

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JUNE 15, 2020
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY DEPUTY MAYOR WILLIE STEELE**
- A. 3. INVOCATION BY DEPUTY MAYOR WILLIE STEELE**

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.

Public Hearing

C. 1. PUBLIC HEARING

Amendment to the Final Statement/Action Plan for the Community Development Block Grant for Program Year 2019

C. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6298

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Taxidermy Studio in a C-2 (General Commercial) District at 2207 Gallagher Drive, being a part of Lots 12-15, Block 2, Redick Addition, containing 1.57 acres (David Pierce, Owner); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

C. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6299

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Mini-Warehouse Facility (Affordable Storage) in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District at 1300 South F.M. 1417 (Heritage Parkway), being Lots 2-6, Block 6, Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No. 10 (Wyldeewood Homes, Owners; Tim Pike, Representative; David Vilbig, Vilbig and Associates, Civil Engineer; and Amazing Construction, Architect); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

- C. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6300**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair including Transmission, Performance Tuning, Engine Repair, Brakes, Steering, Suspension, Oil Change and Alignments in a C-2 (General Commercial) District at 4114 Texoma Parkway, being 0.499 acres in the W. F. Patterson Survey, Abstract No. 969 (LCA Properties, LLC, Owners; Todd Kofsky, Representative; and Helvey-Wagner Surveying, Inc., Surveyor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- C. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6301**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Duplex in an R-1 (One Family Residential) District at 329 West Tennessee Street, being part of Lot 4 and all of Lot 5, Block D, Ed Moore's Fairground Addition (Carl Bussey, Owner; Shearer Design & Associates, Representative; and Rhodes Surveying, Surveyor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- C. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6302**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-1 (One Family Residential) District at 1201 South Montgomery Street, being the west 89.2 feet of Lot 1, Block 6, Jones & Wainrights Addition (Ulises A. Henriquez Lopez, Owner; and Copley Land Surveying, Surveyor)

Close Public Hearing and Consider Adoption of Ordinances

- C. 7. ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Number: 6298, 6299, 6300, 6301 and 6302
- C. 8. 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

Resolutions

- D. 1. RESOLUTION NO. 6625**
Authorizing Publication of the Proposed Amendment to the Final Statement/Action Plan for the Community Development Block Grant for Program Year 2019; Authorizing Submission of the Block Grant Application; Authorizing Execution of Certifications of Compliance in Connection with the Administration and Conduct of the Community Development Program for Program Year 2019
- D. 2. * RESOLUTION NO. 6626**
Authorizing Execution of an Agreement with Julio Cesar Tobar and Leticia Tobar for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1719 South Travis Street within City of Sherman Reinvestment Zone, Number Ten (#10)

Requests to Advertise

- E. 1. * REQUEST TO ADVERTISE**
Water Treatment Plant Sludge Pond Dewatering Project

Other Business

F. 1. * OTHER BUSINESS

Consider Request of Downtown Sherman NOW to Temporarily Close Certain Streets for "Craft the Night Away" on Saturday, August 1, 2020

F. 2. * OTHER BUSINESS

Replat Approval of Lot 1, Block 1, Thomason Addition, being 4.074 acres in the A.C. Smith Survey, Abstract No. 1561 and being Lot 1, Block 1, Thomason Addition; TJ Thomason Enterprises, Inc., Owners; and Underwood Drafting and Surveying, Inc., Surveyor (5800 block of North U.S. Highway 75)

F. 3. * OTHER BUSINESS

Final Plat Approval of Osmani Addition, being 1.949 acres in the G.B. Pilant Survey, Abstract No. 963; Ty and Saira Osmani, Owners; and Underwood Drafting and Surveying, Inc., Surveyor (405 and 415 South Dewey Avenue)

F. 4. * OTHER BUSINESS

Replat Approval of Rawlins Addition, a Replat of part of Lot 2, Block 6, B. H. Moore Heirs Addition, being 0.373 acres in the Sam Blagg Survey, Abstract No. 56, also being Lot 2, Block 6, B.H. Moore Heirs Addition; Rodger Rawlins, Owners; Richard Rawlins, Applicant; and Underwood Drafting and Surveying, Inc., Surveyor (1410 South Crockett Street)

G. MEDIA QUESTIONS

Consider Board/Commission Appointments

H. 1. APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Parks and Recreation Advisory Board (2)

I. COUNCIL COMMENTS

Executive Session

J. 1. EXECUTIVE SESSION

In Accordance with Chapter 551, Government Code, V.T.C.S. (Open Meetings Law), "The City Council Will Now Hold a Closed Executive Meeting Pursuant to the Provisions of the Open Meetings Law, Chapter 551, Government Code, Vernon's Texas Codes Annotated, in Accordance with the Authority Contained in the Following Sections:

Section 551.071	Consultation with City Attorney concerning Pending or Contemplated Litigation
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Section 551.071	Consult with the City Attorney on a Matter in which the Duty of the Attorney to the Governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter
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Section 551.072	Deliberate Regarding the Purchase, Exchange, Lease or Value of Real Property
Section 551.074	Personnel Matters: (a) Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee
Section 551.087	Deliberation Regarding Economic Development Negotiations: (a) Deliberate Regarding Commercial or Financial Information that the City has Received from a Business Prospect and Deliberate any Offers or Incentives to the Business Prospect

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 June 11, 2020 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 11th day of June, 2020.
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

David Plyler

Deputy Mayor

Willie Steele

Council Members

Willie Steele, Council-At-Large, PL #1
Sandra Melton, Council-At-Large, PL #2
Shawn C. Teamann, Council – District #1

Josh Stevenson, Council – District #2
Pamela L. Howeth, Council – District #3
Daron Holland, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 1.

Meeting Date: 06/15/2020

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

PUBLIC HEARING

Amendment to the Final Statement/Action Plan for the Community Development Block Grant for Program Year 2019

Issue:

Approval of the Program Year (PY) 2019 Community Development Block Grant Amendment

Background:

Each year, the City of Sherman receives an entitlement grant (Community Development Block Grant) from the U.S. Department of Housing and Urban Development (HUD). The Coronavirus Aid, Relief, and Economic Security Act has provided each entitlement grantee with additional funds to respond to, prepare for, and prevent the spread of COVID-19. We are required to prepare and submit an amendment, which is a description of the activities that will be undertaken during the coming months to address the needs of our low-to-moderate income citizens affected by the novelty coronavirus. For the PY 2019 amendment, the City's focus for use of these funds will shift towards a more community-wide perspective, allocating the majority of the funds towards emergency assistance and public service activities.

Origination:

Teri Fine, Grants Coordinator

Financial Consideration:

The City of Sherman has been allocated \$215,775.00 in Community Development Block Grant funds from HUD to address our various community development needs for low-to-moderate income and special needs citizens affected by COVID-19.

Staff Recommendation:

The staff recommends the Sherman City Council approve the PY 2019 Community Development Block Grant Amendment as submitted.

Alternatives:

The Sherman City Council may change or re-appropriate these funds/allocations as they see fit.

Attachments

Amendment to Final Statement/Action Plan
Resolution No. 6625

**CITY OF SHERMAN, TEXAS
AMENDMENT TO FINAL STATEMENT/ACTION PLAN OF
COMMUNITY DEVELOPMENT OBJECTIVES
AND PROJECTED USE OF FUNDS FOR PROGRAM YEAR 2019**

GRANT NO: B-19-MC-48-0027

The City of Sherman has received notice from the U.S. Department of Housing and Urban Development (HUD) that its entitlement grant for the Community Development Program (CDBG) from the Coronavirus Aid, Relief, and Economic Security (CARES) Act is \$215,775.00. Activities that directly benefit low and moderate-income persons affected by COVID-19 will be available citywide. Other activities which have an area benefit will only be available in areas of the city which are populated by a majority of low and moderate-income persons. The City has met citizen participation requirements.

The overall goal of this community development planning and development program is to respond to, prepare for and prevent the spread of COVID-19 principally for low-moderate income persons and special need populations of the City of Sherman. Therefore, based on these objectives, the following use of funds is being proposed:

**COMMUNITY DEVELOPMENT PROGRAM AMENDED ACTIVITIES TO PLAN
PROGRAM YEAR 2019**

PROGRAM ADMINISTRATION: \$ 43,155

The City proposes to use the Administration funds for personnel and support for all phases of the application process, environmental reviews, fair labor standard compliance, contract management, fair housing Grantee Performance Report, and preparation of Amended Plan.

EMERGENCY ASSISTANCE PROGRAM: \$86,720

This program will provide help to low income Sherman residents affected by COVID-19 with utility bills, rental payment or childcare tuition. Assistance would cover one activity for no more than three months per household.

PUBLIC SERVICE ACTIVITIES: \$85,900

GRAYSON COUNTY SHELTER, INC: \$10,000

A program of activities that will provide emergency assistance to homeless individuals and families, who at one time, resided within the city limits of Sherman and have been affected by COVID-19.

CHILD & FAMILY GUIDANCE CENTER OF TEXOMA: \$10,000

A program to provide counseling services for family dysfunction, alcohol and substance abuse, domestic violence and sexual abuse for the low and moderate income Sherman residents affected by COVID-19.

BOYS & GIRLS CLUB OF SHERMAN, INC: \$20,000

A program to maintain virtual Club for outreach, and for staff to be trained and fully prepared for the Summer program which is predicted to be significantly affected by COVID-19.

