CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JULY 19, 2021
5:00 P.M.

A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

A. 2. PLEDGE OF ALLEGIANCE LED BY MAYOR DAVID PLYLER

A. 3. INVOCATION BY MAYOR DAVID PLYLER

A. 4. APPROVE MINUTES OF THE CALLED CITY COUNCIL MEETING OF MAY 27, 2021 (CIP WORK SESSION) AND THE CALLED CITY COUNCIL MEETING OF JULY 6, 2021

Citizen Comments

B. 1. CITIZEN COMMENTS

During this meeting, the City Council welcomes public comment **only** on agenda items listed under the Open Meeting portion of the agenda, in accordance with Texas Government Code Section 551.007. For items not listed on the agenda, those matters may be discussed with City staff during regular business hours, or with the Mayor or any Council member by contacting them at times other than at City Council meetings.

Consent Agenda

C. 1. CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

C. 2. CONSENT AGENDA

Double Asterisked (**) items are considered to be routine and will be enacted in one motion, subject to staff review letter, without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

Public Hearing

D. 1. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6394**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, So as to Grant a Specific Use Permit to allow 200 Patio Homes in the Proposed Sherman Heights Addition, Blocks 1-8, being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625 in an R-1 (One-Family Residential) District in the 2400-2700 Blocks of South FM 1417 (Heritage Parkway), (ARC STX Holdings, LLC, Owner; Tesch Development & Management Co., LLC, Prospective Buyer; Robert Tesch, Representative; Pape-Dawson Engineers, Civil Engineer; and Pierce-Murray Land Solutions, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 2. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6395**

An Ordinance of The City Council of The City of Sherman, Texas, Amending Section 8, Subsection (5)(A), Ordinance No. 2280, So As to Grant a Specific Use Permit to Allow an Educational Facility/Preschool in a C-1 (Retail Business) District at 106-B North Sunset Boulevard, being Lot 3, Block 1 Westwood Village Second Replat Part Block 2 (Owners Manual for Life, Owner; MasterKey Ministries of Grayson County, Tenant; Julie Rickey, Representative; and David Baca Studio, Architect); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 3. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6396**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, So as to Grant a Specific Use Permit to Allow Used Automobile Sales in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 1804 North U.S. Highway 75, being part of Lot 1, Block 1, James Plaza Addition (Sherman PAG 1, LLC, Owner; Marcus Trimble, Architect; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6397**

An Ordinance of The City Council of The City of Sherman, Texas, Amending Section 8, Subsection (5)(A), Ordinance No. 2280, Granting a Specific Use Permit to allow Automobile Sales in a C-2 (General Commercial) District at 3908 and 3924 Texoma Parkway, being 0.648 acres and 1.279 acres in the Samuel McGlothlin Survey, Abstract No. 811 and the Hillard Jennings Survey, Abstract No. 639 (MLJ Real Estate, LP, Owner; Matthew Johnson, Representative; and Underwood Drafting and Surveying and Cox Land Surveying, Surveyors); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6398**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, Granting a Specific Use Permit to Allow Used Automobile Sales in a C-2 (General Commercial) District at 5922 Texoma Parkway, being 5.52 acres in the J.B. Shannon Survey, Abstract No. 1085 (Patterson Investment Properties, LP, Owner; Ronald Davis, Davis Motor Company, Proposed Tenant; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

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D. 6. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6399**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-2 (Multi-Family Residential) District, located at 1229 North Broughton Street, being 0.230 acres in the J.B. McAnair Survey, Abstract No. 763 (Moran Developments LLC, Owner; Luis Moran, Representative; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed $2,000.00

D. 7. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6400**

Amending Section 6.12, and Section 12, Ordinance No. 2280, so as to Rezone Property Generally Located in the 100-1200 Blocks of West Shepherd Drive, being Approximately 531.87 acres in the Friar McNeely Survey, Abstract No. 826, the Benjamin Lindsay Survey, Abstract No. 733 and the M. Hunt Survey, Abstract No. 603, as a Planned Development District Subject to this Ordinance and Ordinance No. 2280 (Yongshik Kim, Owner; Spiars Engineering, Civil Engineer; Lauren Helmberger, Representative; and J.E. Smith, Surveyor); Providing that the Property is Rezoned and Placed in the Zoning Classification of Planned Development; Describing the Property to be Rezoned; Providing a Penalty not to Exceed $2,000.00

Close Public Hearing and Consider Adoption of Ordinances

D. 8. **ADOPTION OF ORDINANCES**

Consider Adoption of Ordinance Numbers 6394, 6395, 6396, 6397, 6398, 6399 & 6400

Resolutions

E. 1. **RESOLUTION NO. 6751**

Authorizing Execution of Amendment No.1 to the Professional Services Agreement with Jones/Carter Engineering for the Hilre Drive Extension Project

E. 2. **** RESOLUTION NO. 6752***

Authorizing the City Manager to Enter into a Memorandum of Understanding with Grayson County For Sherman's Participation in the Grayson County Community Mitigation Planning Program; Appointing Members to Serve on the Grayson County Community Mitigation Planning Team

E. 3. **** RESOLUTION NO. 6753***

Authorizing Submission of a Joint Grant Application with the City of Denison and Grayson County for, and the Acceptance of, a Grant Awarded under the 2021 Justice Assistance Grant Program-CFDA #16.738

E. 4. **** RESOLUTION NO. 6754***

Authorizing Execution of an Interlocal Agreement between the City of Sherman, the City of Denison, and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2021 Justice Assistance Grant Program – CFDA #16.738

E. 5. **** RESOLUTION NO. 6755***

Authorizing Execution of an Agreement with M&G Home Builders LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 917 North Montgomery Street within City of Sherman Reinvestment Zone, Number Ten (#10)

E. 6. **** RESOLUTION NO. 6756***

Authorizing Execution of an Agreement with Jose and Maria Lara for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 509 South Gribble Street within City of Sherman Reinvestment Zone, Number Ten (#10)

E. 7. **** RESOLUTION NO. 6757***

Authorizing Execution of an Agreement with Tobar's Properties, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 411 East Wilson Avenue within City of Sherman Reinvestment Zone, Number Ten (#10)

Requests to Advertise

F. 1. **** REQUEST TO ADVERTISE***

Wastewater Treatment Plant Fence Replacement Project

Other Business

G. 1. **OTHER BUSINESS**

Receive Presentation from Dan Jackson of Willdan on the updated Water and Wastewater Rate Study

G. 2. **OTHER BUSINESS**

Preview of the 2021-2022 Draft Budget

G. 3. **OTHER BUSINESS**

Site Plan Approval and Exception under Ordinance No. 2252 Article IV Section 410 (2) (j), (2)(g)(2) and (2)(k) to allow Outdoor Storage in the front and rear of the building subject to the site plan as presented in lieu of the required rear ½ of the property and shall not be placed on that half of the property adjacent to an existing street (Dorsett Drive) in the Blalock Industrial Park at 4318 South U.S. Highway 75.

G. 4. **OTHER BUSINESS**

Final Plat Approval of Sherman Heights Addition, being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625 (ARC STX Holdings, LLC, Owner; Tesch Development & Management Co., LLC, Prospective Buyer; Robert Tesch, Representative; Pape-Dawson Engineers, Civil Engineer; and Pierce-Murray Land Solutions, Surveyor (2400-2700 Blocks South FM 1417 (Heritage Parkway))

G. 5. **OTHER BUSINESS**

Final Plat Approval of Austin Landing, Phase IV, being 40.840 acres in the Alexander and Richards Survey, Abstract No. 42 (Leo Joseph Bowler, III, Owner; and Windrose Land Surveying, Surveyor (700 Block West Northcreek Drive & 4900 Block North Travis Street)

G. 6. **** OTHER BUSINESS***

Approve Quarterly Investment Report for Quarter Ended June 30, 2021

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

G. 7. ***** OTHER BUSINESS***

Replat Approval of Cornerstone Addition, Block 2, Lot 9R, being a Replat of Lots 8, 9 & 10, Block 2, Cornerstone Addition, being Lots 8, 9 and 10, Block 2, Cornerstone Addition; P&N Sherman, LLC, Owner; and Preston Trail Land Surveying, Surveyor (301, 305 & 309 Cornerstone Drive)

G. 8. ***** OTHER BUSINESS***

Final Plat Approval of Jaramillo Addition on Leslie Lane in the City of Sherman's Extra Territorial Jurisdiction (ETJ), being 14.492 acres in the Aaron Burleson Survey, Abstract No. 61 (Angel M. Jaramillo & Martha Lopez, Owners; and Preston Trail Land Surveying, Surveyor (3400 Block East Leslie Lane)

G. 9. ***** OTHER BUSINESS***

Replat Approval of Lots 6A & 6B, Block 31, Hilltop Estates, being 0.760 acres in the J. Hendrix Survey, Abstract No. 503, also being Lot 6, Block 31, Hilltop Estates Subdivision; Tobar Properties, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (2701 Dripping Springs Road and 4200 Block of Cox Street)

G. 10. ***** OTHER BUSINESS***

Replat Approval of Lot 1, Oyail Estates in the City of Sherman Extra Territorial Jurisdiction (ETJ), being 0.326 acres in the Preston Kitchen Survey, Abstract No. 667; Russell Rogers, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (388 Bennett Road)

G. 11. ***** OTHER BUSINESS***

Replat Approval of Lots 8 & 9, Block 49, South Side Addition, being 0.326 acres in the Preston Kitchen Survey, Abstract No. 667; Ricky D. Cooper, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2113 South East Street)

G. 12. ***** OTHER BUSINESS***

Replat Approval of Liberty Lighthouse Addition, being a part of Lots 1-3 and 8, Block B, T.J. Shannon Supplement, being 0.67 acres in the J.B. McAnair Survey, Abstract No. 763, also being part of Lots 1-3 and 8, Block B of the T.J. Shannon Supplement; Texoma Liberty Lighthouse, Owners; and Underwood Drafting and Surveying, Surveyor (110 & 120 West Mulberry Street)

G. 13. ***** OTHER BUSINESS***

Replat Approval of Lot 1R, Block 4, Chaffin's First Addition, Being a Replat of Lots 1, 2, 3, 4, 5, 6 & 7, Block 4, Chaffin's First Addition, being 0.959 acres in the J.B. McAnair Survey, Abstract No. 763 and being all of Lots 1-7, Block 4, Chaffin's First Addition; Sam A. Loria, Owner; Vilbig & Associates, PLLC, Civil Engineer; and Copley Land Surveying, Surveyor (609 East Pecan Street)

G. 14. ***** OTHER BUSINESS***

Replat Approval of Lots 5 & 6, Block 16, W. Elliott's Addition, being Lots 5 & 6, Block 16, W. Elliott's Addition; Grow More Invest, LLC, Owner; Charlie Shearer, Developer; and Copley Land Surveying, Surveyor (809 South Willow Street)

G. 15. ***** OTHER BUSINESS***

Final Plat Approval of M.P.Y. Homes Second Addition, being 0.239 acres in the J.B. McAnair Survey, Abstract No. 763 (MPY Homes LLC, Owner; Charlie Shearer, Developer; and Copley Land Surveying, Surveyor (214 East College Street)

H. MEDIA QUESTIONS

I. COUNCIL COMMENTS

Executive Session

EXECUTIVE SESSION

In accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may hold an Executive Session if the discussion of any of the items identified in this agenda, or any of the items identified below, concern one or more of the following:

Tex. Gov't Code § 551.071	Seeking the advice of its attorney about pending or contemplated litigation, settlement offers or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. (a) Receive Legal Advice Regarding Wastewater Treatment Agreement November 2, 2009.
Tex. Gov't Code § 551.072	Deliberating the purchase, exchange, lease or value of real property if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.
Tex. Gov't Code § 551.073	Deliberating a negotiated contract for a prospective gift or donation to the City if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.
Tex. Gov't Code § 551.074	Deliberating the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.
Tex. Gov't Code § 551.076	Deliberating the deployment, or specific occasions for implementation, of security personnel or devices or a security audit.
Tex. Gov't Code § 551.087	Discussing or deliberating commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay or expand in or near the City and with which the City is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. (a) Economic Development Prospect
Tex. Gov't Code § 551.089	Deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementation of security personnel, critical infrastructure or security devices.

The Council reconvenes into General Session

K. 1. OPEN MEETING

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

L. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on July 16, 2021 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 16th day of July, 2021.
City of Sherman, Texas

_____
City Clerk

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

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

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

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

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

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

Mayor	Deputy Mayor	Council Members	
David Plyler	Daron Holland	Willie Steele, Council-At-Large, PL #1	Josh Stevenson, Council – District #2
		Sandra Melton, Council-At-Large, PL #2	Pamela L. Howeth, Council – District #3
		Shawn C. Teamann, Council – District #1	Daron Holland, Council – District #4

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **A. 4.**

Meeting Date: 07/19/2021

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE CALLED CITY COUNCIL MEETING OF MAY 27, 2021 (CIP WORK SESSION) AND THE CALLED CITY COUNCIL MEETING OF JULY 6, 2021

Attachments

May 27, 2021 - Called CIP Meeting
General and Utility CIP Projects
CIP Work Session Funding
CIP Work Session Slides
July 6, 2021

STATE OF TEXAS §

May 27, 2021

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Called Meeting of the Sherman City Council was begun and held in the City Council Chambers on May 27, 2021.

COUNCIL MEMBERS PRESENT: Mayor David Plyler; Deputy Mayor Daron Holland. Council Members Howeth, Melton, Steele, Stevenson, Teamann.

COUNCIL MEMBERS ABSENT: None.

CITY STAFF PRESENT: Robby Hefton, City Manager; Terrence Steele, Assistant City Manager; Clint Philpott, Assistant City Manager; Ryan Pittman, Attorney, Abernathy, Roeder, Boyd, Hullett; Wayne Lee, Director of Engineering; Mary Lawrence, Director of Finance; Danny Jones, Fire Chief; Chris Olson, Assistant Fire Chief; Zach Flores, Police Chief; Tammy Davis, Controller; Tom Pruitt, Utility Engineer; Jim Cross, Water Systems Manager; Nathan Whiddon, Wastewater Superintendent; Kevin Winkler, Public Works Manager; Eric Sandberg, Assistant Public Works Manager; Shawn Hackworth, IT Manager; Leah Campbell, Human Resources/OD Administrator; Cathy Perkins, Human Resources Manager; Melissa Eason, Library Services Administrator; Nate Strauch, Community and Support Services Manager; Theresa Hutchinson, Parks and Recreation Manager; Sean Hemperley, Parks and Cemetery Maintenance Superintendent; Sarah McRae, Tourism/Main Street Manager; Junior Jaimes, Computer Support Technician; Teri Fine, Assistant to the City Manager; Linda Ashby, City Clerk.

PURPOSE:

Call to Order, Quorum Determined, Meeting Declared Open

Pledge of Allegiance Led by Council Member Sandra Melton

Invocation by Council Member Sandra Melton

Citizen Comments

Capital Improvement Program Update and Council Input

Executive Session
In Accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the City Council may hold an Executive Session if the discussion of any of the items identified in this agenda, or any of the items identified below, concern one or more of the following:

TEX. GOV'T CODE § 551.071 --
Seeking the advice of its attorney about pending or contemplated litigation, settlement offers or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of

Professional conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

TEX. GOV'T CODE § 551.072 --
Deliberating the purchase, exchange, lease or value of real property if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.

TEX. GOV'T CODE § 551.073 –
Deliberating a negotiated contract for a prospective gift or donation to the City if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.

TEX. GOV'T CODE § 551.074 –
Deliberating the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing

TEX. GOV'T CODE § 551.076 –
Deliberating the deployment, or specific occasions for implementation, of security personnel or devices or a security audit

TEX. GOV'T CODE § 551.087 –
Discussing or deliberating commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay or expand in or near the City and with which the City is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect

TEX. GOV'T CODE § 551.089 –
Deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementation of security personnel, critical infrastructure or security devices

Open Meeting

Adjournment

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
Mayor Plyler called the meeting to order at 11:05 a.m., declared a quorum present, and opened the Called City Council Meeting.

INVOCATION BY COUNCIL MEMBER WILLIE STEELE

CITIZEN COMMENTS
There were no citizen's comments.

CAPITAL IMPROVEMENT PROGRAM UPDATE AND COUNCIL INPUT

Robby Hefton, City Manager, explained that this meeting was a preliminary look at the Capital Improvement Program so it doesn't take several hours to cover at the Budget Workshop. He said no decisions would be made today. He said, last year, Council Members also asked if more time could be spent on the CIP this year, so they could "dive a little deeper."

He covered the handouts for the meeting. One is a look at the General and Utility projects, color-coded to show how they will be paid for, another is a five-year look at the CIP projects, and the third is the PowePoint narrative.

Mary Lawrence, Director of Finance, introduced the General Improvement Fund and said the staff is currently reviewing the projects to determine the ones to be financed in the upcoming budget. They receive input from the City Council and consider what has been changed by development this year.

Some of the projects will be funded through prior bond issues and some through the recent sale of the City property and General Fund Transfers.

She also introduced the Utility Improvement Fund projects, which will be partially funded through grant revenue, which is from the American Rescue Plan Act, signed into law by President Joe Biden in March 2021. The City of Sherman was allocated about $9.14 million, and will receive half of that. The types of projects it can be used for will generally be the ones that qualify for the Texas Water Development Board funding. Fortunately, this organization has very broad guidelines. The City will also be required to document how this money is spent. It can only be used for utilities and stormwater, and not roads.

She also outlined the projects that will be funded through Greater Texoma Utility Authority funding, Federal grant funding, Impact Fees, and Utility Fund Transfer Funding.

Clint Philpott, Assistant City Manager, presented a broad picture and outlined some of the key projects in the CIP for the next five years. There are also other projects, to be determined. Upcoming projects include the rate studies, and the Master Plan update, which will help map out how the City can get to where they need to be, and to continue to serve water and sewer to the developers that are coming in.

Principles used in developing the plan outline how the projects will be paid for. The plan is to use Federal grant money first, and to use it toward money the City was having to pay. They also plan to use money from the land sale, adjacent to the new High School. These proceeds will be used to fund Planned Development projects. The remaining funds from the 2019 Certificates of Obligation bond issue will be used prior to using the 2021 Certificates of Obligation.

Impact Fees will be used to offset City costs, and are the most restrictive. When Impact Fees were approved, there was a list of projects for which that funding must be used. These projects include thoroughfares, and water and sewer improvements. For example, Heritage Ranch was not in the study, and wasn't even in the City limits when Impact Fees were approved. The plan is to update the Impact Fee Ordinance every three to five years to include the new developments. This would use the money that is the least restrictive to the most restrictive to help balance the cost of the projects.

He also gave an update on the Police Headquarters, and said a more inclusive discussion will be held at the Budget Workshop. Currently the design is about 50% complete and the facility's major systems have been identified, such as HVAC, electrical, and structural. The construction schedule is being developed and the current design drawings are being priced. The schematic design has been completed and they are doing a cost review and constructability review with the contractor.

Mr. Philpott said upcoming tasks include preparing the construction documents, done in August 2021; pricing submitted for Council approval in October 2021; and the start of construction in September 2021 with an estimated completion of the construction in early 2023.

He said as Sherman grows, there is a need to look at the location and number of fire stations in the City. The Council must consider growth and development to determine the location of new fire stations. The upcoming Comprehensive Master Plan will also look at possible locations for a new fire station. The industry standard is to have a fire station within 1.5 miles of any development that you are serving, to allow for a quick response time for both EMS and fire.

He said the CIP includes about $1.5 million in FY 2023 for land acquisition and $4.5 million in FY 2024 for design and construction. Funding will come from Certificates of Obligation and Impact Fees. Sometimes developers are willing to donate land within a development for a fire or police station.

Council Member Steele asked if, at some point, the City is mandated to add more fire stations to protect the ISO rating. Danny Jones, Fire Chief, explained that for insurance purposes, location, staffing, and equipment are a part of the discussion about location. Currently the City's ISO is a "high 2" and very close to "1," and is the highest in Grayson County.

He said if Sherman grows and there are more areas outside the distance to the fire stations or the water supply, then that will affect the insurance rating, and the next time a survey is completed, the rating will go down. He said it is important to "keep up" so the rating doesn't fall and it becomes hard to catch up. Mr. Hefton said a slower response time would be the first indicator that there are areas of growth outside the coverage area.

Council Member Stevenson asked if the areas were all geographic in nature or if population was also important. Mr. Hefton said there are geographic areas, but there are also industry and peer standards that determine the number of firefighters and EMS personnel per 1,000 population. He said a determination would be based on ISO rating, expansion, and relocation, not just distance, response time, and growth. He said there should be at least one new fire station in the five-year CIP.

The last new fire station was built in 1974, however there was a station relocation more recently. Sherman has had five fire stations for many years. Station 3 was built in 2000 and moved from Alexander Street to near Pecan Grove Park on FM 1417. Station 4 was moved because of Schulman's development. Mr. Philpott said cities normally grow to the northwest, and the thought for moving both of these stations was probably to give more coverage to newly developed areas and not overlap the coverage. Chief Jones confirmed that the ISO rating in the County is a 10.

Council Member Stevenson asked if the staff was talking about expansion or continuing the strategy of relocation. Mr. Hefton said they will "be looking at both." Council Member Steele said, last year at budget time, there was talk about purchasing property in the downtown area for a fire station.

Mr. Hefton said that was discussed and may be what is proposed, but the City needs to look at the total needs for the City and discuss one new fire station, in the Five-Year CIP. There is a tremendous overlap between Stations 1 and 2. Administration is currently at Station 1 and no ambulance runs out of that station.

Council Member Howeth said she received many calls when it was mentioned that they might move Station 2, because of the large number of senior citizens and older homes in that area.

The question will be, is the best move to relocate and combine those two stations, or is it to build a new station. He said the best location for the next station will be toward the west, probably around Hwy 56. The most significant growth is in the southwest corridor. Mr. Philpott said there are different

types of calls from the different areas of town. Chief Jones said the system they have now, dispatches the closest available unit. Zach Flores, Police Chief, said the system dispatches police officers the same way, using the closest available unit. Chief Jones said, adding additional people to an existing station would not help response time. It's still the same distance.

Council Member Stevenson said they need two or three good options, so they can decide now to approach the issue. Council Member Stevenson asked if there might be a developer that would donate some land for a new fire station, in the appropriate area. Mr. Hefton said there are currently two fire stations on FM 1417, and he felt the next logical location would be on Hwy 56.

Mr. Philpott said the CIP also includes a lot of park projects. These projects are development driven and the thought was what are some of the parks around this development that "need help" and what are some existing parks that need extra things.

Phase II of the Pecan Grove Athletic Complex was ballfield lighting, shading, and trail lighting. Currently there is a proposed project for shading that would be paid for through the land sale. Another item that has become very popular is pickle ball, and the current court is used all the time. There has been a request to expand the current Tennis Courts for tennis, but to also mark some of them for pickle ball, as well as expand the walking trails around Baker Lake.

He said there is about 14 acres of land in The Grove, that will be dedicated to the City, that will also tie the back side of Park Street into Baker Lake. This will also be tied into the high school by walking/ hiking/biking trails, and will be an in-house project to continue the linear park system.

Council Member Stevenson said there is a problem with enough basketball courts for the teenagers to play on. He felt the City needed to add a basketball court before they added more courts for the "lesser known" sports. He also mentioned that the School District does not share their "publicly funded" playground at Fairview Elementary School anymore. Council Member Melton said the playground at Neblett Elementary is open to the public.

Council Member Teamann said pickle ball is the fasted growing sport in the Country. But he said the basketball court at Pecan Grove West is always packed. Council Member Stevenson said the one at Fairview Park is in the middle of the playground for little kids. Theresa Hutchinson, Parks and Recreation Manager, said that court was built in 2002 and it is small because the intent was for it to be for little kids. She confirmed that the basketball court at Pecan Grove West cost $137,000.

Mr. Hefton asked where the basketball court could be moved to at Fairview Park, if it was moved and expanded. Ms. Hutchinson said they would probably have to take away practice space from kids soccer to move the court.

Council Member Stevenson suggested it be located between the swimming pool and the tennis courts. Ms. Hutchinson said there is piping for the pool through that area, and it also provides access to the pump house.

Council Member Teamann asked about building a multi-court, where basketball, tennis, and pickle ball are all on one surface. Ms. Hutchinson said they could do that, but it also creates some conflict between sports. Council Member Stevenson felt it was already a conflict with kids on the playground and teenagers trying to play basketball on a half court in the middle of the playground. He said there is a need for the additional court. Mr. Philpott said the staff will add that to the list to look at.

Council Member Melton felt that restrooms need to be added to Martin Luther King Park before anything new is added to a park. Council Member Holland confirmed that the court on East Street is

part of the School's property. Ms. Hutchinson said the City spent money for lighting on the court several years ago.

Council Member Teamann suggested adding a protective curb or barrier near the playground in Fairview Park. He recently saw a car that had driven through the playground and into the creek. Staff said there are railroad ties around the playground area and they were unsure how the car traveled over those.

Mr. Philpott said the plan is to continue development at Baker Park, with the addition of the High School and all the new development in the area. They will also consider the expansion of Martin Luther King Park. There has been some demolition in the past and the staff felt there might be an opportunity to purchase some additional property for expansion. The property will not be condemned, but there may be an opportunity to purchase it, to continue to develop that area as a larger park.

Council Member Stevenson suggested constructing a sidewalk between FM 1417 and Center Street for access to Herman Baker Park. Since construction is underway on the highway, there has been additional foot-traffic on that road, and they walk in the roadway, which is dangerous. There is nothing for pedestrians.

Mr. Philpott said 10 or 15 years ago, a 1 GB fiber line was installed to connect the Municipal Building, City Hall, Public Works, the Fire Department, the Police Department, the Street Department, and the Solid Waste Department to the network. As technology and video increases, the bandwidth is causing some "network lag" and a larger line is needed. Currently the City is backing up over 40 TB of data.

The staff looked at two options. One was to lease the line from CableOne or Sparklight, which would cost about $33,000 annually. The other option was for the City to install their own line. He said there is value in having their own line, from a security standpoint, and long-term, the payback would be about seven years.

The IT Department is looking at this project, and as each department becomes more dependent on paperless systems, more departments are streamlining their online processes, and the network capability will become more important.

Council Member Stevenson asked if there was a 5G, over-the-air solution, since laying line is expensive, and there isn't a vast distance involved. Shawn Hackworth, IT Manager, said the City could do microwave links, but the "golden standard" will be fiber, from a reliability standpoint. He said 1 GB is becoming more standard, and there are 10 GB links, but they're expensive. However, it is probably less than laying ground fiber, but you do loose reliability and security.

Council Member Stevenson asked if there was any estimate of what "air transmission" would cost. Mr. Hefton said the staff can get that cost for Council Members. Council Member Howeth asked, with the way things are changing, how long the staff felt this solution would be good. Mr. Hackworth said it should last between 15 and 20 years.

Mr. Philpott said the City had been working to expand the Water Treatment Plant for the last five years. In 2015 and 2016, when development was announced, if there was a water line close, there was no question that Sherman had enough capacity to supply water. Since then, the City has seen major growth and is now on the fourth planned development.

He explained the constraints on the Water Treatment Plant and how the projects are selected for the plant and balanced with growth. Sherman has about 33 mgd of water rights from Lake Texoma. There is currently a contract with Panda to give them 5 mgd of raw water, not treated water. That

leaves about 28 mgd that can be pulled from Lake Texoma, with the EDR and Brine Process resulting in about 15% waste, which is concentrated lake water. This waste goes straight into a 12" sewer line that goes to the wastewater system for treatment. He said the current max finish water is about 4 mgd. They can do more, but it puts a constraint on the brine concentrate line in the pond.

Another constraint is the pump at the Lake Texoma Pump Station. Currently, there are three 7 mgd pumps, which gives about 13.6 mgd. There is one line out of Lake Texoma to the pump station, and when it needs to be serviced, it is taken off-line, taking it down to 0 mgd of surface water. In this situation, Sherman would be dependent on the ground water system.

The EDR (the conventional plan) produces 10 mgd. Therefore, if it is removed to replace it, that's 10 mgd less that can't be produced. The RO (new system that was installed) also produces 10 mgd.

The Ground Water System should have a well capacity of 12.3 mgd. However, during the February 2021 storm, it was determined that, because of the way the system and distribution are set up, only about 8.5 mgd can be pumped out of the well system.

One of the things that the Master Plan will address is how to "tweak" the existing system, or change some of the surface zones, to maximize the ability of the well system. Currently, Sherman's average daily usage is about 8.5 mgd. Today there is redundancy. If the Lake Texoma system goes down, Sherman can entirely be on well water. If all the wells go out, Sherman can't handle 8.5 mgd at the Water Treatment Plant, without severely maxing out the sludge pond. Four years ago, this was not a problem, because there were not such high water demands. These constraints were how some of the projects were developed. Mr. Philpott said the Bel Air Development will immediately need 0.5 mgd, and will build over the next two or three years.

He said one of the biggest priorities for the City is finding a way to dispose of the concentrate, or 15% waste. They have already engaged an engineer and gotten a verbal acknowledgement that TCEQ will probably approve a plan. But the ultimate goal is to discharge it into the stormwater system, not the wastewater system, thereby putting it in the creek. This would add capacity to the Wastewater Treatment Plant.

Option one would be to discharge it south of the Water Treatment Plant, to follow the open channel and some pipe flows, into Dean Gilbert Lake. The other option is to pipe it part of the way, and to drain it back to Iron Ore Creek. Originally there was another option to take it back to Lake Texoma, but because of TCEQ rules, that's not an option, at this point.

Mr. Philpott said the goal is to get the permit submitted to TCEQ before the Budget Workshop. Hopefully they will be quick to return with their comments and approval. After the plan is approved, the City will move forward with the design and construction. This plan should completely eliminate that constraint. He said 1 mgd of stormwater is 1 cfs, so one storm unit would handle the amount of flow that would come into the channel. The discharge would be set up on a phased approach, and if there was a larger discharge, it would be into an open channel, thus requiring no additional construction.

He said another constraint is power, and without power, they can't produce anything. There is currently a study underway to determine the requirements for a generator to assure power in emergency situations. Enough power would be needed to continue to supply water to all Sherman citizens.

They are also looking at the pump station, in order to get water to the plant. Currently, the pump station has a single power feed, which is remote, and a generator is needed there to continue to move water into the system.

Mr. Philpott said the Electro Dialysis Reversal unit (EDR) removes suspended solids from the water, as required by TCEQ. This creates a finished water product that is clear for drinking. The current EDR unit was installed in 1993, and the system is dated and uses old technology. At some point, he said the system won't work. Should staff look at a Reverse Osmosis (RO) system instead of the EDR? He said it won't add capacity to the system, but it will add longevity. The current EDR units also use a lot of electricity. He said the project will need to be done at some point, and the longer the City waits, the more critical it will be.

Mr. Philpott addressed the 7 mgd Raw Water Pump in Lake Texoma, and said the City has three of these pumps. In 2024, the plan is to replace one of the pumps with a 25 mgd variable speed pump to support the mid to max flow ranges. This project will need to be coordinated with the North Texas Municipal Water District, which also has upcoming projects to update their pumps. As they do projects on their lines and their power system, Sherman will be expected to participate with a cost percentage.

He said a new building was recently designed at the Water Treatment Plant that left room for some future expansion. At this point, the expansion would just be to add additional equipment to increase treatment capacity by another 5 mgd.

Council Member Teamann asked why the Wastewater Treatment Plant was not included in the generator program for the coming year. Mr. Philpott said it was added into the switch gear project. Prior to February 2021, the switch gear at the Wastewater Treatment Plant was in need of repair. It's not just the replacement of equipment, but the building itself, and everything in it is getting very critical.

This project was already in the Five-Year CIP plan, three years ago. It's moving forward and it made sense to include the generators in that project. Therefore, the $4.5 million project includes a generator, two portable generators for the lift station, and installation of plugs at all lift stations.

He said a very significant study will be done to analyze all the electrical systems. The plant has been expanded in phases over the years and there maybe opportunities to relocate some of the switch gears and junction boxes.

The Water Treatment Plant has a lot newer technology and it is easier to determine where to put the generators. It's a little more complicated for the Wastewater Treatment Plant. Most of the generators will be funded through the Greater Texoma Utility Authority, some may be purchased with Federal grant money. Council Member Teamann asked if they had thought about talking with the Sherman Economic Development Corporation about helping with funding because of the industries that use water. Mr. Philpott said it does make sense to ask SEDCO to help with funding.

Another result from the growth is the need to expand the Lab facility. The proposed project would extend the Lab, upgrade the electrical service, provide an ability to meet new State-mandated testing requirements, new ventilation systems, and expand testing capabilities to do some of the testing that the City requires industries to do themselves. Currently the industries hire a third party to do the testing and submit the results to the City. Laboratory staff are looking at a program where the City provides this testing and charges the industry for it. The industry would save money, but the money the City collected would pay for the program, and help fund the Lab extension.

Mr. Philpott said there is a water model that they have been using for the past few years, and the Master Plan will improve that model, and do some flow testing and pressure testing to make the model as accurate as possible. The other half of the Master Plan is to provide a model for the sewer system. Currently there is not a model for the sewer system.

Once the model is in place, there will be a better indication of what the constraints on the system actually are. It's important to get good data from both rain events and dry events to get a very accurate model.

Mr. Philpott also covered the distribution system for water. He discussed the Legacy Surface Water Line and said Phase 1 was located where the Bel Air Development will be. There is an 8.5 mgd constraint on the ground water system, and the pumps are 12 mgd. Normally from these new developments, growth in the water system is on the ground water side and not the surface water side. This project will move surface water to this part of town. The ground water line will stay in service, but this project will supply this area with surface water. He located Phase 2 and Phase 3 of the project. Phase 1 is being constructed by the developer, and the City is reimbursing him. Mr. Hefton pointed out that funding for this project will come from a Federal grant.

Another project that is underway is the rehabilitating, repair, and painting of the Ida Road Ground Storage Tank. This is a 5 mg storage tank. He added that the City probably needs to be painting at least one storage tank each year. He reiterated that it wasn't cheap, but if they use debt to pay for the project, it needs to last 20 years. These projects are needed to protect the current infrastructure.

A project funded through GTUA is the 12" water line replacement along Texoma Parkway. This is the last phase of a multi-phase project, and is located from Fallon Drive to FM 691. It's a large 12" water line that feeds a lot of people. Council Member Melton discussed using Federal money for these projects and Mr. Hefton said there are more projects than there are Federal dollars. There was $9 million in Federal grant money.

Another upcoming project is a lift station for the Heritage Ranch Development. There would be some other projects in the future, as this area develops. The project would be in coordination with the design for that development, and would be similar to the Bel Air Development.

The project to replace the South Side Sewer Line would replace existing 10", 12", 15", and 18" sewer lines that were installed in 1964. This project is currently under design and can be phased as development occurs. There is beginning to be a lot of activity in this area and the City needs to assure that there is the capacity that will be needed for the development. This would not only serve the Bel Air Development, but industrial users too. This project would be funded through GTUA.

Mr. Philpott discussed street projects and showed a map of Bel Air Boulevard, which will be constructed in Phase 1. Phase 2 and 3 are expected in 2022 and 2023, respectively, however they won't be built until Bel Air builds out their additional phases of residential development. Beach Club Boulevard is expected to be constructed during the construction of the beach club and the multi-family areas. A TxDOT signal will also be constructed at FM 1417 and Bel Air Boulevard, when it's needed. These projects will be paid for by CO's, impact fees, part of the land sale, and it's in the Tax Reinvestment Zone.

As part of the Shepherd Place Planned Development, the staff is looking at the need to expand Shepherd Road. The Thoroughfare Plan looks at where minor (four lanes) and major (six lanes) arterial roads go. Most of the State Highways are major arterial roads, and the State pays for repairs. Since there is nothing between FM 1417 and FM 691 to handle the traffic, Shepherd Road is considered a major arterial road. This project would lay out this phase, probably two lanes at first, expanded later. The proposed timeframe could change if they aren't actively moving forward on their development. There is currently no development agreement on this, and they don't own the land. There is a contract on the property and they've hired engineers to provide a land plan.

Mr. Philpott said another project from growth in the area is the next phase of the FM 1417 expansion. The City expects to spend $1.5 million on right-of-way acquisition. It would be six lanes with

sidewalks, curb and gutter, and underground storm drains. The goal was to expand this road, but for it not to look like Texoma Parkway, with bar ditches, deep gullies, and driveways across it with 8' guttering pipe. They wanted it to look like a boulevard. TxDOT is actually paying the final design cost at $1.5 million to get the project ready for construction. The City's part will be to get the right-of-way from the owners. There is currently no State funding or MPO funding for this project. Hopefully funding will become available when other funded projects aren't ready to go.

The Lamberth Road Extension is another development-driven project. The City has gotten some right-of-way on Friendship Road as people have requested water. At some point, Mr. Philpott said this will be a major intersection, and will be two, four-lane roads coming together. He said the design needs to be done on the road.

Council Member Steele asked why Shepherd Drive would ultimately be a six-lane road. He confirmed that West Travis Street would be a four-lane road. Mr. Philpott said the major roads are US Hwy 82, SH 56, FM 1417, FM 902, and between FM 1417 and FM 902 is Shepherd Drive. Every "so many" miles apart on the Thoroughfare Plan there are major, six-lane roads, with minor roads in-between.

Mr. Philpott said even FM 1417 would be four-lanes with a 41' median. In the future, when the six-lane is needed, they will build inside the grass median and make it closer together. Two 12' lanes will be constructed in the median. No additional right-of-way will be needed.

Another street project will be Moore Street North, which will be two lanes of a future four-lane boulevard. The trees have been cleared for the right-of-way. A large portion will be park that will backup to Herman Baker Park. There will be a trailhead and a sidewalk to tie into the piece of residential park. There will be sidewalks on both sides to West Travis Street, taking you from Hwy 75 to FM 1417. It will be two-lanes, graded, with the right-of-way for four lanes.

Council Member Steele confirmed that Phase 2 was a "done deal" and he felt that Phase 3 was more important because of the development going on in that area. He felt the City was increasing the value of the property for them to sell to someone else. He felt the phases should "switch places." Mr. Philpott said Phase 2 is from Travis Street, south to FM 1417, and is currently out for bid. It should be awarded in mid-June. Council Member Steele felt it was important to supply things to development as the development is happening, and not based on what they think is going to happen.

Council Member Teamann said he would rather spend money repairing roads that are already in place, and taking care of what is already here, making sure it's usable to people going to the High School, rather than building $7 million roads in the center of a new development. Council Member Melton agreed. Council Member Stevenson said it's two separate "buckets of money."

Mr. Hefton said, these aren't mutually exclusive, and are happening in this order, because the City has moved forward with engineering on Phase 2. Phase 3 came, when the growth came. The developer said he could do his development with or without it being approved, but the staff felt it was good to connect Center Street to FM 1417 through this series of Phase 1, 2, 3, and 4, while it's being done. He said the Council didn't have to choose between the phases. They're being staged this way because of where they fall in the development process.

Mr. Hefton said, at the Budget Workshop, the staff will have a presentation on some suggested improvements and major rebuilds to some roads. There will also be more dollars in the operating budget to take care of roads. He said all the things that the Council just mentioned are being contemplated and will be part of the plan.

He added that, if the Council wants to move a certain phase up, that can be done. Mr. Philpott said the design will be done for the entire project at one time, but it will be a matter of timing as to when

they are scheduled for construction. He added that while Center Street and Washington Street are closed for the highway project, there will be less traffic on those streets.

Mr. Philpott said there was money in the budget several years ago for bridge improvement on South Travis Street, but it was determined that the project would qualify for Federal bridge money. TxDOT took the entire project and design away from the City, and will install a new bridge over Post Oak Creek. He said the bridge is very narrow and the guardrail if very low. The integrity of the bridge is in pretty good condition, considering its age.

He said the total project is about $2.2 million, with Sherman's share being $600,000. The bridge will be widened to two full, 12' lanes, with more than a 5' shoulder. The new bridge will be about 46' wide, instead of 22' wide. The cost did increase, because the City asked for sidewalks on both sides of the bridge. That couldn't be included in the Federal money, so the City had to pay for that.

Mr. Philpott said the staff looked at Friendship Road, from SH 56 to Hwy 82, and they now have an idea where the right-of-way needs to be for the four-lane road. He said it would be better to have an actual schematic design and right-of-way exhibit developed, so when the area develops, the City can obtain the right-of-way.

There is currently no major development happening in this area, so the need to construct anything is not on the five-year plan. He felt that development in this area was hindered because there was no sewer to the area. In order to get sewer to this area, a significant line would need to be installed. He also said that, as development grows, there will need to be another transmission water main located to provide adequate water supply to that part of Sherman. This project would probably be paid, in part, or all by impact fees. It could ultimately be as large as a 30" or 36" water line.

Mr. Philpott addressed an east-west collector road through Heritage Ranch Planned Development. At this time, the developer has said that their Municipal Utility District will pay for all the roads and streets, and Plainview Road, for the residential area. They have asked the City to help pay for something east to west, in their commercial/retail area.

He said the road is not in the plan to be a minor arterial road, so it doesn't need to be four lanes for a typical development. However, if there are "high-end users at a convention center," he could see how this road and Plainview Road would need to be four lanes, to help divert traffic off of the Hwy 75 Frontage Road. The City will work in conjunction with the developer to plan the needed roads.

He addressed the Progress Drive and Flanary Road Extension and said this project will be a request for SEDCO to fund, to help provide a secondary outlet to Progress Drive and Hart Lumber. The project is under design now, and would be to extend two lanes, along Progress Drive and Flanary Road to FM 1417. This area does have water and sewer, so it will develop, at some point.

Mr. Hefton said there are a few things that the Council asked about that will be brought back for discussion. He asked if there were any things that needed to be added. He asked if they had anything they would like to address, to get it to the staff as quickly as possible, so it can be incorporated in the Budget Workshop for discussion.

Council Member Stevenson asked when the results would be available from the downtown sewer investigation. Wayne Lee, Director of Engineering, said they have been hindered while they were "cameraing" the sewer lines by all the water in the lines. Two weeks ago, they were 50% done. The smoke testing has been completed. They were hoping to complete the camera work in the lines shortly and prepare the report.

Mr. Philpott said, once the report is received, that area has its own Reinvestment Zone and its own funding source. If the report indicates there is $3 million or $4 million worth of utility work needed, it can be bonded and paid with Reinvestment Zone money. The money is set as a "placeholder" and continues to grow every year.

Council Member Stevenson confirmed that there is about $600,000 in that fund now and it generates almost $200,000 annually. That is bonding capacity for approximately $3 million. Mr. Hefton said "his hope" is that, whatever the study reveals, the work plan would be fully paid for by the TIRZ money. Council Member Teamann said he would like to allocate that money for that project. Mr. Hefton said there would not be an answer as to the scope of that project in the next two weeks, but they could include a project such as "downtown utility improvements" in the plan. He felt the project would probably include the repair and replacement of sewer, and possibly water lines too. He said there are other needs downtown, that could be included.

Council Member Steele said, in the past there has been a list of CIP projects and he ask if the staff "checked off" the status or tracking of the projects, including the cost. He asked for a follow-up accounting of the projects. Mr. Hefton said the CIP is done annually and the staff reports back to the Council on what was budgeted and what was spent. He said they have not gone back over the projects for the past five years with budget, costs, and a project summary. He said the staff will provide a historic "look back" for the past five years. Council Member Teamann said he would like to see a "realistic" list of projects.

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

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

TEX. GOV'T CODE § 551.071 --
SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

TEX. GOV'T CODE § 551.072 --
DELIBERATING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.073 --
DELIBERATING A NEGOTIATED CONTRACT FOR A PROSPECTIVE GIFT OR DONATION TO THE CITY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.074 --
DELIBERATING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE UNLESS THE OFFICER OR EMPLOYEE WHO IS THE SUBJECT OF THE DELIBERATION OR HEARING REQUESTS A PUBLIC HEARING

TEX. GOV'T CODE § 551.076 –
DELIBERATING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES OR A SECURITY AUDIT

TEX. GOV'T CODE § 551.087 –
DISCUSSING OR DELIBERATING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR DELIBERATING THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT

TEX. GOV'T CODE § 551.089 --
DELIBERATING SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY, NETWORK SECURITY INFORMATION, OR THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE OR SECURITY DEVICES

The Executive Session was not needed.

ADJOURNMENT
There being no further business to come before the City Council, motion was duly made and approved to adjourn the Called Meeting at 1:01 p.m.

_____
MAYOR

ATTEST

_____
CITY CLERK

General and Utility Projects

	Slide
General Improvement Fund	2
Utility Improvement Fund	5
CIP – Police, Fire & Parks	8
IT, Water and Wastewater	9
Other Utility Projects	10
Streets	11
Stormwater	12
Airport, TIRZ and Development Services	13

City of Sherman
GENERAL IMPROVEMENT FUND

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 19,280,728	$ 15,867,436	$ 9,656,463	$ 31,598,481
Revenues				
Transfers In	-	-	-	1,450,000
Land Sale Proceeds	-	4,000,000	3,656,000	-
Intergovernmental	1,715,500	500,000	-	-
Transfer In - Impact Fees	-	-	-	300,000
Interest Income	158,135	250,000	30,000	150,000
Debt Proceeds	-	-	29,844,600	334,000
Grant Revenue	-	-	-	-
Total Revenues	1,873,635	4,750,000	33,530,600	2,234,000
Total Funds Available	21,154,363	20,617,436	43,187,063	33,832,481
Expenditures				
(1) FM 1417 (82 to 56) Eng, ROW & Match	30,881	-	2,000,000	-
(1) Pecan Grove Ball Fields	1,459,807	9,468	34,000	-
(1) Legacy Blvd	158,767	-	-	-
(1) Moore St - Park to W. Travis	1,697,982	-	180,000	-
(1) Steeplechase Dr Extension	100,000	-	500,000	-
(1) Munson Planned Development	92,745	-	-	-
(1) Hilre Drive Extension	49,304	-	283,545	-
(1) Travis St West	4,304,827	-	783,204	-
(1) Park Ave Realignment	126,726	1,200,000	1,745,000	-
(1) Bridges-Center/McGee	-	700,000	-	-
(1) TxDOT 1417 & W. Travis Intersection	1,804,990	-	-	-
(1) Lamberth Rd Thoroughfare	2,500	-	-	500,000
(1) Taylor St Extension Eng & ROW/McGee St Ext	18,446	1,500,000	960,000	540,000
(1) Friendship ROW 56 to Lamberth	33,890	-	(270)	600,000

City of Sherman
GENERAL IMPROVEMENT FUND

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
(2) Flanary Rd and Progress Dr Ext/Imp	72,897	-	25,000	-
(3) UB Remodel	26,413	-	2,200	-
(3) Pecan Grove Basketball Courts	97,890	-	-	-
(3) Library Park	31,203	-	-	-
(3) Station #3 Remodel	7,129	-	-	-
(3) Fallon Drive	832,731	-	-	-
(3) Fire Station #4 Shower Repair	9,167	-	-	-
(3) Fire Station #1 Bathroom	5,337	-	-	-
(3) Remodel at Station 5	12,150	-	-	-
(3) Finance Remodel	2,226	-	-	-
(3) Police Dept Exterior Renovation	7,803	-	500	-
(3) Police Firing Range	26,718	-	5,000	-
(3) Renovate Cemetery & Maint Bldg	136,222	-	30,000	-
(3) ESC Spray Insulation windows	12,750	-	-	-
(3) Self check-out stations RFID	-	40,000	40,000	-
(3) (Necessity) Station No. 1 roof replacement	-	85,000	85,000	-
(3) New police station - site and design	-	1,354,000	1,354,000	-
(3) Land Sale at W. Travis & FM 1417	-	-	7,500	-
(3) Auditorium Chiller	-	-	165,000	-
(3) Bel Air Blvd Construction Ph I	-	-	1,500,000	-
(3) Recreation Center Study				40,000
(3) Call Recording Software	-	-	-	70,000
(3) FM 1417 signal at Bel Air Blvd Design	-	-	-	75,000
(3) Comprehensive Master Plan				100,000
(3) Watchguard video evidence platform	-	100,790	100,790	100,790
(3) Re-construct San Miguel cul-de-sac	-	-	-	110,000
(3) Airport Pavement Maintenance-City match	-	-	-	182,500
(3) Replace Fiber from Muni to PD	-	-	-	235,000
(3) Expand Fairview tennis courts; pickleball	-	-	-	240,000
(3) Storm Drainage under Blanton	-	-	-	250,000
(3) Pecan Grove West shading	-	-	-	270,000
(3) Beach Club Blvd design	-	-	-	300,000

City of Sherman
GENERAL IMPROVEMENT FUND

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
(4) Sign Table	-	-	-	17,500
(4) Additional Parking Sta 2	-	-	-	20,000
(4) Latex Printer Sign Shop	-	-	-	20,500
(4) Privacy Fence Sta 3	-	-	-	25,000
(4) Front Fence & Gate for Sta 5.5	-	-	-	35,000
(4) Pecan Grove West Electrical Upgrade	-	-	-	35,000
(4) Wanco Message Boards	-	-	-	37,000
(4) Trail Development The Grove	-	-	-	50,000
(4) Bay Doors at Sta 1,2,3, & 5	-	-	-	94,000
(5) Shepherd Rd Design	-	-	-	330,000
(5) McGee St Little Ln to Sand Creek design & cons	-	-	-	500,000
(5) Bridge-S. Travis	82,490	300,000	-	600,000
(5) FM 1417 design/ROW - SH 56 to W. Travis	253,910	2,000,000	500,000	1,500,000
(5) Bel Air Blvd Construction Ph II	-	-	-	1,500,000
(5) Moore St - W. Travis to FM 1417	-	2,500,000	500,000	2,000,000
(5) Moore St - Park to power easement	-	-	-	2,200,000
(5) New police HQ - Construction	-	-	788,113	16,500,000
Total Expenditures	11,497,900	9,789,258	11,588,582	29,077,290
Excess Revenues over Expenditures	(9,624,265)	(5,039,258)	21,942,018	(26,843,290)
Ending Fund Balance	$ 9,656,463	$ 10,828,178	$ 31,598,481	$ 4,755,191

(1) Pre-2021 CO	1,640,000
(2) SEDCO funded	-
(3) Land-sale funded/General Fund Transfer	1,973,290
(4) 2021 Tax Notes	334,000
(5) 2021 CO/Impact Fees	25,130,000
Total Projects FY2022	29,077,290

City of Sherman
UTILITY IMPROVEMENT FUND
2021-2022 Annual Budget

	Actual 2019-2020	Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 2,718,730	$ 729,610	$ 1,925,541	$ 568,541
Revenues				
Intergovernmental	1,191,521	-	-	-
Interest Income	24,307	-	12,000	12,000
Miscellaneous Revenue	-	-	-	-
Transfers In	-	600,000	-	-
Transfers In - Impact Fees				825,000
Grant Revenue	-	-	-	4,675,000
Total Revenues	1,215,828	600,000	12,000	5,512,000
Total Funds Available	3,934,558	1,329,610	1,937,541	6,080,541
(1) Aeration Basin Upgrade & Biological Clarifier Rehab	118,424	-	10,332	-
(1) Water crossing under 75 at Choctaw	4,295	-	10,156	-
(1) WWTP Control Building Expansion Engineering	7,788	-	5,250	-
(1) Storm Water lift station/Force mail upgrade	26,397	-	-	-
(1) Flanary Rd Wastewater Extension	432,874	-	1,209	-
(1) Moore St Sewer (through Munson Dev) (SISD $400m)	626,450	-	8,728	-
(1) Utility relocates-FM 1417	27,363	-	-	-
(1) Legacy Waterline - Engineering	28,629	213,000	213,000	-
(1) Marilee SUD	1,367	2,000,000	2,000,000	-
(1) Texoma Pkwy sewer overflow relief	-	200,000	200,000	-
(1) Wastewater system study	-	200,000	200,000	-
(1) Water hydraulic study	-	200,000	200,000	-
(1) Laboratory facility expansion - design and engineering	-	250,000	250,000	-
(1) Gate actuator upgrades WWTP	-	300,000	300,000	-
(1) Preston Club Water Line	8,824	-	2,000	-
(1) Travis St West Water	(900)	425,000	-	-
(1) Lamberth Water	(6)	-	-	-
(1) High Country Estates Water	7,105	-	1,443	-

City of Sherman
UTILITY IMPROVEMENT FUND
2021-2022 Annual Budget

	Actual 2019-2020	Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
(1) Replace EDR process with RO at WTP (Engineering)	-	-	-	50,000
(1) Replace inverted siphon sewer line (Eng)	-	-	-	65,000
(1) Refurbish Rex Cruz EST-Eng	-	-	-	75,000
(1) Security Upgrades at WWTP	-	-	-	100,000
(1) AWIA Security Upgrades @ WTP	-	200,000	-	200,000
(1) Backwash tank at WTP	-	-	-	250,000
(1) Refurbish flocculation/sedimentation basin at WTP	-	-	-	250,000
(1) Concentrate Disposal Phase II Yr 1	-	1,700,000	1,700,000	400,000
(1) WWTP Main Switchgear & Electrical Upgrade	-	-	-	500,000
(1) Stream Bank Stablization - Nantucket	-	-	-	600,000
(1) WWTP Control Building Expansion-Construction	-	575,000	-	1,260,000
(1) North west Sewer	-	3,600,000	607,000	1,823,000
(1) Replace Southside industrial sewer	-	2,400,000	250,000	250,000
(1) Replace Texoma Pkwy 12" water line	-	1,050,000	-	2,500,000
(1) Ida Road ground storage tank repair	-	2,050,000	-	3,620,000
(2) WTP Backup Generator - Engineering	-	-	190,000	-
(2) WWTP Backup Generator Engineering	-	-	112,000	-
(2) Bel Air Blvd Utiities Ph I	-	-	-	75,000
(2) Shepherd Utilities	-	-	-	100,000
(2) Legacy Waterline - Ph I	-	-	-	400,000
(2) Heritage Ranch Lift Station	-	-	-	700,000
(2) Texoma Pump Station Backup Generator	-	-	-	900,000
(2) WTP Backup Generator Construction	-	-	-	1,000,000
(2) Legacy Waterline - Construction Ph II & III	-	2,400,000	-	1,500,000
(3) Bel Air Blvd Utiities Ph I (Impact Fees)	-	-	-	225,000
(3) Heritage Ranch Lift Station (Impact Fees)	-	-	-	300,000
(3) Shepherd Utilities (Impact Fees)	-	-	-	300,000

City of Sherman
UTILITY IMPROVEMENT FUND
2021-2022 Annual Budget

	Actual 2019-2020	Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
(4) Dos Lagos	-	-	20,000	-
(4) Fencing/Gate Repairs	5,635	-	75,000	-
(4) Water Distribution system improvements	2,277	-	-	-
(4) Primary Clarifier #1 Rehab Engineering	40,961	-	15,000	-
(4) Center St. Utility Relocation on Hwy 75	493,472	-	-	-
(4) WWTP Fine Screen Rehab	41,506	-	42,000	-
(4) BNSF move utilities	136,560	-	-	-
(4) Improve system lines to address water quality	-	50,000	25,000	-
(4) Upgrade High Country Estates water system	-	60,000	60,000	-
(4) Abandon old wells/pumps at High Country and Preston Club	-	70,000	70,000	-
(4) Re-route Center Street sewer line	-	80,000	80,000	-
(4) Loop Lamberth Road water line	-	135,000	135,000	-
(4) WTP Flow Meter Improvement	-	100,000	100,000	-
(4) Fairview 6" water line	-	150,000	150,000	-
(4) Implement SSO initiatives	-	150,000	75,000	-
(4) WTP Facilities Improvement	-	150,000	75,000	-
(4) Brine Line Phase II Engineering (City Funds)	-	-	70,000	-
(4) Abandon GST & pump station - High Country & Preston Club	-	-	-	50,000
(4) Upgrade water system at High Country	-	-	-	60,000
(4) Yearly Stream Bank Stabilization	-	-	-	100,000
(4) WWTP Headworks Pump	-	-	-	145,000
(4) Utility oversizing/annual replacements	-	150,000	75,000	200,000
GTUA Funding	-	(17,563,000)	(5,959,118)	(11,943,000)
Total Expenditures	2,009,017	1,295,000	1,369,000	6,055,000
Excess Revenues over Expenditures	(793,189)	(695,000)	(1,357,000)	(543,000)
Ending Fund Balance	$ 1,925,541	$ 34,610	$ 568,541	$ 25,541

(1) GTUA Funding	11,943,000.00
(2) Grant Funded	4,675,000
(3) Impact Fees	825,000
(4) Utility Fund	555,000
Total Projects FY2022	17,998,000

Department	Project	Funding Source	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Timing to be Determined
Police	Continue implementation of Watchguard video evidence software	Land-sale Funded/General Fund Transfer	100,790	100,790	100,790	157,220	-	-
	Construction phase of new police headquarters facility	CO/Impact Fees	16,500,000	-	-	-	-	-
Fire	Replace overhead bay doors at Stations 1, 2, 3, and 5 (13 total doors)	Tax Notes	94,000	-	-	-	-	-
	Land acquisition & design for new fire station	CO/Impact Fees	-	1,500,000	-	-	-	-
	Construction of new fire station	CO/Impact Fees	-	-	4,500,000	-	-	-
	Land acquisition & design for new fire station	CO/Impact Fees	-	-	-	-	-	1,500,000
	Construction of new fire station	CO/Impact Fees	-	-	-	-	-	5,000,000
Parks	Pecan Grove athletic complex - shading	Land-sale Funded/General Fund Transfer	270,000					
	Recreation Center study	Land-sale Funded/General Fund Transfer	40,000					
	Expand the Fairview tennis courts, including pickleball court lines	Land-sale Funded/General Fund Transfer	240,000	-	-	-	-	-
	Land acquisition adjacent to Martin Luther King Blvd.	CDBG Grant	150,000					
	Install additional power outlets for use by large events at Pecan Grove West	Tax Notes	35,000	-	-	-	-	-
	Crushed concrete trail development - The Grove/Easement/Baker	Tax Notes	50,000	-	-	-	-	-
	Design-build restroom and trail lighting at Pecan Grove East	CO/Impact Fees	-	400,000	-	-	-	-
	Expand existing parking lot at Taylor Street Gym	General CIP	-	75,000	-	-	-	-
	Install bridge to connect Binkley Park to Lamar Street Greenspace	CO/Impact Fees	-	175,000	-	-	-	-
	Replace existing softball lights with LED lighting at Fairview Park	CO/Impact Fees	-	600,000	-	-	-	-
	Replace existing softball lights with LED lighting at Old Settlers Park	CO/Impact Fees	-	1,000,000	-	-	-	-
	Pecan Grove athletic complex - ballfield lights	CO/Impact Fees		860,000				
	Continue to develop trails & bicycle boulevards according to Trail Master Plan	CO/Impact Fees	-	-	300,000	300,000	300,000	-
	Acquire land to accommodate neighborhood parks in residential development	CO/Impact Fees	-	-	400,000	-	-	-
	Expand existing skatepark	CO/Impact Fees	-	-	300,000	-	-	-
	Install fishing pier and boat ramp at Herman Baker Lake	CO/Impact Fees	-	-	625,000	-	-	-
	Install large, new pavilion and playground at Herman Baker Park	CO/Impact Fees	-	-	500,000	-	-	-
	Replace restroom facility at Martin Luther King Park	CO/Impact Fees	-	-	300,000	-	-	-
	Pecan Grove athletic complex - trail lights	CO/Impact Fees			270,000			
	Expand deck, seating, and shading at The Splash	CO/Impact Fees	-	-	-	750,000	-	-
	Install additional dog park	CO/Impact Fees	-	-	-	125,000	-	-
	Install restroom to accommodate increased usage at Binkley Park Bike Trail	CO/Impact Fees	-	-	-	300,000	-	-
	Update Parks and Recreation Master Plan	General CIP	-	-	-	-	75,000	-
	Develop neighborhood park at Pebblebrook II	CO/Impact Fees	-	-	-	-	600,000	-
	Acquire land to accommodate 60-80 acre regional park	CO/Impact Fees	-	-	-	-	-	2,000,000
	Design-build new multi-generational recreation center	CO/Impact Fees	-	-	-	-	-	12,000,000
	Develop 60-80 acre regional park	CO/Impact Fees	-	-	-	-	-	8,000,000

Department	Project	Funding Source	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Timing to be Determined
Information Technology	Replace City-owned fiber that is at end of life and unable to support demand	Land-sale Funded/General Fund Transfer	235,000	3,000	3,000	3,000	3,000	-
Water Treatment	Replace EDR process with RO filtration technology at WTP	GTUA	50,000	400,000	4,000,000	-	-	-
	Engineer & rehabilitate a backwash tank at WTP	GTUA	250,000	1,500,000	-	-	-	-
	Perform maintenance & refurbish Rex Cruse elevated storage tank	GTUA	75,000	500,000	-	-	-	-
	Engineer & construct waste water concentrate disposal line at WTP	GTUA	400,000	2,000,000	-	-	-	-
	Refurbish flocculation/sedimentation basin at WTP	GTUA	250,000	2,125,000	-	-	-	-
	Implement AWIA security upgrades	GTUA	200,000	-	-	-	-	-
	Construct WTP backup generator	Federal Grant	1,000,000					
	Texoma pump station backup generator	Federal Grant	900,000					
	Upgrade a WTP lake station pump to 25 MGD variable speed pump	GTUA	-	100,000	-	2,310,000	-	-
	Refurbish ground storage tank at Fairview	GTUA	-	-	600,000	-	-	-
	Replace WTP filter media and refurbish filter basin	GTUA	-	-	600,000	-	-	-
	Build out UF/RO space to add additional 5 MGD of treatment capacity at WTP	GTUA	-	-	-	300,000	2,500,000	-
	Refurbish Dorchester Site 8 ground storage tank	GTUA	-	-	-	600,000	-	-
	Resurface concrete filter basins at WTP	GTUA	-	-	-	300,000	-	-
Wastewater Treatment	Replace WWTP main switchgear and electrical upgrade	GTUA	500,000	4,500,000	-	-	-	-
	Replace Headworks Pump #1	Utility CIP	145,000	-	-	-	-	-
	Implement security upgrades as recommended in vulnerability assessment	GTUA	100,000	-	-	-	-	-
	Engineer, design & construct rehabilitation of main digester complex	GTUA	-	500,000	3,500,000	-	-	-
	Engineer, design & construction to rehab WWTP equalization basin blower	GTUA	-	750,000	-	-	-	-
	Expand & remodel lab facility and interior areas	GTUA	-	1,750,000	-	-	-	-
	Replace base and resurface main WWTP road from entrance to sludge bldg.	Utility CIP	-	90,000	-	-	-	-
	Construct WWTP backup generator	Utility CIP	-	1,500,000				
	Conduct study to evaluate odor management strategies at WWTP	GTUA	-	-	200,000	-	-	-
	Demolish old sludge drying beds	GTUA	-	-	250,000	-	-	-
	Rehab sludge lagoon at WWTP	GTUA	-	-	250,000	-	-	-
	Rehab UV disinfection system at WWTP	GTUA	-	-	-	1,700,000	-	-
	Engineer, design, & construction to rehab bar screens at WWTP	GTUA	-	-	-	-	500,000	-
	Engineer, design, & construction to rehab grit removal process at WWTP	GTUA	-	-	-	-	500,000	-

Department	Project	Funding Source	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Timing to be Determined
Utilities	Annual costs for waste water line replacements	Utility CIP	100,000	130,000	130,000	130,000	130,000	-
	Annual costs for water line replacements	Utility CIP	50,000	50,000	50,000	50,000	50,000	-
	Oversizing costs for water and sewer projects each year	Utility CIP	50,000	50,000	60,000	60,000	60,000	-
	Upgrade water system at High Country Estates to City standards	Utility CIP	60,000	70,000	80,000	-	-	-
	Phase II & III of the Legacy surface water line	Federal Grant	1,500,000	1,000,000	-	-	-	-
	Replace inverted siphon sewer line due to suspected undersizing	GTUA	65,000	500,000	-	-	-	-
	Yearly stream stabilization	Utility CIP	100,000					
	Abandon old GST and pump station at Preston Club & High Country Estates	Utility CIP	50,000	-	-	-	-	-
	Repaint, repair, and modify the Ida Road ground storage tank	GTUA	3,620,000	-	-	-	-	-
	Replace existing 12" water main along Texoma Pkwy - Fallon Dr. to 691	GTUA	2,500,000	-	-	-	-	-
	Design/Construct Heritage Ranch lift station	Federal Grant	1,000,000					
	Engineering for creek stabilization near Nantucket/Post Oak Creek	GTUA	600,000					
	Legacy Waterline Ph I	Federal Grant	400,000					
	Bel Air Blvd Utilities	Federal Grant	300,000					
	Shepherd utilities	Federal Grant	400,000					
	Replace deteriorated southside industrial sewer	GTUA	-	2,400,000	1,950,000	-	-	-
	Upgrade water system inside Preston Club subdivision to City standards	GTUA	-	-	-	-	-	1,000,000

Department	Project	Funding Source	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Timing to be Determined
Streets	Design & construct Beach Club Boulevard - 2 lanes	Land-sale Funded/General Fund Transfer	300,000	1,500,000				
	Design & construction of Shepard Road adjacent to proposed development	CO/Impact Fees	330,000	3,300,000	-	-	-	-
	Design & ROW acquisition along FM 1417 - SH 56 to West Travis	CO/Impact Fees	1,500,000	1,800,000	-	-	-	-
	Design & construct FM 1417 signal at Bel Air Boulevard	Land-sale Funded/General Fund Transfer	75,000	400,000				
	Phased design & construction of Lamberth Road expansion - between Shady Oaks and Friendship Road	CO/Impact Fees	500,000	-	3,000,000	-	-	-
	Phase III to extend Moore Street - Park Ave north 3,000 LF	CO/Impact Fees	2,200,000	-	-	-	-	-
	Re-construct north end of San Miguel Street as a cul-de-sac	Land-sale Funded/General Fund Transfer	110,000	-	-	-	-	-
	Repair South Travis Street bridge at Post Oak Creek	CO/Impact Fees	600,000	-	-	-	-	-
	Engineering & construction of McGee Street - Phase II - Little Lane to Sand Creek	CO/Impact Fees	500,000	-	-	-	-	-
	Schematic design of Friendship Road from SH 56 south to OB Groner	CO/Impact Fees	600,000					
	Design & construct Heritage Ranch east-west collector - 4 lanes between Plainview Rd & FM 1417	CO/Impact Fees		500,000	3,000,000	2,000,000		
	Repair erosion damage & overlay bridge deck on McGee St. bridge	General CIP	-	150,000	750,000	-	-	-
	Design & construct Legacy Boulevard - 2 lanes	CO/Impact Fees		200,000	1,200,000			
	Phase III of Bel Air Boulevard construction - 4 lanes	CO/Impact Fees		1,500,000				
	Planning cost for FM 1417 improvements from US 75 East to RR	CO/Impact Fees	-	500,000	-	-	-	-
	Phase IV to extend Moore Street - Park Ave south 5,000 LF	CO/Impact Fees	-	3,000,000	-	-	-	-
	Engineer & construct McGee Street and bridge across Sand Creek	CO/Impact Fees	-	-	500,000	-	-	7,000,000
	Engineer design for future McGee/Washington construction from Washington to SH 289	CO/Impact Fees	-	-	1,000,000	-	-	7,000,000
	Phased construction of Flanary Road between FM 1417 and Progress Drive	SEDCO/Impact Fees	-	-	3,700,000	-	-	-
	Phased construction of Progress Drive between Progress Rail & Flanary Road	SEDCO/Impact Fees	-	-	1,900,000	-	-	-
	Construct street to connect Loy Lake Rd to southbound US 75 frontage and Fallon Drive overpass	CO/Impact Fees	-	-	500,000	-	-	-
	Final engineering of Fallon Drive east towards Dripping Springs & 800 LF of construction of road adjacent to warehouse development	SEDCO/Impact Fees	-	-	-	100,000	1,000,000	-
	Design & construct Park Street to connect Lake Street to SH 11	CO/Impact Fees	-	-	-	300,000	1,700,000	-
	Phased construction of Swan Ridge Drive between SH 56 and Hummingbird	CO/Impact Fees	-	-	-	-	-	1,000,000
	Phased design & construction of Friendship Rd between SH 56 and Lamberth	CO/Impact Fees	-	-	-	-	-	8,900,000
	Complete design & ROW acquisition along FM 1417 - West Travis to US 75	CO/Impact Fees	-	-	-	-	-	2,000,000

Department	Project	Funding Source	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Timing to be Determined
Stormwater	Design & construct storm drainage system under Blanton Drive	Land-sale Funded/General Fund Transfer	250,000	-	-	-	-	-
	Repair erosion damage & overlay bridge deck on Hillcrest & N. Woods bridges	Stormwater Fee	-	100,000	-	-	-	-
	Repair erosion damage & overlay bridge deck on Lamberth Road bridge	Stormwater Fee	-	115,000	-	-	-	-
	Repair erosion damage & overlay bridge deck on N. Ricketts, Centennial, W. Pecan, and Blue Flame Road bridges	Stormwater Fee	-	-	85,000	-	-	-
	Repair erosion damage & overlay bridge deck on W. Taylor & W. Washington bridges	Stormwater Fee	-	-	120,000	-	-	-
	Increase culvert capacity under Gribble Street	Stormwater Fee	-	-	-	350,000	-	-
	Construct regional storm water detention facility in Town Center	Stormwater Fee	-	-	-	-	525,000	-
	Acquire S. Sam Rayburn & Contemporary properties to mitigate flood damage	Stormwater Fee	-	-	-	-	-	210,000
	Acquire Ayers Drive properties to mitigate flood damage	Stormwater Fee	-	-	-	-	-	385,000
	Acquire N. Sam Rayburn & N. Travis properties to mitigate flood damage	Stormwater Fee	-	-	-	-	-	1,000,000
	Acquire Contemporary Drive property to mitigate flood damage	Stormwater Fee	-	-	-	-	-	1,500,000
	Acquire Canterbury Drive property to mitigate flood damage	Stormwater Fee	-	-	-	-	-	200,000
	Construct regional storm water detention facility near Ricketts & Dover	Stormwater Fee	-	-	-	-	-	535,000
	Acquire Taylor Street property to mitigate flood damage	Stormwater Fee	-	-	-	-	-	1,200,000
	Construct regional storm water detention facility near Taylor Street	Stormwater Fee	-	-	-	-	-	3,150,000
	Acquire Peyton property to mitigate flood damage and provide detention pond	Stormwater Fee	-	-	-	-	-	400,000
	Construct regional storm water detention facility near Peyton & Texoma Pkwy	Stormwater Fee	-	-	-	-	-	1,100,000
	Acquire Archer Drive properties to mitigate flood damage	Stormwater Fee	-	-	-	-	-	11,000,000
	Construct regional storm water detention facility near Archer and Crescent	Stormwater Fee	-	-	-	-	-	1,100,000
	Acquire US 82 & Post Oak Crossing property to mitigate flood damage	Stormwater Fee	-	-	-	-	-	600,000
	Construct regional storm water detention facility near US 82 & Post Oak	Stormwater Fee	-	-	-	-	-	1,500,000
	Acquire access easements for Choctaw Creek Site 8a & 10a	Stormwater Fee	-	-	-	-	-	50,000
	Increase channel capacity near Lamar & US 75 to mitigate flood damage	Stormwater Fee	-	-	-	-	-	1,800,000
	Acquire property to mitigate flood damage and provide proposed Dam 9A	Stormwater Fee	-	-	-	-	-	2,000,000
	Construct regional storm water detention facility - Dam 9a	Stormwater Fee	-	-	-	-	-	6,750,000
	Increase channel capacity at Center Street & Post Oak to mitigate flood damage	Stormwater Fee	-	-	-	-	-	3,375,000

Department	Project	Funding Source	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Timing to be Determined
Airport	Sherman Municipal Airport pavement maintenance - 10% City matching	Land-sale Funded/General Fund Transfer	182,500					
TIRZ	TIF #3 - Demo & asbestos mitigation of old medical plaza hospital	TIF #3	190,000					
	TIRZ #5 - Crossroads - general improvements	TIRZ #5	325,000					
	TIRZ #6 - Sherman Landing - reimburse developer for public infrastructure	TIRZ #6	800,000					
	TIF #2 - Downtown general improvements	TIF #2	600,000					
Development Services	Comprehensive Master Plan	Land-sale Funded/General Fund Transfer	100,000					
Grand Total			41,542,290	37,693,790	34,723,790	9,835,220	7,943,000	93,255,000

Sherman
CLASSIC TOWN. BROAD HORIZON.

Capital Improvement Plan 2021-2022

Sherman
CLASSIC TOWN. BROAD HORIZON.

- Police Department
- Fire Department
- Parks and Recreation
- Information Technology
- Water Treatment Plant
- Wastewater Treatment Plant
- Distribution System
- Streets

Sherman
CLASSIC TOWN. BROAD HORIZON.

Principles used in developing CIP plan

- Use ARPA funds to finance Planned Development (PD) projects, where possible, reducing need for City $$
- Use land sale proceeds to fund PD projects, where possible
- Use remaining 2019 CO funds before using 2021 CO funds
- Use Impact Fees to offset City costs

SHERMAN POLICE FACILITY HEADQUARTERS PROJECT UPDATE

PROJECT STATUS

THE PROJECT IS CURRENTLY IN THE DESIGN DEVELOPMENT PHASE

- **The design is approx. 50% complete**
- **The facilities major systems have been identified (HVAC, Electrical, Structural)**
- **The Construction Schedule is being developed**
- **The current design drawings are being priced**



SHERMAN POLICE FACILITY HEADQUARTERS PROJECT UPDATE

PROJECT TASKS *(TO DATE)*

TASK I

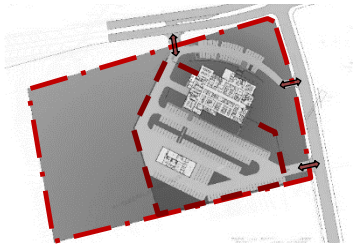


CONCEPTUAL DESIGN

COMPLETED

TASK II





SCHEMATIC DESIGN

COMPLETED

TASK III





DESIGN DEVELOPMENT

- *DESIGN DEVELOPMENT SUBMITTED FOR REVIEW*
  - *COST REVIEW*
  - *CONSTRUCTABLITY REVIEW*
- *PROJECT TEAM REVIEWING FACILITY DETAILS*
- *PROJECT TEAM FINALIZING FACILTY EQUIPMENT*

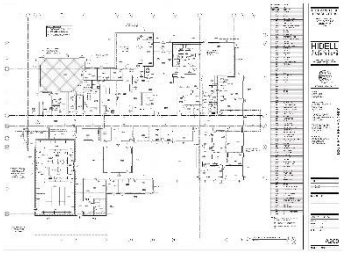
CURRENT TASKS

CURRENT DESIGN, COST AND SCHEDULE WILL BE PRESENTED AT THE COUNCIL BUDGET WORKSHOP

SHERMAN POLICE FACILITY HEADQUARTERS PROJECT UPDATE

PROJECT TASKS *(FUTURE)*

TASK IV

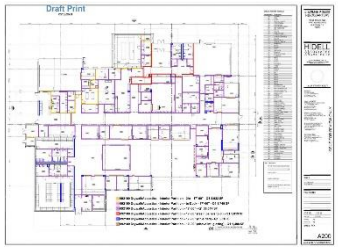


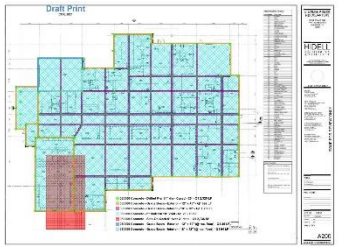
CONSTRUCTION DOCUMENTS

DRAWINGS COMPLETE
AUGUST 2021

11 WEEKS

TASK V





8 WEEKS

GMP PRICING

SUBMITTED FOR COUNCIL APPROVAL
OCTOBER 2021

TASK VI





CONSTRUCTION

ESTIMATED COMPLETION
EARLY 2023

15 MONTHS

PREPARED BY **HIDELL AND ASSOCIATES ARCHITECTS, INC.**

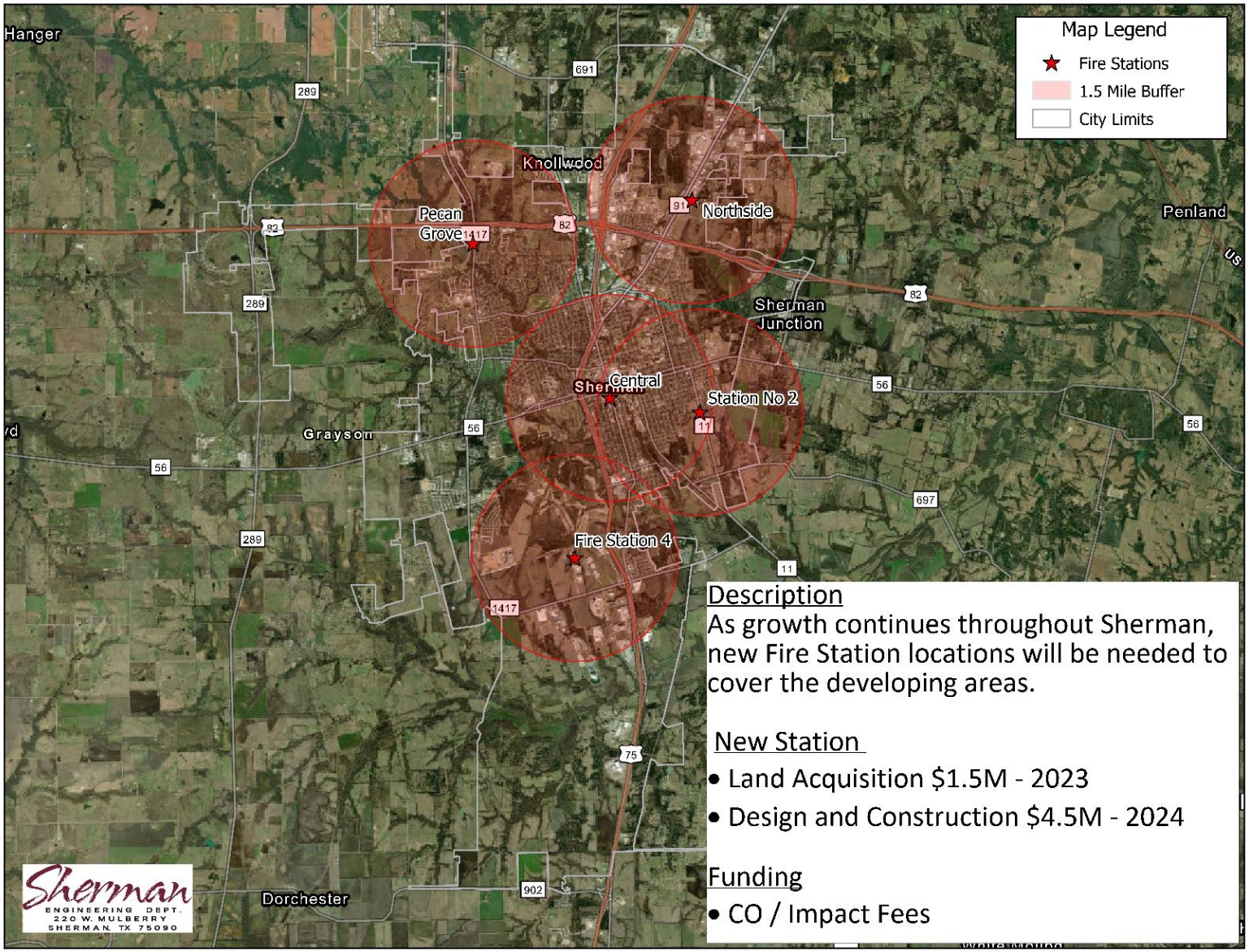
SHERMAN POLICE FACILITY HEADQUARTERS PROJECT UPDATE

CONCEPT RENDERING



PREPARED BY **HIDELL AND ASSOCIATES ARCHITECTS, INC.**

Fire Station Additions



Description

As growth continues throughout Sherman, new Fire Station locations will be needed to cover the developing areas.

New Station

- Land Acquisition $1.5M - 2023
- Design and Construction $4.5M - 2024

Funding

- CO / Impact Fees

Sherman
ENGINEERING DEPT.
220 W. MULBERRY
SHERMAN, TX 75090

diagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Administration\Administration.aprx

Parks and Recreation

Description
Construction Shading at Pecan Grove Athletic Complex

Construction
- Cost $270,000 – 2022

Funding
- Land Sale / General Fund





Description
Expand Fairview Tennis Court / Pickle Ball. Expand Walking Trails around Baker Lake

Construction
- Cost $240,000 – 2022
- Cost $50,000 - 2022

Funding
- Land Sale / General Fund

Parks and Recreation



Other Future Projects

- Continued Trail / Park Development (Baker)
- Ball Field / Trail Lighting (Fairview / Old Settlers)
- Ball Field Lighting (Pecan Grove Athletic Complex)
- Restroom (Pecan Grove East)
- Martin Luther King Jr. Park Expansion

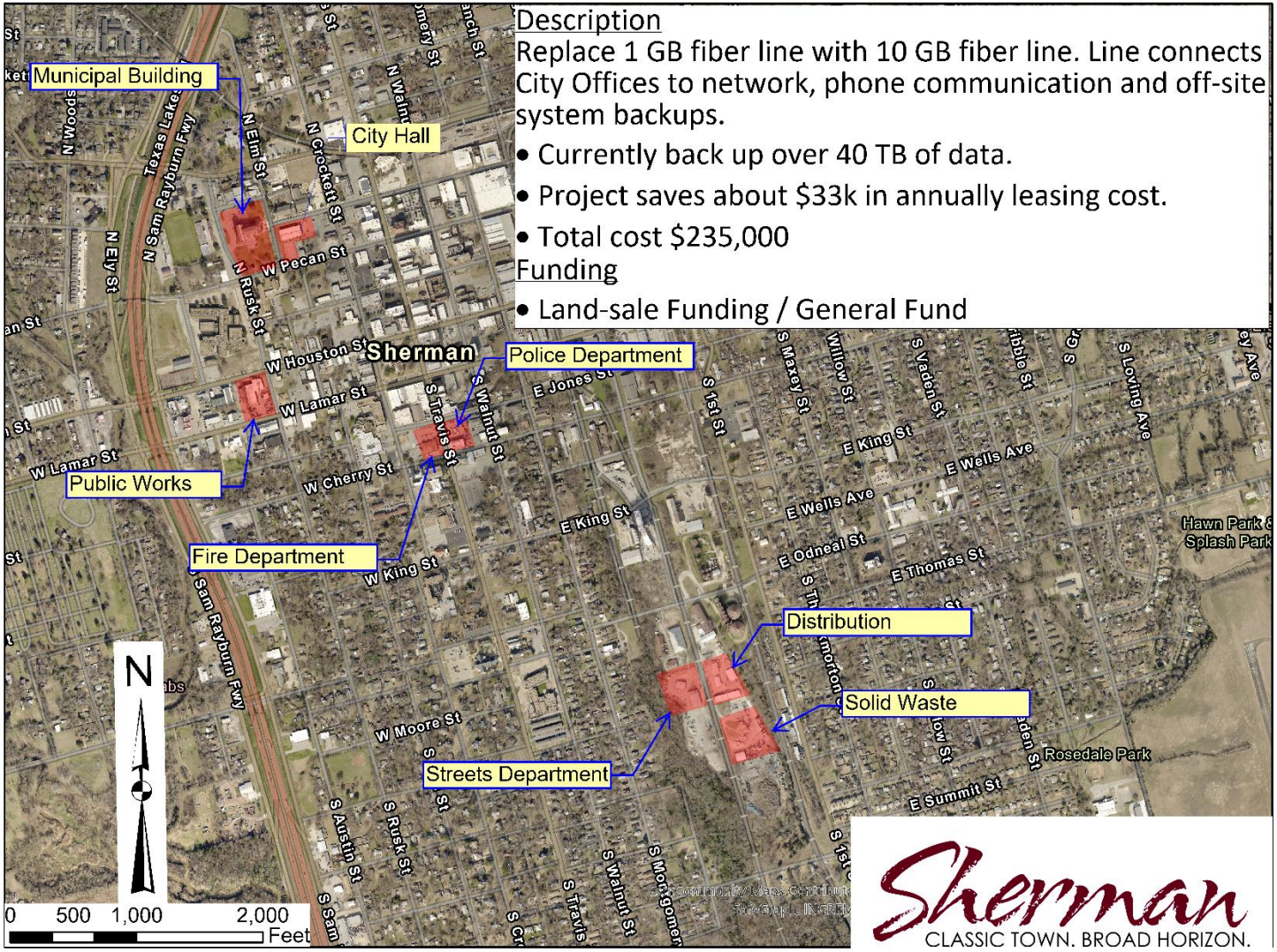
Development Driven Projects

- New Residential Parks
- New Recreation Center Study / Development





IT - 10 GB Fiber Installation



Sherman
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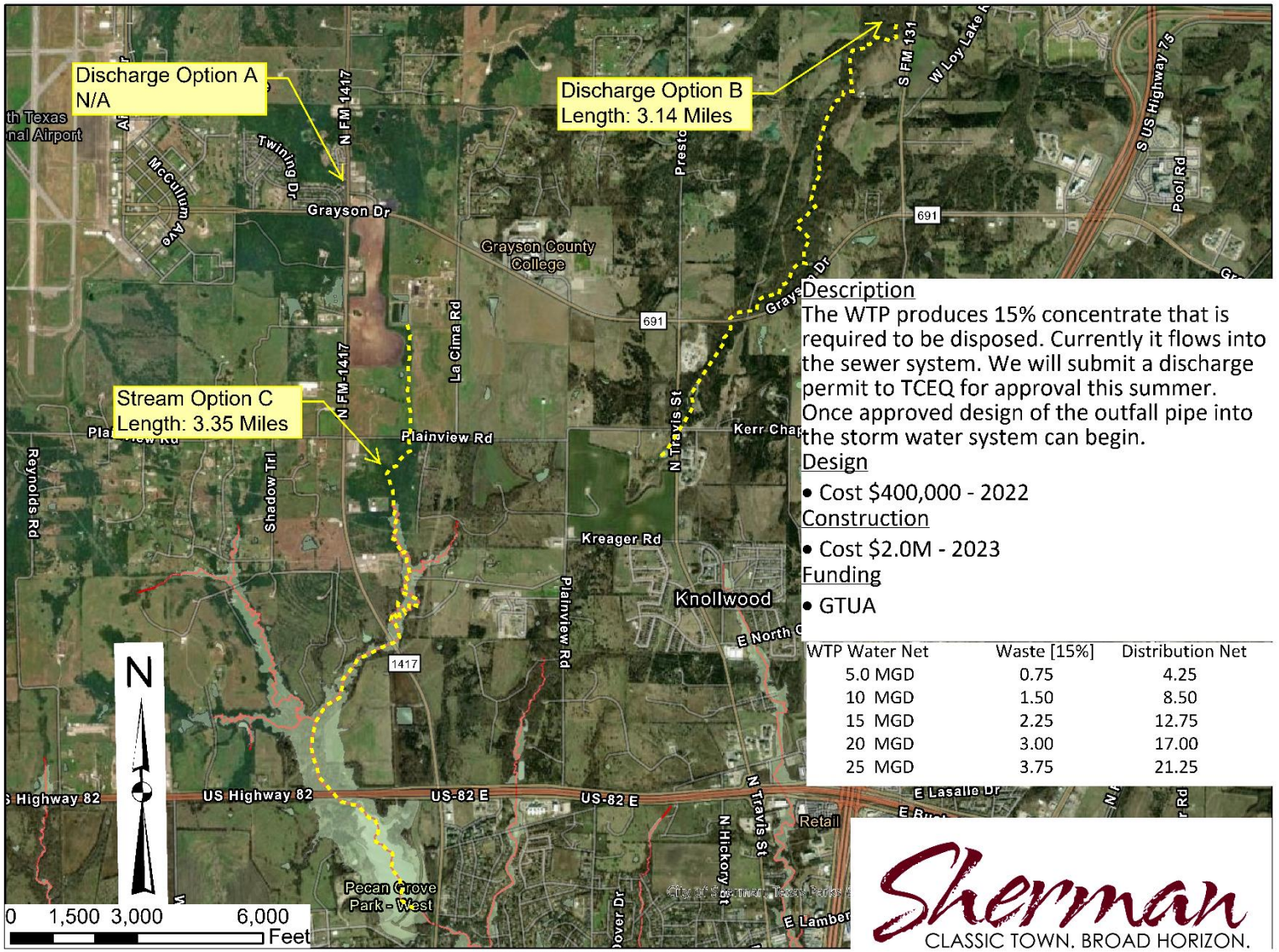
Water Treatment Plant



Water Treatment Plant Constraints

<u>Surface Water</u>	33.2 MGD Lake Texoma Water Rights
	5.0 MGD Raw Water to Panda
	28.2 MGD to WTP (15% waste)
	Current Max Finish Water
Concentrate Disposal Cap.	4.0 MGD
Lake Pump	13.6 MGD
Single Pipe Feed from Lake	0 MGD
EDR Replacement	10 MGD
UF / RO	10 MGD
<u>Ground Water</u>	12.3 MGD Well Capacity
	8.5 MGD Actual System Cap. (Feb. Storm)
<u>Average Daily Usage</u>	8.5 MGD

WTP – Construct Concentrate Disposal Line



Description

The WTP produces 15% concentrate that is required to be disposed. Currently it flows into the sewer system. We will submit a discharge permit to TCEQ for approval this summer. Once approved design of the outfall pipe into the storm water system can begin.

Design

- Cost $400,000 - 2022

Construction

- Cost $2.0M - 2023

Funding

- GTUA

WTP Water Net	Waste [15%]	Distribution Net
5.0 MGD	0.75	4.25
10 MGD	1.50	8.50
15 MGD	2.25	12.75
20 MGD	3.00	17.00
25 MGD	3.75	21.25

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WTP – Generators



Description

Construct Backup Generators at both the Water Treatment Plant and the Texoma Pump Station. Construction includes both the generator and automatic transfer switch upgrades.

Design

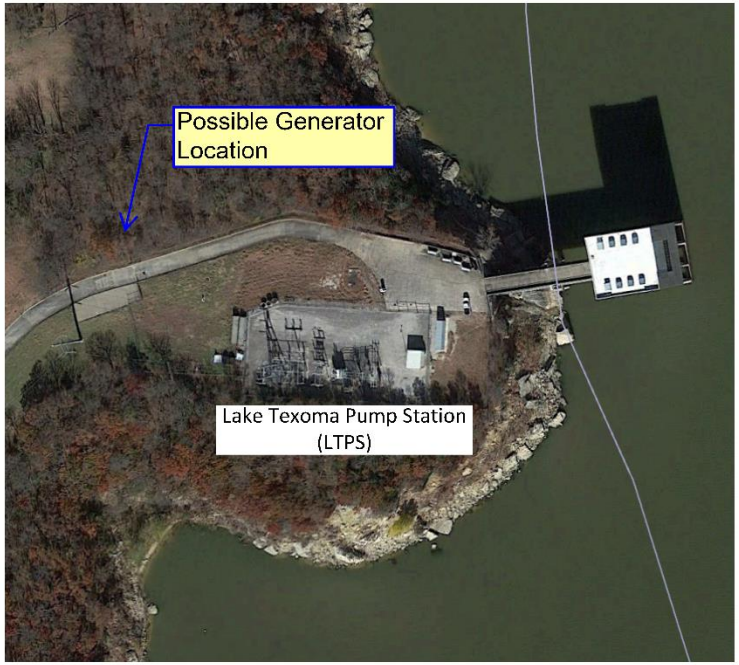
- Cost $190,000 - 2021

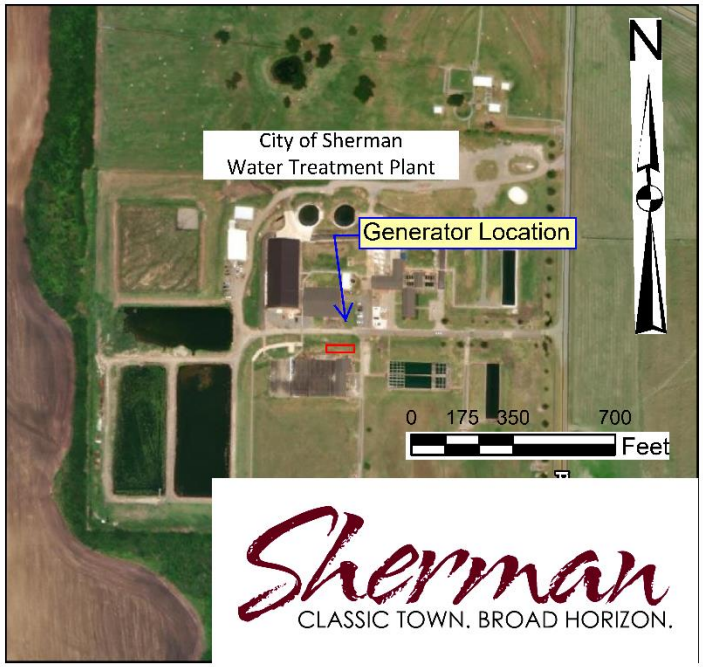
Construction

- WTP Cost $1.0M Pump Station Cost $0.9M - 2022

Funding

- GTUA / ARPA (Federal Grant)





WTP – Replace EDR





Description

Replace EDR (Electrodialysis Reversal) with Reverse Osmosis system for the conventional treatment system. EDR was installed in 1993.

Design

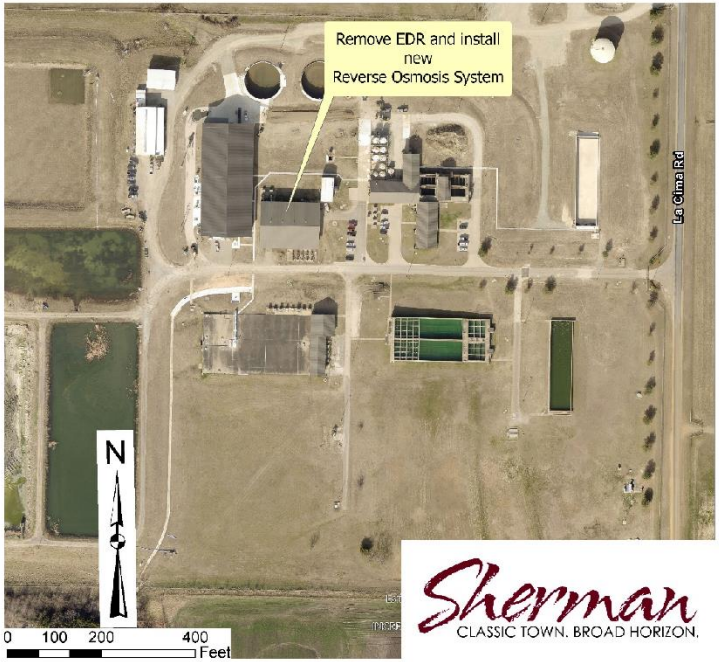
- Preliminary Engineering $50,000 - 2022
- Final Engineering and Design $400,000 - 2023

Construction

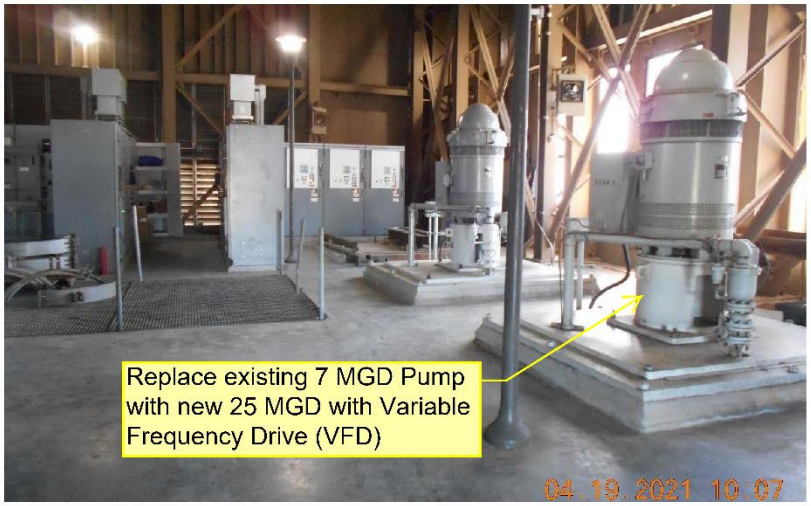
- Cost $4M - 2024

Funding

- GTUA



WTP – Upgrade Pump to 25MGD



<u>Description</u>

Replace 1 existing Raw Water Pump with a new 25 MGD variable speed pump to support mid to max flow ranges. Actual production capacity and final costs will be estimated in the Water Master Plan.

<u>Design</u>

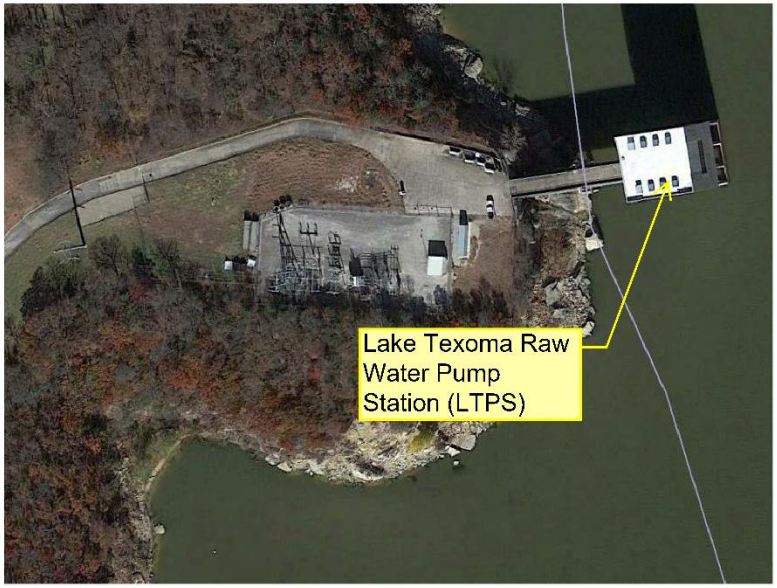
- Cost $100,000 - 2023

<u>Construction</u>

- Cost $2.3M - 2024

<u>Funding</u>

- GTUA



WTP – Build Out UF / RO





Description

Build out Ultra Filtration and Reverse Osmosis space to add 5 MGD of treatment capacity to the Plant

- Design $300,000 - 2025
- Construction $2.5M - 2026

Funding

- GTUA



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Waste Water Treatment Plant



WWTP – Replace Switch Gear / Add Generator

Description

Main Switchgear replacement includes the relocation of all main breakers and switchgear components to a new building, relocation of main transformers, upgrading /rerouting of main power feeds, provide facility electrical upgrades, and implement emergency power upgrades. Also included are two mobile emergency backup generators for Sewer Lift Stations and transfer switch upgrades.

Design

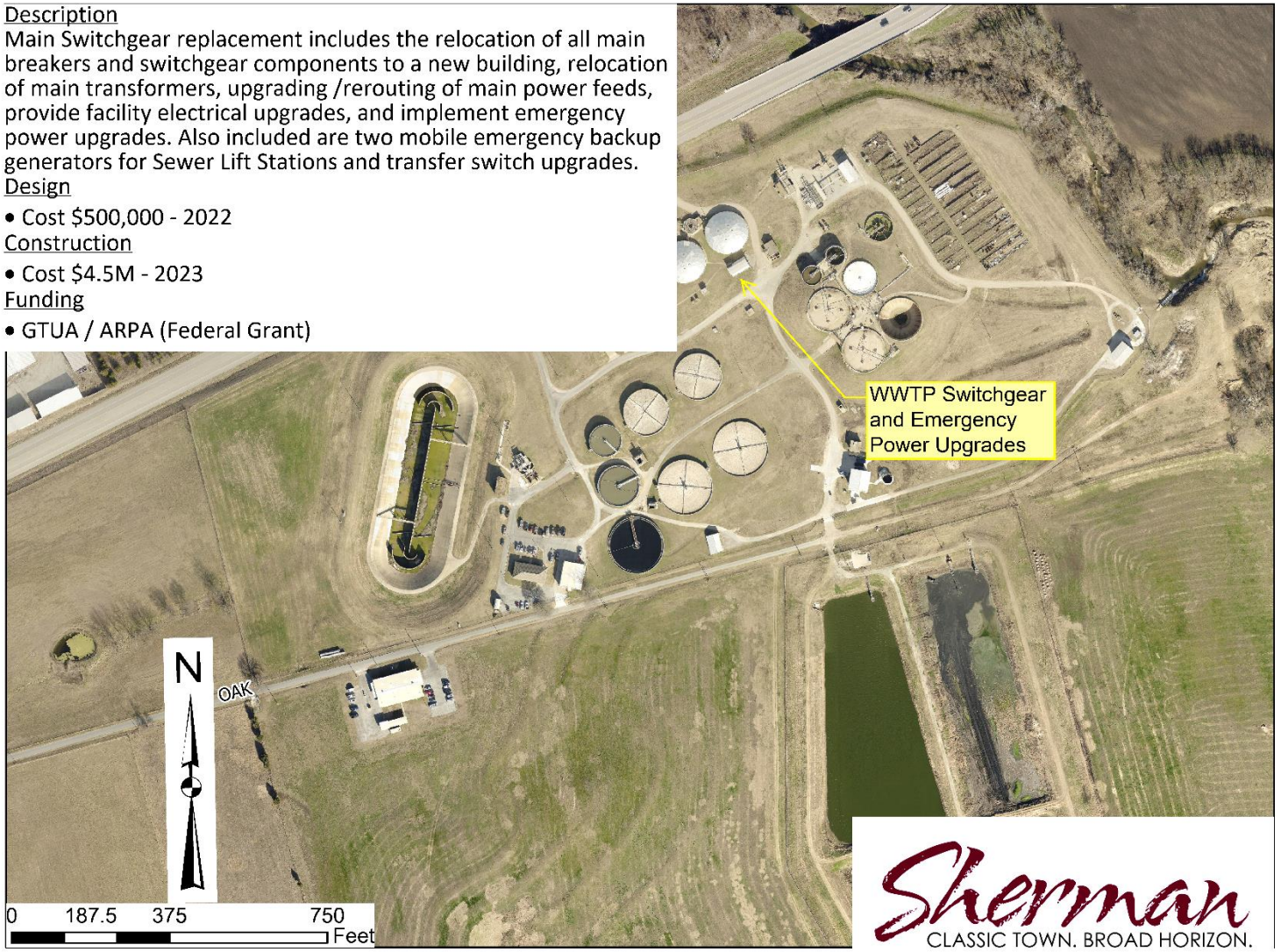
- Cost $500,000 - 2022

Construction

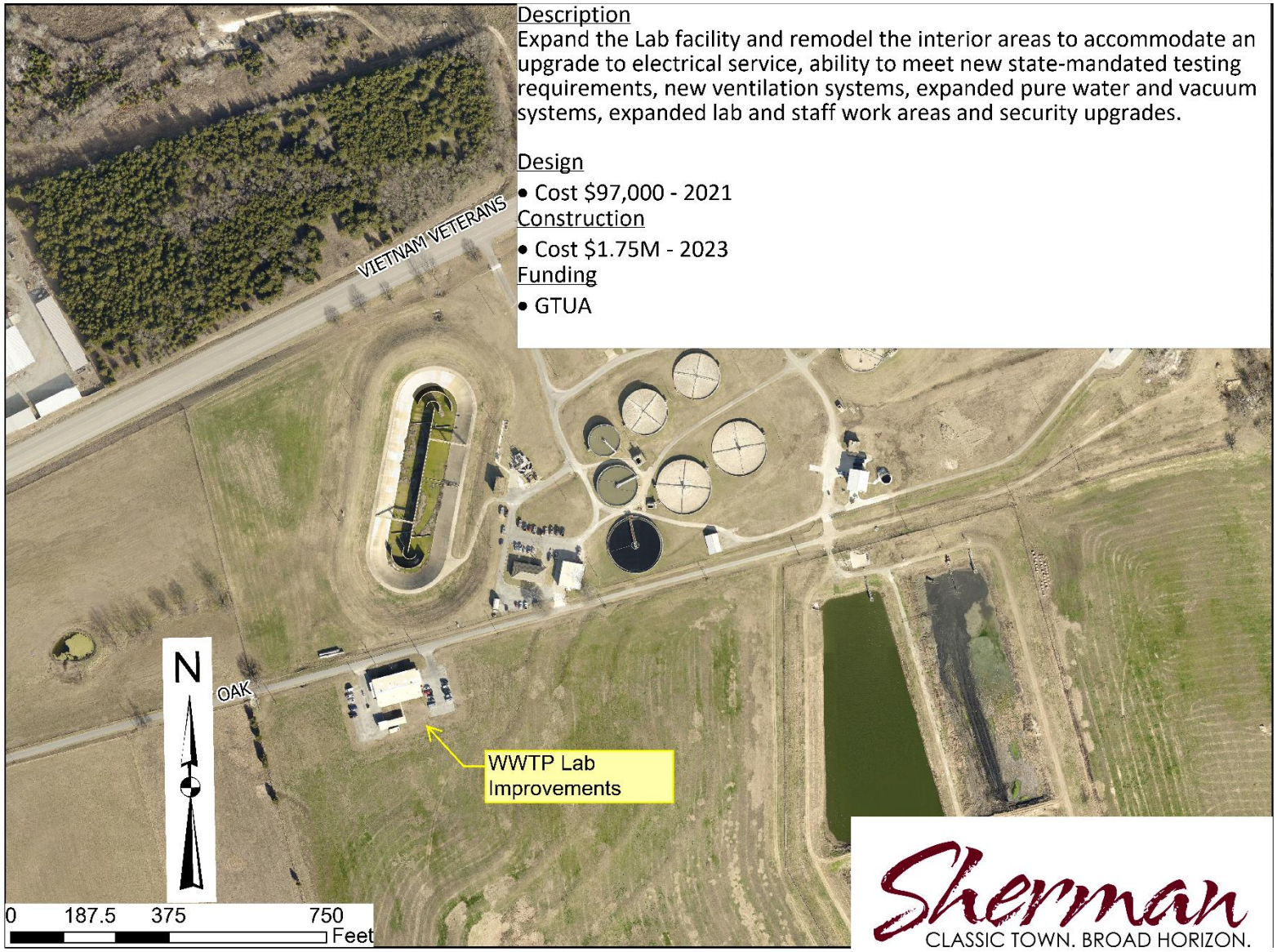
- Cost $4.5M - 2023

Funding

- GTUA / ARPA (Federal Grant)



WWTP – Expand Lab



Description

Expand the Lab facility and remodel the interior areas to accommodate an upgrade to electrical service, ability to meet new state-mandated testing requirements, new ventilation systems, expanded pure water and vacuum systems, expanded lab and staff work areas and security upgrades.

Design

- Cost $97,000 - 2021

Construction

- Cost $1.75M - 2023

Funding

- GTUA

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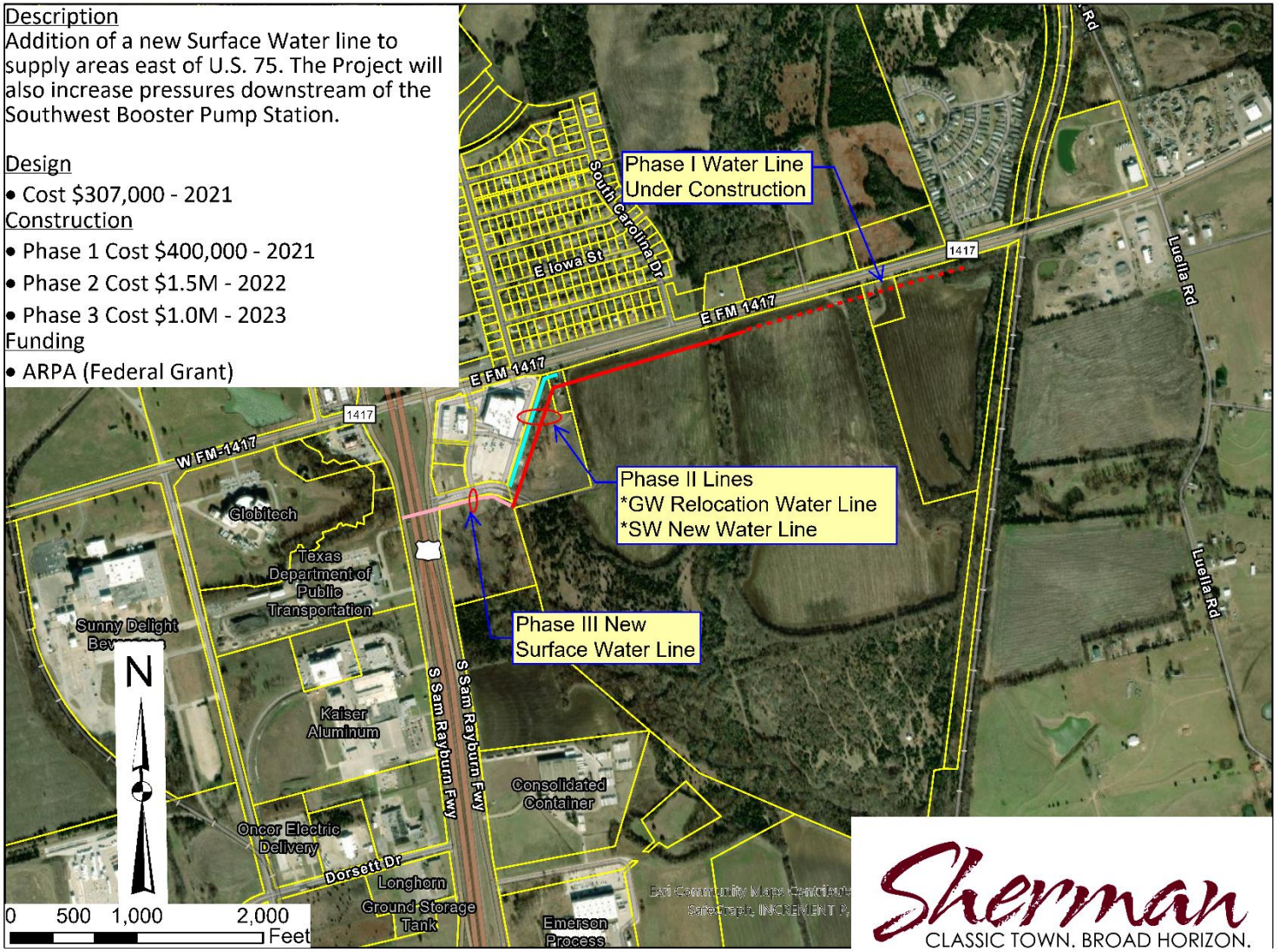
Distribution



Phase 2 and 3 of the Legacy Surface Water Line



Ida Road Ground Storage Tank

Description

Rehabilitate 5-MG Ida Road Ground Storage Tank (sandblast and paint inside and out). Remove built up sediment. Repair access ladder, OSHA compliance.

Design

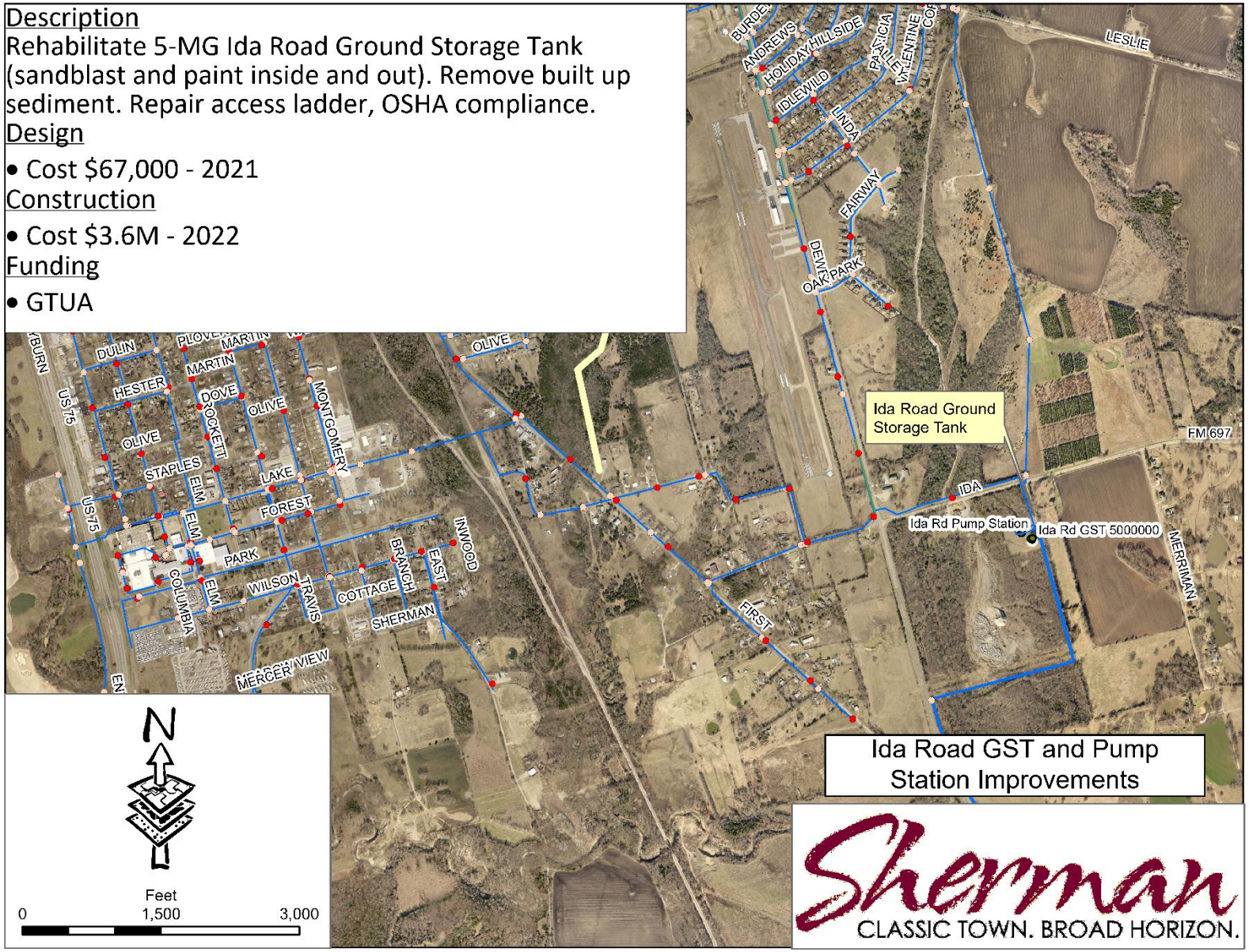
- Cost $67,000 - 2021

Construction

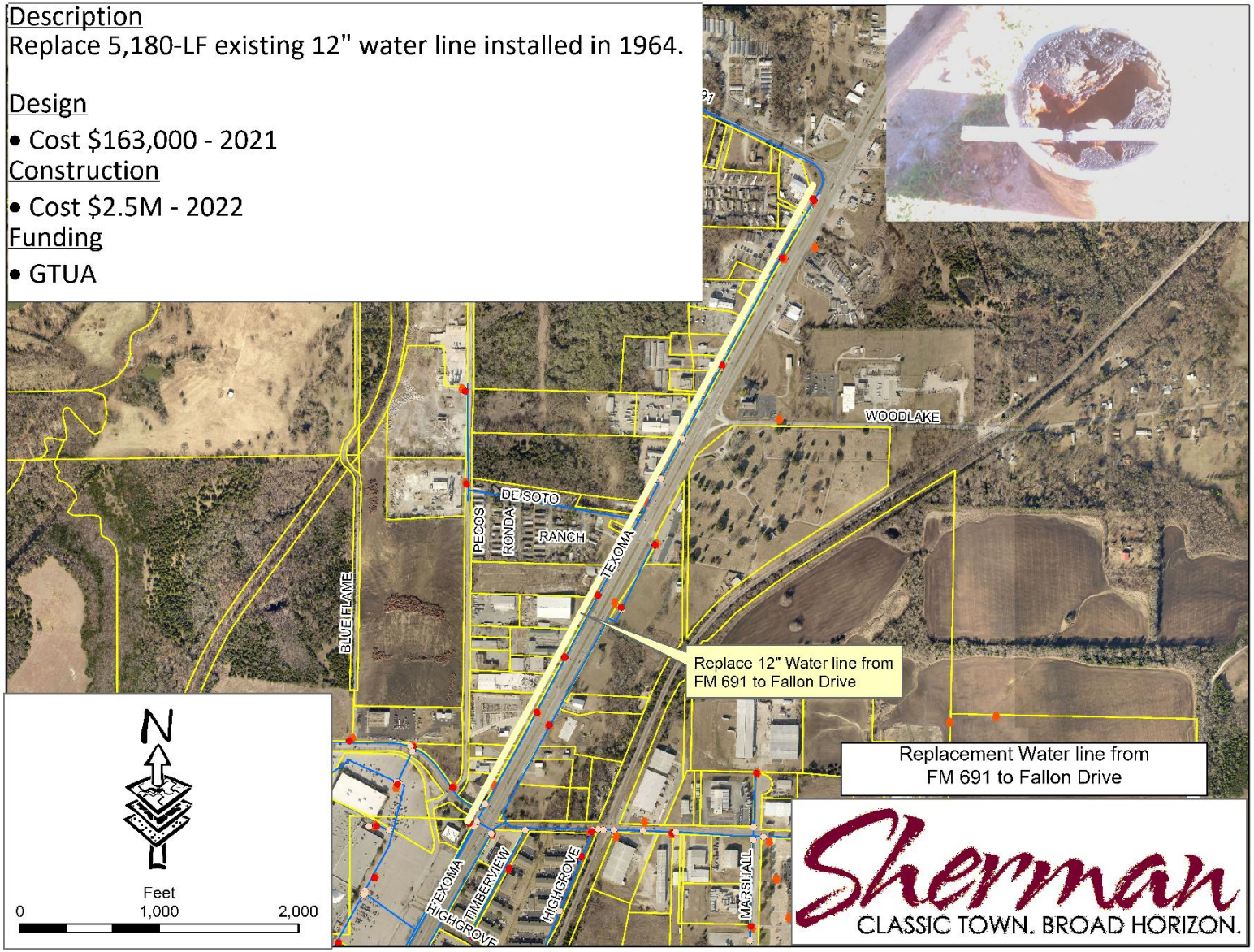
- Cost $3.6M - 2022

Funding

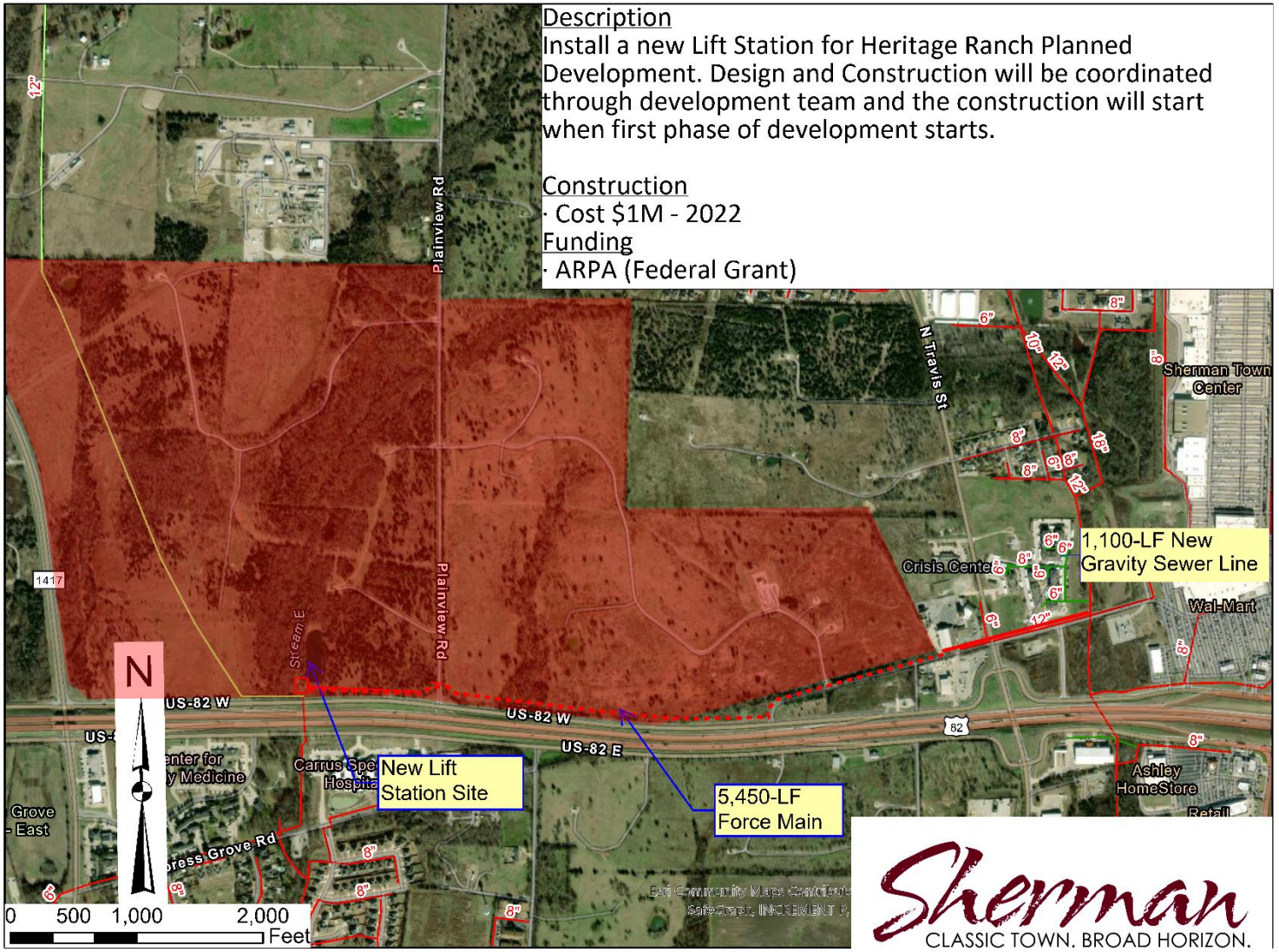
- GTUA



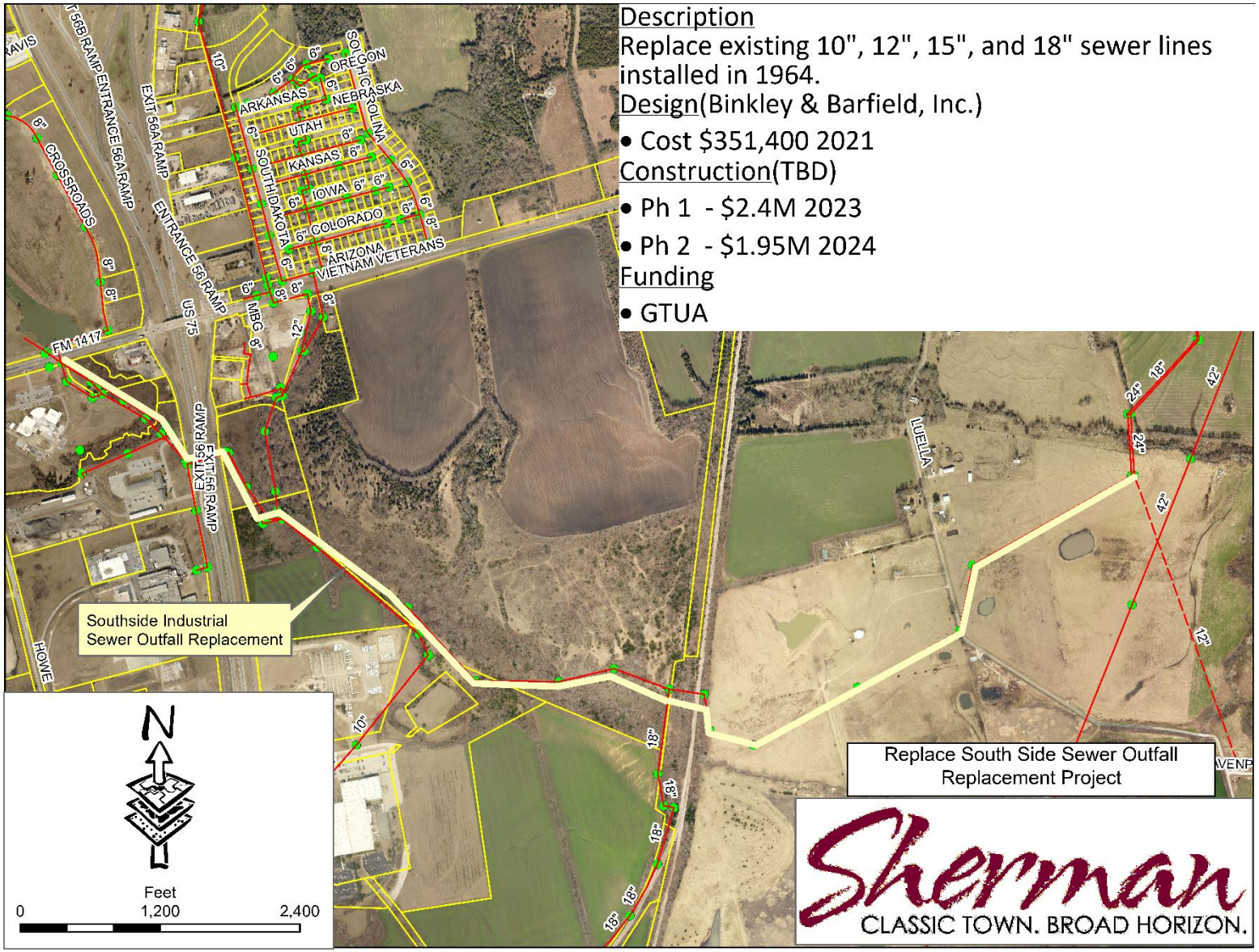
12” Water Line Replacement along Texoma



Heritage Ranch Lift Station



Replace South Side Sewer Line



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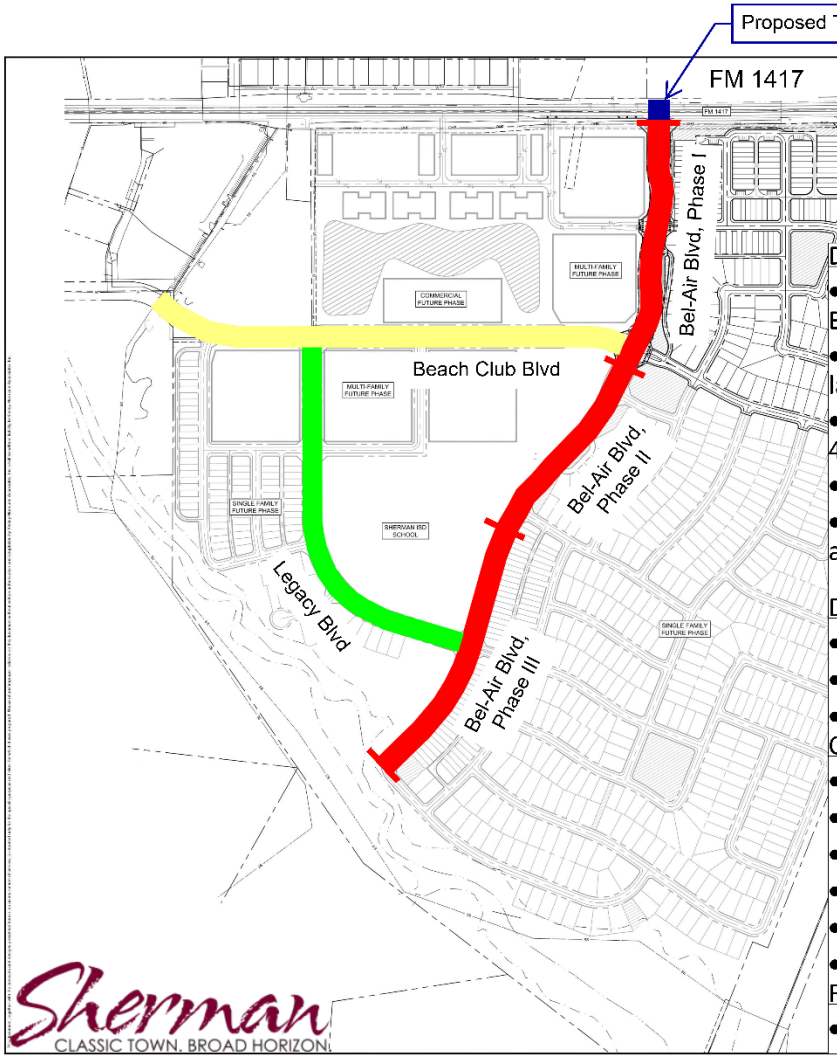
Streets



Bel-Air Planned Development



Description

- Bel-Air Blvd, Ph 1: Construct 4 lanes from FM 1417 to Beach Club Blvd
- Bel-Air Blvd, Ph II & III: Construct 2 lanes of ultimate 4 lanes from Beach Club Blvd to south end of project
- Beach Club Blvd: Construct 2 lanes of ultimate 4 lane road
- Legacy Blvd: Construct 2 lanes of ultimate 4 lane road
- Design and construct a Traffic Signal at Bel-Air Blvd and FM 1417

Design

- Traffic Signal Cost $75,000 - 2022
- Beach Club Blvd Cost $300,000 - 2022
- Legacy Blvd Cost $200,000 - 2023

Construction

- Bel-Air Blvd, Ph I Cost $1.5M Awarded - 2021
- Bel-Air Blvd, Ph II Cost $1.5M - 2022
- Bel-Air Blvd, Ph III Cost $1.5M - 2023
- Traffic Signal Cost $400,000 - 2023
- Beach Club Blvd Cost $1.5M - 2023
- Legacy Blvd Cost $1.2M - 2024

Funding

- CO / Impact Fee / Land Sale / TIRZ #7

Shepherd Place Planned Development



Description

Construct 5,650' of the south two lanes of ultimate 6 lane Boulevard. Design and Construction will be coordinated through development team and the construction will start when that phase of development starts.

Design

- Cost $330,000 - 2022

Construction

- Cost $3.3M - 2023

Funding

- CO / Impact Fee

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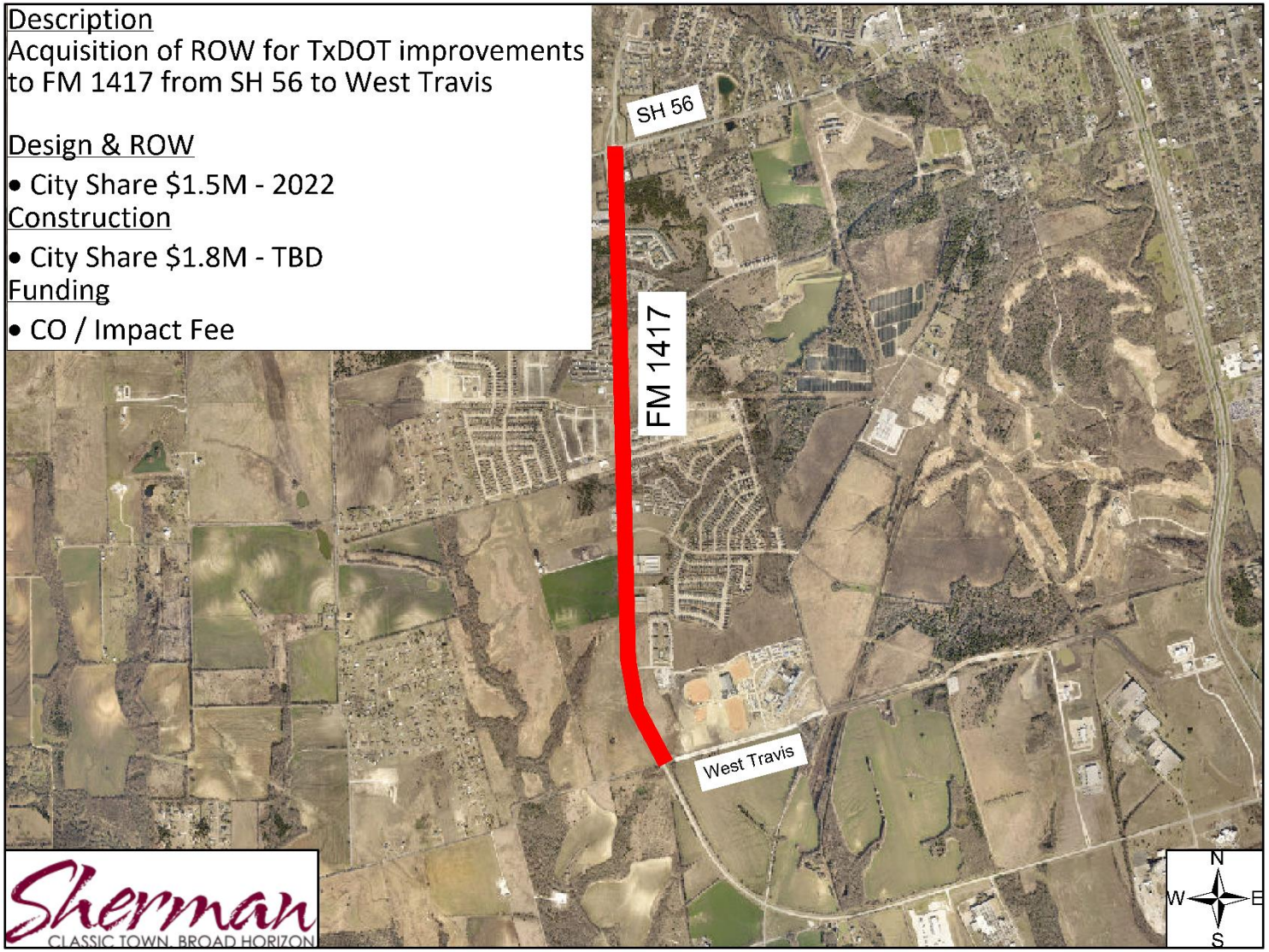
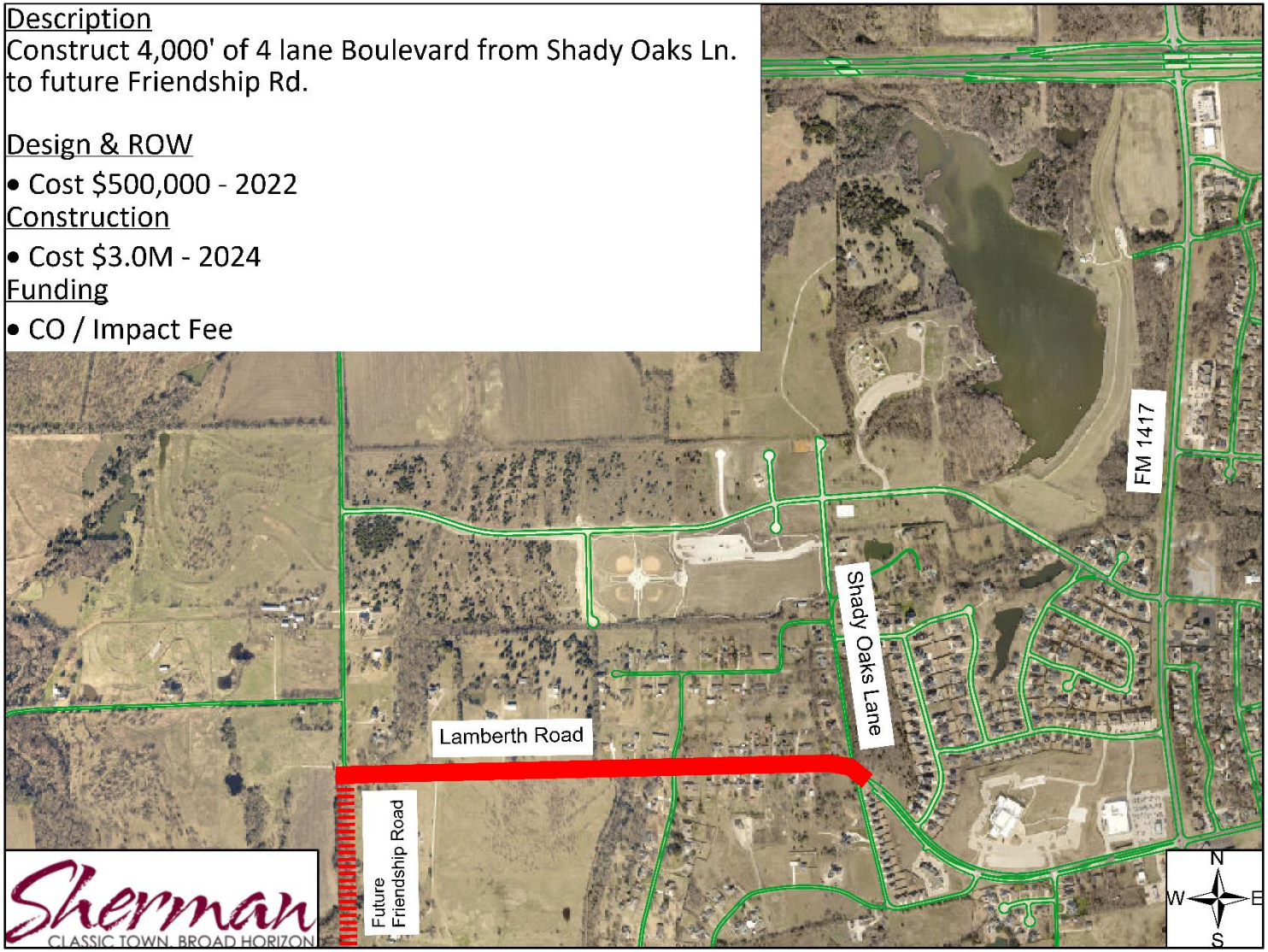
FM 1417 from SH 56 to W. Travis



Lamberth Road Extension



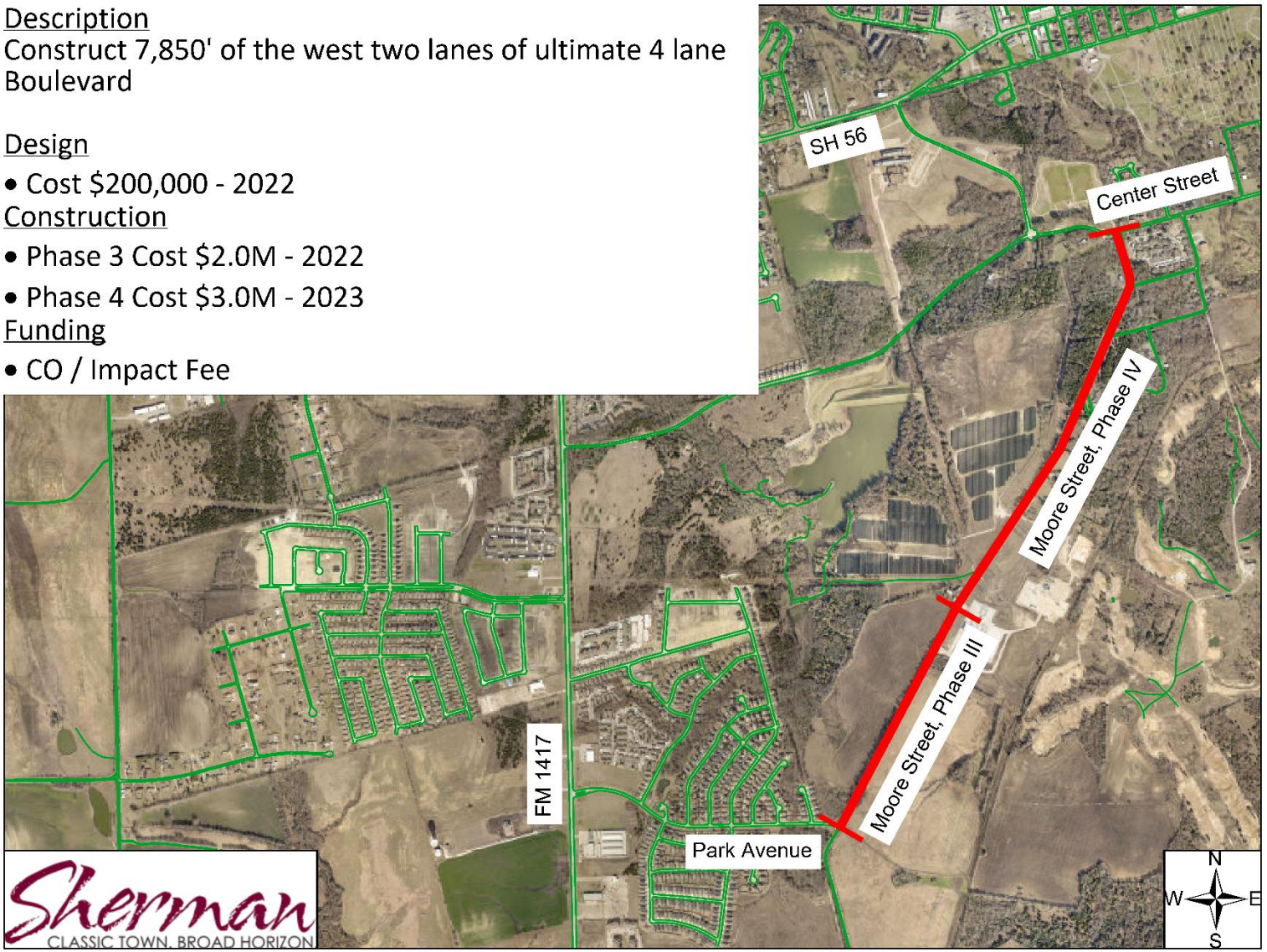
Moore Street North

Description
Construct 7,850' of the west two lanes of ultimate 4 lane Boulevard

Design
- Cost $200,000 - 2022

Construction
- Phase 3 Cost $2.0M - 2022
- Phase 4 Cost $3.0M - 2023

Funding
- CO / Impact Fee



South Travis Bridge



Friendship from SH 56 to OB Groner

Description

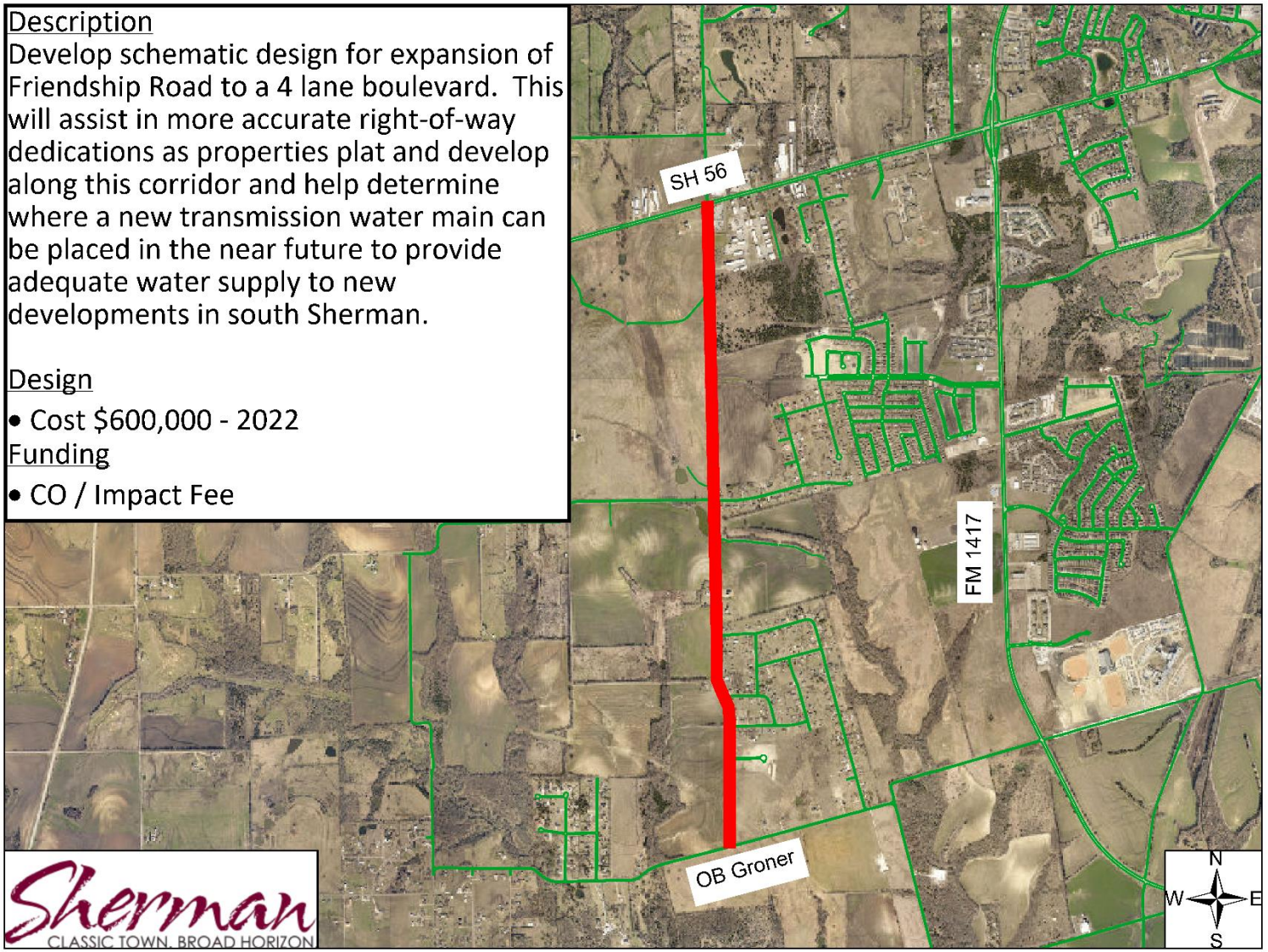
Develop schematic design for expansion of Friendship Road to a 4 lane boulevard. This will assist in more accurate right-of-way dedications as properties plat and develop along this corridor and help determine where a new transmission water main can be placed in the near future to provide adequate water supply to new developments in south Sherman.

