

STATE OF TEXAS

§

January 22, 2008

COUNTY OF GRAYSON

§

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission of the City of Sherman, January 22, 2008.

MEMBERS PRESENT: CHAIRMAN JASON SOFEY;
COMMISSION MEMBERS: JONES, PLYLER, DAVIS,
SOFTLY, JACOBS, BETHEL, NIX AND ATHERTON

MEMBERS ABSENT:

NONE

CALL TO ORDER

Chairman Sofey called the meeting to order at 6:00 p.m.

CALL TO ORDER

APPROVE MINUTES

The Planning and Zoning Commission reviewed the minutes of the December 18, 2007 Meeting. Motion by Commission Member Jacobs to approve the Minutes as written. Second by Commission Member Softly. All present voted AYE.
MOTION CARRIED.

APPROVE MINUTES

APPOINT BOARD OF ADJUSTMENT

Chairman Sofey appointed the following members to serve on the Board of Adjustment: PLYLER, NIX, BETHEL, JACOBS, AND SOFFLY.

APPOINT BOARD OF
ADJUSTMENT

SITE PLAN & BUILDING DESIGN

THE REQUEST OF NOE LOPEZ (OWNER) CONCERNING THE PROPERTY AT 408 & 410 NORTH CLEVELAND STREET, BEING LOT 10, BLOCK 23, COLLEGE PARK ADDITION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN AND BUILDING DESIGN APPROVAL FOR A DUPLEX IN AN R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT AND COLLEGE PARK OVERLAY DISTRICT

SITE PLAN & BLDG
DESIGN IN CPO
408 & 410 N.
CLEVELAND
(NOE LOPEZ)

Noe Lopez, 1305 Schneider Road, Howe, Texas

This item was tabled at the December 18, 2007 meeting because the plans did not reflect the minimum 1,200 square foot required in the College Park Overlay District. Mr. Lopez appeared to represent the request. He explained he would like to construct a two story duplex at 408 and 410 North Cleveland Street. The duplex will have two bedrooms per side for a total of four bedrooms. Parking will be provide with two outside parking spaces per side and one car garage on each side. The exterior will be hardy plank siding, tan with light tan trim. The duplex will have 1,204 square feet.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan and building design.

ACTION TAKEN.

Motion by Commission Member Jones to approve the site plan and building design for a duplex subject to the Staff Review Letter. Second by Commission Member Softly.

VOTING AYE: SOFTLY, PLYLER, DAVIS, JONES, NIX, ATHERTON, SOFEY, BETHEL, AND JACOBS.

VOTING NAY: NONE

MOTION CARRIED

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

SITE PLAN & BUILDING DESIGN

THE REQUEST OF NOE LOPEZ (OWNER) CONCERNING THE PROPERTY AT 412 CLEVELAND STREET, SUITES 100 & 200, BEING LOT 9, BLOCK 23, COLLEGE PARK ADDITION, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SITE PLAN AND BUILDING DESIGN APPROVAL FOR A DUPLEX IN AN R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT AND COLLEGE PARK OVERLAY DISTRICT

SITE PLAN & BLDG
DESIGN IN CPO
412 N. CLEVELAND,
STE. 100 & 200
(NOE LOPEZ)

Noe Lopez, 1305 Schneider Rd., Howe, Texas

This item was tabled at the December 18, 2007 meeting because the plans did not reflect the minimum 1,200 square foot required in the College Park Overlay District. Mr. Lopez appeared to represent the request. He explained he would like to construct a two story duplex at 412 North Cleveland Street, Suites 100 and 200. The duplex will have two bedrooms per side for a total of four bedrooms. Parking will be provide with two outside parking spaces per side and one car garage on each side. The exterior will be hardy plank side, gold with beige trim. The duplex will have 1,204 square feet.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan and building design.

ACTION TAKEN.

Motion by Commission Member Jones to approve the site plan and building design for a duplex subject to the Staff Review Letter. Second by Commission Member Softly.

VOTING AYE: SOFTLY, PLYLER, DAVIS, JONES, NIX, ATHERTON, SOFEY, BETHEL, AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

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

PRELIMINARY PLAT

THE REQUEST OF ROBERT J. TATE, CHRISTOPHER REHMET, CLAIRE REHMET (OWNERS), SARTIN AND ASSOCIATES (SURVEYORS), AND GEORGE KALMON (ENGINEER) CONCERNING THE PROPERTY LOCATED IN THE 2100-2400 BLOCKS OF HUDGINS ROAD (HIGHWAY

PRELIMINARY PLAT –
PRESTON CLUB, THE
CLASSICS – PHASE
FOUR (ETJ)
2100-2400 BLKS.
HUDGINS RD. & 400-

289 EXTENSION) AND THE 400-500 BLOCKS OF PRESTON CLUB DRIVE, BEING 51.84 ACRES IN THE DANIEL BICKENBACK SURVEY, ABSTRACT NO. 128, THE J.M. THOMAS SURVEY, ABSTRACT NO. 1234, AND THE J.K. MILLER SURVEY, ABSTRACT NO. 819 AS FOLLOWS;
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT OF PRESTON CLUB, THE CLASSICS – PHASE FOUR IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION

500 BLKS. PRESTON CLUB DRIVE
(ROBERT J. TATE, CHRISTOPHER REHMENT, CLAIRE REHMENT)

Marshall Sartin, Sartin & Associates, 109 S. Travis, Sherman, Texas

Mr. Sartin appeared to represent the request. The property is located off of U.S. Highway 82 West in the Preston Club Addition. This is the first phase that falls into the City of Sherman's extra territorial jurisdiction. It is a continuation of streets from the Preston Club Addition and also has a connection onto Hudgins Road (Highway 289 extension). The preliminary plat consists of 86 lots. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Bethel to approve the Preliminary Plat subject to the Staff Review Letter. Second by Commission Member Jacobs.

VOTING AYE: SOFTLY, PLYLER, DAVIS, JONES, NIX, ATHERTON, SOFEY, BETHEL, AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT

THE REQUEST OF TEXLANDEV, LLC (OWNERS), VILBIG & ASSOCIATES (ENGINEERS) AND HELVEY & ASSOCIATES (SURVEYORS) CONCERNING THE PROPERTY IN THE 4700-5000 BLOCKS OF CAMP VERDE CIRCLE AND THE 4800-4900 BLOCKS OF LIBERTY HILL TRAIL, BEING 7.958 ACRES IN THE ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42, AS FOLLOWS;

PLANNING AND ZONING COMMISSION

REPLAT OF BLOCK B, AUSTIN LANDING ADDITION, PHASE I

REPLAT BLK B,
AUSTIN LANDING
ADDITION, PHASE I
4700-5000 BLKS CAMP
VERDE CR & 4800-
4900 BLKS LIBERTY
HILL TRL
(TEXLANDEV, LLC)

David Vilbig, Vilbig & Associates, 10132 Monroe Dr., Dallas, Texas

Mr. Vilbig appeared to represent the request. The property is located on North Travis Street across from the City of Knollwood. He explained the oil well that is located on the property has sold and they had a 200 foot restriction from the previous owner, the new owner only wants a 50 foot

restriction; so they are able to include an additional two lots. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the Replat subject to the Staff Review Letter. Second by Commission Member Softly.

VOTING AYE: SOFTLY, PLYLER, DAVIS, JONES, NIX, ATHERTON, SOFEY, BETHEL, AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF DGR DEVELOPMENT GROUP, LTD; KYLE BOOTHE; DR. JIMMY HARRELL; MARK GARLAND; ELIZAR MATA; DR. KENNETH CHITWOOD; RIM NALL; AND CECI BATES HOMES (OWNERS) CONCERNING THE PROPERTY LOCATED IN THE 2800 BLOCK OF GOODNIGHT CIRCLE, THE 2900-3000 BLOCKS OF CANYON CREEK DRIVE AND THE 2700 BLOCK OF SILVERADO TRAIL, BEING LOTS 1-6, BLOCK A, O'HANLON RANCH ADDITION, PHASE 1A; LOTS 2-6, BLOCK

C, O'HANLON RANCH ADDITION PHASE I; AND LOTS 12 & 13, BLOCK 4, O'HANLON RANCH ADDITION, PHASE 2 AS FOLLOWS:

PLANNING AND ZONING COMMISSION

VARIANCE UNDER ORDINANCE NO. 2684, SECTION 12 (F) TO NOT REQUIRE SIDEWALKS IN AN R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT.

VARIANCE –
SIDEWALKS
2800 BLK GOODNIGHT
CR, 2900-3000 BLKS
CANYON CREEK DR &
2700 BLK SILVERADO
TRL
(DGR DEVELOPMENT
GROUP, LTD; KYLE
BOOTHE; DR. JIMMY
HARRELL; MARK
GARLAND; ELIZAR
MATA; DR. KENNETH
CHITWOOD; RIM
NALL; AND CECI
BATES HOMES)

Commissioner Jones abstained from this item because of a conflict of interest.

Dean Gilbert, Jr. 801 E. Taylor, Sherman, Texas

The O'Hanlon Ranch Subdivision is located at the northwest corner of North Heritage Parkway and Lamberth Road. Phase One of the development, was platted in 2001 and replatted in 2002 under different ownership. In 2007, a revised Preliminary Plat was submitted from the new owners; DGR Development. Mr. Gilbert appeared to represent the request and answer any questions. He explained he is a proponent of sidewalks and they are planning to build sidewalks in the O'Hanlon Ranch Subdivision especially in the part of the subdivision that is in construction now. In the existing 24 lots they acquired there are some issues with topography, mature trees on lots and things they would like to avoid doing to the sidewalks to avoid knocking down trees, avoid cutting

into lots and changing the grade drastically, possibly relocating fire hydrants and light poles. In looking at the plat they tried to provide for pedestrian traffic throughout the subdivision, taking into consideration the possibility of the city park to the northwest in the future.

Chairman Sofey explained he is a proponent of sidewalks also and he did not like to grant exceptions to not put them in. He understood on the cul-de-sac, sidewalks are there to walk, ride bikes, etc., and to get to point A to point B and on a cul-de-sac there is not a great need for that. There are also some slope issues on some of the other lots. He felt the lots on the northwest side of Canyon Creek Drive would be the gateway to the future park, so he was not in favor of eliminating sidewalks there. He would also like to see a ramp to get to the other side of Silverado Trail.

Dean Gilbert Jr. explained there will be a house on Lot 12 facing Silverado Trail and it might be possible to include a ramp on that lot if there is not one already constructed up the street on Silverado Trail.

Commissioner Davis asked Mr. Gilbert if there were ways to put in the sidewalks and keep the trees; couldn't you go around them or put a grade on them.

Mr. Gilbert explained that was possible, they would just have to loop around the trees and try to keep the same grade and stay within the 9 ½ foot of city property.

Commissioner Davis asked if there were any lots that he was required to have sidewalks all around them he would not be able to develop.

Mr. Gilbert explained they are fully developed ready to build on lots, it is just a matter of the trees and grade separation.

Commissioner Jacobs asked would be involved if they had to put sidewalks in, would they have to put in retaining walls.

Mr. Gilbert explained they would have to grade it back flat, the distance back from the curb, a city sidewalk is five foot of grassy area behind the curb, a four foot walk and about a 1/2 foot inside the sidewalk starts the property line. It would have to be graded pretty flat for the 9 ½ foot back from the curb. It can be done, but the end result is now you are 9 ½ foot shorter when you start to be able to do this and the driveway throws you into a steep situation.

Commissioner Davis asked Mr. Gilbert if he was familiar with Ordinance 2684, Section 26 which states there are special circumstances or conditions the commission must find before granting exceptions to sidewalks. There needs

to be special circumstances that would deprive you of the reasonable use of the property. That seems like a high burden that the Commission is required to define.

Commissioner Jacobs explained he thought Mr. Gilbert was making a fairly reasonable request, other than what Chairman Sofey had identified as concerns.

Commissioners Nix and Bethel agreed with Commissioner Jacobs.

Chairman Sofey explained they had purchased an existing development and have been making progress on the development with new phases. They are addressing some issues that were there when they purchased the property.

Commissioner Nix agreed; they are improving the development, adding to the tax base of the city, he felt it was reasonable.

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

ACTION TAKEN.

Motion by Commission Member Nix to approve the variance on all of Lots 3-6, and Lots 2 & 7 facing Goodnight Circle, Block C of O'Hanlon Ranch Addition, Phase I, in the 2800 Block of Goodnight Circle, part of Lot 4 and all of Lots 5 & 6, Block A of O'Hanlon Ranch Addition, Phase 1A in the 2900 Block of Canyon Creek Drive and the 2700 Block of Silverado Trail. Second by Commission Member Jacobs.

VOTING AYE: SOFTLY, PLYLER, NIX, ATHERTON, SOFEY, BETHEL, AND JACOBS

VOTING NAY: DAVIS

ABSTAIN: JONES

MOTION CARRIED

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

SITE PLAN

THE REQUEST OF WOODMONT SHERMAN, LP (OWNER), KIMLEY-HORN & ASSOCIATES, INC. (ENGINEERS) AND LANCE ORITI (REPRESENTATIVE) CONCERNING THE PROPERTY AT 3609 U.S. HIGHWAY 75 NORTH, BEING LOT 4, SHERMAN COMMONS ADDITION, REPLAT BLOCK C, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL FOR A WHATABURGER RESTAURANT

SITE PLAN -
WHATABURGER
3609 HWY 75 N
(WOODMONT
SHERMAN, LP)

Lance Oriti, 506 Hunters Creek Court, Allen, Texas

Mr. Oriti appeared to represent the request and answer any questions. The owner would like to construct a Whataburger Restaurant at 3609 Highway 75 North

between Cracker Barrel and Olive Garden Restaurants. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Bethel to approve the site plan subject to the Staff Review Letter. Second by Commission Member Softly.

VOTING AYE: SOFTLY, PLYLER, NIX, ATHERTON, SOFEY, BETHEL, JONES, DAVIS AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF STANLEY BUICK PONTIAC GMC SHERMAN (OWNERS), ROB LARRIVIERE (GENERAL MANAGER) AND RICKY BATES, NEON SIGNS AND DESIGNS (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 3220 TEXOMA PARKWAY, BEING 2.9244 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT NO. 504 AS FOLLOWS;

BOARD OF ADJUSTMENTS

VARIANCE UNDER ORDINANCE NO. 2280, SECTION 7, SUBSECTION (5)(A) TO ALLOW A 10' FRONT SETBACK IN LIEU OF THE REQUIRED 25' FOR A SIGN IN A C-2 (GENERAL COMMERCIAL) DISTRICT.

VARIANCE – FRONT
SETBACK
3220 TEXOMA PKWY
(STANLEY BUICK
PONTIAC GMC
SHERMAN)

Ricky Bates, Neon Signs & Designs, 103 E. Crawford, Denison, Texas

Mr. Bates appeared to represent the request and answer any questions. He explained the owner would like to relocate an existing used vehicle sign 25 foot from the front property line at 3220 Texoma Parkway. The sign is 28 foot high and approximately 78 square feet. There was a sign at this location when the Suzuki dealership was located here. There is an existing concrete pad for the sign. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the variance. Second by Commission Member Atherton.

VOTING AYE: SOFTLY, PLYLER, BETHEL, AND JACOBS.

VOTING NAY: NIX

MOTION CARRIED

Scott Shadden, Director of Development Services explained Commissioner Atherton was not on the Board of Adjustments so a second would need to be made by someone on the Board of Adjustments.

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the variance. Second by Commission Member Bethel.

VOTING AYE: SOFTLY, PLYLER, BETHEL, AND JACOBS.

VOTING NAY: NIX

MOTION CARRIED

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

REPLAT

THE REQUEST OF BARTON CAPITAL, LTD (OWNER) AND SARTIN AND ASSOCIATES SURVEYING (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 1306 SOUTH AUSTIN STREET, BEING PART OF LOT 4, BLOCK 23 OF B.H. MOORE HEIRS ADDITION, CONTAINING 0.29 ACRES AS FOLLOWS;

PLANNING AND ZONING COMMISSION

REPLAT OF PART OF LOT 4, BLOCK 23, B. H. MOORE HEIRS ADDITION

REPLAT OF PART OF
LOT 4, BLK 23, B. H.
MOORE HEIRS ADDN
1306 S AUSTIN
(BARTON CAPITAL,
LTD)

Marshall Sartin, Sartin & Associates, Sherman, Texas

Mr. Sartin appeared to represent the request and answer any questions. He explained this property is located on the southwest corner of Dulin Street and South Austin Street. The owner would like to replat the lot into two lots for residential development. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the Replat subject to the Staff Review Letter. Second by Commission Member Softly.

VOTING AYE: SOFTLY, PLYLER, NIX, ATHERTON, SOFEY, BETHEL, JONES, DAVIS AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT

THE REQUEST OF SHERMAN HILLS (OWNER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYORS) CONCERNING THE PROPERTY LOCATED IN THE 1800-2600 BLOCKS OF U.S. HIGHWAY 75 SOUTH, BEING 231.038 ACRES IN THE SAMUEL BLAGG SURVEY,

REPLAT SHERMAN
HILLS COUNTRY CLUB
ADDN GOLF COURSE
TRACTS
1800-2600 BLKS U.S.
HWY 75 SOUTH

ABSTRACT NO. 56, THE PRESTON KITCHENS SURVEY,
ABSTRACT NO. 667, AND THE ELIZABETH JONES
SURVEY, ABSTRACT NO. 625 AS FOLLOWS;
PLANNING AND ZONING COMMISSION
REPLAT SHERMAN HILLS COUNTRY CLUB ADDITION
GOLF COURSE TRACTS

(SHERMAN HILLS)

Dan Murray, 2414 Monte Cristo Drive, Sherman, Texas

Mr. Murray appeared to represent the request and answer any questions. He explained the replat is to change the configuration of the lots and frontages along the golf course to relieve the burden of escrow fees for the golf course. Mr. Murray explained at the present time the golf course touches on Park Avenue in several areas and they would like to replat that so that they can have reasonable escrow fees. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Chairman Sofey asked for a clarification of the request. The property is being replatted in the development of the golf course so that during the construction of the golf course it will reduce the escrow fees. They will still be due at some point in time during the development, just reduced during this phase.

Commissioner Jacobs asked for an explanation from Mr. Shadden.

Mr. Shadden explained the replat will reduce the amount of street frontage that the golf course has; thereby reducing the amount of escrow due at the time of the development of the golf course.

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

ACTION TAKEN.

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

VOTING AYE: SOFTLY, PLYLER, NIX, ATHERTON, SOFEY,
BETHEL, JONES, DAVIS AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF SHERMAN HILLS, LLC (OWNER), DAN
MURRAY (REPRESENTATIVE) AND TEAGUE, NALL AND
PERKINS (ENGINEER) CONCERNING THE PROPERTY
LOCATED IN THE 1300-2600 BLOCKS OF U.S. HIGHWAY
75 SOUTH, BEING THE SHERMAN HILLS COUNTRY CLUB
ADDITION GOLF COURSE TRACTS, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

VARIANCE – ESCROW
FOR BRIDGE
1300-2600 BLKS. HWY
75 SOUTH
(SHERMAN HILLS,
LLC)

VARIANCE UNDER ORDINANCE NO. 2684, SECTION 26 (A) TO NOT REQUIRE THE DEVELOPER TO BE RESPONSIBLE FOR PAYMENT OF ESCROW FUNDS FOR THE FUTURE CONSTRUCTION OF THE PARK AVENUE BRIDGE AS REQUIRED WITH THE DEVELOPMENT OF SHERMAN HILLS COUNTRY CLUB GOLF COURSE ADDITION IN AN R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT, C-1 (RETAIL BUSINESS) DISTRICT AND O-1.2 (SAM RAYBURN) OVERLAY DISTRICT.

Dan Murray, 2414 Monte Cristo Drive, Sherman, Texas

Mr. Murray appeared to represent the request and answer any questions. He explained they would like to be relieved of the escrow fees because the bridge has nothing to do with the golf course. The entrance to the golf course is Gateway and Clubhouse Drive. The bridge will be built by the development itself. Park Avenue is a major thoroughfare from Travis Street all the way to Highway 289. The golf course does not need the bridge in any way.

Commissioner Jacobs asked if the bridge is to serve the subdivision.

Mr. Murray explained the bridge will serve the subdivision, but it will not serve the golf course. Clubhouse Drive and Gateway will be the main entrance. Gateway is being built now and Clubhouse Drive will be built in the future.

Mr. Shadden explained they are asking to waive the escrow fees for the bridge where it crosses the creek and floodplain on Park Avenue.

Mr. Murray explained that is correct, the full development itself will be responsible for the bridge. The development of the real estate cannot go forward without the bridge being built.

Commissioner Jacobs did not understand the distinction between the development and the other guys.

Mr. Murray explained it is not between him and the other guys. The golf course is owned by the same people, if the bridge was never built, the golf course would not need it, it could operate without it.

Commissioner Jacobs felt they were trying to get out from a financial responsibility.

Mr. Murray explained they are not getting out from any financial responsibility, for the project to go forward, the bridge will have to be built.

Chairman Sofey explained this is all one project and one owner, but there is a way to fund the project. Just like the curb escrow fees, the golf course couldn't fund the curb escrow fees for the streets that it touched but the housing

development at a later date can fund those fees.

Commissioner Jacobs explained the request is to not require the developer to be responsible for payment of escrow funds, it doesn't say at this time, it says escrow funds for the future construction of the Park Avenue Bridge as required. It sounds like he is asking to be relieved of the financial responsibility.

Mr. Murray explained no, the golf course only.

Chairman Sofey explained escrow funds and paying for something are two different items.

Commissioner Jacobs was still confused. If he was granted this variance would this developer no longer be responsible for funding this or just not be responsible for putting up escrow funds.

Mr. Shadden explained the request is for the escrow funds.

Mr. Murray stated not the responsibility of building the bridge; just waive the escrow funds until the bridge is required by the real estate development.

Chairman Sofey explained the golf course can open without the bridge; the development cannot be developed residentially until the bridge is built.

Commissioner Atherton asked Mr. Shadden if the way the request is worded it would not relieve the developer of the cost, it would only relieve him from putting it into escrow for the future cost.

Mr. Shadden explained that is what he believed he heard Mr. Murray say, at the time they develop the residential they would participate in the cost of the bridge.

Mr. Murray explained the total development is dependent on the bridge, the whole City of Sherman is dependent on the bridge for east, west, and south access. They were not trying to get out of anything; it is too big of a burden to ask the golf course to put up the money for the bridge when the golf course does not need the bridge. If the bridge was never built, the golf course would still be operational.

Commissioner Jacobs explained basically the development of the subdivision has not been started so you would like to be relieved of the responsibility of the escrow funds.

Doreen McGookey, City Attorney explained she understood as it is written you would assume that, now your viewpoint is because it is a waiver of the escrow

funds period, it is just limited to the bridge; there is a bridge development there. What the Commission could possibly do is put it in a format when you are granting a variance adding the condition, what she thought Mr. Murray wanted to do is go ahead and start development because this is a substantial amount of money, not to have to put up that substantial sum of money down right now because he is just operating the golf course. You could maybe add a later time, have him subject to the escrow funds at a later time when they begin development.

Mr. Murray explained that would be fine with him. He explained he has been promised from every mayor since he came to the City, that the City of Sherman is going to build that bridge and he did not want any controversy coming down the road. You can write it up any way you want to write it up to relieve the golf course. We are not trying to get out of any responsibility. The subdivision will be required to build the bridge.

Commissioner Nix asked how they would mark when the subdivision starts. Technically, the golf course is part of the subdivision and it has started.

Mr. Shadden explained that is the reason those escrow fees are due today, you would be waiving that time period with this request.

Chairman Sofey asked if they could word it where they could waive it until such a time where the developer and City come to an agreement or where the bridge is necessary.

Ms. McGookey asked Mr. Murray at what point do they anticipate the development on the area you would need the bridge. You are saying it is in two phases, you are in the golf course phase now and then you want the development of the bridge until a later time.

Mr. Murray explained it is pretty obvious when the bridge is going to be required with the development. They are doing the Sunrise tract and there is a tract that Park Avenue access that is called Rolling Hills and Rolling Hills cannot be developed without the bridge.

Mr. Shadden explained the escrow if it is paid in, he is buying that bridge at today's cost.

Mr. Murray explained the project must have the bridge; the project cannot be developed without the bridge. There are 3,000 homes going to be built there.

Chairman Sofey explained it is not a matter if the bridge is going to be built, obviously for Mr. Murray, for the City or whomever else in the future there is going to be a bridge

there. They would like to get this issue solved and there is some confusion on the Commission's part.

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

EXECUTIVE SESSION

CHAIRMAN SOFEY ANNOUNCED THAT THE PLANNING AND ZONING COMMISSION WILL HOLD A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNON'S TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

SECTION 551.071 -- CONSULTATION WITH THE CITY ATTORNEY CONCERNING LEGAL MATTERS ON AGENDA ITEM 12

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 6:45p.m.

On Motion duly made and carried, the Executive Session recessed at 7:02 p.m. and reconvened in Open Meeting.

OPEN MEETING

OPEN MEETING

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

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

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the variance to not require the developer to be responsible for payment of escrow funds for a period of 12 months for the future construction of the Park Avenue Bridge and forward the request to the City Council. Second by Commission Member Bethel.

Chairman Sofey asked Mr. Murray if he agreed with the motion.

Mr. Murray agreed, that would be fine.

VOTING AYE: SOFTLY, PLYLER, NIX, ATHERTON, SOFEY, BETHEL, JONES, DAVIS AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

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

REPLAT

THE REQUEST OF MITCHELL ENTERPRISES (OWNER), STEVE MITCHELL (REPRESENTATIVE) AND SARTIN AND ASSOCIATES SURVEYING (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 700 NORTH CROCKETT

REPLAT LOT 8, BLK 1,
L.C. CHAPMAN'S
ADDN
700 N. CROCKETT &
215 W. BROCKETT

STREET AND 215 WEST BROCKETT STREET, BEING PART OF THE J.B. MCANAI SURVEY, ABSTRACT NO. 763 AND ALL OF LOT 8, BLOCK 1 OF L.C. CHAPMAN'S ADDITION, CONTAINING 0.47 ACRES AS FOLLOWS;
PLANNING AND ZONING COMMISSION
REPLAT OF LOT 8, BLOCK 1 OF L.C. CHAPMAN'S ADDITION

(MITCHELL ENTERPRISES)

Steve Mitchell, Mitchell Enterprises, 700 N. Crockett, Sherman, Texas

Mr. Mitchell appeared to represent the request and answer any questions. The property is located at the northwest corner of Crockett and Brockett Streets. They would like to replat the two tracts into one lot. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

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

ACTION TAKEN.

Motion by Commission Member Jones to approve the Replat subject to the Staff Review Letter. Second by Commission Member Jacobs.

VOTING AYE: SOFTLY, NIX, JACOBS, BETHEL, DAVIS, JONES, ATHERTON, PLYLER, AND SOFEY.

VOTING NAY: NONE

MOTION CARRIED

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

VARIANCE

THE REQUEST OF RAY CHILDRESS REALTY, LP (OWNER), TROY BATHMAN (PROSPECTIVE PURCHASER) CONCERNING THE PROPERTY LOCATED IN THE 1600-1700 BLOCKS OF U. S HIGHWAY 75 NORTH BEING 9.64 ACRES IN THE J. B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BOARD OF ADJUSTMENTS

VARIANCE AND CONCEPTUAL SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 6.5, SUBSECTION (5) (C) TO ALLOW A THREE (3) STORY HOTEL WITH A 41' MAXIMUM BUILDING HEIGHT IN LIEU OF 35 FEET OR TWO (2) STORIES IN A C-2 (GENERAL COMMERCIAL) DISTRICT AND THE O-1 (75 & 82) OVERLAY DISTRICT.

VARIANCE - HEIGHT
1600-1700 BLKS HWY
75 NORTH
(RAY CHILDRESS
REALTY, LP)

Brett Flore, Cross Architects, 1255 W. 15th Street, Plano, Texas

Mr. Flore appeared to represent the request and answer any questions. The property is located at the southeast corner of Taylor Street and U.S. Highway 75 North. The prospective purchaser would like to construct a three story, 108 unit colonial style hotel with a 41 foot maximum building height. The site plan is conceptual which means they will have to come back for site plan approval. They

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

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

ACTION TAKEN.

Motion by Commission Member Jacobs to approve the variance subject to the Staff Review Letter. Second by Commission Member Bethel.

VOTING AYE: SOFTLY, PLYLER, NIX, BETHEL, AND JACOBS

VOTING NAY: NONE

MOTION CARRIED

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

SPECIFIC USE & SITE PLAN

THE REQUEST OF ROBERT W. MINSHEW (OWNER), DAVID KIGHT, DBA NORTEX AFFORDABLE HOMES (DEVELOPER) AND CHRIS SCHMITT, TEAGUE, NALL AND PERKINS, (ENGINEERS) CONCERNING THE PROPERTY LOCATED IN THE 1900-2600 BLOCKS SANDRA DRIVE, BEING 32.02 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 AS FOLLOWS;

PLANNING AND ZONING COMMISSION

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (9) TO ALLOW PATIO HOMES IN AN R-1 (ONE AND TWO FAMILY RESIDENTIAL) DISTRICT.

SUP & SITE PLAN –
PATIO HOMES
1900-2600 BLKS
SANDRA DR
(ROBERT MINSHEW)

(DENIED)

David Kight, 860 Brown Road, Sherman, Texas & Chris Schmitt, Teague, Nall & Perkins, 200 N. Travis, Sherman, Texas

Mr. Kight and Mr. Schmitt appeared to represent the request and answer any questions. Mr. Kight explained recently the City granted some patio homes on 50 foot lots in west Sherman. They felt there is a market for those types of homes for the 55 plus age group. The homes would be 1,900 – 2,100 square foot, 100 percent brick or stone, with fireplaces, granite countertops, at \$120 a square foot type properties. With a 2,000 square foot house with a \$120 square foot living area you are talking about a significant value to the City as well as the appraisal in the neighborhood. The average lot size is going to be about 50' X 100'. They were seeking the variance because they would like to construct patio homes to target an age group that wants low maintenance in their yards they want to provide sprinkler systems, provide a gated community that would have a homeowners association.

They provided information to the neighbors that live on Archer and Sandra Drive. They visited with people to try to make available the information of what they would like to

do. The three things that came out consistently is drainage, appraisal values and traffic flow. Those are always factors anytime you develop. They submitted their plans to the City and they made their recommendations. Archer is a 40 foot street so it is a very wide street, they plan to come into the development off Sandra Drive which is a 30 foot street. Once you get off of Sandra Drive there are several different avenues you could take, not just necessarily Archer Drive, some of the other streets in the area. There will be 56 lots and if you use a figure of 1.8 per household as far as vehicles, that's approximately 100 and if you work that out over a 24 hour period, that's a car every 14 minutes, but obviously there would be peak periods, but their target would be retired people 55 plus that want to downsize, they want smaller homes, energy efficient homes, low maintenance yards and they want a secured area, therefore the gated community concept. The area has natural boundaries, it has a railroad berm on the north, it has Sand Creek on the west, and Highway 56 to the south and they plan to erect an ornamental fence on one side to make it a secured area. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

Chris Schmitt, Teague, Nall and Perkins, 200 N. Travis, Sherman, Texas

Mr. Schmitt explained they were aware Sand Creek is a major basin within the City of Sherman. They have experienced flooding problems in the past. One thing they did was to outline the basin for Sand Creek, upstream from this project to the contributing area that impacts the area. It is approximately in the range of 11 square miles of parts west of this development north and south that contribute to the creek. Their property is approximately 11 acres of developable area they propose for the lots, which constitutes less than 1 percent of the actual developable area. From a drainage hydrologic standpoint, the impact is minor in nature if you look at the overall basin. When you look at hydrology you are looking at time of water, time of movement and when this area floods as it did in the summer, we saw a lot of rain from the north and the west which would lead you to understand how that happened, how some of the flooding events occurred. This area really sees its peak event when it rains on this site or in this vicinity, that water moves offsite before we really see any drainage or flooding problems, it is what happens upstream that contributes to this problem and the peak density of upstream from us is what causes the flooding.

David Kight explained the water situation coming from the north has not changed for a long time, it is still there and was there when the Washington Place subdivision was developed, this same area comes into to play there.

Commissioner Jacobs asked Mr. Kight the size of the lots.

David Kight explained 50' X 100', approximately 5,000 square foot.

Commissioner Davis explained there are approximately 56 lots on the plan. He asked how many lots he could have if the lots were 60 foot wide lots.

Mr. Kight explained he was not interested in having larger lots, they are wanting to develop patio homes because that is what he felt the market is gearing towards, lower maintenance type lots, they do not want one or more acres to maintain.

Chairman Sofey explained the patio home lots could be as narrow as 40 foot.

Mr. Kight did not think any of the lots were 40 foot, the smallest lot was 45 foot wide; the average size is 50 foot.

Chairman Sofey explained the layout of the lots did not have the dimensions on them, so if it was approved they would have to grant all of the lots to be 40 foot lots.

Chris Schmitt explained the patio home ordinance requires a 4,500 square foot minimum.

Chairman Sofey explained the minimum is 4,000 square foot minimums and the setbacks change. The standard R-1 (One Family Residential) District is 6,000 square foot with 60 foot widths, the front and rear setbacks are 25 foot. Patio homes are 4,000 square feet with a 40 foot minimum with a 20 foot minimum front yard setback and a 10 foot rear yard setback. The setbacks are reduced by 5 and 15 feet. There are not any dimensions on the conceptual site plan, so they were trying to see what the dimensions were to create the 56 lots. They were trying to make a decision based on what the land is designated for today which is 6,000 square foot lots. They were trying to see what the difference would be to base the decision on. If the request is approved every lot could be 40 foot.

Commissioner Bethel asked if the request was turned down, is there a plan to come back with another plan that would not require a variance.

Mr. Kight explained no.

Commissioner Nix explained that Mr. Schmitt had talked about several elements that had to occur before flooding occurred as it did in the spring and summer of 2007. He asked how they would deal with that if it happened again.

Mr. Schmitt asked if he was talking about this property.

Commissioner Nix said with the respect that it happened upstream that caused the flooding to occur in 2007.

Mr. Schmitt explained the only way you can do that is attenuate that volume. You would have to build some type of structure, a pond, a lake or something upstream to handle that event; the flooding in 2007 was an extreme event. In hydrology language, the 25 year and 100 year event, he did not know if the flooding in 2007 was a 100 year event but it was close. It is really out of their hands. From an engineering volume of water standpoint, that's what FEMA looks at, that is what the flood insurance rate maps the whole flooding program and if you look at a flood map you will see where the 100 year floodplain is delineated, which is based on volume of water and topography. Those are just engineering calculations, it is the basis of here's an event and here is how much water we will see, here's where it is going, here's what it is going to do and you are not going to do much to stop it. You can build structures, lakes, levees, dams to slow that volume down and capture it, it still going to go where it wants to go; that's the answer to a basin of this size, something of that magnitude. This development is really a drop in the bucket on a magnitude, he was not going to say it did not have an impact, when you are talking about a basin this large, the impact is minor.

Commission Davis explained on the Staff Review Letter it says a detention facility is required unless a runoff is directed to a FEMA floodway of adequate capacity. He asked if they had thought about detention ponds or if there were capacity.

Mr. Schmitt explained they have had discussions with City Staff about it and it is on their shoulders to do the calculations and show the impact to the flood basin. His experience is telling him when he runs those calculations the impact is probably in the tenths of a foot, not multiple feet; it may raise the flood basin in that area a tenth of a foot or two tenths of a foot during the 100 year event; which is the most extreme event which FEMA looks at.

Chairman Sofey asked if anyone from the audience would like to speak on the request. He requested they limit the time to 3 minutes per person. He also informed the audience they had received around 50 letters as well as a petition with 100 signatures from the neighborhood in opposition of the request.

Those appearing from the audience:

Phillip Eggleston, 1813 Sandra Drive, Sherman, Texas

Mr. Eggleston informed the commission about an abandoned oil well on the property. He was concerned about the environmental risks associated with the abandoned oil. He had spoken to the Railroad Commission and they stated before they built on the property they would need to provide documentation with

the State of Texas stating that the abandoned well was properly remediated. Another issue concerning him was a branch of Sand Creek, a small creek that runs north up through their subdivision, goes through the abandoned railroad right-of-way and across F.M. 1417. They were planning on building on top of that creek. He asked if anyone had ever heard of the waters of the United States. The waters of the United States includes all other waters such as interstate rivers, lakes and streams, those are under the control of the Army Corp of Engineers. You are not to modify those streams and you must contact the Army Corp of Engineers before you do any alterations to those streams. He explained he has contacted the Army Corp of Engineers and they will be contacting the owner about alterations to the stream on the property.

