417 (Vietnam Veterans Parkway) between U.S. Highway 75 and State Highway 11 (Dewey Avenue). A portion of the property (245.83 acres) was approved for a Planned Development for Terra Perpetua Village by Ordinance 6232, August 5, 2019. The owner purchased an additional 32.545 acres east of the development and amended the planned development to include this acreage for a total of 278.313 acres and rename it to Bel Air Village (Ord. 6319).

This request is for Final Plat approval for Phase I, containing 62.329 acres, 327 residential lots and 7 Home Owner's Association (HOA) lots for a mixed-use development.

Adjacent Zoning:

R-1 (One Family Residential) District
C-2 (General Commercial) District
Blalock Industrial Park

Origination:

Terra Perpetua LLC (Owners)
Kimley-Horn & Associates (Surveyor/Civil Engineer)
American Communities (Developer)

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:

Not required.

Objections Received:

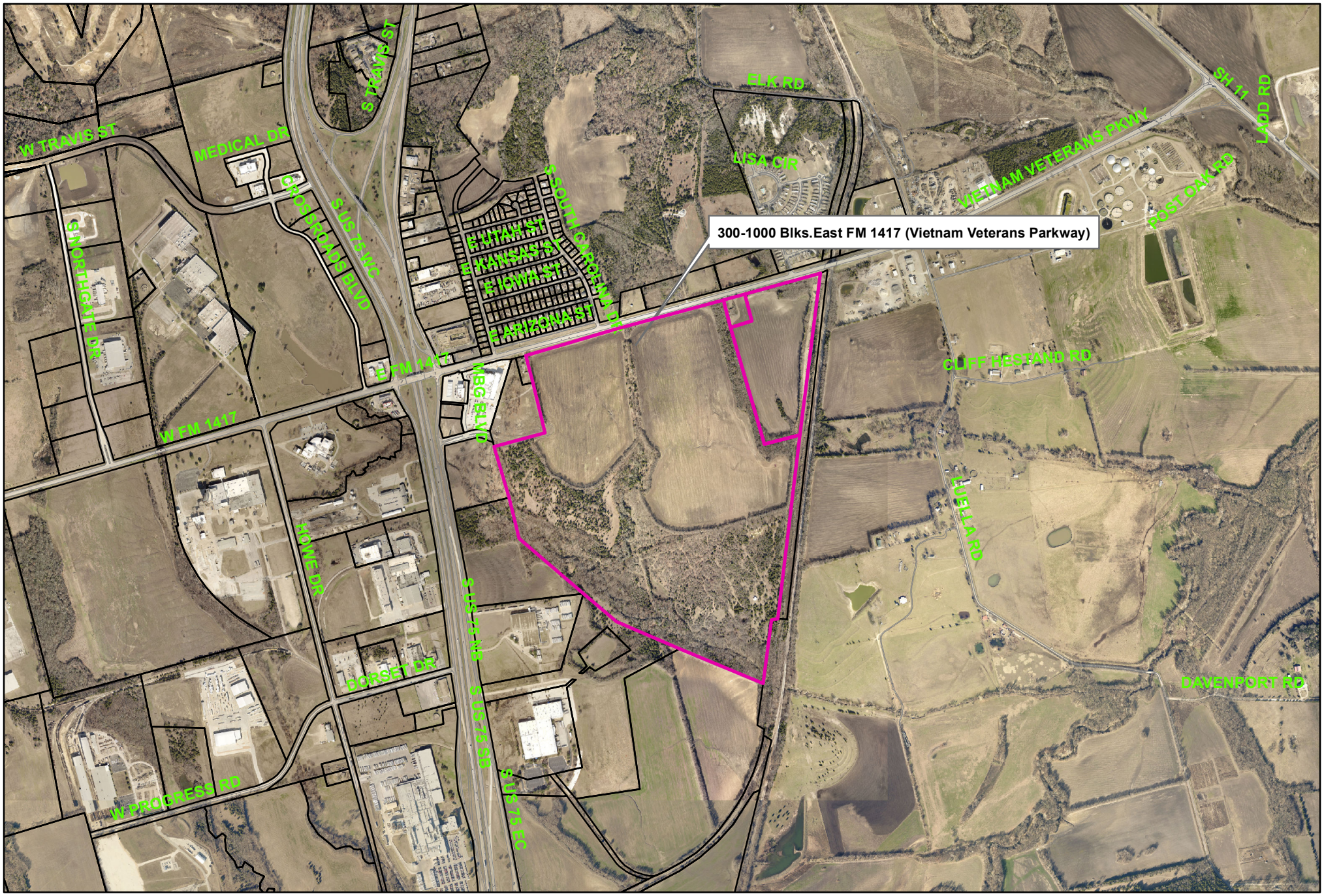
0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Bel Air Village Phase I
Staff Review Letter



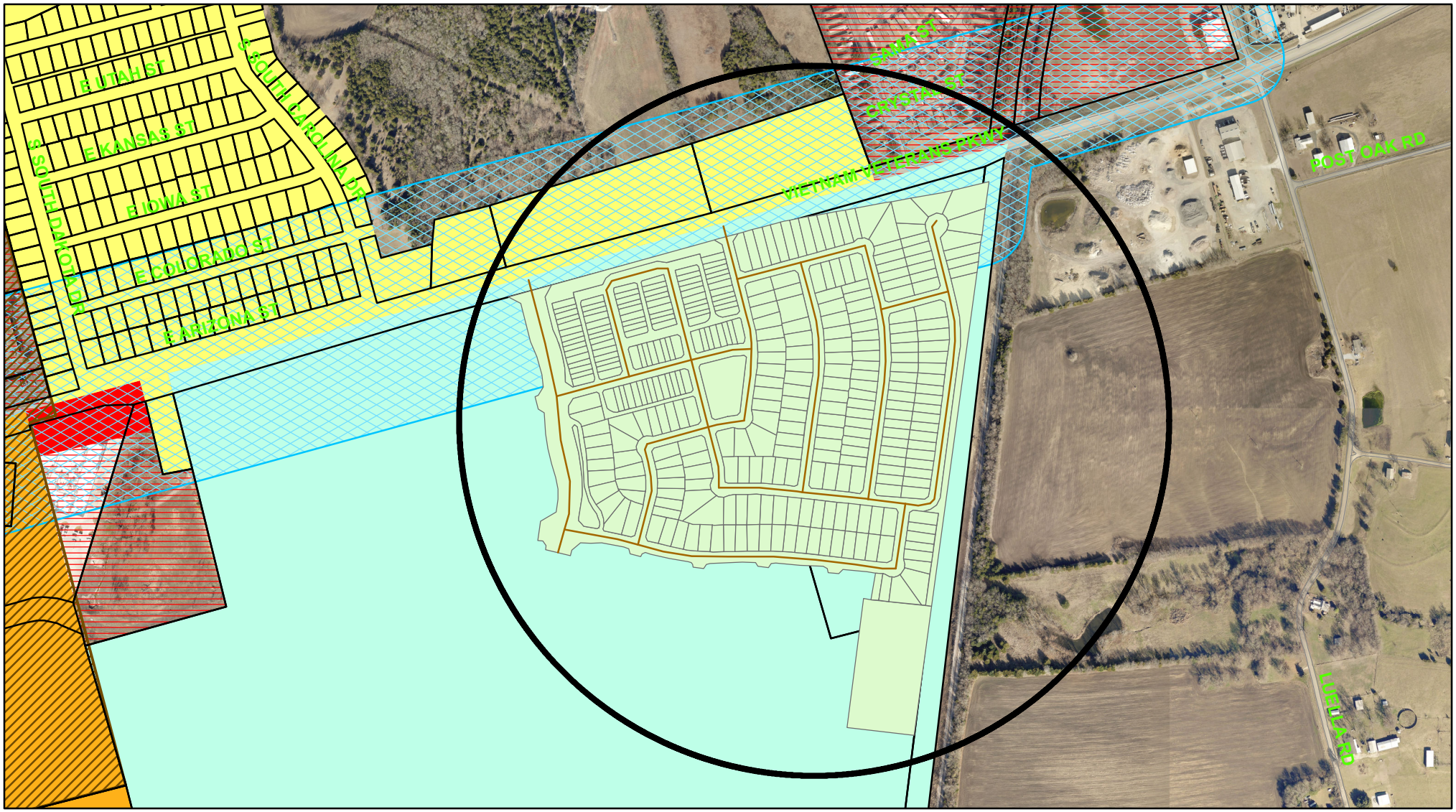
Sherman
CLASSIC TOWN. BROAD HORIZON.