Design

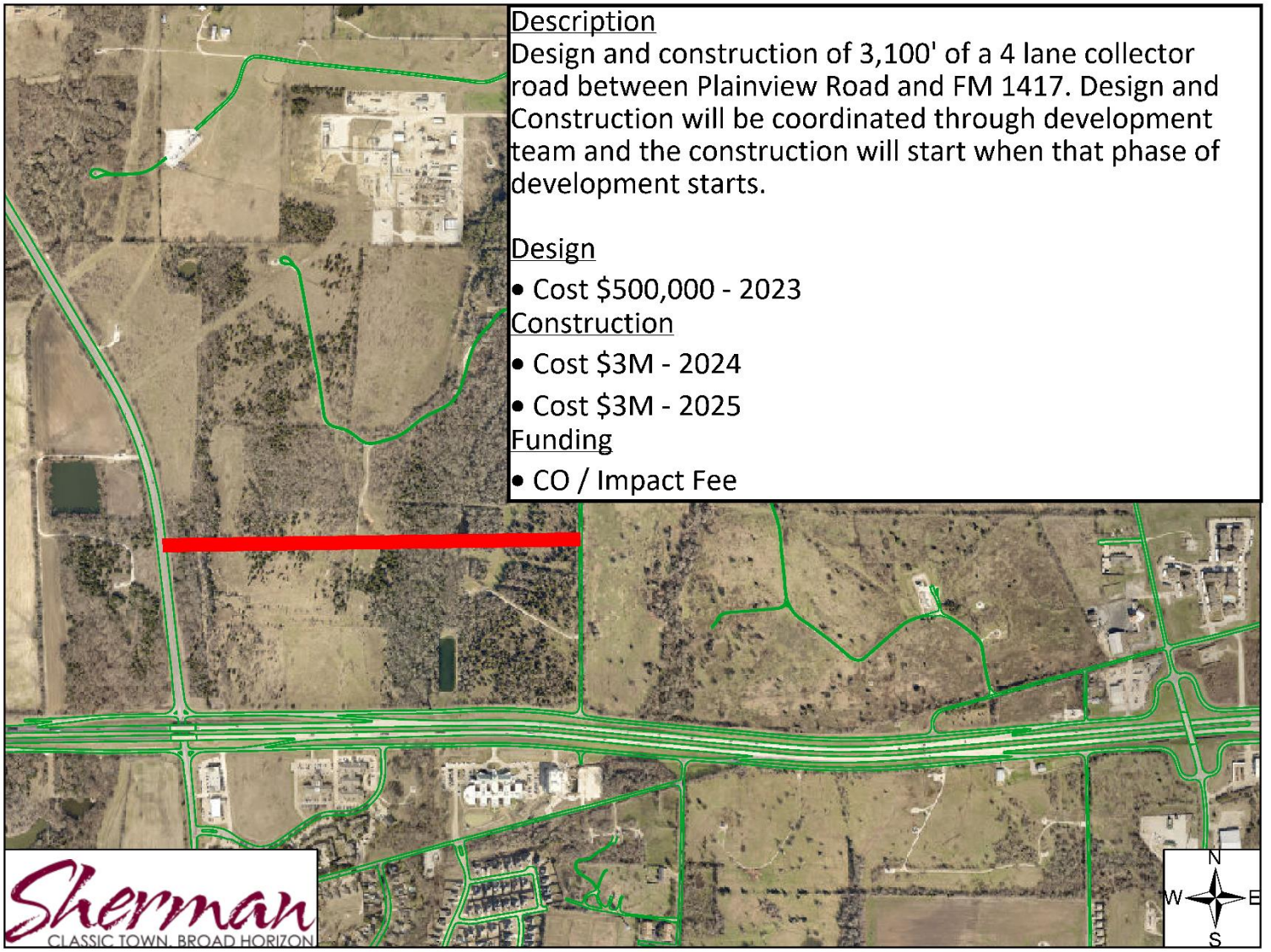
- Cost $600,000 - 2022

Funding

- CO / Impact Fee



Heritage Ranch Planned Development



Progress and Flanary Extension

Description

Construct 2,150' of the north two lanes of ultimate 4 lane Progress Drive and the east two lanes of ultimate 4 lane Flanary road.

Design

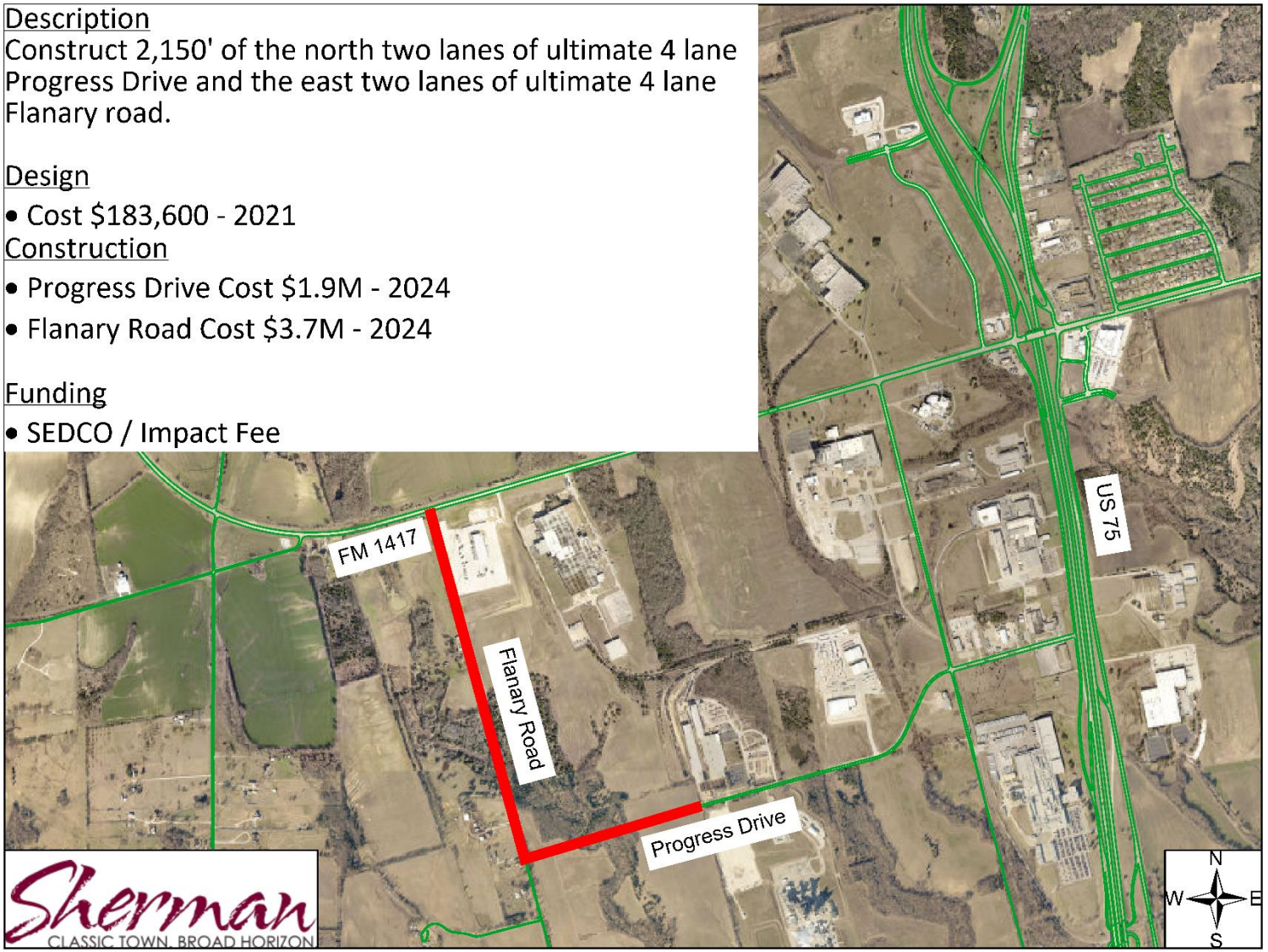
- Cost $183,600 - 2021

Construction

- Progress Drive Cost $1.9M - 2024
- Flanary Road Cost $3.7M - 2024

Funding

- SEDCO / Impact Fee



STATE OF TEXAS §

July 6, 2021

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Called Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on July 6, 2021.

MEMBERS PRESENT: **MAYOR DAVID PLYLER; DEPUTY MAYOR DARON HOLLAND.**
COUNCIL MEMBERS HOWETH, MELTON, STEVENSON, TEAMANN.

MEMBERS ABSENT: **COUNCIL MEMBER STEELE.**

CALL TO ORDER — **CALL TO ORDER**

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Council Member Shawn Teamann.

APPROVE MINUTES — **APPROVE MINUTES**

The Council reviewed the Minutes of the Regular City Council Meeting of June 21, 2021. Council Member Howeth moved to approve the Minutes, as presented; Second by Council Member Melton; All present voted AYE.
MOTION CARRIED.

SPECIAL PRESENTATION
RECOGNITION OF EIGHT SMALL BUSINESSES CELEBRATING ONE YEAR OF OPERATION IN THE CITY OF SHERMAN AND/OR ONE YEAR OF CHAMBER OF COMMERCE MEMBERSHIP — **ONE YEAR ANNIVERSARY OF BUSINESSES**

Mayor Plyler introduced Eddie Brown, President of the Sherman Chamber of Commerce, to recognize eight small businesses that are celebrating one year in Sherman and/or one year in the Chamber of Commerce.

Those in attendance that were recognized were Lori Cannon, GoSendMe; Brian McBride, Critical Access Billing Services; and Jesse Heiman, Sherman Evening Lions Club. Other businesses recognized were Modular Power Solution, Interim Healthcare of Sherman, Cedar Hollow Rehabilitation Center, Cinderella Housekeeping, and Cadence Studios.

Mr. Brown thanked the businesses for making Sherman their home and for providing jobs for our citizens. He also recognized the leadership that the Mayor and City Council provided to the City. Framed certificates were presented to each business as they were recognized.

CITIZEN'S COMMENTS — **CITIZEN'S COMMENTS**

There were no citizen's comments.

CONSENT AGENDA — **CONSENT AGENDA**

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

RES 6743
SALE OF CITY PROPERTY – NORTHEAST CORNER OF WEST TRAVIS ST. & FM 1417

(TABLED AT JUNE 7, 2021 COUNCIL MEETING)

RESOLUTION NO. 6743 – AWARDING A BID TO HARKINSON MANAGEMENT, LLC, FOR THE PURCHASE AND SALE OF 15.260 ± ACRES OF LAND IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF WEST TRAVIS STREET AND FM 1417; AUTHORIZING EXECUTION OF NECESSARY TRANSACTION DOCUMENTS RELATED THERETO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO HARKINSON MANAGEMENT, LLC, FOR THE PURCHASE AND SALE OF 15.260± ACRES OF LAND IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF WEST TRAVIS STREET AND FM 1417; AUTHORIZING EXECUTION OF NECESSARY TRANSACTION DOCUMENTS RELATED THERETO; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

ACTION TAKEN.

Motion by Council Member Melton to remove Resolution No. 6743 from table for consideration in its regular order of business. Second by Council Member Teamann.

VOTING AYE: Holland, Howeth, Melton, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED TO REMOVE FROM TABLE.

Robby Hefton, City Manager, said this resolution relates to the sale of approximately 15 acres of land located by the new High School, at the northeast corner of West Travis Street and FM 1417.

The staff has been working with Ryan Pittman, Attorney, who has been working with the purchaser and his attorneys, to develop the form used for this sale.

He said there will also be some closing costs related to this transaction, which will be split. Typical "seller" expenses will be handled by the seller, and typical "buyer" expenses will be handled by the buyer. The most significant will be the title policy, which is estimated to be about $17,000. The City's portion will be about half of that, making the City's total closing costs between $10,000 and $15,000.

He said since the City was able to list this property and bid it out themselves, they saved about $200,000 in real estate commission fees. The sale of the land was for $3.655 million.

Council Member Melton thanked Mr. Pittman for his hard work in negotiating the contract. She said she was the one that had been uncomfortable with the contract.

ACTION TAKEN.

Motion by Council Member Melton to adopt Resolution No. 6743, as presented. Second by Council Member Stevenson.

VOTING AYE: Holland, Howeth, Melton, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

RES 6750 LAW ENFORCEMENT OFFICER INTERLOCAL AGREEMENT WITH CITY OF GUNTER

RESOLUTION NO. 6750 – AUTHORIZING EXECUTION OF A LAW ENFORCEMENT OFFICER INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, TEXAS, AND THE CITY OF GUNTER, TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A LAW ENFORCEMENT OFFICER INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, TEXAS, AND THE CITY OF GUNTER, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Zach Flores, Police Chief, said this interlocal agreement will allow Gunter police officers to come into Sherman and assist with traffic control on the Hwy 75 project. These types of agreements have been in effect for just over a year.

Due to the large number of officers required for the major lane changes that are happening frequently, as well as notifications and delays, it can be difficult to fill with only Sherman officers. Officers from other towns in Grayson County have stepped up to help out with coverage, as needed.

Council Member Stevenson asked if they would be in their patrol unit or in a Sherman patrol unit. Chief Flores said they have an option. Sherman gets reimbursed and can "pass through" if they use their vehicles. However, there are two, older stripped-down vehicles that they can use. Whoever's vehicle they use is who the reimbursement will go too. Council Member Stevenson said he would leave it to Chief Flores, but he "preferred ours."

Council Member Teamann verified that the agreement is for officers, "as needed," and that they would use Sherman officers first. Chief Flores said, when the request is made, Sherman officers would have a chance to take the assignment first, then to other departments that have agreements with the City.

He said, sometimes it takes a large number of officers to fill their needs, so these agreements will help alleviate that. They also have a responsibility to Zachary Construction Company, to give them protection on the highway.

Council Member Melton asked if tickets are being written, because she has heard a lot of complaints about speeding through the construction zone.

Chief Flores said the agreement with Zachary is that the officers that are set up there, will not leave their location to enforce anything. There are, however, other officers there to enforce the

laws, especially the motorcycle officer. Chief Flores said he didn't want his officers out there with the barriers, but they are enforcing before and after the highway opens up, which is a safer place for the officers and those they stop. Council Member Teamann added that the officers are radioing ahead about speeding vehicles.

ACTION TAKEN.
Motion by Council Member Stevenson to adopt Resolution No. 6750, as presented. Second by Council Member Howeth.
VOTING AYE: Holland, Howeth, Melton, Stevenson, Teamann.
VOTING NAY: None.
MOTION CARRIED.

REQUEST TO ADV SETTING SUNS DRAINAGE IMPROVEMENTS, PHASE II

REQUEST TO ADVERTISE
SETTING SUNS DRAINAGE IMPROVEMENTS PHASE II
The City Council approved the request to advertise for bids for the Setting Suns Drainage Improvements Phase II Project. The area was annexed into the City in 1986. Over time, the residents in the neighborhood have experienced flooding to their property.

The drainage project will help alleviate the flooding to the neighborhood. This is Phase II of the project. Phase I was completed in June 2018.
CONSENT AGENDA.

ANNUAL SUPPLY OF TIRES

REQUEST TO ADVERTISE FOR THE ANNUAL SUPPLY OF TIRES FOR ON-ROAD AND OFF-ROAD FLEET EQUIPMENT
The City Council approved the request to advertise for the annual supply of tires for on-road and off-road fleet equipment. Each year the City contracts to establish a price agreement for the purchase of tires for a variety of the City's fleet. This agreement includes tire replacement needs for on and off-road fleet, including cars, trucks, trailers, and construction equipment.
CONSENT AGENDA.

SEDCO QUARTERLY PROGRESS REPORT

RECEIVE QUARTERLY PROGRESS REPORT FROM SHERMAN ECONOMIC DEVELOPMENT CORPORATION PRESIDENT KENT SHARP
Kent Sharp, President of the Sherman Economic Development Corporation, presented their quarterly progress report.

SEDCO passed a resolution authorizing funding for Eaton B-Line, Inc., for a project totaling $672,000, which will expand their product offering. The incentive will be up to 5% for the capital expenditures, and another 5% for anything that is bought locally.

Another resolution was approved for a partnership between SEDCO, Workforce Solutions Texoma, and the Denison Development Alliance, for the AMP and the IMT programs to train students to work in local industry. A State grant was available for communities that have a workforce training program. The State will match dollars for local incentives to hire outreach coordinators for the programs.

There were also two resolutions to authorize SEDCO to hire architects and general contractors to develop complete plans and drawings for speculative buildings. They will "price out" 78,750 square foot buildings, with expansion capabilities to take them to a little over 100,000 square feet.

SEDCO will own a complete set of plans and will get a first take on pricing in today's market. It is anticipated that pricing is probably currently elevated, but the Board would have the option to wait 12 to 18 months for prices to level off. However, they would own the plans and be ready when construction is wanted.

For the next quarter, Mr. Sharp said SEDCO will continue to market new jobs and investment in the City, and will continue to work closely with existing companies, to understand their capital budget for the next couple of years.

They also plan to host the third quarter meetings with the plant manager and human resource managers, and the annual joint meeting with the City Council.

Also, this is SEDCO's 25th Anniversary and the staff has worked hard to compile a video commemorating the event.

Mr. Sharp said SEDCO is currently working on nine active projects with an estimated $1.3 billion in investments, approximately 2,196 new jobs, and 182 retained jobs. He said there are a lot of projects in the works and it is an exciting time to be in Sherman.

They also completed two in-person site visits and one virtual prospect meeting. He has also had a preliminary meeting with the owner's representative, architects, and engineers for Modular Power Solutions' new expansion project.

JOINT MEETING WITH SEDCO (SEPT. 14, 2021)

CONSIDER SCHEDULING A JOINT MEETING OF THE CITY COUNCIL AND THE SHERMAN ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS FOR 12:00 P.M. ON TUESDAY, SEPTEMBER 14, 2021, TO REVIEW AND APPROVE SEDCO'S ANNUAL BUDGET AND WORK PLAN

ACTION TAKEN.

Motion by Council Member Howeth to schedule a Joint Meeting of the City Council and the Sherman Economic Development Corporation Board of Directors, for September 14, 2021, at 12:00 p.m., as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

MEDIA QUESTIONS

MEDIA QUESTIONS

There were no media questions.

COUNCIL COMMENTS

RECOGNITION OF LOCAL BUSINESSES — **RECOGNITION OF LOCAL BUSINESSES**

Council Member Teamann thanked Mr. Brown and Terrence Steele, Assistant City Manager, for their work to organize the recognition of local businesses that have been in Sherman or a member of the Chamber of Commerce for a year. He also thanked the businesses for choosing to do business in Sherman.

ANNOUNCEMENTS — **ANNOUNCEMENTS**

Mayor Plyler announced the following:

- **Friends of the Sherman Public Library will host a book sale on July 10, 2021, from 9:00 a.m. until 2:00 p.m., at 1000 North East Street. Friends can shop early on July 9, 2021, starting at 5:00 p.m.**

- **He thanked the City staff who helped with Lights on the Lake, on July 2, 2021 for the Rick Springfield Concert and the Fireworks Show. Hundreds of man-hours were invested at the park to make the event successful.**

- **This week, Gary P. Nunn will perform at Hot Summer Nights, at Kidd-Key Park. Then next week, Jefferson Starship will perform.**

- **The Sherman Celtic Festival will be held September 25 and 26, 2021, at Pecan Grove Park. He encouraged everyone to get their tickets.**

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

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

TEX. GOV'T CODE § 551.071 --
SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

- **(A) RECEIVE LEGAL ADVICE REGARDING WASTEWATER TREATMENT AGREEMENT NOVEMBER 2, 2009**
- **(B) RECEIVE LEGAL ADVICE REGARDING DISCLOSURE STATEMENT REQUIREMENTS UNDER CHAPTER 176 OF THE LOCAL GOVERNMENT CODE**

TEX. GOV'T CODE § 551.072 --
DELIBERATING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.073 --
DELIBERATING A NEGOTIATED CONTRACT FOR A PROSPECTIVE GIFT OR DONATION TO THE CITY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON

TEX. GOV'T CODE § 551.074 --
DELIBERATING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE; OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE UNLESS THE OFFICER OR EMPLOYEE WHO IS THE SUBJECT OF THE DELIBERATION OR HEARING REQUESTS A PUBLIC HEARING

TEX. GOV'T CODE § 551.076 –
DELIBERATING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES OR A SECURITY AUDIT

TEX. GOV'T CODE § 551.087 –
DISCUSSING OR DELIBERATING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE CITY SEEKS TO HAVE LOCATE, STAY OR EXPAND IN OR NEAR THE CITY AND WITH WHICH THE CITY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR DELIBERATING THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT

- **(A) PRESENTATION FROM IVY GROUP ON THE SHERMAN HOSPITAL PROJECT**
- **(B) ECONOMIC DEVELOPMENT PROSPECT**

TEX. GOV'T CODE § 551.089 --
DELIBERATING SECURITY ASSESSMENTS OR DEPLOYMENTS RELATING TO INFORMATION RESOURCES TECHNOLOGY, NETWORK SECURITY INFORMATION, OR THE DEPLOYMENT OR SPECIFIC OCCASIONS FOR IMPLEMENTATION OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE OR SECURITY DEVICES

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:25 p.m.

On Motion duly made and carried, the Executive Session recessed at 7:09 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.

ADJOURNMENT **ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 7:10 p.m.

MAYOR

CITY CLERK

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 1.**

Meeting Date: 07/19/2021

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

Asterisked (*) items are considered to be routine and will be enacted in one motion without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Issue:

E. 2. **** RESOLUTION NO. 6752***

Authorizing the City Manager to Enter into a Memorandum of Understanding with Grayson County For Sherman's Participation in the Grayson County Community Mitigation Planning Program; Appointing Members to Serve on the Grayson County Community Mitigation Planning Team

E. 3. **** RESOLUTION NO. 6753***

Authorizing Submission of a Joint Grant Application with the City of Denison and Grayson County for, and the Acceptance of, a Grant Awarded under the 2021 Justice Assistance Grant Program-CFDA #16.738

E. 4. **** RESOLUTION NO. 6754***

Authorizing Execution of an Interlocal Agreement between the City of Sherman, the City of Denison, and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2021 Justice Assistance Grant Program – CFDA #16.738

E. 5. **** RESOLUTION NO. 6755***

Authorizing Execution of an Agreement with M&G Home Builders LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 917 North Montgomery Street within City of Sherman Reinvestment Zone, Number Ten (#10)

E. 6. **** RESOLUTION NO. 6756***

Authorizing Execution of an Agreement with Jose and Maria Lara for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 509 South Gribble Street within City of Sherman Reinvestment Zone, Number Ten (#10)

E. 7. **** RESOLUTION NO. 6757***

Authorizing Execution of an Agreement with Tobar's Properties, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 411 East Wilson Avenue within City of Sherman Reinvestment Zone, Number Ten (#10)

F. 1. **** REQUEST TO ADVERTISE***

Wastewater Treatment Plant Fence Replacement Project

G. 6. **** OTHER BUSINESS***

Approve Quarterly Investment Report for Quarter Ended June 30, 2021

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **C. 2.**

Meeting Date: 07/19/2021

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

Double Asterisked (**) items are considered to be routine and will be enacted in one motion, subject to staff review letter, without discussion unless a Council Member or a citizen requests a specific item be discussed and voted on separately

Issue:

G. 7. ***** OTHER BUSINESS***

Replat Approval of Cornerstone Addition, Block 2, Lot 9R, being a Replat of Lots 8, 9 & 10, Block 2, Cornerstone Addition, being Lots 8, 9 and 10, Block 2, Cornerstone Addition; P&N Sherman, LLC, Owner; and Preston Trail Land Surveying, Surveyor (301, 305 & 309 Cornerstone Drive)

G. 8. ***** OTHER BUSINESS***

Final Plat Approval of Jaramillo Addition on Leslie Lane in the City of Sherman's Extra Territorial Jurisdiction (ETJ), being 14.492 acres in the Aaron Burleson Survey, Abstract No. 61 (Angel M. Jaramillo & Martha Lopez, Owners; and Preston Trail Land Surveying, Surveyor (3400 Block East Leslie Lane)

G. 9. ***** OTHER BUSINESS***

Replat Approval of Lots 6A & 6B, Block 31, Hilltop Estates, being 0.760 acres in the J. Hendrix Survey, Abstract No. 503, also being Lot 6, Block 31, Hilltop Estates Subdivision; Tobar Properties, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (2701 Dripping Springs Road and 4200 Block of Cox Street)

G. 10. ***** OTHER BUSINESS***

Replat Approval of Lot 1, Oyail Estates in the City of Sherman Extra Territorial Jurisdiction (ETJ), being 0.326 acres in the Preston Kitchen Survey, Abstract No. 667; Russell Rogers, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (388 Bennett Road)

G. 11. ***** OTHER BUSINESS***

Replat Approval of Lots 8 & 9, Block 49, South Side Addition, being 0.326 acres in the Preston Kitchen Survey, Abstract No. 667; Ricky D. Cooper, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2113 South East Street)

G. 12. ***** OTHER BUSINESS***

Replat Approval of Liberty Lighthouse Addition, being a part of Lots 1-3 and 8, Block B, T.J. Shannon Supplement, being 0.67 acres in the J.B. McAnair Survey, Abstract No. 763, also being part of Lots 1-3 and 8, Block B of the T.J. Shannon Supplement; Texoma Liberty Lighthouse, Owners; and Underwood Drafting and Surveying, Surveyor (110 & 120 West Mulberry Street)

G. 13. ***** OTHER BUSINESS***

Replat Approval of Lot 1R, Block 4, Chaffin's First Addition, Being a Replat of Lots 1, 2, 3, 4, 5, 6 & 7, Block 4, Chaffin's First Addition, being 0.959 acres in the J.B. McAnair Survey, Abstract No. 763 and being all of Lots 1-7, Block 4, Chaffin's First Addition; Sam A. Loria, Owner; Vilbig & Associates, PLLC, Civil Engineer; and Copley Land Surveying, Surveyor (609 East Pecan Street)

G. 14. ***** OTHER BUSINESS***

Replat Approval of Lots 5 & 6, Block 16, W. Elliott's Addition, being Lots 5 & 6, Block 16, W. Elliott's Addition; Grow More Invest, LLC, Owner; Charlie Shearer, Developer; and Copley Land Surveying, Surveyor (809 South Willow Street)

G. 15. ***** OTHER BUSINESS***

Replat Approval of Lots 5 & 6, Block 16, W. Elliott's Addition, being Lots 5 & 6, Block 16, W. Elliott's Addition; Grow More Invest, LLC, Owner; Charlie Shearer, Developer; and Copley Land Surveying, Surveyor (809 South Willow Street)

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 1.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6394

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, So as to Grant a Specific Use Permit to allow 200 Patio Homes in the Proposed Sherman Heights Addition, Blocks 1-8, being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625 in an R-1 (One-Family Residential) District in the 2400-2700 Blocks of South FM 1417 (Heritage Parkway), (ARC STX Holdings, LLC, Owner; Tesch Development & Management Co., LLC, Prospective Buyer; Robert Tesch, Representative; Pape-Dawson Engineers, Civil Engineer; and Pierce-Murray Land Solutions, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

Issue:

To consider Granting a Specific Use Permit to allow 200 Patio Homes in the Proposed Sherman Heights Addition, Blocks 1-8 in an R-1 (One Family Residential) District in the 2400-2700 Blocks of South FM 1417 (Heritage Parkway), being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625 (ARC STX Holdings, LLC, Owner; Tesch Development & Management Co., LLC, Prospective Buyer; Robert Tesch, Representative; Pape-Dawson Engineers, Civil Engineer; and Pierce-Murray Land Solutions, Surveyor)

Background:

The property is located in the 2400-2700 blocks of South FM 1417 (Heritage Parkway), the northwest corner of FM 1417 (Heritage Parkway) and O.B. Groner Road; across the highway from the new Sherman High School. A portion of the property (46.339 acres) was annexed into the City Limits of Sherman, at the December 7, 2020, City Council Meeting. A zone change from an R-A (Single Family agricultural) District and M-1 (Light Manufacturing) District to R-1 (One-family residential) District was approved June 7, 2021 on 43.727 acres.

The owners are requesting to plat the property into 200 lots for residential development of patio homes. They have two areas that meet the open space requirement. One is the one-acre site near the entrance and the other is labeled detention and open space. The detention is only about four acres the other three acres are usable open space. They are also looking at using a portion of the detention space for soccer fields and walking trails.

Origination:

ARC STX Holdings, LLC (Owners)
Tesch Development & Management Co., LLC, (Prospective Buyer)
Robert Tesch (Representative)
Pape-Dawson Engineers (Civil Engineer)
Pierce-Murray Land Solutions (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6394
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Sherman Heights Addition
Site Plan
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6394

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280 SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW 200 PATIO HOMES IN THE PROPOSED SHERMAN HEIGHTS ADDITION, BLOCKS 1-8, BEING 43.727 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625 IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT IN THE 2400-2700 BLOCKS OF SOUTH FM 1417 (HERITAGE PARKWAY) (ARC STX HOLDINGS, LLC, OWNERS; TESCH DEVELOPMENT & MANAGEMENT CO., LLC, PROSPECTIVE BUYER; ROBERT TESCH, REPRESENTATIVE; PAPE-DAWSON ENGINEERS, CIVIL ENGINEER; AND PIERCE-MURRAY LAND SOLUTIONS, SURVEYOR); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the effective date of this Ordinance, ARC STX Holdings, LLC (Owners), Tesch Development & Management Co., LLC, (Prospective Buyer), Robert Tesch (Representative), Pape-Dawson Engineers (Civil Engineer) and Pierce-Murray Land Solutions (Surveyor) for the property located in the 2400-2700 Blocks of South FM 1417 (Heritage Parkway), being Blocks 1-8 of the proposed Sherman Heights Addition, also being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625 as depicted in **Exhibit A** are granted a Specific Use Permit to allow a maximum of 200 Patio Homes in an R-1 (One-Family Residential) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended.

SECTION 2. That this Specific Use Permit is granted on the following conditions:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Patio Home Ordinance, the Fence Ordinance, the Sign Ordinance and the Residential Tree and Landscaping Ordinance. *Chapter 14, Exhibit A, Sec. 6.3; Sec. 9*; *Sec. 7(13) & (14) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. (Chapter 14, Exhibit A, Section 7 (13) & (14), Subsection 10(b))
4. Parking is permitted on paved surfaces only (concrete and asphalt). (Chapter 14, Exhibit A, Section 7, Subsection 10(h))
5. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20'. (Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))
6. Side yard setbacks must be uniform for all homes within a given block. (Chapter 14, Exhibit A, Section 8, Subsection 9 (b))
7. Any contiguous subdivision, including multiple phases, developed with twenty-five (25) or more lots under the Patio Home standards of this ordinance shall provide usable open space. Developments with 25 - 49 patio home lots shall provide usable open space which equals or exceeds five (5) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Developments with 50 or more patio homes shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. A contiguous subdivision is defined as: abutting or separated only by a local or collector street to the subdivision. Subdivisions separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous. (Chapter 14, Exhibit A, Section 8, Subsection 9 (e))
8. Any structures built over any of the easements on the property will require approval from the City Council for an encroachment easement.
9. Platting of the property is required.
10. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
11. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

12. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)
13. Water and Sanitary Sewer main must be extended in accordance with City criteria to serve proposed development. Sewer capacity shall be verified for proposed use. (Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)).
14. Engineering documentation for privately owned and maintained detention shall be provided to the City of Sherman Engineering Department for review and approval. Ownership and Maintenance information of detention to be shown on plat. (Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I))

15. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. (*Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15).*

SECTION 3. That this Ordinance shall be entered upon the official zoning map as provided in Section 2, Ordinance No. 2280.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the General Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

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

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

EFFECTIVE DATE on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A



LOCATION MAP
NOT-TO-SCALE

LEGEND

- DEVELOPMENT BOUNDARY
- 10' CONTOURS
- PROPERTY LINE
- BUILDING SETBACK LINE

ZONING	
CURRENT	M-1 & R-A
PROPOSED	R-1 W/ SUP PH (PATIO HOME)

LAND USAGE	
GROSS SF OF PROPERTY	1,905,028 (43.7 AC)
RESIDENTIAL AREA	1,119,683 (25.7 AC)
RIGHT-OF-WAY	369,490 (8.5 AC)
REQUIRED OPEN SPACE (10%)	190,502 (4.4 AC)
DETENTION/OPEN SPACE	415,655 (9.5 AC)
TOTAL LOTS	195

PATIO HOME (PH) SUP ZONING	
MIN. LOT AREA	4,000 SF
MIN. LOT WIDTH/CORNER	40 FT/45 FT
MIN. FRONT SETBACK	20 FT
MAX FRONT SETBACK	25 FT
MIN. SIDE YARD/CORNER	5 FT/10 FT
MIN. REAR YARD	10 FT
PARKING REQUIRED	1/BEDROOM (MIN 2/UNIT)

NOTE: DEVELOPMENT TO COMPLY WITH REQUIREMENTS FOR PATIO HOME SUP AS LISTED IN CITY OF SHERMAN ZONING ORDINANCE SECTION 8.9

TYPICAL LOT DETAIL
NOT-TO-SCALE

SHERMAN HEIGHTS

SHERMAN, TEXAS
(43.7 ACRES)

SCALE: 1" = 100'
0' 100' 200' 300'

PAPE-DAWSON ENGINEERS

DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
5810 TENNISON PARKWAY, STE 405 | PLANO, TX 75024 | 214.420.0699
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10194300

TDM
Tesch Development & Management Co., LLC

TESCH DEVELOPMENT & MANAGEMENT CO., LLC
BOB TESCH, PRESIDENT
512-970-0530
Bob@TeschAssociates.com

Date: Jun 02, 2021, 3:45pm User ID: acampbe
File: w:\projects\2019\019-0160\3-0 Design\3-4 Exhibits\019-0160 Site Plan.dwg

OWNERS CERTIFICATE OF DEDICATION

BEING a tract of land owned by ARC STX HOLDINGS, LLC and situated in Elizabeth Jones Survey, Abstract No. 625, City of Sherman, Grayson County, Texas, and being a portion of a tract of land described as a 5 parcel in a Warranty Deed to ARC STX HOLDINGS, LLC, recorded in a deed found in Volume 4740, Page 328, of the Deed Records of Grayson County, Texas, (D.R.G.C.T.), and being more particularly described by metes and bounds, as follows:

BEGINNING at a found 1 inch pipe (control monument), at the northwest corner of said ARC STX tract, also being the southwest corner of a tract of land owned by Michael Bartley, recorded in a deed found in Volume 3436, Page 657 of the Deed Records of Grayson County, Texas (D.R.G.C.T.), also being the eastern boundary of a tract of land owned by Gradon Ivy & Shao Mu Charles, recorded in a deed found in Volume 3060, Page 62 of the Deed Records of Grayson County, Texas, (D.R.G.C.T.); **THENCE**, N 74°42'02" E, departing said Ivy tract, along the northern line of said ARC tract, a distance of 1,067.13 to a 1/2-inch iron rod with yellow plastic cap stamped "PAPE-DAWSON";

THENCE S 01°57'21" E, departing the said Bartley tract, this making the North East Corner of the Sherman Heights subdivision tract, across the said ARC STX tract, a distance of 672.90 to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve to the right having a radius of 325.00', a central angle of 3°16'54", subtended by a 18.19' chord which bears S 29°51'14" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE N 84°42'57" E, a distance of 230.01' to the edge of FM Highway 1417 right-of-way to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve, along the edge of the FM Highway 1417 right-of-way, having a radius of 2924.93', a central angle of 1°43'31", subtended by a 88.04' chord which bears S 51°17'02" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE S 54°42'57" W, departing said FM 1417 right-of-way, a distance of 230.01' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve to the right having a radius of 3,220.56', a central angle of 1°25'53", a chord which bears S 52°41'22" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE N 89°59'47" E, a distance of 230.00' to the edge of FM Highway 1417 right-of-way to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve, along the edge of the FM Highway 1417 right-of-way, having a radius of 2924.93', a central angle of 0°56'45", subtended by a 48.30' chord which bears S 37°00'13" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE S 89°59'47" W, departing said FM 1417 right-of-way, a distance of 230.00' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve to the right having a radius of 3,176.34', a central angle of 4°08'15", subtended by a 229.40' chord which bears S 27°00'20" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE S 24°56'28" E, a distance of 94.81' making the South East corner of said Sherman Heights tract, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE S 73°49'23" W, departing said South East corner, across said ARC STX tract, a distance of 890.20' to the eastern boundary of said Ivy and Charles tract, and western boundary of said ARC STX tract, making the South west corner of said Sherman Heights tract, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, N 15°23'01" W, departing said South West corner of said Sherman Heights tract, along the eastern boundary of said Ivy & Charles tract and western boundary of said ARC STX tract, making the western boundary of said Sherman Heights, a distance of 2,127.52' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON", to the **POINT OF BEGINNING** and **CONTAINING** 43.73 acres or 1,905,130 square feet of land more or less.

NOW, THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

THAT ARC STX HOLDINGS, LLC., THE ABOVE SAID OWNER DOES HEREBY ADOPT THIS PLAT AND DESIGNATE THE HEREIN ABOVE TRACT AS SHERMAN HEIGHTS, LOT 1-26, BLOCK 1; LOT 1-26, BLOCK 2; LOT 1-16 & BLOCK 3; LOT 1-43, BLOCK 4; LOT 1-24, BLOCK 5; LOT 1-31, BLOCK 6; LOT 1-10, BLOCK 7; LOT 1-56, BLOCK 8, AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AND A HOA NAME IS SUBJECTED HEREIN. DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE RIGHTS-OF-WAY AND EASEMENTS SHOWN HEREON.

ARC STX HOLDINGS LLC.

BOB TESCH, PRESIDENT

DATE

STATE OF TEXAS)(
COUNTY OF COLLIN)(

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BOB TESCH, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE _____ DAY OF _____, 2021.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

KNOW ALL MEN BY THESE PRESENTS:

THAT I, _____, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SHERMAN, TEXAS.

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

SIGNATURE: _____

DATE: _____

STATE OF TEXAS
COUNTY OF _____

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THE PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THE PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SHERMAN PLANNING COMMISSION.

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE, AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

LICENSED PROFESSIONAL ENGINEER

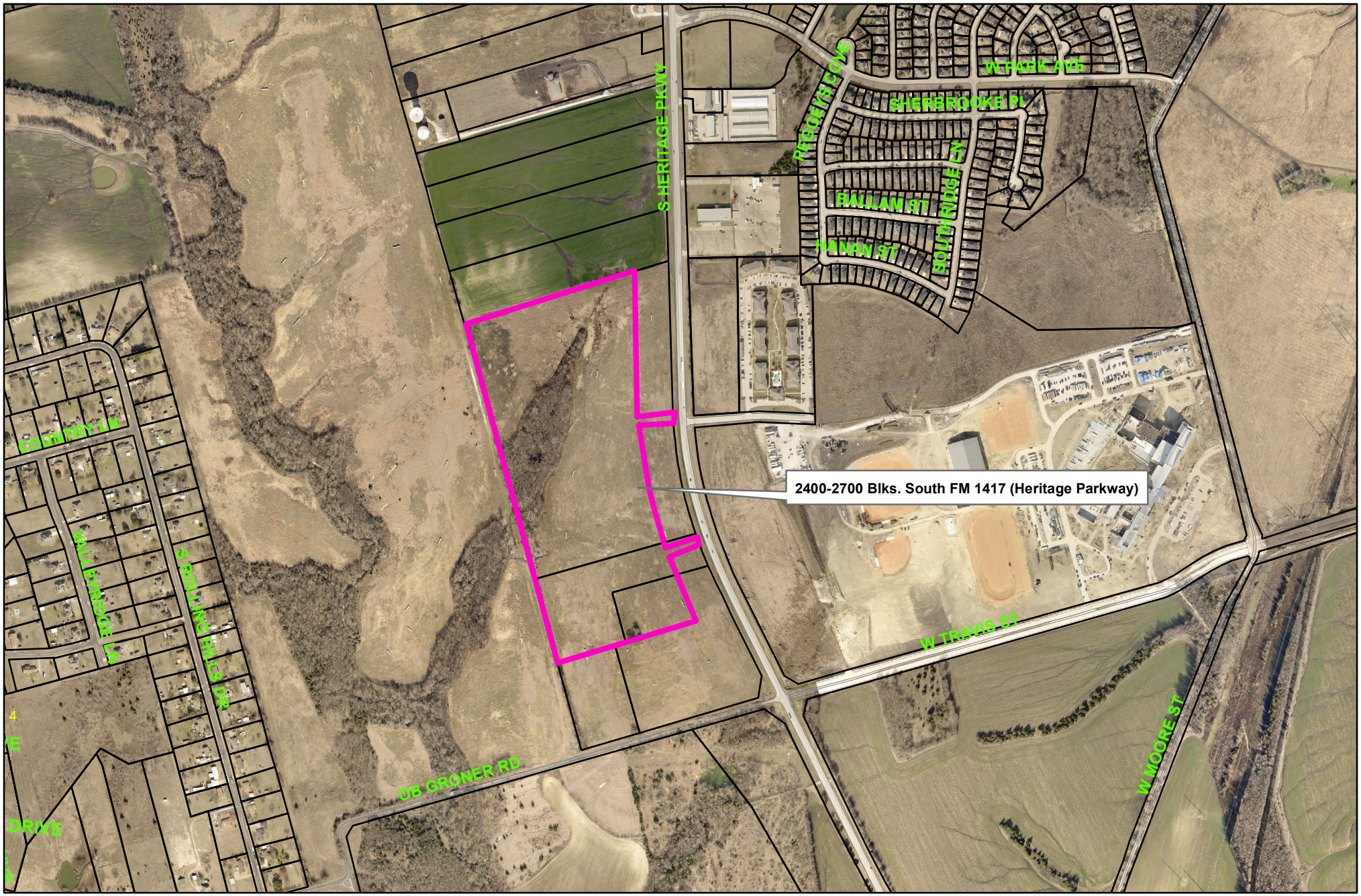
NOTES

1. HOME OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR ALL COMMON AREAS SUCH AS MAINTENANCE AND LANDSCAPED AREAS.
2. THE LOT LINE BETWEEN LOT 01, BLOCK 08 SHALL BE DELETED TO CREATION RECREATION OF PLAT.
3. AT THE TIME OF PLAT RECREATION, ALL OPEN SPACE SHALL BE DEEDED TO HOMEOWNERS ASSOCIATION.

SURVEYOR'S NOTES:

1. ⅝" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
2. THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NAD 83 (NA2011) EPOCH 2010.00, FROM THE TEXAS STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE NORTH CENTRAL ZONE.

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	25.00'	39°25'41"	S70°55'14"E	16.87'	17.20'
C2	2924.93'	1°43'31"	S51°17'02"E	88.04'	88.05'
C3	3220.56'	1°25'53"	S52°41'22"E	80.37'	80.37'
C4	2924.93'	0°56'45"	S37°00'13"E	48.30'	48.30'
C5	3176.34'	4°08'15"	S27°00'20"E	229.40'	229.45'
C6	25.00'	90°54'10"	S24°56'28"E	35.65'	39.66'
C7	25.00'	39°31'20"	S19°47'08"E	16.89'	17.25'
C8	25.00'	3°16'12"	S20°38'04"W	1.43'	1.43'
C9	25.00'	90°38'08"	S28°03'43"W	35.55'	39.54'
C10	25.00'	3°31'49"	N89°52'08"W	1.53'	1.53'
C11	25.00'	90°38'08"	S28°03'43"W	35.55'	39.54'
C12	2965.00'	3°34'38"	S71°31'04"E	181.48'	181.51'
C13	25.00'	89°38'47"	S62°13'04"E	35.24'	39.12'
C14	175.00'	4°31'13"	S70°28'33"E	14.19'	14.19'
C15	25.00'	90°53'23"	S24°53'28"E	35.83'	39.65'
C16	2175.00'	3°33'12"	S20°34'12"E	135.00'	135.02'
C17	25.00'	29°28'49"	S35°57'47"W	12.47'	12.86'
C18	25.00'	90°31'49"	S89°52'08"W	35.53'	39.51'
C19	25.00'	90°31'49"	N89°52'08"W	35.53'	39.51'
C20	25.00'	29°28'49"	S35°57'47"W	12.47'	12.86'
C21	2175.00'	3°33'12"	S20°34'12"E	135.00'	135.02'
C22	25.00'	90°53'23"	S24°53'28"E	35.83'	39.65'
C23	175.00'	4°31'13"	S70°28'33"E	14.19'	14.19'
C24	25.00'	90°38'08"	S28°03'43"W	35.55'	39.54'
C25	2965.00'	3°34'38"	S71°31'04"E	181.48'	181.51'
C26	25.00'	90°38'08"	S28°03'43"W	35.55'	39.54'
C27	25.00'	3°31'49"	N89°52'08"W	1.53'	1.53'
C28	25.00'	90°38'08"	S28°03'43"W	35.55'	39.54'
C29	3220.56'	1°25'53"	S52°41'22"E	80.37'	80.37'
C30	2924.93'	0°56'45"	S37°00'13"E	48.30'	48.30'
C31	3176.34'	4°08'15"	S27°00'20"E	229.40'	229.45'
C32	25.00'	90°54'10"	S24°56'28"E	35.65'	39.66'
C33	25.00'	39°31'20"	S19°47'08"E	16.89'	17.25'
C34	25.00'	3°16'12"	S20°38'04"W	1.43'	1.43'
C35	25.00'	90°38'08"	S28°03'43"W	35.55'	39.54'
C36	2965.00'	3°34'38"	S71°31'04"E	181.48'	181.51'
C37	25.00'	89°38'47"	S62°13'04"E	35.24'	39.12'
C38	175.00'	4°31'13"	S70°28'33"E	14.19'	14.19'
C39	25.00'	90°53'23"	S24°53'28"E	35.83'	39.65'
C40	2175.00'	3°33'12"	S20°34'12"E	135.00'	135.02'
C41	25.00'	29°28'49"	S35°57'47"W	12.47'	12.86'
C42	25.00'	90°31'49"	S89°52'08"W	35.53'	39.51'
C43	25.00'	90°31'49"	N89°52'08"W	35.53'	39.51'
C44	25.00'	29°28'49"	S35°57'47"W	12.47'	12.86'
C45	2175.00'	3°33'12"	S20°34'12"E	135.00'	135.02'
C46	25.00'	90°53'23"	S24°53'28"E	35.83'	39.65'
C47	175.00'	4°31'13"	S70°28'33"E	14.19'	14.19'
C48	25.00'	90°38'08"	S28°03'43"W	35.55'	39.54'
C49	2965.00'	3°34'38"	S71°31'04"E	181.48'	181.51'
C50	25.00'	89°38'47"	S62°13'04"E	35.24'	39.12'
C51	175.00'	4°31'13"	S70°28'33"E	14.19'	14.19'
C52	25.00'	90°53'23"	S24°53'28"E	35.83'	39.65'
C53	2175.00'	3°33'12"	S20°34'12"E	135.00'	135.02'
C54	25.00'	29°28'49"	S35°57'47"W	12.47'	12.86'
C55	25.00'	90°31'49"	S89°52'08"W	35.53'	39.51'
C56	25.00'	90°31'49"	N89°52'08"W	35.53'	39.51'
C57	25.00'	29°28'49"	S35°57'47"W	12.47'	12.86'
C58	2175.00'	3°33'12"	S20°34'12"E	135.00'	135.02'
C59	25.00'	90°53'23"	S24°53'28"E	35.83'	39.65'
C60	175.00'	4°31'13"	S70°28'33"E	14.19'	14.19'
C61	25.00'	90°38'08"	S28°03'43"W	35.55'	39.54'
C62	2965.00'	3°34'38"	S71°31'04"E	181.48'	181.51'
C63	25.00'	89°38'47"	S62°13'04"E	35.24'	39.12'
C64	175.00'	4°31'13"	S70°28'33"E	14.19'	14.19'
C65	25.00'	90°53'23"	S24°53'28"E	35.83'	39.65'
C66	2175.00'	3°33'12"	S20°34'12"E	135.00'	135.02'
C67	25.00'	29°28'49"	S35°57'47"W	12.47'	12.86'
C68	25.00'	90°31'49"	S89°52'08"W	35.53'	39.51'
C69	25.00'	90°31'49"	N89°52'08"W	35.53'	39.51'
C70	25.00'	29°28'49"	S35°57'47"W	12.47'	12.86'
C71	2175.00'	3°33'12"	S20°34'12"E	135.00'	135.02'
C72	25.00'	90°53'23"	S24°53'28"E	35.83'	39.65'
C73	175.00'	4°31'13"	S70°28'33"E	14.19'	14.19'
C74	25.00'	90°38'08"	S28°03'43"W	35.55'	39.54'
C75	2965.00'	3°34'38"	S71°31'04"E	181.48'	181.51'
C76	25.00'	89°38'47"	S62°13'04"E	35.24'	39.12'
C77	25.00'	90°31'49"	S89°52'08"W	35.53'	39.51'
C78	425.00'	18°32'05"	S76°26'09"E	136.82'	137.48'
C79	50.00'	90°06'36"	N60°32'58"E	70.71'	78.64'
C80	300.00'	14°03'37"	N76°36'47"W	73.81'	73.78'
C81	250.00'	2°40'19"	S72°57'48"E	11.66'	11.66'
C82	2300.00'	8°57'55"	S81°01'36"E	311.84'	312.09'
C83	50.00'	89°47'08"	S30°13'57"W	69.86'	77.49'
C84	175.00'	3°08'49"	S38°50'32"E	10.68'	10.68'
C85	175.00'	2°51'47"	N38°41'36"W	14.03'	14.04'
C86	300.00'	14°03'37"	S89°36'46"E	73.81'	73.78'
C87	200.00'	4°51'41"	S76°43'58"E	16.97'	16.97'
C88	50.00'	89°57'55"	N75°54'53"W	70.72'	78.50'
C89	250.00'	8°49'40"	N85°38'58"W	38.47'	38.51'
C90	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C91	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C92	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C93	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C94	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C95	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C96	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C97	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C98	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C99	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C100	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C101	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C102	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C103	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C104	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C105	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C106	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C107	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C108	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C109	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C110	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C111	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C112	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C113	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C114	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C115	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C116	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C117	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C118	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C119	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C120	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C121	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C122	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C123	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C124	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C125	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C126	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C127	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C128	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C129	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C130	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C131	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C132	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C133	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C134	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C135	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C136	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C137	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C138	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C139	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C140	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C141	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C142	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C143	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C144	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C145	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C146	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C147	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C148	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C149	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C150	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C151	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C152	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C153	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C154	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C155	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C156	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C157	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C158	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C159	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C160	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C161	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C162	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C163	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C164	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C165	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C166	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C167	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C168	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C169	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C170	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C171	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C172	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C173	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C174	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C175	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C176	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C177	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C178	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C179	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C180	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C181	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C182	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C183	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C184	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C185	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C186	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C187	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C188	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C189	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C190	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C191	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C192	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C193	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C194	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C195	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C196	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C197	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C198	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C199	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C200	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C201	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C202	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C203	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C204	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C205	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C206	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C207	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C208	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C209	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C210	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C211	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C212	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C213	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C214	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C215	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C216	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C217	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C218	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C219	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C220	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C221	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C222	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C223	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C224	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C225	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C226	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C227	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C228	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C229	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C230	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C231	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C232	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C233	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C234	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C235	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C236	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C237	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C238	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C239	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C240	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C241	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C242	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C243	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C244	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C245	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C246	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C247	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C248	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C249	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C250	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C251	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C252	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C253	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C254	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C255	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C256	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C257	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C258	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C259	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C260	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C261	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C262	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C263	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C264	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C265	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C266	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C267	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C268	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C269	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C270	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C271	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C272	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C273	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C274	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C275	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C276	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C277	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C278	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C279	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C280	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C281	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C282	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C283	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C284	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C285	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C286	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C287	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C288	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C289	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C290	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C291	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C292	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C293	50.00'	89°57'55"	S75°03'02"W	70.72'	78.50'
C294	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C295	50.00'	89°57'55"	S14°54'53"E	70.72'	78.50'
C296	2300.00'	4°33'12"	S85°39'36"E	182.66'	182.71'
C297	50.00'



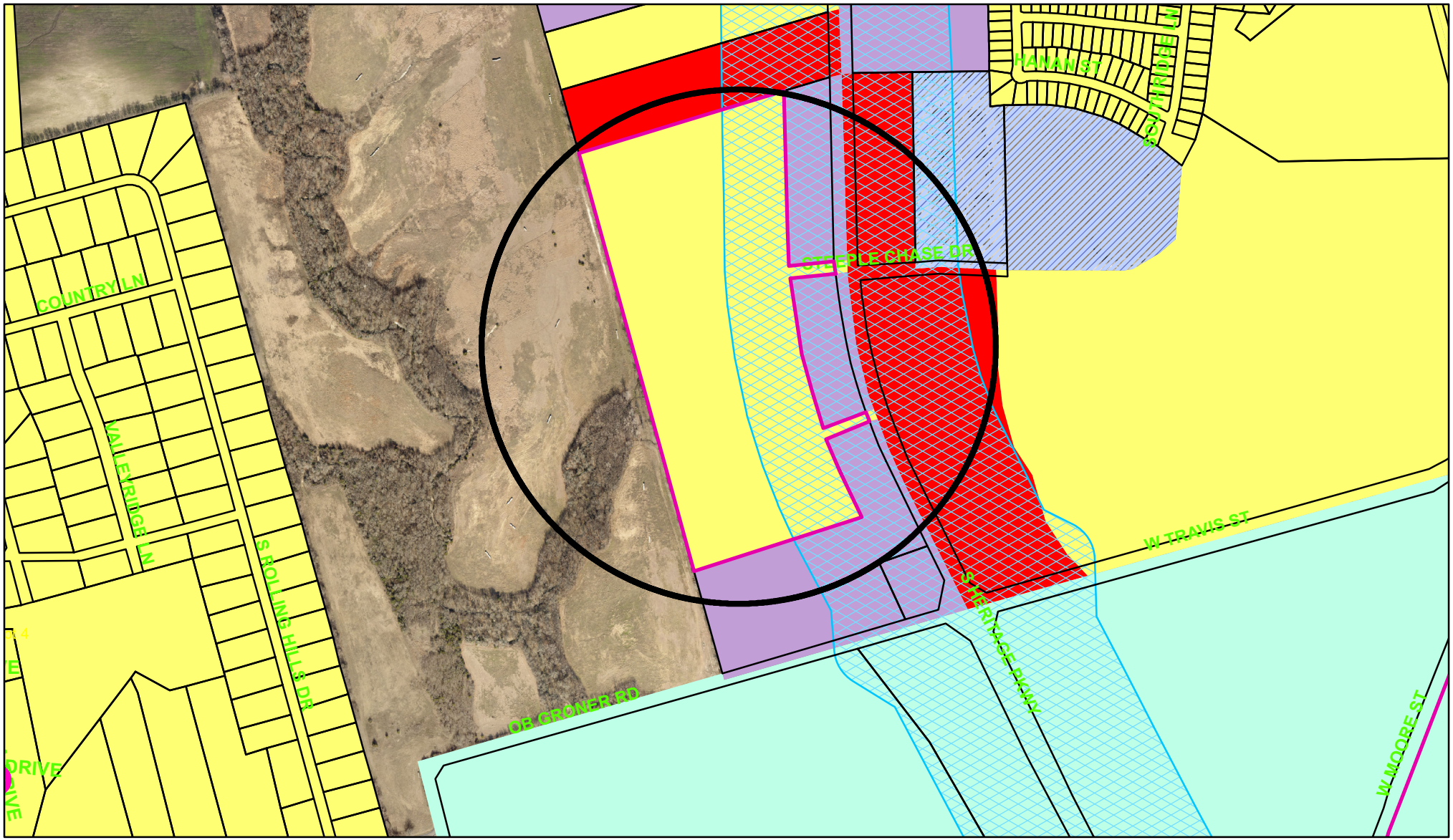
2400-2700 Blocks South FM 1417 (Heritage Parkway)

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 800 ft



Zoning - 2400-2700 Blocks South FM 1417 (Heritage Parkway)

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 700 ft

2400-2700 Blocks South FM 1417
(Heritage Parkway)





OWNERS CERTIFICATE OF DEDICATION

BEING a tract of land owned by ARC STX HOLDINGS LLC and situated in Elizabeth Jones Survey, Abstract No. 625, City of Sherman, Grayson County, Texas, and being a portion of a tract of land described in a Special Warranty Deed to ARC STX HOLDINGS LLC, recorded in a deed found in Volume 4740, Page 428 of the Deed Records of Grayson County, Texas (D.R.G.C.T.), and being more particularly described by metes and bounds as follow;

BEGINNING at a found 1-inch pipe (control monument) at the northwest corner of said ARC STX Tract, also being the southwest corner of a tract of land owned by Michael Douthey, recorded in a deed found in Volume 3436, Page 657 of the Deed Records of Grayson County, Texas (D.R.G.C.T.), also along the eastern boundary of a tract of land owned by Quach Huy & Shao Wu Charles, recorded in a deed found in Volume 3260, Page 62 of the Deed Record of Grayson County, Texas (D.R.G.C.T.) **THENCE**, N 74°27'02" E, departing said Huy tract, along the Northern line of said ARC tract, a distance of 1,067.13' to a 1/2-inch iron rod with yellow plastic cap stamped "PAPE-DAWSON";

THENCE, S 01°27'21" E, departing the said Douthey tract, thus making the North East Corner of the Sherman Heights subdivision tract, across the said ARC STX tract, a distance of 672.90' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve to the right having a radius of 3,276.63', a central angle of 3°10'54", subtended be a 161.92' chord which bears S 3°05'14" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, N 84°42'57" E, a distance of 230.01' to the edge of FM Highway 1417 right-of-way to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve, along the edge of the FM Highway 1417 right-of-way, having a radius of 2924.93', a central angle of 1°10'31", subtended be a 60' chord which bears S 5°17'03" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, S 84°42'57" W, departing said FM 1417 right-of-way, a distance of 230.01' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve to the right having a radius of 3,222.56', a central angle of 13°25'53", subtended be a 753.71' chord which bears S 12°41'22" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, N 69°59'47" E, a distance of 230.00' to the edge of FM Highway 1417 right-of-way to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve, along the edge of the FM Highway 1417 right-of-way, having a radius of 2924.93', a central angle of 0°58'46", subtended be a 50' chord which bears S 20°00'13" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, S 69°59'47" W, departing said FM 1417 right-of-way, a distance of 230.00' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve to the right having a radius of 3,176.34', a central angle of 6°03'15", subtended be a 335.48' chord which bears S 23°30'20" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, S 26°29'25" E, a distance of 94.51' making the South East corner of said Sherman Heights tract, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, S 73°46'23" W, departing said South East corner, accross said ARC STX tract a distance 890.20' to the eastern boundary of said Huy and Charles tract, and western boundary of said ARC STX tract, making the South West corner of said Sherman Heights tract to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, N 15°23'01" W, departing said South West corner of said Sherman Heights tract, along the eastern boundary of said Huy & Charles tract and western boundary of said ARC STX tract, makeing the western boundary of said Sherman Heights, a distance of 2,127.52' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON", to the **POINT OF BEGGINING**, and **CONTAINING** 43.73 acres or 7,155.30 Square Feet of land more or less.

NOW, THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

THAT ARC STX HOLDINGS, LLC., THE AFORE SAID OWNER DOES HEREBY ADOPT THIS PLAT AND DESIGNATE THE HEREIN ABOVE TRACT AS SHERMAN HEIGHTS, LOTS 1-28, BLOCK 1; LOTS 1-26, BLOCK 2; LOTS 1-16, BLOCK 3; LOT 1-13, BLOCK 4; LOTS 1-24, BLOCK 5; LOTS 1-31, BLOCK 6; LOTS 1-10, BLOCK 7; LOTS 1-56, BLOCK 8; AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC'S USE FOREVER THE RIGHTS-OF-WAY AND EASEMENTS SHOWN HEREON.

ARC STX HOLDINGS, LLC.

_____
BOB TESCH, PRESIDENT

_____
DATE

STATE OF TEXAS)(
COUNTY OF COLLIN)(

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, BOB TESCH, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE\SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE _____, DAY OF _____, 2021.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

KNOW ALL MEN BY THESE PRESENTS:

THAT I, _____, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SHERMAN, TEXAS.

PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

SIGNATURE: _____

DATE: _____

STATE OF TEXAS
COUNTY OF _____

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

LICENSED PROFESSIONAL ENGINEER

NOTES

1. HOME OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR ALL COMMON AREAS SUCH AS MAINTENANCE AND LANDSCAPED AREAS.
2. THE LIFT STATION LOT, LOT 51, BLOCK 8, SHALL BE DEEDED TO CITY UPON RECORDATION OF PLAT.
3. AT THE TIME OF PLAT RECORDATION, ALL OPEN SPACE SHALL BE DEEDED TO HOME OWNERS ASSOCIATION.

SURVEYOR'S NOTES:

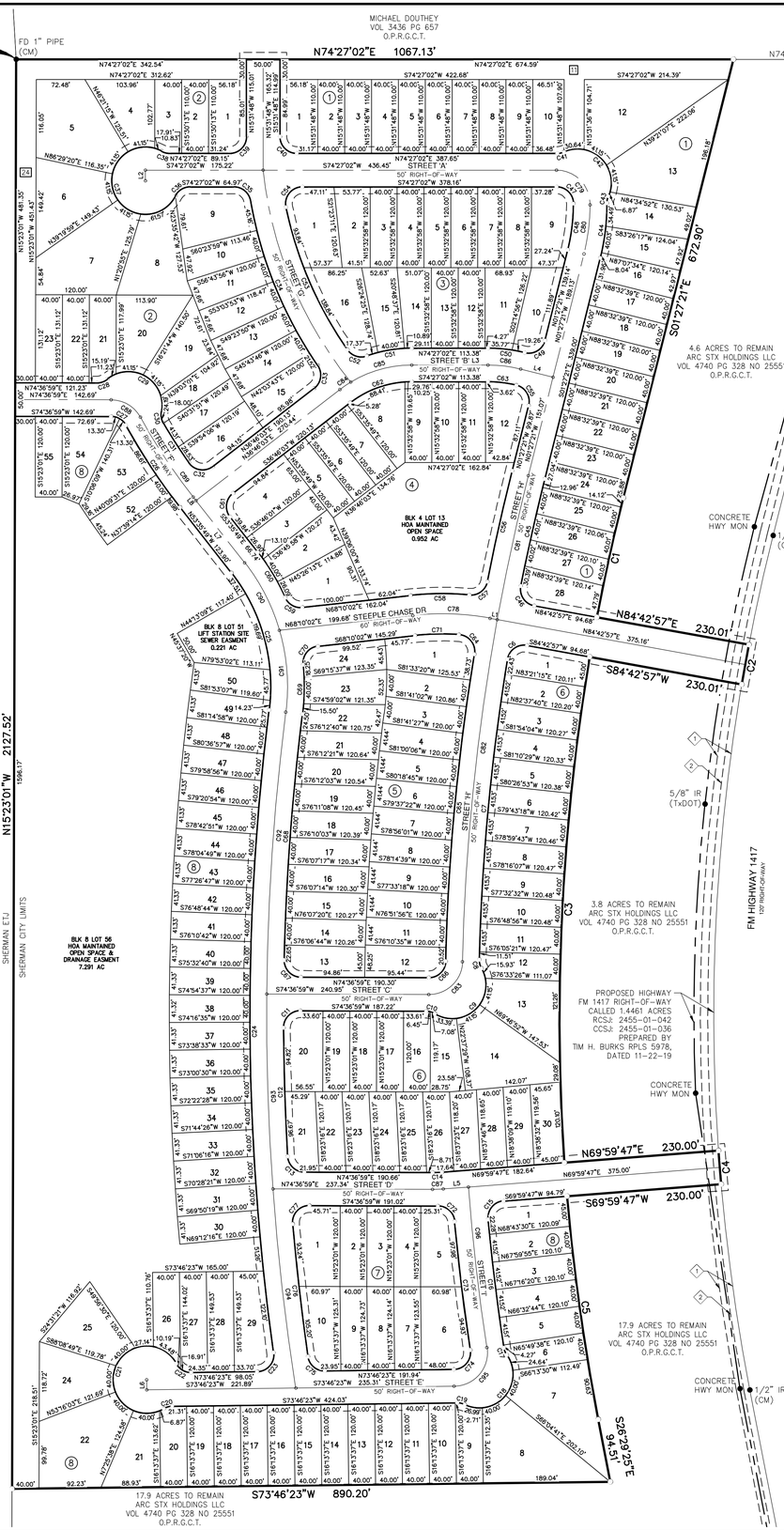
1. ½" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
2. THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NAD 83 (NA2011) EPOCH 2010.00, FROM THE TEXAS STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE NORTH CENTRAL ZONE.

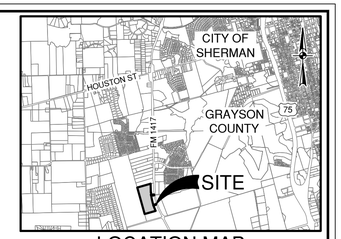
CURVE TABLE

CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	3276.63'	3°10'54"	S3°05'14"E	181.92'	181.95'
C2	2924.93'	1°10'31"	S5°17'03"E	60.00'	60.00'
C3	3222.56'	13°25'53"	S12°41'22"E	753.71'	755.44'
C4	2924.93'	0°58'46"	S20°00'13"E	50.00'	50.00'
C5	3176.34'	6°03'15"	S23°30'20"E	335.48'	335.64'
C6	25.00'	90°58'10"	S39°13'52"W	35.65'	39.69'
C7	3275.00'	7°51'31"	S10°10'58"E	448.84'	449.20'
C8	25.00'	31°04'53"	S29°39'11"E	13.40'	13.56'
C9	50.00'	150°49'46"	S30°13'16"W	96.78'	131.62'
C10	25.00'	31°01'10"	N89°52'26"W	13.37'	13.53'
C11	25.00'	90°28'38"	S29°22'40"W	35.50'	39.48'
C12	3565.00'	3°04'39"	S17°23'58"E	191.46'	191.48'
C13	25.00'	86°26'43"	S62°09'39"E	34.24'	37.72'
C14	175.00'	4°37'13"	N72°18'23"E	14.11'	14.11'
C15	25.00'	90°52'53"	S24°33'20"W	35.63'	39.65'
C16	3275.00'	3°22'12"	S22°34'13"E	192.60'	192.62'
C17	25.00'	26°26'05"	S37°28'21"E	11.43'	11.53'
C18	50.00'	150°50'35"	S24°43'54"W	96.78'	131.64'
C19	25.00'	26°22'48"	S86°57'47"W	11.41'	11.51'
C20	25.00'	30°03'32"	S58°44'37"W	12.97'	13.12'
C21	50.00'	272°09'57"	N01°12'10"W	69.36'	237.51'
C22	25.00'	62°06'25"	S75°10'24"E	25.79'	27.10'
C23	25.00'	97°18'58"	N25°06'54"E	37.54'	42.46'
C24	3615.00'	15°12'06"	N15°56'32"W	956.32'	959.13'
C25	275.00'	45°15'20"	N30°58'09"W	211.61'	217.21'
C26	915.00'	9°10'43"	N49°00'27"W	146.42'	146.58'
C27	25.00'	60°57'55"	N74°54'03"W	25.36'	26.60'
C28	25.00'	38°51'09"	N55°11'25"E	16.63'	16.95'
C29	50.00'	139°25'50"	S74°31'15"E	93.80'	121.68'
C30	25.00'	41°14'30"	S25°25'34"E	17.61'	18.00'
C31	865.00'	4°37'36"	S48°21'37"E	69.83'	69.85'
C32	25.00'	92°33'31"	N83°02'49"E	36.14'	40.39'
C33	25.00'	86°40'42"	N6°34'18"W	34.32'	37.82'
C34	625.00'	24°27'01"	N37°41'08"W	264.69'	266.71'
C35	25.00'	80°05'21"	N65°30'18"W	32.17'	34.95'
C36	25.00'	62°49'39"	S43°02'12"W	26.06'	27.41'
C37	50.00'	271°35'06"	N32°35'04"W	69.73'	237.00'
C38	25.00'	28°45'27"	N88°49'45"E	12.42'	12.55'
C39	25.00'	89°58'49"	N29°27'37"E	35.35'	39.26'
C40	25.00'	90°01'11"	S60°32'23"E	35.36'	39.28'
C41	25.00'	23°38'10"	N62°37'57"E	10.24'	10.31'
C42	50.00'	137°17'38"	S60°32'20"E	93.14'	119.81'
C43	25.00'	24°07'05"	S3°57'03"E	10.45'	10.52'
C44	325.00'	14°33'14"	S8°43'58"E	82.33'	82.55'
C45	3275.00'	2°51'30"	S2°53'06"E	163.36'	163.38'
C46	25.00'	90°58'12"	S49°47'57"E	35.65'	39.69'
C47	25.00'	89°37'47"	N60°44'05"W	35.24'	39.11'
C48	275.00'	14°27'50"	N8°41'16"W	69.24'	69.42'
C49	25.00'	89°55'08"	N43°30'12"E	35.33'	39.23'
C50	225.00'	14°00'44"	N81°27'24"E	54.89'	55.03'
C51	200.00'	19°33'16"	N64°40'24"E	67.93'	68.26'
C52	25.00'	74°37'57"	S87°47'16"E	30.31'	32.56'
C53	575.00'	23°11'08"	S38°52'44"E	231.10'	232.68'
C54	25.00'	101°44'12"	S23°34'56"W	38.78'	44.39'
C55	25.00'	90°08'07"	N46°31'25"W	35.40'	39.33'
C56	3325.00'	2°54'56"	N2°54'49"W	169.17'	169.19'
C57	25.00'	84°12'18"	N37°43'52"E	33.52'	36.74'
C58	430.00'	11°39'59"	N74°00'02"E	87.40'	87.56'
C59	25.00'	72°11'50"	S75°44'03"E	29.46'	31.50'
C60	325.00'	13°57'41"	S46°36'59"E	79.00'	79.19'
C61	25.00'	90°21'52"	S8°24'53"E	35.47'	39.43'
C62	150.00'	37°40'58"	S55°36'33"W	96.89'	98.65'
C63	175.00'	13°57'29"	S81°25'46"W	42.53'	42.63'
C64	25.00'	95°27'23"	N53°59'24"W	37.00'	41.65'
C65	3325.00'	7°54'54"	N10°13'10"W	458.96'	459.33'
C66	25.00'	88°47'36"	N30°13'11"E	34.98'	38.74'
C67	25.00'	91°08'29"	S59°48'46"E	35.71'	39.77'
C68	3565.00'	5°54'03"	S11°17'31"E	366.99'	367.15'
C69	325.00'	13°00'07"	S14°50'32"E	73.59'	73.75'
C70	25.00'	89°30'38"	S23°24'43"W	35.20'	39.06'
C71	370.00'	10°06'52"	S73°13'28"W	65.23'	65.32'
C72	25.00'	84°31'39"	N63°07'11"W	33.63'	36.88'
C73	3325.00'	3°19'27"	N22°31'05"W	192.89'	192.91'
C74	25.00'	97°57'12"	N24°47'47"E	37.72'	42.74'
C75	25.00'	82°28'33"	S64°59'20"E	32.96'	35.99'
C76	3565.00'	3°11'22"	S22°09'23"E	198.42'	198.45'
C77	25.00'	95°10'41"	S27°01'39"W	36.92'	41.53'
C78	400.00'	16°32'55"	N76°26'29"E	115.13'	115.53'
C79	50.00'	90°00'00"	N60°32'58"W	70.71'	78.54'
C80	300.00'	14°05'37"	N8°30'10"W	73.61'	73.79'
C81	3301.58'	3°48'19"	S3°22'48"E	219.23'	219.27'
C82	3300.25'	8°53'32"	S8°43'50"E	511.68'	512.20'
C83	50.00'	88°47'38"	S30°13'10"W	69.96'	77.49'
C84	175.00'	6°26'48"	N39°59'27"E	19.68'	19.69'
C85	175.00'	31°14'11"	N58°49'56"E	94.23'	95.41'
C86	200.00'	14°05'37"	S81°29'50"W	49.07'	49.20'
C87	200.00'	4°37'13"	N72°18'23"E	16.12'	16.13'
C88	50.00'	60°57'55"	N74°54'03"W	50.73'	53.20'
C89	890.00'	9°10'43"	S49°00'27"E	142.42'	142.57'
C90	300.00'	45°15'20"	N30°58'09"W	230.85'	236.96'
C91	300.00'	45°15'20"	N30°58'09"W	230.85'	236.96'
C92	3590.00'	6°42'53"	S11°41'56"E	420.48'	420.73'
C93	3590.00'	4°37'57"	S17°22'20"E	290.18'	290.26'
C94	3590.00'	4°45'45"	S22°04'11"E	298.31'	298.40'
C95	50.00'	97°57'12"	S24°47'47"W	75.44'	85.48'
C96	3299.93'	4°10'36"	S22°05'31"E	240.50'	240.55'

LINE TABLE

LINE #	BEARING	LENGTH
L1	N84°42'57"E	10.85'
L2	N15°34'34"W	15.75'
L3	N74°27'02"E	113.38'
L4	S88°32'39"W	49.65'
L5	N69°59'47"E	37.53'
L6	N16°13'37"W	14.90'
L7	N53°35'49"W	117.06'
L8	N53°35'49"W	6.84'





LOCATION MAP

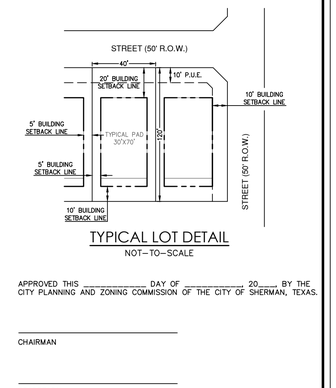
NOT-TO-SCALE

SCALE: 1"= 100'

0' 100' 200' 300'

LEGEND

AC	ACRE(S)	VOL	VOLUME
BLK	BLOCK	PG	PAGE(S)
ESMT	EASEMENT		
ETJ	EXTRATERRITORIAL JURISDICTION	●	FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS (OFFICIAL PUBLIC RECORDS OF REAL PROPERTY) OF GRAYSON COUNTY, TEXAS	(SURVEYOR) ○	SET 1/2" IRON ROD (PD)
		○	SET 1/2" IRON ROD (PD)-ROW
L1	BLOCK 1, LOT 11 HOA MAINTAINED OPEN SPACE & DRAINAGE EASEMENT 0.534 ACRES	◇	CITY OF SHERMAN 20' WATER LINE EASEMENT (VOL 1399, PG 392, O.P.R.G.C.T.)
B4	BLOCK 2, LOT 24 HOA MAINTAINED OPEN SPACE & DRAINAGE EASEMENT 0.547 ACRES	◇	APPROXIMATE CENTERLINE TP&L ESMT (NO WIDTH SPECIFIED) (VOL 1035, PG 319 O.P.R.G.C.T.) (VOL 1035, PG 322, O.P.R.G.C.T.)



TYPICAL LOT DETAIL

NOT-TO-SCALE

APPROVED THIS _____ DAY OF _____, 20____ BY THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF SHERMAN, TEXAS.

_____
CHAIRMAN

_____
SECRETARY

ACCEPTED BY THE CITY COUNCIL OF THE CITY OF SHERMAN:

_____ _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

THE UNDERSIGNED, THE CITY CLERK OF THE CITY OF SHERMAN, HEREBY CERTIFIES THAT THE FOREGOING FINAL _____ PLAT OF SUBDIVISION OR ADDITION TO THE CITY OF SHERMAN WAS SUBMITTED TO THE CITY COUNCIL ON THE _____ DAY OF _____, 20____, AND THE CITY COUNCIL BY FORMAL ACTION THEN AND THERE ACCEPTED THE DEDICATION OF STREETS, ALLEYS, EASEMENTS, AND PUBLIC PLACES, AS SHOWN AND SET FORTH IN AND UPON SAID MAP OR PLAT, AND SAID CITY COUNCIL FURTHER AUTHORIZED THE MAYOR TO NOTE THE ACCEPTANCE THEREOF BY SIGNING HIS NAME AS HEREINABOVE SUBSCRIBED.

WITNESS MY HAND THIS _____ DAY OF _____, A.D. 20____.

_____
CITY CLERK, CITY OF SHERMAN, TEXAS

OWNER:
ARC STX HOLDINGS, LLC
P.O. BOX 451714
LAREDO, TX 78045

DEVELOPER:
TESCH DEVELOPMENT & MANAGEMENT COMPANY LLC.
6950 TPC DRIVE, SUITE 110
MCKINNEY, TX 75070
PH: 512.970.0530
CONTACT: BOB TESCH, PRESIDENT

SURVEYOR:
PAPE-DAWSON ENGINEERS, INC.
5700 W. PLANO PARKWAY, SUITE 2500
PLANO, TEXAS 75093
TEL: (214) 420-8494
TBPLS FIRM NO. 10194390

PAPE-DAWSON ENGINEERS

DALLAS I SAN ANTONIO I AUSTIN I HOUSTON I FORT WORTH
5810 TENNYSON PKWY, STE 425 I PLANO, TX 75024 I 214.420.8494
TBPE FIRM REGISTRATION #470 I TBPLS FIRM REGISTRATION #10194390

DATE OF PREPARATION: JUNE 2, 2021

A FINAL PLAT OF SHERMAN HEIGHTS

BLOCK 1 - BLOCK 8

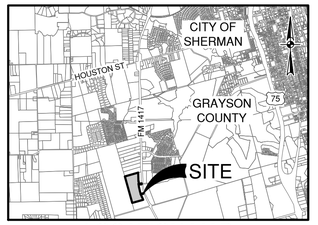
BEING A 43.73 ACRES SITUATED IN THE ELIZABETH JONES SURVEY, ABSTRACT NUMBER 625 IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS .

196 RESIDENTIAL LOTS
5 COMMON AREA LOTS

SHEET 1 OF 1

I:\Sherman\Drawings\Sherman Heights.dwg, 6/7/2021 10:49:29 AM, Jeffrey Lee





LOCATION MAP

NOT-TO-SCALE

LEGEND

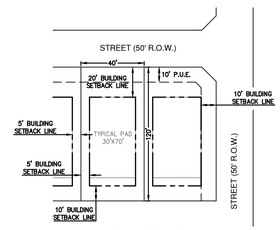
- DEVELOPMENT BOUNDARY
- 550 — 10' CONTOURS
- PROPERTY LINE
- BUILDING SETBACK LINE

ZONING	
CURRENT	M-1 & R-A
PROPOSED	R-1 W/ SUP PH (PATIO HOME)

LAND USAGE	
GROSS SF OF PROPERTY	1,905,028 (43.7 AC)
RESIDENTIAL AREA	1,119,683 (25.7 AC)
RIGHT-OF-WAY	369,490 (8.5 AC)
REQUIRED OPEN SPACE (10%)	190,502 (4.4 AC)
DETENTION/OPEN SPACE	415,855 (9.5 AC)
TOTAL LOTS	195

PATIO HOME (PH) SUP ZONING	
MIN. LOT AREA	4,000 SF
MIN. LOT WIDTH/CORNER	40 FT/45 FT
MIN. FRONT SETBACK	20 FT
MAX FRONT SETBACK	25 FT
MIN. SIDE YARD/CORNER	5 FT/10 FT
MIN. REAR YARD	10 FT
PARKING REQUIRED	1/BEDROOM (MIN 2/UNIT)

NOTE: DEVELOPMENT TO COMPLY WITH REQUIREMENTS FOR PATIO HOME SUP AS LISTED IN CITY OF SHERMAN ZONING ORDINANCE SECTION 8.9



TYPICAL LOT DETAIL

NOT-TO-SCALE

SHERMAN HEIGHTS

SHERMAN, TEXAS

(43.7 ACRES)

SCALE: 1"= 100'

0' 100' 200' 300'

TDM
Tesch Development & Management Co., LLC
TESCH DEVELOPMENT & MANAGEMENT CO., LLC
BOB TESCH, PRESIDENT
512-970-0530
Bob@TeschAssociates.com

PAPE-DAWSON ENGINEERS
DALLAS I SAN ANTONIO I AUSTIN I HOUSTON I FORT WORTH
5810 TENNYSON PARKWAY, STE 425 I PLANO, TX 75024 I 214.420.8494
TBPE FIRM REGISTRATION #470 I TBPLS FIRM REGISTRATION #10194390

Date: Jun 02, 2021, 3:42pm User ID: acorrioe
Files: W:\projects\701\05\05\v2.0 Design\2.4 Civil\2.4.4 Exhibits\210602 Site Plan.dwg

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.



CONCEPTUAL ELEVATIONS

RBA ARCHITECTS
architecture. planning. interior design.

TDM
Tesch Development & Management Co., LLC
Bob Tesch, President

SHERMAN HEIGHTS RESIDENTIAL CONCEPT

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

June 15, 2021

ARC STX Holdings, LLC
PO Box 451714
Laredo, TX 78045

Pape-Dawson Engineers
Matt Gilbertson P.E.
5810 Tennyson Parkway, Ste. 425
Plano, TX 75024

Robert Tesch
6950 TPC Drive, Ste. 100
McKinney, TX 75070

Dear Applicants,

The request for a Specific Use Permit to allow patio homes in an R-1 (One-Family Residential) District located in the 2400-2700 blocks of South FM 1417 (Heritage Parkway) has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Patio Home Ordinance, the Fence Ordinance, the Sign Ordinance and the Residential Tree and Landscaping Ordinance. *Chapter 14, Exhibit A, Sec. 6.3; Sec. 9; Sec. 7(13) & (14) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7 (13) & (14), Subsection 10(b))*
4. Parking is permitted on paved surfaces only (concrete and asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
5. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20'. *(Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))*
6. Side yard setbacks must be uniform for all homes within a given block. (*Chapter 14, Exhibit A, Section 8, Subsection 9 (b))*
7. Any contiguous subdivision, including multiple phases, developed with twenty-five (25) or more lots under the Patio Home standards of this ordinance shall provide usable open space. Developments with 25 - 49 patio home lots shall provide usable open space which equals or exceeds five (5) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Developments with 50 or more patio homes shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. A contiguous subdivision is defined as: abutting or separated only by a local or collector street to the subdivision. Subdivisions separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous. (*Chapter 14, Exhibit A, Section 8, Subsection 9 (e))*

8. Any structures built over any of the easements on the property will require approval from the City Council for an encroachment easement.
9. Platting of the property is required.
10. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
11. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

12. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*
13. Water and Sanitary Sewer main must be extended in accordance with City criteria to serve proposed development. Sewer capacity shall be verified for proposed use. (*Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)).*
14. Engineering documentation for privately owned and maintained detention shall be provided to the City of Sherman Engineering Department for review and approval. Ownership and Maintenance information of detention to be shown on plat. (*Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I))*
15. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. (*Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15).*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,

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

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 34.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

2400-2700 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY)

The request of ARC STX Holdings, LLC (Owners), Tesch Development & Management Co., LLC, (Prospective Buyer), Robert Tesch (Representative), Pape-Dawson Engineers (Civil Engineer) and Pierce-Murray Land Solutions (Surveyor) concerning the properties in the 2400-2700 blocks of South FM 1417 (Heritage Parkway), being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows;
Planning and Zoning Commission

A. Final Plat approval for Sherman Heights Addition
B. Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes in an R-1 (One-Family Residential) District.

Background:

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

The owners are requesting to plat the property into 200 patio home lots.

Adjacent Zoning:

R-A (Single Family Agricultural) District
(C-1 (Retail Business) District
M-1 (Light Manufacturing) District
Planned Development with Mixed Uses

Origination:

ARC STX Holdings, LLC (Owners)
Tesch Development & Management Co., LLC, (Prospective Buyer)
Robert Tesch (Representative)
Pape-Dawson Engineers (Civil Engineer)
Pierce-Murray Land Solutions (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

4

Objections Received:

0

Development Review Meeting

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey
Sherman Heights Addition
Site Plan
Building Elevations
Staff Review Letter - Plat
Staff Review Letter - Patio Homes

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 2.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6395

An Ordinance of The City Council of The City of Sherman, Texas, Amending Section 8, Subsection (5)(A), Ordinance No. 2280, So As to Grant a Specific Use Permit to Allow an Educational Facility/Preschool in a C-1 (Retail Business) District at 106-B North Sunset Boulevard, being Lot 3, Block 1 Westwood Village Second Replat Part Block 2 (Owners Manual for Life, Owner; MasterKey Ministries of Grayson County, Tenant; Julie Rickey, Representative; and David Baca Studio, Architect); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

Issue:

To consider Granting a Specific Use Permit to allow an Educational Facility/Preschool in a C-1 (Retail Business) District at 106-B North Sunset Boulevard, being Lot 3, Block 1 Westwood Village Second Replat part Block 2 (Owners Manual for Life, Owner; MasterKey Ministries of Grayson County, Tenant; and Julie Rickey, Representative)

Background:

The property is located at 106-B North Sunset Boulevard between Sunset Boulevard and Archer Drive. The property is zoned a C-1 (Retail Business) District.

MasterKey Ministries was approved for a Specific Use Permit by Ordinance 6128, June 18, 2018 to allow a Preschool at 600 South Dewey Avenue. They have lost their lease at that location and would like to move the preschool to 106-B North Sunset Boulevard. MasterKey Ministries partners with Sherman ISD to provide early childhood education for low income families.

They plan to modify the building which was a former restaurant, a Western Sizzlin and a Mexican Restaurant. The Rider's Family purchased the building for Owner's Manual for Life as a ministry and they still own the lot. It is a wide open space, it needs some partition divisions to create classroom space; there is some existing classroom space and office space that will remain. There will also need to be a fenced playground on the west side of the property. The property was Replatted in 2005 and the City did not provide any access from Houston Street or Archer Drive but access is available through the shopping center and a parking agreement is provided.

Origination:

MLJ Real Estate, LP (Owner)
Matthew Johnson (Representative)
Underwood Drafting and Surveying and Cox Land Surveying (Surveyors)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6395
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Plat
Site Plan
Site Plan
Aerial Plan
Photos
Staff Review Letter
P&Z Communication
Access Easement

ORDINANCE NO. 6395

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN EDUCATIONAL FACILITY/PRESCHOOL IN A C-1 (RETAIL BUSINESS) DISTRICT AT 106-B NORTH SUNSET BOULEVARD, BEING LOT 3, BLOCK 1 WESTWOOD VILLAGE SECOND REPLAT PART BLOCK 2 (OWNERS MANUAL FOR LIFE, OWNER; MASTERKEY MINISTRIES OF GRAYSON COUNTY, TENANT; JULIE RICKEY, REPRESENTATIVE; AND DAVID BACA STUDIO, ARCHITECT) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the effective date of this Ordinance, Owners Manual for Life (Owner), MasterKey Ministries of Grayson County (Tenant), Julie Rickey (Representative) and David Baca Studio (Architect) concerning the property located at 106-B North Sunset Boulevard, being Lot 3, Block 1 Westwood Village Second Replat part Block 2 are granted a Specific Use Permit to allow an Educational Facility/Preschool in a C-1 (Retail Business) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include property described as **Exhibit A**:

SECTION 2. That this Specific Use Permit is granted on the following conditions:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-1 (Retail Business)

District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.6; Sec. 7(14) and Sec. 17)*

2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). (Chapter 14, Exhibit A, Section 7, Subsection 10(h))
4. Parking shall be provided for one space per 1.5 employees; a parking space is considered to be 9' x 20'. (Chapter 14, Exhibit A, Section 8(5)(a) & Section 7, Subsection 10(b))
5. All required off-street parking shall be on private property and shall not encroach into the right-of-way or adjacent property. (Chapter 14, Exhibit A, Section 7, Subsection 10(b))
6. Shall provide mutual access agreement for the development before a permit will be issued.
7. Certificate of Occupancy Permit is required.
8. The use of the property must comply with all Federal and State Laws and regulations and with all ordinances, rules and regulations of the City of Sherman.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

11. All requirements of the Floodplain Ordinance shall be followed. (Code of Ordinances Chapter 3, Article 3.12)
12. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*

SECTION 3. That this Ordinance shall be entered upon the official zoning map as provided in Section 2, Ordinance No. 2280.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the General Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

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

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

EFFECTIVE DATE on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A

LEGAL DESCRIPTION

Situated in the City of Sherman, Grayson County, Texas, being a part of Block Two of the Replat of Westwood Village Subdivision, an addition to the City of Sherman, as shown by plat of record in Volume 2, Page 72, of the Plat Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a ½" steel rod set at the intersection of the north right–of–way line of State Highway No. 56 with the east right–of–way line of Archer Street, said rod maintaining the most southerly southwest corner of said Block Two;

Thence North 38°10'50" West with said east right–of–way line a distance of 141.74 feet to a ½" steel rod set;

Thence in a northeasterly direction continuing with said east right–of–way line and a curve to the left having a radius of 280.00 feet and an arc length of 136.07 feet (chord bears North 52°06'07" West 134.73 feet) to a spike nail set for the northwest corner of the herein described tract;

Thence North 73°59'10" East a distance of 352.19 feet to a P/K nail found for the northeast corner of said herein described tract;

Thence South 16°00'00" East a distance of 176.79 feet to a found "X" cut in concrete in said north right–of–way line, said "X" being the southeast corner of said herein described tract;

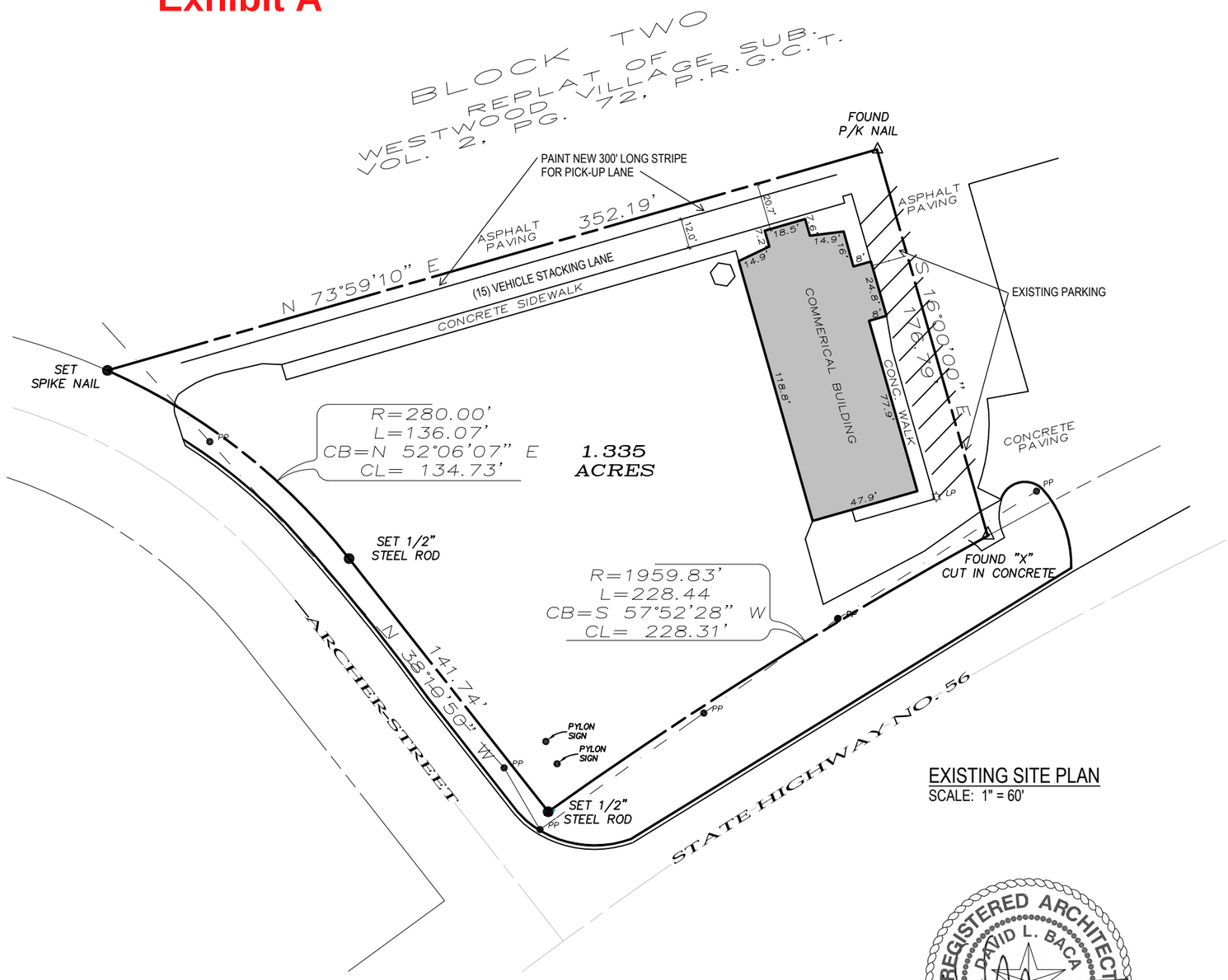
Thence in a southwesterly direction of said north right–of–way line and a curve to the left having a radius of 1959.83 feet and an arc length of 228.44 feet (chord bears North 57°52'28" West 228.31 feet) to the Point–of–Beginning and containing 1.335 acres of land.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and is correct and that there are no visible discrepancies, conflicts, shortages in area, or rights of way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709



OVERALL SITE KEY



EXISTING SITE PLAN
SCALE: 1" = 60'

SITE PLAN STATISTICS:	
ZONING:	C–1, RETAIL BUSINESS
GROSS AREA:	1.335 ACRES (58,153 S.F.)
BUILDING AREA:	6,107 S.F.
IMPERVIOUS AREA:	N/A (EXISTING)
LANDSCAPED AREA:	N/A (EXISTING)
PARKING REQUIRED: 1.5 SPACES/EMPLOYEE=	12 SPACES (1 H.C. SPACE)
PARKING PROVIDED:	12 SPACES (1 H.C. SPACE)

REGISTERED ARCHITECT
DAVID L. BACA
22058
STATE OF TEXAS

06.03.21

GENERAL SITE PLAN NOTES:
1. SITE SURVEY PREPARED BY UNDERWOOD SURVEYING.
2. THIS IS AN EXISTING SITE. ALL PARKING SHOWN IS EXISTING.

SP-1



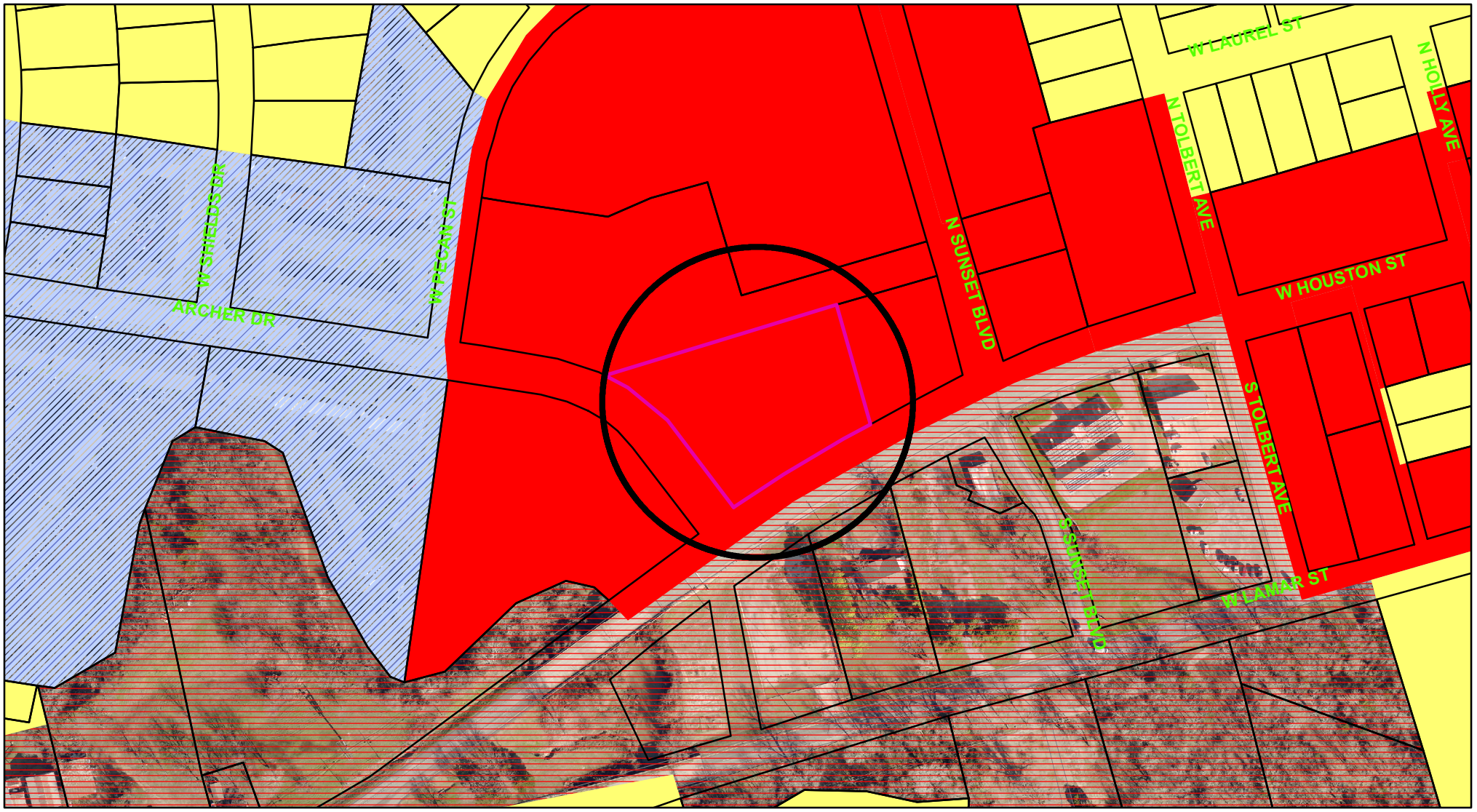
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

106-B North Sunset Boulevard

NOT TO SCALE

1 in = 200 ft



Zoning - 106-B North Sunset Boulevard

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

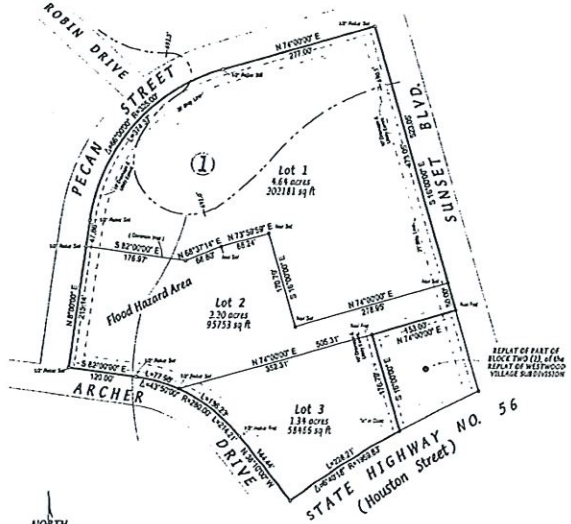
City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 in = 200 ft

106-B North Sunset Boulevard





Scale: 1" = 100'

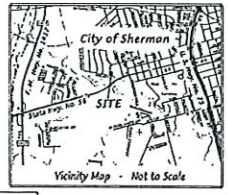
Bearing Base: Record bearing along the West line of Sunset Boulevard as recorded in Volume

THE SECOND REPLAT OF PART OF BLOCK TWO (2), of the REPLAT OF WESTWOOD VILLAGE SUBDIVISION to the CITY OF SHERMAN

Owner & Developer

Bank of Texas, Trust Company, N.A.
Successor Trustee of the Virginia Archer Trust

FILED FOR RECORD
at ____ o'clock ____ M
Records in Vol. ____ Page ____ Records Grayson County.
WILMA BLACKS-EAR BUSH
County Clerk, Grayson Co., Texas
By ____ Deputy



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

10216

FIG WIG pcs

SHEET 1 OF 2

SITUATED in the County of Grayson, State of Texas, being a part of Block TWO (2) of the REPLAT of WESTWOOD VILLAGE SUBDIVISION to the City of Sherman, Texas as shown by plat of record in Volume 2, Page 72, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows to-wit:

BEGINNING at a set 1/2 inch rebar for the Northeast corner of said Block Two, at the intersection of the West line of Sunset Boulevard with the South line of Pecan Street;

THENCE South 16 deg. 00 min. 00 sec. East, with the East line of said Block Two, the West line of said Sunset Boulevard, a distance of 523.05 feet to a found spike nail maintaining the Northeast corner of Lot One (1) in Block One (1) of the Replat of Part of Block Two (2) of the Replat of Westwood village Subdivision to the City of Sherman, Texas as shown by plat of record in Volume , Page_, Plat Records, Grayson County, Texas;

THENCE South 74 deg. 00 min. 00 sec. West, with the North line of said Lot One, Block One, a distance of 153.00 feet to a found spike nail maintaining its Northwest corner;

THENCE South 16 deg. 00 min. 00 sec. East, with the West line of said Lot One, Block One, a distance of 176.79 feet to a found chiseled "X" in concrete maintaining its Southwest corner, on a South line of said Block Two, the North right-of-way line of State Highway No. 56, also known as Houston Street;

THENCE in a Southwesterly direction with a South line of said Block Two, the North right-of-way line of said State Highway No. 56, and with a curve to the left having a radius of 1959.83 feet, (chord bears South 57 deg. 11 min. 28 sec. West, 228.08 ft.), a distance of 228.21 feet to a set 1/2 inch rebar for the most Southerly Southwest corner of said Block Two, at the intersection of the North right-of-way line of said State Highway No. 56 with the Northeasterly line of Archer Street;

THENCE in a Northwesterly direction with the Northeasterly line of said Archer Street, the Southwesterly line of said Block Two, the following calls and distances:
North 38 deg. 10 min. 00 sec. West, a distance of 144.44 feet to a found 1/2 inch rebar at the beginning of a curve;
With a curve to the left having a radius of 280.00 feet, (chord bears North 60 deg. 05 min. 00 sec. West, 209.02 feet), a distance of 214.21 feet to a set 1/2 inch rebar at the end of said curve;
North 82 deg. 00 min. 00 sec. West, a distance of 120.00 feet to a set 1/2 inch rebar for the most Westerly Southwest corner of said Block Two, at the intersection of the Northeasterly line of said Archer Street with the East line of the above mentioned Pecan Street;

THENCE in a Northeasterly direction with the West, and North lines of said Block Two, the East, and South lines of said Pecan Street, the following calls and distances:
North 08 deg. 00 min. 00 sec. East, a distance of 263.00 to a set 1/2 inch rebar for the beginning of a curve;
With a curve to the right having a radius of 325.00 feet, (chord bears North 41 deg. 00 min. 00 sec. East, 354.02 feet), a distance of 374.37 feet to a set 1/2 inch rebar at the end of said curve;
North 74 deg. 00 min. 00 sec. East, a distance of 277.00 feet to the PLACE OF BEGINNING, and containing 8.18 ACRES OF LAND more or less.....

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property legally described hereon was made on the ground and that this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying.

11-18-05

Marshall Sartin, R.P.L.S.#3694

That I, Bank of Texas, Trust Company, N. A., Successor Trustee of the Virginia Archer Trust, by Melvin R. Camp, owner and developer of SECOND REPLAT OF PART OF BLOCK TWO (2), of the REPLAT OF WESTWOOD VILLAGE SUBDIVISION, to the City of Sherman, Texas do hereby dedicate the streets and easements shown hereon to the public use forever.

By: Melvin R. Camp

THE STATE OF TEXAS:
COUNTY OF GRAYSON:

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Melvin R. Camp, 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 14 day of _____, 2005.

COURT A. HINDLE
NOTARY PUBLIC
STATE OF TEXAS
COMMISSION EXPIRES
MAY 22, 2008

NOTARY PUBLIC, State of Texas

Approved this 8th day of November, 2005 by the City Planning and Zoning Commission of the City of Sherman, Texas.

CHAIRMAN

SECRETARY

Accepted by the City Council of the City of Sherman, Texas on this 21st day of November, 2005.

MAYOR, City of Sherman

The undersigned, the City Clerk of the City of Sherman, Texas, hereby certifies that the foregoing final plat of SECOND REPLAT OF PART OF BLOCK TWO (2), of the REPLAT OF WESTWOOD VILLAGE SUBDIVISION, to the City of Sherman, was submitted to the City Council on the 21st day of November, 2005 and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places as shown and set forth in and upon said plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein subscribed.

Witness my hand this 19th day of December, 2005.

CITY CLERK, City of Sherman, Texas

FILED FOR RECORD
at ____ o'clock ____ M
Records in Vol. ____ Page ____ Records Grayson County.
WILMA BLACKS-EAR BUSH
County Clerk, Grayson Co. Texas
By ____ Deputy

CITY OF SHERMAN TEXAS

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

FIG WIG pcs

SHEET 2 OF 2

WESTWOOD VILLAGE
SHOPPING CENTER
Wal-Mart
SUPER CENTER
GARDEN CENTER
SUNSET BLVD.
SERVICE SHOPS
PECAN
DRIVE
ARCHER
U.S. HWY
APARTMENTS
PIGGLY WIGGLY
REVCO
MERLE NORMAN
J. CARL'S
PAT WALKER'S
VILLAGE VAULT & HALLMARK
EXXON
FUTURE DEVELOPMENT
APPROX. 15600 S.F.
Future Development
225'
32 Cars
67 Cars
84 Cars
91 Cars
58 Cars
29 Cars
19 Cars
14 Cars
20 Cars
16 Cars
12 Cars
6 Cars
23 Cars
150'
138'
108'
75'
60'
45'
30'
20'
15'

EXHIBIT "A"

LEGAL DESCRIPTION

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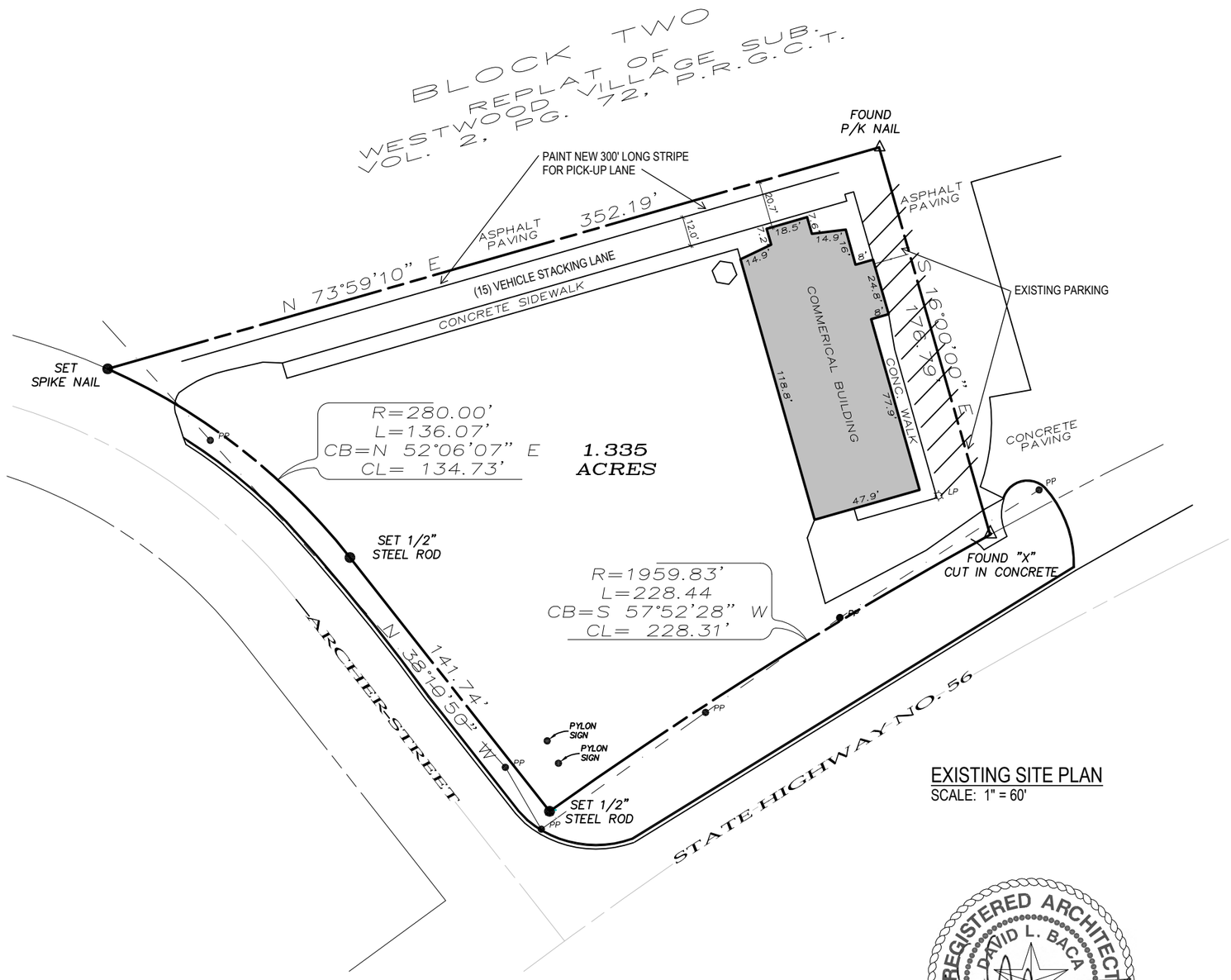
I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and is correct and that there are no visible discrepancies, conflicts, shortages in area, or rights of way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709



OVERALL SITE KEY



EXISTING SITE PLAN
SCALE: 1" = 60'

SITE PLAN STATISTICS:	
ZONING:	C–1, RETAIL BUSINESS
GROSS AREA:	1.335 ACRES (58,153 S.F.)
BUILDING AREA:	6,107 S.F.
IMPERVIOUS AREA:	N/A (EXISTING)
LANDSCAPED AREA:	N/A (EXISTING)
PARKING REQUIRED: 1.5 SPACES/EMPLOYEE=	12 SPACES (1 H.C. SPACE)
PARKING PROVIDED:	12 SPACES (1 H.C. SPACE)

REGISTERED ARCHITECT
DAVID L. BACA
22058
STATE OF TEXAS

06.03.21

GENERAL SITE PLAN NOTES:

1. SITE SURVEY PREPARED BY UNDERWOOD SURVEYING.
2. THIS IS AN EXISTING SITE. ALL PARKING SHOWN IS EXISTING.

SP-1


MasterKey






OWNER'S
MANUAL
for LIFE





Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

June 15, 2021

Owners Manual for Live
121 Woodcroft Lane
Denison, TX 75021

Julie Rickey
209 S FM 1417
Sherman, TX 75092

MasterKey Ministries of Grayson County
209 S FM 1417
Sherman, TX 75092

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow an Educational Facility/Preschool in a C-1 (Retail Business) District. located at 106-B North Sunset Boulevard has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-1 (Retail Business) District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.6; Sec. 7(14) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
4. Parking shall be provided for one space per 1.5 employees; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 8(5)(a) & Section 7, Subsection 10(b))*
5. All required off-street parking shall be on private property and shall not encroach into the right-of-way or adjacent property. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
6. Shall provide mutual access agreement for the development before a permit will be issued.
7. Certificate of Occupancy Permit is required.
8. The use of the property must comply with all Federal and State Laws and regulations and with all ordinances, rules and regulations of the City of Sherman.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

11. All requirements of the Floodplain Ordinance shall be followed. (*Code of Ordinances Chapter 3, Article 3.12)*
12. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,

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

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 26.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

106-B NORTH SUNSET BOULEVARD

The request of Owners Manual for Life (Owner), MasterKey Ministries of Grayson County (Tenant), Julie Rickey (Representative), David Baca Studio (Architect) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 106-B North Sunset Boulevard, being Lot 3, Block 1 Westwood Village Second Replat part Block 2, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow an Educational Facility/Preschool in a C-1 (Retail Business) District.

Background:

The property is located at 106-B North Sunset Boulevard between Sunset Boulevard and Archer Drive. The property is zoned a C-1 (Retail Business) District.

MasterKey Ministries was approved for a Specific Use Permit by Ordinance 6128, June 18, 2018 to allow a Preschool at 600 South Dewey Avenue. They have lost their lease at that location and would like to move the preschool to 106-B North Sunset Boulevard. MasterKey Ministries partners with Sherman ISD to provide early childhood education for low income families.

Adjacent Zoning:

C-1 (Retail Business) District

Origination:

Owners Manual for Life (Owner)
MasterKey Ministries of Grayson County (Tenant)
Julie Rickey (Representative)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

4

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Plat
Survey
Site Plan
Site Plan
Aerial Plan
Photos
Staff Review Letter

2005-879

EASEMENT AGREEMENT FOR RECIPROCAL ACCESS

Date: October 24, 2005

First Party: BANK OF TEXAS, N.A. formerly known as BANK OF TEXAS, TRUST COMPANY, N.A., SUCCESSOR TRUSTEE OF THE VIRGINIA ARCHER TRUST

First Party's Mailing Address: 307 West Washington Street
Sherman, Texas 75091
Grayson County, Texas

Second Party: RAY F. RIDINGS

Second Party's Mailing Address: 4026 Texoma Parkway
Sherman, Texas 75090
Grayson County, Texas

First Party's Property: Situated in the City of Sherman, Grayson County, Texas, and being Block Two of the replat of Westwood Village, an addition to the City of Sherman as shown by Plat of Record in Volume 2, Page 72, Plat Records, Grayson County, Texas, less and except that portion of Block 2, described as Second Party's Property herein.

Second Party's Property: Situated in the City of Sherman, Grayson County, Texas, and being Block Two of the replat of Westwood Village, an addition to the City of Sherman as shown by Plat of Record in Volume 2, Page 72, Plat Records, Grayson County, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Easement Purpose: For providing free and uninterrupted pedestrian and vehicular ingress to, egress from, and access across and between First Party's Property and Second Party's Property and portions thereof.

Consideration: The sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties.

Reservations from Conveyance of First Party's Property: None.

Exceptions to Warranty of First Party's Property of Record in Grayson County, Texas.

Reservations from Conveyance of Second Party's Property: None.

Exceptions to Warranty of Second Party's Property of Record in Grayson County, Texas.

Grants of Easements:

First Party, for the Consideration and subject to the Reservations from Conveyance of First Party's Property and Exceptions to Warranty of First Party's Property, grants, sells, and conveys to Second Party and Second Party's successors, and assigns an easement to, over, and across First Party's Property for the Easement Purpose and for the benefit of all or any portion of Second Party's Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold the easement, rights, and appurtenances to Second Party and Second Party's successors, and assigns forever. First Party binds First Party and First Party's successors, and assigns to warrant and forever defend the title to the easement, rights, and appurtenances in Second Party and Second Party's successors, and assigns against every person whomsoever lawfully claiming or to claim the easement, rights, or appurtenances, or any part thereof, except as to the Reservations from Conveyance of First Party's Property and Exceptions to Warranty of First Party's Property, to the extent that such claim arises by, through, or under First Party but not otherwise.

Second Party, for the Consideration and subject to the Reservations from Conveyance of Second Party's Property and Exceptions to Warranty of Second Party's Property, grants, sells, and conveys to First Party and First Party's successors, and assigns an easement to, over, and across Second Party's Property for the Easement Purpose and for the benefit of all or any portion of First Party's Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold the easement, rights, and appurtenances to First Party and First Party's successors, and assigns forever. Second Party binds Second Party and Second Party's successors, and assigns to warrant and forever defend the title to the easement, rights, and appurtenances in First Party and First Party's successors, and assigns against every person whomsoever lawfully claiming or to claim the easement,

rights, or appurtenances, or any part thereof, except as to the Reservations from Conveyance of Second Party's Property and Exceptions to Warranty of Second Party's Property, to the extent that such claim arises by, through, or under Second Party but not otherwise.

The easements, rights, and appurtenances hereby granted by and between First Party and Second Party are referred to herein as the "Easements." First Party's Property and Second Party's Property are sometimes referred to herein collectively as the "Properties." First Party and Second Party are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

Terms and Conditions: The following terms and conditions apply to the Easements granted by this agreement:

1. *Character of Easements.* The Easements are appurtenant to and run with the Properties, and portions thereof, whether or not the Easements are referenced or described in any conveyance of the Properties, or any portion thereof. The Easements are for the benefit of the Parties and the successors, and assigns of the Parties who at any time own the Properties or any interest therein (as applicable, the "Holders").

2. *Duration of Easements.* The duration of the Easements is perpetual.

3. *Nonexclusiveness of Easements.* The Easements are nonexclusive, and each of the Parties reserves for itself and its successors, and assigns the right to use all or part of the Easements in conjunction with any other Holder and the right to convey to others the right to use all or part of the Easements in conjunction with the Holders, as long as such further conveyance is subject to the terms of this Agreement.

4. *Use and Location of Easements.* The Parties and other Holders will be entitled to exercise direct access to and between the Properties without interference except as set forth in this Agreement and to use all access areas, driveways, and parking lots located on any portion of the

Properties in exercising the Easements. A Holder may erect curbs or other barriers to traffic between the Properties owned by that Holder and adjacent portions of the Properties, including but not limited to differences in grade levels, only to the extent that such curbs or other barriers will not unreasonably interfere with or restrict direct access to and between the Properties by the Holders of other portions of the Properties and their employees, customers, and other invitees. A Holder may erect buildings and other improvements on the portion of the Properties owned by that Holder only to the extent that the buildings and other improvements will not unreasonably interfere with the use of and access to the access areas, driveways, and parking lots on such portion of the Properties by the other Holders and their employees, customers, and other invitees. A Holder's employees, customers, and other invitees will not be entitled to park on the other Holder's Properties but will be permitted to walk or drive across and otherwise traverse the Properties to obtain ingress to or egress from the other Properties.

5. *Maintenance of Easement Property.* All access ways, driveways, and parking lots located on the Properties must be maintained at a level of appearance and utility consistent with the highest industry standards then prevailing for similarly used properties in the market in which the Properties are located. Each Holder will be solely responsible for the costs of maintaining the access ways, driveways, and parking lots located on that Holder's Properties. If a Holder does not perform the required maintenance then any other Holder, after giving the nonperforming Holder thirty days' written notice, will have the right to perform the maintenance and receive reimbursement from the nonperforming Holder. Reimbursement will be payable on demand and include the costs of the maintenance, plus interest at the highest rate permitted by law (or if no maximum rate is prescribed by law, at the rate of 18 percent per year).

6. *Rights Reserved.* Each Party reserves for that Party and that Party's successors, and assigns the right to continue to use and enjoy the surface of the Properties for all purposes that do not unreasonably interfere with or interrupt the use or enjoyment of the Easements.

7. *Equitable Rights of Enforcement.* These Easements may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance.

Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the Parties to or those benefited by this Agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.

8. *Attorney's Fees.* If either Party retains an attorney to enforce this Agreement, the Party prevailing in litigation is entitled to recover reasonable attorney's fees and court and other costs.

9. *Binding Effect.* This Agreement binds and inures to the benefit of the Parties and their respective successors, and permitted assigns.

10. *Choice of Law.* This Agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any other jurisdiction. Venue is in Grayson County, Texas.

11. *Counterparts.* This Agreement may be executed in any number of counterparts with the same effect as if all signatory Parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

12. *Waiver of Default.* It is not a waiver of or consent to default if the nondefaulting Party fails to declare immediately a default or delays in taking any action. Pursuit of any remedies set forth in this Agreement does not preclude pursuit of other remedies in this Agreement or provided by law.

13. *Further Assurances.* Each signatory Party agrees to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to perform the terms, provisions, and conditions of this Agreement and all transactions contemplated by this Agreement.

14. *Indemnity.* Each Party agrees to indemnify, defend, and hold harmless the other Party from any loss, attorney's fees, expenses, or claims attributable to breach or default of any provision of this Agreement by the indemnifying Party.

15. *Integration.* This Agreement contains the complete agreement of the Parties and cannot be varied except by written agreement of the Parties. The Parties agree that there are no oral agreements, representations, or warranties that are not expressly set forth in this Agreement.

16. *Legal Construction.* If any provision in this Agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the Parties, the unenforceability will not affect any other provision hereof, and this Agreement will be construed as if the unenforceable provision had never been a part of the Agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Article and section headings in this Agreement are for reference only and are not intended to restrict or define the text of any section. This Agreement will not be construed more or less favorably between the Parties by reason of authorship or origin of language.

17. *Notices.* Any notice required or permitted under this Agreement must be in writing. Any notice required by this Agreement will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this Agreement. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

18. *Recitals.* Any recitals in this Agreement are represented by the Parties to be accurate, and constitute a part of the substantive agreement.

19. *Time.* Time is of the essence. Unless otherwise specified, all references to "days" mean

calendar days. Business days exclude Saturdays, Sundays, and legal public holidays. If the date for performance of any obligation falls on a Saturday, Sunday, or legal public holiday, the date for performance will be the next following regular business day.

First Party

Bank of Texas, N.A.,
Successor Trustee of the Virginia Archer Trust

By: Melvin R Camp Jr
Name: Melvin R Camp JR
Title: VICE PRES.

Second Party

Ray F Ridings
RAY F. RIDINGS

(Acknowledgment)

STATE OF TEXAS
COUNTY OF GRAYSON

This instrument was acknowledged before me on the 25 day of October, 2005 by Melvin Camp Jr. Vice Pres of BANK OF TEXAS, N.A., Successor Trustee of the Virginia Archer Trust.

KELLI GAMBLIN
Notary Public
STATE OF TEXAS
My Comm. Exp. 03-18-2009

Kelli Gamblin
Notary Public - State of Texas

STATE OF TEXAS
COUNTY OF GRAYSON

This instrument was acknowledged before me on the 25 day of October 2005 by RAY F. RIDINGS.

KELLI GAMBLIN
Notary Public
STATE OF TEXAS
My Comm. Exp. 03-18-2009

Notary Public - State of Texas

After Recording Return to:

Prepared in the Law Office of:

Munson, Munson, Cardwell & Keese, P.C.
301 W. Woodard - P. O. Box 1099
Denison, Texas 75020
Tele: (903) 463-3750
GF# 2005-879

EXHIBIT "A"

Situated in the City of Sherman, Grayson County, Texas, being a part of Block Two of the Replat of Westwood Village Subdivision, an addition to the City of Sherman, as shown by plat of record in Volume 2, Page 72, of the Plat Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a ½" steel rod set at the intersection of the north right-of-way line of State Highway No. 56 with the east right-of-way line of Archer Street, said rod maintaining the most southerly southwest corner of said Block Two;

Thence North 38°10'50" West with said east right-of-way line a distance of 141.74 feet to a ½" steel rod set;

Thence in a northeasterly direction continuing with said east right-of-way line and a curve to the left having a radius of 280.00 feet and an arc length of 136.07 feet (chord bears: North 52°06'07" West 134.73 feet) to a spike nail set for the northwest corner of the herein described tract;

Thence North 73°59'10" East a distance of 352.19 feet to a P/K nail found for the northeast corner of said herein described tract;

Thence South 15°00'00" East a distance of 176.79 feet to a found "X" cut in concrete in said north right-of-way line, said "X" being the southeast corner of said herein described tract;

Thence in a southwesterly direction of said north right-of-way line and a curve to the left having a radius of 1959.83 feet and an arc length of 228.44 feet (chord bears North 57°52'28" West 228.31 feet) to the Point-of-Beginning and containing 1.335 acres of land.

00028511 Bk OR Vol 3953 Pg 827

Filed for Record in:
Grayson County

On: Oct 28,2005 at 04:31P

As a
Recordings

Document Number: 00028511

Amount: 48.00

Receipt Number - 204245
By,
Audra Burnett

STATE OF TEXAS COUNTY OF GRAYSON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of:
Grayson County
as stamped hereon by me.

Oct 28,2005

Wilma Blackshear Bush, County Clerk
Grayson County

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 3.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6396

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, So as to Grant a Specific Use Permit to Allow Used Automobile Sales in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 1804 North U.S. Highway 75, being part of Lot 1, Block 1, James Plaza Addition (Sherman PAG 1, LLC, Owner; Marcus Trimble, Architect; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

Issue:

To consider granting a specific use permit to allow used automobile sales in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 1804 North U.S. Highway 75, being part of Lot 1, Block 1, James Plaza Addition (Sherman PAG 1, LLC, Owner; Marcus Trimble, Architect; and Underwood Drafting and Surveying, Surveyor)

Background:

The property is located at 1804 North U.S. Highway 75, the northwest corner of Highway 75 and Taylor Street. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82 Overlay) District.
The following items have been approved for the property:

- December 4, 2006 - Specific Use Permit to allow automobile sales and repair (Ord. 5433).
- November 21, 2006 - Variance/Exception to allow shade structures with a 10' front setback, to not require a screening device adjacent to a residentially zoned district.
- March 5, 2007 - Specific Use Permit to allow automobile sales and repair. (Ord 5449)
- May 22, 2007 - Variance to allow overhead doors facing the highway.
- June 17, 2013 - Specific Use Permit to allow Used Automobile Sales, Service, Tire Sales and Service, and Light Mechanical Work (Ord 5778).

Public Automotive Group is a family of premier pre-owned vehicle dealerships; they have nine Texas dealerships. They are requesting a Specific Use Permit to allow used automobile sales at this location. They will not be doing any auto repair work; everything is sent to auto repair locations. The previous business for this site was for automobile sales. They plan to improve the existing interior, paint the exterior, reface the signs, add a flag pole and resurface and re-stripe the parking lot.

Origination:

Sherman PAG 1, LLC (Owner)
Marcus Trimble (Architect)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6396
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6396

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW USED AUTOMOBILE SALES IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82) OVERLAY DISTRICT AT 1804 NORTH U.S. HIGHWAY 75, BEING PART OF LOT 1, BLOCK 1, JAMES PLAZA ADDITION (SHERMAN PAG 1, LLC, OWNER; MARCUS TRIMBLE, ARCHITECT; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR) PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the effective date of this Ordinance, Sherman PAG 1, LLC (Owner), Marcus Trimble (Architect) and Underwood Drafting and Surveying (Surveyor) for the property located at 1804 North U.S. Highway 75, being part of Lot 1, Block 1, James Plaza Addition are granted a Specific Use Permit to allow Used Automobile Sales in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include property described as **Exhibit A**:

SECTION 2. That this Specific Use Permit is granted on the following conditions:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-1 (Retail Business) District, the O-1 (75 & 82) Overlay District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.6; Sec. 6.13.1; Sec. 7(14) and Sec. 17)*

2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. (Chapter 14, Exhibit A, Section 7, Subsection 10(b))
4. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). (Chapter 14, Exhibit A, Section 7, Subsection 10(h))
5. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts allowed. (Chapter 8, Section 8.08)
6. Violation of the ordinance granting a Specific Use Permit, including but not limited to violation of the conditions of any SUP, may result in termination of the Specific Use Permit. (Chapter 14, Exhibit A, Section 15)
7. Replatting the property is required
8. Shall comply with all EPA, City, Federal and State regulations for this use.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

11. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*

SECTION 3. That this Ordinance shall be entered upon the official zoning map as provided in Section 2, Ordinance No. 2280.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the General Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

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

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

EFFECTIVE DATE on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

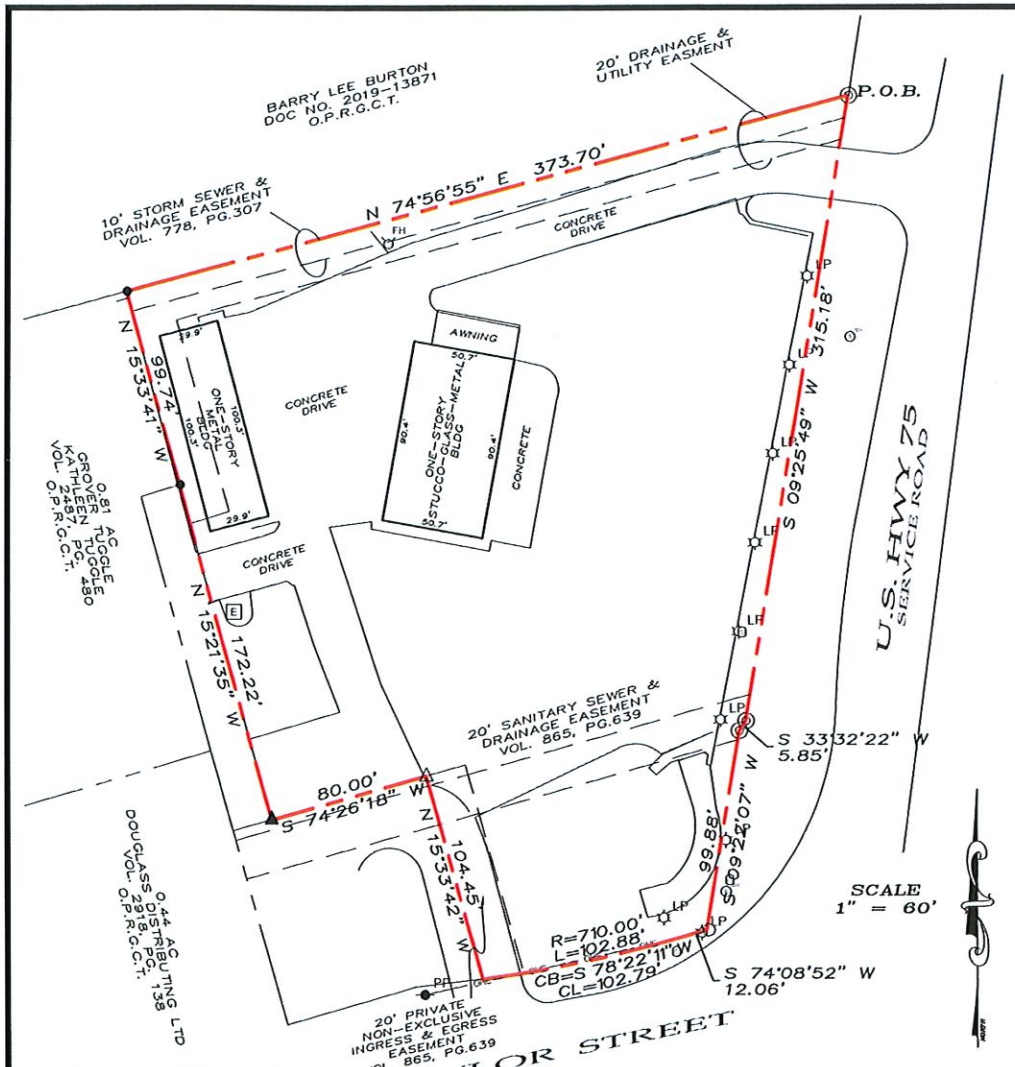
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A



SCALE
1" = 60'

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

JOB NO. 21030260
FW: RR – DFT: CG

LEGEND

- 1/2" STEEL ROD SET
- 1/2" STEEL ROD FOUND
- "X" CUT IN CONCRETE
- FOUND P/K NAIL
- PP POWER POLE
- FH WATER METER
- LP LIGHT POLE
- BOUNDARY LINE
- PROPERTY LINE
- EASEMENT LINE

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of Lot 1, of the final plat of James Plaza Addition, an addition to the City of Sherman, Grayson County, Texas, Plat recorded in Volume 13, Page 60, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod at hte northeast cornr of said Lot 1 in the west Right–of–Way of U.S. Hwy 75;

Thence with said west Right–of–Way of U.S. Hwy 75 the following calls and distances:

South 09°25'49" West, a distance of 315.18 feet to a found 1/2" steel rod;
South 33°32'22" West, a distance of 5.85 feet to a found 1/2" steel rod;
South 09°22'07" West, a distance of 99.88 feet to a found concrete monument;
South 74°08'52" West, a distance of 12.06 feet to a set 1/2" steel rod;
Thence with a non–tangent curve to the right having a radius of 710.00 feet, (chord bears South 78°22'11" West, a distance of 102.79 feet) an arc length of 102.88 feet to a set 1/2" steel rod;
Thence North 15°33'42" West, with the west line of said Lot 1 a distance of 104.45 feet to a found P/K nail;
Thence South 74°26'18" West, a distance of 80.00 feet to a found X cut in concrete;
Thence North 15°21'35" West, over and across said Lot 1 a distance of 172.22 feet to a set 1/2" steel rod;
Thence North 15°33'41" West, a distance of 99.74 feet to a set 1/2" steel rod;
Thence North 74°56'55" East, with the north line of said Lot 1 a distance of 373.70 feet to the Point–of–Beginning and containing 2.289 acres of land.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

STATE OF TEXAS
REGISTERED
DOUGLAS W. UNDERWOOD
4709
PROFESSIONAL
LAND SURVEYOR

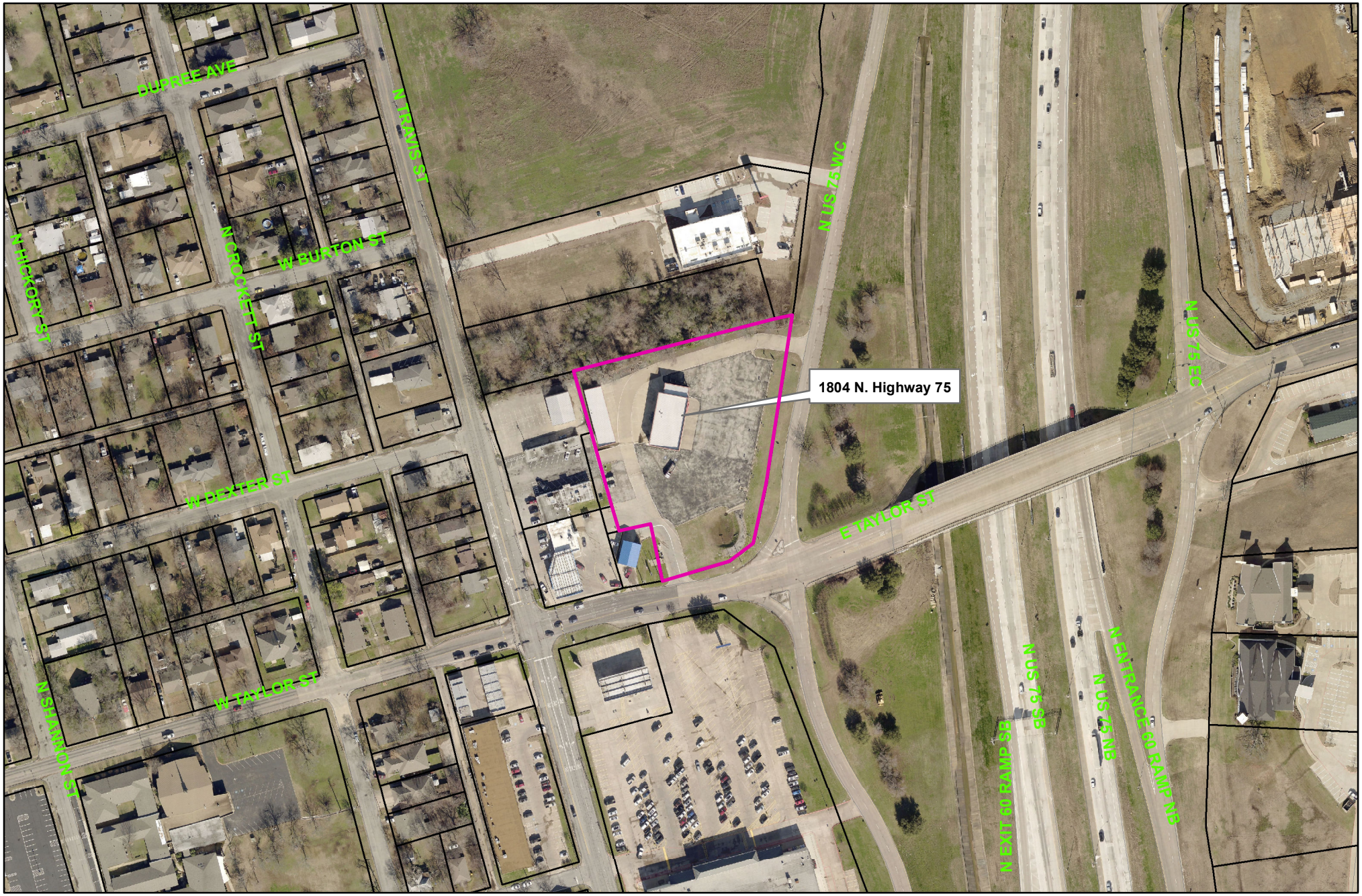
Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 4/5/2021

This survey contains information that is proprietary to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.

This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:

Copyright ©2021
Underwood Drafting & Surveying, Inc.
All rights reserved.

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



1804 North U.S. Highway 75

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 222 ft



Zoning - 1804 North U.S. Highway 75

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 200 ft

1804 North U.S. Highway 75



PUBLIC AUTOMOTIVE GROUP

ABOUT US

Public Automotive Group is a family of premier pre-owned vehicle dealerships. We strive to break the mold of what it looks like to operate and serve the local communities of our 9 Texas Locations by offering great customer service, an unrivaled protection plan, a referral program, great inventory and an easy and fast process.

MISSION STATEMENT

We work hard to place our customers in the perfect vehicle for their budget and needs. We want to identify opportunities to deliver credit to our local communities all the while setting ourselves apart from other dealerships by having transparency and integrity throughtout the entire vehicle buying experience. We welcome all customers to join into the Public Automotive Family.

WHY OUR CUSTOMERS CHOOSE US?

Our primary service is to set up a customer for success in ownership of their next vehicle. We do this by the means of relationship, accountability and incentives.

- **The Public Protection Plan**
  Covers a vehicle for 60,000 miles or the life of the customer's loan.
- **The Public Referral Program**
  Allows customers to take up to $2600 off of their current contract by referring friends and family.
- **Great Inventory**
  All of our vehicles undergo a 25+ point safety checklist before being put on the lot and we are able to keep a wide variety of vehicles available to qualifying customers.
- **The Public Family**
  Relationship is important and we check in regularly with our customers to ensure their satisfaction and account status.
- **Clean Appearance**
  We take pride in the appearance of our 9 Texas locations. Each one is equipped with state of the art technology (Reader boards, tvs and signage) and the lots are maintained to meticulous standards.





WHAT SETS US APART?

BREAKTHROUGH TECHNOLOGY

Always seeking the latest and greatest in industry technology we seek to set ourselves apart by our **Appearance**, our **Point of Sale, New Vehicle Technology** and using **new means to qualify and cut down the time to purchase a vehicle**.

CORPORATE OFFICE SUPPORT

Our Corporate Office is composed of 24 full time employees backed by the active leadership of Owner/CEO Todd Behringer.

This allows the field to focus on our sole mission of delivering credit and creating a successful car buying experience for our customers.

MARKETING STRATEGY

We have used clean and positive brand imaging to create a family friendly and positive experiences for our customers. Through our social channels we are able to track our growth, reach new customers, implement feeback and attract a better clientale.

FAMILY CULTURE

Our Store Directors gather Bi-Monthly for training and team building. This allows for sharpening skills, implementing new processes, camraderie between locations, vision casting and problem solving

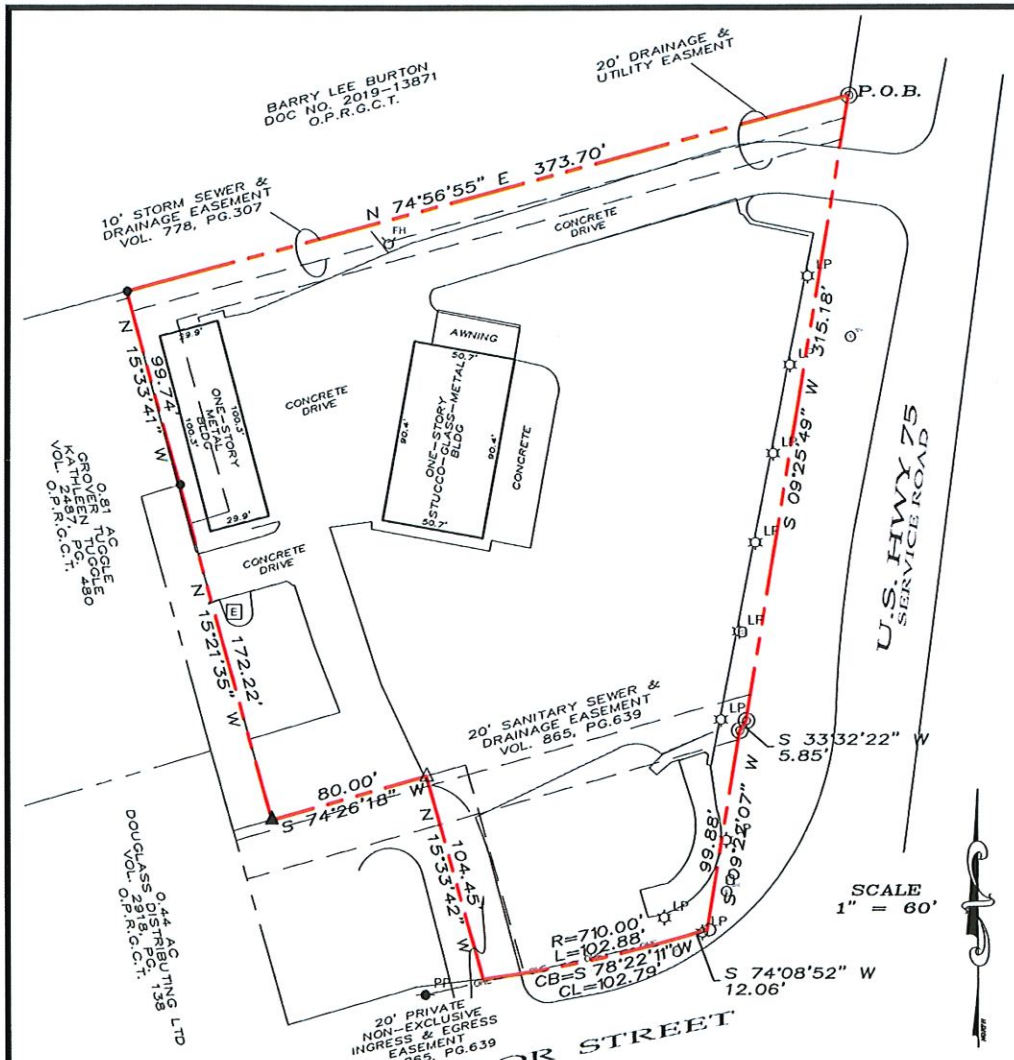








PublicAutoTX.com



SCALE
1" = 60'

LEGEND

- 1/2" STEEL ROD SET
- 1/2" STEEL ROD FOUND
- "X" CUT IN CONCRETE
- FOUND P/K NAIL
- PP POWER POLE
- FH WATER METER
- LP LIGHT POLE
- BOUNDARY LINE
- PROPERTY LINE
- EASEMENT LINE

JOB NO. 21030260
FW: RR – DFT: CG

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of Lot 1, of the final plat of James Plaza Addition, an addition to the City of Sherman, Grayson County, Texas, Plat recorded in Volume 13, Page 60, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod at hte northeast cornr of said Lot 1 in the west Right–of–Way of U.S. Hwy 75;

Thence with said west Right–of–Way of U.S. Hwy 75 the following calls and distances:

South 09°25'49" West, a distance of 315.18 feet to a found 1/2" steel rod;
South 33°32'22" West, a distance of 5.85 feet to a found 1/2" steel rod;
South 09°22'07" West, a distance of 99.88 feet to a found concrete monument;
South 74°08'52" West, a distance of 12.06 feet to a set 1/2" steel rod;
Thence with a non–tangent curve to the right having a radius of 710.00 feet, (chord bears South 78°22'11" West, a distance of 102.79 feet) an arc length of 102.88 feet to a set 1/2" steel rod;
Thence North 15°33'42" West, with the west line of said Lot 1 a distance of 104.45 feet to a found P/K nail;
Thence South 74°26'18" West, a distance of 80.00 feet to a found X cut in concrete;
Thence North 15°21'35" West, over and across said Lot 1 a distance of 172.22 feet to a set 1/2" steel rod;
Thence North 15°33'41" West, a distance of 99.74 feet to a set 1/2" steel rod;
Thence North 74°56'55" East, with the north line of said Lot 1 a distance of 373.70 feet to the Point–of–Beginning and containing 2.289 acres of land.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

STATE OF TEXAS
REGISTERED
DOUGLAS W. UNDERWOOD
4709
PROFESSIONAL
LAND SURVEYOR

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 4/5/2021

This survey contains information that is proprietory to Underwood Drafting & Surveying, Inc. Its use or disclosure in whole or part without the express written permission of Underwood Drafting & Surveying, Inc. is prohibited.

This survey is also unpublished work protected under the copyright laws of the United States of America. If this work becomes published, the following notice shall apply:

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~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

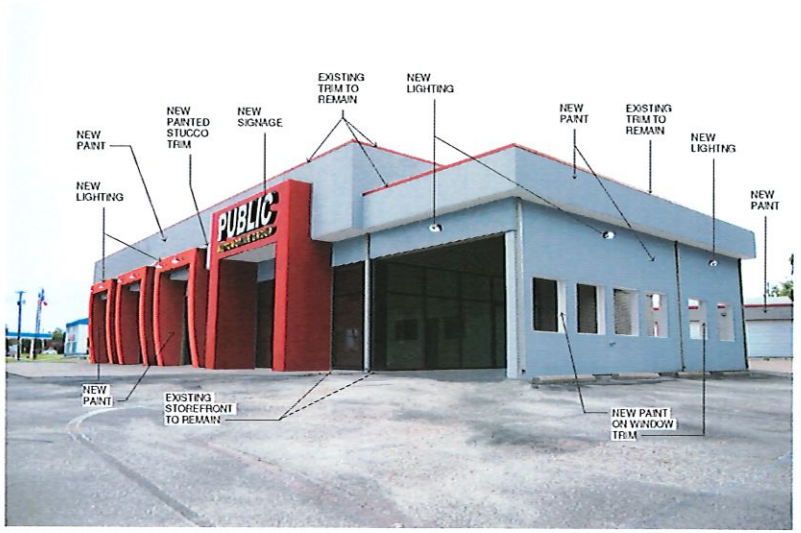
UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465–2151

EXISTING





UPDATED





PUBLIC AUTOMOTIVE GROUP - SHERMAN, TEXAS

Specific Space

DOCUMENTS ARE INCOMPLETE AND MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION
MARCUS R. TRIMBLE
TX #24476

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

June 15, 2021

Sherman PAG1, LLC
203 Douglas Ave.
Woodway, TX 76712

Underwood Drafting and Surveying
3404 Interurban Rd.
Denison, TX 75021

Marcus Trimble
3800 High Rd
Flower Mound, TX 75022

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow Automobile Sales in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District located at 1804 North U.S. Highway 75 has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-1 (Retail Business) District, the O-1 (75 & 82) Overlay District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.6; Sec. 6.13.1; Sec. 7(14) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
5. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts allowed. (*Chapter 8, Section 8.08)*
6. Violation of the ordinance granting a Specific Use Permit, including but not limited to violation of the conditions of any SUP, may result in termination of the Specific Use Permit. *(Chapter 14, Exhibit A, Section 15)*
7. Replatting the property is required
8. Shall comply with all EPA, City, Federal and State regulations for this use.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

11. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,

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

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 27.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

1804 NORTH U.S. HIGHWAY 75

The request of Sherman PAG 1, LLC (Owner), Marcus Trimble (Architect) and Underwood Drafting and Surveying (Surveyor) for the property located at 1804 North U.S. Highway 75, being part of Lot 1, Block 1, James Plaza Addition, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Used Automobile Sales in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District.

Background:

The property is located at 1804 North U.S. Highway 75, the northwest corner of Highway 75 and Taylor Street. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82 Overlay) District.

The following items have been approved for the property:

- December 4, 2006 - Specific Use Permit to allow automobile sales and repair (Ord. 5433).
- November 21, 2006 - Variance/Exception to allow shade structures with a 10' front setback and to not require a screening device adjacent to a residentially zoned district.
- March 5, 2007 - Specific Use Permit to allow automobile sales and repair.(Ord 5449)
- May 22, 2007 - Variance to allow overhead doors facing the highway.
- June 17, 2013 - Specific Use Permit to allow Used Automobile Sales, Service, Tire Sales and Service, and Light Mechanical Work (Ord 5778).

Public Automotive Group is a family of premier pre-owned vehicle dealerships; they have nine Texas dealerships. They are requesting a Specific Use Permit to allow used automobile sales at this location.