Sandy Mischkot, 421 Hidden Valley Trail, Sherman, Texas

Ms. Mischkot explained she and her family have lived at this location since 1979. Their house has flooded several times in the past. She has 2 children and has watched out their back door as the flood waters rushed past their house. Water has come into her house ruining carpet, furniture and walls. They have lived on concrete floors for months at a time. She did not understand how the owner could alter the Creek which would cause more flooding in the area. Flood insurance is very expensive in addition to homeowners insurance and she did not feel most people could afford it.

Dr. Don Wortham, 1722 Archer Dr., Sherman, Texas

Dr. Wortham explained his property backs up to the proposed development. In the past 40 years, he has watched the effects of flooding in Sand Creek. Flooding seems to get worse every time there is a big rain event. He showed a copy of the Corp of Engineer Report that was produced after the flood of April 20, 1967. It was commissioned by the City and the Corp of Engineers out of Tulsa. Based on watermarks, in 1967 compared to the 2007 flood, the 2007 flood was as bad or more severe. He watched the flood of 2007 and you could water ski on the Piggly Wiggly parking lot it got so deep. Flooding was so intense on Archer Drive, he was not sure he get out, but he was able to get out Sandra Drive to Washington out F.M. 1417; that was the only way out. He does not live in the floodplain. He watched the Sherman Fire Department launch two boats two houses down from him to help get people out of the apartments that flooded on Archer Drive. Cars were totally submerged and at least two people drowned in Sherman during the flood. If this development is approved, drainage runoff will be intensified and flooding is going to be intense after these are built. There is no way you can contain this water or hold it back because you would have to build your detention ponds inside the floodplain because the area that is not in the floodplain is being developed. A hydrology study has not been done on the area. This development will only

exasperate an already unsafe flooding condition on Archer. The residents of Archer, Crescent, Sandra, Hidden Valley Trail would like the Planning and Zoning Commission to do the right thing and deny this high density housing, lets not add to an already dangerous situation along Archer Drive and the adjacent streets.

Dale Schores, 1411 Crescent, Sherman, Texas

Mr. Schores explained he has lived in Sherman since 1969 and has witnessed the area flooding numerous times. He had family living in the apartments as management of one of the apartment complexes; they lived through the creek waters rising up 2-2 ½ feet to the door of their apartment. Families were displaced, cars and personal belongings were destroyed. Over the years, he has seen the floods trap people in that area repeatedly, submerging their cars, damaging their personal property in houses as well as the apartments, rising waters preventing their escape. Access to emergency vehicles was hampered. Along the years, further development has put down countless yards of concrete in the surrounding areas and all of the runoff is directed into the overburdened creeks. Little has been done to control this runoff. Lake Dean Gilbert was constructed during the '90's and has helped considerably with the flooding for the area east of Wilson N Jones Hospital. To the west and south of the hospital, the slope of the land carries most of the water through a dense residential area on its way to Sand Creek. Most of the water and the water from Crescent and Washington are poured into the abandoned railroad right-of-way. During the recent floods, water was backed up all the way behind his residence on Crescent Drive; it was not a major problem because he is about 20 feet above the railroad right-of-way. Concerned residents in this area feel that building in this known flood zone will add to the current flooding problem. Looking at the site plan that was provided, about 75-80 percent of the grassy areas will be covered with concrete or asphalt; which adds to the runoff that will cause undue financial burden on any of the parties that purchase homes in that area.

Dan Ford, 1701 Archer Drive, Sherman, Texas

Mr. Ford explained he came out of the American Business culture and the first thing they tried to do was look at how to do a job safely and prevent any foreseeable problems that come about in the future. He explained if you go into a single point entrance, whether its gated or un-gated into a restricted number of cul-de-sacs with a turn radius of 100 feet, and it floods from a little creek coming from the east side and comes down the railroad tracks which would go across the only entrance into the subdivision. It floods there so you have 56 houses sitting back in there, most of which are deeper than the entrance point trying to bring them out. He asked what if you have a fire back there, one house that catches on fire, close proximity 20 foot apart, it doesn't matter if it is all brick, it doesn't matter what type

of roof, the proximity of 10-15 foot rooflines will probably mean you will have more than one unit on fire, you would need more than one fire truck, you may get them there but how do you get them out; you cannot back around the streets very convenient. The traffic coming out of Sandra Drive will have to go south on Archer Drive, go north on one of other streets, but Crescent will probably turn into the second Sunset and that will not be convenient for a lot of people. If you have an environmental problem back there then you could only go up Crescent Drive. The idea of a gated community going into Sandra Drive, you might as well put a toll booth there because you will be blocking six houses on Sandra just to get in and out of there. "This property would be only be good for a park."

Glenn Parrish, 1721 Crescent, Sherman, Texas

Mr. Parrish explained he was concerned about property values in the area, they are fairly substantial. "If this subdivision goes in, it creates a lot of traffic flow coming down Crescent and turning into a raceway just like McKown and Ricketts Streets." He collects trash on his street a few times a week now that people have discarded and he expects there will be more of that. "We could sell our property on Sandra or Crescent but in the event we do, we will have to disclose things which might not be too good; we must disclose if there is the possibility of flood or have been flooded, otherwise we will end up in court." He explained he spends a great deal of his time volunteering at Wilson N Jones Hospital in the Emergency Room. This past July during the flood there were about 100-125 people brought in from the Mission Oaks Nursing Home because it was flooded. In addition to that he saw people walking in from the apartments on Archer and other areas because their cars had been flooded and they were there for injuries and heart problems caused by the flood. He asked the Commission to deny this request.

Richard Thomas, 1609 Archer Drive, Sherman, Texas

Mr. Thomas submitted a visual aid of toy cars and Lego's depicting the neighborhood and the effects of the neighborhood with the proposed development. He met with Mr. Kight and was concerned with the traffic and access into the development. The number of homes and vehicles and how they handle that was one of his concerns. "There will be roughly 100 vehicles coming in and out of the development; that is if they come out just one time a day with only one access point." He has lived there since 1999, and has seen water on the northwest corner of Sandra and Archer above the curb and on the sidewalk flowing more than once. This past summer there was water four inches in his yard and up his driveway. "I don't think you want to be a Board that God forbid the folks that are in that development get water in there and they try to get out and they're coming up Sandra or the extension of Sandra and they come up the rise and they hit the corner of Sandra and Archer and they can't go no

place and there is at least 56 vehicles maybe 100 vehicles trying to get out of a gated community. Do not approve this variance.”

Michael Young, 1702 Archer Drive, Sherman, Texas

Mr. Young explained he did not have a problem with Mr. Kight building patio homes for people over 55 years old, what he did have a problem with was details that are half baked and not well planned. He explained he was not an engineer, but he did not get a lot of comfort from terms like extreme events when he has seen one in the past year, he had heard of one in 1983 and another in 1960 and now they want to add about 25 acres or more of pure concrete to that extreme event. It did not make sense to him to build a subdivision back there with only one entrance and access point that is 30 feet wide. “This subdivision needs Washington Street access or F.M. 1417 access. Maybe these issues can be resolved, maybe they can be fixed; I don’t have a high degree of confidence that the flooding issue can be resolved or the access issue, I assume it can be resolved but it does not make economic sense. There are some good things happening on F.M. 1417 such as Washington Place which has Washington Street access, O’Hanlon Ranch has F.M. 1417 street access and have heard rumors of grocery stores coming in there, this will be an economic driver for Sherman, but it needs to be well planned. If you add something in there that is going to add to the flooding, that is not going to be a part of a good traffic control situation, we are not doing the right thing and I afraid it will hurt more development on F.M. 1417.”

Commissioner Atherton explained she had heard earlier that there were recently other patio homes, permits granted in west Sherman, so she asked if they could tell them where they were.

Chairman Sofey explained patio homes were granted in the O’Hanlon Ranch subdivision off of Lamberth Road.

David Kight explained there was another on Rex Cruse, 50 foot lots.

Commissioner Atherton asked if both of them were one way in and out.

Chairman Sofey explained on Rex Cruse all the lots face a major road and the patio homes in the O’Hanlon subdivision had some neighbors concerned with dumping onto Shady Oaks Lane, but there was another exit also.

Rita Gaither, Development Coordinator explained the Diamond Tee subdivision off of Dewey Lane has one entrance and exit.

Commissioner Atherton and Chairman Sofey explained

Dewey was a larger street than these.

Commissioner Atherton explained one of the residences brought up the stacking space from the gate to the first house, how many cars do you have from the gate and where you would have to be back to get in the gate.

David Kight explained there are 240 plus feet from the first house on Sandra to where the gate would be, which is ten or more cars. He explained there has to be a turn-around, there has to be a knox box for fire and emergency personnel, all of those things per City Code. As far as drainage, the area that drains to the railroad berm on the east side, whether this project happens or not, he felt something needs to be done. "If we did the project we would fix it at cost of the private individual, development costs, we would help the drainage situation. If I thought these houses were going to flood, we wouldn't do it."

Mr. Kight explained he has visited with TXDOT and the City and there is a possibility, but it is not funded that the bridge at F.M. 1417 that adjoins this property is going to be lowered and removed and they could possibly have access at that point, but they do not right now.

Mr. Schmitt explained the gentleman which spoke about the Corp of Engineers, the jurisdictional waters of the U.S. was correct about this area, the contributory creek does fall within jurisdictional criteria according to the Corp. "What the Corp did instead of receiving multiple permits for every construction project that is going on in the Country, they developed nationwide permits. There are approximately 35-40 permits that govern different levels or different criteria for construction and there are restrictions within that permit that allow you to do certain things in these areas. They were aware of those criteria and limitations and fully intend complying with them. There are things you have to validate what is jurisdictional, what is that area and there are experts on staff that are qualified to go out and make that determination and it is something they are going to do to comply with that criteria. Part of it is mitigation, mitigation in this case is going to involve rerouting the creek and making it perform better, widening the channel, cleaning it out, getting rid of debris and trash, which would further enhance some of the flooding problems coming back from the east along the railroad corridor, they would increase the capacity of the channel."

Commissioner Nix asked if they had the authority to reroute the creek.

Mr. Schmitt explained the Corp has the jurisdiction, you have to notify them of what you are proposing to do and then they review what you are doing and if you are in compliance with the nationwide permit and if you are not, you have to go for a Corp permit, an actual Section 404

permit, which is much more involved. They attempted to establish criteria that will allow you to do certain things without stacking their books with applications. "In this case we would do a notification and show them what we are intending to do to get approval for that. You cannot just go out there and start dozing everything."

Commissioner Bethel asked the audience if they were opposed to the patio homes being built or a development in general.

Mr. Eggleston explained they were opposed to patio homes which would create more flooding and traffic in the area.

Chairman Sofey informed the Commission he felt the biggest issues were density, flooding and traffic.

Commissioner Jacobs explained if they did not grant the Specific Use Permit they could build 46 homes on 60 foot wide lots versus 56 homes on 50 foot wide lots. The property is zoned an R-1 (One Family Residential) District which means if this request is turned down they could develop the property with 6,000 square foot lots and 60 foot of frontage per lot without coming back for any type of variances. One entrance is acceptable in the subdivision ordinance. Drainage is the main concern; the developer does not have to fix the drainage problem they just cannot add to the problem. They are not required to make right for the whole world if the problem already exist.

Commissioner Atherton felt it was part of their decision to factor in how many gated homes they have in Sherman and conforming to the existing neighborhood, not just a density issue. She did not think it would fit in with what is in there now. She was concerned with the density issue. "Would it be different if you had Sandra Drive going forth and built regular houses, I think that is acceptable. You don't go from houses with large lots through a gate into houses with 10 feet between them; I think that is a big difference."

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

Letters were received from:

Tom & Lynda Ayers, 1706 Yarborough
Dean Martin, 1417 W. Shields
Barbara Vogelsang, 1705 Crescent Dr.
Betty Pannell, 1713 Crescent
Curry Vogelsang, 1705 Crescent
May Del Redeker, 409 Hidden Valley Trail
Burnett A. Redeker, 409 Hidden Valley Trail
Charles Sims, 1504 Crescent
Mary Hendricks, 1817 Sandra Dr.

Philip J. Mischkot, III, 421 Hidden Valley Trail
Gertrude I. Kendrick, 1819 Sandra Dr.
Mary Fulmer Fleming, 1705 Archer Dr.
Darlene Schweizer, 1408 Crescent
Louise Maret, 1404 Crescent
Charles A. Schweizer, 1408 Crescent
Kent Burkhalter, 1702 Crescent
Linda Alewine, 1717 Archer Dr.
Dr. James De. Wortham, 1722 Archer Dr.
Dan Ford, 1701 Archer Dr.
Delinda Brinkley, 417 Hidden Valley Trail
Marilyn Ford, 1701 Archer Dr.
Lee Salinas, 1709 Yarborough
West Sherman Baptist Church, 1830 W. Washington
Bill Estes, 220 Sunset Blvd., Ste. C-6
Andrea Kasanke, 1415 Crescent Dr.
Richard & Millie Boren, 1529 Crescent Dr.
Mary E. Jeffries, 1718 Crescent Dr.
Martha S. Osborne, 1705 Yarborough
Nancy & Lowell Larson, 1806 Yarborough
Michael A. Tarzis, 1814 Shields
Jessie Pearce, 1817 Shields
Loreta Bowden, 1818 W. Shields
John & Karen Brennan, 1625 Crescent
Bob Cathey, 1706 W. Shields
Randy & Diane Hudson, 1601 Archer
Lila L. Haning, 1614 Crescent Dr.
Carolyn Johnson, 1710 Yarborough
Charlene Owens, 1805 Yarborough
C.R. Haning, 1614 Crescent Dr.
Mary Lynne Jones, 1605 Archer Circle
Dennis & Susan Noblett, 1717 W. Shields
Joey H. Jordan, 1819 Crescent
Henry L. Scharff, 1709 Shields
Bobby J. Bentley & Pamela L. Bentley, 1810 Yarborough
Terrie Allen, 1806 W. Shields
Marjorie Abernethy, 1809 Shields
James Young, 1702 Archer Dr.
Doris Hibbert, 1523 Crescent
Jenifer L. Hicks, 209 Sunset Blvd.
Walter & Sandra Eagleton, 1702 Yarborough
Aziz Hassan, 1219 W. Main, Denison
Jack E. Jackson, 1535 Crescent
Mary Jackson, 1535 Crescent
Chad Oakley, 1706 Archer Dr.
Eugene H. Lund, 1815 Sandra Dr.
Robert Peckenpaugh, 1002 E. Martin
Dale Schores, 1411 Crescent
John c. Schultz, 1209 Idlewood
Wayne Renoldson, 2105 Jason Circle
Charles Brown, 2632 Rivercrest
Roger Peckenpaugh, 1023 Idlewild
Dorothy Eddy, 1805 Archer Dr.
Bruce Maxwell, 1504 Yarborough
Margaret S. Goff, 1718 Archer Dr.
Leigh Ann Goff, 1718 Archer Dr.

Garner Simpkins, 2509 Hidden Valley Trail
Todd Daniel, 2511 Hidden Valley Trail
Gary L. Kirby, 1600 Archer Circle
Dan & Marie Schores, 1813 Yarborough
Mary Taylor, 1721 Archer Dr.
Sam L. Wilson, 1809 Yarborough
Joe Taylor, 1721 Archer Dr.
LaTressa & Ron Woods, 1801 Yarborough
Chris J. Oestreich, 1729 Archer Dr.
J. & Janet Fletcher, 1602 Crescent
Jean Shellenberger, 1624 Yarborough
Roger Shellenberger, 1624 Yarborough
Cherry Kirby, 1600 Archer Circle
Joe Banks, 1649 Crescent
Sylvia Wynne, 1710 Archer Dr.
Wilson Wynne, 1710 Archer Dr.
Sandra Mischkot, 421 Hidden Valley Trail

They were concerned with:

- Additional flooding that would result with the construction of 56 patio homes. Sandy Creek is located on the property where the patio homes are to be built and this creek is the primary drainage for the area.
- The environmental risks associated with an abandoned oil well on the property. There is no documentation on file with the State of Texas stating that the abandoned well was properly remediated pursuant to the requirements of the Texas Railroad Commission.
- Safety issues with additional traffic in the area. Sandra Drive is the only entrance and exit to the property and it is only 30 feet wide. With 56 patio homes averaging two cars each and assuming one trip daily for each car leaving and returning, you would have a minimum of 236 trips down a narrow street which is not designed to handle such traffic.
- Pedestrian traffic was also a concern. Each day a significant number of children walk to school and play in the area, other pedestrians walk, jog, and bicycle in the area. The likelihood that a child or other pedestrian will be injured significantly increases with the additional traffic and congestion.
- Depreciation of the property value in the area that will occur from the addition of 56 patio homes. The proposed patio homes are not comparable in size and quality to the existing homes in the area.
- Rise in burglaries, theft, vandalism, trash and accidents as a result of the lower income housing.

A petition with 100 signatures was also received in opposition to the request.

ACTION TAKEN.

Motion by Commission Member Jones to deny the request.

Second by Commission Member Atherton.

David Kight asked the Commission to table or be able to withdraw his request before a vote was taken.

Scott Shadden explained it is the board's choice to table the request or not.

Commissioner Atherton asked if the request is tabled could they be doing this again next month.

Chairman Sofey explained yes.

Mr. Kight explained they are going to look at the economic feasibility of a 60 foot lot spacing so they would not need to come back before the Commission.

Doreen McGookey, City Attorney explained to the Commission Robert's Rules of Order which is a guideline for the Board, they are not binding the Board, the Board can have their own rules. You could go forward with the motion with a vote or they could do a motion to withdraw, but the proper thing would be to have a vote on the motion that was on the floor and bring up a new motion to table it. Robert's Rules of Order are a guideline, it doesn't affect the validity of any action the Board takes.

Commissioner Davis explained if the request is tabled, they would have to come back, have a new agenda, notices would have to be sent to all the residences at another time.

Mr. Shadden explained if they table it until next month, it will definitely be on the agenda for next month. If it is withdrawn it is gone until it is re-advertised and started over.

Commissioner Atherton explained if they do the study, they do not have to come back at all.

The Commission decided to vote on the motion that was on the floor. Chairman Sofey restated the motion to deny the request with a second.

VOTING AYE: ATHERTON, JONES, DAVIS, NIX, AND
PLYLER.

VOTING NAY: SOFTLY JACOBS, AND BETHEL

MOTION CARRIED

THE REQUEST WAS DENIED

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

PRELIMINARY PLAT

THE REQUEST OF ROBERT W. MINSHEW (OWNER),
DAVID KIGHT, DBA NORTEX AFFORDABLE HOMES
(DEVELOPER), TEAGUE, NALL AND PERKINS,
(ENGINEERS) AND UNDERWOOD DRAFTING AND

PRELIMINARY PLAT –
SAND CREEK ADDN,
BLKS A THRU C
1900-2600 BLKS
SANDRA DR (ROBERT

SURVEYING, (SURVEYORS) CONCERNING THE
PROPERTY LOCATED IN THE 1900-2600 BLOCKS
SANDRA DRIVE, BEING 32.02 ACRES IN THE J.B.
MCANAIR SURVEY, ABSTRACT NO. 763 AND THE G.W.
MCGLOTHIN SURVEY, ABSTRACT NO. 828 AS FOLLOWS;
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT OF SAND CREEK ADDITION, BLOCKS
A THRU C

W. MINSHEW)

(WITHDRAWN)

David Kight withdrew the request for the preliminary plat.

OTHER BUSINESS

REVIEW DRAFT ORDINANCE UPDATES OF OVERLAY
DISTRICTS AND CONSIDER RECOMMENDATION TO THE
CITY COUNCIL FOR ADOPTION.

SAM RAYBURN, HWY.
75 & 82 AND FM 1417
OVERLAY DISTRICT
DRAFT ORDINANCE
UPDATES

Chairman Sofey explained at the December 11, 2007
Special Called Meeting, the City Council discussed
development standards for Sherman's major highways and
thoroughfares which are the gateways into Sherman. Scott
Shadden, Director of Development Services presented
slides outlining the regulations for the Highway 75/82
Overlay District, the Sam Rayburn Overlay District and the
FM 1417 Overlay District. A subcommittee was established
at the December 18, 2007 Planning and Zoning
Commission. The Planning and Zoning members include:
Jason Sofey, Steve Jones and Robin Atherton. The
committee met and recommended the FM 1417 Overlay
District standards be added to the 75/82 and Sam Rayburn
Overlay Districts.

No other citizens appeared before the Planning and Zoning
Commission to discuss the amendments to the Highway
75/82, Sam Rayburn Freeway and FM 1417 Overlay
Districts.

ACTION TAKEN.

Motion by Commission Member Nix to approve the draft
ordinance amendments to the Sam Rayburn, Highway 75 &
82 and FM 1417 Overlay Districts and forward the
recommendation to the City Council. Second by
Commission Member Bethel.

VOTING AYE: SOFTLY, DAVIS, JONES, ATHERTON,
PLYLER, BETHEL, JACOBS, NIX AND SOFEY.

VOTING NAY: NONE

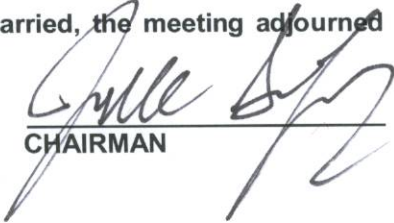
MOTION CARRIED

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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned
at 8:50 p.m.

ADJOURNMENT


CHAIRMAN

PLANNING & ZONING COMMISSION MINUTES – JANUARY 22, 2008


SECRETARY

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

408 & 410 North Cleveland Street
Being Lot 10, Block 23, College Park Addition,
Site Plan and Building Design Approval

Requested Action/Proposed Use:

Site plan and building design approval for a duplex in an R-1 (One and Two Family Residential) District and College Park Overlay District

Background

This item was tabled at the December 18, 2007 meeting because the plans did not reflect the minimum 1,200 square foot required in the College Park Overlay District. The owner would like to construct a two story duplex with two bedrooms per side for a total of four bedrooms. Parking will be provided with two outside parking spaces per side and one car garage per side. The exterior will be hardy plank siding, tan with light tan trim. This request was submitted June 14, 2007; before the ordinance was amended.

Adjacent Zoning:

R-1 (One and Two Family Residential) District

Origination:

Noe Lopez (Owner)

Master Plan Designation:

Residential

Attachments:

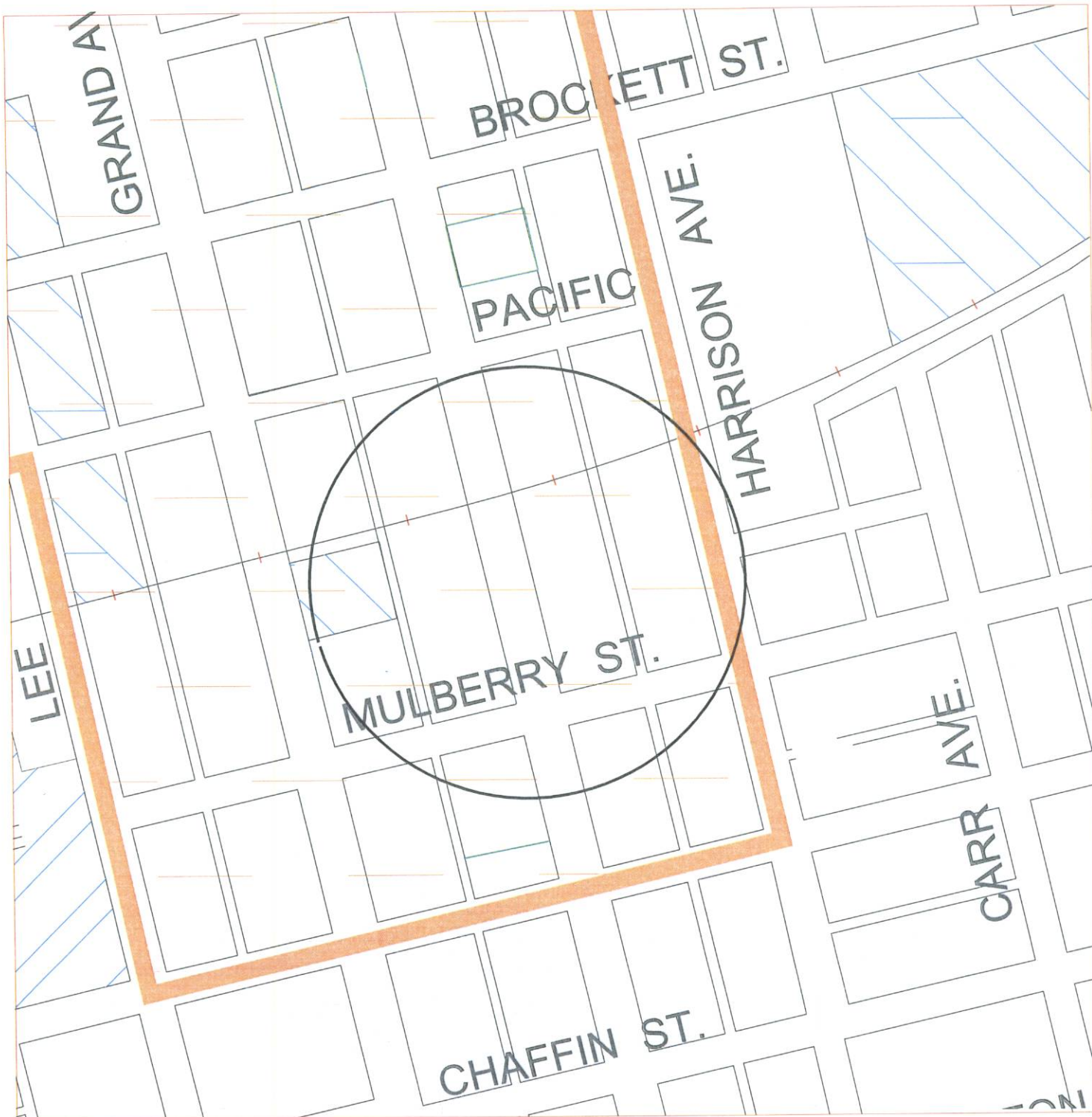
Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:

Patsy Reeves
Developmental Services Secretary

Approved By:

Scott Shadden,
Director of Developmental Services



LEGEND

	R-A	SINGLE FAMILY AGRICULTURAL DISTRICT
	SF-1	SINGLE FAMILY RESIDENTIAL DISTRICT
	R-1	ONE AND TWO FAMILY RESIDENTIAL DISTRICT
	R-2	MULTI-FAMILY RESIDENTIAL DISTRICT
	C-1	RETAIL BUSINESS DISTRICT
	C-2	GENERAL COMMERCIAL DISTRICT
	CO	OFFICE DISTRICT
	M-1	LIGHT MANUFACTURING DISTRICT
	M-1.5	MEDIUM MANUFACTURING DISTRICT

	M-2	HEAVY MANUFACTURING DISTRICT
	M-H	MANUFACTURED HOUSING DISTRICT
		BLALOCK INDUSTRIAL PARK
	O-1	OVERLAY DISTRICT - 75 & 82
	O-1.1	OVERLAY DISTRICT - 1417
	O-1.2	OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CPO	COLLEGE PARK OVERLAY
	A&C	ARTS & CULTURAL OVERLAY DISTRICT
	CBD	CENTRAL BUSINESS DISTRICT



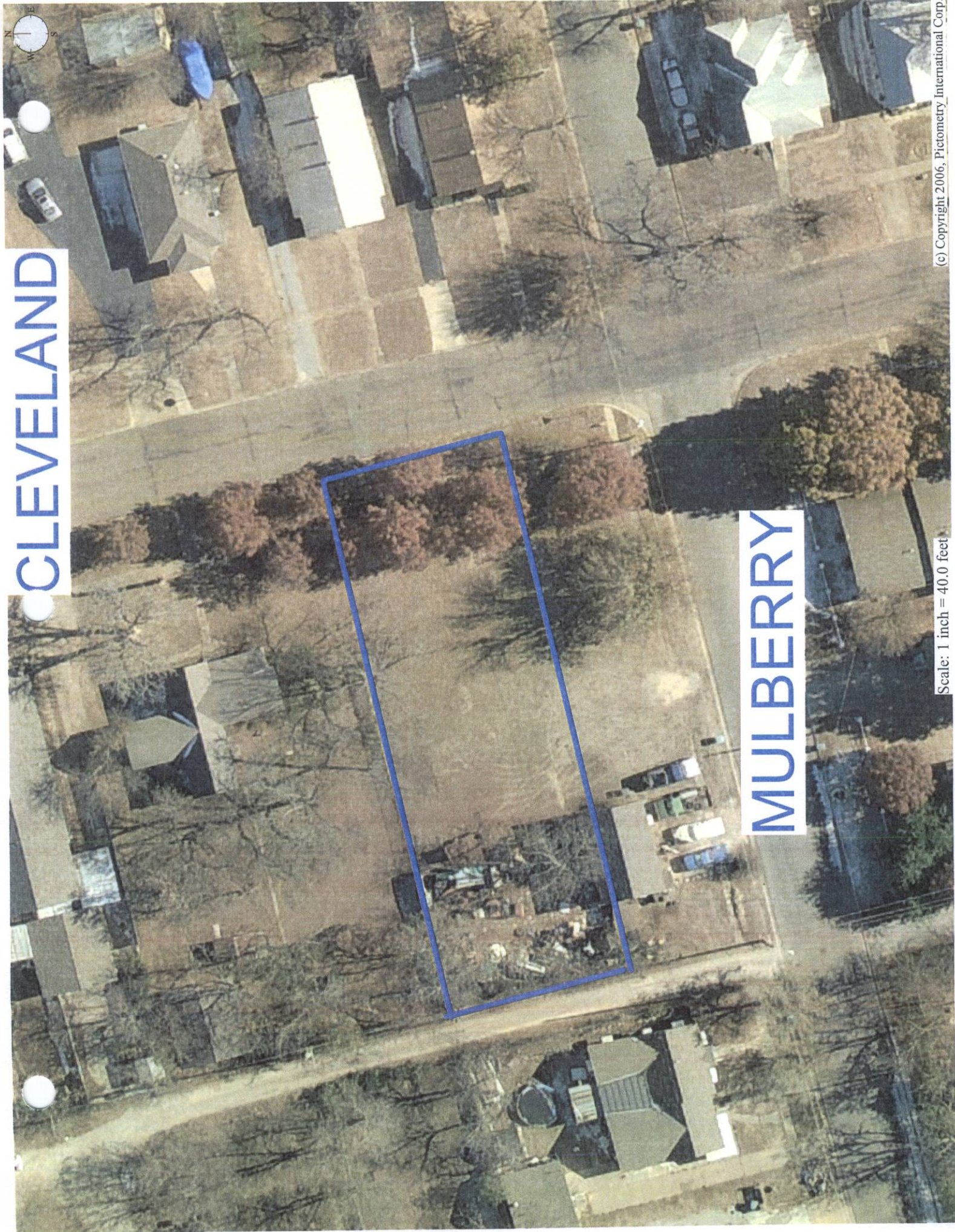
408 & 410 N. CLEVELAND SITE PLAN

ENGINEERING DEPARTMENT

4/24

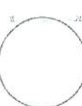
CLEVELAND

MULBERRY



Scale: 1 inch = 40.0 feet

(c) Copyright 2006, Pictometry International Corp.



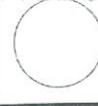
Drawn By: JTB
Issue For Permit: 12-02-07
Issue For Review: 12-02-07
Issue For Construction: 12-02-07
Revised: 12-18-07

The undersigned hereby certifies that the above information is true and correct to the best of their knowledge and belief, and that they are duly qualified to practice as architects in the State of Texas.