FOUR RIVERS OUTREACH: \$9,000

A program that serves those who are overcoming their struggles with addiction by providing a men's residential 16-bed facility and a 12-month Life Renewal program. Recipients are ones, who at one time, resided within the city limits of Sherman and have been affected by COVID-19.

GRAND CENTRAL STATION: \$15,000

A program to support nutrition, specifically food for the underserved of Sherman area residents. Funding will support the additional expenses incurred from COVID-19.

HOUSE OF ELI: \$5,000

A program to purchase nutritious food products, such as meat, eggs, fresh fruits and vegetables to meet the increase needs created by COVID-19.

SHERMAN YOUTH SPORTS ASSOCIATION: \$16,900

A program to provide scholarships to players whose families have been financially affected by COVID-19

TOTAL PROGRAM ALLOCATION: \$215,775

The City of Sherman seeks, through the following program objectives, to improve housing conditions, neighborhood appearance, employment opportunities, and the overall quality of life

for low and moderate-income citizens. No activities will be undertaken which cause involuntary displacement of persons.

CITY OF SHERMAN COMMUNITY DEVELOPMENT OBJECTIVES

1. Encourage citizen participation and input to obtain maximum public involvement in program activities.
2. Promote the general health and wellness of all members of the community through improved parks & recreational facilities in the lower/moderate income target areas.
3. Improve the quality of life in lower/moderate income target areas with the removal of structures that create unsafe, unsanitary and hazardous situations for the public.
4. Promote drug elimination programs for low and moderate income assisted housing families/households.
5. Provide support for provision of emergency shelter/assistance to the homeless.
6. Assist in providing counseling services to youth and adults from low and moderate income families.
7. Assist in providing youth activities for children from low and moderate income families.
8. Provide support for provision of shelter/assistance to men in overcoming addiction.
9. Educate and train volunteers who advocate for abused and neglected children.

The Action Plan of Community Development Objectives and Projected Use of Funds for Program Year 2019 are available in the Finance Department of the City of Sherman. Any citizen or agency interested in commenting on this Final Statement of Objectives is invited to submit written comments c/o Teri Fine, Grants Coordinator, City of Sherman, P.O. Box 1106, Sherman, TX 75091-1106. Written comments must be received prior to 5:00 p.m. on the fifth day following original posting date.

RESOLUTION NO. 6625

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING PUBLICATION OF THE PROPOSED AMENDMENT TO THE FINAL STATEMENT/ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR PROGRAM YEAR 2019; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTIFICATIONS OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR PROGRAM YEAR 2019; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, under the Housing and Community Development Act of 1974, as amended, the City of Sherman is eligible to receive \$215,775 for program year 2019, to be expended on eligible activities primarily benefiting low/moderate income families and special need populations in order to meet CARES Act requirements to respond to, prepare for and prevent the spread of COVID-19; and

WHEREAS, the Community Development Block Grant regulations require the opportunity for citizen participation in the development of the final statement and authorizing of the expenditure of such funds; and

WHEREAS, the City Council, after due consideration of the proposed Amendment to the Community Development Final Statement and of all matters raised at public meetings, is of the opinion that, unless public comment warrants revisions, said final statement should be submitted as the Community Development Application for the City of Sherman for the program year 2019 to the U.S. Department of Housing and Urban Development, in order to secure funding as provided herein;

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

SECTION 1. That the Amendment to the Community Development Final Statement, embodying those projects set forth on Attachment "A", attached hereto and made a part hereof for all purposes, is hereby approved and adopted as the Community Development Plan of the City of Sherman, Texas, for the program year 2019.

SECTION 2. That the City Council of the City of Sherman hereby certifies and assures the U.S. Department of Housing and Urban Development that development of this application for funds under the Housing and Community Development Act of 1974, as amended, and the implementation of the Block Grant Program will be conducted in accordance with all applicable provisions of the "Assurances" as required.

SECTION 3. That the City Manager of the City of Sherman is hereby authorized to submit, as the Chief Executive Officer of the City of Sherman, and on behalf of the City of Sherman, the Community Development Final Statement and a certified copy of this resolution and

all attachments thereto to the U.S. Department of Housing and Urban Development, in application for funds available to the City of Sherman under the Housing and Community Development Act of 1974, as amended. Said application shall be made on forms required by the U.S. Department of Housing and Urban Development.

SECTION 4. That the City Manager of the City of Sherman is hereby authorized and designated to act as Chief Executive Officer in connection with this application, and is hereby authorized and directed to provide such additional information as may be required in connection with said application.

SECTION 5. 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.

PASSED AND APPROVED on this the ____ day of _____, 2020.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 2.

Meeting Date: 06/15/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6298

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Taxidermy Studio in a C-2 (General Commercial) District at 2207 Gallagher Drive, being a part of Lots 12-15, Block 2, Redick Addition, containing 1.57 acres (David Pierce, Owner); 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 the request of David Pierce (Owner) concerning the property at 2207 Gallagher Drive, being a part of Lots 12-15, Block 2, Redick Addition, containing 1.57 acres, for a Specific Use Permit to allow a Taxidermy Studio in a C-2 (General Commercial) District

Background:

The property is located at 2207 Gallagher Drive between Texoma Parkway and Frisco Road; Spirit Ink, LP is the tenant. The property is zoned a C-2 (General Commercial) District. Mr. Pierce recently attended an accredited taxidermy school; and he would like to open Trophy Shed Taxidermy, LP inside his existing business, Spirit Ink, LP. Most of the large animals would be caped out; he would have head capes only. On the smaller animals, there would be some carcasses to be removed; and he has contacted Heavenly Pet Creations in Pottsboro and arranged a contract agreement for disposal.

Origination:

David Pierce (Owner)

Financial Consideration:

None

Staff Recommendation:

At the May 19, 2020 regular meeting, the Planning and Zoning Board voted 6/0 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. 6298
Aerial Location Map
Zoning Map
Zoning Sign Photo
Narrative
Site Plan
Floor Plan
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6298

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 A TAXIDERMY STUDIO IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 2207 GALLAGHER DRIVE, BEING A PART OF LOTS 12-15, BLOCK 2, REDICK ADDITION, CONTAINING 1.57 ACRES (DAVID PIERCE, OWNER); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, David Pierce (Owner) are granted a Specific Use Permit to allow a Taxidermy Studio in a C-2 (General Commercial) District at 2207 Gallagher Drive and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED In the County of Grayson, State of Texas, being a part of Lots Twelve (12), Thirteen (13), Fourteen (14), and Fifteen (15) In Block Two (2) of Redick Addition to the City of Sherman Texas as shown by plat of record In Volume 405, Page 87, Deed Records, Grayson County, Texas, being the same property described in Parcels 1, 2 and 3 In deed from Peoplenet, Inc. to Ralph W. Courtney, et ux by deed dated March 8, 1994, recorded In Volume 2323, Page 761. Real Property Records. Grayson County, Texas, and being more particularly described by metes and bounds as follows to-wit:

BEGINNING at a found 3/8 inch rebar maintaining the Northwest corner of said Parcel on the North line of said Lot Twelve, said rebar being South 88 deg. 16 min. 02 sec. East, a distance of 96.01 feet from a found 5/8 inch rebar maintaining the Northwest corner of said Lot Twelve;

THENCE South 88 deg. 16 min. 02 sec, East, with the North line of said Lot Twelve at a distance of 210.49 feet passing a found 3/8 Inch rebar maintaining the Northeast corner of said Parcel 1, the Northwest corner of said Parcel 2, and continuing for a total distance of 551.56 feet to a found 1/2 inch rebar for the Northeast corner of said Parcel 2, the Northwest corner of a 436 square foot tract of land less and excepted in said deed to Ralph W, Courtney recorded in Volume 2323 Page 761, Real Property Records, Grayson County, Texas;

THENCE South 01 deg. 40 min. 38 sec. West, a distance of 59.71 feet to a found 1/2 inch rebar for the Southeast corner of said Parcel 2, the Southwest corner of said 436 square foot tract on the South line of said Lot Twelve, the north line of said Lot Thirteen;

THENCE North 88 deg. 21 min. 33 sec. West, with the South line of Lot Twelve, the North line of Lot Thirteen, a distance of 340.70 feet to a set 1/2 inch rebar for the Southwest corner of said Parcel 2 on the East line of said Parcel 1;

THENCE South 01 deg. 20 min. 10 sec. West, across Lots Thirteen, Fourteen, and Fifteen, at a distance of 146.63 feet passing a found 3/8 inch rebar maintaining the Southeast corner of said Parcel 1, the Northeast corner of said Parcel 3, on the north line of Gallagher Drive. and continuing for a total distance of 166.63 feet to a set spike nail for the Southeast corner of said Parcel 3 on the South line of said Lot Fifteen in said Gallagher Drive;

THENCE North 88 deg. 32 min, 44 sec, West, with the South line of said Lot Fifteen a distance of 212.95 feet to a set spike nail for the Southwest corner of said Parcel 3 in said Gallagher Drive;

THENCE North 01 deg. 57 min, 11 sec, East, across said Lots Fifteen, Fourteen, Thirteen and Twelve, at a distance of 20.00 feet passing a set 1/2 inch rebar in the north line of said Gallagher Drive, and continuing for a total distance of 227.92 foot to the **PLACE OF BEGINNING AND CONTAINING 1.57 ACRRS OF LAND more or less.....**

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking is permitted on paved surfaces only; concrete or asphalt.
4. Shall comply with all EPA, City, Federal and State regulations for this use.