Adjacent Zoning:

C-1 (Retail Business) District

Origination:

Sherman PAG 1, LLC (Owner)
Marcus Trimble (Architect)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

5

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Building Elevations
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 4.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6397

An Ordinance of The City Council of The City of Sherman, Texas, Amending Section 8, Subsection (5)(A), Ordinance No. 2280, Granting a Specific Use Permit to allow Automobile Sales in a C-2 (General Commercial) District at 3908 and 3924 Texoma Parkway, being 0.648 acres and 1.279 acres in the Samuel McGlothlin Survey, Abstract No. 811 and the Hillard Jennings Survey, Abstract No. 639 (MLJ Real Estate, LP, Owner; Matthew Johnson, Representative; and Underwood Drafting and Surveying and Cox Land Surveying, Surveyors); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

Issue:

To consider Granting a Specific Use Permit to allow Automobile Sales in a C-2 (General Commercial) District at 3908 and 3924 Texoma Parkway, being 0.648 acres and 1.279 acres in the Samuel McGlothlin Survey, Abstract No. 811 and the Hillard Jennings Survey, Abstract No. 639 (MLJ Real Estate, LP, Owner; Matthew Johnson, Representative; and Underwood Drafting and Surveying and Cox Land Surveying, Surveyors)

Background:

The property is located at 3908 and 3924 Texoma Parkway between Frisco Road and Gallagher Drive.
The property is zoned a C-2 (General Commercial) District.
The following items have been approved for the property:

- March 20, 2006 - Specific Use Permit to allow an automobile repair garage at 3924 Texoma Parkway (Ord. 5373).
- March 21, 2011 - Specific Use Permit to allow Truck and Automobile Repair and Sales at 3924 Texoma Parkway (Ord. 5690)..
- January 22, 2001 - Specific Use Permit to allow automobile sales at 3924 Texoma Parkway. (Ord 4909)
- February 16, 2015 - Specific Use Permit to allow Tire Sales, Service, Installation and Repair at 3924 Texoma Parkway. (Ord 5869)

The owner is requesting a Specific Use Permit to allow automobile sales at these locations. It was formally a Power Sports store and it closed. They will not be doing any repairs or service to the vehicles; all that will be done at their Whitesboro location. There was a mechanic shop at 3924 Texoma Parkway before they purchased the property; it was service and a tire shop. They bought the property at 3908 Texoma Parkway and opened it up as Holiday Power Sports. They sold the business to Outdoor Power

Sports, they operated there for two years and then they closed the doors. Instead of the buildings sitting empty, the owners would like to open a used car lot at these locations..

Origination:

MLJ Real Estate, LP (Owner)
Matthew Johnson (Representative)
Underwood Drafting and Surveying and Cox Land Surveying (Surveyors)

Financial Consideration:

None

Staff Recommendation:

In addition to the comments in the Staff Review Letter dated June 15, 2021, staff recommends that if the Specific Use Permit is approved that it be conditional on platting of the property, the removal of the existing freestanding sign, and improvement of the parking lot and drive aisle pavement.

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6397
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Survey/Site Plan
Photos
Staff Review Letter
P&Z Communication
Additional Photos

ORDINANCE NO. 6397

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AUTOMOBILE SALES IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 3908 AND 3924 TEXOMA PARKWAY, BEING 0.648 ACRES AND 1.279 ACRES IN THE SAMUEL MCGLOTHLIN SURVEY, ABSTRACT NO. 811 AND THE HILLARD JENNINGS SURVEY, ABSTRACT NO. 639 (MLJ REAL ESTATE, LP, OWNER; MATTHEW JOHNSON, REPRESENTATIVE AND UNDERWOOD DRAFTING AND SURVEYING AND COX LAND SURVEYING, SURVEYORS); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the effective date of this Ordinance, MLJ Real Estate, LP (Owner), Matthew Johnson (Representative) and Underwood Drafting and Surveying and Cox Land Surveying (Surveyors) concerning the properties at 3908 and 3924 Texoma Parkway for the property located at 3908 and 3924 Texoma Parkway, being 0.648 acres and 1.279 acres in the Samuel McGlothlin Survey, Abstract No. 811 and the Hillard Jennings Survey, Abstract No. 639 are granted a Specific Use Permit to allow Automobile Sales in a C-2 (General Commercial) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include property described as **Exhibit A**:

SECTION 2. That this Specific Use Permit is granted on the following conditions:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-2 (General Commercial) District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. (Chapter 14, Exhibit A, Section 7, Subsection 10(b))
4. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). (Chapter 14, Exhibit A, Section 7, Subsection 10(h))
5. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts allowed. (Chapter 8, Section 8.08)
6. Violation of the ordinance granting a Specific Use Permit, including but not limited to violation of the conditions of any SUP, may result in termination of the Specific Use Permit. (Chapter 14, Exhibit A, Section 15)
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

10. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*

SECTION 3. That this Ordinance shall be entered upon the official zoning map as provided in Section 2, Ordinance No. 2280.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the General Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal

shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect..

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

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

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

EFFECTIVE DATE on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

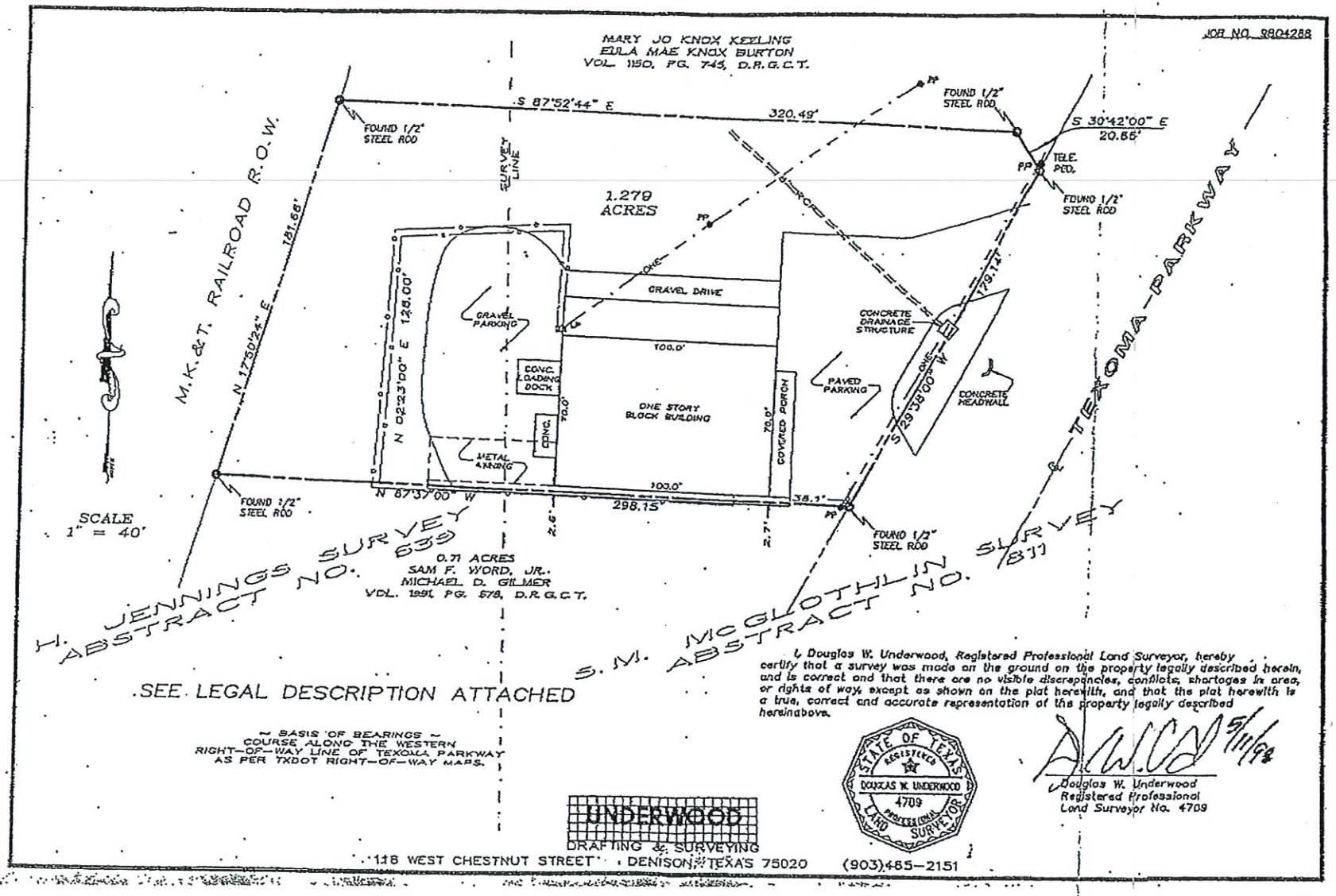
BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

3908 Texoma Pkwy

Exhibit A



3908 Texoma Pkwy

Exhibit A

EXHIBIT A TO
BLANKET CONVEYANCE, BILL OF SALE AND ASSIGNMENT

Legal Description

Situated in the County of Grayson, State of Texas, being a part of the S.M. McGlothlin Survey, Abstract No. 811, and the Hillard Jennings Survey, Abstract No. 639, and being a part of that tract of land conveyed by Frank Westbrook, et al, to Sherman Industrial Properties, Inc., by deed of record in Volume 801, Page 469, of the Deed Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a ½" steel rod found in the west right-of-way line of Texoma Parkway (formerly Business U.S. Highway No. 75), being the northeast corner of said Sherman Industrial Properties tract, the a southeast corner of that tract of land conveyed to Mary Jo Knox Keeling and Eula Mae Knox Burton by deed of record in Volume 1150, Page 745, of said Deed Records;

Thence South 29°38'00" West with said west right-of-way line, a distance of 179.14 feet to a ½" steel rod found at the northeast corner of the 0.71 acre tract of land conveyed to Sam F. Word and Michael D. Gilmer by deed of record in Volume 1991, Page 678, of the Real Property Records, Grayson County, Texas;

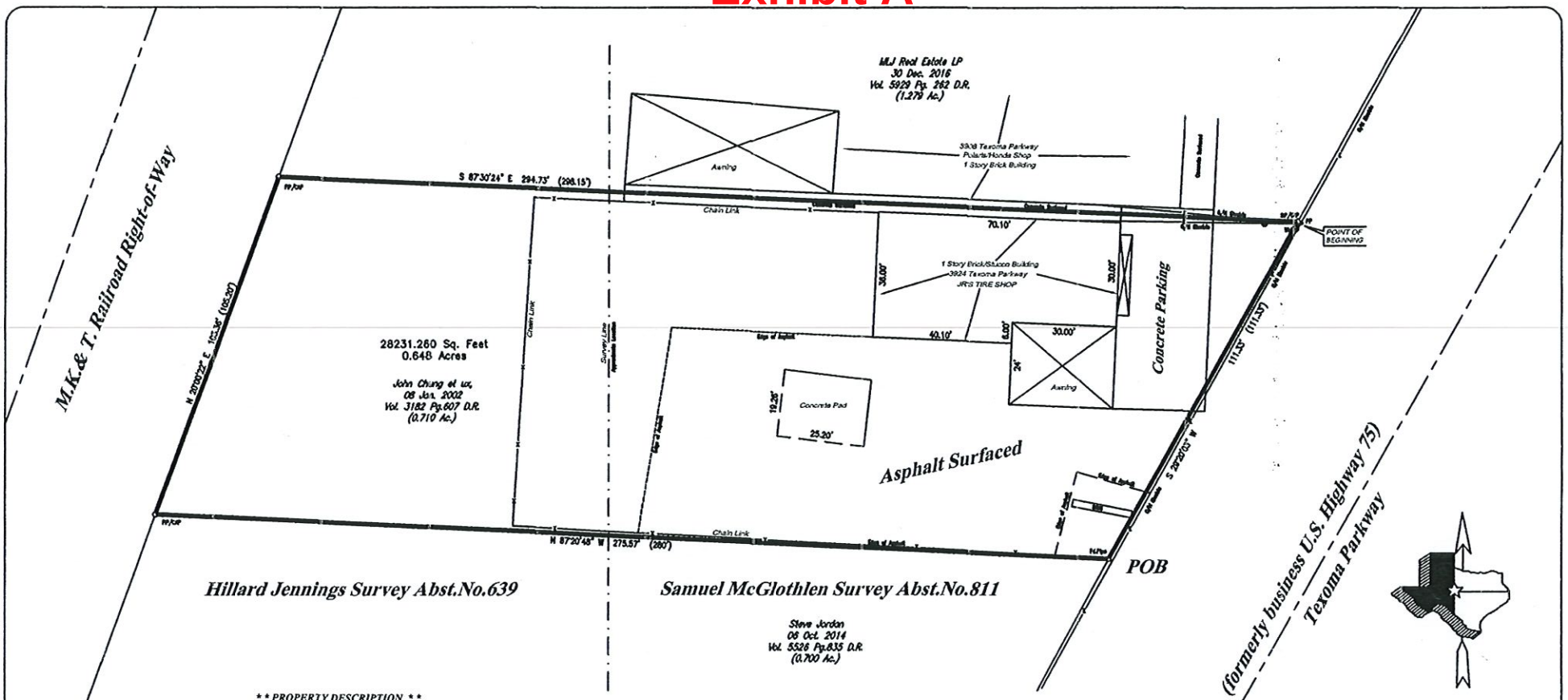
Thence North 87°37'00" West with the north line of said 0.71 acre tract, a distance of 298.15 feet to a ½" steel rod found in the east line of the MK&T Railroad right-of-way;

Thence in a northerly direction with a curve to the left and with said east line an arc distance of 181.72 feet (chord bears North 17°50'25" East, 181.66 feet) to a found ½" steel rod at the northwest corner of said Sherman Industrial Properties tract;

Thence South 87°37'00" East with the north line of said Sherman Industrial Properties tract, a distance of 320.49 feet to a found ½" steel rod;

Thence South 30°42'00" East a distance of 20.65 feet to the Point-of-Beginning and containing 1.279 acres of land.

Exhibit A



SCALE: 1"=20'

Note:
1. If the Original Surveyors Seal & Signature IS NOT in "BLUE" then the drawing may be a copy or forgery.
2. Below May Or May Not Be Pipe Lines On This Property.
3. Subjoining tract data is for informational purposes only and does not represent a complete survey of those lands.
4. This Survey May or May Not Comply With City or County Platting Regulations.
5. Its Client or Client's representatives will have 45 days from the date the survey was issued to charge any misspellings or any errors on the survey report, after this time has expired all parties involved have accept the survey as issued.
6. This Survey was prepared without the benefit of having a Title Policy.

**** PROPERTY DESCRIPTION ****

All that certain tract or parcel of land situated in the Samuel McGlothlin Survey, Abstract Number 811, and the Hillard Jennings Survey, Abstract Number 639 in the City of Sherman, County of Grayson, State of Texas, and being all of a called 0.71 acre tract of land as described in Deed to John Chung et ux, Susie Chung, filed 08 January 2002, and Recorded in Volume 3182 Page 607 of the Deed Records of Grayson County, Texas, said tract also being known as 3924 Texoma Parkway, and described by metes and bounds as follows:

BEGINNING at a Found Iron Pipe on the West Right-of-Way line of Highway 75 (now Texoma Parkway) and the southeast corner of said Chung tract, and being the Northeast corner of a called 0.70 acre tract as described in Deed to Steve Jordan, filed 06 October 2014, and Recorded in Volume 5526 Page 835 and said Deed Records;

THENCE: North 87 degress 20 minutes 48 minutes West, with the south line of said Chung tract, and the north line of said Jordan tract, a distance of 275.57 feet to a found ½ inch Steel Rebar for the occupied southwest corner of said Chung tract and the occupied northwest corner of said Jordan tract, on on the East Right-of-Way line of the MK&T Railroad Right-of-Way;

THENCE: Along the said East Right-of-way line of said MK&T Railroad, and the west line of said Chung tract, and with a curve to the left, a distance of 103.36 feet ot a found ½ inch Steel Rebar for the northwest corner of said Chung tract, and the southwest corner of a tract as described in Deed to MLJ Real Estate LP, filed 30 December 2016, and Recorded in Volume 5929 Page 262 of said Deed Records;

THENCE: South 87 degress 30 minutes 24 seconds East, with the north line of said Chung tract, and the south line of said MLJ tract, a distance of 294.73 feet to a set ½ inch Steel Square Tubing for the northeast corner of said Chung tract, and the southeast corner of said MLJ tract, and on the West Right-of-Way line of Highway 75 (now Texoma Parkway);

THENCE: South 29 degress 20 minutes 03 seconds West, with the east line of said Chung tract, and along the West Right-of-Way of Highway 75 (now Texoma Parkway), a distance of 111.33 feet to the PLACE of BEGINNING and containing 0.648 of an acre of land.

The undersigned does hereby state to MLJ Real Estate LP, that a survey was made on the ground, dated 29 September 2017, on the property legally described hereon or in attached field notes and is correct; except as shown on the plat hereon, there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, overlapping of improvements, easements or right-of-ways, or of which I have been informed; that the quantity of land therein has been accurately calculated, that said property has access to and from a public roadway; and, that the plat hereon is a true, correct and accurate representation of the property described hereinabove.

This Plat and Description was prepared for the exclusive use of the person or persons named in the above statements. Said statement does not extend to any unnamed person without an express restating by the surveyor naming said person, This survey was prepared for the transaction as dated hereon, this Plat or Map is the Property of Cox Land Surveying Corp., and IS NOT to be used in any other Transactions, and the COPY RIGHTS ARE RESERVED.

02 October 2017

Don K. Cox, Texas Registered
Professional Land Surveyor
Number 4577

FLOOD STATEMENT:

I have examined the Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Map for the County of Grayson, State of Texas, community Panel Number 480181C effective date of 29 September 2010, and that map indicates that this property is Not within Zone "A" (special flood hazard area) as shown on Panel Number 0290-F of said map.

This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage on rare occasions. Greater floods can and will occur and flood heights may be increased by man made or natural causes. This flood statement shall not create liability on the part of the surveyor.

LEGEND

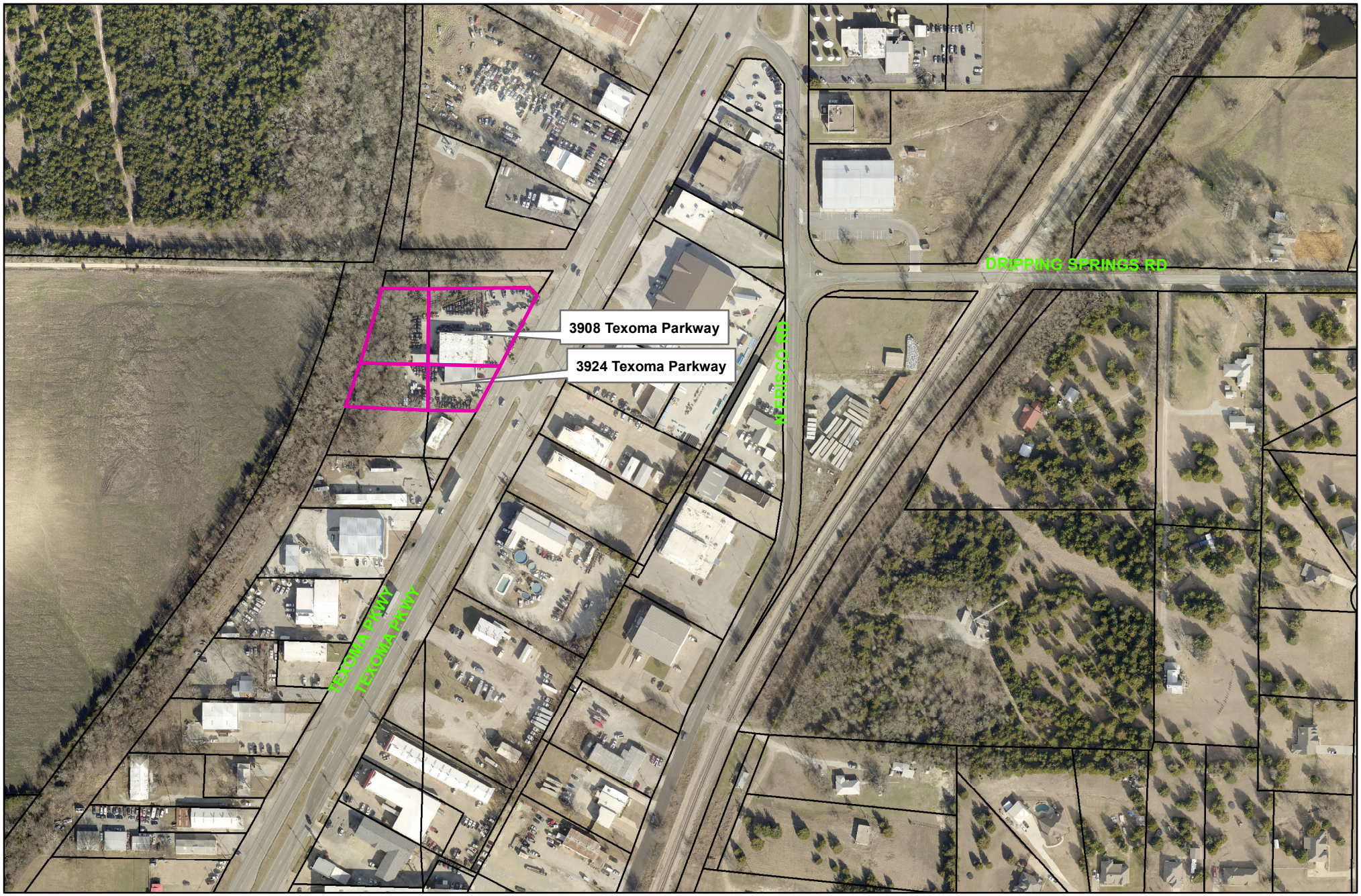
SSR = Set 3/4" Rod
FIP = Found Pipe
SST = Set 1/2" Sq.Tubing
FST = Fd 1/2" Sq.Tubing
FSR = Fd 5/8 Rod
ROW = Right-of-Way
-X- = Fence Line
( ) = Deed Calls
-E- = Electric Line
-T- = Telephone Line
-CV- = TV Cable
GM = Gas Meter
PP = Power Pole
WM = Water Meter
AC = Air Cond.
BL = Building Line
UGT = Underground phone
FCP = Fence Corner Post
UE = Utility Easement
BC = Back of Curb

Copyright 2017, Cox Land Surveying Co.

COX LAND SURVEYING CO.
P.O. BOX 597 108 N. MAIN ST. COLLINSVILLE, TEXAS 76233
COLLINSVILLE 903-429-6125 FAX 903-429-6971 E-mail: CLSC108@aol.com
Gainesville 940-612-LAND Denton 940-381-5070 McKinney 469-952-5070

3924 Texoma Parkway
0.648 Acres in the
Hillard Jennings Survey Abst.No.639
Samuel McGlothlin Survey Abst.No.811
City of Sherman
County of Grayson
State of Texas

Drawn by: DKC
Check by: DKC
Job No. 17-11864
Firm # 10005500
Registered Professional Land Surveyors Seal
Date: 02 October 2017



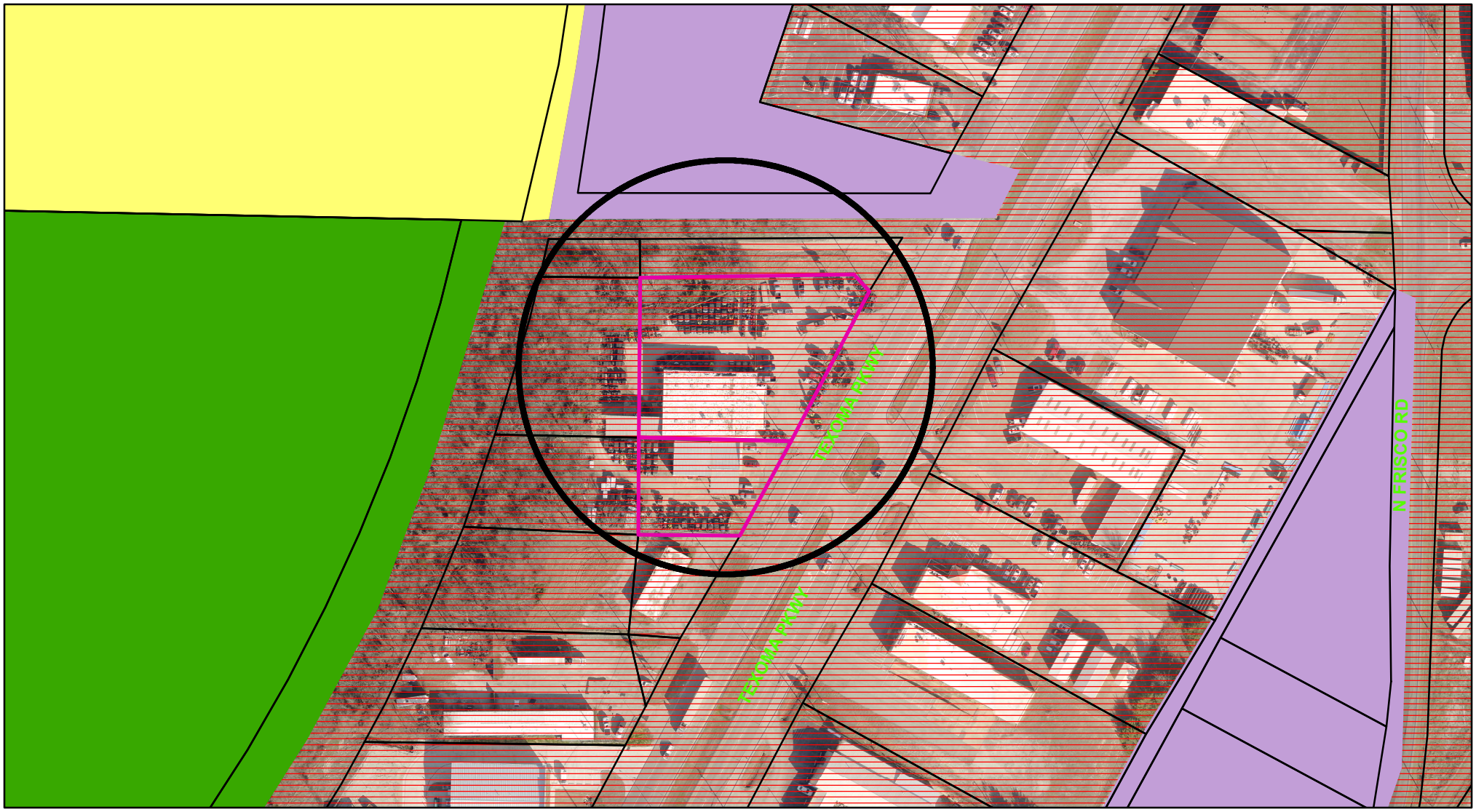
3908 & 3924 Texoma Parkway

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 293 ft



Zoning - 3908 & 3924 Texoma Parkway

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 150 ft

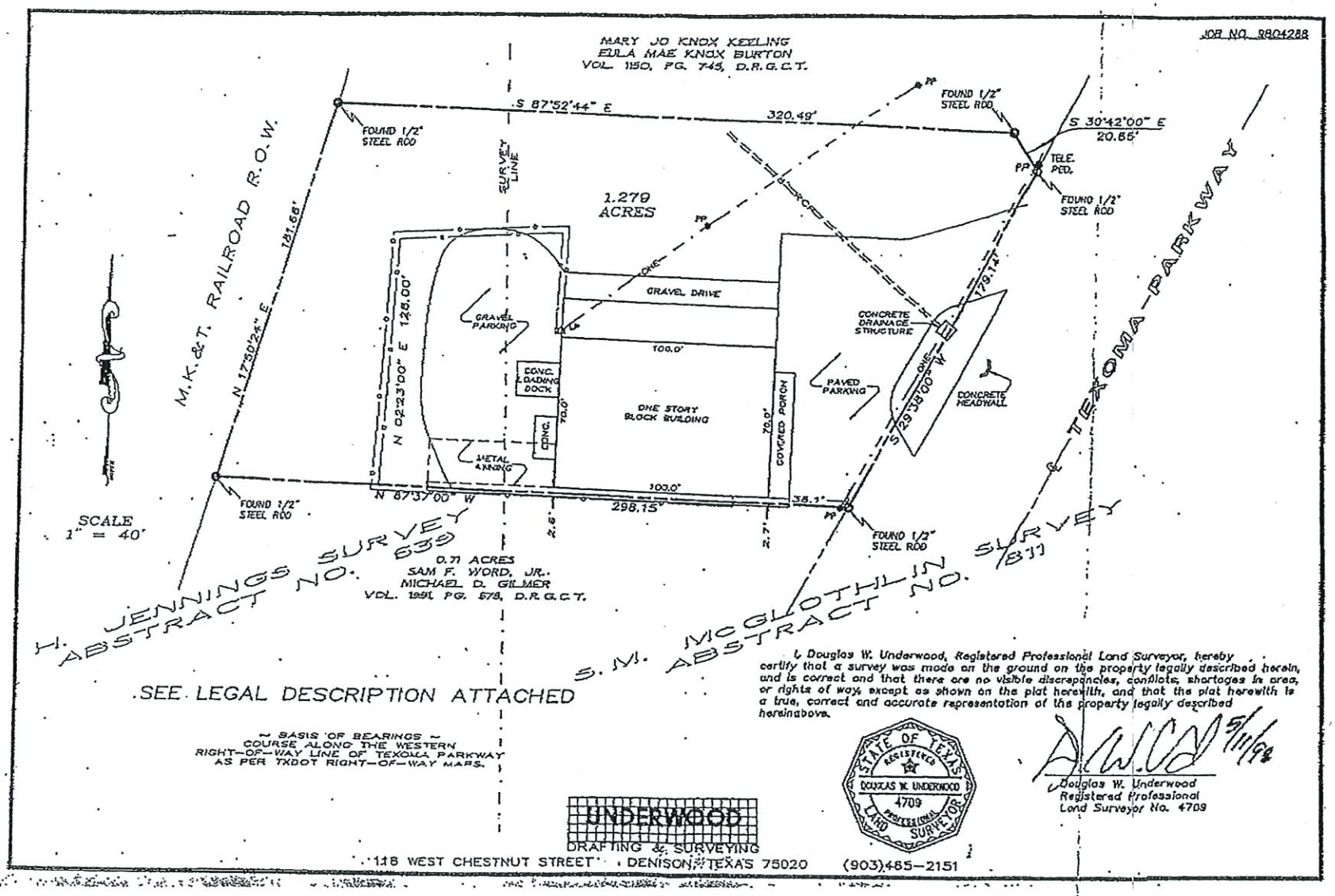
3908 Texoma Parkway

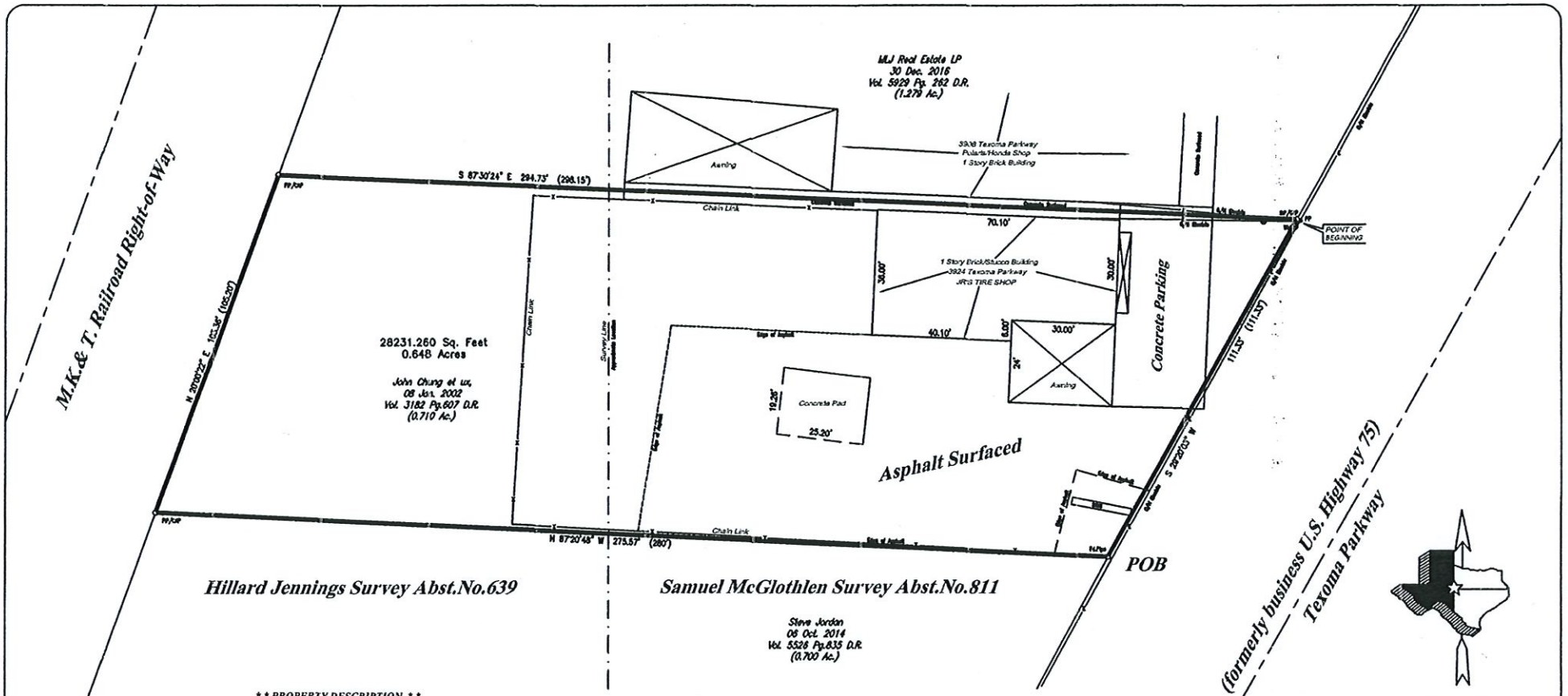


3924 Texoma Parkway



3908 Texoma Pkwy





SCALE: 1"=20'

Note:
1. If the Original Surveyors Seal & Signature IS NOT in "RED" then the drawing may be a copy or forgery.
2. There May Or May Not Be Pipe Lines On This Property.
3. Adjoining tract data is for informational purposes only and does not represent a complete survey of those lands.
4. This Survey May or May Not Comply With City or County Platting Regulations.
5. Its Client or Client's representatives will have 45 days from the date the survey was issued to charge any misspellings or any errors on the survey report, after this time has expired all parties involved must accept the survey as issued.
6. This Survey was prepared without the benefit of having a Title Policy.

**** PROPERTY DESCRIPTION ****

All that certain tract or parcel of land situated in the Samuel McGlothlin Survey, Abstract Number 811, and the Hillard Jennings Survey, Abstract Number 639 in the City of Sherman, County of Grayson, State of Texas, and being all of a called 0.71 acre tract of land as described in Deed to John Chung et ux, Susie Chung, filed 08 January 2002, and Recorded in Volume 3182 Page 607 of the Deed Records of Grayson County, Texas, said tract also being known as 3924 Texoma Parkway, and described by metes and bounds as follows:

BEGINNING at a Found Iron Pipe on the West Right-of-Way line of Highway 75 (now Texoma Parkway) and the southeast corner of said Chung tract, and being the Northeast corner of a called 0.70 acre tract as described in Deed to Steve Jordan, filed 06 October 2014, and Recorded in Voloume 5526 Page 835 and said Deed Records;

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02 October 2017

Don K. Cox, Texas Registered
Professional Land Surveyor
Number 4577

FLOOD STATEMENT:

I have examined the Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Map for the County of Grayson, State of Texas, community Panel Number 480181C effective date of 29 September 2010, and that map indicates that this property is Not within Zone "A" (special flood hazard area) as shown on Panel Number 0290-F of said map.

This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage on rare occasions. Greater floods can and will occur and flood heights may be increased by man made or natural causes. This flood statement shall not create liability on the part of the surveyor.

LEGEND

SSR = Set 3/4" Rod
FIP = Found 2"PSF
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ROW = Right-of-Way
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(.) = Deed Calls
-E- = Electric Line
-T- = Telephone Line
-TV- = TV Cable
GM = Gas Meter
PP = Power Pole
WM = Water Meter
AC = Air Cond.
BL = Building Line
UGT = Underg'd phone
FCP = Fence Corner Post
UE = Utility Easement
BC = Book of Curb

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COX LAND SURVEYING CO.
P.O. BOX 597 108 N. MAIN ST. COLLINSVILLE, TEXAS 76233
COLLINSVILLE 903-429-6125 FAX 903-429-6971 E-mail: CLSC108@aol.com
Gainesville 940-612-LAND Denton 940-381-5070 McKinney 469-952-5070

3924 Texoma Parkway
0.648 Acres in the
Hillard Jennings Survey Abst.No.639
Samuel McGlothlin Survey Abst.No.811
City of Sherman
County of Grayson
State of Texas

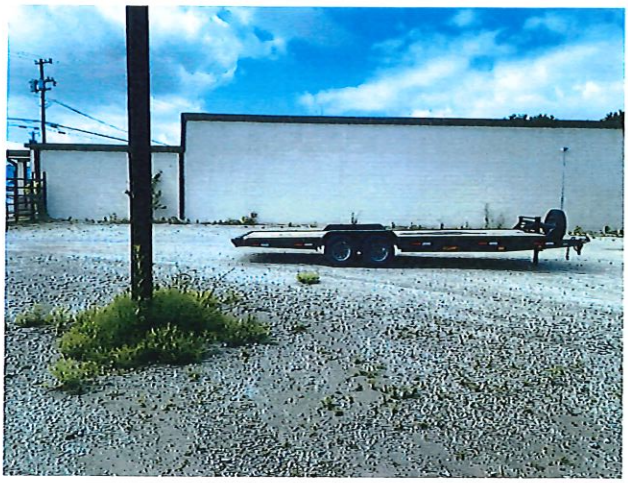
Registered Professional Land Surveyors Seal

Drawn by: DKC
Check by: DKC

Job No. 17-11864
Firm # 10005500

Date: 02 October 2017









Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

June 15, 2021

MLJ Real Estate, LP
P. O. Box 707
Whitesboro, TX 76273

Underwood Drafting and Surveying
118 W. Chestnut
Denison, TX 75020

Matthew Johnson
1305 Hillcrest
Ft. Worth, TX 76107

Cox Land Surveying
3924 Texoma Parkway
Sherman, TX 75090

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow Automobile Sales in a C-2 (General Commercial) District located at 3908 and 3924 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-2 (General Commercial) District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
5. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts allowed. *(Chapter 8, Section 8.08)*
6. Violation of the ordinance granting a Specific Use Permit, including but not limited to violation of the conditions of any SUP, may result in termination of the Specific Use Permit. *(Chapter 14, Exhibit A, Section 15)*
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

10. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,

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

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 21.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

3908 & 3924 TEXOMA PARKWAY

The request of MLJ Real Estate, LP (Owner), Matthew Johnson (Representative), Underwood Drafting and Surveying and Cox Land Surveying (Surveyors) concerning the properties at 3908 and 3924 Texoma Parkway, being 0.648 acres and 1.279 acres in the Samuel McGlothlin Survey, Abstract No. 811 and the Hillard Jennings Survey, Abstract No. 639, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Automobile Sales in a C-2 (General Commercial) District.

Background:

The property is located at 3908 and 3924 Texoma Parkway between Frisco Road and Gallagher Drive.
The property is zoned a C-2 (General Commercial) District.
The following items have been approved for the property:

- March 20, 2006 - Specific Use Permit to allow an automobile repair garage at 3924 Texoma Parkway (Ord. 5373).
- March 21, 2011 - Specific Use Permit to allow Truck and Automobile Repair and Sales at 3924 Texoma Parkway (Ord. 5690)..
- January 22, 2001 - Specific Use Permit to allow automobile sales at 3924 Texoma Parkway. (Ord 4909)
- February 16, 2015 - Specific Use Permit to allow Tire Sales, Service, Installation and Repair at 3924 Texoma Parkway. (Ord 5869)

The owner is requesting a Specific Use Permit to allow automobile sales at these two locations.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

MLJ Real Estate, LP (Owner)
Matthew Johnson (Representative)
Underwood Drafting and Surveying and Cox Land Surveying (Surveyors)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

10

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey/Site Plan
Photos
Staff Review Letter

Existing Pavement Condition



Current Freestanding Sign



SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 5.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6398

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, Granting a Specific Use Permit to Allow Used Automobile Sales in a C-2 (General Commercial) District at 5922 Texoma Parkway, being 5.52 acres in the J.B. Shannon Survey, Abstract No. 1085 (Patterson Investment Properties, LP, Owner; Ronald Davis, Davis Motor Company, Proposed Tenant; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

Issue:

To consider Granting a Specific Use Permit to allow Used Automobile Sales in a C-2 (General Commercial) District at 5922 Texoma Parkway, being 5.52 acres in the J.B. Shannon Survey, Abstract No. 1085 (Patterson Investment Properties, LP, Owner; Ronald Davis, Davis Motor Company, Proposed Tenant; and Underwood Drafting and Surveying, Surveyor)

Background:

The property is located at 5922 Texoma Parkway between FM 691 and Woodlake Road; formerly a putt-putt golf facility. The property is zoned a C-2 (General Commercial) District.

Ronald Davis has owned and operated Davis Motor Company in Durant, Oklahoma for over 10 years and McAlester Oklahoma since 1995. He is a second generation owner of a used car dealership. He is requesting a Specific Use Permit to allow used automobile sales for 20-30 cars at 5922 Texoma Parkway.

Origination:

Patterson Investment Properties, LP (Owner)
Ronald Davis, Davis Motor Company (Proposed Tenant)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

In addition to the comments in the Staff Review Letter dated June 15, 2021, staff recommends that if the Specific Use Permit is approved that it be conditional on the platting of the property and that no vehicle access is permitted to the Mini-Warehouse on the west property line.

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6398
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Site Plan
Photos
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6398

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, GRANTING A SPECIFIC USE PERMIT TO ALLOW USED AUTOMOBILE SALES IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 5922 TEXOMA PARKWAY, BEING 5.52 ACRES IN THE J.B. SHANNON SURVEY, ABSTRACT NO. 1085 (PATTERSON INVESTMENT PROPERTIES, LP, OWNER; RONALD DAVIS, DAVIS MOTOR COMPANY, PROPOSED TENANT; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the effective date of this Ordinance, Patterson Investment Properties, LP (Owner), Ronald Davis, Davis Motor Company (Proposed Tenant) and Underwood Drafting and Surveying (Surveyor) for the property located at 5922 Texoma Parkway, being 5.52 acres in the J.B. Shannon Survey, Abstract No. 1085 are granted a Specific Use Permit to allow used automobile sales in a C-2 (General Commercial) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include property described as **Exhibit A**:

SECTION 2. That this Specific Use Permit is granted on the following conditions:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-2 (General Commercial)

District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.7; Sec. 7(14) and Sec. 17)*

2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. (Chapter 14, Exhibit A, Section 7, Subsection 10(b))
4. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). (Chapter 14, Exhibit A, Section 7, Subsection 10(h))
5. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts allowed. (Chapter 8, Section 8.08)
6. Violation of the ordinance granting a Specific Use Permit, including but not limited to violation of the conditions of any SUP, may result in termination of the Specific Use Permit. (Chapter 14, Exhibit A, Section 15)
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

10. Platting of the subject property is recommended.
11. Drive approaches must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*

SECTION 3. That this Ordinance shall be entered upon the official zoning map as provided in Section 2, Ordinance No. 2280.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the General Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect..

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

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

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

EFFECTIVE DATE on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

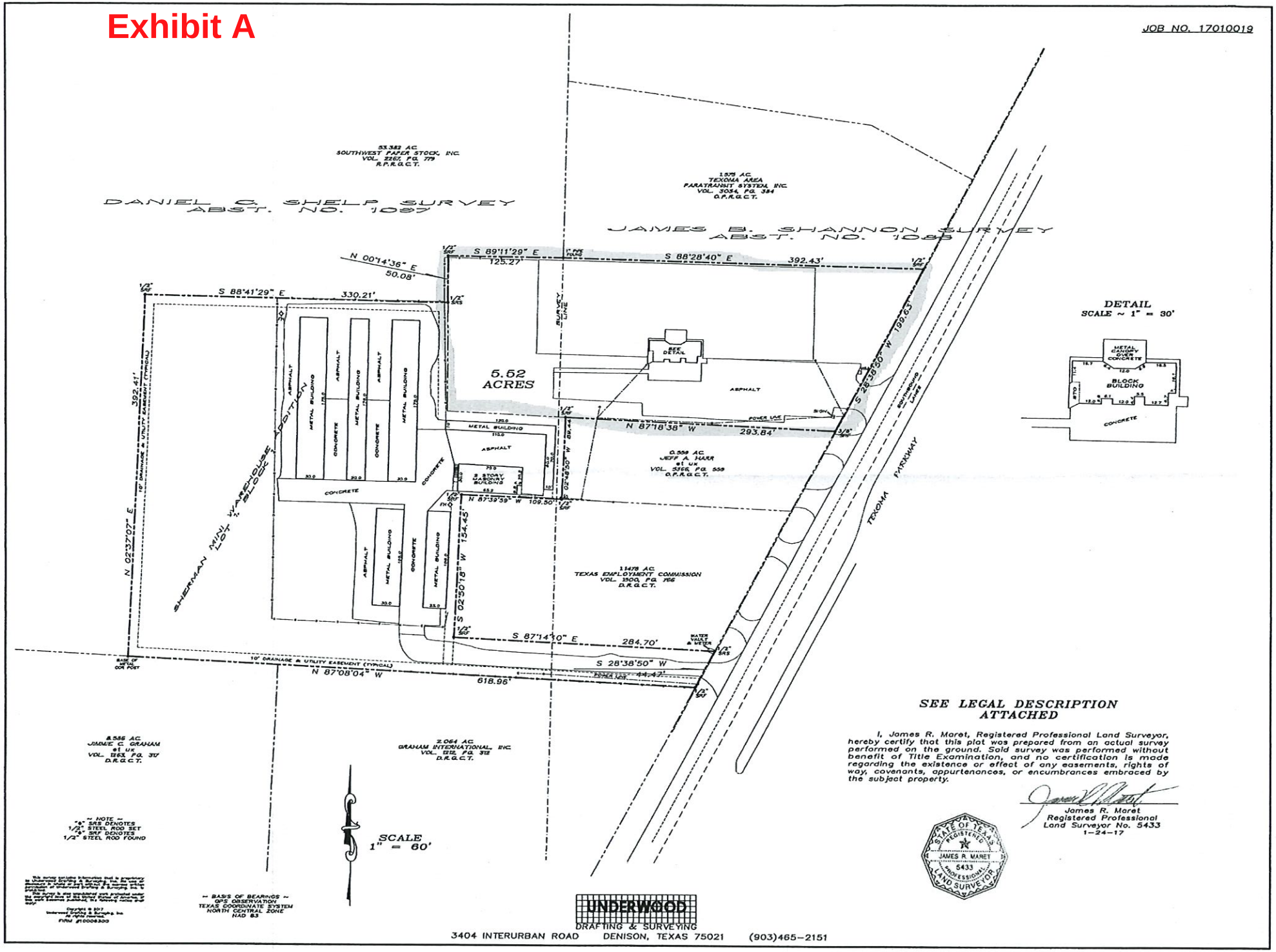
BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A

JOB NO. 17010019



SEE LEGAL DESCRIPTION ATTACHED

I, James R. Maret, Registered Professional Land Surveyor, hereby certify that this plat was prepared from an actual survey performed on the ground. Said survey was performed without benefit of Title Examination, and no certification is made regarding the existence or effect of any easements, rights of way, covenants, appurtenances, or encumbrances embraced by the subject property.

James R. Maret
Registered Professional
Land Surveyor No. 5433
1-24-17

STATE OF TEXAS
REGISTERED
JAMES R. MARET
5433
PROFESSIONAL
LAND SURVEYOR

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

Exhibit A

UNDERWOOD

DRAFTING & SURVEYING, INC.

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Daniel C. Shelp Survey, Abstract No. 1097, and the James B. Shannon Survey, Abstract No. 1085, and being the same tract of land described as 5.522 acres conveyed by Tradewinds 12/21 Inc. to Mr. B's Phil Mart, Inc. by deed dated December 16, 1994, recorded in Volume 2372, Page 819, Real Property Records, Grayson County, Texas, including all of Block 1 of Sherman Mini Warehouse Addition to the City of Sherman, Texas as shown by plat of record in Volume 8, Page 95, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

***Beginning** at a 1/2" steel rod found maintaining the Northeast corner of the said 5.522 acre tract in the West right-of-way line of Texoma Parkway (a.k.a. State Highway No. 91), said rod also maintaining the Southeast corner of the same tract of land described as 1.575 acres conveyed by Gary, Inc. to Texoma Area Paratransit System, Inc. by deed dated February 1, 2001, recorded in Volume 3034, Page 384, Official Public Records, Grayson County, Texas;*

***Thence** South 28°38'50" West with said West right-of-way line a distance of 199.63 feet to a 3/8" steel rod found maintaining a Southeasterly corner of the said 5.522 acre tract and the Northeast corner of the same tract of land described as 0.559 acres conveyed by Linda Allen Dunn to Jeff A. Harr et ux by deed dated September 27, 2013, recorded in Volume 5366, Page 559, said Official Public Records;*

***Thence** North 87°18'38" West a distance of 293.84 feet to a 1/2" steel rod found maintaining an inside "L" corner to the said 5.522 acre tract, the Northwest corner of the said Harr tract, and an outside Northeast "L" corner to said Block 1;*

***Thence** South 02°48'50" West a distance of 89.44 feet to a 1/2" steel rod found maintaining an outside "L" corner to both said 5.522 acre tract and Block 1 in the North line of the same tract of land described as 1.1478 acres conveyed by Nine Development North, Inc. to Texas Employment Commission by deed dated November 12, 1979, recoded in Volume 1500, Page 766, Deed Records, Grayson County, Texas;*

***Thence** North 87°38'59" West a distance of 109.50 feet to a 1/2" steel rod found maintaining an inside "L" corner to both said 5.522 acre tract and Block 1 and the Northwest corner of the said 1.1478 acre tract;*

***Thence** South 02°50'18" West a distance of 154.45 feet to a 1/2" steel rod found maintaining an outside "L" corner to both said 5.522 acre tract and Block 1 and the Southwest corner of the said 1.1478 acre tract;*

***Thence** South 87°14'10" East a distance of 284.70 feet to a 1/2" steel rod set marking an outside corner to both said 5.522 acre tract and Block 1 and the Southeast corner of the said*

Exhibit A

Thence *South 28°38'50" West with said West right-of-way line a distance of 44.47 feet to a 1/2" steel rod found maintaining the Southeast corner of both said 5.522 acre tract and Block 1 and the Northeast corner of the same tract of land described as 1.782 acres conveyed by J. A. Alexander et al to Graham International, Inc. by deed dated March 7, 1972, recorded in Volume 1212, Page 312, said Deed Records;*

Thence *North 87°08'04" West, passing the Northwest corner of the said 1.782 acre tract and the Northeast corner of the same tract of land described as 8.586 acres conveyed by said Nine Development North, Inc. to Jimmie C. Graham et ux by deed dated October 5, 1973, recorded in Volume 1263, Page 317, said Deed Records, and continuing for a total distance of 618.96 feet to the Southwest corner of both said 5.522 acre tract and Block 1 and the most Southerly Southeast corner of the same tract of land described as 53.382 acres conveyed by American Bank Of Texas to Southwest Paper Stock, Inc. by deed dated April 16, 1993, recorded in Volume 2267, Page 779, said Real Property Records, Grayson County, Texas, at the base of a metal corner post;*

Thence *North 02°37'07" East a distance of 392.41 feet to a 1/2" steel rod found maintaining the most Westerly Northwest corner of the said 5.522 acre tract, the Northwest corner of said Block 1, and an inside "L" corner to the said 53.382 acre tract;*

Thence *South 88°41'29" East a distance of 330.21 feet to a 1/2" steel rod set marking an inside "L" corner to the said 5.522 acre tract, the most Northerly Northeast corner of said Block 1, and an outside Southeast "L" corner to the said 53.382 acre tract;*

Thence *North 00°14'36" East a distance of 50.08 feet to a 1/2" steel rod found maintaining the most Northerly Northwest corner of the said 5.522 acre tract and an inside "L" corner to the said 53.382 acre tract;*

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Thence *South 88°28'40" East with the North line of the said 5.522 acre tract and South line of the said 1.575 acre tract a distance of 392.43 feet to the Point-of-Beginning and containing 5.52 acres of land more or less.....*

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





5922 Texoma Parkway

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 500 ft



Zoning - 5922 Texoma Parkway

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

5922 Texoma Parkway



May 12, 2021

City of Sherman
Planning and Zoning Board
Development Services

To Whom it May Concern:

I, Ronald Davis, with Davis Motor Company, have owned and operated Davis Motor Company in Durant Oklahoma for over 10 years. I am a second-generation owner of a used car dealership and have been in, or around, the used car business the entirety of my life. I am writing this letter to formally request a Special Use Permit to allow for my business to open a second location in the City of Sherman, located at 5922 Texoma Parkway.

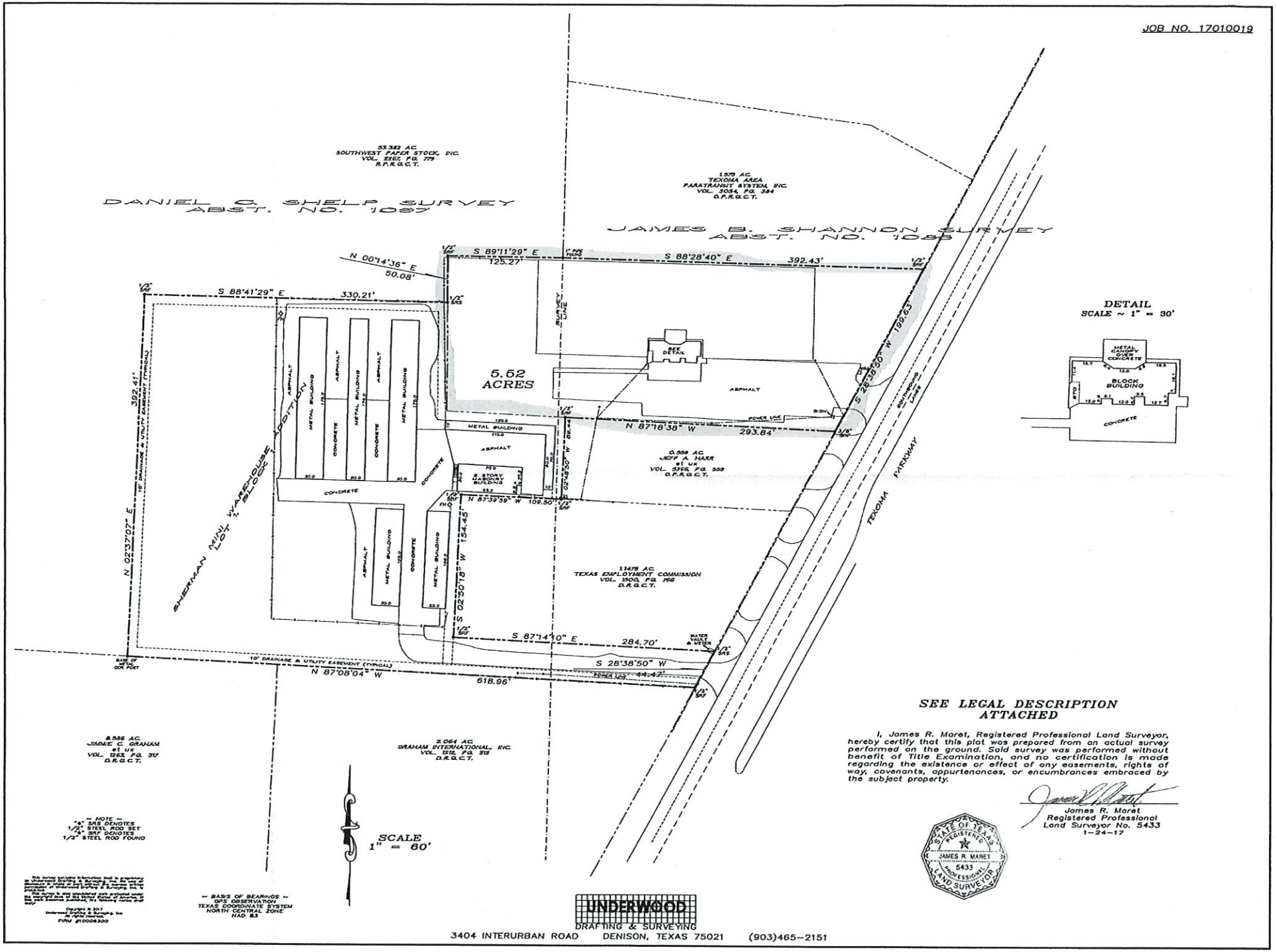
Additionally, I would like to provide further details about my operation and clarify what I envision for this location. I specialize in selling a quality product at a reasonable price, which will typically serve an underserved market. My average purchase price is in the $8-10K range. In addition, I have established relationships with lenders. These relationships allow my business to assist with placing the financing at reputable lending institutions, if necessary, and avoid the stigma of being a "Note Lot". In general, I would keep around 20 - 30 cars in inventory. This inventory is typically in marketable condition upon arrival to the lot. At our Durant location, on an average month, I sell approximately 10 – 15 vehicles. Given the predictable variables, I anticipate the Sherman location will match or exceed these numbers.

Based on the aforementioned information, the assumption is this location will benefit the City of Sherman, Sherman's citizens, and be a lucrative venture for myself. I look forward to meeting with the Board and furthering this conversation at your convenience. I appreciate the consideration for this request.

Respectfully,

Ronald Davis
Davis Motor Company - Owner

JOB NO. 17010019



DETAIL
SCALE ~ 1" = 30'

SEE LEGAL DESCRIPTION ATTACHED

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James R. Maret
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1 of 1
5922 Texoma Parkway
CUSTOMER PARKING SPACES - 6
INVENTORY PARKING SPACES - 29
Texoma Pkwy
91
Google










ELITE STORAGE
OF SHERMAN
(903) 868-1868
5620
5920


SERVICE
OFFICE

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

June 15, 2021

Patterson Investment Properties LP
1106 Rolling Wood Hills Dr.
Durant, OK 74701

Underwood Drafting and Surveying
3404 Interurban Rd.
Denison, TX 75021

Ronald Davis
248 Summit Cir.
Durant, OK 74701

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow Used Automobile Sales in a C-2 (General Commercial) District located at 5922 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-2 (General Commercial) District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.7; Sec. 7(14) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
4. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
5. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts allowed. (*Chapter 8, Section 8.08)*
6. Violation of the ordinance granting a Specific Use Permit, including but not limited to violation of the conditions of any SUP, may result in termination of the Specific Use Permit. *(Chapter 14, Exhibit A, Section 15)*
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

10. Platting of the subject property is recommended.
11. Drive approaches must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,

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

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 9.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

5922 TEXOMA PARKWAY

The request of Patterson Investment Properties, LP (Owner), Ronald Davis, Davis Motor Company (Proposed Tenant) and Underwood Drafting and Surveying (Surveyor) concerning the property at 5922 Texoma Parkway, being 5.52 acres in the J.B. Shannon Survey, Abstract No. 1085, as follows;

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Used Automobile Sales in a C-2 (General Commercial) District.

Background:

The property is located at 5922 Texoma Parkway between FM 691 and Woodlake Road; formerly a putt-putt golf facility. The property is zoned a C-2 (General Commercial) District.

Ronald Davis has owned and operated Davis Motor Company in Durant, Oklahoma for over 10 years and is a second generation owner of a used car dealership. He is requesting a Specific Use Permit to allow used automobile sales for 20-30 cars at 5922 Texoma Parkway.

Adjacent Zoning:

C-2 (General Commercial)

Origination:

Patterson Investment Properties, LP (Owner)
Ronald Davis, Davis Motor Company (Proposed Tenant)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

4

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Site Plan
Photos
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 6.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6399
Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-2 (Multi-Family Residential) District, located at 1229 North Broughton Street, being 0.230 acres in the J.B. McAnair Survey, Abstract No. 763 (Moran Developments LLC, Owner; Luis Moran, Representative; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed $2,000.00

Issue:

To consider the request of Moran Developments LLC (Owner), Luis Moran (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1229 North Broughton Street, being 0.230 acres in the J.B. McAnair Survey, Abstract No. 763 for a zone change approval from an R-1 (One Family Residential) District to an R-2 (Multi-Family Residential) District.

Background:

The property is located at 1229 North Broughton Street, the southeast corner of Broughton and Sycamore Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to change the zoning to an R-2 (Multi-Family Residential) District to construct a four unit townhome on the property. Each until will be approximately 1,000 square foot. The building will be two-stories, two bedrooms per unit and eight (8) parking spaces will be provided.

Origination:

Moran Developments LLC (Owner)
Luis Moran (Representative)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the zone change be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6399
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Survey
Site Plan
Building Elevations
Color Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6399

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 1229 NORTH BROUGHTON STREET, BEING 0.230 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 (MORAN DEVELOPMENTS LLC, OWNER; LUIS MORAN, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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

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

WHEREAS, the City Council finds that it is in the public interest to rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this Ordinance, the property described in **Exhibit A**, attached hereto, located at 1229 North Broughton Street, and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the R-2 (Multi-Family Residential) District, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include such property.

SECTION 2. That this ordinance shall be entered upon the official zoning map as provided in Section 2, Ordinance No. 2280.

SECTION 3. That no person shall acquire any vested interest in this ordinance or in any other specific regulations contained herein. Any portion of this ordinance may be repealed or amended by the City Council in the manner provided for by law.

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 5. That the General Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

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

SECTION 8. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

EFFECTIVE DATE on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

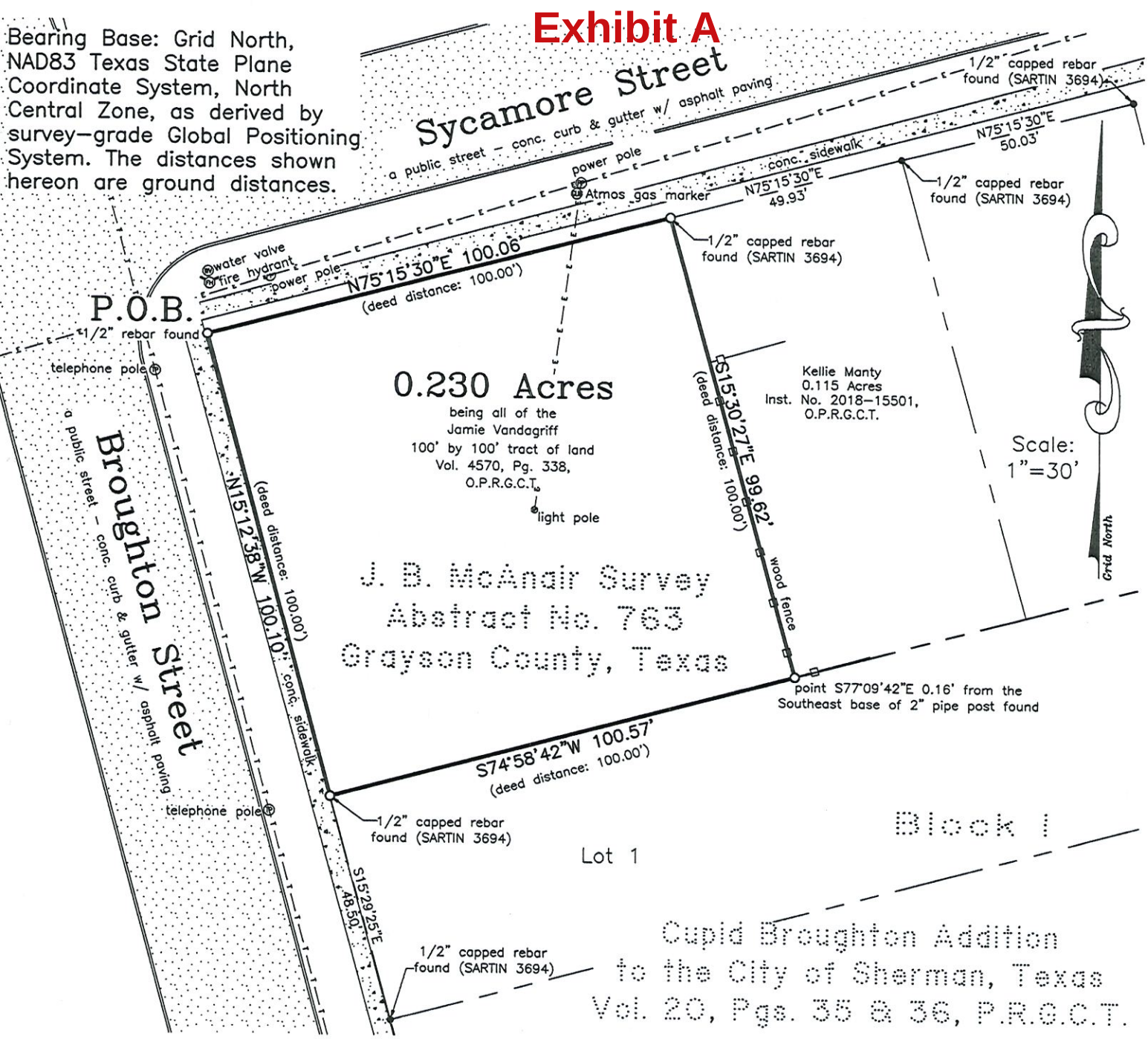
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN PITTMAN, CITY ATTORNEY

Exhibit A



Owner: Jamie Vandagriff
Address: 1229 N. Broughton Street
Sherman, Texas

This survey is for the sole benefit of the transaction by and between: the owner stated hereon and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with the current Texas Society of Professional Surveyors Manual of Practice for a Category 1A, Condition 3, TSPS Land Title Survey and is a true and correct representation of the property shown hereon. Field Notes attached hereto.

The subject property shown hereon does not lie within the limits of any designated 100–year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 F, Revised Date: September 29, 2010.

Note: This survey was done without the benefit of a title commitment.

Exhibit A

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020
Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: kate@helveywagnersurvey.net
Texas Board of Engineers and Land Surveyors Firm Registration No. 10088100
Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578

FIELD NOTES
0.230 Acres

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the J. B. McAnair Survey, Abstract No. 763 and being all of the "called" 100 ft. by 100 ft. tract of land conveyed by Warranty Deed from James Vandagriff, to Jamie Vandagriff, on December 16, 2008, recorded in Volume 4570, Page 338, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch rebar found at the intersection of the South right-of-way line of Sycamore Street with the East right-of-way line of Broughton Street, at the Northwest corner of said Vandagriff tract;

THENCE North 75 deg. 15 min. 30 sec. East, with the South right-of-way line of said Sycamore Street and the North line of said Vandagriff tract, a distance of 100.06 ft. to a 1/2 inch capped rebar found stamped (*SARTIN 3694*) at the Northwest corner of the Kellie Manty 0.115 acre tract of land, recorded in Instrument No. 2018-15501, said Official Public Records and the Northeast corner of said Vandagriff tract, **SAID** rebar being South 75 deg. 15 min. 30 sec. West, 49.93 ft. from a 1/2 inch capped rebar found stamped (*SARTIN 3694*) at the Northeast corner of said Manty 0.115 ac.;

THENCE South 15 deg. 30 min. 27 sec. East, with the East line of said Vandagriff tract and the West line of said Manty 0.115 ac., a distance of 99.62 ft. to a point in the North line of Lot 1, Block 1, Cupid Broughton Addition, to the City of Sherman, Texas, as per plat of record in Volume 20, Pages 35 & 36, Plat Records, Grayson County, Texas, at the Southwest corner of said Manty 0.115 ac. and the Southeast corner of said Vandagriff tract, ***SAID*** point bears South 77 deg. 09 min. 42 sec. East, 0.16 ft. from the Southeast base of a 2 inch pipe post found;

THENCE South 74 deg. 58 min. 42 sec. West, with the South line of said Vandagriff tract and the North line of said Lot 1, a distance of 100.57 ft. to a 1/2 inch capped rebar found stamped (*SARTIN 3694*) in the East right-of-way line of said Broughton Street, at the Northwest corner of said Lot 1 and the Southwest corner of said Vandagriff tract, **SAID** rebar being North 15 deg. 29 min. 25 sec. West, 48.50 ft. from a 1/2 inch capped rebar found stamped (*SARTIN 3694*) at the Southwest corner of said Lot 1;

THENCE North 15 deg. 12 min. 38 sec. West, with the East right-of-way line of said Broughton Street and the West line of said Vandagriff tract, a distance of 100.10 ft. to the **PLACE OF BEGINNING** and containing **0.230 ACRES** of land.



Kate A. Wagner, R.P.L.S. No. 6578
May 4, 2021



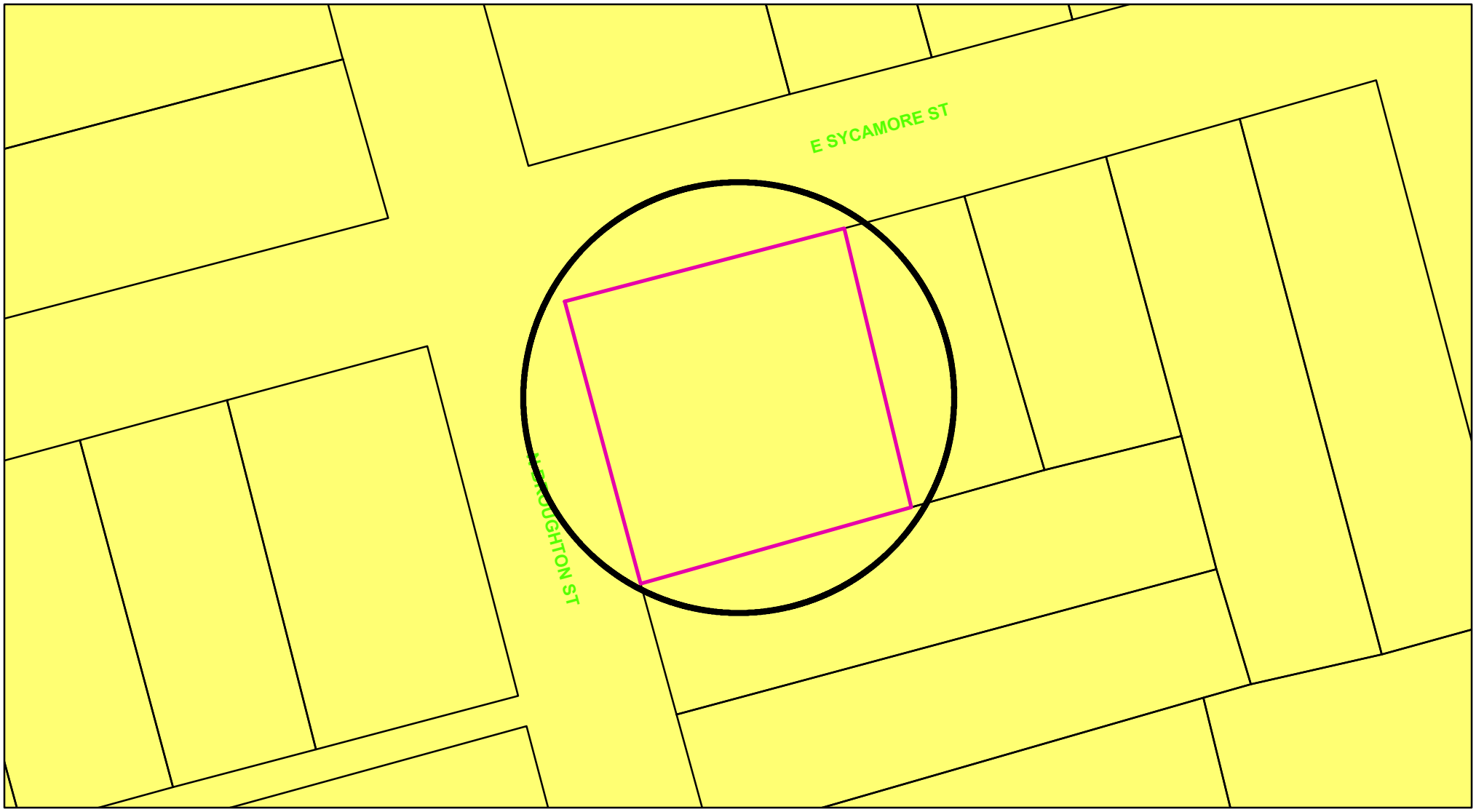
1229 North Broughton Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 200 ft



Zoning - 1229 North Broughton Street

Legend

Special Districts Overlay

DISTRICT_NAME

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

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

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

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

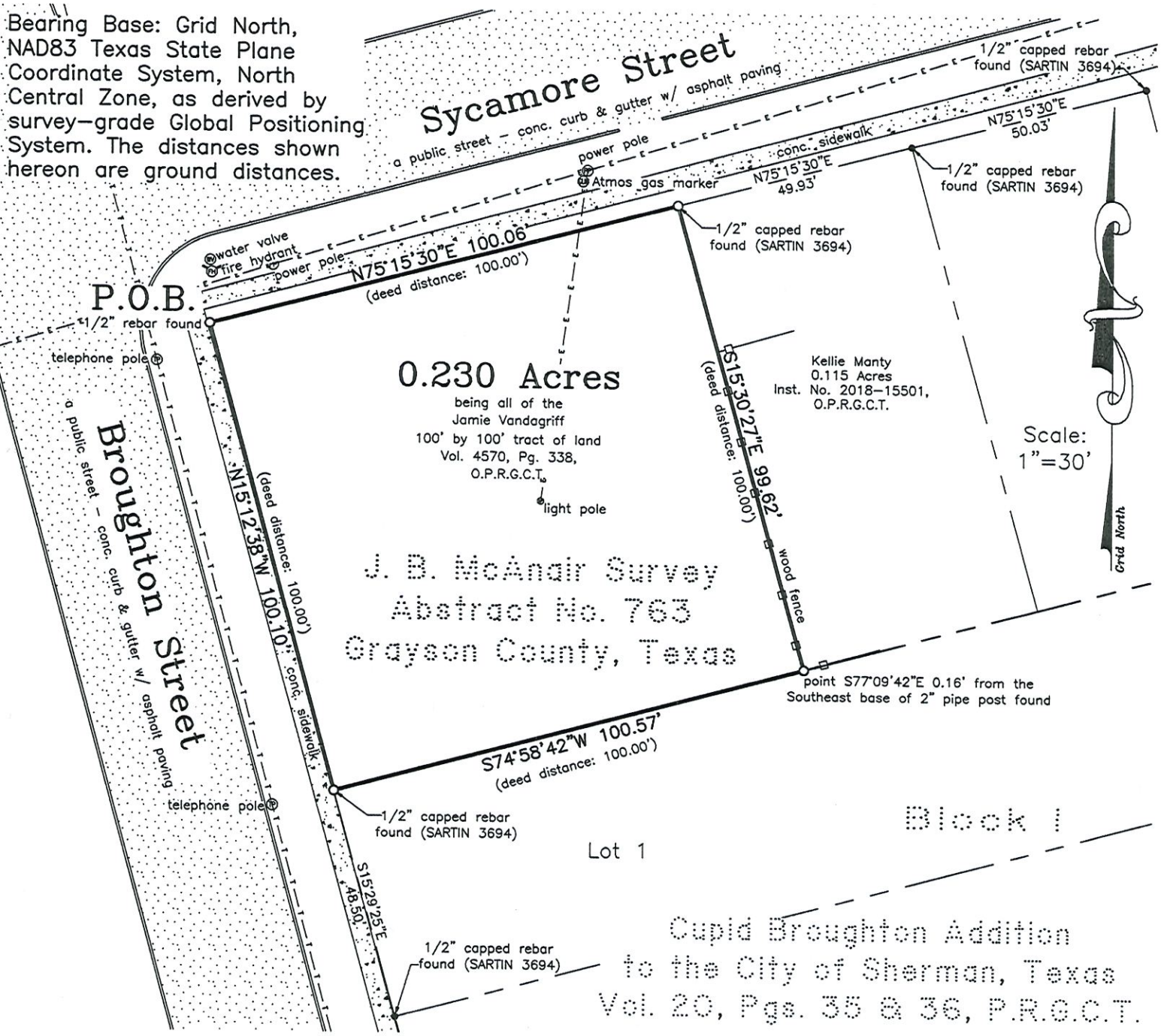
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 50 ft

1229 North Broughton Street





Owner: Jamie Vandagriff
Address: 1229 N. Broughton Street
Sherman, Texas

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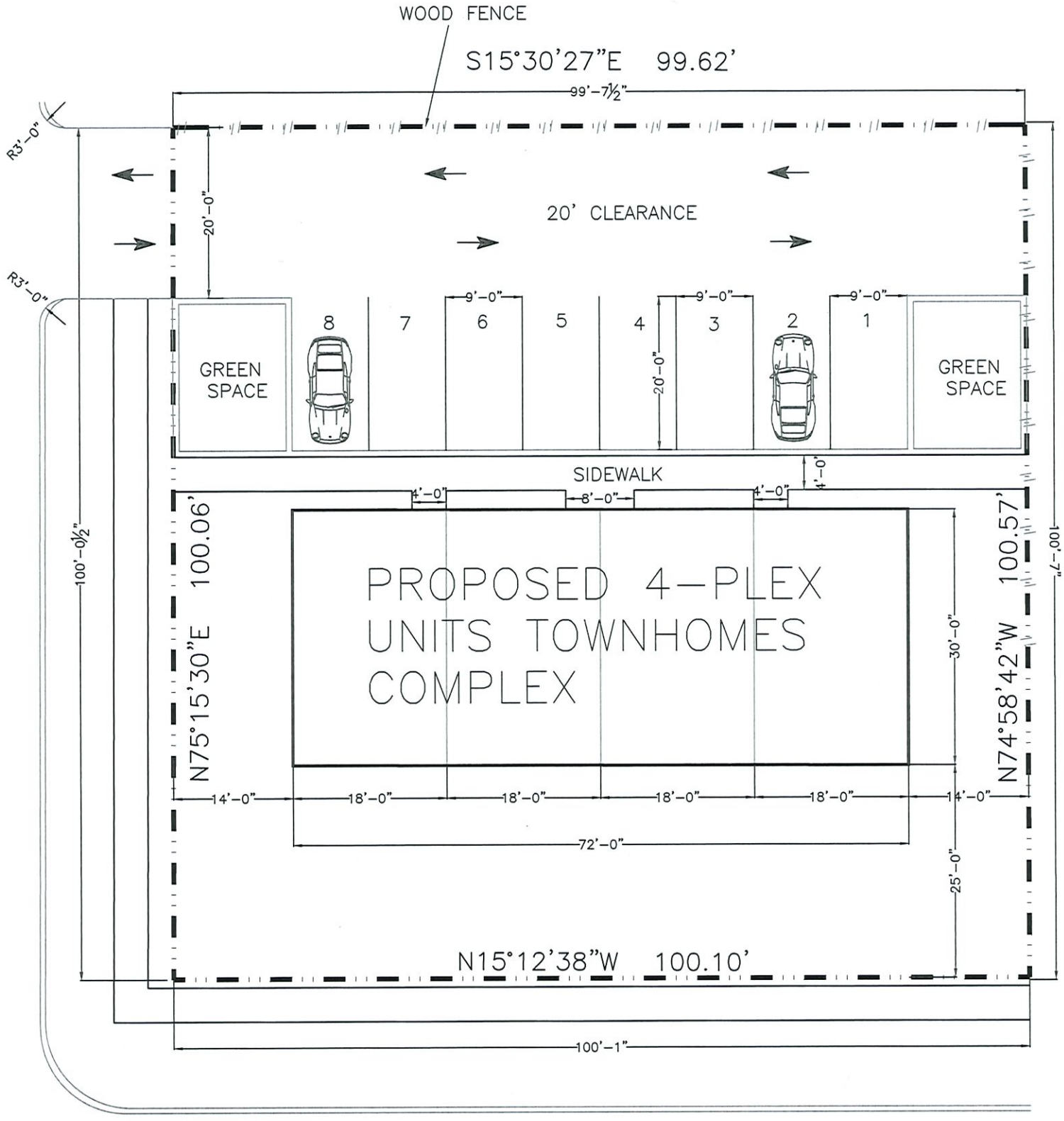
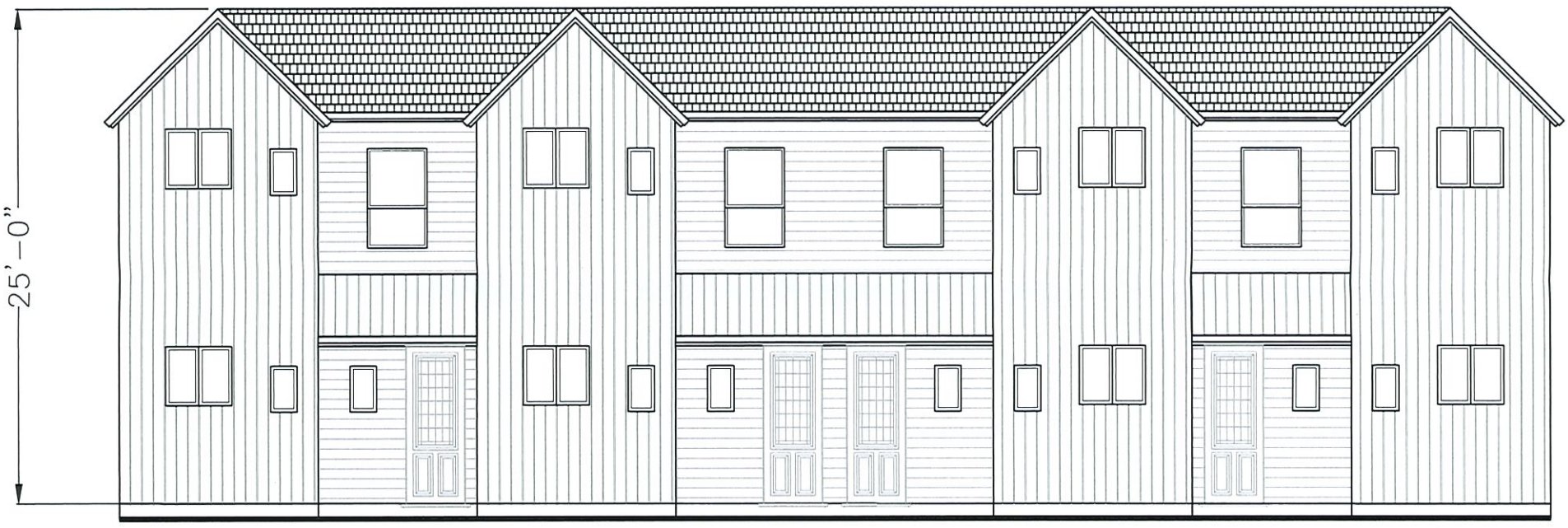
Kate A. Wagner, R.P.L.S. No. 6578
May 4, 2021

SCALE: 3/4" = 1–0'

DESCRIPTION	SQ. FT./DESCRIP.
GROSS SQFT OF STRUCTURE	4320
GROSS SQFT OF PROPERTY	9900
REQUIRED PARKING	8
PARKING PROVIDED	10
CURRENT ZONING	COMMERCIAL
PROPOSED ZONING	R1
HARD SURFACE AREA	3400
LANDSCAPED AREA	6500



	PROJECT NAME: THE FARM	DRAWINGS TITLE: PROPOSED PLOT PLAN	SCALE: 3/4" = 1'–0"
		ADDRESS: 1229 N BROUGHTON ST	SHEET SIZE: 11X17



FRONT ELEVATION

SCALE: 1 – 1/2" = 1'–0"

	PROJECT NAME: THE FARM	DRAWINGS TITLE: PROPOSED FRONT ELEVATION	SCALE: 1 1/2"=1'–0"
	DATE: MAY, 27TH 2021	ADDRESS: 1229 N BROUGHTON ST	SHEET SIZE: 11X17



Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

June 15, 2021

Moran Developments LLC
910 S. Travis St.
Sherman, TX 75090

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

Luis Moran
910 S. Travis St.
Sherman, TX 75090

Dear Applicants,

The request for a zone change and site plan approval for a Multi-Family Complex from an R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District located at 1229 North Broughton Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-2 (Multi-Family Residential) District, the Fence Ordinance, the Sign Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7 (13) & (14), Subsection 10(b))*
4. A minimum 6' perimeter fence shall be provided to surround the development unless an exception is granted. *(Chapter 14, Exhibit A, Section 7, Subsection 13(d))*
5. No building shall exceed 45 feet in height unless an exception is granted. *(Chapter 14, Exhibit A, Section 6.4)*
6. Parking is permitted on paved surfaces only (concrete and asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
7. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20'. *(Chapter 14, Exhibit A, Section 6.4 & Section 7, Subsection 10(b))*
8. An exception would need to be granted for the freestanding sign; only wall signs are allowed in an R-2 (Multi-Family Residential) District. *Chapter 14, Exhibit A, Section 7 (14)(h))*
9. Any structures built over any of the easements on the property will require approval from the City Council for an encroachment easement.
10. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
11. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning

Commission.

Engineering:

12. Platting of the property is required.
13. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. (*Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.)*
14. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. (*Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I))*
15. Sanitary Sewer main must be extended in accordance with City criteria to serve proposed Lot. Sewer capacity shall be verified for proposed use. (*Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H))*
16. Sanitary sewer easement from off-site property required.
17. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. (*Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154)*
18. The location of the trash receptors must be approved by the Public Works Department.
19. Avigation Easement to be obtained during platting process. (*Code of Ordinances Chapter 14, Article 14.02)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,

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

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 31.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

1229 NORTH BROUGHTON STREET

The request of Moran Developments LLC (Owner), Luis Moran (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1229 North Broughton Street, being 0.230 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Planning and Zoning Commission

Zone change and site plan approval for a Multi-Family Complex under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District.

Background:

The property is located at 1229 North Broughton Street, the southeast corner of Broughton and Sycamore Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to change the zoning to an R-2 (Multi-Family Residential) District to construct a four-plex on the property. The building will be two-stories, two bedrooms per unit. Ten (10) parking spaces will be provided.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Moran Developments LLC (Owner)
Luis Moran (Representative)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

29

Objections Received:

0

Development Review Meeting:

No

Attachments

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

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 7.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6400

Amending Section 6.12, and Section 12, Ordinance No. 2280, so as to Rezone Property Generally Located in the 100-1200 Blocks of West Shepherd Drive, being Approximately 531.87 acres in the Friar McNeely Survey, Abstract No. 826, the Benjamin Lindsay Survey, Abstract No. 733 and the M. Hunt Survey, Abstract No. 603, as a Planned Development District Subject to this Ordinance and Ordinance No. 2280 (Yongshik Kim, Owner; Spiars Engineering, Civil Engineer; Lauren Helmberger, Representative; and J.E. Smith, Surveyor); Providing that the Property is Rezoned and Placed in the Zoning Classification of Planned Development; Describing the Property to be Rezoned; Providing a Penalty not to Exceed $2,000.00

Issue:

To consider the request of Yongshik Kim (Owner), Spiars Engineering (Civil Engineer) Lauren Helmberger (Representative) and J.E. Smith (Surveyor) concerning the properties located in the 100-1200 Blocks West Shepherd Drive, being 531.87 acres in the Friar McNeely Survey, Abstract No. 826, the Benjamin Lindsay Survey, Abstract No. 733 and the M. Hunt Survey, Abstract No. 603 for the Shepherd Place Planned Development.

Background:

The property is located in the 100-1200 blocks of West Shepherd Drive; the southwest corner of Shepherd Drive and U.S. Highway 75. The property is zoned an R-1 (One-Family Residential) District.

The applicants are requesting a Planned Development (PD) and site plan approval for Shepherd Place Planned Development. The "Shepherd's Place Development is a master planned commercial and residential development and community of approximately 532 acres...The Multi-Use Development offers a variety of residential, mixed use, and commercial offerings which are complimented with land areas for parks, waterways, and open space amenities."

In accordance with City practice and policy, this PD application was reviewed by the City's consultants Halff Associates and by City staff. This agenda item reflects the work of all parties to present an application that is consistent with City ordianances and desirable development standards for a mixed-use type of development. As reflected in the PD application, about 60% of this project would be residential, about 20% is commercial/retail, with the remaining area being reserved for open space and infrastructure.

Origination:

Yongshik Kim (Owner)
Spiars Engineering (Civil Engineer)
Lauren Helmberger (Representative)
J.E. Smith (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Commission voted 7/0 to recommend to the City Council that the Planned Development be approved subject to the Staff Review Letter and the recommendations/comments from Halff Associates.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6400
Exhibit 1 - Legal Description
Exhibit 2 - Development Standards
Exhibit 3 - Zoning Exhibit
Location Map
Zoning Map
Zoning Sign Photo
Survey
Staff Review Letter
P&Z Communication
Development Plan
Comments from Halff Associates, Inc.

ORDINANCE NO. 6400

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 6.12 SUBSECTION (5)(A), AND SECTION 12, ORDINANCE NO. 2280, SO AS TO REZONE PROPERTY GENERALLY LOCATED IN THE 100-1200 BLOCKS OF WEST SHEPHERD DRIVE, BEING APPROXIMATELY 531.87 ACRES IN THE FRIAR MCNEELY SURVEY, ABSTRACT NO. 826, THE BENJAMIN LINDSAY SURVEY, ABSTRACT NO. 733 AND THE M. HUNT SURVEY, ABSTRACT NO. 603, AS A PLANNED DEVELOPMENT DISTRICT SUBJECT TO THIS ORDINANCE AND ORDINANCE NO. 2280 (YONGSHIK KIM, OWNER; SPIARS ENGINEERING, CIVIL ENGINEER; LAUREN HELMBERGER, REPRESENTATIVE; AND J.E. SMITH, SURVEYOR); PROVIDING THAT THE PROPERTY IS REZONED AND PLACED IN THE ZONING CLASSIFICATION OF PLANNED DEVELOPMENT; DESCRIBING THE PROPERTY TO BE REZONED; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

WHEREAS, the City Council finds that it is in the public interest to rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this Ordinance, the property described in **Exhibit 1 – Legal Description**, attached hereto (the "Property"), generally located in the 100-1200 Blocks of West Shepherd Drive, and all streets, roads and alleyways contiguous and/or adjacent thereto, is hereby rezoned and placed in the Planned Development District, and that Section 6.12, Subsection (5)(A), and Section 12 of Ordinance No. 2280 is hereby amended so as to hereafter include such property.

The development plans, standards and uses of the Property shall conform to and comply with the standards, rules and regulations for development and use of land within the Planned Development District zoning classification. The Property shall be developed in compliance with the additional requirements as set forth and/or depicted herein and in the following exhibits, each of which are attached hereto and incorporated herein by reference for all purposes:

- Exhibit 2 – Development Standards; and
- Exhibit 3 – Zoning Exhibit (Conceptual Plan).

The Property shall be developed in compliance with the standards set forth herein, in Exhibit 2 and Exhibit 3 and all other ordinances, rules and regulations of Sherman, as they currently exist, may be amended or in the future arising. To the extent that any of the exhibits attached hereto are in conflict with the provisions of this Ordinance or one another, the provisions of this Ordinance, then the provisions of Exhibit 2 and Exhibit 3 shall prevail in that order.

SECTION 2. That this Ordinance hereby mandates the following additional requirements:

Zoning:

1. All aspects of the City's General Zoning Ordinance No. 2280, as amended, including but not limited to regulations applicable to the Planned Development Ordinance must be followed. *(Chapter 14, Exhibit A, Section 6.12)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
3. A detailed site plan shall be submitted for approval within two (2) years from the approval of the Conceptual Plan for a minimum of 20 percent of the project area. If a Detailed Site Plan is not submitted within two (2) years or no progress toward completion of the project is made in a five-year period, then the previous approval of the Concept Plan and the Development Plan shall expire. Upon expiration, the land within the boundaries of the PD shall automatically revert to the zoning district in place prior to approval of the PD district. The City Council may elect to extend approval periods of a PD with justification as to why the plans should remain in place. *(Chapter 14, Exhibit A, Section 6.12, Subsection 10)*

Engineering:

4. Platting of the subject property is required.
5. Dedication in fee simple of right-of-way will along Shepherd Drive will be required to reflect the City's thoroughfare plan upon platting of the subject property. Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)
6. All requirements of the Floodplain Ordinance shall be followed. Code of Ordinances Chapter 3, Article 3.12
7. Water main must be extended in accordance with City criteria to serve subject property. Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H).
8. City sewer does not serve subject property. On-site sewage facility or extension of sewer main by developer is required. Sewer capacity shall be verified for proposed use. Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H).
9. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.
10. Proposed street names must be approved by the City of Sherman Development Services Department. Code of Ordinances *Chapter 10, Exhibit A, Sec. 12(B)(1)(h)*
11. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department

for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*

12. Verify fire requirements and code compliance with Fire Marshal. Code of Ordinances Chapter 3(c)
13. Three Party Agreement required for Public Infrastructures.
14. Entrances/Exits off of Hwy. 75 Service Road will be Right-in, Right-out only.
15. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154
16. Single family residential lots or townhomes shall not have driveway connections to Minor or Major Arterials.
17. Commercial connections shall be limited and lots will be required to have mutual access easements for connectivity to Minor and Major Arterials.
18. If 12' minimum front setback for Single Family is approved, then driveway and garage access must be from a rear alley for any residential classification that has less than a 20' front setback. Otherwise, someone parking in the front driveway will overhang and block the sidewalk for pedestrian mobility.
19. In Non-residential standards, they state the building setbacks will be shown on a recorded plat. Setbacks should be shown on approved site plan in lieu of being shown on plat.
20. Minimum monument sign setback should not be 5' since we usually have AT LEAST a 10' Utility Easements. Sign setback should be minimum 10'.
21. No signage of any type shall encroach into any dedicated public easement.

SECTION 3. That this Ordinance shall be entered upon the official zoning map as provided in Section 2, Ordinance No. 2280.

SECTION 4. That no person shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this ordinance may be repealed or amended by the City Council in the manner provided for by law.

SECTION 5. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 6. That the General Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 7. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 8. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 9. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

EFFECTIVE DATE on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____

NAME: _____
CITY ATTORNEY

EXHIBIT 1

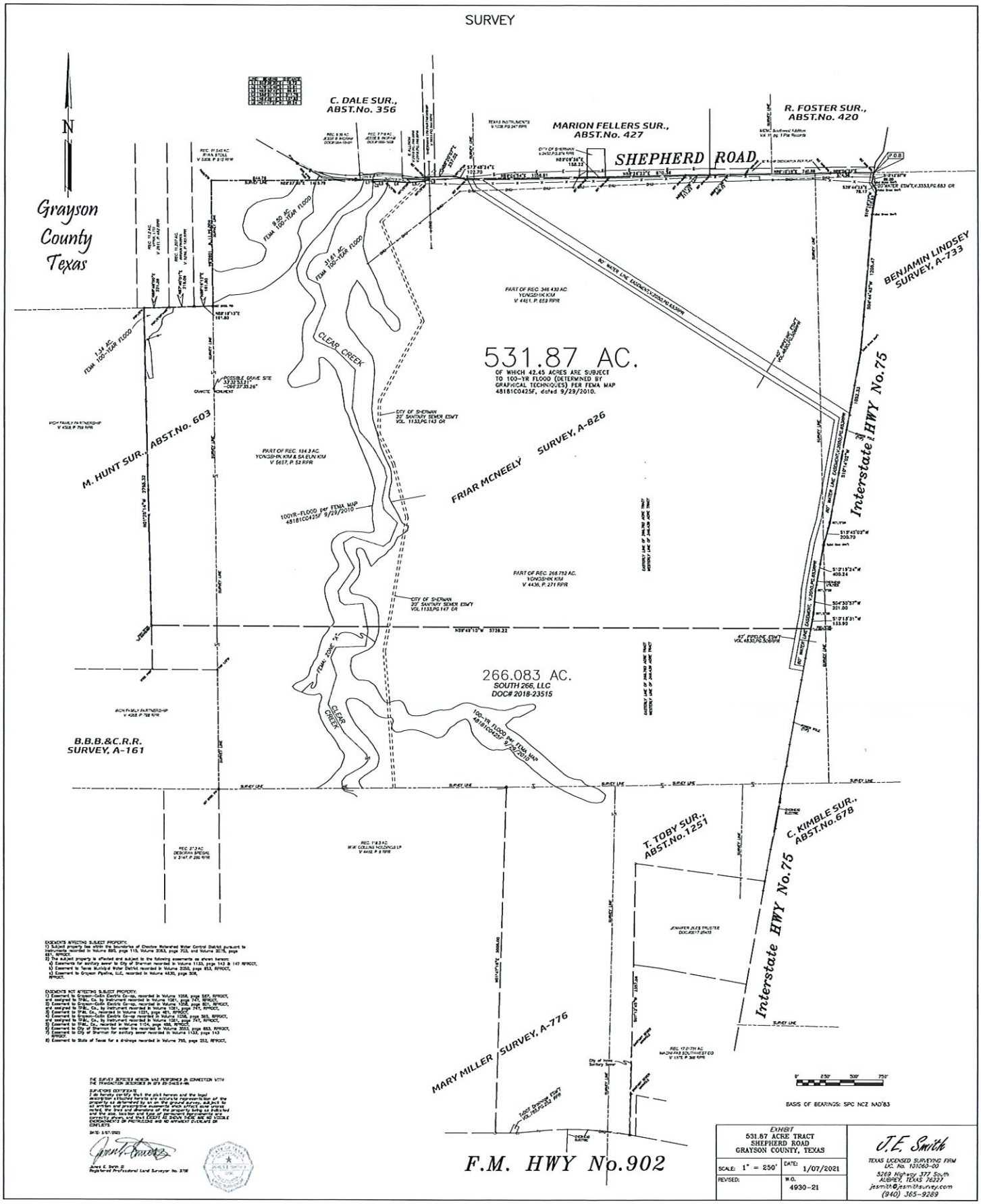

SURVEY
N
Grayson County Texas
C. DALE SUR., ABST.No. 356
MARION FELLERS SUR., ABST.No. 427
R. FOSTER SUR., ABST.No. 420
SHEPHERD ROAD
BENJAMIN LINDSEY SURVEY, A-733
531.87 AC.
OF WHICH 42.45 ACRES ARE SUBJECT TO 100-YR FLOOD (DETERMINED BY GRAPHICAL TECHNIQUES) PER FEMA MAP 48181C0425F, dated 9/29/2010.
CLEAR CREEK
FRIAR MCNEELY SURVEY, A-826
M. HUNT SUR., ABST.No. 603
Interstate HWY No.75
266.083 AC.
SOUTH 266, LLC
DOC# 2018-23515
B.B.B.&C.R.R. SURVEY, A-161
T. TOBY SUR., ABST.No.1251
C. KIMBLE SUR., ABST.No.678
MARY MILLER SURVEY, A-776
F.M. HWY No.902
BASIS OF BEARINGS: SPC NCZ NAD'83
EXHIBIT
531.67 ACRE TRACT
SHEPHERD ROAD
GRAYSON COUNTY, TEXAS
SCALE: 1" = 250'
DATE: 1/07/2021
REVISED:
W.O. 4930-21
J.E. Smith
TEXAS LICENSED SURVEYING FIRM LIC. No. 101060-00
5269 Highway 377 South
ALBANY, TEXAS 76227
jesmith@jesmithsurvey.com
(940) 365-9289

EXHIBIT 1

J.E. SMITH
TEXAS LICENSED SURVEY FIRM No. 101060-00
5269 U.S. HWY 377 South, Aubrey, Texas 76227
jesmith@jesmithsurvey.com
(940) 365-9289

531.87 ACRE TRACT **W.O. 4930-21**

All that certain tract or parcel of land lying and being situated in Grayson County, Texas, a part of the FRIAR McNEELY SURVEY, ABSTRACT NO. 826, the M. HUNT SURVEY, ABSTRACT NO. 603. and the BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733, said tract or parcel of land being comprised of the following:

1) **Part of a tract said to contain 184.3 acres as described in a Deed to Yongshik Kim and Sae Un Kim recorded in Volume 5657, page 52 of the Real Property Records of Grayson County,**
2) **Part of a tract said to contain 266.782 acres as described in a Deed to Yongshik Kim recorded in Volume 4436, page 271 of the Real Property Records of Grayson County, and**
3) **Part of a tract said to contain 346.439 acres as described in a Deed to Yongshik Kim recorded in Volume 4461, page 659 of the Real Property Records of Grayson County, Texas,**

Said tract or parcel of land is herein described as follows; to wit:
BEGINNING at a PK Nail set in Shepherd Road on the west right-of-way line of Interstate Highway No. 75 for the northeast corner of said 346.439 acre tract and the northeast corner of the premises herein described;
THENCE with the west right-of-way line of said Interstate Highway No. 75, south 10 degrees 12 minutes 37 seconds west 89.00 feet to a TxDot concrete monument with brass cap,
2) South 29 degrees 44 minutes 23 seconds east 78.17 feet to a TxDot concrete monument with brass cap,
3) South 10 degrees 16 minutes 37 seconds west 210.63 feet to a TxDot concrete monument with brass cap,
4) South 04 degrees 44 minutes 43 seconds west 1205.47 feet to a TxDot concrete monument with brass cap,
5) South 10 degrees 14 minutes 02 seconds west 1502.33 feet to an one-half inch iron rod set with cap marked "J.E. SMITH 3700",
6) South 15 degrees 45 minutes 02 seconds west 200.70 feet to a TxDot Concrete monument with brass cap,

EXHIBIT 1

7) South 10 degrees 19 minutes 24 seconds west 400.24 feet to an one-half inch capped iron rod set,
8) South 04 degrees 30 minutes 57 seconds west 201.00 feet to an one-half inch capped iron rod set, and
9) South 10 degrees 13 minutes 31 seconds west 133.90 feet to an one-half inch capped iron rod found at the northeast corner of a 266.083 acre tract described in a deed to SOUTH 266, LLC, recorded under Clerk's File No. 2018-23515, said corner being the southeast corner hereof;
THENCE leaving the west right-of-way line of Interstate Highway No. 75, north 89 degrees 49 minutes 10 seconds west 5739.22 feet to an one-half inch capped iron rod found at the northwest corner of said 266.086 acre tract for the southwest corner hereof, said corner being on the west line of said 184.3 acre tract;
THENCE along the west line of said 184.3 acre tract, north 01 degree 25 minutes 14 seconds west 2755.32 feet to an one-half inch iron rod found for the most westerly northwest corner of said 184.3 acre tract and the most westerly northwest corner hereof, said corner being on the south line of a tract said to contain 11.2 acres as described in a deed to VPKK, LTD, recorded in Volume 2611, page 482 of the Real Property Records of Grayson County;
THENCE north 88 degree 48 minutes 00 seconds east 221.39 feet to an one-half inch iron rod with cap marked "4468" found at the southwest corner of a tract said to contain 11.207 acres as described in a deed to Brian Parks, recorded in Volume 5294, page 183 of the Real Property Records of Grayson County;
THENCE north 87 degrees 40 minutes 01 second east 216.09 feet to the southwest corner of a tract said to contain 11.545 acres as described in a deed to Ryan Stoll recorded in Volume 5906, page 180 of the Real Property Records of Grayson County;
THENCE north 88 degrees 19 minutes 12 seconds east 161.80 feet to a steel pin set on the occupied northeast corner of the HUNT SURVEY for a re-entrant corner of said 184.3 acre tract, said corner being on the occupied west line of the FRIAR McNEELY SURVEY;
THENCE north 00 degrees 54 minutes 11 seconds west 1090.84 feet to a 3/8 inch iron rod found for the northwest corner of the McNEELY SURVEY and the most northerly northwest corner of said 184.3 acre tract, said corner being a re-entrant corner of the Stoll tract;

THENCE north 89 degrees 37 minutes 30 seconds east at 844.76 feet passing a bois d' arc post and in all the total distance of 1415.79 feet to a point in Cedar Creek for the northeast corner of said 184.3 acre tract, said corner being on the west line of a tract said to contain 0.37 acres as described in a deed to the City of Sherman recorded in Volume 2223, page 429 of the Real Property Records of Grayson County;
THENCE with the creek and along the west line of said 346.436 acre tract, south 03 degrees 36 minutes 20 seconds east 18.73 feet to the southwest corner of said 0.37 acre tract for a corner hereof;
THENCE along the south line of said 0.37 acre tract (same being parallel with, southerly of, and 35 ft. normal distance from the paved surface of Shepherd Road), north 78 degrees 12 minutes 40 seconds east 10.91 feet to a point;
THENCE north 85 degrees 50 minutes 42 seconds east 89.81 feet to an one-half inch capped iron rod set;
THENCE south 86 degrees 31 minutes 17 seconds east 11.78 feet to an one-half inch capped iron rod set for corner;
THENCE north 84 degrees 29 minutes 16 seconds east 137.85 feet to an one-half inch capped iron rod set at the southeast corner of said 0.37 acre tract for a re-entrant corner hereof;
THENCE north 01 degree 17 minutes 27 seconds west 35.24 feet to a Mag-Nail set in the paved surface of Shepherd Road for the northeast corner of said 0.37 acre tract;
THENCE north 88 degrees 20 minutes 07 seconds east passing the southwest corner of a 470.340 acre tract described in a deed to Texas Instruments recorded in Volume 1036, page 247 of the Real Property Records of Grayson County and in all a total distance of 257.02 feet to an one-half inch capped iron rod set at an angle point in the south boundary of same;
THENCE continuing with Shepherd Road, and the south line of said 470.340 acre tract, south 73 degrees 48 minutes 24 seconds east 102.70 feet to a Mag-Nail set for corner;
THENCE continuing with said Road, north 89 degrees 04 minutes 54 seconds east 1058.81 feet to a Mag-Nail set at the southwest corner of a 0.922 acre tract conveyed to the City of Sherman by deed recorded in Volume 2450, page 274 of the Real Property Records of Grayson County;

THENCE north 89 degrees 09 minutes 36 seconds east passing the southeast corner of said 0.922 acre tract and in all a total distance 188.22 feet to a Mag-Nail set at an angle corner hereof;
THENCE continuing with said Road and the south line of said 470.340 acre tract, north 88 degrees 26 minutes 22 seconds east 670.36 feet to a Mag-Nail set for corner, and north 88 degrees 51 minutes 08 seconds east 211.23 feet to a Mag-Nail set for the southwest corner of the MEMC SOUTHWEST ADDITION per the plat thereof recorded in Volume 11, page 1 of the Grayson County Plat Records;
THENCE continuing along the south line of said Addition with said Road, north 88 degrees 51 minutes 36 seconds east 308.72 feet to a Mag-Nail set;
THENCE North 89 degrees 10 minutes 19 seconds east 740.88 feet to a Mag-Nal set;
THENCE North 89 degrees 04 minutes 33 seconds east 374.36 feet to the Place of BEGINNING and containing 531.87 acres of land.

Shepherd's Place

Sherman, Texas

Development Plan

Fairview Farm Land Company

Contents

Development Plan
Attachment A .....Architectural Standards – Commercial, Office, Medical
Attachment B .....Architectural Standards – Retail, Entertainment, Restaurant
Attachment C .....Architectural Standards – Flex Residential and Multifamily
Attachment D.....Architectural Standards – Single Family Residential
Attachment E .....Landscape Standards

Exhibit A .....Conceptual Plan
Exhibit B .....Open Space Guidelines Plan
Exhibit C .....Transportation Master Plan
Exhibit D .....Local Street
Exhibit E.1 and E.2.....Residential Collector
Exhibit E.3.....Commercial Collector
Exhibit F.1 and F.2.....Minor Arterial and Major Arterial
Exhibit G .....Site Summary Table

Shepherd's Place
Sherman, Texas

DEVELOPMENT PLAN

Shepherd's Place Development is a master planned commercial and residential development and community of approximately 532 acres located in Sherman, Texas (the "Development"). The Multi-Use Development offers a variety of residential, mixed use, and commercial offerings which are complimented with land areas for parks, waterways, and OPEN SPACE amenities. The Use and Development Standards herein set forth standards which encourage development with a compatible mix of uses along with well designed vehicular and pedestrian access and links, and building layout. Natural site features provide a development canvas for interesting and unique opportunities.

A. DEVELOPMENT OBJECTIVES

1. The objectives establishing the Shepherd's Place Development Plan (DP) are as follows:
   a. Ensure compatibility of new construction with the existing scale and characteristics of surrounding properties.
   b. Protect and enhance specific land features which have characteristics distinct from lands and structures outside this DP.
   c. Provide within Shepherd's Place a combination of land uses arranged and designed in accordance with sound site planning principles and development techniques; and in such a manner as to be properly related to each other, the immediate surrounding area, the planned mobility system, and other public facilities, such as water and sewer systems, parks, and utilities.

B. REGULATIONS

1. Unless expressly stated or identified within this Ordinance, the regulations, requirements, standards and other provisions of the City of Sherman's Zoning Ordinance, as it exists or may be amended and any successor ordinance thereto (the "Zoning Ordinance"), shall apply to the development and use of the Property. If there is a conflict between the provisions of this Ordinance and those of the Zoning Ordinance, this Ordinance controls.

2. Architectural, Landscape Design, and Development Standards are established to effectuate the purpose of the DP. The City rules and regulations applicable to the development of property in the DP are applicable, except as otherwise provided by this DP and further restricted or excepted herein.

3. The DP may be developed in phases. If the common features and amenities for future phases, including but not limited to roadways, OPEN SPACES, landscaping and/or recreational facilities are not yet constructed; a phasing plan may be considered as a component of the final plat. If provided, a phasing plan shall contain a graphic and narrative document that indicates the sequence of construction, provides a description of the phasing order and includes infrastructure requirements for each phase, as amended from time to time with approval of the DIRECTOR.

C. DEFINITIONS

Words shown throughout this Development Plan (DP) document in all UPPER CASE LETTERS are defined in this Section.

1. **AMENITY CENTER:** A facility used by and for the benefit of the members of an HOA, Common Ownership Entity, or Multifamily complex. AMENITY CENTERS may include indoor and outdoor components and facilities including, but not limited to; pools, gym/fitness center, game rooms, offices, meeting rooms, and lounges.
2. **AGE RESTRICTED MULTI-FAMILY:** Multi-Family development whose residents are restricted to those age 51 and over.
3. **BIG HOUSE:** A type of residential development where 10 or fewer dwelling units are located in a single building which is intended to resemble a single large house. The dwelling units can be vertically or horizontally integrated. Dwelling units developed as a BIG HOUSE use will count towards the total number of multi-family dwelling units and not toward the total number of single-family dwelling units allowed in Shepherd's Place.
4. **CONTINUING CARE RETIREMENT CENTER:** A facility that integrates multiple senior living options into 1 facility which may include skilled nursing, assisted living, dementia care, as well as independent living. This use is not considered a multi-family dwelling unit. (Ordinance No. 2007-110).
5. **CONVENTION CENTER:** A facility used in connection with a convention or meeting center, or similar facility, including auditoriums, exhibition halls, facilities for food preparation and service, parking facilities, administrative offices and ancillary development such as a hotel.
6. **COTTAGE STYLE HOME:** One or two story residential home, with one, two, or three bedrooms in a residence. Buildings are separated by landscaping or a sidewalk. Size from 625 sq. ft. to 1,650 sq. ft. Enclosed homes share landscaping, OPEN SPACE, and parking area.
7. **DENSITY:** Where DENSITY is stated on a units/acre or building area compared to land area, the land area is net of any detention area, flood plain, future R.O.W., or trail system.
8. **DEVELOPMENT AREA:** Areas of the DP generally grouped by type of use, as depicted on Exhibit A – Conceptual Plan.
9. **DIRECTOR:** The DIRECTOR of Development Services for the CITY or his/her designee or the City Manager if such position is vacant, no longer exists, or is terminated by the CITY.
10. **GARDEN-STYLE HOME:** A single-family dwelling on a separate lot with building setbacks only on 3 sides commonly developed in a cluster formation. This development type is also known as Zero lot line homes or Patio Homes.
11. **KIOSK:** A small freestanding enclosure (with or without a solid roof) where goods, food, or services are sold. KIOSK may be up to 600 sq. ft.
12. **MICROBREWERY:** A combination retail, wholesale, and/or manufacturing business that brews and serves beer and/or food.
13. **OPEN SPACE:** OPEN SPACE includes all surface areas of the project that are not covered with enclosed buildings, parking and drive areas. Landscaped areas, Pedestrian plazas, sidewalks (covered or uncovered) pools, trails, and playgrounds count as OPEN SPACE. In addition, areas such as easements or rights-of-way, that may be owned or controlled by a governmental agency, but that are being maintained privately, will count towards the OPEN SPACE and landscape area requirements.
14. **PLAZA OR PUBLIC AREA SPACE:** An area identified on an approved Site Plan which is designated for public or civic use. This area can be part of a private development or included within a park.
15. **PRIVATE CLUB:** An establishment providing social and/or dining facilities which may provide alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of the applicable regulations in the Texas Alcoholic Beverage Code, that pertains to the operation of PRIVATE CLUBS.

16. **QUICK VEHICLE SERVICE:** An automobile service center offering oil change, tune up, tires, brakes, and other minor auto services. Body work is not included.
17. **STORMWATER CONTROL AND/OR DETENTION AREAS:** Facilities dedicated to the collection, or transportation of stormwater runoff.
18. **STORM WATER QUALITY AREAS:** Facilities for the collection and treatment of storm water runoff.
19. **SUBZONE**: A contiguous area generally greater than 5% and less than 50% of the DEVELOPMENT AREA, located within a DEVELOPMENT AREA that may include a common building type or theme. The location of a SUBZONE may be indicated on a detailed site plan
20. **TOWNHOUSE:** A dwelling structure not to exceed 3 stories in height, containing a minimum of 3 and maximum of 8 dwelling units within a building, which is constructed in a series or group of attached unit buildings on 1 lot, meeting fire protection requirements.
21. **TRADE DRESS:** Includes tenant identification signage, materials, entry treatments and Architectural features, if it is part of national identity for the Tenant. TRADE DRESS will include the Tenant's logo and identifying colors. These colors do not have to match the Architectural color palette. TRADE DRESS must fit within the approved façade of the building in which the Tenant will operate. TRADE DRESS elements may extend beyond the façade of the building if attached to the façade. Wall signage may be incorporated into the TRADE DRESS and cannot exceed 25% of the total area of the façade. If the building is a corner building, or a freestanding building, then the Tenant is allowed to have TRADE DRESS on all facades visible to customers.

D. COMPONENTS OF THE DEVELOPMENT PLAN

1. Conceptual Plan (Exhibit A)
   a. Development within Shepherd's Place shall conform to the adopted Concept Plan attached to these regulations. The Concept Plan is intended to be used as the first step in the development process. The Concept Plan establishes the initial plan for general zoning guidelines in the DP by illustrating in graphic form both internal and external streets, thoroughfares, other means of access, OPEN SPACES, natural resources, uses, densities and intensities.

2. Site Plan (Future Individual Parcel Submittal)
   a. Site Plans are intended to demonstrate and confirm that each phase of development moving towards construction complies with all of the design requirements of this Ordinance and the applicable portions of the Sherman Code of Ordinances. Site Plans shall conform to the Concept Plan. The following requirements shall apply for non-residential developments (including multifamily):
      1) The DP may be developed in multiple phases. If the DP is developed in phases, a site plan shall be approved for each phase. However, this section does not preclude the approval of an overall Site Plan for the entire DP, or a substantial portion of the DP, at the option of the Property Owner.
      2) Site Plans shall be approved by the Planning and Zoning Commission.
      3) Complete site plans shall confirm the zoning details previously approved in the Concept Plan as well as provide additional design and architectural standard details by illustrating in a graphic form with both site plans and concept building elevations.
      4) The Site Plan provides for the design and arrangement of driveways and parking spaces in accordance with the applicable requirements.
      5) The site plan provides for or confirms that there are adequate utilities, drainage and supporting infrastructure or it shall be provided in accordance with the applicable requirements.

3. OPEN SPACE Guideline Plan (Exhibit B)
    a. This Plan depicts the general location of park, OPEN SPACE, and pedestrian and trail amenities. These locations and alignments relate to future roadways and possible divisions of land use types, along with probable utility easements or ROW. These locations will be coordinated with a well-planned pedestrian connection system. The waterways and adjacent space are formed in part due the existing topography and drainage patterns.
    b. The exact location of each OPEN SPACE and trail shall be determined at the time of platting, but shall follow the layout identified in the OPEN SPACE Guideline Plan.

4. Transportation Master Plan (Exhibit C)
    a. This Master Plan defines the general location and type of vehicular transportation routes. These locations relate to future streets and roadways being planned and constructed. These roadways are planned to align with other existing adjacent roads per the current City of Sherman Thoroughfare Plan. The goal of the Shepherd's Place DP is to create a transportation network that allows proper mobility within this site along with connectivity to adjacent transportation networks into Sherman.
    b. The exact locations of the access points into the Development from public thoroughfares and the exact layout and design of internal streets within the Development shall be determined at the time of platting, but shall follow the Transportation Master Plan.

5. Land Use Requirements
    a. This DP is divided into DEVELOPMENT AREAS as identified in the Concept Plan. Each DEVELOPMENT AREA is intended to allow for the development of unique and complimentary uses to the other DEVELOPMENT AREAS. The following uses are the allowable (permitted) uses for each DEVELOPMENT AREA. No other uses shall be permitted.

6. Site Requirements
    a. The Site Development Standards section establishes the standards for public realm improvements, street types, widths, amenities and public spaces.

7. Architectural Requirements
    a. The Architectural Standards section governs the commercial, residential, entertainment and OPEN SPACE for architectural elements and appurtenances related to the facade materials, roofs, service areas and other building standards.

E. PERMITTED USES:
The following uses are allowed as a matter of right.

1. <u>Commercial/Retail/Restaurant/Entertainment Area</u>.
    a. Accessory Structure
    b. Agriculture
    c. Amusement Services
    d. Animal Hospital
    e. Assisted Living Facility / Memory Care
    f. Auditorium
    g. Auto Repair
    h. Auto Service Station / Gas Station / Convenience Store
    i. Bank / Financial
    j. Bed and Breakfast
    k. Car Wash
    l. Childcare Facility
    m. Church/Place of Worship

n. Cinema
o. Civic Center
p. Community Service
q. Dance Studio
r. Drive-thru Facilities
s. Educational Facilities
t. Entertainment - Indoor and Outdoor
u. Exhibition Hall
v. Food Hall
w. Fitness Center
x. Fraternal Organization, Lodge, Civil Club, or Union
y. Garden Center with Plant Materials and Garden Supplies
z. Hospital
aa. Hotel / Motel
bb. Indoor Recreation
cc. KIOSK
dd. Library
ee. Light Industrial Uses listed in M-1 District in Designated Area Only (indicated on Exhibit A)
ff. Manufacturing Business in Designated Area Only (indicated on Exhibit A)
gg. Market (public)
hh. Medical Office / Service / Surgery Center
ii. MICROBREWERY
jj. Office
kk. Open Professional Services and Offices
ll. Outdoor Recreation
mm. Parks/Playgrounds and OPEN SPACE
nn. Pet Sales, Grooming, Boarding
oo. Post Office
pp. PRIVATE CLUB
qq. Professional Services
rr. Public Garage/Parking Structure
ss. QUICK VEHICLE SERVICING
tt. Restaurant (may sell alcohol if licensed)
uu. Restaurant with Drive-Thru (may sell alcohol if licensed)
vv. Retail Construction Materials Sales
ww. Retail Sales and Services
xx. School
yy. Seasonal Uses
zz. Service Business
aaa. Sports Arena – Indoor and Outdoor
bbb. Storage
ccc. Telemarketing
ddd. Temporary Outdoor Display, Sales, Public Performance
eee. Theaters (enclosed and drive-in – film or live performance)
fff. Utilities (public)
ggg. Veterinarian Clinic
hhh. Wholesale Sales

2. Residential Area.
   a. Accessory Dwelling
   b. Accessory Structures and Garages
   c. Assisted Living Facility / Memory Care
   d. Church/Place of Worship

e. Community Service
f. Dwelling, COTTAGE HOME
g. Dwelling, GARDEN STYLE Home
h. Dwelling, Single Family
i. Dwelling, two, three or four family (duplex, triplex, or fourplex)
j. Educational Facility
k. Outdoor Recreation
l. Park/Playground
m. Post Office
n. School (K through 12)

3. Flex Residential Area.
   a. Accessory Dwelling
   b. Accessory Structures
   c. Assisted Living Facility / Memory Care
   d. Childcare Facility
   e. Church/Place of Worship
   f. Community Service
   g. Continuing Care Retirement Community
   h. Convalescent and Nursing Home
   i. Dwelling, COTTAGE HOME
   j. Dwelling, GARDEN STYLE Home
   k. Dwelling, Multifamily
   l. Dwelling, Single Family
   m. Dwelling, TOWNHOUSES
   n. Dwelling, two, three or four family (duplex, triplex, or fourplex)
   o. Educational Facility
   p. Family Home (BIG HOUSE)
   q. Hotel / Motel
   r. Independent Senior Living Facility
   s. Medical Office / Services / Surgery Center
   t. Outdoor Recreation
   u. Park/Playground
   v. Post Office
   w. School (K through 12)
   x. Storage
   y. Utilities

4. Park and OPEN SPACE Area.
   a. Community Garden
   b. Dog Park
   c. Drainage Area
   d. Greenway
   e. OPEN SPACE
   f. Outdoor Performance or Amphitheater
   g. Outdoor Recreation
   h. Pedestrian Trails
   i. Park/Playground
   j. Public Corridor
   k. Public Park, State Park, Municipal Park
   l. Public Plaza
   m. Public Streets
   n. Recreational Water Features, Splash Pads, Pools, Fountains

o. Reservation
p. Schoolyards
q. Water Quality Feature
r. Utilities

5. TV/Radio/Satellite Towers may be located in any DEVELOPMENT AREA other than Single Family Residential.

F. SITE DEVELOPMENT STANDARDS

1. Public Streets
   a. This describes proposed roadway design standards associated for the Shepherd's Place DP with each of the functional classifications as related to the City of Sherman Thoroughfare Plan. Roadway design standards are in the City of Sherman's Subdivision Ordinance and include roadway design criteria and cross section elements for Major Thoroughfares (arterial) and Collector and Local streets. While street classification reflects the functions that roadways serve as part of the street network, roadway design standards are related to traffic volume, design capacity, and level of service.
   b. Single family residential lots shall not have driveway connections to arterial or collector streets.
   c. Commercial lots shall be required to have cross access easements for connectivity to adjacent lots.

G. ACCESS, PARKING, AND CIRCULATION REQUIREMENTS

1. Pedestrian Access.
   a. All developments shall provide pedestrian access by linking to any adjacent sidewalk(s), multi-use path(s) or public transportation stop.

2. Vehicular Circulation
   a. Cross Access: Prior to division of property, circulation and access standards shall be applied and, if necessary, cross easements shall be required so that access to all properties created by the subdivision can be made from shared curb cuts or cross access drives.
   b. Minimum Driveway Spacing and Separation – per City Standards.

H. AREA STANDARDS

1. This section establishes basic requirements for uses, building placement, lot widths, height, stories, and overall densities. Area standards for uses permitted with conditions that are not specified in the following sections shall be proposed to the City in a manner that satisfies the requirements of the Zoning Ordinance.

2. For each standard set identified below, the following building height, building setbacks, building area, lot area and special regulations shall apply, provided that Minor Modifications which do not exceed 10% greater or lessor may be approved by the DIRECTOR. For purposes of this Ordinance, a "Minor Modification" is a change to the Development Plan that is determined to meet the goals and intent as set forth in this Ordinance. A Minor Modification may be approved administratively by the DIRECTOR only if, the Minor Modification:
   a. Does not materially change the circulation shown on the Transportation Plan, or
   b. Does not increase the allowable intensity or density of any land use under this Ordinance, or
   c. Does not increase or decrease the number of stories, more than one story, or
   d. Does not otherwise effectively result in an amendment to this Ordinance to an extent beyond the amendments established by this Ordinance.

3. Building heights will be measured from the ground immediately adjacent to the foundation to the eave line of the building. In the event that a permitted use in any standard set does not have a corresponding height or area regulation specified herein, the height and area regulations for such use shall be those for uses most similar to such permitted use.

Residential Standards

a. Multifamily / Apartments / Condominiums
   1) Height: Up to 7 stories.
   2) Maximum lot coverage: 80% total, including main and accessory buildings.
   3) Minimum requirements for lot area, width, and setback from property lines:

Lot Area	10,000 sq. ft. minimum
Front Yard Setback	10’
Minimum Side Yard	20’, 10’ from a street right-of-way line for a corner lot.
	Unless adjacent to a single family, duplex, or patio home/COTTAGE HOME use, then side and rear setbacks shall be 25’ – except if building is over 40’ tall, with 1’ additional for every 2’ of height over 40’, up to 50’ maximum setback.
Minimum Rear Yard	10’
If project is a wrap, podium, or similar more urban style development, the setbacks and building separation may be 0’ on the “interior” lot lines of the project.	

   4) Building separation: minimum 15’.
   5) Minimum floor area:

Efficiency Unit	450 sq. ft. per unit
One-Bedroom Unit	500 sq. ft. per unit
Two or more bedroom unit	800 sq. ft. per unit

   6) Maximum DENSITY 40 units per acre.
   7) BIG HOUSE will fall within the Multifamily designation, and may be 1 or 2 story.

b. TOWNHOUSES
   1) Each unit features at least 1 point of direct exterior access to the structure.
   2) Each unit is separated from the other dwellings in the structure by fire rated common walls.
   3) No units are vertically above or below another unit within the structure.
   4) Each unit features access to a public street or alley.
   5) Maximum DENSITY: 16 units per acre.
   6) Minimum requirements.

Lot Area	No minimum
Lot Width	Minimum 26’
Front Yard	Front entry garage – minimum 20’ Rear entry garage – minimum 10’
Side Yard	0’ for any side abutting another unit 5’ for any side not abutting another unit
Rear Yard	Front entry garage – minimum 10’ Rear entry garage – minimum 20’

   7) Building Separation: 15’

c. PATIO HOMES/COTTAGE STYLE HOMES
   1) Homes are encouraged to be in a variety and range of sizes to encourage a diversity of housing opportunities.
   2) May be served by rear alleys or front-facing garages.
   3) Homes shall be a maximum of 2 floors – with occupied attic space/dormers allowed.
   4) Homes may be a "for sale" or "for rent" product type.
   5) Maximum lot coverage: 65% total, including main and accessory buildings.
   6) Minimum requirements: 30' lot width, 10' front yard, side yard is 0' on one side, and 10' at the other side, unless 5' side yard is provided on both sides.
   7) Maximum density: 12 units/acre.
   8) Recreational vehicles or motor homes may not be used for on-site dwelling purposes.

d. Single Family Detached Homes
   1) Single family homes are encouraged to be in a variety and range of sizes to encourage a diversity of housing opportunities.
   2) Single family homes may be served by rear alleys or front-facing garages.
   3) Single family homes within the Residential Area shall be a maximum of 2 floors – with occupied attic space/dormer or basement allowed.
   4) Single family homes can be a "for sale" or "for rent" product.
   5) Maximum lot coverage: 50% total, including main and accessory buildings.
   6) Minimum requirements for lot width: 40', 50', 60', 70', and 80'.
   7) Minimum setbacks: 12' front (20' at a garage), 10' rear, 5' side.
   8) Maximum density: 4.5 units per acre.
   9) Recreational vehicles or motor homes may not be used for on-site dwelling purposes.

<u>Non-Residential Standards</u>

a. Commercial/Retail/Entertainment/Restaurant
   1) The DEVELOPMENT AREA will consist of various building types – single tenant retail, in-line retail, large box, entertainment, restaurants, commercial, office, medical, and others. Different building uses will have potentially a different building height and design guidelines.
   2) No minimum lot area limitations.
   3) Minimum Building Setbacks.

Front Yard	10' if no parking occurs between the building and R.O.W.
	25' if parking occurs between the building and R.O.W.
Minimum Side Yard	10'
	No minimum side yard is required between internal lots on a development as long as adjacent buildings conform to the City's Building Code.
	Minimum side yard setback adjacent to a single family, duplex, or patio home/COTTAGE HOME use, then side and rear setbacks shall be 25' – except if building is over 40' tall, with 1' additional for every 2' of height over 40', up to 50' maximum setback.
Minimum Rear Yard Setback	10', except adjacent to single family residential, which will be minimum 25'.

   4) Floor to area ratio (F.A.R.): The gross area of all structures, including primary and all accessory structures, shall not exceed an amount four times the area of the lot or tract in which they are located (4:1). Parking garage shall not be counted for the F.A.R. calculation.

Additional Requirements for Specific Uses include:

a. Office
   1) Office use will consist of various campus styles – such as larger corporate office buildings, small multi-tenant office buildings, and flex office buildings intended for sales, assemblage, and manufacturing uses. Different campus styles will have potentially a different building height and design guidelines.
   2) No minimum lot area limitations.
   3) Minimum building setbacks will be established on a recorded plat; provided that if no building setbacks are established on an approved site plan.

Minimum Front Yard	Minimum setback for the main building may vary between 10’ and 25’.
Minimum Side Yard	No minimum side yard setback, unless adjacent to a single family, duplex, or patio home/COTTAGE HOME use, then side and rear setbacks shall be 25’ – except if building is over 40’ tall, with 1’ additional for every 2’ of height over 40’, up to 50’ maximum setback.
	No minimum setback is required as long as adjacent buildings conform to the City’s Building Code.
Minimum Rear Yard	No minimum rear yard setback, except adjacent to single family residential, which will be minimum 25’.

   4) Floor to area ratio (F.A.R.): The gross area of all structures, including primary and all accessory structures, shall not exceed four times the area of the lot or tract in which they are located (4:1). Parking garage shall not be counted for the F.A.R. calculation.

b. Hotel (Full and Limited Services)
   1) Hotel shall be defined as a building with habitable rooms or suites which are reserved for guests who rent the rooms or suites on a daily basis, and with controlled access to the rooms via a lobby or interior hallway.
   2) Limited service hotel shall furnish customary services such as registration/reception, office, linen, maid service, and furniture maintenance.
   3) Full service hotels may provide:
      - Swimming pool.
      - Other recreational facilities, including but not limited to, exercise rooms equipped with exercise equipment, sports courts, spas, or game areas.
      - Full service restaurant.
      - Meeting or conference facilities.
   4) No minimum lot area limitations.
   5) Minimum building setbacks will be established on a recorded plat; provided that if no building setbacks are established on an approved site plan:

Minimum Front Yard Setback	10’
Minimum Side Yard Setback	10’
No Minimum Rear Yard Setback	10’, except adjacent to single family residential, which will be minimum 25’.
Floor to Area Ratio (F.A.R.)	The gross square footage of all structures, including primary and all accessory structures, shall not exceed an amount equal to 4 times the area of the lot or tract in which they are located (4:1).

   6) A porte-cochere or other covered area shall be provided immediately adjacent to the building entrance nearest the registration desk.

4. Height Limit Exceptions
    a. Unless noted in this DP, no specific height limits in the Commercial/Retail/Restaurant/ Entertainment or Multifamily Areas.
    b. For all design categories, architectural embellishments not intended for human occupancy but important to the architectural style of the buildings, including but not limited to spires, towers, cupolas, domes, and roof forms shall not count towards height limitations.
    c. Elevator equipment enclosures, chimneys, fire sprinkler tanks, and other similar constructions may extend above the actual building height, but must be screened from view by a parapet.

I. SITE ELEMENTS

1. Drainage
    a. The drainage improvements shall be designed in accordance with the requirements provided in the Sherman Code of Ordinances and the Drainage Criteria Manual.
    b. Ownership will work with City of Sherman staff to set forth triggering points for phasing of the water and wastewater infrastructure improvements based on analysis, studies or models undertaken to support specific final plat activity.

2. Retaining Walls
    a. All retaining walls are to be built of stone or have a stone fascia and top coping.

3. Water and Wastewater Standards
    a. The City rules and regulations regarding water and wastewater standards shall apply.
    b. Ownership will work with City of Sherman staff to set forth triggering points for phasing of the water and wastewater infrastructure improvements based on analysis, studies or models undertaken to support specific final plat activity.

4. Lighting Performance Requirements
    a. A comprehensive lighting plan shall be utilized for public safety in parking areas, illumination of building areas and pedestrian scale lighting along walkways and foot paths, intersections, and gathering places. All lighting within the DP shall meet the following standards which replace the standards set forth in the Sherman Code of Ordinances.
    b. Areas designated for parking use shall provide a minimum average of 1 foot candle of illumination.
    c. Areas designated for pedestrian use shall provide a minimum average of 0.5 foot candle of illumination.
    d. Light may not measure more than 1/4 foot candle of illumination at property lines where adjacent to residential.
    e. Use of ground mounted or pedestrian level accent lighting is encouraged.
    f. Lights taller than 14’ shall be shielded to prevent upward diffusion (full cut off), wall or ground mounted. Up-lighting or sideward diffused lighting to highlight building features is permitted at 2500 lumens or less per fixture on building elevations.
    g. Lighting to be LED, 4000 degree Kelvin for parking and roadway lighting, 3000 degree Kelvin for pedestrian level accent lighting – 14’ or lower.
    h. Parking lot lighting shall be 30’ poles on 3’ concrete base. Pedestrian level accent lighting shall be 10’ to 14’ tall. Bollards may be 3’ to 4’ tall. Street lighting shall be 35’ tall on 3’ concrete base.
    i. All parking lot poles to be white.

5. Drives and Parking – the following standards shall apply.
   a. All drives and parking shall be paved with concrete, concrete pavers, or brick pavers on concrete base. Curbs shall be reinforced concrete.
   b. Surface parking is required by Shepherd's Place DP and City of Sherman for residential, commercial, office, retail and entertainment land uses. Parking lots with 200 spaces or more shall have areas divided by landscaped areas or walkways measuring a minimum of 5' in width or by a building or group of buildings.
      1) Pedestrian walkways shall be linked to building entrances.
      2) Connections shall be made when feasible to any streets adjacent to the property and to any pedestrian facilities that connect to the property unless pedestrian and/or traffic hazards prohibit such connections.
      3) Adjacent nonresidential sites shall provide cross vehicular access between lots.
   c. Minimum Parking Requirements
      1) Residential
         a) The minimum number of car parking spaces shall be provided in accordance with the following ratios:
            - Detached Single-Family dwelling units, except for patio homes, GARDEN STYLE HOMES, and COTTAGE STYLE HOMES: 2 spaces per unit on a paved driveway all concrete or similar paved surface such as turf pavers, brick pavers, or asphalt. Space in enclosed garage shall count as provided parking.
            - Patio, GARDEN STYLE HOMES, and COTTAGE STYLE HOMES: 1.5 spaces per unit.
            - For TOWNHOUSES – parking to be 1 space per 1 bedroom unit, 1.75 spaces per 2 bedroom unit, and 2 spaces per 3 bedroom unit.
            - Two-family dwelling units: 4 spaces per dwelling (2 spaces per unit).
            - Multi-family/apartments (tuck-under and/or tandem parking shall count towards the minimum parking requirements).
              Efficiency units (zero bedrooms): 1 space per unit.
              One-bedroom units: 1.25 spaces per unit.
              Two-bedroom units: 1.75 spaces per unit.
              Three-bedroom units: 2 spaces per unit.
              Four-bedroom units: 3 spaces per unit.
              Age-restricted multifamily: 1 space per unit.
      2) Retail
         a) 1 space per 250 SF of gross floor area.
      3) General Commercial
         a) 1 space per 250 SF of gross floor area.
         b) Office – 1 space per 300 SF or gross floor area.
      4) Restaurant
         a) 1 space per 150 SF of gross floor area. Outdoor patio space shall not count toward floor area unless covered by a solid waterproof covering. If covered, area shall be calculated at .5 of the actual area for purposes of parking calculations.
      5) Cinema/Theater/Performance
         a. 1 space per 3 seats.
      6) Office
         a) 1 space per 333 SF of gross floor area.
      7) Hotel
         a) 1 space per guest room.
         b) Plus 1 space per each 5 restaurant or lounge area seats.
         c) Plus 1 space for each 125 square feet of meeting/conference room area.

8) On-Street Parking
   a) The Shepherd's Place DP will allow on-street parking per Sherman Code of Ordinances on the street types as designed.
   b) On-street parking within 150' of a parcel shall be counted toward the total required parking for that parcel.
9) Carts
   a) Golf carts/motor carts are allowed throughout the DP. Carts may travel on public or private streets, driveways, parking lots, and on the trail system.
   b) Parking for carts may be provided in designated areas within or separate from regular vehicular parking. Parking space size to be 6' wide x 8' long.
10) Upon submittal of an acceptable comprehensive parking plan for a SUBZONE, or for substantial portions of a SUBZONE, the DIRECTOR may recommend alternative parking requirements contained in the submitted plan for adoption and approval provided that such alternatives are consistent with this DP.

J. SIGNAGE

1. Sign Standards
   a. Unless specifically provided for below or addressed in other sections of this DP, the Development shall conform to the Sign Requirements set forth in the City of Sherman Code of Ordinances.
   b. A Unified Sign Plan for site signage will be submitted for each SUBZONE of the Development. The Unified Sign Plan may provide for signage of additional height and/or area related to the Sign Standards or Ordinances.
   c. A wayfinding system providing directional and informational signs for vehicles and pedestrians that are well designed, clear and complimentary in theme shall be allowed on all sides.
   d. Changeable message signs, electronic messaging, and video boards are allowed on pylon, monument, and directional signs, but only on 1 sign for Development SUBZONE.
   e. All signs are allowed to display the names of any Tenants in Shepherd's Place DP.
   f. No signs shall encroach upon any dedicated public easements. All signs must comply with the visibility obstruction requirements at roadway or driveway intersections.
   g. No flashing lighted signs are allowed.
   h. Obelisks, spires, pylons and other landmark elements will be provided throughout the DP. These tall elements will occur at major entrances, intersections, or other points of interest throughout the SUBZONES.
   i. Project Graphics. Scanner murals, art, and other graphic elements with backing frame or support, and not containing a commercial message or part of National TRADE DRESS are allowed on all buildings and no permit is required to install these elements provided that the graphic was included as part of the building permit for the structure to which it is attached. They shall not be counted toward allowed sign area.
   j. Development Identification Element at the main entrances to the DEVELOPMENT AREA or SUBZONE may have signage that is mounted on walls that extend up to 20' tall and have other related features such as planters, trellis elements, water features, etc. to enhance the entrance into the Development. Architectural elements may be up to 40' tall. These signs may also incorporate electronic messaging in accordance with City regulations.

2. Signage for Commercial, Retail, Restaurant, Entertainment
   a. Pylon Signs.
      1) One pylon sign is allowed for each Lot along the road frontage of Hwy. 75 or the arterial or collector roads in the Development.

2) If the lot has more than 300' of frontage, then additional pylon signs may be placed at minimum 300' spacing along the R.O.W. frontage.
3) Along Hwy. 75 – a maximum allowable height of 50' and an allowable sign effective area of 400 sq. ft. per sign side for multi-tenant signs. Single-tenant sign is limited to 175 sq. ft.
4) Along other arterials or collectors – maximum allowable height of 35' and an allowable sign effective area of 300 sq. ft. per side for multi-tenant signs. Single-tenant sign is limited to 125 sq. ft.
5) Along other roadways – 1 pylon sign is allowed with a maximum allowable height of 20', and an allowable sign effective area of 175 sq. ft. per sign side.
6) Minimum setback of 10' from R.O.W. and 25' from side property lines.

b. Monument Signs.
1) One monument sign is allowed for each lot along the road frontage of Hwy. 75 or the arterial or collector roads.
2) Along Hwy. 75 – a maximum allowable height of 12' and an allowable sign effective area of 150 sq. ft. per sign side for multi-tenant signs, and 100 sq. ft. per sign side for single tenant signs.
3) Along other arterials or collectors – the maximum height of 10' and an allowable sign effective area of 125 sq. ft. per sign side for multi-tenant signs, and 80 sq. ft. per sign side for single tenant signs.
4) Minimum setback of 10' from R.O.W. and 20' from side property lines of property outside of Shepherd's Place.

c. Site perimeter sign walls at maximum 8' tall are allowed in lieu of monument sign, and are allowed at a street corner provided visibility obstruction requirements are met. Sign letters or badges may be mounted on the wall or on top of the wall.

d. Attached Wall Signs.
1) Attached signs include wall, canopy and awning signs.
2) One canopy sign is permitted per Tenant for each storefront façade.
3) One fixed awning sign is permitted per awning. Awning signs are not allowed in addition to canopy signs.
4) An attached canopy sign shall not exceed upward to a height greater than the highest part of the roof or any exterior wall on which it is mounted.
5) The total square footage of all attached signs shall not exceed 20% of the entire wall area on which such signs are located on multi-tenant buildings, and 15% of entire wall on single-tenant buildings.
6) A freestanding building is allowed 1 wall sign per Tenant for each public street or circulation drive or parking lot wall frontage. Multiple secondary wall signs are allowed. Wall signs shall not exceed 70% of length of the building side to which it is attached.
7) Wall signs depicting a commercial message on the rear of buildings are not permitted if they are facing residential areas. Wall signs depicting informational or directional messages signs are allowed on the rear of buildings facing residential areas.
8) Illuminated signs must be lighted from a concealed source, except exposed neon or LED signs must be enclosed within a can and have a clear cover of Plexiglas. No exposed lamps, or tubes will be permitted.

e. Note: No tenant may appear on more than 2 total signs (site pylon, monument, or attached wall signs).

f. Wayfinding Signs.
1) Directional wayfinding signs are allowed throughout all SUBZONES. Sign may be as noted below, designed to compliment the buildings on the site.
2) Vehicular Directional – maximum 10' tall, 8' wide, 30 sq. ft.
3) Pedestrian Directional – maximum 8' tall, 4' wide, 25 sq. ft.

g. Sandwich Board Signs or "A" Frame Signs.
   1) Maximum sign height shall be 3'.
   2) Maximum sign width shall be 2' and sign shall not be placed in front of adjoining.
   3) Signs must be properly anchored (temporarily) or weighted against the wind.
   4) Chalkboards or changeable letters may be used for daily changing messages.
   5) Signs shall be designed and constructed so as to promote and not visually obscure the significant architectural features of the Shepherd's Place Development.
   6) Signs must be removed after business hours.
   7) Sidewalks must be at least 10' wide in order to erect or maintain a sandwich board or "A" frame sign.

h. Blade Signs.
   1) One blade sign mounted under a canopy, overhang, or awning, with a maximum area of 10 sq. ft., is permitted per Tenant. Corner Tenants are permitted 2 blade signs (1 on each storefront opening or entry).
   2) Blade signs may be mounted to the wall, awning, canopy, or other building element – typically perpendicular to the façade.
   3) Blade signs must have minimum 8' clearance to walkway surface.

i. Temporary Signs.
   1) The following types of Temporary signs shall be permitted.
   2) Project Announcement Signs. Announcement Signs are allowed not exceeding 100 sq. ft. per maximum effective sign area for the purposes of selling or leasing parcels. All project announcements signs must be at least 200' apart. Project Announcement Signs shall be removed within 30 days after an occupancy permit is issued. All Project Announcement Signs must be constructed with a metal frame and have acrylic or metal panels.
   3) Land Available and Real Estate Signs. Signs offering land available for sale or lease shall be limited to 96 sq. ft. per sale or lease parcel provided that no more than 1 sign be installed for each 300' of frontage. All Land Available and Real Estate Signs must be constructed with a metal frame and have acrylic or metal panels.
   4) Wind Device Signs. On premise, banners, and signs such as pennants, flags, and streamers for special events and grand openings shall be permitted provided they do not exceed 20 sq. ft. in area. There shall be no limit to the number of wind device signs along main circulation routes. Signs may be displayed for a maximum of 30 days 2 times per calendar year.

j. Informational / Incidental Signs. Minor signs such as drive-thru directional signs, gas pricing signs or traffic control signs shall be permitted as allowed under the applicable City codes.

k. Project Banners. Banners are allowed on lighting poles and lampposts. Each pole may have 2 banners.

l. Setbacks. Interior lot lines do not trigger setbacks for sign purposes.

3. Signage for Residential – Multifamily, Flex Residential, Single Family Residential
   a. Each Residential development or SUBZONE of a development shall be allowed one monument sign with a maximum height of 8' and maximum effective area of 60 square feet at each entry into the Development. Related architectural features (such as clock towers, obelisks, etc.) may be taller than 8' provided the signage mounted to such features is at a maximum height of 8'.
   b. Building sites which front other perimeter public streets and have no access to that public street, may install one monument sign with a maximum height of 6' and maximum effective area of 60 square feet.

c. Monument signs are required to be setback a minimum of 10’ from any public or private street and 10’ from any rear or side property lines.
d. Site perimeter sign walls below 8’ tall are allowed in lieu of monument sign, or at street corner. Sign letters or badges may be mounted on the face of the wall, or on the top of the wall.
e. Wayfinding and Directional signage is permitted and shall be limited to an effective sign area of 25 square feet and shall not exceed 5’ in height.
f. Flashing or moving character signs may not be installed. Illuminated signs must be rear lighted, gooseneck or similar wall mounted lighting, or lighted from non-apparent light sources. No exposed neon or LED is permitted.
g. Each building elevation shall be allowed one wall sign limited to a maximum effective area no greater than 5% of the wall area to which the sign is attached.
h. Building mounted blade signage is allowed. The materials and scale of the sign must be appropriate to the building it is mounted to, but shall not exceed 10 square feet and a 5’ projection from the building wall. The bottom of blade mounted signs must be no lower than 8’ above grade and the top shall not extend above the eave line of sloped roofs or the parapet height on flat roofs.

K. SCREENING REQUIREMENTS

1. Non-Residential uses must be screened from single family residential by a buffer and screening as noted in Attachment E, A.3.

2. Privacy fences in the Residential DEVELOPMENT AREA may consist of wood, ornamental metal with masonry columns, or masonry fence materials.

3. Where residential uses are incorporated into commercial uses or multi-family areas, screening walls or mechanisms shall not be required.

4. Loading docks, trash containers, storage areas and ground mounted mechanical equipment shall be screened from public streets, internal customer areas (not services areas) and residential uses or zones by evergreen shrubbery, trees, masonry screenwall, or a combination thereof. If screening mechanical equipment, the landscape material must be a minimum of 1’ taller than the item they are to screen at time of planting and must comply with the planting standards set forth.

5. Storage areas, trucks based on the premises, trash containers, and maintenance facilities, shall either be housed in closed buildings or otherwise screened from view from public access ways, public areas, and adjacent residential properties. Service, loading, and storage areas shall be screened from view by walls, berms or a combination thereof, constructed a minimum 1’ above all service equipment. Trash and recycling containers shall be screened from public view on three sides with a solid fence or wall to a minimum 1’ above container (minimum 7’). Walls to be faced with brick, stone, or burnished CMU. Gates to be constructed of metal frame and metal fascia, color to match the building material.

6. Trash collection and compaction may not occur within 100’ of a single-family detached residence.

7. Mechanical equipment – ground mounted – may not be placed at an area or wall that faces single family residential that is located within 60' of a single-family detached residence. Ground-mounted equipment shall not be located between the front building wall and the street.

8. All roof mounted mechanical equipment shall be fully screened from public view on the site or public pedestrian spaces, at a minimum height equal to the height of the roof mounted equipment. Acceptable methods for screening roof mounted equipment shall include parapet elements, louvers, or ridges of sloped roof forms. The color and finish of the screening shall comply with the color palette used for the building, and be complimentary to the building architecture.

9. Fences, Walls, and Railings
   a. Residential: No fence, hedge or enclosure wall shall exceed a height of 8'. No fence along an R.O.W. may encroach upon the building setback zone.
   b. Commercial and Manufacturing: Security fences may be erected to a height of 10'.
   c. Railings, handrails, guardrails, separation rails shall be made of metal and be prefinished, galvanized, or coated with a minimum 20 year warranty coating. Rails to be solid, anchored, or embedded into concrete or other supporting material. All railings subject to further review.