300-1000 Blocks East FM 1417 (Vietnam Veterans Parkway)

NOT TO SCALE

City of Sherman, Texas
Developmental Services Department

1 in = 1,505 ft



Zoning - 300-1000 Blocks East FM 1417 (Vietnam Veterans Parkway)

Legend

Special Districts Overlay

DISTRICT_NAME

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

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

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

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing 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
Developmental Services Department

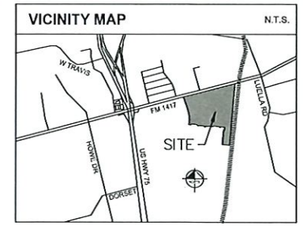
NOT TO SCALE

1 in = 600 ft

GRAPHIC SCALE IN FEET

150 0 75 150 300

1" = 150' @ 24X36



LEGEND

	BOUNDARY LINE
	EASEMENT LINE
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND WITH CAP
IRSC	IRON ROD SET WITH CAP
INST. NO.	INSTRUMENT NUMBER
NTS	NOT TO SCALE
FND	FOUND
P.R.G.C.T.	PLAT RECORDS OF GRAYSON COUNTY, TEXAS
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS OF GRAYSON COUNTY, TEXAS
XS	"X" CUT IN CONCRETE SET
XF	"X" CUT IN CONCRETE FOUND
P.O.B.	POINT OF BEGINNING
D.E.	DRAINAGE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
S.W.E.	SIDEWALK EASEMENT
U.E.	UTILITY EASEMENT
F.A.U.E.	FIRE LANE, ACCESS, AND UTILITY EASEMENT
W.E.	WATER EASEMENT
A.E.	ACCESS EASEMENT

NOTES:

All corners are a 5/8-inch iron rod with plastic cap stamped "KHA" set, unless otherwise noted.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. Distances shown are Surface values. To obtain Grid values, multiply the distance by the Project Combined Scale Factor (PCF) of 0.9998871212.

FLOOD STATEMENT: According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48181C0405F, for Grayson County, Texas and incorporated areas, dated September 29, 2010, this property is located within:

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

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

Chairman, City of Sherman
Planning and Zoning Commission

Date

FINAL PLAT
BEL-AIR VILLAGE
PHASE 1

BLOCK A, LOTS 1-29, LOT 30-HOA, & LOTS 31-59;
BLOCK B, LOTS 1-26; BLOCK C, LOTS 1-25, LOT 26-HOA, & LOTS 27-37; BLOCK D, LOT 1-HOA; BLOCK E, LOTS 1-47;
BLOCK F, LOT 1-HOA, LOT 2-HOA, LOTS 3-11, LOT 12-HOA, LOTS 13-18, LOT 19-HOA, & LOTS 20-48;
BLOCK G, LOTS 1-38; BLOCK H, LOTS 1-42;
BLOCK I, LOTS 1-36; BLOCK J, LOT 1-HOA

327 RESIDENTIAL LOTS
7 HOA LOTS

62.329 ACRES SITUATED IN THE
SHARROD DUNMAN SURVEY, ABSTRACT NO. 329,
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 150'	MLB	KHA	Apr. 2021	064462003	1 OF 6

OWNER / APPLICANT:
Terra Perpetua, LLC
2000 N. Dallas Pkwy., Suite 324
Plano, Texas 75093
Contact: Ronny Guerrero

SURVEYOR / ENGINEER:
Kimley-Horn and Associates, Inc.
260 E. Davis Street, Suite 100
McKinney, TX 75069
Ph: (972) 335-3580
Contact: Michael Carlisle, PE

DWG NAME: K:\FRI_SURV\064462003-BEL AIR VILLAGE - SHERMAN\DWG\064462003-BEL AIR VILLAGE_PH 1\P_FP1B.DWG PLOTTED BY: HOEHNER, JOHN 4/21/2021 3:58 PM LAST SAVED: 4/21/2021 3:51 PM

TRACT 1 (CALLED 42.869 ACRES)
THANH TRONG BGUYEN AND WIFE, THU THUY PHAM
INST. NO. 2017-18222
O.P.R.G.C.T.

YES COMPANIES EXP2 KEY, LLC
VOL. 5858, PG. 102
O.P.R.G.C.T.

CONC. TXDOT R.O.W. MON. FND.

PRESTON KITCHEN SURVEY, ABST. NO. 667
SHARROD DUNNAN SURVEY, ABST. NO. 329

F. M. HIGHWAY 1417
(VARIABLE WIDTH R.O.W.)

3/8" IRF AT N. SIDE OF RT/TE FNC. CORNER-POST FND

N74°17'53"E 635.60'

N80°00'32"E 803.99'

N74°17'53"E 95.70'

P.O.B.
RSC

BURLINGTON NORTHERN SANTA FE RAILROAD
(285' R.O.W.)

CALLED 21.05 ACRES
GRAYSON COUNTY, TEXAS
VOL. 888, PG. 591
D.R.G.C.T.

S6°41'12"W 2592.27'

MATCHLINE - SHT 3

MATCHLINE - SHT 4

MATCHLINE - SHT 5

LEGEND

	BOUNDARY LINE
	EASEMENT LINE
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND WITH CAP
IRSC	IRON ROD SET WITH CAP
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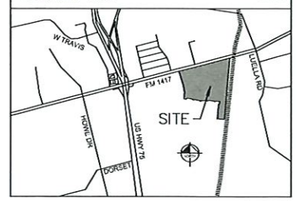
U.E.	UTILITY EASEMENT
F.A.U.E.	FIRE LANE, ACCESS, AND UTILITY EASEMENT
W.E.	WATER EASEMENT
A.E.	ACCESS EASEMENT

SEE SHEET No. 4 FOR LINE & CURVE TABLES

VICINITY MAP

N.T.S.



NORTH

GRAPHIC SCALE IN FEET
60 0 30 60 120
1" = 60' @ 24X36

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FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	MLB	KHA	Apr. 2021	064462003	2 OF 6

OWNER / APPLICANT:
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2800 N. Dallas Pkwy., Suite 324
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SURVEYOR / ENGINEER:
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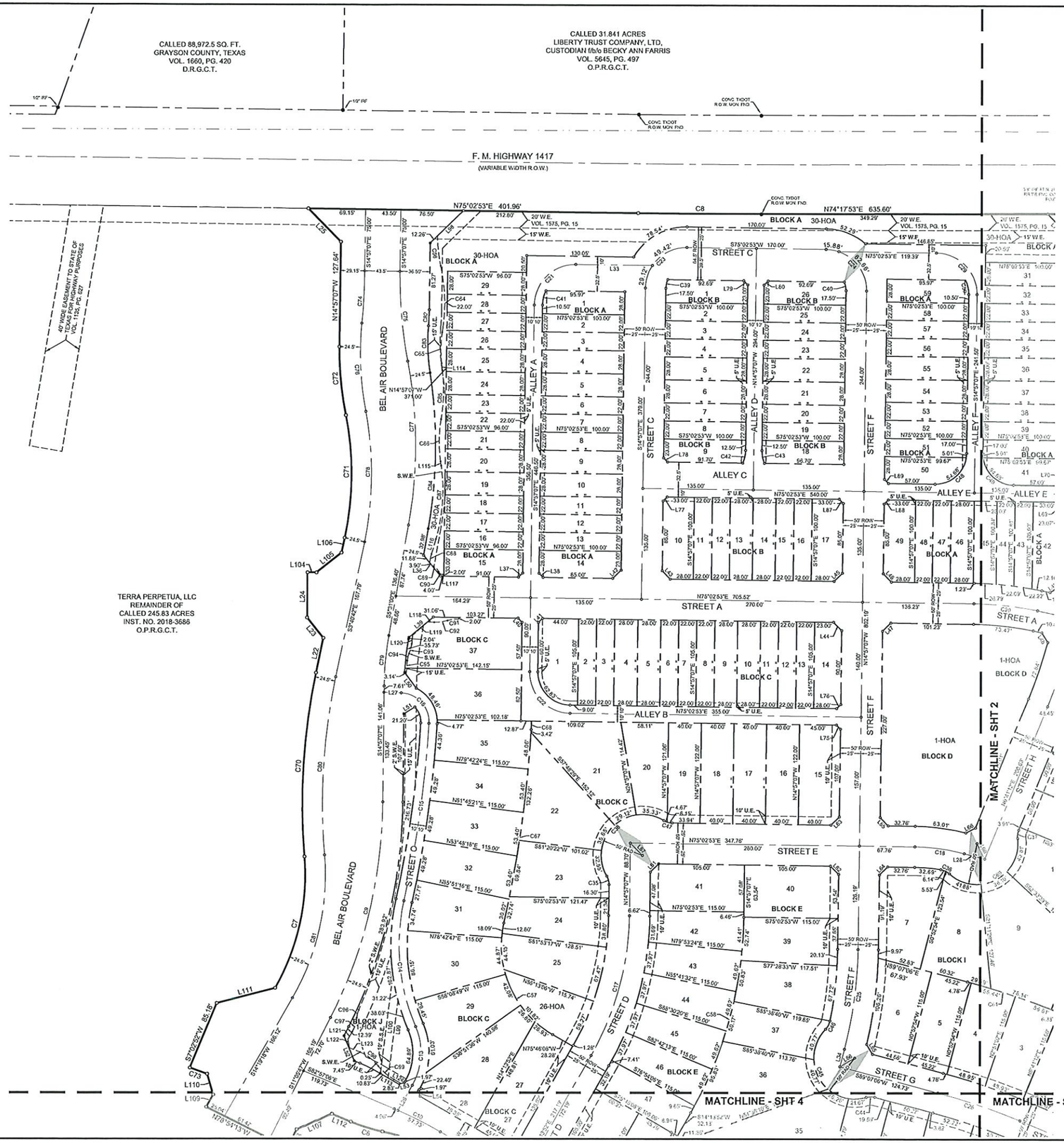
260 E. Davis Street, Suite 100
McKinney, TX 75069
Ph: (972) 335-3580
Contact: Michael Carlisle, PE