5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. New drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from the Engineering Department.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

EFFECTIVE DATE on this the _____ day of _____, 2020.

CITY OF SHERMAN, TEXAS

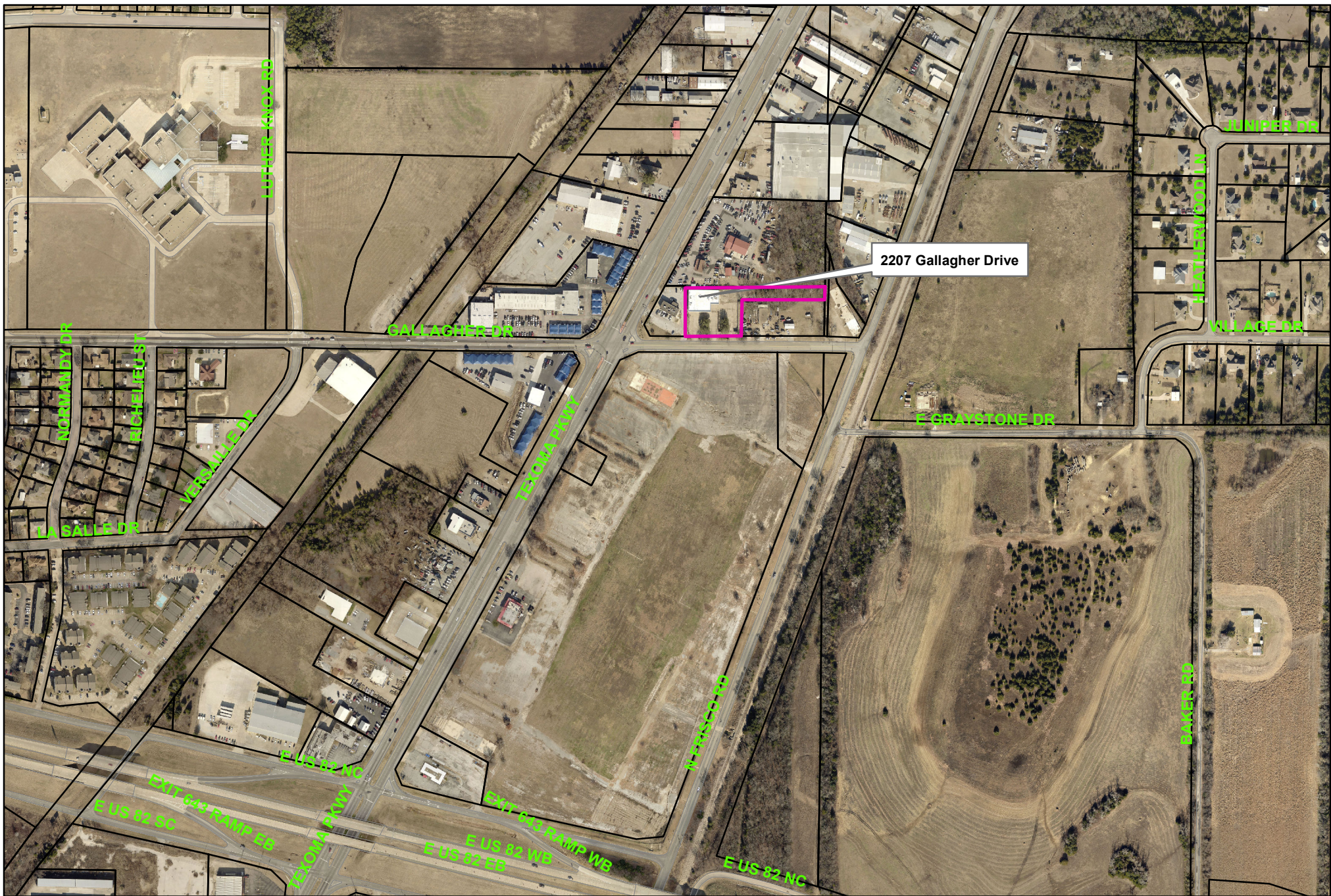
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

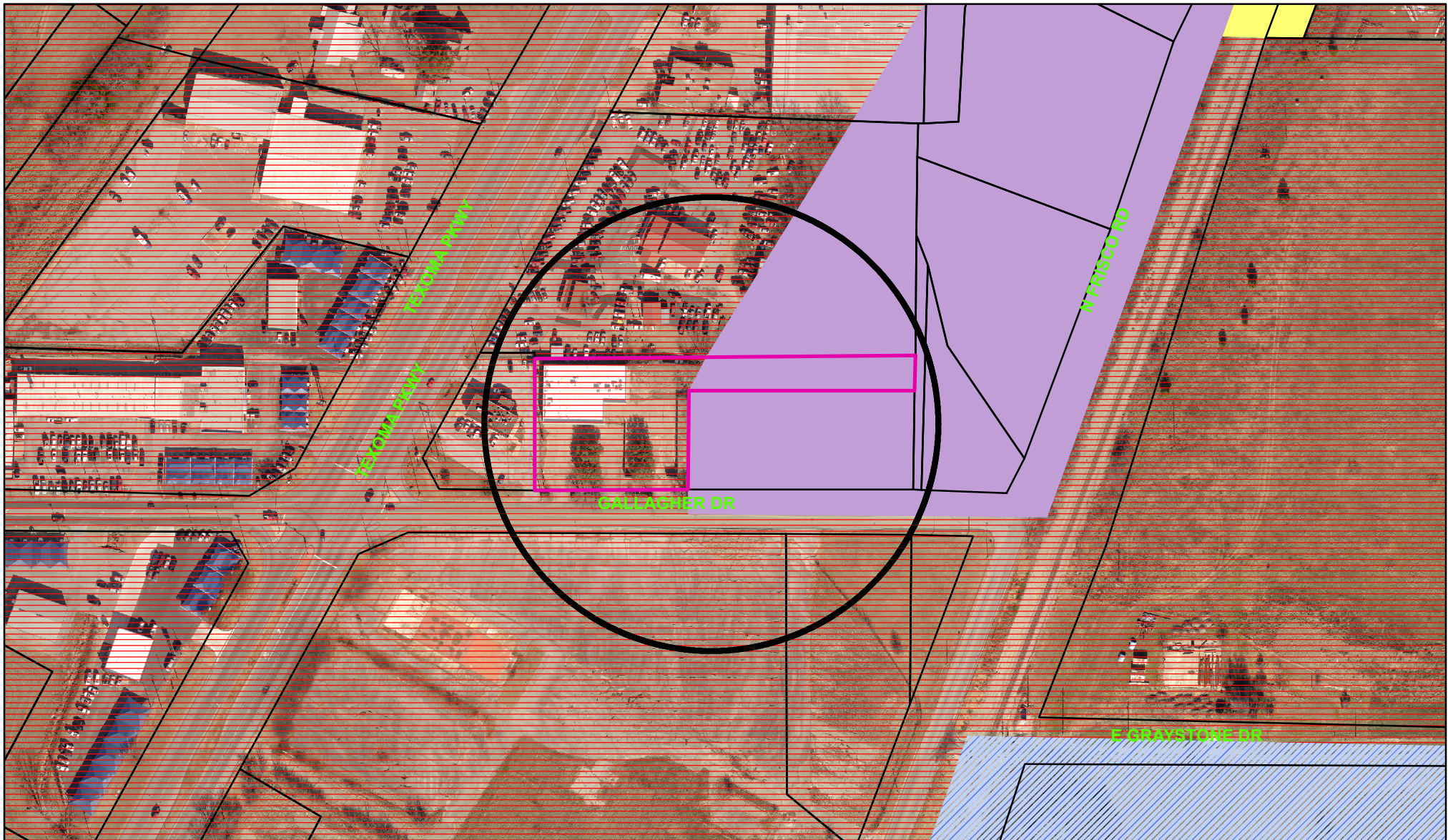


City of Sherman, Texas
Developmental Services Department

2207 Gallagher Drive



1 in = 500 ft



Zoning - 2207 Gallagher Drive

Legend

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Bialock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

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 Bialock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- 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