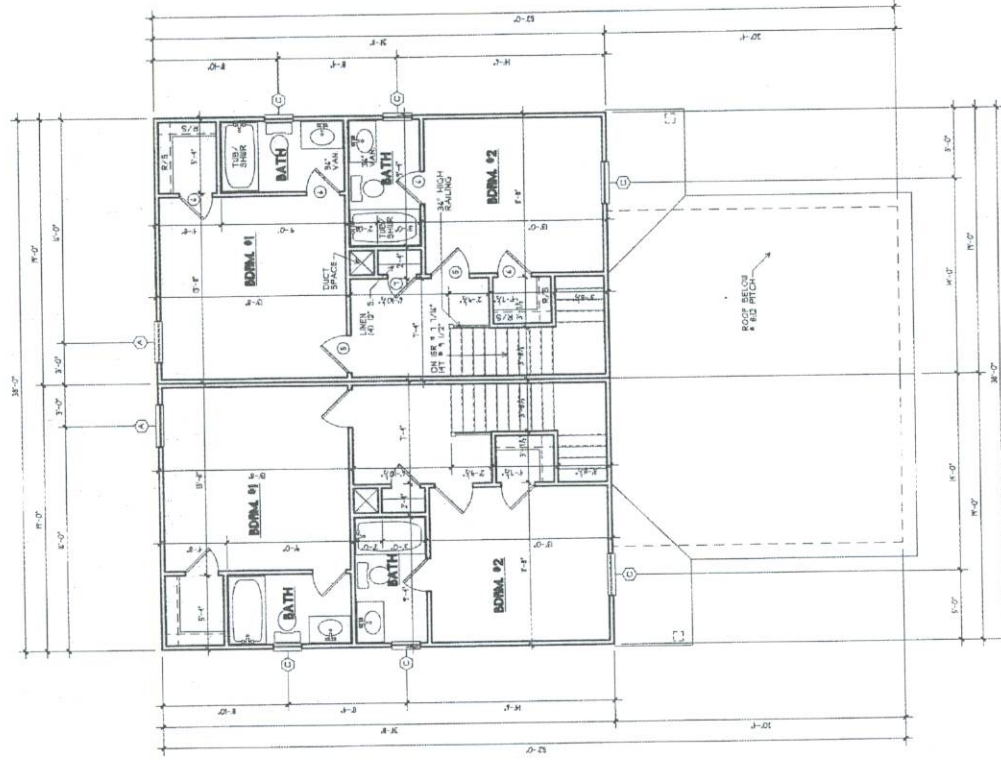
NEW SINGLE FAMILY RESIDENCE FOR THE
NDT CONSTRUCTION
SHEKMAN
TEXAS

Jersey W. Bullard
DESIGN STUDIO, LLC
1225 S. Main St.
Sherman, Texas 79069
903-821-8841
jebullard@bbsgroup.com

Sheet No. A4
Project No. 07284-353



2 BEDROOM DUPLEX

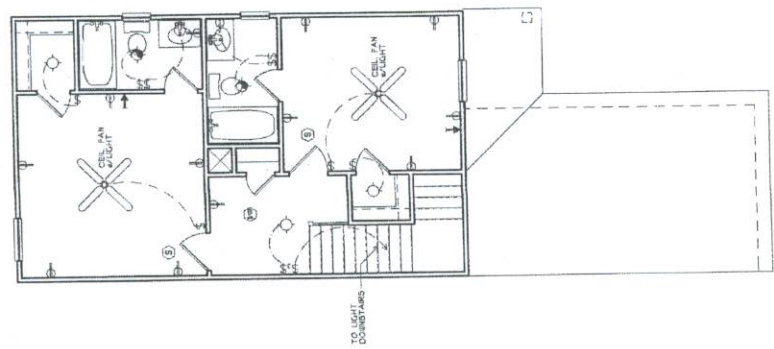


01 SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"

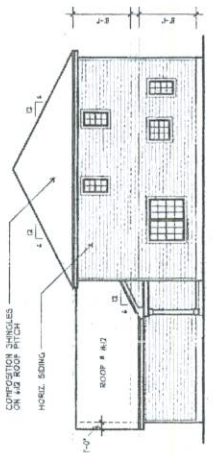
DOOR SCHEDULE	
NOTES: VAMP DOOR W/OWNER	
DOOR SIZES	DOOR SCHEDULE
1. 2'0" x 2'8"	1. 2'0" x 2'8" - 1/2" SLIP PER OWNER
2. 2'4" x 4'8"	2. 2'4" x 4'8" - 1/2" SLIP PER OWNER
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8. 1'8" x 4'8"	8. 1'8" x 4'8" - 1/2" SLIP PER OWNER

WINDOW SCHEDULE	
NOTES: SHUT WINDOW VAMP DOOR W/OWNER	
WINDOW SIZES	WINDOW SCHEDULE
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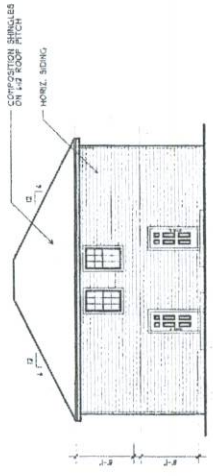
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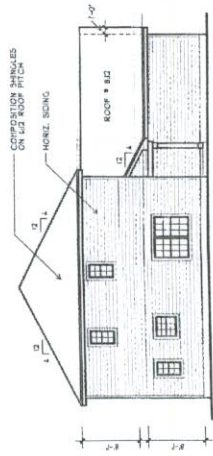
02 SECOND FLOOR ELECTRICAL PLAN
SCALE 1/4" = 1'-0"



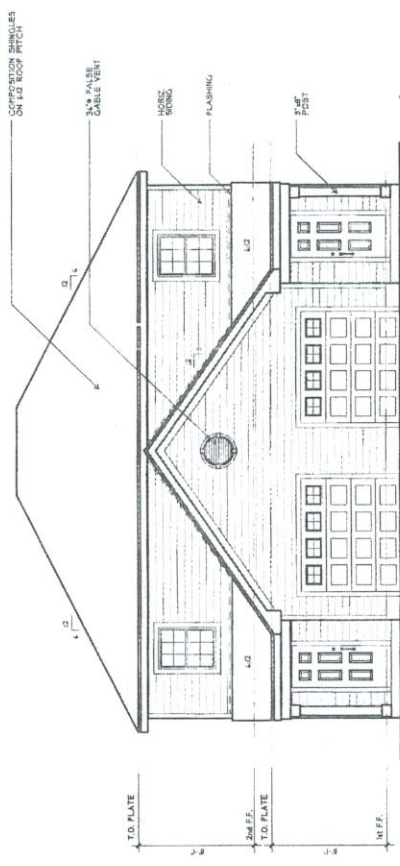
04 RIGHT ELEVATION
SCALE 1/8"=1'-0"



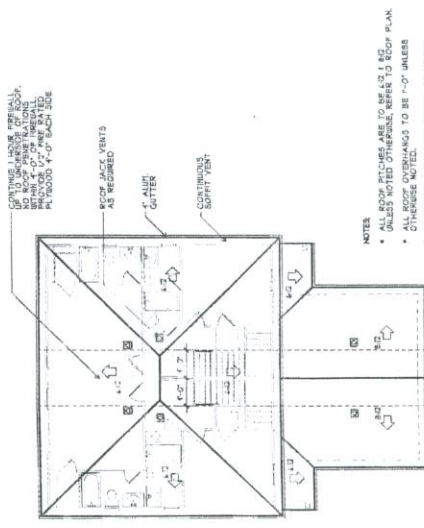
OS REAR ELEVATION
SCALE: 1/8" = 1'-0"



02 LEFT ELEVATION
SCALE 1/8"=1'-0"



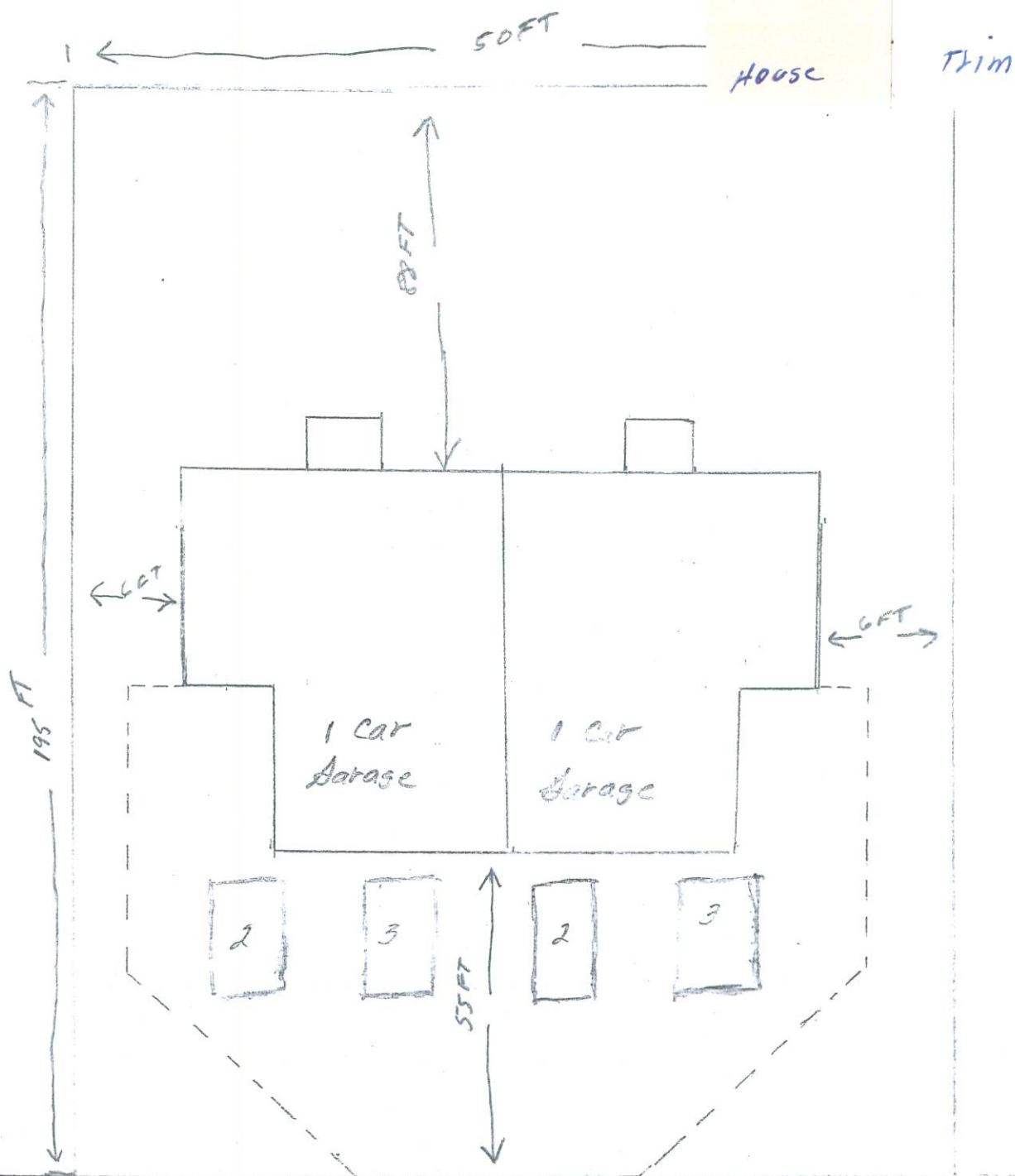
01 FRONT ELEVATION
SCALE 1/4"=1'-0"



05 ROOF PLAN
SCALE: 1/8"=1'-0"

NOTES:

- * ALL ROOF PITCHES ARE TO BE 4:12 RISE UNLESS NOTED OTHERWISE. REFER TO ROOF PLAN
- * ALL ROOF OVERHANGS TO BE 6" UNLESS OTHERWISE NOTED.
- * ALL GUTTERS TO BE 24" AT 2" D.C.
- * ALL SLOPES TO BE 2" IN 10' UNLESS NOTED OTHERWISE.
- * CONTRACTOR TO PROVIDE ROOF VENTILATION TO MEET REQUIREMENTS OF I.N.C. SECTION 904.



Cleveland

408 & 410 N Cleveland

**STAFF REVIEW LETTER**

January 16, 2008

Noe Lopez
1305 Schneider Road
Howe, Texas 75459

Dear Applicants,

Your request for approval of a Site Plan for property located at 408 and 410, North Cleveland has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. The maximum driveway width is 24 feet.
2. A driveway permit is required and must be inspected by the Engineering Department.
3. The driveway approach must be HMAC or concrete.
4. 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither at 903-892-7212 prior to the meeting.

Respectfully,

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

CC:	George Olson, City Manager	Danny Fuller, Fire Marshal
	Mark Gibson, Director of Utilities & Engineering	Jeff Miller, Director of Public Works
	Doreen E. McGookey, City Attorney	James Shankles, Jr., P.E., City Engineer
	Rita Gaither, Development Coordinator	

*City of Sherman
Planning and Zoning Commission
Board of Adjustment
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman*

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

412 Cleveland Street, Suites 100 & 200
Being Lot 9, Block 23, College Park Addition,
Site Plan and Building Design Approval

Requested Action/Proposed Use:

Site plan and building design approval for a duplex in an R-1 (One and Two Family Residential) District and College Park Overlay District

Background

This item was tabled at the December 18, 2007 meeting because the plans did not reflect the minimum 1,200 square foot required in the College Park Overlay District. The owner would like to construct a two story duplex with two bedrooms per side for a total of four bedrooms. Parking will be provided with two outside parking spaces per side and one car garage per side for a total of six spaces. The exterior will be hardy plank siding; gold with beige trim. This request was submitted June 14, 2007; before the ordinance was amended.

Adjacent Zoning:

R-1 (One and Two Family Residential) District

Origination:

Noe Lopez (Owner)

Master Plan Designation:

Residential

Attachments:

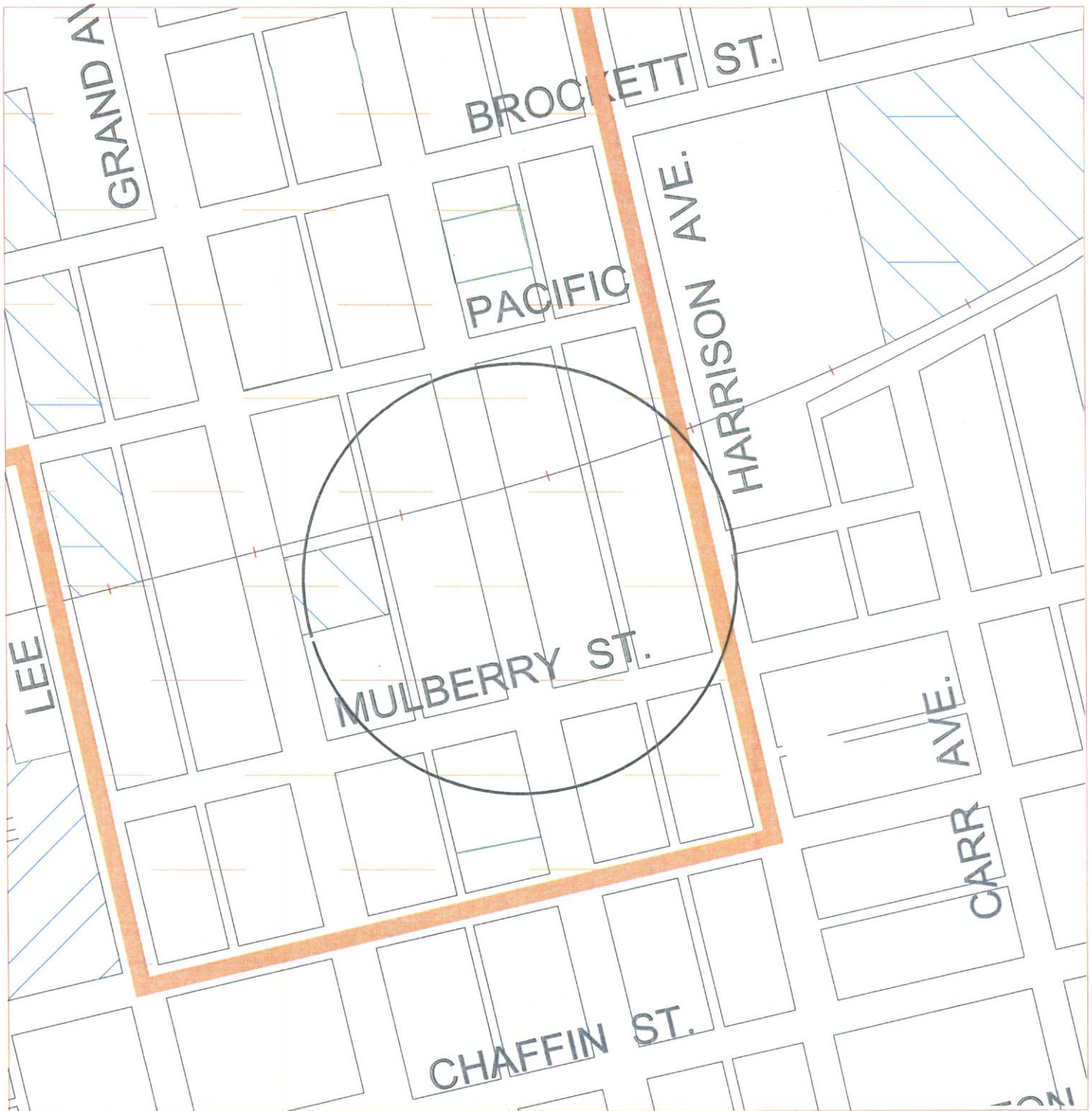
Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:

Patsy Reeves
Developmental Services Secretary

Approved By:

Scott Shadden,
Director of Developmental Services



LEGEND

	R-A	SINGLE FAMILY AGRICULTURAL DISTRICT		M-2	HEAVY MANUFACTURING DISTRICT
	SF-1	SINGLE FAMILY RESIDENTIAL DISTRICT		M H	MANUFACTURED HOUSING DISTRICT
	R-1	ONE AND TWO FAMILY RESIDENTIAL DISTRICT			BLALOCK INDUSTRIAL PARK
	R-2	MULTI-FAMILY RESIDENTIAL DISTRICT		O-1	OVERLAY DISTRICT - 75 & 82
	C-1	RETAIL BUSINESS DISTRICT		O-1.1	OVERLAY DISTRICT - 1417
	C-2	GENERAL COMMERCIAL DISTRICT		O-1.2	OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO	OFFICE DISTRICT		CPO	COLLEGE PARK OVERLAY
	M-1	LIGHT MANUFACTURING DISTRICT		A&C	ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5	MEDIUM MANUFACTURING DISTRICT		CBD	CENTRAL BUSINESS DISTRICT



412 N. CLEVELAND SITE PLAN

ENGINEERING DEPARTMENT



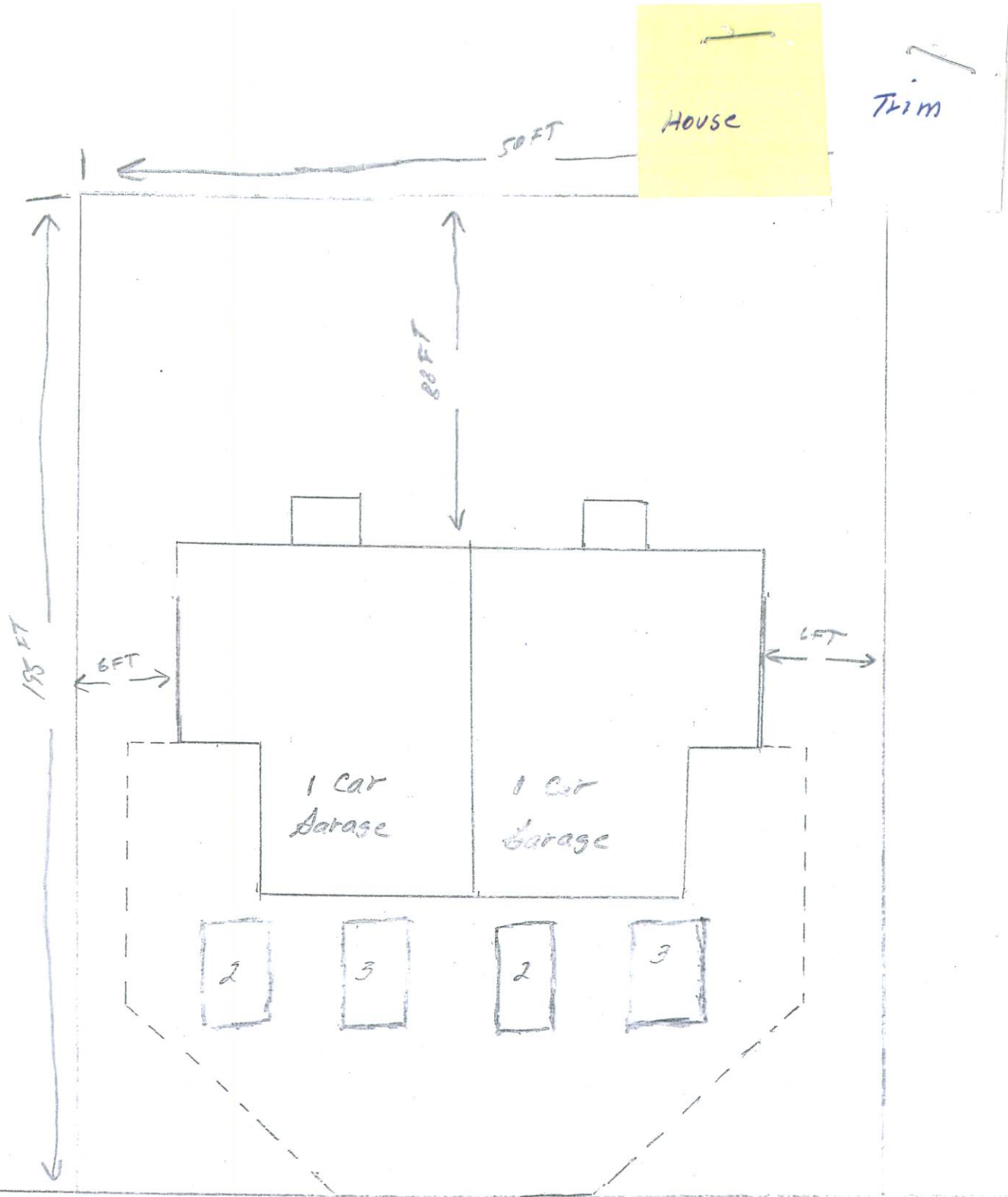
CLEVELAND

MULBERRY

Scale: 1 inch = 40.0 feet

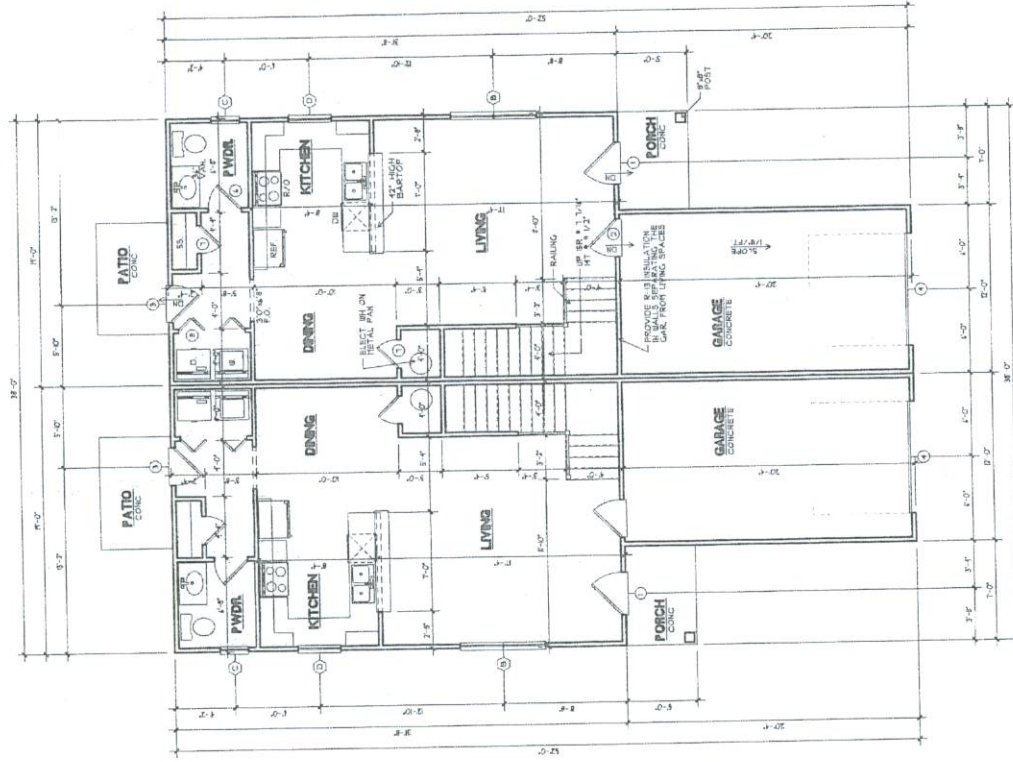
(c) Copyright 2006, Picometry International Corp.





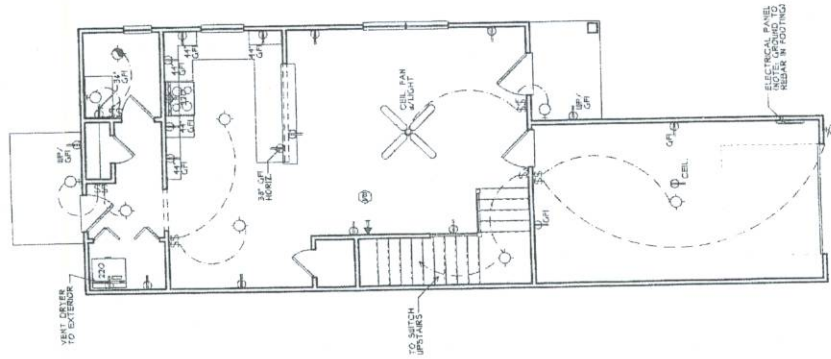
Cleveland

412 W Cleveland
100 to 200

[illegible]

WINDOW SCHEDULE			
	WINDOW SIZES	QTY	NOTES
A	3'0" x 5'0"	8	5" x 8" WINDO
B	3'0" x 6'0"	2	WINDO TO HAVE LOWE
C	3'0" x 6'0"	4	WINDO TO HAVE LOWE
D	3'0" x 2'0"	2	WINDO TO HAVE LOWE
E	3'0" x 2'0"	2	WINDO TO HAVE LOWE

ELECTRICAL LEGEND	
①	SMALL OUTLET
②	220 VOLT BALL OUTLET
③	UNGATED BALL OUTLET
④	SWITCH
⑤	THREE WAY SWITCH
⑥	WALL MOUNTED LIGHT FIXTURE
⑦	CEILING MOUNTED LIGHT FIXTURE
⑧	EXHAUST FAN
⑨	TELEPHONE JACK
⑩	TELEVISION CONNECTION
⑪	ELECTRICAL PANEL
⑫	JUNCTION BOX
⑬	THERMOSTAT
⑭	SMOKE DETECTOR
⑮	CARBON MONOXIDE DETECTOR
⑯	SHOCK/ACO DETECTOR
⑰	RECESSED CAM LIGHT
⑱	RECESSED STYRAL LIGHT



02 FIRST FLOOR ELECTRICAL PLAN
SCALE: 1/4"=1'-0"

Drawn By: JTB
 Issue For Permit: 10-28-07
 Issue For Review: 10-28-07
 Date Per Construction: 10-28-07
 Revision: 10-19-07

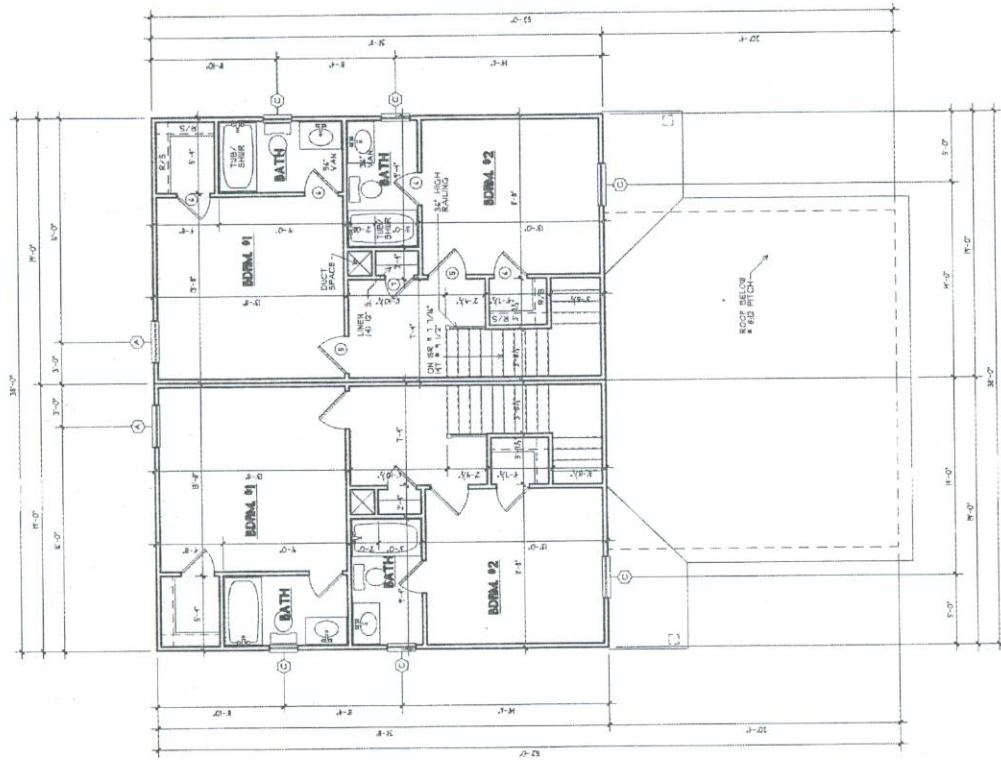
THE FOLLOWING INFORMATION IS FOR YOUR INFORMATION ONLY. IT IS NOT A CONTRACT. IT IS THE POLICY OF NDT CONSTRUCTION, INC. TO OBTAIN ALL NECESSARY PERMITS AND INSURANCE. NDT CONSTRUCTION, INC. IS NOT RESPONSIBLE FOR ANY DAMAGE TO OR LOSS OF ANY PROPERTY OR PERSONAL INJURY OR DEATH. NDT CONSTRUCTION, INC. IS NOT RESPONSIBLE FOR ANY DAMAGE TO OR LOSS OF ANY PROPERTY OR PERSONAL INJURY OR DEATH. NDT CONSTRUCTION, INC. IS NOT RESPONSIBLE FOR ANY DAMAGE TO OR LOSS OF ANY PROPERTY OR PERSONAL INJURY OR DEATH.

NDT CONSTRUCTION
 NEW SINGLE FAMILY RESIDENCE FOR THE
 SHERMAN
 TEXAS

JOSEPH W. DILLARD
 DESIGN STUDIO, LLC
 226 S. HARRIS
 SHERMAN, TEXAS 75090
 903-821-8841
 jwd@jwdstudio.com

2 BEDROOM DUPLEX

Sheet No: A4
 Project No: 07258-303



01 SECOND FLOOR PLAN
 SCALE 1/4"=1'-0"

DOOR SCHEDULE

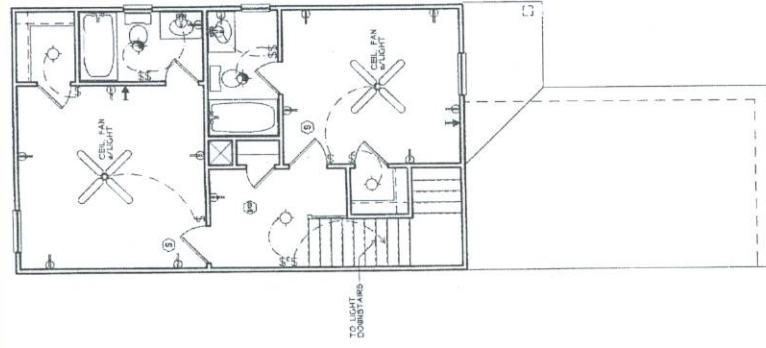
DOOR SIZES	QUANTITY	NOTES
1 3'0" x 8'0"	1	FRONT ENTRY W.D.L. - STYLE PER OWNER
2 3'0" x 8'0"	2	REAR ENTRY W.D.L. - STYLE PER OWNER
3 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
4 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
5 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
6 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
7 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
8 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
9 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER

WINDOW SCHEDULE

WINDOW SIZES	QUANTITY	NOTES
1 3'0" x 8'0"	1	FRONT ENTRY W.D.L. - STYLE PER OWNER
2 3'0" x 8'0"	2	REAR ENTRY W.D.L. - STYLE PER OWNER
3 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
4 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
5 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
6 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
7 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
8 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER
9 3'0" x 8'0"	2	DOOR INTO GARAGE - STYLE PER OWNER

ELECTRICAL LEGEND

1	HALL OUTLET
2	200 VOLT WALL OUTLET
3	DEDICATED BALL OUTLET
4	SWITCH
5	THREE WAY SWITCH
6	HALL POINTED LIGHT FIXTURE
7	CEILING POINTED LIGHT FIXTURE
8	SHOWER FAN
9	TELEPHONE JACK
10	TELEVISION CONNECTION
11	ELECTRICAL PANEL
12	JUNCTION BOX
13	THERMOSTAT
14	SMOKE DETECTOR
15	CARBON MONOXIDE DETECTOR
16	SMOKE/CO DETECTOR
17	RECESSED CAN LIGHT
18	RECESSED REBELL LIGHT



02 SECOND FLOOR ELECTRICAL PLAN
 SCALE 1/4"=1'-0"



Drawn By: JWB
Date: 10-28-07
Issue For Review:
Issue For Construction:
10-28-07
Revised:

The design herein being the property of JWB, LLC, is the intellectual property of JWB, LLC. It is to be used only for the project and location specified herein. No part of this design may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without prior written permission from JWB, LLC.

TEXAS
SHERMAN
NDT CONSTRUCTION
NEW SINGLE FAMILY RESIDENCE FOR THE

Jeremy W. Bullard
DESIGN STUDIO, LLC
226 Summit Rd.
Sherman, Texas 75090
937-821-0941
jwbullard@jwbullard.com



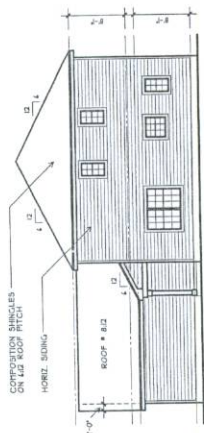
Sheet No.

A5

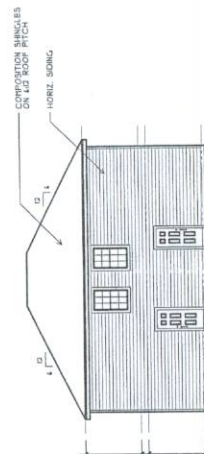
Project No.
07022-03



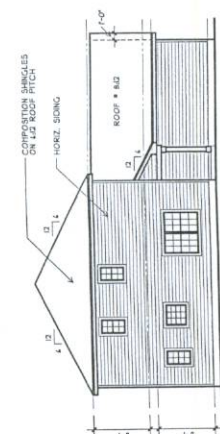
2 BEDROOM DUPLEX



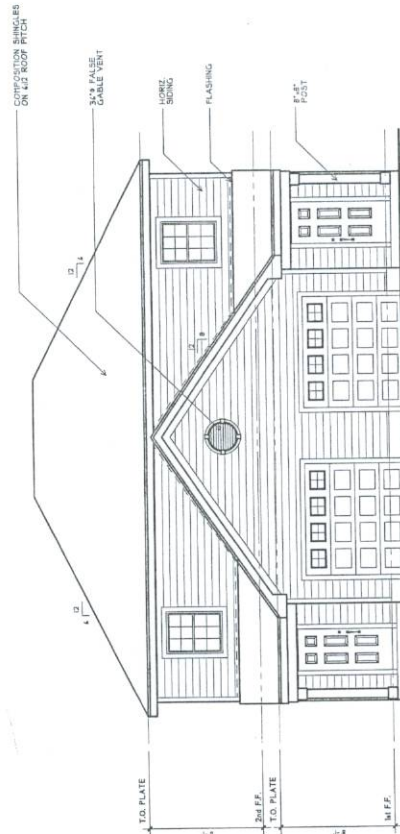
04 RIGHT ELEVATION
SCALE 1/8"=1'-0"



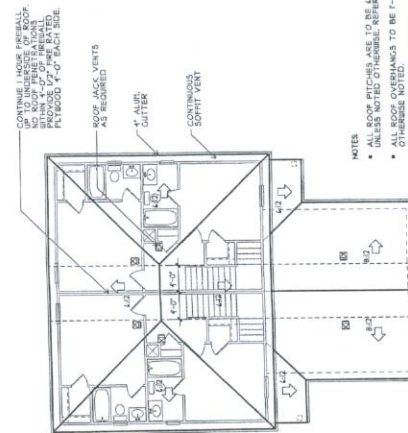
03 REAR ELEVATION
SCALE 1/8"=1'-0"



02 LEFT ELEVATION
SCALE 1/8"=1'-0"



01 FRONT ELEVATION
SCALE 1/4"=1'-0"



05 ROOF PLAN
SCALE 1/8"=1'-0"

- NOTES
- ALL ROOF PITCHES ARE TO BE 12/12 8/12 OR FLAT UNLESS NOTED OTHERWISE REFER TO ROOF PLAN
 - ALL CEILING JOISTS TO BE 2"x4" AT 16" O.C. (VERIFY WITH SPAN SIZE AND LOCATION)
 - CONTRACTOR TO PROVIDE ROOF JOISTS AND TRUSSES IN ACC. SECTION REGION

**STAFF REVIEW LETTER**

January 16, 2008

Noe Lopez
1305 Schneider Road
Howe, Texas 75459

Dear Applicants,

Your request for approval of a Site Plan for property located at 412, North Cleveland has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. The maximum driveway width is 24 feet.
2. A driveway permit is required and must be inspected by the Engineering Department.
3. The driveway approach must be HMAC or concrete.
4. 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither at 903-892-7212 prior to the meeting.

Respectfully,

Scott Shadden,
Secretary, Planning and Zoning Board and Board of Adjustment

CC: George Olson, City Manager
Mark Gibson, Director of Utilities & Engineering
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

2100-2400 Blocks of Hudgins Road (Highway 289 Extension)
and the 400-500 Blocks of Preston Club Drive,
51.84 acres in the Daniel Bickenback Survey, Abstract No. 128, the J.M. Thomas Survey,
Abstract No. 1234, and the J.K. Miller Survey, Abstract No. 819
Preliminary Plat

Requested Action/Proposed Use:

Preliminary Plat of Preston Club, The Classics – Phase Four in the City of Sherman's Extra Territorial Jurisdiction

Background

This is a preliminary plat of property adjacent to Preston Club. This is the first phase that falls into the City of Sherman's jurisdiction. It is a continuation of streets from the Preston Club Addition and also has a connection onto Hudgins Road (Highway 289 Extension).