DWG NAME: P:\FPL SURVEY\064462003-BEL AIR VILLAGE - SHERMAN\DWG\064462003-BEL AIR VILLAGE_PH1 FP_V1B.DWG PLOTTED BY MARX, MICHAEL 4/22/2021 1:21 PM LAST SAVED 4/22/2021 1:17 PM



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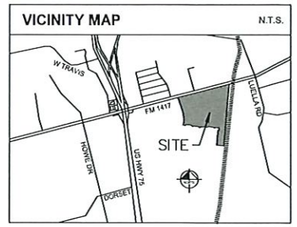

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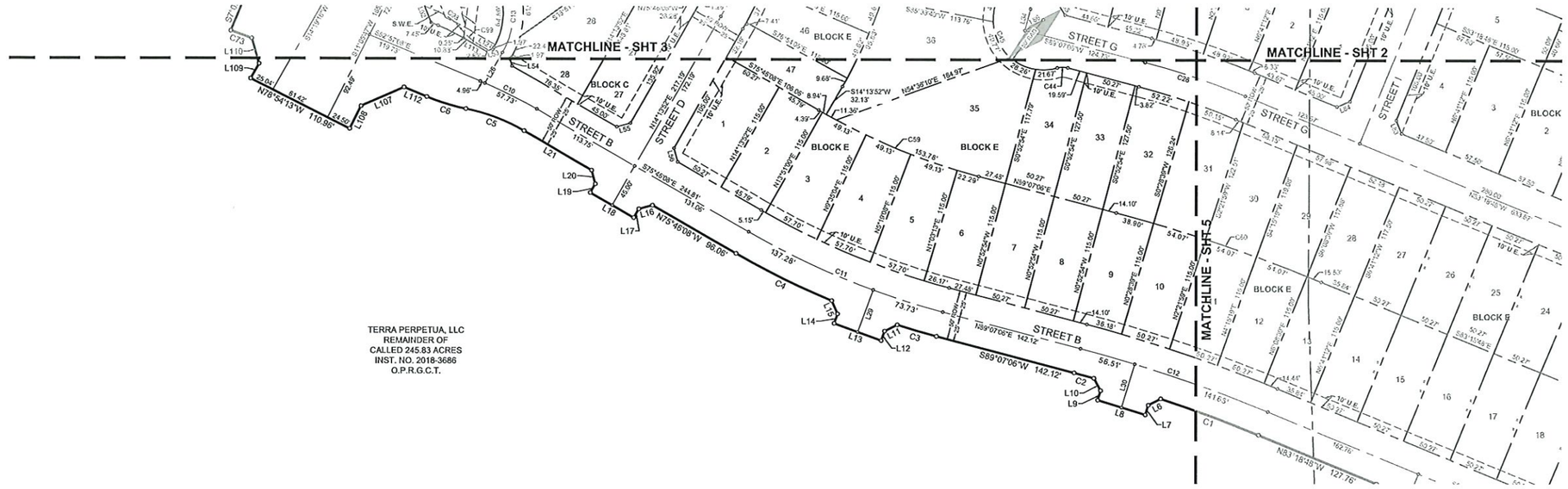

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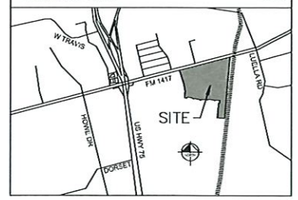

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LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S51°41'12"W	14.14'	L11	S48°21'25"W	14.40'	L21	N75°46'08"W	78.75'	L31	S06°41'12"W	45.00'	L41	S30°02'53"W	7.07'	L51	S42°51'03"W	15.56'	L61	S30°02'53"W	14.14'	L71	S30°02'53"W	14.14'	L81	S35°18'46"E	14.14'	L91	S30°02'53"W	14.14'	L101	N83°18'46"W	48.69'	L111	N59°45'35"E	73.58'	L121	S14°19'16"W	10.71'
L2	S06°41'12"W	10.00'	L12	S04°23'56"W	10.00'	L22	N03°40'42"W	43.16'	L32	N55°16'23"E	45.85'	L42	N30°02'53"E	14.14'	L52	S37°37'16"E	32.95'	L62	N59°57'07"W	14.14'	L72	S59°57'07"E	14.14'	L82	N51°41'12"E	14.14'	L92	N59°57'07"W	14.14'	L102	S06°41'12"W	15.00'	L112	N32°57'06"W	24.65'	L122	S26°39'43"E	10.52'
L3	N83°18'46"W	50.00'	L13	N85°36'04"W	50.00'	L23	N54°18'54"W	31.71'	L33	N75°02'53"E	93.24'	L43	S59°57'07"E	14.14'	L53	N59°13'52"E	7.07'	L63	N30°02'53"E	14.14'	L73	N60°19'37"W	35.12'	L83	S35°18'46"E	14.14'	L93	S30°02'53"W	21.21'	L103	S83°18'46"E	63.89'	L113	N75°46'08"W	28.11'	L123	S83°18'46"E	13.82'
L4	N06°41'12"E	10.00'	L14	N34°23'56"E	10.00'	L24	N14°57'07"W	55.00'	L34	N00°52'54"W	22.06'	L44	N59°57'07"W	14.14'	L54	S30°46'08"E	7.07'	L64	S30°02'53"W	14.14'	L74	S29°49'23"W	35.59'	L84	N51°41'12"E	14.14'	L94	S59°14'18"E	13.96'	L104	S75°02'53"W	10.96'	L114	S22°21'04"E	8.34'	L124	S75°46'08"E	10.01'
L5	N38°18'46"W	14.14'	L15	N39°33'34"W	14.40'	L25	N59°57'07"W	56.57'	L35	S75°02'53"W	25.00'	L45	N30°02'53"E	14.14'	L55	N59°13'52"E	14.14'	L65	S59°57'07"E	14.14'	L75	N59°57'07"W	7.07'	L85	S45°34'28"E	13.97'	L95	S32°26'27"W	14.72'	L105	S35°41'06"W	38.66'	L115	S23°54'52"E	4.99'	L125	N30°02'53"E	103.70'
L6	S46°51'34"W	14.00'	L16	S59°13'52"W	14.14'	L26	S14°13'52"W	35.30'	L36	S55°10'51"E	32.75'	L46	S59°57'07"E	14.14'	L56	S30°46'08"E	14.14'	L66	N47°25'52"E	13.05'	L76	N30°02'53"E	7.07'	L86	N44°06'32"E	21.21'	L96	N30°04'13"E	14.14'	L106	S03°40'42"E	18.55'	L116	S00°46'13"W	18.77'	L126	N30°02'53"E	111.71'
L7	S01°16'37"W	10.00'	L17	S14°13'52"W	10.00'	L27	N76°21'28"E	21.04'	L37	N30°02'53"E	7.07'	L47	S30°02'53"W	14.14'	L57	N51°41'12"E	14.14'	L67	S59°57'07"E	21.21'	L77	S30°02'53"W	7.07'	L87	N59°57'07"W	7.07'	L97	N60°54'35"W	14.38'	L107	S50°33'06"W	46.74'	L117	N75°02'53"E	1.65'								
L8	N58°43'23"W	50.00'	L18	N75°46'08"W	50.00'	L28	N69°07'06"E	25.97'	L38	S59°57'07"E	7.07'	L48	N47°23'54"W	13.81'	L58	N38°18'46"W	21.21'	L68	N42°05'51"W	21.21'	L78	S59°57'07"E	7.07'	L88	S30°02'53"W	7.07'	L98	S30°02'53"W	56.57'	L108	S11°05'47"W	25.16'	L118	N75°02'53"E	8.22'								
L9	N01°16'37"E	10.00'	L19	N14°13'52"E	10.00'	L29	S04°23'56"W	44.62'	L39	S34°45'57"W	38.67'	L49	N39°35'41"E	13.73'	L59	N38°18'46"W	14.14'	L69	N59°57'07"W	7.07'	L79	N59°57'07"W	7.07'	L89	S59°57'07"E	7.07'	L99	S06°22'10"E	95.24'	L109	N14°19'16"E	17.11'	L119	N33°15'36"E	24.37'								
L10	N44°18'21"W	14.00'	L20	N30°46'06"W	14.14'	L30	N01°16'37"E	45.21'	L40	N59°57'07"W	7.07'	L50	S52°01'21"E	23.60'	L60	S51°41'12"W	14.14'	L70	N30°02'53"E	7.07'	L80	S30°02'53"W	7.07'	L90	N59°57'07"W	14.14'	L100	S06°22'10"E	120.63'	L110	N31°55'28"W	26.42'	L120	N09°24'49"W	10.47'								