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 200 ft

2207 Gallagher Drive



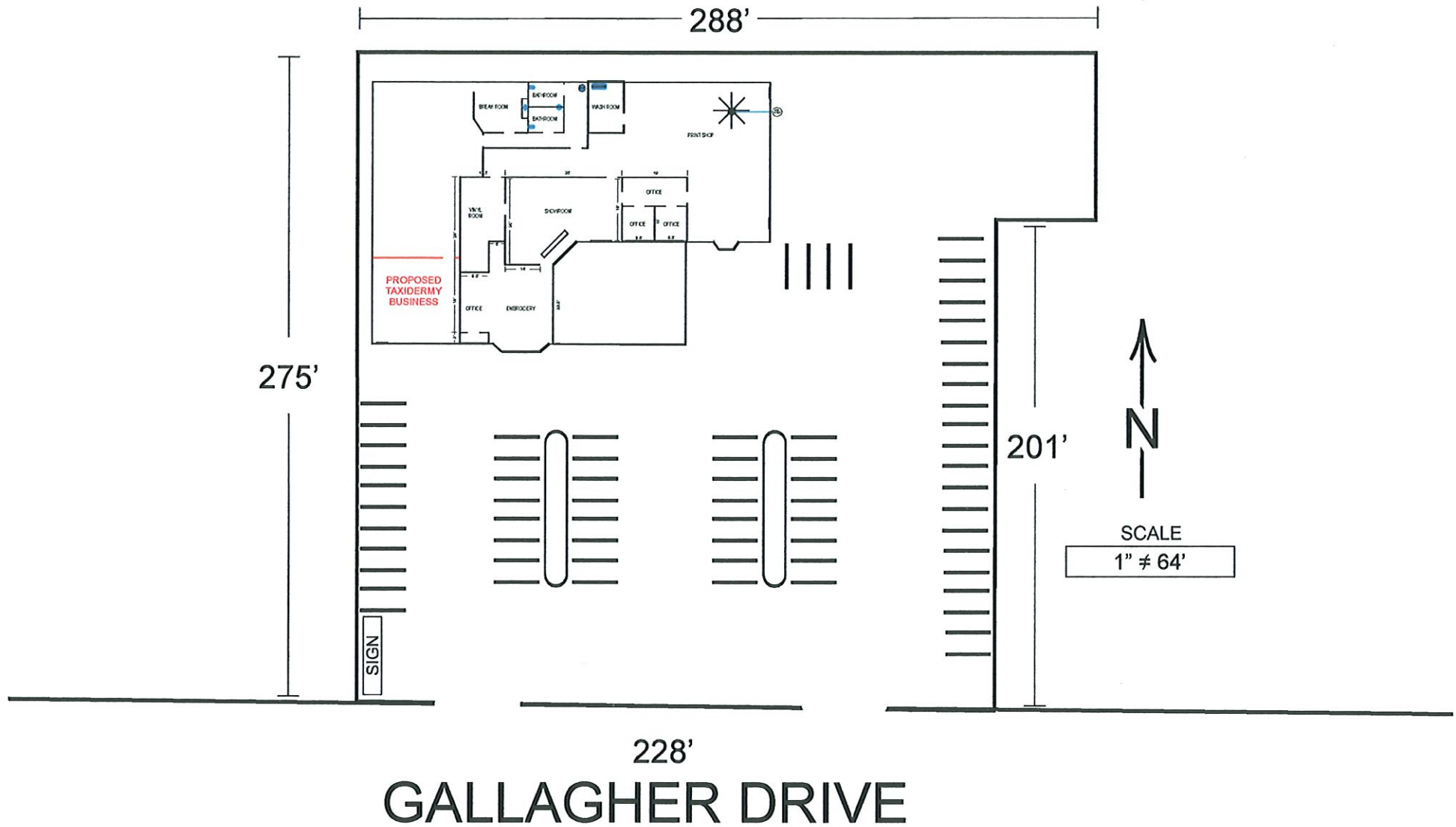
My name is David Pierce and I own and operate Spirit Ink, LP, located at 2207 Gallagher Drive in Sherman. I recently graduated school to become a state certified taxidermist, and it is my intent to use a portion of my building at 2207 Gallagher to open Trophy Shed Taxidermy, LP.

This property is currently zoned in the C-2 district. I am asking for approval of a Specific Use Permit to allow me to conduct business as a taxidermist at the mentioned address.

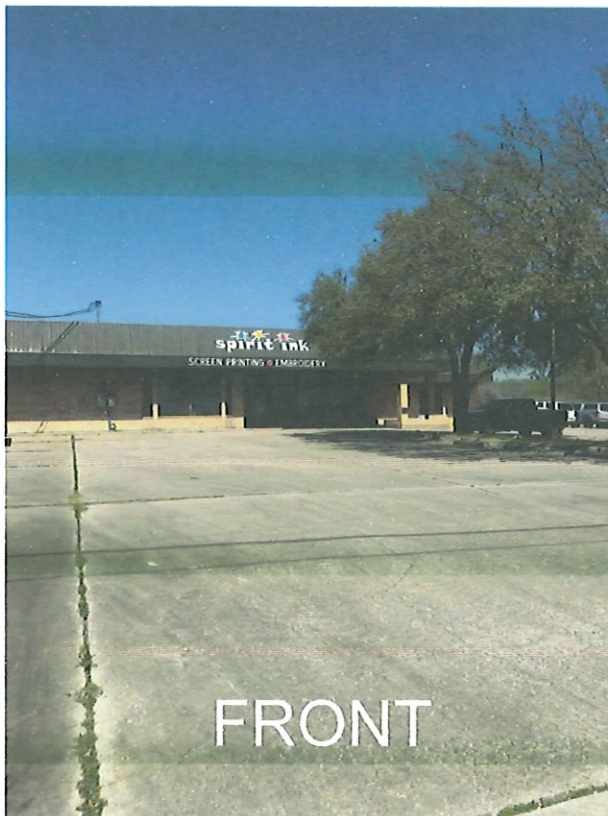
Please see attached for specific building location and proposed allocation of the building for the taxidermy studio.

Thanks for your consideration.

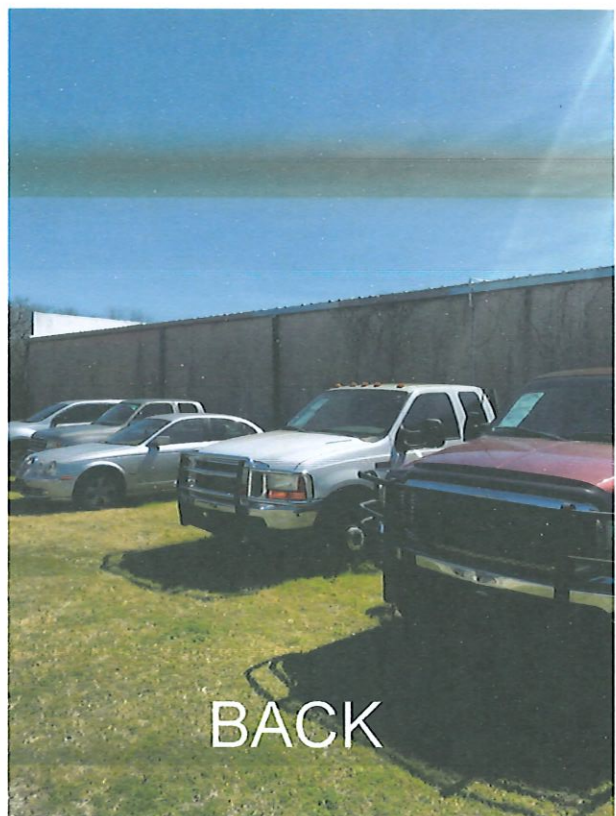
2207 GALLAGHER DRIVE
DAVID PIERCE: OWNER



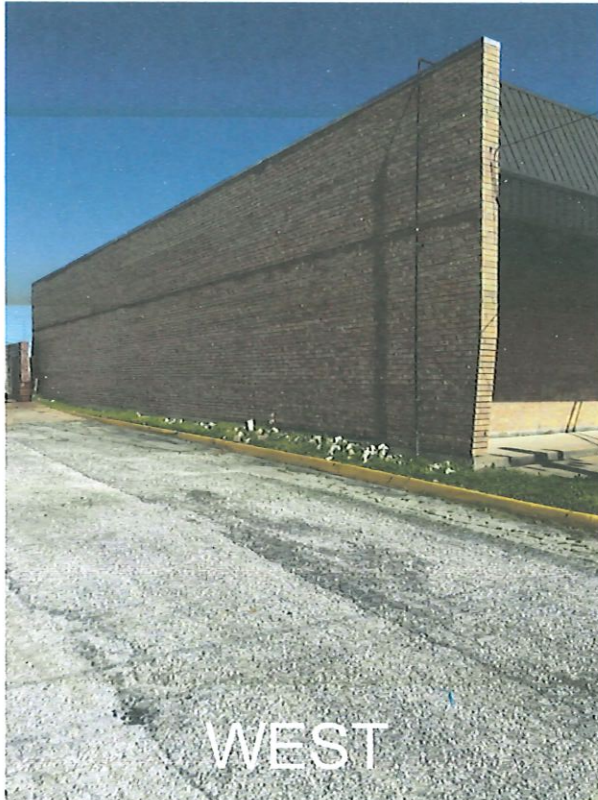




FRONT



BACK



WEST



EAST

STAFF REVIEW LETTER

May 11, 2020

David Pierce
1201 W. Woodard St.
Denison, TX 75020

Dear Applicant,

The request for a Specific Use Permit and site plan approval to allow a Taxidermy Studio in a C-2 (General Commercial) District for the property located at 2207 Gallagher Drive has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 19, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking is permitted on paved surfaces only; concrete or asphalt.
4. Shall comply with all EPA, City, Federal and State regulations for this use.
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. New drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from the Engineering Department.

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 Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,



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

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer
Tom Pruitt, Utility Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator
Rob Rae, (Incoming) Director of Developmental Services



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

Agenda Item No. 6.

Meeting Date: 05/19/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

2207 GALLAGHER DRIVE

The request of David Pierce (Owner) concerning the property at 2207 Gallagher Drive, being a part of Lots 12-15, Block 2, Redick Addition, containing 1.57 acres, as follows;

Planning and Zoning Commission

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

Background:

The property is located at 2207 Gallagher Drive between Texoma Parkway and Frisco Road; Spirit Ink, LP is the tenant. The property is zoned a C-2 (General Commercial) District. Mr. Pierce recently became a State Licensed Taxidermist and he would like to open Trophy Shed Taxidermy, LP inside his existing business; Spirit Ink, LP.