L. TOWERS, ANTENNA, FLAGPOLES

1. Antenna or other freestanding tower structures will be allowed in all but single family Residential Area within the DP.

2. Antenna and tower structures to have screening at the base of the structure, minimum 8' high solid masonry wall with minimum 8' tall shrub row.

3. The antenna or tower structures shall have a screening material or fascia over the structure to hide the structure within, and give it the appearance of a solid façade surface.

4. Flag poles displaying the American or Texas flag area allowed throughout the DP. Flags are to be lighted with a directional ground mounted or pole mounted light, or flag is to be displayed during daylight hours only.

M. Accessory buildings may be located to the side or rear of the main building to meet the minimum setback requirements.

N. PARKS, TRAILS, AND OPEN SPACE STANDARDS

1. The OPEN SPACE Guidelines Plan is attached which indicates the general locations and types of OPEN SPACES that shall be provided in the Shepherd's Place DP. The exact location of each OPEN SPACE and trail shall be determined at the time of detailed site plan.

2. Park
   a. Final designs consistent with these typical park concepts shall be provided as final design and engineering are performed for each Detailed Site Plan submittal. Landscaping, hardscape, trellis, and amenities will be identified. Activated gathering spaces with amenities will be integrated into appropriate locations. Many areas will be left passive for free play or observation. Areas designated as public destinations will be provided.

3. Waterways and OPEN SPACE.
    a. Final designs consistent with these waterways and OPEN SPACE typical designs shall be produced as final hydrology, alignment, and engineering are performed for each Detailed Site Plan submittal. City required Storm Water Engineering practices will be incorporated throughout the process.

4. Pedestrian Trails
    a. Pedestrian access shall be provided throughout much of the Development and shall include internal SUBZONE trails constructed in phases with the construction of such SUBZONES that connect to the master trail system identified during the Detailed Site Plan.
    b. Final designs consistent with these typical pedestrian trail concepts shall be provided as final location and engineering are performed for each Detailed Site Plan submittal. Materials for trail construction are permitted to be concrete, pavers, decomposed granite, or other durable and applicable material suitable for trails as approved by the DIRECTOR.
    c. Minimum trail width 6', maximum trail width 12'.

O. ARCHITECTURAL STANDARDS

1. The ARCHITECTURAL STANDARDS section will govern residential and commercial architectural elements and treatments related to the facade materials, roofs, service areas and other elements and standards.

2. The DIRECTOR may approve alternative standards including, but not limited to, exterior building design or materials if it is determined that such materials are equivalent or better than those required, and they are complimentary to the Architectural Design and Standards of the SUBZONES and do not adversely impact surrounding developed properties.

SEE ATTACHMENTS A THRU D FOR ARCHITECTURAL STANDARDS
SEE ATTACHMENT E FOR LANDSCAPE STANDARDS

ATTACHMENT A
Shepherd's Place
Sherman, Texas

Commercial/Office/Medical
Architectural Standards

A. ORIENTATION / SITE DESIGN

1. Parking areas must be paved with concrete, concrete pavers or brick pavers and curbed and guttered with concrete. Access drives must be paved, curbed and guttered with concrete in accordance with the development standards promulgated by the City.

2. Parking areas must meet Parking Standards detailed in this Ordinance to accommodate all parking needs for employees, company vehicles, residents, invitees and visitors. If parking needs increase on any building site, additional parking must be provided by the Owner of such building site.

3. Pedestrian Connectivity:
   a. Sidewalks shall be provided to promote pedestrian connectivity within each project site.
   b. Sidewalk connection shall be provided from the primary entrances of all buildings to public sidewalk on any front facing adjacent street.

4. Directional and wayfinding signage shall provide assistance for pedestrians and vehicles.

B. BUILDING DESIGN AND MATERIALS

1. Buildings are to have architectural theming, including common design elements and materials within each development region.

2. Window glass may not be flush with exterior walls or, if flush, shall have a surround of wood/metal frame or wall trim material.

3. Buildings shall be designed to enhance the community character and have features that provide visual interest. Large, blank facades and wall surfaces shall not be permitted. Windows and/or storefronts should be included in wall planes wherever feasible. The building facades should be broken up and softened when feasible through overhangs and colonnades, trellis, architectural detailing or landscaping.

4. Buildings shall have a design element that emulates at least one of the Shepherd's Place Architectural features which are in the Ranching Heritage Architectural style. The features include the use of at least one of the following:
   a. Native Texas quarried natural stone or limestone.
   b. Sloped metal roofing to match color palate.
   c. Freestanding stone element, such as fireplace, obelisk, or other design feature.
   d. The use of shading elements, such as a canopy, portico, trellis, or awning.

4a. Building walls greater than 100' in length shall have vertical and horizontal façade articulation or other distinctive changes in the building façade, such as material changes, color or textural changes, projections or recesses greater than 16", canopies, porticos, and sunshades at intervals of 100' maximum.

4b. All buildings shall have some portion of parapet level changes or sculptural roof form through sloped roofs, mansards, etc.

5. All sides of buildings visible from the streets, or internal customer parking areas of the site, shall be constructed of masonry, including brick and native stone veneers, decorative block, Architectural finish concrete, stucco (EIFS), or other high quality material customarily used for this building style. Windows, doors and related trim are not included in this requirement.

5a. For all facades that face a public street, a minimum of 60% of the total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be clay fired brick or native/natural stone.

5b. For all other facades that do not face a public street, a minimum of 40% of total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be clay fired brick or native/natural stone.

5c. Acceptable materials include:
   a. Native Texas quarried natural stone or limestone of varying colors, sizes and textures.
   b. Masonry, including burnished and architectural finish face CMU and brick.
   c. Concrete – Architectural finish. Texture coated or textured and colored.
   d. Porcelain Tile.
   e. Glass.
   f. Galvanized metal panels or prefinished architectural metal panels of gray tone, neutral or earthtone color (maximum 20%).
   g. Architectural cementitious panels in a warm, neutral/earthtone or gray tone color and "wood look" panels (maximum 40%).
   h. EIFS or stucco in a warm, neutral/earthtone or gray tone color.
   i. Natural metals such as, but not limited to, zinc and copper.
   j. Natural wood, stained or painted (maximum 15%).
   k. Roofing tile, metal standing seam or batten seam roofing, metal shingles and panels (pre-finished with minimum 20 year warranty), slate, and minimum "40 year dimensional shadow type" composite shingles.
   l. Accent colors should be used in a very limited manner to contrast the more subtle "natural" palette.

6. Glass and Storefronts. Glass may be used to allow visual access into interior spaces, or for display purposes. Buildings may not incorporate glass for more than 70% of the wall plane. Glass shall not be mirrored or highly reflective glass.

C. OUTDOOR DISPLAY AND PICK-UP

1. Exterior sidewalk displays and cart storage. Areas for customer loading or merchandise display and cart storage is allowed, but such areas shall be clearly delineated and shall not be located in front of any customer entrances, exit door(s), or within 15' on either side of the door(s).

2. Pickup and Delivery. Pickup, delivery, loading and unloading of merchandise, equipment or other items may not occur within 60' of single-family detached residential property. Loading areas must be located to the side or rear of the building unless the loading area is completely screened from the street by landscaping or walls that are architecturally compatible with the building. Pavement may be located within 100' of residential property.

D. ACCESSORY USE

1. All accessory uses shall be architecturally compatible with the main structure by sharing color, materials, architectural design, roof pitch elements or some other architectural feature.

2. Gas canopies shall have full height masonry columns and roof that is sloped or has stepped parapet minimum 16" per step at maximum 50' spacing.

E. DRIVE-THROUGH REQUIREMENTS

1. Drive-through uses shall provide sufficient stacking area to ensure that public rights-of-way are not obstructed. Quick service restaurants with drive-through facilities shall provide a minimum stacking distance of 160' unless the building Owner or Tenant can substantiate that a lesser requirement is appropriate based on a national standard or case studies of other facilities operated by that Owner or Tenant. Other drive-through facilities shall provide a minimum stacking distance of 100'.

2. Drive-through canopies must be built as an integral architectural element of the structure. The supporting structure shall include at least 1 of the following architectural features:
   a. Native Texas stone, limestone, or brick on the supporting structure columns or building facade.
   b. A sloped metal roof.

3. The materials are to be the same as those used in the primary structure. Drive-through structures and facilities physically separated from the primary structure must be architecturally compatible with the primary structure.

4. Drive-through uses must be located to the rear or side of the structure, and buffered on the rear and side lot lines. A portion of the buffer between sites can be provided on adjacent lots.

F. PARKING STRUCTURES

1. Parking structures, if provided, shall be compatible in material, color, and design to their accompanying principal structures. Height of the parking structure shall not exceed the height of the principle structure.
2. No part of an automobile below the hood line shall be visible within a parking structure from any point on the site, or from adjacent sites and rights-of-way.
3. Parking structures shall contain internal circulation ramps.
4. Use of planters and vegetation for screening and decorative purposes on parking structure façade elevations is required.
5. Parking lot landscape spot islands are not required to be provided within or on the top level of a parking structure.
6. Parking structure lighting must be cut-off type fixtures to direct light downward only. Top level of structure to have pole lighting maximum twenty feet (20') tall.

ATTACHMENT B
Shepherd's Place
Sherman, Texas

Retail/Entertainment/Restaurant
Architectural Standards

A. ORIENTATION / SITE DESIGN

1. Parking areas must be paved with concrete, concrete pavers or brick pavers and curbed and guttered with concrete. Access drives must be paved, curbed and guttered with concrete in accordance with the development standards promulgated by the City.

2. Parking areas must meet Parking Standards detailed in this Ordinance to accommodate all parking needs for employees, company vehicles, residents, invitees and visitors. If parking needs increase on any building site, additional parking must be provided by the Owner of such building site.

3. Pedestrian Connectivity:
   a. Sidewalks shall be provided to promote pedestrian connectivity within each project site.
   b. Sidewalk connection shall be provided from the primary entrances of all buildings to public sidewalk on any front facing adjacent street.

4. Directional and wayfinding signage shall provide assistance for pedestrians and vehicles.

B. BUILDING DESIGN AND MATERIALS

1. Building frontages greater than 100' in length shall have vertical and horizontal façade articulation and other distinctive changes in the building façade, such as, but not limited to, materials, color or texture, below the sign band.

2. Buildings shall incorporate some combination of arcades, roofs, alcoves, porticoes, canopies or awnings as a design element of the façade.

3. Buildings shall have a design element that emulates at least one of the Shepherd's Place Architectural features which are in the Ranching Heritage Architectural style. The features include the use of at least one of the following:
   a. Native Texas quarried natural stone or limestone.
   b. Sloped metal roofing to match color palate.
   c. Freestanding stone element, such as fireplace, obelisk, or other design feature.
   d. The use of shading elements, such as a canopy, portico, trellis, or awning.

4. On single tenant retail buildings greater than 20,000 sq. ft. (Junior Anchors) with facades that are facing R.O.W., in addition to the requirements set forth above, the building shall also include the following design elements.
   a. Color change, texture change, and material changes within the wall at intervals not to exceed 100'.
   b. At least one change in wall plane not less than 12" in depth and extending a minimum of 10'.

c. At least one variation in the top of wall, a minimum of 2' in height and be a minimum of 2' wide.
d. Overhanging eaves or horizontal elements, sloped roof elements, or cornice expressions or coping detail of a minimum of 12" tall and 6" deep.
e. Each building shall have a clearly defined, visible customer entrance on one side. Stone is required to be used as a portion of the wall material at each customer entrance.

5. All sides of buildings visible from the streets, or internal customer areas of the site, shall be constructed of masonry, natural stone, decorative block, concrete, stucco or other high quality material customarily used for the building style (such as natural metals or EFIS). Gables, windows, doors and related trim are not included in this requirement. Acceptable material and color palette includes:
   a. Native Texas quarried natural stone or limestone of varying colors, sizes and textures.
   b. Concrete – Architectural finish. Texture coated or textured and colored.
   c. Masonry
   d. Porcelain Tile
   e. Glass
   f. Prefinished architectural metal panels of a gray tone, neutral or earthtone color (maximum 20%).
   g. EIFS or stucco of a warm, neutral/earthtone or gray tone color.
   h. Accent colors of a warm, neutral/earthtone range are encouraged but should be used in a limited manner.
   i. Natural metals such as but not limited to zinc and copper.
   j. Roofing tile, metal standing seam or batton seam roofing, metal shingles and panels (pre-finished with minimum 20 year warranty), or slate in galvanized or natural/earthtone color.
   k. Architectural panels of cement fiber or other permanent material simulating wood or smooth panelized system (maximum 40%).

6. Glass and Storefronts.
   a. Window glass may not be flush with exterior wall treatment, or if flush, shall have a surround of wood or metal frame, or wall trim material.
   b. Use of glass for displays and to allow visual access to interior space is encouraged. Buildings may not incorporate glass for more than 70% of the building skin.

C. DISPLAY, STORAGE, AND PICK-UP

1. Sidewalk display and cart storage. Areas for customer loading or merchandise display and cart storage shall be clearly delineated and shall not be located in front of any customer entrances, exit door(s), or within 15' on either side of the door(s).

2. Permanent outdoor display, sales and storage. Merchandise may be stored or displayed for sale to customers on the front or side of the buildings in accordance with this paragraph.
   a. The total square footage of all permanent outdoor storage, display, and sales areas shall be limited to 10% of the footprint of the building, but in no event shall exceed 20,000 square feet, except for home improvement use, which may not exceed 45,000 square feet of outdoor storage and the 10% footprint restriction does not apply.
   b. Permanent outdoor storage, display and sales shall be contiguous to the building and shall not be permitted within 75' of residential property.

c. The permanent storage, display and sales area shall be enclosed by a minimum 8’ wall of columns minimum 2’ wide, of like appearance to the building with wrought iron or decorative tubular fencing between, and topped by wrought iron or tubular steel fencing. No merchandise other than trees shall be visible above the wall or fence.
d. Seasonal outdoor display will be allowed. Size will be limited to 11,000 square feet maximum. Dates for outdoor display will be year round. Merchandise may not exceed 10’ in height except for trees.

3. Rear Storage. Bulk merchandise may be stored behind the building. The sides and back of the storage area shall be screened with a chain link fence covered with windscreen, except for any side or back that is separated from any residential property by an 8’ masonry wall and landscaped buffer yard, in which case additional screening is not required. Windscreen shall be maintained in good repair and free of tears. The rear storage area shall not be accessible to customers. Merchandise shall be stacked no higher than 25’ or level with the top of the adjacent sidewall of the building, whichever is lower, and may not be stacked above the height of the chain link fence.

4. Pickup and Delivery. Outdoor storage, pickup, delivery, loading and unloading of merchandise, equipment or other items may not occur within 60’ of residential property. Loading docks must be located to the side or rear of the building unless the loading area is completely screened from the street, and loading docks shall be located more than 60’ from residential property. Pavement may be located within 100’ of residential property.

5. Trash Collection and Compaction. Trash collection and compaction may not occur within 100’ of a residential property, and shall be screened from public view.

6. Mechanical equipment. No mechanical equipment may be located within 60’ of a residential lot. Mechanical equipment shall be screened from public view on site.

D. ACCESSORY USE.

1. All accessory uses shall be architecturally compatible with the main structure by sharing color, materials, architectural design, roof pitch elements or some other architectural feature. Gas canopies shall have full height masonry columns and roof that is sloped or has stepped parapet minimum 16” per step at maximum 50’ spacing.

E. DRIVE-THROUGH REQUIREMENTS.

1. Drive-through uses shall provide sufficient stacking area to ensure that public rights-of-way are not obstructed. Quick service restaurants with drive-through facilities shall provide a minimum stacking distance of 160’ unless the building owner or tenant can substantiate that a lesser requirement is appropriate based on a national standard or case studies of other facilities operated by that owner or tenant. Other drive-through facilities shall provide a minimum stacking distance of 100’.

2. Drive-through uses must be built as an integral architectural element of the primary structure and use and shall include at least 1 of the Shepherd’s Place architectural features defined in the Shepherd’s Place Architectural Standards. The materials are to be the same as those used in the

primary structure. Drive-through structures and facilities separate from a primary structure must be architecturally compatible with the primary structure.

3. Drive-through uses must be located to the rear or side of the structure, and buffered on the rear and side lot lines as required. A portion of the buffer between sites can be provided on adjacent lots.

F. PARKING STRUCTURES

1. Parking structures, if provided, shall be compatible in material, color, and design to their accompanying principal structures. Height of the parking structure shall not exceed the height of the principle structure.
2. No part of an automobile below the hood line shall be visible within a parking structure from any point on the site, or from adjacent sites and rights-of-way.
3. Parking structures shall contain internal circulation ramps.
4. Use of planters and vegetation for screening and decorative purposes on parking structure façade elevations is required.
5. Parking lot landscape spot islands are not required to be provided within or on the top level of a parking structure.
6. Parking structure lighting must be cut-off type fixtures to direct light downward only. Top level of structure to have pole lighting maximum twenty feet (20') tall.

ATTACHMENT C
Shepherd's Place
Sherman, Texas

Flex Residential and Multifamily
Architectural Standards

A. SITE DESIGN & ORIENTATION

1. Buildings shall front on public streets and/or a private street system and may have secondary frontages onto parking lots.

2. Parking is permitted between front facades of buildings and the R.O.W. property line. On street parking is permitted.

3. In developments that are designed to provide a more urban setting (building's setback to be maximum 25' from R.O.W., density at the top 25% of allowed density, and building height minimum 2 stories), on-street parking or parking access directly from the street will be allowed. This parking will be allowed to count as required parking.

4. In developments that are designed to provide a more urban setting, buildings shall be directly accessed from the street and the sidewalk with a minimum of one ground floor pedestrian entrance per building oriented toward the street or sidewalk.

5. Accessory structures such as carports, garages and storage units (but not including leasing offices, club houses or recreation centers) shall not be located along public right-of-way.

6. "Tuck under" or extended garages may occupy no more than 45% of the total building frontage. This measurement does not apply to garages facing an alley, courtyard, or parking field entrance. Any garage may not extend beyond the building front. Garages that are at least 30' behind the building front may exceed the 45% frontage minimum. Garages shall not be located along the portion of the building that fronts the public or private street.

B. ARCHITECTURAL STANDARDS

1. Building frontages greater than 100' in length shall have recesses, projections, windows, arcades or other distinctive features to interrupt the length of building façade. Elements including, but not limited to, balconies, setbacks, and recesses or projections greater than 16" may be used to articulate individual units or collections of units.

2. Uninhabitable building features, outdoor patios (covered or uncovered), and architectural building feature elements (fountains, towers, awnings, trellis, outdoor gazebos for multi-family, or similar) may encroach upon the front setback or side setback (by as much as 10').

3. Un-enclosed stairwells shall not be located on the exterior of any buildings. Stoops are permitted for the entrance to ground level units directly accessible from the sidewalk.

4. Use of false door or window openings shall be defined by frames, sills, and lintels.

5. All building façades shall include no less than 3 of the elements listed below. Elements shall occur at intervals of no more than 100' horizontally or 20' vertically. Vertical architectural design features, such as towers, are not required to comply with the 20' vertical requirement.
   a. Color change.

b. Texture change.
c. Material change.
d. Medallions / accent pieces.
e. Decorative light fixtures.

6. Roofs:
   a. If pitched roof forms (gable, hip, shed) with overhanging eaves are used, they shall be between 4" of vertical rise to 12" of horizontal run, and 12" of vertical rise to 12" of horizontal run.
   b. Metal standing seam roofing is allowed.
   c. Asphalt roofing shingles shall be dimensional (shadow line) type and at least a "40 year" shingle.
   d. Clay tile, concrete tile, and slate are permitted materials.
   e. Distinctively shaped roof forms, detailed parapets, parapet steps, or exaggerated cornice lines should be incorporated into rooflines along building façades greater than 75' in length.
   f. Flat roofs are permitted and must have parapets as required to screen any roof or roof top equipment (equal to height of equipment). Walls adjoining flat roofs must contain a distinctive finish at the top of the wall such as a cornice, banding, large coping, or other architectural termination.
   g. All sloped roofing areas shall include gutters and downspouts except for small roof areas such as, but not limited to, roofs over bay windows, awnings, and canopies.

7. Materials and Colors:
   a. For all facades that face a public or private street, windows and doors shall comprise at least 18% of the wall area. All other facades may be reduced to 10%, or may provide one window or door per sleeping area (as defined by the Building Code), whichever method provides for the greater coverage of windows and doors. Shutters, trims, or false windows, shall not count toward the minimum requirement.
   b. For all facades that face a public or private street, a minimum of 50% of the total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be clay fired brick or native/natural stone. The balance of the 50% net exterior wall shall be comprised of at least 2 of the following materials, which shall not be counted toward the minimum masonry requirement.
      1) Stucco.
      2) EIFS. When used, EIFS shall be a minimum of 8' above grade/walkway.
      3) Prefinished metal panels and siding materials with a dimensional shape (depth of approximately 1 inch or greater). All materials must have a factory finish with a 20 year warranty.
      4) Cement fiber siding such as Nichiha or Hardie siding. All siding members must be individual boards or panels. (Soffits may utilize sheet materials of approximately 4' x 8'.)
      5) Cast stone.
   c. For all other facades that do not face a public or private street, a minimum of 30% of total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be clay fired brick or native/natural stone. The balance of the 70% net exterior wall shall be comprised of at least 2 of the following materials, which shall not be counted toward the minimum masonry requirement.
      1) Stucco.
      2) EIFS. When used, EIFS shall be a minimum of 8' above grade/walkway.

3) Prefinished metal panels and siding materials with a dimensional shape (depth of approximately 1 inch or greater). All materials must have a factory finish with a 20 year warranty.
4) Cement fiber siding such as Nichiha or Hardie siding. All siding members must be individual boards or panels. (Soffits may utilize sheet materials of approximately 4' x 8').
5) Cast stone.

d. No individual building material, with the exception of clay fired brick or native/natural stone may comprise more than 50% of the net exterior wall area of each building elevation.
e. All buildings within a particular project shall be constructed of building materials from a similar color and material palette. This is not intended to require similar materials with adjacent properties within Shepherd's Place. General color palette shall be of earth tones, gray tones, and neutral colors with other accent colors permitted up to a maximum of 10% of each façade.
f. Windows may be residential type vinyl, aluminum, fiberglass, or wood with insulated glass. Storefront glazing systems are also permitted. Window surrounds (trim) are required in all walls other than brick or stone.

8. Public entrances to buildings shall be clearly defined and highly visible including features such as, canopies, porticos, awnings, peaked roof features, towers, or similar architectural forms and details.

C. ACCESSORY STRUCTURES

1. Accessory structures (including parking structures, detached garages, and storage units) shall complement the main building architecture and use the same materials and color palette.

2. Accessory structures visible from a public or private street or a residential use or district are subject to the same masonry and roofing material requirements as the main buildings but are not subject to the other building design standards. Garage doors shall be metal or metal faced with wood.

D. PARKING STRUCTURES

1. Parking structures, if provided, shall be compatible in material, color, and design to their accompanying principal structures. Height of the parking structure shall not exceed the height of the principle structure.
2. No part of an automobile below the hood line shall be visible within a parking structure from any point on the site, or from adjacent sites and rights-of-way.
3. Parking structures shall contain internal circulation ramps.
4. Use of planters and vegetation for screening and decorative purposes on parking structure façade elevations is required.
5. Parking lot landscape spot islands are not required to be provided within or on the top level of a parking structure.
6. Parking structure lighting must be cut-off type fixtures to direct light downward only. Top level of structure to have pole lighting maximum twenty feet (20') tall.

E. SERVICE & SECURITY AREAS

1. Service areas for common use recreation and activity buildings shall be located at the rear or side yard of the buildings. Such areas must not be visible from public roadways. No service or delivery vehicles may park or load/unload on public roadways, primary entrance drives or in visitor drop-off areas.

2. Service, loading and storage areas shall not encroach on any landscape area.

3. When used, guard houses (manned or unmanned) and entrance gates shall be a minimum of 60' from the property line for stacking area.

4. When used, gate controls, card pads and intercom boxes shall be located in driveway islands adequate distances from the gate to allow "U-turning" without backing onto the public street.

F. PEDESTRIAN CONNECTIVITY:

1. Provide a logical layout for vehicular and pedestrian circulation to help minimize the conflicts between the two. When there are crossings or common path areas, provide well marked or differentiated pathways.

2. Sidewalks shall be provided along all sides of the lot that abut a public right-of-way and where otherwise required to promote pedestrian connectivity within the site and to adjacent properties. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building entry point.

G. FENCING

1. If walls and fencing are used to secure the perimeter of a building site in a multi-family zone, they must be 5' to 6' high and constructed of materials and finishes that match the buildings. "Wrought iron" style metal picket fencing is allowed provided it is interrupted with masonry columns or walls (to match the building) such that no run of metal picket fencing exceeds 40'. Metal picket fencing is to be powder coated or otherwise pre-finished. Field painting is only allowed for touch up when required. Walls/fences located in the front yards or forward of the front building line shall be no more than 40% opaque.

2. Walls and columns must be constructed with appropriate structural footings and foundations to minimize movement and wall failure, and must be constructed with level wall/fence tops.

3. Concrete walls (precast, cast-in-place, or tilt up) regardless of texture, finish and color are not permitted.

4. Fencing shall be setback a minimum of 5' from the sidewalk or 10' from the back of curb along a public or private street, whichever is greater. Additionally, fencing shall comply with the sight visibility triangle requirements in the City's Transportation Criteria Manual.

H. GRADING AND DRAINAGE

1. All grading must be done to alleviate ponding and must be coordinated with the master storm drainage plan and detention facilities. Depressions on paving or the landscape areas which will allow ponding of water are not permitted.

2. Drainage swales must be shallow, gently contoured and sloped to minimize erosion. Concrete rip-rap and trapezoidal concrete channels are not permitted.

ATTACHMENT D
Shepherd's Place
Sherman, Texas

Single Family Residential
Architectural Standards

A. SITE DESIGN & ORIENTATION

1. For Single Family Detached construction, no two building elevations shall be repeated with less than 200' of separation on the same side of the street.

2. In Single Family Attached construction, parking is not permitted between front facades of buildings and R.O.W. property line with public right-of-way greater than 20'. On street parking is permitted in all areas.

3. All portions of buildings within 35' of an existing single-family use or district outside of the Shepherd's Place Development Plan shall be constructed to a maximum height of 40'.

4. Buildings shall be directly accessed from the street and the sidewalk with a minimum of 1 ground floor pedestrian entrance per building oriented toward or perpendicular to a street or private drive.
   a. Garage doors for attached garages may occupy no more than 50% of the total building facade. This measurement does not apply to garages facing an alley or courtyard entrance.

5. For attached Single Family lots with alleys, rear yard setbacks (alley way) shall be 4' if at least 2 parking spaces are provided in a garage. This provision replaces rear yard requirements.

6. End units of attached Single-Family dwelling buildings shall have a minimum side yard setback of 5' at right of way. Setbacks between units of attached Single-Family dwellings shall be zero feet. Front yard setbacks may vary from 0' feet to 5' minimum but no more than 50% of each block of attached Single-Family building shall have a zero foot setback.
   a. Sidewalks within the right-of-way shall be located against the curb.
   b. Distance from edge of street pavement to building front shall be minimum 10'.

B. ARCHITECTURAL STANDARDS

1. For Attached Single Family
   a. Building frontages 100' in length or greater shall have recesses, projections, windows, arcades or other distinctive features to interrupt the length of building façade. Elements including, but not limited to, balconies, setbacks, and recesses or projections greater than 16" may be used to articulate individual units or collections of units.
   b. All building façades shall include no less than two of the elements listed below. Elements shall occur at intervals of not more than 100' horizontally.
      1) Color change
      2) Texture change
      3) Material change
      4) Medallions/accent pieces
      5) Decorative light fixtures

2. For All Single Family
   a. Use of false door or window openings shall be defined by frames, sills, and lintels.

b. Roofs:
   1) If pitched roof forms (gable, hip, shed) with overhanging eaves are used, they shall be between 4" of vertical rise to 12" of horizontal run, and 12" of vertical rise to 12" of horizontal run.
   2) Metal standing seam roofing allowed, including porch or awning elements, and in dormers in high sloped roof areas is allowed.
   3) Asphalt roofing shingles shall be dimensional (shadow line) type and at least a "30 year" shingle.
   4) Clay tile, concrete tile, and slate allowed.
   5) Photovoltaic shingles mimicking clay, concrete, or slate are allowed.
   6) Distinctively shaped roof forms, detailed parapets, parapet steps, or exaggerated cornice lines shall be incorporated into rooflines along building façades greater than 75' in length.
   7) Flat roofs are permitted and shall have parapets as required to screen any roof top equipment - equal to the height of the units. Parapets shall include an accent feature and shall not be greater than 50' in length without variation in height or accent feature.

c. Materials and Colors:
   1) For all facades that face a public or private street, windows and doors shall comprise at least 15% of the wall area. All other facades may be reduced to 10%, or may provide 1 window or door per sleeping area (as defined by the Building Code). Shutters, trims, or false windows, shall not count toward the minimum requirement.
   2) For all facades that face a public or private street. A minimum of 80% of the total net exterior wall area (total wall area less windows, doors, and related trim area) of each building elevation, excluding gables, shall be clay fired brick, native/natural stone, stucco, or decorative cement fiber siding.
      The balance-up to 20% of the net exterior wall, shall be comprised of at least two of the following materials, which shall not be counted toward the minimum 80% masonry requirement.
      a) Stucco
      b) EIFS – when used, EIFS shall be a minimum 8' above grade/walkway.
      c) Prefinished metal panels and siding materials. Such materials shall be factory prefinished with a minimum 20 year warranty (single family attached only).
      d) Wood or composite wood panels, all siding members must be individual boards (soffits may utilize sheet materials of approximately 4' x 8').
      e) Cast stone.
   3) For all other facades that do not face a public or private street, a minimum of 60% of the total net exterior wall area (total wall area less windows, doors, and related trim area) of each building elevation, excluding gables, shall be clay fired brick, native/natural stone, stucco, or decorative cement fiber siding.
      The balance up to 40% of the net exterior wall shall be comprised of at least two of the following materials, which shall not be counted toward the minimum 60% masonry requirement.
      a) Stucco.
      b) EIFS – when used, EIFS shall be a minimum 8 ' above grade/walkway.
      c) Prefinished metal panels and siding materials. Such materials shall be factory prefinished with a minimum 20 year warranty (single family attached only).
      d) Wood or composite wood panels, all siding members must be individual boards (soffits may utilize sheet materials of approximately 4'x 8').
      e) Cast stone products.

d. No individual building material, with the exception of brick or native/natural stone may comprise more than 50% of the net exterior wall area of each building elevation.
e. Windows may be residential type vinyl, aluminum, fiberglass, or wood with insulated glass. Window surrounds (trim) are required in all walls other than brick or stone. Storefront glazing systems shall be allowed in the AMENITY CENTER or clubhouse.
f. General color palette shall be of earth tones, gray tones, and neutral colors with other accent colors permitted up to a maximum of 10% of each façade.

C. ACCESSORY STRUCTURES

1. Accessory structures (including detached garages, and storage units) shall complement the main building architecture and use the same materials and color palette.

2. Accessory structures visible from a public or private street or a residential use or district are subject to the same masonry and roofing material requirements as the main buildings. Garage doors shall be metal or metal faced with wood.

D. LANDSCAPING FOR DETACHED SINGLE FAMILY

1. Front yard trees shall be provided along all public and private streets consistent with the requirements in the Sherman Development Code excepting to replace with:
   a. One tree per lot, approximately evenly spaced, for developments with lots 60 linear feet or less of street frontage.
   b. Two trees per lot, approximately evenly spaced, for developments with lots greater than 60 linear feet of street frontage.

2. A minimum of 20% tree canopy at maturity is required. Tree canopy within common areas on the development (AMENITY CENTERS, OPEN SPACES, etc.) may be allocated (credited) toward tree canopy on the individual lots. (Area of tree canopy as defined by Arborlogical Society)

E. LANDSCAPING FOR ATTACHED SINGLE FAMILY

1. Street Trees shall be provided along all public and private streets consistent with the requirements in the Sherman Development Code.

2. Buffer requirements set forth in the Sherman Development Code shall only apply to residential districts adjacent to and outside of the Shepherd's Place.

3. Required landscape areas shall be included in common areas.

4. A minimum of 15% tree canopy at maturity is required. Tree canopy within common areas on the development (AMENITY CENTERS, OPEN SPACES, etc.) may be allocated (credited) toward tree canopy on the individual lots.

F. LIGHTING FOR: (A) ATTACHED SINGLE FAMILY AND (B) DETACHED SINGLE FAMILY AT STREETS AND ALLEYS ONLY

1. Lighting shall be provided for vehicular, pedestrian, signage and architectural and site features.

2. Site lighting fixtures used along public and private streets and in parking areas shall be no taller than 25' high and the fixtures shall be of a consistent design within each project. This is not intended to require a consistent design within the whole of Shepherd's Place.

3. Parking areas shall have a minimum average of 0.5 foot candle initial illumination. Maximum illumination at property lines where the adjacent property allows single family or multi-family uses shall not exceed 0.1 foot candles.

4. Light sources shall be LED. Yellow/orange source lights are prohibited from use. In parking or drive areas, lighting must be 4000 Degree Kelvin. Pedestrian level accent lights to be 3000 Degree Kelvin.

5. Parking lot lights shall generally be shielded to prevent upward diffusion (full cut off). Building mounted lighting may shine upward or sideways as long as it is directed at the building accent features or building wall, and not directed outward.

G. FENCING

1. If walls or fencing are used to secure the perimeter of a development site in a single family zone, they must be a minimum of 6' high with a maximum of 8' high, and constructed of stone, brick, or wrought iron style metal picket fence with brick or stone columns. Maximum distance between columns for a metal picket fence shall be 40'. Fence in front yard to be maximum 6' tall and maximum 40% opaque.

2. Walls, fences, and columns must be constructed with appropriate structural footings and foundations to minimize movement and wall failure, and must be constructed with level wall/fence tops.

3. Concrete walls (precast, cast-in-place, tilt wall) regardless of finish, are not allowed.

ATTACHMENT E
Shepherd's Place
Sherman, Texas

Landscape Standards
(for other than all Single Family Residential)

A. GENERAL LANDSCAPE

1. Landscape Plan
   a. Landscaping must be provided in accordance with the Sherman Development Code.

2. OPEN SPACE Requirements.
   a. Shall maintain a minimum average OPEN SPACE of 10% of the overall site. This OPEN SPACE shall include all planted areas (parking lot islands, planted buffer strips), sidewalks within planted areas and paved plaza spaces, pools, fountains, parks, trails, playgrounds, and other areas. It shall not include parking, road, or drive areas, building footprint areas and loading docks.

3. Buffers and Screening
   a. Non-Residential development adjacent to Single Family Residential – Buffer shall consist of a wall at 8' tall, constructed of masonry with a minimum 10' wide landscape area planted with grass and/or groundcover. There shall be 1 ornamental tree every 20' on center or 1 shade tree every 40' on center within the landscape area.

B. STREET LANDSCAPING

1. Landscaping shall consist of a combination of such plant materials as follows: ground cover, shrubs, vines, hedges, trees, or other such materials.
2. Required street trees will be planted within the streetscape areas identified on the typical street sections of this DP. Trees for these street sections may be located outside the Pedestrian Realm and be included in the front yard setback area.
3. Required street trees may be clustered in order to facilitate creative design, visibility, or safety.
4. For the Minor Arterial and Commercial Collector street sections set forth in this DP, street trees will be provided at a minimum of one tree for every 100 linear feet.
5. Tree wells are permitted and may be covered with grates, living plant materials or some permeable non-living material.
6. Street trees to be a minimum 3 caliper inches.
7. All street landscaping will be maintained by the Property Owner or the Owner's Association.

C. PARKING LOT LANDSCAPING AND SCREENING

1. All parking lots, which for purposes of this Section, include areas of vehicle maneuvering, parking, and loading, shall be landscaped and screened as follows.

2. Landscape Standards
   a. A minimum of 7% of the total site area shall be landscaped.
   b. A minimum of 15% of the required parking shall be covered by tree canopy calculated at maturity.
   c. The tree species shall be an appropriate shade tree or ornamental/accent tree and shall be selected from the Approved Plant List.

3. All parking lots (other than areas for vehicle maneuvering or loading) adjacent to public and private streets to have a minimum 10' landscape screening buffer unless the parking is on-street parking accessed directly from the street. The buffer is the area located between the right-of-way and the parking lot. Utility easements are allowed to count towards part of the right-of-way landscape screening buffer subject to required separation from utilities. The landscape screening buffer shall contain the following items.
   a. One large tree for every 40' or 2 small ornamental/accent trees for every 40'.
   b. Landscape plantings containing at least one of the following:
      1) A minimum 3' high, when mature, continuous row of evergreen shrubs. The shrubs may be grouped and not planted in a continuous row provided that the shrubs overlap to form a continuous buffer.
      2) A minimum 3' high continuous wall made of any combination of wrought iron, stone, brick, or masonry. If wrought iron is used, vines shall be grown on the wrought iron to screen the parking lot.
      3) A grass or landscaped berm, 3' high above the parking pavement surface.
   c. Xeriscaping landscaping may be planted within the landscape area and shall require water irrigation for a period of three years for landscaping to be established. After three years, no irrigation is required.

4. Islands in Parking Areas.
   a. Landscape Islands
      1) Generally, there will be 1 planted island within 60' of each parking space. This planting island shall occupy approximately the size of 1 standard parking space. Each island shall contain 1 shade tree (2" min. cal.) from the City Tree List. Alternatively, there will be 1 planted island for approximately every 20 linear parking spaces. This planting island shall be the approximate size of 2 standard parking spaces. Each island shall contain 2 shade trees (2" min. cal.) from the City Tree List. Ground cover within the island shall be 100% turf, shrub, planted groundcover, gravel, or mulch or combination thereof. Note: A maximum of 25% of the required islands may be 5'x5' diamond within the parking row, but not at end islands.
   b. End Islands.
      1) There shall also be an end island for every parking row. This end island shall occupy 1 standard parking space. Each island shall contain 1 shade tree (2" min. cal.) from the City Tree List. Ground cover within the island shall be 100% turf, shrub, planted groundcover, gravel, or mulch or combination thereof.

5. Spacing from Public Utilities.
   a. Water and Wastewater Lines – No trees shall be planted closer than 5' from any public underground water or wastewater utility main unless acceptable to utility provider or applicable staff approves a specific circumstance. The location of the water or wastewater utility line shall be considered, for distance purposes, to be the surface of the ground above the line.
   b. Fire Hydrants – No trees shall be planted closer than 10' from any fire hydrant.

D. PUBLIC SPACES

1. A minimum of 4,000 sq. ft. of PLAZA OR PUBLIC SPACE shall be required for each DEVELOPMENT AREA within Shepherd's Place. PLAZA OR PUBLIC SPACE may be located anywhere within each DEVELOPMENT AREA of Shepherd's Place.

2. Public access dedication is required to provide access to the PUBLIC SPACE. This will be shown on the final plat.

3. PLAZAS OR PUBLIC SPACES shall incorporate at least 3 of the 5 following elements, which may be located anywhere within Shepherd's Place DEVELOPMENT AREA.
   a. Sitting space – at least one sitting space for each 250 square feet shall be included in the Plaza. Seating space shall be a minimum of 16" in height and 18" in width. Ledge benches shall have a minimum depth of 30".
   b. A mixture of areas that provide shade.
   c. Trees in proportion to the space at a minimum of 1 tree per 800 square feet.
   d. Water features.
   e. Public art.
   f. Outdoor eating areas or food vendors.
   g. Planting areas in the sidewalk. Pots or above grade planters are allowed, minimum of 15 gallons.
   h. Bike Racks.

4. Developments involving a gross floor area in excess of 40,000 square feet of a single user shall have a minimum of 100 sq. ft. seating area including permanent benches along the front sidewalk area. A minimum of one bike rack shall also be included along the storefront. Bench and bike rack should be of an architecturally consistent design.

E. LANDSCAPE MAINTENANCE AND TREE MITIGATION

1. All landscaping and trees shall be maintained in healthy condition. If plant materials die, they shall be replaced in a timely manner, consistent with their growing season.

2. No tree replacement or mitigation is required.

F. CALCULATIONS

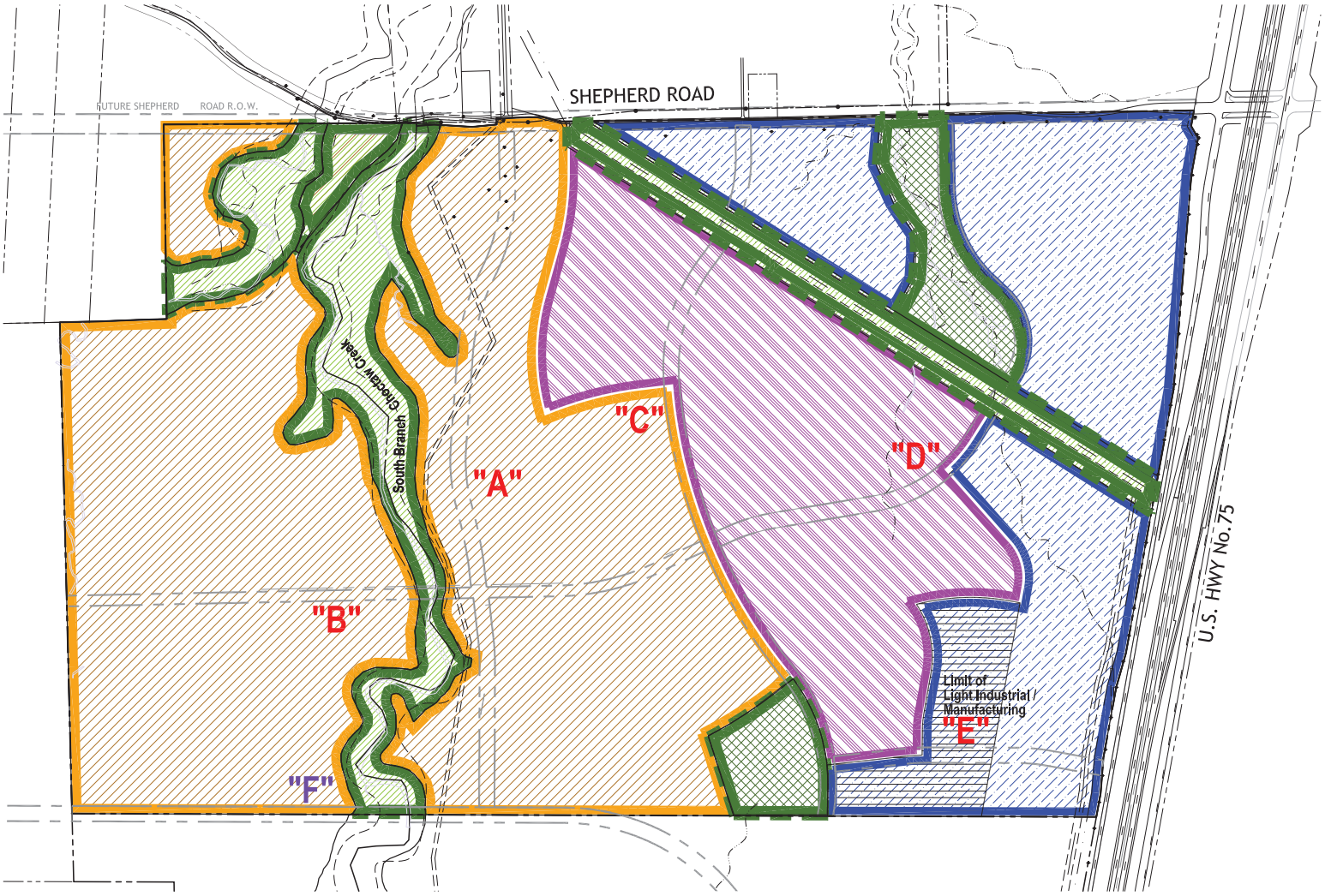
1. OPEN SPACE, tree canopy, and minimum landscape shall be calculated as part of the entirety of Shepherd's Place rather than on a site-by-site basis. Any OPEN SPACE, tree canopy, landscape area, and tree mitigation credits established may be applied throughout the entirety of Shepherd's Place.

2. A submittal will be made to the City upon permit application showing the calculation of OPEN SPACE, tree canopy, and landscaping indicating the amount of common area OSTCL is being credited toward the requirement for each permit.

G. AMENDMENTS TO THE LANDSCAPE PLAN

1. The DIRECTOR may authorize minor changes in the Landscape Plan that otherwise comply, and do not:
   a. Reduce the perimeter landscape buffer strip required;
   b. Detrimentally affect the original landscape plan's aesthetic function relative to adjacent right-of-way or surrounding property; or screening or buffering function.

EXHIBIT "A" - CONCEPTUAL PLAN



Development Areas

- Residential ±247 ac
- Flex Residential /Multi-Family ±110 ac
- Commercial / Retail / Restaurant / Entertainment ±95 ac
- Open space / Park ±52 ac
- Potential Open space / Developable Area ±28 ac

(Maximum of 50% to be developed, pending final determination of engineering aspects of the area)

TOTAL LAND AREA 531.87 Ac

GENERAL NOTES:

- 1. The thoroughfare alignment(s) shown on this exhibit are for illustration purposes only and does not set the alignment. The alignment is determined on final plat.
- 2. All roads, sidewalks, fire lanes, drive aisles and intersections will comply with the City Design Standards.
- 3. Any easements to be established will be identified and provided at time of platting.
- 4. Acreages, lot counts, and tabulations are subject to change as a result of further engineering and are considered approximate.
- 5. Graphic illustrations in the open spaces are not intended to communicate, show, or represent actual program elements, layout, or detailed landscape design.
- 6. Distances between property lines, street lines, alley lines; and driveway configurations will be established at time of platting. Design criteria for these distances will follow those standards outlined within the Planned Development (PD) for this project.

north

EXHIBIT "B" - OPEN SPACE GUIDELINE PLAN



Open space / Park
±52 ac

Potential Open space /
Developable Area
±28 ac

(Maximum of 50% to be developed,
pending final determination of
engineering aspects of the area)

north

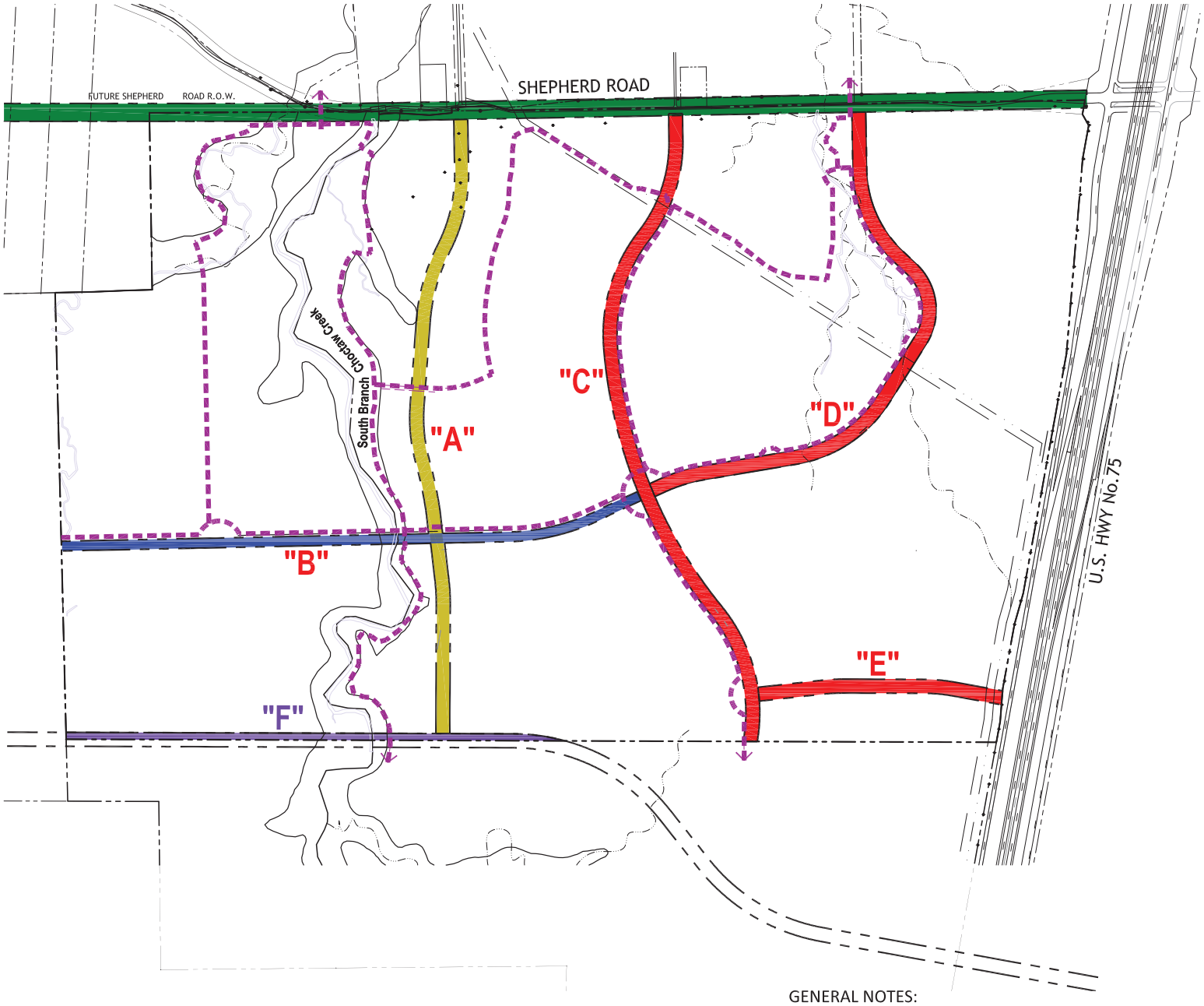
Shepherd's Place SHERMAN, TEXAS

HODGES Architecture
architecture planning
13642 Omega Dallas, Texas 75244-4514
phone: 972 387-1000 fax: 972 960-1129
www.hodgesusa.com

project no. 20102 | drawn KO | date 6-21-21

SCHEME

EXHIBIT "C" - TRANSPORTATION MASTER PLAN



RESIDENTIAL COLLECTOR	60' R.O.W	per Exhibit E.2
COMMERCIAL COLLECTOR	65' R.O.W	per Exhibit E.3
MINOR ARTERIAL	86' R.O.W	per Exhibit F.1
MAJOR ARTERIAL	110' R.O.W	per Exhibit F.2
MINOR ARTERIAL (50% of 86' ROW Dedication Only)	86' R.O.W	

Proposed Trail System

GENERAL NOTES:

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north

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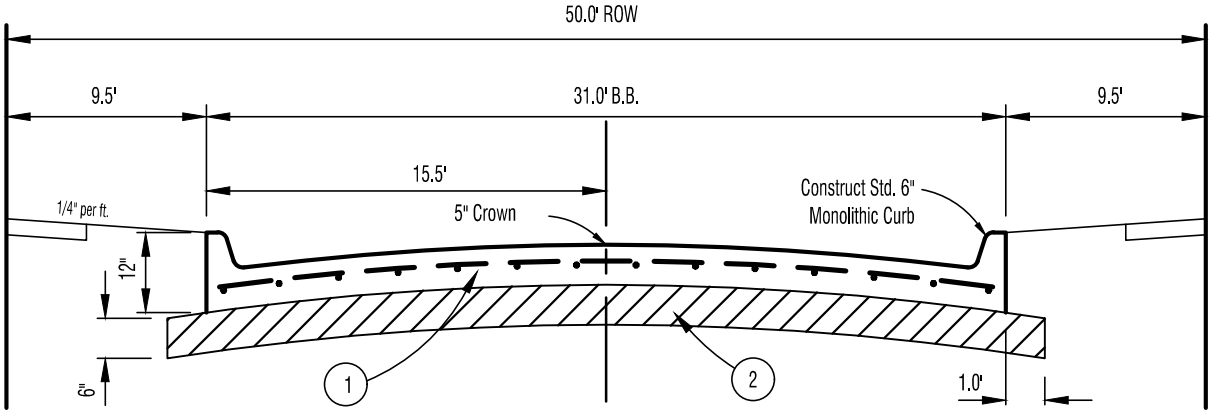
project no. 20102 | drawn KO | date 6-21-21

SCHEME

EXHIBIT "D" - LOCAL STREET



31' BB Pavement Section

Not To Scale

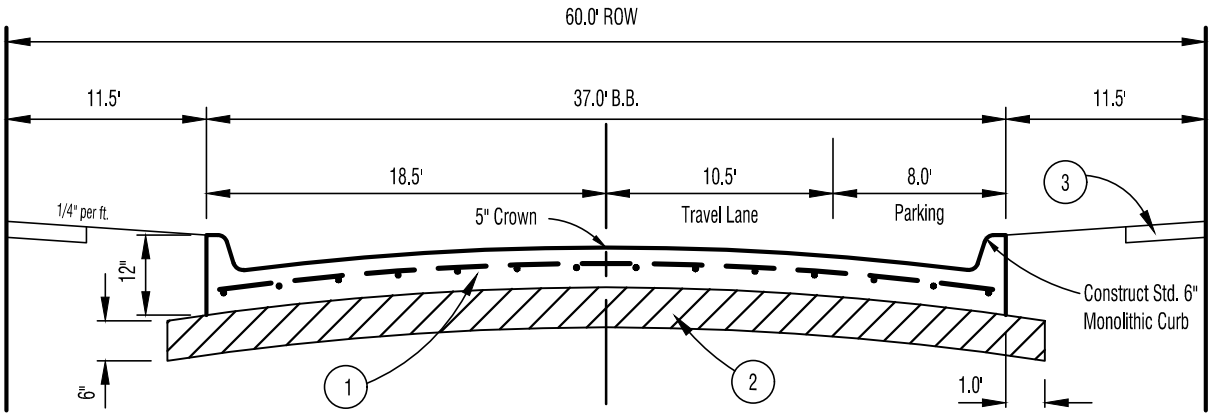
1. 6" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade

SPIARS ENGINEERING & SURVEYING
765 Custer Road, Suite 100 • Plano, TX 75075 • 972.422.0077
TBPE No F-2121 • TBLPS No. F-10043100 • www.spiarseng.com

Drawing: G:\2020 JOBS\20-213 Haggard - Sherman 800\CAD\Roadway Section Exhibits.dwg Saved By: lholz18 Save Time: 4/6/2021 1:53:38 PM

Plotted by: lholz18 Plot Date: 5/26/2021 1:22 PM

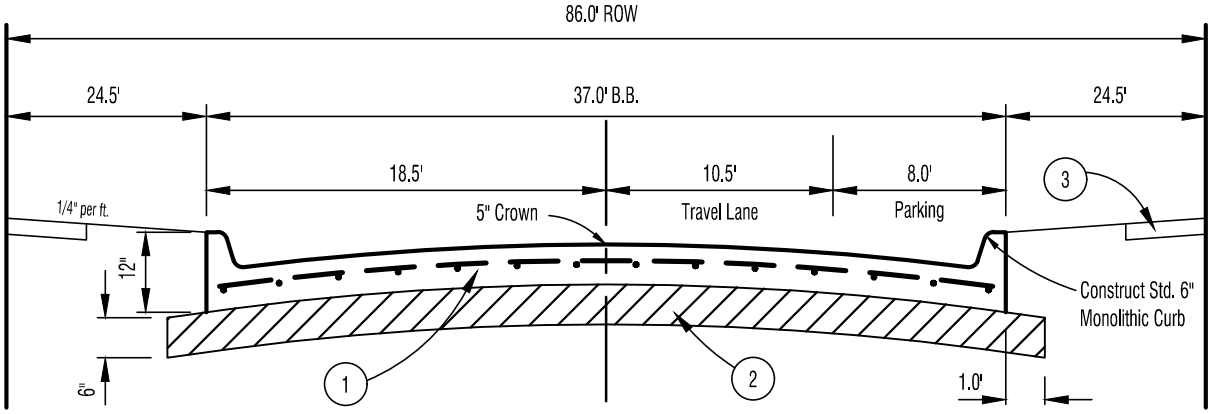
EXHIBIT "E.1" - RESIDENTIAL COLLECTOR



37' BB Pavement Section
Not To Scale

1. 7" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade
3. 5' Sidewalk (Unless Otherwise Specified on Trail Plan, Exhibit_)

EXHIBIT "E.2" - RESIDENTIAL COLLECTOR



37' BB Pavement Section
Not To Scale

1. 7" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade
3. 5' Sidewalk (Unless Otherwise Specified on Trail Plan, Exhibit_)

Shepherd's Place SHERMAN, TEXAS

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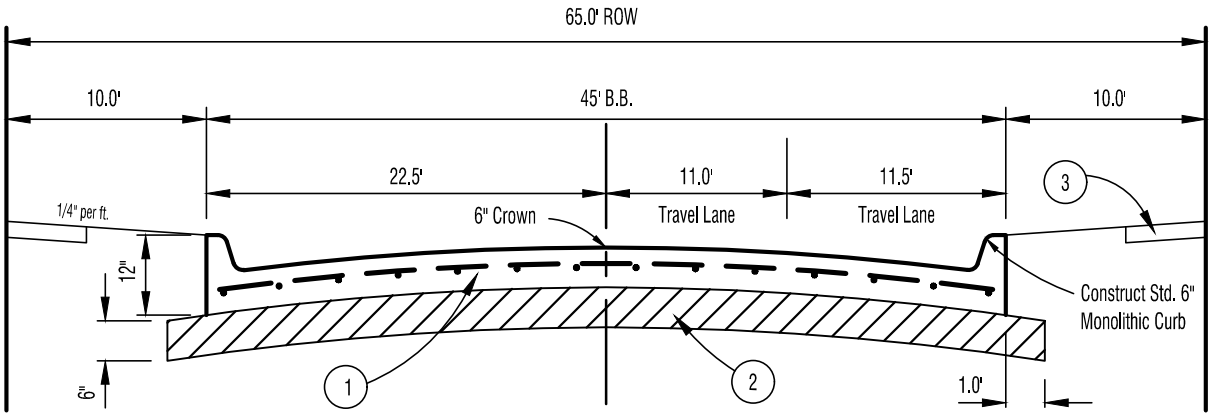
EXHIBIT "E.3" - COMMERCIAL COLLECTOR



45' BB Pavement Section

Not To Scale

1. 7" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade
3. 5' Sidewalk (Unless Otherwise Specified on Trail Plan, Exhibit_)

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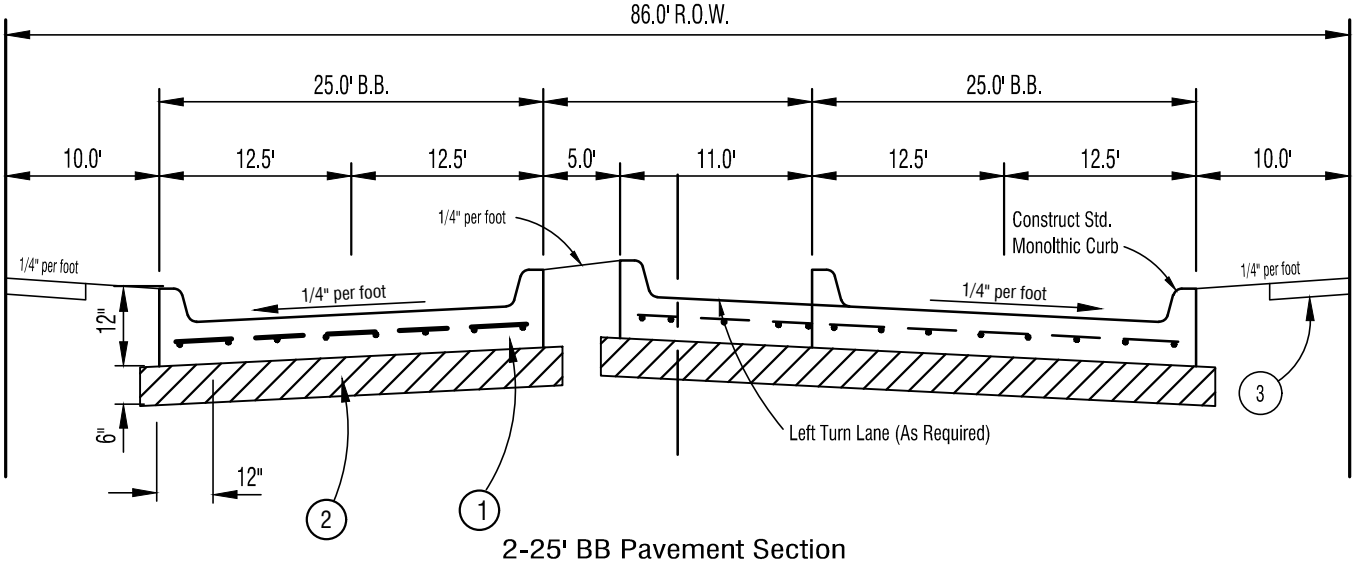
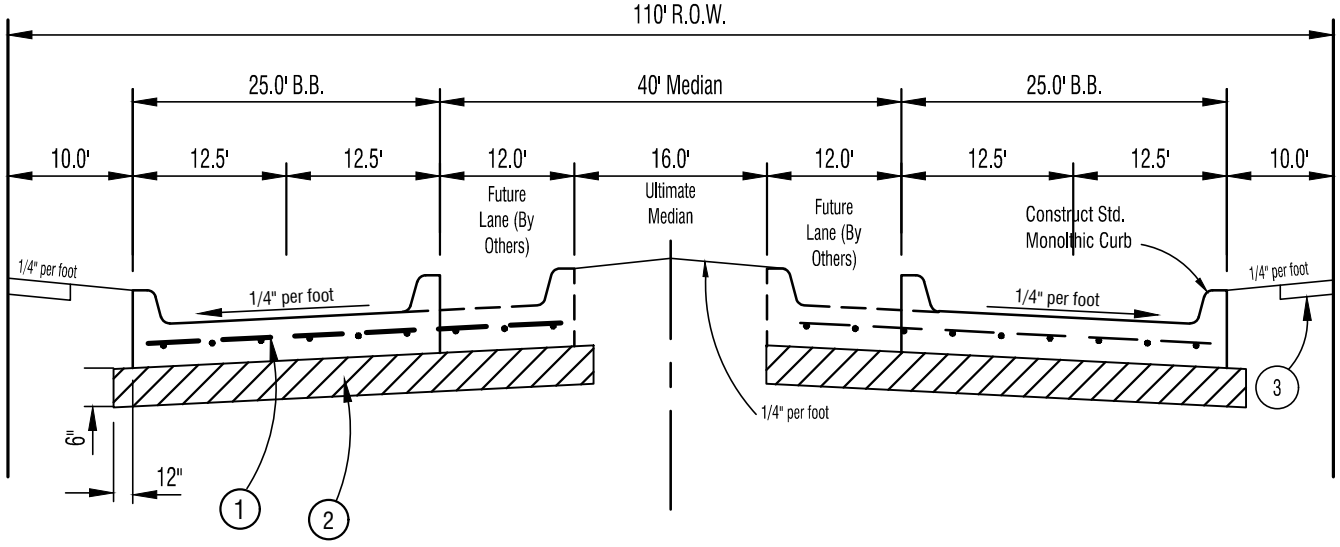
EXHIBIT "F.1" - MINOR ARTERIAL



2-25' BB Pavement Section
Not To Scale

1. 8" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade
3. 5' Sidewalk (Unless Otherwise Specified on Trail Plan, Exhibit_)

EXHIBIT "F.2" - MAJOR ARTERIAL



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Not To Scale

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Shepherd's Place SHERMAN, TEXAS

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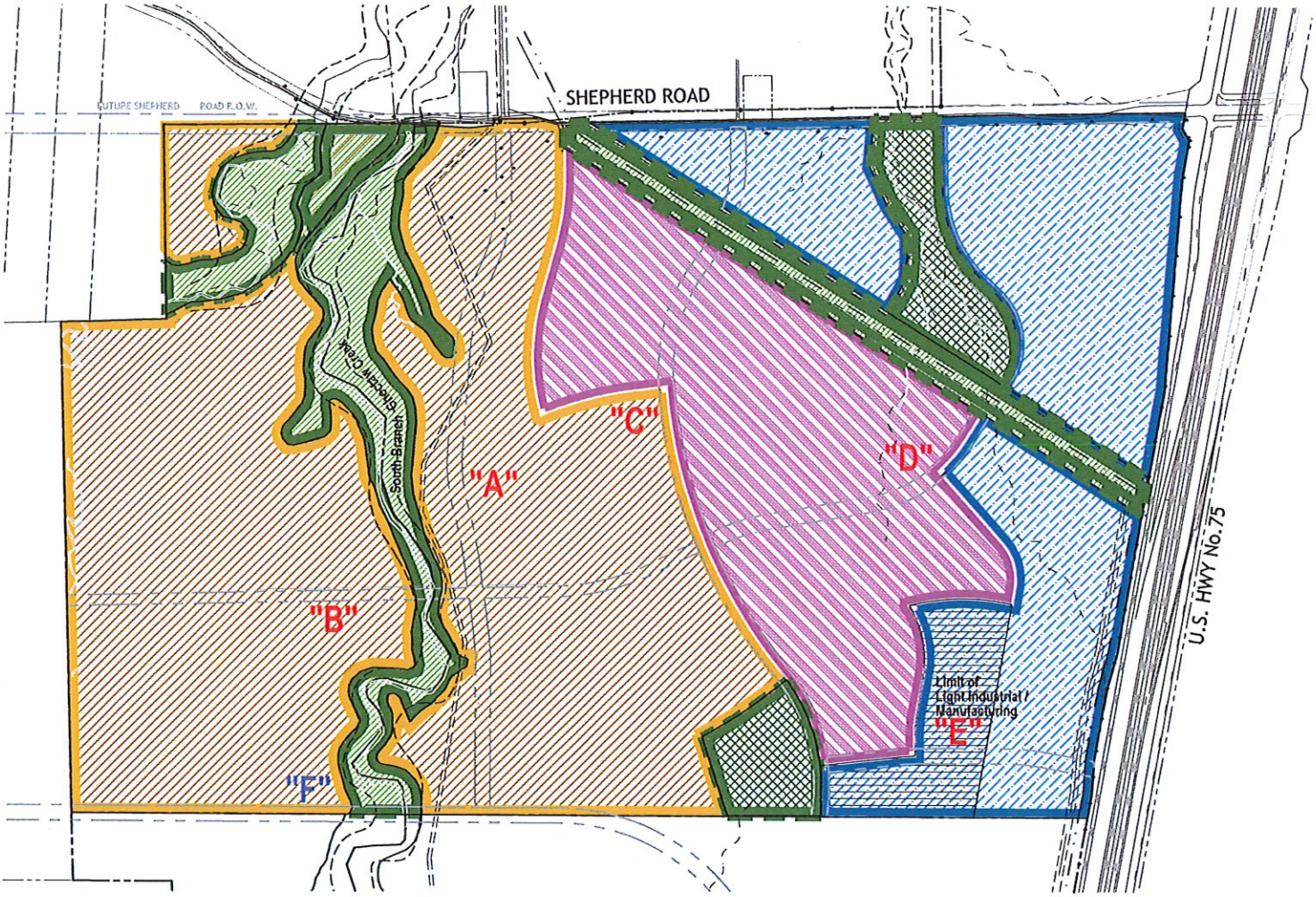
EXHIBIT "G" - Site Summary Table

Summary Table of Shepherd's Place			
	Acres	%	Units
Residential			
SF Residential	234.00 ac	44.1 %	(4.5/ac) 1053
Residential Flex	25.40 ac	4.7 %	(26/ac) 660
Multi-Family	29.00 ac	5.4 %	(40/ac) 1160
Residential Lease	25.50 ac	4.7 %	(12/ac) 306
Commercial			
Retail / Entertainment & other similar uses allowed by zoning ordinance	113.0 ac	21.4 %	n/a
Open Space			
Parks, Open Space, Buffers, and FP areas	(Up to) 80.00 ac	15.0 %	n/a
Major Rights-of-Way			
Collector and Arterial Streets (excluding residential streets)	25.00 ac	4.7 %	n/a
Total Acres	531.87 ac	100 %	3179

Note: Above acreages, unit counts, and percentages are approximate only and will be adjusted and finalized at Site Plan Approval. They are intended only to set expectations for city services to the project.

EXHIBIT 3

EXHIBIT "A" - CONCEPTUAL PLAN



Development Areas

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TOTAL LAND AREA 531.87 Ac

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north

Shepherd's Place SHERMAN, TEXAS

HODGES architecture planning
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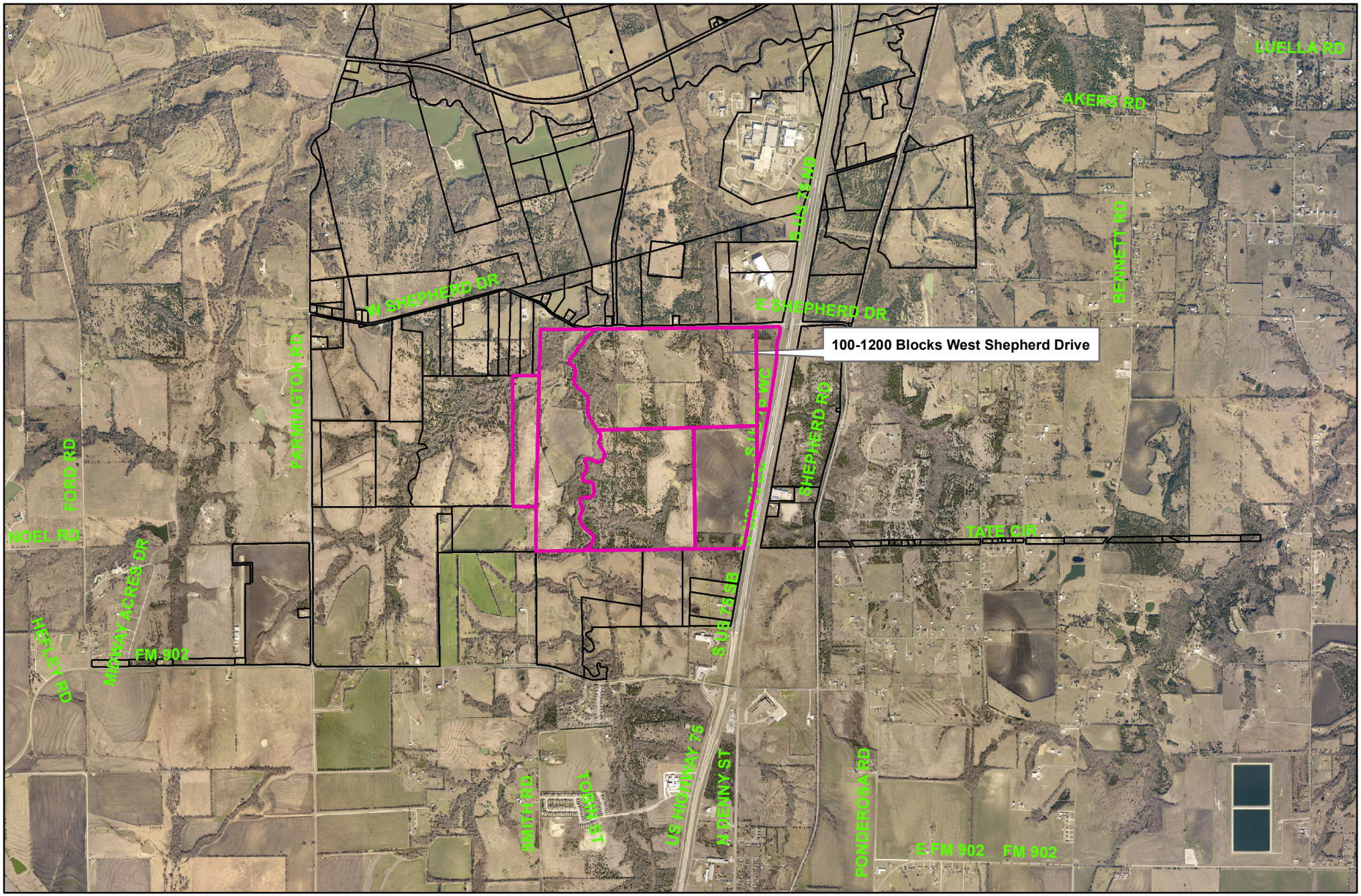
project no. 20102 | Sheet KO | Date 6-21-21

SCHEME



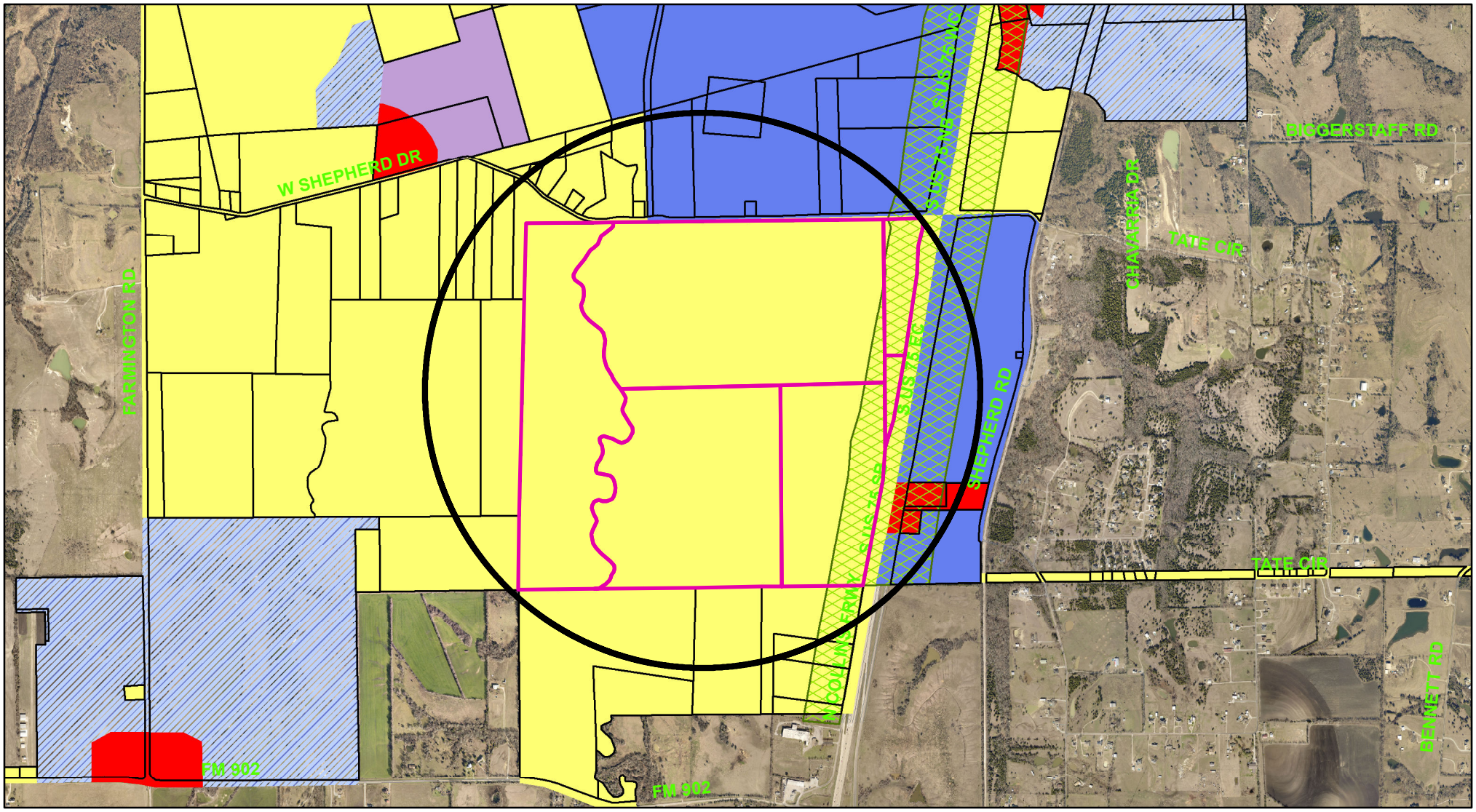
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

100-1200 Blicks West Shepherd Drive

NOT TO SCALE

1 in = 3,055 ft



Zoning - 100-1200 Blocks West Shepherd Drive

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 2,000 ft

100-1200 Blocks West Shepherd Drive






ZONING
REQUESTED
903.882-7229
Jun 4, 2021 at 2:29 PM

SURVEY

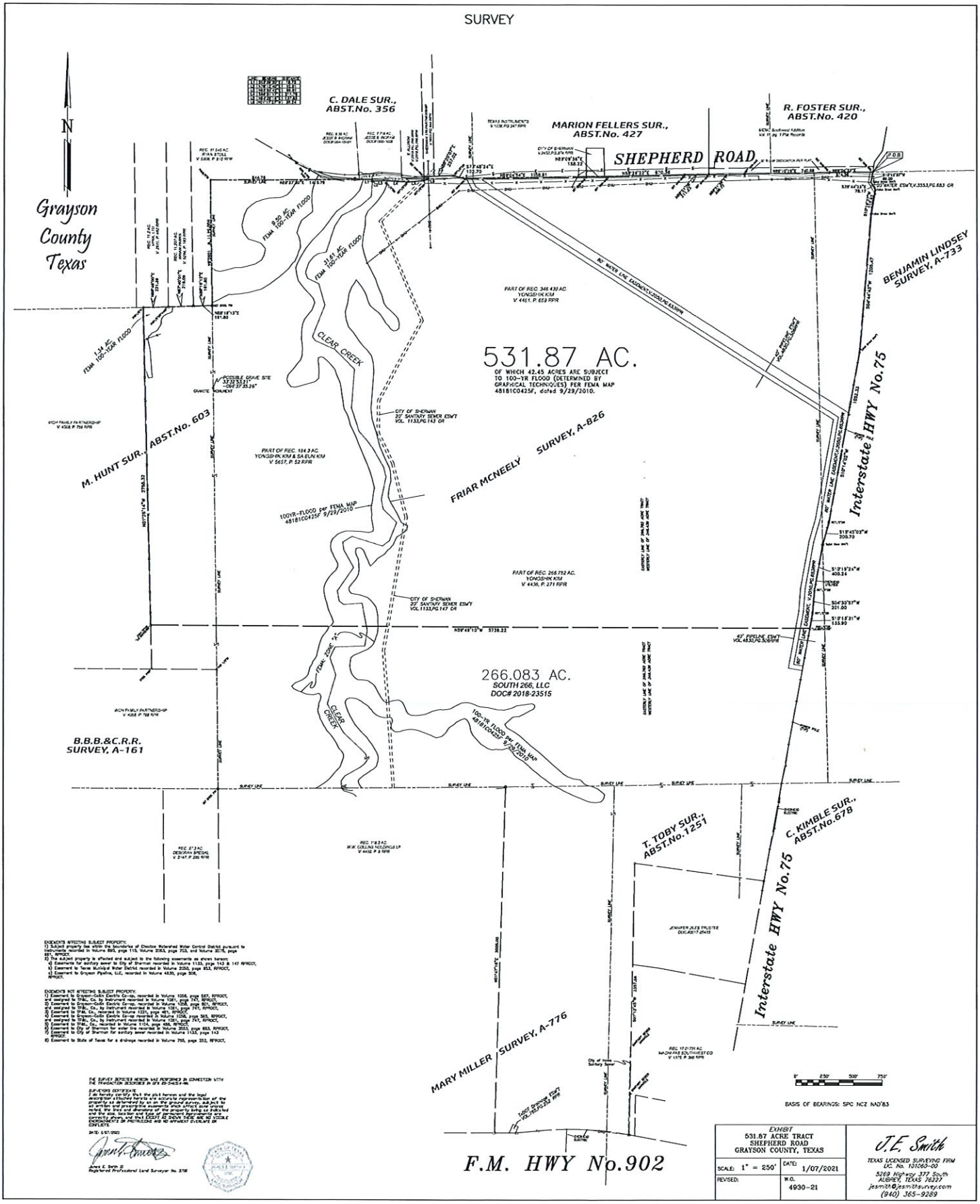


EXHIBIT
531.87 ACRE TRACT
SHEPHERD ROAD
GRAYSON COUNTY, TEXAS

SCALE: 1" = 250' | DATE: 1/07/2021
REVISED: | W.O. 4930-21

J.E. Smith
TEXAS LICENSED SURVEYING FIRM LIC. No. 101060-00
5269 Highway 377 South
ALBANY, TEXAS 76327
jesmith@jesmithsurvey.com
(940) 365-9289

J.E. SMITH
TEXAS LICENSED SURVEY FIRM No. 101060-00
5269 U.S. HWY 377 South, Aubrey, Texas 76227
jesmith@jesmithsurvey.com
(940) 365-9289

531.87 ACRE TRACT **W.O. 4930-21**

All that certain tract or parcel of land lying and being situated in Grayson County, Texas, a part of the FRIAR McNEELY SURVEY, ABSTRACT NO. 826, the M. HUNT SURVEY, ABSTRACT NO. 603. and the BENJAMIN LINDSEY SURVEY, ABSTRACT NO. 733, said tract or parcel of land being comprised of the following:

1) **Part of a tract said to contain 184.3 acres as described in a Deed to Yongshik Kim and Sae Un Kim recorded in Volume 5657, page 52 of the Real Property Records of Grayson County,**
2) **Part of a tract said to contain 266.782 acres as described in a Deed to Yongshik Kim recorded in Volume 4436, page 271 of the Real Property Records of Grayson County, and**
3) **Part of a tract said to contain 346.439 acres as described in a Deed to Yongshik Kim recorded in Volume 4461, page 659 of the Real Property Records of Grayson County, Texas,**

Said tract or parcel of land is herein described as follows; to wit:
BEGINNING at a PK Nail set in Shepherd Road on the west right-of-way line of Interstate Highway No. 75 for the northeast corner of said 346.439 acre tract and the northeast corner of the premises herein described;
THENCE with the west right-of-way line of said Interstate Highway No. 75, south 10 degrees 12 minutes 37 seconds west 89.00 feet to a TxDot concrete monument with brass cap,
2) South 29 degrees 44 minutes 23 seconds east 78.17 feet to a TxDot concrete monument with brass cap,
3) South 10 degrees 16 minutes 37 seconds west 210.63 feet to a TxDot concrete monument with brass cap,
4) South 04 degrees 44 minutes 43 seconds west 1205.47 feet to a TxDot concrete monument with brass cap,
5) South 10 degrees 14 minutes 02 seconds west 1502.33 feet to an one-half inch iron rod set with cap marked "J.E. SMITH 3700",
6) South 15 degrees 45 minutes 02 seconds west 200.70 feet to a TxDot Concrete monument with brass cap,

7) South 10 degrees 19 minutes 24 seconds west 400.24 feet to an one-half inch capped iron rod set,
8) South 04 degrees 30 minutes 57 seconds west 201.00 feet to an one-half inch capped iron rod set, and
9) South 10 degrees 13 minutes 31 seconds west 133.90 feet to an one-half inch capped iron rod found at the northeast corner of a 266.083 acre tract described in a deed to SOUTH 266, LLC, recorded under Clerk's File No. 2018-23515, said corner being the southeast corner hereof;
THENCE leaving the west right-of-way line of Interstate Highway No. 75, north 89 degrees 49 minutes 10 seconds west 5739.22 feet to an one-half inch capped iron rod found at the northwest corner of said 266.086 acre tract for the southwest corner hereof, said corner being on the west line of said 184.3 acre tract;
THENCE along the west line of said 184.3 acre tract, north 01 degree 25 minutes 14 seconds west 2755.32 feet to an one-half inch iron rod found for the most westerly northwest corner of said 184.3 acre tract and the most westerly northwest corner hereof, said corner being on the south line of a tract said to contain 11.2 acres as described in a deed to VPKK, LTD, recorded in Volume 2611, page 482 of the Real Property Records of Grayson County;
THENCE north 88 degree 48 minutes 00 seconds east 221.39 feet to an one-half inch iron rod with cap marked "4468" found at the southwest corner of a tract said to contain 11.207 acres as described in a deed to Brian Parks, recorded in Volume 5294, page 183 of the Real Property Records of Grayson County;
THENCE north 87 degrees 40 minutes 01 second east 216.09 feet to the southwest corner of a tract said to contain 11.545 acres as described in a deed to Ryan Stoll recorded in Volume 5906, page 180 of the Real Property Records of Grayson County;
THENCE north 88 degrees 19 minutes 12 seconds east 161.80 feet to a steel pin set on the occupied northeast corner of the HUNT SURVEY for a re-entrant corner of said 184.3 acre tract, said corner being on the occupied west line of the FRIAR McNEELY SURVEY;
THENCE north 00 degrees 54 minutes 11 seconds west 1090.84 feet to a 3/8 inch iron rod found for the northwest corner of the McNEELY SURVEY and the most northerly northwest corner of said 184.3 acre tract, said corner being a re-entrant corner of the Stoll tract;

THENCE north 89 degrees 37 minutes 30 seconds east at 844.76 feet passing a bois d' arc post and in all the total distance of 1415.79 feet to a point in Cedar Creek for the northeast corner of said 184.3 acre tract, said corner being on the west line of a tract said to contain 0.37 acres as described in a deed to the City of Sherman recorded in Volume 2223, page 429 of the Real Property Records of Grayson County;
THENCE with the creek and along the west line of said 346.436 acre tract, south 03 degrees 36 minutes 20 seconds east 18.73 feet to the southwest corner of said 0.37 acre tract for a corner hereof;
THENCE along the south line of said 0.37 acre tract (same being parallel with, southerly of, and 35 ft. normal distance from the paved surface of Shepherd Road), north 78 degrees 12 minutes 40 seconds east 10.91 feet to a point;
THENCE north 85 degrees 50 minutes 42 seconds east 89.81 feet to an one-half inch capped iron rod set;
THENCE south 86 degrees 31 minutes 17 seconds east 11.78 feet to an one-half inch capped iron rod set for corner;
THENCE north 84 degrees 29 minutes 16 seconds east 137.85 feet to an one-half inch capped iron rod set at the southeast corner of said 0.37 acre tract for a re-entrant corner hereof;
THENCE north 01 degree 17 minutes 27 seconds west 35.24 feet to a Mag-Nail set in the paved surface of Shepherd Road for the northeast corner of said 0.37 acre tract;
THENCE north 88 degrees 20 minutes 07 seconds east passing the southwest corner of a 470.340 acre tract described in a deed to Texas Instruments recorded in Volume 1036, page 247 of the Real Property Records of Grayson County and in all a total distance of 257.02 feet to an one-half inch capped iron rod set at an angle point in the south boundary of same;
THENCE continuing with Shepherd Road, and the south line of said 470.340 acre tract, south 73 degrees 48 minutes 24 seconds east 102.70 feet to a Mag-Nail set for corner;
THENCE continuing with said Road, north 89 degrees 04 minutes 54 seconds east 1058.81 feet to a Mag-Nail set at the southwest corner of a 0.922 acre tract conveyed to the City of Sherman by deed recorded in Volume 2450, page 274 of the Real Property Records of Grayson County;

THENCE north 89 degrees 09 minutes 36 seconds east passing the southeast corner of said 0.922 acre tract and in all a total distance 188.22 feet to a Mag-Nail set at an angle corner hereof;
THENCE continuing with said Road and the south line of said 470.340 acre tract, north 88 degrees 26 minutes 22 seconds east 670.36 feet to a Mag-Nail set for corner, and north 88 degrees 51 minutes 08 seconds east 211.23 feet to a Mag-Nail set for the southwest corner of the MEMC SOUTHWEST ADDITION per the plat thereof recorded in Volume 11, page 1 of the Grayson County Plat Records;
THENCE continuing along the south line of said Addition with said Road, north 88 degrees 51 minutes 36 seconds east 308.72 feet to a Mag-Nail set;
THENCE North 89 degrees 10 minutes 19 seconds east 740.88 feet to a Mag-Nal set;
THENCE North 89 degrees 04 minutes 33 seconds east 374.36 feet to the Place of BEGINNING and containing 531.87 acres of land.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

June 15, 2021

Yongshik Kim
84 Overlook Pl.
Rye, NY 10580

J.E. Smith
5269 U.S. Hwy. 377 South
Aubrey, TX 76227

Spiars Engineering
Lauren Helmberger
765 Custer Rd., Ste. 100
Plano, TX 75075

Dear Applicants,

The request for Shepherd Place Planned Development located in the 100-1200 blocks of West Shepherd Drive has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the City's General Zoning Ordinance No. 2280, as amended, including but not limited to regulations applicable to the Planned Development Ordinance must be followed. *(Chapter 14, Exhibit A, Section 6.12)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267).
3. A detailed site plan shall be submitted for approval within two (2) years from the approval of the Conceptual Plan for a minimum of 20 percent of the project area. If a Detailed Site Plan is not submitted within two (2) years or no progress toward completion of the project is made in a five-year period, then the previous approval of the Concept Plan and the Development Plan shall expire. Upon expiration, the land within the boundaries of the PD shall automatically revert to the zoning district in place prior to approval of the PD district. The City Council may elect to extend approval periods of a PD with justification as to why the plans should remain in place. *(Chapter 14, Exhibit A, Section 6.12, Subsection 10)*

Engineering:

4. Platting of the subject property is required.
5. Dedication in fee simple of right-of-way will along Shepherd Drive will be required to reflect the City's thoroughfare plan upon platting of the subject property. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
6. All requirements of the Floodplain Ordinance shall be followed. *Code of Ordinances Chapter 3, Article 3.12*
7. Water main must be extended in accordance with City criteria to serve subject property. *Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H).*

8. City sewer does not serve subject property. On-site sewage facility or extension of sewer main by developer is required. Sewer capacity shall be verified for proposed use. *Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H).*
9. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
10. Proposed street names must be approved by the City of Sherman Development Services Department. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(B)(1)(h)*
11. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*
12. Verify fire requirements and code compliance with Fire Marshal. *Code of Ordinances Chapter 3(c)*
13. Three Party Agreement required for Public Infrastructures.
14. Entrances/Exits off of Hwy. 75 Service Road will be Right-in, Right-out only.
15. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
16. Single family residential lots or townhomes shall not have driveway connections to Minor or Major Arterials.
17. Commercial connections shall be limited and lots will be required to have mutual access easements for connectivity to Minor and Major Arterials.
18. If 12' minimum front setback for Single Family is approved, then driveway and garage access must be from a rear alley for any residential classification that has less than a 20' front setback. Otherwise, someone parking in the front driveway will overhang and block the sidewalk for pedestrian mobility.
19. In Non-residential standards, they state the building setbacks will be shown on a recorded plat. Setbacks should be shown on approved site plan in lieu of being shown on plat.
20. Minimum monument sign setback should not be 5' since we usually have AT LEAST a 10' Utility Easements. Sign setback should be minimum 10'.
21. No signage of any type shall encroach into any dedicated public easement.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,

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

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer City Attorney
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 8.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

100-1200 BLOCKS WEST SHEPHERD DRIVE

The request of Yongshik Kim (Owner), Spiars Engineering (Civil Engineer) Lauren Helmberger (Representative) and J.E. Smith (Surveyor) concerning the properties located in the 100-1200 Blocks West Shepherd Drive, being 531.87 acres in the Friar McNeely Survey, Abstract No. 826, the Benjamin Lindsay Survey, Abstract No. 733 and the M. Hunt Survey, Abstract No. 603, as follows:

Planning and Zoning Commission

Planned Development and site plan approval under Ordinance No. 2280, Section 6.12, for Shepherd Place Planned Development.

Background:

The property is located in the 100-1200 blocks of West Shepherd Drive; the southwest corner of Shepherd Drive and U.S. Highway 75. The property is zoned an R-1 (One-Family Residential) District.

The owners are requesting a Planned Development and site plan approval for Shepherd Place Planned Development. a master planned commercial and residential development and community of approximately 532 acres. The Multi-Use Development offers a variety of residential, mixed use and commercial which are complimented with land areas for parks, waterways, and open space amenities.

Adjacent Zoning:

R-1 (One-Family Residential) District
M-1.5 (Medium Manufacturing) District

Origination:

Yongshik Kim (Owner)
Spiars Engineering (Civil Engineer)
Lauren Helmberger (Representative)
J.E. Smith (Surveyor)

Master Plan Designation:

Agricultural and Rural – Typically are large parcels that are primarily used for crops or pasture land. These low density regions surrounding the City do not have significant demands on the transportation or utilities network.

Number of notices mailed:

17

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey
Conceptual Site Plan
Development Plan
Open Space Plan
Transportation Plan
Staff Review Letter
Comments from Halff Associates, Inc.

Shepherd's Place

Sherman, Texas

Development Plan

Fairview Farm Land Company

Contents

Development Plan
Attachment A .....Architectural Standards – Commercial, Office, Medical
Attachment B .....Architectural Standards – Retail, Entertainment, Restaurant
Attachment C .....Architectural Standards – Flex Residential and Multifamily
Attachment D.....Architectural Standards – Single Family Residential
Attachment E .....Landscape Standards

Exhibit A .....Conceptual Plan
Exhibit B .....Open Space Guidelines Plan
Exhibit C .....Transportation Master Plan
Exhibit D .....Local Street
Exhibit E.1 and E.2.....Residential Collector
Exhibit E.3.....Commercial Collector
Exhibit F.1 and F.2.....Minor Arterial and Major Arterial
Exhibit G .....Site Summary Table

Shepherd's Place
Sherman, Texas

DEVELOPMENT PLAN

Shepherd's Place Development is a master planned commercial and residential development and community of approximately 532 acres located in Sherman, Texas (the "Development"). The Multi-Use Development offers a variety of residential, mixed use, and commercial offerings which are complimented with land areas for parks, waterways, and OPEN SPACE amenities. The Use and Development Standards herein set forth standards which encourage development with a compatible mix of uses along with well designed vehicular and pedestrian access and links, and building layout. Natural site features provide a development canvas for interesting and unique opportunities.

A. DEVELOPMENT OBJECTIVES

1. The objectives establishing the Shepherd's Place Development Plan (DP) are as follows:
   a. Ensure compatibility of new construction with the existing scale and characteristics of surrounding properties.
   b. Protect and enhance specific land features which have characteristics distinct from lands and structures outside this DP.
   c. Provide within Shepherd's Place a combination of land uses arranged and designed in accordance with sound site planning principles and development techniques; and in such a manner as to be properly related to each other, the immediate surrounding area, the planned mobility system, and other public facilities, such as water and sewer systems, parks, and utilities.

B. REGULATIONS

1. Unless expressly stated or identified within this Ordinance, the regulations, requirements, standards and other provisions of the City of Sherman's Zoning Ordinance, as it exists or may be amended and any successor ordinance thereto (the "Zoning Ordinance"), shall apply to the development and use of the Property. If there is a conflict between the provisions of this Ordinance and those of the Zoning Ordinance, this Ordinance controls.

2. Architectural, Landscape Design, and Development Standards are established to effectuate the purpose of the DP. The City rules and regulations applicable to the development of property in the DP are applicable, except as otherwise provided by this DP and further restricted or excepted herein.

3. The DP may be developed in phases. If the common features and amenities for future phases, including but not limited to roadways, OPEN SPACES, landscaping and/or recreational facilities are not yet constructed; a phasing plan may be considered as a component of the final plat. If provided, a phasing plan shall contain a graphic and narrative document that indicates the sequence of construction, provides a description of the phasing order and includes infrastructure requirements for each phase, as amended from time to time with approval of the DIRECTOR.

C. DEFINITIONS

Words shown throughout this Development Plan (DP) document in all UPPER CASE LETTERS are defined in this Section.

1. **AMENITY CENTER:** A facility used by and for the benefit of the members of an HOA, Common Ownership Entity, or Multifamily complex. AMENITY CENTERS may include indoor and outdoor components and facilities including, but not limited to; pools, gym/fitness center, game rooms, offices, meeting rooms, and lounges.
2. **AGE RESTRICTED MULTI-FAMILY:** Multi-Family development whose residents are restricted to those age 51 and over.
3. **BIG HOUSE:** A type of residential development where 10 or fewer dwelling units are located in a single building which is intended to resemble a single large house. The dwelling units can be vertically or horizontally integrated. Dwelling units developed as a BIG HOUSE use will count towards the total number of multi-family dwelling units and not toward the total number of single-family dwelling units allowed in Shepherd's Place.
4. **CONTINUING CARE RETIREMENT CENTER:** A facility that integrates multiple senior living options into 1 facility which may include skilled nursing, assisted living, dementia care, as well as independent living. This use is not considered a multi-family dwelling unit. (Ordinance No. 2007-110).
5. **CONVENTION CENTER:** A facility used in connection with a convention or meeting center, or similar facility, including auditoriums, exhibition halls, facilities for food preparation and service, parking facilities, administrative offices and ancillary development such as a hotel.
6. **COTTAGE STYLE HOME:** One or two story residential home, with one, two, or three bedrooms in a residence. Buildings are separated by landscaping or a sidewalk. Size from 625 sq. ft. to 1,650 sq. ft. Enclosed homes share landscaping, OPEN SPACE, and parking area.
7. **DENSITY:** Where DENSITY is stated on a units/acre or building area compared to land area, the land area is net of any detention area, flood plain, future R.O.W., or trail system.
8. **DEVELOPMENT AREA:** Areas of the DP generally grouped by type of use, as depicted on Exhibit A – Conceptual Plan.
9. **DIRECTOR:** The DIRECTOR of Development Services for the CITY or his/her designee or the City Manager if such position is vacant, no longer exists, or is terminated by the CITY.
10. **GARDEN-STYLE HOME:** A single-family dwelling on a separate lot with building setbacks only on 3 sides commonly developed in a cluster formation. This development type is also known as Zero lot line homes or Patio Homes.
11. **KIOSK:** A small freestanding enclosure (with or without a solid roof) where goods, food, or services are sold. KIOSK may be up to 600 sq. ft.
12. **MICROBREWERY:** A combination retail, wholesale, and/or manufacturing business that brews and serves beer and/or food.
13. **OPEN SPACE:** OPEN SPACE includes all surface areas of the project that are not covered with enclosed buildings, parking and drive areas. Landscaped areas, Pedestrian plazas, sidewalks (covered or uncovered) pools, trails, and playgrounds count as OPEN SPACE. In addition, areas such as easements or rights-of-way, that may be owned or controlled by a governmental agency, but that are being maintained privately, will count towards the OPEN SPACE and landscape area requirements.
14. **PLAZA OR PUBLIC AREA SPACE:** An area identified on an approved Site Plan which is designated for public or civic use. This area can be part of a private development or included within a park.
15. **PRIVATE CLUB:** An establishment providing social and/or dining facilities which may provide alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of the applicable regulations in the Texas Alcoholic Beverage Code, that pertains to the operation of PRIVATE CLUBS.

16. **QUICK VEHICLE SERVICE:** An automobile service center offering oil change, tune up, tires, brakes, and other minor auto services. Body work is not included.
17. **STORMWATER CONTROL AND/OR DETENTION AREAS:** Facilities dedicated to the collection, or transportation of stormwater runoff.
18. **STORM WATER QUALITY AREAS:** Facilities for the collection and treatment of storm water runoff.
19. **SUBZONE**: A contiguous area generally greater than 5% and less than 50% of the DEVELOPMENT AREA, located within a DEVELOPMENT AREA that may include a common building type or theme. The location of a SUBZONE may be indicated on a detailed site plan
20. **TOWNHOUSE:** A dwelling structure not to exceed 3 stories in height, containing a minimum of 3 and maximum of 8 dwelling units within a building, which is constructed in a series or group of attached unit buildings on 1 lot, meeting fire protection requirements.
21. **TRADE DRESS:** Includes tenant identification signage, materials, entry treatments and Architectural features, if it is part of national identity for the Tenant. TRADE DRESS will include the Tenant's logo and identifying colors. These colors do not have to match the Architectural color palette. TRADE DRESS must fit within the approved façade of the building in which the Tenant will operate. TRADE DRESS elements may extend beyond the façade of the building if attached to the façade. Wall signage may be incorporated into the TRADE DRESS and cannot exceed 25% of the total area of the façade. If the building is a corner building, or a freestanding building, then the Tenant is allowed to have TRADE DRESS on all facades visible to customers.

D. COMPONENTS OF THE DEVELOPMENT PLAN

1. Conceptual Plan (Exhibit A)
   a. Development within Shepherd's Place shall conform to the adopted Concept Plan attached to these regulations. The Concept Plan is intended to be used as the first step in the development process. The Concept Plan establishes the initial plan for general zoning guidelines in the DP by illustrating in graphic form both internal and external streets, thoroughfares, other means of access, OPEN SPACES, natural resources, uses, densities and intensities.

2. Site Plan (Future Individual Parcel Submittal)
   a. Site Plans are intended to demonstrate and confirm that each phase of development moving towards construction complies with all of the design requirements of this Ordinance and the applicable portions of the Sherman Code of Ordinances. Site Plans shall conform to the Concept Plan. The following requirements shall apply for non-residential developments (including multifamily):
      1) The DP may be developed in multiple phases. If the DP is developed in phases, a site plan shall be approved for each phase. However, this section does not preclude the approval of an overall Site Plan for the entire DP, or a substantial portion of the DP, at the option of the Property Owner.
      2) Site Plans shall be approved by the Planning and Zoning Commission.
      3) Complete site plans shall confirm the zoning details previously approved in the Concept Plan as well as provide additional design and architectural standard details by illustrating in a graphic form with both site plans and concept building elevations.
      4) The Site Plan provides for the design and arrangement of driveways and parking spaces in accordance with the applicable requirements.
      5) The site plan provides for or confirms that there are adequate utilities, drainage and supporting infrastructure or it shall be provided in accordance with the applicable requirements.

3. OPEN SPACE Guideline Plan (Exhibit B)
    a. This Plan depicts the general location of park, OPEN SPACE, and pedestrian and trail amenities. These locations and alignments relate to future roadways and possible divisions of land use types, along with probable utility easements or ROW. These locations will be coordinated with a well-planned pedestrian connection system. The waterways and adjacent space are formed in part due the existing topography and drainage patterns.
    b. The exact location of each OPEN SPACE and trail shall be determined at the time of platting, but shall follow the layout identified in the OPEN SPACE Guideline Plan.

4. Transportation Master Plan (Exhibit C)
    a. This Master Plan defines the general location and type of vehicular transportation routes. These locations relate to future streets and roadways being planned and constructed. These roadways are planned to align with other existing adjacent roads per the current City of Sherman Thoroughfare Plan. The goal of the Shepherd's Place DP is to create a transportation network that allows proper mobility within this site along with connectivity to adjacent transportation networks into Sherman.
    b. The exact locations of the access points into the Development from public thoroughfares and the exact layout and design of internal streets within the Development shall be determined at the time of platting, but shall follow the Transportation Master Plan.

5. Land Use Requirements
    a. This DP is divided into DEVELOPMENT AREAS as identified in the Concept Plan. Each DEVELOPMENT AREA is intended to allow for the development of unique and complimentary uses to the other DEVELOPMENT AREAS. The following uses are the allowable (permitted) uses for each DEVELOPMENT AREA. No other uses shall be permitted.

6. Site Requirements
    a. The Site Development Standards section establishes the standards for public realm improvements, street types, widths, amenities and public spaces.

7. Architectural Requirements
    a. The Architectural Standards section governs the commercial, residential, entertainment and OPEN SPACE for architectural elements and appurtenances related to the facade materials, roofs, service areas and other building standards.

E. PERMITTED USES:
The following uses are allowed as a matter of right.

1. <u>Commercial/Retail/Restaurant/Entertainment Area</u>.
    a. Accessory Structure
    b. Agriculture
    c. Amusement Services
    d. Animal Hospital
    e. Assisted Living Facility / Memory Care
    f. Auditorium
    g. Auto Repair
    h. Auto Service Station / Gas Station / Convenience Store
    i. Bank / Financial
    j. Bed and Breakfast
    k. Car Wash
    l. Childcare Facility
    m. Church/Place of Worship

n. Cinema
o. Civic Center
p. Community Service
q. Dance Studio
r. Drive-thru Facilities
s. Educational Facilities
t. Entertainment - Indoor and Outdoor
u. Exhibition Hall
v. Food Hall
w. Fitness Center
x. Fraternal Organization, Lodge, Civil Club, or Union
y. Garden Center with Plant Materials and Garden Supplies
z. Hospital
aa. Hotel / Motel
bb. Indoor Recreation
cc. KIOSK
dd. Library
ee. Light Industrial Uses listed in M-1 District in Designated Area Only (indicated on Exhibit A)
ff. Manufacturing Business in Designated Area Only (indicated on Exhibit A)
gg. Market (public)
hh. Medical Office / Service / Surgery Center
ii. MICROBREWERY
jj. Office
kk. Open Professional Services and Offices
ll. Outdoor Recreation
mm. Parks/Playgrounds and OPEN SPACE
nn. Pet Sales, Grooming, Boarding
oo. Post Office
pp. PRIVATE CLUB
qq. Professional Services
rr. Public Garage/Parking Structure
ss. QUICK VEHICLE SERVICING
tt. Restaurant (may sell alcohol if licensed)
uu. Restaurant with Drive-Thru (may sell alcohol if licensed)
vv. Retail Construction Materials Sales
ww. Retail Sales and Services
xx. School
yy. Seasonal Uses
zz. Service Business
aaa. Sports Arena – Indoor and Outdoor
bbb. Storage
ccc. Telemarketing
ddd. Temporary Outdoor Display, Sales, Public Performance
eee. Theaters (enclosed and drive-in – film or live performance)
fff. Utilities (public)
ggg. Veterinarian Clinic
hhh. Wholesale Sales

2. Residential Area.
   a. Accessory Dwelling
   b. Accessory Structures and Garages
   c. Assisted Living Facility / Memory Care
   d. Church/Place of Worship

e. Community Service
f. Dwelling, COTTAGE HOME
g. Dwelling, GARDEN STYLE Home
h. Dwelling, Single Family
i. Dwelling, two, three or four family (duplex, triplex, or fourplex)
j. Educational Facility
k. Outdoor Recreation
l. Park/Playground
m. Post Office
n. School (K through 12)

3. Flex Residential Area.
   a. Accessory Dwelling
   b. Accessory Structures
   c. Assisted Living Facility / Memory Care
   d. Childcare Facility
   e. Church/Place of Worship
   f. Community Service
   g. Continuing Care Retirement Community
   h. Convalescent and Nursing Home
   i. Dwelling, COTTAGE HOME
   j. Dwelling, GARDEN STYLE Home
   k. Dwelling, Multifamily
   l. Dwelling, Single Family
   m. Dwelling, TOWNHOUSES
   n. Dwelling, two, three or four family (duplex, triplex, or fourplex)
   o. Educational Facility
   p. Family Home (BIG HOUSE)
   q. Hotel / Motel
   r. Independent Senior Living Facility
   s. Medical Office / Services / Surgery Center
   t. Outdoor Recreation
   u. Park/Playground
   v. Post Office
   w. School (K through 12)
   x. Storage
   y. Utilities

4. Park and OPEN SPACE Area.
   a. Community Garden
   b. Dog Park
   c. Drainage Area
   d. Greenway
   e. OPEN SPACE
   f. Outdoor Performance or Amphitheater
   g. Outdoor Recreation
   h. Pedestrian Trails
   i. Park/Playground
   j. Public Corridor
   k. Public Park, State Park, Municipal Park
   l. Public Plaza
   m. Public Streets
   n. Recreational Water Features, Splash Pads, Pools, Fountains

o. Reservation
p. Schoolyards
q. Water Quality Feature
r. Utilities

5. TV/Radio/Satellite Towers may be located in any DEVELOPMENT AREA other than Single Family Residential.

F. SITE DEVELOPMENT STANDARDS

1. Public Streets
   a. This describes proposed roadway design standards associated for the Shepherd's Place DP with each of the functional classifications as related to the City of Sherman Thoroughfare Plan. Roadway design standards are in the City of Sherman's Subdivision Ordinance and include roadway design criteria and cross section elements for Major Thoroughfares (arterial) and Collector and Local streets. While street classification reflects the functions that roadways serve as part of the street network, roadway design standards are related to traffic volume, design capacity, and level of service.
   b. Single family residential lots shall not have driveway connections to arterial or collector streets.
   c. Commercial lots shall be required to have cross access easements for connectivity to adjacent lots.

G. ACCESS, PARKING, AND CIRCULATION REQUIREMENTS

1. Pedestrian Access.
   a. All developments shall provide pedestrian access by linking to any adjacent sidewalk(s), multi-use path(s) or public transportation stop.

2. Vehicular Circulation
   a. Cross Access: Prior to division of property, circulation and access standards shall be applied and, if necessary, cross easements shall be required so that access to all properties created by the subdivision can be made from shared curb cuts or cross access drives.
   b. Minimum Driveway Spacing and Separation – per City Standards.

H. AREA STANDARDS

1. This section establishes basic requirements for uses, building placement, lot widths, height, stories, and overall densities. Area standards for uses permitted with conditions that are not specified in the following sections shall be proposed to the City in a manner that satisfies the requirements of the Zoning Ordinance.

2. For each standard set identified below, the following building height, building setbacks, building area, lot area and special regulations shall apply, provided that Minor Modifications which do not exceed 10% greater or lessor may be approved by the DIRECTOR. For purposes of this Ordinance, a "Minor Modification" is a change to the Development Plan that is determined to meet the goals and intent as set forth in this Ordinance. A Minor Modification may be approved administratively by the DIRECTOR only if, the Minor Modification:
   a. Does not materially change the circulation shown on the Transportation Plan, or
   b. Does not increase the allowable intensity or density of any land use under this Ordinance, or
   c. Does not increase or decrease the number of stories, more than one story, or
   d. Does not otherwise effectively result in an amendment to this Ordinance to an extent beyond the amendments established by this Ordinance.

3. Building heights will be measured from the ground immediately adjacent to the foundation to the eave line of the building. In the event that a permitted use in any standard set does not have a corresponding height or area regulation specified herein, the height and area regulations for such use shall be those for uses most similar to such permitted use.

Residential Standards

a. Multifamily / Apartments / Condominiums
   1) Height: Up to 7 stories.
   2) Maximum lot coverage: 80% total, including main and accessory buildings.
   3) Minimum requirements for lot area, width, and setback from property lines:

Lot Area	10,000 sq. ft. minimum
Front Yard Setback	10’
Minimum Side Yard	20’, 10’ from a street right-of-way line for a corner lot.
	Unless adjacent to a single family, duplex, or patio home/COTTAGE HOME use, then side and rear setbacks shall be 25’ – except if building is over 40’ tall, with 1’ additional for every 2’ of height over 40’, up to 50’ maximum setback.
Minimum Rear Yard	10’
If project is a wrap, podium, or similar more urban style development, the setbacks and building separation may be 0’ on the “interior” lot lines of the project.	

   4) Building separation: minimum 15’.
   5) Minimum floor area:

Efficiency Unit	450 sq. ft. per unit
One-Bedroom Unit	500 sq. ft. per unit
Two or more bedroom unit	800 sq. ft. per unit

   6) Maximum DENSITY 40 units per acre.
   7) BIG HOUSE will fall within the Multifamily designation, and may be 1 or 2 story.

b. TOWNHOUSES
   1) Each unit features at least 1 point of direct exterior access to the structure.
   2) Each unit is separated from the other dwellings in the structure by fire rated common walls.
   3) No units are vertically above or below another unit within the structure.
   4) Each unit features access to a public street or alley.
   5) Maximum DENSITY: 16 units per acre.
   6) Minimum requirements.

Lot Area	No minimum
Lot Width	Minimum 26’
Front Yard	Front entry garage – minimum 20’ Rear entry garage – minimum 10’
Side Yard	0’ for any side abutting another unit 5’ for any side not abutting another unit
Rear Yard	Front entry garage – minimum 10’ Rear entry garage – minimum 20’

   7) Building Separation: 15’

c. PATIO HOMES/COTTAGE STYLE HOMES
   1) Homes are encouraged to be in a variety and range of sizes to encourage a diversity of housing opportunities.
   2) May be served by rear alleys or front-facing garages.
   3) Homes shall be a maximum of 2 floors – with occupied attic space/dormers allowed.
   4) Homes may be a "for sale" or "for rent" product type.
   5) Maximum lot coverage: 65% total, including main and accessory buildings.
   6) Minimum requirements: 30' lot width, 10' front yard, side yard is 0' on one side, and 10' at the other side, unless 5' side yard is provided on both sides.
   7) Maximum density: 12 units/acre.
   8) Recreational vehicles or motor homes may not be used for on-site dwelling purposes.

d. Single Family Detached Homes
   1) Single family homes are encouraged to be in a variety and range of sizes to encourage a diversity of housing opportunities.
   2) Single family homes may be served by rear alleys or front-facing garages.
   3) Single family homes within the Residential Area shall be a maximum of 2 floors – with occupied attic space/dormer or basement allowed.
   4) Single family homes can be a "for sale" or "for rent" product.
   5) Maximum lot coverage: 50% total, including main and accessory buildings.
   6) Minimum requirements for lot width: 40', 50', 60', 70', and 80'.
   7) Minimum setbacks: 12' front (20' at a garage), 10' rear, 5' side.
   8) Maximum density: 4.5 units per acre.
   9) Recreational vehicles or motor homes may not be used for on-site dwelling purposes.

<u>Non-Residential Standards</u>

a. Commercial/Retail/Entertainment/Restaurant
   1) The DEVELOPMENT AREA will consist of various building types – single tenant retail, in-line retail, large box, entertainment, restaurants, commercial, office, medical, and others. Different building uses will have potentially a different building height and design guidelines.
   2) No minimum lot area limitations.
   3) Minimum Building Setbacks.

Front Yard	10' if no parking occurs between the building and R.O.W.
	25' if parking occurs between the building and R.O.W.
Minimum Side Yard	10'
	No minimum side yard is required between internal lots on a development as long as adjacent buildings conform to the City's Building Code.
	Minimum side yard setback adjacent to a single family, duplex, or patio home/COTTAGE HOME use, then side and rear setbacks shall be 25' – except if building is over 40' tall, with 1' additional for every 2' of height over 40', up to 50' maximum setback.
Minimum Rear Yard Setback	10', except adjacent to single family residential, which will be minimum 25'.

   4) Floor to area ratio (F.A.R.): The gross area of all structures, including primary and all accessory structures, shall not exceed an amount four times the area of the lot or tract in which they are located (4:1). Parking garage shall not be counted for the F.A.R. calculation.

Additional Requirements for Specific Uses include:

a. Office
   1) Office use will consist of various campus styles – such as larger corporate office buildings, small multi-tenant office buildings, and flex office buildings intended for sales, assemblage, and manufacturing uses. Different campus styles will have potentially a different building height and design guidelines.
   2) No minimum lot area limitations.
   3) Minimum building setbacks will be established on a recorded plat; provided that if no building setbacks are established on an approved site plan.

Minimum Front Yard	Minimum setback for the main building may vary between 10’ and 25’.
Minimum Side Yard	No minimum side yard setback, unless adjacent to a single family, duplex, or patio home/COTTAGE HOME use, then side and rear setbacks shall be 25’ – except if building is over 40’ tall, with 1’ additional for every 2’ of height over 40’, up to 50’ maximum setback.
	No minimum setback is required as long as adjacent buildings conform to the City’s Building Code.
Minimum Rear Yard	No minimum rear yard setback, except adjacent to single family residential, which will be minimum 25’.

   4) Floor to area ratio (F.A.R.): The gross area of all structures, including primary and all accessory structures, shall not exceed four times the area of the lot or tract in which they are located (4:1). Parking garage shall not be counted for the F.A.R. calculation.

b. Hotel (Full and Limited Services)
   1) Hotel shall be defined as a building with habitable rooms or suites which are reserved for guests who rent the rooms or suites on a daily basis, and with controlled access to the rooms via a lobby or interior hallway.
   2) Limited service hotel shall furnish customary services such as registration/reception, office, linen, maid service, and furniture maintenance.
   3) Full service hotels may provide:
      - Swimming pool.
      - Other recreational facilities, including but not limited to, exercise rooms equipped with exercise equipment, sports courts, spas, or game areas.
      - Full service restaurant.
      - Meeting or conference facilities.
   4) No minimum lot area limitations.
   5) Minimum building setbacks will be established on a recorded plat; provided that if no building setbacks are established on an approved site plan:

Minimum Front Yard Setback	10’
Minimum Side Yard Setback	10’
No Minimum Rear Yard Setback	10’, except adjacent to single family residential, which will be minimum 25’.
Floor to Area Ratio (F.A.R.)	The gross square footage of all structures, including primary and all accessory structures, shall not exceed an amount equal to 4 times the area of the lot or tract in which they are located (4:1).

   6) A porte-cochere or other covered area shall be provided immediately adjacent to the building entrance nearest the registration desk.

4. Height Limit Exceptions
    a. Unless noted in this DP, no specific height limits in the Commercial/Retail/Restaurant/ Entertainment or Multifamily Areas.
    b. For all design categories, architectural embellishments not intended for human occupancy but important to the architectural style of the buildings, including but not limited to spires, towers, cupolas, domes, and roof forms shall not count towards height limitations.
    c. Elevator equipment enclosures, chimneys, fire sprinkler tanks, and other similar constructions may extend above the actual building height, but must be screened from view by a parapet.

I. SITE ELEMENTS

1. Drainage
    a. The drainage improvements shall be designed in accordance with the requirements provided in the Sherman Code of Ordinances and the Drainage Criteria Manual.
    b. Ownership will work with City of Sherman staff to set forth triggering points for phasing of the water and wastewater infrastructure improvements based on analysis, studies or models undertaken to support specific final plat activity.

2. Retaining Walls
    a. All retaining walls are to be built of stone or have a stone fascia and top coping.

3. Water and Wastewater Standards
    a. The City rules and regulations regarding water and wastewater standards shall apply.
    b. Ownership will work with City of Sherman staff to set forth triggering points for phasing of the water and wastewater infrastructure improvements based on analysis, studies or models undertaken to support specific final plat activity.

4. Lighting Performance Requirements
    a. A comprehensive lighting plan shall be utilized for public safety in parking areas, illumination of building areas and pedestrian scale lighting along walkways and foot paths, intersections, and gathering places. All lighting within the DP shall meet the following standards which replace the standards set forth in the Sherman Code of Ordinances.
    b. Areas designated for parking use shall provide a minimum average of 1 foot candle of illumination.
    c. Areas designated for pedestrian use shall provide a minimum average of 0.5 foot candle of illumination.
    d. Light may not measure more than 1/4 foot candle of illumination at property lines where adjacent to residential.
    e. Use of ground mounted or pedestrian level accent lighting is encouraged.
    f. Lights taller than 14’ shall be shielded to prevent upward diffusion (full cut off), wall or ground mounted. Up-lighting or sideward diffused lighting to highlight building features is permitted at 2500 lumens or less per fixture on building elevations.
    g. Lighting to be LED, 4000 degree Kelvin for parking and roadway lighting, 3000 degree Kelvin for pedestrian level accent lighting – 14’ or lower.
    h. Parking lot lighting shall be 30’ poles on 3’ concrete base. Pedestrian level accent lighting shall be 10’ to 14’ tall. Bollards may be 3’ to 4’ tall. Street lighting shall be 35’ tall on 3’ concrete base.
    i. All parking lot poles to be white.

5. Drives and Parking – the following standards shall apply.
   a. All drives and parking shall be paved with concrete, concrete pavers, or brick pavers on concrete base. Curbs shall be reinforced concrete.
   b. Surface parking is required by Shepherd's Place DP and City of Sherman for residential, commercial, office, retail and entertainment land uses. Parking lots with 200 spaces or more shall have areas divided by landscaped areas or walkways measuring a minimum of 5' in width or by a building or group of buildings.
      1) Pedestrian walkways shall be linked to building entrances.
      2) Connections shall be made when feasible to any streets adjacent to the property and to any pedestrian facilities that connect to the property unless pedestrian and/or traffic hazards prohibit such connections.
      3) Adjacent nonresidential sites shall provide cross vehicular access between lots.
   c. Minimum Parking Requirements
      1) Residential
         a) The minimum number of car parking spaces shall be provided in accordance with the following ratios:
            - Detached Single-Family dwelling units, except for patio homes, GARDEN STYLE HOMES, and COTTAGE STYLE HOMES: 2 spaces per unit on a paved driveway all concrete or similar paved surface such as turf pavers, brick pavers, or asphalt. Space in enclosed garage shall count as provided parking.
            - Patio, GARDEN STYLE HOMES, and COTTAGE STYLE HOMES: 1.5 spaces per unit.
            - For TOWNHOUSES – parking to be 1 space per 1 bedroom unit, 1.75 spaces per 2 bedroom unit, and 2 spaces per 3 bedroom unit.
            - Two-family dwelling units: 4 spaces per dwelling (2 spaces per unit).
            - Multi-family/apartments (tuck-under and/or tandem parking shall count towards the minimum parking requirements).
              Efficiency units (zero bedrooms): 1 space per unit.
              One-bedroom units: 1.25 spaces per unit.
              Two-bedroom units: 1.75 spaces per unit.
              Three-bedroom units: 2 spaces per unit.
              Four-bedroom units: 3 spaces per unit.
              Age-restricted multifamily: 1 space per unit.
      2) Retail
         a) 1 space per 250 SF of gross floor area.
      3) General Commercial
         a) 1 space per 250 SF of gross floor area.
         b) Office – 1 space per 300 SF or gross floor area.
      4) Restaurant
         a) 1 space per 150 SF of gross floor area. Outdoor patio space shall not count toward floor area unless covered by a solid waterproof covering. If covered, area shall be calculated at .5 of the actual area for purposes of parking calculations.
      5) Cinema/Theater/Performance
         a. 1 space per 3 seats.
      6) Office
         a) 1 space per 333 SF of gross floor area.
      7) Hotel
         a) 1 space per guest room.
         b) Plus 1 space per each 5 restaurant or lounge area seats.
         c) Plus 1 space for each 125 square feet of meeting/conference room area.

8) On-Street Parking
   a) The Shepherd's Place DP will allow on-street parking per Sherman Code of Ordinances on the street types as designed.
   b) On-street parking within 150' of a parcel shall be counted toward the total required parking for that parcel.
9) Carts
   a) Golf carts/motor carts are allowed throughout the DP. Carts may travel on public or private streets, driveways, parking lots, and on the trail system.
   b) Parking for carts may be provided in designated areas within or separate from regular vehicular parking. Parking space size to be 6' wide x 8' long.
10) Upon submittal of an acceptable comprehensive parking plan for a SUBZONE, or for substantial portions of a SUBZONE, the DIRECTOR may recommend alternative parking requirements contained in the submitted plan for adoption and approval provided that such alternatives are consistent with this DP.

J. SIGNAGE

1. Sign Standards
   a. Unless specifically provided for below or addressed in other sections of this DP, the Development shall conform to the Sign Requirements set forth in the City of Sherman Code of Ordinances.
   b. A Unified Sign Plan for site signage will be submitted for each SUBZONE of the Development. The Unified Sign Plan may provide for signage of additional height and/or area related to the Sign Standards or Ordinances.
   c. A wayfinding system providing directional and informational signs for vehicles and pedestrians that are well designed, clear and complimentary in theme shall be allowed on all sides.
   d. Changeable message signs, electronic messaging, and video boards are allowed on pylon, monument, and directional signs, but only on 1 sign for Development SUBZONE.
   e. All signs are allowed to display the names of any Tenants in Shepherd's Place DP.
   f. No signs shall encroach upon any dedicated public easements. All signs must comply with the visibility obstruction requirements at roadway or driveway intersections.
   g. No flashing lighted signs are allowed.
   h. Obelisks, spires, pylons and other landmark elements will be provided throughout the DP. These tall elements will occur at major entrances, intersections, or other points of interest throughout the SUBZONES.
   i. Project Graphics. Scanner murals, art, and other graphic elements with backing frame or support, and not containing a commercial message or part of National TRADE DRESS are allowed on all buildings and no permit is required to install these elements provided that the graphic was included as part of the building permit for the structure to which it is attached. They shall not be counted toward allowed sign area.
   j. Development Identification Element at the main entrances to the DEVELOPMENT AREA or SUBZONE may have signage that is mounted on walls that extend up to 20' tall and have other related features such as planters, trellis elements, water features, etc. to enhance the entrance into the Development. Architectural elements may be up to 40' tall. These signs may also incorporate electronic messaging in accordance with City regulations.

2. Signage for Commercial, Retail, Restaurant, Entertainment
   a. Pylon Signs.
      1) One pylon sign is allowed for each Lot along the road frontage of Hwy. 75 or the arterial or collector roads in the Development.

2) If the lot has more than 300' of frontage, then additional pylon signs may be placed at minimum 300' spacing along the R.O.W. frontage.
3) Along Hwy. 75 – a maximum allowable height of 50' and an allowable sign effective area of 400 sq. ft. per sign side for multi-tenant signs. Single-tenant sign is limited to 175 sq. ft.
4) Along other arterials or collectors – maximum allowable height of 35' and an allowable sign effective area of 300 sq. ft. per side for multi-tenant signs. Single-tenant sign is limited to 125 sq. ft.
5) Along other roadways – 1 pylon sign is allowed with a maximum allowable height of 20', and an allowable sign effective area of 175 sq. ft. per sign side.
6) Minimum setback of 10' from R.O.W. and 25' from side property lines.

b. Monument Signs.
1) One monument sign is allowed for each lot along the road frontage of Hwy. 75 or the arterial or collector roads.
2) Along Hwy. 75 – a maximum allowable height of 12' and an allowable sign effective area of 150 sq. ft. per sign side for multi-tenant signs, and 100 sq. ft. per sign side for single tenant signs.
3) Along other arterials or collectors – the maximum height of 10' and an allowable sign effective area of 125 sq. ft. per sign side for multi-tenant signs, and 80 sq. ft. per sign side for single tenant signs.
4) Minimum setback of 10' from R.O.W. and 20' from side property lines of property outside of Shepherd's Place.

c. Site perimeter sign walls at maximum 8' tall are allowed in lieu of monument sign, and are allowed at a street corner provided visibility obstruction requirements are met. Sign letters or badges may be mounted on the wall or on top of the wall.

d. Attached Wall Signs.
1) Attached signs include wall, canopy and awning signs.
2) One canopy sign is permitted per Tenant for each storefront façade.
3) One fixed awning sign is permitted per awning. Awning signs are not allowed in addition to canopy signs.
4) An attached canopy sign shall not exceed upward to a height greater than the highest part of the roof or any exterior wall on which it is mounted.
5) The total square footage of all attached signs shall not exceed 20% of the entire wall area on which such signs are located on multi-tenant buildings, and 15% of entire wall on single-tenant buildings.
6) A freestanding building is allowed 1 wall sign per Tenant for each public street or circulation drive or parking lot wall frontage. Multiple secondary wall signs are allowed. Wall signs shall not exceed 70% of length of the building side to which it is attached.
7) Wall signs depicting a commercial message on the rear of buildings are not permitted if they are facing residential areas. Wall signs depicting informational or directional messages signs are allowed on the rear of buildings facing residential areas.
8) Illuminated signs must be lighted from a concealed source, except exposed neon or LED signs must be enclosed within a can and have a clear cover of Plexiglas. No exposed lamps, or tubes will be permitted.

e. Note: No tenant may appear on more than 2 total signs (site pylon, monument, or attached wall signs).

f. Wayfinding Signs.
1) Directional wayfinding signs are allowed throughout all SUBZONES. Sign may be as noted below, designed to compliment the buildings on the site.
2) Vehicular Directional – maximum 10' tall, 8' wide, 30 sq. ft.
3) Pedestrian Directional – maximum 8' tall, 4' wide, 25 sq. ft.

g. Sandwich Board Signs or "A" Frame Signs.
   1) Maximum sign height shall be 3'.
   2) Maximum sign width shall be 2' and sign shall not be placed in front of adjoining.
   3) Signs must be properly anchored (temporarily) or weighted against the wind.
   4) Chalkboards or changeable letters may be used for daily changing messages.
   5) Signs shall be designed and constructed so as to promote and not visually obscure the significant architectural features of the Shepherd's Place Development.
   6) Signs must be removed after business hours.
   7) Sidewalks must be at least 10' wide in order to erect or maintain a sandwich board or "A" frame sign.

h. Blade Signs.
   1) One blade sign mounted under a canopy, overhang, or awning, with a maximum area of 10 sq. ft., is permitted per Tenant. Corner Tenants are permitted 2 blade signs (1 on each storefront opening or entry).
   2) Blade signs may be mounted to the wall, awning, canopy, or other building element – typically perpendicular to the façade.
   3) Blade signs must have minimum 8' clearance to walkway surface.

i. Temporary Signs.
   1) The following types of Temporary signs shall be permitted.
   2) Project Announcement Signs. Announcement Signs are allowed not exceeding 100 sq. ft. per maximum effective sign area for the purposes of selling or leasing parcels. All project announcements signs must be at least 200' apart. Project Announcement Signs shall be removed within 30 days after an occupancy permit is issued. All Project Announcement Signs must be constructed with a metal frame and have acrylic or metal panels.
   3) Land Available and Real Estate Signs. Signs offering land available for sale or lease shall be limited to 96 sq. ft. per sale or lease parcel provided that no more than 1 sign be installed for each 300' of frontage. All Land Available and Real Estate Signs must be constructed with a metal frame and have acrylic or metal panels.
   4) Wind Device Signs. On premise, banners, and signs such as pennants, flags, and streamers for special events and grand openings shall be permitted provided they do not exceed 20 sq. ft. in area. There shall be no limit to the number of wind device signs along main circulation routes. Signs may be displayed for a maximum of 30 days 2 times per calendar year.

j. Informational / Incidental Signs. Minor signs such as drive-thru directional signs, gas pricing signs or traffic control signs shall be permitted as allowed under the applicable City codes.

k. Project Banners. Banners are allowed on lighting poles and lampposts. Each pole may have 2 banners.

l. Setbacks. Interior lot lines do not trigger setbacks for sign purposes.

3. Signage for Residential – Multifamily, Flex Residential, Single Family Residential
   a. Each Residential development or SUBZONE of a development shall be allowed one monument sign with a maximum height of 8' and maximum effective area of 60 square feet at each entry into the Development. Related architectural features (such as clock towers, obelisks, etc.) may be taller than 8' provided the signage mounted to such features is at a maximum height of 8'.
   b. Building sites which front other perimeter public streets and have no access to that public street, may install one monument sign with a maximum height of 6' and maximum effective area of 60 square feet.

c. Monument signs are required to be setback a minimum of 10’ from any public or private street and 10’ from any rear or side property lines.
d. Site perimeter sign walls below 8’ tall are allowed in lieu of monument sign, or at street corner. Sign letters or badges may be mounted on the face of the wall, or on the top of the wall.
e. Wayfinding and Directional signage is permitted and shall be limited to an effective sign area of 25 square feet and shall not exceed 5’ in height.
f. Flashing or moving character signs may not be installed. Illuminated signs must be rear lighted, gooseneck or similar wall mounted lighting, or lighted from non-apparent light sources. No exposed neon or LED is permitted.
g. Each building elevation shall be allowed one wall sign limited to a maximum effective area no greater than 5% of the wall area to which the sign is attached.
h. Building mounted blade signage is allowed. The materials and scale of the sign must be appropriate to the building it is mounted to, but shall not exceed 10 square feet and a 5’ projection from the building wall. The bottom of blade mounted signs must be no lower than 8’ above grade and the top shall not extend above the eave line of sloped roofs or the parapet height on flat roofs.

K. SCREENING REQUIREMENTS

1. Non-Residential uses must be screened from single family residential by a buffer and screening as noted in Attachment E, A.3.

2. Privacy fences in the Residential DEVELOPMENT AREA may consist of wood, ornamental metal with masonry columns, or masonry fence materials.

3. Where residential uses are incorporated into commercial uses or multi-family areas, screening walls or mechanisms shall not be required.

4. Loading docks, trash containers, storage areas and ground mounted mechanical equipment shall be screened from public streets, internal customer areas (not services areas) and residential uses or zones by evergreen shrubbery, trees, masonry screenwall, or a combination thereof. If screening mechanical equipment, the landscape material must be a minimum of 1’ taller than the item they are to screen at time of planting and must comply with the planting standards set forth.

5. Storage areas, trucks based on the premises, trash containers, and maintenance facilities, shall either be housed in closed buildings or otherwise screened from view from public access ways, public areas, and adjacent residential properties. Service, loading, and storage areas shall be screened from view by walls, berms or a combination thereof, constructed a minimum 1’ above all service equipment. Trash and recycling containers shall be screened from public view on three sides with a solid fence or wall to a minimum 1’ above container (minimum 7’). Walls to be faced with brick, stone, or burnished CMU. Gates to be constructed of metal frame and metal fascia, color to match the building material.

6. Trash collection and compaction may not occur within 100’ of a single-family detached residence.

7. Mechanical equipment – ground mounted – may not be placed at an area or wall that faces single family residential that is located within 60' of a single-family detached residence. Ground-mounted equipment shall not be located between the front building wall and the street.

8. All roof mounted mechanical equipment shall be fully screened from public view on the site or public pedestrian spaces, at a minimum height equal to the height of the roof mounted equipment. Acceptable methods for screening roof mounted equipment shall include parapet elements, louvers, or ridges of sloped roof forms. The color and finish of the screening shall comply with the color palette used for the building, and be complimentary to the building architecture.

9. Fences, Walls, and Railings
   a. Residential: No fence, hedge or enclosure wall shall exceed a height of 8'. No fence along an R.O.W. may encroach upon the building setback zone.
   b. Commercial and Manufacturing: Security fences may be erected to a height of 10'.
   c. Railings, handrails, guardrails, separation rails shall be made of metal and be prefinished, galvanized, or coated with a minimum 20 year warranty coating. Rails to be solid, anchored, or embedded into concrete or other supporting material. All railings subject to further review.

L. TOWERS, ANTENNA, FLAGPOLES

1. Antenna or other freestanding tower structures will be allowed in all but single family Residential Area within the DP.

2. Antenna and tower structures to have screening at the base of the structure, minimum 8' high solid masonry wall with minimum 8' tall shrub row.

3. The antenna or tower structures shall have a screening material or fascia over the structure to hide the structure within, and give it the appearance of a solid façade surface.

4. Flag poles displaying the American or Texas flag area allowed throughout the DP. Flags are to be lighted with a directional ground mounted or pole mounted light, or flag is to be displayed during daylight hours only.

M. Accessory buildings may be located to the side or rear of the main building to meet the minimum setback requirements.

N. PARKS, TRAILS, AND OPEN SPACE STANDARDS

1. The OPEN SPACE Guidelines Plan is attached which indicates the general locations and types of OPEN SPACES that shall be provided in the Shepherd's Place DP. The exact location of each OPEN SPACE and trail shall be determined at the time of detailed site plan.

2. Park
   a. Final designs consistent with these typical park concepts shall be provided as final design and engineering are performed for each Detailed Site Plan submittal. Landscaping, hardscape, trellis, and amenities will be identified. Activated gathering spaces with amenities will be integrated into appropriate locations. Many areas will be left passive for free play or observation. Areas designated as public destinations will be provided.

3. Waterways and OPEN SPACE.
    a. Final designs consistent with these waterways and OPEN SPACE typical designs shall be produced as final hydrology, alignment, and engineering are performed for each Detailed Site Plan submittal. City required Storm Water Engineering practices will be incorporated throughout the process.

4. Pedestrian Trails
    a. Pedestrian access shall be provided throughout much of the Development and shall include internal SUBZONE trails constructed in phases with the construction of such SUBZONES that connect to the master trail system identified during the Detailed Site Plan.
    b. Final designs consistent with these typical pedestrian trail concepts shall be provided as final location and engineering are performed for each Detailed Site Plan submittal. Materials for trail construction are permitted to be concrete, pavers, decomposed granite, or other durable and applicable material suitable for trails as approved by the DIRECTOR.
    c. Minimum trail width 6', maximum trail width 12'.

O. ARCHITECTURAL STANDARDS

1. The ARCHITECTURAL STANDARDS section will govern residential and commercial architectural elements and treatments related to the facade materials, roofs, service areas and other elements and standards.

2. The DIRECTOR may approve alternative standards including, but not limited to, exterior building design or materials if it is determined that such materials are equivalent or better than those required, and they are complimentary to the Architectural Design and Standards of the SUBZONES and do not adversely impact surrounding developed properties.

SEE ATTACHMENTS A THRU D FOR ARCHITECTURAL STANDARDS
SEE ATTACHMENT E FOR LANDSCAPE STANDARDS

ATTACHMENT A
Shepherd's Place
Sherman, Texas

Commercial/Office/Medical
Architectural Standards

A. ORIENTATION / SITE DESIGN

1. Parking areas must be paved with concrete, concrete pavers or brick pavers and curbed and guttered with concrete. Access drives must be paved, curbed and guttered with concrete in accordance with the development standards promulgated by the City.

2. Parking areas must meet Parking Standards detailed in this Ordinance to accommodate all parking needs for employees, company vehicles, residents, invitees and visitors. If parking needs increase on any building site, additional parking must be provided by the Owner of such building site.

3. Pedestrian Connectivity:
   a. Sidewalks shall be provided to promote pedestrian connectivity within each project site.
   b. Sidewalk connection shall be provided from the primary entrances of all buildings to public sidewalk on any front facing adjacent street.

4. Directional and wayfinding signage shall provide assistance for pedestrians and vehicles.

B. BUILDING DESIGN AND MATERIALS

1. Buildings are to have architectural theming, including common design elements and materials within each development region.

2. Window glass may not be flush with exterior walls or, if flush, shall have a surround of wood/metal frame or wall trim material.

3. Buildings shall be designed to enhance the community character and have features that provide visual interest. Large, blank facades and wall surfaces shall not be permitted. Windows and/or storefronts should be included in wall planes wherever feasible. The building facades should be broken up and softened when feasible through overhangs and colonnades, trellis, architectural detailing or landscaping.

4. Buildings shall have a design element that emulates at least one of the Shepherd's Place Architectural features which are in the Ranching Heritage Architectural style. The features include the use of at least one of the following:
   a. Native Texas quarried natural stone or limestone.
   b. Sloped metal roofing to match color palate.
   c. Freestanding stone element, such as fireplace, obelisk, or other design feature.
   d. The use of shading elements, such as a canopy, portico, trellis, or awning.

4a. Building walls greater than 100' in length shall have vertical and horizontal façade articulation or other distinctive changes in the building façade, such as material changes, color or textural changes, projections or recesses greater than 16", canopies, porticos, and sunshades at intervals of 100' maximum.

4b. All buildings shall have some portion of parapet level changes or sculptural roof form through sloped roofs, mansards, etc.

5. All sides of buildings visible from the streets, or internal customer parking areas of the site, shall be constructed of masonry, including brick and native stone veneers, decorative block, Architectural finish concrete, stucco (EIFS), or other high quality material customarily used for this building style. Windows, doors and related trim are not included in this requirement.

5a. For all facades that face a public street, a minimum of 60% of the total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be clay fired brick or native/natural stone.

5b. For all other facades that do not face a public street, a minimum of 40% of total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be clay fired brick or native/natural stone.

5c. Acceptable materials include:
   a. Native Texas quarried natural stone or limestone of varying colors, sizes and textures.
   b. Masonry, including burnished and architectural finish face CMU and brick.
   c. Concrete – Architectural finish. Texture coated or textured and colored.
   d. Porcelain Tile.
   e. Glass.
   f. Galvanized metal panels or prefinished architectural metal panels of gray tone, neutral or earthtone color (maximum 20%).
   g. Architectural cementitious panels in a warm, neutral/earthtone or gray tone color and "wood look" panels (maximum 40%).
   h. EIFS or stucco in a warm, neutral/earthtone or gray tone color.
   i. Natural metals such as, but not limited to, zinc and copper.
   j. Natural wood, stained or painted (maximum 15%).
   k. Roofing tile, metal standing seam or batten seam roofing, metal shingles and panels (pre-finished with minimum 20 year warranty), slate, and minimum "40 year dimensional shadow type" composite shingles.
   l. Accent colors should be used in a very limited manner to contrast the more subtle "natural" palette.

6. Glass and Storefronts. Glass may be used to allow visual access into interior spaces, or for display purposes. Buildings may not incorporate glass for more than 70% of the wall plane. Glass shall not be mirrored or highly reflective glass.

C. OUTDOOR DISPLAY AND PICK-UP

1. Exterior sidewalk displays and cart storage. Areas for customer loading or merchandise display and cart storage is allowed, but such areas shall be clearly delineated and shall not be located in front of any customer entrances, exit door(s), or within 15' on either side of the door(s).

2. Pickup and Delivery. Pickup, delivery, loading and unloading of merchandise, equipment or other items may not occur within 60' of single-family detached residential property. Loading areas must be located to the side or rear of the building unless the loading area is completely screened from the street by landscaping or walls that are architecturally compatible with the building. Pavement may be located within 100' of residential property.

D. ACCESSORY USE

1. All accessory uses shall be architecturally compatible with the main structure by sharing color, materials, architectural design, roof pitch elements or some other architectural feature.

2. Gas canopies shall have full height masonry columns and roof that is sloped or has stepped parapet minimum 16" per step at maximum 50' spacing.

E. DRIVE-THROUGH REQUIREMENTS

1. Drive-through uses shall provide sufficient stacking area to ensure that public rights-of-way are not obstructed. Quick service restaurants with drive-through facilities shall provide a minimum stacking distance of 160' unless the building Owner or Tenant can substantiate that a lesser requirement is appropriate based on a national standard or case studies of other facilities operated by that Owner or Tenant. Other drive-through facilities shall provide a minimum stacking distance of 100'.

2. Drive-through canopies must be built as an integral architectural element of the structure. The supporting structure shall include at least 1 of the following architectural features:
   a. Native Texas stone, limestone, or brick on the supporting structure columns or building facade.
   b. A sloped metal roof.

3. The materials are to be the same as those used in the primary structure. Drive-through structures and facilities physically separated from the primary structure must be architecturally compatible with the primary structure.

4. Drive-through uses must be located to the rear or side of the structure, and buffered on the rear and side lot lines. A portion of the buffer between sites can be provided on adjacent lots.

F. PARKING STRUCTURES

1. Parking structures, if provided, shall be compatible in material, color, and design to their accompanying principal structures. Height of the parking structure shall not exceed the height of the principle structure.
2. No part of an automobile below the hood line shall be visible within a parking structure from any point on the site, or from adjacent sites and rights-of-way.
3. Parking structures shall contain internal circulation ramps.
4. Use of planters and vegetation for screening and decorative purposes on parking structure façade elevations is required.
5. Parking lot landscape spot islands are not required to be provided within or on the top level of a parking structure.
6. Parking structure lighting must be cut-off type fixtures to direct light downward only. Top level of structure to have pole lighting maximum twenty feet (20') tall.

ATTACHMENT B
Shepherd's Place
Sherman, Texas

Retail/Entertainment/Restaurant
Architectural Standards

A. ORIENTATION / SITE DESIGN

1. Parking areas must be paved with concrete, concrete pavers or brick pavers and curbed and guttered with concrete. Access drives must be paved, curbed and guttered with concrete in accordance with the development standards promulgated by the City.

2. Parking areas must meet Parking Standards detailed in this Ordinance to accommodate all parking needs for employees, company vehicles, residents, invitees and visitors. If parking needs increase on any building site, additional parking must be provided by the Owner of such building site.

3. Pedestrian Connectivity:
   a. Sidewalks shall be provided to promote pedestrian connectivity within each project site.
   b. Sidewalk connection shall be provided from the primary entrances of all buildings to public sidewalk on any front facing adjacent street.

4. Directional and wayfinding signage shall provide assistance for pedestrians and vehicles.

B. BUILDING DESIGN AND MATERIALS

1. Building frontages greater than 100' in length shall have vertical and horizontal façade articulation and other distinctive changes in the building façade, such as, but not limited to, materials, color or texture, below the sign band.

2. Buildings shall incorporate some combination of arcades, roofs, alcoves, porticoes, canopies or awnings as a design element of the façade.

3. Buildings shall have a design element that emulates at least one of the Shepherd's Place Architectural features which are in the Ranching Heritage Architectural style. The features include the use of at least one of the following:
   a. Native Texas quarried natural stone or limestone.
   b. Sloped metal roofing to match color palate.
   c. Freestanding stone element, such as fireplace, obelisk, or other design feature.
   d. The use of shading elements, such as a canopy, portico, trellis, or awning.

4. On single tenant retail buildings greater than 20,000 sq. ft. (Junior Anchors) with facades that are facing R.O.W., in addition to the requirements set forth above, the building shall also include the following design elements.
   a. Color change, texture change, and material changes within the wall at intervals not to exceed 100'.
   b. At least one change in wall plane not less than 12" in depth and extending a minimum of 10'.

c. At least one variation in the top of wall, a minimum of 2' in height and be a minimum of 2' wide.
d. Overhanging eaves or horizontal elements, sloped roof elements, or cornice expressions or coping detail of a minimum of 12" tall and 6" deep.
e. Each building shall have a clearly defined, visible customer entrance on one side. Stone is required to be used as a portion of the wall material at each customer entrance.

5. All sides of buildings visible from the streets, or internal customer areas of the site, shall be constructed of masonry, natural stone, decorative block, concrete, stucco or other high quality material customarily used for the building style (such as natural metals or EFIS). Gables, windows, doors and related trim are not included in this requirement. Acceptable material and color palette includes:
   a. Native Texas quarried natural stone or limestone of varying colors, sizes and textures.
   b. Concrete – Architectural finish. Texture coated or textured and colored.
   c. Masonry
   d. Porcelain Tile
   e. Glass
   f. Prefinished architectural metal panels of a gray tone, neutral or earthtone color (maximum 20%).
   g. EIFS or stucco of a warm, neutral/earthtone or gray tone color.
   h. Accent colors of a warm, neutral/earthtone range are encouraged but should be used in a limited manner.
   i. Natural metals such as but not limited to zinc and copper.
   j. Roofing tile, metal standing seam or batton seam roofing, metal shingles and panels (pre-finished with minimum 20 year warranty), or slate in galvanized or natural/earthtone color.
   k. Architectural panels of cement fiber or other permanent material simulating wood or smooth panelized system (maximum 40%).

6. Glass and Storefronts.
   a. Window glass may not be flush with exterior wall treatment, or if flush, shall have a surround of wood or metal frame, or wall trim material.
   b. Use of glass for displays and to allow visual access to interior space is encouraged. Buildings may not incorporate glass for more than 70% of the building skin.

C. DISPLAY, STORAGE, AND PICK-UP

1. Sidewalk display and cart storage. Areas for customer loading or merchandise display and cart storage shall be clearly delineated and shall not be located in front of any customer entrances, exit door(s), or within 15' on either side of the door(s).

2. Permanent outdoor display, sales and storage. Merchandise may be stored or displayed for sale to customers on the front or side of the buildings in accordance with this paragraph.
   a. The total square footage of all permanent outdoor storage, display, and sales areas shall be limited to 10% of the footprint of the building, but in no event shall exceed 20,000 square feet, except for home improvement use, which may not exceed 45,000 square feet of outdoor storage and the 10% footprint restriction does not apply.
   b. Permanent outdoor storage, display and sales shall be contiguous to the building and shall not be permitted within 75' of residential property.

c. The permanent storage, display and sales area shall be enclosed by a minimum 8’ wall of columns minimum 2’ wide, of like appearance to the building with wrought iron or decorative tubular fencing between, and topped by wrought iron or tubular steel fencing. No merchandise other than trees shall be visible above the wall or fence.
d. Seasonal outdoor display will be allowed. Size will be limited to 11,000 square feet maximum. Dates for outdoor display will be year round. Merchandise may not exceed 10’ in height except for trees.