CURVE TABLE						CURVE TABLE						CURVE TABLE						CURVE TABLE						CURVE TABLE						CURVE TABLE						CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	4°03'00"	1475.00'	104.26'	N55°20'18"W	104.24'	C16	91°30'16"	35.00'	55.90'	N57°53'23"W	50.14'	C31	21°38'18"	600.00'	302.13'	N04°07'57"W	300.34'	C46	33°07'31"	20.00'	11.56'	N12°12'26"E	11.40'	C61	7°34'05"	940.00'	124.16'	N37°05'51"W	124.07'	C76	16°28'25"	375.00'	107.82'	S16°19'09"E	107.45'	C91	16°27'27"	48.00'	13.79'	S56°49'10"W	13.74'
C2	0°47'56"	1475.00'	20.57'	S89°31'04"W	20.57'	C17	29°10'55"	350.00'	178.27'	N00°21'38"W	176.35'	C32	31°00'16"	20.00'	10.82'	N67°45'43"W	10.69'	C47	31°00'10"	20.00'	10.82'	S59°27'02"E	10.69'	C62	21°38'18"	660.00'	249.26'	N04°07'57"W	247.76'	C77	20°52'52"	550.00'	200.44'	N15°57'26"W	199.34'	C92	16°27'27"	57.00'	16.37'	N56°49'10"E	16.32'
C3	2°50'58"	825.00'	41.03'	N89°27'25"W	41.02'	C18	14°04'13"	250.00'	61.39'	S82°05'00"W	61.24'	C33	152°00'20"	50.00'	132.65'	N51°41'12"E	97.03'	C48	90°00'00"	38.00'	59.69'	N30°02'53"E	53.74'	C63	21°38'18"	660.00'	324.79'	N04°07'57"W	322.86'	C78	22°52'39"	400.00'	159.71'	N15°07'02"W	158.66'	C93	17°22'26"	40.00'	12.13'	N00°43'36"W	12.08'
C4	7°24'04"	825.00'	106.57'	N79°28'11"W	106.50'	C19	21°38'18"	600.00'	226.60'	N04°07'57"W	225.23'	C34	31°00'16"	20.00'	10.82'	N08°48'53"W	10.69'	C49	90°00'00"	38.00'	59.69'	S59°57'07"E	53.74'	C64	21°14'39"	210.00'	77.86'	N12°31'01"W	77.42'	C79	9°26'06"	375.00'	61.75'	S10°14'03"E	61.68'	C94	17°44'24"	28.00'	8.67'	S00°54'35"E	8.63'
C5	18°29'55"	193.00'	62.31'	N85°01'06"W	62.04'	C20	11°13'29"	400.00'	78.36'	S80°39'38"W	78.24'	C35	31°00'16"	20.00'	10.82'	N30°27'12"W	10.69'	C50	25°56'40"	40.00'	18.11'	N27°55'27"W	17.96'	C65	15°27'14"	140.00'	37.76'	S14°37'27"E	37.63'	C80	16°38'00"	750.00'	217.73'	S11°59'42"E	216.99'	C95	2°50'00"	348.50'	17.23'	S11°11'47"E	17.23'
C6	11°18'55"	207.00'	40.88'	S83°36'35"E	40.81'	C21	90°00'00"	50.00'	78.54'	S30°02'53"W	70.71'	C36	33°25'44"	20.00'	11.67'	N79°54'48"W	11.50'	C51	152°00'20"	50.00'	132.65'	N59°57'07"W	97.03'	C66	17°35'16"	1140.00'	349.94'	N02°06'26"W	348.57'	C81	34°37'59"	300.00'	181.35'	N02°59'42"W	178.60'	C96	20°19'11"	28.00'	9.93'	S01°13'41"E	9.85'
C7	34°37'59"	275.52'	166.54'	N02°59'42"W	164.02'	C22	90°00'00"	50.00'	78.54'	S59°57'07"E	70.71'	C37	29°26'46"	20.00'	10.28'	S08°02'11"E	10.17'	C52	31°00'10"	20.00'	10.82'	N59°32'45"E	10.69'	C67	9°08'39"	1493.00'	238.28'	N07°33'56"W	238.02'	C82	4°16'15"	262.50'	19.57'	N12°48'59"W	19.56'	C97	25°42'34"	40.00'	17.95'	N01°28'00"E	17.80'
C8	0°45'00"	11519.16'	150.79'	N74°40'23"E	150.78'	C23	90°00'00"	50.00'	78.54'	S30°02'53"W	70.71'	C38	152°00'20"	50.00'	132.65'	N30°02'53"E	97.03'	C53	31°00'10"	20.00'	10.82'	S00°32'58"W	10.69'	C68	3°43'50"	160.00'	10.42'	N14°00'10"W	10.42'	C83	13°49'33"	237.50'	57.31'	S17°35'38"E	57.17'	C98	28°48'59"	57.00'	28.67'	N85°54'19"W	28.37'
C9	26°02'54"	600.00'	272.78'	N01°55'40"W	270.43'	C24	90°00'00"	50.00'	78.54'	N59°57'07"W	70.71'	C39	24°50'05"	25.00'	10.84'	S02°32'04"E	10.75'	C54	73°23'54"	20.00'	25.62'	S21°44'51"W	23.90'	C69	139°33'39"	50.00'	121.79'	N47°01'15"E	93.84'	C84	18°59'24"	574.50'	190.41'	N15°00'42"W	189.54'								
C10	7°11'00"	500.00'	62.63'	N79°21'38"W	62.64'	C25	14°04'13"	500.00'	122.79'	N03°55'00"W	122.49'	C40	24°50'05"	25.00'	10.84'	N27°22'09"W	10.75'	C55	253°23'54"	50.00'	221.13'	N68°15'09"W	80.18'	C70	16°38'00"	774.50'	224.84'	S11°59'42"E	224.05'	C85	16°21'51"	210.00'	59.98'	N14°10'09"W	59.77'								
C11	15°08'45"	800.00'	211.01'	S83°19'31"E	210.40'	C26	7°34'05"	800.00'	105.67'	N87°05'51"W	105.59'	C41	25°56'40"	40.00'	18.11'	S01°58'47"E	17.96'	C56	12°19'13"	170.00'	36.55'	S21°55'44"E	36.48'	C71	23°05'36"	375.50'	151.35'	N15°13'30"W	150.33'	C86	17°55'39"	165.00'	51.63'	S14°57'03"E	51.42'								
C12	7°34'05"	1500.00'	198.13'	N87°05'51"W	197.99'	C27	90°00'00"	50.00'	78.54'	N51°41'12"E	70.71'	C42	24°04'22"	38.00'	15.97'	N02°54'56"W	15.85'	C57	72°46'32"	125.00'	158.77'	S39°22'52"E	148.31'	C72	11°49'12"	399.50'	82.42'	S20°51'43"E	82.27'	C87	24°41'05"	210.00'	90.47'	N11°34'19"W	89.78'								
C13	53°06'54"	80.00'	74.16'	N12°19'35"W	71.54'	C28	21°38'18"	600.00'	226.60'	N04°07'57"W	225.23'	C43	24°04'22"	38.00'	15.97'	S26°59'17"E	15.85'	C58	29°10'55"	490.00'	249.57'	N00°21'38"W	246.89'	C73	1°42'00"	755.50'	22.42'	N85°53'38"W	22.42'	C88	9°04'47"	70.00'	11.09'	S03°46'10"E	11.08'								
C14	35°53'26"	250.00'	156.60'	S20°56'19"E	154.03'	C29	90°00'00"	50.00'	78.54'	N59°57'07"W	70.71'	C44	30°59'56"	20.00'	10.82'	S73°37'09"W	10.69'	C59	15°06'46"	659.99'	174.08'	S83°19'31"E	173.58'	C74	4°52'10"	750.00'	63.74'	N12°31'02"W	63.72'	C89	44°37'55"	15.00'	11.68'	N63°11'43"W	11.39'								
C15	9°08'39"	1368.00'	218.33'	N07°33'56"W	218.09'	C30	21°38'18"	1000.00'	377.66'	N04°07'57"W	375.42'	C45	150°39'01"	50.00'	131.47'	S46°33'19"E	99.74'	C60	7°34'05"	1640.00'	216.63'	N87°05'51"W	216.47'	C75	11°26'46"	550.00'	109.87'	S20°40'29"E	109.69'	C90	64°04'22"	6.00'	6.71'	S72°54'55"E	6.37'								

FINAL PLAT
BEL-AIR VILLAGE
PHASE 1

BLOCK A, LOTS 1-29, LOT 30-HOA, & LOTS 31-59;
BLOCK B, LOTS 1-26; BLOCK C, LOTS 1-25, LOT 26-HOA, &
LOTS 27-37; BLOCK D, LOT 1-HOA; BLOCK E, LOTS 1-47;
BLOCK F, LOT 1-HOA, LOT 2-HOA, LOTS 3-11, LOT 12-HOA,
LOTS 13-18, LOT 19-HOA, & LOTS 20-48;
BLOCK G, LOTS 1-38; BLOCK H, LOTS 1-42;
BLOCK I, LOTS 1-36; BLOCK J, LOT 1-HOA