Adjacent Zoning:

C-2 (General Commercial) District

M-1 (Light Manufacturing) District

Origination:

David Pierce (Owner)

Master Plan Designation:

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

Number of notices mailed:

6

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Narrative

Site Plan

Floor Plan

Building Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 3.

Meeting Date: 06/15/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6299

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Mini-Warehouse Facility (Affordable Storage) in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District at 1300 South F.M. 1417 (Heritage Parkway), being Lots 2-6, Block 6, Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No. 10 (Wyldeewood Homes, Owners; Tim Pike, Representative; David Vilbig, Vilbig and Associates, Civil Engineer; and Amazing Construction, 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 the request of Wyldeewood Homes (Owners), Tim Pike (Representative), David Vilbig, Vilbig and Associates (Civil Engineer), and Amazing Construction (Architect) concerning the property located at 1300 South F.M. 1417 (Heritage Parkway), being Lots 2-6, Block 6, Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No. 10, for a Specific Use Permit to allow a Mini-Warehouse Facility (Affordable Storage) in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District

Background:

The property is located at 1300 South F.M. 1417 (Heritage Parkway), between Quail Run Road and Park Avenue. The property is zoned a C-1 (Retail Business) District and is also located in the O-1.1 (FM Highway 1417) Overlay District. The prospective buyer would like to construct a mini-warehouse facility (Affordable Storage) with approximately 550 units (82,400 square foot rentable). The exterior will be stone and EIFS (Exterior Insulation Finishing System) surrounded by a masonry wall for screening. At the May 19, 2020 Planning and Zoning Commission Meeting, the Board of Adjustments approved a variance to allow an 11.2' masonry fence surrounding a mini-warehouse facility in lieu of the allowed 8' for security. The masonry wall is a brick facade into the metal buildings; and it is attached to it. The outside of the buildings become the brick wall.

Origination:

Wyldeewood Homes (Owners)
Tim Pike (Representative)
David Vilbig, Vilbig and Associates (Civil Engineer)
Amazing Construction (Architect)

Financial Consideration:

None

Staff Recommendation:

At the May 19, 2020 regular meeting, the Planning and Zoning Board voted 6/0 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. 6299
Aerial Location Map
Zoning Map
Zoning Sign Photo
Plat
Site Plan
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6299

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 A MINI-WAREHOUSE FACILITY (AFFORDABLE STORAGE) IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM HIGHWAY 1417) OVERLAY DISTRICT AT 1300 SOUTH F.M. 1417 (HERITAGE PARKWAY), BEING LOTS 2-6, BLOCK 6, HERITAGE FARMS ESTATES, A REPLAT OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES NO. 10 (WYLDEWOOD HOMES, OWNERS; TIM PIKE, REPRESENTATIVE; DAVID VILBIG, VILBIG AND ASSOCIATES, CIVIL ENGINEER; AND AMAZING CONSTRUCTION, ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, Wyldewood Homes (Owners), Tim Pike (Representative), David Vilbig, Vilbig and Associates (Civil Engineer) and Amazing Construction (Architect) are granted a Specific Use Permit to allow a Mini-Warehouse Facility (Affordable Storage) in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District at 1300 South FM 1417 (Heritage Parkway) and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lots 2-6, Block 6, Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No. 10

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1.1 (FM Highway 1417) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Screening shall be provided and maintained abutting residentially zoned property.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
5. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
6. Shall provide one off-street parking space for each 1,000 square feet of general floor space, and one off-street parking space for each 400 square feet of office floor; a parking space is considered to be 9'x20'.
7. All parking shall be on private property and shall not encroach into the right-of-way.
8. Shall comply with all EPA, City, Federal and State regulations for this use.
9. Violation of the conditions of the SUP will terminate the Specific Use Permit.
10. Parking is permitted on paved surfaces only (concrete or asphalt).
11. A ten (10) foot landscape and irrigated buffer strip along FM 1417 (Heritage Parkway) must be provided and maintained unless an exception is granted.
12. The trash dumpster will need to be located inside the main building area and screened.
13. One freestanding sign per development lot is allowed. Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the property line.
14. Review the zoning and development ordinance for additional requirements.
15. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

16. Replatting of the property is required.
17. Privately owned and maintained detention in accordance with City criteria is required upon development. Engineering plans shall be provided to the City of Sherman for review and approval.
18. Sanitary Sewer must be extended to serve the property.
19. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from the City of Sherman Engineering Department.
20. Overnight parking will not be permitted within an easement.
21. Entrance/Exit must be Right-in, Right-out only.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

EFFECTIVE DATE on this the _____ day of _____, 2020.

CITY OF SHERMAN, TEXAS

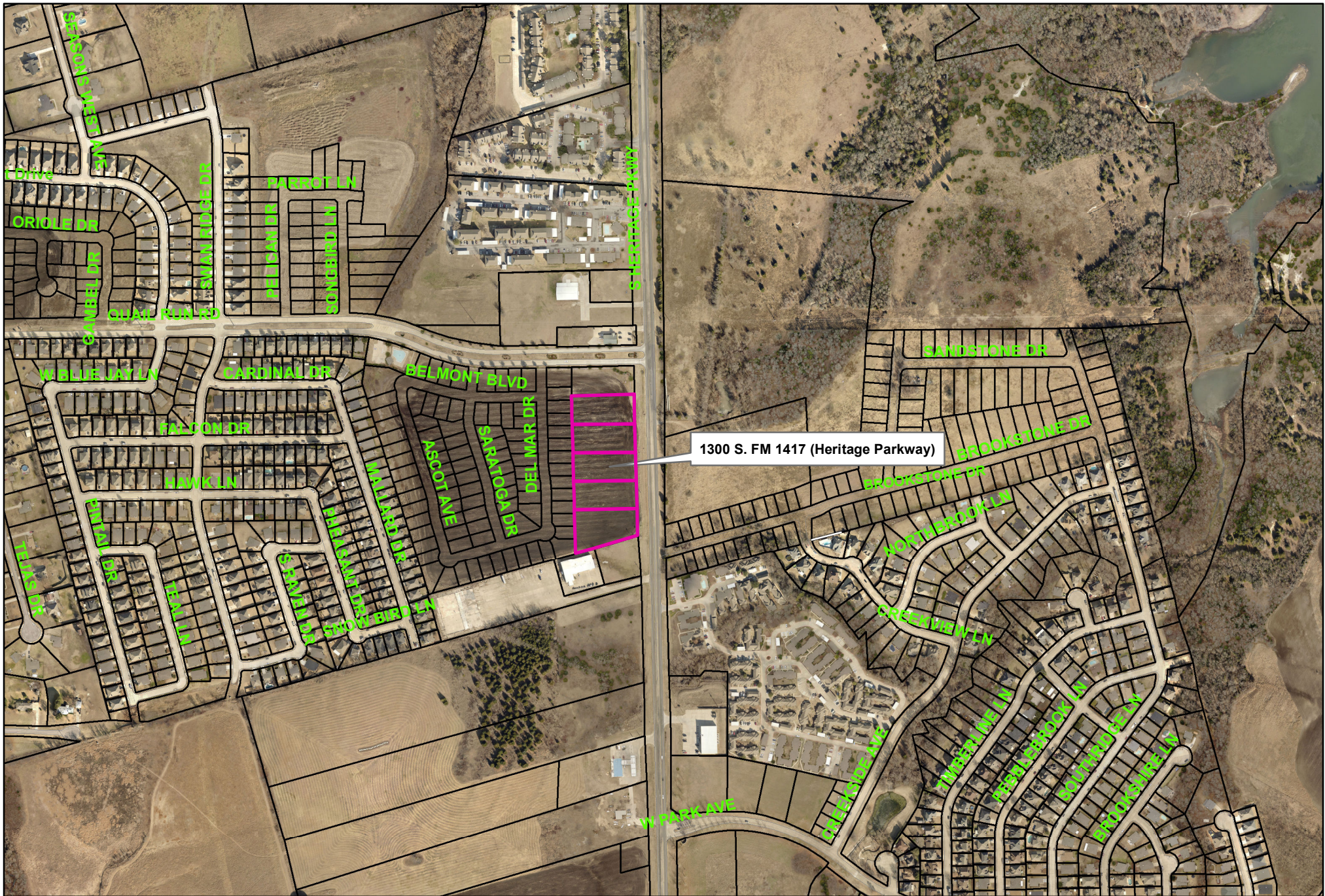
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