3. Rear Storage. Bulk merchandise may be stored behind the building. The sides and back of the storage area shall be screened with a chain link fence covered with windscreen, except for any side or back that is separated from any residential property by an 8’ masonry wall and landscaped buffer yard, in which case additional screening is not required. Windscreen shall be maintained in good repair and free of tears. The rear storage area shall not be accessible to customers. Merchandise shall be stacked no higher than 25’ or level with the top of the adjacent sidewall of the building, whichever is lower, and may not be stacked above the height of the chain link fence.

4. Pickup and Delivery. Outdoor storage, pickup, delivery, loading and unloading of merchandise, equipment or other items may not occur within 60’ of residential property. Loading docks must be located to the side or rear of the building unless the loading area is completely screened from the street, and loading docks shall be located more than 60’ from residential property. Pavement may be located within 100’ of residential property.

5. Trash Collection and Compaction. Trash collection and compaction may not occur within 100’ of a residential property, and shall be screened from public view.

6. Mechanical equipment. No mechanical equipment may be located within 60’ of a residential lot. Mechanical equipment shall be screened from public view on site.

D. ACCESSORY USE.

1. All accessory uses shall be architecturally compatible with the main structure by sharing color, materials, architectural design, roof pitch elements or some other architectural feature. Gas canopies shall have full height masonry columns and roof that is sloped or has stepped parapet minimum 16” per step at maximum 50’ spacing.

E. DRIVE-THROUGH REQUIREMENTS.

1. Drive-through uses shall provide sufficient stacking area to ensure that public rights-of-way are not obstructed. Quick service restaurants with drive-through facilities shall provide a minimum stacking distance of 160’ unless the building owner or tenant can substantiate that a lesser requirement is appropriate based on a national standard or case studies of other facilities operated by that owner or tenant. Other drive-through facilities shall provide a minimum stacking distance of 100’.

2. Drive-through uses must be built as an integral architectural element of the primary structure and use and shall include at least 1 of the Shepherd’s Place architectural features defined in the Shepherd’s Place Architectural Standards. The materials are to be the same as those used in the

primary structure. Drive-through structures and facilities separate from a primary structure must be architecturally compatible with the primary structure.

3. Drive-through uses must be located to the rear or side of the structure, and buffered on the rear and side lot lines as required. A portion of the buffer between sites can be provided on adjacent lots.

F. PARKING STRUCTURES

1. Parking structures, if provided, shall be compatible in material, color, and design to their accompanying principal structures. Height of the parking structure shall not exceed the height of the principle structure.
2. No part of an automobile below the hood line shall be visible within a parking structure from any point on the site, or from adjacent sites and rights-of-way.
3. Parking structures shall contain internal circulation ramps.
4. Use of planters and vegetation for screening and decorative purposes on parking structure façade elevations is required.
5. Parking lot landscape spot islands are not required to be provided within or on the top level of a parking structure.
6. Parking structure lighting must be cut-off type fixtures to direct light downward only. Top level of structure to have pole lighting maximum twenty feet (20') tall.

ATTACHMENT C
Shepherd's Place
Sherman, Texas

Flex Residential and Multifamily
Architectural Standards

A. SITE DESIGN & ORIENTATION

1. Buildings shall front on public streets and/or a private street system and may have secondary frontages onto parking lots.

2. Parking is permitted between front facades of buildings and the R.O.W. property line. On street parking is permitted.

3. In developments that are designed to provide a more urban setting (building's setback to be maximum 25' from R.O.W., density at the top 25% of allowed density, and building height minimum 2 stories), on-street parking or parking access directly from the street will be allowed. This parking will be allowed to count as required parking.

4. In developments that are designed to provide a more urban setting, buildings shall be directly accessed from the street and the sidewalk with a minimum of one ground floor pedestrian entrance per building oriented toward the street or sidewalk.

5. Accessory structures such as carports, garages and storage units (but not including leasing offices, club houses or recreation centers) shall not be located along public right-of-way.

6. "Tuck under" or extended garages may occupy no more than 45% of the total building frontage. This measurement does not apply to garages facing an alley, courtyard, or parking field entrance. Any garage may not extend beyond the building front. Garages that are at least 30' behind the building front may exceed the 45% frontage minimum. Garages shall not be located along the portion of the building that fronts the public or private street.

B. ARCHITECTURAL STANDARDS

1. Building frontages greater than 100' in length shall have recesses, projections, windows, arcades or other distinctive features to interrupt the length of building façade. Elements including, but not limited to, balconies, setbacks, and recesses or projections greater than 16" may be used to articulate individual units or collections of units.

2. Uninhabitable building features, outdoor patios (covered or uncovered), and architectural building feature elements (fountains, towers, awnings, trellis, outdoor gazebos for multi-family, or similar) may encroach upon the front setback or side setback (by as much as 10').

3. Un-enclosed stairwells shall not be located on the exterior of any buildings. Stoops are permitted for the entrance to ground level units directly accessible from the sidewalk.

4. Use of false door or window openings shall be defined by frames, sills, and lintels.

5. All building façades shall include no less than 3 of the elements listed below. Elements shall occur at intervals of no more than 100' horizontally or 20' vertically. Vertical architectural design features, such as towers, are not required to comply with the 20' vertical requirement.
   a. Color change.

b. Texture change.
c. Material change.
d. Medallions / accent pieces.
e. Decorative light fixtures.

6. Roofs:
   a. If pitched roof forms (gable, hip, shed) with overhanging eaves are used, they shall be between 4" of vertical rise to 12" of horizontal run, and 12" of vertical rise to 12" of horizontal run.
   b. Metal standing seam roofing is allowed.
   c. Asphalt roofing shingles shall be dimensional (shadow line) type and at least a "40 year" shingle.
   d. Clay tile, concrete tile, and slate are permitted materials.
   e. Distinctively shaped roof forms, detailed parapets, parapet steps, or exaggerated cornice lines should be incorporated into rooflines along building façades greater than 75' in length.
   f. Flat roofs are permitted and must have parapets as required to screen any roof or roof top equipment (equal to height of equipment). Walls adjoining flat roofs must contain a distinctive finish at the top of the wall such as a cornice, banding, large coping, or other architectural termination.
   g. All sloped roofing areas shall include gutters and downspouts except for small roof areas such as, but not limited to, roofs over bay windows, awnings, and canopies.

7. Materials and Colors:
   a. For all facades that face a public or private street, windows and doors shall comprise at least 18% of the wall area. All other facades may be reduced to 10%, or may provide one window or door per sleeping area (as defined by the Building Code), whichever method provides for the greater coverage of windows and doors. Shutters, trims, or false windows, shall not count toward the minimum requirement.
   b. For all facades that face a public or private street, a minimum of 50% of the total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be clay fired brick or native/natural stone. The balance of the 50% net exterior wall shall be comprised of at least 2 of the following materials, which shall not be counted toward the minimum masonry requirement.
      1) Stucco.
      2) EIFS. When used, EIFS shall be a minimum of 8' above grade/walkway.
      3) Prefinished metal panels and siding materials with a dimensional shape (depth of approximately 1 inch or greater). All materials must have a factory finish with a 20 year warranty.
      4) Cement fiber siding such as Nichiha or Hardie siding. All siding members must be individual boards or panels. (Soffits may utilize sheet materials of approximately 4' x 8'.)
      5) Cast stone.
   c. For all other facades that do not face a public or private street, a minimum of 30% of total net exterior wall area of each building elevation, excluding gables, windows, doors and related trim, shall be clay fired brick or native/natural stone. The balance of the 70% net exterior wall shall be comprised of at least 2 of the following materials, which shall not be counted toward the minimum masonry requirement.
      1) Stucco.
      2) EIFS. When used, EIFS shall be a minimum of 8' above grade/walkway.

3) Prefinished metal panels and siding materials with a dimensional shape (depth of approximately 1 inch or greater). All materials must have a factory finish with a 20 year warranty.
4) Cement fiber siding such as Nichiha or Hardie siding. All siding members must be individual boards or panels. (Soffits may utilize sheet materials of approximately 4' x 8').
5) Cast stone.

d. No individual building material, with the exception of clay fired brick or native/natural stone may comprise more than 50% of the net exterior wall area of each building elevation.
e. All buildings within a particular project shall be constructed of building materials from a similar color and material palette. This is not intended to require similar materials with adjacent properties within Shepherd's Place. General color palette shall be of earth tones, gray tones, and neutral colors with other accent colors permitted up to a maximum of 10% of each façade.
f. Windows may be residential type vinyl, aluminum, fiberglass, or wood with insulated glass. Storefront glazing systems are also permitted. Window surrounds (trim) are required in all walls other than brick or stone.

8. Public entrances to buildings shall be clearly defined and highly visible including features such as, canopies, porticos, awnings, peaked roof features, towers, or similar architectural forms and details.

C. ACCESSORY STRUCTURES

1. Accessory structures (including parking structures, detached garages, and storage units) shall complement the main building architecture and use the same materials and color palette.

2. Accessory structures visible from a public or private street or a residential use or district are subject to the same masonry and roofing material requirements as the main buildings but are not subject to the other building design standards. Garage doors shall be metal or metal faced with wood.

D. PARKING STRUCTURES

1. Parking structures, if provided, shall be compatible in material, color, and design to their accompanying principal structures. Height of the parking structure shall not exceed the height of the principle structure.
2. No part of an automobile below the hood line shall be visible within a parking structure from any point on the site, or from adjacent sites and rights-of-way.
3. Parking structures shall contain internal circulation ramps.
4. Use of planters and vegetation for screening and decorative purposes on parking structure façade elevations is required.
5. Parking lot landscape spot islands are not required to be provided within or on the top level of a parking structure.
6. Parking structure lighting must be cut-off type fixtures to direct light downward only. Top level of structure to have pole lighting maximum twenty feet (20') tall.

E. SERVICE & SECURITY AREAS

1. Service areas for common use recreation and activity buildings shall be located at the rear or side yard of the buildings. Such areas must not be visible from public roadways. No service or delivery vehicles may park or load/unload on public roadways, primary entrance drives or in visitor drop-off areas.

2. Service, loading and storage areas shall not encroach on any landscape area.

3. When used, guard houses (manned or unmanned) and entrance gates shall be a minimum of 60' from the property line for stacking area.

4. When used, gate controls, card pads and intercom boxes shall be located in driveway islands adequate distances from the gate to allow "U-turning" without backing onto the public street.

F. PEDESTRIAN CONNECTIVITY:

1. Provide a logical layout for vehicular and pedestrian circulation to help minimize the conflicts between the two. When there are crossings or common path areas, provide well marked or differentiated pathways.

2. Sidewalks shall be provided along all sides of the lot that abut a public right-of-way and where otherwise required to promote pedestrian connectivity within the site and to adjacent properties. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building entry point.

G. FENCING

1. If walls and fencing are used to secure the perimeter of a building site in a multi-family zone, they must be 5' to 6' high and constructed of materials and finishes that match the buildings. "Wrought iron" style metal picket fencing is allowed provided it is interrupted with masonry columns or walls (to match the building) such that no run of metal picket fencing exceeds 40'. Metal picket fencing is to be powder coated or otherwise pre-finished. Field painting is only allowed for touch up when required. Walls/fences located in the front yards or forward of the front building line shall be no more than 40% opaque.

2. Walls and columns must be constructed with appropriate structural footings and foundations to minimize movement and wall failure, and must be constructed with level wall/fence tops.

3. Concrete walls (precast, cast-in-place, or tilt up) regardless of texture, finish and color are not permitted.

4. Fencing shall be setback a minimum of 5' from the sidewalk or 10' from the back of curb along a public or private street, whichever is greater. Additionally, fencing shall comply with the sight visibility triangle requirements in the City's Transportation Criteria Manual.

H. GRADING AND DRAINAGE

1. All grading must be done to alleviate ponding and must be coordinated with the master storm drainage plan and detention facilities. Depressions on paving or the landscape areas which will allow ponding of water are not permitted.

2. Drainage swales must be shallow, gently contoured and sloped to minimize erosion. Concrete rip-rap and trapezoidal concrete channels are not permitted.

ATTACHMENT D
Shepherd's Place
Sherman, Texas

Single Family Residential
Architectural Standards

A. SITE DESIGN & ORIENTATION

1. For Single Family Detached construction, no two building elevations shall be repeated with less than 200' of separation on the same side of the street.

2. In Single Family Attached construction, parking is not permitted between front facades of buildings and R.O.W. property line with public right-of-way greater than 20'. On street parking is permitted in all areas.

3. All portions of buildings within 35' of an existing single-family use or district outside of the Shepherd's Place Development Plan shall be constructed to a maximum height of 40'.

4. Buildings shall be directly accessed from the street and the sidewalk with a minimum of 1 ground floor pedestrian entrance per building oriented toward or perpendicular to a street or private drive.
   a. Garage doors for attached garages may occupy no more than 50% of the total building facade. This measurement does not apply to garages facing an alley or courtyard entrance.

5. For attached Single Family lots with alleys, rear yard setbacks (alley way) shall be 4' if at least 2 parking spaces are provided in a garage. This provision replaces rear yard requirements.

6. End units of attached Single-Family dwelling buildings shall have a minimum side yard setback of 5' at right of way. Setbacks between units of attached Single-Family dwellings shall be zero feet. Front yard setbacks may vary from 0' feet to 5' minimum but no more than 50% of each block of attached Single-Family building shall have a zero foot setback.
   a. Sidewalks within the right-of-way shall be located against the curb.
   b. Distance from edge of street pavement to building front shall be minimum 10'.

B. ARCHITECTURAL STANDARDS

1. For Attached Single Family
   a. Building frontages 100' in length or greater shall have recesses, projections, windows, arcades or other distinctive features to interrupt the length of building façade. Elements including, but not limited to, balconies, setbacks, and recesses or projections greater than 16" may be used to articulate individual units or collections of units.
   b. All building façades shall include no less than two of the elements listed below. Elements shall occur at intervals of not more than 100' horizontally.
      1) Color change
      2) Texture change
      3) Material change
      4) Medallions/accent pieces
      5) Decorative light fixtures

2. For All Single Family
   a. Use of false door or window openings shall be defined by frames, sills, and lintels.

b. Roofs:
   1) If pitched roof forms (gable, hip, shed) with overhanging eaves are used, they shall be between 4" of vertical rise to 12" of horizontal run, and 12" of vertical rise to 12" of horizontal run.
   2) Metal standing seam roofing allowed, including porch or awning elements, and in dormers in high sloped roof areas is allowed.
   3) Asphalt roofing shingles shall be dimensional (shadow line) type and at least a "30 year" shingle.
   4) Clay tile, concrete tile, and slate allowed.
   5) Photovoltaic shingles mimicking clay, concrete, or slate are allowed.
   6) Distinctively shaped roof forms, detailed parapets, parapet steps, or exaggerated cornice lines shall be incorporated into rooflines along building façades greater than 75' in length.
   7) Flat roofs are permitted and shall have parapets as required to screen any roof top equipment - equal to the height of the units. Parapets shall include an accent feature and shall not be greater than 50' in length without variation in height or accent feature.

c. Materials and Colors:
   1) For all facades that face a public or private street, windows and doors shall comprise at least 15% of the wall area. All other facades may be reduced to 10%, or may provide 1 window or door per sleeping area (as defined by the Building Code). Shutters, trims, or false windows, shall not count toward the minimum requirement.
   2) For all facades that face a public or private street. A minimum of 80% of the total net exterior wall area (total wall area less windows, doors, and related trim area) of each building elevation, excluding gables, shall be clay fired brick, native/natural stone, stucco, or decorative cement fiber siding.
      The balance-up to 20% of the net exterior wall, shall be comprised of at least two of the following materials, which shall not be counted toward the minimum 80% masonry requirement.
      a) Stucco
      b) EIFS – when used, EIFS shall be a minimum 8' above grade/walkway.
      c) Prefinished metal panels and siding materials. Such materials shall be factory prefinished with a minimum 20 year warranty (single family attached only).
      d) Wood or composite wood panels, all siding members must be individual boards (soffits may utilize sheet materials of approximately 4' x 8').
      e) Cast stone.
   3) For all other facades that do not face a public or private street, a minimum of 60% of the total net exterior wall area (total wall area less windows, doors, and related trim area) of each building elevation, excluding gables, shall be clay fired brick, native/natural stone, stucco, or decorative cement fiber siding.
      The balance up to 40% of the net exterior wall shall be comprised of at least two of the following materials, which shall not be counted toward the minimum 60% masonry requirement.
      a) Stucco.
      b) EIFS – when used, EIFS shall be a minimum 8 ' above grade/walkway.
      c) Prefinished metal panels and siding materials. Such materials shall be factory prefinished with a minimum 20 year warranty (single family attached only).
      d) Wood or composite wood panels, all siding members must be individual boards (soffits may utilize sheet materials of approximately 4'x 8').
      e) Cast stone products.

d. No individual building material, with the exception of brick or native/natural stone may comprise more than 50% of the net exterior wall area of each building elevation.
e. Windows may be residential type vinyl, aluminum, fiberglass, or wood with insulated glass. Window surrounds (trim) are required in all walls other than brick or stone. Storefront glazing systems shall be allowed in the AMENITY CENTER or clubhouse.
f. General color palette shall be of earth tones, gray tones, and neutral colors with other accent colors permitted up to a maximum of 10% of each façade.

C. ACCESSORY STRUCTURES

1. Accessory structures (including detached garages, and storage units) shall complement the main building architecture and use the same materials and color palette.

2. Accessory structures visible from a public or private street or a residential use or district are subject to the same masonry and roofing material requirements as the main buildings. Garage doors shall be metal or metal faced with wood.

D. LANDSCAPING FOR DETACHED SINGLE FAMILY

1. Front yard trees shall be provided along all public and private streets consistent with the requirements in the Sherman Development Code excepting to replace with:
   a. One tree per lot, approximately evenly spaced, for developments with lots 60 linear feet or less of street frontage.
   b. Two trees per lot, approximately evenly spaced, for developments with lots greater than 60 linear feet of street frontage.

2. A minimum of 20% tree canopy at maturity is required. Tree canopy within common areas on the development (AMENITY CENTERS, OPEN SPACES, etc.) may be allocated (credited) toward tree canopy on the individual lots. (Area of tree canopy as defined by Arborlogical Society)

E. LANDSCAPING FOR ATTACHED SINGLE FAMILY

1. Street Trees shall be provided along all public and private streets consistent with the requirements in the Sherman Development Code.

2. Buffer requirements set forth in the Sherman Development Code shall only apply to residential districts adjacent to and outside of the Shepherd's Place.

3. Required landscape areas shall be included in common areas.

4. A minimum of 15% tree canopy at maturity is required. Tree canopy within common areas on the development (AMENITY CENTERS, OPEN SPACES, etc.) may be allocated (credited) toward tree canopy on the individual lots.

F. LIGHTING FOR: (A) ATTACHED SINGLE FAMILY AND (B) DETACHED SINGLE FAMILY AT STREETS AND ALLEYS ONLY

1. Lighting shall be provided for vehicular, pedestrian, signage and architectural and site features.

2. Site lighting fixtures used along public and private streets and in parking areas shall be no taller than 25' high and the fixtures shall be of a consistent design within each project. This is not intended to require a consistent design within the whole of Shepherd's Place.

3. Parking areas shall have a minimum average of 0.5 foot candle initial illumination. Maximum illumination at property lines where the adjacent property allows single family or multi-family uses shall not exceed 0.1 foot candles.

4. Light sources shall be LED. Yellow/orange source lights are prohibited from use. In parking or drive areas, lighting must be 4000 Degree Kelvin. Pedestrian level accent lights to be 3000 Degree Kelvin.

5. Parking lot lights shall generally be shielded to prevent upward diffusion (full cut off). Building mounted lighting may shine upward or sideways as long as it is directed at the building accent features or building wall, and not directed outward.

G. FENCING

1. If walls or fencing are used to secure the perimeter of a development site in a single family zone, they must be a minimum of 6' high with a maximum of 8' high, and constructed of stone, brick, or wrought iron style metal picket fence with brick or stone columns. Maximum distance between columns for a metal picket fence shall be 40'. Fence in front yard to be maximum 6' tall and maximum 40% opaque.

2. Walls, fences, and columns must be constructed with appropriate structural footings and foundations to minimize movement and wall failure, and must be constructed with level wall/fence tops.

3. Concrete walls (precast, cast-in-place, tilt wall) regardless of finish, are not allowed.

ATTACHMENT E
Shepherd's Place
Sherman, Texas

Landscape Standards
(for other than all Single Family Residential)

A. GENERAL LANDSCAPE

1. Landscape Plan
   a. Landscaping must be provided in accordance with the Sherman Development Code.

2. OPEN SPACE Requirements.
   a. Shall maintain a minimum average OPEN SPACE of 10% of the overall site. This OPEN SPACE shall include all planted areas (parking lot islands, planted buffer strips), sidewalks within planted areas and paved plaza spaces, pools, fountains, parks, trails, playgrounds, and other areas. It shall not include parking, road, or drive areas, building footprint areas and loading docks.

3. Buffers and Screening
   a. Non-Residential development adjacent to Single Family Residential – Buffer shall consist of a wall at 8' tall, constructed of masonry with a minimum 10' wide landscape area planted with grass and/or groundcover. There shall be 1 ornamental tree every 20' on center or 1 shade tree every 40' on center within the landscape area.

B. STREET LANDSCAPING

1. Landscaping shall consist of a combination of such plant materials as follows: ground cover, shrubs, vines, hedges, trees, or other such materials.
2. Required street trees will be planted within the streetscape areas identified on the typical street sections of this DP. Trees for these street sections may be located outside the Pedestrian Realm and be included in the front yard setback area.
3. Required street trees may be clustered in order to facilitate creative design, visibility, or safety.
4. For the Minor Arterial and Commercial Collector street sections set forth in this DP, street trees will be provided at a minimum of one tree for every 100 linear feet.
5. Tree wells are permitted and may be covered with grates, living plant materials or some permeable non-living material.
6. Street trees to be a minimum 3 caliper inches.
7. All street landscaping will be maintained by the Property Owner or the Owner's Association.

C. PARKING LOT LANDSCAPING AND SCREENING

1. All parking lots, which for purposes of this Section, include areas of vehicle maneuvering, parking, and loading, shall be landscaped and screened as follows.

2. Landscape Standards
   a. A minimum of 7% of the total site area shall be landscaped.
   b. A minimum of 15% of the required parking shall be covered by tree canopy calculated at maturity.
   c. The tree species shall be an appropriate shade tree or ornamental/accent tree and shall be selected from the Approved Plant List.

3. All parking lots (other than areas for vehicle maneuvering or loading) adjacent to public and private streets to have a minimum 10' landscape screening buffer unless the parking is on-street parking accessed directly from the street. The buffer is the area located between the right-of-way and the parking lot. Utility easements are allowed to count towards part of the right-of-way landscape screening buffer subject to required separation from utilities. The landscape screening buffer shall contain the following items.
   a. One large tree for every 40' or 2 small ornamental/accent trees for every 40'.
   b. Landscape plantings containing at least one of the following:
      1) A minimum 3' high, when mature, continuous row of evergreen shrubs. The shrubs may be grouped and not planted in a continuous row provided that the shrubs overlap to form a continuous buffer.
      2) A minimum 3' high continuous wall made of any combination of wrought iron, stone, brick, or masonry. If wrought iron is used, vines shall be grown on the wrought iron to screen the parking lot.
      3) A grass or landscaped berm, 3' high above the parking pavement surface.
   c. Xeriscaping landscaping may be planted within the landscape area and shall require water irrigation for a period of three years for landscaping to be established. After three years, no irrigation is required.

4. Islands in Parking Areas.
   a. Landscape Islands
      1) Generally, there will be 1 planted island within 60' of each parking space. This planting island shall occupy approximately the size of 1 standard parking space. Each island shall contain 1 shade tree (2" min. cal.) from the City Tree List. Alternatively, there will be 1 planted island for approximately every 20 linear parking spaces. This planting island shall be the approximate size of 2 standard parking spaces. Each island shall contain 2 shade trees (2" min. cal.) from the City Tree List. Ground cover within the island shall be 100% turf, shrub, planted groundcover, gravel, or mulch or combination thereof. Note: A maximum of 25% of the required islands may be 5'x5' diamond within the parking row, but not at end islands.
   b. End Islands.
      1) There shall also be an end island for every parking row. This end island shall occupy 1 standard parking space. Each island shall contain 1 shade tree (2" min. cal.) from the City Tree List. Ground cover within the island shall be 100% turf, shrub, planted groundcover, gravel, or mulch or combination thereof.

5. Spacing from Public Utilities.
   a. Water and Wastewater Lines – No trees shall be planted closer than 5' from any public underground water or wastewater utility main unless acceptable to utility provider or applicable staff approves a specific circumstance. The location of the water or wastewater utility line shall be considered, for distance purposes, to be the surface of the ground above the line.
   b. Fire Hydrants – No trees shall be planted closer than 10' from any fire hydrant.

D. PUBLIC SPACES

1. A minimum of 4,000 sq. ft. of PLAZA OR PUBLIC SPACE shall be required for each DEVELOPMENT AREA within Shepherd's Place. PLAZA OR PUBLIC SPACE may be located anywhere within each DEVELOPMENT AREA of Shepherd's Place.

2. Public access dedication is required to provide access to the PUBLIC SPACE. This will be shown on the final plat.

3. PLAZAS OR PUBLIC SPACES shall incorporate at least 3 of the 5 following elements, which may be located anywhere within Shepherd's Place DEVELOPMENT AREA.
   a. Sitting space – at least one sitting space for each 250 square feet shall be included in the Plaza. Seating space shall be a minimum of 16" in height and 18" in width. Ledge benches shall have a minimum depth of 30".
   b. A mixture of areas that provide shade.
   c. Trees in proportion to the space at a minimum of 1 tree per 800 square feet.
   d. Water features.
   e. Public art.
   f. Outdoor eating areas or food vendors.
   g. Planting areas in the sidewalk. Pots or above grade planters are allowed, minimum of 15 gallons.
   h. Bike Racks.

4. Developments involving a gross floor area in excess of 40,000 square feet of a single user shall have a minimum of 100 sq. ft. seating area including permanent benches along the front sidewalk area. A minimum of one bike rack shall also be included along the storefront. Bench and bike rack should be of an architecturally consistent design.

E. LANDSCAPE MAINTENANCE AND TREE MITIGATION

1. All landscaping and trees shall be maintained in healthy condition. If plant materials die, they shall be replaced in a timely manner, consistent with their growing season.

2. No tree replacement or mitigation is required.

F. CALCULATIONS

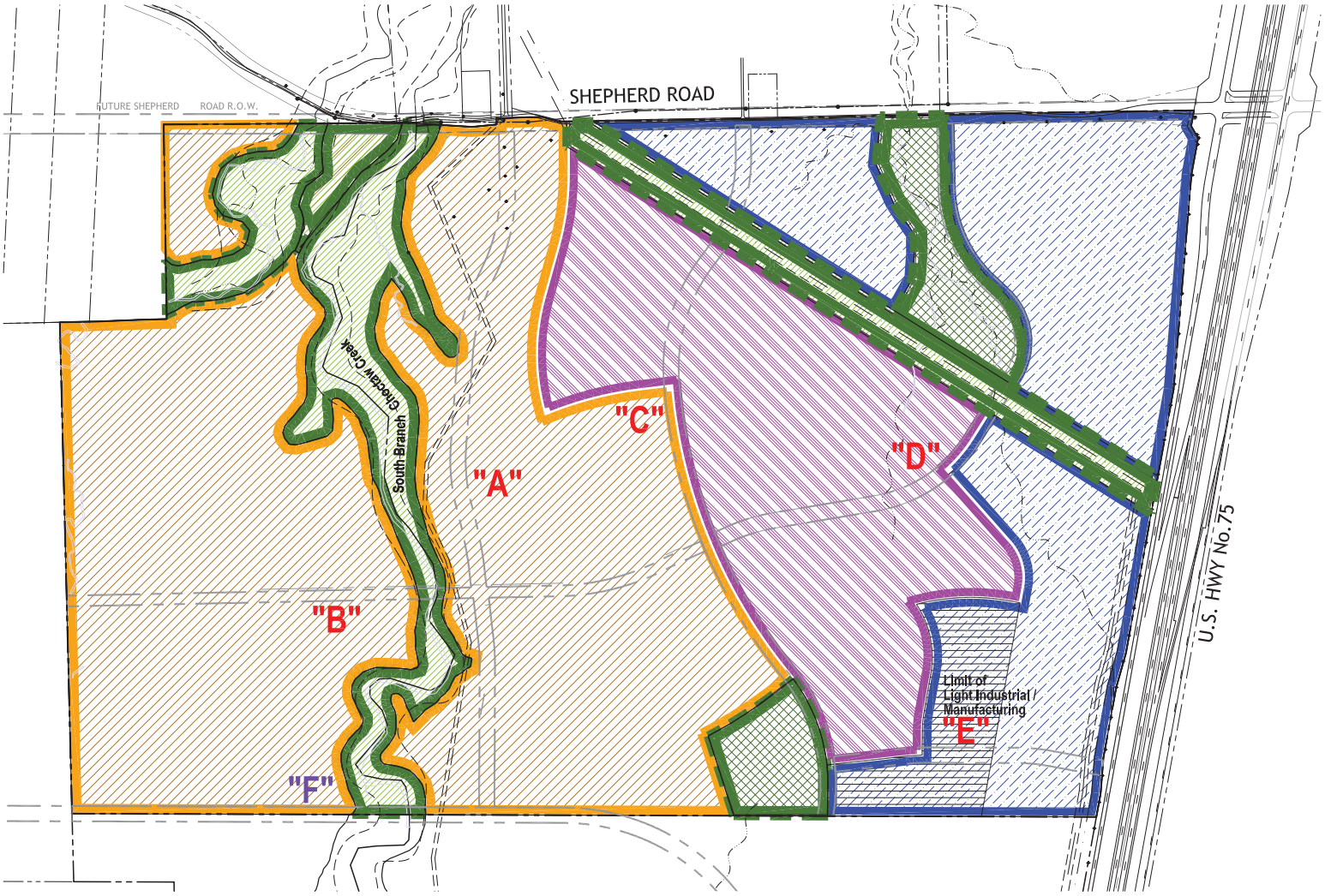
1. OPEN SPACE, tree canopy, and minimum landscape shall be calculated as part of the entirety of Shepherd's Place rather than on a site-by-site basis. Any OPEN SPACE, tree canopy, landscape area, and tree mitigation credits established may be applied throughout the entirety of Shepherd's Place.

2. A submittal will be made to the City upon permit application showing the calculation of OPEN SPACE, tree canopy, and landscaping indicating the amount of common area OSTCL is being credited toward the requirement for each permit.

G. AMENDMENTS TO THE LANDSCAPE PLAN

1. The DIRECTOR may authorize minor changes in the Landscape Plan that otherwise comply, and do not:
   a. Reduce the perimeter landscape buffer strip required;
   b. Detrimentally affect the original landscape plan's aesthetic function relative to adjacent right-of-way or surrounding property; or screening or buffering function.

EXHIBIT "A" - CONCEPTUAL PLAN



Development Areas

- Residential ±247 ac
- Flex Residential /Multi-Family ±110 ac
- Commercial / Retail / Restaurant / Entertainment ±95 ac
- Open space / Park ±52 ac
- Potential Open space / Developable Area ±28 ac

(Maximum of 50% to be developed, pending final determination of engineering aspects of the area)

TOTAL LAND AREA 531.87 Ac

GENERAL NOTES:

- 1. The thoroughfare alignment(s) shown on this exhibit are for illustration purposes only and does not set the alignment. The alignment is determined on final plat.
- 2. All roads, sidewalks, fire lanes, drive aisles and intersections will comply with the City Design Standards.
- 3. Any easements to be established will be identified and provided at time of platting.
- 4. Acreages, lot counts, and tabulations are subject to change as a result of further engineering and are considered approximate.
- 5. Graphic illustrations in the open spaces are not intended to communicate, show, or represent actual program elements, layout, or detailed landscape design.
- 6. Distances between property lines, street lines, alley lines; and driveway configurations will be established at time of platting. Design criteria for these distances will follow those standards outlined within the Planned Development (PD) for this project.

north

EXHIBIT "B" - OPEN SPACE GUIDELINE PLAN



Open space / Park
±52 ac

Potential Open space /
Developable Area
±28 ac

(Maximum of 50% to be developed,
pending final determination of
engineering aspects of the area)

north

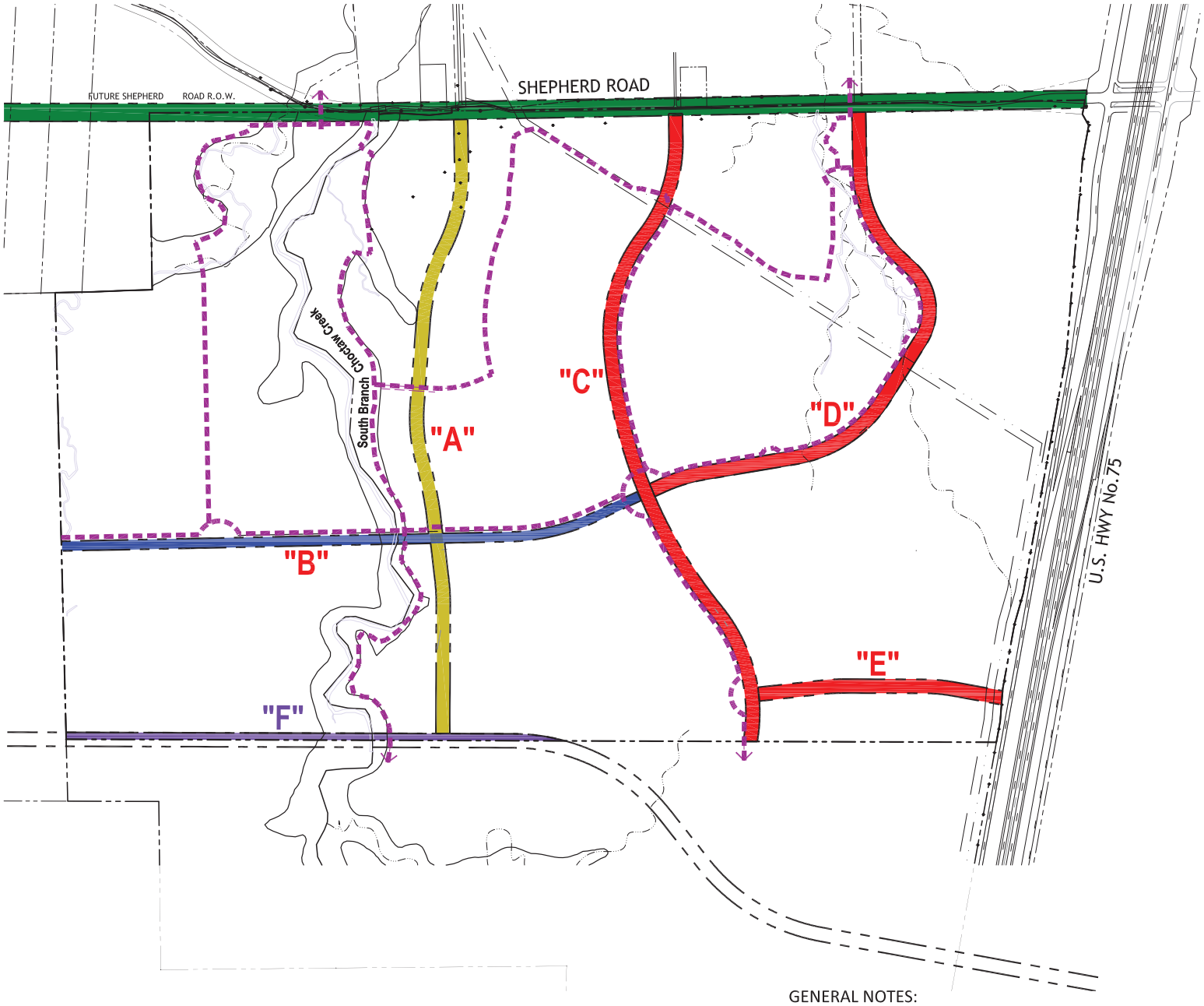
Shepherd's Place SHERMAN, TEXAS

HODGES Architecture
architecture planning
13642 Omega Dallas, Texas 75244-4514
phone: 972 387-1000 fax: 972 960-1129
www.hodgesusa.com

project no. 20102 | drawn KO | date 6-21-21

SCHEME

EXHIBIT "C" - TRANSPORTATION MASTER PLAN



RESIDENTIAL COLLECTOR	60' R.O.W	per Exhibit E.2
COMMERCIAL COLLECTOR	65' R.O.W	per Exhibit E.3
MINOR ARTERIAL	86' R.O.W	per Exhibit F.1
MAJOR ARTERIAL	110' R.O.W	per Exhibit F.2
MINOR ARTERIAL (50% of 86' ROW Dedication Only)	86' R.O.W	

Proposed Trail System

GENERAL NOTES:

- 1. The thoroughfare alignment(s) shown on this exhibit are for illustration purposes only and does not set the alignment. The alignment is determined on final plat.
- 2. All roads, sidewalks, fire lanes, drive aisles and intersections will comply with the City Design Standards.
- 3. Any easements to be established will be identified and provided at time of platting.
- 4. Acreages, lot counts, and tabulations are subject to change as a result of further engineering and are considered approximate.
- 5. Graphic illustrations in the open spaces are not intended to communicate, show, or represent actual program elements, layout, or detailed landscape design.
- 6. Distances between property lines, street lines, alley lines; and driveway configurations will be established at time of platting. Design criteria for these distances will follow those standards outlined within the Planned Development (PD) for this project.

north

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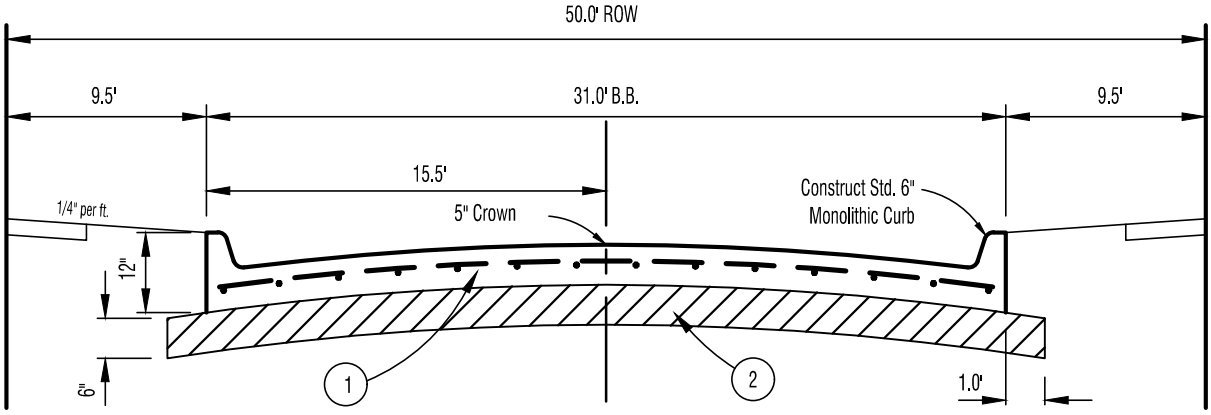
project no. 20102 | drawn KO | date 6-21-21

SCHEME

EXHIBIT "D" - LOCAL STREET



31' BB Pavement Section

Not To Scale

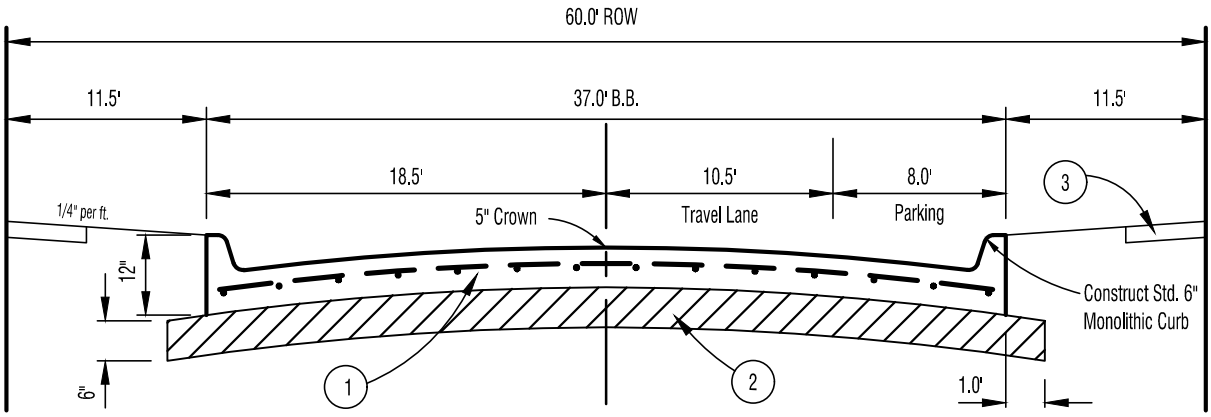
1. 6" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade

SPIARS ENGINEERING & SURVEYING
765 Custer Road, Suite 100 • Plano, TX 75075 • 972.422.0077
TBPE No F-2121 • TBLPS No. F-10043100 • www.spiarseng.com

Drawing: G:\2020 JOBS\20-213 Haggard - Sherman 800\CAD\Roadway Section Exhibits.dwg Saved By: lholz18 Save Time: 4/6/2021 1:53:38 PM

Plotted by: lholz18 Plot Date: 5/26/2021 1:22 PM

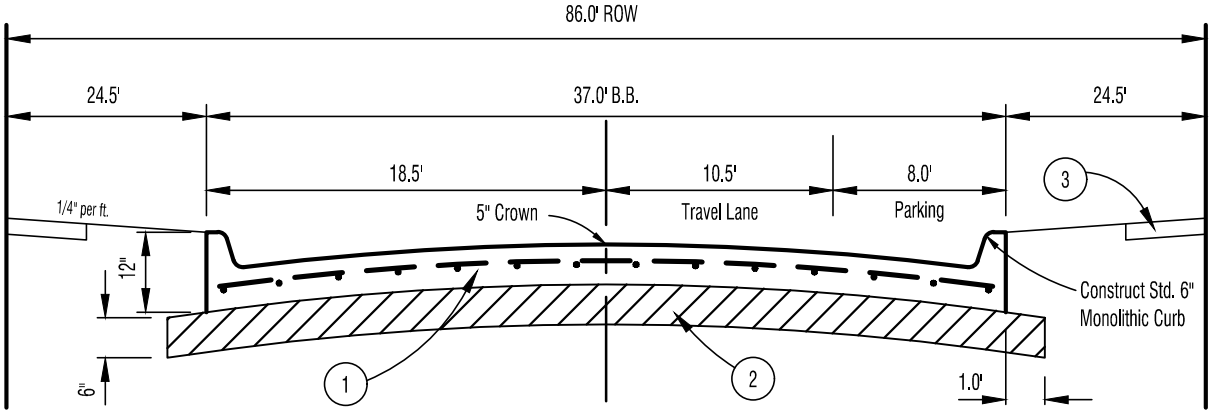
EXHIBIT "E.1" - RESIDENTIAL COLLECTOR



37' BB Pavement Section
Not To Scale

1. 7" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade
3. 5' Sidewalk (Unless Otherwise Specified on Trail Plan, Exhibit_)

EXHIBIT "E.2" - RESIDENTIAL COLLECTOR



37' BB Pavement Section
Not To Scale

1. 7" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade
3. 5' Sidewalk (Unless Otherwise Specified on Trail Plan, Exhibit_)

Shepherd's Place SHERMAN, TEXAS

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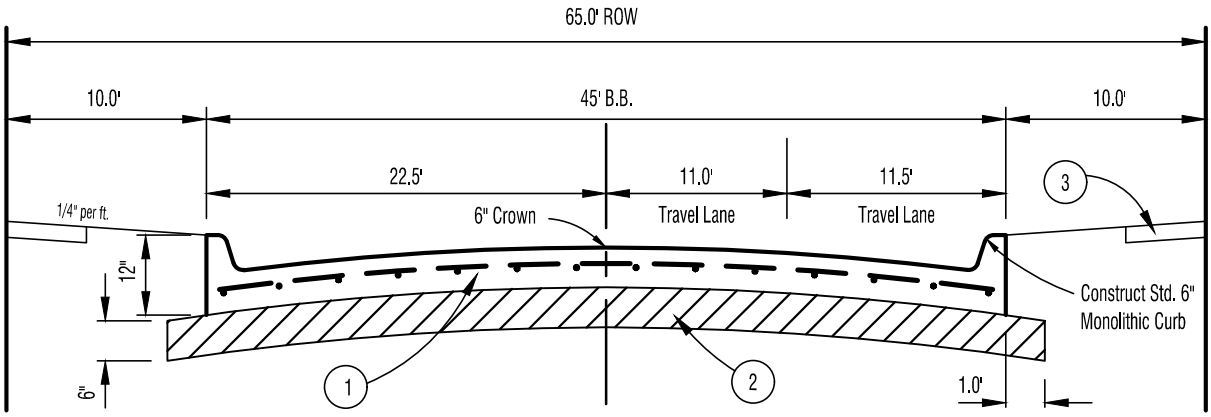
EXHIBIT "E.3" - COMMERCIAL COLLECTOR



45' BB Pavement Section

Not To Scale

1. 7" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade
3. 5' Sidewalk (Unless Otherwise Specified on Trail Plan, Exhibit_)

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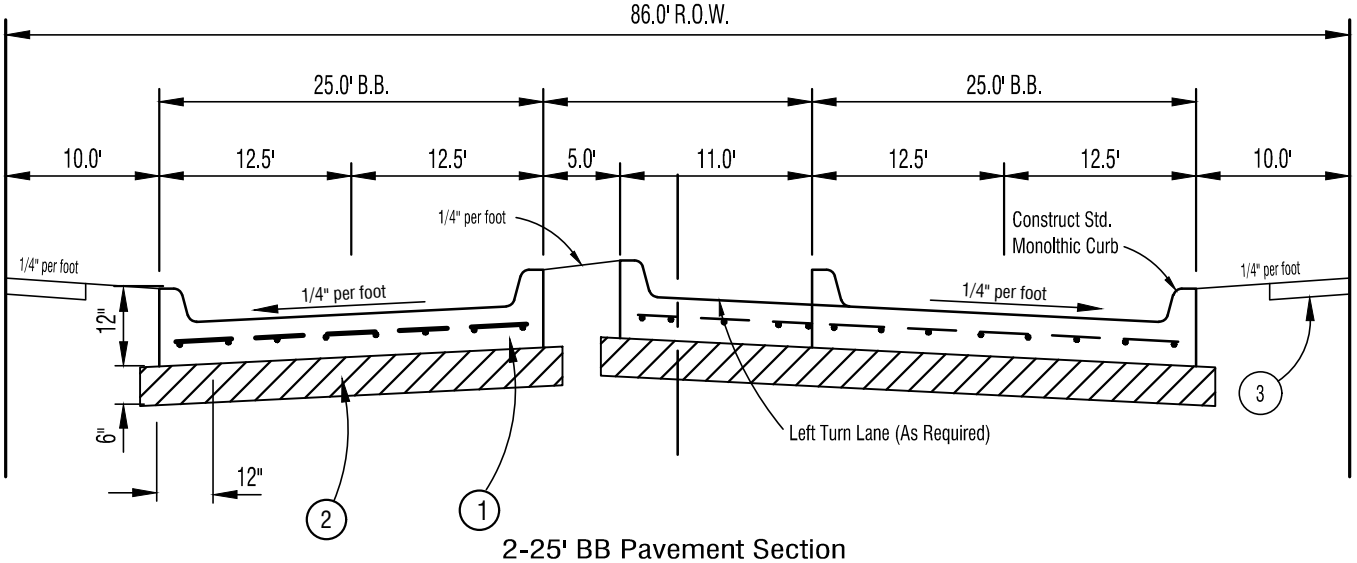
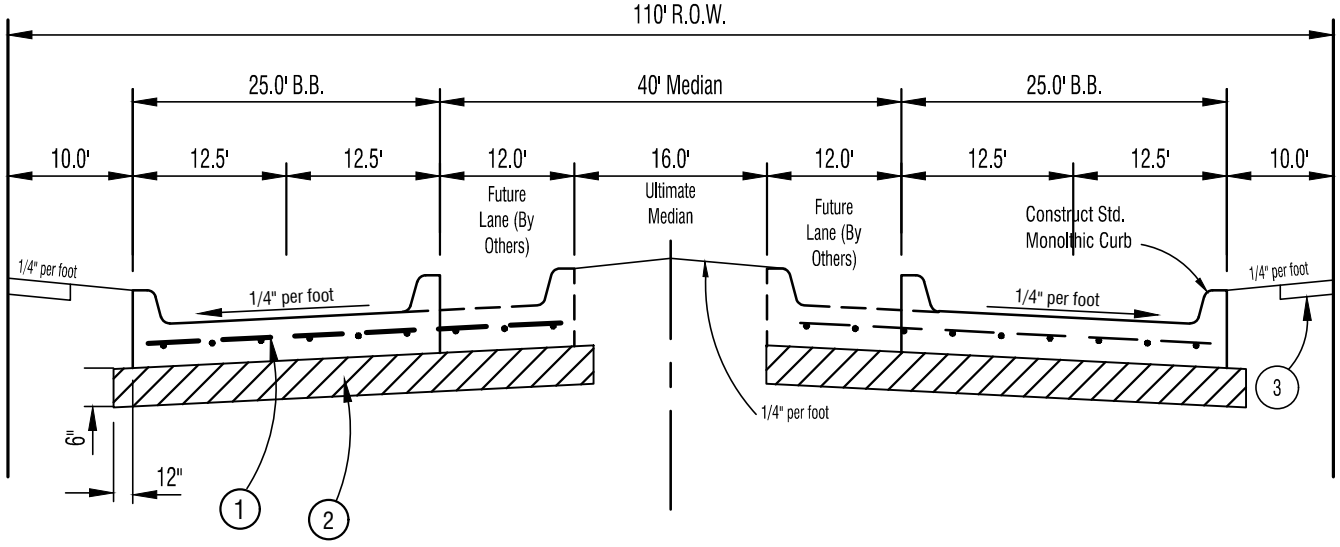
EXHIBIT "F.1" - MINOR ARTERIAL



2-25' BB Pavement Section
Not To Scale

1. 8" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade
3. 5' Sidewalk (Unless Otherwise Specified on Trail Plan, Exhibit_)

EXHIBIT "F.2" - MAJOR ARTERIAL



2-25' BB Pavement Section
Not To Scale

1. 8" Thk.~4000 P.S.I. Concrete Reinforced w/ No.3 Bars On 18" Centers Both Ways.
2. 6" Lime Stabilized Subgrade
3. 5' Sidewalk (Unless Otherwise Specified on Trail Plan, Exhibit_)

Shepherd's Place SHERMAN, TEXAS

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EXHIBIT "G" - Site Summary Table

Summary Table of Shepherd's Place			
	Acres	%	Units
Residential			
SF Residential	234.00 ac	44.1 %	(4.5/ac) 1053
Residential Flex	25.40 ac	4.7 %	(26/ac) 660
Multi-Family	29.00 ac	5.4 %	(40/ac) 1160
Residential Lease	25.50 ac	4.7 %	(12/ac) 306
Commercial			
Retail / Entertainment & other similar uses allowed by zoning ordinance	113.0 ac	21.4 %	n/a
Open Space			
Parks, Open Space, Buffers, and FP areas	(Up to) 80.00 ac	15.0 %	n/a
Major Rights-of-Way			
Collector and Arterial Streets (excluding residential streets)	25.00 ac	4.7 %	n/a
Total Acres	531.87 ac	100 %	3179

Note: Above acreages, unit counts, and percentages are approximate only and will be adjusted and finalized at Site Plan Approval. They are intended only to set expectations for city services to the project.

Memo to: City of Sherman June 16, 2021

Shepherd's Place Planned Development (PD) Review

C/O: Rob Rae, AICP, Director of Development Services

Rob,

Per the requested review of the submitted Shepherd's Place PD, Halff discussed the original draft of the PD with the applicant team on May 3, 2021, and further discussed revisions to that draft per follow-up conversations between the applicant and staff on May 20, 2021, and through email exchanges. Subsequently, based on the draft submitted for P&Z (dated June 11, 2021), Halff has now completed a review of that submission and provided in this memo a few remaining comments in conjunction with staff.

Halff's task during this process was to review the proposed PD and subsequent revisions to ensure that the final document is consistent with the City's PD ordinance. The ordinance intent is clear in its purpose statement - "*A PD district may be used to permit innovative and superior land utilization concepts not permitted by other zoning districts in this ordinance.*"

The Shepherd's Place PD is a detailed and thorough PD that addresses multiple land uses and densities to acknowledge its location along major thoroughfares and extensive acreage. The PD provides elements of design, site characteristics and compatibility necessary for this type of development plan. The minimum Sherman PD ordinance qualifications of multiple housing types, retail/employment, and a public destination are generally supported by this PD, although one item that could be improved is the public destination element (expanded upon later). There are anticipated to be several residential product types and densities, along with extensive retail and employment that easily clear the requirements for multi-use. While there is open space envisioned along floodplain and utility corridors, there remains some questions in regards to what type of "public destination" this will be, as details are lacking at this time. A balanced street and trail network is present, providing inter-connectivity throughout the site and positively supporting the land uses.

The components of the PD have been achieved as provided in the Development Plan and Conceptual Plan, both of which consider a balanced and organized structure to the land development framework. The enhancements required in the ordinance, including variety of housing types, pedestrian-friendly open space connectivity, quality architecture and site features, are all presented in a manner that is understandable and supportive of the overarching theme of the project. As mentioned, there are a few tweaks that could be made to tighten up the language on parks activation and clarity of intent for the public destination. By and large, we appreciate the work of the project team to respond to extensive review comments and make adjustments to details in order to improve the technical aspects of the document.

The development team has had extensive discussions with Halff and Sherman planning staff and there have been great strides to prepare this document for the Commission. The outside review perspective is that there are a few remaining items of clarification and edit, which are listed in detail on the following pages. Addressing these remaining comments will ensure compliance with the City of Sherman PD ordinance. Generally, the proposed PD is consistent and supportive of the City of Sherman PD ordinance elements and I recommend conditional approval pending some needed adjustment spelled out in the following two pages.

Reviewed by:

Jordan Maddox, AICP

Director of Planning/Team Leader, Halff Associates, Inc.

Outstanding items to be addressed in the PD, prepared in conjunction with staff:

Page 5: Light Industrial Use and Manufacturing Business. It will be helpful to define these. At this point I would interpret this to correspond to an light industrial use that is in our M-1 district.

- *After ee and ff. add "…indicated on Exhibit A."*

Page 7: F.1.b. "…connections to arterial or collector streets." I assume that you won't allow single-family homes with driveways on collectors.

Page 10 : a.3)a). Include table or description similar to page 9,a)3) to define 10' to 25' variation

Page 13: 9)a). What is the "trial system?" Should this be "trail system?"

Page 14: b.2). Monument signs. Our current standards for monument signs in our overlay districts are 12' with 65 sq ft. of sign face. This ends up being about a 12'x 5' monument sign. A 150 sq ft sign would end up being 12'x12' approximately. Is that really what your intention for the monument signs would be? If you are considering a multi-tenant monument sign, that may be appropriate, but single-tenant? I have attached an existing 65 sq ft sign at McDonald's.

Page 15: Did not delete wind device signs. Generally, I am okay with a temporary application of wind device signs, but the way that this is written it could allow a business to have the signs up for 30 days, take them down for a day then put them up for another 30 days. Carrollton has a element of duration in their sign ordinance for similar signs: "Duration: Seven days, two times per year." And for banners: "Duration: Thirty (30) days two (2) times per calendar year." I would recommend adding detail to the duration to help us administer this portion of the PD.

Page 15: m. Project Graphics – Repeat from J.1.i. Recommend removing.

Page 15: 3.a. "Each property shall be allowed one monument sign…" for residential. Should this say each "development". I assume it is not intending that each single-family lot is allowed a monument sign.

Page 17: 9.a. Did not address fences in the front yard. The way this is written 8' fences are allowed. Should it say in the side and rear yards?

Page 17: This section remains short as far as the intentions of the park space. There is some language about it being primarily passive, with details to come at a later date. However, the PD ordinance clearly expresses the community expectation that a "public destination" be associated with PD proposals. While the review team has no qualms with the related details being fleshed out during the Detailed Site Plan, it is imperative

that intent be broadcast during the PD stage. Note: there is a new section in the land area of the PD exhibits that speaks to "open space or developable space" – this is a little puzzling as it lacks clarity as to how the decision of ultimate use will arise and who will make such a decision, the developer or the City. It is recommended that, if a future consideration of this space is tied to a study of the land (for example, a floodplain modification or market-based pivot), then the City should be either involved in the sign-off of the change, or the option of development be removed. As it stands, the flexibility provides the developer with free reign to remove the "open space" potential, leaving only the floodplain and electric easement as identified open space. Accordingly, this situation would not be in compliance with the public destination tenet of the Sherman PD Ordinance.

General: One element that was missing from the plan was the summary table of acreages and uses. We have prepared a table for you to include in the PD.

General/Exhibit: It has been commented to the project team and remains an outstanding comment to add the proposed roadways in Exhibit C to Exhibit A/General Plan in order to get the full sense of major streets, land use and open space in a comprehensive view.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 8.**

Meeting Date: 07/19/2021

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers 6394, 6395, 6396, 6397, 6398, 6399 & 6400

Issue:

D. 1. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6394**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, So as to Grant a Specific Use Permit to allow 200 Patio Homes in the Proposed Sherman Heights Addition, Blocks 1-8, being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625 in an R-1 (One-Family Residential) District in the 2400-2700 Blocks of South FM 1417 (Heritage Parkway), (ARC STX Holdings, LLC, Owner; Tesch Development & Management Co., LLC, Prospective Buyer; Robert Tesch, Representative; Pape-Dawson Engineers, Civil Engineer; and Pierce-Murray Land Solutions, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 2. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6395**

An Ordinance of The City Council of The City of Sherman, Texas, Amending Section 8, Subsection (5)(A), Ordinance No. 2280, So As to Grant a Specific Use Permit to Allow an Educational Facility/Preschool in a C-1 (Retail Business) District at 106-B North Sunset Boulevard, being Lot 3, Block 1 Westwood Village Second Replat Part Block 2 (Owners Manual for Life, Owner; MasterKey Ministries of Grayson County, Tenant; Julie Rickey, Representative; and David Baca Studio, Architect); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 3. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6396**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, So as to Grant a Specific Use Permit to Allow Used Automobile Sales in a C-1 (Retail Business) District/O-1 (75 & 82) Overlay District at 1804 North U.S. Highway 75, being part of Lot 1, Block 1, James Plaza Addition (Sherman PAG 1, LLC, Owner; Marcus Trimble, Architect; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6397**

An Ordinance of The City Council of The City of Sherman, Texas, Amending Section 8, Subsection (5)(A), Ordinance No. 2280, Granting a Specific Use Permit to allow Automobile Sales in a C-2 (General Commercial) District at 3908 and 3924 Texoma Parkway, being 0.648 acres and 1.279 acres in the Samuel McGlothlin Survey, Abstract No. 811 and the Hillard Jennings Survey, Abstract No. 639 (MLJ Real Estate, LP, Owner; Matthew Johnson, Representative; and Underwood Drafting and Surveying and Cox Land Surveying, Surveyors); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6398**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, Granting a Specific Use Permit to Allow Used Automobile Sales in a C-2 (General Commercial) District at 5922 Texoma Parkway, being 5.52 acres in the J.B. Shannon Survey, Abstract No. 1085 (Patterson Investment Properties, LP, Owner; Ronald Davis, Davis Motor Company, Proposed Tenant; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 6. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6399**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-2 (Multi-Family Residential) District, located at 1229 North Broughton Street, being 0.230 acres in the J.B. McAnair Survey, Abstract No. 763 (Moran Developments LLC, Owner; Luis Moran, Representative; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed $2,000.00

D. 7. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6400**

Amending Section 6.12, and Section 12, Ordinance No. 2280, so as to Rezone Property Generally Located in the 100-1200 Blocks of West Shepherd Drive, being Approximately 531.87 acres in the Friar McNeely Survey, Abstract No. 826, the Benjamin Lindsay Survey, Abstract No. 733 and the M. Hunt Survey, Abstract No. 603, as a Planned Development District Subject to this Ordinance and Ordinance No. 2280 (Yongshik Kim, Owner; Spiars Engineering, Civil Engineer; Lauren Helmberger, Representative; and J.E. Smith, Surveyor); Providing that the Property is Rezoned and Placed in the Zoning Classification of Planned Development; Describing the Property to be Rezoned; Providing a Penalty not to Exceed $2,000.00

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 1.**

Meeting Date: 07/19/2021

Prepared By: Wayne Lee, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6751

Authorizing Execution of Amendment No.1 to the Professional Services Agreement with Jones/Carter Engineering for the Hilre Drive Extension Project

Issue:

To consider an amendment to the professional services with Jones/Carter Engineering for the Hilre Drive Extension Project.

Background:

The City of Sherman Engineering Department hired Jones/Carter Engineering to design the Hilre Drive Extension Project in August 2019 for an amount not to exceed $49,500. The original scope of the engineering services was exceeded by the need for additional off-site surveying, design and easement documents, additional utility coordination, splitting the project into two phases, and resurveying properties that were split and platted after the original survey work was performed. Amendment No. 1 increases the contract amount $32,900 for a total contract amount of $82,400.

Origination:

Engineering Department

Financial Consideration:

The fee increase for Amendment No. 1 is $32,900. Funding is available in the Capital Improvement Fund.

Staff Recommendation:

It is recommended that Amendment No. 1 to the Professional Services Agreement with Jones/Carter Engineering for the Hilre Drive Extension Project be approved.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6751
Amendment No. 1
Contract
Location Map

RESOLUTION NO. 6751

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JONES/CARTER ENGINEERING FOR THE HILRE DRIVE EXTENSION PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute Amendment No.1 to the Professional Services Agreement with Jones/Carter Engineering for the Hilre Drive Extension Project, in accordance with all contract documents attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this the_____ day of_____, 2021.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

APPROVED AS TO FORM AND CONTENT:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C.

BY: _____
NAME: _____
CITY ATTORNEY

AMENDMENT NO. 1

TO THE PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES BETWEEN THE CITY OF SHERMAN (OWNER) AND JONES/CARTER ENGINEERING (ENGINEER) FOR THE HILRE DRIVE EXTENSION PROJECT

Dated August 22, 2019 ("Original Agreement")

This Amendment No. 1 serves to increase the contract fees under the Original Agreement based on the following additional work and adjustments to project scope:

- Additional off-site surveying, design, and easement documents to provide proper drainage of the street improvements.
- Additional utility coordination related to two gas lines within the project area.
- Splitting the construction of the project into two phases. The first phase installed the off-site storm sewer through a proposed apartment parking lot that was under construction. The second phase is the on-site work for the project.
- Resurvey of properties that were split and platted after initial survey and plat work was done.

The contract amount under the Original Agreement shall be increased by a fee not to exceed the following amounts:

Basic Services		
Schematic Phase and Drainage Evaluation	$	750
Design Phase and Plan Preparation	$	6,000
Special Services		
Utility Coordination	$	5,250
Storm Drain Design	$	6,000
Topo Survey of Creek	$	3,750
Drainage Easement	$	1,000
Topo Survey of Drainage Easement	$	3,000
Right-of-Way Platting	$	6,900
Reimbursables	$	250
TOTAL FEE INCREASE (NOT TO EXCEED):	**$**	**32,900**

[Rest of page left intentionally blank]

This Amendment No. 1 shall be effective on the date it is executed by the last party to execute it. The OWNER and ENGINEER hereby agree to amend the Proposed Fees section of this Original Agreement to read as follows:

Proposed Fees

Engineer shall be compensated on the following lump sum basis. Additional Services shall be performed base on the attached 2019 rate schedule.

Basic Services		
Schematic Phase and Drainage Evaluation	$	5,750
Design Phase and Plan Preparation	$	26,000
Special Services		
Design topographic survey	$	5,000
Utility Coordination (hourly reimb.)	$	7,250
Storm Drain Design (hourly reimb.)	$	12,000
Topo Survey of Creek	$	3,750
Drainage Easement	$	1,000
Topo Survey of Drainage Easement	$	3,000
Bid Phase and Construction Contract Administration (hourly reimb.)	$	2,500
Right-of-Way Platting	$	15,900
Reimbursables	$	250
CONTRACT TOTAL:	**$**	**82,400**

The parties hereby ratify and confirm all of the terms, provisions, covenants and conditions of the Original Agreement and acknowledge and agree that the Original Agreement remains in full force and effect, except as amended in this Amendment No. 1. To the extent that any provision contained herein conflicts with the Original Agreement, the provision contained herein shall supersede such conflicting provision contained in the Original Agreement. This Amendment No. 1 and the Original Agreement contain the entire agreement of the parties with respect to the matters contained herein. This Amendment No. 1 may not be modified or terminated except upon the provisions hereof or by the mutual written agreement of the Parties hereto.

[Rest of page left intentionally blank]

EXECUTED in three (3) counterparts (each of which is an original) on behalf of ENGINEER shown below, and on behalf of the OWNER by its City Manager (thereunto duly authorized) this _____ day of _____, 2021.

OWNER:
CITY OF SHERMAN, TEXAS

_____
Robby Hefton, City Manager

ATTEST:

_____
Linda Ashby
City Clerk

ENGINEER:
JONES/CARTER ENGINEERING

_____
Mark J. Holliday, P.E., Vice President

ATTEST:

_____

APPROVAL RECOMMENDED:

_____
Wayne E. Lee, P.E., CFM / Director Engineering

APPROVED AS TO FORM:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____

NAME: _____
CITY ATTORNEY

CORPORATE ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF _____§

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____ of Jones/Carter Engineering known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Jones/Carter Engineering, a corporation, that (s)he was duly authorized to perform the same by appropriate resolution of the board of directors of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, A.D. 2021.

_____

Notary Public In and For _____ County, Texas

My Commission Expires:

_____

JONES|CARTER

6509 Windcrest Drive, Suite 600
Plano, Texas 75024
Tel: 972.488.3880
Fax: 972.488.3882
www.jonescarter.com

August 20, 2019

Mr. Clint Philpott, PE
Director of Engineering
City of Sherman
220 W. Mulberry St
Sherman, TX 75091

Re: Professional Engineering Services for
Hilre Drive Extension
City of Sherman, Texas

Dear Mr. Philpott:

We appreciate the opportunity to present this proposal for the survey and civil engineering services necessary for the design and construction of the above referenced project.

Project Understanding

The tract of land located on the northeast corner of Knollwood Road and Northcreek Drive will soon be developed. In conjunction with the development plan, the Knollwood connection to Northcreek will be eliminated due to its close proximity to FM 131 (Travis Street) and pending traffic signal installation. As a result of the Knollwood closure, an adjacent local street, Hilre Drive, will need to be extended to maintain mobility for nearby residents.

The City would like Jones|Carter to provide design services for the extension of Hilre Drive approximately 430 linear feet from Knollwood Road to FM 131. The concrete roadway width will be 31-feet back-to-back. Based on our understanding of the City's needs, we prepared the following scope of services and fee proposal for your consideration.

Scope of Basic Services

1) **Schematic Phase**

The purpose of this task is for the Engineer to identify potential conflicts with the proposed right-of-way and improvement corridor, as well as make recommendations for the proposed geometric alignments. The schematic design phase shall include the following:

a. Review existing site conditions, record drawings provided by City, design standards, easements, and topographic survey cad file provided by landowner.
b. Contact potentially affected utility companies such as gas, telephone, electric, cable, fiber optic, to request information for the horizontal and vertical data for their facilities.

c. Review record drawings, design standards, easements, and survey cad files provided by landowner.
d. Prepare a 30% schematic design plan view scroll plot with topographic survey information for the previously agreed upon roadway alignment.
e. Perform analysis of the existing drainage area adjacent to the proposed roadway corridor. Three alternatives shall be considered: 1) convey runoff through the Knollwood intersection to existing curb inlets approximately 400 feet east; 2) extend underground storm drain from aforementioned inlets to new roadway; and 3) discharge runoff into the existing Knollwood west ditchline as it currently does in natural conditions. Runoff captured in this ditch flows south to an existing culvert.
i. City shall provide direction regarding a preferred drainage alternative. Drainage design and plan preparation for drainage alternative 2) described above shall be done under the Special Services portion of this contract if chosen by the City.

2) Design Phase

The purpose of this task is for the preparation of construction plans for the project. The design phase shall include the following:

a. General Design: Cover Sheet, Index, General Notes, Bid Schedule, and Technical Specifications.
b. Removal Plans: prepare layouts to delineate and quantify the limits of removals for pavement, trees, and miscellaneous items.
c. Roadway Plans: prepare typical sections, horizontal alignment sheet, quantities, roadway plan & profile sheet, and standard details. Sidewalks and barrier free ramps are not required on this project.
d. Utility Plans: Prepare horizontal alignment layout sheet, quantities, and details for proposed 8-inch waterline extension from Knollwood to existing 12-inch waterline parallel to SH 131. Sanitary sewer extensions and designs are not included in project scope. Modeling of water/sewer is not included.
e. Erosion Control Plan: prepare base map for the limits of the project along with standard details for the contractor to utilize in his preparation of the Storm Water Pollution Prevention Plan.
f. Traffic Control Plans (TCP): prepare a TCP to include all geometry required to facilitate the movement of vehicles through the work zone at a reduced speed limit as well as work zone typical sections, lane markings, and standard details.
g. Signing & Pavement Markings: Prepare marking layouts, quantities, sign types, and standard details.
h. In addition to the 30% Schematic Phase, additional submittals shall include:
    i. 90% and Final design submittal including the following pdf files:
        a. Drawings (2 copies 11x17) and opinion of probable construction cost
        b. Technical specifications.

Scope of Special Services

1) Bid Phase Services

Engineer shall provide the City with plans and technical specifications in pdf format suitable for the City to advertise and receive bids on the project. In addition, the Engineer shall:

a. Attend the pre-bid meeting facilitated by the City, if requested.
b. Assist the City with the preparation of addenda to the bid documents and provide answers to bidder questions and interpreting bid documents if requested.
c. Assist City with the tabulation of the bids and evaluation of low bidder references.

2) Construction Contract Administration

The Engineer shall represent the City in the non-resident administration of the construction contract. Services do not involve continuous or extensive on-site inspection to check or verify means and methods, materials, or manage construction efforts. As such, the engineer cannot provide certification of the completed project beyond the limited observation described below. If Field Project Representation is desired, the Engineer can provide those services on an hourly reimbursable basis. The proposed scope of work includes the following:

a. Attend a preconstruction meeting and up to one site visit per month (total of 4) as requested.
b. Provide written responses to requests for information or clarifications.
c. Assisting the City staff in conducting the final walk-through is not included.
d. Prepare construction 'record drawings' based upon markups and information provided by the City inspector and the construction contractor.
e. Services will be provided on an hourly basis; however, an estimate is provided for planning purposes.

3) Utility Coordination

The Engineer shall coordinate with the City and franchise utility companies to determine the location of existing and proposed utilities known to be within the anticipated project corridor. Utility Coordination shall also include submittals of plans to utility companies followed by regular status reports and requests for information from utility company representatives. Due to the uncertain nature of utility issues and responsiveness of the companies, coordination services will be provided on an hourly basis; however, an estimate is provided for planning purposes.

4) Design Topographic Survey

a. Engineer will survey the defined alignment corridor and locate the property corners called for in the survey prepared by Helvey-Wagner Surveying. The elevations of the topographic survey will be based on the benchmark referenced on the Helvey-Wagner survey. Survey will include the intersections of existing Hilre/Knollwood and proposed Hilre/SH 131 Travis Street.
b. Obtain field data in and around the project area including: visible improvements such as fences, driveways, visible utilities including manholes, water valves, water meters, fire hydrants, telephone pedestals, power poles, gas line markers, existing roadside ditches, culverts, inlets, outfall flow lines.
c. Survey shall tie visible underground utilities which are marked in the field by utility locators within project location. Subsurface utility surveys are not included in project scope.

d. Topographic survey will include a 100' grid on the open site natural grades, 25' spacing along existing roadways. Limits of described survey along SH 131 shall be up to 100 linear feet each side of the proposed Hilre connection. No offsite survey beyond the limits of the described project is included.

5) Storm Drain Design

Pending the results of the drainage evaluation described in the Schematic Phase, and based on upon directives of the City staff regarding the preferred drainage solution alternative, Engineer may provide additional storm drain design. If necessary, the following three sheets will be included in the construction plans: Drainage Area Map, Storm Sewer Calculations, Storm Sewer Plan & Profile Sheet. Due to the uncertain nature of the solution at time of scoping, design services will be provided on an hourly basis, but an estimate is provided for planning purposes.

6) Right-of-Way / Easements

Engineer will prepare a subdivision Final Plat for the purpose of dedicating the proposed road right-of-way, including verification of the property boundary by research existing property records and field locate property corners as necessary. Engineer will search for and locate city benchmarks to add to the vertical control. If modifications are made to the alignment after the final plat preparations have begun or additional break-up of the project is requested, this will be considered outside the scope of services and will be paid for as an additional service or modification to the scope. Engineer will prepare the Final Plat according to The City of Sherman platting requirements. Costs associated with plat processing fees, title reports, and tax certificates are considered additional services if not paid directly by the Client. JC will set one (1) time iron rods and mark with flagging all right-of-way corners platted. Alternatively, Engineer may provide final cad linework of the proposed limits of grading and proposed right-of-way to the land owner's surveyor of record for use in the preparation of legal descriptions and exhibits of the proposed right-of-way that shall be dedicated to the City.

Information Provided by Client

The following information shall be provided to the Engineer.

1. Roadway design standards, construction details, and standard general notes.
2. Record and as-built drawings for infrastructure in the project area.
3. Utility and drainage master plans if applicable.
4. Franchise utility contact information for local representatives.
5. Provide Notice of Entry to all property owners along the route.

Proposed Fees

Engineer shall be compensated on the following lump sum basis. Additional Services or hourly services shall be performed based on the attached 2019 rate schedule.

Basic Services	
Schematic Phase and Drainage Evaluation	$ 5,000
Design Phase and Plan Preparation	$ 20,000
Special Services	
Design topographic survey	$ 5,000
Utility Coordination (hourly reimb.)	$ 2,000 est.
Storm Drain Design (hourly reimb.)	$ 6,000 est.
Bid Phase and Construction Contract Administration (hourly reimb.)	$ 2,500 est.
Right-of-Way Platting	$ 9,000
CONTRACT TOTAL	**$ 49,500**

Special Considerations

This proposal is based on the following special considerations and exclusions:

1. Environmental evaluations and permitting is not included in the scope of services.
2. Landscape architecture design is not included in the scope of services.
3. Design of water/sewer improvements beyond the limits of those described are not included.
4. Design of retaining walls is not included.
5. Design of traffic signals and street lighting is not included.
6. Any review or permit fees associated with the project shall be paid by the Client, or if paid by JC, shall be considered as a reimbursable expense, and are not included in any fees proposed.
7. Hourly Services shall be provided in accordance with the enclosed Schedule of Hourly Rates. These schedules are subject to revision on January 1st of each year.
8. Reimbursable expenses including outside services not performed by JC personnel shall be provided in accordance with the enclosed Schedule of Reimbursable Expenses.
9. Fees do not include sales taxes that may be imposed.
10. Coordination and preparation of TxDOT permit applications and plans is not included in the scope.
11. Geotechnical investigation and pavement recommendations are not included in the scope. Engineer shall use City of Sherman standards for street pavement design.
12. Attendance or presentations to city council or neighborhood organizations are not included.
13. Traffic studies are not included.

We thank you for the opportunity to submit this proposal. An executed copy of this proposal will serve as our notice to proceed. Please return one copy to our office.

Sincerely,
Jones and Carter, Inc.

Mark J. Hollday, PE
Vice President

_____, PE
Attest

APPROVED BY:

Clint Philpott
Signature

Clint Philpott, Director of Engineering
Name and Title (Printed)

8/22/19
Date

JONES | CARTER

GENERAL CONDITIONS OF AGREEMENT
JONES & CARTER, INC.

AUTHORIZATION FOR WORK TO PROCEED

Signing of this PROPOSAL/AGREEMENT for services shall be authorization by the CLIENT for Jones & Carter, Inc. (J&C), to proceed with the work, unless stated otherwise in the AGREEMENT.

STANDARD OF PRACTICE

Services performed by J&C under this AGREEMENT will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the engineering profession currently practicing in the same locality under similar conditions. No other representation, expressed or implied, and no warranty or guarantee is included or intended in this AGREEMENT, or in any report, opinion, document, etc., prepared by J&C.

BILLING AND PAYMENT

The CLIENT, recognizing that timely payment is a material part of the consideration of this AGREEMENT, shall pay J&C for services performed in accordance with the rates and charges set forth herein. Invoices shall be submitted by J&C on a monthly basis and the full amount shall be due and payable to J&C upon receipt. If the CLIENT objects to all or any portion of an invoice, the CLIENT shall notify J&C in writing within seven (7) calendar days of the invoice date and pay that portion of the invoice not in dispute.

The CLIENT shall pay an additional charge of 0.75% of the invoiced amount per month for any payment received by J&C more than thirty (30) days from receipt of the invoice, excepting any portion of the invoiced amount in dispute and resolved in favor of the CLIENT. Payment thereafter shall be first applied to accrued interest and then to the principal unpaid amount.

OWNERSHIP/REUSE OF DOCUMENTS

All documents, including original drawings, opinions of probable construction cost, specifications, field notes, and data provided or furnished by J&C pursuant to this AGREEMENT are instruments of service in respect to the Project and J&C shall retain ownership and property interest therein whether or not the project is completed. The CLIENT may make and retain copies for the use of the Project by the CLIENT and others; however, such documents are not intended or suitable for reuse by the CLIENT or others on extensions of the Project or on any other Project. Any such reuse without written approval or adaptation by J&C for the specific purpose intended shall be at the CLIENT'S sole risk and without liability to J&C, and the CLIENT shall indemnify and hold harmless J&C from all claims, damages, losses, and expenses including attorney's fees arising out of or resulting therefrom.

COST ESTIMATES

Cost estimates prepared by the engineer represent his best judgment as a design professional familiar with the construction industry. It is recognized, however, that the engineer has no control over the cost of labor, materials, or equipment; over the contractor's methods of determining bid prices; or over competitive bidding or market conditions. Accordingly, the engineer cannot and does not guarantee that bids will not vary from any cost estimate prepared by him.

INSURANCE

J&C agrees to maintain Workers' Compensation Insurance to cover all of its own personnel engaged in performing services for the CLIENT under this AGREEMENT.

LIMITATION OF LIABILITY

J&C agrees to carry out and perform the services herein agreed to in a professional and competent manner. The CLIENT agrees that J&C shall not be liable for error, omission, or breach of warranty (either expressed or implied) in the preparation of designs and drawings, preparation of surveys, designation and selection of materials and equipment for the project, or the performance of any other services in connection with any assignment for which specific authorization is given by CLIENT under this agreement, except to the extent that he falls to exercise the usual degree of care and judgment of an ordinarily prudent engineer in the same or similar circumstances or conditions.

In order for the CLIENT to obtain the benefit of a fee which includes a lesser allowance for risk funding, the CLIENT agrees to limit J&C's liability arising from J&C's professional acts, errors or omissions, such that the total aggregate liability of J&C shall not exceed J&C's total fee for the services rendered on this project.

INDEMNIFICATION

J&C agrees, to the fullest extent permitted by law, to indemnify and hold the CLIENT harmless from any damage, liability, or cost (including reasonable attorney's fees and costs of defense) to the extent caused by J&C's negligent acts, errors, or omissions in the performance of professional services under this AGREEMENT including anyone for whom J&C is legally liable.

The CLIENT agrees, to the fullest extent permitted by law, to indemnify and hold J&C harmless from any damage, liability, or cost (including reasonable attorneys' fees and costs of defense) to the extent caused by the CLIENT'S negligent acts, errors, or omissions and those of his or her contractors, subcontractors or consultants, or anyone for whom the CLIENT is legally liable, and arising from the Project that is the subject of this AGREEMENT.

J&C is not obligated to indemnify the CLIENT in any manner whatsoever for the CLIENT'S own negligence.

CONSEQUENTIAL DAMAGES

The CLIENT shall not be liable to J&C and J&C shall not be liable to the CLIENT for any consequential damages incurred by either due to the fault of the other, regardless of the nature of this fault, or whether it was committed by the CLIENT or J&C employees, agents, or subcontractors. Consequential Damages include, but are not limited to, loss of use and loss of profit.

TERMINATION

This AGREEMENT may be terminated with or without cause at any time prior to completion of J&C's services either by the CLIENT or by J&C, upon seven (7) days written notice to the other at the address of record. Termination shall release each party from all obligation of this AGREEMENT except compensation payable to J&C for services rendered prior to Termination. Compensation payable at termination shall include payment for services rendered and costs incurred up to the termination date in accordance with J&C's currently effective hourly rate schedule and direct expense reimbursement policy.

SUCCESSORS AND ASSIGNS

CLIENT and J&C each binds himself, and his partners, successors, executors, administrators, and assigns to the other party of this AGREEMENT and to partners, successors, executors, administrators, and assigns of such other party in respect to all covenants of this AGREEMENT. Neither CLIENT nor J&C shall assign, sublet, or transfer his interest in this AGREEMENT, without written consent of the other. Nothing contained herein shall be construed as giving any rights or benefits hereunder to anyone other than the CLIENT and J&C.

SEVERABILITY

Any provision or part of the AGREEMENT held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the CLIENT and J&C, who agree that the AGREEMENT shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

SPECIAL PROVISIONS

The amount of an excise, VAT, gross receipts, or sales tax that may be imposed shall be added to the compensation as stated in the proposal.

CONTROLLING LAW

This AGREEMENT shall be governed by the laws of the State of Texas.

Version 13-08-22

JONES | CARTER

SCHEDULE OF HOURLY RATES

Effective January 2019 - Subject to Annual Revision in January 2020

ENGINEERING PERSONNEL	
Design Engineer I	$100
Design Engineer II	$120
Professional Engineer I	$140
Professional Engineer II	$160
Professional Engineer III	$185
Professional Engineer IV	$215
Professional Engineer V	$230
Practice Leader	$250

ELECTRICAL ENGINEERING PERSONNEL	
Electrical Design Engineer I	$110
Electrical Design Engineer II	$130
Electrical Professional Engineer I	$155
Electrical Professional Engineer II	$170
Electrical Professional Engineer III	$190
Electrical Professional Engineer IV	$225
Electrical Professional Engineer V	$240

CONSTRUCTION PERSONNEL (Includes Mileage)	
Project Representative I	$ 60
Project Representative II	$ 85
Project Representative III	$105
Project Representative I – Treatment Facilities	$ 85
Project Representative II – Treatment Facilities	$110
Project Representative III – Treatment Facilities	$135
Construction Manager I	$100
Construction Manager II	$120
Construction Manager III	$140
Construction Manager IV	$160
Construction Manager V	$185

SOFTWARE ENGINEER	
Software Engineer I	$120
Software Engineer II	$185
Software Engineer III	$230

PLANNING PERSONNEL	
Planner I	$ 90
Planner II	$120
Planner III	$150

DESIGNERS/DRAFTING PERSONNEL	
CAD Operator I	$ 55
CAD Operator II	$ 75
CAD Operator III	$ 95
Designer I	$ 95
Designer II	$115
Designer III	$135
GIS Operator I	$ 80
GIS Operator II	$105
GIS Operator III	$140

SURVEYING PERSONNEL	
1-Person Field Crew	$125
2-Person Field Crew	$170
3-Person Field Crew	$205
4-Person Field Crew	$235
Scanner Equipment	$100
Survey Technician I	$ 65
Survey Technician II	$ 80
Survey Technician III	$100
Project Surveyor I	$ 75
Project Surveyor II	$ 85
Project Surveyor III	$100
Project Surveyor IV	$115
Chief of Survey Crews	$100
Registered Professional Land Surveyor	$160
Survey Manager	$185

OFFICE PERSONNEL	
Engineer's Assistant I	$ 60
Engineer's Assistant II	$ 75
Engineer's Assistant III	$ 85
Admin I	$ 55
Admin II	$ 75
Admin III	$100
Assistant Controller/ Chief Accountant	$110
Corporate/Project Acct. I	$ 75
Corporate/Project Acct. II	$ 90

JONES | CARTER

SCHEDULE OF REIMBURSABLE EXPENSES
Effective January 2019
Subject to Annual Revision in January 2020

1. Reproduction performed in office

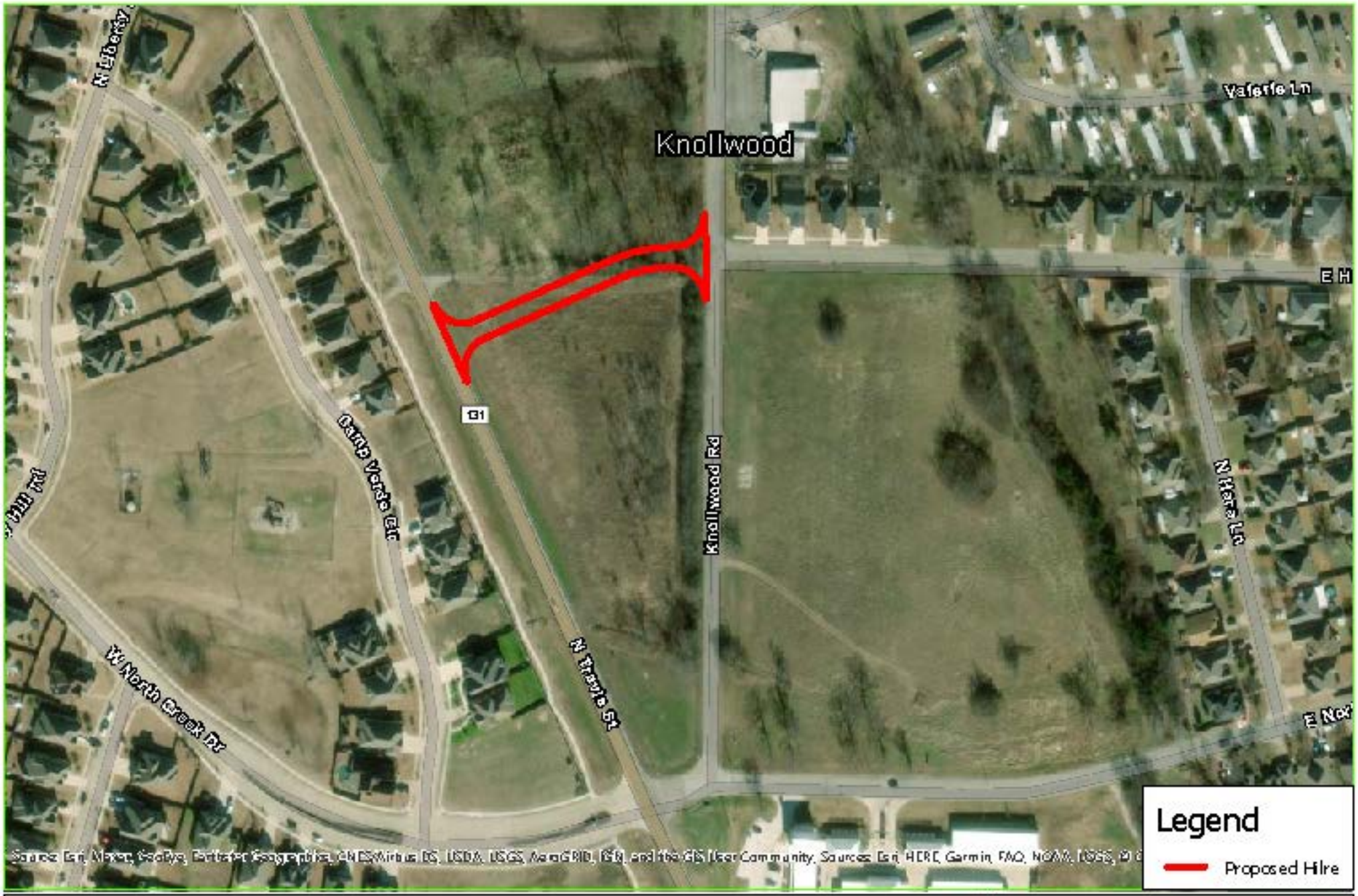
Size	Black & White	Color
8½ x 11 (single-sided)	$0.05/page	$ .50/page
8½ x 11 (double-sided)	$0.15/page	$ 1.00/page
8½ x 14	$0.15/page	$ .75/page
11 x 17	$0.20/page	$ 1.00/page

Large Document Prints/Plots	Black & White	Color
Bond	$0.20/sq ft	$ 1.00/sq ft
Photographic Bond	$4.00/sq ft	$ 5.00/sq ft
Mylar (4 mil)	$2.00/sq ft	N/A

Aerial Backgrounds	
All sizes	$5.00/sheet (plus above sq. ft. cost)

2. Transportation (mileage): Standard IRS mileage rate in effect
3. Subcontracts and all other outside expenses and fees: Cost, plus 10% service charge
4. Surveying Expenses
   a. Crew Rates: Includes time charged portal to portal and the first 120 miles of transportation and standard survey equipment
   b. Special Rental Equipment: Cost, plus 10%
   c. Stakes: Cost, plus 10% service charge when an excessive number of wooden stakes or any special stakes are required
   d. Iron Rods and Pipes: Cost, plus 10%
   e. All-Terrain Vehicle (ATV): $150/day
   f. Overnight Stays: $190/night
   g. Overtime Rates: Jobs requiring work on weekends or holidays billed at 1.5 times the standard rate
   h. Sales Tax: To be paid on boundary-related services.
   i. Deliveries, abstracting services, outside reproduction costs, and other reimbursable expenses charged at cost, plus 10%

Final 2019
Standard



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Feet

Proposed Hilre Drive

Sherman

CLASSIC TOWN. BROAD HORIZON.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 2.**

Meeting Date: 07/19/2021

Prepared By: Moises Duran, Community Planning Coordinator

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6752***

Authorizing the City Manager to Enter into a Memorandum of Understanding with Grayson County For Sherman's Participation in the Grayson County Community Mitigation Planning Program; Appointing Members to Serve on the Grayson County Community Mitigation Planning Team

Issue:

To authorize execution of a Memorandum of Understanding (MOU) to define roles and responsibilities of the City of Sherman and Grayson County regarding the Grayson County Multi-Jurisdictional Hazard Mitigation Plan and to appoint Emergency Management Coordinator Moises Duran to serve on the Community Mitigation Planning Team of behalf of the City of Sherman.

Background:

Grayson County has been awarded a grant by FEMA and the Texas Division of Emergency Management to provide hazard mitigation planning services for Grayson County, all of its incorporated cities and school districts. This work will result in an updated comprehensive multi-jurisdictional mitigation plan approved by the State of Texas and FEMA. The last plan was approved in 2012.

The Disaster Mitigation Act of 2000 provided an opportunity for local, state and federal governments to take a new and revitalized approach to mitigation planning which emphasizes the need for state and local entities to closely coordinate mitigation planning and implementation efforts.

FEMA requires that cities be an active participant in the planning process in order to sign off on, and receive the benefits of, the final Plan Update.

Origination:

Sarah E. Somers, Director, Grayson County OEM
Moises Duran, Emergency Management Coordinator

Financial Consideration:

None

Staff Recommendation:

Staff recommends the execution of the memorandum of understanding and appoint Moises Duran to serve on the Community Mitigation Planning Team

Alternatives:

As directed by Council

Attachments

Resolution No. 6752

Memorandum of Understanding

Mayor Letter

CM Letter

RESOLUTION NO. 6752

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH GRAYSON COUNTY FOR SHERMAN'S PARTICIPATION IN THE GRAYSON COUNTY COMMUNITY MITIGATION PLANNING PROGRAM; APPOINTING MEMBERS TO SERVE ON THE GRAYSON COUNTY COMMUNITY MITIGATION PLANNING TEAM; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Grayson County, Texas has been awarded a grant by the Federal Emergency Management Agency (FEMA) and the Texas Division of Emergency Management for the purpose of providing hazard mitigation planning services for Grayson Count and all of its incorporated cities and school districts; and

WHEREAS, this work will result in a comprehensive multi-jurisdictional mitigation plan approved by the State of Texas and FEMA; and

WHEREAS, the Disaster Mitigation Act of 2000 provided an opportunity for local, state and federal governments to take a new revitalized approach to mitigation planning, which emphasizes the need for state and local entities to closely coordinate mitigation planning and implementation efforts; and

WHEREAS, the requirement of a local plan as a condition of certain disaster assistance adds an incentive for Grayson County and all of its incorporated areas to get this work done. Our last plan was approved in 2012; and

WHEREAS, as none of our communities had and an approved Hazard Mitigation Plan in place in June 2007, we are precluded from seeking much needed federal dollars after the flood; and

WHEREAS, FEMA requires that the City of Sherman be an active participant in the planning process in order to sign off on, and receive the benefits of, the final Plan;

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

SECTION 1. That the City Manager be and is hereby authorized to enter into a Memorandum of Understanding with Grayson County for Sherman's Participation in the Grayson County Community Mitigation Planning Team, in accordance with the terms and provisions of the Memorandum of Understanding attached hereto and made a part hereof for all purposes.

SECTION 2. That the City Council of the hereby appoints the following City of Sherman representatives to serve on the Grayson County Community Mitigation Planning Team.

ENTITY REPRESENTATIVE FOR PLANNING TEAM: (*required)*

Name: Moises Duran

ENTITY ALTERNANTIVE REPRESENTATIVE FOR PLANNING TEAM *(required)*

Name: Chief Danny Jones

ENTITY ADDITIONAL REPRESENTATIVES: *(optional)*

Name: _____

Name: _____

Name: _____

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

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TX on this the ___ day of __, 2021.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____ **BY:** _____

LINDA ASHBY, CITY CLERK **DAVID PLYLER, MAYOR**

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____

RYAN PITTMAN, CITY ATTORNEY

GRAYSON COUNTY
COMMUNITY MITIGATION PLANNING TEAM
MEMORANDUM OF UNDERSTANDING

1. Purpose

As part of the Grayson County Community Mitigation Planning Program, a Memorandum of Understanding ["MOU"] must be executed between Grayson County ["hereinafter referred to as "the County"] and each participating City of Grayson County ["hereinafter referred to as "the Cities)"] and each other participating agency, including school districts. The Plan created as a result of this MOU will be presented to the County and the governing bodies of all participating cities and agencies for approval and adoption.

When adopted, the Mitigation Action Plan will provide guidance to the participating Cities and the County. Adopted plans serve as guides only and do not include a specific commitment by the jurisdictions and agencies. All adopted plans should address land use, community facilities, and transportation networks. Priority projects will be considered by the local jurisdictions for local funding and as a basis for requests for grants from the State and Federal government.

The intent of this MOU is to ensure that the mitigation action plan is developed in an open manner involving neighborhood stakeholders and that it is consistent with agency, City and County policies and objectives as well as serve as an accurate reflection of the values of the community. This MOU sets out the responsibilities of all parties. The MOU identifies the work to be performed by the planning team, participating agencies, the Cities and the County.

2. Responsibilities

Community Planning Team Responsibilities:

a. Ensure that the Grayson County Community Mitigation Planning Team includes representatives for neighborhood stakeholder groups, including all residents, neighborhood associations, community groups, property owners, institutions, businesses, schools, etc. Each participating city and agency must provide at least one representative to the County team and provide active support, input and attendance at program meetings.

b. Attend regular meetings of the planning team as coordinated by Grayson County.

c. Assist Grayson County staff with identifying hazards and estimating potential losses from future hazard events. *[Note: this relates to and requires an all-hazards approach – not just flood or tornado hazards]*

d. Assist Grayson County in developing and prioritizing mitigation actions to address the identified risks.

e. Assist Grayson County in coordinating public meetings to develop the plan.

f. Identify the community resources available to support the planning effort.

g. Assist with recruiting participants for planning meetings, including the development of a community-wide mailing list and distribution of meeting announcements (as prepared by Grayson County) by mail and other available means.

h. Gain the support of neighborhood stakeholders for the recommendations resulting from the planning process.

i. Submit the proposed plan to all stakeholders/departments for review and comment and work with Grayson County to incorporate the resulting comments into the proposed plan.

j. After adoption, appoint members to a Coordinating Committee to monitor and work toward plan implementation.

k. After adoption, publicize the plan to neighborhood interests and ensure new community members are aware of the plan and its contents.

l. Subsequent to State of Texas and FEMA approval of the plan, assume responsibility for bringing the plan to life by ensuring it remains relevant: by monitoring progress, through regular maintenance and implementation projects.

Grayson County's Responsibilities

a. Seek available state and/or federal funding to support planning efforts;

b. Assign a lead planning staff member, additional staff and contract with consultants as funding is available, to provide technical assistance and necessary data to the Grayson County Community Mitigation Planning Team.

c. Schedule, coordinate and facilitate community meetings with the assistance of the planning team.

c. Provide any necessary materials, handouts, etc., necessary for public planning meetings.

d. Work with the planning team to collect and analyze data and develop goals and implementation strategies.

e. Prepare, based on community input and team direction, the first draft of the plan and provide technical writing assistance for review, editing and formatting.

f. Coordinate with all appropriate stakeholders of Grayson County during plan development.

g. Submit the final plan to the State of Texas and provide follow up technical assistance to the Grayson County Community Mitigation Planning Team to cure any noted deficiencies subsequent to the review of the plan by the State of Texas.

h. Upon approval by the State of Texas, submit the plan to FEMA and provide follow up technical assistance to the Grayson County Community

Mitigation Planning Team to cure any noted deficiencies subsequent to the review of the plan by FEMA.

i. Coordinate adoption and final approval process by the governing bodies of all Cities, school districts, participating agencies, and the Commissioners Court of the approved FEMA plan.

j. Submit final plan, with adoption documentation and approval signatures for all participating jurisdictions, to the State and FEMA and ensure plan is noted as complete and approved by both agencies.

k. Prepare for and attend participating agency governing body meetings, City Council, Commissioners Court and other relevant public meetings during plan consideration and plan adoption process.

EXECUTED by governing bodies of all participating local governments and agencies, in Grayson County, each respective entity acting by and through its duly authorized official as required by law, on multiple counterparts each of which shall be deemed to be an original, on the date specified on the multiple counterpart executed by such entity.

NAME OF ENTITY: _____

Signature: _____ 

Printed Name: _____

Title: _____

Date: _____

ENTITY REPRESENTATIVE FOR PLANNING TEAM: *(required)*

Name: _____
Email: _____
Telephone: _____ 

ENTITY ALTERNATIVE REPRESENTATIVE FOR PLANNING TEAM: *(required)*

Name: _____
Email: _____
Telephone: _____ 

ENTITY ADDITIONAL REPRESENTATIVES: *(optional)*

Name: _____
Email: _____
Telephone: _____ 

Name: _____
Email: _____
Telephone: _____

Office of Emergency Management
100 W Houston, Third Floor • Sherman, TX 75090

June 14, 2021

The Honorable David Plyler
Mayor, City of Sherman
220 W Mulberry
Sherman, TX 75090

RE: Grayson County Multijurisdictional Hazard Mitigation Plan Update

Mayor Plyler:

Grayson County has been awarded a grant by FEMA and the Texas Division of Emergency Management to provide hazard mitigation planning services for Grayson County, all of its incorporated cities and school districts. This work will result in an updated comprehensive multi-jurisdictional mitigation plan approved by the State of Texas and FEMA.

The Disaster Mitigation Act of 2000 provided an opportunity for local, state and federal governments to take a new and revitalized approach to mitigation planning which emphasizes the need for state and local entities to closely coordinate mitigation planning and implementation efforts.

The requirement of a local plan as a condition of certain disaster assistance adds an incentive for us to get this work done. Our last plan was approved in 2012.

FEMA requires that your city be an active participant in the planning process in order to sign off on, and receive the benefits of, the final Plan Update. We have enclosed a Memorandum of Understanding for consideration by your governing

body which sets out our proposed participation agreement, including a request that your City appoint members to serve on the Grayson County Community Mitigation Planning Team. There is no cash match required by your City – only your participation.

After consideration by your city council, please return a properly completed original to our office. A self-addressed envelope has been enclosed for your convenience, as well as an extra copy for your records.

Please do not hesitate to call me directly with any questions. My mobile number is 903-814-7866.

Respectfully submitted,

Sarah E. Somers
Director, Grayson County OEM

Enclosure

Office of Emergency Management
100 W Houston, Third Floor • Sherman, TX 75090

June 14, 2021

Robby Hefton, City Manager
City of Sherman
220 W Mulberry
Sherman, TX 75090

RE: Grayson County Multijurisdictional Hazard Mitigation Plan Update

Robby Hefton, City Manager:

Grayson County has been awarded a grant by FEMA and the Texas Division of Emergency Management to provide hazard mitigation planning services for Grayson County, all of its incorporated cities and school districts. This work will result in an updated comprehensive multi-jurisdictional mitigation plan approved by the State of Texas and FEMA.

The Disaster Mitigation Act of 2000 provided an opportunity for local, state and federal governments to take a new and revitalized approach to mitigation planning which emphasizes the need for state and local entities to closely coordinate mitigation planning and implementation efforts.

The requirement of a local plan as a condition of certain disaster assistance adds an incentive for us to get this work done. Our last plan was approved in 2012.

FEMA requires that your city be an active participant in the planning process in order to sign off on, and receive the benefits of, the final Plan Update. We have enclosed a Memorandum of Understanding for consideration by your governing

Office: (903) 813-4217 • Facsimile: (903) 893-5207

body which sets out our proposed participation agreement, including a request that your City appoint members to serve on the Grayson County Community Mitigation Planning Team. There is no cash match required by your City – only your participation.

After consideration by your city council, please return a properly completed original to our office. A self-addressed envelope has been enclosed for your convenience, as well as an extra copy for your records.

Please do not hesitate to call me directly with any questions. My mobile number is 903-814-7866.

Respectfully submitted,

Sarah E. Somers
Director, Grayson County OEM

Enclosure

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 3.**

Meeting Date: 07/19/2021

Prepared By: Zachary Flores, Police Chief

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6753***

Authorizing Submission of a Joint Grant Application with the City of Denison and Grayson County for, and the Acceptance of, a Grant Awarded under the 2021 Justice Assistance Grant Program-CFDA #16.738

Issue:

Seeking approval to submit a joint grant application with the City of Denison and Grayson County for the 2021 Justice Assistance Grant (JAG) Program and approval to accept the award

Background:

This is a companion resolution to the Interlocal Agreement with the City of Denison and Grayson County, also on the July 19, 2021, agenda. This resolution authorizes the City to apply for and accept 2021 JAG funding to be used by the Sherman Police Department. The total grant will be $12,527.00, divided as follows: City of Sherman - $7,073.62; City of Denison - $3,099.13; and Grayson County - $2,354.25. The 2021 allocations are based on current project needs for each entity.

The Sherman Police Department plans to use its portion of 2021 JAG funding towards the purchase of Tasers. The City of Denison plans to use its portion of 2021 JAG funding towards accident investigation training. Grayson County plans to use its portion of 2021 funding towards the purchase of detention officer hand-held radios.

Origination:

Sherman Police Department

Financial Consideration:

There are no matching requirements for this grant.

Staff Recommendation:

The staff recommends submitting the 2021 JAG application and accepting if awarded.

Alternatives:

The Council could decline this grant opportunity.

Attachments

Resolution No. 6753

2021 JAG Local Solicitation

RESOLUTION NO. 6753

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING SUBMISSION OF A JOINT GRANT APPLICATION WITH THE CITY OF DENISON AND GRAYSON COUNTY FOR, AND THE ACCEPTANCE OF, A GRANT AWARDED UNDER THE 2021 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, seeking approval to submit a joint grant application with the City of Denison and Grayson County for an award of a portion of a total Twelve Thousand Five Hundred Twenty-Seven Dollars and No Cents ($12,527.00) under the 2021 Justice Assistance Grant, as set forth below and in accordance with the terms and provisions of the Interlocal Agreement attached hereto and incorporated herein for all purposes:

- An award to Grayson County of Two Thousand Three Hundred Fifty-Four Dollars and Twenty-Five Cents ($2,354.25) for the purchase of detention officer hand-held radios; and

- An award to the City of Denison of Three Thousand Ninety-Nine Dollars and Thirteen Cents ($3,099.13) for accident investigation training; and

- An award to the City of Sherman of Seven Thousand Seventy-Three Dollars and Sixty-Two Cents ($7,073.62) for the purchase of Tasers.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C

BY: _____

NAME: _____

CITY ATTORNEY

OMB No. 1121-0329
Approval Expires 11/30/2020

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

BJA FY 2021 Edward Byrne Memorial Justice Assistance Grant Program – Local Solicitation

Assistance Listing Number # 16.738

Grants.gov Solicitation Number: O-BJA-2021-135004

Solicitation Release Date: June 08, 2021 5:00 PM

Grants.gov Deadline: July 26, 2021 11:59 PM

Application JustGrants Deadline: August 09, 2021 11:59 PM

Overview

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is seeking applications for funding for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal law enforcement efforts to prevent or reduce crime and violence.

This solicitation incorporates the OJP Grant Application Resource Guide by reference. The OJP Grant Application Resource Guide provides guidance to applicants on how to prepare and submit applications for funding to OJP. **If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.**

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Limitation on Use of Award Funds for Employee Compensation; Waiver" provisions in the "Financial Information" section of the OJP Grant Application Resource Guide.

Solicitation Category

Competition ID	Category	Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
C-BJA-2021-00149-PROD	Category 1 - Applicants with eligible allocation	603	$45,735,895.00	10/1/2020 12:00 AM	24

Competition ID	Category	Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
	amounts of less than $25,000				
C-BJA-2021-00150-PROD	Category 2 - Applicants with eligible allocation amounts of $25,000 or more	582	$44,143,102.00	10/1/2020 12:00 AM	48

Eligibility (Who may apply):

- Units of local government
- Other

By law, for purposes of the JAG Program, the term "units of local government" includes a town, township, village, parish, city, county, borough, or other general-purpose political subdivision of a state; or it may be a federally recognized Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government also may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes; for example, in Louisiana, a unit of local government means a district attorney or parish sheriff. The expected eligible allocations by state for the fiscal year (FY) 2021 JAG Program can be found at: https://bja.ojp.gov/program/jag/fy-2021-allocations.

Eligible allocations under JAG are posted annually on the JAG web page. See the allocation determination and Units of Local Government requirements section for more information. **Applicants with eligible allocation amounts of less than $25,000 will apply to Category 1, and applicants with eligible allocation amounts of $25,000 or more will apply to Category 2.**

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

Agency Contact Description

For technical assistance with submitting the **SF-424** and **SF-LLL** in Grants.gov, contact the Grants.gov Customer Support Hotline at 800–518–4726, 606–545–5035, Grants.gov customer support web page, or email at support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in DOJ's Justice Grants System (JustGrants), contact the JustGrants Service Desk at JustGrants.Support@usdoj.gov or 833–872–5175. The JustGrants Service Desk operates 5 a.m. to 9.p.m. eastern time, Monday–Friday, and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

An applicant that experiences unforeseen Grants.gov or JustGrants technical issues beyond its control that prevent it from submitting its application by the deadline must email the National Criminal Justice Reference Service Response Center (Response Center) at grants@ncjrs.gov

within 24 hours after the application deadline to request approval to submit its application after the deadline.

For assistance with any other requirements of this solicitation, contact the Response Center by telephone at 800–851–3420 or TTY: 301–240–6310 (hearing impaired only) or by email at grants@ncjrs.gov. Response Center hours of operation are 10 a.m. to 6 p.m. eastern time Monday through Friday, and 10 a.m. to 8 p.m. eastern time on the solicitation close date. Applicants also may contact the appropriate BJA grant manager.

Submission Information

In FY 2021, applications will be submitted to DOJ in a **NEW** two-step process.

Step 1: Applicants will submit an **SF-424 and an SF-LLL** in Grants.gov at https://www.grants.gov/web/grants/register.html. To register in Grants.gov, applicants will need to obtain a Data Universal Numbering System (DUNS) and System for Award Management (SAM) registration or renewal.

Step 2: Applicants will submit the **full application,** including attachments, in JustGrants at https://justicegrants.usdoj.gov/.

To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

OJP encourages applicants to review the "How to Apply" section in the OJP Grant Application Resource Guide.

Edward Byrne Memorial Justice Assistance Grant Program
FY 2021 Local Formula Grant Solicitation
CFDA # 16.738

Program Description

Overview
The Department of Justice is committed to advancing work that promotes civil rights, increases access to justice, supports crime victims, protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to states and units of local government. BJA will award JAG Program funds to eligible units of local government as described in this FY 2021 JAG Program Local Solicitation. (BJA will issue a separate solicitation for states.)

Statutory Authority
The JAG Program is authorized by Title I of Pub. L. No. 90-351 (generally codified at 34 U.S.C. 10151-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151-10158); see also 28 U.S.C. 530C(a).

Program-specific Information

Statutory Formula
JAG awards are based on a statutory formula that is fully described within the JAG Technical Report. Once each fiscal year's overall JAG Program funding level is determined, BJA works with the Bureau of Justice Statistics to begin a four-step grant award calculation process, which, in general, consists of:

(1) Computing an initial JAG allocation for each state, based on its share of violent crime and population (weighted equally).

(2) Reviewing the initial JAG allocation amount to determine if the state allocation is less than the minimum award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining states receives the minimum award plus an additional amount based on its share of violent crime and population.

(3) Dividing each state's final award amount (except for the territories and the District of Columbia) between the state and its units of local governments at rates of 60 and 40 percent, respectively.

(4) Determining unit of local government award allocations, which are based on their proportion of the state's 3-year violent crime average. If the "eligible award amount" for a particular unit of local government, as determined on this basis, is $10,000 or more, then the unit of local government is eligible to apply directly to OJP (under the JAG Local

Solicitation) for a JAG award. If the "eligible award amount" for a particular unit of local government, as determined on this basis, is less than $10,000, however, the funds are not made available for a direct award to that particular unit of local government, but instead are added to the amount that is awarded to the state.

Allocation Determination and Units of Local Government Requirements Regarding Use of JAG Funds

Eligible allocations under JAG are posted annually on the JAG web page. Award allocations are determined by a four-step statutory formula. Additional information can be found on the JAG Resource Page or the JAG Technical Report.

According to the JAG Program statute, a "disparity" may exist between the funding eligibility of a county and its associated municipalities. *See* 34 U.S.C. § 10156(d)(4). Units of local government identified by BJA as disparate must select a fiscal agent that will submit a joint application for the allocation to include all disparate municipalities. A memorandum of understanding (MOU) that identifies which jurisdiction will serve as the applicant or fiscal agent for joint funds must be completed and signed by the authorized representative for each participating jurisdiction. Once an award is made, the fiscal agent will be responsible for distributing award funds to the other jurisdictions in the disparate group through subawards that include all appropriate award conditions. To verify eligibility on the JAG web page, an applicant should click on its respective state and note the following regarding the state's allocation table:

(1) Disparate units of local government are listed in shaded groups, in alphabetic order by county. Units of local government identified as disparate must select one unit of local government to submit an application on behalf of the disparate group.

(2) Counties that have an asterisk (*) under the "Direct Allocation" column did not submit the level of violent crime data to qualify for a direct award from BJA but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required MOU.

(3) Direct allocations are listed alphabetically below the shaded disparate groupings.

Please note that disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and documenting individual allocations in the MOU.

Statutory Program Areas

In general, JAG funds awarded to a unit of local government under the FY 2021 program may be used to hire additional personnel and/or purchase equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, including for any one or more of the following program areas:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)

- Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams

Note that the statute defines "criminal justice" as "activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies, and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency."

BJA Areas of Emphasis

BJA recognizes that many state and local criminal justice systems currently face challenging fiscal environments and that an important, cost-effective way to relieve those pressures is to share or leverage resources through cooperation among federal, state, and local law enforcement. BJA intends to focus much of its work on: Restoring Justice – Support for State, Local, Tribal, and Territorial Administration (SLTT) of Criminal Justice; Community Violence Intervention; Law Enforcement Accreditation, Policy Development, and Training; Technologies to Support Transparency and Information Sharing between Law Enforcement and Communities; Sustaining COVID-19 Criminal Justice Innovations; and Innovative Forensic Technologies such as Rapid DNA for Booking Stations. BJA encourages each state recipient of an FY 2021 JAG award to join federal law enforcement agencies across the board in addressing these challenges. Additional details on the BJA areas of emphasis can be found below:

- Restoring Justice – Support for SLTT Administration of Criminal Justice
  In March 2020, SLTT governments began implementing various community mitigation policies to prevent and reduce the spread of COVID-19. As a part of these restrictions, throughout the country, courts at every level were forced to cancel or significantly scale back proceedings, which commonly included suspending in-person hearings, granting extensions of court deadlines and waivers of speedy trials, restricting access to court buildings, and postponing jury trials. This created a backlog of cases, which has impacts on criminal court operations and court staff, victims and witnesses, as well as defendants. BJA encourages state and local jurisdictions to invest JAG funds in efforts to restore justice by addressing this backlog. This could include purchase of technology to enhance the use of virtual tools to conduct outreach to witnesses and defendants, as well as for hearings and status conferences, staffing, and enhancing access to services; resources to assist the jurisdiction to develop or enhance its case management system to assess and work to eliminate the backlog of cases; building tools to support diversion and alternatives to incarceration as part of the review of backlogged cases; and technology and equipment to retrofit court houses and staff to mitigate risks to staff and those coming to court.
- Community Violence Intervention
  Cities across the U.S. are experiencing a historic spike in homicides and gun violence that disproportionately impacts people of color. The recent high-profile mass shootings in Boulder (taking the lives of 10 individuals) and Atlanta (taking the lives of eight individuals, including six Asian American women) underscored the relentlessness of this epidemic. As a result, the Biden-Harris Administration and Department of Justice are undertaking a number of steps to keep guns out of the hands of criminals, reduce the risk of gun violence, and prioritize investment in community violence intervention (CVI). There are proven CVI strategies for reducing gun violence through tools other than

incarceration. For example, violence interruption programs deploy trusted messengers to work directly with individuals most likely to commit gun violence, intervene in conflicts, and connect people to social and economic services to reduce the likelihood of gun violence as an answer. Hospital-based violence interventions engage people who have been shot while they are still in the hospital, connecting them to services to decrease the likelihood that they commit gun violence or are victimized in the future. BJA encourages state and local jurisdictions to invest JAG funds to tailor programs and responses to CVI in an effort to build strong, sustained partnerships with community residents and organizations to support CVI work in communities most impacted by violent crime. CVI strategies will be highlighted on BJA's National Training and Technical Assistance Center (NTTAC) website, and jurisdictions looking to implement those strategies can request training and technical assistance (TTA) on the NTTAC website as well.

- Law Enforcement Accreditation, Policy Development, and Training
  The calls for police reform continue to grow, with an emphasis on protecting the sanctity of life and eliminating systemic biases, implicit or otherwise. In particular, racial profiling and related bias are particularly pernicious as they deprive communities of color of basic constitutional protections and erode confidence in policing — an essential cornerstone for crime reduction and safe communities. BJA encourages state and local jurisdictions to utilize JAG funds for the purposes of law enforcement accreditation, and developing and maintaining policies and law enforcement training focused on addressing those areas most likely to promote trust, transparency, and accountability, including use of force, racial profiling, implicit bias, procedural justice, and duty to intervene.

- Technologies to Support Transparency and Information Sharing between Law Enforcement and Communities
  This will focus on software/hardware solutions designed to enhance agency transparency with the capability of facilitating information sharing with the public, promoting an agency's work, and developing data-driven programs that improve public safety and build trust. Examples could include the sharing of information about crime statistics, locations of criminal activity, aggregated information regarding internal affairs complaints, resolution of cases and issues in the community, support for community surveys, and outreach to residents to gather their feedback.

- Sustaining COVID-19 Criminal Justice Innovations
  As a result of the COVID-19 pandemic, SLTT criminal justice agencies made strides to create innovative ways to administer justice while balancing the need to mitigate the coronavirus and maintain social distancing. While many of these innovations had an upfront cost, they will prove to be cost saving and efficient over time. For example, correctional facilities have enabled virtual programming, education, medical appointments, and family visits, as well as increased and enhanced the use of electronic monitoring. Police departments have hosted virtual community engagement events and opportunities, and courts and community corrections have increased the use of virtual staffing, status hearings, client visits, and access to treatment and support services. In addition, resources have supported the purchase of technology like headsets and hotspots to ensure confidentiality of defense counsel with clients, as well as partnerships with community partners to host outdoor events like drug court graduations. It is important for SLTT agencies to sustain these cost-saving efficiencies that resulted from the COVID-19 pandemic. As such, BJA encourages SLTT agencies to utilize JAG funds for these sustainment activities.

- Innovative Forensic Technologies such as Rapid DNA for Booking Stations

Rapid DNA, or Rapid DNA analysis, is a term used to describe the fully automated (hands free) process of developing a DNA profile from a reference sample mouth swab in 1-2 hours without the need of a DNA laboratory and without any human intervention. The overall goal of the Rapid DNA initiative is to immediately enroll qualifying arrestees in CODIS and search unsolved crimes of special concern in near real time during the booking process. The FBI worked with numerous stakeholder groups to develop *Standards for the Operation of Rapid DNA Booking Systems by Law Enforcement Booking Agencies*, the corresponding *Audit Document* for these standards, and the *National Rapid DNA Booking Operational Procedures Manual* for the FBI approval and operation of the Rapid DNA devices in booking agencies. Below is an abbreviated list of prerequisites for federal, state, and local booking agencies to participate in Rapid DNA:

- The state must have implemented an arrestee DNA collection law that authorizes DNA sample collection from a person arrested for a specified offense at the time of arrest and for which there are no additional requirements (i.e., determination of probable cause) for the analysis of that arrestee DNA sample. Federal booking agencies already meet this prerequisite.
- Electronic Fingerprint (Live Scan) integration during the booking process for obtaining State Identification Numbers (SID) (UCN for federal booking agencies) from the State Identification Bureau (FBI for federal) in near real time.
- The booking agency must have network connectivity with the State Identification Bureau (SIB)/CJIS Systems Agency (CSA).
- The booking agency and/or state must technically integrate Rapid DNA within their automated fingerprint process in a way that must ensure only qualifying arrestees are processed.

It will be critical for booking agencies to work with their state CODIS agency to ensure all requirements are met for participation in Rapid DNA (see *National Rapid DNA Booking Operational Procedures Manual)*. BJA encourages those states with arrestee DNA collection laws that meet the prerequisites above to consider using JAG funds to implement Rapid DNA technology (or the defined prerequisites above, such as Live Scan integration) in booking stations within their states.

Additional Uses of JAG Funds

JAG funds awarded to a unit of local government under this FY 2021 solicitation may be used to:

- Enforce state and local laws that establish offenses similar to offenses established in 21 U.S.C. § 801 et seq. and/or improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenses, by providing additional personnel, equipment, training, technical assistance, and information systems for the more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of persons who violate these laws, and assist the victims of such crimes (other than compensation).
- Support projects related to preventing, detecting, seizing, and/or stopping the presence and use of contraband cellphones by detainees and inmates. This includes the purchasing of managed access systems and other mitigation technologies (as permitted by applicable law).

- To purchase fentanyl detection equipment and training for law enforcement safety, as well as naloxone distribution.
- To purchase drug detection canines to combat the rise of drug trafficking, including that of methamphetamines.
- Additionally, JAG funds awarded under this FY 2021 solicitation may be used for any purpose indicated here: https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jag-use-of-funds.pdf.

Limitations on the Use of JAG Funds

Administrative Costs
Up to 10 percent of a JAG award, including up to 10 percent of any earned interest, may be used for costs associated with administering the award, which can include indirect costs.

Supplanting
JAG funds may not be used to supplant state or local funds but must be used to increase the amounts of such funds that would, in the absence of federal funds, be made available. See the JAG FAQs for examples of supplanting. Although supplanting is prohibited, the leveraging of federal funding is encouraged.

Matching Funds
Absent specific federal statutory authority to do so, JAG award funds may not be used as a match for other federal awards.

Prohibited Expenditures and Associated Procedures under JAG
JAG funds may not be used (whether directly or indirectly) for any purpose prohibited by federal statute or regulation, including those purposes specifically prohibited by the JAG Program statute as set out at 34 U.S.C. § 10152. JAG funds may not be used (directly or indirectly) for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Additionally, JAG funds may not be used (directly or indirectly) to pay for any of the following items unless DOJ certifies that extraordinary and exigent circumstances exist making them essential to the maintenance of public safety and good order:

- Vehicles, vessels, or aircraft*
- Luxury items
- Real estate
- Construction projects (other than penal or correctional institutions)
- Any similar matters

*Police cruisers, police boats, and police helicopters are allowable vehicles under JAG and do not require BJA certification.

The JAG statute, 34 U.S.C. §§ 10151-10158, specifically identifies a list of prohibited items, including unmanned aircraft, unmanned aerial vehicles, and unmanned aerial systems, which cannot be purchased with JAG funds unless the BJA Director certifies that extraordinary and exigent circumstances exist that make the use of such funds to purchase these prohibited items essential to the maintenance of public safety and good order. Additional information on prohibited expenditures under JAG, including the process to obtain prior approval to purchase a prohibited item(s), can be found within the JAG Prohibited Expenditures Guidance or within the JAG FAQs document (see Use of Funds section).

Other Program Requirements

Trust Fund — States (or State Administering Agencies) or units of local government may draw down JAG funds either in advance or on a reimbursement basis. To draw down in advance, a trust fund must be established in which to deposit the funds. The trust fund must be in an interest-bearing account, unless one of the exceptions in 2 C.F.R. § 200.305(b)(8) apply. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit the funds. For additional information, see 2 C.F.R. § 200.305.

Certifications and Assurances by the Chief Executive of the Applicant Government (which incorporates the 30-day governing body review requirement) — A JAG application is not complete, and a unit of local government may not access award funds, unless the chief executive of the applicant unit of local government (e.g., the mayor or chairman) properly executes, and the unit of local government submits, the "Certifications and Assurances by the Chief Executive of the Applicant Government." The most up-to-date version of this certification can be found at: https://bja.ojp.gov/program/jag/certifications-assurances. Please note that this certification takes the place of the review narrative attachment and contains assurances that the governing body notification and public comment requirements, which are required under the JAG statute (at 34 U.S.C. § 10153(a)(2)), have been satisfied.

OJP will not deny an application for an FY 2021 award for failure to submit these "Certifications and Assurances by the Chief Executive of the Applicant Government" by the application deadline, but a unit of local government will not be able to access award funds (and its award will include a condition that withholds funds) until it submits these certifications and assurances, properly executed by the chief executive of the unit of local government (e.g., mayor or chairman).

Body-Worn Cameras (BWCs) — A JAG award recipient that proposes to use FY 2021 funds to purchase BWC equipment or implement or enhance BWC programs must provide to OJP a certification(s) that each direct recipient receiving the equipment or implementing the program has policies and procedures in place related to BWC equipment usage, data storage and access, privacy considerations, and training. The certification form related to BWC policies and procedures can be found at: https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/fy-21-jag-body-worn-camera-policy-cert.pdf.

A JAG award recipient that proposes to use funds for BWC-related expenses will have funds withheld until the required certification is submitted and approved by OJP. If the JAG award recipient proposes to change project activities to utilize JAG funds for BWC-related expenses after the award is accepted, the JAG award recipient must submit the signed certification to OJP at that time.

Further, before making any subaward for BWC-related expenses, the JAG award recipient must collect a completed BWC certification from the proposed subrecipient. Any such certifications must be maintained by the JAG award recipient and made available to OJP upon request.

The BJA BWC Tool Kit provides model BWC policies and best practices to assist criminal justice departments in implementing BWC programs.

Apart from the JAG Program, BJA provides funds under the Body-Worn Camera Policy and Implementation Program (BWCPIP). BWCPIP allows jurisdictions to develop and implement policies and practices required for effective program adoption, and to address program factors including the purchase, deployment, and maintenance of camera systems and equipment; data

storage and access; and privacy considerations. Interested JAG award recipients may wish to refer to the BWC Program web page for more information. JAG award recipients that are also BWC award recipients may not use JAG funds for any part of the 50 percent match required by the BWC Program.

Body Armor — Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the following requirements are met: The body armor must have been tested and found to comply with the latest applicable National Institute of Justice ballistic or stab standards. In addition, body armor purchased must be made in the United States. Finally, body armor purchased with JAG funds must be "uniquely fitted vests," which means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage through a combination of: (1) correctly sized panels and carrier determined through appropriate measurement, and (2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. Note that the requirement that body armor be "uniquely fitted" does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer. In support of OJP's efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor (Active Standard ASTM E3003) at no cost. The Personal Armor Fit Assessment checklist is excerpted from ASTM E3003.

A JAG award recipient that proposes to use FY 2021 award funds to purchase body armor must provide OJP with a certification(s) that each law enforcement agency receiving body armor has a written "mandatory wear" policy in effect. *See* 34 U.S.C. § 10202(c). The certification form related to mandatory wear can be found at https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/fy-21-jag-body-armor-mandatory-wear-cert.pdf. Note: A JAG award recipient that proposes to use funds for the purchase of body armor will have funds withheld until the required certification is submitted and approved by OJP. If the JAG award recipient proposes to change project activities to utilize funds for the purchase of body armor after the award is accepted, the award recipient must submit the signed certification to OJP at that time.

Further, before making any subaward for the purchase of body armor, the JAG award recipient must collect a completed mandatory wear certification from the proposed subrecipient. Any such certifications must be maintained by the JAG award recipient and made available to OJP upon request.

A mandatory wear concept and issues paper and a model policy are available from the Bulletproof Vest Partnership (BVP) Customer Support Center, which can be contacted at vests@usdoj.gov or toll free at 1–877–758–3787. Additional information and FAQs related to the mandatory wear policy and certifications can be found at https://bja.ojp.gov/program/jag/frequently-asked-questions.

Apart from the JAG Program, BJA provides funds under the Bulletproof Vest Partnership Program. The BVP Program provides funding to state and local law enforcement agencies for the purchase of ballistic-resistant and stab-resistant body armor. For more information on the BVP Program, including eligibility and an application, refer to the BVP web page. JAG award recipients should note, however, that funds may not be used as any part of the 50 percent match required by the BVP Program.

Interoperable Communications — Units of local government (including any subrecipients) that

are using FY 2021 JAG funds for emergency communications activities should comply with the *SAFECOM Guidance for Emergency Communication Grants* (*SAFECOM Guidance*), including provisions on technical standards that ensure and enhance interoperable communications. The *SAFECOM Guidance* is an essential resource for entities applying for federal financial assistance for emergency communications projects. It provides general information on eligible activities, technical standards, and other terms and conditions that are common to most federal emergency communications programs. Specifically, the *SAFECOM Guidance* provides guidance to applicants on:

- Recommendations for planning, coordinating, and implementing projects
- Emergency communications activities that can be funded through federal grants
- Best practices, policies, and technical standards that help to improve interoperability
- Resources to help grant recipients comply with technical standards and grant requirements

SAFECOM Guidance is recognized as the primary guidance on emergency communications grants by the Administration, Office of Management and Budget, and federal grant program offices. The Cybersecurity and Infrastructure Security Agency (CISA) updates the document every year in close coordination with federal, state, local, tribal, and territorial stakeholders and partners. *SAFECOM Guidance* is applicable to all federal grants funding emergency communications. The most recent version of the *SAFECOM Guidance* is available at: https://www.cisa.gov/safecom/funding.

Additionally, emergency communications projects funded with FY 2021 JAG funds should support the Statewide Communication Interoperability Plan (SCIP) and be coordinated with the full-time statewide interoperability coordinator (SWIC) in the state of the project. As the central coordination point for a state's interoperability effort, the SWIC plays a critical role and can serve as a valuable resource. SWICs are responsible for the implementation of SCIP through coordination and collaboration with the emergency response community. CISA maintains a list of SWICs for each state and territory. Contact ecd@cisa.dhs.gov for more information. All communications equipment purchased with FY 2021 JAG Program funding should be identified during the quarterly performance measurement reporting.

Further, information-sharing projects funded with FY 2021 JAG funds must comply with DOJ's Global Justice Information Sharing Initiative guidelines, as applicable, in order to promote information sharing and enable interoperability among disparate systems across the justice and public safety communities. Recipients (and subrecipients) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at https://it.ojp.gov/gsp_grantcondition. Recipients (and subrecipients) will be required to document their planned approaches to information sharing, describe their compliance with GSP, and document an appropriate privacy policy that protects shared information or provide detailed justification for why an alternative approach is recommended.

DNA Testing of Evidentiary Materials and Uploading DNA Profiles to a Database — If JAG Program funds are to be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS, the national DNA database operated by the FBI) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other nongovernmental DNA database without prior written approval from BJA (exceptions include forensic genealogy). For more information about DNA testing as it pertains to JAG, please refer to the JAG FAQs.

Entry of Records into State Repositories — As appropriate and to the extent consistent with law,

a special condition will be imposed that would require the following: Any program or activity that receives federal financial assistance under JAG that is likely to generate court dispositions or other records relevant to National Instant Criminal Background Check System (NICS) determinations, including any dispositions or records that involve any noncitizen or migrant who is undocumented in the United States (18 U.S.C. § 922(g)(5)(A), must have a system in place to ensure that all such NICS-relevant dispositions or records are made available in a timely fashion.

Potential Set-Asides and/or Funding Reductions

National Incident-Based Reporting System 3 Percent Set-Aside

In FY 2016, the FBI formally announced its intention to sunset the Uniform Crime Reporting (UCR) Program's traditional Summary Reporting System (SRS) and replace it with the UCR Program's National Incident-Based Reporting System (NIBRS). As of January 1, 2021, the FBI's NIBRS is the law enforcement crime data reporting standard for the nation, and SRS data are no longer accepted by the UCR Program. By statute, JAG Program awards are calculated using summary Part 1 violent crime data from the FBI's UCR Program. (See 34 U.S.C. § 10156.) Eventually, JAG Program awards will be calculated using NIBRS data and NIBRS compliance will impact JAG Program eligibility.

Beginning in FY 2018, BJA required, through the application of an award condition, direct JAG award recipients not certified by the FBI as NIBRS compliant to set aside 3 percent of their JAG award toward achieving full compliance with the FBI's NIBRS data submission requirements under the UCR Program. The 3 percent set-aside will continue in FY 2021 to help ensure remaining states and units of local government become NIBRS compliant.

Units of local government must clearly indicate in their application narratives and budgets what projects will be supported with this 3 percent set-aside.

The following are examples of costs and projects relating to NIBRS implementation at the state or local level that could be funded under the JAG Program: software, hardware, and labor that directly support or enhance a state or agency's technical capacity for collecting, processing, and analyzing data reported by local law enforcement (LE) agencies and then submitting NIBRS data to the FBI; training personnel responsible for the state's Incident-Based Reporting (IBR) program on receiving, processing, analyzing, and validating incident-based data from local LE agencies in their state; training local agencies on how to collect and submit NIBRS data; and technical assistance for LE agency personnel responsible for (1) managing the agency's crime incident data, (2) processing and validating the data, and (3) extracting and submitting IBR data to the state UCR Program according to the state's standard and/or directly to the FBI according to the NIBRS standard.

BJA will waive the set-aside requirement for units of local government that have been certified as NIBRS compliant by the FBI as of the posting date of the Local JAG Program solicitation. Units of local government that achieve full compliance with NIBRS after receiving an award should email evidence of NIBRS compliance (written documentation from the FBI that certifies NIBRS compliance) to their State Policy Advisor listed in the JustGrants System. Upon review of the documentation submitted, BJA will confirm the NIBRS compliance and then take the necessary action to clear any withholding special condition associated with the NIBRS set-aside requirement. Units of local government must retain documentation on file that demonstrates the FBI certification of NIBRS compliance. Such documentation must be made available for BJA review upon request. If approved, units of local government will not be subject to the 3 percent

set-aside requirement.

Goals, Objectives, and Deliverables

Goals
In general, the FY 2021 JAG Program is designed to provide units of local government with additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice. Although the JAG Program provides assistance directly to states, through pass-through (and similar) requirements, the JAG Program also is designed to assist units of local government with respect to their criminal justice needs.

Objectives
The objectives are directly related to the JAG Program accountability measures described at https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jag-pmt-accountability-measures.pdf and demonstrate the results of the work completed, as discussed under What an Application Should Include.

The goals and objectives are directly related to the performance measures that demonstrate the results of the work completed, as discussed under the Application and Submission Information section.

Deliverables
A unit of local government that receives an FY 2021 JAG award will be required to produce various types of reports, including quarterly financial reports, quarterly performance reports, and semiannual progress reports in JustGrants.

Evidence-based Programs or Practices
OJP strongly emphasizes the use of data and evidence in policymaking and program development in criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the OJP Grant Application Resource Guide.

Information Regarding Potential Evaluation of Programs and Activities
OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the OJP Grant Application Resource Guide section entitled “Information Regarding Potential Evaluation of Programs and Activities.”

Federal Award Information

Total number of awards BJA expects to make: 1,185 potential awards
Maximum dollar amount for each award: $4,095,916 (New York City)
Total amount to be awarded under solicitation: $89,878,997
Period of performance start date: October 1, 2020
Period of performance duration: 24–48 months

Category 1 – Eligible Allocation Amounts of Less than $25,000: Units of local government that are listed on the JAG web page as eligible for an allocation amount of less than $25,000 should apply under Category 1. This includes direct and joint (disparate) allocations. Category 1 awards of less than $25,000 are 2 years in length. Extensions of up to 2 years can be requested for these awards via JustGrants no fewer than 30 days prior to the grant end date and will be automatically granted upon request.

Category 2 – Eligible Allocation Amounts of $25,000 or More: Units of local government that are listed on the JAG web page as eligible for an allocation amount of $25,000 or more should apply under Category 2. This includes direct and joint (disparate) allocations. Category 2 awards of at least $25,000 are 4 years in length. Extensions beyond this period may be made on a case-by-case basis at the discretion of the Bureau of Justice Assistance and must be requested via JustGrants no fewer than 30 days prior to the grant end date.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by statute.

Availability of Funds
This solicitation, and awards (if any are made) under this solicitation, are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by the agency or by law. In addition, nothing in this solicitation is intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

The allocations by state for the FY 2021 JAG Program can be found at: https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/FY21-State-JAG-Allocations.pdf.

Type of Award
BJA expects to make awards under this solicitation as grants. See the "Administrative, National Policy, and Other Legal Requirements" section of the OJP Grant Application Resource Guide for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants (and cooperative agreements).

Financial Management and System of Internal Controls
Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R. Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200. See OJP Grant Application Resource Guide for additional information.

Budget Information
This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Limitation on Use of Award Funds for Employee Compensation; Waiver" provision in the "Financial Information" section of the OJP Grant Application Resource Guide.

Cost Sharing or Matching Requirement
This solicitation does not require a match.

Pre-agreement Costs (also known as Pre-award Costs)
See the OJP Grant Application Resource Guide for information on Pre-agreement Costs (also known as Pre-award Costs).

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

See the OJP Grant Application Resource Guide for information on Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs.

Costs Associated with Language Assistance (if applicable)
See the OJP Grant Application Resource Guide for information on Costs Associated with Language Assistance.

Eligibility Information

For eligibility information, see the solicitation cover page.

For information on cost sharing or matching requirements, see Federal Award Information.

Application and Submission Information

Content of Application Submission
See the Application Elements and Formatting Instructions section of the OJP Grant Application Resource Guide for information on what happens to an application that does not contain all the specified elements or that is nonresponsive to the scope of the solicitation.

Information to Complete the Application for Federal Assistance (Standard Form (SF)-424) in Grants.gov.
The SF-424 will be submitted in Grants.gov. The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the OJP Grant Application Resource Guide for additional information on completing the SF-424.

In Section F of the SF-424, please include the name and contact information of the individual **who will complete application materials in JustGrants**. JustGrants will use this information *(email address)* to assign the application to this user in JustGrants.

Intergovernmental Review: This solicitation ("funding opportunity") **is** subject to Executive Order 12372. An applicant may find the names and addresses of state Single Points of Contact (SPOCs) at the following website: https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf. If the applicant's state appears on the SPOC list, the applicant must contact the state SPOC to find out about, and comply with, the state's process under E.O. 12372. In completing the SF-424, an applicant whose state appears on the SPOC list is to make the appropriate selection in response to question 19, once the applicant has complied with its state E.O. 12372 process. (An applicant whose state does not appear on the SPOC list should answer question 19 by selecting the response that the: "Program is subject to E.O. 12372 but has not been selected by the State for review.")

Standard Applicant Information (JustGrants 424 and General Agency Information)
The Standard Applicant Information section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. Applicants will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, applicants will need to: add zip codes for areas affected by the project; confirm their Authorized Representative; and verify the organizations legal name and address.

Proposal Narrative

The proposal narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point Times New Roman font, and have no less than 1-inch margins. Pages should be numbered and submitted as an attachment

Category 1 – Eligible Allocation Amounts of Less than $25,000
The proposal narrative for Category 1 applications should include a description of the project(s), including subawards, if applicable, to be funded with JAG funds over the 2-year grant period.

Category 2 – Eligible Allocation Amounts of $25,000 or More
The proposal narrative for Category 2 applications should include:

a. Description of the Issue – Identify the unit of local government's strategy/funding priorities for the FY 2021 JAG funds, the subgrant award process (if applicable, including disparates) and timeline, any progress or challenges, and a description of the programs to be funded over the 2- to 4-year grant period.

b. Project Design and Implementation – Describe the unit of local government's strategic planning process, if any, that guides its priorities and funding strategy. This should include a description of how the local community is engaged in the planning process and the data and analysis utilized to support the plan. It should identify the stakeholders currently participating in the strategic planning process, the gaps in the needed resources for criminal justice purposes, and how JAG funds will be coordinated with state and related justice funds.

c. Capabilities and Competencies – Describe any additional strategic planning/coordination efforts in which the units of local government participate with other criminal justice/juvenile justice agencies in the state.

d. Plan for Collecting the Data Required for this Solicitation's Performance Measures – OJP will require each successful applicant to submit specific performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the objectives previously identified under "Objectives."

   Applicants should visit OJP's performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

   The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

   Note: Applicants are **not** required to submit performance data with the application. Rather, performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

   OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables."

Award recipients will be required to submit performance measure data in BJA's Performance Measurement Tool (PMT) located at https://bjapmt.ojp.gov/help/JAGDocs.html and separately submit a semiannual performance report in JustGrants. Further guidance on the post-award submission process will be provided, if selected for award.

Note on Project Evaluations
An applicant that proposes to use award funds through this solicitation to conduct project evaluations must follow the guidance under "Note on Project Evaluations" in the OJP Grant Application Resource Guide.

Budget and Associated Documentation

Budget Worksheet and Budget Narrative (attachment)

See the OJP Grant Application Resource Guide for additional information.

Please note that the budget narrative should include a full description of all costs, including funds set aside for the NIBRS project(s) and administrative costs (if applicable). Any costs associated with disparate localities should be noted in the "subaward" category of the budget detail worksheet

General requirement for federal authorization of any subaward; statutory authorization of subawards under the JAG Program statute. Generally, a recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) particular subawards, a recipient must have authorization from OJP before it may make a subaward.

However, JAG subawards that are required or specifically authorized by statute (see 34 U.S.C. § 10152(a) and 34 U.S.C. § 10156) do not require prior approval. This includes subawards made by states and units of local government under the JAG Program. For additional information regarding subawards and authorizations, please refer to the subaward section in the OJP Grant Application Resource Guide.

Indirect Cost Rate Agreement
Applicants will submit their indirect cost rate agreement by uploading the agreement as an attachment in JustGrants. See the OJP Grant Application Resource Guide for additional information.

This rule does not eliminate or alter the JAG-specific restriction in federal law that states charges for administrative costs may not exceed 10 percent of the award amount, regardless of the approved indirect cost rate.

Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)
Applicants will download the questionnaire in JustGrants and submit by uploading the completed questionnaire as an attachment in JustGrants. See the OJP Grant Application Resource Guide for additional information.

Additional Application Components

Research and Evaluation Independence and Integrity

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. Applicants will submit a description of their research and evaluation independence and integrity by uploading the document as an attachment in JustGrants. For additional information regarding demonstrating research/evaluation independence and integrity, including appropriate safeguards, see the OJP Grant Application Resource Guide.

Certifications and Assurances by the Chief Executive of the Applicant Government

A JAG application is not complete, and a unit of local government may not access award funds, unless the chief executive of the applicant unit of local government (e.g., mayor or chairman) properly executes, and the unit of local government submits, the "Certifications and Assurances by the Chief Executive of the Applicant Government" attached in the section above entitled Other Program Requirements. The most up-to-date certification form can be found at: https://bja.ojp.gov/program/jag/certifications-assurances.

Disclosures and Assurances

Applications will complete the following disclosures and assurances.

Disclosure of Lobbying Activities

Applicants will complete and submit the SF-LLL in Grants.gov. See the OJP Grant Application Resource Guide for additional information.

Applicant Disclosure of Duplication in Cost Items

Applicants will complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the OJP Grant Application Resource Guide for additional information.

DOJ Certified Standard Assurance

See DOJ Certified Standard Assurance on the OJP Grant Application Resource Guide.

DOJ Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants will review and accept the DOJ Certified Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements. See the OJP Grant Application Resource Guide.

Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)

If applicable, applicants will submit as an attachment in JustGrants. See the OJP Grant Application Resource Guide for additional information. A DOJ High Risk Grantee is a recipient that has received a DOJ High Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

How to Apply

Applicants will submit an **SF-424** and an **SF-LLL** in Grants.gov at https://www.grants.gov/web/grants/register.html.

Applicants will submit the **full application**, including attachments, in JustGrants at https://justgrants.usdoj.gov/.

For additional information, see the "How to Apply" section in the OJP Grant Application Resource Guide and the DOJ Application Submission Checklist.

Submission Dates and Time

The **SF-424** and the **SF-LLL** will be submitted in Grants.gov by 11:59 p.m. ET on July 26, 2021. OJP urges applicants to submit applications at least 72 hours prior to the application due date to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov and to correct in a timely fashion any problems that may have caused a rejection notification.

The **full application** will be submitted in JustGrants by 11:59 p.m. ET on August 9, 2021. To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

Application Review Information

Review Process
OJP reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation. See the OJP Grant Application Resource Guide for information on the application review process for this solicitation.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed $250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

Important note on FAPIIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions.

Federal Award Administration Information

Federal Award Notices
See the OJP Grant Application Resource Guide for information on award notifications and instructions.

Administrative, National Policy, and Other Legal Requirements
If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, and all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance).

For additional information on these legal requirements, see the "Administrative, National Policy, and Other Legal Requirements" section in the OJP Grant Application Resource Guide.

Information Technology (IT) Security Clauses
An application in response to this solicitation may require inclusion of information related to information technology security. See the OJP Grant Application Resource Guide for information on information technology security.

General Information about Post-Federal Award Reporting Requirements
In addition to the deliverables described in the Program Description, any recipient of an award under this solicitation will be required to submit certain reports and data.

Category 1 – Eligible Allocation Amounts of Less than $25,000
Recipients must submit:

- Quarterly Federal Financial Reports (and one final Federal Financial Report after all funds have been obligated and expended) through OJP's JustGrants System.
- Quarterly Performance Measurement Tool reports and a final Performance Measurement Tool report through BJA's PMT. Please note that as soon as all project activity has concluded, that report may be marked final.
- An annual progress report and final progress report through OJP's JustGrants. If all project activity has concluded at the time the first annual progress report is submitted, that report may be marked final.

Category 2 – Eligible Allocation Amounts of $25,000 or More
Recipients must submit:

- Quarterly Federal Financial Reports (and one final Federal Financial Report after all funds have been obligated and expended) through OJP's JustGrants System.
- Quarterly Performance Measurement Tool reports and a final Performance Measurement Tool report (at any time once all project activity has concluded) through BJA's PMT.
- Semiannual progress reports and a final progress report (at any time once all project activity has concluded) through OJP's JustGrants.

Future awards and/or fund drawdowns may be withheld if a recipient of an OJP award fails to report the required reports in a timely manner.

Accountability measurement data must be submitted through BJA's Performance Measurement Tool, available at https://bjapmt.ojp.gov. The accountability measures are available at https://bjapmt.ojp.gov/help/jagdocs.html. (Note that if a unit of local government provides funding to a law enforcement agency, the unit of the local government must submit quarterly accountability measurement data on training that officers have received on use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.)

See the OJP Grant Application Resource Guide for additional information on specific post-award reporting requirements, including performance measures data.

Federal Awarding Agency Contact(s)

For OJP contact(s), see solicitation cover page.

For contact information for Grants.gov and JustGrants, see solicitation cover page.

Other Information

Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)

See the OJP Grant Application Resource Guide for information on the Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).

Provide Feedback to OJP

See the OJP Grant Application Resource Guide for information on how to Provide Feedback to OJP.

Application Checklist
Edward Byrne Memorial Justice Assistance Grant Formula Program: FY 2021 Local Solicitation

This application checklist has been created as an aid in developing an application. The DOJ Application Submission Checklist is another resource.

What an Applicant Must Do:

Prior to Registering in Grants.gov:

- ☐ Acquire a DUNS Number (see OJP Grant Application Resource Guide)
- ☐ Acquire or renew registration with SAM (see OJP Grant Application Resource Guide)

To Register with Grants.gov:

- ☐ Acquire AOR and Grants.gov username/password (see OJP Grant Application Resource Guide)
- ☐ Acquire AOR confirmation from the E-Biz POC (see OJP Grant Application Resource Guide)

To Find Funding Opportunity:

- ☐ Search for the Funding Opportunity on Grants.gov
- ☐ Access Funding Opportunity and Application Package (see OJP Grant Application Resource Guide)
- ☐ Sign up for Grants.gov email notifications (optional) (see OJP Grant Application Resource Guide)
- ☐ Read Important Notice: Applying for Grants in Grants.gov
- ☐ Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm (see OJP Grant Application Resource Guide)

Overview of Post-Award Legal Requirements:

- ☐ Review the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2021 Awards" in the OJP Funding Resource Center.

Scope Requirement:

- ☐ The federal amount requested is within the allowable limit(s) of the FY 2021 JAG Allocations listed at: https://bja.ojp.gov/program/jag/fy-2021-allocations.

Eligibility Requirement:

Only units of local government may apply under this solicitation. By law, for purposes of the JAG Program, the term "units of local government" includes a town, township, village, parish, city, county, borough, or other general-purpose political subdivision of a state; or it may be a federally recognized Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government also may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes; for example, in Louisiana, a unit of local government means a district attorney or parish sheriff.