Adjacent Zoning:

NA

Origination:

Robert J. Tate, Christopher Rehmet, Claire Rehmet (Owners), Sartin and Associates (Surveyors), and George Kalmon (Engineer)

Master Plan Designation:

Residential

Attachments:

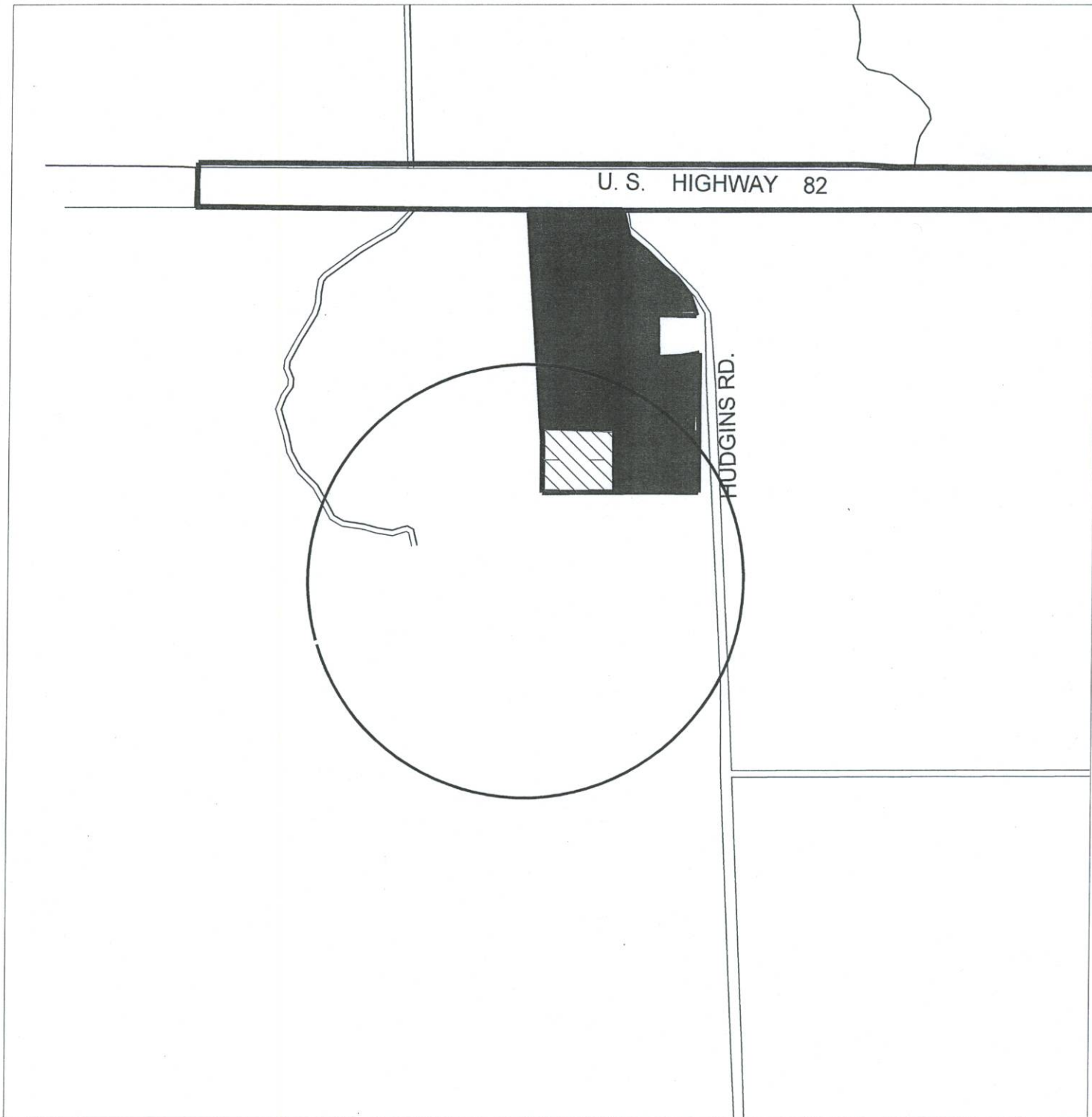
Location map
Photographs
Preliminary Plat
Staff Review

Prepared By:

Rita Gaither
Planning & Development Coordinator

Approved By:

Scott Shadden
Director of Developmental Services



LEGEND

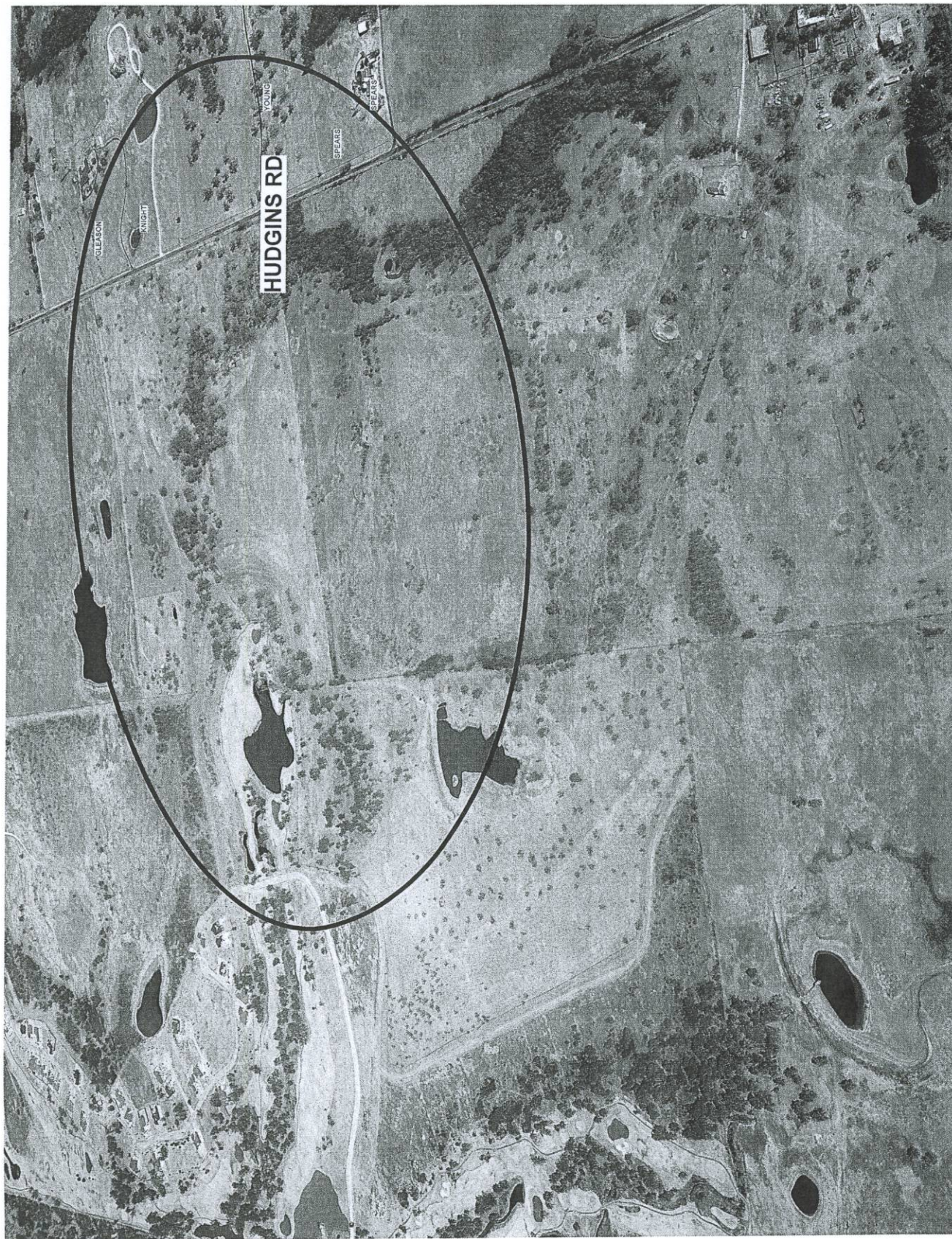
	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1 OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	C-O OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



2100-2400 BLK HUDGINS RD.
PRELIMINARY PLAT

ENGINEERING DEPARTMENT





(c) Copyright 2006, Pictometry International Corp.

Average Scale: 1 inch = 501.7 feet



January 16, 2008

Robert J. Tate
4520 Texoma Parkway
Sherman, Texas 75090

Christopher Rehmet
Claire Tate Rehmet
4520 Texoma Parkway
Sherman, Texas 75090

Dear Applicants,

Your request for approval of a preliminary plat for property located in the 2100-2400 Blocks of Hudgins Road (Highway 289 Extension) and the 400-500 Blocks of Preston Club Drive has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. A preliminary drainage plan is to be provided. Detention is required unless the runoff from the development can be directly discharged to designated FEMA floodway that has adequate capacity.
2. Development in the floodplain shall follow City of Sherman regulations.
3. It is recommended that a lot grading plan be included in the construction plans.
4. Rural streets shall have a 70' ROW.
5. Cul-de-sacs shall have a minimum pavement diameter of 100'.
6. If private, street shall be a separate lot owned and maintained by the homeowner's association. A variance is required for no public street frontage.
7. The street lot shall also be labeled as a public access easement.
8. Reserved strip between Lot 15 and 16 shall be labeled as a lot.
9. Street names will have to be verified by GC911.
10. Any access to 289 will require conformance to TxDOT guidelines.
11. A variance is required to construct a rural type road with lots less than an acre.
12. Streets shall be constructed according to City of Sherman standards.
13. Utilities shall be constructed according to TCEQ rules.
14. Any other changes made to the preliminary plat 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Mark Gibson
Director of Utilities and Engineering

CC: George Olson, City Manager Danny Fuller, Fire Marshal
 Scott Shadden, Director of Development Services Jeff Miller, Director of Public Works
 Doreen E. McGookey, City Attorney James Shankles, Jr., P.E., City Engineer
 Rita Gaither, Development Coordinator
 George Kalmon (1814 W. Murray St., Denison, TX 75020)
 Sartin & Associates (P.O. Box 1843, Sherman, Texas 75091)

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

4700-5000 Camp Verde Circle and 4800-4900 Liberty Hill Trail
7.958 acres in the Alexander & Richards Survey, Abstract No. 42
Replat

Requested Action/Proposed Use:

Replat of Block B, Austin Landing Addition, Phase I

Background

This is a replat changing a lot configuration of a recently constructed subdivision.

Adjacent Zoning:

SF-1 (Single Family Residential) District and C-1 (Retail Business) District

Origination:

TexLanDev, LLC (Owners), Vilbig & Associates (Engineers) and Helvey & Associates (Surveyors)

Master Plan Designation:

Residential

Attachments:

Location map
Photographs
Replat
Staff Review

Prepared By:
Rita Gaither
Planning & Development Coordinator

Approved By:
Scott Shadden
Director of Developmental Services



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M-H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1 OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	C-O OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



4700-5000 CAMP VERDE CIRCLE
4800-4900 LIBERTY HILL TRAIL
REPLAT

ENGINEERING DEPARTMENT



4700-5000 Blk Camp Verde Cr. &
4800-4900 Blk Liberty Hill Trl.





TRAVIS

Average Scale: 1 inch = 282.7 feet

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January 16, 2008

TexLanDev, LLC
205 Highland Knoll
Highland Village, TX 75077

Dear Applicants,

Your request for approval of a Replat for property located in the 4700-5000 Blocks of Camp Verde Circle and the 4800-4900 Blocks of Liberty Hill Trail has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. Curve data for the replat not shown on drawing for curve located along Liberty Trail in front of Lots 13 and 14.
2. Volume and page of pipeline easements that were recorded by separate document on the replat need to be shown.
3. A note to be inserted referencing Lot 5, Block B shall be maintained by the Homeowners Association.
4. The easements shall be 20' in width.
5. A correction of the owners name is required.
6. Field notes need to list the volume and page of original plat.
7. Field note calls that are not listed in the drawing need to be added.
8. Sidewalks and drive approaches are to be to City Standards.
9. Letters from the various utility companies stating the availability of service and the adequacy of easements are required. (City will contact utility companies)
10. Original tax certificates for the property must be furnished prior to recording of the plat.
11. Any other changes made to the Replat 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Mark Gibson

Director of Utilities & Engineering

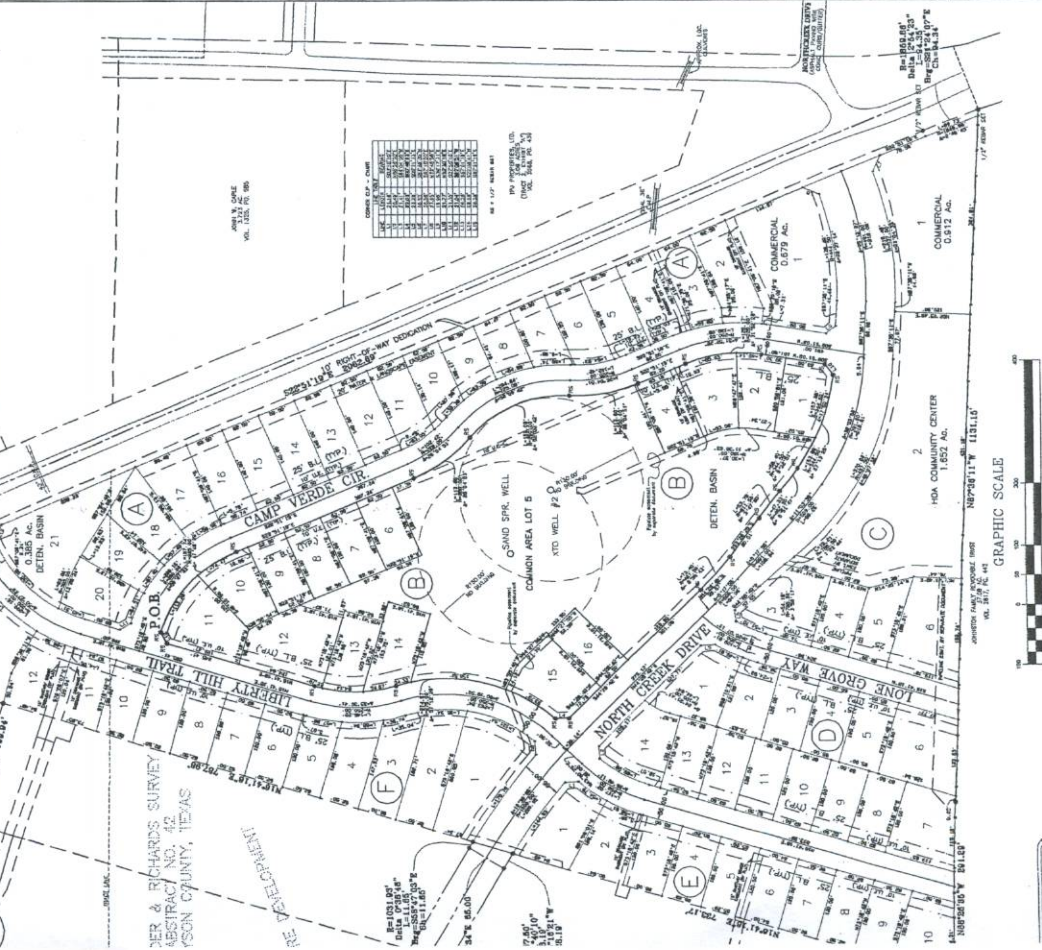
CC: George Olson, City Manager Danny Fuller, Fire Marshal
 Scott Shadden, Director of Development Services Jeff Miller, Director of Public Works
 Doreen E. McGookey, City Attorney James Shankles, Jr., P.E., City Engineer
 Rita Gaither, Development Coordinator
 Vilbig & Associates, Inc. (10132 Monroe Drive, Dallas, TX 75229)

REPLAT OF BLOCK B, AUSTIN LANDING ADDITION, PHASE ONE THE CITY OF SHERMAN, TEXAS 7.958 ACRES

IN THE
COUNTY OF GRAYSON,
STATE OF TEXAS,
ABSTRACT NO. 42,
GRAYSON COUNTY, TEXAS
ALEXANDER & RICHARDS SURVEY
TEKLADEV, LLC
OWNER

GENERAL NOTES:

1. WATER SUPPLY WILL BE PROVIDED BY THE CITY OF SHERMAN.
2. SEWER TO BE PROVIDED BY THE CITY OF SHERMAN.



FIELD NOTES

being a replat in the County of Grayson, State of Texas, and being a part of the Alexander & Richards Survey, Abstract No. 42, Grayson County, Texas, and being more particularly described by metes and bounds as follows: (See Plat)

BEGINNING of a 1/2 inch rebar set in the South line of Camp Verde Circle, a public street, at the most northerly corner of said Block "B", said point being at the beginning of a curve;

THENCE South 22 deg. 51 min. 19 sec. East, continuing with the South of West line of said Camp Verde Circle, a distance of 307.24 ft. to a 1/2 inch rebar set at the beginning of a curve;

THENCE Southwesterly, continuing with the South of West line of said Camp Verde Circle and with a curve to the left having a radius of 250.00 ft. and a central angle of 26 deg. 04 min. 51 sec. (chord bears South 35 deg. 35 min. 05 sec. East, 112.82 ft.), an arc distance of 113.80 ft. to a 1/2 inch rebar set at the end of said curve, at the Southeast corner of said Block "B";

THENCE Southwesterly, continuing with the South of West line of said Camp Verde Circle and with a reverse curve to the right having a radius of 182.08 ft. and a central angle of 27 deg. 13 min. 25 sec. (chord bears North 69 deg. 09 min. 04 sec. East, 172.56 ft.), an arc distance of 182.08 ft. to a 1/2 inch rebar set at the end of said curve, at the beginning of a reverse curve;

THENCE Southwesterly, continuing with the South of West line of said Camp Verde Circle and with a reverse curve to the left having a radius of 225.00 ft. and a central angle of 28 deg. 04 min. 51 sec. (chord bears South 09 deg. 49 min. 53 sec. East, 112.82 ft.), an arc distance of 113.80 ft. to a 1/2 inch rebar set at the end of said curve;

THENCE South 22 deg. 51 min. 19 sec. East, continuing with the South of West line of said Camp Verde Circle, a distance of 82.20 ft. to a 1/2 inch rebar set at the beginning of a curve;

THENCE Southwesterly, continuing with the South of West line of said Camp Verde Circle and with a curve to the left having a radius of 225.00 ft. and a central angle of 31 deg. 52 min. 05 sec. (chord bears South 05 deg. 35 min. 05 sec. East, 123.56 ft.), an arc distance of 123.56 ft. to a 1/2 inch rebar set at the end of said curve, at the Southeast corner of said Block "B";

THENCE South 09 deg. 49 min. 05 sec. West, continuing with the South of West line of said Camp Verde Circle, a distance of 101.80 ft. to a 1/2 inch rebar set at the beginning of a curve;

THENCE South 59 deg. 49 min. 18 sec. West, continuing with the South of West line of said Camp Verde Circle, a distance of 21.77 ft. to a 1/2 inch rebar set in the North line of said North Creek Drive, a public street, at the Southeast corner of said Block "B";

THENCE Northwesterly, continuing with the North line of said North Creek Drive and with a non-tangent curve to the right having a radius of 163.69 ft. and a central angle of 27 deg. 13 min. 25 sec. (chord bears North 69 deg. 09 min. 04 sec. East, 172.56 ft.), an arc distance of 163.69 ft. to a 1/2 inch rebar set at the end of said curve, at the beginning of a compound curve;

THENCE Northwesterly, continuing with the North line of said North Creek Drive and with a compound curve to the left having a radius of 467.50 ft. and a central angle of 05 deg. 50 min. 42 sec. (chord bears North 48 deg. 58 min. 34 sec. West, 73.32 ft.), an arc distance of 467.50 ft. to a 1/2 inch rebar set at the end of said curve, at the beginning of a reverse curve;

THENCE Northwesterly, continuing with the North line of said North Creek Drive and with a reverse curve to the left having a radius of 811.00 ft. and a central angle of 03 deg. 17 min. 50 sec. (chord bears North 51 deg. 34 min. 29 sec. West, 53.77 ft.), an arc distance of 811.00 ft. to a 1/2 inch rebar set at the end of said curve;

THENCE North 53 deg. 28 min. 25 sec. West, continuing with the North line of said North Creek Drive, a distance of 80.01 ft. to a 1/2 inch rebar set at the beginning of a curve;

THENCE Northwesterly, continuing with the North line of said North Creek Drive and with a curve to the right having a radius of 467.50 ft. and a central angle of 05 deg. 50 min. 42 sec. (chord bears North 48 deg. 58 min. 34 sec. West, 73.32 ft.), an arc distance of 467.50 ft. to a 1/2 inch rebar set at the end of said curve;

THENCE North 44 deg. 28 min. 42 sec. West, continuing with the North line of said North Creek Drive, a distance of 301.08 ft. to a 1/2 inch rebar set at the Southwest corner of said Block "B";

THENCE North 00 deg. 48 min. 23 sec. West, continuing with the North line of said North Creek Drive, a distance of 22.03 ft. to a 1/2 inch rebar set in the East line of said Liberty Hill Trail, a public street, at an angle point in said Block "B";

THENCE Northwesterly, continuing with the East line of said Liberty Hill Trail and with a non-tangent curve to the left having a radius of 275.00 ft. and a central angle of 27 deg. 13 min. 25 sec. (chord bears North 69 deg. 09 min. 04 sec. East, 203.30 ft.), an arc distance of 275.00 ft. to a 1/2 inch rebar set at the end of said curve, at the beginning of a reverse curve;

THENCE Northwesterly, continuing with the East line of said Liberty Hill Trail and with a reverse curve to the right having a radius of 225.00 ft. and a central angle of 33 deg. 30 min. 42 sec. (chord bears North 00 deg. 04 min. 01 sec. West, 123.73 ft.), an arc distance of 131.80 ft. to a 1/2 inch rebar set at the end of said curve;

THENCE North 16 deg. 41 min. 18 sec. East, continuing with the East line of said Liberty Hill Trail, a distance of 245.41 ft. to a 1/2 inch rebar set at an angle point in said Block "B";

THENCE North 62 deg. 08 min. 51 sec. East, continuing with the East line of said Liberty Hill Trail, a distance of 21.04 ft. to the

PLACE OF BEGINNING and containing 7.958 ACRES of land.

I, Billy F. Helvey, 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 and Grayson County, Texas.

I, DON COMBS, Authorized Agent for TEKLADEV, LLC., owners of REPLAT OF BLOCK B, AUSTIN LANDING ADDITION, PHASE ONE, to the CITY OF SHERMAN, TEXAS, do hereby dedicate the streets and easements shown hereon to the public use forever.

Before me the undersigned, a Notary Public in and for said County and State, on this day personally appeared DON COMBS, 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 _____, 2007.

DON COMBS
Authorized Agent for TEKLADEV, LLC.

BILLY F. HELVEY, R. F. L. S. NO. 4468
Notary Public, Grayson County, Texas

This, the first day of REPLAT OF BLOCK B, AUSTIN LANDING ADDITION, PHASE ONE TO THE CITY OF SHERMAN, TEXAS, is hereby approved this _____ day of _____, 2007, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman
This, the first day of REPLAT OF BLOCK B, AUSTIN LANDING ADDITION, PHASE ONE TO THE CITY OF SHERMAN, TEXAS, is hereby approved this _____ day of _____, 2007, by the City Council of the City of Sherman, Texas.

Secretary
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 first plat of REPLAT OF BLOCK B, AUSTIN LANDING ADDITION, PHASE ONE TO THE CITY OF SHERMAN, TEXAS, was submitted to the City Council of Sherman, Texas, on this day of _____, 2007, and that the City Council, by its resolution, authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2007, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS



City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

**2800 Blk. Goodnight Circle, the 2900-300 Blks. Canyon Creek Drive
and the 2700 Blk. Silverado Trail
Being Lots 1-6, Block A, O'Hanlon Ranch Addition, Phase 1A;
Lots 2-6, Block C, O'Hanlon Ranch Addition Phase I;
and Lots 12 & 13, Block 4, O'Hanlon Ranch Addition, Phase 2,
Variance**

Requested Action/Proposed Use:

Variance to not require sidewalks in an R-1 (One and Two Family Residential) District.

Background

The O'Hanlon Ranch Subdivision is located at the northwest corner of North Heritage Parkway and Lamberth Road. Phase One of the development, was platted in 2001 and replatted in 2002 under different ownership. In 2007, a revised Preliminary Plat was submitted from the new owners; DGR Development.

Adjacent Zoning:

R-1 (One and Two Family Residential) District

Origination:

DGR Development Group, Ltd; Kyle Boothe; Dr. Jimmy Harrell; Mark Garland; Elizar Mata; Dr. Kenneth Chitwood; Rim Nall; and Ceci Bates Homes, (Owners)

Master Plan Designation:

Residential

Number of notices mailed:

8

Objections Received:

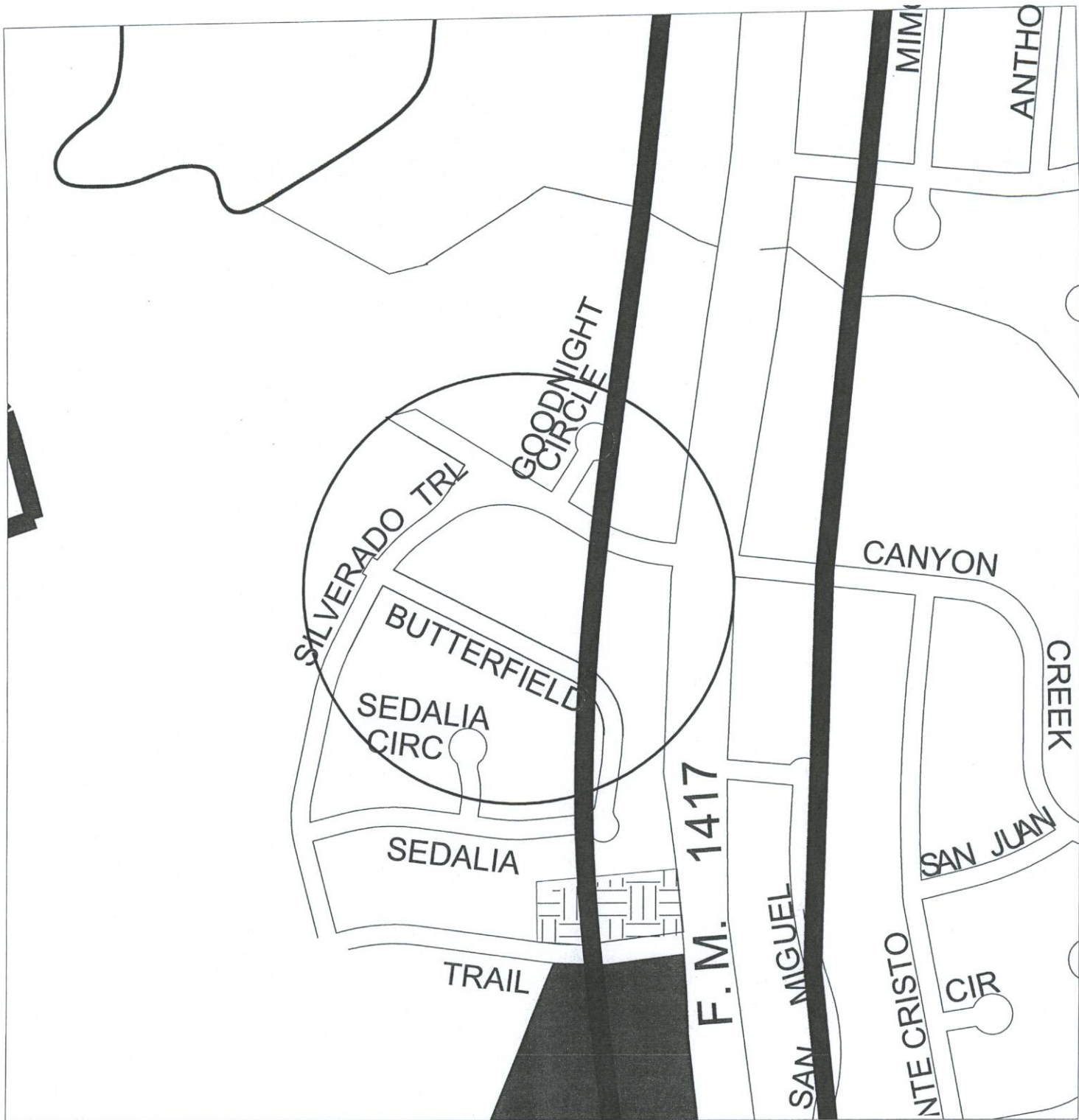
0

Attachments:

Location map
Photographs
Site Plan
Staff Review

Prepared By:
Rita Gaither
Planning & Development Coordinator

Approved By:
Scott Shadden
Director of Developmental Services



LEGEND

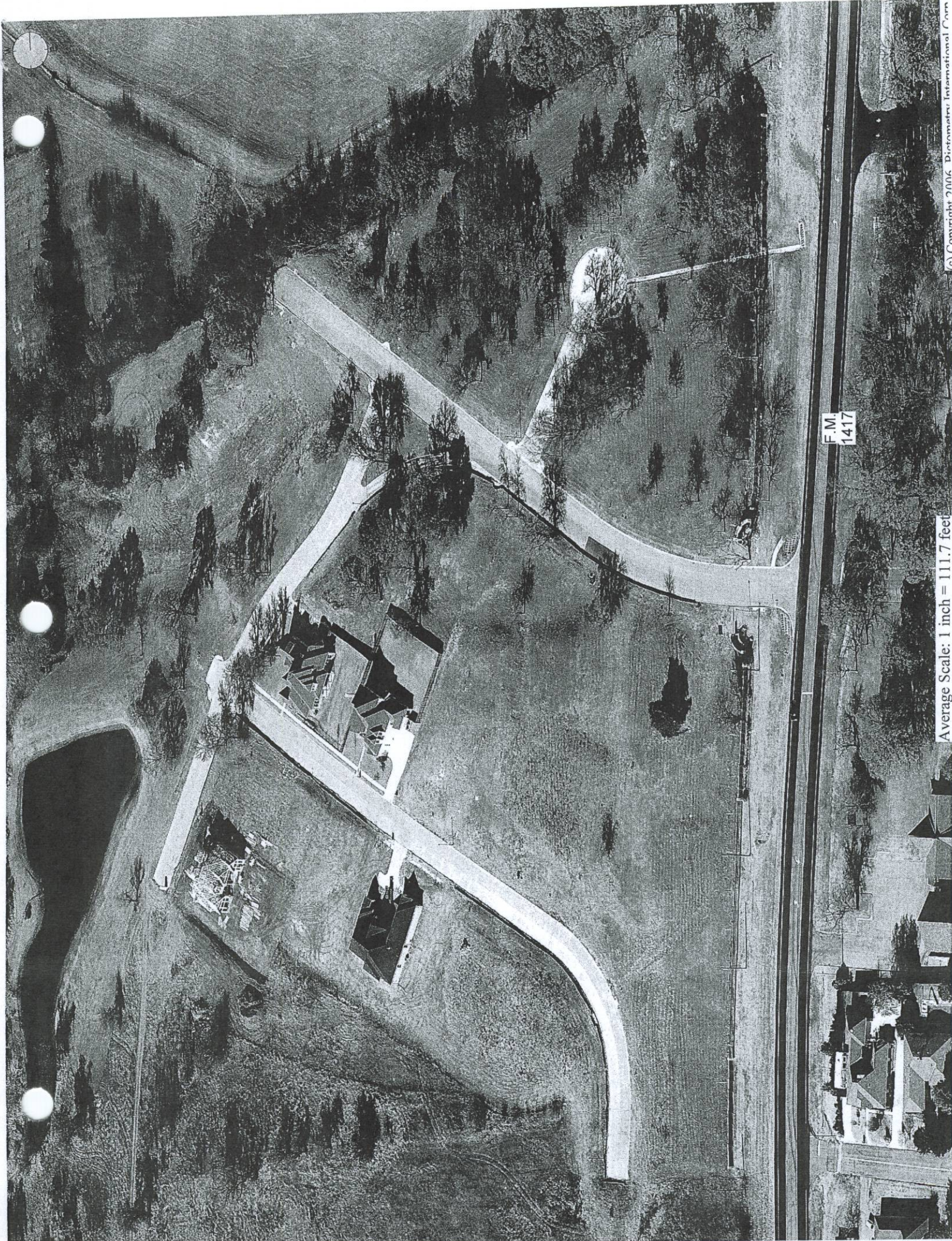
	R-A	SINGLE FAMILY AGRICULTURAL DISTRICT		M-2	HEAVY MANUFACTURING DISTRICT
	SF-1	SINGLE FAMILY RESIDENTIAL DISTRICT		M H	MANUFACTURED HOUSING DISTRICT
	R-1	ONE AND TWO FAMILY RESIDENTIAL DISTRICT			BLALOCK INDUSTRIAL PARK
	R-2	MULTI-FAMILY RESIDENTIAL DISTRICT			OVERLAY DISTRICT - 75 & 82
	C-1	RETAIL BUSINESS DISTRICT		O-1	OVERLAY DISTRICT - 1417
	C-2	GENERAL COMMERCIAL DISTRICT		O-1.1	OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO	OFFICE DISTRICT		O-1.2	OVERLAY DISTRICT - COLLEGE PARK OVERLAY
	M-1	LIGHT MANUFACTURING DISTRICT		CPO	ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5	MEDIUM MANUFACTURING DISTRICT		A&C	CBD
				CBD	CENTRAL BUSINESS DISTRICT