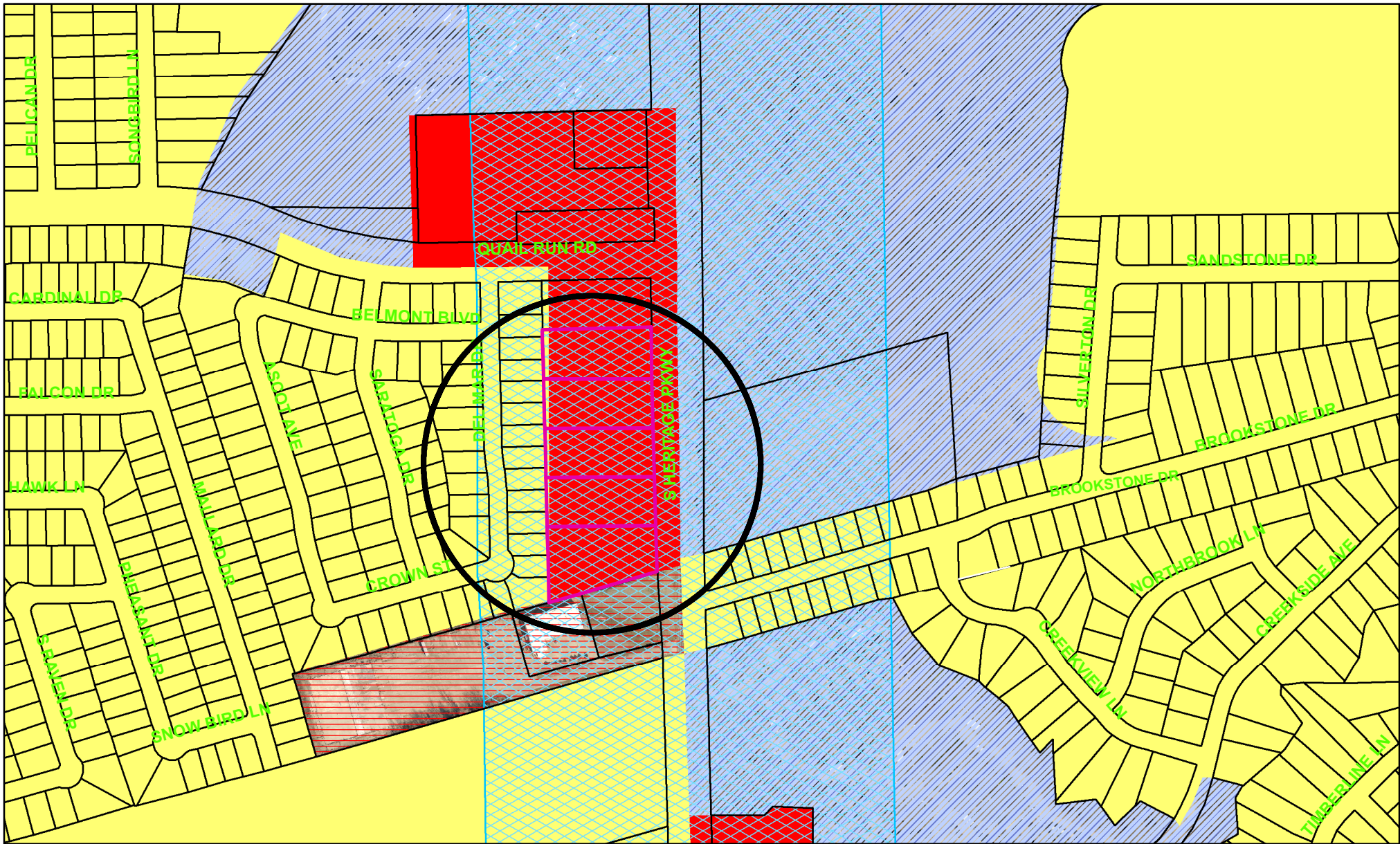


City of Sherman, Texas
Developmental Services Department

1300 South FM 1417 (Heritage Parkway)



1 in = 600 ft



Zoning - 1300 South FM 1417 (Heritage Parkway)

Legend

Parcels_Buffer3 Special Districts Overlay DISTRICT_NAME Arts and Cultural District Blalock Commercial Overlay District Central Business District College Park District Downtown Overlay District Historic Preservation District Transportation Corridor	Representation: ShermGIS.DBO.TransportationCorridor_Rep_1 FM 1417 Sam Rayburn Freeway US Hwy 82 and 75 SH 289 FM 691 Zoning Districts Representation: ShermGIS.DBO.ZoningDistrict_Rep Unknown BIP Blalock Industrial Park C-1 Retail Business District C-2 General Commercial District	CO Office District Lakes M-1 Light Manufacturing District M-1.5 Medium Manufacturing District M-2 Heavy Manufacturing District MH Manufacturing Housing District R-1 One Family Residential District R-2 Multi-Family Residential District R-A Single Family Agricultural District SF-1 Single Family Residential District PD Planned Development
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City of Sherman, Texas
Developmental Services Department

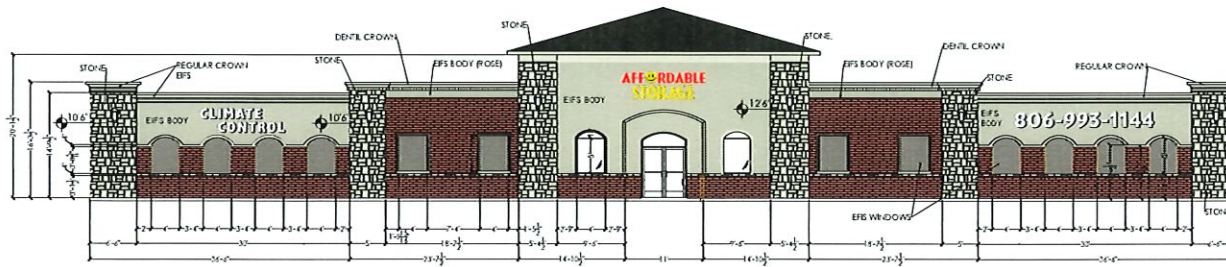


NOT TO SCALE

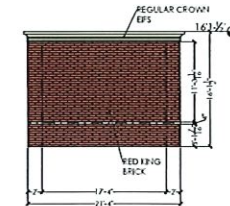
1 in = 366 ft

1300 South FM 1417 (Heritage Parkway)

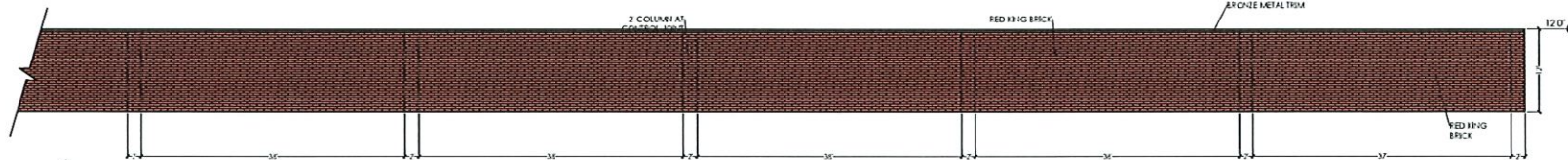




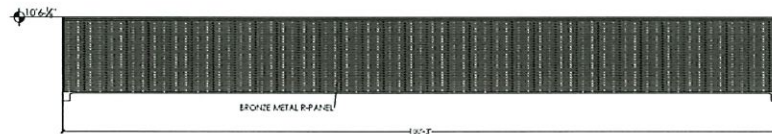
1
A1 FRONT OFFICE ELEVATION



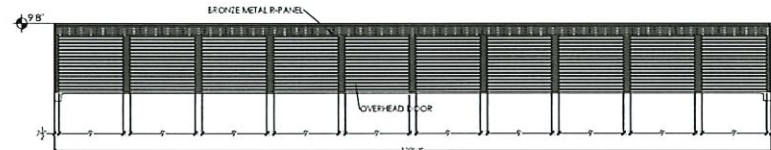
1
A1



2
A1 BRICK WALL ELEVATION



3
A1 STORAGE ELEVATION



3
A1

AFFORDABLE STORAGE
HERITAGE FARMS ESTATES
FM 1417, SHERMAN TX

DATE	EDDED	BY
11-20-2018	11-20-2018	11-20-2018

3110 FRANKFORD AVENUE
LUBBOCK TEXAS 79407

SIDE E & W
ELEVATION

SCALE 1/8" = 1'-0"

SHEET

A1

STAFF REVIEW LETTER

May 11, 2020

Wyldeewood Homes
Tim Pike
PO Box 911688
Sherman, TX 75091

David Vilbig, P.E.
517 W. Woodard St.
Denison, TX 75020

Dear Applicant,

The request for Specific Use Permit and site plan approval to allow a Mini-Warehouse Facility (Affordable Storage) in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District for the property located at 1300 South FM 1417 (Heritage Parkway) has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 19, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1.1 (FM Highway 1417) Overlay District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Screening shall be provided and maintained abutting residentially zoned property.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires or parts is allowed.
5. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
6. Shall provide one off-street parking space for each 1,000 square feet of general floor space, and one off-street parking space for each 400 square feet of office floor; a parking space is considered to be 9'x20'.
7. All parking shall be on private property and shall not encroach into the right-of-way.
8. Shall comply with all EPA, City, Federal and State regulations for this use.
9. Violation of the conditions of the SUP will terminate the Specific Use Permit.
10. Parking is permitted on paved surfaces only (concrete or asphalt).
11. A ten (10) foot landscape and irrigated buffer strip along FM 1417 (Heritage Parkway) must be provided and maintained unless an exception is granted.
12. The trash dumpster will need to be located inside the main building area and screened.
13. One freestanding sign per development lot is allowed. Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the property line.
14. Review the zoning and development ordinance for additional requirements.
15. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

16. Replatting of the property is required.

17. Privately owned and maintained detention in accordance with City criteria is required upon development. Engineering plans shall be provided to the City of Sherman for review and approval.
18. Sanitary Sewer must be extended to serve the property.
19. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from the City of Sherman Engineering Department.
20. Overnight parking will not be permitted within an easement.
21. Entrance/Exit must be Right-in, Right-out only.

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 Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, appearing to read "Scott Shadden", with a stylized, flowing script.

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

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer
Tom Pruitt, Utility Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator
Rob Rae, (Incoming) Director of Developmental Services



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 10.