- ☐ Submit **SF-424** and **SF-LLL** in Grants.gov

*After **SF-424** and **SF-LLL** submission in Grants.gov, Receive Grants.gov Email Notifications That:*

- ☐ Submission has been received in Grants.gov
- ☐ Submission has either been successfully validated or rejected with errors (see OJP Grant Application Resource Guide)

If No Grants.gov Receipt, and Validation or Error Notifications are Received:

- ☐ Contact Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at Grants.gov customer support web page, or email at support@grants.gov regarding technical difficulties (see OJP Grant Application Resource Guide)

Receive email notification to complete application in JustGrants:

- ☐ Complete Application in JustGrants

Content of Application Submission

- ☐ Information to Complete the Application for Federal Assistance (SF-424) in Grants.gov
- ☐ Intergovernmental Review
- ☐ Standard Applicant Information (SF-424 information from Grants.gov)
- ☐ Proposal Narrative

Budget and Associated Documentation

- ☐ Budget Worksheet and Budget Narrative (attachment)
- ☐ Indirect Cost Rate Agreement (if applicable) (see OJP Grant Application Resource Guide)
- ☐ Financial Management and System of Internal Controls Questionnaire (see OJP Grant Application Resource Guide)

Additional Application Components

- ☐ Research and Evaluation Independence and Integrity (see OJP Grant Application Resource Guide)
- ☐ Certifications and Assurances by Chief Executive

Disclosures and Assurances

- ☐ Disclosure of Lobbying Activities (SF-LLL) (see OJP Grant Application Resource Guide)
- ☐ Disclosure of Duplication in Cost Items (see OJP Grant Application Resource Guide)
- ☐ DOJ Certified Standard Assurance (see OJP Grant Application Resource Guide)

- ☐ DOJ Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (see OJP Grant Application Resource Guide)
- ☐ Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable) (see OJP Grant Application Resource Guide)

Submit Application in JustGrants:

- ☐ Application has been successfully submitted in JustGrants

If No JustGrants Application Submission, Validation, or Error Notifications are Received:

- ☐ Contact JustGrants.Support@usdoj.gov *or 833–872–5175* regarding technical difficulties.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 4.**

Meeting Date: 07/19/2021

Prepared By: Zachary Flores, Police Chief

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6754***

Authorizing Execution of an Interlocal Agreement between the City of Sherman, the City of Denison, and Grayson County for Grant Funding to be Awarded by the U.S. Department of Justice under the 2021 Justice Assistance Grant Program – CFDA #16.738

Issue:

Approving an Interlocal Agreement (ILA) with the City of Denison and Grayson County for Justice Assistance Grant (JAG) funding

Background:

This is a companion resolution to a separate agenda item authorizing submission of an application for the 2021 JAG grant, which is also on the July 19, 2021. Execution of an ILA with the City of Denison and Grayson County is one of the required components of the joint grant application to be submitted under the U.S. Department of Justice's 2021 Justice Assistance Grant Program. The total grant will be $12,527.00 of which the City of Sherman's portion would be $7,073.62 to be used for the purchase of Tasers; the City of Denison's portion would be $3,099.13 to be used for accident investigation training; and Grayson County's portion would be $2,354.25 to be used for the purchase of detention officer hand-held radios.

Origination:

Sherman Police Department

Financial Consideration:

There are no matching requirements for this grant. The City of Denison's and Grayson County's portions of the total grant would be passed through to them.

Staff Recommendation:

The staff recommends approval of this Interlocal Agreement.

Alternatives:

None are recommended.

Attachments

Resolution No. 6754
JAG ILA with Grayson County & Denison

RESOLUTION NO. 6754

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN, THE CITY OF DENISON, AND GRAYSON COUNTY FOR GRANT FUNDING TO BE AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE 2021 JUSTICE ASSISTANCE GRANT PROGRAM – CFDA #16.738; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an Interlocal Agreement with the City of Denison and Grayson County for an award of a portion of a total Twelve Thousand Five Hundred Twenty-Seven Dollars and No Cents ($12,527.00) under the 2021 Justice Assistance Grant, as set forth below and in accordance with the terms and provisions of the Interlocal Agreement attached hereto and incorporated herein for all purposes:

- An award to Grayson County of Two Thousand Three Hundred Fifty-Four Dollars and Twenty-Five Cents ($2,354.25) for the purchase of detention officer hand-held radios; and

- An award to the City of Denison of Three Thousand Ninety-Nine Dollars and Thirteen Cents ($3,099.13) for accident investigation training; and

- An award to the City of Sherman of Seven Thousand Seventy-Three Dollars and Sixty-Two Cents ($7,073.62) for the purchase of Tasers.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C

BY: _____

NAME: _____

CITY ATTORNEY

THE STATE OF TEXAS §
§ KNOW ALL BY THESE PRESENTS:
COUNTY OF GRAYSON §

INTERLOCAL AGREEMENT BETWEEN
THE CITY OF SHERMAN, TEXAS,
THE CITY OF DENISON, TEXAS
AND GRAYSON COUNTY, TEXAS

2019 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD – CFDA 16.738

THIS AGREEMENT is made and entered into this the _____ day of _____, 2021, by and between the **CITY OF SHERMAN, TEXAS**, acting by and through its governing body, the City Council, hereinafter referred to as "SHERMAN", the **CITY OF DENISON, TEXAS,** acting by and through its governing body, the City Council, hereinafter referred to as "DENISON" and the **COUNTY OF GRAYSON, TEXAS**, hereinafter referred to as "GRAYSON" of Grayson County, State of Texas;

W I T N E S S E T H:

WHEREAS, this Agreement is made under the authority of the Interlocal Cooperation Act, Sections 791.001-791.033, Texas Government Code; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, SHERMAN agrees to provide DENISON Three Thousand Ninty-Nine Dollars and Thirteen Cents ($3,099.13) from the 2021 JAG Program award for the accident investigation training; and

WHEREAS, SHERMAN agrees to provide GRAYSON Two Thousand Three Hundred Fifty-Four Dollars and Twenty-Five Cents ($2,354.25) from the 2021 JAG Program award to be used for the purchase of detention officer hand-held radios; and

WHEREAS, SHERMAN, DENISON and GRAYSON believe it to be in their best interests to reallocate the 2021 JAG funds;

NOW, THEREFORE, SHERMAN, DENISON and GRAYSON agree as follows:

Section 1. SHERMAN agrees to pay DENISON a total of Three Thousand Ninty-Nine Dollars and Thirteen Cents ($3,099.13) of 2021 JAG funds.

Section 2. DENISON agrees to use of Three Thousand Ninty-Nine Dollars and Thirteen Cents ($3,099.13) for the accident investigation training.

Section 3. DENISON agrees that, in the event of loss or misuse of the 2021 JAG Program Award funds, as determined by SHERMAN, DENISON assures that the funds will be returned to SHERMAN in full for return to the U.S. Department of Justice.

Section 4. SHERMAN agrees to pay GRAYSON a total of Two Thousand Three Hundred Fifty-Four Dollars and Twenty-Five Cents ($2,354.25) of 2021 JAG funds.

Section 5. GRAYSON agrees to use Two Thousand Three Hundred Fifty-Four Dollars and Twenty-Five Cents ($2,354.25) for the purchase of detention officer hand-held radios.

Section 6. GRAYSON agrees that, in the event of loss or misuse of the 2021 JAG Program Award funds, as determined by SHERMAN, GRAYSON assures that the funds will be returned to SHERMAN in full for return to the U.S. Department of Justice.

Section 7. Nothing in the performance of this Agreement shall impose any liability for claims against DENISON other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 8. Nothing in the performance of this Agreement shall impose any liability for claims against GRAYSON other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 9. Nothing in the performance of this Agreement shall impose any liability for claims against SHERMAN other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 10. Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 11. The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 12. By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 13. This Agreement is authorized under and governed by the laws of the State of Texas. Venue for any action arising under this Agreement shall lie in state district court, Grayson County, Texas.

Section 14. If, by reason of Force Majeure as hereinafter defined, any party to this Agreement shall be rendered wholly or partially unable to carry out its obligations under this Agreement, then such party shall give written notice of the particulars of such Force Majeure to the other parties within a reasonable time after the occurrence thereof. The obligations of the party giving such notice, to the extent affected by such Force Majeure, shall be suspended during the continuance of the inability claimed and for no longer period, and such party shall, in good faith, exercise its best efforts to remove and overcome such inability. The term "Force Majeure" as utilized in this Agreement shall mean and refer to Acts of God; strikes, lockouts or other industrial disturbances; acts of public enemies; orders of any kind of the government of the United States, the State of Texas, or any other civil or military authority; insurrections, riots, epidemics, landslides, earthquakes, lightning, fires, hurricanes, storms, floods, washouts, or other natural disasters; arrest; restraint of government and people; civil disturbances; explosions; breakage or accidents to machinery, pipelines or canals; or other causes not necessarily within the control of the party claiming such inability.

Section 15. This Agreement is subject to all applicable federal, state and local laws, ordinances, rules and regulations, including but not limited to all provisions of SHERMAN'S Charter and Ordinances, as amended.

Section 16. The failure of any party to insist upon the performance of any term or provision of this Agreement or to exercise any right granted hereunder shall not constitute a waiver of that party's right to insist upon appropriate performance or to assert any such right on any future occasion.

Section 17. It is expressly understood and agreed that, in the execution of this agreement, no party waives, nor shall hereby be deemed to waive, any immunity or defense that would otherwise be available to it against claims arising during the exercise of governmental powers and functions.

CITY OF SHERMAN, TEXAS **CITY OF DENISON, TEXAS**

BY: _____ **BY:** _____

Robby Hefton, City Manager **Greg Smith, City Manager**

ATTEST:

BY: _____
Linda Ashby, City Clerk

ATTEST:

BY: _____
Christine Wallentine,
City Clerk/Court Administrator

APPROVED AS TO FORM:

BY: _____
The Law Firm of Abernathy,
Roeder, Boyd & Hullett, P.C.
Sherman City Attorney

APPROVED AS TO FORM:

BY: _____
Julie Fort,

Denison City Attorney

COUNTY OF GRAYSON, TEXAS

BY: _____
Bill Magers, County Judge

ATTEST:

BY: _____
Deana Patterson, Grayson County Clerk

APPROVED AS TO FORM:

BY: _____
Craig Price,
Attorney for Grayson County

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 5.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6755***

Authorizing Execution of an Agreement with M&G Home Builders LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 917 North Montgomery Street within City of Sherman Reinvestment Zone, Number Ten (#10)

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 917 N. Montgomery Street situated within City of Sherman Reinvestment Zone, Number Ten (#10).

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the current designated zone for residential tax abatement.

Origination:

M&G Home Builders LLC, Owner

Financial Consideration:

A $75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately $435.21 annually.

Staff Recommendation:

The staff recommends approval of this abatement since it meets the requirements of the process.

Alternatives:

The City Council could decide against granting this abatement.

Attachments

Resolution No. 6755
Residential Tax Abatement Ageement
Exhibit A
Application
Warranty Deed
Building Permit
Site Plan
Location Map
Photo
Reinvestment Zone Map

RESOLUTION NO. 6755

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 917 NORTH MONTGOMERY STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to receipt of a fully-executed agreement from M&G Home Builders LLC and subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with M&G Home Builders LLC for the abatement of ad valorem property taxes for a period of ten (10) years, for the construction of one (1) new single-family residence at 917 North Montgomery Street, lying within City of Sherman Reinvestment Zone, Number Ten (#10), in accordance with the City's policies and procedures established for this purpose.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN PITTMAN, CITY ATTORNEY

THE STATE OF TEXAS §
§
COUNTY OF GRAYSON §

AGREEMENT

THIS AGREEMENT, entered into by and between the **CITY OF SHERMAN, TEXAS**, a home rule city and municipal corporation of the State of Texas, duly acting herein by and through its City Manager, hereinafter referred to as CITY, and **M&G HOME BUILDERS LLC** hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2016, the City Council of Sherman, Texas, passed Ordinance No. 5948 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, on the 19th day of August, 2019, the City Council of Sherman, Texas adopted Ordinance No. 6241 and redesignated the Reinvestment Zone to be City of Sherman Reinvestment Zone, Number Ten (#10); and

WHEREAS, the CITY has adopted a resolution (Resolution No. 6734) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2016;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable

real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2021, and continuing for tax years 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029 and 2030, with same constituting ten (10) tax years. However, nothing contained herein shall be construed to grant an abatement of taxes to be assessed based on the change of use of the property from an agricultural use to another use, sometimes referred to as rollback taxes, penalties or interest. In the event rollback taxes are applicable for the real property utilized by OWNER, then such increase in value of taxable property resulting from such rollback shall be used as the tax value for such property for the tax year 2021, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

TAX YEAR	ABATEMENT
2021	100%
2022	100%
2023	100%
2024	100%
2025	100%
2026	100%
2027	80%
2028	60%
2029	40%
2030	20%

II.

2.01 OWNER warrants and represents that the real property upon which OWNER has constructed or will construct improvements is qualified property within the meaning of that Act, and that such has been and will remain eligible for tax abatement under the provisions of the Property Redevelopment and Tax Abatement Act, Sections 312.001, et seq., Texas Tax Code.

2.02 To continue to qualify for tax abatement under the terms of this Agreement, OWNER hereby warrants and represents that the improvements made by OWNER on the real property described herein are for residential use.

2.03 The tax abatement granted under the terms of the Agreement shall only be implemented if appraised value of all real property and improvements located thereon owned by OWNER and lying within designated zone exceeds the base year value. The OWNER agrees that Grayson Appraisal District shall, at reasonable times upon reasonable notice, have access to the property made the subject of this Agreement, and that the above set forth inspectors shall be able to inspect the property to insure that the improvements are being made in accordance with the terms and conditions hereof and utilized in accordance with this Agreement.

III.

3.01 The term of this Agreement shall be for tax years 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029 and 2030, as indicated above in paragraph 1.01.

IV.

4.01 The kind, number and location of all proposed property improvements are set forth as follows:

> Construction of one (1) new Single-Family Residence at 917 North Montgomery Street, Sherman, Texas, and as more particularly described by metes and bounds as to hereafter include the property described in **Exhibit A**:

5.01 OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31st. Penalties and interest shall be calculated thereafter as if all taxes had become due in the same year. The CITY agrees prior to enforcement of the terms of this paragraph to give 120 days written notice to the address shown below of OWNER'S default in completing the improvements called for in this Agreement, and OWNER shall have the right to cure such default within the 120-day period.

VI.

6.01 This Agreement shall inure to the benefit of CITY and OWNER, and shall be binding upon them, their heirs, successors and assigns. It is specifically provided and agreed that the right to tax abatement shall inure to the benefit of subsequent owners so long as the term and conditions of this Agreement are in effect.

VII.

7.01 CITY agrees that this Agreement may be assigned and the improvements leased or sub-leased, without any further necessity for consent, by the OWNER to any person, firm or corporation.

VIII.

8.01 At any time before the expiration of the term hereof, this Agreement may be modified by the mutual action of the parties hereto to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. Such modification must be in writing and signed by all the parties hereto and made by the same procedure by which the original Agreement was approved and executed. In no event may the original Agreement be modified so as to extend the term beyond the original term of this Agreement.

IX.

9.01 This Agreement shall be construed subject to the laws of the State of Texas, and particularly to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code.

9.02 All appraisal values for real property shall be made by the Grayson Appraisal District or such other entity as may succeed or replace such District.

9.03 OWNER is hereby notified that the Grayson Appraisal District may impose additional requirements which must be met in order for OWNER to realize the benefit of tax abatement and this Agreement. Contact should be made by OWNER with the District in person at 512 North Travis Street, Sherman, Texas, or by telephone at (903) 893-9673.

X.

10.01 This Agreement is subject to all provisions of all outstanding bond issues of CITY. To the extent that this Tax Abatement Agreement conflicts with any of the provisions of such bond issues, such bond issues and attendant documents thereto shall control.

XI.

11.01 This Tax Abatement Agreement is specifically subject to present laws of the State of Texas and any future laws enacted subsequent to the execution of this Agreement which may provide retroactively for a modification of Agreements of this type as a matter of law. Upon the effective date of any such law, then this Agreement shall automatically be so modified.

XII.

12.01 Notices required by this Agreement shall be mailed to the following addresses as same may be in the future changed by either party upon written notice to the other:

City of Sherman
P.O. Box 1106
Sherman, Texas 75091-1106
(903) 892-7200

M&G Home Builders LLC
1218 N. Brents
Sherman, TX 75090
(903) 870-8212

Copy to: Grayson Appraisal District
512 North Travis Street
Sherman, Texas 75090
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the _____ day of _____, 2021.

CITY:
CITY OF SHERMAN, TEXAS

BY: _____
ROBBY HEFTON

OWNER:
M&G HOME BUILDERS LLC

BY: _____
MARTIN COVARRUBIAS

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN
CITY ATTORNEY

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **MARTIN COVARRUBIAS** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this _____day of _____, 2021 A.D.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Exhibit "A"

BEING all of that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being a re-tracement survey of a called 98-foot by 44-foot tract of land described in the deed to Kenneth Dolezalek, recorded in Volume 4769, Page 781, Official Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with an illegible cap found for the northwest corner of said Dolezalek Tract, common to the southwest corner of Lot 1 in Block 1 of Knauss Addition, according to the plat thereof recorded in Volume 17, Page 117, Plat Records, Grayson County, Texas, and on the monumented easterly right-of-way line of North Montgomery Street (no record found);

THENCE North 74°27'31" East, with the northerly line of said Dolezalek Tract, and with the southerly line of said Lot 1, a distance of 98.12 feet to a 1/2-inch iron rod with a plastic cap stamped "RPLS 4709" found for the northeast corner of said Dolezalek Tract, common to the southwest corner of said Lot 1, and on a westerly line of a tract of land described in the deed to R.B. Suckle, Trustee, recorded in Volume 1504, Page 663, Deed Records, Grayson County, Texas, and from which a found bent 3/8-inch iron rod bears North 24°38' West, 2.8 feet, and from which a found 5/8-inch iron pipe bears North 58°24' West, 4.4 feet;

THENCE South 15°36'59" East, with the easterly line of said Dolezalek Tract, and with a westerly of said Suckle Tract, a distance of 43.05 feet to a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" set for the southwest corner of said Dolezalek Tract, common to the southern-most southwest corner of said Suckle Tract, and on the northerly line of Lot 6 in Block 4 of Hall and Jones Addition, according to the plat thereof recorded in Volume 58, Page 245, said Deed Records;

THENCE South 74°44'46" West, with the southerly line of said Dolezalek Tract, and with the northerly line of said Lot 6, passing en route at a distance of 71.14 feet a bent 1/2-inch iron rod found for the northwest corner of said Lot 6, and continuing on said course a total distance of 98.10 feet to a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" set for the southwest corner of said Dolezalek Tract, and on the easterly right-of-way line of aforesaid North Montgomery Street;

THENCE North 15°38'12" West, with the westerly line of said Dolezalek Tract, and with the easterly right-of-way line of said North Montgomery Street, a distance of 42.55 feet to the POINT OF BEGINNING and enclosing 0.096 of an acre (4,199 square feet) of land, more or less.

CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT

Property Owner:

Name: M+G Home Builders

Mailing Address: 1218 N. Brents

Telephone Number: 903-870-8212

Contact (if different than owner):

Name: _____

Mailing Address: _____

Telephone Number: _____

Property:

Physical Address: 917 N. Montgomery

Summary Legal Description: Lot: G-0763 Block: _____ Addition: ~~MAE MCANAIN~~ JB

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction: ✓ Remodeling: _____

Estimated Value of Improvements: 89,000

Estimated Date of Start of Construction: 06/09/21

Estimated Date of Completion of Project: 09/01/21

Description of Project: NEW RESIDENTIAL CONSTRUCTION

Applicant(s): _____ Date: 06/04/21

_____ Date: _____

Grayson County
Wilma Bush
County Clerk
Sherman, TX 75090

Instrument Number: 2020 - 36061

ERecordings-RP

Recorded On: December 28, 2020 11:57 AM Number of Pages: 5

Parties: DOLEZALEK KENNETH

" Examined and Charged as Follows: "

Total Recording: $28.00

********** THIS PAGE IS PART OF THE INSTRUMENT **********
Any provision herein which restricts the Sale, Rental or use of the described Document because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	36061
Receipt Number:	20201228000128
Recorded Date/Time:	December 28, 2020 11:57 AM
User:	Rachelle C
Station:	CLERK06

Record and Return To:

Simplifile

STATE OF TEXAS
COUNTY OF GRAYSON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Grayson County, Texas.

Wilma Bush
County Clerk
Grayson County, TX

318496

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

General Warranty Deed

Date: December 28, 2020

Grantor: KENNETH DOLEZALEK

Grantor's Mailing Address:

622 Oxford Dr.
Sherman, TX 75092

Grantee: M & G HOME BUILDERS LLC, a limited liability company

Grantee's Mailing Address:

1218 N. Brents
Sherman, TX 75090

Consideration:

TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Being all of that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being a re-tracement survey of a called 98-foot by 44-foot tract of land described in the deed to Kenneth Dolezalek, recorded in Volume 4769, Page 781, Official Records, Grayson County, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from Conveyance:

The herein described tract of land is also being conveyed subject to all, or a portion of the oil, gas and other minerals in, under, or that may be produced from the herein described tract of land, all, or a portion of same having been reserved by prior grantors, together with all outstanding oil and gas leases appearing of record in the Deed Records and/or Official Records of the County

of the property described herein, all of which are excepted from the WARRANTY hereinafter given.

Special Provision:

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties.

Exceptions to Conveyance and Warranty:

All recorded and existing restrictions, reservations, and, covenants affecting the land described herein. All existing easements, rights-of-way, and prescriptive rights, whether of record or not. All taxes for the year 2021, which Grantee assumes and agrees to pay, and subsequent assessments for that year and prior years due to the change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

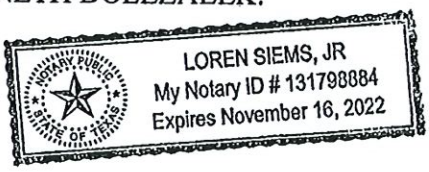
When the context requires, singular nouns and pronouns include the plural.

Kenneth Dolezalek
KENNETH DOLEZALEK

STATE OF TEXAS)

COUNTY OF GRAYSON)

This instrument was acknowledged before me on Dec 28, 2020, by KENNETH DOLEZALEK.



Notary Public, State of Texas
My commission expires: Nov 16, 2022

DM

PREPARED IN THE OFFICE OF:

ADAMS BENNETT DUNCAN & HENLEY
2745 Wind River Lane
Denton, TX 76210
Tel: (940) 566-6221
Fax: (940) 566-4977

AFTER RECORDING RETURN TO:

_____

_____

_____

Exhibit "A"

BEING all of that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being a re-tracement survey of a called 98-foot by 44-foot tract of land described in the deed to Kenneth Dolezalek, recorded in Volume 4769, Page 781, Official Records, Grayson County, Texas, and being more particularly described as follows:

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THENCE South 15°36'59" East, with the easterly line of said Dolezalek Tract, and with a westerly of said Suckle Tract, a distance of 43.05 feet to a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" set for the southwest corner of said Dolezalek Tract, common to the southern-most southwest corner of said Suckle Tract, and on the northerly line of Lot 6 in Block 4 of Hall and Jones Addition, according to the plat thereof recorded in Volume 58, Page 245, said Deed Records;

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THENCE North 15°38'12" West, with the westerly line of said Dolezalek Tract, and with the easterly right-of-way line of said North Montgomery Street, a distance of 42.55 feet to the POINT OF BEGINNING and enclosing 0.096 of an acre (4,199 square feet) of land, more or less.

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN

New Residential Building Permit

#21-001176 | Issued on: 06/04/2021 at 12:54 PM

Project Description: CONSTRUCT SINGLE FAMILY RESIDENTIAL

ADDRESS	LEGAL	PERMIT HOLDER	COLLABORATORS	OWNERS
917 N MONTGOMERY St Sherman, TX	G-0763 Mcanair J B, Acres 0.099, 44 X 98	M&G HOME BUILDERS LLC *MARTIN COVARRUBIAS* (903) 870-8212	• STARPOINT TEXAS PLUMBING *JAVIER TORRALVA LOPEZ* (469) 207-7068	• Kenneth Dolezalek

INFORMATION FIELDS

Subcontractor	M&G HOME BUILDERS, LLC	Square Feet	1350
Bedrooms	3	Bathrooms	2
Number of Stories	1	Number of Acres	.5
Type of Construction List	Wood Frame	Off Street Parking	3
Tax Abatement	Yes	Sewer Disposal	Public Sewer
Water Supply	Public	Heating	Electric
Permit Certification	Yes	Proposed Use	SINGLE FAMILY RESIDENTIAL
Former Use	NONE	Firm Name	M&G HOME BUILDERS LLC

FEE	TOTAL	PAID	DUE
Storm Water Fee	$ 25.00	$ 25.00	$ 25.00
TOTALS	$ 25.00	$ 25.00	$ 0.00

NOTICE

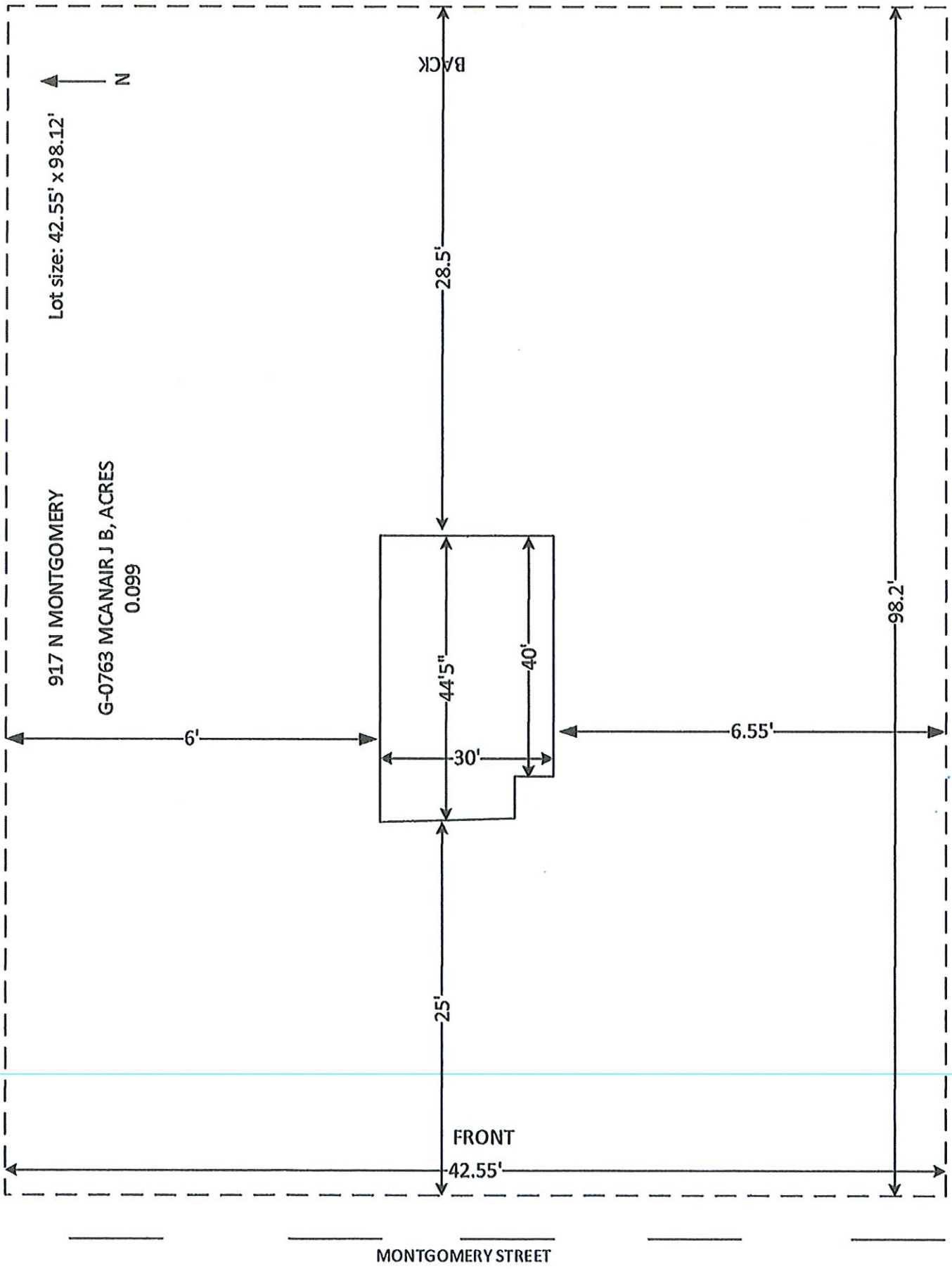
This permit becomes null and void if work or constructions authorized is not commenced within 6 months, or if construction or work is suspended of abandoned for a period of 6 months at any time after work is started. This permit is for the Permit Holder only. Repermitting will be required if Contractor changes.

I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provision of any other state or local law regulating construction or the performance of construction.

(Signature of Contractor or Authorized Agent) — Date: 06/04/21

(Approved By) Flood Plain Administrator — Date: 6/4/21

(Approved By) Building & Zoning — Date: 7/6/21


N
Lot size: 42.55' x 98.12'
917 N MONTGOMERY
G-0763 MCANAIR J B, ACRES
0.099
BACK
28.5'
44'5"
40'
30'
6'
6.55'
98.2'
25'
FRONT
42.55'
MONTGOMERY STREET



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

917 North Montgomery Street
Residential Tax Abatement

NOT TO SCALE

1 in = 100 ft

917 North Montgomery Street





Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

917 North Montgomery Street
Residential Tax Abatement

NOT TO SCALE

1 in = 4,000 ft

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 6.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6756***

Authorizing Execution of an Agreement with Jose and Maria Lara for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 509 South Gribble Street within City of Sherman Reinvestment Zone, Number Ten (#10)

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 509 South Gribble Street situated within City of Sherman Reinvestment Zone, Number Ten (#10).

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the current designated zone for residential tax abatement.

Origination:

Jose and Maria Lara, Owner

Financial Consideration:

A $75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately $391.20 annually.

Staff Recommendation:

The staff recommends approval of this abatement since it meets the requirements of the process.

Alternatives:

The City Council could decide against granting this abatement.

Attachments

Resolution No. 6756
Residential Tax Abatement Ageement
Application
Warranty Deed
Building Permit
Site Plan
Location Map
Photo
Reinvestment Zone Map

RESOLUTION NO. 6756

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOSE AND MARIA LARA FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 509 SOUTH GRIBBLE STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to receipt of a fully-executed agreement from Jose and Maria Lara and subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Jose and Maria Lara for the abatement of ad valorem property taxes for a period of ten (10) years, for the construction of one (1) new single-family residence at 509 South Gribble Street, lying within City of Sherman Reinvestment Zone, Number Ten (#10), in accordance with the City's policies and procedures established for this purpose.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN PITTMAN, CITY ATTORNEY

THE STATE OF TEXAS §
§
COUNTY OF GRAYSON §

AGREEMENT

THIS AGREEMENT, entered into by and between the **CITY OF SHERMAN, TEXAS**, a home rule city and municipal corporation of the State of Texas, duly acting herein by and through its City Manager, hereinafter referred to as CITY, and **JOSE AND MARIA LARA** hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2016, the City Council of Sherman, Texas, passed Ordinance No. 5948 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, on the 19th day of August, 2019, the City Council of Sherman, Texas adopted Ordinance No. 6241 and redesignated the Reinvestment Zone to be City of Sherman Reinvestment Zone, Number Ten (#10); and

WHEREAS, the CITY has adopted a resolution (Resolution No. 6210) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2016;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable

real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2021, and continuing for tax years 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029 and 2030, with same constituting ten (10) tax years. However, nothing contained herein shall be construed to grant an abatement of taxes to be assessed based on the change of use of the property from an agricultural use to another use, sometimes referred to as rollback taxes, penalties or interest. In the event rollback taxes are applicable for the real property utilized by OWNER, then such increase in value of taxable property resulting from such rollback shall be used as the tax value for such property for the tax year 2021, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

TAX YEAR	ABATEMENT
2021	100%
2022	100%
2023	100%
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2029	40%
2030	20%

II.

2.01 OWNER warrants and represents that the real property upon which OWNER has constructed or will construct improvements is qualified property within the meaning of that Act, and that such has been and will remain eligible for tax abatement under the provisions of the Property Redevelopment and Tax Abatement Act, Sections 312.001, et seq., Texas Tax Code.

2.02 To continue to qualify for tax abatement under the terms of this Agreement, OWNER hereby warrants and represents that the improvements made by OWNER on the real property described herein are for residential use.

2.03 The tax abatement granted under the terms of the Agreement shall only be implemented if appraised value of all real property and improvements located thereon owned by OWNER and lying within designated zone exceeds the base year value. The OWNER agrees that Grayson Appraisal District shall, at reasonable times upon reasonable notice, have access to the property made the subject of this Agreement, and that the above set forth inspectors shall be able to inspect the property to insure that the improvements are being made in accordance with the terms and conditions hereof and utilized in accordance with this Agreement.

III.

3.01 The term of this Agreement shall be for tax years 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029 and 2030, as indicated above in paragraph 1.01.

IV.

4.01 The kind, number and location of all proposed property improvements are set forth as follows:

Construction of one (1) new Single-Family Residence at 509 South Gribble Street, Sherman, Texas, and as more particularly described by metes and bounds as to hereafter include the property described:

BEGINNING at a ½ inch iron rod with a plastic cap stamped "Preston Trail Land Surveying RPLS 6585" set for the southwest corner of the herein described tract of land, at the southwest corner of said Lara tract, common ot the northwest corner of a called 63 foot x 140 foot tract of land described in the deed to Sandra Cardenas and Marcos S. Reyes recorded in Instrument No. 2018-25132, said Official Records, and on the monumented easterly right-of-way line of Gribble Street (no record found), and from which a found ½ inch iron pipe bears South° 53' West a distance of 2.3 feet;

THENCE North 15° 48' 24" West, with the westerly line of said Lara tract, and with the easterly right-of-way line of said Gribble Street, a distance of 76.43 feet to a ½ inch iron rod with a plastic cap stamped "Preston Trail Land Surveying RPLS 6585" set for the northwest corner of said Lara tract, common to the southwest corner of a called 80.5 foot x 140 foot tract of land described in the deed to Michael Lynn Brooks recorded in Volume 4768, Page 130, said Official Records;

THENCE North 74° 28' 39" East, with the northerly line of said Lara tract, and with the southerly line of said Brooks tract, a distance of 140.00 feet to a ½ inch iron rod with a plastic cap stamped "Preston Trail Land Surveying RPLS 6585" set for the northeast corner of said Lara tract, common to the southeast corner of said Brooks tract, and on the westerly line of an alley, and from which a found one-inch iron pipe bears South 74° 29' West a distance of 2.1 feet;

THENCE South 15° 48' 24" East, with the easterly line of said Lara tract, and with the westerly line of said alley, a distance of 76.43 feet to a ½ inch iron rod with a plastic cap stamped "Preston Trail Land Surveying RPLS 6585" set for the southeast corner of said Lara tract, common to the northeast corner of aforesaid Cardena and Reyes tract, and from which a found wood fence corner post bears South 33° 08' West a distance of 2.4 feet;

THENCE South 74° 28' 39" West, with the southerly line of said Lara tract, and with the northerly line of said Cardena and Reyes tract, a distance of 140.00 feet to the **POINT OF BEGINNING and enclosing 0.246 of an acre (10,700 square feet) of land, more or less……...……..…**

V.

5.01 OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31st. Penalties and interest shall be calculated thereafter as if all taxes had become due in the same year. The CITY agrees prior to enforcement of the terms of this paragraph to give 120 days written notice to the address shown below of OWNER'S default in completing the improvements called for in this Agreement, and OWNER shall have the right to cure such default within the 120-day period.

VI.

6.01 This Agreement shall inure to the benefit of CITY and OWNER, and shall be binding upon them, their heirs, successors and assigns. It is specifically provided and agreed that the right to tax abatement shall inure to the benefit of subsequent owners so long as the term and conditions of this Agreement are in effect.

VII.

7.01 CITY agrees that this Agreement may be assigned and the improvements leased or sub-leased, without any further necessity for consent, by the OWNER to any person, firm or corporation.

VIII.

8.01 At any time before the expiration of the term hereof, this Agreement may be modified by the mutual action of the parties hereto to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. Such modification must be in writing and signed by all the parties hereto and made by the same procedure by which the original Agreement was approved and executed. In no event may the original Agreement be modified so as to extend the term beyond the original term of this Agreement.

IX.

9.01 This Agreement shall be construed subject to the laws of the State of Texas, and particularly to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code.

9.02 All appraisal values for real property shall be made by the Grayson Appraisal District or such other entity as may succeed or replace such District.

9.03 OWNER is hereby notified that the Grayson Appraisal District may impose additional requirements which must be met in order for OWNER to realize the benefit of tax abatement and this Agreement. Contact should be made by OWNER with the District in person at 512 North Travis Street, Sherman, Texas, or by telephone at (903) 893-9673.

X.

10.01 This Agreement is subject to all provisions of all outstanding bond issues of CITY. To the extent that this Tax Abatement Agreement conflicts with any of the provisions of such bond issues, such bond issues and attendant documents thereto shall control.

XI.

11.01 This Tax Abatement Agreement is specifically subject to present laws of the State of Texas and any future laws enacted subsequent to the execution of this Agreement which may provide retroactively for a modification of Agreements of this type as a matter of law. Upon the effective date of any such law, then this Agreement shall automatically be so modified.

XII.

12.01 Notices required by this Agreement shall be mailed to the following addresses as same may be in the future changed by either party upon written notice to the other:

City of Sherman
P.O. Box 1106
Sherman, Texas 75091-1106
(903) 892-7200

Jose & Maria Lara
920 S. Throckmorton St.
Sherman, TX 75090
(903) 421-5156

Copy to: Grayson Appraisal District
512 North Travis Street
Sherman, Texas 75090
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the

_____ day of _____, 2021.

CITY:
CITY OF SHERMAN, TEXAS

BY: _____
ROBBY HEFTON

OWNER:
JOSE LARA

BY: _____
JOSE LARA

CITY:
CITY OF SHERMAN, TEXAS

BY: _____
ROBBY HEFTON

OWNER:
MARIA LARA

BY: _____
MARIA LARA

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN
CITY ATTORNEY

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **JOSE LARA** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this _____day of _____, 2021 A.D.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **MARIA LARA** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this _____day of _____, 2021 A.D.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT

Property Owner:

Name: Jose Lara + Maria Lar

Mailing Address: 920 S throckmorton

Telephone Number: 903-421 5156

Contact (if different than owner):

Name: _____

Mailing Address: _____

Telephone Number: _____

Property:

Physical Address: 509 S Gribble

Summary Legal Description: Lot: 1 Block: 506 Addition: Lara South Gribble

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction: ✓ Remodeling: _____

Estimated Value of Improvements: $ 80,000

Estimated Date of Start of Construction: 5/19/21

Estimated Date of Completion of Project: NOV. 2021

Description of Project: new build construction

Applicant(s): Jose J. Lara Date: 05-14-21

Maria Lara Date: 05-14-21

2019 - 31574

VG-286-2019-31574

Grayson County
Wilma Bush
County Clerk
Sherman, TX 75090

Instrument Number: 2019 - 31574

Real Property Recordings

Recorded On: December 30, 2019 03:35 PM

Number of Pages: 5

Parties: GUTIERREZ OMAR ETAL

" Examined and Charged as Follows: "

Total Recording: $28.00

********** THIS PAGE IS PART OF THE INSTRUMENT **********
Any provision herein which restricts the Sale, Rental or use of the described Document because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	31574
Receipt Number:	20191230000148
Recorded Date/Time:	December 30, 2019 03:35 PM
User:	Shannon B
Station:	CLERK06

Record and Return To:

MUNSON MUNSON CARDWELL TILLETT & BROWN
301 W WOODARD STREET

DENISON TX 75021

STATE OF TEXAS
COUNTY OF GRAYSON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Grayson County, Texas.

Wilma Bush
County Clerk
Grayson County, TX

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

Conforms to State Bar of Texas Form

Prepared Without Title Examination

Effective Date: 12/23/, 2019

Grantor: **OMAR GUTIERREZ and LETICIA GUTIERREZ**

Grantor's Mailing Address (including county): **625 Clay Lane**
Sherman, Texas 75092
Grayson County, Texas

Grantee: **JOSE J. LARA and MARIA G. LARA**

Grantee's Mailing Address (including county): **920 South Throckmorton**
Sherman, Texas 75090
Grayson County, Texas

Consideration: Ten Dollars ($10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

TRACT ONE: Being Lots 23 and 24 in Block 11, CHAFFINS ADDITION to the City of Sherman, Grayson County, Texas, and being locally known as 802 E. Houston Street, Sherman, Texas.

TRACT TWO: Being all that certain tract or parcel of land situated in the G. B. PILANT SURVEY, ABSTRACT NO. 963, in the City of Sherman Grayson County, Texas, and being more fully described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to: (i) any and all outstanding minerals, mineral leases, restrictions, covenants, conditions and easements, to the extent that they are in force and effect; (ii) all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, to the extent that they are applicable and enforceable; (iii) any and all easements, rights of way and encroachments that are apparent, including any utilities buried beneath the surface of the ground; and (iv) all rights of parties in possession of any part of the Property.

Grantor, for the consideration and subject to the reservations from, and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

Grantee hereby assumes payment of all ad valorem taxes.

This instrument was prepared based on information furnished by the parties, no independent title search has been made, and tax certificates were not obtained. Grantor, by execution hereof, and Grantee, by acceptance hereof, agree to hold Munson, Munson, Cardwell, Tillett & Brown, P.C. harmless from any title and/or tax deficiencies and/or discrepancies, and all claims and assertions which may now or in the future affect the status of the Property and any owner and/or lienholder thereof.

When the context requires, singular nouns and pronouns include the plural.

OMAR GUTIERREZ

LETICIA GUTIERREZ

ACKNOWLEDGMENT

State of Texas

County of Grayson

This instrument was acknowledged before me on this 23 day of December, 2019, by OMAR GUTIERREZ and LETICIA GUTIERREZ.

NOTARY PUBLIC STATE OF TEXAS
William Ben Munson
Notary ID # 790102-3
My Commission Expires
January 28, 2021

Notary Public - State of Texas

AFTER RECORDING RETURN TO:

MUNSON, MUNSON, CARDWELL,
TILLETT & BROWN
ATTORNEYS AT LAW
P.O. BOX 1099
DENISON, TX 75021-1099

PREPARED IN THE LAW OFFICE OF:

Munson, Munson, Cardwell, Tillett & Brown, P.C.
301 W. Woodard - P. O. Box 1099
Denison, Texas 75020
(903) 463-3750
GF# A26308

EXHIBIT "A"

TRACT TWO:

All that certain lot, tract or parcel of land situated in the G. B. PILANT SURVEY, Abstract No. 963, in the City of Sherman, Grayson County, Texas, being part of the land conveyed by J. L. Dorough to J. C. Pyle by deed dated September 7, 1926, recorded in Volume 323 at page 32 of the Deed Records, Gryason County, Texas, and more particularly described as follows:

BEGINNING on the east line of Gribble Avenue at a point 199-1/2 feet south of the Northwest corner of the above mentioned Pyle land;

THENCE North 74 deg. East 140 feet to a stake in the West line of an alley;

THENCE with the West line of said alley, Southerly 76-1/2 feet to a stake;

THENCE South 74 deg. West paralleling the North line of said Pyle land, 140 feet to the East line of Gribble Avenue;

THENCE North 16 deg. West with the east line of Gribble Avenue 76-1/2 feet to the place of beginning, containing 76-12 feet x 140 feet of land, more or less.

Being the same property conveyed by deed from Joe Cox Parker to Mark Ragon dated May 17, 1985, recorded in Volume 1750 at page 381 of the Deed Records of Gryason County, Texas; and by deed from Joe Avila and wife, Lucia Avila, to Oscar Arias, dated April 21, 2004, recorded in Volume 3650 at page 387 of the Official Public Records of Gryason County, Texas.

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN

New Residential Building Permit

#21-001003 | Issued on: 05/13/2021 at 10:18 AM

Project Description: CONSTRUCT SINGLE FAMILY DWELLING

ADDRESS
509 S GRIBBLE St
Sherman, TX

LEGAL
G-0963 Pilant G B A-g0963

PERMIT HOLDER
JJL CONSTRUCTION
JOSE JESUS LARA
(903) 421-5156

COLLABORATORS
- KING JULIAN ELECTRIC
  JULIAN BORREGO
  (903) 819-5079
- STARPOINT TEXAS PLUMBING
  JAVIER TORRALVA LOPEZ
  (469) 207-7068

OWNERS
- Omar Etux Leticia Gutierrez
- Jose Etux Maria G Lara

INFORMATION FIELDS

Subcontractor	JOSE LARA	Square Feet	1678
Bedrooms	3	Bathrooms	2
Number of Stories	1	Number of Acres	0.5
Type of Construction List	Wood Frame	Garage Parking	1
Off Street Parking	2	Tax Abatement	Yes
Sewer Disposal	Public Sewer	Water Supply	Public
Heating	Gas	Permit Certification	Yes
Proposed Use	ONE FAMILY RESIDENTIAL	Former Use	NONE
Firm Name	JOSE AND MARIA LARA		

FEE	TOTAL	PAID	DUE
Storm Water Fee	$ 25.00	$ 25.00	$ 25.00
TOTALS	$ 25.00	$ 25.00	$ 0.00

NOTES
CONSTRUCT SINGLE FAMILY

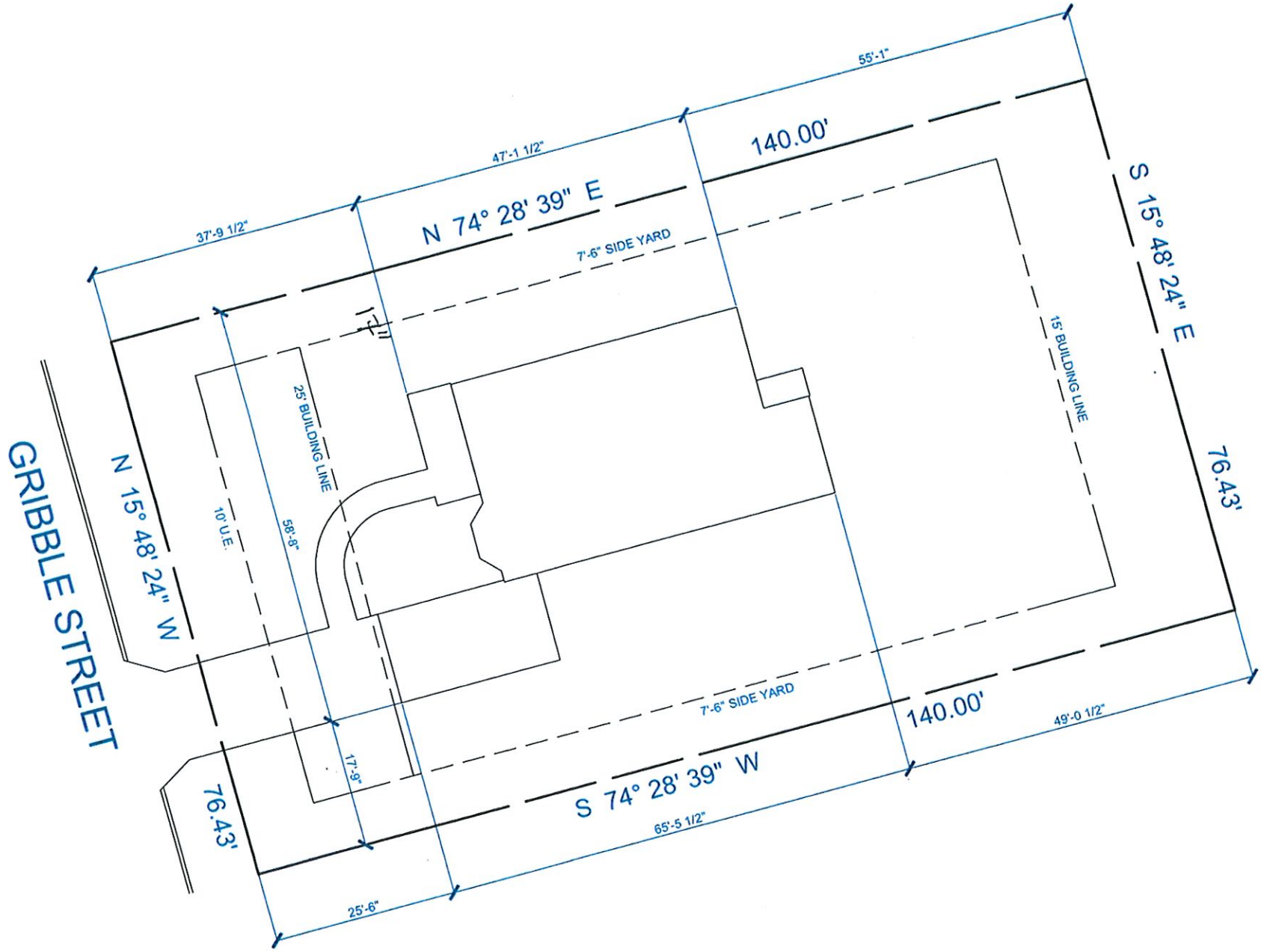
NOTICE
This permit becomes null and void if work or constructions authorized is not commenced within 6 months, or if construction or work is suspended of abandoned for a period of 6 months at any time after work is started. This permit is for the Permit Holder only. Repermitting will be required if Contractor changes.

I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provision of any other state or local law regulating construction or the performance of construction.

Jose J. Lara — (Signature of Contractor or Authorized Agent)
05-13-21 — Date

(Approved By) Building & Zoning
6/23/21 — Date

(Approved By) Flood Plain Administrator
5-13-2021 — Date



N

SITE PLAN

SCALE: 1" = 20'-0"

LOT 1
509 S. GRIBBLE ST.
SHERMAN, TEXAS
GRAYSON COUNTY



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

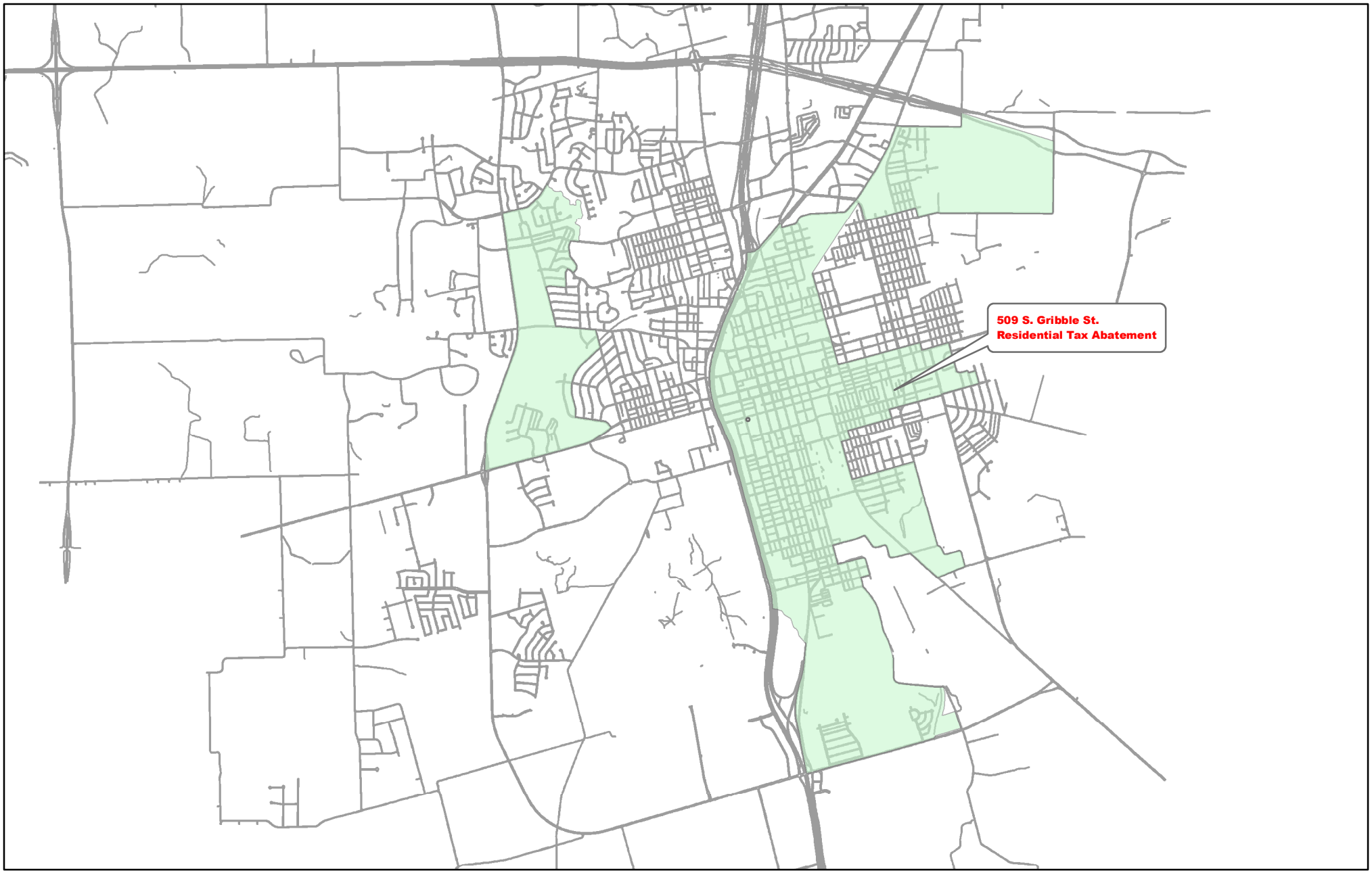
509 South Gribble Street
Residential Tax Abatement

NOT TO SCALE

1 in = 100 ft

509 South Gribble





Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

509 South Gribble Street
Residential Tax Abatement

N

NOT TO SCALE

1 inch = 5,000 feet

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 7.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** RESOLUTION NO. 6757***

Authorizing Execution of an Agreement with Tobar's Properties, LLC for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 411 East Wilson Avenue within City of Sherman Reinvestment Zone, Number Ten (#10)

Issue:

This item is to consider property tax abatement for the construction of a new single-family residence at 411 East Wilson Avenue situated within City of Sherman Reinvestment Zone, Number Ten (#10).

Background:

Several years ago, the City Council began a residential tax abatement program to encourage the redevelopment of older sections of town. This application is for the construction of a new single-family residence at this location. This lot is in the current designated zone for residential tax abatement.

Origination:

Tobar's Properties, LLC, Owner

Financial Consideration:

A $75.00 application fee has been received for this residential lot. If granted, the initial abatement for this property will be approximately $489.00 annually.

Staff Recommendation:

The staff recommends approval of this abatement since it meets the requirements of the process.

Alternatives:

The City Council could decide against granting this abatement.

Attachments

Resolution No. 6757
Residential Tax Abatement Ageement
Application
Warranty Deed
Building Permit
Site Plan
Location Map
Photo
Reinvestment Zone Map

RESOLUTION NO. 6757

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TOBAR'S PROPERTIES, LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 411 EAST WILSON AVENUE WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to receipt of a fully-executed agreement from M&G Home Builders LLC and subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute an agreement with Tobar's Properties, LLC for the abatement of ad valorem property taxes for a period of ten (10) years, for the construction of one (1) new single-family residence at 411 East Wilson Avenue, lying within City of Sherman Reinvestment Zone, Number Ten (#10), in accordance with the City's policies and procedures established for this purpose.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, on this the _____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:
THE LAW FIRM OF ABERNATHY, ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN PITTMAN, CITY ATTORNEY

THE STATE OF TEXAS §
§
COUNTY OF GRAYSON §

AGREEMENT

THIS AGREEMENT, entered into by and between the **CITY OF SHERMAN, TEXAS**, a home rule city and municipal corporation of the State of Texas, duly acting herein by and through its City Manager, hereinafter referred to as CITY, and **TOBAR'S PROPERTIES, LLC** hereinafter referred to as OWNER,

WITNESSETH:

WHEREAS, on the 18th day of April, 2016, the City Council of Sherman, Texas, passed Ordinance No. 5948 establishing a reinvestment zone for residential tax abatement, as authorized by Chapter 312 of the Texas Tax Code, as amended, hereinafter referred to as CODE; and

WHEREAS, on the 19th day of August, 2019, the City Council of Sherman, Texas adopted Ordinance No. 6241 and redesignated the Reinvestment Zone to be City of Sherman Reinvestment Zone, Number Ten (#10); and

WHEREAS, the CITY has adopted a resolution (Resolution No. 6734) stating that it elects to be eligible to participate in a residential tax abatement program; and

WHEREAS, the CITY desires to create the proper economic and social environment to induce the investment of private resources in real estate construction located in incorporated areas of the CITY; and

WHEREAS, the CITY hereby finds that it may effectively encourage and assist the creation of such an environment by participating in tax abatement pursuant to the CITY; and

WHEREAS, the CITY has created a reinvestment zone within its jurisdiction to induce the investment of private resources in real estate construction located in incorporated areas of the CITY, and OWNER has agreed to construct certain real property improvements; and

WHEREAS, OWNER is prepared to comply with the provisions of the CITY'S guidelines and criteria enacted the 18th day of April, 2016;

NOW, THEREFORE, WITNESS THIS TAX ABATEMENT AGREEMENT which provides as follows:

I.

1.01 To the extent authorized by the Texas Constitution and by the Tax Code, CITY hereby agrees to exempt from City of Sherman taxation a portion of the increase in value of taxable

real property of OWNER in the CITY over the same real property and its value as calculated by the Grayson Appraisal District for ad valorem property tax purposes in accordance with the following schedule. Such tax exemption shall be in effect for tax years beginning January 1, 2021, and continuing for tax years 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029 and 2030, with same constituting ten (10) tax years. However, nothing contained herein shall be construed to grant an abatement of taxes to be assessed based on the change of use of the property from an agricultural use to another use, sometimes referred to as rollback taxes, penalties or interest. In the event rollback taxes are applicable for the real property utilized by OWNER, then such increase in value of taxable property resulting from such rollback shall be used as the tax value for such property for the tax year 2021, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

TAX YEAR	ABATEMENT
2021	100%
2022	100%
2023	100%
2024	100%
2025	100%
2026	100%
2027	80%
2028	60%
2029	40%
2030	20%

II.

2.01 OWNER warrants and represents that the real property upon which OWNER has constructed or will construct improvements is qualified property within the meaning of that Act, and that such has been and will remain eligible for tax abatement under the provisions of the Property Redevelopment and Tax Abatement Act, Sections 312.001, et seq., Texas Tax Code.

2.02 To continue to qualify for tax abatement under the terms of this Agreement, OWNER hereby warrants and represents that the improvements made by OWNER on the real property described herein are for residential use.

2.03 The tax abatement granted under the terms of the Agreement shall only be implemented if appraised value of all real property and improvements located thereon owned by OWNER and lying within designated zone exceeds the base year value. The OWNER agrees that Grayson Appraisal District shall, at reasonable times upon reasonable notice, have access to the property made the subject of this Agreement, and that the above set forth inspectors shall be able to inspect the property to insure that the improvements are being made in accordance with the terms and conditions hereof and utilized in accordance with this Agreement.

III.

3.01 The term of this Agreement shall be for tax years 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029 and 2030, as indicated above in paragraph 1.01.

IV.

4.01 The kind, number and location of all proposed property improvements are set forth as follows:

> Construction of one (1) new Single-Family Residence at 411 East Wilson Avenue, Sherman, Texas, and as more particularly described by metes and bounds as to hereafter include the property described as:
>
> **BEING** Lot 10, Block 25, Southside Addition

5.01 OWNER agrees that, should he fail to make improvements substantially as described or fail to perform any other term or covenant hereof, CITY shall have the right, after giving notice and opportunity to cure as hereinafter set out, to recapture all tax revenue on said property in the zone lost as a result of this Agreement for the entire term of the Agreement. Such recapture shall mean that all of such property shall be taxed at the full improved value as assessed by the Grayson Appraisal District for all years this Agreement has been in effect. The payment of such recaptured taxes minus any taxes paid by OWNER during the years this Agreement has been in force shall be due January 1 of the next following year and shall be delinquent if not paid on or prior to January 31st. Penalties and interest shall be calculated thereafter as if all taxes had become due in the same year. The CITY agrees prior to enforcement of the terms of this paragraph to give 120 days written notice to the address shown below of OWNER'S default in completing the improvements called for in this Agreement, and OWNER shall have the right to cure such default within the 120-day period.

VI.

6.01 This Agreement shall inure to the benefit of CITY and OWNER, and shall be binding upon them, their heirs, successors and assigns. It is specifically provided and agreed that the right to tax abatement shall inure to the benefit of subsequent owners so long as the term and conditions of this Agreement are in effect.

VII.

7.01 CITY agrees that this Agreement may be assigned and the improvements leased or sub-leased, without any further necessity for consent, by the OWNER to any person, firm or corporation.

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8.01 At any time before the expiration of the term hereof, this Agreement may be modified by the mutual action of the parties hereto to include other provisions that could have been included in the original agreement or to delete provisions that were not necessary to the original agreement. Such modification must be in writing and signed by all the parties hereto and made by the same procedure by which the original Agreement was approved and executed. In no event may the original Agreement be modified so as to extend the term beyond the original term of this Agreement.

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9.01 This Agreement shall be construed subject to the laws of the State of Texas, and particularly to the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code.

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9.03 OWNER is hereby notified that the Grayson Appraisal District may impose additional requirements which must be met in order for OWNER to realize the benefit of tax abatement and this Agreement. Contact should be made by OWNER with the District in person at 512 North Travis Street, Sherman, Texas, or by telephone at (903) 893-9673.

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10.01 This Agreement is subject to all provisions of all outstanding bond issues of CITY. To the extent that this Tax Abatement Agreement conflicts with any of the provisions of such bond issues, such bond issues and attendant documents thereto shall control.

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XII.

12.01 Notices required by this Agreement shall be mailed to the following addresses as same may be in the future changed by either party upon written notice to the other:

City of Sherman	Tobar's Properties, LLC
P.O. Box 1106	635 Preston Meados Road
Sherman, Texas 75091-1106	Sherman, TX 75092
(903) 892-7200	(903) 816-0416

Copy to: Grayson Appraisal District
512 North Travis Street
Sherman, Texas 75090
(903) 893-9673

This Agreement is performable in Grayson County, Texas. Witness our hands on this the _____ day of _____, 2021.

CITY:
CITY OF SHERMAN, TEXAS

BY: _____
ROBBY HEFTON

OWNER:
TOBAR'S PROPERTIES, LLC

BY: _____
MARIO TOBAR

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN
CITY ATTORNEY

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **MARIO TOBAR** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein express.

GIVEN UNDER MY HAND and seal of office this _____day of _____, 2021 A.D.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT

Property Owner:

Name: Tobar's Properties LLC

Mailing Address: 635 Preston Meadows Rd. Sherman

Telephone Number: (903) 816-0416

Contact (if different than owner):

Name: _____

Mailing Address: Same.

Telephone Number: _____

Property:

Physical Address: 411 E Wilson Ave.

Summary Legal Description: Lot: 10 Block: 25 Addition: Southside Addition

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction: ____ Remodeling: ____

Estimated Value of Improvements: $100,000.

Estimated Date of Start of Construction: 05/25/21

Estimated Date of Completion of Project: _____

Description of Project: New Construction

Applicant(s): Mario Tobar Date: 05/20/21

Tobar Properties LLC Date: 05/20/21

WD

VG-286-2020-24715

Grayson County
Wilma Bush
County Clerk
Sherman, TX 75090

0133945

Instrument Number: 2020 - 24715

Real Property Recordings

Recorded On: September 15, 2020 09:45 AM

Number of Pages: 3

Parties: JOHNSON CAROL WILSON

" Examined and Charged as Follows: "

Total Recording: $20.00

********** **THIS PAGE IS PART OF THE INSTRUMENT** **********
Any provision herein which restricts the Sale, Rental or use of the described Document because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	24715
Receipt Number:	20200915000029
Recorded Date/Time:	September 15, 2020 09:45 AM
User:	Cort M
Station:	CLERK07

Record and Return To:

RED RIVER TITLE CO
421 N CROCKETT ST
SHERMAN TX 75090

STATE OF TEXAS
COUNTY OF GRAYSON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Grayson County, Texas.

Wilma Bush
County Clerk
Grayson County, TX

GF No. 0133945

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

Date: September 11, 2020

Grantor: Carol Wilson Johnson, her sole and separate property

Grantee: Tobar's Properties, L.L.C., a Texas limited liability company

Grantee's Mailing Address:

6035 Preston Meadows Rd
Sherman, TX 75092

Consideration:

Ten and No/100 Dollars ($10.00), good and other valuable consideration, the receipt of which is hereby acknowledged.

Property (including any improvements):

BEING LOT TEN (10) IN BLOCK TWENTY-FIVE (25) OF THE SOUTHSIDE ADDITION TO THE CITY OF SHERMAN, TEXAS, AS SHOWN BY PLAT OF RECORD IN VOLUME 94, PAGE 134, DEED RECORDS, GRAYSON COUNTY, TEXAS.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: Subject to all easements, right-of-ways, mineral reservations and other matters of record.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES, EXCEPT THE EXPRESS WARRANTY OF TITLE STATED ABOVE. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

When the context requires, singular nouns and pronouns include the plural.

Carol Wilson Johnson

Date: September 11, 2020

STATE OF TEXAS §
§
COUNTY OF Collin §

The foregoing instrument was acknowledged before me, the undersigned notary, on the 11th day of September, 2020 by **Carol Wilson Johnson.**

BRITTANY MORGAN TORRES
Notary Public, State of Texas
Comm. Expires 05-04-2024
Notary ID 128981556

Notary Public, State of Texas

Brittany Torres
Printed Name of Notary

5-4-2024
My Commission Expires

AFTER RECORDING RETURN TO:

Tobar's Properties, L.L.C.

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN

New Residential Building Permit

#21-001060 | Issued on: 06/18/2021 at 11:21 AM

Project Description: CONSTRUCT SINGLE FAMILY RESIDENTIAL

ADDRESS
411 E WILSON AVE,
Sherman, TX 75090

PERMIT HOLDER
TOBAR PROPERTIES LLC
MARIO TOBAR
(903) 816-0416

INFORMATION FIELDS

Subcontractor	TOBAR PROPERTIES	Square Feet	1939
Bedrooms	3	Bathrooms	2
Number of Stories	1	Number of Acres	0.5
Type of Construction List	Wood Frame	Garage Parking	1
Off Street Parking	2	Tax Abatement	Yes
Sewer Disposal	Public Sewer	Water Supply	Public
Heating	Electric	Permit Certification	Yes
Proposed Use	SINGLE FAMILY RESIDENTIAL	Former Use	NONE
Firm Name	TOBAR PROPERTIES		

FEE	TOTAL	PAID	DUE
Storm Water Fee	$ 25.00	$ 25.00	$ 25.00
TOTALS	$ 25.00	$ 25.00	$ 0.00

NOTES
SINGLE FAMILY RESIDENTIAL

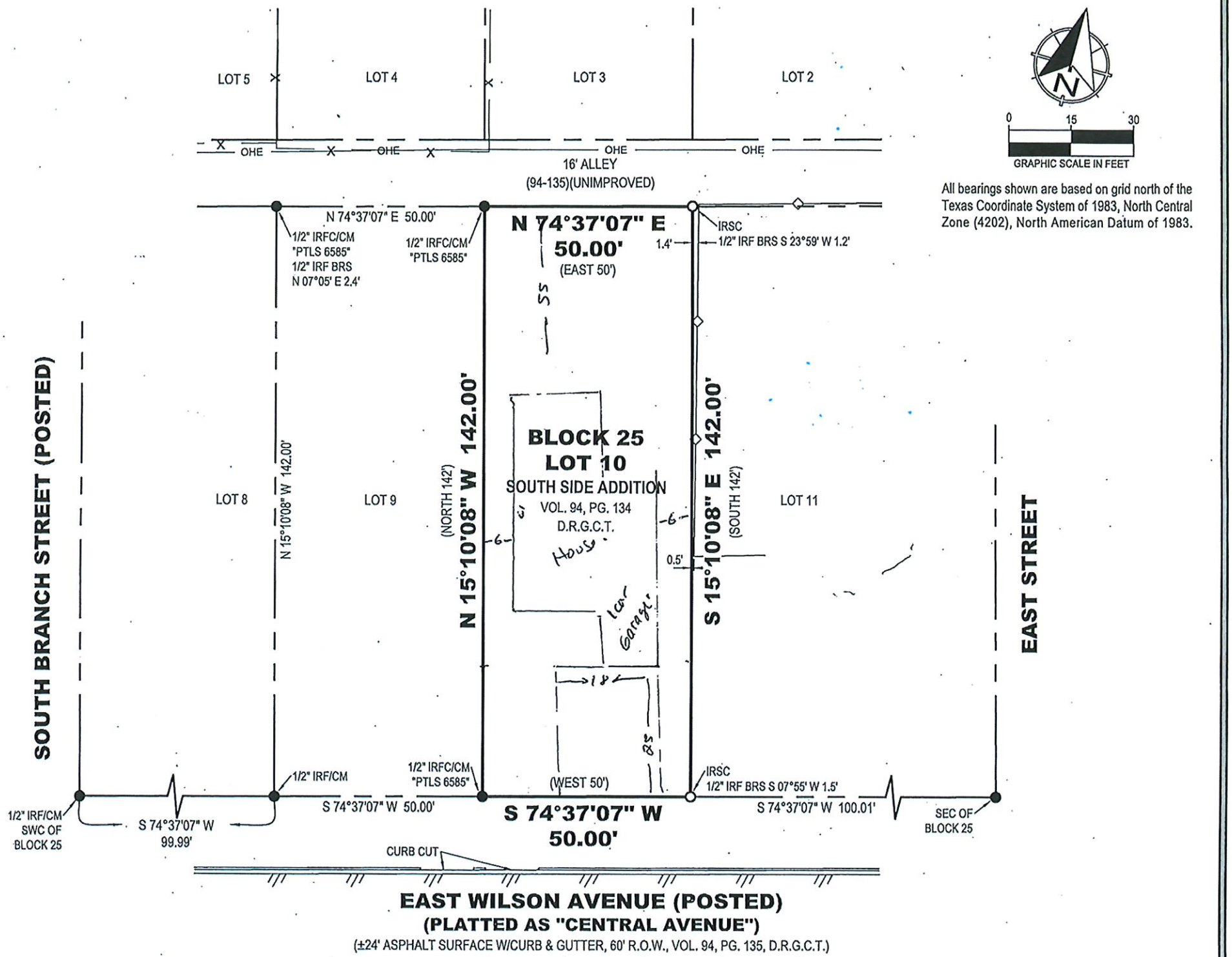
NOTICE
This permit becomes null and void if work or constructions authorized is not commenced within 6 months, or if construction or work is suspended of abandoned for a period of 6 months at any time after work is started. This permit is for the Permit Holder only. Repermitting will be required if Contractor changes.

I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provision of any other state or local law regulating construction or the performance of construction.

(Signature of Contractor or Authorized Agent) — Date

(Approved By) Flood Plain Administrator — Date

(Approved By) Building & Zoning — Date 6/25/21


LOT 5
LOT 4
LOT 3
LOT 2
OHE
OHE
OHE
OHE
16' ALLEY
(94-135)(UNIMPROVED)
N
0
15
30
GRAPHIC SCALE IN FEET
All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.
N 74°37'07" E 50.00'
1/2" IRFC/CM "PTLS 6585" 1/2" IRF BRS N 07°05' E 2.4'
1/2" IRFC/CM "PTLS 6585"
N 74°37'07" E 50.00'
(EAST 50')
IRSC
1.4'
1/2" IRF BRS S 23°59' W 1.2'
SOUTH BRANCH STREET (POSTED)
N 15°10'08" W 142.00'
(NORTH 142')
N 15°10'08" W 142.00'
BLOCK 25
LOT 10
SOUTH SIDE ADDITION
VOL. 94, PG. 134
D.R.G.C.T.
House
car garage
S 15°10'08" E 142.00'
(SOUTH 142')
0.5'
LOT 8
LOT 9
LOT 11
EAST STREET
1/2" IRF/CM
1/2" IRFC/CM "PTLS 6585"
(WEST 50')
IRSC
1/2" IRF BRS S 07°55' W 1.5'
1/2" IRF/CM SWC OF BLOCK 25
S 74°37'07" W 99.99'
S 74°37'07" W 50.00'
S 74°37'07" W 50.00'
S 74°37'07" W 100.01'
SEC OF BLOCK 25
CURB CUT
EAST WILSON AVENUE (POSTED)
(PLATTED AS "CENTRAL AVENUE")
(±24' ASPHALT SURFACE W/CURB & GUTTER, 60' R.O.W., VOL. 94, PG. 135, D.R.G.C.T.)



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

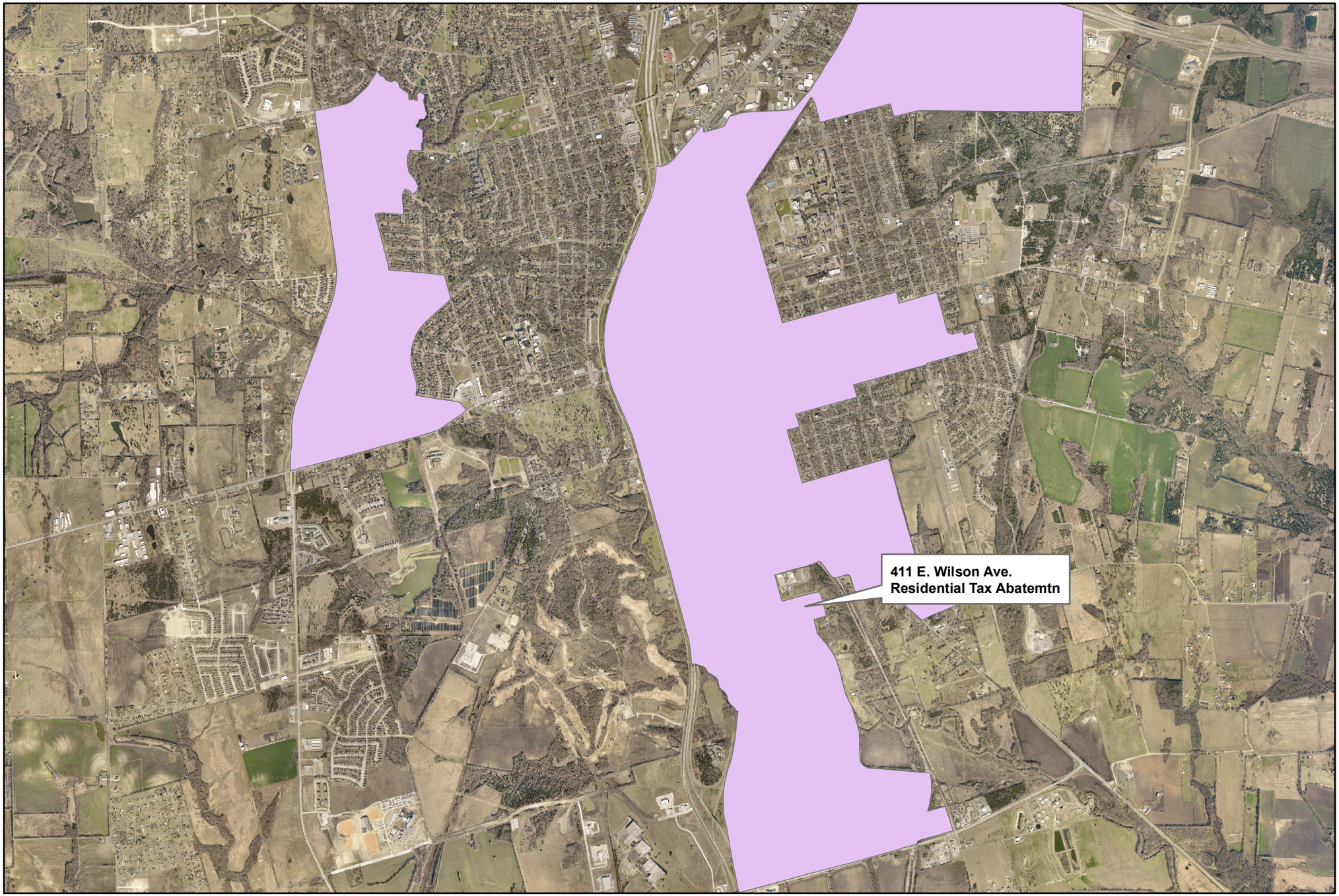
411 East Wilson Avenue
Residential Tax Abatement

NOT TO SCALE

1 in = 200 ft

411 East Wilson Street





Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

411 East Wilson Avenue
Residential Tax Abatement

NOT TO SCALE

1 in = 3,500 ft

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 1.**

Meeting Date: 07/19/2021
Prepared By: Tom Pruitt, Utility Engineer
Approved By: Robby Hefton, City Manager

Caption:

**** REQUEST TO ADVERTISE***
Wastewater Treatment Plant Fence Replacement Project

Issue:

Requesting permission to advertise for bids for Wastewater Treatment Plant Manproof Fence Replacement Project

Background:

This project will replace 42% of the total WWTP fencing. These portions have experienced heavy corrosion and need to be replaced as soon as possible. This need for this project was identified in the WWTP maintenance budget.

Origination:

Engineering Department

Financial Consideration:

Estimate of probable construction cost (EOPCC) is $64,000. Funding for the project is in the WWTP Operating Budget for fiscal year 2021. The cost of advertising is expected to be less than $500.00.

Staff Recommendation:

It is recommended that the City Council authorize the staff to advertise the project for bids.

Alternatives:

As may be directed by the City Council

Attachments

Location Map
Photo 1
Photo 2
Photo 3
Photo 4


Post Oak Creek
E FM 1417
11
1,770 LF Manproof Fence Remove & Replace
641 LF Manproof Fence Remove & Replace
Headworks Lift Station
Biological Clarifiers
#1
#2
#3
Thickeners
#1
#2
Secondary Anaerobic Digester #4
#1
#2
#3
Primary Anaerobic Digesters
Aeration Basins
Second Stage Trickling Filters
First Stage Trickling Filters
PC1
PC2
PC3
Flow Equalization Basin
Operations Center & Maint. Bldg.
Post Oak Rd
Sludge Storage Basins
#1
#2
N
0 150 300 600
Feet
Maxar, Esri Commun
BuildingFootprintUSA, Esri, HE
boratory Services Building
ddition & Remodel
Sherman
CLASSIC TOWN. BROAD HORIZON.









SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 1.**

Meeting Date: 07/19/2021

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Receive Presentation from Dan Jackson of Willdan on the updated Water and Wastewater Rate Study

Issue:

A presentation of the updated Water and Wastewater Rate Study

Background:

At the Budget Workshop on June 18th, Dan Jackson of Willdan presented the results of the Water and Wastewater Rate Study. This presentation updates the two initial rate scenarios for the effect of closing out two Greater Texoma Utility Authority (GTUA) debt issues and applying the remaining funds to the the payments on that debt. The total amount applied to future debt service is about $1.5 million and is spread over 3 years. The result is a decrease in the rate change for the average residential user from 6% to 5.6% for fiscal years 2022 and 2023. Years three through five remain the same.

Origination:

City Manager

Financial Consideration:

There is no financial impact associated with this presentation.

Staff Recommendation:

This presentation is to assist the City Council in setting water and wastewater rates for the fiscal year 2022 and planning for the rates in fiscal years 2023 through 2026.

Alternatives:

None

Attachments

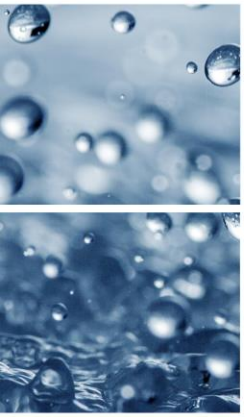
Water and Wastewater Rate Study

City Council Presentation – City of Sherman

Water and Wastewater Rate Study

Sherman
CLASSIC TOWN. BROAD HORIZON.

July 2021








WILLDAN

Facts about Water and Wastewater Rates in the 21st Century

- Average utility has been increasing rates 5-6% per year, trend expected to continue
- AWWA forecasts that water and wastewater rates across the U.S. will triple in the next 15 years
- 30-40% of utilities charge rates that do not cover their costs
- Rate adjustments are primarily due to reasons beyond a utility's control – inflation, Capital Improvement Plans, etc.

City of Sherman
Water and Wastewater Rate Background

- City has not adjusted its rates since 2017
- Rates are among the lowest in the DFW metroplex
- Wholesale customers and account growth have benefited utility by adding more customers over which to spread costs
- Combination of increasing operating expenses and need to fund $95 million in capital improvements is fueling the need to adjust rates in 2021 and beyond

Current Water and Wastewater Rate Structure Effective October 2017

Sherman
CLASSIC TOWN. BROAD HORIZON.

Water Rates

Service Charge -- 1st 1,500 Gallons

Meter Size	Inside City
5/8 X 3/4"	$ 22.80
1"	44.97
1 1/2"	90.36
2"	153.94
3"	335.62
4"	589.92
6"	1,316.58
8"	2,333.88
10"	3,641.84

Consumption Charge -- Per 1,000 Gallons

	Inside City
Retail:	
Residential	$ 3.27
Commercial	3.27
Multi-Family	3.27
Hydrants	3.27
Industrial	3.27
Wholesale:	
Knollwood	3.27
Gunter-Marilee	3.43
Dorchester	1.53
Panda-Sherman Raw Water	0.72

NOTE: Outside City assessed 100% Premium

Wastewater Rates

Service Charge -- 1st 1,500 Gallons

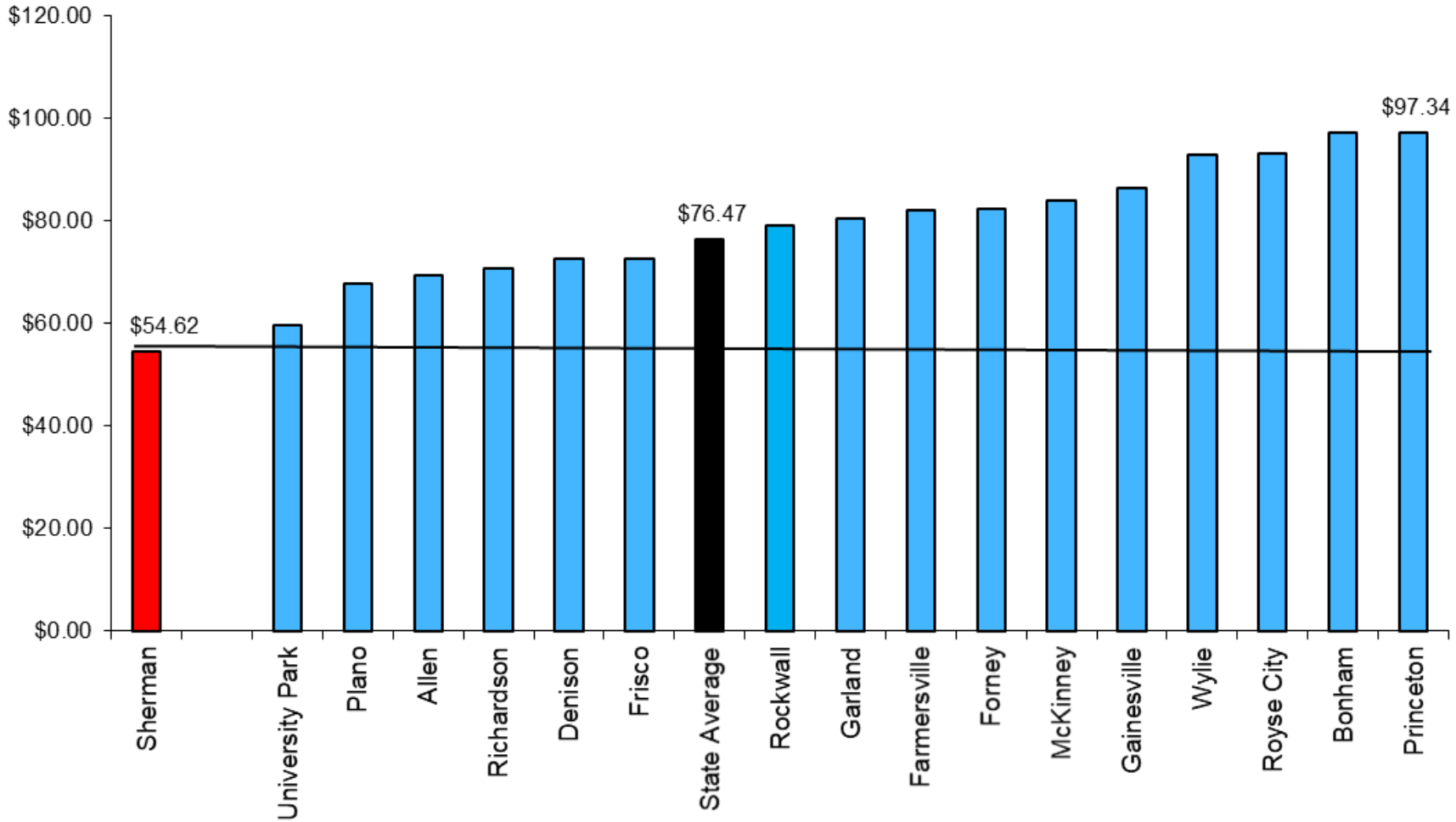
	Inside City
Service Charge (All Meters)	$ 8.19

Consumption Charge -- Per 1,000 Gallons

	Inside City
Retail:	
** Residential	3.48
Commercial	3.48
Multi-Family	3.48
Industrial	3.48
Wholesale:	
Howe	3.48
Knollwood	3.48

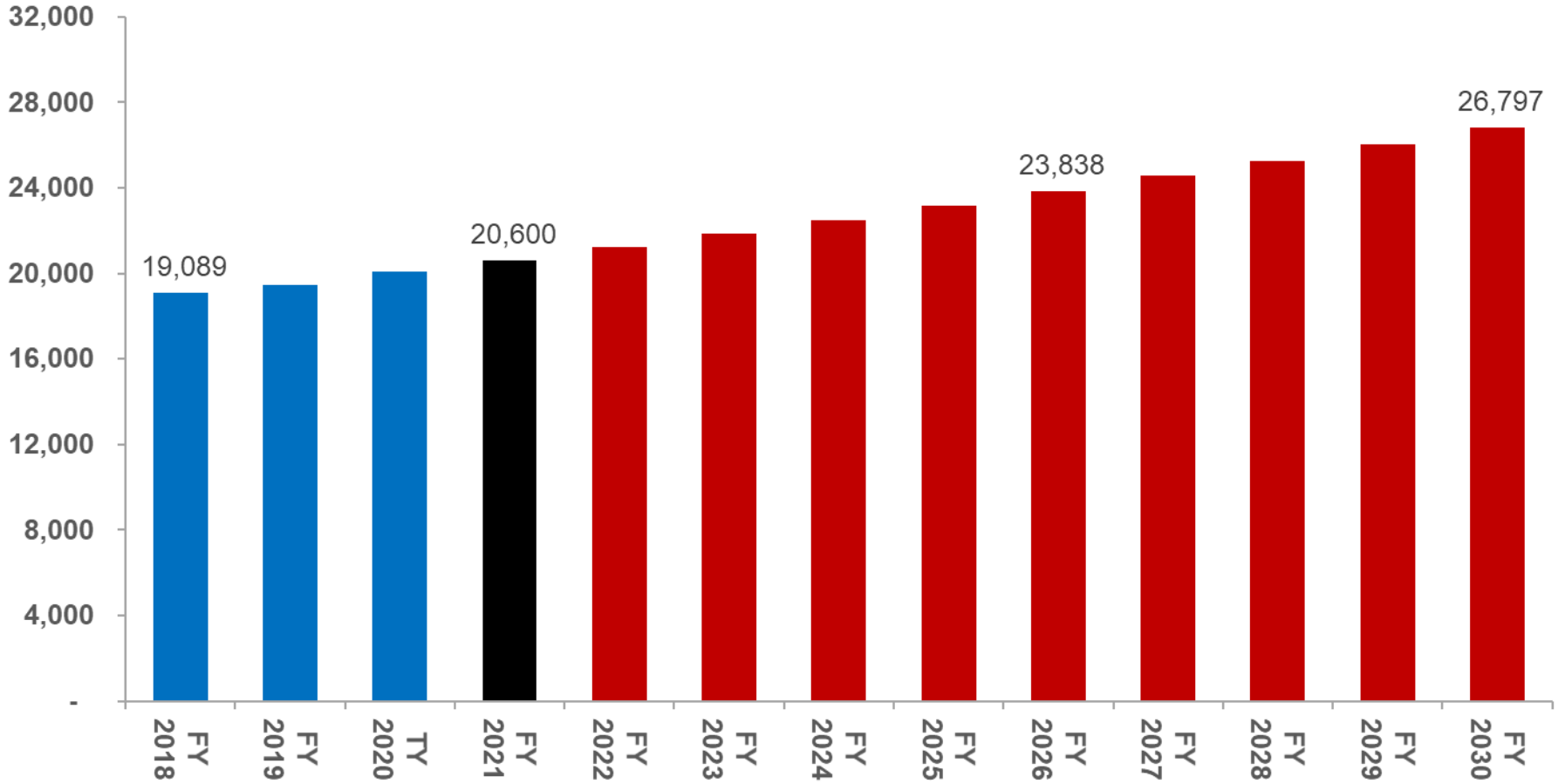
** Capped at 9,000 Gallons

Monthly Residential Charge Comparison
5,000 Gallons Water and Wastewater



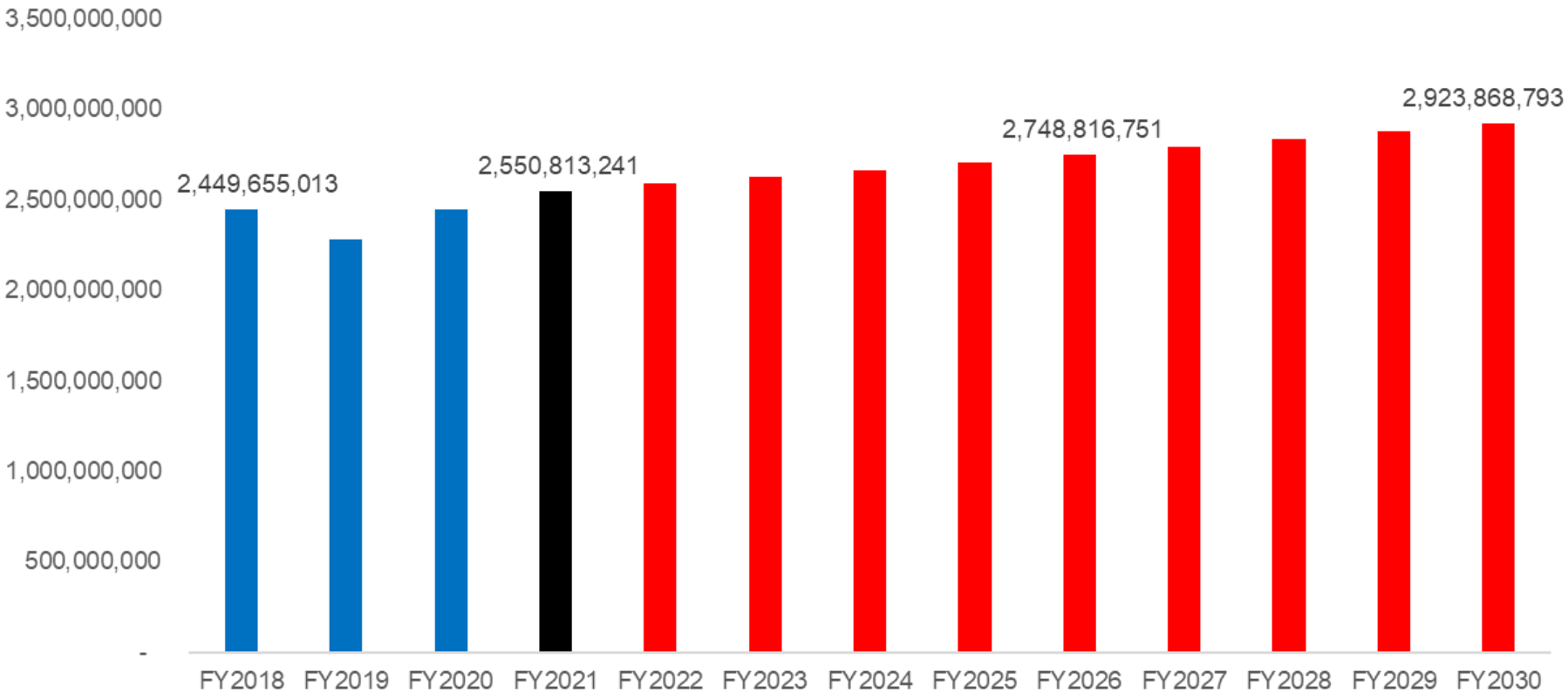
Actual and Forecast Water Accounts

Annual Growth ≈ 3.0%, 600–775 Accounts



Wastewater Accts	19,102	25,299

Actual and Forecast Water Billed Consumption Retail and Wholesale



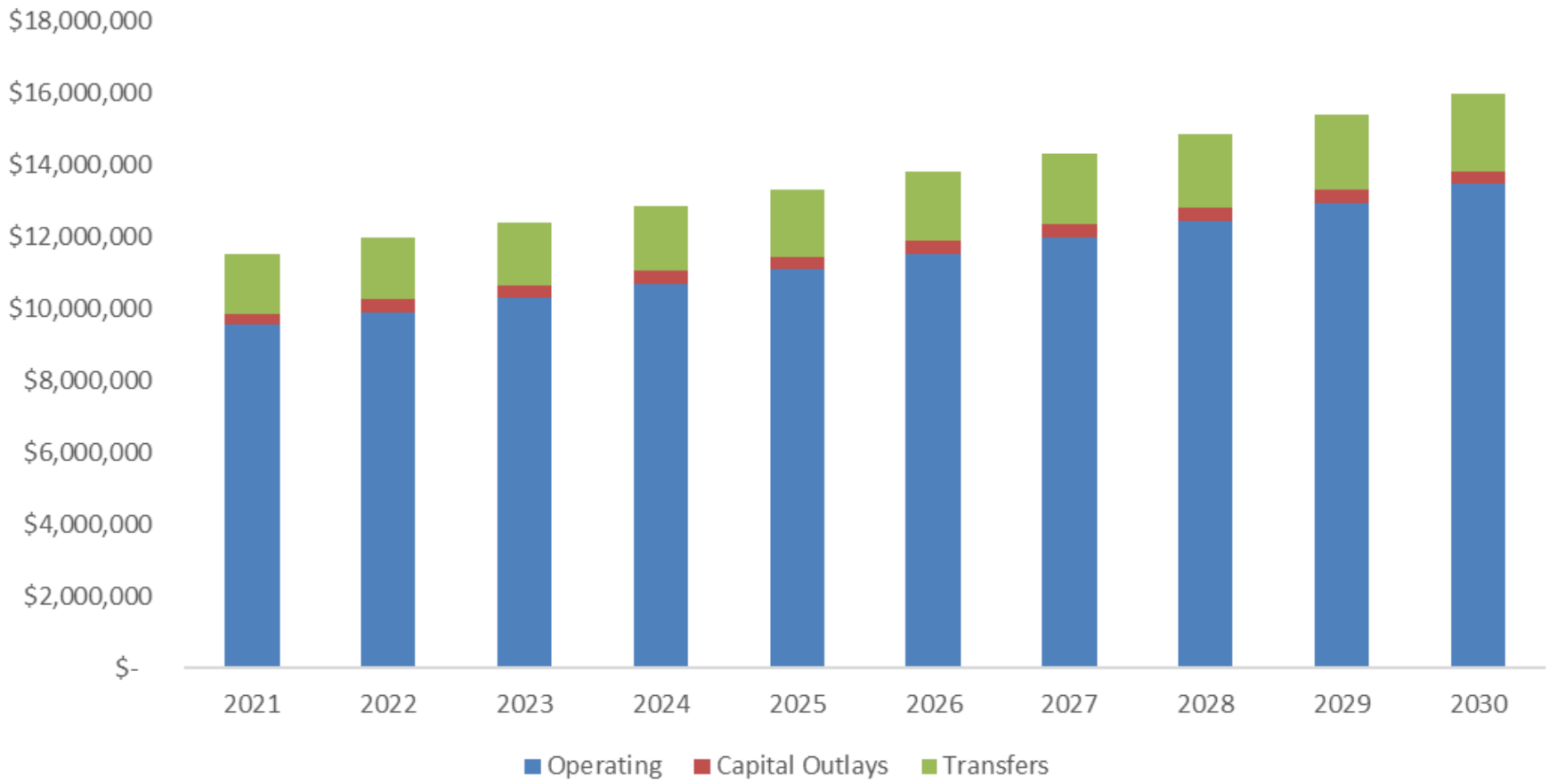
Key Assumptions Driving Forecast Financial and Rate Plan

- Most personnel and operating expenses increase 3% per year
- Certain expenses increase at higher rates and/or are tied to increases in accounts/volumes
- TWDB surplus funding of $1.5 million offsets portion of debt service

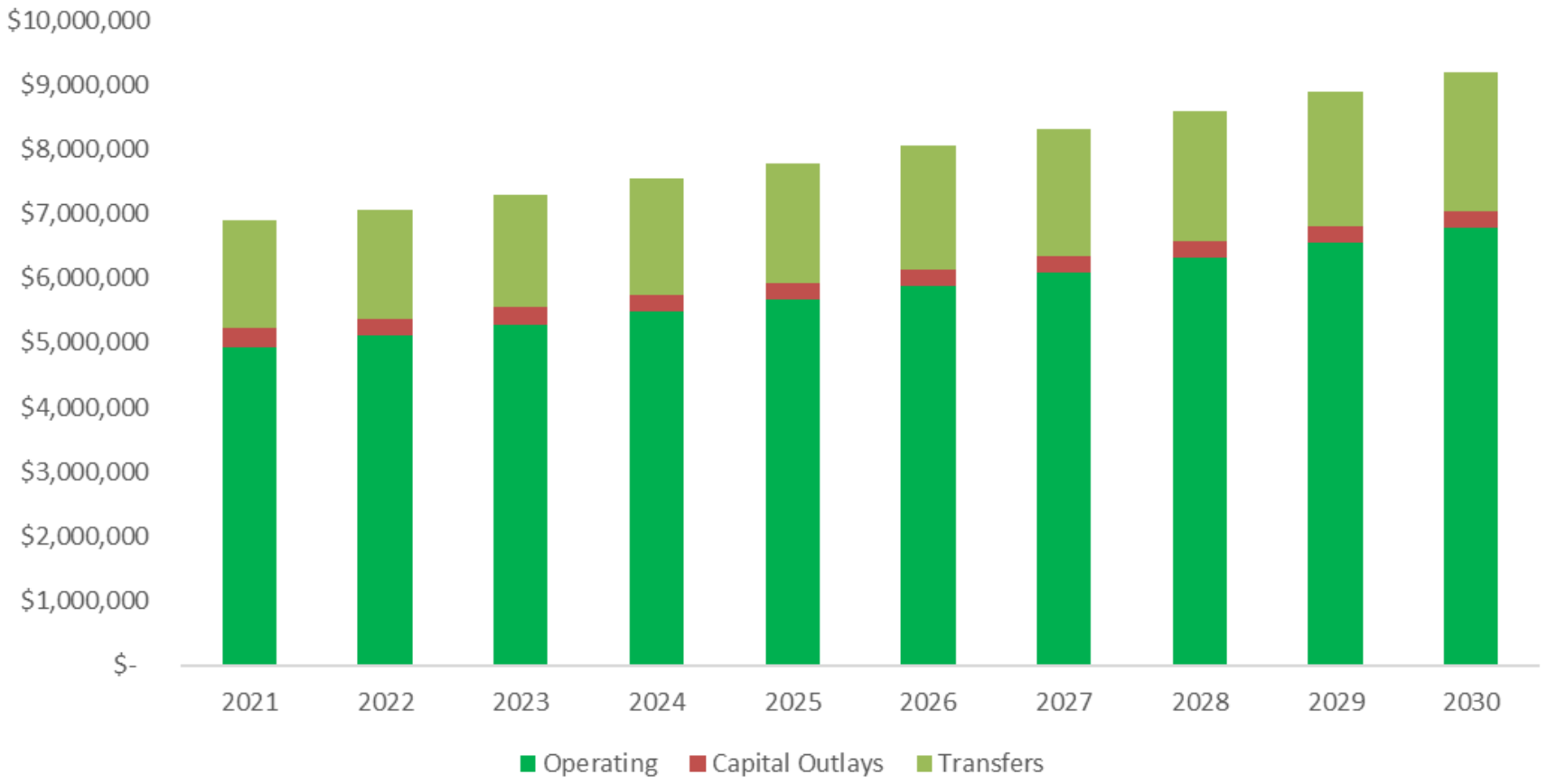


- **Biggest impact on rate plan**: how $95 million CIP is to be funded:
  - Existing Reserves
  - Rates
  - Long-term Debt

Forecast Water Operating Expenses, Capital Outlays and Transfers



Forecast Wastewater Operating Expenses, Capital Outlays and Transfers



Capital Improvement Plan: FY 2021 – FY 2030

		TOTAL
Total Projects	**$**	**94,667,000**
Projected Funding Sources		
Improvement Fund		1,939,967
Impact Fees		8,380,033
Grants		6,500,000
Long-Term Debt		**77,847,000**
Total Projected Funding Sources		94,667,000

* FY 2021 – FY 2026 from City CIP, FY 2027 – FY 2030 from City preliminary planning documents



Long-Term Financing
Forecast Water and Wastewater Bond Issues

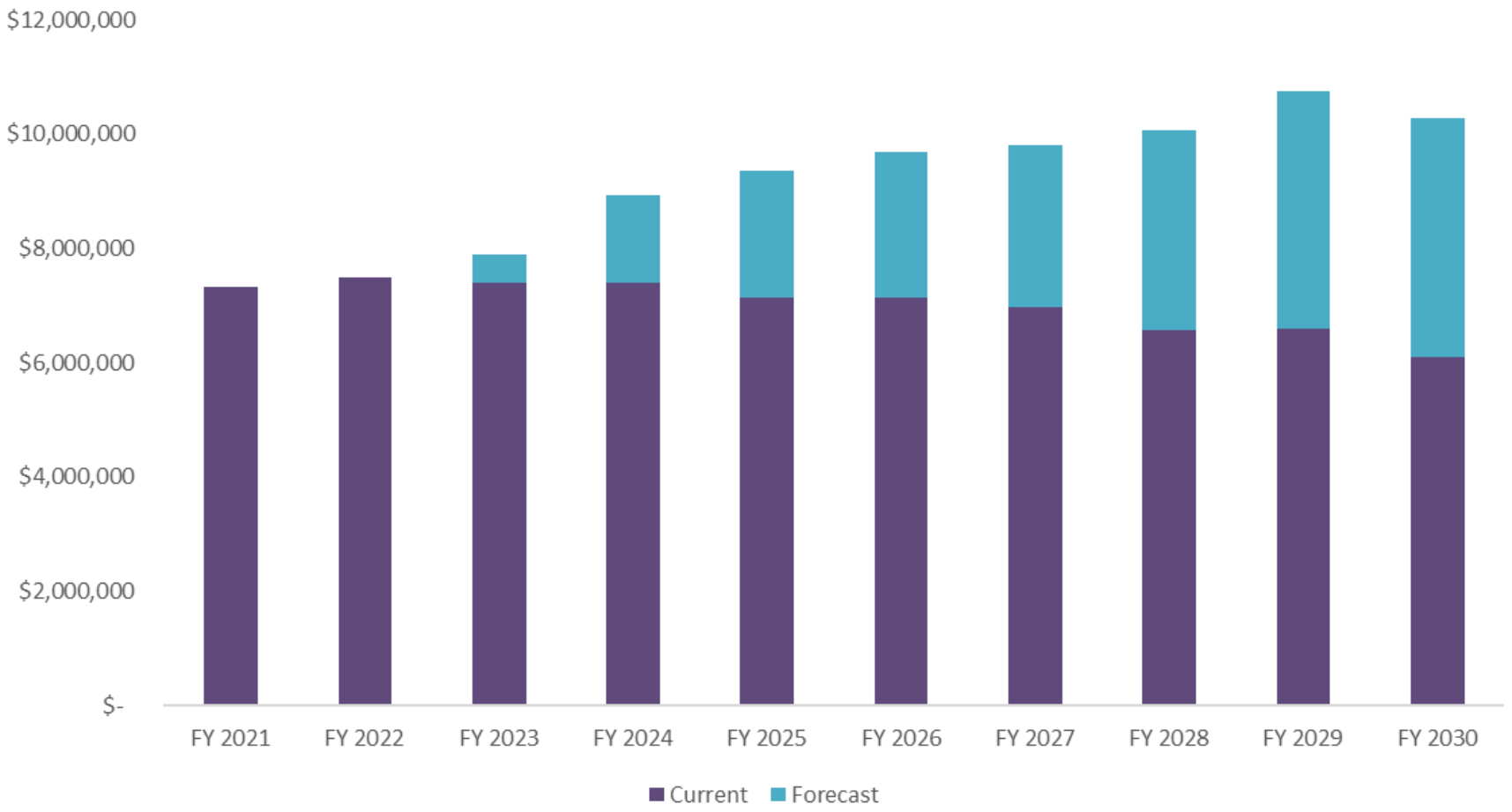
Year	Water	Wastewater	Total
FY 2021	$ 5,540,000	$ 4,212,000	$ 9,752,000
FY 2022	7,345,000	665,000	8,010,000
FY 2023	6,625,000	10,400,000	17,025,000
FY 2024	5,200,000	6,150,000	11,350,000
FY 2025	3,510,000	1,700,000	5,210,000
FY 2026	3,500,000	1,000,000	4,500,000
FY 2027	11,000,000	-	11,000,000
FY 2028	11,000,000	-	11,000,000
FY 2029	-	-	-
FY 2030	-	-	-
Total	**53,720,000**	**24,127,000**	**77,847,000**

Term = 25 Years
Interest = 3.5%
Fixed P&I payments

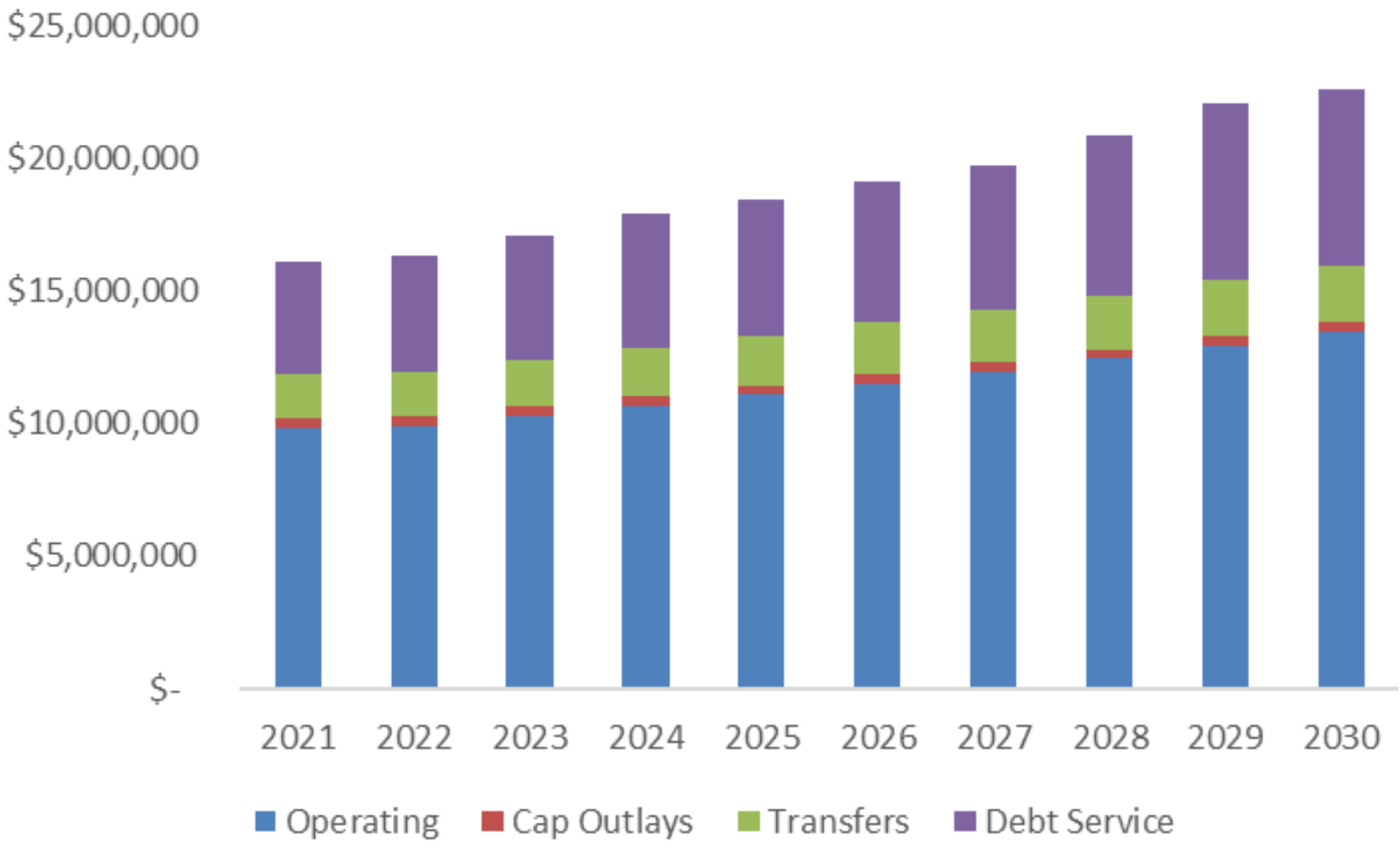


NOTE: FY 2021 debt already issued

Current and Forecast Debt Service



Forecast Cost of Service and Net Revenue Requirement



Notes on Rate Proposals

- Assumes no change in rate structure; uniform percentage adjustments for base and volume charges
- 5-year rate plan with adjustments effective October 2021 through October 2025
- Two Rate Adjustment Scenarios
  - **Scenario I** – higher adjustments in 2021-2023 to cover expected additional debt and operating expenses
  - **Scenario II** – uniform percentage increases 2021-2025

Water Rate Plan Scenario I – Retail Rates
FY 2021 – FY 2025

		Current	Effective Oct-21	Oct-22	Oct-23	Oct-24	Oct-25
Residential							
Customer Service Charge							
5/8 X 3/4"		$ 22.80	**$ 23.71**	$ 24.66	$ 25.65	$ 26.42	$ 26.94
1"		44.97	**46.77**	48.64	50.59	52.10	53.14
1 1/2"		90.36	**93.97**	97.73	101.64	104.69	106.79
Volume Rate Per 1,000 Gal							
1,500	Above	3.27	3.40	3.54	3.68	3.79	3.86
Percent Change			**4.0%**	4.0%	4.0%	3.0%	2.0%
Non-Residential							
Customer Service Charge							
5/8 X 3/4"		22.80	**23.71**	24.66	25.65	26.42	26.94
1"		44.97	**46.77**	48.64	50.59	52.10	53.14
1 1/2"		90.36	**93.97**	97.73	101.64	104.69	106.79
2"		153.94	**160.10**	166.50	173.16	178.36	181.92
3"		335.62	**349.04**	363.01	377.53	388.85	396.63
4"		589.92	**613.52**	638.06	663.58	683.49	697.16
6"		1,316.58	**1,369.24**	1,424.01	1,480.97	1,525.40	1,555.91
Volume Rate Per 1,000 Gal							
1,500	Above	3.27	**3.40**	3.54	3.68	3.79	3.86
Percent Change			**4.0%**	4.0%	4.0%	3.0%	2.0%

Wastewater Rate Plan Scenario I – Retail Rates
FY 2021 – FY 2025

		Current	Effective Oct-21	Oct-22	Oct-23	Oct-24	Oct-25
Residential							
Customer Service Charge							
All Meters		$ 8.19	**$ 8.85**	$ 9.55	$ 10.41	$ 10.93	$ 11.15
Volume Rate Per 1,000 Gal							
1,500	9,000	3.48	**3.76**	4.06	4.42	4.65	4.74
Percent Change			**8.0%**	8.0%	9.0%	5.0%	2.0%
Non-Residential							
Customer Service Charge							
All Meters		$ 8.19	**$ 8.85**	$ 9.55	$ 10.41	$ 10.93	$ 11.15
Volume Rate Per 1,000 Gal							
1,500	Above	3.48	**3.76**	4.06	4.42	4.65	4.74
Percent Change			**8.0%**	8.0%	9.0%	5.0%	2.0%

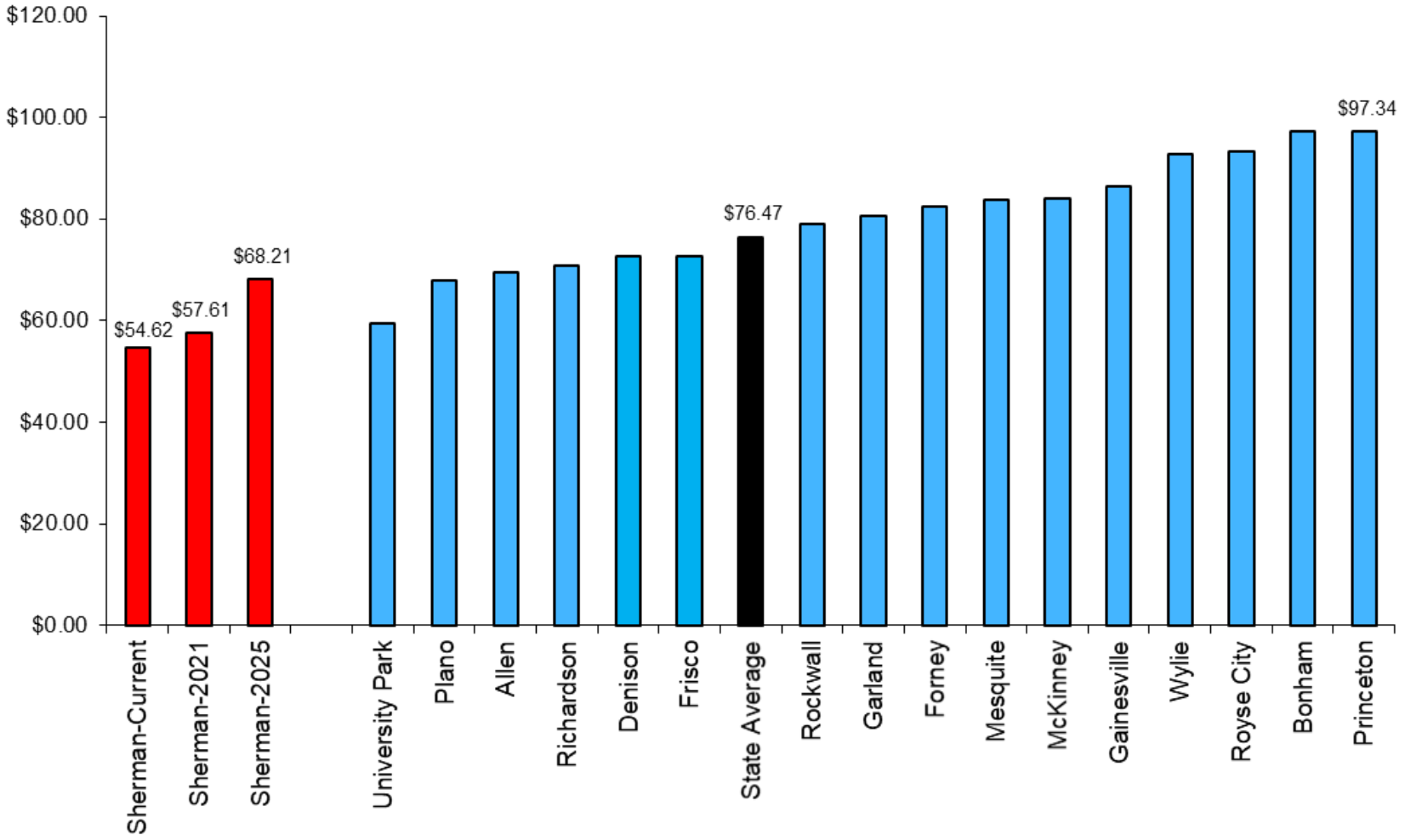
Rate Plan Scenario I -- Impact on Ratepayers
FY 2021 – FY 2025

		Current	Effective Oct-21	Oct-22	Oct-23	Oct-24	Oct-25
Residential Monthly Charges Inside -- 3/4"							
1,500 Water	Total	$ 30.99	**$ 32.56**	$ 34.21	$ 36.06	$ 37.35	$ 38.10
1,500 WW	Increase -- $		**1.57**	1.66	1.85	1.29	0.75
	Increase -- %		**5.1%**	5.1%	5.4%	3.6%	2.0%
6,000 Water	Total	61.37	**64.77**	68.39	72.52	75.30	76.81
6,000 WW	Increase -- $		**3.41**	3.62	4.13	2.78	1.51
	Increase -- %		**5.6%**	5.6%	6.0%	3.8%	2.0%
10,000 Water	Total	84.89	**89.65**	94.72	100.51	104.40	106.48
9,000 WW	Increase -- $		**4.77**	5.07	5.79	3.89	2.09
	Increase -- %		**5.6%**	5.7%	6.1%	3.9%	2.0%
Commercial Monthly Charges Inside -- 2"							
20,000 Water	Total	$ 287.01	**$ 301.39**	$ 316.58	$ 333.47	$ 345.32	$ 352.23
20,000 WW	Increase -- $		**14.38**	15.19	16.90	11.85	6.91
	Increase -- %		**5.0%**	5.0%	5.3%	3.6%	2.0%
40,000 Water	Total	422.01	**444.57**	468.50	495.53	514.01	524.29
40,000 WW	Increase -- $		**22.57**	23.92	27.03	18.48	10.28
	Increase -- %		**5.3%**	5.4%	5.8%	3.7%	2.0%

Rate Plan Scenario I -- Wholesale Rates

	Current	Effective Oct-21	Oct-22	Oct-23	Oct-24	Oct-25
Wholesale Volume Rates						
Knollwood	$ 3.27	**$ 3.40**	$ 3.54	$ 3.68	$ 3.79	$ 3.86
Gunter-Marilee	3.43	**3.57**	3.71	3.86	3.98	4.06
Dorchester	1.53	**1.59**	1.65	1.72	1.77	1.81
Raw Water Rate						
Panda-Sherman Raw Water						
Monthly Charge	$ 24,448	**$ 25,181**	$ 25,937	$ 26,715	$ 27,516	$ 28,342
Volume Rate/1,000 Gallons	0.723	**0.745**	0.767	0.790	0.814	0.838
Wholesale Wastewater Rates						
Howe						
Knollwood						
Monthly Charge	$ 8.19	**$ 8.85**	$ 9.55	$ 10.41	$ 10.93	$ 11.15
Volume Rate/1,000 Gallons	3.48	**3.76**	4.06	4.42	4.65	4.74

Monthly Residential Charge Comparison
5,000 Gallons Water and Wastewater



Water Rate Plan Scenario II – Retail Rates
FY 2021 – FY 2025

		Current	Effective Oct-21	Oct-22	Oct-23	Oct-24	Oct-25
Residential							
Customer Service Charge							
5/8 X 3/4"		$ 22.80	**$ 23.48**	$ 24.19	$ 24.91	$ 25.66	$ 26.43
1"		44.97	**46.32**	47.71	49.14	50.61	52.13
1 1/2"		90.36	**93.07**	95.86	98.74	101.70	104.75
Volume Rate Per 1,000 Gal							
1,500	Above	3.27	3.37	3.47	3.57	3.68	3.79
Percent Change			**3.0%**	3.0%	3.0%	3.0%	3.0%
Non-Residential							
Customer Service Charge							
5/8 X 3/4"		22.80	**23.48**	24.19	24.91	25.66	26.43
1"		44.97	**46.32**	47.71	49.14	50.61	52.13
1 1/2"		90.36	**93.07**	95.86	98.74	101.70	104.75
2"		153.94	**158.56**	163.31	168.21	173.26	178.46
3"		335.62	**345.69**	356.06	366.74	377.74	389.08
4"		589.92	**607.62**	625.85	644.62	663.96	683.88
6"		1,316.58	**1,356.08**	1,396.76	1,438.66	1,481.82	1,526.28
Volume Rate Per 1,000 Gal							
1,500	Above	3.27	**3.37**	3.47	3.57	3.68	3.79
Percent Change			**3.0%**	3.0%	3.0%	3.0%	3.0%

Wastewater Rate Plan Scenario II – Retail Rates
FY 2021 – FY 2025

		Current	Effective Oct-21	Oct-22	Oct-23	Oct-24	Oct-25
Residential							
Customer Service Charge							
All Meters		$ 8.19	**$ 8.68**	$ 9.29	$ 9.94	$ 10.64	$ 11.38
Volume Rate Per 1,000 Gal							
1,500	9,000	3.48	**3.69**	3.95	4.22	4.52	4.84
Percent Change			**6.0%**	7.0%	7.0%	7.0%	7.0%
Non-Residential							
Customer Service Charge							
All Meters		$ 8.19	**$ 8.68**	$ 9.29	$ 9.94	$ 10.64	$ 11.38
Volume Rate Per 1,000 Gal							
1,500	Above	3.48	**3.69**	3.95	4.22	4.52	4.84
Percent Change			**6.0%**	7.0%	7.0%	7.0%	7.0%

Rate Plan Scenario II -- Impact on Ratepayers
FY 2021 – FY 2025

		Current	Effective Oct-21	Oct-22	Oct-23	Oct-24	Oct-25
Residential Monthly Charges Inside -- 3/4"							
1,500 Water	Total	$ 30.99	**$ 32.17**	$ 33.48	$ 34.85	$ 36.30	$ 37.81
1,500 WW	Increase -- $		**1.18**	1.31	1.38	1.44	1.51
	Increase -- %		**3.8%**	4.1%	4.1%	4.1%	4.2%
6,000 Water	Total	61.37	**63.92**	66.85	69.94	73.19	76.63
6,000 WW	Increase -- $		**2.56**	2.93	3.09	3.26	3.43
	Increase -- %		**4.2%**	4.6%	4.6%	4.7%	4.7%
10,000 Water	Total	84.89	**88.46**	92.57	96.90	101.47	106.30
9,000 WW	Increase -- $		**3.58**	4.11	4.33	4.57	4.83
	Increase -- %		**4.2%**	4.6%	4.7%	4.7%	4.8%
Commercial Monthly Charges Inside -- 2"							
20,000 Water	Total	$ 287.01	**$ 297.79**	$ 309.80	$ 322.39	$ 335.58	$ 349.42
20,000 WW	Increase -- $		**10.79**	12.01	12.59	13.19	13.84
	Increase -- %		**3.8%**	4.0%	4.1%	4.1%	4.1%
40,000 Water	Total	422.01	**438.93**	458.13	478.32	499.57	521.94
40,000 WW	Increase -- $		**16.93**	19.20	20.19	21.25	22.37
	Increase -- %		**4.0%**	4.4%	4.4%	4.4%	4.5%

Rate Plan Scenario II -- Impact on Ratepayers
FY 2021 – FY 2025

		Current	Effective Oct-21	Oct-22	Oct-23	Oct-24	Oct-25
Residential Monthly Charges Inside -- 3/4"							
1,500 Water	Scen I	$ 30.99	$ 32.56	$ 34.21	$ 36.06	$ 37.35	$ 38.10
1,500 WW	Scen II	30.99	32.17	33.48	34.85	36.30	37.81
	Difference		**(0.39)**	**(0.74)**	**(1.21)**	**(1.05)**	**(0.29)**
6,000 Water	Scen I	61.37	64.77	68.39	72.52	75.30	76.81
6,000 WW	Scen II	61.37	63.92	66.85	69.94	73.19	76.63
	Difference		**(0.85)**	**(1.54)**	**(2.58)**	**(2.11)**	**(0.18)**
10,000 Water	Scen I	84.89	89.65	94.72	100.51	104.40	106.48
9,000 WW	Scen II	84.89	88.46	92.57	96.90	101.47	106.30
	Difference		**(1.19)**	**(2.15)**	**(3.61)**	**(2.92)**	**(0.19)**

Rate Plan Scenario II -- Wholesale Rates

	Current	Effective Oct-21	Oct-22	Oct-23	Oct-24	Oct-25
Wholesale Volume Rates						
Knollwood	$ 3.27	**$ 3.37**	$ 3.47	$ 3.57	$ 3.68	$ 3.79
Gunter-Marilee	3.43	**3.54**	3.64	3.75	3.86	3.98
Dorchester	1.53	**1.58**	1.62	1.67	1.72	1.77
Raw Water Rate						
Panda-Sherman Raw Water						
Monthly Charge	$ 24,448	**$ 25,181**	$ 25,937	$ 26,715	$ 27,516	$ 28,342
Volume Rate/1,000 Gallons	0.723	**0.745**	0.767	0.790	0.814	0.838
Wholesale Wastewater Rates						
Howe						
Knollwood						
Monthly Charge	$ 8.19	**$ 8.68**	$ 9.29	$ 9.94	$ 10.64	$ 11.38
Volume Rate/1,000 Gallons	3.48	**3.69**	3.95	4.22	4.52	4.84

Presentation Summary
Benefits of Proposed Rate Plans

- Will enable utility to continue operating on a stand-alone basis and independent of general fund assistance
- Will cover estimated increased cost of requisite labor, services and materials
- Will result in financially-healthy utility that has ability to fund operations and capital needs
- Ensures that ratepayers pay only what it costs to provide water and wastewater service
- Will allow $95 million of capital investment to improve quality of service and provide a well-functioning system for future generations





Questions and Discussion

Sherman
CLASSIC TOWN. BROAD HORIZON.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 2.**

Meeting Date: 07/19/2021

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Preview of the 2021-2022 Draft Budget

Issue:

Previewing the draft budget for the 2021-2022 fiscal year

Background:

The draft budget includes changes made as a result of the Budget Workshop held on June 17th and June 18th as well as updates to revenue. Significant changes include the MLK Restroom, major street rebuild projects, and property and sales tax revenue estimates.

Included with the preview of the budget are updates to the two scenarios discussed as the budget workshop for implementing the utility rate change. Two Greater Texoma Utility Authority (GTUA) debt issues were closed out this year with the unspent proceeds of about $1.5 million applied to the related debt service over the next three years. The result is to lower the rate increase from 6% to 5.6% for fiscal year 2022 and 2023. Years three through five remain the same.

With the incorporated changes, ending reserves for FY2022 are 87 days in the General Fund, 60 days in the Utility Fund, and 62 days in the Solid Waste Fund.

After the Certified Totals from the Grayson County Appraisal District are received, property taxes in the draft budget will be updated. The budget will be presented for public hearing on August 2nd with final adoption at the August 16th City Council meeting.

Origination:

City Manager

Financial Consideration:

The proposed draft budget contains appropriations of $124.1 million for the 2021-2022 fiscal year.

Staff Recommendation:

If the draft meets with the Council's approval, the staff will present the draft budget for public hearing on August 2, 2021.

Alternatives:

The Council could make changes to the proposed budget, subject to existing available financial resources, and subject to statutory requirements relating to the timing of budget adoption.