O'HANLON ADDITION VARIANCE

ENGINEERING DEPARTMENT



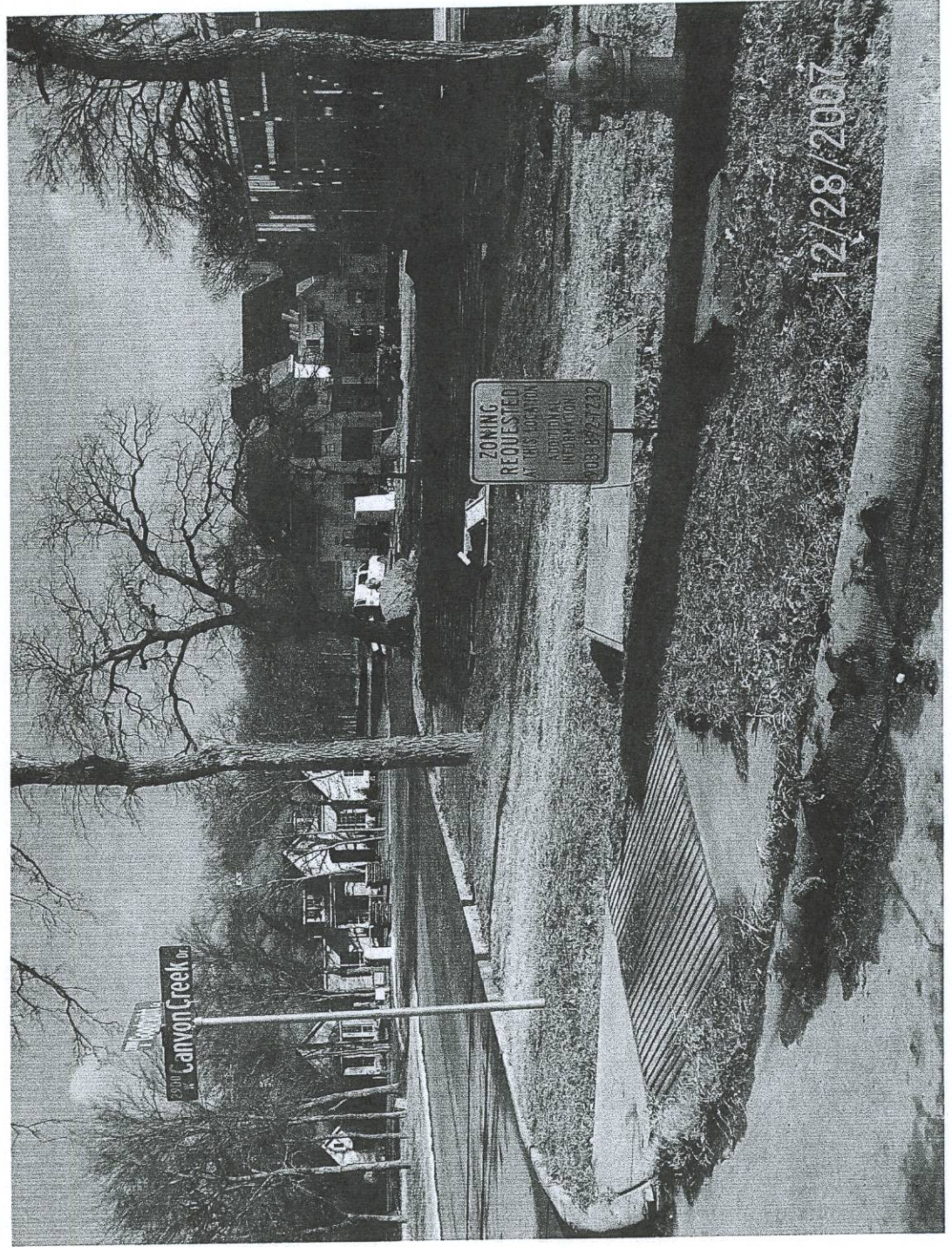


F.M.
1417

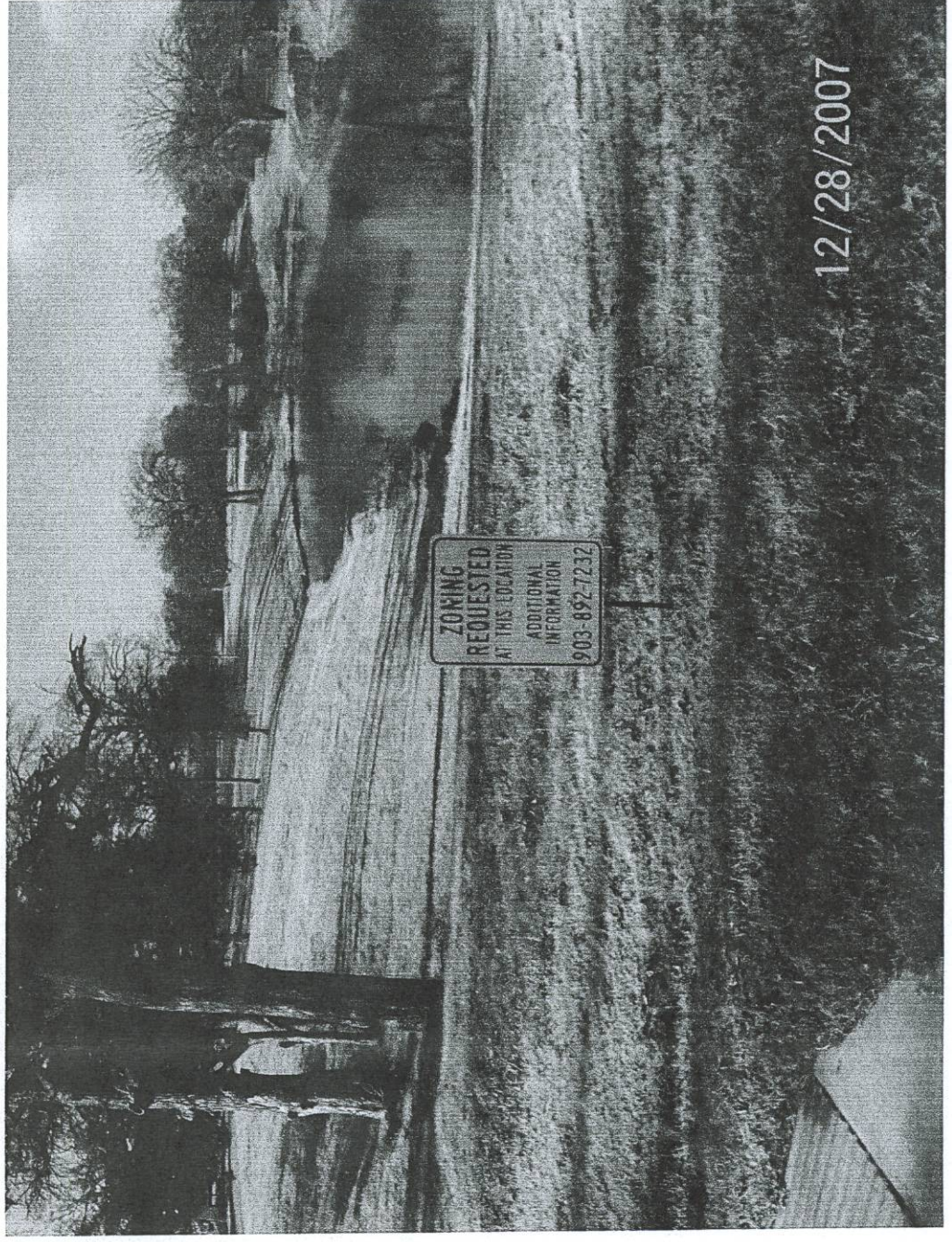
Average Scale: 1 inch = 111.7 feet

Copyright 2006 Dintomaru International Corp

2800 Blk Goodnight Cr.

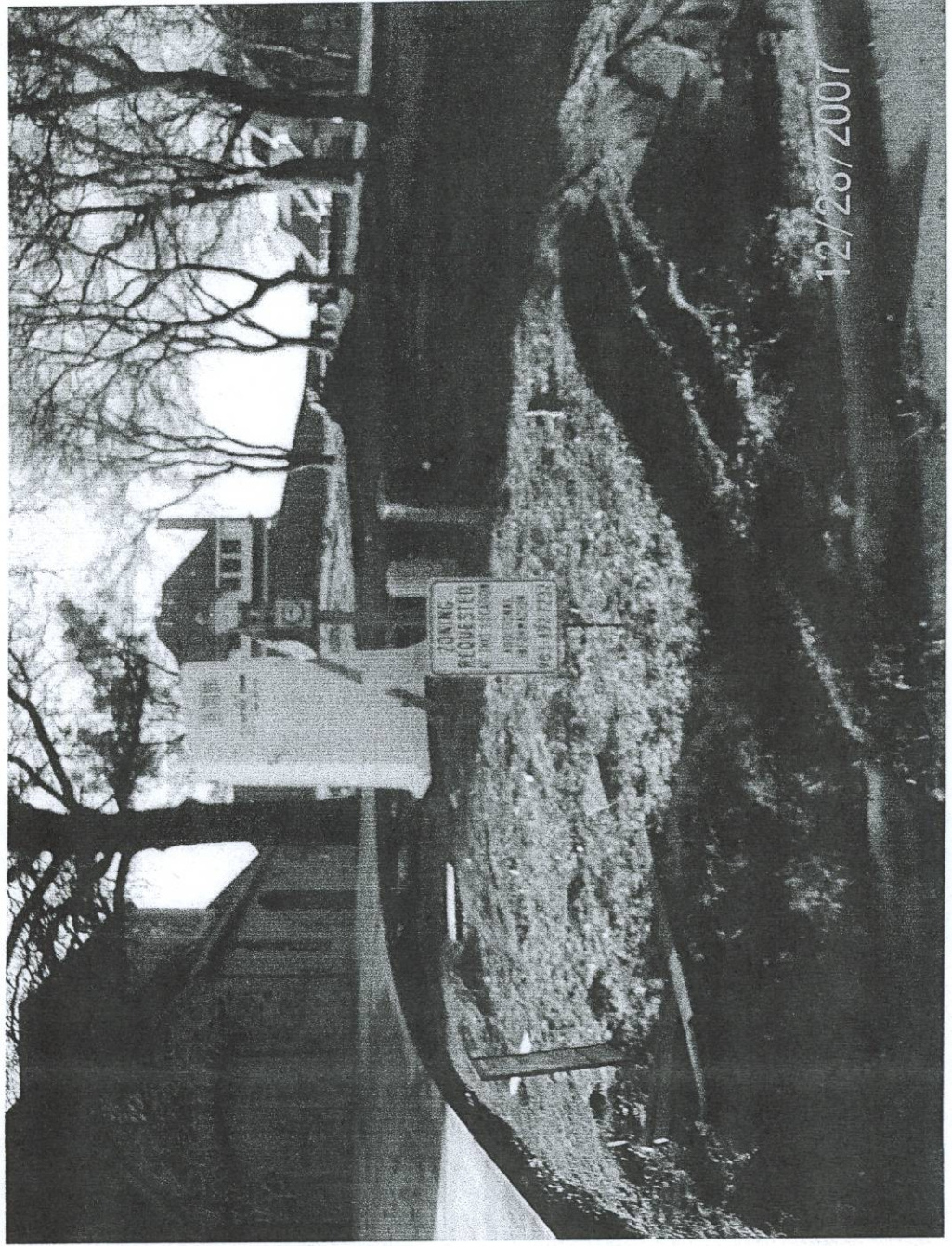


2900-3000 Blk Canyon Creek



12/28/2007

2700 Blk Silverado Trl.



January 16, 2008

DGR Development Group, Ltd.
801 E. Taylor
Sherman, Texas 75090

Dean Gilbert, Jr.
801 E. Taylor
Sherman, Texas 75090

Fischer & Mata Construction LLC
1708 River Oak Circle
Sherman, Texas 75092

Mark Garland
PO Box 2907
Sherman, Texas 75091

CeCi Bates Investments Inc.
1401 S. Sam Rayburn, Ste. 500
Sherman, Texas 75090

Kenneth & Donna Chitwood
3113 Runabout Court
Plano, TX 75023-5648

Rayburn & Greta Nall
200 S. Crockett
Sherman, Texas 75090

Kyle Boothe
PO Box 368
Sherman, Texas 75091

Dr. Jimmy Harrell
225 N. Friendship Rd.
Sherman, Texas 75092

Dear Applicant,

Your request for approval of a variance for the property located in the 2800 Block of Goodnight Circle, the 2900-3000 Blocks of Canyon Creek Drive and the 2700 Block of Silverado Trail has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. The staff recommends that the code of ordinance as attached be followed in reference to sidewalks.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Mark Gibson

Director of Utilities and Engineering

CC: George Olson, City Manager
Scott Shadden Director of Development Services
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer

EXHIBIT A
SUBDIVISION ORDINANCE
ORDINANCE NO. 2684

Sec. 12. Design criteria.

(F) SIDEWALKS:

Four (4) feet sidewalks shall be installed on all street frontages of residential and commercial subdivisions and where deemed necessary by the commission or city council to provide circulation or access to schools, playgrounds, shopping centers, and transportation and other community facilities, or to provide pedestrian circulation within the subdivision.

Exceptions:

1. Sidewalks that terminate at the right-of-way of Highways 75, 82, 91 (Texoma Parkway), 11 (Dewey Avenue), FM 131 (North Travis), 691, 902, and 1417.
2. Lots adjacent to developed lots that have no sidewalk.
3. Industrial and rural type developments.

(Ordinance 5356 adopted 11/21/05)

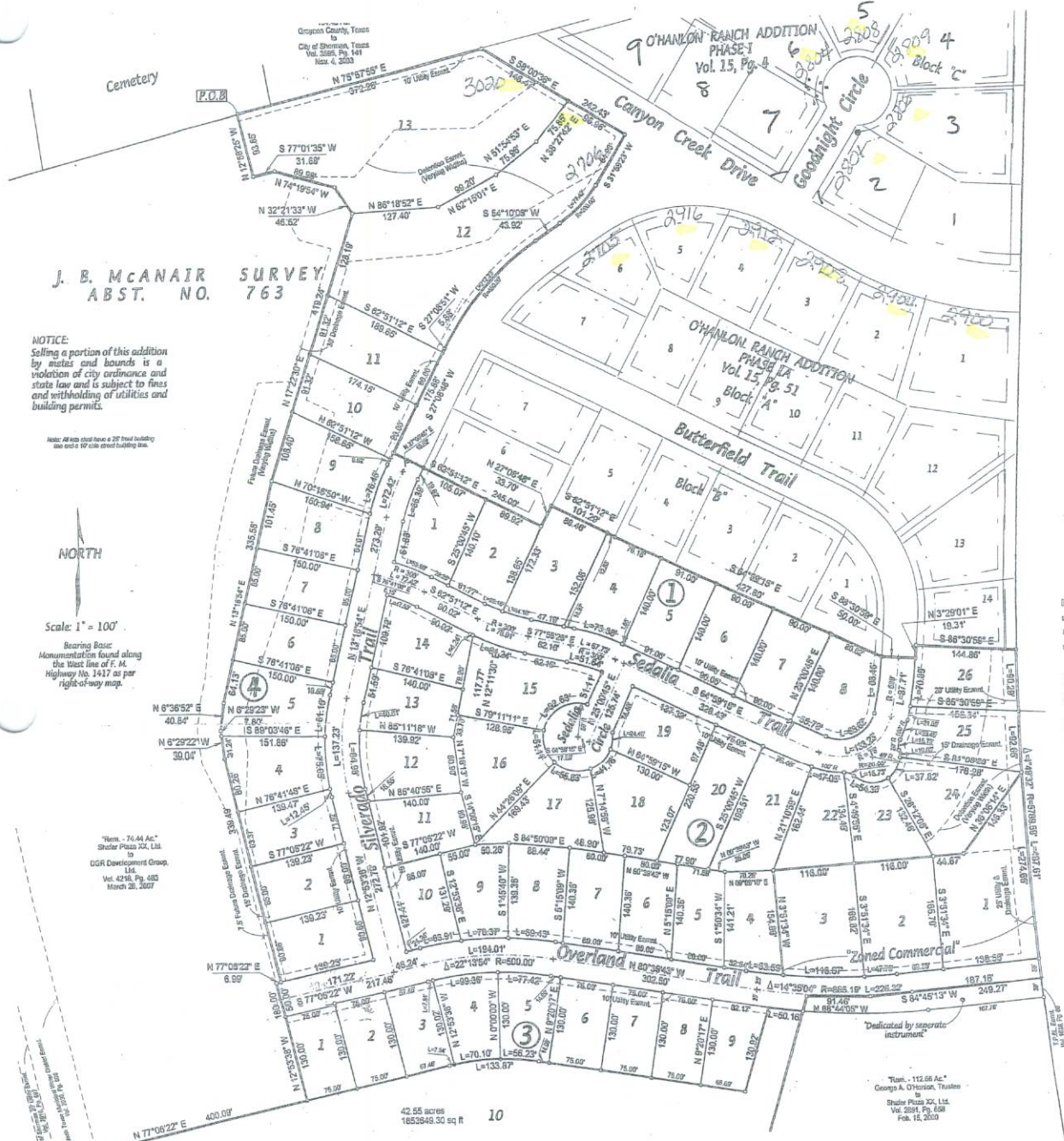
Sec. 26. Modification of design requirements, minimum improvements, and subdivision regulations.

(A) GENERAL:

These rules and regulations are the standard requirements of the City of Sherman. The planning commission may, when concurred in by the city council, authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the commission shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings hereinbelow required, the commission shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity. No variance shall be granted unless the commission finds:

- (1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land.
- (2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
- (3) That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.
- (4) That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance.

Such findings of the commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the commission meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this ordinance so that the public health, safety, or welfare may be secured and substantial justice done. Pecuniary hardship to the developer, standing alone, shall not be deemed to constitute undue hardship.



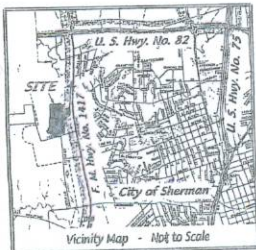
**O'HANLON RANCH ADDITION
PHASE 2**
to the
CITY of SHERMAN
GRAYSON COUNTY, TEXAS

Owners & Developers

DGR Development Group, Ltd.
Dean Gilbert, Inc.
801 E. Taylor
Sherman, Texas 75090
Dean Gilbert, President

Kyle Booths

Sherman Bible Church
Todd Svans, Chairman
of the Deacons

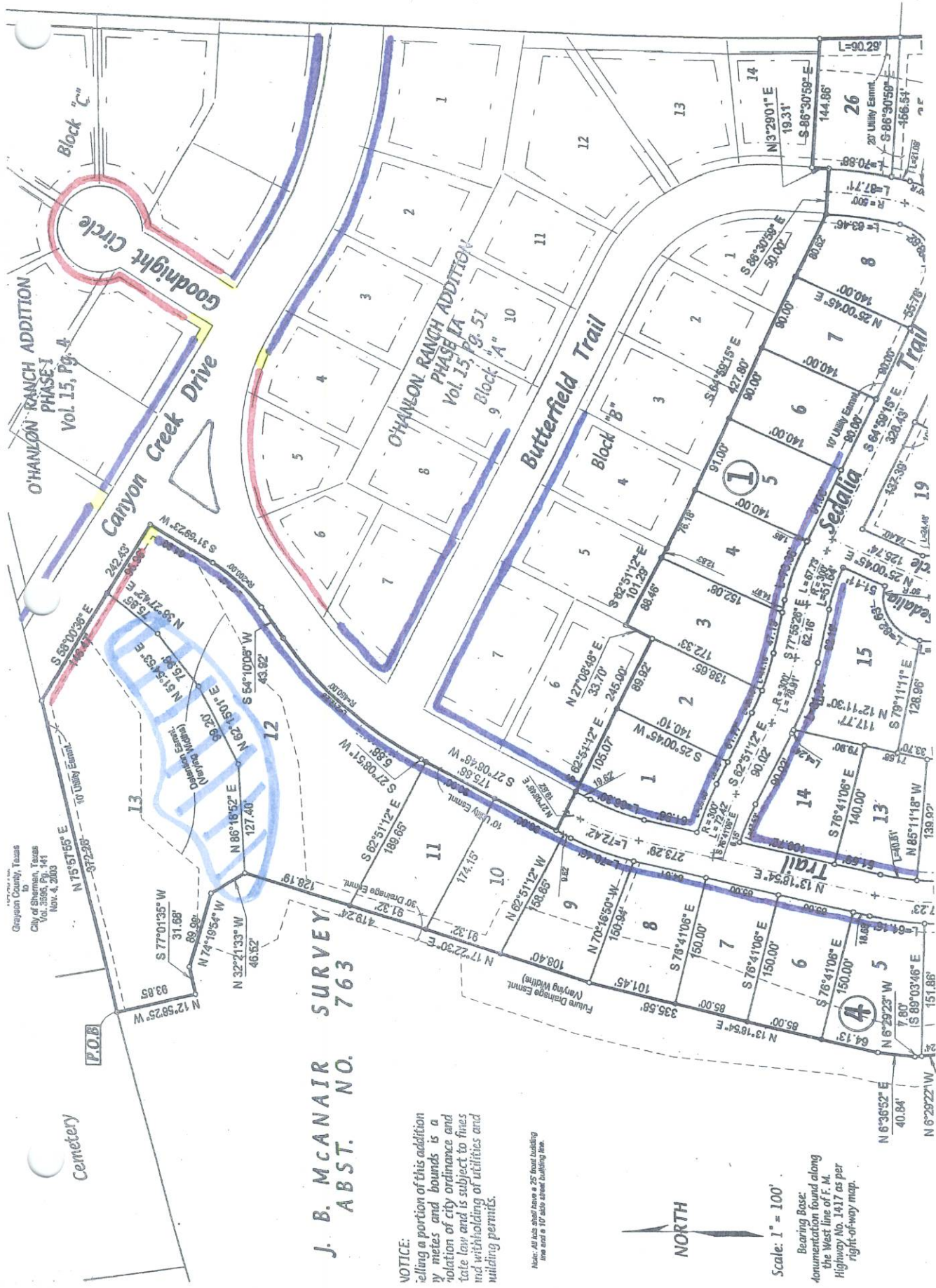


SARTIN & ASSOCIATES, INC.
Registered Professional Land Surveyors
109 S. Travis, P.O. Box 1843 Sherman, Texas 75091-1843
Ph: (903) 892-8003 Fax: (903) 868-2970

23977
FILED FOR RECORD
at 3:40 P.M. on 12-26-07
Recorded in Vol. 4216, Page 483
WILMA BLACKSHEAR BLUSH
County Clerk, Grayson County, Texas
By *Jana Carroll*
Deputy

SHEET 1 OF 3
OHNLN-SA

F. M. HIGHWAY NO. 1417



J. B. McANAIR SURVEY 763
ABST. NO. 763

NOTICE:
Selling a portion of this addition by metes and bounds is a violation of city ordinance and is subject to fines and withholding of utilities and building permits.

Note: All lots shall have a 25 foot building line and a 10 foot street building line.



Scale: 1" = 100'

Bearing Base:
Monumentation found along the West line of F. M. Highway No. 1417 as per right-of-way map.

City of Sherman
Planning and Zoning Commission
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John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

3609 U.S. Highway 75 North
Being Lot 4, Sherman Commons Addition, Replat Block C,
Site Plan approval for a Whataburger Restaurant

Requested Action/Proposed Use:

Site Plan approval for a Whataburger Restaurant

Background

The owner would like to construct a Whataburger Restaurant at 3609 Highway 75 North between Cracker Barrel and Olive Garden Restaurants.

Adjacent Zoning:

C-1 (Retail Business) District

Origination:

Woodmont Sherman, LP (Owner), Kimley-Horn & Associates, Inc. (Engineers) and Lance Oriti (Representative)

Master Plan Designation:

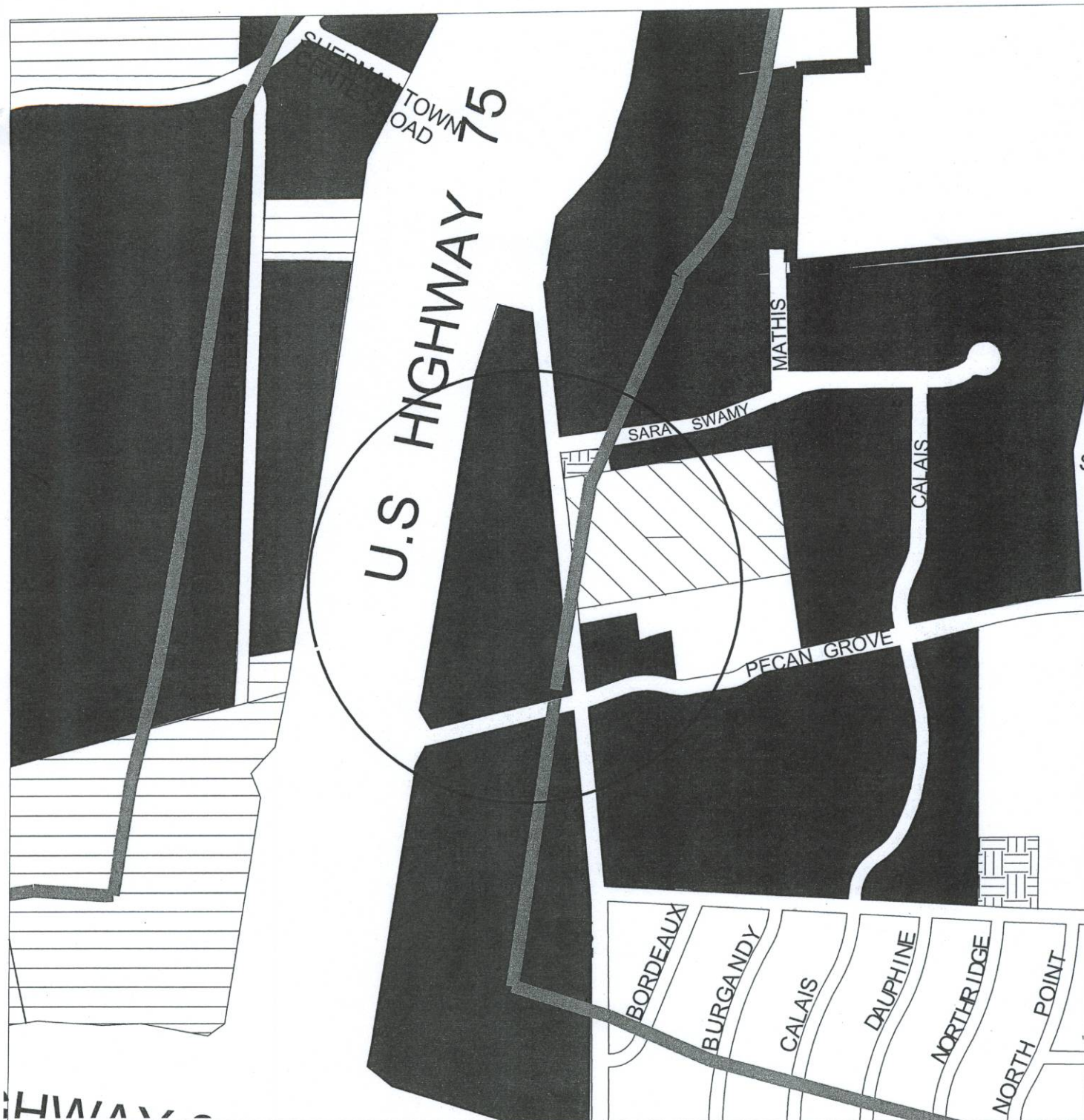
Retail/Commercial

Attachments:

Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:
Patsy Reeves
Developmental Services Secretary

Approved By:
Scott Shadden,
Director of Developmental Services



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M-H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BIP BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1 OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



3609 US HWY 75 NORTH SITE PLAN

ENGINEERING DEPARTMENT





(c) Copyright 2006, Pictometry International Corp.

Average Scale: 1 inch = 208.9 feet

January 16, 2008

Kimley-Horn & Associates
Lance Oriti
12700 Park Central Drive, Ste. 1800
Dallas, TX 75251

The Woodmont Company
Stephen Coslik
2100 West 7th Street
Ft. Worth, TX 76107

Dear Applicants,

Your request for approval of a Site Plan for property located at 3609 U. S. Highway 75 North has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. All aspects of O-1 Overlay (75 & 82) District shall be followed.
2. All aspects of the Commercial and Landscaping Ordinance must be followed.
3. 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

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

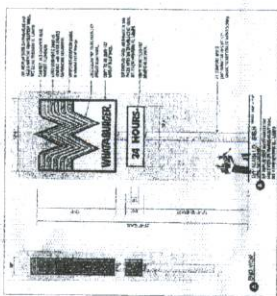
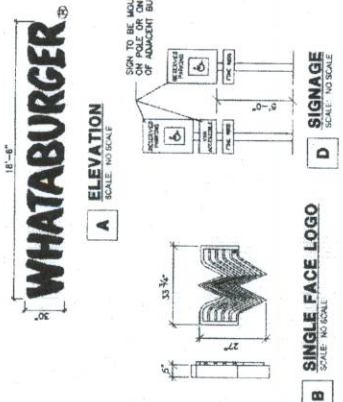
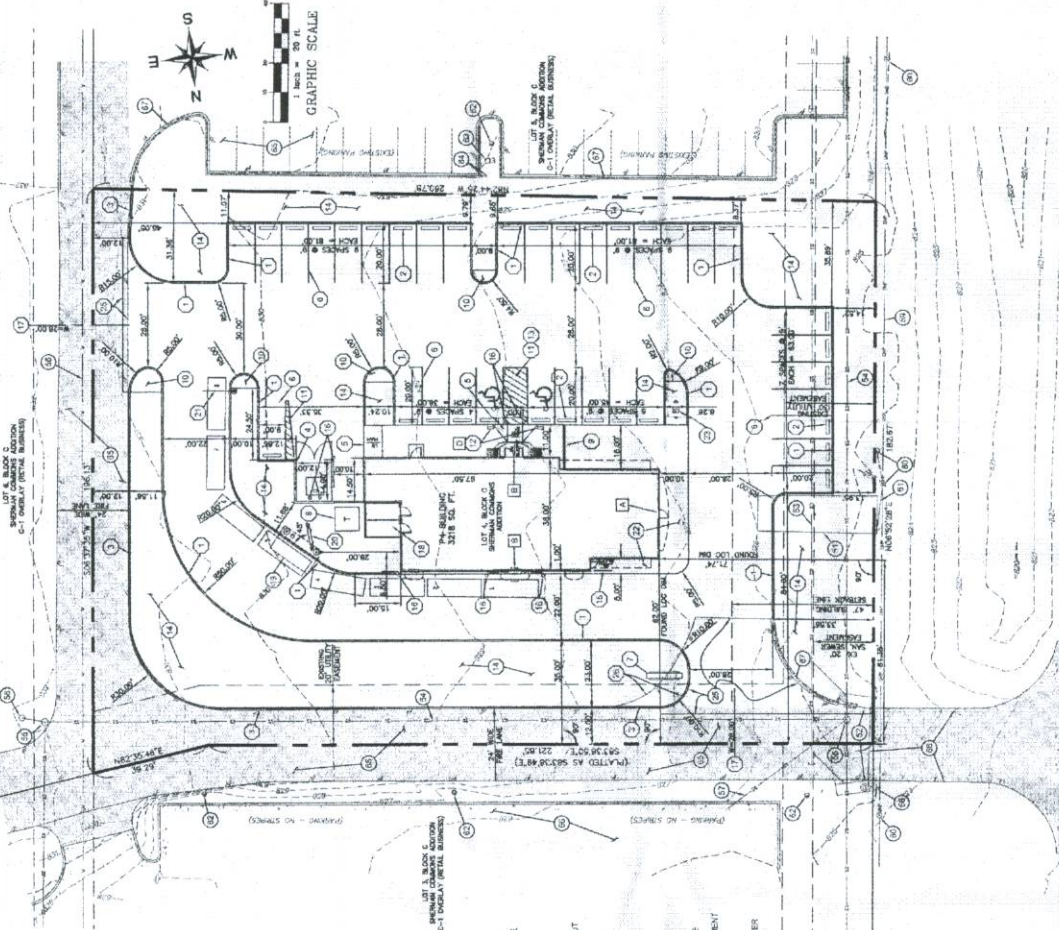
Respectfully,


Scott Shadden

Secretary, Planning and Zoning Board and Board of Adjustment

CC: George Olson, City Manager
Mark Gibson, Director of Utilities & Engineering
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator
Whataburger, (One Whataburger Way, Corpus Christi, TX 78411)

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer



C **PYLON SIGN**
SCALE: NO SCALE

LEGAL DESCRIPTION

METES AND BOUNDS
1.1082 Acres
Hillard Jennings Survey, Abstract No. 639
City of Sherman, Grayson County, Texas

SEMI-A tract of land situated in the Hilliers Jenninge Survey, Abstract No. 639, in the City of Sherman, Grayson County, Texas, and being all of Lot 4, Block C of AMENDED RE-PLAY OF BLOCK C OF SHERMAN CADDOWS ADDITION, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 18, Page 132 of the Plat Records of Grayson County, Texas, and being more particularly described as follows:

BECAUSE OF A 1/2-INCH IRON ROD FOUND IN THE EASTERN RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 75 (A ROAD WITH PUBLIC RIGHT-OF-WAY) FOR THE WESTERN CORNER OF LOTS 4 AND 5, BLOCK C OF THE FOREMENTIONED AMENDED RE-PLAT OF SHERMAN COMMONS ACITION;

THENCE with the easterly right-of-way line of U.S. Highway No. 78, North 06°52'28" East,
a distance of 182.57 feet to an "x" cut in concrete set for the westerly common corner
of Lots 3 and 4, Block C of AMENDED RE-PLAT OF BLOCK C OF SHERMAN COMMONS
ADDITION;
THENCE follow the westerly right-of-way line of U.S. Highway No. 78 with the common
line of Lots 3 and 4, Block C, the following courses and distances to wit:

---South 82°36'30" East, a distance of 221.85 feet to a nail in asphalt found for corner.

---North 32°30' East, passing of 32.11 feet to nail in asphalt found. In all a distance of 34.90 feet to a PK nail in asphalt set in the boundary line of Lot 3, Block 5, South 82°37'30" West, a distance of 198.13 feet to a 1/2"-bush iron rod found for the southerly corner of Lot 3, Block 5.

---SOUTH PLAT OF BLOCK 5 OF SHERMAN ADDITION.

THENCE southerly the southerly line of Lot 3, Block 5, with the common line of Lots 4 and 5, Block 5, South 82°37'30" West, a distance of 198.13 feet to a 1/2"-bush iron rod found for the southerly corner of Lots 4 and 5, Block 5.

THENCE across the westerly line of Lot 8, Block C with the common line of Lots 4 and 5, Block C, North 42°25' West, a distance of 280.78 feet to the POINT OF BEGINNING and containing 1.0222 acres of land.

Bearing system based on the westerly line of Lot 4, Block of AMENDED RE-PLAY OF BLOCK C OF SHERMAN COUNTY ADDITION, recorded in Volume 15, Page 132 of the Plat Books of Grayson County, Texas.

US HIGHWAY NO. 75 FRONTAGE ROAD
(NORTH BOUND)
LEGEND

EXISTING CONC. CURB & GUTTER	EXISTING SANITARY SEWER MANHOLE
PROPOSED CONC. CURB	EXISTING OVERHEAD ELECTRIC
EXISTING WATER LINE	PROPOSED
EXISTING SANITARY SEWER LINE	EXISTING EDGE OF ASPHALT
EXISTING CONTOUR LINE	
EXISTING FENCE POLE	
EXISTING STREET SIGN	

GENERAL NOTES

1. PAINTED DIMENSIONS AND INDICATE TO FACE OF CURB, UNLESS OTHERWISE NOTED.
2. REFER TO BUILDING ALLOWANCE PLAN FOR UTILITY SERVICES (WATER & SEWER) WITHIN 3' FEET OF BUILDING.
3. REFER TO C111 FOR GRADING PLAN.
4. REFER TO L10 & L210 FOR LANDSCAPING AND IRRIGATION PLAN.
5. ALL FINISHES, STRIKES, CONDITIONS, TOLERANCES AND FINISHES SHALL BE PAINTED WHITE AND SHALL BE 4" WIDE.
6. FLOODED PLANS BE FROM UTILITY CLAS. AND DRAINAGE WORKSHEET. FILL WITH ALUMINUM WASHBANE AND 30' HOSE.
7. SOMEONE SHOWN ON THIS PLAN IS PROPOSED ONLY AND IS TO BE VERIFIED BY SCADA SURVEY.

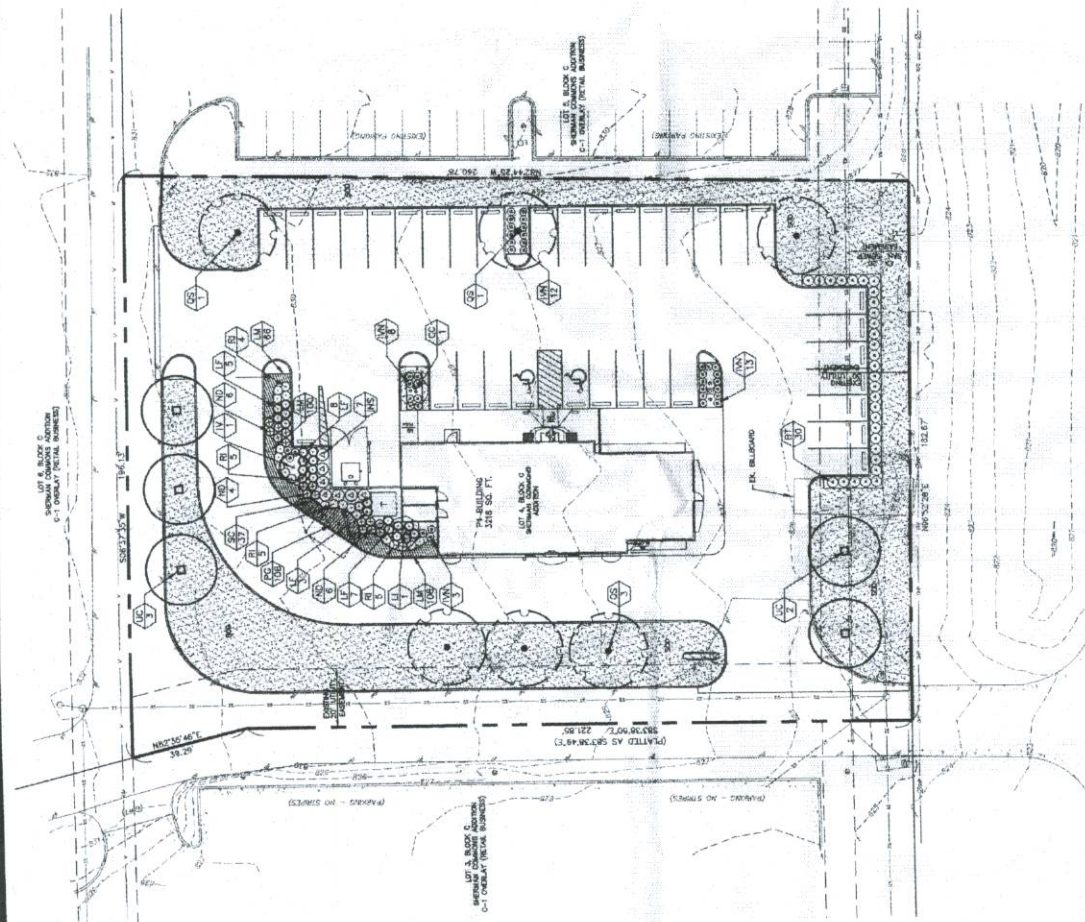
KEYED NOTES:

- | PROPOSED FEATURES | EXISTING FEATURES |
|---|-----------------------------|
| 1 CONCRETE CURB | 1 STICARD IRON INLET |
| 2 LONG PRECAST CONCRETE CAR BARRIER | 2 BLOW DOWN |
| 3 CONCRETE CURBS ON FIRE LINE WITH 4" PAINTED RED STRIPS | 3 STATION CHAIN LINE |
| 4 4" WHITE LINES BEARING "NO PARKING FIRE LANE" | 4 S' FOUNTAIN SEWER |
| 5 DUMPSITE INCLUSION (SEE ARCHITECTURAL DETAILS) | 5 S' FOUNTAIN SEWER MANHOLE |
| 6 CURB RAMP (MAX SLOPE 12:1) | 6 4" NORTH LANE |
| 7 12" PARKING STRALL | 7 8" FANTASY GLENN LANE |
| 8 PLYON SIGN | 8 S' FANTASY JUMPER CLUB |
| 9 PAD MOUNTED TRANSFORMER | 9 OVERHUNG POWER LINE |
| 10 6"X12" TRUCK AND TRAILER IN SIGNALL | 10 POWER POLE |
| 11 4" THICK WHITE STRIPPING @ 7' O.C. @ 45° | 11 GUY WIRE |
| 12 16" PARKING SPINS | 12 LIGHT POLE |
| 13 ACCESSIBLE PARKING STRALL STRIPING FOR UNLIMING AND ACCESS | 13 ELECTRIC BOX |
| 14 LANDSCAPED AREA FRONT SHEET 1:1.0 | 14 BRIDGEMOUNT CONTROL |
| 15 4" LONG PAINTING (SEE ARCHITECTURAL DETAILS) | 15 ASPHALT CONCRETE DRIVE |
| 16 CONCRETE CURB AND | 16 CONCRETE PAVEMENT |
| 17 DRIVEWAY (INDI) PREPLAN | 17 CONCRETE CURB AND |
| | 18 STOP SIGN |

27 - 50 NOT USED

[illegible]

EXISTING DRAIN	WATER & OUTLET	EXISTING SOUTHERN POWER MAINS
PROPOSED CURB CLAMP	EXISTING OVERHEADS ELECTRIC	
EXISTING WATER LINE	EXISTING FIRE LINE	
EXISTING SANITARY SERVICE LINE	EXISTING TRUCK OF ASPHALT	
EXISTING CONTOUR LINE		
EXISTING FENCE POLE		
EXISTING STORM SEWER		



US HIGHWAY NO. 75 FRONTAGE ROAD
(NORTH BOUND)

GROUND COVER PLANTING DETAIL

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

3220 Texoma Parkway
Being 2.9244 acres in the Reuben Hendrix Survey, Abstract No. 504,
Variance

Requested Action/Proposed Use:

Variance to allow a 10' front setback in lieu of the required 25' for a sign in a C-2 (General Commercial) District.