Meeting Date: 05/19/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1300 SOUTH FM 1417 (HERITAGE PARKWAY)

The request of Wyldewood Homes (Owners), Tim Pike (Representative), David Vilbig, Vilbig and Associates (Civil Engineer) and Amazing Construction (Architect) concerning the property located at 1300 South FM 1417 (Heritage Parkway), being Lots 2-6, Block 6, Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No. 10, as follows;

Board of Adjustments

Exception, variance and site plan approval under Ordinance No. 2280, Section 7, Subsection (13) to allow an 11.2' masonry fence surrounding a mini-warehouse facility in lieu of the allowed 8' in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District.

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Mini-Warehouse Facility (Affordable Storage) in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District.

Background:

The property is located at 1300 South FM 1417 (Heritage Parkway) between Quail Run Road and Park Avenue. The property is zoned a C-1 (Retail Business) District and also located in the O-1.1 (FM 1417) Overlay District. The prospective buyer would like to construct a mini-warehouse facility (Affordable Storage) with approximately 550 units (82,400 square foot rentable). The exterior will be stone and EIFS (Exterior Insulation Finishing System) surrounded by a masonry wall for screening.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

C-2 (General Commercial) District

Origination:

Wyldeewood Homes (Owners)

Tim Pike (Representative)

David Vilbig, Vilbig and Associates (Civil Engineer)

Amazing Construction (Architect)

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:

8

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Plat

Site Plan

Building Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 4.

Meeting Date: 06/15/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6300

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair including Transmission, Performance Tuning, Engine Repair, Brakes, Steering, Suspension, Oil Change and Alignments in a C-2 (General Commercial) District at 4114 Texoma Parkway, being 0.499 acres in the W. F. Patterson Survey, Abstract No. 969 (LCA Properties, LLC, Owners; Todd Kofsky, Representative; and Helvey-Wagner Surveying, Inc., 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 the request of LCA Properties, LLC (Owners), Todd Kofsky (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 4114 Texoma Parkway, being 0.499 acres in the W. F. Patterson Survey, Abstract No. 969, for a Specific Use Permit to allow automobile repair including transmission, performance tuning, engine repair, brakes, steering, suspension, oil change and alignments in a C-2 (General Commercial) District

Background:

The property is located at 4114 Texoma Parkway, between Gallagher Drive and Frisco Road. The property is zoned a C-2 (General Commercial) District. The property has been approved for Specific Use Permits to allow automotive repair in 2009 and 2018 and a billboard in 2002.

Mr. Kofsky purchased the property in March of 2020 and found out the previously approved Specific Use Permit expired in September of 2019. He is requesting a Specific Use Permit to allow automotive repair including transmission, performance tuning, engine repair, brakes, steering/suspension, oil change and alignments for his business, A&B Automotive, which is currently located at 576 U.S. Highway 69 in Denison Texas.

Origination:

LCA Properties, LLC (Owners)

Todd Kofsky (Representative)

Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 19, 2020 regular meeting, the Planning and Zoning Board voted 6/0 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. 6300
Aerial Location Map
Zoning Map
Zoning Sign Photo
Survey
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6300

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 REPAIR INCLUDING TRANSMISSION, PERFORMANCE TUNING, ENGINE REPAIR, BRAKES, STEERING, SUSPENSION, OIL CHANGE AND ALIGNMENTS IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 4114 TEXOMA PARKWAY, BEING 0.499 ACRES IN THE W.F. PATTERSON SURVEY, ABSTRACT NO. 969 (LCA PROPERTIES, LLC, OWNERS; TODD KOFSKY, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, LCA Properties, LLC (Owners), Todd Kofsky (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) are granted a Specific Use Permit to allow automobile repair including transmission, performance tuning, engine repair, brakes, steering, suspension, oil change and alignments in a C-2 (General Commercial) District at 4114 Texoma Parkway and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the W.F. Patterson Survey, Abstract No. 969, being all of the 0.4986 acres conveyed by Warranty Deed, from Earl S. Keese to Dassam Enterprises, LLC on July 28, 2010, recorded in Volume 4838, Page 703, Official Public Records,

Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a ½ inch pipe found in the West right-of-way line of Texoma Parkway (also known as: State Hwy. 91), at the Northeast corner of said Dassam 0.4986 acres and the Southeast corner of the Z&P Pocza Properties, LTD 9.906 acre tract of land in Volume 4691, Page 823, said Official Public Records;

THENCE South 29 deg. 38 min. 00 sec. West, with the West right-of-way line of said Texoma Parkway and the East line of said Dassam 0.4986 acres, a distance of 96.09 feet to a ½ inch rebar found at the Southeast corner of said Dassam 0.4986 acres and the most Eastern Northeast corner of the Utter Properties, LTD 2.85 acre tract of land in Volume 433 8, Page 744, said Official Public Records;

THENCE North 63 deg. 04 min. 26 sec. West, with a North line of said Utter Properties 2.85 acres and the South line of said Dassam 0.4986 acres, a distance of 226.71 feet to a point at an Ell corner of said Utter Properties 2.85 acres and the Southwest corner of said Dassam 0.4986 acres, Said point bears South 65 deg. 36 min. 06 sec, West, 0.21 feet from a ½ inch rebar found;

THENCE North 29 deg. 40 min. 04 sec. East, with an East line of the Utter Properties 2.85 acres and the West line of said Dassam 0.4986 acres, a distance of 95.83 feet to a ½ inch rebar found in the South line of said Z&P Pocza Properties 9.906 acres and the Northwest corner of said Dassam 0.4986 acres

THENCE South 63 deg. 08 min. 23 sec. East, with the South line of the Z&P Pocza Properties 9.906 acres and the North line of said Dassam 0.4986 acres, a distance of 226.66 feet to the **PLACE OF BEGINNING and containing 0.499 ACRES of land.....**

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance, the fence ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All parking shall be on private property and shall not encroach into Texoma Parkway right-of-way.
4. Parking is permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9' x 20'.
5. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires, displays or parts is allowed.
6. Shall comply with all EPA, City, Federal and State regulations for this use.
7. Violation of the conditions of the SUP will terminate the Specific Use Permit.

8. Review the zoning and development ordinance for additional requirements.
9. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

10. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from the City of Sherman Engineering Department.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

EFFECTIVE DATE on this the _____ day of _____, 2020.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



4114 Texoma Parkway

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 600 ft



Zoning - 4114 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 District
- 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



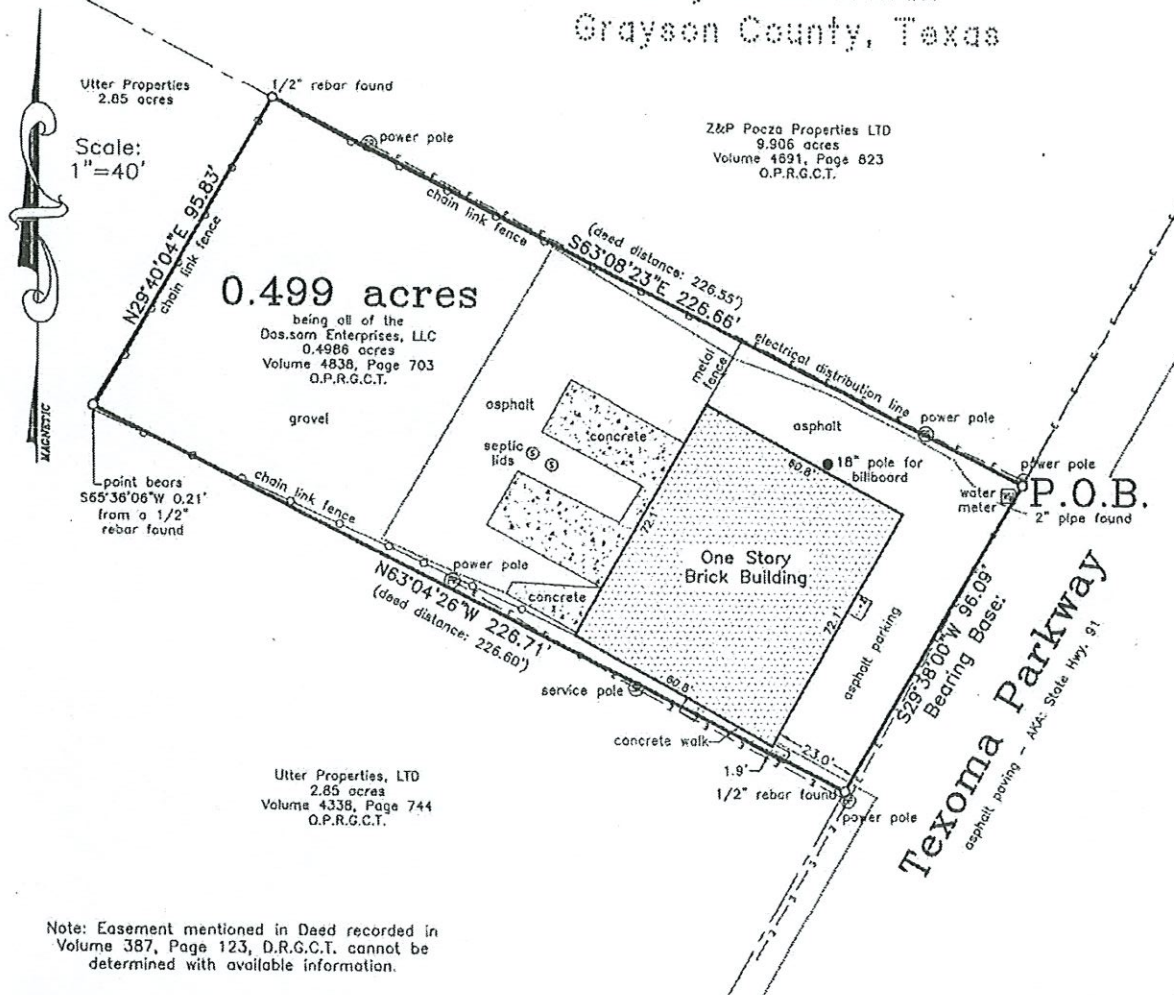
NOT TO SCALE

1 in = 100 ft

4114 Texoma Parkway



W.F. Patterson Survey
Abstract No. 969
City of Sherman
Grayson County, Texas



Owner: Das.som Enterprises, LLC
Buyer: Todd Kofsky &
Brenda Kofsky
Address: 4114 Texoma Parkway
Sherman, Texas

This survey is for the sole benefit of the transaction by and between: the owner and buyer stated at left, Independent Bank and Red River Title Company 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.