327 RESIDENTIAL LOTS
7 HOA LOTS

62.329 ACRES SITUATED IN THE
SHARROD DUNMAN SURVEY, ABSTRACT NO. 329,
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034

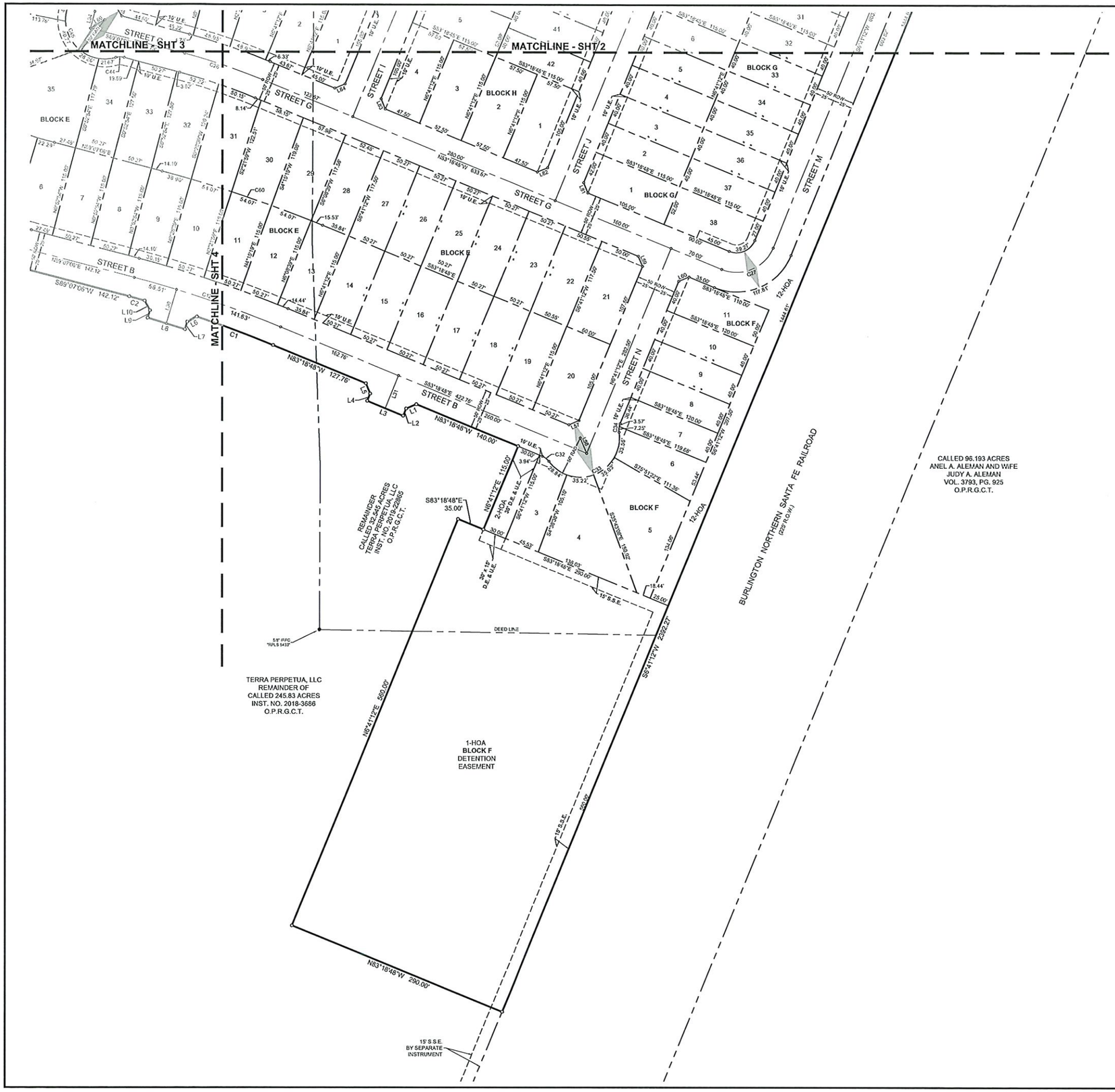
Tel. No. (972) 335-3580
FIRM # 10193822
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	MLB	KHA	Apr. 2021	064462003	4 OF 6

OWNER / APPLICANT:
Terra Perpetua, LLC
2800 N. Dallas Pkwy., Suite 324
Plano, Texas 75093
Contact: Ronny Guerrero

SURVEYOR / ENGINEER:
Kimley-Horn and Associates, Inc.
260 E. Davis Street, Suite 100
McKinney, TX 75069
Ph: (972) 335-3580
Contact: Michael Carlisle, PE

DWG NAME: K:\FRI_SURVEY\064462003\SEL AIR VILLAGE - SHERMAN\DWG\064462003-SEL AIR VILLAGE_PH1 FP_YIELDING PLOTTED BY: MARK, MICHAEL 4/22/2021 1:39 PM LAST SAVED: 4/22/2021 1:57 PM


MATCHLINE - SHT 3
MATCHLINE - SHT 2
MATCHLINE - SHT 4
STREET B
STREET G
STREET I
STREET J
STREET M
STREET N
BLOCK E
BLOCK G
BLOCK H
BLOCK G
BLOCK E
BLOCK E
BLOCK F
BLOCK F
BLOCK F
1-HOA
BLOCK F
DETENTION
EASEMENT
REMAINDER
CALLED 32.402 ACRES
TERRA PERPETUA, LLC
INST. NO. 2019-28865
O.P.R.G.C.T.
TERRA PERPETUA, LLC
REMAINDER OF
CALLED 245.83 ACRES
INST. NO. 2018-3686
O.P.R.G.C.T.
CALLED 96.193 ACRES
ANEL A. ALEMAN AND WIFE
JUDY A. ALEMAN
VOL. 3793, PG. 925
O.P.R.G.C.T.
BURLINGTON NORTHERN SANTA FE RAILROAD
(ROW VARIES)
DEED LINE
S83°18'48"E 35.00'
N83°18'48"W 290.00'
S83°18'48"E 290.00'
S83°18'48"E 280.00'
N83°18'48"W 633.67'
N83°18'48"W 127.76'
N83°18'48"W 140.00'
S83°18'48"E 422.76'
S83°18'48"E 115.00'
S83°18'48"E 120.00'
S83°18'48"E 119.68'
S83°18'48"E 111.36'
S83°18'48"E 138.03'
S89°07'06"W 142.12'
S64°41'12"W 2382.27'
N64°41'12"E 560.00'
S64°41'12"W 560.00'
N64°41'12"E 280.00'
S64°41'12"W 280.00'
N64°41'12"E 115.00'
S64°41'12"W 115.00'
N64°41'12"E 160.00'
S64°41'12"W 160.00'
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S64°41'12"W 165.00'
S15°43'22"E 63.44'
S15°43'22"E 134.06'
S15°43'22"E 149.02'
S64°41'12"W 111.36'
S64°41'12"W 105.00'
S64°41'12"W 107.50'
S64°41'12"W 110.00'
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S64°41'12"W 140.00'
S64°41'12"W 142.50'
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S64°41'12"W 147.50'
S64°41'12"W 150.00'
S64°41'12"W 152.50'
S64°41'12"W 155.00'
S64°41'12"W 157.50'
S64°41'12"W 160.00'
S64°41'12"W 162.50'
S64°41'12"W 165.00'
S64°41'12"W

OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF GRAYSON §

WHEREAS TERRA PERPETUA, LLC., are the owners of a tract of land situated in the Sharrod Dunman Survey, Abstract No. 329, City of Sherman, Grayson County, Texas and being a portion of a called 245.83-acre tract of land described in a Special Warranty Deed to Terra Perpetua, LLC, recorded in Instrument No. 2018-3686 and a portion of a called 32.545-acre tract of land described in a Special Warranty Deed to Terra Perpetua, LLC, recorded in Instrument No. 2019-22865, both of the Official Public Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northeast corner of said 32.545-acre tract, same being the intersection of the southerly right-of-way line of Farm-to-Market Road No. 1417 (variable width right-of-way) and the westerly line of a 225-foot wide Burlington Northern Santa Fe Railroad Right-of-Way, from which a ½-inch iron rod found for witness bears South 41°15' West, 0.95 feet;

THENCE South 6°41'12" West, along the common line of said 32.545-acre tract and said Railroad Right-of-Way, passing at a distance of 1873.07 feet the southeast corner of said 32.545-acre tract, common to the easternmost northeast corner of said 245.83-acre tract, and continuing along the same course for a total distance of 2392.27 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 83°18'48" West, departing said common line and crossing said 245.83-acre tract, a distance of 290.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 6°41'12" East, continuing across said 245.83-acre tract and crossing said 32.545-acre tract, a distance of 560.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE continuing across said 32.545-acre tract the following courses and distances:

South 83°18'48" East, a distance of 35.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 6°41'12" East, a distance of 115.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 83°18'48" West, a distance of 140.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 51°41'12" West, a distance of 14.14 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 6°41'12" West, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 83°18'48" West, a distance of 50.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 6°41'12" East, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 38°18'48" West, a distance of 14.14 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 83°18'48" West, crossing said 245.83-acre tract, a distance of 127.76 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 4°03'00", a radius of 1475.00 feet, a chord bearing and distance of North 85°20'18" West, 104.24 feet;

THENCE continuing across said 245.83-acre tract the following courses and distances:

In a northwesterly direction, with said curve to the left, an arc distance of 104.26 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the end of said curve to the left;

South 46°51'34" West, a distance of 14.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 1°16'37" West, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 88°43'23" West, a distance of 50.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 1°16'37" East, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 44°18'21" West, a distance of 14.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 0°47'56", a radius of 1475.00 feet, a chord bearing and distance of South 89°31'04" West, 20.57 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 20.57 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the end of said curve to the left;

South 89°07'06" West, a distance of 142.12 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right having a central angle of 2°50'58", a radius of 825.00 feet, a chord bearing and distance of North 89°27'25" West, 41.02 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 41.03 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the end of said curve to the right;

South 48°21'25" West, a distance of 14.40 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 4°23'56" West, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 85°36'04" West, a distance of 50.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 4°23'56" East, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°33'34" West, a distance of 14.40 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right having a central angle of 7°24'04", a radius of 825.00 feet, a chord bearing and distance of North 79°28'11" West, 106.50 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 106.57 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the end of said curve to the right;

North 75°46'08" West, a distance of 96.06 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 59°13'52" West, a distance of 14.14 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 14°13'52" West, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 75°46'08" West, a distance of 50.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 14°13'52" East, a distance of 10.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 30°46'08" West, a distance of 14.14 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 75°46'08" West, a distance of 78.75 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 18°29'55", a radius of 193.00 feet, a chord bearing and distance of North 85°01'06" West, 62.04 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 62.31 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the right having a central angle of 11°18'55", a radius of 207.00 feet, a chord bearing and distance of North 88°36'35" West, 40.81 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 40.88 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the end of said curve to the right;

North 82°57'08" West, a distance of 24.65 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°33'06" West, a distance of 46.74 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 11°05'47" West, a distance of 25.16 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 78°54'13" West, a distance of 110.96 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 14°19'18" East, a distance of 17.11 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 31°55'28" West, a distance of 26.42 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 1°42'00", a radius of 755.50 feet, a chord bearing and distance of North 85°53'38" West, 22.42 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 22.42 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the end of said curve to the left;

North 7°02'52" East, a distance of 85.18 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 59°45'38" East, a distance of 73.58 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 34°37'59", a radius of 275.52 feet, a chord bearing and distance of North 2°59'42" West, 164.02 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 166.54 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the right having a central angle of 16°38'00", a radius of 774.50 feet, a chord bearing and distance of North 11°59'42" West, 224.05 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 224.84 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the end of said curve to the right;

North 3°40'42" West, a distance of 43.16 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 54°18'54" West, a distance of 31.71 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 14°57'07" West, a distance of 55.00 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 75°02'53" East, a distance of 10.96 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 35°41'06" East, a distance of 38.66 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 3°40'42" West, a distance of 18.55 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 23°05'36", a radius of 375.50 feet, a chord bearing and distance of North 15°13'30" West, 150.33 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 151.35 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the right having a central angle of 11°49'12", a radius of 399.50 feet, a chord bearing and distance of North 20°51'43" West, 82.27 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 82.42 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the end of said curve to the right;

North 14°57'07" West, a distance of 127.64 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 59°57'07" West, a distance of 56.57 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner on the northerly line of said 245.83-acre tract, same being on the southerly right-of-way line of the aforementioned Farm-to-Market Road No. 1417;

THENCE North 75°02'53" East, along the common line of said 245.83-acre tract and said Farm-to-Market Road No. 1417, a distance of 401.96 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left having a central angle of 0°45'00", a radius of 11519.16 feet, a chord bearing and distance of North 74°40'23" East, 150.78 feet;

THENCE in a northeasterly direction, continuing along said common line and with said curve to the left, an arc distance of 150.79 feet to a concrete TxDOT right-of-way monument found for the end of said curve to the left;

THENCE North 74°17'53" East, continuing along said common line, passing at a distance of 391.29 feet a 3/8-inch iron rod found for the northernmost northeast corner of said 245.83-acre tract, common to the northwest corner of said 32.545-acre tract, and continuing along the same bearing and along the northerly line of said 32.545-acre tract, a distance of 635.60 feet to a concrete TxDOT right-of-way monument found for corner;

THENCE North 80°00'32" East, along the common line of said 32.545-acre tract and said Farm-to-Market Road No. 1417, a distance of 803.99 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner, from which a 1/2-iron rod found for witness bears South 12°50' West, 0.73 feet;

THENCE North 74°17'53" East, continuing along said common line, a distance of 95.70 feet to the **POINT OF BEGINNING** and containing 62.329 acres (2,715,047 sq. ft.) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, TERRA PERPETUA, LLC., acting herein by and through its duly authorized officers, does hereby certify and adopt this plat designating the herein above described property as **BEL-AIR VILLAGE, PHASE 1,** an addition to the City of Sherman, and does hereby dedicate to the public use forever, the streets and alleys shown thereon.

TERRA PERPETUA, LLC., does herein certify the following:

1. The streets and alleys herein are dedicated in fee simple for street and alley purposes.
2. All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
3. The easements and public use areas, as shown and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
4. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be place in landscape easements if approved by the City of Sherman.
5. The City of Sherman is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
6. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Sherman's use thereof.
7. The City of Sherman and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
8. The City of Sherman and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
9. All modifications to this document shall be by means of plat and approved by the City of Sherman.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Sherman, Texas.

WITNESS, my hand, this _____ day of _____, _____.

BY: TERRA PERPETUA, LLC.,

By: _____
RONNY GUERRERO, PRESIDENT

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Ronny Guerrero, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, _____.

_____
Notary Public, State of Texas

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Michael Marx, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of Sherman, Texas.

_____
Michael Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, Texas 75034
Phone 972-335-3580
Fax 972-335-3779

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

STATE OF TEXAS §

COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Michael Marx, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, _____.

_____
Notary Public, State of Texas

FINAL PLAT
BEL-AIR VILLAGE
PHASE 1

BLOCK A, LOTS 1-29, LOT 30-HOA, & LOTS 31-59;
BLOCK B, LOTS 1-26; BLOCK C, LOTS 1-25, LOT 26-HOA, & LOTS 27-37; BLOCK D, LOT 1-HOA; BLOCK E, LOTS 1-47;
BLOCK F, LOT 1-HOA, LOT 2-HOA, LOTS 3-11, LOT 12-HOA, LOTS 13-18, LOT 19-HOA, & LOTS 20-48;
BLOCK G, LOTS 1-38; BLOCK H, LOTS 1-42;
BLOCK I, LOTS 1-36; BLOCK J, LOT 1-HOA

327 RESIDENTIAL LOTS
7 HOA LOTS

62.329 ACRES SITUATED IN THE
SHARROD DUNMAN SURVEY, ABSTRACT NO. 329,
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
-	MLB	KHA	Apr. 2021	064462003	6 OF 6

OWNER / APPLICANT:
Terra Perpetua, LLC
2600 N. Dallas Pkwy., Suite 324
Plano, Texas 75093
Contact: Ronny Guerrero

SURVEYOR / ENGINEER:
Kimley-Horn and Associates, Inc.
260 E. Davis Street, Suite 100
McKinney, TX 75069
Ph: (972) 335-3580
Contact: Michael Carlisle, PE

DWG NAME: K:\FRI_SURVEY\064462003\SEL AIR VILLAGE - SHERMAN\DWG\064462003-SEL AIR VILLAGE_PH1 FP_V18.DWG PLOTTED BY: HOEFNER, JOHN 4/21/2021 3:09 PM LAST SAVED: 4/21/2021 3:01 PM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

Terra Perpetua, LLC
2800 N. Dallas Pkwy., Ste. 324
Plano, TX 75093
Attn: Robby Guerrero

Kimley-Horn and Associates, Inc.
260 E. Davis St., Ste. 100
McKinney, TX 75069
Attn: Michael Carlisle, PE

Dear Applicants,

The request for approval of the Final Plat of Bel-Air Village Phase 1 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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. *Chapter 3, Division 5, Sec. 3.10.154*
2. Street names will need to approved by the Development Services Department prior to filing plat.
3. Show zip code on Surveyor block.
4. Dedicate 10' Utility Easement on all street frontage.
5. Dedicate 15' Utility Easement along Bel Air Boulevard.
6. Dedicate 5' Utility Easement along rear property line, within existing 35" Waterline Easement, within Lots 18, 19-HOA, 20, 32-39, Block F.
7. Block Numbers to be adjacent, not split; i.e. Block A is split by Block B.
8. Combine Lot 1, Block F with Lot 2, Block F to provide street frontage.
9. Lots 1 & 2, Block F to be defined as Detention or Retention, whichever applies, on plat.
10. HOA Maintenance plan for detention/retention to be shown on plat.
11. Area of Lot 2, Block F to be shown as a 30' Drainage & Utility Easement.
12. Place knuckle at intersection of Streets G & M.
13. Bearing call outs must be double digits on drawing and in metes and bounds description.
14. Provide clarification and definition for 15' EE along Eastern line of Lots 12-15, Block F.
15. Verify fire access in Blocks A, B, C, and Street O with Fire Marshal.
16. Add General Note regarding Avigation Easement to plat. Coordinate with Engineering Department for language.
17. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review.
18. 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.

19. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
20. 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. *Chapter 10, 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 **23.**

Meeting Date: 05/18/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
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:

*** 1406 WEST CENTER STREET**

The request of Eric and Kelly Popp (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 1406 West Center Street, being 0.463 acres in the Elizabeth Jones Survey Abstract No. 625, as follows:

Planning and Zoning Commission

Final Plat approval of Popp's Addition

Background:

The property is located at 1406 West Center Street between Holly and Binkley Park Drive. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into two lots to sell one of the lots.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

Eric and Kelly Popp (Owners)
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:

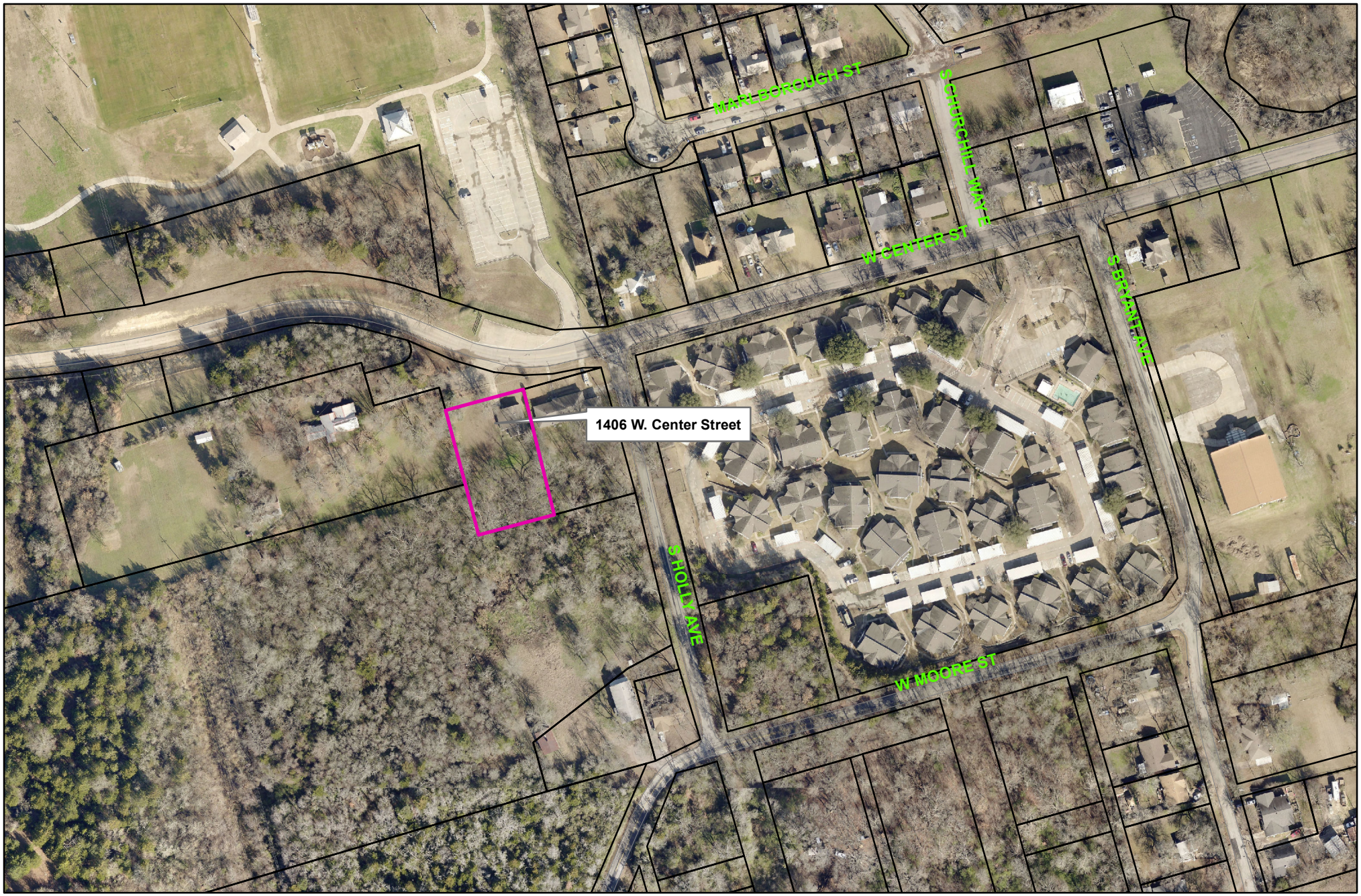
Not required.

Objections Received:
0

Development Review Meeting:
Yes

Attachments

Location Map
Zoning Map
Popp's Addition
Staff Review Letter



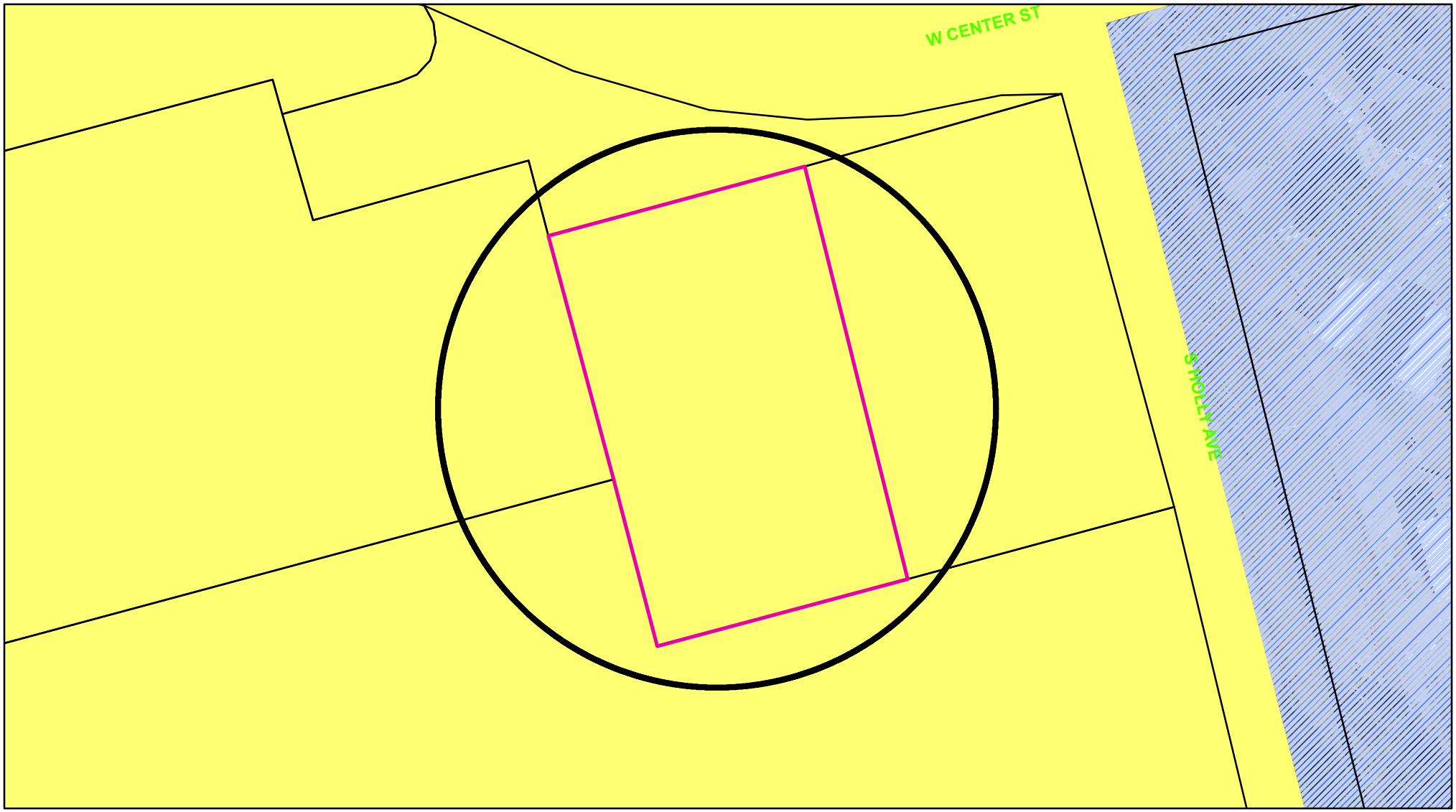
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