Background

The owner would like to relocate an existing used vehicle sign 25 foot from the front property line at 3220 Texoma Parkway. The sign is 28' high and approximately 78 square feet.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

Stanley Buick Pontiac GMC Sherman (Owners), Rob Larriviere (General Manager) and Ricky Bates, Neon Signs and Designs (Representative)

Master Plan Designation:

Retail/Commercial

Number of notices mailed:

8

Objections Received:

0

Attachments:

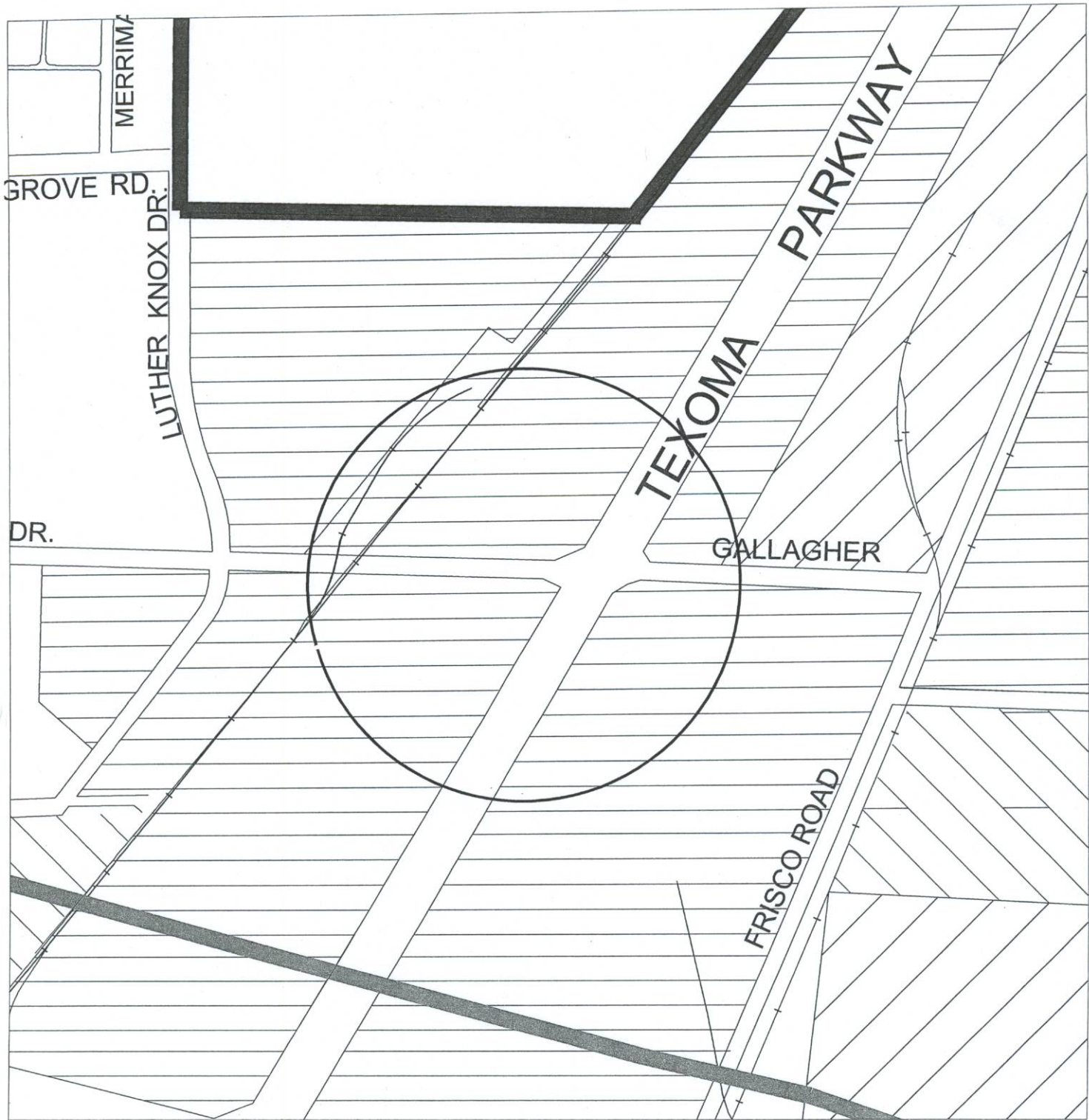
Location map
Photographs
Site Plan

Prepared By:

Patsy Reeves
Developmental Services Secretary

Approved By:

Scott Shadden,
Director of Developmental Services



LEGEND

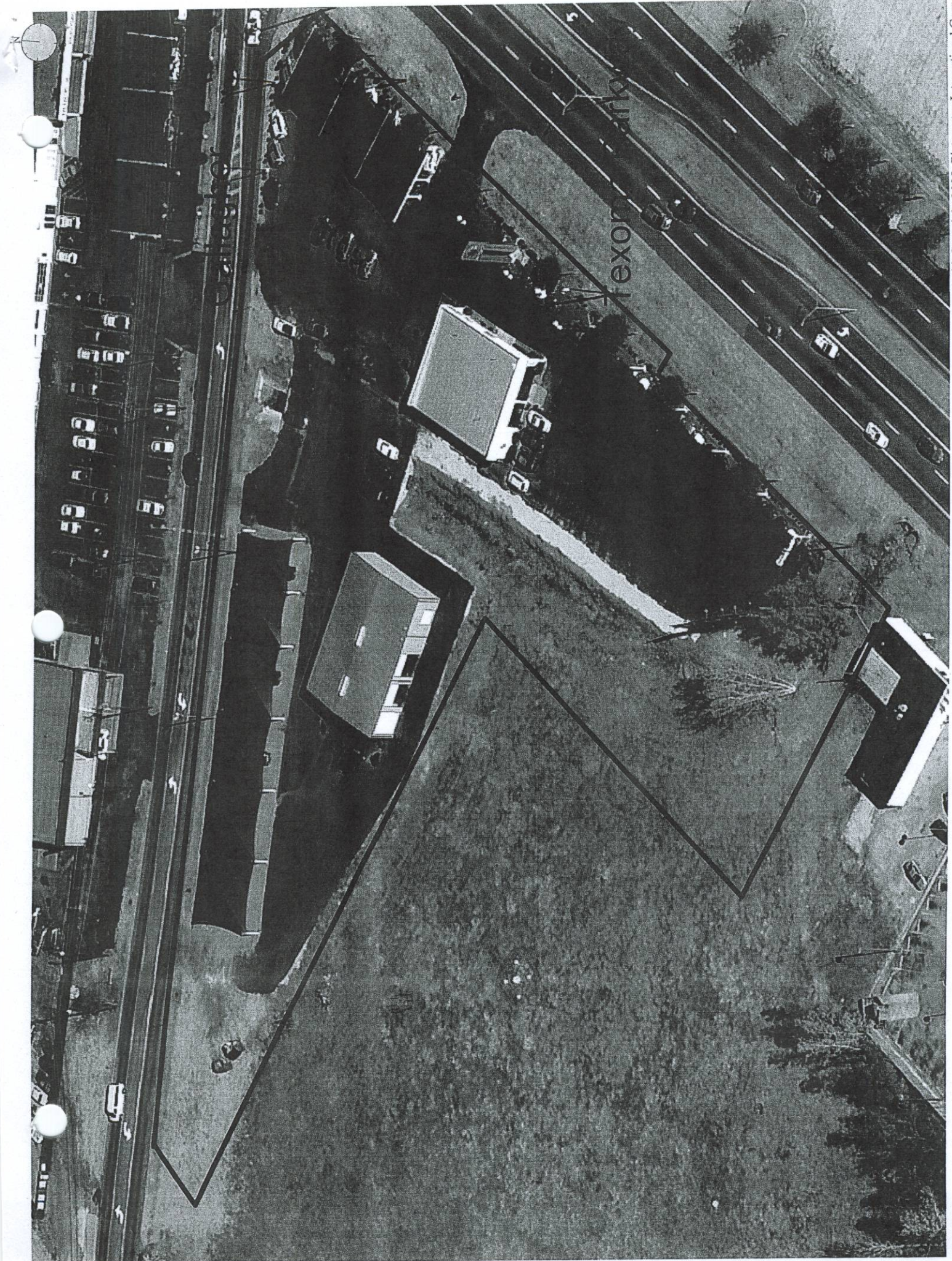
	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLP BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1 OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



3220 TEXOMA PARKWAY VARIANCE

ENGINEERING DEPARTMENT



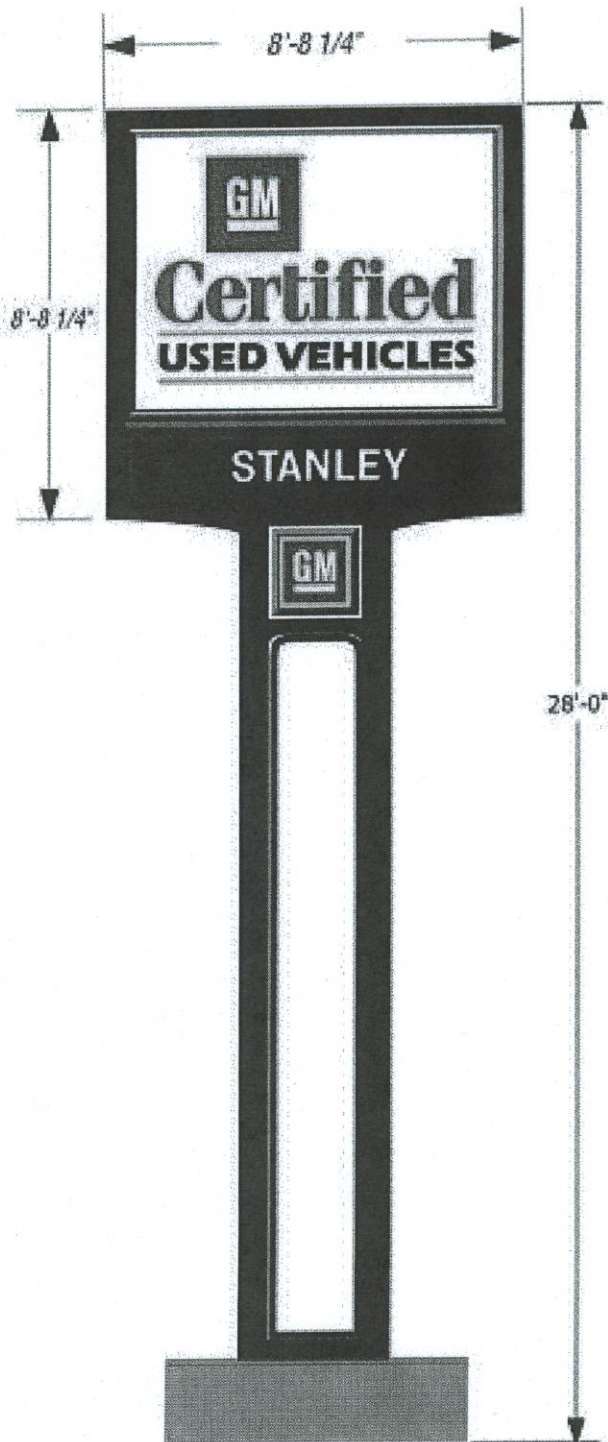


Average Scale: 1 inch = 56.8 feet

3220 Texoma Pky.



12/28/2007



Client: GM

Project Title: GM P92 CUV @ 28.4'

Scale: 1/4" = 1'

Date Created: 13 JUNE 07

Drawn By: A. ANDREE

IP Rep: W. WEBB

Approved By:

Date Revised:

All signs, plans or drawings created or modified by this company are copyrighted and used by licensees and shall not be reproduced, used by or disclosed to any person, firm or corporation for any purpose whatsoever without written permission of ImagePoint.

ImagePoint.

PO Box 55043
Knoxville, TN 37950-0043
1-800-444-7443
www.imagepoint.com

310370764

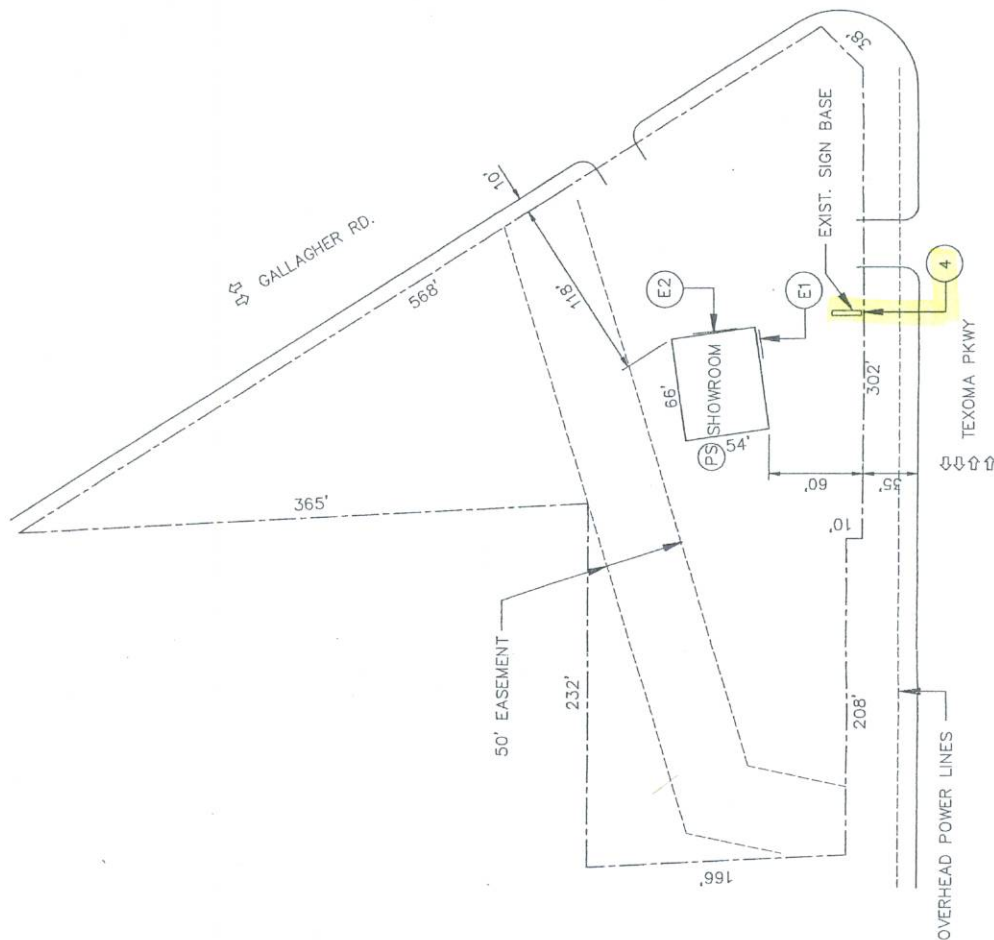
Pg 1 of 1

FELLOWSHIP IDENTIFICATION PROGRAM

DEALERSHIP IDENTIFICATION
AND INFORMATION SURVEY

PLOT PLAN

DEALER/SHIP NAME GRAYSON MOTORS, INC.	STREET 3314 TEXOMA PKWY	CITY SHERMAN	STATE TX	D.I.D. 5711
FINANCIAL COMPANY	STREET	CITY	STATE	
NOTE: Separate questions must be prepared for the main dealership facility and for each off-site location not immediately adjacent to the main facility.				
This money is for ☒ main dealership facility or ☐ off-site location at (Street Address) _____ Which is a (Specify) _____				
Indicate North in This Box 				



Please indicate the approximate scale used on drawings: $1'' = 80'$

THE PLOT PLAN SHOULD SHOW THE FOLLOWING:

- The location of all buildings found in the dealership property, i.e. used car office, service garage, body shop, (Label Each)
- Main Building(s) on adjoining property. (It is important that these buildings be plotted accurately in relation to the dealership building(s).)
- Any natural or man-made obstructions, i.e. trees, traffic lights, sewer lines, etc.
- Indicate sidewalks, parking lots, used car lots, parts, and/or service entrances and driveways. Include any signs on neighboring property which are so large enough to be considered.
- Designate streets which bound the property, and show directional flow of traffic, as ☐ Primary ☐ Secondary ☐ Residential.
- The recommended location of the new signs, label and circle each sign at its recommended site according to corresponding sign number shown in Section I of questionnaire, i.e. ① ② ③ ④ ⑤
- The exterior dimension of all dealership buildings (corner radius & angle, etc.) and the exact distance from the lot line to the curb.
- Indicate north with an arrow in box at upper right of form.
- Circle the location of the power source where electrical hook-up will take place. (P.S.)
3. Show location of existing signs and number them in sequence to coincide with Section V of the questionnaire—
- Indicate by dotted line the dealer approved route for exterior electrical

PLEASE PROVIDE THE FOLLOWING INFORMATION:

Distance— Dealership to Street		Speed Limit	E/W
			N/S
			Heading
A.	TEXOMA PKWY	35 Feet	Heading
B.	GALLAGHER RD.	10 Feet	Heading
C.		Feet	Heading
D.		Feet	Heading

• PARENTS:

Surveyor's Signature Connie Valley Date 6-16-99

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1306 South Austin Street
0.29 acres being part of Lot 4, Block 23, B. H. Moore Heirs Addition
Replat

Requested Action/Proposed Use:

Replat of Part of Lot 4, Block 23, B. H. Moore Heirs Addition

Background

This is a replat dividing an existing tract into two lots.

Adjacent Zoning:

R-1 (One and Two Family Residential) District and C-2 (General Commercial) District

Origination:

Barton Capital, Ltd. (Owners) and Sartin and Associates, Inc. (Surveyors)

Number of notices mailed:

185

Objections Received:

0

Master Plan Designation:

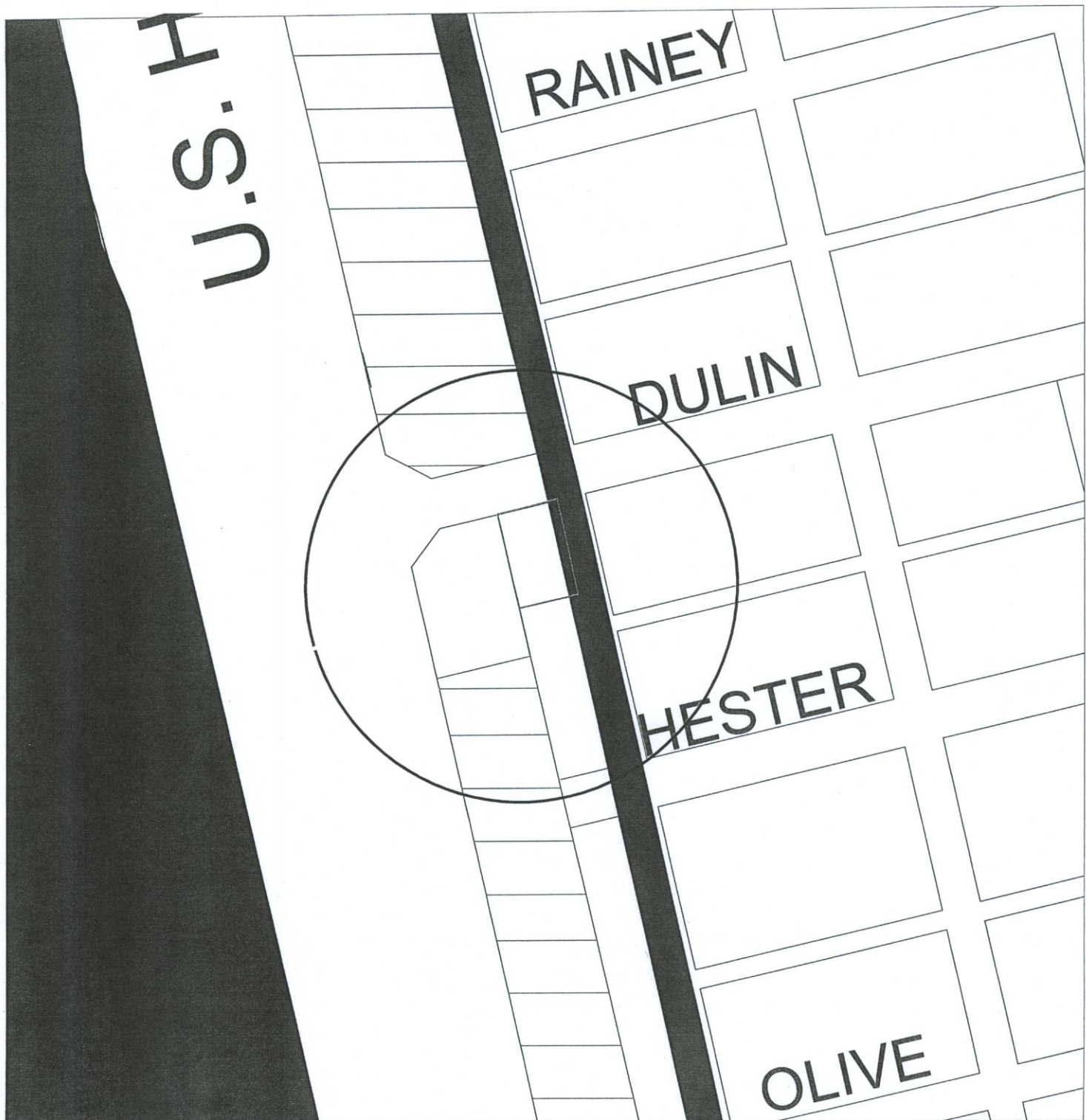
Residential

Attachments:

Location map
Photographs
Replat
Staff Review

Prepared By:
Rita Gaither
Planning & Development Coordinator

Approved By:
Scott Shadden
Director of Developmental Services



LEGEND

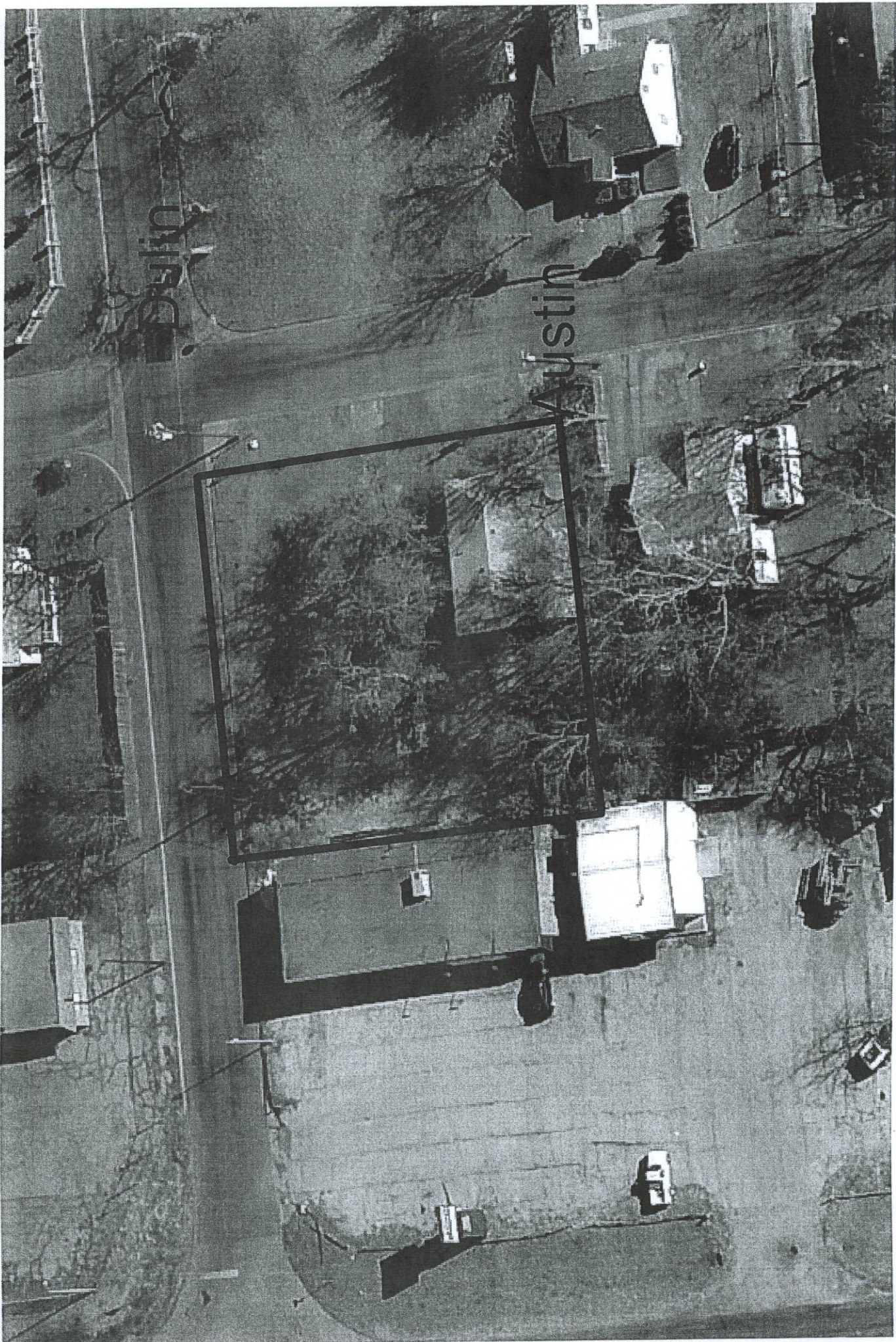
	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



1306 SOUTH AUSTIN
REPLAT

Department of Developmental Services

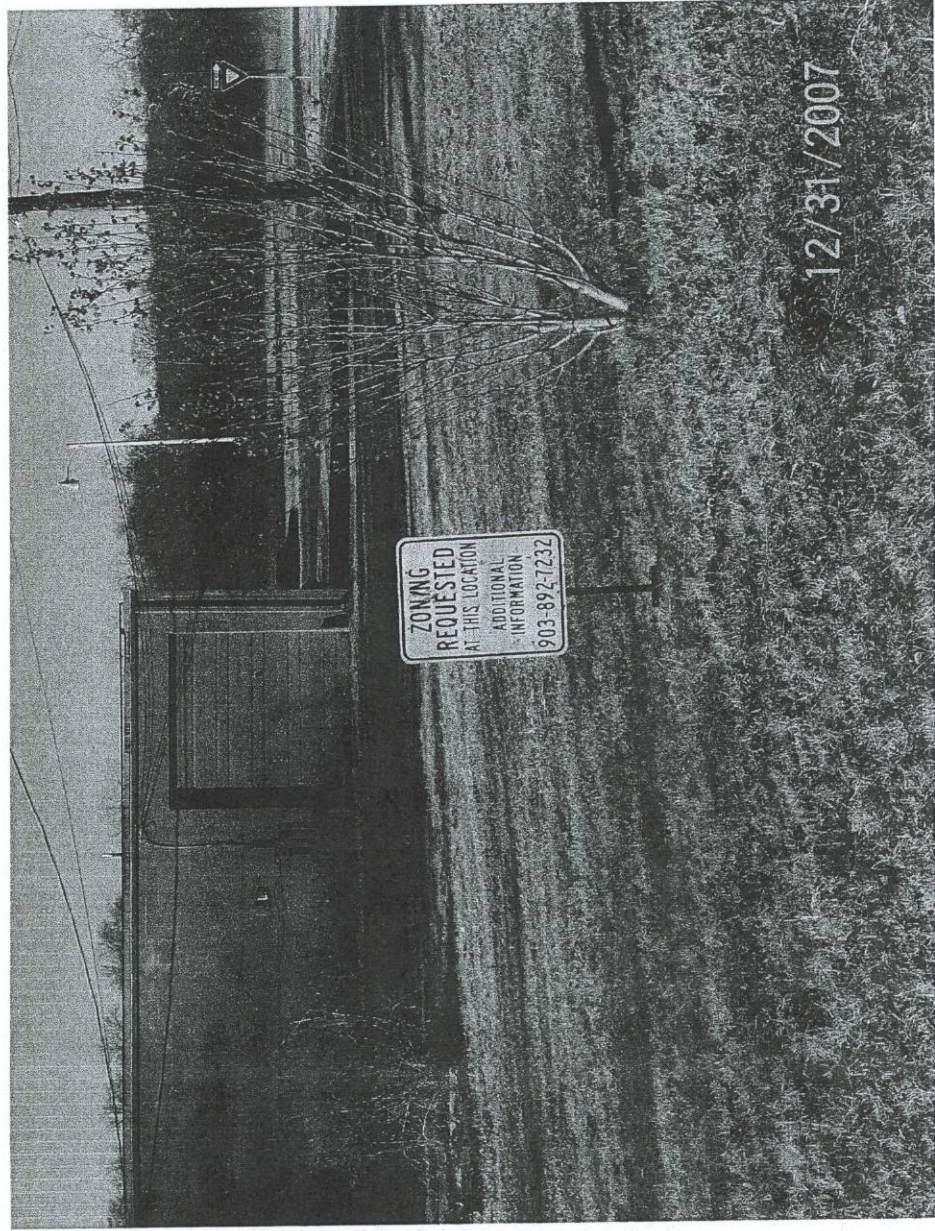




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Average Scale: 1 inch = 33.9 feet

1306 S. Austin



January 16, 2008

Barton Capital Ltd.
715 S. Sam Rayburn Freeway
Sherman, Texas 75090

Sartin & Associates
109 S. Travis
Sherman, Texas 75090

Dear Applicants,

Your request for approval of a Replat for the property located at 1306 South Austin Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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 are to be completed to City Standards.
2. Water and Sewer pro-rata is to be paid on lot 4R1.
3. Letters from the various utility companies stating the availability of service and the adequacy of easements are required.
4. Original tax certificates for the property must be furnished prior to recording of the plat.
5. Any other changes made to the Replat 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Mark Gibson
Director of Utilities & Engineering

CC: George Olson, City Manager
Scott Shadden, Director of Development Services
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator
Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer
Angela Gurley, Customer Service Manager
P.O. BOX 1106 • SHERMAN, TEXAS 75091-1106 (903) 892-7206

A black and white vicinity map of Sherman, Texas. The map shows a grid of streets. A major road running vertically is labeled "U.S. HWY. NO. 75". To the right of this highway, there is a rectangular area outlined in a thicker line, which is labeled "SITE". Below the map, the text "City of Sherman" is written in a stylized font, followed by "Vicinity Map - Not to Scale" in a smaller, plain font.

148738HM.pcs
SHEET 1 OF 2

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1300-2600 Blocks of U.S. Highway 75 South
Being the Sherman Hills Country Club Addition Golf Course Tracts
Replat

Requested Action/Proposed Use:

Replat of Sherman Hills Country Club Addition Replat

Background

This is a change of the configuration of the lots and frontages along the golf course.

Adjacent Zoning:

C-1 (Retail Business) District and R-1 (One and Two Family Residential) District

Origination:

Sherman Hills, LLC (Owner), Dan Murray (Representative) and Teague, Nall and Perkins (Engineer)

Master Plan Designation:

Industrial and Residential

Attachments:

Location map
Photographs
Replat
Staff Review

Prepared By:
Rita Gaither
Planning & Development Coordinator

Approved By:
Scott Shadden
Director of Developmental Services



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	CO OFFICE DISTRICT		O-1.2 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	M-1 LIGHT MANUFACTURING DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1.5 MEDIUM MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
			CBD CENTRAL BUSINESS DISTRICT



1300-2600 US HWY 75 S REPLAT

Department of Developmental Services

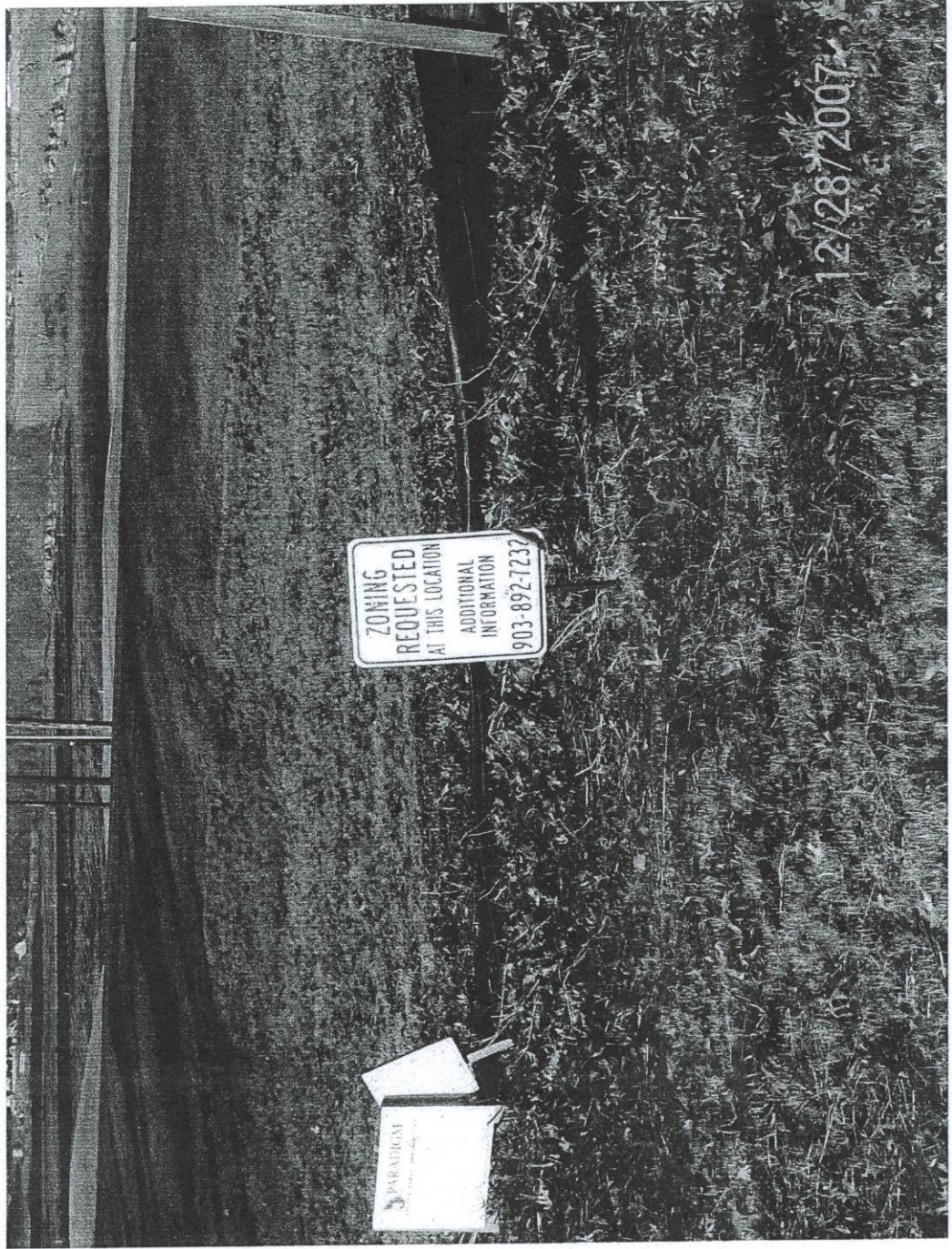




Average Scale: 1 inch = 468.2 feet

(c) Copyright 2006, Pictometry International Corp.