Attachments

Draft Budget 2022

City of Sherman
ALL FUNDS
2021-2022 Annual Budget

	General Fund	Enterprise Funds	Capital Improvement Funds	Special Revenue Funds	Internal Service Funds	Debt Service Funds	Trust Fund	Elim. Interfund Transfers	Totals
Beginning Fund Balance	$ 11,449,343	$ 3,232,721	$ 34,952,886	$ 618,310	$ 489,276	$ 462,902	$ 1,963,322	$ -	$ 53,168,761
Revenues:									
Taxes	36,389,525	-	526,643	569,000	-	6,816,684	-	-	44,301,852
Water Sales	-	15,843,000	-	-	-	-	-	-	15,843,000
Sewer Sales	-	8,767,000	-	-	-	-	-	-	8,767,000
Solid Waste Sales	-	7,464,000	-	-	-	-	-	-	7,464,000
Sales & Service	4,915,041	1,091,000	1,870,000	1,505,250	12,425,086	-	18,000	(12,425,086)	9,399,291
Intergovernmental	256,407	1,608,488	4,839,426	-	-	-	-	-	6,704,321
Interest Income	80,000	26,800	174,550	4,000	200	1,000	100,000	-	386,550
Miscellaneous Revenue	219,500	809,000	-	333,000	-	-	-	-	1,361,500
Debt Proceeds	-	-	334,000	-	1,434,352	-	-	-	1,768,352
Transfers In	3,358,139	183,000	2,644,000	260,000	-	1,069,000	-	(7,514,139)	-
Total Revenues	45,218,612	35,792,288	10,388,619	2,671,250	13,859,638	7,886,684	118,000	(19,939,225)	95,995,866
Total Funds Available	56,667,955	39,025,009	45,341,505	3,289,560	14,348,914	8,349,586	2,081,322	(19,939,225)	149,164,627
Expenditures:									
Personnel	31,338,960	8,948,860	-	411,150	1,914,360	-	-	-	42,613,330
Supplies	1,938,512	1,962,028	-	458,959	932,701	-	-	-	5,292,200
Repair & Maintenance	2,015,704	2,645,347	-	122,111	1,315,661	-	-	-	6,098,823
Utilities	1,098,070	1,695,920	-	39,030	50,550	-	-	-	2,883,570
Information Technology	1,041,100	380,050	-	17,000	46,350	-	-	(1,484,500)	-
Debt Service	-	7,117,205	-	-	758,984	7,837,711	-	-	15,713,900
Services & Charges	3,500,796	4,284,890	-	801,393	6,127,338	7,200	-	(5,465,170)	9,256,447
Vehicle Usage	1,966,490	1,643,540	-	-	-	-	-	(3,610,030)	-
Fleet Services & Charges	783,698	901,688	-	180,000	-	-	-	(1,865,386)	-
Capital Expenses	401,950	353,335	39,377,290	378,000	2,715,325	-	-	-	43,225,900
Transfers Out	1,660,000	3,541,139	1,937,000	376,000	-	-	-	(7,514,139)	-
Total Expenditures	45,745,281	33,474,003	41,314,290	2,783,643	13,861,268	7,844,911	-	(19,939,225)	125,084,171
Excess Revenues Over Expenditures	(526,669)	2,318,285	(30,925,671)	(112,393)	(1,630)	41,773	118,000	-	(29,088,305)
Ending Fund Balance	$ 10,922,674	$ 5,551,007	$ 4,027,215	$ 505,917	$ 487,646	$ 504,675	$ 2,081,322	$ -	$ 24,080,456

City of Sherman
GENERAL FUND
2021-2022 Annual Budget

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 8,186,565	$ 8,344,554	$ 9,373,124	$ 11,449,343
Revenues				
Property Tax	11,138,247	12,254,100	12,125,400	11,931,400
Sales Tax	18,224,887	18,369,000	20,757,000	21,495,000
Franchise Tax	2,806,622	2,834,000	2,835,000	2,798,000
Other Taxes	142,123	161,980	162,125	165,125
Fines & Penalties	354,832	567,150	376,100	448,600
Recreation	66,022	256,750	265,600	285,600
Licenses & Permits	608,943	665,200	710,000	811,500
Rentals	24,466	31,500	29,550	29,550
Cemetery	238,308	165,600	256,100	221,100
Sales & Service	734,274	649,891	1,393,427	1,866,491
Ambulance Service	1,706,343	1,450,000	1,252,200	1,252,200
Interest Income	128,409	60,000	80,000	80,000
Grant Revenue	699,367	406,522	1,349,195	42,800
Intergovernmental	346,566	320,263	340,979	231,407
Miscellaneous Revenue	369,177	351,220	239,227	201,700
Debt Proceeds	-	-	-	-
Total Revenues	37,588,586	38,543,176	42,171,903	41,860,473
Transfers In	4,149,000	4,881,000	3,925,719	3,358,139
Total Revenues and Transfers In	41,737,586	43,424,176	46,097,622	45,218,612
Total Funds Available	49,924,152	51,768,730	55,470,746	56,667,955
Expenditures				
Personnel	28,977,408	30,290,581	29,809,680	31,338,960
Supplies	1,573,462	2,001,649	2,292,165	1,938,512
Repair & Maintenance	1,580,580	1,796,572	2,027,097	2,015,704
Utilities	1,008,056	1,056,090	1,206,140	1,098,070
Information Technology	615,427	700,010	838,530	1,041,100
Services & Charges	2,750,524	3,057,185	4,168,305	3,500,796
Vehicle Usage	1,726,987	1,641,430	1,883,281	1,966,490
Capital Expenses	1,015,400	535,130	560,239	401,950
Fleet Services & Charges	1,071,183	1,025,966	1,025,966	783,698
Transfers Out	232,000	210,000	210,000	1,660,000
Total Expenditures	40,551,028	42,314,612	44,021,403	45,745,281
Excess Revenues over Expenditures	1,186,559	1,109,564	2,076,219	(526,669)
Ending Fund Balance	$ 9,373,124	$ 9,454,118	$ 11,449,343	$ 10,922,674

City of Sherman
ENTERPRISE FUNDS
2021-2022 Annual Budget

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 4,803,087	$ 6,592,762	$5,117,874	$3,232,721
Revenues:				
Water Sales	14,323,100	14,713,000	14,192,000	15,843,000
Sewer Sales	7,720,347	7,801,000	8,006,000	8,767,000
Solid Waste Service	7,018,269	6,994,000	7,295,000	7,464,000
Service Charges & Penalties	551,588	665,000	738,000	750,000
Laboratory	140,214	140,000	140,000	140,000
Charges for Services	140,523	144,500	161,000	201,000
Intergovernmental	409,170	1,601,350	401,350	1,608,488
Interest Income	69,379	30,800	26,000	26,800
Miscellaneous Revenue	303,553	1,088,500	833,573	809,000
Transfers In	634,000	158,000	158,000	183,000
Total Revenues	31,310,142	33,336,150	31,950,923	35,792,288
Total Funds Available	36,113,229	39,928,912	37,068,797	39,025,009
Expenditures:				
Personnel	8,202,729	8,850,855	8,461,410	8,948,860
Supplies	1,689,406	1,725,717	1,751,268	1,962,028
Repair & Maintenance	2,280,454	2,213,002	3,047,757	2,645,347
Utilities	1,698,543	1,706,810	2,467,190	1,695,920
Information Technology	227,311	254,930	305,350	380,050
Services & Charges	3,615,089	4,280,123	4,208,308	4,284,890
Vehicle Usage	1,505,017	1,470,090	1,580,082	1,643,540
Debt Service	7,146,903	7,320,862	6,708,743	7,117,205
Fleet Services & Charges	1,104,778	586,070	708,295	901,688
Capital Expenses	292,125	178,705	513,953	353,335
Transfers Out	3,233,000	5,639,000	4,083,719	3,541,139
Total Expenditures	30,995,355	34,226,164	33,836,075	33,474,003
Excess Revenues over Expenditures	314,787	(890,014)	(1,885,152)	2,318,285
Ending Fund Balance	$ 5,117,874	$ 5,702,748	$ 3,232,721	$ 5,551,007

City of Sherman
CAPITAL IMPROVEMENT FUNDS
2021-2022 Annual Budget

	222 General CIP	224 Street Revolving	235 Regional Detention	250 Roadway Impact Fee #1	251 Roadway Impact Fee #2	253 Roadway Impact Fee #3	330 TIRZ #2 Construction
Beginning Fund Balance	$ 31,348,481	$ 462,284	$ 382,559	$ -	$ -	$ -	$ 474,633
Revenues:							
Interest Income	150,000	2,200	1,200	-	-	-	1,000
Taxes	-	-	-	-	-	-	180,387
Intergovernmental	-	-	-	-	-	-	-
Sales & Service	-	-	20,000	200,000	190,000	350,000	-
Miscellaneous Revenue	-	-	-	-	-	-	-
Debt Proceeds	334,000	-	-	-	-	-	-
Transfers In	1,819,000	-	-	-	-	-	-
Total Revenues	2,303,000	2,200	21,200	200,000	190,000	350,000	181,387
Total Funds Available	33,651,481	464,484	403,759	200,000	190,000	350,000	656,020
Expenditures							
Capital Expenses	30,617,290	200,000	200,000	100,000	80,000	-	600,000
Transfers Out	-	-	119,000	-	-	300,000	-
Total Expenditures	30,617,290	200,000	319,000	100,000	80,000	300,000	600,000
Excess Revenues over Expenditures	(28,314,290)	(197,800)	(297,800)	100,000	110,000	50,000	(418,613)
Ending Fund Balance	$ 3,034,191	$ 264,484	$ 84,759	$ 100,000	$ 110,000	$ 50,000	$ 56,020

City of Sherman
CAPITAL IMPROVEMENT FUNDS
2021-2022 Annual Budget

230 TIRZ #3 Construction	241 TIRZ #5 Construction	242 TIRZ #6 Construction	243 TIRZ #7 Construction	770 Utility CIP	750 Utility Impact Fee	Total
$ 15,304	$ 458,685	$ 1,031,907	$ (91,508)	$ 870,541	$ -	$ 34,082,346
200	4,200	3,600	150	12,000	-	162,550
191,788	76,636	31,284	46,548	-	-	526,643
-	84,931	30,175	49,320	4,675,000	-	164,426
-	-	-	-	-	1,110,000	760,000
-	-	-	-	-	-	-
-	-	-	-	-	-	334,000
-	-	-	-	825,000	-	1,819,000
191,988	165,767	65,059	96,018	5,512,000	1,110,000	3,766,619
207,292	624,452	1,096,966	4,510	6,382,541	1,110,000	37,848,965
200,000	325,000	800,000	-	6,255,000	-	33,122,290
-	289,000	226,000	178,000	-	825,000	1,112,000
200,000	614,000	1,026,000	178,000	6,255,000	825,000	34,234,290
(8,012)	(448,233)	(960,941)	(81,982)	(743,000)	285,000	(30,467,671)
$ 7,292	$ 10,452	$ 70,966	$ (173,490)	$ 127,541	$ 285,000	$ 3,614,675

City of Sherman
SPECIAL REVENUE FUNDS
2021-2022 Annual Budget

	420 Stormwater	440 E 911	450 Security & Technology	460 Hotel/ Motel	470 Drug Enforcement	480 Airport	455 Parks Pride	456 Police Pride	457 Donations	Total
Beginning Fund Balance	$ 36,570	$ 211,323	$ 61,195	$ (27,376)	$ 196,024	$ 86,387	$ 30,863	$ 16,588	$ 6,737	$ 618,310
Revenues										
Taxes	-	-	-	569,000	-	-	-	-	-	569,000
Sales & Service	452,000	294,000	32,250	60,000	200,000	467,000	-	-	-	1,505,250
Interest Income	1,500	1,000	100	-	1,000	200	100	50	50	4,000
Miscellaneous Revenue	250,000	-	-	-	-	50,000	11,000	11,000	11,000	333,000
Debt Proceeds	-	-	-	-	-	-	-	-	-	-
Transfers In	-	-	-	260,000	-	-	-	-	-	260,000
Total Revenues	703,500	295,000	32,350	889,000	201,000	517,200	11,100	11,050	11,050	2,671,250
Total Funds Available	740,070	506,323	93,545	861,624	397,024	603,587	41,963	27,638	17,787	3,289,560
Expenditures										
Personnel	104,490	108,300	-	198,360	-	-	-	-	-	411,150
Supplies	4,109	-	5,000	22,400	86,200	326,250	-	-	15,000	458,959
Repair & Maintenance	51,500	-	1,116	33,500	27,000	8,995	-	-	-	122,111
Utilities	-	-	-	29,210	-	9,820	-	-	-	39,030
Information Technology	3,090	-	-	13,910	-	-	-	-	-	17,000
Services & Charges	3,540	180,673	3,700	427,500	5,000	135,980	40,000	5,000	-	801,393
Capital Expenses	250,000	-	5,000	5,000	-	100,000	-	18,000	-	378,000
Fleet Services & Charges	-	-	-	-	180,000	-	-	-	-	180,000
Transfers Out	269,000	-	-	107,000	-	-	-	-	-	376,000
Total Expenditures	685,729	288,973	14,816	836,880	298,200	581,045	40,000	23,000	15,000	2,783,643
Excess Revenues over Expenditures	17,771	6,027	17,534	52,120	(97,200)	(63,845)	(28,900)	(11,950)	(3,950)	(112,393)
Ending Fund Balance	$ 54,341	$ 217,350	$ 78,729	$ 24,744	$ 98,824	$ 22,542	$ 1,963	$ 4,638	$ 2,787	$ 505,917

City of Sherman
INTERNAL SERVICE FUNDS
2021-2022 Annual Budget

	600 Insurance	630 IT	650 Equipment	660 Fleet Replacement	Total
Beginning Fund Balance	$ 374,093	$ 80,559	$ 6,295	$ 28,329	$ 489,276
Revenue					
Sales & Service	5,465,170	1,484,500	3,610,030	1,865,386	12,425,086
Interest Income	-	-	-	200	200
Debt Proceeds	-	-	-	1,434,352	1,434,352
Miscellaneous Revenue	-	-	-	-	-
Total Revenue	5,465,170	1,484,500	3,610,030	3,299,938	13,859,638
Total Funds Available	5,839,263	1,565,059	3,616,325	3,328,267	14,348,914
Expenditures					
Personnel	-	812,700	1,101,660	-	1,914,360
Supplies	-	63,086	869,615	-	932,701
Repair & Maintenance	-	162,818	1,152,843	-	1,315,661
Utilities	-	35,710	14,840	-	50,550
Information Technology	-	-	46,350	-	46,350
Services & Charges	5,467,000	288,614	371,724	-	6,127,338
Debt Service	-	-	-	758,984	758,984
Capital Expenses	-	121,575	53,000	2,540,750	2,715,325
Total Expenditures	5,467,000	1,484,503	3,610,032	3,299,734	13,861,268
Excess Revenues over Expenditures	(1,830)	(3)	(2)	204	(1,630)
Ending Fund Balance	$ 372,263	$ 80,557	$ 6,293	$ 28,533	$ 487,646

City of Sherman
DEBT SERVICE FUNDS
2021-2022 Annual Budget

	300 Debt Service	320 TIRZ #1 Debt Service	Total
Beginning Fund Balance	$ 87,366	$ 375,536	$ 462,902
Revenues			
Taxes	6,455,000	361,684	6,816,684
Interest Income	-	1,000	1,000
Intergovernmental	-	-	-
Transfers In	1,069,000	-	1,069,000
Total Revenues	7,524,000	362,684	7,886,684
Total Funds Available	7,611,366	738,220	8,349,586
Expenditures:			
Debt Service	7,516,297	321,414	7,837,711
Services & Charges	7,000	200	7,200
Transfers Out	-	-	-
Total Expenditures	7,523,297	321,614	7,844,911
Excess Revenues over Expenditures	703	41,070	41,773
Ending Fund Balance	$ 88,069	$ 416,606	$ 504,675

City of Sherman
PERPETUAL CARE FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 1,583,320	$ 1,677,322	$ 1,963,322
Revenues			
Sales & Service	10,516	18,000	18,000
Interest Income	83,486	268,000	100,000
Total Revenues	94,002	286,000	118,000
Total Funds Available	1,677,322	1,963,322	2,081,322
Expenditures			
Miscellaneous	-	-	-
Ending Fund Balance	$ 1,677,322	$ 1,963,322	$ 2,081,322

City of Sherman
UTILITY FUND - Recommended
2021-2022 Annual Budget

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Reserve	$ 3,992,537	$ 4,984,976	$ 4,489,706	$ 2,348,975
Revenues				
Water Sales	14,323,100	14,713,000	14,192,000	15,843,000
Sewer Sales	7,720,347	7,801,000	8,006,000	8,767,000
Laboratory	140,214	140,000	140,000	140,000
Service Charges & Penalties	475,746	575,000	593,000	610,000
Charges for Services	140,523	144,500	161,000	201,000
Interest Income	68,836	30,000	26,000	25,000
Intergovernmental	409,170	1,601,350	401,350	1,608,488
Miscellaneous Revenue	233,185	65,500	73,000	81,000
Total Revenues	23,511,120	25,070,350	23,592,350	27,275,488
Transfers In	494,000	158,000	158,000	183,000
Total Revenues and Transfers In	24,005,120	25,228,350	23,750,350	27,458,488
Total Funds Available	27,997,657	30,213,326	28,240,056	29,807,463
Expenditures				
Personnel	6,328,018	6,898,987	6,619,040	6,978,640
Supplies	1,431,183	1,443,485	1,473,730	1,594,248
Repair & Maintenance	2,205,868	2,124,928	2,955,083	2,586,504
Utilities	1,670,463	1,675,560	2,434,010	1,646,370
Information Technology	182,643	198,750	238,060	293,540
Debt Service	7,146,903	7,320,862	6,708,743	7,117,205
Services & Charges	1,397,900	2,053,716	1,956,009	1,895,604
Vehicle Usage	455,831	403,930	398,904	467,900
Fleet Services & Charges	254,778	236,070	358,295	346,791
Capital Expenses	255,365	135,073	449,207	239,606
Total Expenditures	21,328,951	22,491,361	23,591,081	23,166,408
Transfers Out	2,179,000	3,300,000	2,300,000	2,426,000
Total Expenditures and Transfers Out	23,507,951	25,791,361	25,891,081	25,592,408
Excess Revenues over Expenditures	497,169	(563,011)	(2,140,731)	1,866,080
Ending Reserve	$ 4,489,706	$ 4,421,965	$ 2,348,975	$ 4,215,055

City of Sherman
UTILITY FUND - Smoothed w/ Utility Transfer $280,000
2021-2022 Annual Budget

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Reserve	$ 3,992,537	$ 4,984,976	$ 4,489,706	$ 2,628,975
Revenues				
Water Sales	14,323,100	14,713,000	14,192,000	15,694,000
Sewer Sales	7,720,347	7,801,000	8,006,000	8,614,000
Laboratory	140,214	140,000	140,000	140,000
Service Charges & Penalties	475,746	575,000	593,000	610,000
Charges for Services	140,523	144,500	161,000	201,000
Interest Income	68,836	30,000	26,000	25,000
Intergovernmental	409,170	1,601,350	401,350	1,608,488
Miscellaneous Revenue	233,185	65,500	73,000	81,000
Total Revenues	23,511,120	25,070,350	23,592,350	26,973,488
Transfers In	494,000	158,000	438,000	183,000
Total Revenues and Transfers In	24,005,120	25,228,350	24,030,350	27,156,488
Total Funds Available	27,997,657	30,213,326	28,520,056	29,785,463
Expenditures				
Personnel	6,328,018	6,898,987	6,619,040	6,978,640
Supplies	1,431,183	1,443,485	1,473,730	1,594,248
Repair & Maintenance	2,205,868	2,124,928	2,955,083	2,586,504
Utilities	1,670,463	1,675,560	2,434,010	1,646,370
Information Technology	182,643	198,750	238,060	293,540
Debt Service	7,146,903	7,320,862	6,708,743	7,117,205
Services & Charges	1,397,900	2,053,716	1,956,009	1,895,604
Vehicle Usage	455,831	403,930	398,904	467,900
Fleet Services & Charges	254,778	236,070	358,295	346,791
Capital Expenses	255,365	135,073	449,207	239,606
Total Expenditures	21,328,951	22,491,361	23,591,081	23,166,408
Transfers Out	2,179,000	3,300,000	2,300,000	2,426,000
Total Expenditures and Transfers Out	23,507,951	25,791,361	25,891,081	25,592,408
Excess Revenues over Expenditures	497,169	(563,011)	(1,860,731)	1,564,080
Ending Reserve	$ 4,489,706	$ 4,421,965	$ 2,628,975	$ 4,193,055

City of Sherman
GENERAL FUND - Utility Transfer $280,000
2021-2022 Annual Budget

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 8,186,565	$ 8,344,554	$ 9,373,124	$ 11,169,343
Revenues				
Property Tax	11,138,247	12,254,100	12,125,400	11,931,400
Sales Tax	18,224,887	18,369,000	20,757,000	21,495,000
Franchise Tax	2,806,622	2,834,000	2,835,000	2,798,000
Other Taxes	142,123	161,980	162,125	165,125
Fines & Penalties	354,832	567,150	376,100	448,600
Recreation	66,022	256,750	265,600	285,600
Licenses & Permits	608,943	665,200	710,000	811,500
Rentals	24,466	31,500	29,550	29,550
Cemetery	238,308	165,600	256,100	221,100
Sales & Service	734,274	649,891	1,393,427	1,866,491
Ambulance Service	1,706,343	1,450,000	1,252,200	1,252,200
Interest Income	128,409	60,000	80,000	80,000
Grant Revenue	699,367	406,522	1,349,195	42,800
Intergovernmental	346,566	320,263	340,979	231,407
Miscellaneous Revenue	369,177	351,220	239,227	201,700
Debt Proceeds	-	-	-	-
Total Revenues	37,588,586	38,543,176	42,171,903	41,860,473
Transfers In	4,149,000	4,881,000	3,925,719	3,358,139
Total Revenues and Transfers In	41,737,586	43,424,176	46,097,622	45,218,612
Total Funds Available	49,924,152	51,768,730	55,470,746	56,387,955
Expenditures				
Personnel	28,977,408	30,290,581	29,809,680	31,338,960
Supplies	1,573,462	2,001,649	2,292,165	1,938,512
Repair & Maintenance	1,580,580	1,796,572	2,027,097	2,015,704
Utilities	1,008,056	1,056,090	1,206,140	1,098,070
Information Technology	615,427	700,010	838,530	1,041,100
Services & Charges	2,750,524	3,057,185	4,168,305	3,500,796
Vehicle Usage	1,726,987	1,641,430	1,883,281	1,966,490
Capital Expenses	1,015,400	535,130	560,239	401,950
Fleet Services & Charges	1,071,183	1,025,966	1,025,966	783,698
Transfers Out	232,000	210,000	490,000	1,660,000
Total Expenditures	40,551,028	42,314,612	44,301,403	45,745,281
Excess Revenues over Expenditures	1,186,559	1,109,564	1,796,219	(526,669)
Ending Fund Balance	$ 9,373,124	$ 9,454,118	$ 11,169,343	$ 10,642,674

City of Sherman
SOLID WASTE FUND
2021-2022 Annual Budget

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 810,550	$ 829,730	$ 628,168	$ 883,746
Revenues				
Solid Waste Service	7,018,269	6,994,000	7,295,000	7,464,000
Service Charges & Penalties	75,842	90,000	145,000	140,000
Interest Income	543	800	-	1,800
Miscellaneous Revenue	70,367	1,023,000	760,573	728,000
Transfers In	140,000	-	-	-
Total Revenues	7,305,022	8,107,800	8,200,573	8,333,800
Total Funds Available	8,115,572	8,937,530	8,828,741	9,217,546
Expenditures				
Personnel	1,874,711	1,951,869	1,842,370	1,970,220
Supplies	258,223	282,232	277,539	367,780
Repair & Maintenance	74,586	88,074	92,674	58,844
Utilities	28,080	31,250	33,180	49,550
Information Technology	44,668	56,180	67,290	86,510
Services & Charges	2,217,189	2,226,407	2,252,299	2,389,286
Vehicle Usage	1,049,186	1,066,160	1,181,178	1,175,640
Capital Expenses	36,760	43,632	64,746	113,729
Fleet Services & Charges	850,000	350,000	350,000	554,897
Transfers Out	1,054,000	2,339,000	1,783,719	1,115,139
Total Expenditures	7,487,404	8,434,804	7,944,995	7,881,595
Excess Revenues over Expenditures	(182,382)	(327,004)	255,578	452,205
Ending Fund Balance	$ 628,168	$ 502,726	$ 883,746	$ 1,335,952

City of Sherman
GENERAL IMPROVEMENT FUND

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 19,280,728	$ 15,867,436	$ 9,656,463	$ 31,348,481
Revenues				
Transfers In	-	-	-	1,519,000
Land Sale Proceeds	-	4,000,000	3,656,000	-
Intergovernmental	1,715,500	500,000	-	-
Transfer In - Impact Fees	-	-	-	300,000
Interest Income	158,135	250,000	30,000	150,000
Debt Proceeds	-	-	29,844,600	334,000
Grant Revenue	-	-	-	-
Total Revenues	1,873,635	4,750,000	33,530,600	2,303,000
Total Funds Available	21,154,363	20,617,436	43,187,063	33,651,481
Expenditures				
(1) FM 1417 (82 to 56) Eng, ROW & Match	30,881	-	2,000,000	-
(1) Pecan Grove Ball Fields	1,459,807	9,468	34,000	-
(1) Legacy Blvd	158,767	-	-	-
(1) Moore St - Park to W. Travis	1,697,982	-	180,000	-
(1) Steeplechase Dr Extension	100,000	-	500,000	-
(1) Munson Planned Development	92,745	-	-	-
(1) Hilre Drive Extension	49,304	-	283,545	-
(1) Travis St West	4,304,827	-	783,204	-
(1) Park Ave Realignment	126,726	1,200,000	1,745,000	-
(1) Bridges-Center/McGee	-	700,000	-	-
(1) TxDOT 1417 & W. Travis Intersection	1,804,990	-	-	-
(1) Lamberth Rd Thoroughfare	2,500	-	-	500,000
(1) Taylor St Extension Eng & ROW/McGee St Ext	18,446	1,500,000	960,000	540,000
(1) Friendship ROW 56 to Lamberth	33,890	-	(270)	600,000
(2) Flanary Rd and Progress Dr Ext/Imp	72,897	-	25,000	-
(3) UB Remodel	26,413	-	2,200	-
(3) Pecan Grove Basketball Courts	97,890	-	-	-
(3) Library Park	31,203	-	-	-
(3) Station #3 Remodel	7,129	-	-	-
(3) Fallon Drive	832,731	-	-	-
(3) Fire Station #4 Shower Repair	9,167	-	-	-
(3) Fire Station #1 Bathroom	5,337	-	-	-
(3) Remodel at Station 5	12,150	-	-	-
(3) Finance Remodel	2,226	-	-	-
(3) Police Dept Exterior Renovation	7,803	-	500	-
(3) Police Firing Range	26,718	-	5,000	-
(3) Renovate Cemetery & Maint Bldg	136,222	-	30,000	-
(3) ESC Spray Insulation windows	12,750	-	-	-
(3) Self check-out stations RFID	-	40,000	40,000	-
(3) (Necessity) Station No. 1 roof replacement	-	85,000	85,000	-
(3) New police station - site and design	-	1,354,000	1,354,000	-
(3) Land Sale at W. Travis & FM 1417	-	-	7,500	-
(3) Auditorium Chiller	-	-	165,000	-
(3) Bel Air Blvd Construction Ph I	-	-	1,500,000	-
(3) Quail Run Extension			250,000	
(3) Recreation Center Study				40,000
(3) Call Recording Software	-	-	-	70,000
(3) FM 1417 signal at Bel Air Blvd Design	-	-	-	75,000
(3) MLK Restrooms (partial CDBG funded $240,000)				90,000
(3) Comprehensive Master Plan				100,000
(3) Watchguard video evidence platform	-	100,790	100,790	100,790
(3) Re-construct San Miguel cul-de-sac	-	-	-	110,000
(3) Fairview Basketball	-	-	-	150,000
(3) Airport Pavement Maintenance-City match	-	-	-	182,500
(3) Replace Fiber from Muni to PD	-	-	-	235,000
(3) Expand Fairview tennis courts; pickleball	-	-	-	240,000
(3) Pecan Grove West shading	-	-	-	270,000
(3) Beach Club Blvd design	-	-	-	300,000

City of Sherman
GENERAL IMPROVEMENT FUND

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
(4) Sign Table	-	-	-	17,500
(4) Additional Parking Sta 2	-	-	-	20,000
(4) Latex Printer Sign Shop	-	-	-	20,500
(4) Privacy Fence Sta 3	-	-	-	25,000
(4) Front Fence & Gate for Sta 5.5	-	-	-	35,000
(4) Pecan Grove West Electrical Upgrade	-	-	-	35,000
(4) Wanco Message Boards	-	-	-	37,000
(4) Trail Development The Grove	-	-	-	50,000
(4) Bay Doors at Sta 1,2,3, & 5	-	-	-	94,000
(5) Shepherd Rd Design	-	-	-	330,000
(5) Bridge-S. Travis	82,490	300,000	-	600,000
(5) FM 1417 design/ROW - SH 56 to W. Travis	253,910	2,000,000	500,000	1,500,000
(5) Bel Air Blvd Construction Ph II	-	-	-	1,500,000
(5) Moore St - W. Travis to FM 1417	-	2,500,000	500,000	2,300,000
(5) Moore St - Park to power easement	-	-	-	2,200,000
(5) New police HQ - Construction	-	-	788,113	17,250,000
(5) Major Street Rebuilds				1,000,000
Total Expenditures	11,497,900	9,789,258	11,838,582	30,617,290
Excess Revenues over Expenditures	(9,624,265)	(5,039,258)	21,692,018	(28,314,290)
Ending Fund Balance	$ 9,656,463	$ 10,828,178	$ 31,348,481	$ 3,034,191

(1) Pre-2021 CO	1,640,000
(2) SEDCO funded	-
(3) Land-sale funded/General Fund Transfer	1,963,290
(4) 2021 Tax Notes	334,000
(5) 2021 CO/Impact Fees	26,680,000
Total Projects FY2022	30,617,290

City of Sherman
UTILITY IMPROVEMENT FUND
2021-2022 Annual Budget

	Actual 2019-2020	Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 2,878,642	$ 729,610	$ 1,925,541	$ 870,541
Revenues				
Intergovernmental	1,191,521	-	-	-
Interest Income	24,307	-	12,000	12,000
Miscellaneous Revenue	-	-	-	-
Transfers In	-	600,000	-	-
Transfers In - Impact Fees				825,000
Grant Revenue	-	-	302,000	4,675,000
Total Revenues	1,215,828	600,000	314,000	5,512,000
Total Funds Available	4,094,470	1,329,610	2,239,541	6,382,541
(1) Aeration Basin Upgrade & Biological Clarifier Rehab	118,424	-	10,332	-
(1) Water crossing under 75 at Choctaw	4,295	-	10,156	-
(1) WWTP Control Building Expansion Engineering	7,788	-	5,250	-
(1) Storm Water lift station/Force mail upgrade	26,397	-	-	-
(1) Flanary Rd Wastewater Extension	432,874	-	1,209	-
(1) Moore St Sewer (through Munson Dev) (SISD $400m)	626,450	-	8,728	-
(1) Utility relocates-FM 1417	27,363	-	-	-
(1) Legacy Waterline - Engineering	28,629	213,000	213,000	-
(1) Marilee SUD	1,367	2,000,000	2,000,000	-
(1) Texoma Pkwy sewer overflow relief	-	200,000	200,000	-
(1) Wastewater system study	-	200,000	200,000	-
(1) Water hydraulic study	-	200,000	200,000	-
(1) Laboratory facility expansion - design and engineering	-	250,000	250,000	-
(1) Gate actuator upgrades WWTP	-	300,000	300,000	-
(1) Preston Club Water Line	8,824	-	2,000	-
(1) Travis St West Water	(900)	425,000	-	-
(1) Lamberth Water	(6)	-	-	-
(1) High Country Estates Water	7,105	-	1,443	-
(1) Replace EDR process with RO at WTP (Engineering)	-	-	-	50,000
(1) Replace inverted siphon sewer line (Eng)	-	-	-	65,000
(1) Refurbish Rex Cruz EST-Eng	-	-	-	75,000
(1) Security Upgrades at WWTP	-	-	-	100,000
(1) Backwash tank at WTP	-	-	-	250,000
(1) Refurbish flocculation/sedimentation basin at WTP	-	-	-	250,000
(1) Replace Southside industrial sewer	-	2,400,000	250,000	250,000
(1) Concentrate Disposal Phase II Yr 1	-	1,700,000	1,700,000	400,000
(1) WWTP Main Switchgear & Electrical Upgrade	-	-	-	500,000
(1) Stream Bank Stablization - Nantucket	-	-	-	600,000
(1) WWTP Control Building Expansion-Construction	-	575,000	-	1,260,000
(1) North west Sewer	159,913	3,600,000	607,000	1,823,000
(1) Replace Texoma Pkwy 12" water line	-	1,050,000	-	2,500,000
(1) Ida Road ground storage tank repair	-	2,050,000	-	3,000,000
(2) WTP Backup Generator - Engineering	-	-	190,000	-
(2) WWTP Backup Generator Engineering	-	-	112,000	-
(2) Bel Air Blvd Utiities Ph I	-	-	-	300,000
(2) Shepherd Utilities	-	-	-	400,000
(2) Legacy Waterline - Ph I	-	-	-	400,000
(2) Texoma Pump Station Backup Generator	-	-	-	900,000
(2) Heritage Ranch Lift Station	-	-	-	1,000,000
(2) WTP Backup Generator Construction	-	-	-	1,000,000
(2) Legacy Waterline - Construction Ph II & III	-	2,400,000	-	1,500,000

City of Sherman
UTILITY IMPROVEMENT FUND
2021-2022 Annual Budget

	Actual 2019-2020	Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
(3) AWIA Security Upgrades @ WTP	-	200,000	-	200,000
(3) Dos Lagos	-	-	20,000	-
(3) Fencing/Gate Repairs	5,635	-	75,000	-
(3) Water Distribution system improvements	2,277	-	-	-
(3) Primary Clarifier #1 Rehab Engineering	40,961	-	15,000	-
(3) Center St. Utility Relocation on Hwy 75	493,472	-	-	-
(3) WWTP Fine Screen Rehab	41,506	-	42,000	-
(3) BNSF move utilities	136,560	-	-	-
(3) Improve system lines to address water quality	-	50,000	25,000	-
(3) Upgrade High Country Estates water system	-	60,000	60,000	-
(3) Abandon old wells/pumps at High Country and Preston Club	-	70,000	70,000	-
(3) Re-route Center Street sewer line	-	80,000	80,000	-
(3) Loop Lamberth Road water line	-	135,000	135,000	-
(3) WTP Flow Meter Improvement	-	100,000	100,000	-
(3) Fairview 6" water line	-	150,000	150,000	-
(3) Implement SSO initiatives	-	150,000	75,000	-
(3) WTP Facilities Improvement	-	150,000	75,000	-
(3) Brine Line Phase II Engineering (City Funds)	-	-	70,000	-
(3) Abandon GST & pump station - High Country & Preston Club	-	-	-	50,000
(3) Upgrade water system at High Country	-	-	-	60,000
(3) Yearly Stream Bank Stabilization	-	-	-	100,000
(3) WWTP Headworks Pump	-	-	-	145,000
(3) Utility oversizing/annual replacements	-	150,000	75,000	200,000
GTUA Funding	-	(17,563,000)	(5,959,118)	(11,123,000)
Total Expenditures	2,168,929	1,295,000	1,369,000	6,255,000
Excess Revenues over Expenditures	(953,102)	(695,000)	(1,055,000)	(743,000)
Ending Fund Balance	$ 1,925,541	$ 34,610	$ 870,541	$ 127,541

(1) GTUA Funding	11,123,000.00
(2) Grant Funded	5,500,000
(3) Utility Fund	755,000
Total Projects FY2022	17,378,000
	-

City of Sherman
STREET REVOLVING FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 450,004	$ 460,084	$ 462,284
Revenues			
Sales & Service	-	-	-
Interest Income	10,080	2,200	2,200
Total Revenues	10,080	2,200	2,200
Total Funds Available	460,084	462,284	464,484
Expenditures			
Capital Expenses	-	-	200,000
	-	-	200,000
Ending Fund Balance	$ 460,084	$ 462,284	$ 264,484

City of Sherman
REGIONAL DETENTION FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 319,237	$ 381,359	$ 382,559
Revenues			
Sales & Service	56,041	-	20,000
Interest Income	6,081	1,200	1,200
Total Revenues	62,122	1,200	21,200
Total Funds Available	381,359	382,559	403,759
Expenditures			
Capital Expenses	-	-	200,000
Transfers Out	-	-	119,000
Total Expenditures	-	-	319,000
Excess Revenues over Expenditures	62,122	1,200	(297,800)
Ending Fund Balance	$ 381,359	$ 382,559	$ 84,759

City of Sherman
ROADWAY IMPACT FEES ZONE #1
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	-	-	-
Revenues			
Interest Income	-	-	-
Sales & Service	-	-	200,000
Total Revenues	-	-	200,000
Total Funds Available	-	-	200,000
Expenditures			
Capital Expenses	-	-	100,000
Transfers Out	-	-	-
Total Expenditures	-	-	100,000
Excess Revenues over Expenditures	-	-	100,000
Ending Fund Balance	-	-	100,000

City of Sherman
ROADWAY IMPACT FEES ZONE #2
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	-	-	-
Revenues			
Interest Income	-	-	-
Sales & Service	-	-	190,000
Total Revenues	-	-	190,000
Total Funds Available	-	-	190,000
Expenditures			
Capital Expenses	-	-	80,000
Transfers Out	-	-	-
Total Expenditures	-	-	80,000
Excess Revenues over Expenditures	-	-	110,000
Ending Fund Balance	-	-	110,000

City of Sherman
ROADWAY IMPACT FEES ZONE #4
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	-	-	-
Revenues			
Interest Income	-	-	-
Sales & Service	-	-	350,000
Total Revenues	-	-	350,000
Total Funds Available	-	-	350,000
Expenditures			
Capital Expenses	-	-	-
Transfers Out	-	-	300,000
Total Expenditures	-	-	300,000
Excess Revenues over Expenditures	-	-	50,000
Ending Fund Balance	-	-	50,000

City of Sherman
TIRZ #2 CONSTRUCTION FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 217,259	$ 370,658	$ 474,633
Revenues			
Property Tax	149,512	190,475	180,387
Interest Income	4,887	1,000	1,000
Total Revenues	154,399	191,475	181,387
Total Funds Available	371,658	562,133	656,020
Expenditures:			
Capital Expenses	1,000	87,500	600,000
Transfers Out	-	-	-
Total Expenditures	1,000	87,500	600,000
Excess Revenues over Expenditures	153,399	103,975	(418,613)
Ending Fund Balance	$ 370,658	$ 474,633	$ 56,020

City of Sherman
TIRZ #3 CONSTRUCTION FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 57,327	$ 33,826	$ 15,304
Revenues			
Property Tax	178,207	181,278	191,788
Interest Income	404	200	200
Total Revenues	178,611	181,478	191,988
Total Funds Available	235,938	215,304	207,292
Expenditures			
Capital Expenses	2,112	200,000	200,000
Transfers Out	200,000	-	-
Total Expenditures	202,112	200,000	200,000
Excess Revenues over Expenditures	(23,501)	(18,522)	(8,012)
Ending Fund Balance	$ 33,826	$ 15,304	$ 7,292

City of Sherman
TIRZ #5 CONSTRUCTION FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 778,601	$ 611,156	$ 458,685
Revenues			
Property Tax	52,666	67,359	76,636
Intergovernmental	53,481	64,970	84,931
Interest Income	12,342	4,200	4,200
Total Revenues	118,489	136,529	165,767
Total Funds Available	897,090	747,685	624,452
Expenditures			
Capital Expenses	-	-	325,000
Transfers Out	285,934	289,000	289,000
Total Expenditures	285,934	289,000	614,000
Excess Revenues over Expenditures	(167,445)	(152,471)	(448,233)
Ending Fund Balance	$ 611,156	$ 458,685	$ 10,452

City of Sherman
TIRZ #6 CONSTRUCTION FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 1,363,454	$ 1,202,906	$ 1,031,907
Revenues			
Property Tax	21,987	26,164	31,284
Intergovernmental	23,458	25,237	30,175
Interest Income	17,525	3,600	3,600
Total Revenues	62,969	55,001	65,059
Total Funds Available	1,426,423	1,257,907	1,096,966
Expenditures			
Capital Expenses	-	-	800,000
Transfers Out	223,517	226,000	226,000
Total Expenditures	223,517	226,000	1,026,000
Excess Revenues over Expenditures	(160,548)	(170,999)	(960,941)
Ending Fund Balance	$ 1,202,906	$ 1,031,907	$ 70,966

City of Sherman
TIRZ #7 CONSTRUCTION FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 104,614	$ (10,347)	$ (91,508)
Revenues			
Property Tax	21,589	49,217	46,548
Intergovernmental	23,033	47,472	49,320
Interest Income	1,473	150	150
Transfers In	132,000	-	-
Total Revenues	178,095	96,839	96,018
Total Funds Available	282,709	86,492	4,510
Expenditures			
Capital Expenses	133,856	-	-
Transfers Out	159,200	178,000	178,000
Total Expenditures	293,056	178,000	178,000
Excess Revenues over Expenditures	(114,961)	(81,161)	(81,982)
Ending Fund Balance	$ (10,347)	$ (91,508)	$ (173,490)

City of Sherman
UTILITY IMPACT FEES
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	-	-	-
Revenues			
Interest Income	-	-	-
Sales & Service	-	-	1,110,000
Total Revenues	-	-	1,110,000
Total Funds Available	-	-	1,110,000
Expenditures			
Capital Expenses	-	-	-
Transfers Out	-	-	825,000
Total Expenditures	-	-	825,000
Excess Revenues over Expenditures	-	-	285,000
Ending Fund Balance	-	-	285,000

City of Sherman
STORMWATER FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 1,912,477	$ 1,722,589	$ 36,570
Revenues			
Sales & Service	444,681	448,000	452,000
Grant Revenue	-	-	250,000
Interest Income	17,814	1,500	1,500
Total Revenues	462,495	449,500	703,500
Total Funds Available	2,374,972	2,172,089	740,070
Expenditures			
Personnel	74,286	101,710	104,490
Supplies	4,057	7,809	4,109
Repair & Maintenance	42,554	53,000	51,500
Information Technology	993	2,500	3,090
Services & Charges	1,860	1,500	3,540
Capital Expenses	113,751	1,700,000	250,000
Transfers Out	261,582	269,000	269,000
Fleet Services & Charges	153,300	-	-
Total Expenditures	652,383	2,135,519	685,729
Excess Revenues over Expenditures	(189,888)	(1,686,019)	17,771
Ending Fund Balance	$ 1,722,589	$ 36,570	$ 54,341

City of Sherman
EMERGENCY 9-1-1 FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 272,458	$ 322,985	$ 211,323
Revenues			
Sales & Service	296,281	295,000	294,000
Interest Income	4,899	1,000	1,000
Total Revenues	301,181	296,000	295,000
Total Funds Available	573,639	618,985	506,323
Expenditures			
Personnel	108,231	108,530	108,300
Supplies	2,250	-	-
Repair & Maintenance	-	-	-
Services & Charges	119,534	170,465	180,673
Capital Expenses	20,640	128,666	-
Total Expenditures	250,654	407,661	288,973
Excess Revenues over Expenditures	50,526	(111,661)	6,027
Ending Fund Balance	$ 322,985	$ 211,323	$ 217,350

City of Sherman
COURT SECURITY & TECHNOLOGY FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 50,963	$ 58,265	$ 61,195
Revenues			
Fines & Penalties	30,897	29,200	32,250
Interest Income	891	100	100
Total Revenues	31,788	29,300	32,350
Total Funds Available	82,751	87,565	93,545
Expenditures			
Supplies	290	550	5,000
Repair & Maintenance	22,324	23,820	1,116
Services & Charges	1,873	2,000	3,700
Capital Expenses	-	-	5,000
Total Expenditures	24,486	26,370	14,816
Excess Revenues over Expenditures	7,301	2,930	17,534
Ending Fund Balance	$ 58,265	$ 61,195	$ 78,729

City of Sherman
HOTEL/MOTEL TAX FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ (28,643)	$ (46,190)	$ (27,376)
Revenues			
Hotel-Motel Taxes	500,209	556,000	569,000
Fines & Penalties	60	-	-
Miscellaneous Revenue	90	25	-
Interest Income	27	-	-
Sales & Service	61,190	35,000	40,000
Rentals	16,395	20,000	20,000
Transfers In	100,000	210,000	260,000
Total Revenues	677,971	821,025	889,000
Total Funds Available	649,328	774,835	861,624
Expenditures			
Personnel	193,006	195,810	198,360
Supplies	13,845	24,550	22,400
Repair & Maintenance	56,623	30,500	33,500
Utilities	25,044	35,050	29,210
Information Technology	2,978	3,740	13,910
Services & Charges	359,681	404,071	427,500
Capital Expenses	8,618	-	5,000
Transfers Out	35,725	108,490	107,000
Total Expenditures	695,518	802,211	836,880
Excess Revenues over Expenditures	(17,547)	18,814	52,120
Ending Fund Balance	$ (46,190)	$ (27,376)	$ 24,744

City of Sherman
DRUG ENFORCEMENT FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 206,135	$ 205,702	$ 196,024
Revenues			
Fines & Penalties	10,326	25,000	200,000
Interest Income	2,294	600	1,000
Total Revenues	12,620	25,600	201,000
Total Funds Available	218,755	231,302	397,024
Expenditures			
Supplies	2,704	25,000	86,200
Repair & Maintenance	-	-	27,000
Services & Charges	10,349	10,278	5,000
Capital Expenses	-	-	-
Fleet Services & Charges	-	-	180,000
Total Expenditures	13,053	35,278	298,200
Excess Revenues over Expenditures	(433)	(9,678)	(97,200)
Ending Fund Balance	$ 205,702	$ 196,024	$ 98,824

City of Sherman
MUNICIPAL AIRPORT FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 227,152	$ 153,381	$ 86,387
Revenues			
Interest Income	2,905	500	200
Rentals	51,666	50,000	87,000
Sales & Service	352,232	380,000	380,000
Grant Revenue	-	50,000	50,000
Miscellaneous Revenue	-	-	-
Total Revenues	406,803	480,500	517,200
Total Funds Available	633,955	633,881	- 603,587
Expenditures			
Supplies	317,572	325,266	326,250
Repair & Maintenance	18,063	10,344	8,995
Services & Charges	124,517	97,825	135,980
Utilities	9,461	14,060	9,820
Vehicle Usage	-	-	-
Capital Expenses	10,960	100,000	100,000
Total Expenditures	480,574	547,495	581,045
Excess Revenues over Expenditures	(73,771)	(66,995)	(63,845)
Ending Fund Balance	$ 153,381	$ 86,387	$ 22,542

City of Sherman
PARKS PRIDE FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 17,533	$ 19,813	$ 30,863
Revenues			
Miscellaneous Revenue	31,137	21,000	11,000
Interest Income	452	50	100
Total Revenues	31,589	21,050	11,100
Total Funds Available	49,122	40,863	41,963
Expenditures			
Services & Charges	29,309	10,000	40,000
Capital Expenses	-	16,500	-
Total Expenditures	29,309	26,500	40,000
Excess Revenues over Expenditures	2,280	(5,450)	(28,900)
Ending Fund Balance	$ 19,813	$ 30,863	$ 1,963

City of Sherman
POLICE PRIDE FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 15,114	$ 8,038	$ 16,588
Revenues			
Miscellaneous Revenue	10,064	11,000	11,000
Interest Income	295	50	50
Total Revenues	10,359	11,050	11,050
Total Funds Available	25,473	19,088	27,638
Expenditures			
Supplies	-	-	-
Services & Charges	7,435	2,500	5,000
Capital Expenses	10,000	-	18,000
Total Expenditures	17,435	2,500	23,000
Excess Revenues over Expenditures	(7,075)	8,550	(11,950)
Ending Fund Balance	$ 8,038	$ 16,588	$ 4,638

City of Sherman
DONATIONS FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 6,424	$ 5,687	$ 6,737
Revenues			
Miscellaneous Revenue	10,120	11,000	11,000
Interest Income	137	50	50
Total Revenues	10,257	11,050	11,050
Total Funds Available	16,681	16,737	17,787
Expenditures			
Supplies	10,994	10,000	15,000
Excess Revenues over Expenditures	(737)	1,050	(3,950)
Ending Fund Balance	$ 5,687	$ 6,737	$ 2,787

City of Sherman
EMPLOYEE INSURANCE FUND
2021-2022 Annual Budget

	Actual 2019-2020	Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 691,865	$ 256,261	$ 122,163	$ 374,093
Revenues				
Employer Contributions	4,973,253	4,812,048	4,375,430	4,294,170
Employee Contributions	972,932	972,000	957,000	960,000
Retiree Contributions	208,485	213,000	211,000	211,000
COBRA Contributions	-	-	500	-
Miscellaneous Revenue	675	-	-	-
Interest Income	15,289	5,000	-	-
Total Revenues	6,170,634	6,002,048	5,543,930	5,465,170
Total Funds Available	6,862,499	6,258,309	5,666,093	5,839,263
Expenditures				
Health Insurance Claims	4,098,917	4,800,000	4,200,000	4,300,000
Administration & Premiums	1,048,836	1,040,000	1,050,000	1,125,000
Life Insurance Premiums	42,583	47,568	42,000	42,000
Transfers Out	1,550,000	-	-	-
Total Expenditures	6,740,336	5,887,568	5,292,000	5,467,000
Excess Revenues over Expenditures	(569,702)	114,480	251,930	(1,830)
Ending Fund Balance	$ 122,163	$ 370,741	$ 374,093	$ 372,263

City of Sherman
INFORMATION TECHNOLOGY FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 105,193	$ 83,917	$ 80,559
Revenues			
Technology Services:			
General Fund	615,427	838,530	1,041,100
Stormwater	993	2,500	3,090
Tourism	2,978	3,740	13,910
Equipment Services Fund	21,838	38,630	46,350
Utility Fund	182,643	238,060	293,540
Solid Waste Fund	44,668	67,290	86,510
Interest Income	1,208	-	-
Miscellaneous Revenue	797	-	-
Total Revenues	870,552	1,188,750	1,484,500
Total Funds Available	975,744	1,272,667	1,565,059
Expenditures			
Personnel	595,213	592,320	812,700
Supplies	21,146	62,147	63,086
Repair & Maintenance	145,893	171,695	162,818
Utilities	34,449	38,430	35,710
Services & Charges	69,027	105,827	288,614
Capital Expenses	26,099	221,689	121,575
Total Expenditures	891,827	1,192,108	1,484,503
Excess Revenues over Expenditures	(21,276)	(3,358)	(3)
Ending Fund Balance	$ 83,917	$ 80,559	$ 80,557

City of Sherman
EQUIPMENT SERVICES FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 61,223	$ (10,508)	$ 6,295
Revenues			
Internal Service Revenue	3,217,177	3,463,363	3,610,030
Interest Income	947	-	-
Miscellaneous Revenue	22,340	-	-
Total Revenues	3,240,465	3,463,363	3,610,030
Total Funds Available	3,301,687	3,452,855	3,616,325
Expenditures			
Personnel	963,314	996,120	1,101,660
Supplies	652,386	776,090	869,615
Repair & Maintenance	1,231,593	1,249,366	1,152,843
Utilities	13,589	16,180	14,840
Information Technology	21,838	38,630	46,350
Services & Charges	331,675	342,758	371,724
Capital Expenses	97,802	27,416	53,000
Vehicle Usage	-	-	-
Total Expenditures	3,312,195	3,446,560	3,610,032
Excess Revenues over Expenditures	(71,731)	16,803	(2)
Ending Fund Balance	$ (10,508)	$ 6,295	$ 6,293

City of Sherman
FLEET REPLACEMENT FUND
2021-2022 Annual Budget

	Actual 2019-2020	Adjusted Budget 2020-2021	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 204,806	$ 53,999	$ (74,393)	$ 28,329
Revenues				
Fleet Replacement Revenue	2,207,036	1,612,036	1,734,261	1,865,386
Interest Income	2,993	5,000	200	200
Debt Proceeds	933,416	1,725,612	2,145,000	1,434,352
Miscellaneous Revenue	152,924	20,000	350,000	-
Total Revenues	3,296,370	3,362,648	4,229,461	3,299,938
Total Funds Available	3,501,176	3,416,647	4,155,068	3,328,267
Expenditures				
Debt Service	675,752	758,988	758,988	758,984
Capital Expenses	2,899,816	2,616,179	3,367,751	2,540,750
Total Expenditures	3,575,568	3,375,167	4,126,739	3,299,734
Excess Revenues over Expenditures	(279,199)	(12,519)	102,722	204
Ending Fund Balance	$ (74,393)	$ 41,480	$ 28,329	$ 28,533

City of Sherman
DEBT SERVICE FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 192,883	$ 88,025	$ 87,366
Revenues			
Property Tax	4,371,000	4,739,000	6,455,000
Sales Tax	269,440	-	-
Transfers In	1,290,245	1,070,490	1,069,000
Interest Income	2,577	-	-
Miscellaneous Revenue	505	-	-
Total Revenues	5,933,767	5,809,490	7,524,000
Total Funds Available	6,126,650	5,897,515	7,611,366
Expenditures			
Debt Service	5,909,837	5,804,149	7,516,297
Services & Charges	4,500	6,000	7,000
Transfers Out	124,287	-	-
Total Expenditures	6,038,625	5,810,149	7,523,297
Excess Revenues over Expenditures	(104,858)	(659)	703
Ending Fund Balance	$ 88,025	$ 87,366	$ 88,069

City of Sherman
TIRZ #1 DEBT SERVICE FUND
2021-2022 Annual Budget

	Actual 2019-2020	Projected 2020-2021	Requested 2021-2022
Beginning Fund Balance	$ 354,944	$ 363,841	$ 375,536
Revenues			
Property Tax	314,354	324,998	361,684
Interest Income	8,199	1,000	1,000
Total Revenues	322,553	325,998	362,684
Total Funds Available	677,497	689,839	738,220
Expenditures			
Debt Service	313,456	313,553	321,414
Services & Charges	200	750	200
Total Expenditures	313,656	314,303	321,614
Excess Revenues over Expenditures	8,897	11,695	41,070
Ending Fund Balance	$ 363,841	$ 375,536	$ 416,606

BUDGETED FY21/22

FUND	DETAILS	*Expense TRANSFER FROM* Debit	*Revenue TRANSFER TO* Credit
100	From fund 700 5% franchise, admin cost		$ 2,426,000.00
	From fund 790, dept 243, 244		$ 876,000.00
	From 790, CSW truck debt service		$ 56,139.00
	To fund 222, capital projects	$ 1,400,000.00	
	To fund 460, fund balance	$ 260,000.00	
222	From fund 100, capital projects		$ 1,400,000.00
	From fund 325, Detention		$ 119,000.00
	From fund 253, Bel Air Blvd, Shepherd Place		$ 300,000.00
235	To fund 222, Detention	$ 119,000.00	
241	To fund 300, debt service	$ 289,000.00	
242	To fund 300, debt service	$ 226,000.00	
243	To fund 300, debt service	$ 178,000.00	
253	To fund 222, Bel Air Blvd, Shepherd Place	$ 300,000.00	
300	From fund 420, debt service		$ 269,000.00
	From fund 241, debt service		$ 289,000.00
	From fund 242, debt service		$ 226,000.00
	From fund 243, debt service		$ 178,000.00
	From fund 460, debt service		$ 107,000.00
420	To fund 300, debt service	$ 269,000.00	
460	To fund 300, debt service	$ 107,000.00	
	From fund j200, fund balance		$ 260,000.00
700	To fund 100 5% franchise, admin cost	$ 2,426,000.00	
	From fund 790, admin cost		$ 183,000.00
750	To fund 770, Bel Air, Heritage Rch, Shepherd	$ 825,000.00	
770	From fund 750, BelAir, Heritage Rch, Shepherd		$ 825,000.00
790	To fund 100 8% franchise, admin cost RSW	$ 254,000.00	
790	To fund 100 8% franchise, admin cost CSW	$ 622,000.00	
790	To fund 700 admin cost	$ 183,000.00	
790	To fund 100, CSW truck debt service	$ 56,139.00	
	TOTALS	$ 7,514,139.00	$ 7,514,139.00

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 3.**

Meeting Date: 07/19/2021
Prepared By: Rob Rae, Director of Development Services
Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Site Plan Approval and Exception under Ordinance No. 2252 Article IV Section 410 (2) (j), (2)(g)(2) and (2)(k) to allow Outdoor Storage in the front and rear of the building subject to the site plan as presented in lieu of the required rear ½ of the property and shall not be placed on that half of the property adjacent to an existing street (Dorsett Drive) in the Blalock Industrial Park at 4318 South U.S. Highway 75.

Issue:

To consider site plan approval and an exception to allow outdoor storage in the front and rear of the building subject to the site plan as presented in lieu of the required rear ½ of the property and shall not be placed on that half of the property adjacent to an existing street (Dorsett Drive) in the Blalock Industrial Park at 4318 South U.S. Highway 75.

Background:

The property is located at 4318 South U.S. Highway 75, the northwest corner of the Highway 75 access road and Dorsett Drive; Kaiser Aluminum was the former tenant. The property is located in the Blalock Industrial Park.

ABC Supply would like to move their business located at 2325 North Travis Street to this location and are requesting an exception to allow outdoor storage of their supplies. They will provide an 8' fence with vinyl slat inserts for screening of the materials. They mostly store shingles, pallets of shingles will be stacked two high, one pallet is typically 4' tall. They plan to paint the exterior of the building and add concrete pads for the storage area.

Origination:

Kaiser Aluminum Fabricated Products LLC (Owner)
ABC Supply Company, Inc. (Proposed Tenant)
Vilbig and Associates (Civil Engineer)

Financial Consideration:

None

Staff Recommendation:

In addition to the comments in the Staff Review Letter dated June 15, 2021, staff recommends that the platting of the property be included as a requirement of site plan approval.

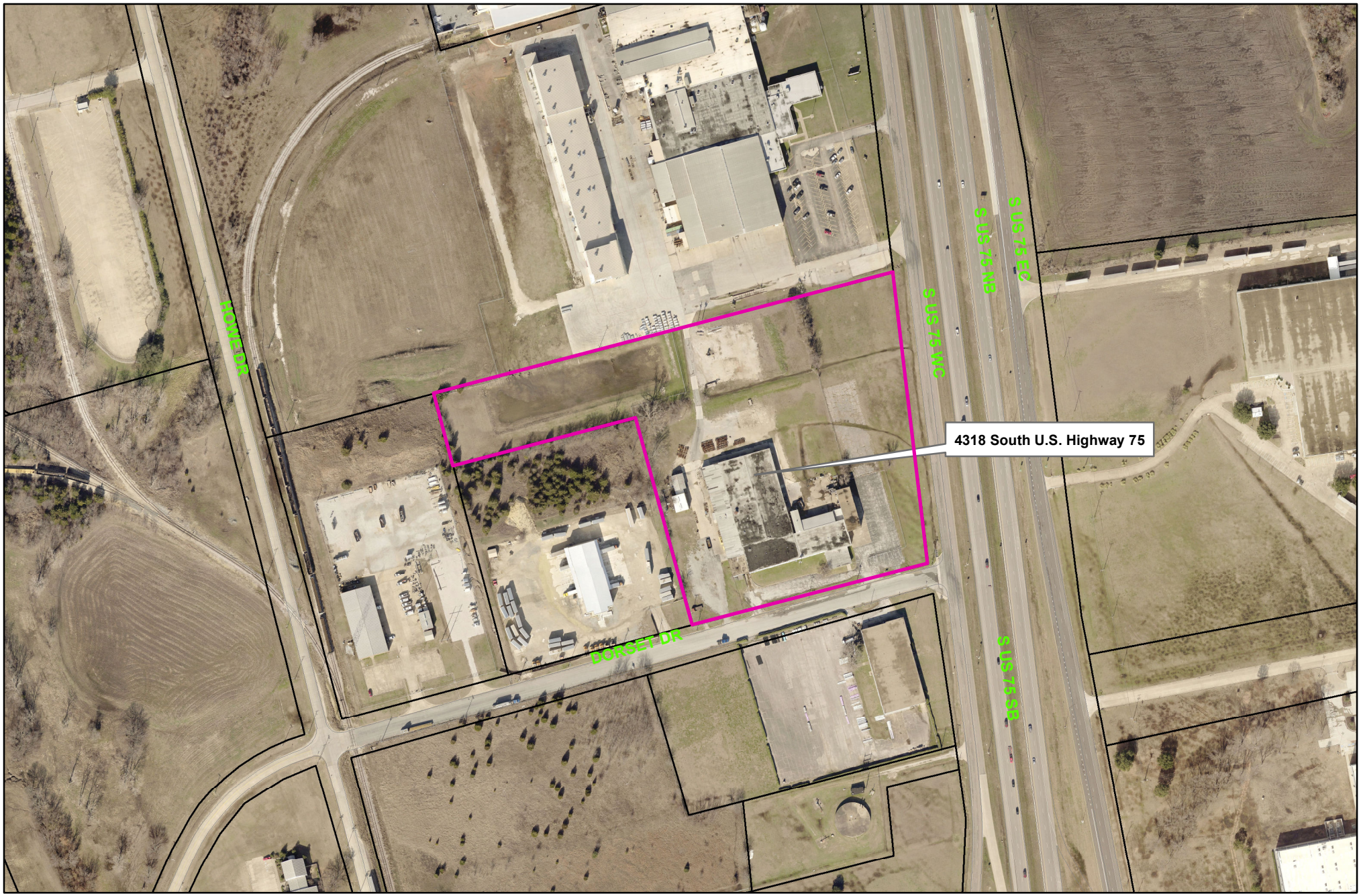
At the June 22, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the site plan and exception be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Fence Exhibit
Staff Review Letter
P&Z Communication



4318 South U.S.Highway 75

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 300 ft



Zoning - 4318 South U.S. Highway 75

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 400 ft

4318 South Highway 75



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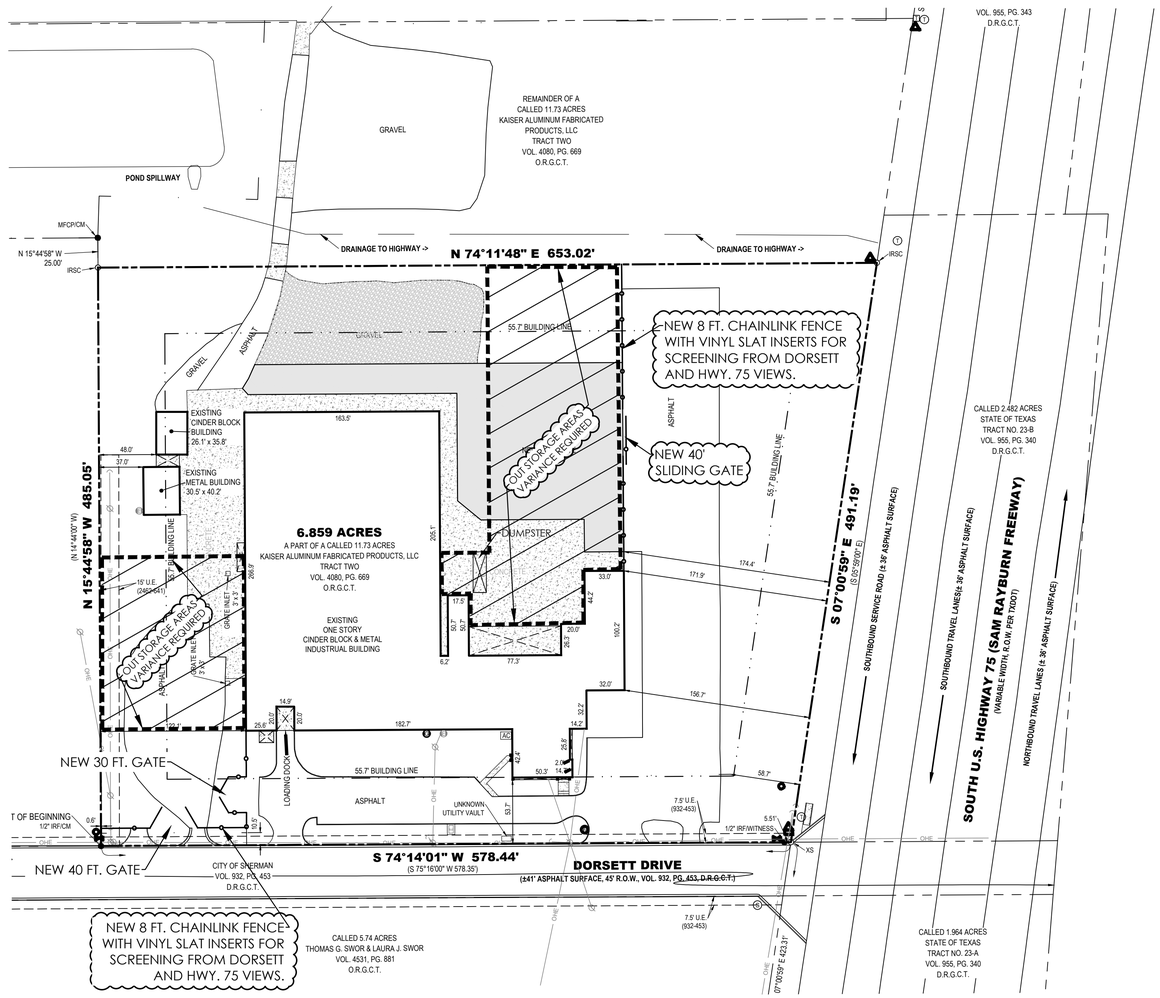


NOTE

BASED ON A SURVEY BY CHIS NOAH OF
PRESTON TRAIL LAND SURVEYING

SITE TABLE

GROSS SQUARE FEET OF STRUCTURE	57,580 S.F.
GROSS SQUARE FEET OF PROPERTY	298,780 S.F.
REQUIRED PARKING	100 SPACES
PROVIDED PARKING	100 SPACES
EXSITING ZONING	BLALOCK INDUSTRIAL PARK
PROPOSED ZONING	BLALOCK INDUSTRIAL PARK
HARD SURFACE AREA	90,536 S.F.
LANDSCAPE AREA	22,000 S.F.

VILBIG & ASSOCIATES, INC.
CONSULTING ENGINEERS & SURVEYORS
517 W. WOODARD STREET, DENISON, TX 75020
PHONE: (214) 352-7333, FAX (214) 352-0999
TEXAS ENG. FIRM # F-5614 & SURVEYING FIRM # 10030300

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF DAVID A. VILBIG, P.E., 67207 ON MAY 26, 2021. IT IS NOT TO BE USED FOR CONSTRUCTION, FINAL BID, OR PERMIT PURPOSES.

PROGRESS PLOTS
FOR INTERIM DESIGN
REVIEW ONLY
NOT FOR CONSTRUCTION
DATE: 5-26-2021

!CAUTION!!
THERE MAY BE UNDERGROUND GAS LINES, TELEPHONE CABLES AND ELECTRICAL LINES WITHIN THE LIMITS OF SITE. EXACT LOCATIONS ARE UNKNOWN. CALL BEFORE DIGGING!

TEXAS 811

NO.	DATE	BY	DESCRIPTION

REVISIONS

ABC SUPPLY CO. INC.

CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

SITE PLAN

VARIANCE REQUEST

SUBMITTAL #1: --/--/--
SUBMITTAL #2: --/--/--
SUBMITTAL #3: --/--/--
SUBMITTAL #4: --/--/--
DESIGN: DV/PN DRAWN: RS
CHECKED: DAV
SCALE: 1" = 60'
VA PROJECT NO: 1052-02

SHEET
C1

May 27, 2021 - 3:00pm User: Vilbig X:\1052-02 ABC Supply Sherman\Civil 1052-02\Production Drawings\SITE PLAN 1052-02.dwg

Vilbig & Associates, PLLC

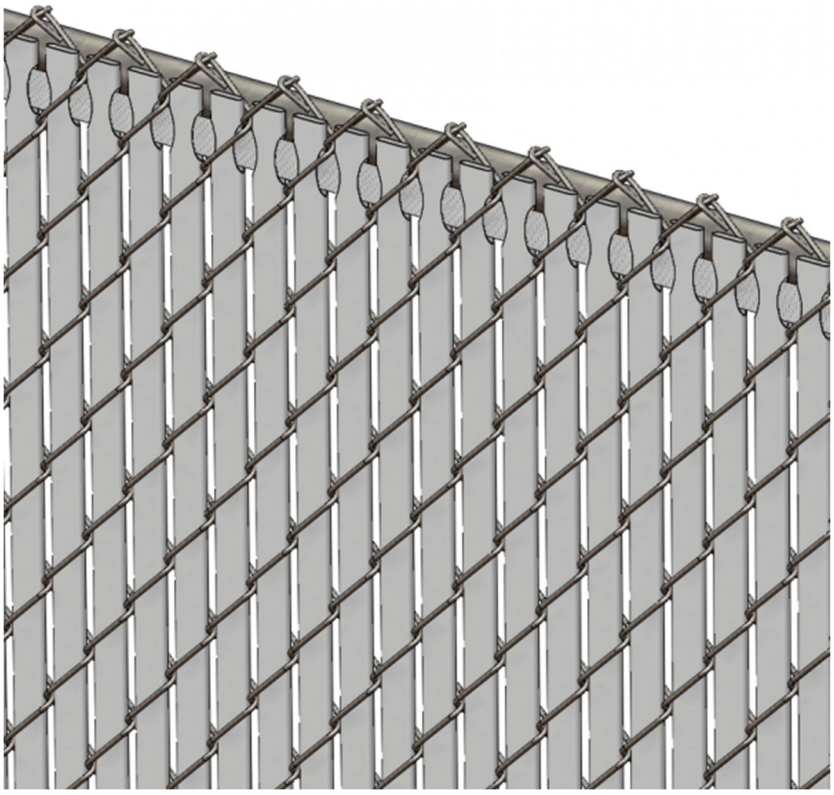
consulting engineers & surveyors

May 27, 2021
VA Project # 1052-02

ABC Supply Co.

4318 S. US Hwy 75

Variance Request



8’ Chain Link Fence with Vinyl Slats (Typical)

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

June 15, 2021

Kaiser Aluminum Fabricated Products LLC
27422 Portola Parkway Ste. 200
Foothill Ranch, CA 92610

Vilbig and Associates
517 W Woodard St.
Denison, TX 75020

Dear Applicants,

The request for Site plan approval and Exception to allow outdoor storage in the front and rear of the building subject to the site plan as presented in lieu of the required rear ½ of the property and shall not be placed on that half of the property adjacent to an existing street (Dorsett Drive) and U.S. Highway 75 Frontage Road in the Blalock Industrial Park/Blalock Commercial Overlay District located at 4318 South U.S. Highway 75 has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, June 22, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the Blalock Industrial Park. (*Chapter 14, Exhibit B)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. No article, material or commodities shall be stored beyond the fence area and shall not be stored higher than fence. (*Chapter 14, Exhibit B, Sec. 410 (2)(k))*
4. The parking areas shall not be used for any purpose other than the accessory parking of automobiles or other vehicles. In no case shall any storage, servicing, or dismantling of automobiles or other vehicles nor shall unloading or loading be permitted in the park areas. In no event shall any part of the parking areas or lawns be used for the storage or abandonment of any article, nor storage of trucks, trailers, etc., shall be allowed in the open. (*Chapter 14, Exhibit B, Sec. 410(2)(j))*
5. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
6. Driveways and parking are permitted on paved surfaces only (concrete and asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,

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

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 28.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

4318 SOUTH U.S. HIGHWAY 75

The request of Kaiser Aluminum Fabricated Products LLC (Owner), ABC Supply Company, Inc. (Proposed Tenant) and Vilbig and Associates (Civil Engineer) concerning the property located at 4318 South U.S. Highway 75, being 11.73 acres in the Sherod Dunman Survey, Abstract No. 329, as follows:

Planning and Zoning Commission

Site plan approval and Exception under Ordinance No. 2252 Article IV Section 410 (2) (j), (2)(g)(2) and (2)(k) to allow outdoor storage in the front and rear of the building subject to the site plan as presented in lieu of the required rear ½ of the property and shall not be placed on that half of the property adjacent to an existing street (Dorsett Drive and U.S. Highway 75 Frontage Road) in the Blalock Industrial Park/Blalock Commercial Overlay District.

Background:

The property is located at 4318 South U.S. Highway 75, the northwest corner of the Highway 75 access road and Dorsett Drive; Kaiser Aluminum was the former tenant. The property is located in the Blalock Industrial Park.

ABC Supply would like to move their business to this location and are requesting an exception to allow outdoor storage of their supplies. They will provide an 8' fence with vinyl slat inserts for screening of the materials.

Adjacent Zoning:

Blalock Industrial Park

Origination:

Kaiser Aluminum Fabricated Products LLC (Owner)
ABC Supply Company, Inc. (Proposed Tenant)
Vilbig and Associates (Civil Engineer)

Master Plan Designation:

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

Number of notices mailed:

48

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Fence Exhibit
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 4.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Final Plat Approval of Sherman Heights Addition, being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625 (ARC STX Holdings, LLC, Owner; Tesch Development & Management Co., LLC, Prospective Buyer; Robert Tesch, Representative; Pape-Dawson Engineers, Civil Engineer; and Pierce-Murray Land Solutions, Surveyor (2400-2700 Blocks South FM 1417 (Heritage Parkway))

Issue:

To consider Final Plat Approval of Sherman Heights Addition, being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625 (ARC STX Holdings, LLC, Owner; Tesch Development & Management Co., LLC, Prospective Buyer; Robert Tesch, Representative; Pape-Dawson Engineers, Civil Engineer; and Pierce-Murray Land Solutions, Surveyor (2400-2700 Blocks South FM 1417 (Heritage Parkway))

Background:

The property is located in the 2400-2700 blocks of South FM 1417 (Heritage Parkway), the northwest corner of FM 1417 (Heritage Parkway) and O.B. Groner Road; across the highway from the new Sherman High School. A zone change from an R-A (Single Family Residential) District and M-1 (Light Manufacturing) District was approved June 7, 2021 on 43.727 acres. The owners are requesting to plat the property into 200 patio home lots.

Origination:

ARC STX Holdings, LLC (Owners)
Tesch Development & Management Co., LLC, (Prospective Buyer)
Robert Tesch (Representative)
Pape-Dawson Engineers (Civil Engineer)
Pierce-Murray Land Solutions (Surveyor)

Financial Consideration:

None

Staff Recommendation:

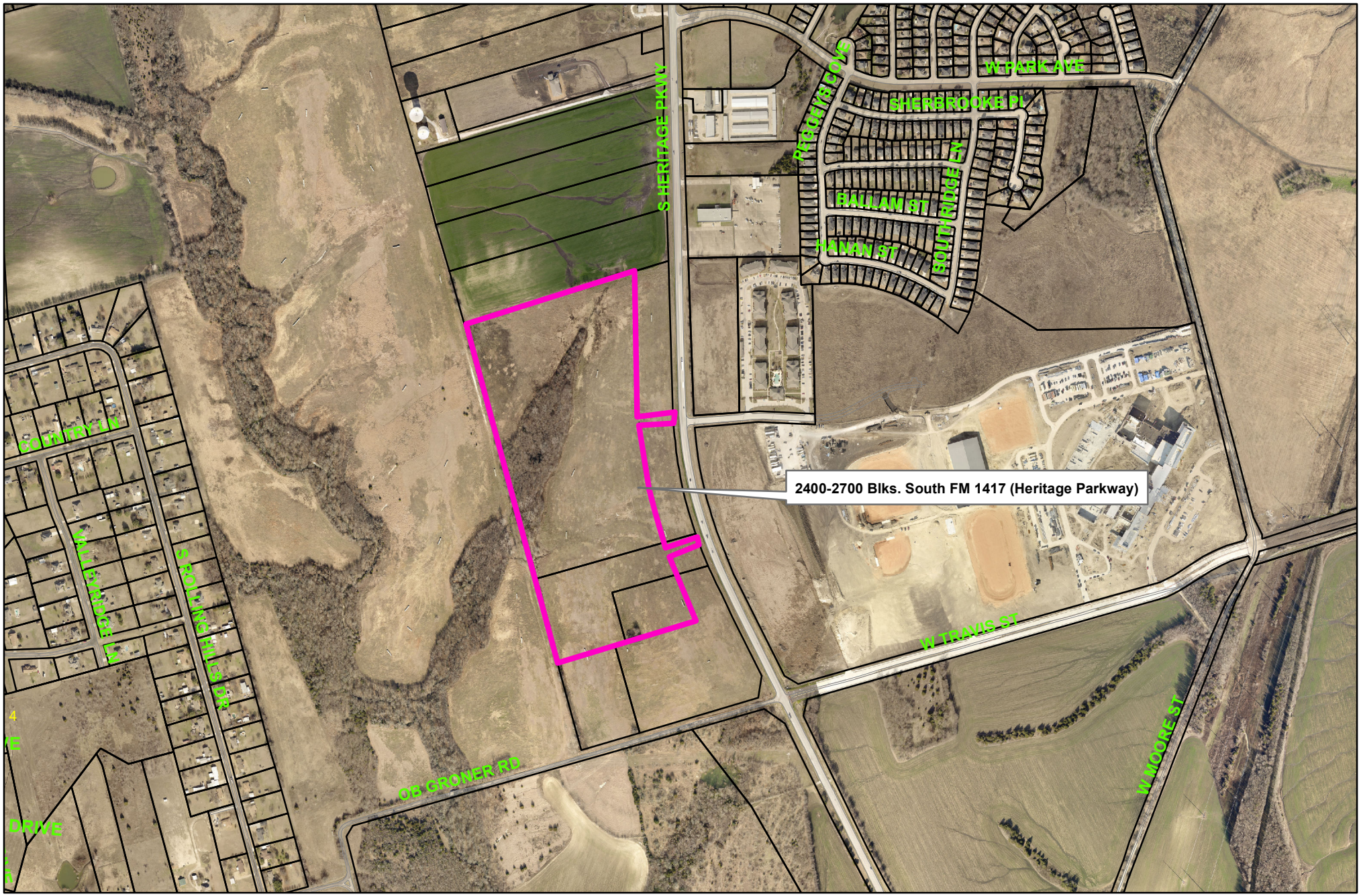
At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Sherman Heights Addition
Staff Review Letter
P&Z Communication



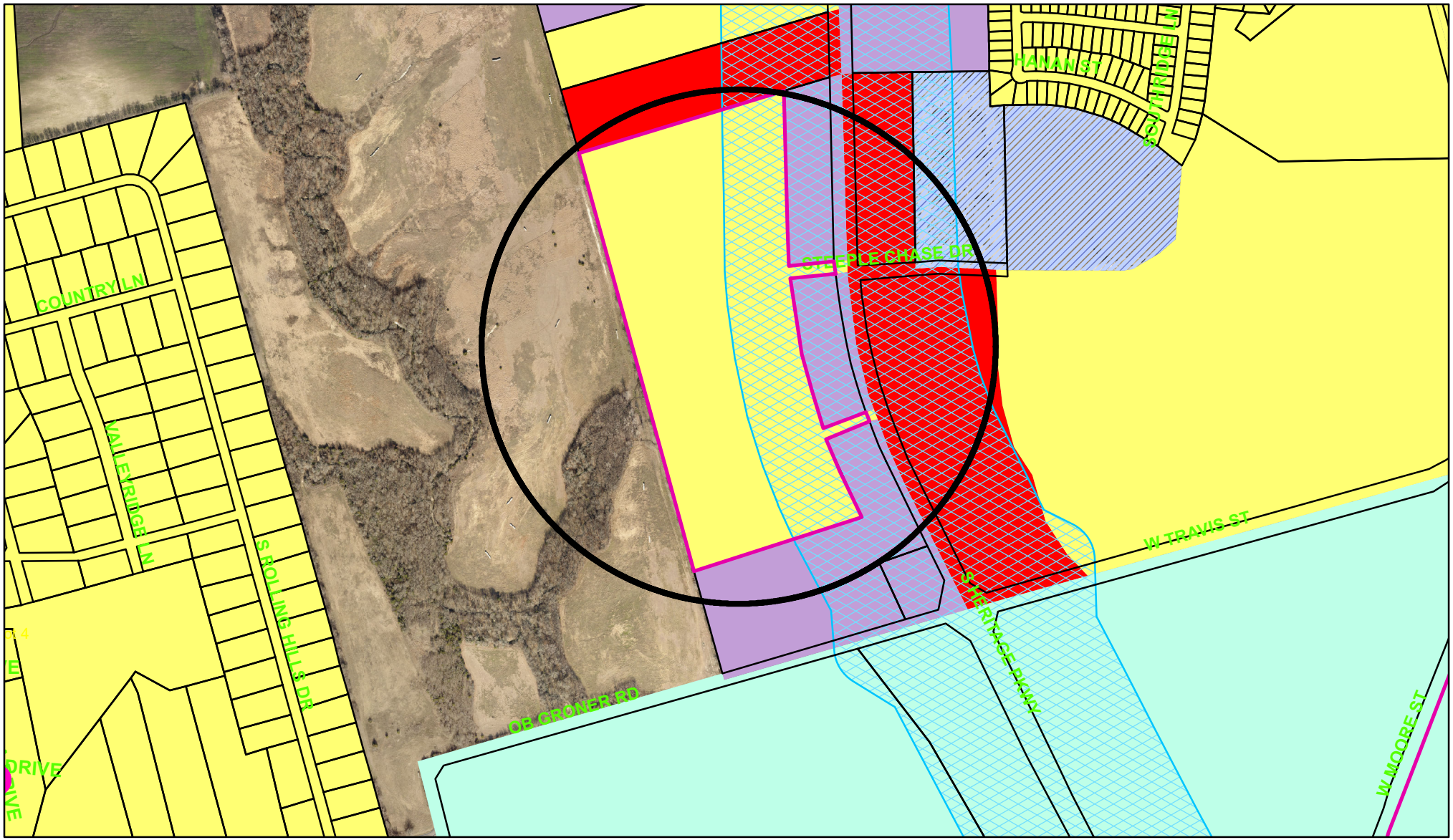
2400-2700 Blocks South FM 1417 (Heritage Parkway)

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 800 ft



Zoning - 2400-2700 Blocks South FM 1417 (Heritage Parkway)

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

NOT TO SCALE

1 in = 700 ft

OWNERS CERTIFICATE OF DEDICATION

BEING a tract of land owned by ARC STX HOLDINGS LLC and situated in Elizabeth Jones Survey, Abstract No. 625, City of Sherman, Grayson County, Texas, and being a portion of a tract of land described in a Special Warranty Deed to ARC STX HOLDINGS LLC, recorded in a deed found in Volume 4740, Page 428 of the Deed Records of Grayson County, Texas (D.R.G.C.T.), and being more particularly described by metes and bounds as follow;

BEGINNING at a found 1-inch pipe (control monument) at the northwest corner of said ARC STX Tract, also being the southwest corner of a tract of land owned by Michael Douthey, recorded in a deed found in Volume 3436, Page 657 of the Deed Records of Grayson County, Texas (D.R.G.C.T.), also along the eastern boundary of a tract of land owned by Quach Huy & Shao Wu Charles, recorded in a deed found in Volume 3260, Page 62 of the Deed Record of Grayson County, Texas (D.R.G.C.T.) **THENCE**, N 74°27'02" E, departing said Huy tract, along the Northern line of said ARC tract, a distance of 1,067.13' to a 1/2-inch iron rod with yellow plastic cap stamped "PAPE-DAWSON";

THENCE, S 01°27'21" E, departing the said Douthey tract, thus making the North East Corner of the Sherman Heights subdivision tract, across the said ARC STX tract, a distance of 672.90' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve to the right having a radius of 3,276.63', a central angle of 3°10'54", subtended be a 161.92' chord which bears S 3°05'14" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, N 84°42'57" E, a distance of 230.01' to the edge of FM Highway 1417 right-of-way to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve, along the edge of the FM Highway 1417 right-of-way, having a radius of 2924.93', a central angle of 1°10'31", subtended be a 60' chord which bears S 5°17'03" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, S 84°42'57" W, departing said FM 1417 right-of-way, a distance of 230.01' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve to the right having a radius of 3,222.56', a central angle of 13°25'53", subtended be a 753.71' chord which bears S 12°41'22" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, N 69°59'47" E, a distance of 230.00' to the edge of FM Highway 1417 right-of-way to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve, along the edge of the FM Highway 1417 right-of-way, having a radius of 2924.93', a central angle of 0°58'46", subtended be a 50' chord which bears S 20°00'13" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, S 69°59'47" W, departing said FM 1417 right-of-way, a distance of 230.00' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, along a non-tangent curve to the right having a radius of 3,176.34', a central angle of 6°03'15", subtended be a 335.48' chord which bears S 23°30'20" E, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, S 26°29'25" E, a distance of 94.51' making the South East corner of said Sherman Heights tract, to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, S 73°46'23" W, departing said South East corner, accross said ARC STX tract a distance 890.20' to the eastern boundary of said Huy and Charles tract, and western boundary of said ARC STX tract, making the South West corner of said Sherman Heights tract to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON";

THENCE, N 15°23'01" W, departing said South West corner of said Sherman Heights tract, along the eastern boundary of said Huy & Charles tract and western boundary of said ARC STX tract, makeing the western boundary of said Sherman Heights, a distance of 2,127.52' to a 1/2-inch iron rod with yellow cap stamped "PAPE-DAWSON", to the **POINT OF BEGGINING**, and **CONTAINING** 43.73 acres or 7,155.30 Square Feet of land more or less.

NOW, THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

THAT ARC STX HOLDINGS, LLC., THE AFORE SAID OWNER DOES HEREBY ADOPT THIS PLAT AND DESIGNATE THE HEREIN ABOVE TRACT AS SHERMAN HEIGHTS, LOTS 1-28, BLOCK 1; LOTS 1-26, BLOCK 2; LOTS 1-16, BLOCK 3; LOT 1-13, BLOCK 4; LOTS 1-24, BLOCK 5; LOTS 1-31, BLOCK 6; LOTS 1-10, BLOCK 7; LOTS 1-56, BLOCK 8; AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY DEDICATE TO THE PUBLIC'S USE FOREVER THE RIGHTS-OF-WAY AND EASEMENTS SHOWN HEREON.

ARC STX HOLDINGS, LLC.

_____
BOB TESCH, PRESIDENT

_____
DATE

STATE OF TEXAS)(
COUNTY OF COLLIN)(

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, BOB TESCH, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE\SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE _____, DAY OF _____, 2021.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

KNOW ALL MEN BY THESE PRESENTS:

THAT I, _____, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SHERMAN, TEXAS.

PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

SIGNATURE: _____

DATE: _____

STATE OF TEXAS
COUNTY OF _____

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

PRELIMINARY THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

LICENSED PROFESSIONAL ENGINEER

NOTES

1. HOME OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR ALL COMMON AREAS SUCH AS MAINTENANCE AND LANDSCAPED AREAS.
2. THE LIFT STATION LOT, LOT 51, BLOCK 8, SHALL BE DEEDED TO CITY UPON RECORDATION OF PLAT.
3. AT THE TIME OF PLAT RECORDATION, ALL OPEN SPACE SHALL BE DEEDED TO HOME OWNERS ASSOCIATION.

SURVEYOR'S NOTES:

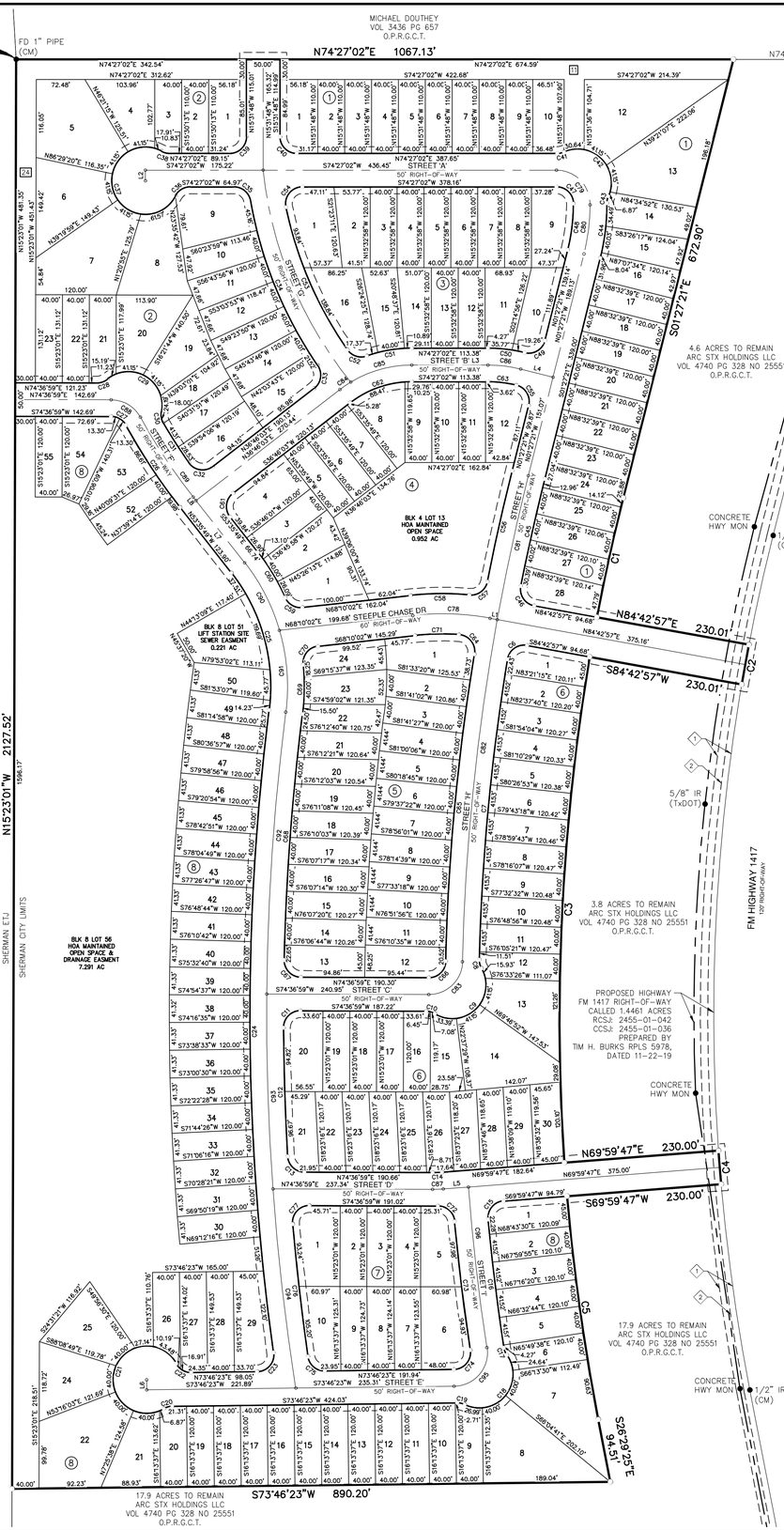
1. ½" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
2. THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NAD 83 (NA2011) EPOCH 2010.00, FROM THE TEXAS STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE NORTH CENTRAL ZONE.

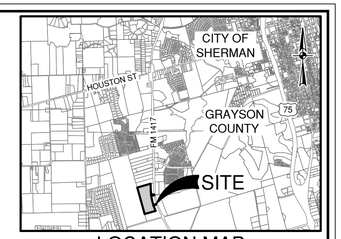
CURVE TABLE

CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	3276.63'	3°10'54"	S3°05'14"E	181.92'	181.95'
C2	2924.93'	1°10'31"	S5°17'03"E	60.00'	60.00'
C3	3222.56'	13°25'53"	S12°41'22"E	753.71'	755.44'
C4	2924.93'	0°58'46"	S20°00'13"E	50.00'	50.00'
C5	3176.34'	6°03'15"	S23°30'20"E	335.48'	335.64'
C6	25.00'	90°58'10"	S39°13'52"W	35.65'	39.69'
C7	3275.00'	7°51'31"	S10°10'58"E	448.84'	449.20'
C8	25.00'	31°04'53"	S29°39'11"E	13.40'	13.56'
C9	50.00'	150°49'46"	S30°13'16"W	96.78'	131.62'
C10	25.00'	31°01'10"	N89°52'26"W	13.37'	13.53'
C11	25.00'	90°28'38"	S29°22'40"W	35.50'	39.48'
C12	3565.00'	3°04'39"	S17°23'58"E	191.46'	191.48'
C13	25.00'	86°26'43"	S62°09'39"E	34.24'	37.72'
C14	175.00'	4°37'13"	N72°18'23"E	14.11'	14.11'
C15	25.00'	90°52'53"	S24°33'20"W	35.63'	39.65'
C16	3275.00'	3°22'12"	S22°34'13"E	192.60'	192.62'
C17	25.00'	26°26'05"	S37°28'21"E	11.43'	11.53'
C18	50.00'	150°50'35"	S24°43'54"W	96.78'	131.64'
C19	25.00'	26°22'48"	S86°57'47"W	11.41'	11.51'
C20	25.00'	30°03'32"	S58°44'37"W	12.97'	13.12'
C21	50.00'	272°09'57"	N01°12'10"W	69.36'	237.51'
C22	25.00'	62°06'25"	S75°10'24"E	25.79'	27.10'
C23	25.00'	97°18'58"	N25°06'54"E	37.54'	42.46'
C24	3615.00'	15°12'06"	N15°56'32"W	956.32'	959.13'
C25	275.00'	45°15'20"	N30°58'09"W	211.61'	217.21'
C26	915.00'	9°10'43"	N49°00'27"W	146.42'	146.58'
C27	25.00'	60°57'55"	N74°54'03"W	25.36'	26.60'
C28	25.00'	38°51'09"	N55°11'25"E	16.63'	16.95'
C29	50.00'	139°25'50"	S74°31'15"E	93.80'	121.68'
C30	25.00'	41°14'30"	S25°25'34"E	17.61'	18.00'
C31	865.00'	4°37'36"	S48°21'37"E	69.83'	69.85'
C32	25.00'	92°33'31"	N83°02'49"E	36.14'	40.39'
C33	25.00'	86°40'42"	N6°34'18"W	34.32'	37.82'
C34	625.00'	24°27'01"	N37°41'08"W	264.69'	266.71'
C35	25.00'	80°05'21"	N65°30'18"W	32.17'	34.95'
C36	25.00'	62°49'39"	S43°02'12"W	26.06'	27.41'
C37	50.00'	271°35'06"	N32°35'04"W	69.73'	237.00'
C38	25.00'	28°45'27"	N88°49'45"E	12.42'	12.55'
C39	25.00'	89°58'49"	N29°27'37"E	35.35'	39.26'
C40	25.00'	90°01'11"	S60°32'23"E	35.36'	39.28'
C41	25.00'	23°38'10"	N62°37'57"E	10.24'	10.31'
C42	50.00'	137°17'38"	S60°32'20"E	93.14'	119.81'
C43	25.00'	24°07'05"	S3°57'03"E	10.45'	10.52'
C44	325.00'	14°33'14"	S8°43'58"E	82.33'	82.55'
C45	3275.00'	2°51'30"	S2°53'06"E	163.36'	163.38'
C46	25.00'	90°58'12"	S49°47'57"E	35.65'	39.69'
C47	25.00'	89°37'47"	N60°44'05"W	35.24'	39.11'
C48	275.00'	14°27'50"	N8°41'16"W	69.24'	69.42'
C49	25.00'	89°55'08"	N43°30'12"E	35.33'	39.23'
C50	225.00'	14°00'44"	N81°27'24"E	54.89'	55.03'
C51	200.00'	19°33'16"	N64°40'24"E	67.93'	68.26'
C52	25.00'	74°37'57"	S87°47'16"E	30.31'	32.56'
C53	575.00'	23°11'08"	S38°52'44"E	231.10'	232.68'
C54	25.00'	101°44'12"	S23°34'56"W	38.78'	44.39'
C55	25.00'	90°08'07"	N46°31'25"W	35.40'	39.33'
C56	3325.00'	2°54'56"	N2°54'49"W	169.17'	169.19'
C57	25.00'	84°12'18"	N37°43'52"E	33.52'	36.74'
C58	430.00'	11°39'59"	N74°00'02"E	87.40'	87.56'
C59	25.00'	72°11'50"	S75°44'03"E	29.46'	31.50'
C60	325.00'	13°57'41"	S46°36'59"E	79.00'	79.19'
C61	25.00'	90°21'52"	S8°24'53"E	35.47'	39.43'
C62	150.00'	37°40'58"	S55°36'33"W	96.89'	98.65'
C63	175.00'	13°57'29"	S81°25'46"W	42.53'	42.63'
C64	25.00'	95°27'23"	N53°59'24"W	37.00'	41.65'
C65	3325.00'	7°54'54"	N10°13'10"W	458.96'	459.33'
C66	25.00'	88°47'36"	N30°13'11"E	34.98'	38.74'
C67	25.00'	91°08'29"	S59°48'46"E	35.71'	39.77'
C68	3565.00'	5°54'03"	S11°17'31"E	366.99'	367.15'
C69	325.00'	13°00'07"	S14°50'32"E	73.59'	73.75'
C70	25.00'	89°30'38"	S23°24'43"W	35.20'	39.06'
C71	370.00'	10°06'52"	S73°13'28"W	65.23'	65.32'
C72	25.00'	84°31'39"	N63°07'11"W	33.63'	36.88'
C73	3325.00'	3°19'27"	N22°31'05"W	192.89'	192.91'
C74	25.00'	97°57'12"	N24°47'47"E	37.72'	42.74'
C75	25.00'	82°28'33"	S64°59'20"E	32.96'	35.99'
C76	3565.00'	3°11'22"	S22°09'23"E	198.42'	198.45'
C77	25.00'	95°10'41"	S27°01'39"W	36.92'	41.53'
C78	400.00'	16°32'55"	N76°26'29"E	115.13'	115.53'
C79	50.00'	90°00'00"	N60°32'58"W	70.71'	78.54'
C80	300.00'	14°05'37"	N8°30'10"W	73.61'	73.79'
C81	3301.58'	3°48'19"	S3°22'48"E	219.23'	219.27'
C82	3300.25'	8°53'32"	S8°43'50"E	511.68'	512.20'
C83	50.00'	88°47'38"	S30°13'10"W	69.96'	77.49'
C84	175.00'	6°26'48"	N39°59'27"E	19.68'	19.69'
C85	175.00'	31°14'11"	N58°49'56"E	94.23'	95.41'
C86	200.00'	14°05'37"	S81°29'50"W	49.07'	49.20'
C87	200.00'	4°37'13"	N72°18'23"E	16.12'	16.13'
C88	50.00'	60°57'55"	N74°54'03"W	50.73'	53.20'
C89	890.00'	9°10'43"	S49°00'27"E	142.42'	142.57'
C90	300.00'	45°15'20"	N30°58'09"W	230.85'	236.96'
C91	300.00'	45°15'20"	N30°58'09"W	230.85'	236.96'
C92	3590.00'	6°42'53"	S11°41'56"E	420.48'	420.73'
C93	3590.00'	4°37'57"	S17°22'20"E	290.18'	290.26'
C94	3590.00'	4°45'45"	S22°04'11"E	298.31'	298.40'
C95	50.00'	97°57'12"	S24°47'47"W	75.44'	85.48'
C96	3299.93'	4°10'36"	S22°05'31"E	240.50'	240.55'

LINE TABLE

LINE #	BEARING	LENGTH
L1	N84°42'57"E	10.85'
L2	N15°34'34"W	15.75'
L3	N74°27'02"E	113.38'
L4	S88°32'39"W	49.65'
L5	N69°59'47"E	37.53'
L6	N16°13'37"W	14.90'
L7	N53°35'49"W	117.06'
L8	N53°35'49"W	6.84'





LOCATION MAP

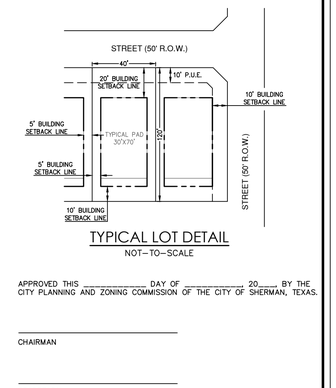
NOT-TO-SCALE

SCALE: 1"= 100'

0' 100' 200' 300'

LEGEND

AC	ACRE(S)	VOL	VOLUME
BLK	BLOCK	PG	PAGE(S)
ESMT	EASEMENT		
ETJ	EXTRATERRITORIAL JURISDICTION	●	FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS (OFFICIAL PUBLIC RECORDS OF REAL PROPERTY) OF GRAYSON COUNTY, TEXAS	(SURVEYOR) ○	SET 1/2" IRON ROD (PD)
		○	SET 1/2" IRON ROD (PD)-ROW
L1	BLOCK 1, LOT 11 HOA MAINTAINED OPEN SPACE & DRAINAGE EASEMENT 0.534 ACRES	◇	CITY OF SHERMAN 20' WATER LINE EASEMENT (VOL 1399, PG 392, O.P.R.G.C.T.)
B4	BLOCK 2, LOT 24 HOA MAINTAINED OPEN SPACE & DRAINAGE EASEMENT 0.547 ACRES	◇	APPROXIMATE CENTERLINE TP&L ESMT (NO WIDTH SPECIFIED) (VOL 1035, PG 319 O.P.R.G.C.T.) (VOL 1035, PG 322, O.P.R.G.C.T.)



TYPICAL LOT DETAIL

NOT-TO-SCALE

APPROVED THIS _____ DAY OF _____, 20____ BY THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF SHERMAN, TEXAS.

_____
CHAIRMAN

_____
SECRETARY

ACCEPTED BY THE CITY COUNCIL OF THE CITY OF SHERMAN:

_____ _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

THE UNDERSIGNED, THE CITY CLERK OF THE CITY OF SHERMAN, HEREBY CERTIFIES THAT THE FOREGOING FINAL _____ PLAT OF SUBDIVISION OR ADDITION TO THE CITY OF SHERMAN WAS SUBMITTED TO THE CITY COUNCIL ON THE _____ DAY OF _____, 20____, AND THE CITY COUNCIL BY FORMAL ACTION THEN AND THERE ACCEPTED THE DEDICATION OF STREETS, ALLEYS, EASEMENTS, AND PUBLIC PLACES, AS SHOWN AND SET FORTH IN AND UPON SAID MAP OR PLAT, AND SAID CITY COUNCIL FURTHER AUTHORIZED THE MAYOR TO NOTE THE ACCEPTANCE THEREOF BY SIGNING HIS NAME AS HEREINABOVE SUBSCRIBED.

WITNESS MY HAND THIS _____ DAY OF _____, A.D. 20____.

_____
CITY CLERK, CITY OF SHERMAN, TEXAS

OWNER:
ARC STX HOLDINGS, LLC
P.O. BOX 451714
LAREDO, TX 78045

DEVELOPER:
TESCH DEVELOPMENT & MANAGEMENT COMPANY LLC.
6950 TPC DRIVE, SUITE 110
MCKINNEY, TX 75070
PH: 512.970.0530
CONTACT: BOB TESCH, PRESIDENT

SURVEYOR:
PAPE-DAWSON ENGINEERS, INC.
5700 W. PLANO PARKWAY, SUITE 2500
PLANO, TEXAS 75093
TEL: (214) 420-8494
TBPLS FIRM NO. 10194390

PAPE-DAWSON ENGINEERS

DALLAS I SAN ANTONIO I AUSTIN I HOUSTON I FORT WORTH
5810 TENNYSON PKWY, STE 425 I PLANO, TX 75024 I 214.420.8494
TBPE FIRM REGISTRATION #470 I TBPLS FIRM REGISTRATION #10194390

DATE OF PREPARATION: JUNE 2, 2021

A FINAL PLAT OF SHERMAN HEIGHTS

BLOCK 1 - BLOCK 8

BEING A 43.73 ACRES SITUATED IN THE ELIZABETH JONES SURVEY, ABSTRACT NUMBER 625 IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS .

196 RESIDENTIAL LOTS
5 COMMON AREA LOTS

SHEET 1 OF 1

I:\Sherman\Drawings\Sherman Heights.dwg, 6/7/2021 10:49:29 AM, Jeffrey Lee

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

ARC STX Holdings, LLC
P.O. Box 451714
Laredo, TX 78045

Tesch Development & Management Co.
6950 TPC Drive, Suite 110
McKinney, TX 75070
Contact: Bob Tesch

Pape-Dawson Engineers, Inc.
5700 W. Plano Parkway, Ste. 2500
Plano, TX 75093

Dear Applicants,

The request for approval of the Final Plat of Sherman Heights has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Plat Layout does not meet city/county standard. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*
2. If Street 'A' through Street 'I' are to be renamed, proposed street names must be approved by the Development Services Department. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(B)(1)(h)*
3. The plat must depict and dedicate to the City in fee simple right-of-way (ROW) along FM 1417 to reflect TxDOT FM 1417 ROW Project, as shown in the City's thoroughfare plan. Coordinate with City of Sherman Engineering Department for exact ROW metes and bounds to be included on plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
4. Dedicate a 15'x15' corner clip on corner of all lots located at 3- and 4-way intersections in lieu of radius. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
5. Dedicate a 20' Sanitary Sewer Easement from Lot 51, Block 8 to western plat boundary line. Coordinate with Engineering on location of said easement. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
6. Cul-de-sacs do not meet standard 60' radius. *Code of Ordinances Chapter 10.05, Exhibit A, Sec. 12, B.*
7. If Patio Homes designation is not given, minimum lot width at property line is 60 feet. Variance required for all lots not meeting 60 feet. *Code of Ordinances Chapter 14, Sec. 6.1.1*
8. Metes and bounds must match drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
9. Remove Setback lines from Typical Lot Detail.
10. Graphically show all easements on drawing in addition to in Legend.
11. Indicate all HOA lots on drawing in addition to in Legend.

12. Notes No. 1 to specify Lot/Block Numbers.
13. Notes No. 1 to be shown as Owned and Maintained by HOA.
14. Water and Sanitary Sewer main must be extended in accordance with City criteria to serve proposed development. Sewer capacity shall be verified for proposed use. *Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H).*
15. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
16. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
17. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 34.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

2400-2700 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY)

The request of ARC STX Holdings, LLC (Owners), Tesch Development & Management Co., LLC, (Prospective Buyer), Robert Tesch (Representative), Pape-Dawson Engineers (Civil Engineer) and Pierce-Murray Land Solutions (Surveyor) concerning the properties in the 2400-2700 blocks of South FM 1417 (Heritage Parkway), being 43.727 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows;
Planning and Zoning Commission

A. Final Plat approval for Sherman Heights Addition
B. Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes in an R-1 (One-Family Residential) District.

Background:

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

The owners are requesting to plat the property into 200 patio home lots.

Adjacent Zoning:

R-A (Single Family Agricultural) District
(C-1 (Retail Business) District
M-1 (Light Manufacturing) District
Planned Development with Mixed Uses

Origination:

ARC STX Holdings, LLC (Owners)
Tesch Development & Management Co., LLC, (Prospective Buyer)
Robert Tesch (Representative)
Pape-Dawson Engineers (Civil Engineer)
Pierce-Murray Land Solutions (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:

4

Objections Received:

0

Development Review Meeting

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey
Sherman Heights Addition
Site Plan
Building Elevations
Staff Review Letter - Plat
Staff Review Letter - Patio Homes

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 5.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Final Plat Approval of Austin Landing, Phase IV, being 40.840 acres in the Alexander and Richards Survey, Abstract No. 42 (Leo Joseph Bowler, III, Owner; and Windrose Land Surveying, Surveyor (700 Block West Northcreek Drive & 4900 Block North Travis Street)

Issue:

To consider Final Plat Approval of Austin Landing, Phase IV, being 40.840 acres in the Alexander and Richards Survey, Abstract No. 42 (Leo Joseph Bowler, III, Owner; and Windrose Land Surveying, Surveyor (700 Block West Northcreek Drive & 4900 Block North Travis Street)

Background:

The property is located in the 700 block of West Northcreek Drive and the 4900 block of North Travis Street between Travis Street and Plainview Road. The property is zoned an SF-1 (Single Family Residential) District. The owners would like to Plat the property into 135 residential lots and 6 open space lots.

The Final Plat of Austin Landing, Phase IV does not comply with the City of Sherman's General Zoning Ordinance. There are lots in the Austin Landing, Phase IV plat that do not meet the minimum lot width requirement of 60 feet in an SF-1 District and have not received exceptions from the City of Sherman Board of Adjustments. (*Chapter 14, Exhibit A, Sec. 6.2).* The potential approval of this plat in advance of getting the appropriate exceptions is not recommended. **For these reasons, staff does not recommend the approval of this plat.** This plat is being presented to comply with State regulations requiring Council consideration within prescribed time frames.

Origination:

Leo Joseph Bowler, III (Owner)
Windrose Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

The Final Plat of Austin Landing, Phase IV has a number of remaining items on the Staff Review Letter than need to be addressed including a requirement for variances on all lots that do not meet the minimum lot width requirement of 60 feet. **For these reasons, staff does not recommend the approval of this plat.**

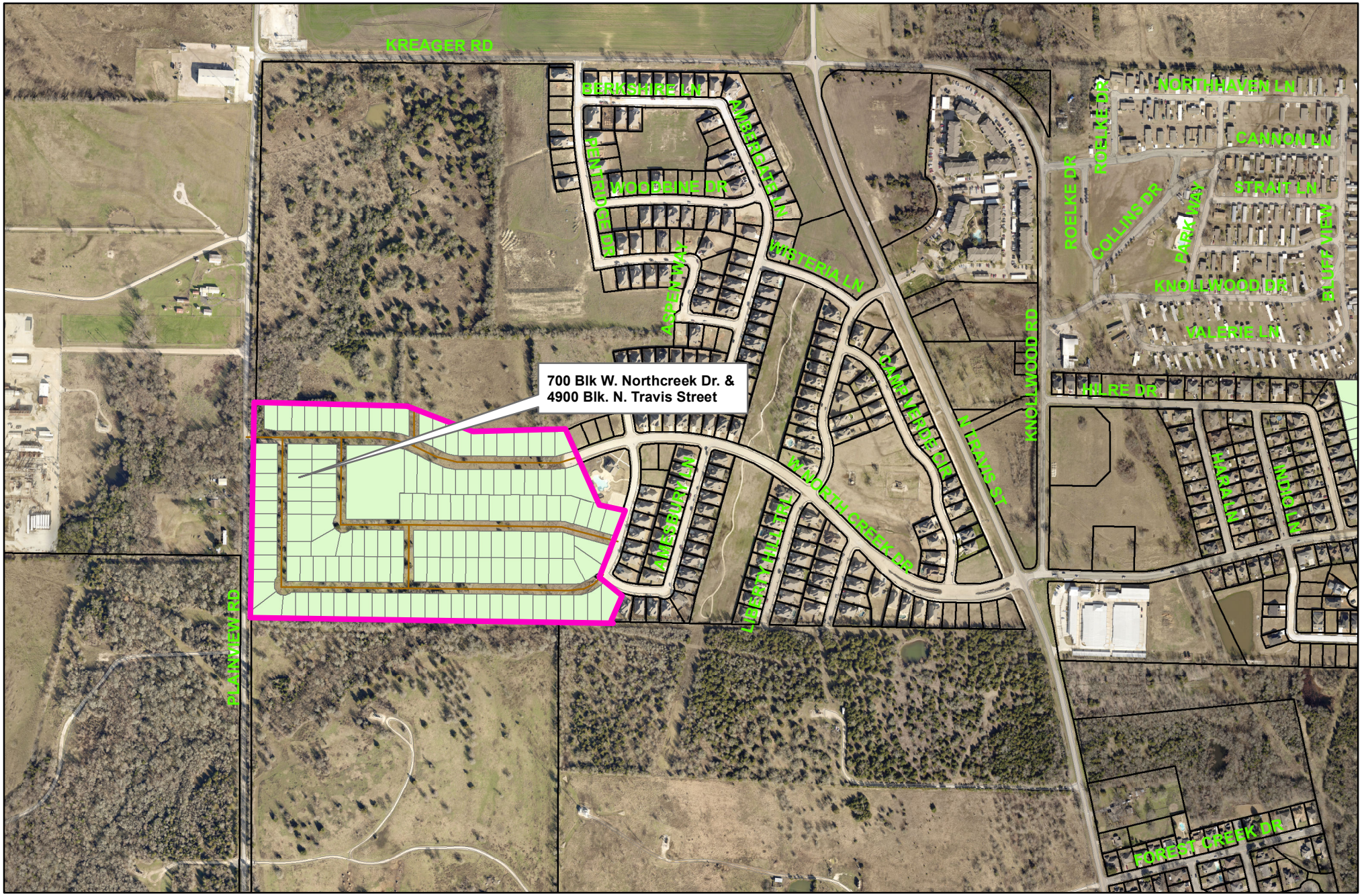
At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Austin Landing Phase IV
Staff Review Letter
P&Z Communication



700 Block West Northcreek Drive & 4900 Block North Travis Street

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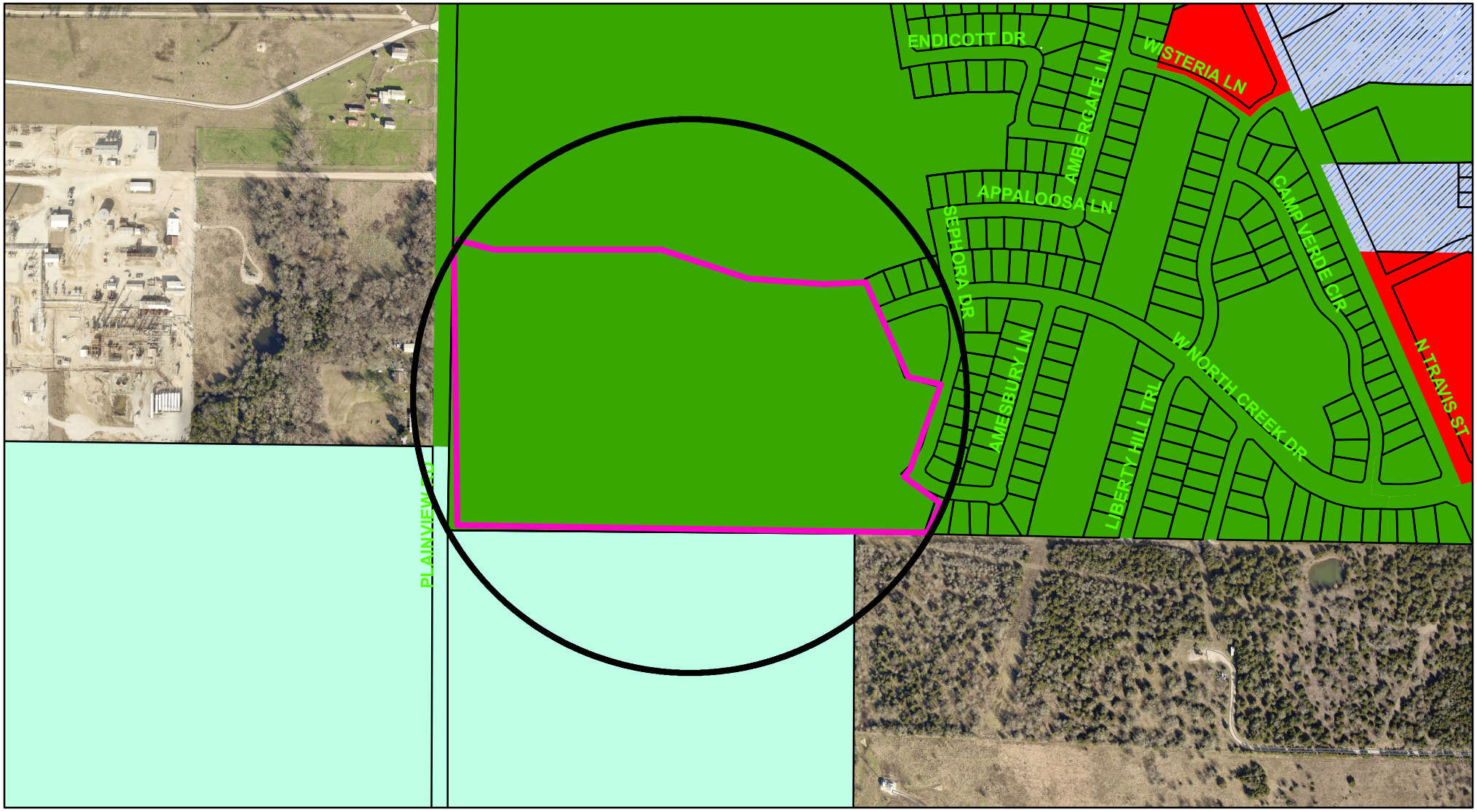
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 611 ft



Zoning - 700 Block West Northcreek Drive & 4900 Block North Travis Street

Legend

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

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

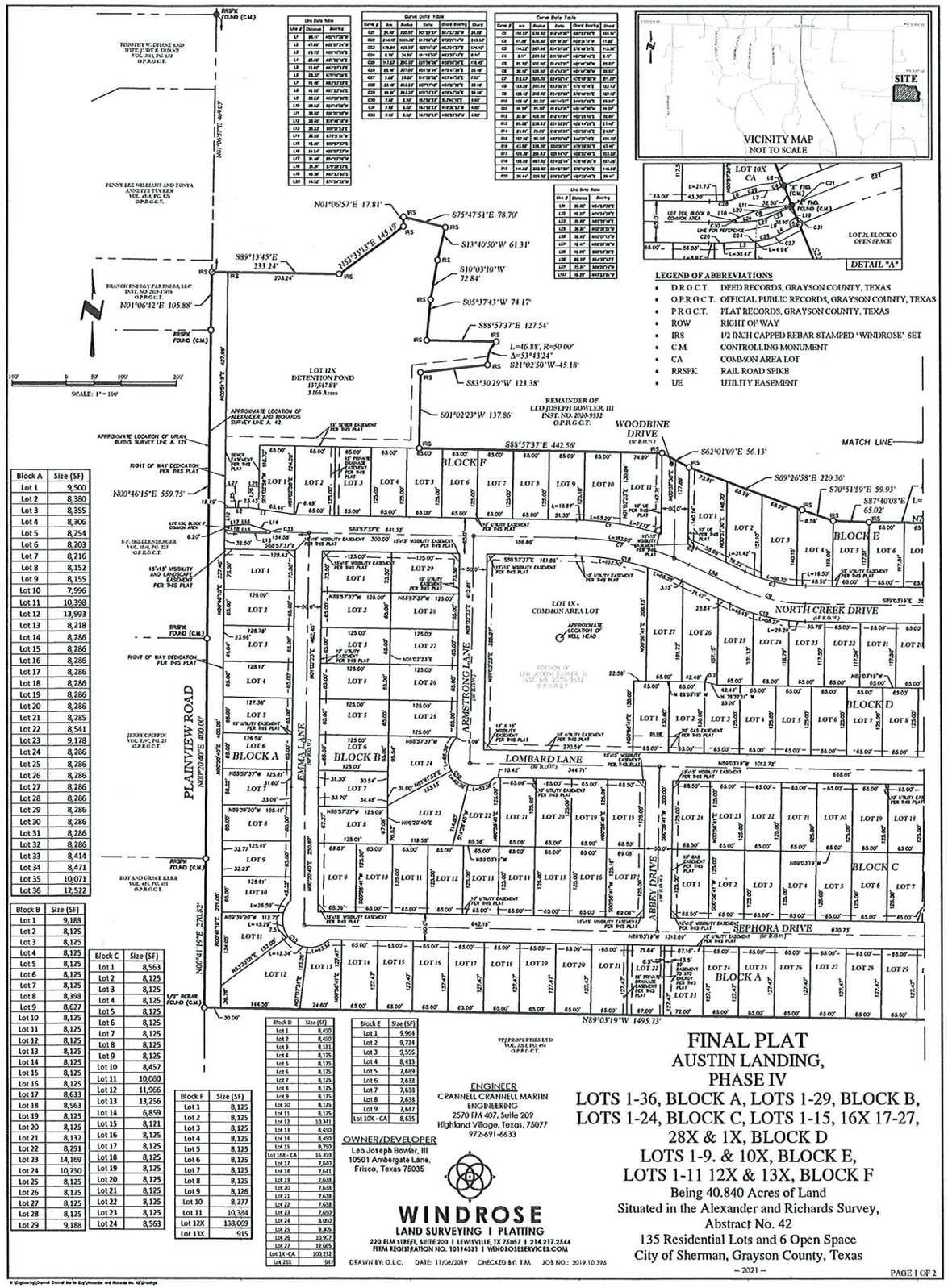
Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 500 ft



Line Data Table		
Line #	Distance	Bearing
L1	88.01'	N01°06'57"E
L2	47.08'	N88°53'26"W
L3	23.72'	N88°53'26"W
L4	35.49'	N01°06'34"E
L5	13.66'	N01°22'23"E
L6	23.37'	N70°51'59"E
L7	35.49'	N01°53'26"E
L8	10.00'	N01°22'23"E
L9	20.12'	N01°22'23"E
L10	23.00'	N01°22'23"E
L11	33.00'	N01°06'34"E
L12	20.12'	N01°22'23"E
L13	20.12'	N88°53'26"W
L14	20.12'	N01°53'26"E
L15	15.38'	S88°57'37"E
L16	34.00'	N01°22'23"E
L17	20.48'	N01°53'26"E
L18	20.26'	S70°51'59"E
L19	10.26'	N70°51'59"W
L20	14.62'	S70°51'59"E

Curve Data Table					
Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C01	24.48'	725.50'	001°55'27"	S87°53'39"E	24.48'
C02	244.47'	1000.00'	013°59'52"	S72°01'41"E	243.82'
C03	170.84'	425.50'	023°00'27"	S82°30'43"E	169.70'
C04	6.78'	24.50'	015°51'58"	N83°35'43"E	6.76'
C05	111.52'	250.50'	025°30'56"	S88°42'56"E	110.62'
C06	23.46'	237.00'	005°40'44"	S71°17'52"E	23.45'
C07	3.08'	15.50'	011°23'02"	N87°47'24"E	3.07'
C08	33.49'	213.33'	009°00'00"	S01°53'26"W	33.46'
C09	89.97'	89.50'	057°36'17"	S72°47'43"E	86.28'
C10	3.18'	3.50'	052°02'12"	S19°42'43"E	3.08'
C11	3.18'	3.50'	052°02'12"	N32°19'31"E	3.08'

Curve Data Table					
Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C01	106.07'	638.50'	009°31'08"	N83°27'39"E	105.95'
C02	17.38'	638.50'	001°33'39"	N78°28'31"E	17.38'
C03	114.32'	361.50'	018°07'00"	S76°46'34"E	113.84'
C04	5.91'	361.50'	000°56'16"	N67°58'14"E	5.91'
C05	23.70'	102.50'	013°14'49"	N74°20'32"E	23.65'
C06	23.70'	102.50'	013°14'49"	N61°05'43"E	23.65'
C07	3.61'	102.50'	001°59'24"	N54°42'38"E	3.61'
C08	113.88'	361.50'	018°02'51"	N75°43'14"E	113.41'
C09	113.88'	361.50'	018°02'51"	N57°40'23"E	113.41'
C10	108.42'	82.50'	075°17'27"	S44°04'34"E	100.80'
C11	16.37'	75.00'	012°30'39"	N83°03'38"E	16.34'
C12	16.37'	75.00'	012°30'39"	N70°33'00"E	16.34'
C13	89.85'	258.83'	019°53'39"	N80°47'34"E	89.41'
C14	24.91'	75.00'	019°01'55"	N89°03'38"E	24.80'
C15	24.91'	75.00'	019°01'55"	N70°01'43"E	24.80'
C16	43.88'	125.00'	020°06'54"	N79°38'31"E	43.65'
C17	104.39'	209.42'	028°33'46"	N85°52'46"E	103.30'
C18	108.88'	407.50'	015°18'21"	N76°54'36"E	107.90'
C19	144.48'	212.50'	038°57'35"	S76°56'52"E	141.74'
C20	36.44'	324.50'	006°26'04"	S87°57'37"E	36.42'

Curve Data Table					
Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C21	23.37'	15.00'	089°15'58"	S44°04'58"E	21.07'
C22	23.56'	15.00'	090°00'00"	S45°56'02"W	21.21'
C23	23.56'	15.00'	090°00'00"	N44°03'58"W	21.21'
C24	23.56'	15.00'	090°00'00"	N45°56'02"E	21.21'
C25	23.56'	15.00'	090°00'00"	S44°03'58"E	21.21'
C26	23.56'	15.00'	090°00'00"	S45°56'02"W	21.21'
C27	23.56'	15.00'	090°00'00"	N44°03'58"W	21.21'
C28	23.56'	15.00'	090°00'00"	N45°56'02"E	21.21'
C29	23.56'	15.00'	090°00'00"	S44°03'58"E	21.21'
C30	23.56'	15.00'	090°00'00"	S45°56'02"W	21.21'
C31	23.56'	15.00'	090°00'00"	N44°03'58"W	21.21'
C32	23.56'	15.00'	090°00'00"	N45°56'02"E	21.21'
C33	23.56'	15.00'	090°00'00"	S44°03'58"E	21.21'

LEGEND OF ABBREVIATIONS

- D.R.G.C.T. DEED RECORDS, GRAYSON COUNTY, TEXAS
- O.P.R.G.C.T. OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS
- P.R.G.C.T. PLAT RECORDS, GRAYSON COUNTY, TEXAS
- ROW RIGHT OF WAY
- IRS 1/2 INCH CAPPED REBAR STAMPED "WINDROSE" SET
- C.M. CONTROLLING MONUMENT
- CA COMMON AREA LOT
- RRSPK RAIL ROAD SPIKE
- UE UTILITY EASEMENT

Block A	Size (SF)
Lot 1	9,500
Lot 2	8,380
Lot 3	8,355
Lot 4	8,306
Lot 5	8,254
Lot 6	8,203
Lot 7	8,216
Lot 8	8,152
Lot 9	8,155
Lot 10	7,996
Lot 11	10,398
Lot 12	13,993
Lot 13	8,218
Lot 14	8,286
Lot 15	8,286
Lot 16	8,286
Lot 17	8,286
Lot 18	8,286
Lot 19	8,286
Lot 20	8,286
Lot 21	8,285
Lot 22	8,541
Lot 23	9,178
Lot 24	8,286
Lot 25	8,286
Lot 26	8,286
Lot 27	8,286
Lot 28	8,286
Lot 29	8,286
Lot 30	8,286
Lot 31	8,286
Lot 32	8,286
Lot 33	8,414
Lot 34	8,471
Lot 35	10,071
Lot 36	12,522

Block B	Size (SF)
Lot 1	9,188
Lot 2	8,125
Lot 3	8,125
Lot 4	8,125
Lot 5	8,125
Lot 6	8,125
Lot 7	8,125
Lot 8	8,398
Lot 9	8,627
Lot 10	8,125
Lot 11	8,125
Lot 12	8,125
Lot 13	8,125
Lot 14	8,125
Lot 15	8,125
Lot 16	8,125
Lot 17	8,633
Lot 18	8,563
Lot 19	8,125
Lot 20	8,125
Lot 21	8,132
Lot 22	8,291
Lot 23	14,169
Lot 24	10,750
Lot 25	8,125
Lot 26	8,125
Lot 27	8,125
Lot 28	8,125
Lot 29	9,188

Block C	Size (SF)
Lot 1	8,563
Lot 2	8,125
Lot 3	8,125
Lot 4	8,125
Lot 5	8,125
Lot 6	8,125
Lot 7	8,125
Lot 8	8,125
Lot 9	8,125
Lot 10	8,457
Lot 11	10,080
Lot 12	11,966
Lot 13	13,256
Lot 14	6,859
Lot 15	8,121
Lot 16	8,125
Lot 17	8,125
Lot 18	8,125
Lot 19	8,125
Lot 20	8,125
Lot 21	8,125
Lot 22	8,125
Lot 23	8,125
Lot 24	8,563

Block D	Size (SF)
Lot 1	8,450
Lot 2	8,450
Lot 3	8,131
Lot 4	8,125
Lot 5	8,125
Lot 6	8,125
Lot 7	8,125
Lot 8	8,125
Lot 9	8,125
Lot 10	8,125
Lot 11	33,911
Lot 12	8,450
Lot 13	8,450
Lot 14	8,450
Lot 15	9,750
Lot 15X - CA	15,359
Lot 17	7,640
Lot 18	7,641
Lot 19	7,638
Lot 20	7,638
Lot 21	7,638
Lot 22	7,638
Lot 23	7,650
Lot 24	8,050
Lot 25	9,305
Lot 26	10,907
Lot 27	12,665
Lot 1X - CA	100,232
Lot 28X	947

Block E	Size (SF)
Lot 1	9,964
Lot 2	9,724
Lot 3	9,556
Lot 4	8,433
Lot 5	7,689
Lot 6	7,638
Lot 7	7,638
Lot 8	7,638
Lot 9	7,647
Lot 10X - CA	8,635

Block F	Size (SF)
Lot 1	8,125
Lot 2	8,125
Lot 3	8,125
Lot 4	8,125
Lot 5	8,125
Lot 6	8,125
Lot 7	8,125
Lot 8	8,125
Lot 9	8,126
Lot 10	8,277
Lot 11	10,384
Lot 12X	138,069
Lot 13X	915

ENGINEER
CRANNELL CRANNELL MARTIN ENGINEERING
2570 FM 407, Suite 209
Highland Village, Texas, 75077
972-691-6633

OWNER/DEVELOPER
Leo Joseph Bowler, III
10501 Ambergate Lane,
Frisco, Texas 75035

WINDROSE
LAND SURVEYING I PLATTING
220 E/M STREET, SUITE 200 I LEWISVILLE, TX 75057 I 214.217.2544
FIRM REGISTRATION NO. 10174331 I WINDROSESERVICES.COM

DRAWN BY: G.L.C. DATE: 11/08/2019 CHECKED BY: T.M. JOB NO.: 2019.10.396

FINAL PLAT
AUSTIN LANDING, PHASE IV
LOTS 1-36, BLOCK A, LOTS 1-29, BLOCK B, LOTS 1-24, BLOCK C, LOTS 1-15, 16X 17-27, 28X & 1X, BLOCK D
LOTS 1-9. & 10X, BLOCK E,
LOTS 1-11 12X & 13X, BLOCK F
Being 40.840 Acres of Land
Situated in the Alexander and Richards Survey, Abstract No. 42
135 Residential Lots and 6 Open Space
City of Sherman, Grayson County, Texas
– 2021 –

APPROVAL:
This, the Final Plat of Austin Landing, Phase IV, an Addition to the Cit of Sherman, Texas, is hereby approved this _____ day of _____, 20____, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS:

_____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of Austin Landing to the City of Sherman, Texas, was submitted t the City Council of Sherman, Texas on the ____ day of _____, 20____ and the City Council formal action then and there accepted the dedication of streets, alleys, easements, and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove described.

WITNESS MY HAND THIS _____ DAY of _____, 20____

_____
City Clerk, City of Sherman, Texas

Approved this _____ day of, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____
Chairman

_____
Secretary

STATE OF TEXAS §
COUNTY OF DENTON §

This is to certify that I, Mark N. Peeples, a Registered Professional Land Surveyor of the State of Texas, have platted the subdivision from an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

_____
Mark N. Peeples, R P L.S.
No. 6443

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark N. Peeples, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____20____.

_____
Notary Public in and for the State of Texas

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

We, **Leo Joseph Bowler, III**, the sole owner of **Austin Landing, Phase IV**, an Addition to the City of Sherman, Texas, do hereby dedicate the streets, easements, alleys, rights-of-way, parks, reboil sites and other public places shown hereon to the public use forever.

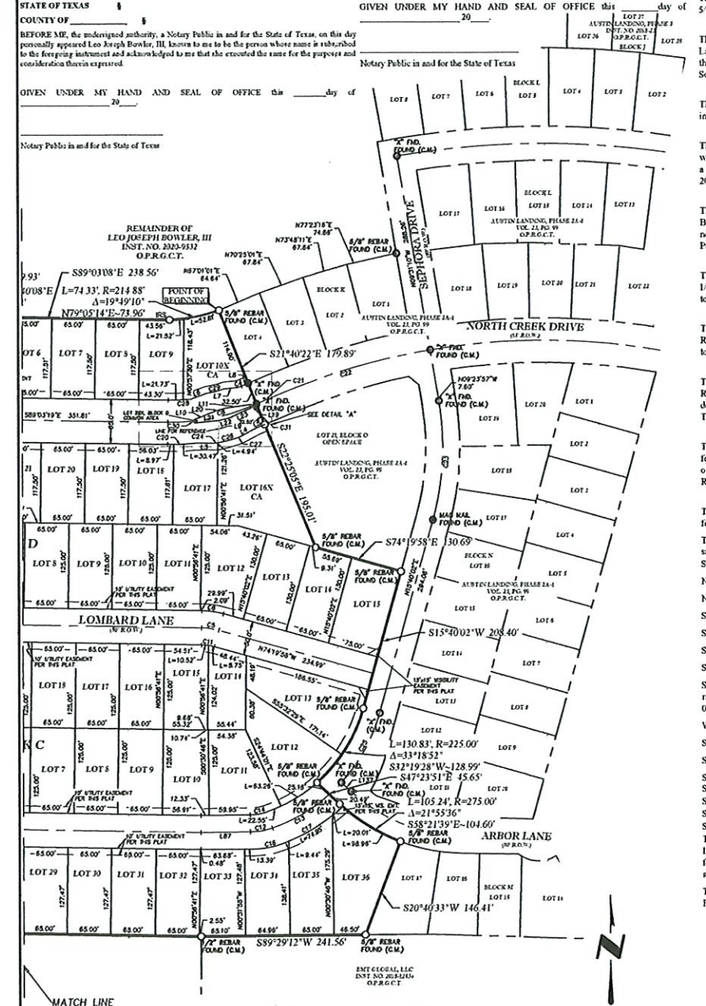
By: _____ _____
Leo Joseph Bowler, III Title / Date

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Leo Joseph Bowler, III, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____day of _____20____.

_____
Notary Public in and for the State of Texas



MATCH LINE

SURVEYOR'S NOTES:

1. Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone 4202 North American Datum of 1983 (NAD 83) (U.S. Foot) with a combined scale factor of 1.000150630.
2. This property lies within Zone "X" Unshaded of the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, map no. 48181C0290F, dated September 9, 2010, via scaled map location and graphic plotting
3. Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
4. The purpose of this plat is to create 135 Residential Lots and 6 common area / open space lots.
5. The Common Area Lots and the Detention area will be maintained by the HOA.

ENGINEER
CRANNELL CRANNELL MARTIN ENGINEERING
2570 FM 407, Suite 209
Highland Village, Texas, 75077
972-691-6633

Surveyor Point of Contact
Grayson Ceballos
972-370-5871
grayson.ceballos@windroseservices.com
Last Updated: 03/01/2021

OWNER/DEVELOPER
Leo Joseph Bowler, III
10501 Ambergate Lane,
Frisco, Texas 75035

WINDROSE
LAND SURVEYING I PLATTING
220 E/M STREET, SUITE 200 I LEWISVILLE, TX 75057 I 214.217.2544
FIRM REGISTRATION NO. 10174331 I WINDROSESERVICES.COM

DRAWN BY: G.L.C. DATE: 11/08/2019 CHECKED BY: T.M. JOB NO.: 2019.10.396

FINAL PLAT
AUSTIN LANDING, PHASE IV
LOTS 1-36, BLOCK A, LOTS 1-29, BLOCK B, LOTS 1-24, BLOCK C, LOTS 1-15, 16X 17-27, 28X & 1X, BLOCK D
LOTS 1-9. & 10X, BLOCK E,
LOTS 1-11 12X & 13X, BLOCK F
Being 40.840 Acres of Land
Situated in the Alexander and Richards Survey, Abstract No. 42
135 Residential Lots and 6 Open Space
City of Sherman, Grayson County, Texas
– 2021 –

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS Leo Joseph Bowler, III is the owner of a portion of a tract of land conveyed to Leo Joseph Bowler, III by deed recorded in Instrument Number 2020-9532, Official Public Records, Grayson County, Texas, also being situated in the Alexander and Richards Survey, Abstract Number 42 and being more particularly described by meter and bounds as follows:

BEGINNING at a 5/8 inch rebar found for the northwest corner of Lot 4, Block K of Austin Landing, Phase 2A-1, an addition to the City of Sherman as recorded in Volume 23, Page 99, Plat Records, Grayson County, Texas;

THENCE South 21 degrees 40 minutes 22 seconds East, with the west line of said Lot 4, passing an "X" Cut found for the southwest corner of said Lot 4, a distance of 114.90 feet and continuing, passing an "X" Cut found for centerline, a continued distance of 32.5 feet and continuing a total distance of 179.89 feet to a 1/2 inch rebar capped "WINDROSE" set for the northwest corner of Lot 21, Block O of said Austin Landing Phase 2A-1;

THENCE South 22 degrees 25 minutes 05 seconds East with the west line of said Lot 21, a distance of 195.01 feet to a 5/8 inch rebar found for the southwest corner of said Lot 21;

THENCE South 74 degrees 19 minutes 58 seconds East with the south line of said Lot 21, a distance of 130.69 feet to a 5/8 inch rebar found for the southeast corner of said Lot 21, and lying on the west right of way line of Sephora Drive (50 foot right of way);

THENCE South 15 degrees 40 minutes 02 seconds West with the west right of way line of said Sephora Drive, a distance of 208.40 feet to a 5/8 inch rebar found for corner and being the beginning of a curve to the right with a radius of 225.00 feet, a central angle of 33 degrees 18 minutes 52 seconds, a chord bearing and distance of South 32 degrees 19 minutes 28 seconds West, a distance of 128.99 feet;

THENCE with said curve to the right, with the west right of way line of said Sephora Drive, an arc length of 130.83 feet to a 5/8 inch rebar found for corner;

THENCE South 47 degrees 23 minutes 51 seconds East with the south right of way line of said Sephora Drive and Arbor Lane (50 foot right of way), a distance of 45.65 feet to a 5/8 inch rebar found for corner and being the beginning of a curve to the left with a radius of 275.00 feet, a central angle of 21 degrees 55 minutes 36 seconds, a chord bearing and distance of South 58 degrees 21 minutes 39 seconds East, a distance of 104.60 feet,

THENCE with said curve to the left, with the south right of way line of said Arbor Lane, an arc length of 105.24 feet to a 5/8 inch rebar found for the northwest corner of Lot 17, Block M of said Austin Landing Phase 2A-1;

THENCE South 20 degrees 40 minutes 33 seconds West, departing the south right of way line of said Arbor Lane, with the west line of said Lot 17, a distance of 146.41 feet to a 5/8 inch rebar found for the southwest corner of said Lot 17 and being a point on the north line of a tract of land described to BMT Global, LLC by deed recorded in Instrument Number 2018-12534, Official Public Records, Grayson County, Texas,

THENCE South 89 degrees 29 minutes 12 seconds West, with the north line of said BMT tract, with the south line of said Bowler tract, a distance of 241.56 feet to a 1/2 inch rebar found for the northwest corner of said BMT tract, same being the northeast corner of a tract of land described to TPJ Properties, LTD by deed recorded in Volume 3203, Page 464, Official Public Records, Grayson County, Texas and being the approximate centerline of Plainview Road,

THENCE North 89 degrees 03 minutes 19 seconds West with the north line of said TPJ tract, a distance of 1495.73 feet to a 1/2 inch rebar found for the northwest corner of said TPJ tract, same being a point on the east line of a tract of land described to Roy and Grace Kerr by deed recorded in Volume 484, Page 416, Official Public Records, Grayson County, Texas,

THENCE North 00 degrees 41 minutes 19 seconds East, with the east line of said Kerr tract, a distance of 270.82 feet to a Rail Road Spike found for the northeast corner of said Kerr tract, same being the southeast corner of a tract of land conveyed to Jerry Griffin by deed recorded in Volume 5397, Page 25, Deed Records, Grayson County, Texas,

THENCE North 00 degrees 20 minutes 40 seconds East with the east line of said Griffin tract, a distance of 400.00 feet to a Rail Road Spike found for the northeast corner of said Griffin tract, same being the southeast corner of a tract of land described to B F. Shellenberger by deed recorded in Volume 1040, Page 223, Official Public Records, Grayson County, Texas,

THENCE North 00 degrees 46 minutes 15 seconds East, with the east line of said Shellenberger tract, a distance of 559.75 feet to a Rail Road Spike found for the northeast corner of said Shellenberger tract, also being the southeast corner of a tract of land described to Branch Energy Partners, LLC by deed recorded in Instrument Number 2019-17496, Official Public Records, Grayson County, Texas,

THENCE North 01 degrees 06 minutes 42 seconds East, with the east line of said Branch Energy tract, a distance of 105.88 feet to a PK Nail set for corner;

THENCE departing the east line of said Branch Energy tract thence the following courses and distances over and through said Bowler Tract, to a 1/2 inch rebar capped "WINDROSE" set for corner:
South 89 degrees 13 minutes 45 seconds East, a distance of 233.24 feet,

North 53 degrees 33 minutes 13 seconds East, a distance of 145.19 feet,

North 01 degrees 06 minutes 57 seconds East, a distance of 17.81 feet,

South 75 degrees 47 minutes 51 seconds East, a distance of 78.70 feet,

South 13 degrees 40 minutes 50 seconds West, a distance of 61.31 feet,

South 10 degrees 03 minutes 10 seconds West, a distance of 72.84 feet,

South 05 degrees 37 minutes 43 seconds West, a distance of 74.17 feet,

South 88 degrees 57 minutes 37 seconds East, a distance of 127.54 feet and being the beginning of a curve to the right with a radius of 50.00 feet, a central angle of 53 degrees 43 minutes 24 seconds, a chord bearing and distance of South 21 degrees 02 minutes 50 seconds West, a distance of 45.18 feet;

With said curve to the right, an arc length of 46.88 feet,

South 83 degrees 30 minutes 29 seconds West 123.38 feet,

South 01 degrees 02 minutes 23 seconds West, a distance of 137.86 feet,

South 88 degrees 57 minutes 37 seconds East, a distance of 442.56 feet
South 62 degrees 01 minutes 09 seconds East, a distance of 56.13 feet
South 69 degrees 26 minutes 58 seconds East, a distance of 220.36 feet
South 70 degrees 51 minutes 59 seconds East, a distance of 59.93 feet
South 87 degrees 40 minutes 08 seconds East, a distance of 65.02 feet

THENCE South 89 degrees 03 minutes 08 seconds East, over and through said Bowler tract, a distance of 238.56 feet to a 1/2 inch rebar capped "WINDROSE" set for corner and being the beginning of a curve to the left, with a radius of 214.88 feet, a central angle of 19 degrees 49 minutes 10 seconds, a chord bearing and distance of North 79 degrees 05 minutes 14 seconds East, a distance of 73.96 feet;

THENCE with said curve to the left, over and through said Bowler tract, an arc length of 74.33 feet to THE POINT OF BEGINNING and containing 1,778,971 square feet or 40.840 acres of land, more or less.

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

Leo Joseph Bowler, III
10501 Ambergate Lane
Frisco, TX 75035

Crannell Crannell Martin Engineering
2570 FM 407, Suite 209
Highland Village, TX 75077

Windrose Land Surveying
Attn: Grayson CeBallos
220 Elm Street, Suite 200
Lewisville, TX 75057

Dear Applicants,

The request for approval of the Final Plat of Austin Landing, Phase IV has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Sephora Drive will need to end at Arbor Lane and the street running East and West will need to be renamed. Proposed street names must be approved by the City of Sherman Development Services Department. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(B)(1)(h)*
2. Minimum lot width at property line is 60 feet. Variance required for all lots not meeting 60 feet. *Code of Ordinances Chapter 14, Sec. 6.1.1*
3. General Notes #5 should read "The Common Area Lots (Lot 1X, Block D; Lot 10X, Block E; Lot 13X, Block F; Lot 16X, Block D; Lot 28X, Block D) and the Detention Pond (Lot 12X, Block F) will owned and maintained by the HOA."
4. The width of the pavement for streets shall be shown on plat.
5. Graphically show 10' Utility Easement along North Creek Drive in Block F.
6. All 'visibility easements' to be dedicated as 15'x15' right of way corner clips. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
7. All 10' Utility Easements must be based off of corner clips.
8. Show length of line along street frontage on Lot 13, Block A.
9. Graphically show beginning and end points of curves and lines.
10. Legal description is unclear. Revise appropriately. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
11. City Approval block has typos. Correct appropriately. *Texas Local Government Code Title 7, Chapter 212, Subchapter A, Sec. 212.009*
12. Signature blocks do not allow for required stamps. Revise appropriately.

13. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
14. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
15. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 19.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

*** 700 BLOCK WEST NORTHCREEK DRIVE AND 4900 BLOCK NORTH TRAVIS STREET**

The request of Leo Joseph Bowler, III (Owner) and Windrose Land Surveying (Surveyor) concerning the property located in the 700 Block of West Northcreek Drive and the 4900 Block of North Travis Street, being 40.840 acres in the Alexander and Richards Survey, Abstract No. 42, as follows:

Planning and Zoning Commission

Final Plat approval of Austin Landing, Phase IV

Background:

The property is located in the 700 block of West Northcreek Drive and the 4900 block of North Travis Street between Travis Street and Plainview Road. The property is zoned an SF-1 (Single Family Residential) District. The owners would like to Plat the property into 135 residential lots and 6 open space lots.

Adjacent Zoning:

SF-1 (Single Family Residential) District

Origination:

Leo Joseph Bowler, III (Owner)
Windrose Land Surveying (Surveyor)

Master Plan Designation:

Estate – Estate is a large lot residential use (1-5 acres) with open space and a rural street network (ditches and no sidewalk). These homes are unlikely to have access to full service public utilities, especially sewer service.
and
Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

Number of notices mailed:

Not required.

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Austin Landing Phase IV
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 6.**

Meeting Date: 07/19/2021
Prepared By: Mary Lawrence, Director of Finance
Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***
Approve Quarterly Investment Report for Quarter Ended June 30, 2021

Issue:

To approve the Investment Report for the quarterly period ended June 30, 2021

Background:

These reports are being presented in accordance with the state law that requires at least quarterly presentation to the Council. A separate report is included for the debt proceeds as required by the Investment Policy. The reports were given to the Investment Committee prior to submittal to the Council.

As of June 30, 2021, the portfolios were in compliance with applicable state laws and the Investment Policy. The operating investment portfolio had a book value of about $18.8 million, an increase of about $3.6 million from prior quarter of $15.2 million, due to deposits of $3.1 million in the FDIC Insured Investment account and $0.5 million of net U.S. Agency security purchases over maturities. A Certificate of Deposit, two U.S. Agency securities, and a Texas political subdivision security matured and replaced with same. The underlying investments were adequately diversified among six different types of securities. This portfolio is appropriately liquid; and its weighted-average maturity was about 468 days, up from 439 days from last quarter. The portfolio yield of 0.44% is thirty-seven (37) basis points above the benchmark yield of 0.07%. Market value approximates book value.

The debt proceeds portfolio balance of $40.3 million was invested in Local Government Investment Pools, an FDIC insured investment account and U.S. Agency securities. Transactions in this portfolio include a deposit of $30 million in debt proceeds, payments for capital projects and the receipt of interest income. The yield of 0.03% was below the benchmark yield of 0.05%. Market value approximates book value.

Origination:

Finance Department

Financial Consideration:

None

Staff Recommendation:

It is recommended that the Council accept the Investment Report as presented.

Alternatives:

The Council could offer suggestions for improvement or could request more frequent reporting.

Attachments

2021-06-30 Investment Reports w_Memo

Sherman
CLASSIC TOWN. BROAD HORIZON.

memorandum

DATE: Wednesday, July 14 2021

TO: The City of Sherman Investment Committee
Councilwoman Sandra Melton
Councilwoman Pam Howeth
Robby Hefton, City Manager

FROM: Mary Lawrence, Director of Finance ml

SUBJECT: Investment Reports for the Quarter Ended June 30, 2021

Enclosed is a copy of the quarterly investment reports for June 30, 2021. As of that date, the City was in compliance with all applicable state laws and internal policies for the portfolio.

The total operating portfolio market value of about $18.8 million increased by about $3.6 million from the previous quarter due to net deposits/purchases of $3.1 million in the Local Government Investment Pools (LGIP) and $0.5 million in U.S. Agency Securities. The underlying investments were adequately diversified among six different types of securities. The portfolio's weighted-average maturity of about 468 days increased from 439 days last quarter. The portfolio yield of .44% was 37 basis points above our benchmark 1-year Constant Maturity Treasury Index of 0.07%. Book value of $18.8 million approximated market value.

The debt proceeds portfolio balance of $40.3 million had increased by about $27.4 million due to the deposit of $30 million of debt proceeds netted with $2.6 million in payments for capital projects. The portfolio includes a Local Government Investment Pool, an FDIC insured investment account and U.S. Agencies. The portfolio's weighted-average maturity of 61 days increased from 1 day last quarter. The portfolio yield of 0.03% was 2 basis points below the benchmark yield for this portfolio, the 4-week Constant Maturity Index, of 0.5%. Book value was the same as market value.

The investment reports will be on the July 19, 2021 City Council agenda for their review and approval. Please call me if you have any questions about this item.

attachment (as stated above)

CITY OF SHERMAN, TEXAS
DEBT PROCEEDS PORTFOLIO SUMMARY
For the Quarter Ending June 30, 2021

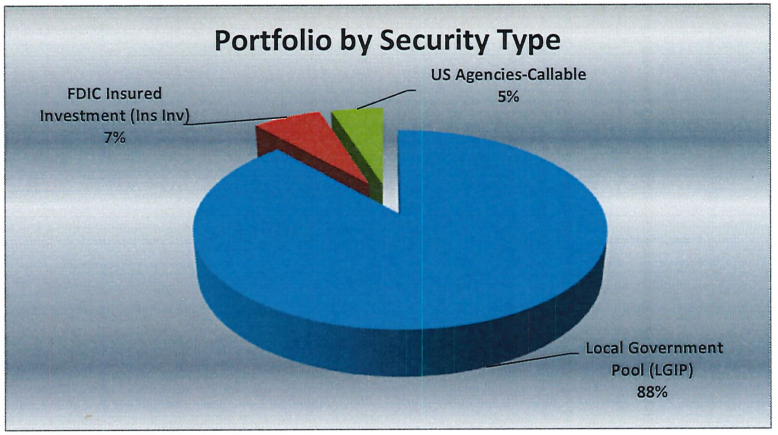
Total Portfolio Summary	Current Quarter 6/30/2021	Prior Quarter 3/31/2021	Change From Prior Quarter
Book Value	$ 40,300,674	$ 12,875,164	$ 27,425,510
Market Value	$ 40,295,331	$ 12,875,164	$ 27,420,167
Weighted Average Maturity - Days	61	1	60
Weighted Average Yield	0.03%	0.11%	-0.08%
Earned Income	$ 3,097	$ 3,530	$ (433)
Earned Income - Year-to-Date	$ 12,709	$ 9,612	$ 3,097

This report complies with the requirements of the public funds investment law and covers all the funds of the City of Sherman that are subject to that law.

As of June 30, 2021, the City of Sherman's debt proceeds portfolio had a book value of about $40.3 million, which approximates the market value. Of this amount, $35.6 million was held in Local Government Investment Pools (LGIP), $2.7 million was held in FDIC Insured Investment Accounts (Ins Inv), and $2.0 million was held in U.S. Agency Securities.

The portfolio value increased by $27.4 million from the previous quarter due to deposits of $30 million in proceeds from the issuance of certificates of obligation in May 2021, offset by $2.6 million drawn for project payments. Additionally, $2 million was drawn down from Local Government Investment Pools for purchases of $2 million in U.S. Agency Securities.

The weighted average yield on the portfolio was 0.03%, 2 basis points below the 4-week Constant Maturity Treasury Index of 0.05%, and 8 basis points below the previous quarter.



Mary Lawrence

Mary Lawrence, Finance Director and City of Sherman Investment Officer

Tammy Davis

Tammy Davis, Controller and City of Sherman Investment Officer

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Investments Outstanding
AS of 6/30/2021

Name/CUSIP	Debt Issuance	Settlement Date	Security Type	Security Description	Maturity Date	Par Value	Purchase Price	Original Cost	Book Value	Market Price	Market Value	Days to Maturity	YTM
TexPool	2017A Stormwater Certificates of Obligation		LGIP	TexPool	7/1/2021	$ 1,868,258	100.00	$ 1,868,258	$ 1,868,258	100.00	$ 1,868,258	1	0.01%
TexPool	2019 Certificates of Obligation		LGIP	TexPool	7/1/2021	5,772,221	100.00	5,772,221	5,772,221	100.00	5,772,221	1	0.01%
TexPool	2021 Certificates of Obligation		LGIP	TexPool	7/1/2021	28,000,438	100.00	28,000,438	28,000,438	100.00	28,000,438	1	0.01%
Landing Rock	2017 Certificates of Obligation		Ins Inv	Landing Rock	7/1/2021	2,659,757	100.00	2,659,757	2,659,757	100.00	2,659,757	1	0.30%
31300AMZQ8	2021 Certificates of Obligation	05/27/21	US Agency-Callable	FHLB	8/30/2024	1,000,000	100.00	1,000,000	1,000,000	100.00	1,000,000	1,157	0.48%
3130AMHGO	2021 Certificates of Obligation	06/30/21	US Agency-Callable	FHLB	11/26/2024	1,000,000	100.00	1,000,000	1,000,000	99.47	994,657	1,245	0.51%
Total						**$ 40,300,674**		**$40,300,674**	**$ 40,300,674**		**$ 40,295,331**		

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Market Value Summary
AS of 6/30/2021

CUSIP	Security Type / Description	Maturity Date	Market Value 3/31/2021	Change in Market Value	Market Value 6/30/2021
TexPool 2017A Stormwater CO	LGIP		$ 1,868,221	$ 37	$ 1,868,258
TexPool 2019 CO	LGIP		8,347,186	(2,574,965)	5,772,221
TexPool 2021 CO	LGIP		-	28,000,438	28,000,438
Landing Rock 2017 CO	Ins Inv		2,659,757	-	2,659,757
31300AMZQ8-FHLB 2021 CO	US Agency-Callable	8/30/2024	-	1,000,000	1,000,000
3130AMHGO-FHLB 2021 CO	US Agency-Callable	11/26/2024	-	994,657	994,657
Total			**$ 12,875,164**	**$ 27,420,167**	**$ 40,295,331**

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Investment Transaction Report
AS of 6/30/2021

Settle Date	Name	Security Description	Coupon	Maturity Date	Par Value	Price	Principal Amount	Interest Purchased/ Received	Total Amount	YTM
Project Payments/Draws										
5/3/2021	TexPool 2019 CO Project Payment	LGIP			$ 2,000,000		$ 2,000,000		$ 2,000,000	
5/26/2021	TexPool 2021 CO Draw	LGIP			1,000,000		1,000,000		1,000,000	
6/29/2021	TexPool 2019 CO Project Payment	LGIP			575,181		575,181		575,181	
6/30/2021	TexPool 2021 CO Draw	LGIP			1,000,000		1,000,000		1,000,000	
Deposits/Purchases										
5/18/2021	TexPool 2021 CO Debt Proceeds	LGIP	0.01%		30,000,000		30,000,000	-	-	0.01%
5/26/2021	31300AMZQ8-FHLB 2021 CO Purchase	US Agency-Callable	0.51%	08/30/24	1,000,000		1,000,000	-	1,000,000	0.51%
6/30/2021	3130AMHGO-FHLB 2021 CO Purchase	US Agency-Callable	0.48%	11/26/24	1,000,000		1,000,000		1,000,000	0.48%
Income Payments										
4/30/2021	Landing Rock 2017 CO	Ins Inv	0.30%					656	656	0.30%
4/30/2021	TexPool 2017A Stormwater CO	LGIP	0.01%					21	21	0.01%
4/30/2021	TexPool 2019 CO	LGIP	0.01%					92	92	0.01%
5/31/2021	Landing Rock 2017 CO	Ins Inv	0.30%					678	678	0.30%
5/31/2021	TexPool 2017A Stormwater CO	LGIP	0.01%					16	16	0.01%
5/31/2021	TexPool 2019 CO	LGIP	0.01%					56	56	0.01%
5/31/2021	TexPool 2021 CO	LGIP	0.01%					116	116	0.01%
6/30/2021	Landing Rock 2017 CO	Ins Inv	0.30%					656	656	0.30%
6/30/2021	TexPool 2017A Stormwater CO	LGIP	0.01%					20	20	0.01%
6/30/2021	TexPool 2019 CO	LGIP	0.01%					68	68	0.01%
6/30/2021	TexPool 2021 CO	LGIP	0.01%					322	322	0.01%
Total								**$ 2,701**		

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Comparison by Type
AS of 6/30/2021

Cash / Investment Type	Balance 9/30/2020	Balance 12/31/2020	Balance 3/31/2021	Balance 6/30/2021	Percent of Portfolio	Portfolio Cap
Local Government Pool (LGIP)	$12,642,888	$11,443,775	$10,215,407	$ 35,640,917	88.44%	100.00%
FDIC Insured Investment (Ins Inv)	2,655,047	$2,657,561	$2,659,757	2,659,757	6.60%	100.00%
US Agency-Callable	-	-	-	2,000,000	4.96%	100.00%
Total	**$ 15,297,935**	**$ 14,101,336**	**$ 12,875,164**	**$ 40,300,674**	**100.00%**	

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Portfolio by Maturity
AS of 6/30/2021

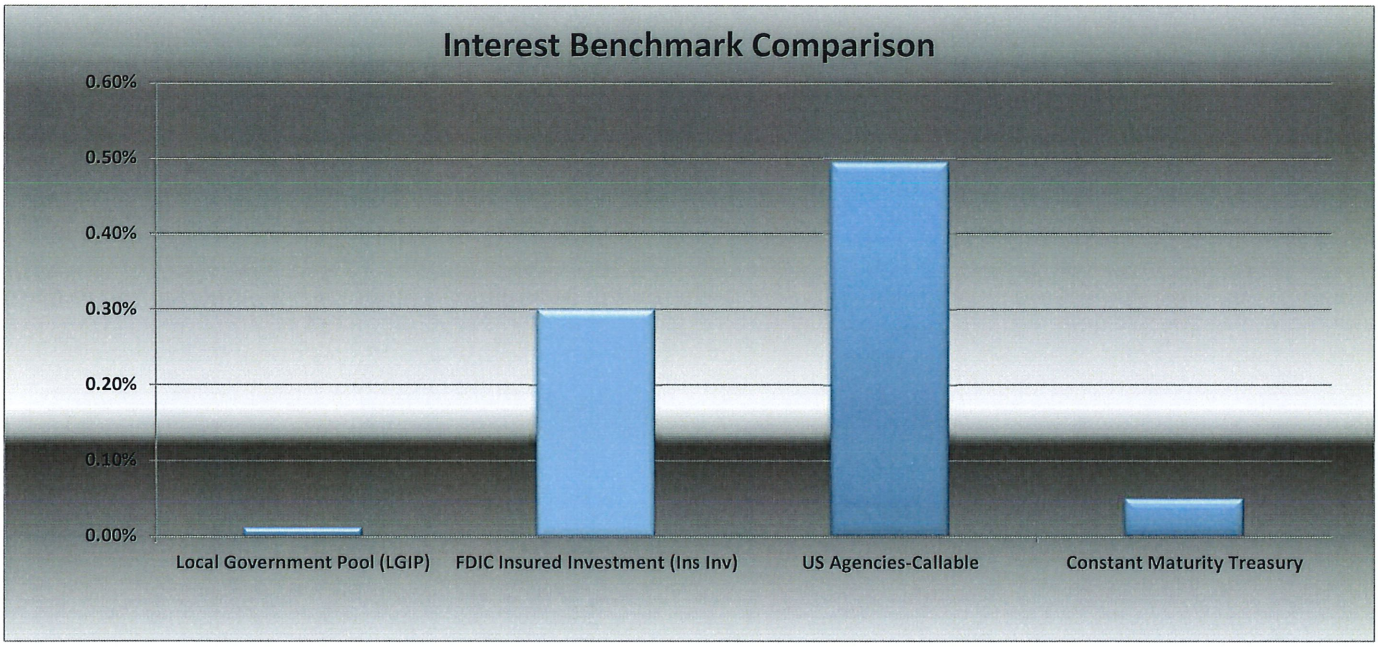
Maturity Time Frame	Balance 9/30/2020	Balance 12/31/2020	Balance 3/31/2021	Balance 6/30/2021	Percent of Portfolio	Maximum Allowable
Within 1 month	$ 15,297,935	$ 14,101,336	$ 12,875,164	$ 38,300,674	95.04%	100.00%
2 years-3 years				2,000,000	4.96%	
	$ 15,297,935	**$ 14,101,336**	**$ 12,875,164**	**$ 40,300,674**		

Liquidity Indicator				
Weighted Average Maturity	**1.00**	**1.00**	**1.00**	**60.55**

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Earned Income
AS of 6/30/2021

Date Received/ Purchased	Name	Security Description	Coupon	YTM	Interest Purchased/ Received	Accrued Interest/ Amortization	Income Earned
4/30/2021	Landing Rock 2017 CO	Insured Investment		0.30%	656	-	656
4/30/2021	TexPool 2017A Stormwater CO	LGIP		0.01%	21	-	21
4/30/2021	TexPool 2019 CO	LGIP		0.01%	92	-	92
5/31/2021	Landing Rock 2017 CO	Insured Investment		0.30%	678	-	678
5/31/2021	TexPool 2017A Stormwater CO	LGIP		0.01%	16	-	16
5/31/2021	TexPool 2019 CO	LGIP		0.01%	56	-	56
5/31/2021	TexPool 2021 CO	LGIP		0.01%	116	-	116
6/30/2021	Landing Rock 2017 CO	Insured Investment		0.30%	656	-	656
6/30/2021	TexPool 2017A Stormwater CO	LGIP		0.01%	20	-	20
6/30/2021	TexPool 2019 CO	LGIP		0.01%	68	-	68
6/30/2021	TexPool 2021 CO	LGIP		0.01%	322	-	322
6/30/2021	31300AMZQ8-FHLB 2021 CO	US Agency-Callable		0.51%	-	-	-
6/30/2021	3130AMHGO-FHLB 2021 CO	US Agency-Callable		0.48%	-	396	396
					$ 2,701	**$ 396**	**$ 3,097**



CITY OF SHERMAN, TEXAS
INVESTMENT PORTFOLIO SUMMARY
For the Quarter Ending June 30, 2021

Total Portfolio Summary	Current Quarter 6/30/2021	Prior Quarter 3/31/2021	Change From Prior Quarter
Book Value	$ 18,795,307	$ 15,222,860	$ 3,572,447
Market Value	$ 18,812,688	$ 15,257,865	$ 3,554,823
Weighted Average Maturity - Days	468	439	29
Weighted Average Yield	0.44%	0.61%	-0.17%
Earned Income	$ 21,578	$ 20,630	$ 948
Earned Income - Year-to-Date	$ 78,666	$ 57,088	$ 21,578

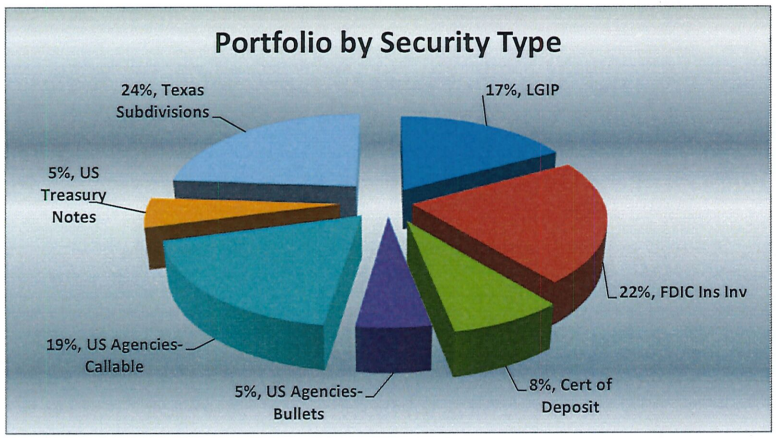
This report complies with the requirements of the public funds investment law and covers all the funds of the City of Sherman that are subject to that law.

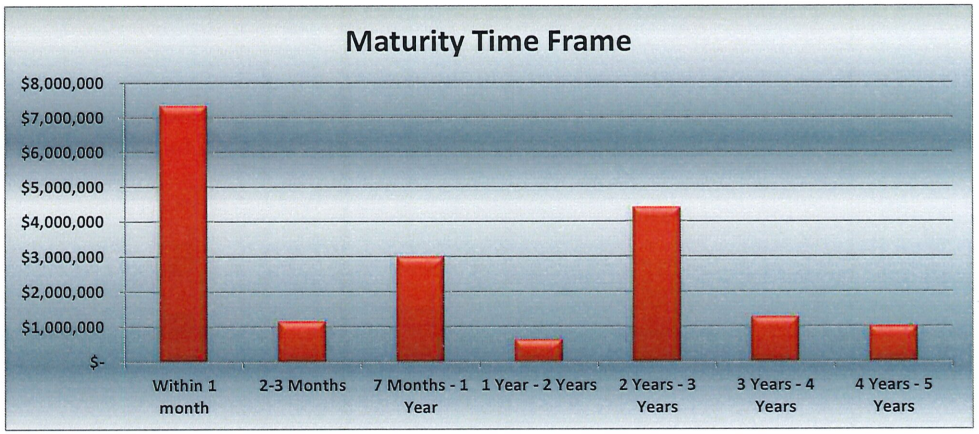
As of June 30, 2021, the City's portfolio had a book value of $18.8 million, with a market value of approximately $18.8 million as well. Of this amount, approximately $3.2 million was held in Local Government Investment Pools (LGIP), $4.1 million was held in a FDIC Insured Investment Account, $1.5 million was held in Certificates of Deposit (CD), $4.5 million was held in U.S. Agency Securities, $1.0 million was held in U.S. Treasury Notes and $4.5 million was held in State of Texas political subdivision obligations.

The portfolio value increased by $3.6 million from the previous quarter due to deposits of $3.1 million placed in FDIC Insured Investments, $1.5 million placed in Certificates of Deposit, $2.5 million of purchases in U.S. Agency Securities and $0.5 million invested in State of Texas political subdivision obligations. Maturities included $1.5 million in Certificates of Deposit, $2.0 million in U.S. Agency Securities, and $0.5 million in State of Texas political subdivision obligations.

The weighted average yield of the portfolio was .44%, which is 37 basis points above the 1-year Constant Maturity Treasury Index of 0.07% and 17 basis points below the previous quarter.

The weighted average maturity of the portfolio increased from 439 days at March 31, 2021, to 468 days at June 30, 2021.