1406 West Center Street

NOT TO SCALE

1 in = 200 ft



Zoning - 1406 West Center 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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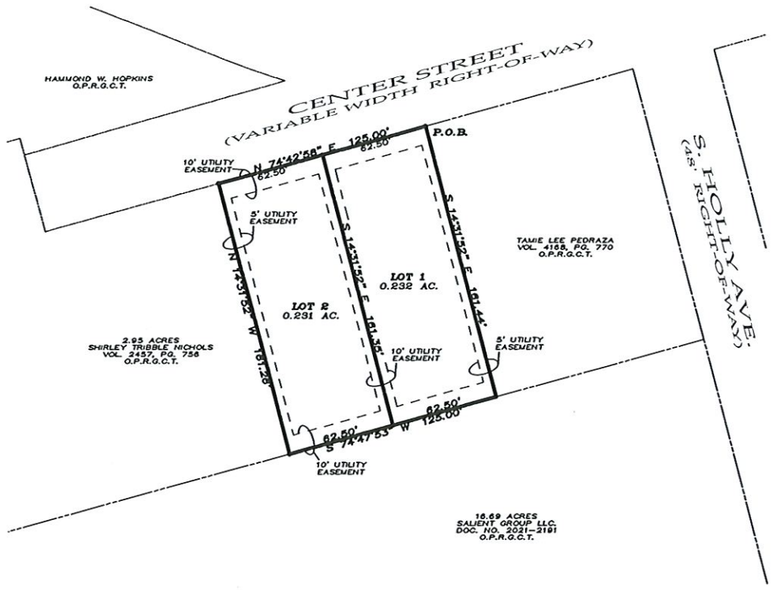
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 65 ft

JOB NO. 21030183



~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

FINAL PLAT

POPP'S ADDITION

Being a Final plat of a 125 'x 191' tract of land from the Elizabeth Jones Survey, Abstract Number 625. Being in the City of Sherman, Grayson County, Texas. Containing 0.463 acres of land

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

OWNERS/DEVELOPER
ERIC AND KELLY POPP
P.O. BOX 878
HOWE, TX 75459

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

04-21-21

UNDERWOOD
DRAFTING & SURVEYING

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

SHEET 1 OF 2

JOB NO. 21030183

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the same tract of land described as .548 acres conveyed to Eric and Kelly Popp by deed recorded in Doc. No. 2019-13034, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a set ½" Steel rod in the south Right-of-Way of Center Street and being the northwest corner of a tract of land conveyed to Tamie Lee Pedraza, Recorded in Vol. 4168, Pg. 770 of said Official Public Records;

Thence South 14°31'52" East, with the west line of said Pedraza tract a distance of 161.44 feet to a set ½" steel rod ;

Thence South 74°47'53" West, with the north line of a 16.69 acre tract of land conveyed to SAUENT GROUP LLC, Recorded in Doc. No. 2021-2191, of said Official Public Records a distance of 125.00 feet to a set ½" steel rod;

Thence North 14°31'52" West, along the west line of a said 0.548 acre tract of land a distance of 161.28 feet to a set ½" steel rod being in the south Right-of-Way of said Center Street;

Thence North 74°42'58" East, along the south line of said Right-of-Way a distance of 125.00 feet to the Point of Beginning and containing 0.463 acres of land.

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, POPP'S 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 in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this_____day of _____, 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
Registered Professional
Land Surveyor, No. 4709

Date

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owner and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, ERIC AND KELLY POPP, do hereby adopt this plat designating the hereinabove property as the POPP'S 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 or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this_____day of _____,2021.

ERIC POPP

KELLY POPP

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, ERIC POPP 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:_____

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, KELLY POPP 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

POPP'S ADDITION

Being a Final plat of a 125 'x 191' tract of land from the Elizabeth Jones Survey, Abstract Number 625. Being in the City of Sherman, Grayson County, Texas. Containing 0.463 acres of land

OWNERS/DEVELOPER
ERIC AND KELLY POPP
P.O. BOX 878
HOWE, TX 75459

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

04-21-21

UNDERWOOD
DRAFTING & SURVEYING

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

SHEET 2 OF 2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

May 7, 2021

Eric and Kelly Popp
P.O. Box 878
Howe, TX 75459

Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Popp's Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 18, 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. *Chapter 3, Division 5, Sec. 3.10.154*
2. Remove direction from Holly Avenue.
3. Show a minimum of three (3) found monuments on drawing.
4. The width of the pavement for streets shall be shown on the plat.
5. Remove 10' Utility from between Lots 1 & 2.
6. Water main must be extended in accordance with City criteria within Center Street to serve proposed Lots 1 & 2. *Chapter 13, Sec. 13.07.282*
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.
8. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
9. 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. *Chapter 10, 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 **25.**

Meeting Date: 05/18/2021

Prepared By: Patsy Reeves, Developmental Services Coordinator

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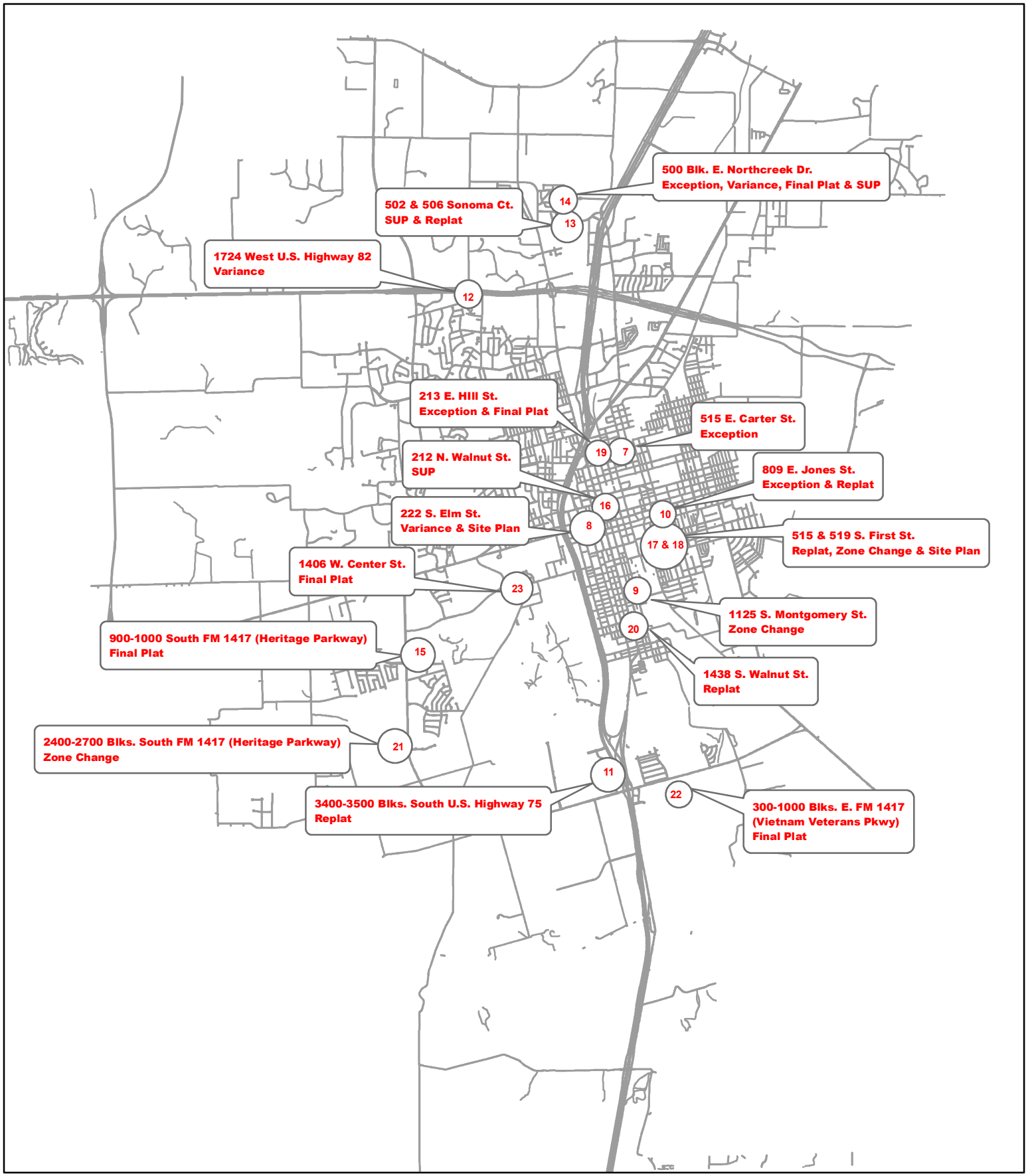
Issue:

OVERALL LOCATION MAP

List of Agenda Items:

Attachments

Overall Location Map



Planning and Zoning and Board of Adjustments Meeting
May 18, 2021

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE
1 inch = 7,000 feet