1800-2600 BIK Hwy 75 S.



SHERMAN



STAFF REVIEW LETTER

January 16, 2008

Dan Murray
1604 S. Sam Rayburn Frwy.
Sherman, Texas 75090

Sherman Hills Ltd.
500 Grenoble Rd.
Santa Barbara, CA 93110

Dear Applicants,

Your request for approval of a Replat for property located in the 1800-2600 Blocks of U.S. Highway 75 South has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. L28 on the drawing does not match description in field notes for Tract 2.
2. C5, L26 and C6 on the drawing do not match description in field notes for Lot 1 in Tract 2.
3. Escrow Funds in the amount of \$78,070.84 shall be paid to the City of Sherman for the future construction of portions of Park Lane and Clubhouse Drive prior to the plat being recorded.
4. Letters from the various utility companies stating the availability of service and the adequacy of easements are required.
5. Original tax certificates for the property must be furnished prior to recording of the plat.
6. Any other changes made to the Replat 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,

Mark Gibson
Director of Utilities & Engineering

CC:

George Olson, City Manager
Scott Shadden, Director of Development Services
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer

20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100																			
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[illegible]

WE TRUST OUR HANDS IN _____ day of _____, 2001.

Don Murray

STATE OF _____

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 _____, 2008.

Notary Public In and for
the State of _____
Commission Expires _____

The Undersigned, the City Council of the City of Sherman, hereby certify that the Golf Course located at the Sherman Hills Country Club in Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2008, and the City Council by formal action then and there approved the following resolution:

RESOLVED, That the City Council do hereby authorize and direct the City Engineer to execute all such actions as may be required to occupy the dedication of streets, alleys, easements and rights-of-way shown on said plat, as shown and set forth on the plat above described, and that the City Council do hereby so resolve.

The City Council of the City of Sherman, Texas, will cause the foregoing resolution to be signed by its members and attested by its clerk.

DATE _____ TIME OF DAY _____

Make City of Khannan. Tenth

Assessed this _____ day of _____, 2008, by the City

1

REPLAY OF
SHERMAN HILLS COUNTRY
CLUB ADDITION
GOLF COURSE TRACTS

281.028 ACRES IN THE
SAMUEL BLAUG SURVEY, ABST. NO. 58
PRESTON KITCHENS SURVEY, ABST. NO. 607
ELIZABETH JONES SURVEY, ABST. NO. 626
CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS

SURETYOR
DOUGLAS W. UNDERWOOD
R.F.L.S. NO. 4708
3404 INTERURBAN ROAD
DENVER, COLO. 80215

DRAFTING & SURVEYING, INC.
(800) 445-2151

SHERMAN HILLS COUNTRY CLUB LTD.
600 GREENDALE ROAD
SANTA BARBARA, CALIF.

LEGAL REPTIONS

[illegible]

TRACT TWO

[illegible]

KNOWN ALL MEN BY THESE PRESENTS

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

Douglas H. Underwood
Registered Professional
and Surveyor No. 43798

STATE OF TEXAS

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

WITNESS MY HAND AND SEAL OF OFFICE this ____ day of _____, 19____.

Notary Public in and for the State of Texas	Commission Expires _____
--	--------------------------

SHERMAN HILLS COUNTRY CLUB LTD.
600 GREENDALE ROAD
SANTA BARBARA, CALIF.

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1800-2600 Blocks of U.S. Highway 75 South
Being the Sherman Hills Country Club Addition Golf Course Tracts
Variance

Requested Action/Proposed Use:

Variance to not require the developer to be responsible for payment of escrow funds for the future construction of the Park Avenue Bridge as required with the development of Sherman Hills Country Club Golf Course Addition in an R-1 (One and Two Family Residential) District, C-1 (Retail Business) District and O-1.2 (Sam Rayburn) Overlay District.

Background

Adjacent Zoning:

C-1 (Retail Business) District and R-1 (One and Two Family Residential) District

Origination:

Sherman Hills, LLC (Owner), Dan Murray (Representative) and Teague, Nall and Perkins (Engineer)

Master Plan Designation:

Industrial and Residential

Attachments:

Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:
Rita Gaither
Planning & Development Coordinator

Approved By:
Scott Shadden
Director of Developmental Services



LEGEND

	R-A	SINGLE FAMILY AGRICULTURAL DISTRICT		M-2	HEAVY MANUFACTURING DISTRICT
	SF-1	SINGLE FAMILY RESIDENTIAL DISTRICT		M H	MANUFACTURED HOUSING DISTRICT
	R-1	ONE AND TWO FAMILY RESIDENTIAL DISTRICT			BIALOCK INDUSTRIAL PARK
	R-2	MULTI-FAMILY RESIDENTIAL DISTRICT		O-1	OVERLAY DISTRICT - 75 & 82
	C-1	RETAIL BUSINESS DISTRICT		O-1.1	OVERLAY DISTRICT - 1417
	C-2	GENERAL COMMERCIAL DISTRICT		O-1.2	OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	C O	OFFICE DISTRICT		CPO	COLLEGE PARK OVERLAY
	M-1	LIGHT MANUFACTURING DISTRICT		A&C	ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5	MEDIUM MANUFACTURING DISTRICT		CBD	CENTRAL BUSINESS DISTRICT



1300-2600 US HWY 75 S VARIANCE

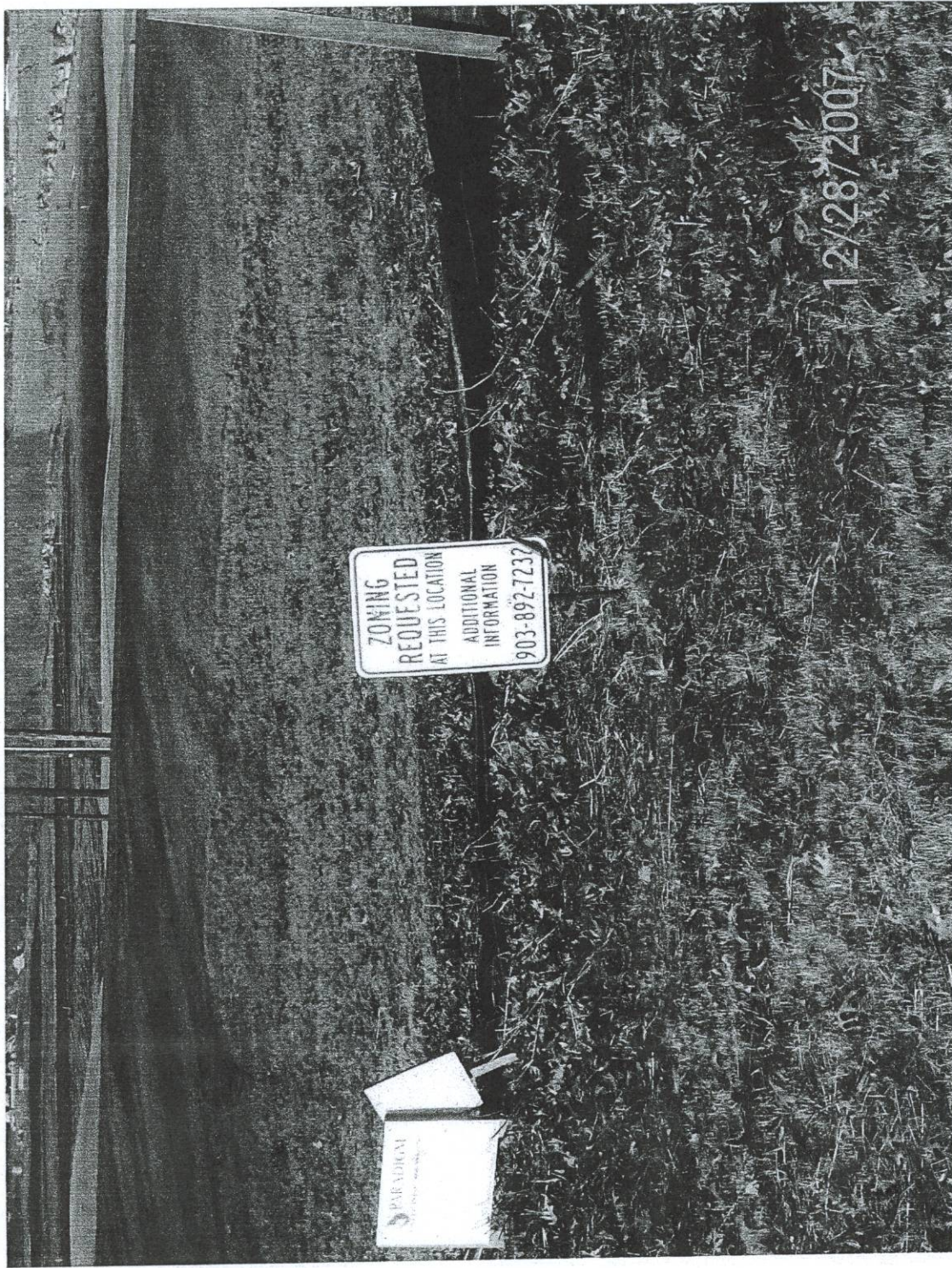
Department of Developmental Services



Average Scale: 1 inch = 468.2 feet

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1300-2600 BIK Hwy 75 S.





January 16, 2008

Dan Murray
1604 S. Sam Rayburn Frwy.
Sherman, Texas 75090

Sherman Hills Ltd.
500 Grenoble Rd.
Santa Barbara, CA 93110

Dear Applicants,

Your request for approval of a variance for the property located in the 1300-2600 Blocks of U.S. Highway 75 South has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. The City's Developer's Ordinance requires that developers provide escrow funds for streets on the boundary of developments in lieu of construction of one half of the street improvements. Waiver of the requirement for provision of the escrow funds without a designated party responsible for the street costs will likely result in the City assuming the future costs of construction for these improvements. The Escrow Funds for the construction of a drainage structure shall be paid to the City of Sherman in the amount of \$576,240.00.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,

Mark Gibson
Director of Utilities & Engineering

CC: George Olson, City Manager
Scott Shadden, Director of Development Services
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

700 North Crockett and 215 West Brockett
0.47 acres, being Lot 8, Block 1, of L.C. Chapman's Addition
Replat

Requested Action/Proposed Use:

Replat of Lot 8, Block 1, L. C. Chapman's Addition

Background:

This is a replat joining adjacent tracts into one tract.

Adjacent Zoning:

C-1 (Retail Business) District

Origination:

Mitchell Enterprises (Owner), Steve Mitchell (Representative) and Sartin and Associates, Inc. (Surveyors)

Master Plan Designation:

Retail

Attachments:

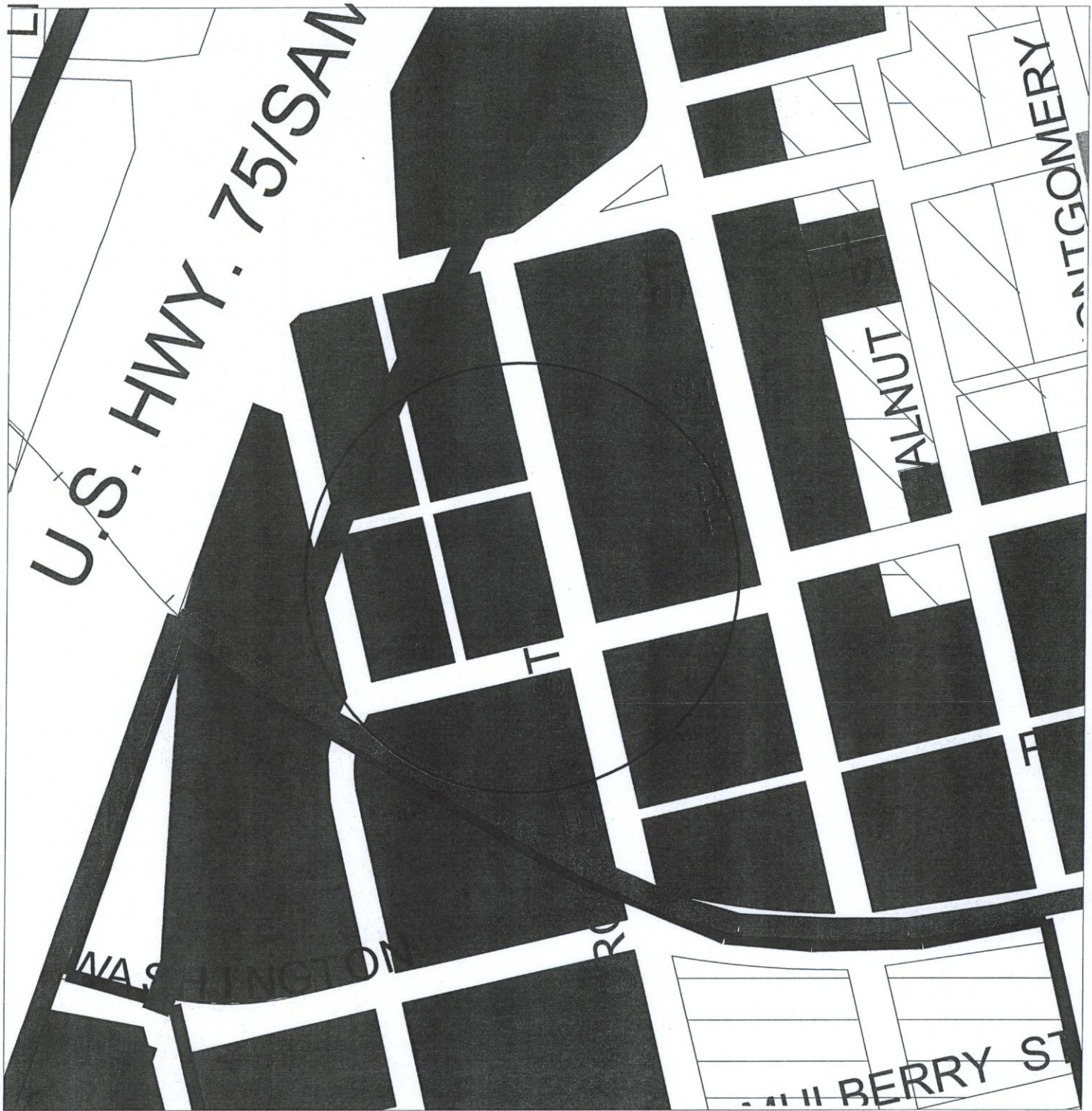
Location map
Photographs
Replat
Site Plan
Staff Review Letter

Prepared By:

Rita Gaither
Planning & Development Coordinator

Approved By:

Scott Shadden
Director of Developmental Services



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO OFFICE DISTRICT		COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



700 N CROCKETT
REPLAT

Department of Developmental Services

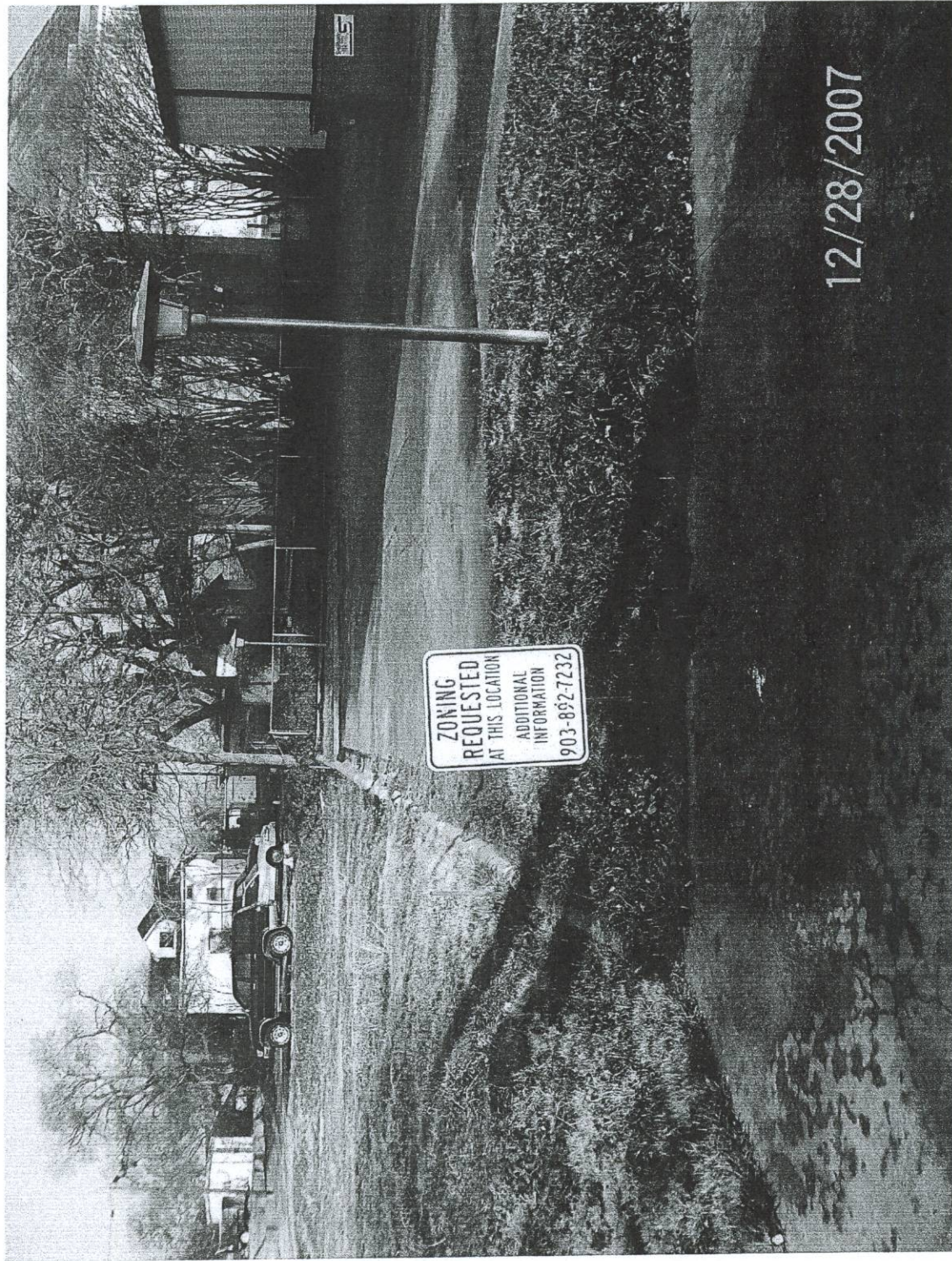




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Average Scale: 1 inch = 90.4 feet

700 N. Crockett



12/28/2007

January 16, 2008

Mitchell Enterprises
Steve Mitchell
700 N. Crockett
Sherman, Texas 75090

Sartin & Associates
109 S. Travis
Sherman, Texas 75090

Dear Applicants,

Your request for approval of a Replat for property located at 700 North Crockett Street and 215 West Brockett Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. Sidewalks and drive approaches are to be to City Standards.
2. Letters from the various utility companies stating the availability of service and the adequacy of easements are required.
3. Original tax certificates for the property must be furnished prior to recording of the plat.
4. Any other changes made to the Replat 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Mark Gibson
Director of Utilities & Engineering

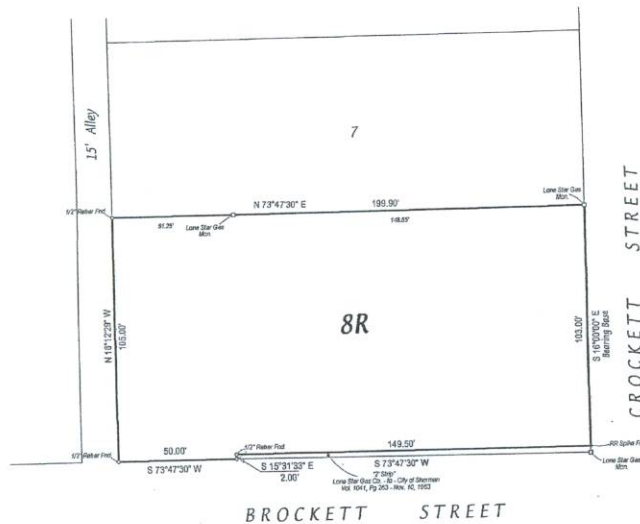
CC: George Olson, City Manager
Scott Shadden, Director of Development Services
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator
Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer
P.O. BOX 1106 • SHERMAN, TEXAS 75091-1106 (903) 892-7206

NOTICE: Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.

NORTH

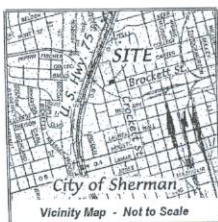
Scale 1" = 30'

Existing Base Monumentation found along the West line of Crockett Street as described by deed recorded in Volume 2630, Page 757.



REPLAT of LOT EIGHT, L. C. CHAPMAN'S ADDITION (Vol. 96, Page 437 Deed Records, Grayson County, Texas) to the CITY of SHERMAN, TEXAS

Owner & Developer
Mitchell Enterprises, Inc.



SARTIN & ASSOCIATES, INC.
Registered Professional Land Surveyors
109 S. Travis, P. O. Box 1843 Sherman, Texas 75091 - 1843
Ph.: (903) 897-8003 Fax: (903) 868-7970

1881CHAP.pcs
SHEET 1 OF 2

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1600-1700 Blocks of U. S Highway 75 North
Being 9.64 acres in the J. B. McAnair Survey, Abstract No. 763
Variance

Requested Action/Proposed Use:

Variance and Conceptual Site Plan Approval to allow a three (3) story hotel with a 41' maximum building height in lieu of 35 feet or two (2) stories in a C-2 (General Commercial) District and the O-1 (75 & 82) Overlay District.

Background

The prospective purchaser would like to construct a three (3) story 108 unit colonial style hotel at the southeast corner of Taylor Street and U.S. Highway 75 North.

Adjacent Zoning:

C-1 (Retail Business) District and M-1 (Light Manufacturing) District

Origination:

Ray Childress Realty, LP (Owner), Troy Bathman (Prospective Purchaser)

Master Plan Designation:

Retail/Commercial

Number of notices mailed:

9

Objections Received:

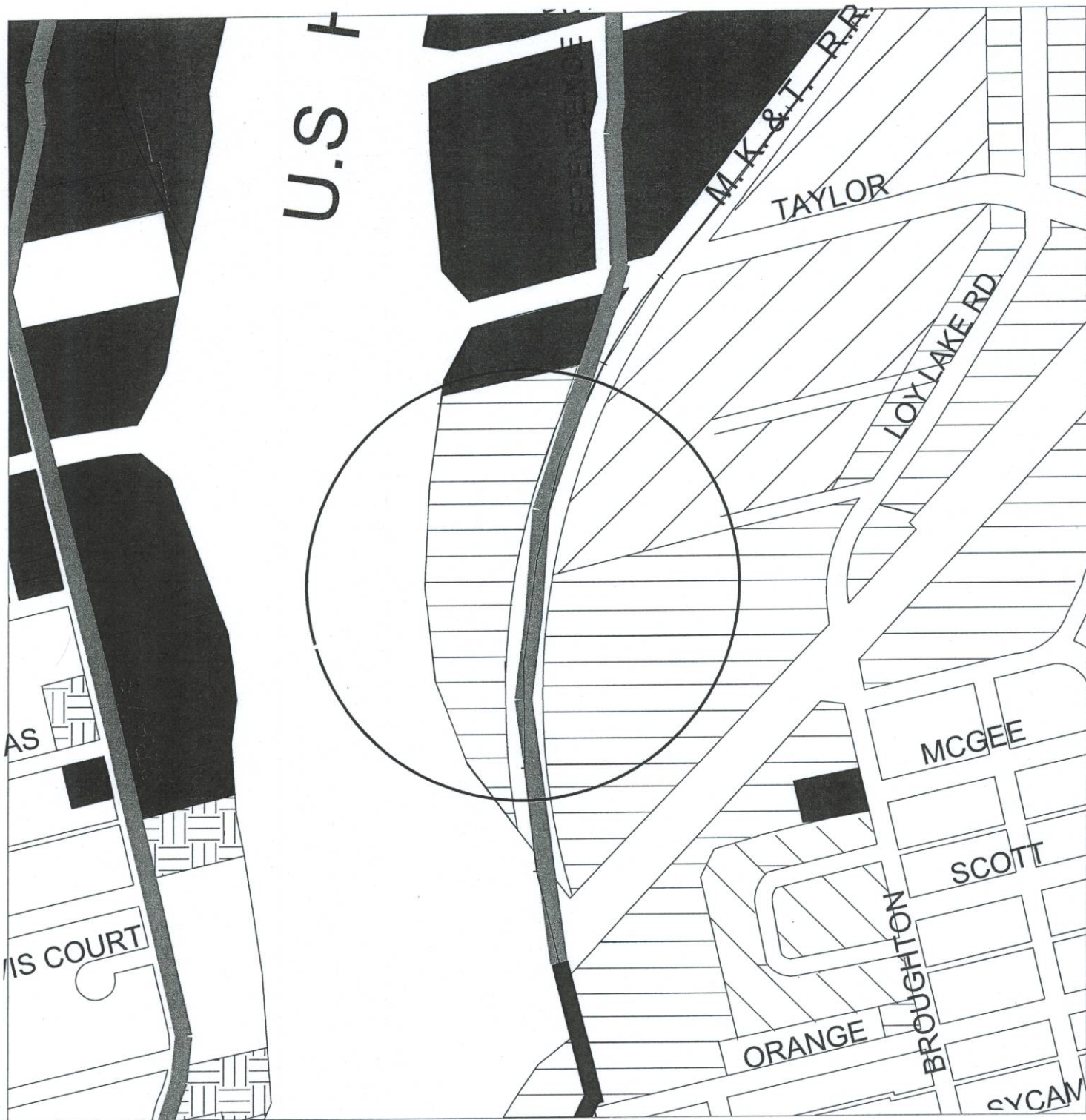
0

Attachments:

Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:
Patsy Reeves
Developmental Services Secretary

Approved By:
Scott Shadden,
Director of Developmental Services



LEGEND

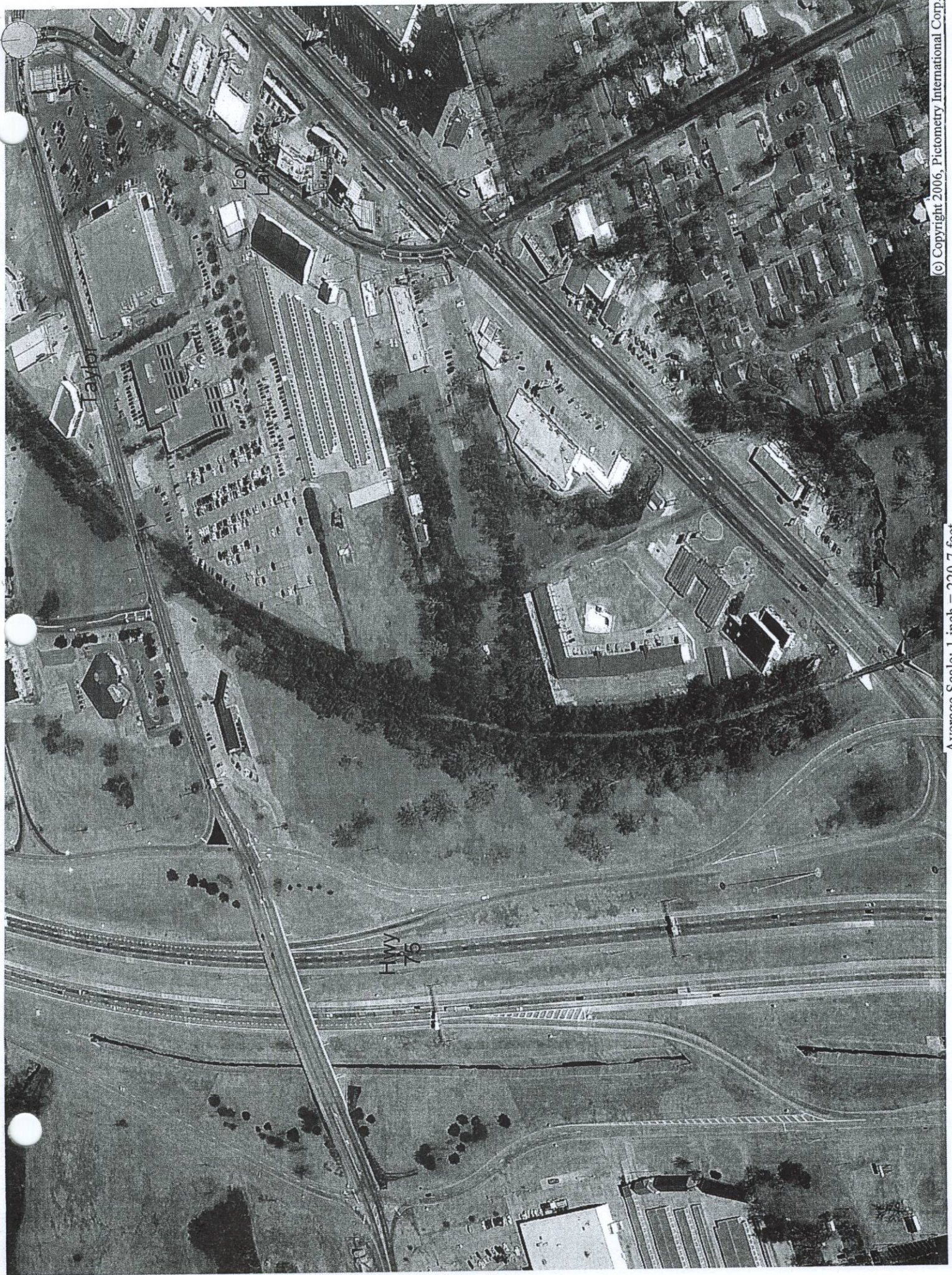
	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK OVERLAY DISTRICT - 75 & 82
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		O-1 OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1.1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.2 OVERLAY DISTRICT -SAM RAYBURN FREEWAY
	CO OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



1600-1700 US HWY 75 S VARIANCES

Department of Developmental Services





Average Scale: 1 inch = 220.7 feet

1600-1700 Blk Hwy 75 N.



ZONING
REQUESTED
AT THIS LOCATION
ADDITIONAL
INFORMATION
903-892-7232



**STAFF REVIEW LETTER**

January 16, 2008

Ray Childress Realty, LP
900 Business Highway, 290 N.
Hempstead, TX 77445

Troy Bathman
16910 Dallas Parkway, Ste. 100
Dallas, TX 75248

Dear Applicants,

Your request for approval of a variance and site plan for property located in the 1600-1700 Blocks of U.S. Highway 75 North has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. All aspects of the O-1 Overlay (75-82) District shall be followed.
2. All aspects of the 2003 ICC Fire Codes must be followed. If the proposed buildings are 30 feet in height or greater, then a 26 foot wide fire lane is required as required per Appendix D section D105.1, D105.2 and D105.3 of the 2003 ICC Fire Codes. It shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.
3. All aspects of the Commercial Tree and Landscaping Ordinance must be followed.
4. The property must be platted.
5. Minimum drive spacing is 425' according to TxDOT access manual. A common access driveway for the property is required. A TxDOT driveway permit is required before construction may begin. The City Engineering department shall inspect the drive approach.
6. Detention facilities are required unless the runoff from the site can be directly carried to a designation FEMA floodway that has adequate capacity (no adverse impact on downstream properties).
7. The detention pond shown is located over a sewer easement and shall be relocated.
8. The water main shall be extended to the south property line.
9. 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

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

Respectfully,

A handwritten signature in black ink, appearing to read "Scott Shadden", written over the word "Respectfully,".

Scott Shadden,
Secretary, Planning and Zoning Board and Board of Adjustment

CC:	George Olson, City Manager	Danny Fuller, Fire Marshal
	Scott Shadden, Director of Development Services	Jeff Miller, Director of Public Works
	Doreen E. McGookey, City Attorney	James Shankles, Jr., P.E., City Engineer
	Rita Gaither, Development Coordinator	

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1900-2600 Blocks Sandra Drive
Being 32.02 acres in the J.B. McAnair Survey, Abstract No. 763
Specific Use Permit

Requested Action/Proposed Use:

Specific Use Permit and Site Plan Approval to allow Patio Homes in an R-1 (One and Two Family Residential) District.

Background

The property is located between Sandra Drive and Hidden Valley Trail. The owner would like to develop the property for residential patio homes. The subdivision will be a gated community. The homes will be approximately 1,850-2,150 square foot brick homes with fireplaces and will range between \$180,000 to \$220,000. A portion of the property is located in the floodplain.