Mary Lawrence

Mary Lawrence, Finance Director and City of Sherman Investment Officer

Tammy Davis

Tammy Davis, Controller and City of Sherman Investment Officer

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Investments Outstanding
As of 6/30/2021

CUSIP	Settlement Date	Security Type	Security Description	CPN Rate	Maturity Date	Credit Rating	Par Value	Purchase Price	Original Cost	Book Value	Market Price	Market Value	Days to Maturity	YTM
Tex-Pool		LGIP	TexPool			AAAm	$ 1,554,980	100.00	$ 1,554,980	$ 1,554,980	100.00	$ 1,554,980	1	0.01%
TexStar		LGIP	TexSTAR			AAAm	1,666,143	100.00	1,666,143	1,666,143	100.00	1,666,143	1	0.01%
Landing Rock		FDIC Ins Inv	Landing Rock			AAAm	4,114,273	100.00	4,114,273	4,114,273	100.00	4,114,273	1	0.20%
CD 197781065	06/01/21	CD	Simmons Bank	0.12%	6/1/2022		1,500,000	100.00	1,500,000	1,500,000	100.00	1,500,000	336	0.12%
8800644Z0	09/10/20	Texas Subdivision	City of Temple, TX CO	3.00%	8/1/2021	AA+	250,000	102.45	256,118	250,572	100.23	250,582	32	0.25%
926293YY1	03/20/20	Texas Subdivision	City of Victoria, TX Ref	4.00%	8/15/2021	AA+	100,000	102.68	102,681	100,239	100.47	100,465	46	2.05%
34679RNB1	06/06/17	Texas Subdivision	Fort Bend Co TX MUD #23-A	2.00%	9/1/2021	A3	500,000	101.43	507,125	500,280	100.28	501,417	63	1.65%
41420QGV4	03/17/20	Texas Subdivision	Harris Cnty TX MUD #400	3.00%	9/1/2021	AA+	300,000	101.53	304,590	300,335	100.21	300,625	63	0.85%
549188UJ7	06/25/19	Texas Subdivision	City of Lubbock TX Txbl-Ref	2.32%	2/15/2022	AA+	500,000	101.00	504,985	501,181	101.35	506,727	230	1.93%
3134GBRT1	06/29/17	Agency Bullet	FHLMC	2.00%	6/29/2022	AAA	1,000,000	100.00	1,000,000	1,000,000	101.86	1,018,605	364	2.00%
977810JU5	01/05/21	Texas Subdivision	City of Wolfforth TX GO	4.00%	2/15/2023	AA	250,000	107.58	268,955	264,590	105.68	264,203	595	0.39%
498730AX8	03/09/21	Texas Subdivision	Klondike TX ISD GO	1.00%	2/15/2023	AA+	360,000	101.74	366,253	365,256	101.38	364,982	595	0.10%
448474TM8	12/17/20	Texas Subdivision	City of Hutto, TX Ref Series B	2.00%	8/1/2023	AA+	400,000	104.17	416,676	413,249	103.09	412,370	762	0.40%
340405MW6	12/22/20	Texas Subdivision	City of Floresville TX Elec Light Ref	4.00%	8/15/2023	AA+	525,000	109.30	573,841	564,206	107.76	565,762	776	0.46%
413946PC2	06/25/20	Texas Subdivision	Harris Cnty TX MUD #278 Ref	4.00%	9/1/2023	AA+	420,000	108.17	457,439	445,547	107.69	452,302	793	1.14%
02301EED9	06/16/21	Texas Subdivision	Amarillo Potter TX	4.00%	11/15/2023	AA	445,000	108.73	483,826	483,201	108.59	483,226	868	0.37%
9128CBM2	02/22/21	US Treasury Note	US Treasury Note B Class	0.13%	2/15/2024	AA	1,000,000	99.76	997,578	997,863	99.35	993,516	960	0.21%
3133EMVD1	04/05/21	Agency Callable	FFCB	0.33%	4/5/2024	AA	1,000,000	100.00	1,000,000	1,000,000	99.69	996,913	1,010	0.33%
3130AMLM2	06/07/21	Agency Callable	FHLB	0.38%	6/7/2024	AA	500,000	100.00	500,000	500,000	99.58	497,910	1,073	0.38%
3136G43H4	03/29/21	Agency Callable	FNMA	0.40%	9/16/2024	AA+	1,000,000	100.000	998,500	998,609	99.69	996,913	1,174	0.44%
983064YX8	03/11/21	Texas Subdivision	City of Wylie, TX GO	3.00%	2/15/2025	AA+	250,000	110.740	276,852	274,783	109.18	272,939	1,326	0.25%
3130AMMJ8	06/06/21	Agency Callable	FHLB	0.40%	6/9/2026	AA	1,000,000	100.000	1,000,000	1,000,000	99.78	997,836	1,805	0.40%
Total							**$ 18,635,396**		**$ 18,850,815**	**$ 18,795,307**		**$ 18,812,688**		

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Market Value Summary
As of 6/30/2021

CUSIP	Settle Date	Security Description	Maturity Date	Market Value 3/31/2021	Change in Market Value	Market Value 6/30/2021
TexPool		TexPool		$ 1,554,933	$ 47	$ 1,554,980
TexStar		TexStar		1,666,100	43	1,666,143
Landing Rock		Landing Rock		1,000,011	3,114,262	4,114,273
CD 197781065	6/1/2021	Simmons Bank	6/1/2022	-	1,500,000	1,500,000
CD 197679947	5/29/2020	Simmons Bank	5/29/2021	1,507,925	(1,507,925)	-
64542WAX8	6/14/2019	New Hope Cultrl Edu TX A&M	4/1/2021	500,000	(500,000)	-
8800644Z0	9/10/2020	City of Temple, TX CO	8/1/2021	252,327	(1,745)	250,582
926293YY1	3/20/2020	City of Victoria, TX Ref	8/15/2021	101,404	(939)	100,465
34679RNB1	6/6/2017	Fort Bend Co TX MUD #23-A	9/1/2021	503,421	(2,004)	501,417
41420QGV4	3/17/2020	Harris Cnty ,TX MUD #400	9/1/2021	300,560	65	300,625
549188UJ7	6/25/2019	City of Lubbock TX Txbl-Ref	2/15/2022	509,371	(2,644)	506,727
3134GBRT1	6/29/2017	FHLMC	6/29/2022	1,023,276	(4,671)	1,018,605
977810JU5	1/5/2021	City of Wolfforth, TX GO	2/15/2023	266,332	(2,129)	264,203
3134GVZT8	6/30/2020	FHLMC	11/28/2022	1,000,237	(1,000,237)	-
498730AX8	3/9/2021	Klondike, TX ISD GO	2/15/2023	365,752	(770)	364,982
448474TM8	12/17/2020	City of Hutto, TX GO	8/1/2023	414,292	(1,922)	412,370
3135G05B5	6/25/2020	FNMA	9/1/2023	1,000,557	(1,000,557)	-
340405MW6	12/22/2020	City of Floresville, TX Electr	8/15/2023	570,006	(4,244)	565,762
413946PC2	6/25/2020	Harris Cnty, TX MUD #278 GO	9/1/2023	456,093	(3,791)	452,302
02301EED9	6/25/2020	Amarillo Potter TX	11/15/2023	-	483,226	483,226
9128CBM2	2/22/2021	US Treasury Note B Class	2/15/2024	994,453	(937)	993,516
3133EMVD1	4/5/2021	FHLB	4/5/2024	-	996,913	996,913
3130AMLM2	6/7/2021	FHLB	6/7/2024	-	497,910	497,910
3136G43H4	3/29/2021	FNMA	9/16/2024	997,133	(220)	996,913
983064YX8	3/11/2021	City of Wylie, TX GO	2/15/2025	273,682	(743)	272,939
3130AMMJ8	6/6/2021	FHLB	6/9/2026	-	997,836	997,836
Total				**$ 15,257,865**	**$ 3,554,823**	**$ 18,812,688**

Sherman
CLASSIC TOWN. BROAD HORIZON.

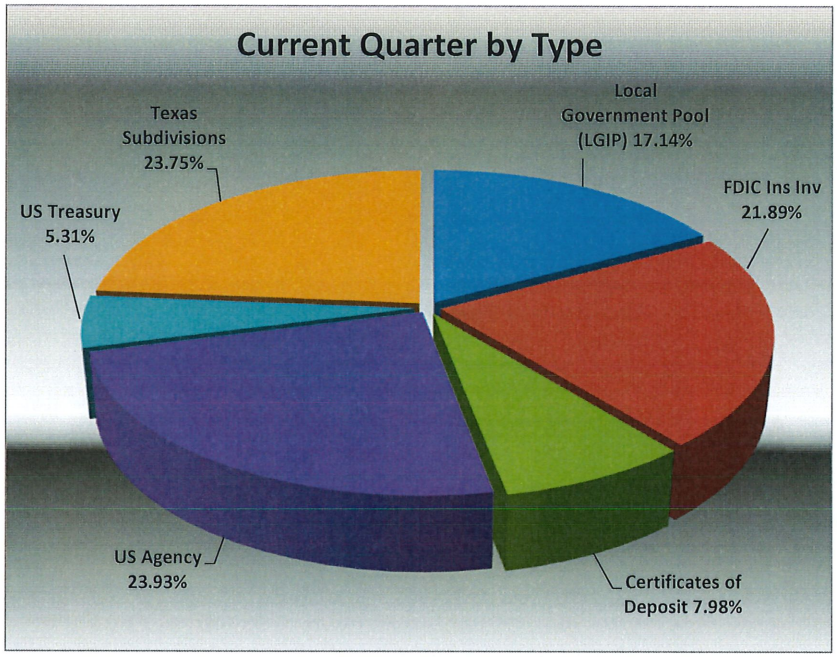
CITY OF SHERMAN, TX
Investment Transaction Report
As of 6/30/2021

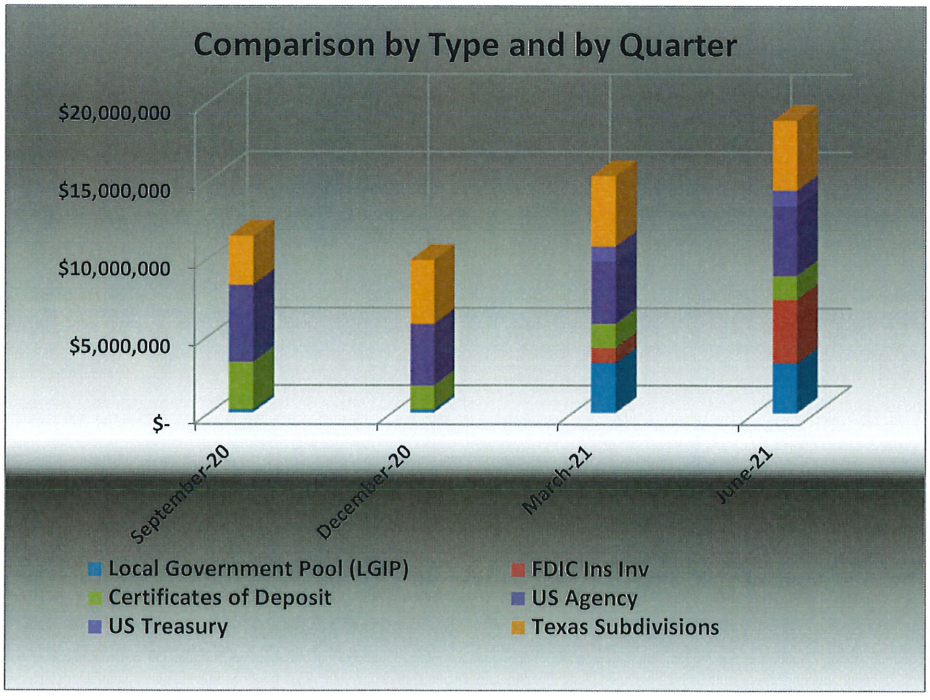
Trade Date	Settle Date	CUSIP	Security Description	Coupon	Maturity Date	Call Date	Par Value	Principal Amount	Interest Purchased/ Received	Total Amount	YTM
Maturities & Calls											
	4/1/2021	64542WAX8	New Hope Culturl EDU TX A&M	1.81%	4/1/2021		$ 500,000	$ 500,000	$ 4,515	$ 504,515	2.09%
	5/28/2021	3134GVZT8	FHLMC	0.35%	11/28/2022	5/28/2021	1,000,000	1,000,000	1,750	1,750	0.35%
	5/29/2021	CD 197679947	Simmons Bank	0.70%	5/26/2021		1,500,000	1,500,000	2,603	1,502,603	0.70%
	6/30/2021	3135G05B5	FNMA	0.45%	6/30/2023	6/30/2021	1,000,000	1,000,000	2,250	1,002,250	0.45%
Purchases											
	4/6/2021	3133EMVD1	FFCB	0.33%	4/5/2024		1,000,000	1,000,000	-	1,000,000	0.33%
	5/31/2021	Landing Rock	FDIC Ins Inv	0.20%			2,113,206	2,113,206	-	2,113,206	0.20%
	6/1/2021	CD 197781065	Simmons Bank	0.12%	6/1/2022		1,500,000	1,500,000	-	1,500,000	0.12%
	6/7/2021	Landing Rock	FDIC Ins Inv	0.20%			1,000,000	1,000,000	-	1,000,000	0.20%
	6/8/2021	3130AMLM2	FHLB	0.38%	6/7/2024		500,000	500,000	-	500,000	0.38%
	6/9/2021	3130AMMJ8	FHLB	0.40%	6/9/2026		1,000,000	1,000,000	-	1,000,000	0.40%
	6/14/2021	02301EED9	Amarillo Potter TX	0.40%	11/15/2023		445,000	483,826	-	483,826	0.37%
Income Payments											
	6/30/2021	TexPool	LGIP	0.01%					47	47	0.01%
	6/30/2021	TexStar	LGIP	0.01%					44	44	0.01%
	6/30/2021	Landing Rock	FDIC Ins Inv	0.20%					1,056	1,056	0.20%
	6/29/2021	3134GBRT1	FHLMC	2.00%	6/29/2022				10,000	10,000	2.00%
Total									**$ 22,265**		

Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Comparison by Type
As of 6/30/2021

Cash/Investment Type	Balance 9/30/2020	Balance 12/31/2020	Balance 3/31/2021	Balance 6/30/2021	Percent of Portfolio	Portfolio Cap
Local Government Pool (LGIP)	$ 220,947	$ 221,002	$ 3,221,033	$ 3,221,123	17.14%	50.00%
FDIC Ins Inv	-	-	1,000,011	4,114,273	21.89%	50.00%
Certificates of Deposit	3,020,807	1,505,298	1,507,925	1,500,000	7.98%	50.00%
US Agency	5,000,000	4,000,000	3,998,501	4,498,609	23.93%	50.00%
US Treasury	-	-	997,660	997,863	5.31%	50.00%
Texas Subdivisions	3,123,174	4,102,766	4,497,730	4,463,439	23.75%	50.00%
Total	**$ 11,364,928**	**$ 9,829,066**	**$ 15,222,860**	**$ 18,795,307**	**100.00%**	



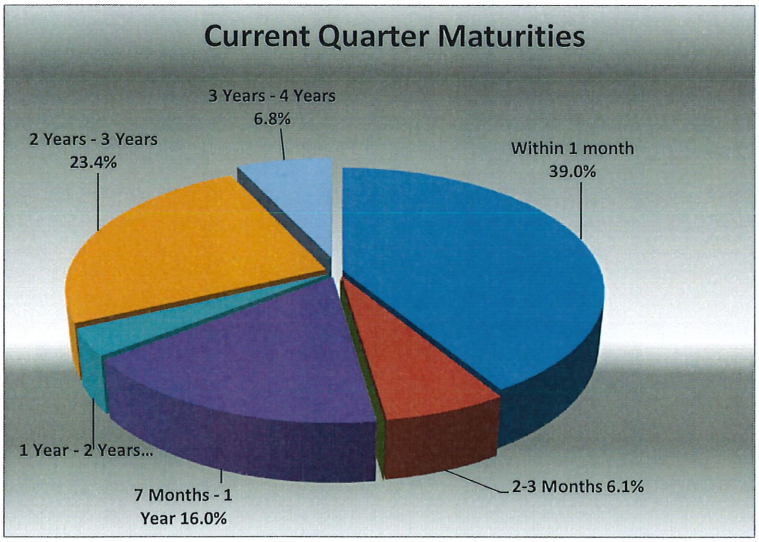


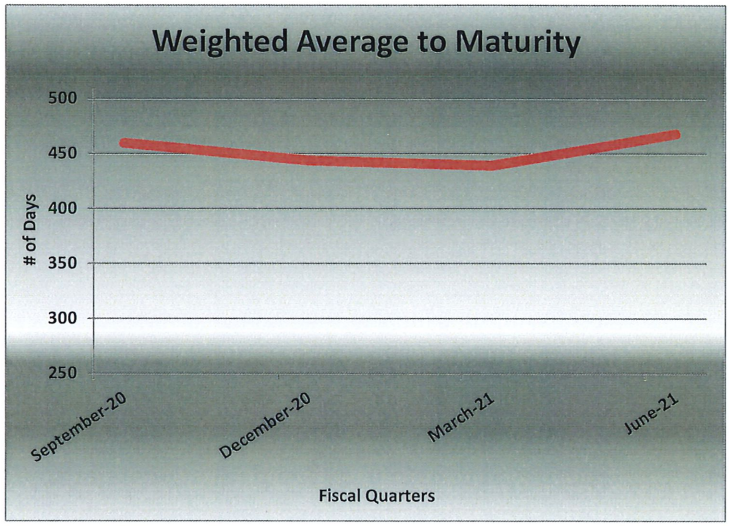
Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Portfolio by Maturity
As of 6/30/2021

Maturity Time Frame	Balance 9/30/2020	Balance 12/31/2020	Balance 3/31/2020	Balance 6/30/2021	Percent of Portfolio
Within 1 month	$ 1,739,107	$ 221,002	$ 4,721,044	$ 7,335,396	39.0%
2-3 Months	-	1,502,044	1,507,925	1,151,426	6.1%
4-6 Months	1,506,133	2,004,950	1,154,542	-	0.0%
7 Months - 1 Year	3,162,724	1,157,657	501,653	3,001,181	16.0%
1 Year - 2 Years	1,502,597	2,502,125	2,632,899	629,846	3.4%
2 Years - 3 Years	3,454,367	2,441,287	3,429,804	4,404,066	23.4%
3 Years - 4 Years	-	-	1,274,993	1,273,392	6.8%
4 Years - 5 Years	-	-	-	1,000,000	5.3%
	$ 11,364,928	**$ 9,829,065**	**$ 15,222,860**	**$ 18,795,307**	**100.00%**

Liquidity Indicator					Maximum Allowable
Weighted Average Maturity	**459.97**	**443.94**	**439.28**	**468.21**	**500.00**

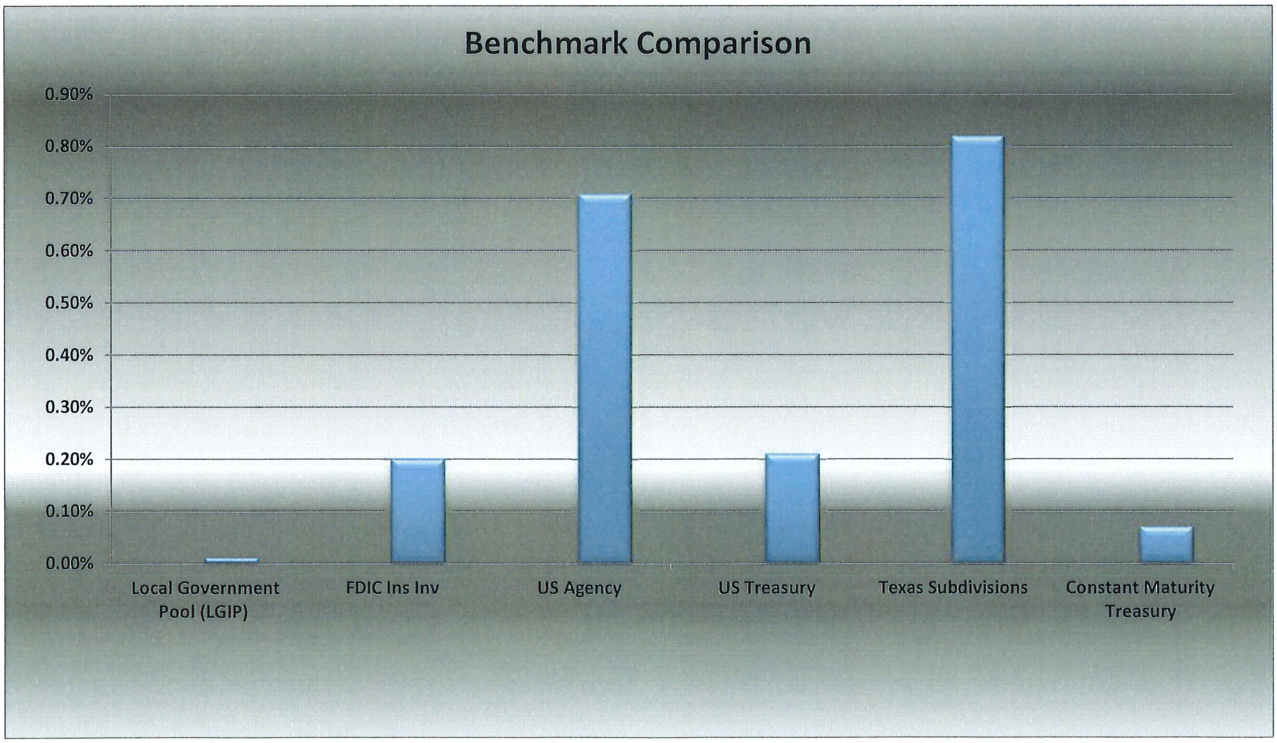




Sherman
CLASSIC TOWN. BROAD HORIZON.

CITY OF SHERMAN, TX
Earned Income
As of 6/30/2021

Date Received/ Purchased	CUSIP	Security Description	Coupon	YTM	Interest Purchased/ Received	Accrued Interest/ Amortization	Income Earned
6/30/2021	TexPool	TexPool			$ 47	$ -	$ 47
6/30/2021	TexStar	TexStar			44	-	44
6/30/2021	Landing Rock	Landing Rock			1,056	(1,045)	11
5/26/2021	CD 197679947	Simmons Bank	0.70%	0.70%	2,603	(897)	1,706
6/30/2021	CD 197781065	Simmons Bank	0.12%	0.12%	-	143	143
4/1/2021	64542WAX8	New Hope Cultrl EDU TX A&M	1.81%	2.09%	4,515	(4,515)	-
5/28/2021	3134GVZT8	FHLMC	0.35%	0.35%	1,750	(875)	875
6/29/2021	31346BRT1	Freddie Mac	2.00%	2.00%	10,000	(5,000)	5,000
6/30/2021	3135G05B5	FNMA	0.45%	0.45%	2,250	(1,125)	1,125
6/30/2021	9128CBM2	US Treasury Note B Class	0.13%	0.21%	-	514	514
6/30/2021	3136G43H4	FMNA	0.40%	0.44%	-	1,108	1,108
6/30/2021	8800644Z0	City of Temple, TX CO	3.00%	0.25%	-	160	160
6/30/2021	448474TM8	City of Hutto, TX GO	2.00%	0.40%	-	410	410
6/30/2021	340405MW6	City of Floresville, TX Elec Light Re	4.00%	0.46%	-	638	638
6/30/2021	549188UJ7	City of Lubbock TX Txbl-Ref	2.32%	1.93%	-	2,428	2,428
6/30/2021	926293YY1	City of Victoria, TX Ref	4.00%	2.05%	-	522	522
6/30/2021	413946PC2	Harris Cnty TX MUD #278 GO	4.00%	1.14%	-	1,260	1,260
6/30/2021	34679RNB1	Fort Bend Co TX MUD #23-A	2.00%	1.65%	-	2,080	2,080
6/30/2021	41420QGV4	Harris Cnty TX MUD #400	3.00%	2.75%	-	1,747	1,747
6/30/2021	977810JU5	City of Wolfforth TX GO	4.00%	0.39%	-	255	255
6/30/2021	3133EMVD1	FFCB	0.33%	0.33%	-	779	779
6/30/2021	3130AMLM2	FHLB	0.38%	0.38%	-	120	120
6/30/2021	3130AMMJ8	FHLB	0.40%	0.40%	-	233	233
6/30/2021	02301EED9	Amarillo Potter TX	4.00%	0.37%	-	116	116
6/30/2021	498730AX8	Klondike TX ISD GO	1.00%	0.10%	-	91	91
6/30/2021	983064YX8	City of Wylie, TX GO	3.00%	0.25%	-	166	166
					$ 22,265	**$ (687)**	**$ 21,578**



SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 7.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Replat Approval of Cornerstone Addition, Block 2, Lot 9R, being a Replat of Lots 8, 9 & 10, Block 2, Cornerstone Addition, being Lots 8, 9 and 10, Block 2, Cornerstone Addition; P&N Sherman, LLC, Owner; and Preston Trail Land Surveying, Surveyor (301, 305 & 309 Cornerstone Drive)

Issue:

To consider Replat Approval of Cornerstone Addition, Block 2, Lot 9R, being a Replat of Lots 8, 9 & 10, Block 2, Cornerstone Addition, being Lots 8, 9 and 10, Block 2, Cornerstone Addition; P&N Sherman, LLC, Owner; and Preston Trail Land Surveying, Surveyor (301, 305 & 309 Cornerstone Drive)

Background:

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

The owner would like to Replat three lots into one lot for commercial development.

Origination:

P and N Sherman, LLC (Owner)
Preston Trail Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

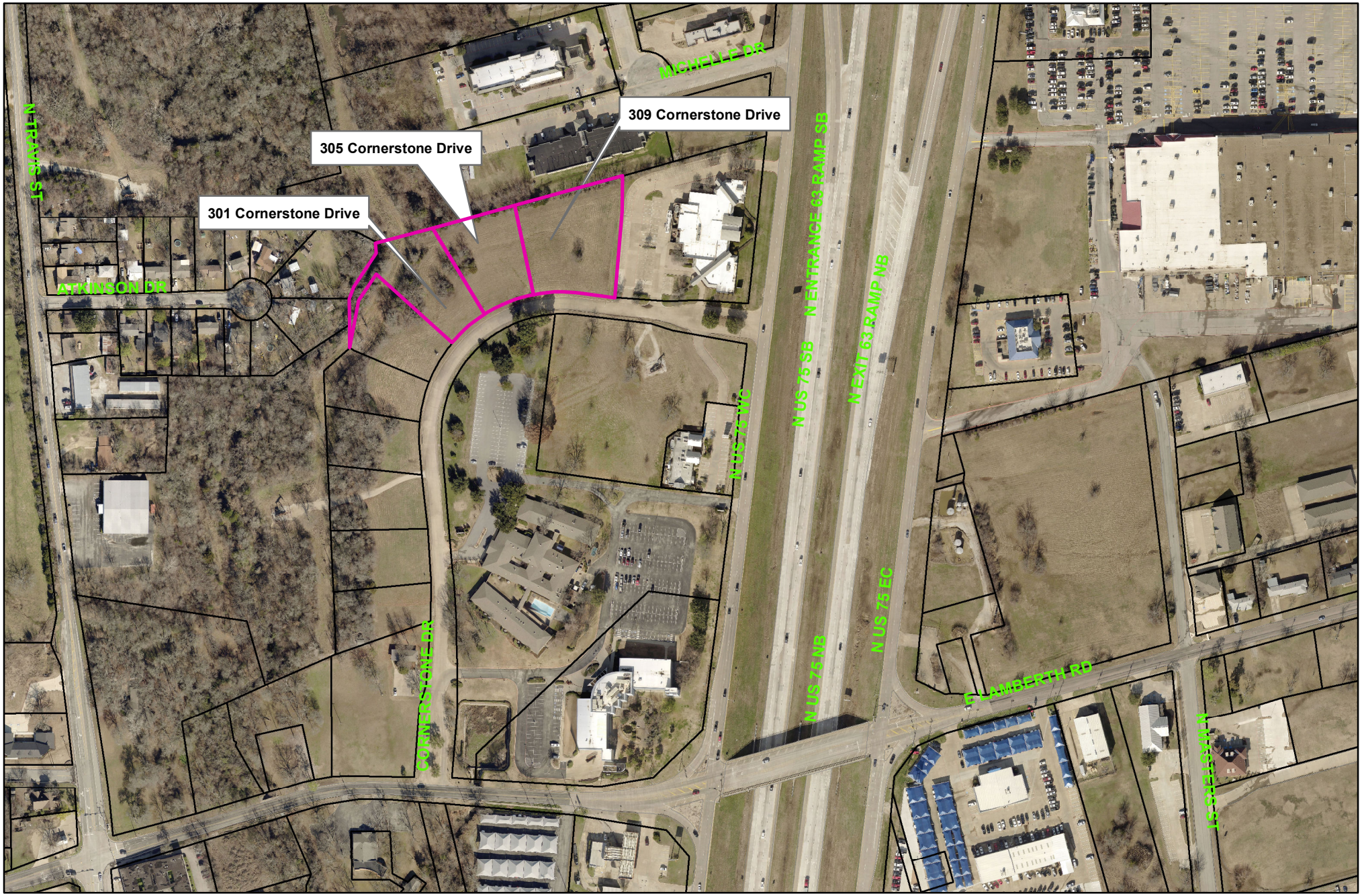
At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Cornerstone Replat Blk 2 Lot 9R
Staff Review Letter
P&Z Communication



301, 305 & 309 Cornerstone Drive

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 293 ft



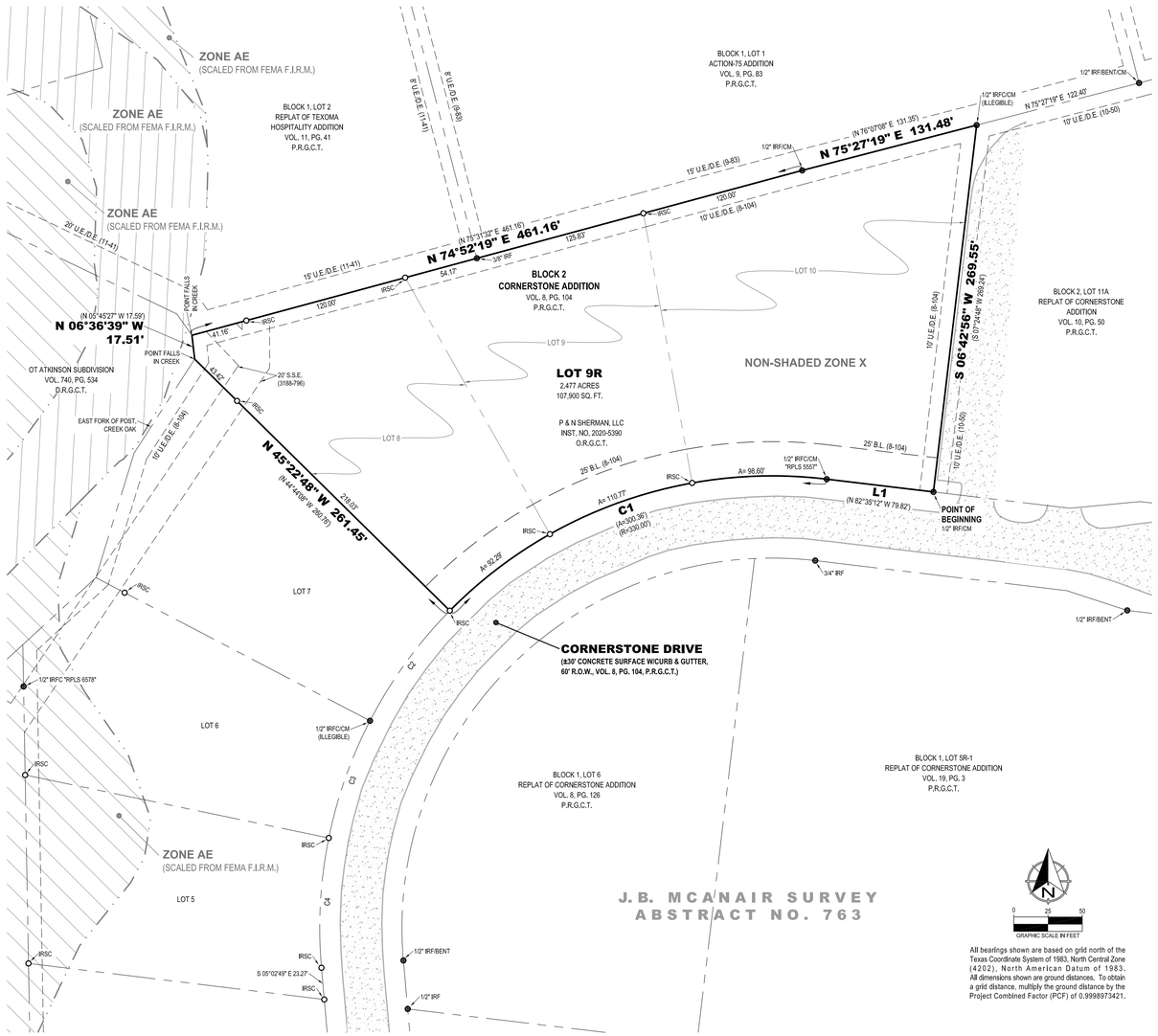
Zoning - 301, 305 & 309 Cornerstone Drive

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

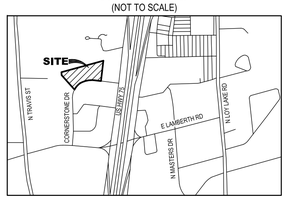
NOT TO SCALE

1 in = 200 ft



All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998973421.

VICINITY MAP
(NOT TO SCALE)



LINE	BEARING	DISTANCE
L1	N 83°10'19" W	78.38'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	301.66'	330.00'	52°22'34"	S 70°45'03" W	291.27'
C2	99.58'	330.00'	17°17'22"	S 35°55'05" W	99.20'
C3	90.97'	330.00'	15°47'43"	S 19°22'32" W	90.69'
C4	95.18'	330.00'	16°31'32"	S 03°12'55" W	94.85'

FLOOD STATEMENT:
I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/29/2010 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0290 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER/DEVELOPER:
P & N Sherman, LLC
Jack Patel
1225 Baynes Drive
McKinney, TX 75071

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
83493 N State Highway 289
Suite No. 5
Pottsboro, TX 75076
Ph: 903-786-6029

REPLAT OF CORNERSTONE ADDITION
BLOCK 2, LOT 9R
BEING A REPLAT OF LOTS 8, 9 & 10, BLOCK 2
CORNERSTONE ADDITION
2.477 ACRES
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
City of Sherman, Grayson County, Texas

Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNH Checked by: CRN	Scale: 1"=50' Date: 05/17/2021	Project No. 20-0010.1 Sheet No. 1 of 2

STATE OF TEXAS §
COUNTY OF GRAYSON §

OWNER'S CERTIFICATE

WHEREAS P & N SHERMAN, LLC is the owner of all of that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being Lots 8, 9 and 10 in Block 2 of Cornerstone Addition, according to the plat thereof recorded in Volume 8, Page 104, Plat Records, Grayson County, Texas, and being part of the tract of land described in the deed to P & N Sherman, LLC, recorded in Instrument No. 2020-5390, Official Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the southeast corner of Lot 10, common to the southwest corner of Lot 11A in Block 2 of the Replat of Cornerstone Addition, according to the plat thereof recorded in Volume 10, Page 50, said Plat Records, and on the northerly right-of-way line of Cornerstone Drive;

THENCE North 83°10'19" West, with the southerly line of said Lot 10, and with the northerly right-of-way line of Cornerstone Drive, a distance of 78.38 feet to a 1/2-inch iron rod with a plastic cap stamped "RPLS 5557" found at the beginning of a curve to the left having a delta angle of 52°22'34", a radius of 330.00 feet, and a chord bearing and distance of South 70°45'03" West, 291.27 feet;

THENCE continuing with the southerly line of said Lot 10, and with the northerly right-of-way line of Cornerstone Drive, and with said curve to the left, passing en route at an arc distance of 98.60 feet a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" (hereinafter referred to as Capped Iron Rod) previously set for the southwest corner of said Lot 10, and continuing on said course, with the southerly line of aforesaid Lot 9, passing en route at an arc distance of 209.37 feet a Capped Iron Rod set for the southwest corner of said Lot 9, and continuing on said course, with the southerly line of aforesaid Lot 8, a total arc distance of 301.66 feet to a Capped Iron Rod previously set for the southern-most southwest corner of said Lot 8, common to the southeast corner of Lot 7 in said Block 2 (8-104);

THENCE North 45°22'48" West, with the southwesterly line of said Lot 8, and with the northeasterly line of said Lot 7, passing en route at a distance of 218.03 feet a Capped Iron Rod set for witness, and continuing on said course a total distance of 261.45 feet to the western-most southwest corner of said Lot 8, common to the northeast corner of said Lot 7, and on the easterly line of OT Atkinson Subdivision, according to the plat thereof recorded in Volume 740, Page 534, Deed Records, Grayson County, Texas, and said point falls in a creek;

THENCE North 06°36'39" West, with the westerly line of said Lot 8, and with the easterly line of said OT Atkinson Subdivision, and in said creek, a distance of 17.51 feet to the northwest corner of said Lot 8, common to the southern-most southwest corner of Lot 2 in Block 1 of the Replat of Texoma Hospitality Addition, according to the plat thereof recorded in Volume 11, Page 41, said Plat Records;

THENCE North 74°52'19" East, with the northerly line of said Lot 8, and with the southerly line of said Lot 2, passing en route at a distance of 41.16 feet a Capped Iron Rod set for witness, and continuing on said course, passing en route at a distance of 161.16 feet a Capped Iron Rod set for the northeast corner of said Lot 8, and continuing on said course, with the northerly line of aforesaid Lot 9, passing en route at a distance of 215.33 feet a 3/8-inch iron rod found for the southeast corner of said Lot 2, and continuing on said course, with the southerly line of Lot 1 in Block 1 of the Action-75 Addition, according to the plat thereof recorded in Volume 9, Page 83, said Plat Records, passing en route at a distance of 341.16 feet a Capped Iron Rod previously set for the northeast corner of said Lot 9, and continuing on said course, with the northerly line of aforesaid Lot 10, a total distance of 461.16 feet to a 1/2-inch iron rod found for angle point;

THENCE North 75°27'19" East, continuing with the northerly line of said Lot 10, and with the southerly line of said Lot 1, a distance of 131.48 feet to a 1/2-inch iron rod with an illegible cap found for the northeast corner of said Lot 10, common to the northwest corner of aforesaid Lot 11A;

THENCE South 06°42'56" West, with the easterly line of said Lot 10, and with the westerly line of said Lot 11A, a distance of 269.55 feet to the POINT OF BEGINNING and enclosing 2.477 acres (107,900 square feet) of land, more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That **P & N SHERMAN, LLC**, does hereby adopt this plat designating the hereinbefore described property as **REPLAT OF CORNERSTONE ADDITION, BLOCK 2, LOT 9R**, an Addition to the City of Sherman, Grayson County, Texas, and does hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

BY: P & N SHERMAN, LLC

By: _____
Jack Patel

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **Jack Patel**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

CITY COUNCIL CERTIFICATE OF ACCEPTANCE

Accepted by the City Council of the City of Sherman, Texas:

_____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of **REPLAT OF CORNERSTONE ADDITION, BLOCK 2, LOT 9R**, an addition to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 20_____, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places as shown and set forth in and upon said map or plat and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 20____.

_____
Clerk, City of Sherman, Texas

PLANNING AND ZONING COMMISSION
CERTIFICATE OF ACCEPTANCE

Accepted this _____ day of _____, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

SURVEYORS CERTIFICATE

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground and that all monuments shown hereon actually actually exist and that their location, size, and material are correctly shown.

_____
Chris R. Noah Date
Registered Professional Land Surveyor No. 6585

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER/DEVELOPER:
P & N Sherman, LLC
Jack Patel
1225 Baynes Drive
McKinney, TX 75071

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
83493 N State Highway 289
Suite No. 5
Pottsboro, TX 75076
Ph: 903-786-6029

REPLAT OF CORNERSTONE ADDITION
BLOCK 2, LOT 9R
BEING A REPLAT OF LOTS 8, 9 & 10, BLOCK 2
CORNERSTONE ADDITION
2.477 ACRES
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
City of Sherman, Grayson County, Texas

Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNH Checked by: CRN	Scale: 1"=50' Date: 05/17/2021	Project No. 20-0010.1 Sheet No. 2 of 2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

P&N Sherman, LLC
Attn: Jack Patel
1225 Baynes Drive
McKinney, TX 75071

Preston Trail Land Surveying, LLC
83493 N. State Highway 289, Suite No. 5
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Replat of Cornerstone Addition, Block 2, Lot 9R has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Show flood fringe on plat. Plat must reflect and reference information as stated in FEMA Physical Map Revision No. 316-PMR.
2. Dedicate a 10' Utility Easement along Cornerstone Drive. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
3. All requirements of the Floodplain Ordinance shall be followed. *Code of Ordinances Chapter 3, Article 3.12*
4. Detention upgrade may be required upon Engineering review. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. Ownership and Maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*
5. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
6. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 16.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

* **301, 305 & 309 CORNERSTONE DRIVE**

The request of P & N Sherman, LLC (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 301, 305 and 309 Cornerstone Drive, being 2.477 acres in the J.B. McAnair Survey, Abstract No. 763 and being Lots 8, 9 and 10, Block 2, Cornerstone Addition, as follows;

Planning and Zoning Commission

Replat approval of Cornerstone Addition, Block 2, Lot 9R, being a Replat of Lots 8, 9 & 10, Block 2, Cornerstone Addition

Background:

The property is located at 301, 305 and 309 Cornerstone Drive off North Highway 75. The property is zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District. The owner would like to Replat three lots into one lot for commercial development.

Adjacent Zoning:

C-1 (Retail Business) District

Origination:

P & N Sherman, LLC (Owner)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Cornerstone Replat Blk 2 Lot 9R
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 8.**

Meeting Date: 07/19/2021
Prepared By: Rob Rae, Director of Development Services
Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Final Plat Approval of Jaramillo Addition on Leslie Lane in the City of Sherman's Extra Territorial Jurisdiction (ETJ), being 14.492 acres in the Aaron Burleson Survey, Abstract No. 61 (Angel M. Jaramillo & Martha Lopez, Owners; and Preston Trail Land Surveying, Surveyor (3400 Block East Leslie Lane)

Issue:

To consider Final Plat Approval of Jaramillo Addition on Leslie Lane in the City of Sherman's Extra Territorial Jurisdiction (ETJ), being 14.492 acres in the Aaron Burleson Survey, Abstract No. 61 (Angel M. Jaramillo & Martha Lopez, Owners; and Preston Trail Land Surveying, Surveyor (3400 Block East Leslie Lane)

Background:

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

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

Origination:

Angel M. Jaramillo & Martha Lopez (Owners)
Preston Trail Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Jaramillo Addition on Leslie Lane
Staff Review Letter
P&Z Communication



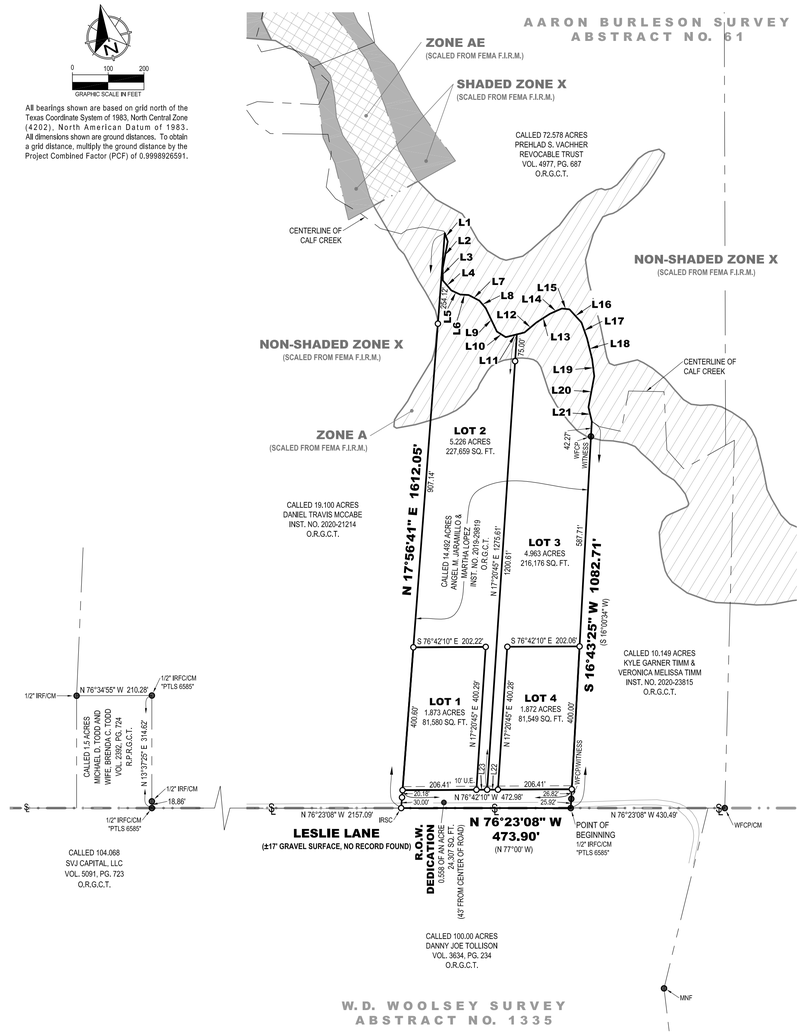
3400 Block East Leslie Lane

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 1,500 ft



All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202). North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998929591.

FLOOD STATEMENT:

I have examined the F.E.M.A. Flood Insurance Rate Map for Grayson County, Texas, Community Number 480829, effective date 09/29/2010 and that map indicates that a portion of this property is within "Zone A" defined as "Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood with no base flood elevations determined." as shown on Panel 0290 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

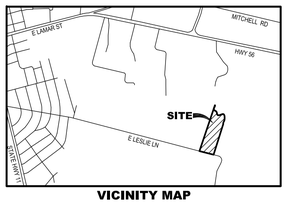
GENERAL NOTES:

1. Abstract lines shown are approximate.
2. All lot corners are 1/2" iron rod with plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" unless otherwise noted.
3. No development shall be allowed in Flood Zone without the permission of City of Sherman and/or Grayson County.

LEGEND

●	FOUND MONUMENT	O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
○	SET MONUMENT		
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET	R.P.R.G.C.T.	REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS
IRF	IRON ROD FOUND	VOL., PG.	VOLUME, PAGE
IRFC	IRON ROD FOUND W/PLASTIC CAP	INST. NO.	INSTRUMENT NO.
WFCP	WOOD FENCE CORNER POST	U.E.	UTILITY EASEMENT
MNF	MAG NAIL FOUND		BOUNDARY LINE
CM	CONTROLLING MONUMENT		ADJOINER LINE
( )	DEED OR PLAT CALL		ABSTRACT LINE APPROXIMATE
O.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS		EASEMENT

LINE	BEARING	DISTANCE
L1	S 05°56'15" E	25.05'
L2	S 24°16'40" W	76.15'
L3	S 13°01'17" W	34.04'
L4	S 26°51'03" E	36.60'
L5	S 51°32'31" E	27.35'
L6	S 72°58'12" E	23.57'
L7	S 48°37'32" E	33.95'
L8	S 26°54'07" E	27.39'
L9	S 11°45'05" E	72.43'
L10	S 44°09'09" E	29.30'
L11	N 89°39'40" E	54.26'
L12	N 63°34'05" E	43.31'
L13	N 70°57'03" E	45.29'
L14	N 79°43'44" E	35.83'
L15	S 70°47'45" E	21.54'
L16	S 28°34'32" E	49.99'
L17	S 05°49'09" E	46.90'
L18	S 00°09'51" E	60.08'
L19	S 06°41'55" W	47.83'
L20	S 24°13'03" W	87.98'
L21	S 00°22'55" W	40.70'
L22	N 76°42'10" W	30.08'
L23	N 76°42'10" W	30.08'



VICINITY MAP
(NOT TO SCALE)

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER/DEVELOPER:
Angel M. Jaramillo & Martha Lopez
1019 East Lake Street
Sherman, TX 75090

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying, LLC
83493 N State Highway 289
Suite No. 5
Pottsboro, TX 75076
Ph: 903-786-6029

MINOR PLAT
JARAMILLO ADDITION ON LESLIE LANE
14.492 ACRES
AARON BURLESON SURVEY, ABSTRACT NO. 61
EXTRA-TERRITORIAL JURISDICTION
OF THE CITY OF SHERMAN
Grayson County, Texas

Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
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TBPLS Firm No. 10194175	Drawn by: BNH Checked by: CRN	Scale: 1"-200' Date: 05/17/2021	Project No. 18-007L1a Sheet No. 1 of 2

OWNER'S CERTIFICATE

WHEREAS ANGEL M. JARAMILLO & MARTHA LOPEZ are the owners of all of that certain tract or parcel of land situated in the Aaron Burleson Survey, Abstract No. 61, Grayson County, Texas, and being part of a called 115.492 acre tract of land described in the deed to Provident Trust Group, LLC, FBO Brian M. Kubacak, Sep Ira (45% interest), Brandon W. Kubacak (40% Interest) and Ernest W. Kubacak (15% Interest), recorded in Instrument No. 2018-11849, Official Records of Grayson County, Texas, and being the same 14.492 acre tract described in the deed to Angel M. Jaramillo and Martha Lopez, recorded in Instrument No. 2019-29819, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" (hereinafter referred to as Capped Iron Rod) previously set for the southeast corner of said 115.492 acre tract, common to the southwest corner of a called 10,149 acre tract of land described in the deed to Contract of Sale and Purchase to Larry Jerome Boring, recorded in Volume 1605, Page 266, Deed Records of Grayson County, Texas, and on the northerly line of a called 100.00 acre tract of land described in the deed to Danny Joe Tollison, recorded in Volume 3634, Page 234, said Official Records, and in Leslie Lane (a gravel surface roadway, no record found);

THENCE North 76°23'08" West, with the southerly line of said 115.492 acre tract, and with the northerly line of said 100.00 acre tract, and in said Leslie Lane, a distance of 473.90 feet to a Capped Iron Rod set for the southwest corner of the herein described tract of land;

THENCE North 17°56'41" East, crossing said 115.492 acre tract, passing en route at a distance of 30.00 feet a Capped Iron Rod set for witness on the northerly side of said Leslie Lane, and continuing on said course, passing en route at a distance of 1357.92 feet a Capped Iron Rod set for witness, and continuing on said course a total distance of 1612.05 feet to the northwest corner of the herein described tract of land, and on the northerly line of said 115.492 acre tract, and on the southerly line of a called 72.578 acre tract of land described in the deed to Preahlad S. Vachher Revocable Trust recorded in Volume 4977, Page 687, said Official Records, said point at the center of Calf Creek;

THENCE in a southeasterly direction, with the northerly line of said 115.614 acre tract, and with the southerly line of said 72.578 acre tract, and with the center line of said Calf Creek, the following twenty-one (21) courses:

1. South 05°56'15" East, a distance of 25.05 feet to a point for corner;
2. South 24°16'40" West a distance of 76,15 feet to a point for corner;
3. South 13°01'17" West a distance of 34.04 feet to a point for corner;
4. South 26°51'03" East a distance of 36.60 feet to a point for corner;
5. South 51°32'31" East a distance of 27,35 feet to a point for corner;
6. South 72°58'12" East a distance of 23.57 feet to a point for corner;
7. South 48°37'32" East a distance of 33.95 feet to a point for corner;
8. South 26°54'07" East a distance of 27.39 feet to a point for corner;
9. South 11°45'05" East a distance of 72.43 feet to a point for corner;
10. South 44°09'09" East a distance of 29,30 feet to a point for corner;
11. North 89°39'40" East a distance of 54.26 feet to a point for corner;
12. North 63°34'05" East a distance of 43,31 feet to a point for corner;
13. North 70°57'03" East a distance of 45,29 feet to a point for corner;
14. North 79°43'44" East a distance of 35,83 feet to a point for corner;
15. South 70°47'45" East a distance of 21,54 feet to a point for corner;
16. South 28°34'32" East a distance of 49.99 feet to a point for corner;
17. South 05°49'09" East a distance of 46.90 feet to a point for corner;
18. South 00°09'51" East a distance of 60.08 feet to a point for corner;
19. South 06°41'55" West a distance of 47,83 feet to a point for corner;
20. South 24°13'03" West a distance of 87.98 feet to a point for corner;
21. South 00°22'55" West a distance of 40.70 feet to a point for the northeast corner of said 115.614 acre tract, common to the northwest corner of aforesaid 10.149 acre tract;

THENCE South 16°43'25" West, with the easterly line of said 115.614 acre tract, and with the westerly line of said 10,149 acre tract, passing en route at a distance of 42.27 feet a wood fence corner post found for witness on the southerly bank of said Calf Creek, and continuing on said course along or near a fence, and passing en route at a distance of 1056.80 a wood fence corner post found for witness on the northerly side of aforesaid Leslie Lane and continuing on said course a total distance of 1082.71 feet to the POINT OF BEGINNING and enclosing 14.492 acres (631,272 square feet) of land, more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That **ANGEL M. JARAMILLO & MARTHA LOPEZ**, do hereby adopt this plat designating the hereinbefore described property as **JARAMILLO ADDITION ON LESLIE LANE**, an Addition to the Extra Territorial Jurisdiction of the City of Sherman, Grayson County, Texas, and do hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

_____
By: **Angel M. Jaramillo**

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **Angel M. Jaramillo**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

_____
By: **Martha Lopez**

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **Martha Lopez**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

CITY COUNCIL CERTIFICATE OF ACCEPTANCE

Accepted by the City Council of the City of Sherman, Texas:

_____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of **JARAMILLO ADDITION ON LESLIE LANE** to the City of Sherman was submitted to the City Council on the _____ day of _____, 20_____ and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places as shown and set forth in and upon said map or plat and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 20____.

_____
Clerk, City of Sherman, Texas

PLANNING AND ZONING COMMISSION CERTIFICATE OF ACCEPTANCE

Accepted this _____ day of _____, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

SURVEYORS CERTIFICATE

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground and that all monuments shown hereon actually actually exist and that their location, size, and material are correctly shown.

_____
Chris R. Noah Date
Registered Professional Land Surveyor No. 6585

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER/DEVELOPER:
Angel M. Jaramillo & Martha Lopez
1019 East Lake Street
Sherman, TX 75090

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying, LLC
83493 N State Highway 289
Suite No. 5
Pottsboro, TX 75076
Ph: 903-786-6029

MINOR PLAT
JARAMILLO ADDITION ON LESLIE LANE
14.492 ACRES
AARON BURLESON SURVEY, ABSTRACT NO. 61
EXTRA-TERRITORIAL JURISDICTION
OF THE CITY OF SHERMAN
Grayson County, Texas

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TBPLS Firm No. 10194175	Drawn by: BNH Checked by: CRN	Scale: 1"-200' Date: 05/17/2021	Project No. 18-007L1a Sheet No. 2 of 2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

Angel M. Jaramillo
Martha Lopez
1019 E. Lake St.
Sherman, TX 75090

Preston Trail Land Surveying, LLC
83493 N. State Highway 289, Suite No. 5
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Final Plat of Jaramillo Addition on Leslie Lane has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Minor Plat to be changed to Final Plat in Addition Block.
2. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
3. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 17.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

*** 3400 BLOCK EAST LESLIE LANE (ETJ)**

The request of Angel M. Jaramillo & Martha Lopez (Owners) and Preston Trail Land Surveying (Surveyor) concerning the property located in the 3400 Block of East Leslie Lane, being 14.492 acres in the Aaron Burleson Survey, Abstract No. 61, as follows:

Planning and Zoning Commission

Final Plat approval of Jaramillo Addition on Leslie Lane in the City of Sherman's Extra Territorial Jurisdiction (ETJ)

Background:

The property is located in the 3400 block of East Leslie Lane in the City of Sherman's Extra Territorial Jurisdiction. The owner would like to Plat the property into four lots.

Adjacent Zoning:

Outside City.

Origination:

Angel M. Jaramillo & Martha Lopez (Owner)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Not included in Master Plan

Number of notices mailed:
Not required.

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Jaramillo Addition on Leslie Lane
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 9.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Replat Approval of Lots 6A & 6B, Block 31, Hilltop Estates, being 0.760 acres in the J. Hendrix Survey, Abstract No. 503, also being Lot 6, Block 31, Hilltop Estates Subdivision; Tobar Properties, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (2701 Dripping Springs Road and 4200 Block of Cox Street)

Issue:

To consider Replat Approval of Lots 6A & 6B, Block 31, Hilltop Estates, being 0.760 acres in the J. Hendrix Survey, Abstract No. 503, also being Lot 6, Block 31, Hilltop Estates Subdivision; Tobar Properties, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (2701 Dripping Springs Road and 4200 Block of Cox Street)

Background:

The property is located at 2701 Dripping Springs Road and the 4200 block of Cox Street, the northeast corner of Dripping Springs Road and Cox Street. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into three lots for residential development.

Origination:

Tobar Properties (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Hilltop Estates Replat Lots 6A & 6B, Blk. 31
Staff Review Letter
P&Z Communication



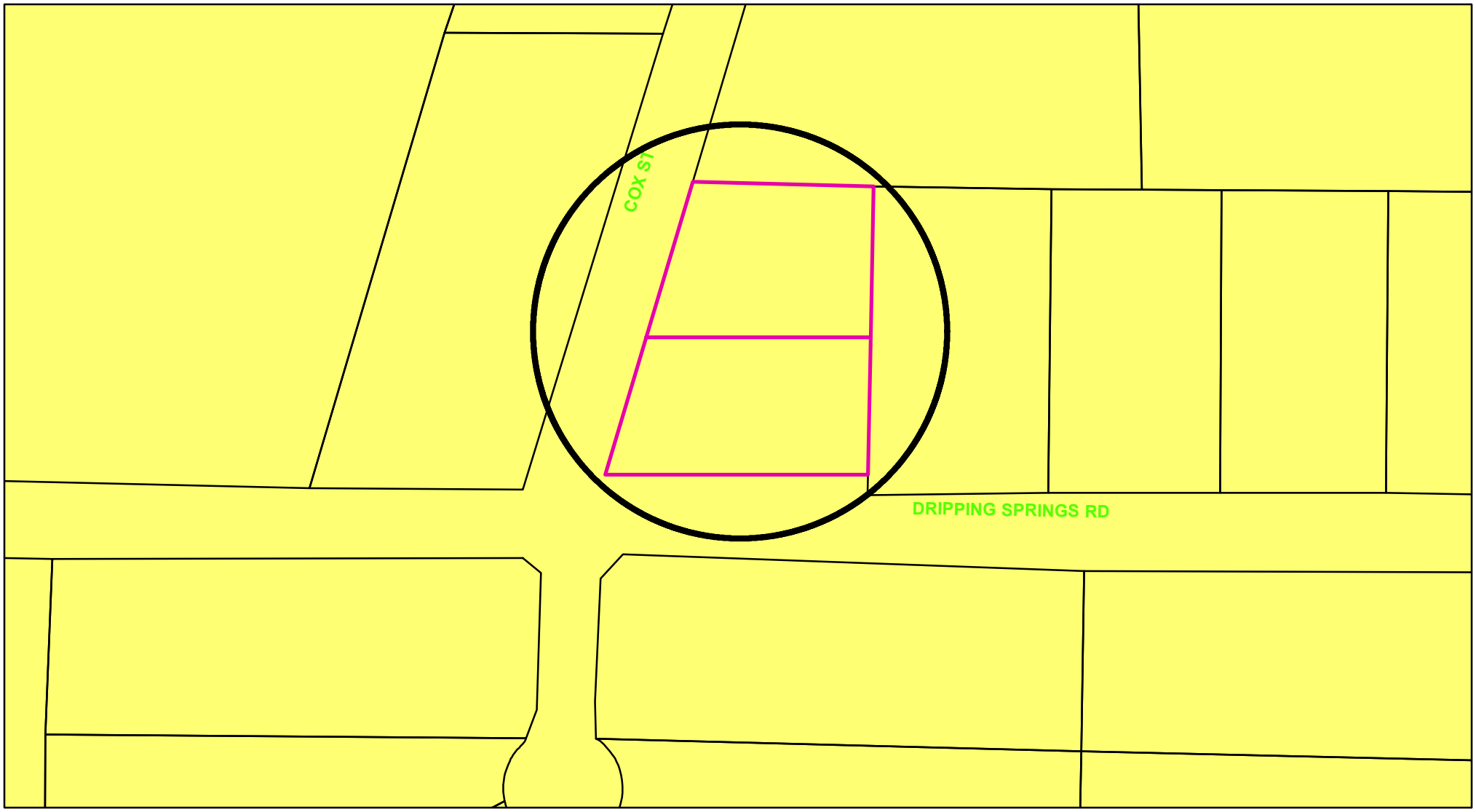
2701 Dripping Springs Road & 4200 Block Cox Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 293 ft



Zoning - 2701 Dripping Springs Road & 4200 Block Cox Street

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

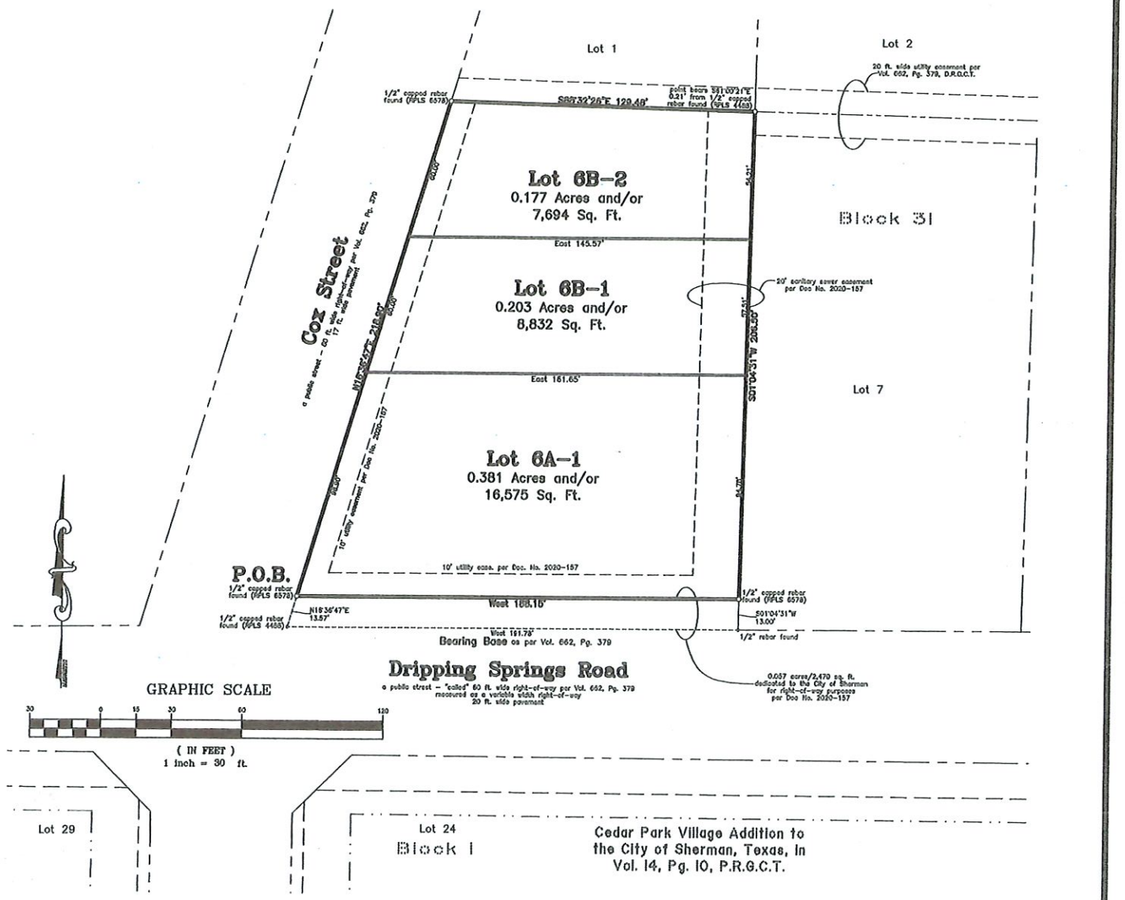
1 in = 100 ft

2701 Dripping Springs Road



4200 Block Cox Street





Replat of Lots 6A & 6B, Block 31, Hilltop Estates to the City of Sherman, Texas

0.760 Acres

in the

J. Hendrix Survey Abstract No. 503

General Notes:

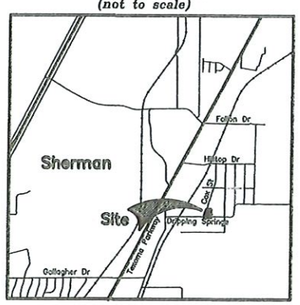
1. Water Supply to be provided by City of Sherman, Texas.
2. Sewer service to be provided by City of Sherman, Texas.
3. Electrical service is provided by Oncor Electrical Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0220 F, Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Job No. CGS870521

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

Owner:
Tobar's Properties
635 Preston Meadows Road
Sherman, Texas 75092

Vicinity Map
(not to scale)



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FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a replat of the Replat Lot 6, Block 31, Hilltop Estates Subdivision to the City of Sherman, Texas as per plat of record in Document No. 2020–157, Plat Records, Grayson County, Texas and being more particularly described by metes and bounds as follows to–wit:

BEGINNING at a 1/2 inch capped rebar found, stamped (*RPLS 6578*) at the intersection of the North line of Dripping Springs Road, a public road, with the East line of Cox Street, a public road, at the Southwest corner of said Lot 6A, **SAID** rebar being North 16 deg. 36 min. 47 sec. East, 13.57 ft. from a 1/2 inch capped rebar found stamped (*RPLS 4488*);

THENCE North 16 deg. 36 min. 47 sec. East, with the East line of said Cox Street and the West line of said Lots 6A and 6B, a distance of 218.90 ft. to a 1/2 inch capped rebar found stamped (*RPLS 6578*) at the Southwest corner of Lot 1, Block 31, Hilltop Estates Subdivision, to Grayson County, Texas, as per plat of record in Volume 662, Page 379, Deed Records, Grayson County, Texas, and the Northwest corner of said Lot 6B;

THENCE South 88 deg. 32 min. 26 sec. East, with the South line of said Lot 1 and the North line of said Lot 6B, a distance of 129.48 ft. to a point that bears South 61 deg. 00 min. 21 sec. East, 0.21 ft. from a 1/2 inch capped rebar found stamped (*RPLS 4488*) at the Southeast corner of said Lot 1, the Southwest corner of Lot 2, said Block 31, the Northwest corner of Lot 7, said Block 31 and the Northeast corner of said Lot 6B;

THENCE South 01 deg. 04 min. 31 sec. West, with the West line of said lot 7 and the East line of said Lots 6B and 6A, a distance of 208.50 ft. to a 1/2 inch capped rebar found stamped (*RPLS 6578*) in the North line of said Dripping Springs Road, at the Southeast corner of said Lot 6A, **SAID** rebar being North 01 deg. 04 min. 31 sec. East, 13.00 ft. from a 1/2 inch rebar found at the Southwest corner of said Lot 7;

THENCE West, with the North line of said Dripping Springs Road and the South line of said Lot 6A, a distance of 166.15 ft. to the **PLACE OF BEGINNING** and containing **0.760 ACRES and/or 33,101 SQUARE FEET** of land.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

_____
Kate A. Wagner, R. P. L. S. No. 6578 Date:

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

I, Tobar's Properties, sole owner of Replat of Lot 6A & 6B, Block 31, Hilltop Estates to the City of Sherman, Texas do hereby dedicate the streets, easements, alleys, rights–of–way, parks, school sites and other public places shown hereon to the public use forever.

_____
Mario Tobar, Representative for Tobar's Properties

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Mario Tobar, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2021.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of Replat of Lot 6A & 6B, Block 31, Hilltop Estates to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2021, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

Approved by Operation of Law on _____, 2021.

_____ _____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of Replat of Lot 6A & 6B, Block 31, Hilltop Estates to the City of Sherman has thereby been authorized to accept the dedication of streets, alleys, easements and public places as shown and set forth in and upon said map or plat and further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, AD. 2021.

_____
Clerk, City of Sherman, Texas

Replat of Lots 6A & 6B, Block 31, Hilltop Estates to the City of Sherman, Texas

0.760 Acres

in the

J. Hendrix Survey Abstract No. 503

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

C:\Land Projects\Replat-Lot-6-Block-31-Hilltop-Estates\Civil 3D\Replat.dwg 5/6/2021 8:56 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

Tobar's Properties
635 Preston Meadows Road
Sherman, TX 75092

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

Dear Applicants,

The request for approval of the Replat of Lots 6A & 6B, Block 31, Hilltop Estates has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Dedicate a 15'x15' corner clip on southwest corner of proposed Lot 6A-1. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
2. City Council approval block to be standard approval block. *Texas Local Government Code Title 7, Chapter 212, Subchapter A, Sec. 212.009*
3. Water and sewer mains must be extended in accordance with City criteria within Cox Street to serve proposed Lots . *Code of Ordinances Chapter 13, Sec. 13.07.282*
4. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
5. Lot lines of proposed plat to reflect on water and sewer civil plans if plat filed of record prior to civil plan approval.
6. Show bearing (in double digits) of "West" on southern boundary of plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
7. Graphically show edge of pavement on drawing.
8. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
9. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 22.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

*** 2701 DRIPPING SPRINGS ROAD AND 4200 BLOCK COX STREET**

The request of Tobar Properties (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 2701 Dripping Springs Road and the 4200 Block of Cox Street, being 0.760 acres in the J. Hendrix Survey, Abstract No. 503, also being Lot 6, Block 31, Hilltop Estates Subdivision, as follows:

Planning and Zoning Commission

Replat approval of Lots 6A & 6B, Block 31, Hilltop Estates

Background:

The property is located at 2701 Dripping Springs Road and the 4200 block of Cox Street, the northeast corner of Dripping Springs Road and Cox Street. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into three lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Tobar Properties (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:
99

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Hilltop Estates Replat Lots 6A & 6B, Blk. 31
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 10.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Replat Approval of Lot 1, Oyail Estates in the City of Sherman Extra Territorial Jurisdiction (ETJ), being 0.326 acres in the Preston Kitchen Survey, Abstract No. 667; Russell Rogers, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (388 Bennett Road)

Issue:

To consider Replat Approval of Lot 1, Oyail Estates in the City of Sherman Extra Territorial Jurisdiction (ETJ), being 0.326 acres in the Preston Kitchen Survey, Abstract No. 667; Russell Rogers, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (388 Bennett Road)

Background:

The property is located at 388 Bennett Road in the City of Sherman's Extra Territorial Jurisdiction. The owner would like to Replat the property into two lots.

Origination:

Russell Rogers (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

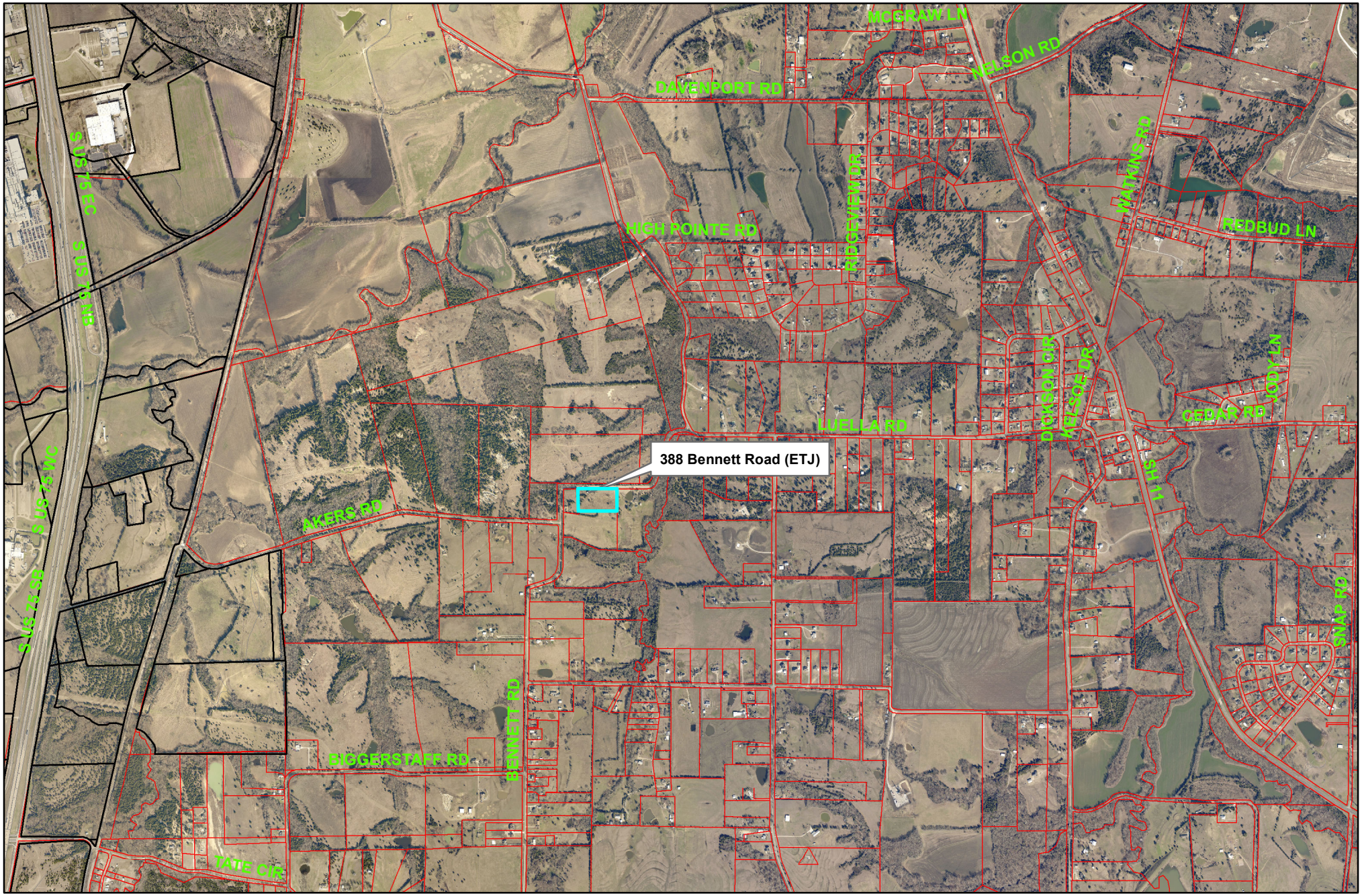
At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Sign Photo
Oyail Estates Replat Lot 1
Staff Review Letter
P&Z Communication



388 Bennett Road (ETJ)

Sherman
CLASSIC TOWN. BROAD HORIZON.

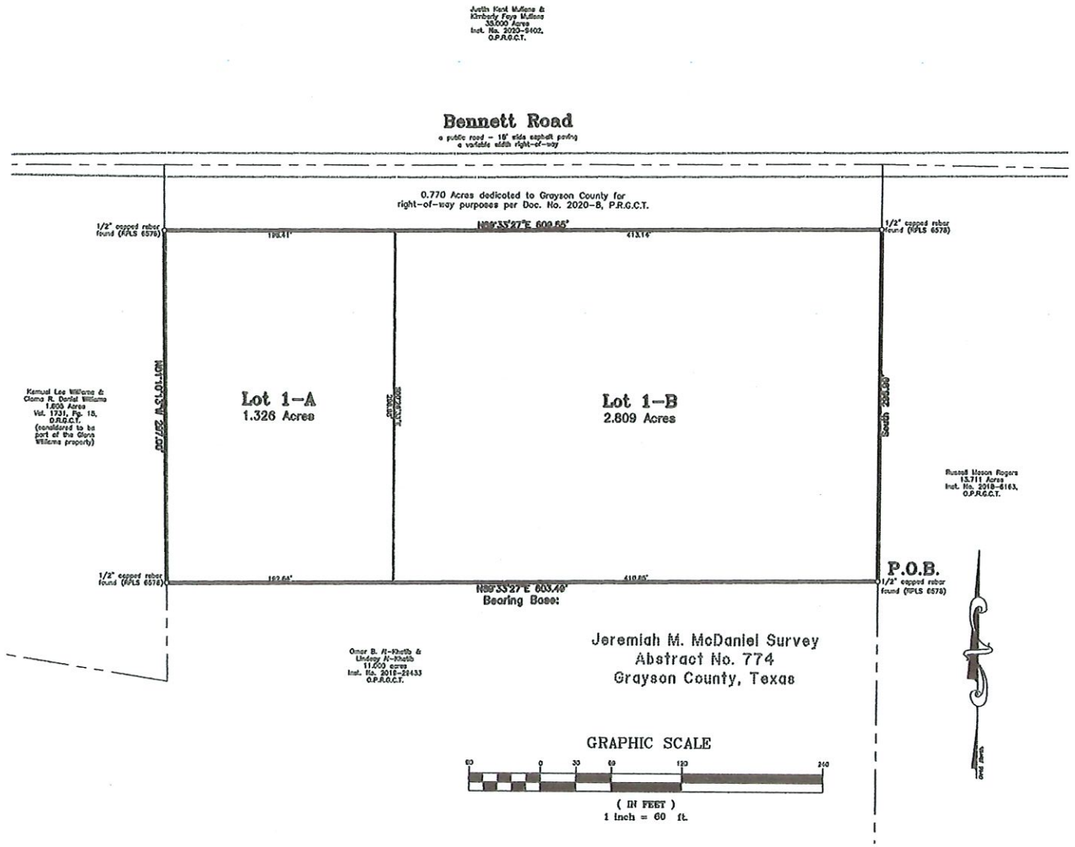
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 2,000 ft

388 Bennett Road (ETJ)





Replat of Lot 1, Oyail Estates to Grayson County, Texas 4.135 Acres in the Jeremiah M. McDaniel Survey Abstract No. 774

General Notes:

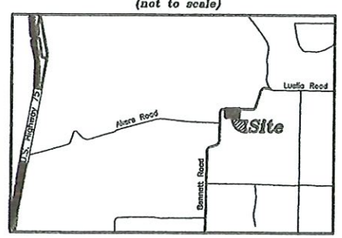
1. Water Supply to be provided by Luella Water Supply.
2. Sewer service to be provided by on-site sewage facility approved by Grayson County.
3. Electrical service to be provided by Oncor Electrical Delivery Co..
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. Grayson County will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0410 F, Revised Date: September 28, 2010.
8. Neither Grayson County nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.
10. Proposed land use of subject property is for residential purposes.

Job No. CGH740521

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10068100

Owner:
Russell Rogers
388 Bennett Road
Howe, Texas 75459

Vicinity map
(not to scale)



FIELD NOTES

SITUATED in the County of Grayson, State of Texas, and being a part of the Jeremiah M. McDaniel Survey, Abstract No. 774 and being all of Lot 1, Oyail Estates, to Grayson County, Texas, as per plat of record in Document No. 2020-8, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar found stamped (*RPLS 6578*) at the Southeast corner of said Lot 1, in the West line of the Russell Mason Rogers 13.711 acre tract of land, recorded in Instrument No. 2018-6163, Official Public Records, Grayson County, Texas, at the Northeast corner of the Omar B Al-Khatib and Lindsey Al-Khatib 11.000 acre tract of land, recorded in Instrument No. 2019-29433, said Official Public Records;

THENCE North 89 deg. 33 min. 27 sec. East, with the South line of said Lot 1 and the North line of said Al-Khatib 11.000 ac., a distance of 603.40 ft. to a 1/2 inch capped rebar found stamped (*RPLS 6578*) in the East line of the Kemuel Lee Williams and Cloma R. Daniel Williams 1.605 acre tract of land, recorded in Volume 1731, Page 15, Deed Records, Grayson County, Texas, at the most Northerly Northwest corner of said Al-Khatib 11.000 ac. and the Southwest corner of said Lot 1;

THENCE North 01 deg. 10 min. 13 sec. West, with the West line of said Lot 1 and the East line of said Williams 1.605 ac., a distance of 297.00 ft. to a 1/2 inch capped rebar found stamped (*RPLS 6578*) at the Southwest corner of the 0.770 acres dedicated for right-of-way purposes for Bennett Road to Grayson County as shown on said Document No. 2020-8 and the Northwest corner of said Lot 1;

THENCE North 89 deg. 33 min. 27 sec. East, with the North line of said Lot 1 and the South line of Bennett Road, a distance of 609.55 ft. to a 1/2 inch capped rebar found stamped (*RPLS 6578*) at the Southeast corner of said 0.770 ac., in the West line of said Rogers 13.711 ac., at the Northeast corner of said Lot 1;

THENCE South, with the East line of said Lot 1 and the West line of said Rogers 13.711 ac., a distance of 298.99 ft. to the **PLACE OF BEGINNING** and containing **4.135 ACRES** of land.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Kate A. Wagner, R. P. L. S. No. 6578 Date:

STATE OF TEXAS
KATE A. WAGNER
6578
REGISTERED
LAND SURVEYOR

I, Russell Rogers, owner of Replat of Lot 1, Oyail Estates, to Grayson County, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Russell Rogers

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Russell Rogers, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2021.

Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of Replat of Lot 1, Oyail Estates to Grayson County, Texas, is hereby approved this _____ day of _____, 2021, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

This, the final plat of Replat of Lot 1, Oyail Estates to Grayson County, Texas, is hereby approved this _____ day of _____, 2021, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of Replat of Lot 1, Oyail Estates to Grayson County, Texas, was submitted to the city council of Sherman, Texas, on the _____ day of _____, 2021, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2021, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Replat of Lot 1, Oyail Estates to Grayson County, Texas 4.135 Acres in the Jeremiah M. McDaniel Survey Abstract No. 774

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10068100

Z:\Shared Projects\Land Projects R2\264-bennet-rd-howe\dwg\Replat-Oyail-Estates.dwg 5/25/2021 8:53 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

Russell Rogers
388 Bennett Road
Howe, TX 75459

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

Dear Applicants,

The request for approval of the Replat of Lot 1, Oyail Estates has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Show ownership block on both pages of plat.
2. Show bearing (in double digits) of "South" on eastern boundary of plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
3. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
4. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 23.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

* **388 BENNETT ROAD (ETJ)**

The request of Russell Rogers (Owner) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 388 Bennett Road, being 4.135 acres in the Jeremiah M. McDaniel Survey, Abstract No. 774 and being Lot 1, Oyail Estates, as follows:

Planning and Zoning Commission

Replat approval of Lot 1, Oyail Estates in the City of Sherman Extra Territorial Jurisdiction (ETJ)

Background:

The property is located at 388 Bennett Road in the City of Sherman's Extra Territorial Jurisdiction. The owner would like to Replat the property into two lots.

Adjacent Zoning:

Outside City

Origination:

Russell Rogers (Owner)
Helvey-Wagner Surveying (Surveyor)

Master Plan Designation:

Not included in Master Plan

Number of notices mailed:

Not - required - same owner

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map

Oyail Estates Replat Lot 1

Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 11.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Replat Approval of Lots 8 & 9, Block 49, South Side Addition, being 0.326 acres in the Preston Kitchen Survey, Abstract No. 667; Ricky D. Cooper, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2113 South East Street)

Issue:

To consider Replat Approval of Lots 8 & 9, Block 49, South Side Addition, being 0.326 acres in the Preston Kitchen Survey, Abstract No. 667; Ricky D. Cooper, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (2113 South East Street)

Background:

The property is located at 2113 South East Street between Sherman and Cottage Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat two lots into one lot for residential development.

Origination:

Ricky D. Cooper (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
South Side Addition Replat
Staff Review Letter
P&Z Communication



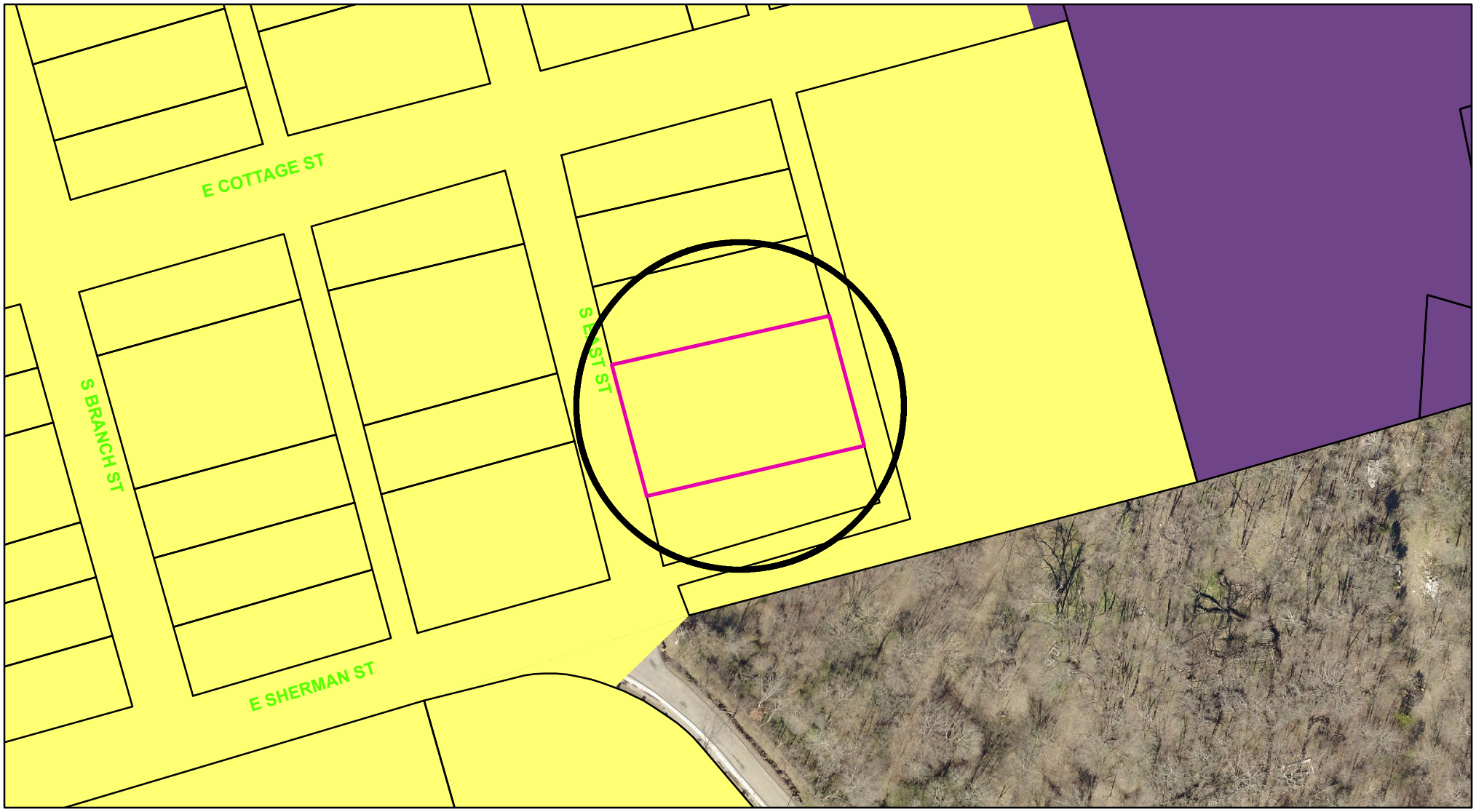
2113 South East Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 200 ft



Zoning - 2113 South East Street

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

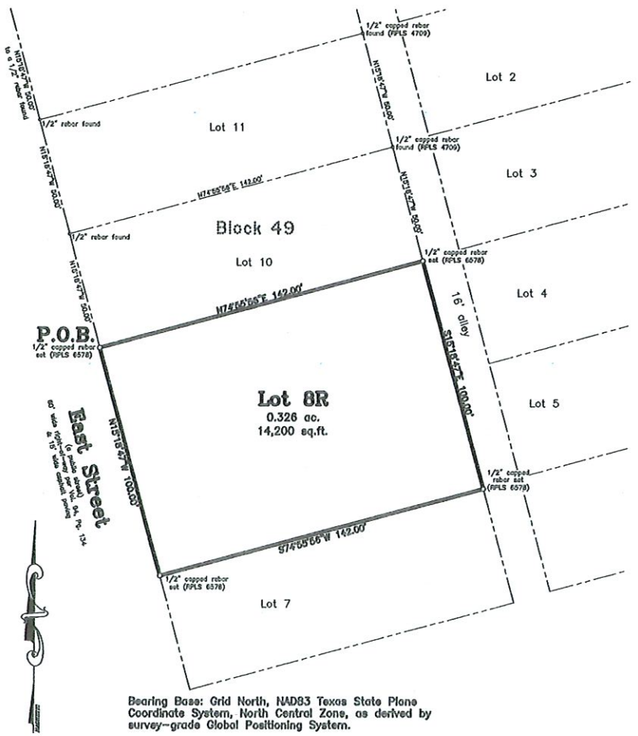
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

2113 South East Street





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

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

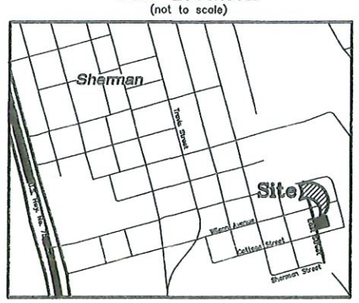
Replat of Lots 8 and 9, Block 49 of South Side Addition to the City of Sherman, Texas 0.326 Acres in the Preston Kitchen Survey Abstract No. 667

General Notes:

1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery Company.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0405 F, Revised Date: September 26, 2008.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Job No. CGS840521

Site Location
(not to scale)



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

Owner:
Ricky Don Cooper
2113 S. East Street
Sherman, Texas 75090

C:\Land Projects\2113-S-East-Street-Sherman\Civil 3D\Plat.dwg Layout: Plat Plot Date May 26 21 Time: 11:07 AM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, being out of the Preston Kitchen Survey, Abstract No. 667, being a Replat of Lots 8 and 9, Block 49 of South Side Addition to the City of Sherman, Texas, recorded in Volume 94, Page 134, Deed Records, Grayson County, Texas and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar set, stamped "RPLS 6578" in the East right-of-way line of East Street, a public street, at the Southwest corner of Lot 10, said Block 49 of South Side Addition and the Northwest corner of both said Lot 9 and the herein described tract, **SAID** rebar beare South 15 deg. 18 min. 47 sec. East, 50.00 ft. from a 1/2 inch rebar found at the Northwest corner of said Lot 10;

THENCE North 74 deg. 55 min. 56 sec. East, with the South line of said Lot 10 and the North line of said Lot 9, a distance of 142.00 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" in the West line of a 16 ft. wide Alley, at the Southeast corner of said Lot 10 and the Northeast corner of both said Lot 9 and the herein described tract, **SAID** rebar beare South 15 deg. 18 min. 47 sec. East, 50.00 ft. from a 1/2 inch capped rebar found, stamped "RPLS 4709" at the Northeast corner of said Lot 10;

THENCE South 15 deg. 18 min. 47 sec. East, with the West line of said Alley and the East line of both said Lots 8 and 9, a distance of 100.00 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the Northeast corner of Lot 7, said Block 49 of South Side Addition and the Southeast corner of both said Lot 8 and the herein described tract;

THENCE South 74 deg. 55 min. 56 sec. West, with the North line of said Lot 7 and the South line of said Lot 8, a distance of 142.00 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" in the East right-of-way line of said East Street, at the Northwest corner of said Lot 7 and the Southwest corner of both said Lot 8 and the herein described tract;

THENCE North 15 deg. 18 min. 47 sec. West, with the East right-of-way line of said East Street and the West line of both said Lots 8 and 9, a distance of 100.00 ft. to the **PLACE OF BEGINNING** and containing **0.326 ACRES** of land.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

Kate A. Wagner, R. P. L. S. No. 6578 Date:

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

I, Ricky Don Cooper, owner of Replat of Lots 8 and 9, Block 49 of South Side Addition to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

Ricky Don Cooper

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Ricky Don Cooper, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2021.

Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the Replat of Lots 8 and 9, Block 49 of South Side Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2021, by the Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

This, the Replat of Lots 8 and 9, Block 49 of South Side Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2021, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing Replat of Lots 8 and 9, Block 49 of South Side Addition to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the _____ day of _____, 2021, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2021, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Replat of Lots 8 and 9, Block 49 of South Side Addition to the City of Sherman, Texas 0.326 Acres in the Preston Kitchen Survey Abstract No. 667

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

C:\Land Projects\2113-S-East-Street-Sherman\Civil 3D\Plat.dwg Layout: Plat Plot Date May 26 21 Time: 11:07 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

Ricky Don Cooper
2113 S. East St.
Sherman, TX 75090

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

Dear Applicants,

The request for approval of the Replat of Lots 8 & 9, Block 49 of South Side Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Show ownership block on both pages of plat.
2. Graphically show curb line on drawing.
3. Dedicate a 10' Utility Easement along East Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
4. Add General Note regarding Avigation Easement to plat. Coordinate with Engineering Department for language. *Chapter 14, Article 14.02*
5. The City of Sherman does not maintain alleys.
6. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
7. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 24.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

*** 2113 SOUTH EAST STREET**

The request of Ricky D. Cooper (Owners) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 2113 South East Street, being 0.326 acres in the Preston Kitchen Survey, Abstract No. 667, as follows:

Planning and Zoning Commission

Replat approval of Lots 8 & 9, Block 49, South Side Addition.

Background:

The property is located at 2113 South East Street between Sherman and Cottage Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat two lots into one lot for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Ricky D. Cooper (Owners)
Helvey-Wagner Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:
157

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat Lots 8 & 9, Blk 49, Southside Addition
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 12.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Replat Approval of Liberty Lighthouse Addition, being a part of Lots 1-3 and 8, Block B, T.J. Shannon Supplement, being 0.67 acres in the J.B. McAnair Survey, Abstract No. 763, also being part of Lots 1-3 and 8, Block B of the T.J. Shannon Supplement; Texoma Liberty Lighthouse, Owners; and Underwood Drafting and Surveying, Surveyor (110 & 120 West Mulberry Street)

Issue:

To consider Replat Approval of Liberty Lighthouse Addition, being a part of Lots 1-3 and 8, Block B, T.J. Shannon Supplement, being 0.67 acres in the J.B. McAnair Survey, Abstract No. 763, also being part of Lots 1-3 and 8, Block B of the T.J. Shannon Supplement; Texoma Liberty Lighthouse, Owners; and Underwood Drafting and Surveying, Surveyor (110 & 120 West Mulberry Street)

Background:

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

Origination:

Texoma Liberty Lighthouse (Owner)
Underwood Drafting and Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

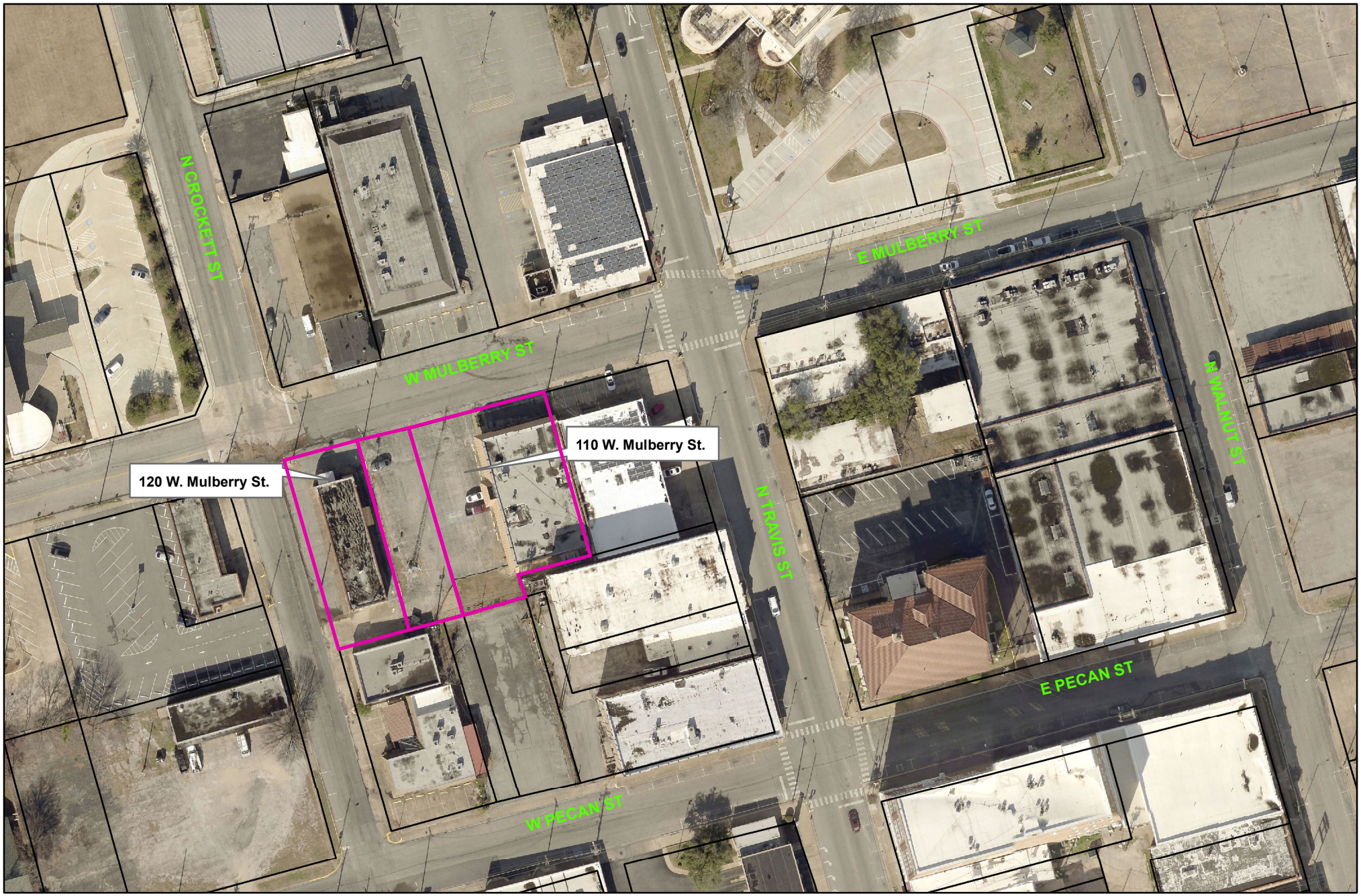
At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Liberty Lighthouse Addition
Staff Review Letter
P&Z Communication



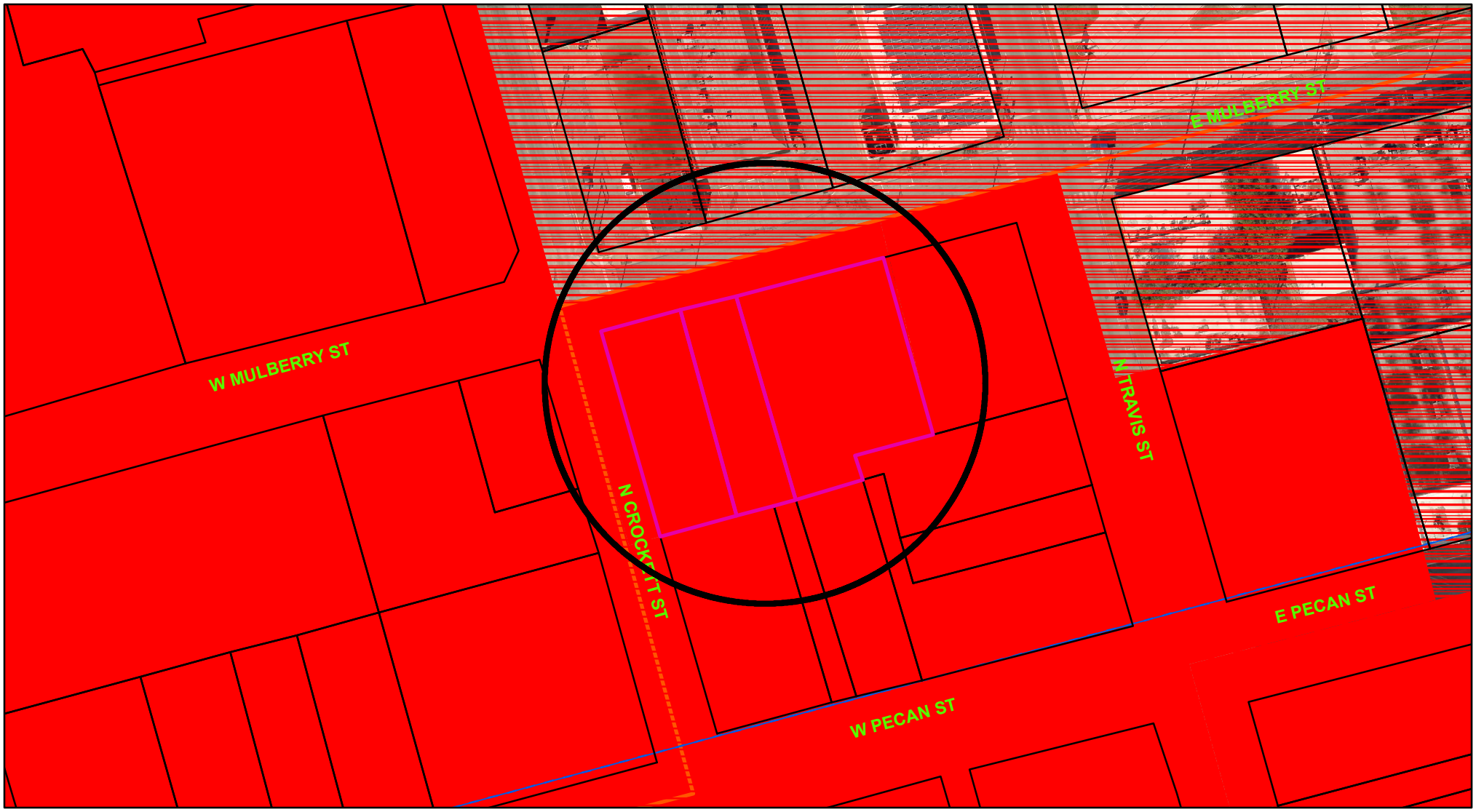
110 & 120 West Mulberry Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft



Zoning - 110 & 120 West Mulberry Street

Legend

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

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

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

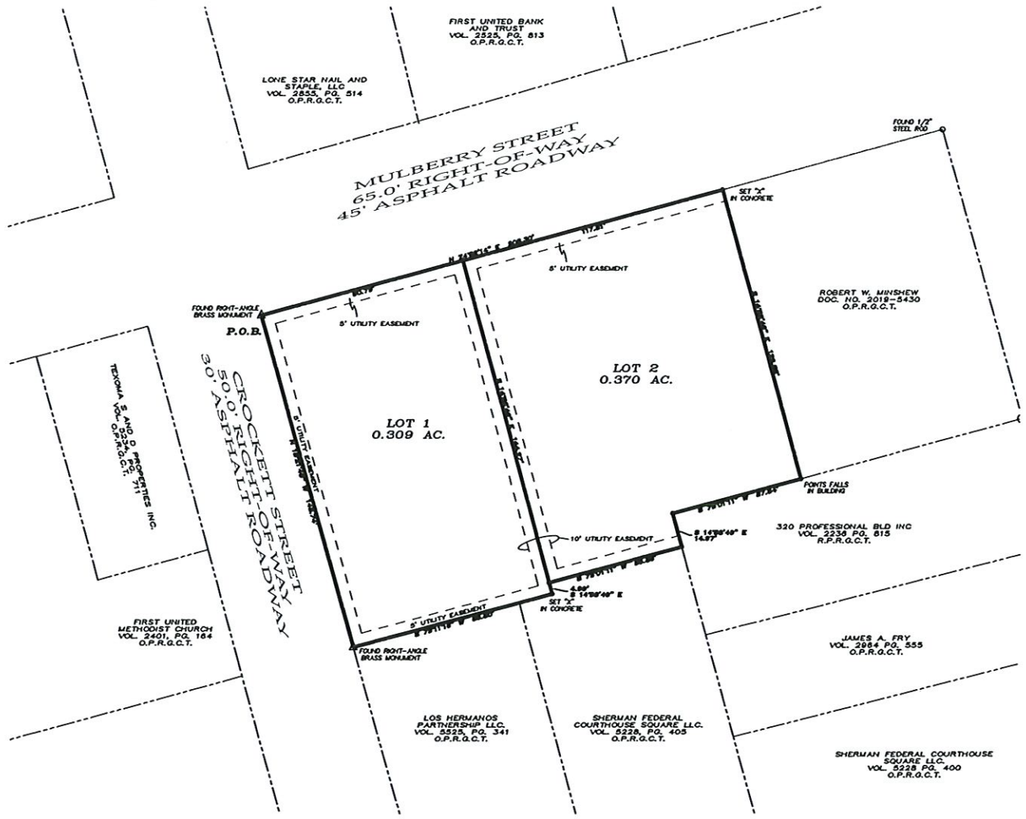
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

JOB NO. 22040362



FINAL PLAT

LIBERTY LIGHTHOUSE ADDITION

BEING A PART OF LOTS 1-3 AND 8 BLOCK B, OF THE T.J. SHANNON SUPPLEMENT IN THE J.B. MCANAIR SURVEY, ABSTRACT 763 O.P.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING 0.67 ACRES

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

OWNERS /DEVELOPER
TEXOMA LIBERTY
LIGHTHOUSE CHURCH INC.
364 LIBERTY HILL CIRCLE
SHERMAN, TEXAS 75090

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS 75021

5-27-2021

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

SHEET 1 OF 2

JOB NO. 21040362

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the J.B. MCANAIR Survey, Abstract No. 763, and being a part of Lots 1-3 and 8, Block B of the T.J. Shannon Supplement Official Public Records, Grayson County, Texas, an addition to the City of Sherman Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a Found Right-Angle Brass Monument at the intersection of the South Right-of-way line of Mulberry Street and the East Right-of-way of Crockett street and being the Northwest corner of said tract;

Thence North 74°52'14" East with said South Right-of-Way a distance of 208.30 feet to a Set "X";

Thence South 14°58'49" East with the West line of the Minshew Tract, Recorded in Document No. 2019-5430 of said Official Public Records, a distance of 129.58 feet to a point;

Thence South 75°01'11" West with the North Line of a tract of land Conveyed to 320 Professional Bldg. Inc, recorded in Vol. 2236 Pg. 815 Real Property Records of Grayson County, Texas, a distance of 57.64 feet to a set ½" steel rod;

Thence South 14°58'49" East with the west line of said 320 Professional Bldg. Inc, a distance of 14.97 feet to a set ½" steel rod;

Thence South 75°01'11" West with the North Line of a tract of land conveyed to Sherman Federal Courthouse Square LLC. Recorded in Volume 4228, Page 405 of said Official Public Records a distance of 59.86 feet to a set ½" steel rod;

Thence South 14°58'49" East with said Sherman Federal Courthouse Square LLC. a distance of 4.99 feet to a Set "X" in concrete headwall;

Thence South 75°11'16" West with the North line of said Sherman Federal Courthouse Square LLC, and the North line of a tract of land conveyed to Los Hermanos Partnership LLC, Recorded in Vol. 5525, Pg. 341 of said Official Public Records a distance of 89.80 feet to a Found Right-Angle Brass Monument in the west Right-of-Way of said Crockett Street Right-of-Way;

Thence North 15°21'49" West with said Crockett Street Right-of-Way a distance of 148.74 feet to the Point of Beginning and containing 0.679 acres of land.

ACCEPTANCE

Approved this _____ day of _____, 2021, by the City Planning Commission to the City of Sherman, Texas.

_____ Chairman

_____ Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

_____ Mayor, City of Sherman, Texas

_____ Date

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

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

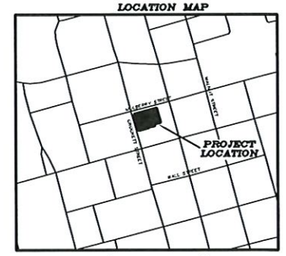
_____ Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

_____ Date

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.

LOCATION MAP



(NOT TO SCALE)

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, TEXOMA LIBERTY LIGHTHOUSE CHURCH INC. do hereby adopt this plat designating the hereinabove property as LIBERTY LIGHTHOUSE ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this_____day of_____,2021.

_____ CHIP LABORDE

STATE OF TEXAS
COUNTY OF GRAYSON

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this___day of_____, 2021.

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

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing LIBERTY LIGHTHOUSE ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the ___day of_____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this_____day of_____,2021.

_____ Clerk, City of Sherman, Texas

FINAL PLAT

LIBERTY LIGHTHOUSE ADDITION

BEING A PART OF LOTS 1-3 AND 8 BLOCK B, OF THE T.J. SHANNON SUPPLEMENT IN THE J.B. MCANAIR SURVEY, ABSTRACT 763 O.P.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING 0.67 ACRES

OWNERS /DEVELOPER
TEXOMA LIBERTY
LIGHTHOUSE CHURCH INC.
364 LIBERTY HILL CIRCLE
SHERMAN, TEXAS 75090

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS 75021

5-27-2021

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

SHEET 2 OF 2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

Texoma Liberty Lighthouse Church, Inc.
364 Liberty Hill Circle
Sherman, TX 75090

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Liberty Lighthouse Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Graphically show curb lines on drawing.
2. Dedicate a 15'x15' corner clip on Northwest corner of proposed Lot 1. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
3. 10' Utility Easement to be dedicated off of corner clip dimensions.
4. Proposed 5' Utility Easements on North West and South boundary lines to be changed to 10' Utility Easements. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
5. Verify fire requirements and code compliance with Fire Marshal. *Code of Ordinances Chapter 3.02(c)*
6. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
7. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. <u>CAD file must be submitted digitally at time of final approval</u>. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 29.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

*** 110 & 120 WEST MULBERRY STREET**

The request of Texoma Liberty Lighthouse (Owner) and Underwood Drafting and Surveying, Inc. (Surveyor) concerning the property located at 110 and 120 West Mulberry Street, being 0.67 acres in the J.B. McAnair Survey, Abstract No. 763, also being part of Lots 1-3 and 8, Block B of the T.J. Shannon Supplement, as follows:

Planning and Zoning Commission

Replat approval of Liberty Lighthouse Addition, being a part of Lots 1-3 and 8, Block B, T.J. Shannon Supplement.

Background:

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

Adjacent Zoning:

C-1 (Retail Business) District
C-2 (General Commercial) District

Origination:

Texoma Liberty Lighthouse (Owner)
Underwood Drafting and Surveying, Inc. (Surveyor)

Master Plan Designation:

Urban/Downtown – Buildings are two to five stories and are built right up to the sidewalk, creating a sense of enclosure. Sidewalks provide pedestrian access and streetscape amenities. Parking is available along the street or in small parking lots in the rear of the buildings.

Number of notices mailed:

Not required.

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Liberty Lighthouse Addition
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 13.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Replat Approval of Lot 1R, Block 4, Chaffin's First Addition, Being a Replat of Lots 1, 2, 3, 4, 5, 6 & 7, Block 4, Chaffin's First Addition, being 0.959 acres in the J.B. McAnair Survey, Abstract No. 763 and being all of Lots 1-7, Block 4, Chaffin's First Addition; Sam A. Loria, Owner; Vilbig & Associates, PLLC, Civil Engineer; and Copley Land Surveying, Surveyor (609 East Pecan Street)

Issue:

To consider Replat Approval of Lot 1R, Block 4, Chaffin's First Addition, Being a Replat of Lots 1, 2, 3, 4, 5, 6 & 7, Block 4, Chaffin's First Addition, being 0.959 acres in the J.B. McAnair Survey, Abstract No. 763 and being all of Lots 1-7, Block 4, Chaffin's First Addition; Sam A. Loria, Owner; Vilbig & Associates, PLLC, Civil Engineer; and Copley Land Surveying, Surveyor (609 East Pecan Street)

Background:

The property is located at 609 East Pecan Street, the northeast corner of Broughton Street and the Burlington Northern Santa Fe Railroad. The property is zoned an M-2 (Heavy Manufacturing) District. The owners would like to Replat the property into one lot for an addition to the existing building.

Origination:

Sam A. Loria (Owner)
Vilbig & Associates, PLLC (Civil Engineer)
Copley Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Chaffin's First Addition Replat Lot 1R Blk 4
Staff Review Letter
P&Z Communication



609 East Pecan Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 200 ft



Zoning - 609 East Pecan Street

Legend

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

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

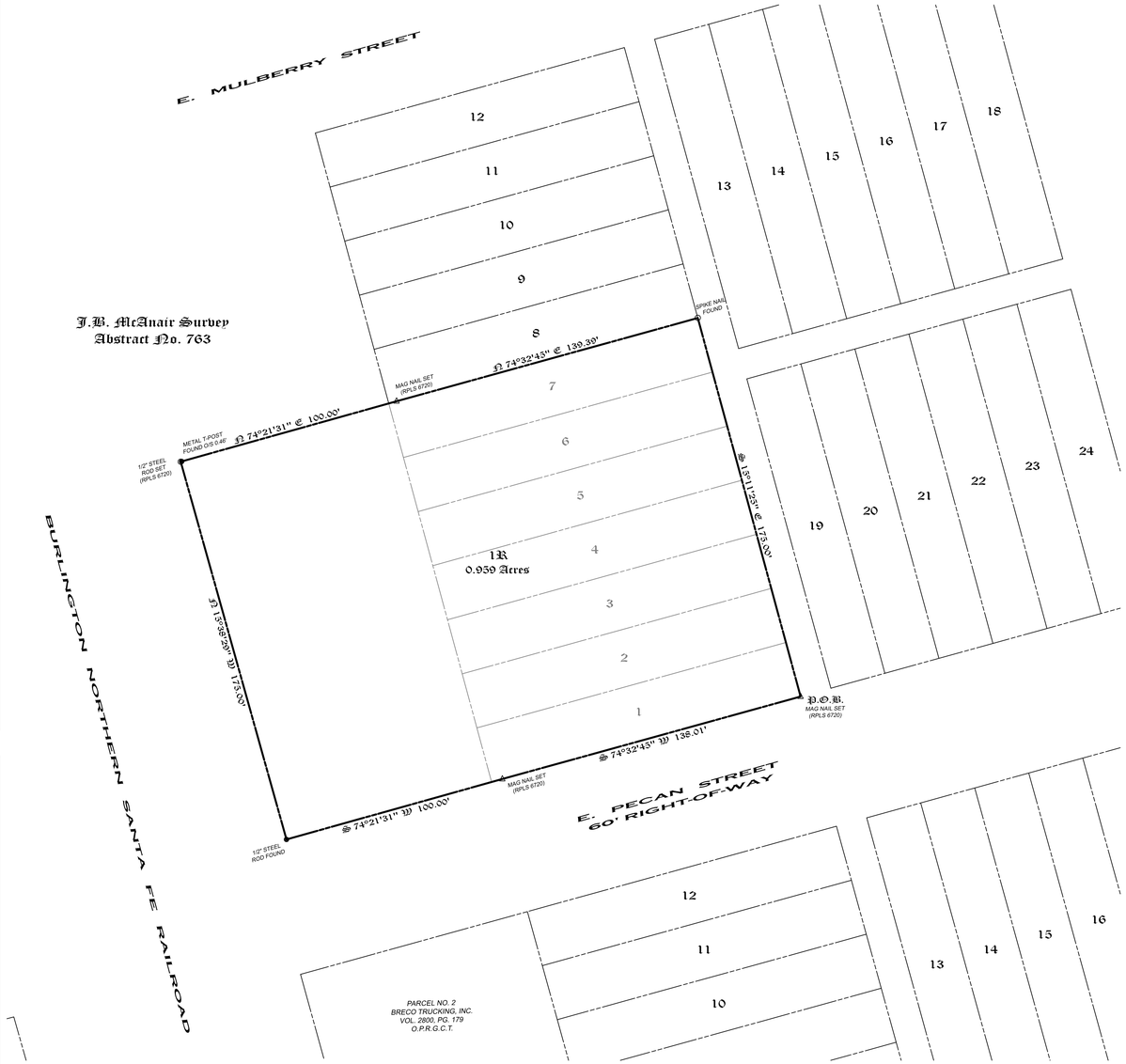
Zoning Districts
Representation: ShermGIS.DBO.ZoningDistrict_Rep
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft



~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)

0 30 60
SCALE ~ 1" = 30'

Copyright © 2021
Copley Land Surveying, Inc.
All rights reserved.

Final Plat of
Lots 1R, Block 4
Chaffin's First Addition
an addition to
City of Sherman, Grayson County, Texas
Being a replat of Lots 1, 2, 3, 4, 5, 6 & 7, Block 4, Chaffin's First Addition and a part of the J.B.McAnair Survey, Abstract No. 763

4/13/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
SAM LORIA
4303 ROSE HILL ROAD
WHITEWRIGHT, TEXAS 75491

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN.
SHERMAN, TEXAS 75090

Legal Description

Situated *in the City of Sherman, County of Grayson, State of Texas being all of Lots 1-7, Block 4, of Chaffin's First Addition, an addition to the City of Sherman, Texas as shown by plat of record in Volume 26, Page 49, Deed Records, Grayson County, Texas and being a part of the J.B. McAnair Survey, Abstract No. 763 and being the same 0.959 acre tract of land conveyed to Sam Loria by deed of record in Volume 5648, Page 340, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:*

Beginning *at mag nail set with an aluminum washer marked COPLEY RPLS 6720 at the intersection of the north line of E. Pecan Street and the west line of a 14' wide alley for the southeast corner of Lot 1, Block 4 and the southeast corner of said 0.959 acre tract;*

Thence ***South 74°32'45" West****, along the north line of said E. Pecan Street and the south line of Lot 1, Block 4, a distance of* ***138.01 feet*** *to a mag nail set with an aluminum washer marked COPLEY RPLS 6720 in the south line of Lot 1, Block 4 for an angle point in the south line of said 0.959 acre tract;*

Thence ***South 74°21'31" West****, continuing along the south line of Lot 1, Block 4 passing the southwest corner of Lot 1, Block 4 and continuing with line south line of said 0.959 acre tract, a distance of* ***100.00 feet*** *to a 1/2" steel rod found in the east right-of-way line of Burlington Northern Santa Fe railroad for the southwest corner of said 0.959 acre tract;*

Thence ***North 15°38'29" West****, along the west line of said 0.959 acre tract and the east right-of-way line of said Burlington Northern Santa Fe railroad, a distance of* ***175.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the northwest corner of said 0.959 acre tract;*

Thence ***North 74°21'31" East****, continuing along the east right-of-way line of said Burlington Northern Santa Fe railroad and the north line of said 0.959 acre tract passing the northwest corner of Lot 7, Block 4 and continuing with the north line of Lot 7, Block 4, a distance of* ***100.00 feet*** *to a mag nail set with an aluminum washer marked COPLEY RPLS 6720 for an angle point in the north line of said 0.959 acre tract;*

Thence ***North 74°32'45" East****, along the north line of said 0.959 acre tract passing the northwest corner of said Lot 7 for a total distance of* ***139.39 feet*** *to a spike nail found in the west line of said 14' wide alley maintaining the northeast corner of Lot 7, Block 4 and the northeast corner of said 0.959 acre tract;*

Thence ***South 15°11'25" East****, along the west line of said 14' wide alley and the east line of said Block 4, a distance of* ***175.00 feet*** *to the* ***Point-of-Beginning*** *and containing* ***0.959 acres*** *of land.*

KNOWN ALL MEN BY THESE PRESENTS:

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

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429

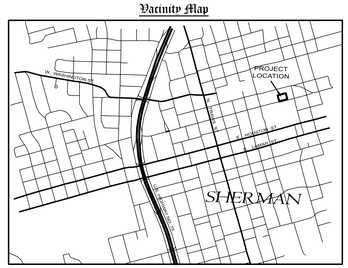
Date

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

Purpose:
The purpose of this Replat is to combine Lots 1-7 and a tract of land into 1 Lot.

Vicinity Map



Owners Certificate & Dedication

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, SAM LORIA, do hereby adopt this plat designating the hereinabove property as the Final Plat of LOT 1R, BLOCK 4, CHAFFIN'S FIRST ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this ____ day of _____, 2021.

SAM LORIA

STATE OF TEXAS
COUNTY OF GRAYSON

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this____ day of _____, 2021.

Notary Public in and for
the State of Texas

Acceptance of Dedication

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, the Final Plat of LOT 1R, BLOCK 4, CHAFFIN'S FIRST ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the_____day of _____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this____ day of _____ ,2021.

Clerk, City of Sherman, Texas

Approved this _____ day of _____,2021, by the City Planning Commission to the City of Sherman, Texas.

Chairman *Secretary*

Accepted by the City Council of the City Sherman.

Mayor, City of Sherman, Texas *Date*

Final Plat of
Lots 1R, Block 4
Chaffin's First Addition
an addition to
City of Sherman, Grayson County, Texas
Being a replat of Lots 1, 2, 3, 4, 5, 6 & 7, Block 4, Chaffin's First Addition and a part of the J.B.McAnair Survey, Abstract No. 763

4/13/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
SAM LORIA
4303 ROSE HILL ROAD
WHITEWRIGHT, TEXAS 75491

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN.
SHERMAN, TEXAS 75090

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

Sam Loria
4303 Rose Hill Road
Whitewright, TX 75491

Copley Land Surveying
1702 Verdi Lane
Sherman, TX 75090

Dear Applicants,

The request for approval of the Final Plat of Lots 1R, Block 4 Chaffin's First Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Addition Name indicates multiple lots, i.e. "Lots 1R…" Please confirm name.
2. Addition Name, surrounding plat references, and calls must be in Arial, Calibri, or Times New Roman font. *Code of Ordinances Chapter 10.05, Exhibit A, Section 6(B)*
3. Directions (East) must be removed from metes and bounds and drawing. *Code of Ordinances Chapter 10, Exhibit A, Section 6(B)(7)*
4. Dedicate a 10' Utility Easement along Pecan Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
5. Graphically show curb lines on drawing.
6. Graphically show platted alley.
7. Metes and bounds must match drawing. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
8. Dedicate a 10' Sanitary Sewer Easement along East property line. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
9. Dedicate Drainage Easement along western boundary line. Coordinate with Engineering for Drainage Easement width and specific location. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
10. Add General Note regarding Avigation Easement to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
11. The City of Sherman does not maintain alleys.
12. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
13. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include

the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 33.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

* **609 EAST PECAN STREET**

The request of Sam A. Loria (Owner), Vilbig & Associates, PLLC (Civil Engineer) and Copley Land Surveying (Surveyor) concerning the property located at 609 East Pecan Street, being 0.959 acres in the J.B. McAnair Survey, Abstract No. 763 and being all of Lots 1-7, Block 4, Chaffin's First Addition, as follows:

Planning and Zoning Commission

Replat approval of Lot 1R, Block 4, Chaffin's First Addition, Being a Replat of Lots 1, 2, 3, 4, 5, 6 & 7, Block 4, Chaffin's First Addition.

Background:

The property is located at 609 East Pecan Street, the northeast corner of Broughton Street and the Burlington Northern Santa Fe Railroad. The property is zoned an M-2 (Heavy Manufacturing) District. The owners would like to Replat the property into one lot for an addition to the existing building.

Adjacent Zoning:

M-2 (Heavy Manufacturing) District

Origination:

Sam A. Loria (Owner)
Vilbig & Associates, PLLC (Civil Engineer)
Copley Land Surveying (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:
Not required.

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Chaffin's First Addition Replat Lot 1R Blk 4
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 14.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Replat Approval of Lots 5 & 6, Block 16, W. Elliott's Addition, being Lots 5 & 6, Block 16, W. Elliott's Addition; Grow More Invest, LLC, Owner; Charlie Shearer, Developer; and Copley Land Surveying, Surveyor (809 South Willow Street)

Issue:

To consider Replat Approval of Lots 5 & 6, Block 16, W. Elliott's Addition, being Lots 5 & 6, Block 16, W. Elliott's Addition; Grow More Invest, LLC, Owner; Charlie Shearer, Developer; and Copley Land Surveying, Surveyor (809 South Willow Street)

Background:

The property is located at 809 South Willow Street between Odneal and Thomas Sreets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Plat two lots into one lot for residential development.

Origination:

Grow More Invest, LLC (Owner)
Charlie Shearer (Developer)
Copley Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
W Elliott's Replat Lots 5 & 6 Block 16
Staff Review Letter
P&Z Communication



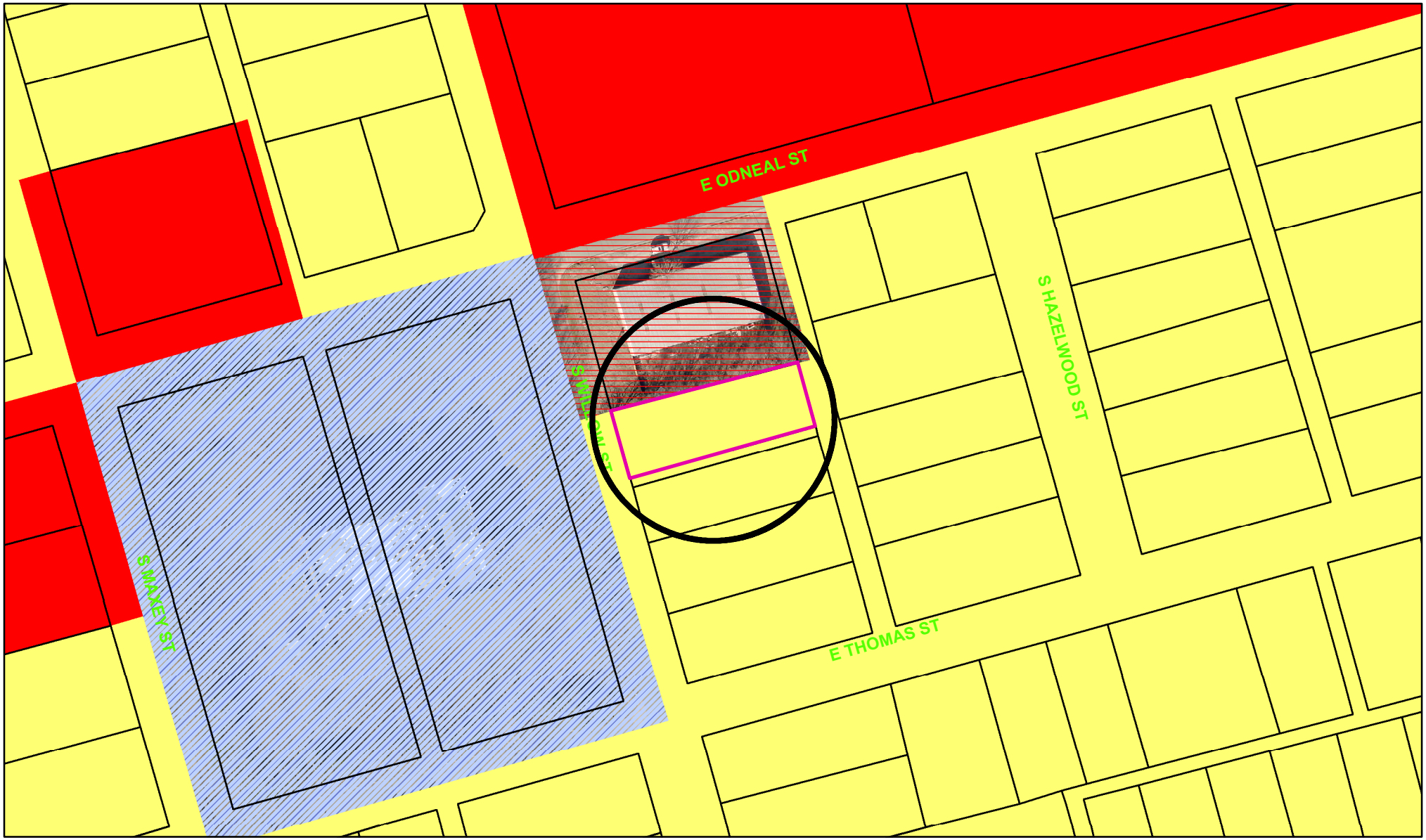
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

809 South Willow Street

NOT TO SCALE

1 in = 150 ft



Zoning - 809 South Willow Street

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

809 South Willow Street



CLS Job# 21020067P



~ BASIS OF BEARINGS ~
GRID NORTH NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)

0 20 40
SCALE - 1" = 20'

Replat of
Lots 5 & 6, Block 16, W. Elliott's Addition
an addition to the City of Sherman Grayson County, Texas

5/25/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0843, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
GROW MORE INVEST, LLC
995 W. PRESIDENT GEORGE
BUSH HWY, APT NO. 4209
RICHARDSON, TEXAS 75088

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN
SHERMAN, TEXAS 75090

CLS Job# 21020067P

Legal Description

Situated in the County of Grayson, State of Texas, being Lots 5 & 6, Block 16, W. Elliott's Addition to the City of Sherman, Texas as shown by plat of record in Volume 101, Page 484, Deed Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the east right-of-way line of S. Willow Street at the northwest corner of said Lot 5;

Thence **North 74°36'00" East**, along the north line of said Lot 5 and the south line of Lot 4, a distance of **140.00 feet** to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the west line of a 20' wide alley at the northeast corner of said Lot 5;

Thence **South 15°33'49" East**, along said 20' wide alley and the east line of said Lot 5 passing the southeast corner of said said Lot 5 continuing along the east line of said Lot 6, a total distance of **50.00 feet** to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 at the southeast corner of said Lot 6;

Thence **South 74°36'00" West**, along the south line of said Lot 6 and the north line of Lot 7, a distance of **140.00 feet** to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the east line of said S. Willow Street at the southwest corner of said Lot 6;

Thence **North 15°33'49" West**, along the east line of said S. Willow Street and the west line of Lot 6 passing the northwest corner of said 6 continuing along the east line of said Lot 5, a total distance of **50.00 feet** to the **Point-of-Beginning** and containing **0.161 acres** of land.

KNOWN ALL MEN BY THESE PRESENTS:

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

_____ _____
John C. Copley Date
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

Purpose:
The purpose of this Replat is to combine 2 Lots into 1 Lot.

Owners Certificate & Dedication

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, GAYATHRI KURMAPU, do hereby adopt this plat designating the hereinabove property as the Replat of LOTS 5 & 6, BLOCK 16, W. ELLIOTT'S ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this ____ day of _____, 2021.

_____
GAYATHRI KURMAPU

STATE OF TEXAS
COUNTY OF GRAYSON

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2021.

_____
Notary Public in and for
the State of Texas

Acceptance of Dedication

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, the Replat of LOTS 5 & 6, BLOCK 16, W. ELLIOTT'S ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the ____ day of _____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this ____ day of _____, 2021.

_____
Clerk, City of Sherman, Texas

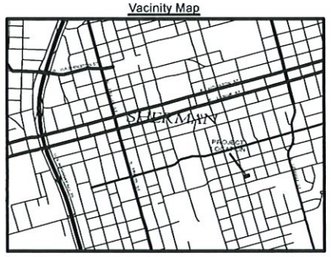
Approved this _____ day of _____ 2021, by the City Planning Commission to the City of Sherman, Texas.

_____ _____
Chairman Secretary

Accepted by the City Council of the City Sherman.

_____ _____
Mayor, City of Sherman, Texas Date

Vacinity Map



Replat of
Lots 5 & 6, Block 16, W. Elliott's Addition
an addition to the City of Sherman Grayson County, Texas
5/25/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0843, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
GROW MORE INVEST, LLC
995 W. PRESIDENT GEORGE
BUSH HWY, APT NO. 4209
RICHARDSON, TEXAS 75088

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN
SHERMAN, TEXAS 75090

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

AMENDED

Grow More Invest, LLC
995 W. President George Bush Hwy.,
Apt No. 4209
Richardson, TX 75088

Copley Land Surveying
1702 Verdi Lane
Sherman, TX 75090

Dear Applicants,

The request for approval of the Replat of Lots 5 & 6, Block 16, W. Elliott's Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. The width of the pavement for streets shall be shown on the plat.
2. Graphically show street curb lines.
3. Show Point of Beginning on drawing.
4. Minimum lot width at property line is 60 feet. Variance required for all lots not meeting 60 feet. *Code of Ordinances Chapter 14, Sec. 6.1.1*
5. Addition Name, surrounding plat references, and calls must be in Arial, Calibri, or Times New Roman font. *Code of Ordinances Chapter 10.05, Exhibit A, Section 6(B)*
6. Dedicate a 10' Utility Easement along Willow Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
7. Directions (East & South) must be removed from metes and bounds and drawing. *Code of Ordinances Chapter 10, Exhibit A, Section 6(B)(7)*
8. Add General Note regarding Avigation Easement to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
9. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
10. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 36.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

809 SOUTH WILLOW STREET

The request of Grow More Invest, LLC (Owner), Charlie Shearer (Developer) and Copley Land Surveying (Surveyor) concerning the property located at 809 South Willow Street, being Lots 5 & 6, Block 16, W. Elliott's Addition, as follows:

Board of Adjustments

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

Planning and Zoning Commission

Replat approval of Lots 5 & 6, Block 16, W. Elliott's Addition.

Background:

The property is located at 809 South Willow Street between Odneal and Thomas Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Plat two lots into one 50' wide lot for residential development. The application was received June 4, 2021.

Adjacent Zoning:

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

Origination:

Grow More Invest, LLC (Owner)
Charlie Shearer (Developer)
Copley Land Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

157

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
W Elliott's Replat Lots 5 & 6 Block 16
Staff Review Letter
Amended Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **G. 15.**

Meeting Date: 07/19/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

***** OTHER BUSINESS***

Final Plat Approval of M.P.Y. Homes Second Addition, being 0.239 acres in the J.B. McAnair Survey, Abstract No. 763 (MPY Homes LLC, Owner; Charlie Shearer, Developer; and Copley Land Surveying, Surveyor (214 East College Street)

Issue:

To consider Final Plat Approval of M.P.Y. Homes Second Addition, being 0.239 acres in the J.B. McAnair Survey, Abstract No. 763 (MPY Homes LLC, Owner; Charlie Shearer, Developer; and Copley Land Surveying, Surveyor (214 East College Street)

Background:

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

Origination:

MPY Homes LLC (Owner)
Charlie Shearer (Developer)
Copley Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the June 22, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
M.P.Y. Homes 2nd Addition
Staff Review Letter
P&Z Communication



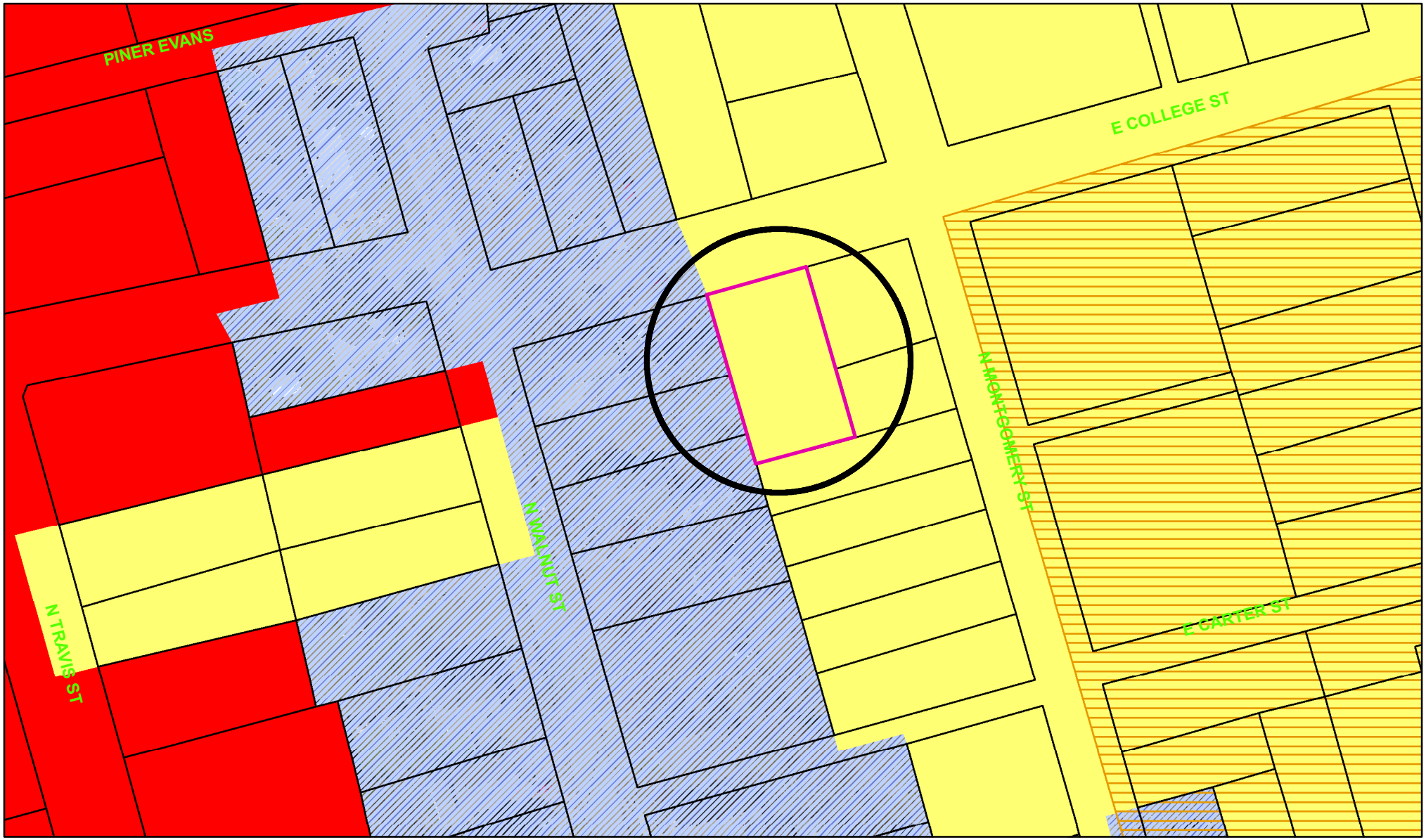
214 East College Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 200 ft



Zoning - 214 East College Street

Legend

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

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

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

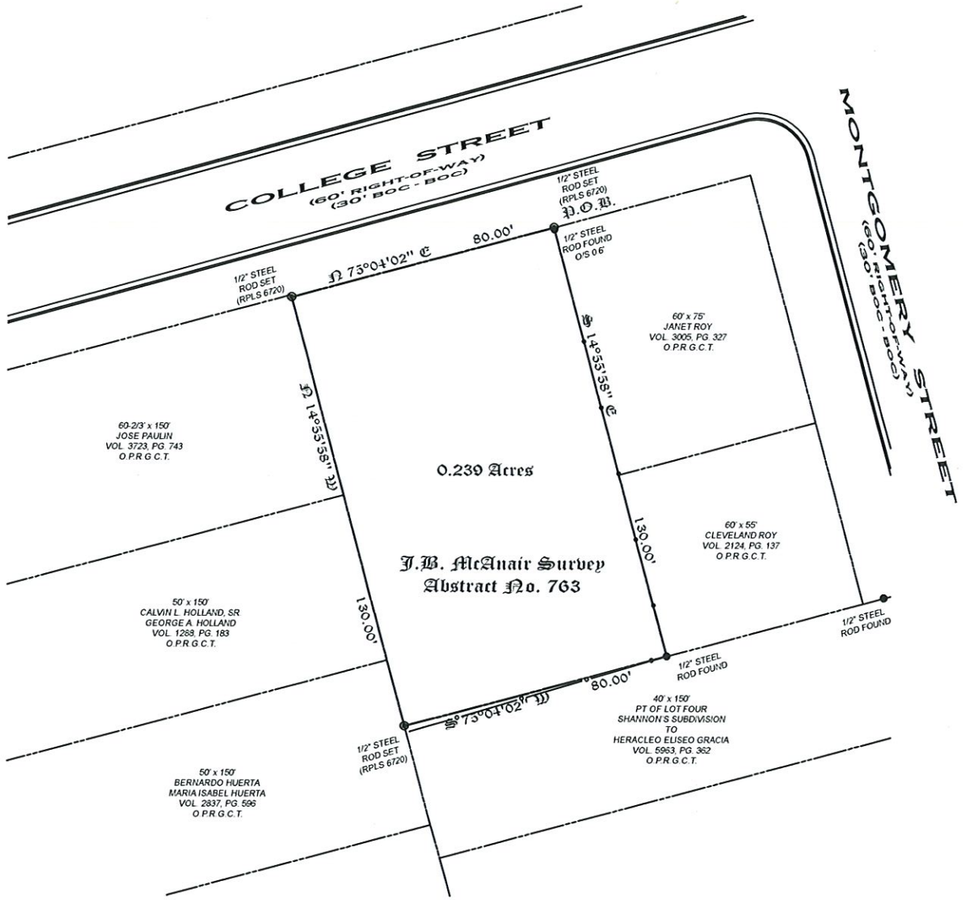
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

CLS Job# 2103121P



~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)

Final Plat of
M.P.Y. Homes Second Addition
an addition to
the City of Sherman
Grayson County, Texas

05/26/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0943, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
MPY HOMES, LLC
5200 WINDHAVEN
PARKWAY #1308
LEWISVILLE, TEXAS

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN
SHERMAN, TEXAS 75090

CLS Job# 2103121P

Legal Description

Situated *in the City of Sherman, County of Grayson, State of Texas being a part of the J.B. McAnair Survey, Abstract No. 763, and being the same 0.239 acre tract of land conveyed to MPY HOMES, LLC by deed of record in Document No. 2021-10863, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:*

Beginning *at a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the south line of E. College Street for the northeast corner of said 0.239 acre tract and the northwest corner of a 60' x 75' tract of land conveyed to Janet Roy by deed of record in Volume 3005, Page 327 of said Official Public Records;*

Thence ***South 14°55'58" East****, along the east line of said 0.239 acre tract and the west line of said 60' x 75' tract passing the southwest corner of said 60' x 75' tract continuing along the west line of a 60' x 55' tract of land conveyed to Cleveland Roy by deed of record in Volume 2124, Page 137 of said Official Public Records a total distance of* ***130.00 feet*** *to a 1/2" steel rod found at the corner of a chainlink fence in the north line of a 40' x 150' tract of land being part of Lot Four, Shannon's Subdivision to Grayson County conveyed to Heracleo Eliseo Gracia by deed of record in Volume 5963, Page 362 of said Official Public Records, said rod maintaining the southeast corner of said 0.239 acre tract and the southwest corner of said 60' x 55' tract;*

Thence ***South 75°04'02" West****, along the north line of said 40' x 150' tract and the south line of said 0.239 acre tract, a distance of* ***80.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the east line of a 50' x 150' tract of land conveyed to Bernardo Huerta and wife Maria Isabel Huerta by deed of record in Volume 2837, Page 596 of said Official Public Records for the southwest corner of said 0.239 acre tract and the northwest corner of said 40' x 150' tract;*

Thence ***North 14°55'58" West****, along the west line of said 0.239 acre tract and the east line of said 50' x 150' Huerta Tract passing the northeast corner of said 50' x 150' Huerta Tract, continuing along the east line of a 50' x 150' tract conveyed to Calvin L. Holland, Sr. and wife George A. Holland by deed of record in Volume 1288, Page 183, Deed Records, Grayson County, Texas passing the northeast corner of said 50' x 150' Holland Tract and continuing along the east line of a 60-2/3' x 150' tract conveyed to Jose Paulin by deed of record in Volume 3723, Page 743 a total distance of* ***130.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the south line of said E. College Street for the northwest corner of said 0.239 acre tract;*

Thence ***North 75°04'02" East****, along the south line of said E. College Street and the north line of said 0.239 acre tract, a distance of* ***80.00 feet*** *to the* ***Point-of-Beginning*** *and containing* ***0.239 acres*** *of land.*

KNOWN ALL MEN BY THESE PRESENTS:

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

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429

Date

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

Purpose:
The purpose of this is to Plat this 0.239 acre tract.

Owners Certificate & Dedication

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

That We, MPY HOMES, LLC, Owner and Developer, do hereby adopt this plat designating the hereinabove property as the Final Plat of M.P.Y. HOMES SECOND ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this ____ day of _____, 2021.

ANIL PESARAMELLI

STATE OF TEXAS
COUNTY OF GRAYSON

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2021.

Notary Public in and for
the State of Texas

Acceptance of Dedication

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, the Final Plat of M.P.Y. HOMES SECOND ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the ____ day of _____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this ____ day of _____, 2021.

Clerk, City of Sherman, Texas

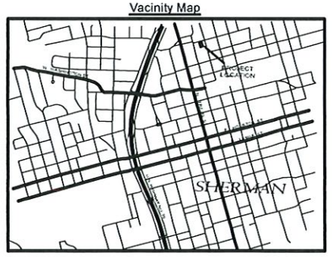
Approved this _____ day of _____, 2021, by the City Planning Commission to the City of Sherman, Texas.

Chairman *Secretary*

Accepted by the City Council of the City Sherman.

Mayor, City of Sherman, Texas *Date*

Vicinity Map



Final Plat of
M.P.Y. Homes Second Addition
an addition to
the City of Sherman
Grayson County, Texas

05/26/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0943, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
MPY HOMES, LLC
5200 WINDHAVEN
PARKWAY #1308
LEWISVILLE, TEXAS

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN
SHERMAN, TEXAS 75090

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

June 11, 2021

AMENDED

MPY Homes, LLC
5200 Windhaven Parkway, #1308
Lewisville, TX 75056

Copley Land Surveying
1702 Verdi Lane
Sherman, TX 75090

Dear Applicants,

The request for approval of the Final Plat of M.P.Y. Homes Second Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, June 22, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Zip Code must be added to ownership block on both pages.
2. Addition Name, surrounding plat references, and calls must be in Arial, Calibri, or Times New Roman font. *Code of Ordinances Chapter 10.05, Exhibit A, Section 6(B)*
3. Dedicate a 10' Sanitary Sewer Easement along the western property line of subject property. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
4. Dedicate a 10' Utility Easement along College Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
5. Direction (East) must be removed from metes and bounds to ensure metes and bounds exactly match drawing. *Code of Ordinances Chapter 10, Exhibit A, Section 6(B)(7)*
6. Add General Note regarding Avigation Easement to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
7. Permanent structures will not be permitted to encroach into any easements.
8. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
9. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 35.

Meeting Date: 06/22/2021

Prepared by: Patsy Reeves, Developmental Services Coordinator
Rob Rae, Director of Development Services

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

Requested Action/Proposed Use:

*** 214 EAST COLLEGE STREET**

The request of MPY Homes LLC (Owner), Charlie Shearer (Developer) and Copley Land Surveying (Surveyor) concerning the property located at 214 East College Street, being 0.239 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Planning and Zoning Commission

Final Plat approval of M.P.Y Homes Second Addition.

Background:

The property is located at 214 East College Street between Walnut and Montgomery Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Plat two lots into one lot for residential development. The application was received June 4, 2021.

Adjacent Zoning:

R-1 (One Family Residential) District
R-2 (Multi-Family Residential) District

Origination:

MPY Homes LLC (Owner)
Charlie Shearer (Developer)
Copley Land Surveying (Surveyor)

Master Plan Designation:

Auto Urban Commercial – Require more land for parking than building floor area. Automobiles and parking are the most prominent features. Parking lots reduce building density and prevent any possibility of creating an enclosed space.

Number of notices mailed:
Not required.

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
M.P.Y. Homes 2nd Addition
Staff Review Letter
Amended Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting

Meeting Date: 07/19/2021

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

Council Calendar 2021

2021
Council Calendar

January						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February						
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March						
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28	29	30	31			

April						
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May						
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30	31					

June						
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27	28	29	30			

July						
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25	26	27	28	29	30	31

August						
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29	30	31				

September						
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October						
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31						

November						
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28	29	30				

December						
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			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

	Holiday
	Holiday for Firefighters/Police Only
	City Council Regular Meeting
	City Council Called Meeting
	Special Called Meeting
	Budget Workshop
	Cancelled City Council Meeting

CALLED MEETINGS	
1/19/2021	Rescheduled - Martin Luther King, Jr. Day
4/23/2021	Called Budget Planning Meeting
5/27/2021	Called Capital Improvement Program Work Session
7/6/2021	Rescheduled - Independence Day
9/7/2021	Rescheduled - Labor Day
9/14/2021	Called Joint Meeting w/SEDCO Board of Directors