Adjacent Zoning:

R-1 (One and Two Family Residential) District

Origination:

Robert W. Minshew (Owner), David Kight, DBA Nortex Affordable Homes (Developer) and Chris Schmitt, Teague, Nall and Perkins, (Engineers)

Master Plan Designation:

Residential

Number of notices mailed:

37

Objections Received:

16

Attachments:

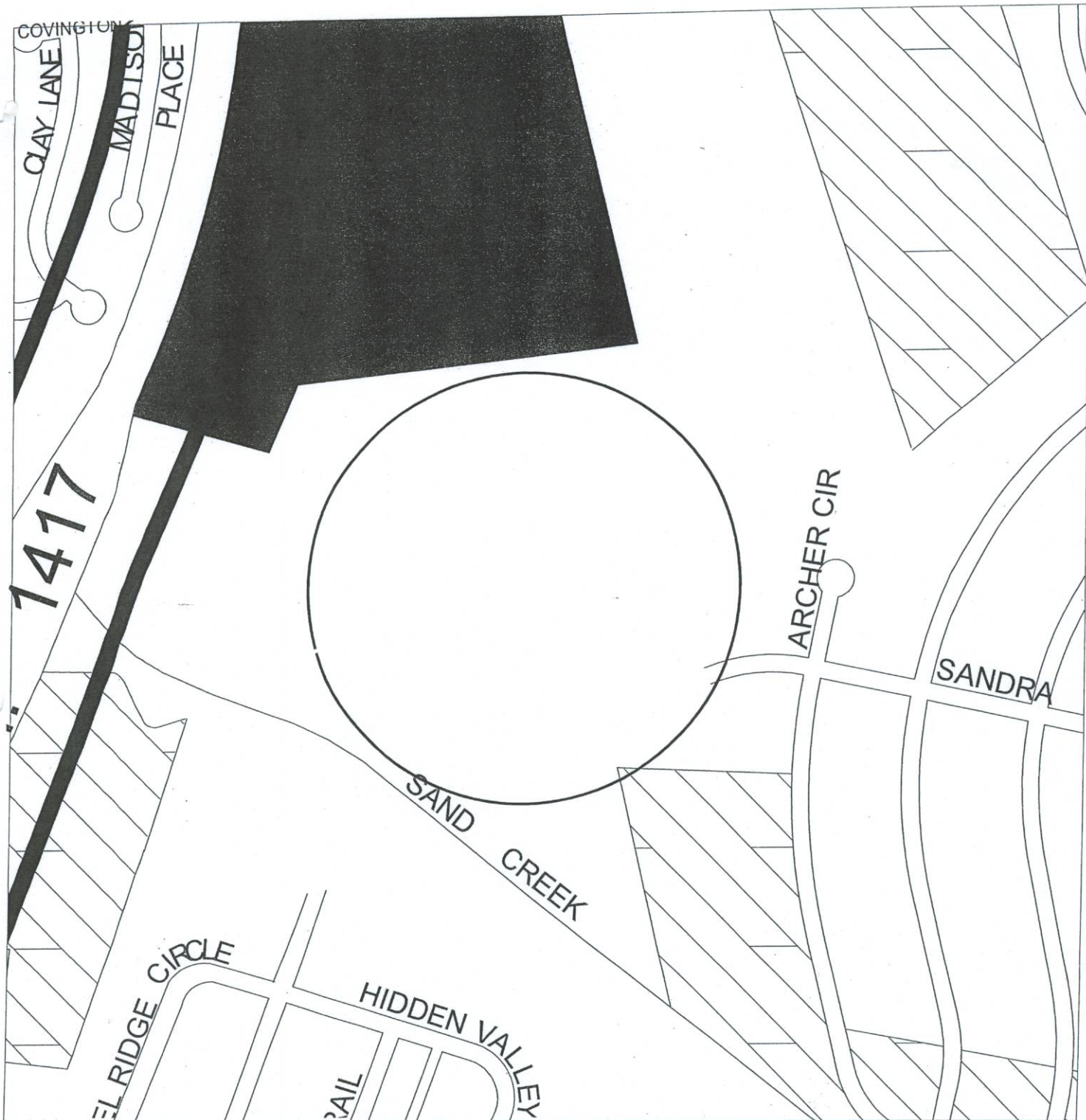
Location map
Photographs
Site Plan
Staff Review Letter

Prepared By:

Patsy Reeves
Developmental Services Secretary

Approved By:

Scott Shadden,
Director of Developmental Services



LEGEND

	R-A	SINGLE FAMILY AGRICULTURAL DISTRICT		M-2	HEAVY MANUFACTURING DISTRICT
	SF-1	SINGLE FAMILY RESIDENTIAL DISTRICT		M-H	MANUFACTURED HOUSING DISTRICT
	R-1	ONE AND TWO FAMILY RESIDENTIAL DISTRICT		O-1	BLALOCK INDUSTRIAL PARK OVERLAY DISTRICT - 75 & 82
	R-2	MULTI-FAMILY RESIDENTIAL DISTRICT		O-1.1	OVERLAY DISTRICT - 1417
	C-1	RETAIL BUSINESS DISTRICT		O-1.2	OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	C-2	GENERAL COMMERCIAL DISTRICT		CPO	COLLEGE PARK OVERLAY
	CO	OFFICE DISTRICT		A&C	ARTS & CULTURAL OVERLAY DISTRICT
	M-1	LIGHT MANUFACTURING DISTRICT		CBD	CENTRAL BUSINESS DISTRICT
	M-1.5	MEDIUM MANUFACTURING DISTRICT			



1900-2600 BLK SANDRA SPECIFIC USE PERMIT

Department of Developmental Services

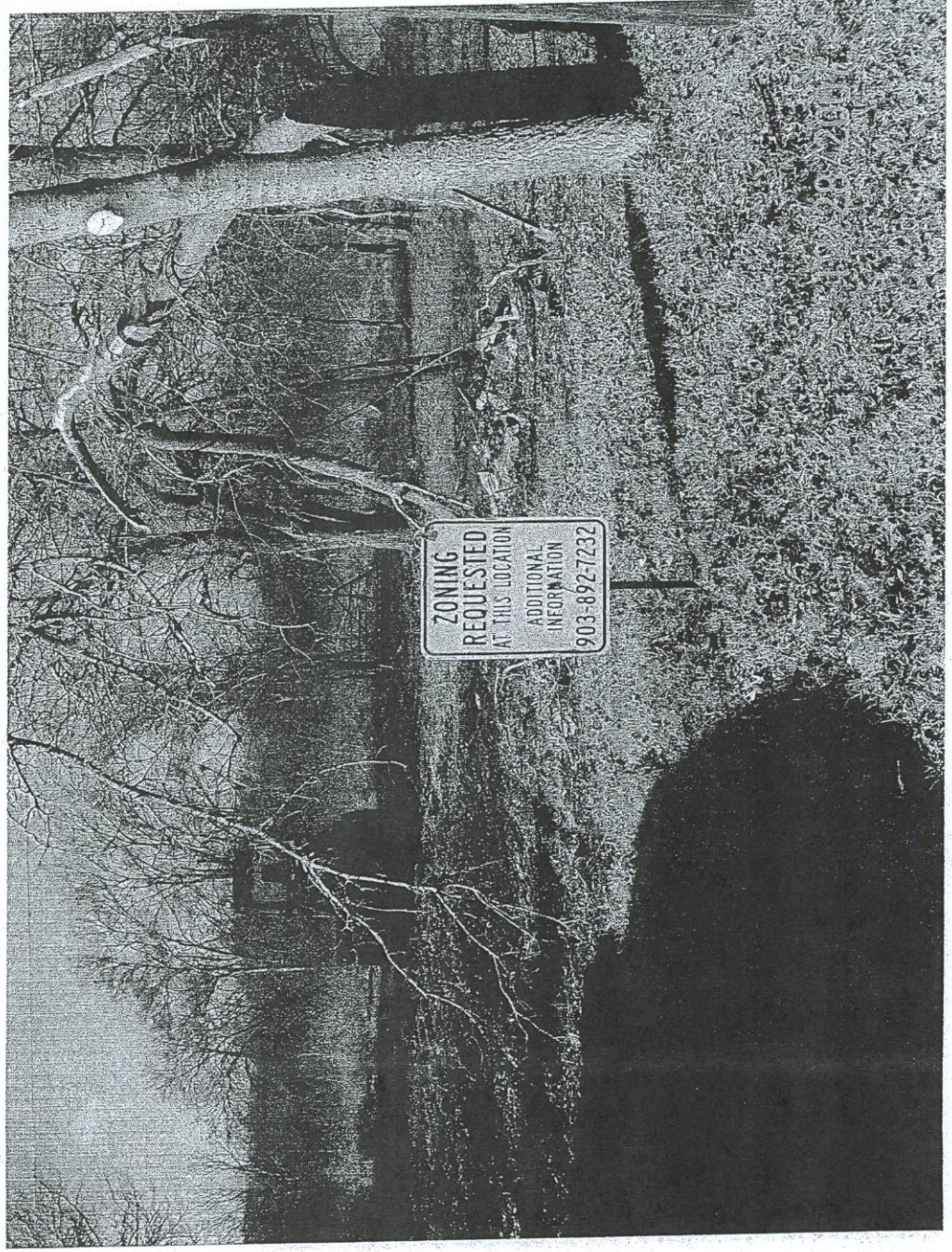


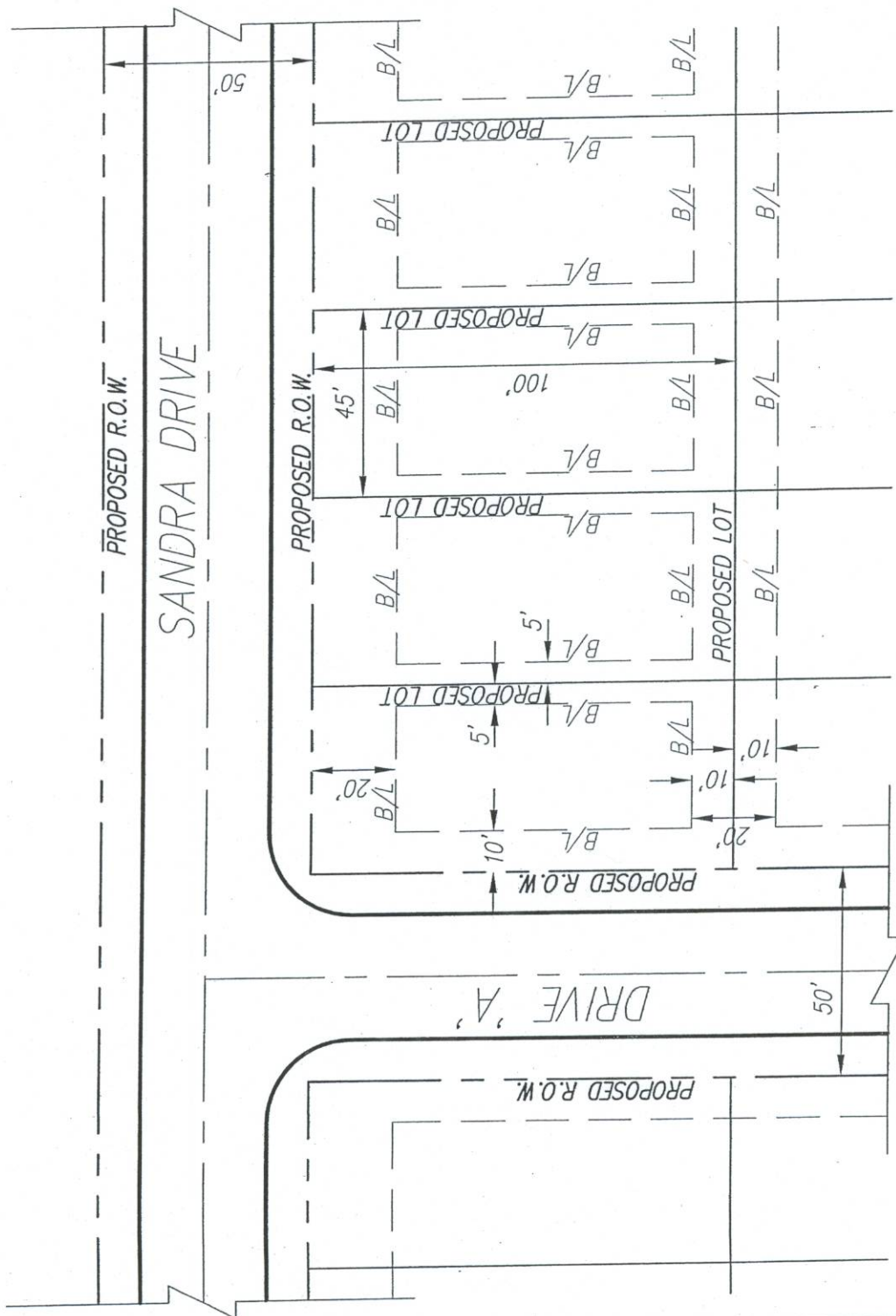
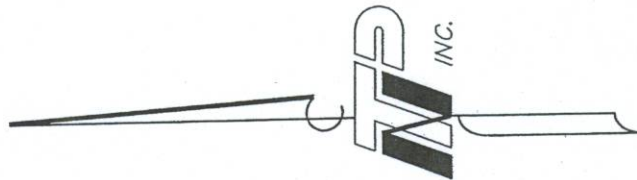


Average Scale: 1 inch = 171.5 feet

(c) Copyright 2006, Pictometry International Corp.

1900-2600 Blk Sandra Dr.





SCALE
HORIZ
1"=40'
VERT
N/A
DATE
JAN 2008



TEAGUE NALL AND PERKINS
ENGINEERS ♦ SURVEYORS ♦ CONSULTANTS

200 N. Travis, Suite 600
Sherman, Texas 75090
Phone: (903) 870-1089 • Fax: (903) 893-0152

CITY OF SHERMAN, TEXAS
TYPICAL LOT LAYOUT FOR
SAND CREEK ESTATES
LOT EXHIBIT

TNP PROJECT
NAH07393
SHEET
01
OF
XX

SHERMAN



STAFF REVIEW LETTER

January 16, 2008

Robert W. Minshew, Trustee
PO Box 758
Sherman, Texas 75091-0758

Teague, Nall & Perkins
Chris Schmitt
200 N. Travis, Ste. 500
Sherman, Texas 75090

David Kight
860 Brown Rd.
Sherman, Texas 75090
Dear Applicants,

Your request for approval of a specific use permit and site plan for property located in the 1900-2600 Blocks of Sandra Drive has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Knox box (security key access) is required for emergency access. Knox pad locks are required on all manual gates and Knox key switch access is required on all electric gates.
2. Side yard setbacks must be uniform for all homes within a given block.
3. 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. 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 the meeting.

Respectfully,

Scott Shadden
Secretary to Planning and Zoning

CC: George Olson, City Manager
Mark Gibson, Director of Utilities & Engineering
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer

City of Sherman
Planning and Zoning Commission
Board of Adjustments
Agenda Communication Form
January 22, 2008
Jason Sofey, Chairman

Jim Jacobs, Vice Chairman
Jason Bethel, Commissioner
Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

1900-2600 Blocks Sandra Drive
Being 32.02 acres in the J.B. McAnair Survey, Abstract No. 763
Preliminary Plat

Requested Action/Proposed Use:

Preliminary Plat for Sand Creek Addition

Background

The property is located between Sandra Drive and Hidden Valley Trail. The owner would like to develop the property for residential patio homes. The subdivision will be a gated community. The homes will be approximately 1,850-2,150 square foot brick homes with fireplaces and will range between \$180,000 to \$220,000. A portion of the property is located in the floodplain.

Adjacent Zoning:

R-1 (One and Two Family Residential) District

Origination:

Robert W. Minshew (Owner), David Kight, DBA Nortex Affordable Homes (Developer) and Chris Schmitt, Teague, Nall and Perkins, (Engineers)

Master Plan Designation:

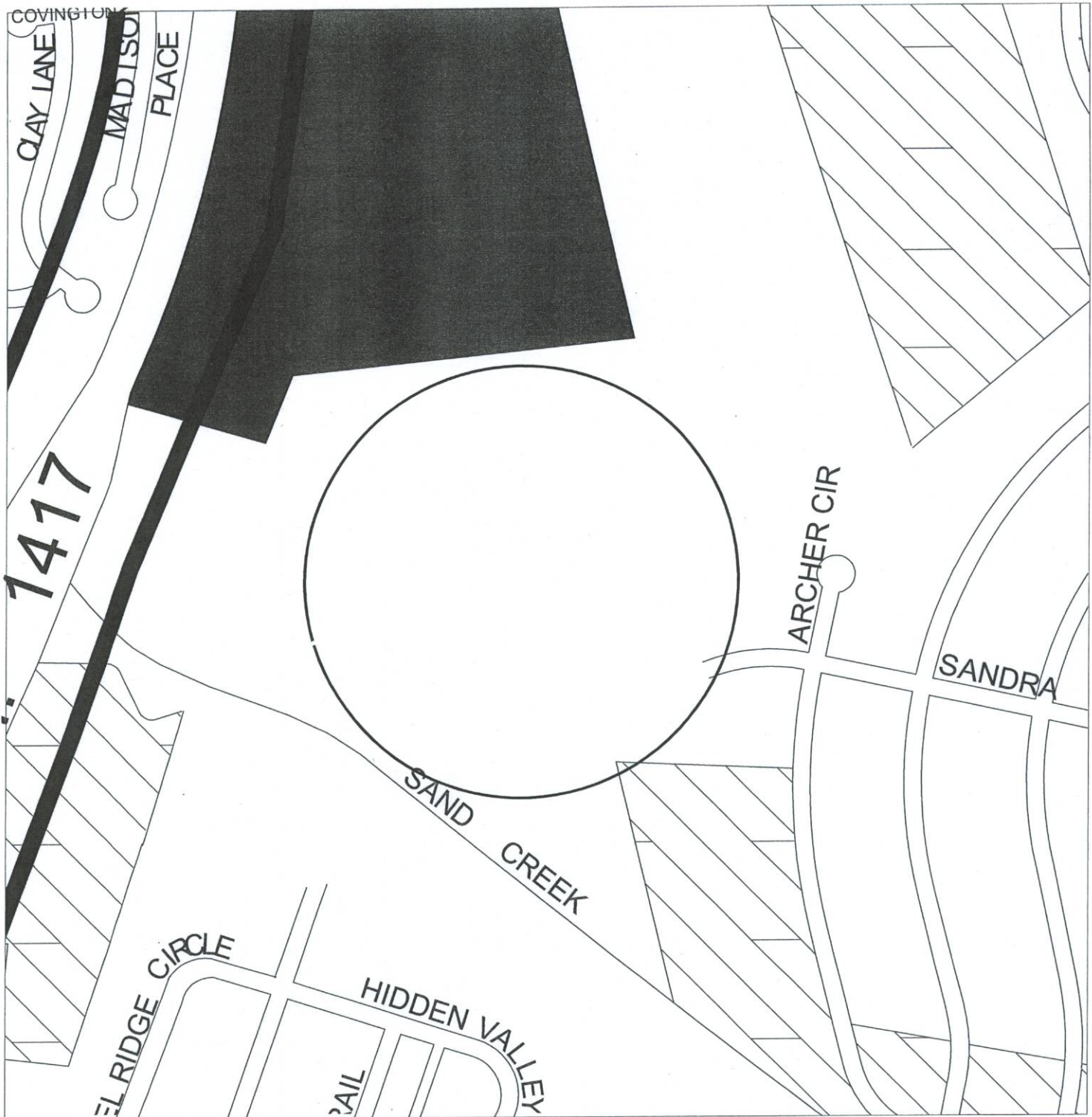
Residential

Attachments:

Location map
Photographs
Preliminary Plat
Staff Review Letter

Prepared By:
Rita Gaither
Planning & Development Coordinator

Approved By:
Scott Shadden,
Director of Developmental Services



LEGEND

	R-A SINGLE FAMILY AGRICULTURAL DISTRICT		M-2 HEAVY MANUFACTURING DISTRICT
	SF-1 SINGLE FAMILY RESIDENTIAL DISTRICT		M H MANUFACTURED HOUSING DISTRICT
	R-1 ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
	R-2 MULTI-FAMILY RESIDENTIAL DISTRICT		OVERLAY DISTRICT - 75 & 82
	C-1 RETAIL BUSINESS DISTRICT		O-1 OVERLAY DISTRICT - 1417
	C-2 GENERAL COMMERCIAL DISTRICT		O-1.1 OVERLAY DISTRICT - SAM RAYBURN FREEWAY
	CO OFFICE DISTRICT		CPO COLLEGE PARK OVERLAY
	M-1 LIGHT MANUFACTURING DISTRICT		A&C ARTS & CULTURAL OVERLAY DISTRICT
	M-1.5 MEDIUM MANUFACTURING DISTRICT		CBD CENTRAL BUSINESS DISTRICT



1900-2600 BLK SANDRA PRELIMINARY PLAT

Department of Developmental Services





Average Scale: 1 inch = 171.5 feet

(c) Copyright 2006, Pictometry International Corp.



January 16, 2008

Robert W. Minshew, Trustee
PO Box 758
Sherman, Texas 75091-0758

David Kight
860 Brown Rd.
Sherman, Texas 75090

Dear Applicants,

Your request for approval of a preliminary plat for property located in the 1900-2600 Blocks of Sandra Drive has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2008 at 6:00 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. Consider renaming the subdivision due to the fact that the subdivision name is similar to another subdivision in Sherman.
2. Permission from TXU shall be granted for Sandra Drive to cross the 200' easement.
3. The volume and page to be shown on the 40' encroachment easement into the 200' overhead easement.
4. Show Block A-C (Text) on the drawing.
5. Lot numbering appears to be for two blocks only.
6. A note stating that the private drainage area A-1, A-2 and A-3 to be maintained by Homeowners Association.
7. Street A is too close to existing creek and needs to be relocated. Improvements are not to be built in the floodway.
8. Cul de sac for Sandra Drive is too close to existing creek and needs to be relocated.
9. Cul de sac pavement shall be 100' diameter minimum.
10. Detention facilities are required unless the runoff from the site can be directly carried to a designated FEMA floodway that has adequate capacity (no adverse impact on downstream properties).
11. It is recommended that a lot grading plan be included in the construction plans.
12. Streets shall be concrete.
13. Sidewalks are required to be constructed by the developer at the time of street construction.
14. Street names are to be assigned to Drive A and Drive B.
15. Show actual location of Sand Creek and Floodway.
16. If the subdivision is to be developed with private streets the following items shall be considered and reviewed in more detailed prior to the final plat and the developer shall agree to provide the city a copy of an agreement with these terms:
 - a) Streets shall be built under the same standards and guidelines as if they were public streets.
 - b) A subdivision developed with private streets must have a mandatory property owners association which includes all property served by private streets. This association shall be responsible for the maintenance of the private streets and appurtenances.

- c) The street itself must be a lot owned by the association and must provide an easement to the city and all utility providers for access.
 - d) The city shall not pay for any portion of the cost of construction or maintaining private streets. All other requirements and fees related to development are still applicable and must be paid by the developer.
 - e) Entrances to all private streets must be manned 24 hours a day or must provide an alternative means of ensuring access to the subdivision by the city and other utility service providers with appropriate identification.
 - f) There shall be language on the final plat, property deeds and property owner association documents that cover items such as a waiver of certain city services such as routine police patrols, enforcement of traffic and parking ordinances and preparation of accident reports.
 - g) There shall also be a clause to allow the association to request the City to accept the streets as public streets in the future.
 - h) There shall also be Hold Harmless language on the subdivision plat whereby the Property Owners Association shall release the city, governmental entities and public utilities for damage and injuries.
17. Any other changes made to the preliminary plat 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 and Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. 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 Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,



Mark Gibson
Director of Utilities and Engineering

CC: George Olson, City Manager
Scott Shadden, Director of Development Services
Doreen E. McGookey, City Attorney
Rita Gaither, Development Coordinator
Teague, Nall & Perkins, Chris Schmitt (200 N. Travis, Ste. 500, Sherman, Texas 75090)

Danny Fuller, Fire Marshal
Jeff Miller, Director of Public Works
James Shankles, Jr., P.E., City Engineer

City of Sherman
Planning and Zoning Commission
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January 22, 2008
Jason Sofey, Chairman

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Lawrence Davis, Commissioner
Robert Softly, Commissioner

John Nix, Commissioner
Steve Jones, Commissioner
David Plyler, Commissioner
Robin Atherton, Commissioner

Review Draft Ordinance Updates of Overlay Districts

Requested Action/Proposed Use:

Review Draft Ordinance Updates of Overlay Districts and consider recommendation to the City Council for adoption.

Background

At the December 11, 2007 Special Called Meeting, the City Council discussed development standards for Sherman's major highways and thoroughfares which are the gateways into Sherman. Scott Shadden, Director of Development Services presented slides outlining the regulations for the Highway 75/82 Overlay District, the Sam Rayburn Overlay District and the FM 1417 Overlay District. A subcommittee was established at the December 18, 2007 Planning and Zoning Commission. The Planning and Zoning members include: Jason Sofey, Steve Jones and Robin Atherton. The committee recommends the FM 1417 Overlay District standards be added to the 75/82 and Sam Rayburn Overlay Districts.

Origination:

City Council and Staff

Attachments:

Draft Ordinances

Prepared By:
Patsy Reeves
Developmental Services Secretary

Approved By:
Scott Shadden,
Director of Developmental Services

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING APPENDIX A OF THE CODE OF ORDINANCES, ENTITLED "GENERAL ZONING ORDINANCE", AT SECTION 6, SUBSECTION 6.8 AMENDING THE REQUIREMENTS FOR THE "O-1 (75 & 82) OVERLAY DISTRICT"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That Section 6 of Appendix A of the Code of Ordinances of the City of Sherman, Texas, be amended to add a new subsection 6.8 to read as follows:

(1) Introduction.

(a) The development of new and existing highways offers significant economic opportunities for the city and its citizens. Local highways provide easy access linkages within the city to nearby communities and to the entire U.S. highway system. The development standards will make the city a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the overly [overlay] district development area standards is to ensure that highway development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the planning and zoning commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design: Nonresidential. Design standards for nonresidential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement: Nonresidential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent [areas] are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas adjacent to U.S. Highway 75 and being five hundred (500) feet on either side of said right-of-way, from the intersection of U.S. Highway 75 with Highway 91 north to F.M. 691, and from the south city limits, north to the south boundary of Tract 1 and Tract 2 of the Blalock Industrial Park and along and adjacent to U.S. Highway 82 and being five hundred (500) feet on either side of said right-of-way, extending from east F.M. 1417 to its intersection with west F.M. 1417.

(b) Compliance required. All property within the boundaries of the overlay [overlay] district development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the planning and zoning commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The planning and zoning commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Nonresidential building design.

(a) General provisions. All nonresidential buildings shall comply with the zoning ordinance, building code and related construction codes of the city.

(b) Exterior walls. Building materials must be specified and ~~may be permitted when such materials are wood, glass, masonry or metal, and~~ consistent with the intent of these standards. *Wall finishes shall be masonry, or masonry veneer, or concrete siding. The front wall or the wall facing the highway will be no less than twenty (20) percent wood, glass, masonry or veneer.* A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the planning and zoning commission.

(c) Windows. Reflective glass with an exterior reflectance percentage in excess of twenty-seven (27) percent, as certified through the manufacturer's specifications, shall not be used as an exterior building material on any building or structure. Windows and window walls shall not be glazed or reglazed with mirrored glass.

(d) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(e) *Mechanical Equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.*

(f) *All buildings shall have at least four architectural features from the following list.*

- *Canopies, awnings, or porticos*
- *Recesses/projections*
- *Arcades (recessed porches)*
- *Peaked roof forms*
- *Arches*
- *Outdoor patios*
- *Display windows*
- *Architectural details (such as tile work and moldings) integrated into the building facade*
- *Articulated cornice line*
- *Integrated planters or wing walls that incorporate landscape and sitting areas*

- *Offsets, reveals or projecting rib used to express architectural or structural bays*
- *Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)*
- *Varied roof heights*

(g) *Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.*

(5) Nonresidential building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

(1) Forty (40) feet from the highway right-of-way or twenty-five (25) feet plus the height of the building, whichever is greater.

(2) Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

(1) Five (5) feet from rear and side property lines.

(2) Forty (40) feet from any residential dwelling that is zoned R for single-story buildings not exceeding thirty (30) feet in height;

(3) All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback shall be required in excess of one hundred (100) feet.

(c) Loading docks. Loading docks, overhead doors and service bays shall not be located on the parkway side of any building.

(d) Parking areas. ~~Parking area regulations shall comply with existing ordinances of the city.~~ *Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds city requirements and approved by the zoning board. Cross access driveways are required adjacent to commercial zoned tracts.*

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

(1) Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy.

(2) Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and *irrigated* ~~curbed~~, being five ~~(5)~~ *ten (10)* feet in depth adjacent to the highway right-of-way.

(3) All landscaping shall be installed so as to avoid hazards.

(4) An effort shall be made to preserve existing trees.

(7) Screening.

(a) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

(1) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the nonresidential use is at a much lower grade than the residential use).

(2) All landscaping shall be installed so as [to] avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

(1) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.

- (2) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.
- (3) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.
- (4) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.
- (5) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.
- (d) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.
- (1) Rear yards and service yards. Where the rear yard, side yard or service side of a nonresidential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to (c) above.
- (2) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.
- (3) Outdoor storage area. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. *Stored merchandise shall not exceed the height of the screening device.*
- (4) Refuse areas. All refuse areas shall be screened *on three sides. Gates are not required.*
- (5) Ground-mounted equipment. All ground-mounted equipment including, but not limited to, ~~paid~~-pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.
- (8) Glare and illumination.

(a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Procedures and notice.

(a) The planning and zoning commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The planning and zoning commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the planning and zoning commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the planning and zoning commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

SECTION 2. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

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

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

INTRODUCED on this the _____ day of _____, 2008.

ADOPTED on this the _____ day of _____, 2008.

EFFECTIVE DATE on this the _____ day of _____, 2008.

CITY OF SHERMAN, TEXAS

BY:

BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

**DOREEN E. MCGOOKEY,
CITY ATTORNEY**

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING APPENDIX A OF THE CODE OF ORDINANCES, ENTITLED "GENERAL ZONING ORDINANCE", AT SECTION 6, SUBSECTION 6.8.2 AMENDING THE REQUIREMENTS FOR THE "SAM RAYBURN OVERLAY DISTRICT"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That Section 6 of Appendix A of the Code of Ordinances of the City of Sherman, Texas, be amended to add a new subsection 6.8.2 to read as follows:

(1) Introduction.

(a) The development of existing highways offers significant economic opportunities for the city and its citizens. Local highways provide easy access linkages within the city to nearby communities and to the entire U.S. highway system. The Sam Rayburn Overlay District development standards will make the city a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the Sam Rayburn Overlay District development area standards is to ensure that the development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the Sam Rayburn Overlay District development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the planning and

zoning commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design: Nonresidential. Design standards for nonresidential buildings shall ensure that the design, color, materials, and basis for proportion of structures within the Sam Rayburn Overlay District development area are harmonious with the intent of the ordinance.

(c) Building placement: Nonresidential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of the site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Sam Rayburn Overlay District development areas are those areas adjacent to and within 200 feet of Sam Rayburn Freeway from the intersection of U.S. Highway 75 with Highway 91 south extending to the Blalock Industrial Park District.

(b) Compliance required. All property within the boundaries of the Sam Rayburn Overlay District development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the planning and zoning commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the Sam Rayburn Overlay District development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The planning and zoning commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Nonresidential building design.

(a) General provisions. All nonresidential buildings shall comply with the zoning ordinance, building code and related construction codes of the city.

(b) Exterior walls. Building materials must be specified and ~~may be permitted when such materials are wood, glass, masonry or metal, and consistent with the intent of these standards.~~ *Wall finishes shall be masonry, or masonry veneer, or concrete siding.* ~~The front wall or the wall facing the highway will be no less than one hundred (100) percent wood, glass, masonry or veneer or combination thereof.~~ A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the planning and zoning commission.

(c) Windows and Glass. Reflective glass with an exterior reflectance percentage in excess of twenty-seven (27) percent, as certified through the manufacturer's specifications, shall not be used as an exterior building material on any building or structure. Windows and window wall shall not be glazed or reglazed with mirrored glass.

(d) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(e) *Mechanical Equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.*

(f) *All buildings shall have at least four architectural features from the following list.*

- *Canopies, awnings, or porticos*
- *Recesses/projections*
- *Arcades (recessed porches)*
- *Peaked roof forms*
- *Arches*
- *Outdoor patios*
- *Display windows*
- *Architectural details (such as tile work and moldings) integrated into the building facade*
- *Articulated cornice line*

- *Integrated planters or wing walls that incorporate landscape and sitting areas*
 - *Offsets, reveals or projecting rib used to express architectural or structural bays*
 - *Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)*
 - *Varied roof heights*
- (g) *Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.*

(5) Nonresidential building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

- (1) Forty (40) feet from the highway right-of-way.
- (2) Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

- (1) Five (5) feet from rear and side property lines.
- (2) Single-story structures up to thirty (30) feet in height shall have a minimum fifteen (15) foot setback from any R district lines.
- (3) All other buildings and structures shall be setback from residential district lines no less than a distance equal to the height of the highest point on the building above grade. No setback shall be required in excess of fifty (50) feet.

(c) Loading docks. Loading docks, overhead doors, service bays and trash receptacles shall be screened by earthen berms and/or landscape when located on the parkway side of any building.

(d) Parking areas. Parking areas and service drives areas shall be concrete and shall be buffered by minimum two (2) foot tall landscape adjacent to the highway.

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

(1) Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy.

(2) Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and *irrigated* ~~curbed~~, being *ten (10)* ~~five (5)~~ feet in depth adjacent to the highway right of way.

(3) All landscaping shall be installed so as to avoid hazards.

(4) An effort shall be made to preserve existing trees.

(7) Screening.

(a) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

(1) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the nonresidential use is at a much lower grade than the residential use).

(2) All landscaping shall be installed so as to avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

(1) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.

(2) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

(3) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

(4) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.

(5) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(d) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

(1) Rear yards and service yards. Where the rear yard, side yard or service side of a nonresidential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to (c) above.

(2) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

(3) Outdoor storage area. Outdoor storage of merchandise, equipment or materials which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public

thoroughfares and abutting uses. *Stored merchandise shall not exceed the height of the screening device.* .

(4) Refuses areas. All refuse areas shall be screened *on three sides. Gates are not required.* .

(5) Ground-mounted equipment. All ground mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standards, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable or any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Paving. Any off-street parking area, service drive or driveway shall be concrete pavement so as to provide a durable and dustless surface.

(11) Procedures and notice.

(a) The planning and zoning commission shall review the specific elements of site and building plans for development within the Sam Rayburn Overlay District development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The planning and zoning commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

- (c) If the planning and zoning commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.
- (d) Any applicant aggrieved by a decision of the planning and zoning commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

SECTION 2. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

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

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

INTRODUCED on this the _____ day of _____, 2008.

ADOPTED on this the _____ day of _____, 2008.

EFFECTIVE DATE on this the _____ day of _____, 2008.

CITY OF SHERMAN, TEXAS

BY:

BILL MAGERS, MAYOR

ATTEST:

BY: LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

DOREEN E. MCGOOKEY,
CITY ATTORNEY

DRAFT

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 14, EXHIBIT "A", GENERAL ZONING ORDINANCE NO. 2280, AT SECTION 6.8.1, ENTITLED "O-1.1 F.M. HIGHWAY 1417 OVERLAY DISTRICT"; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That Chapter 14, Exhibit "A", Section 6.8.1 of the General Zoning Ordinance No. 2280 of the City of Sherman, Texas, be and is hereby amended so that such section shall read as follows:

- (1) Introduction.
 - (a) The development of new and existing highways offers significant economic opportunities for the city and its citizens. Local highways provide easy access linkages within the city to nearby communities and to the entire U.S. highway system. The development standards will make the city a more desirable place to live and conduct business.
 - (b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the overlay district development area standards is to ensure that highway development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.
- (2) Intent and purpose.
 - (a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity.

This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the planning and zoning

commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design: Nonresidential. Design standards for nonresidential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement: Nonresidential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent [areas] are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas adjacent to F.M. Highway 1417 and being three hundred (300) feet on either side of said right-of-way F.M. 1417.

(b) Compliance required. All property within the boundaries of the overlay district development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the planning and zoning commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The planning and zoning commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Nonresidential building design.

- (a) General provisions. All nonresidential buildings shall comply with the zoning ordinance, building code and related construction codes of the city.
- (b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the planning and zoning commission.
- (c) Windows. Reflective glass with an exterior reflectance percentage in excess of twenty-seven (27) percent, as certified through the manufacturer's specifications, shall not be used as an exterior building material on any building or structure. Windows and window walls shall not be glazed or reglazed with mirrored glass.
- (d) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.
- (e) Mechanical Equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.
- (f) All buildings shall have at least four architectural features from the following list.
- Canopies, awnings, or porticos
 - Recesses/projections
 - Arcades (recessed porches)
 - Peaked roof forms
 - Arches
 - Outdoor patios
 - Display windows
 - Architectural details (such as tile work and moldings) integrated into the building facade
 - Articulated cornice line
 - Integrated planters or wing walls that incorporate landscape and sitting areas
 - Offsets, reveals or projecting rib used to express architectural or structural bays
 - Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)

- Varied roof heights

(g) *Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.*

(5) Nonresidential building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

(i) Forty (40) feet from the highway right-of-way.

(ii) Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

(iii) On premise signs that are 12 feet or less in height may have a 25' setback from Highway 1417. (see Subsection 10)

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

(i) Five (5) feet from rear and side property lines.

(ii) Forty (40) feet from any R (residential) zoned property for single-story buildings not exceeding thirty (30) feet in height;

(iii) All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback shall be required in excess of one hundred (100) feet.

(c) Parking areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds city requirements and approved by the zoning board. Cross access driveways are required adjacent to commercial zoned tracts.

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

(i) Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy. All detention ponds shall be landscaped.

(ii) Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped *and* irrigated ~~and curbed~~, being ten (10) feet in depth adjacent to the highway right-of-way.

(iii) All landscaping shall be installed so as to avoid hazards.

(iv) An effort shall be made to preserve existing trees.

(7) Screening.

(a) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened. Mechanical, utility, and service facilities shall be screened on three sides. Gates are not required.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

(i) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy forming trees where the nonresidential use is at a much lower grade than the residential use).

(ii) All landscaping shall be installed so as [to] avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

(i) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble, or the built-up panels of these materials designed for exterior use.

(ii) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

(iii) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

(iv) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.

(v) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(d) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

(i) Rear yards and service yards. Where the rear yard, side yard or service side of a nonresidential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to (c) above.

(ii) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

(iii) Outdoor storage area. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.

(iv) Refuse areas. All refuse areas shall be screened on three sides. Gates are not required.

(v) Ground-mounted equipment. All ground-mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

- (b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.
- (c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.
- (9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.
- (10) Signs. Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the highway right-of-way.
- (11) Procedures and notice.
 - (a) The planning and zoning commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.
 - (b) The planning and zoning commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.
 - (c) If the planning and zoning commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.
 - (d) Any applicant aggrieved by a decision of the planning and zoning commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

SECTION 2. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the General Zoning Ordinance of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or relettered to accomplish such intention.

SECTION 3. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

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

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

INTRODUCED on this the _____ day of _____, 2006.

ADOPTED on this the _____ day of _____, 2006.

EFFECTIVE DATE on this the _____ day of _____, 2006.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY: _____
DOREEN E. MCGOOKEY,
CITY ATTORNEY