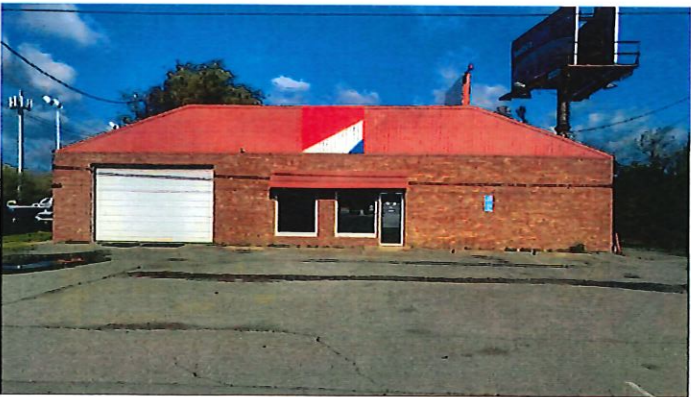
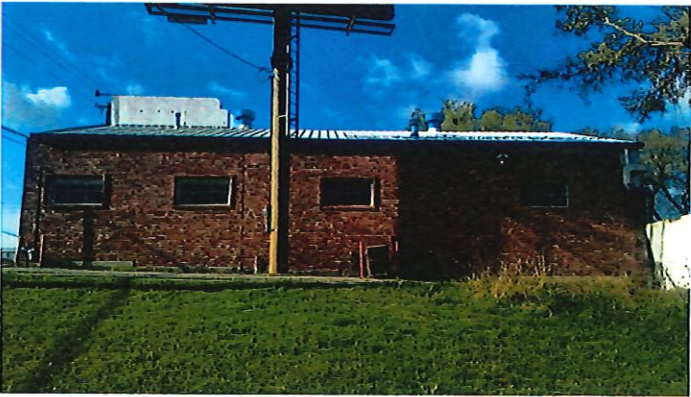
The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 F, Revised Date: September 29, 2010.

Job No. BGS040320

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Email: kate@helveywagnersurveying.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100



Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: March 3, 2020



STAFF REVIEW LETTER

May 11, 2020

LCA Properties, LLC
565 Cleve Cole Rd.
Denison, TX 75021

Dear Applicant,

The request for a Specific Use Permit and site plan approval to allow automobile repair including transmission, performance tuning, engine repair, brakes, steering, suspension, oil change and alignments in a C-2 (General Commercial) District for the property located at 4114 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 19, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance, the fence ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All parking shall be on private property and shall not encroach into Texoma Parkway right-of-way.
4. Parking is permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9' x 20'.
5. No outside parking or storage of dismantled, junk or inoperable vehicles, wrecks, tires, displays or parts is allowed.
6. Shall comply with all EPA, City, Federal and State regulations for this use.
7. Violation of the conditions of the SUP will terminate the Specific Use Permit.
8. Review the zoning and development ordinance for additional requirements.
9. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

10. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from the City of Sherman Engineering Department.

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 Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with the first name "Scott" and last name "Shadden" clearly legible.

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

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer
Tom Pruitt, Utility Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator
Rob Rae, (Incoming) Director of Developmental Services



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

Agenda Item No. 8.

Meeting Date: 05/19/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

4114 TEXOMA PARKWAY

The request of LCA Properties, LLC (Owners), Todd Kofsky (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 4114 Texoma Parkway, being 0.499 acres in the W. F. Patterson Survey, Abstract No. 969, 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 repair including transmission, performance tuning, engine repair, brakes, steering, suspension, oil change and alignments in a C-2 (General Commercial) District.

Background:

The property is located at 4114 Texoma Parkway between Gallagher Drive and Frisco Road. The property is zoned a C-2 (General Commercial) District. The property has been approved for Specific Use Permits to allow automotive repair in 2009 and 2018 and a billboard in 2002.

The owner is requesting a Specific use Permit to allow automotive repair including transmission, performance tuning, engine repair, brakes, steering/suspension, oil change and alignments for his business A&B Automotive, which is currently located at 576 U.S. Highway 69, Denison Texas.

Adjacent Zoning:

C-2 (General Commercial) District

M-1 (Light Manufacturing) District

Origination:

LCA Properties, LLC (Owners)

Todd Kofsky (Representative)

Helvey-Wagner Surveying, Inc. (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:

6

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey/Site Plan

Building Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 5.

Meeting Date: 06/15/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6301

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Duplex in an R-1 (One Family Residential) District at 329 West Tennessee Street, being part of Lot 4 and all of Lot 5, Block D, Ed Moore's Fairground Addition (Carl Bussey, Owner; Shearer Design & Associates, Representative; and Rhodes 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 the request of Carl Bussey (Owner), Shearer Design & Associates (Representative), and Rhodes Surveying (Surveyor) concerning the property at 329 West Tennessee Street, being part of Lot 4 and all of Lot 5, Block D, Ed Moore's Fairground Addition, for a Specific Use Permit to allow a Duplex in an R-1 (One Family Residential) District

Background:

The property is located at 329 West Tennessee Street; the northeast corner of Tennessee and Rusk Streets. The property is zoned an R-1 (One Family Residential) District. The owner is requesting a Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District. The duplex will be approximately 1,966 square feet, three-bedroom, two-bath, one car garage on each side.

Origination:

Carl Bussey (Owner)
Shearer Design & Associates (Representative)
Rhodes Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 19, 2020 regular meeting, the Planning and Zoning Board voted 6/0 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. 6301

Aerial Location Map

Zoning Map

Zoning Sign Photo

Survey

Site Plan

Building Elevations

Floor Plan

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6301

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 A DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 329 WEST TENNESSEE STREET, BEING PART OF LOT 4 AND ALL OF LOT 5, BLOCK D, ED MOORE'S FAIRGROUND ADDITION (CARL BUSSEY, OWNER; SHEARER DESIGN & ASSOCIATES, REPRESENTATIVE; AND RHODES SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, Carl Bussey (Owner), Shearer Design & Associates (Representative) and Rhodes Surveying (Surveyor) are granted a Specific Use Permit to allow a Duplex in an R-1 (One Family Residential) District at 329 West Tennessee Street and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING part of Lot 4 and all of Lot 5, Block D, Ed Moore's Fairground Addition, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 26, Page 259, of the Plat Records of Grayson County, Texas, being that same tract of land described as Tract I, Tract 2, and Tract 3 in a deed to James L. Hill, Jr., as recorded in Volume 5440, Page 726, of the Deed Records of Grayson County, Texas, being a tract of land conveyed to James M. Bonenberger, as recorded in Instrument No. 2017-21804 of the Official Public

Records of Grayson County, Texas, as shown on survey, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2-inch iron rod for corner on the north right-of-way line of West Tennessee Street, being the southwest corner of a parcel of land conveyed to Quest IRA, Inc., FBO Teresa Vandello IRA No. 2754811, as recorded in Volume 5972, Page 145, of the Deed Records of Grayson County, Texas, and being the southeast corner of said Bonenberger parcel;

THENCE along said right-of-way, West, passing a found 1/2-inch yellow-capped iron rod for reference at a distance of 56.06 feet, and continuing a total distance of 134.03 feet to a 1-inch iron pipe for corner, being the intersecting corner of the north right-of-way line of said West Tennessee Street and the east right-of-way line of South Rusk Street;

THENCE North 00 degrees 17 minutes 29 seconds West, along said South Rusk Street right-of-way, a distance of 125.00 feet to a set 1/2-inch yellow-capped iron rod for corner, being the southwest corner of a parcel of land conveyed to Jose Cartagena, as recorded in Volume 4938, Page 313, of the Deed Records of Grayson County, Texas;

THENCE East, leaving said right-of-way, a distance of 134.03 feet to a found 1/2-inch yellow-capped iron rod for corner, being the northwest corner of said Quest parcel;

THENCE South 00 degrees 17 minutes 29 seconds East, a distance of 125.00 feet to a **PLACE OF BEGINNING and containing 16,754 square feet or 0.38 of an acre of land.....**

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
4. Parking is permitted on paved surfaces only (concrete or asphalt).
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
8. Proposed drive approach does not conform to City of Sherman standards.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 8, Subsection (5)(a), Ordinance No. 2280.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

EFFECTIVE DATE on this the _____ day of _____, 2020.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



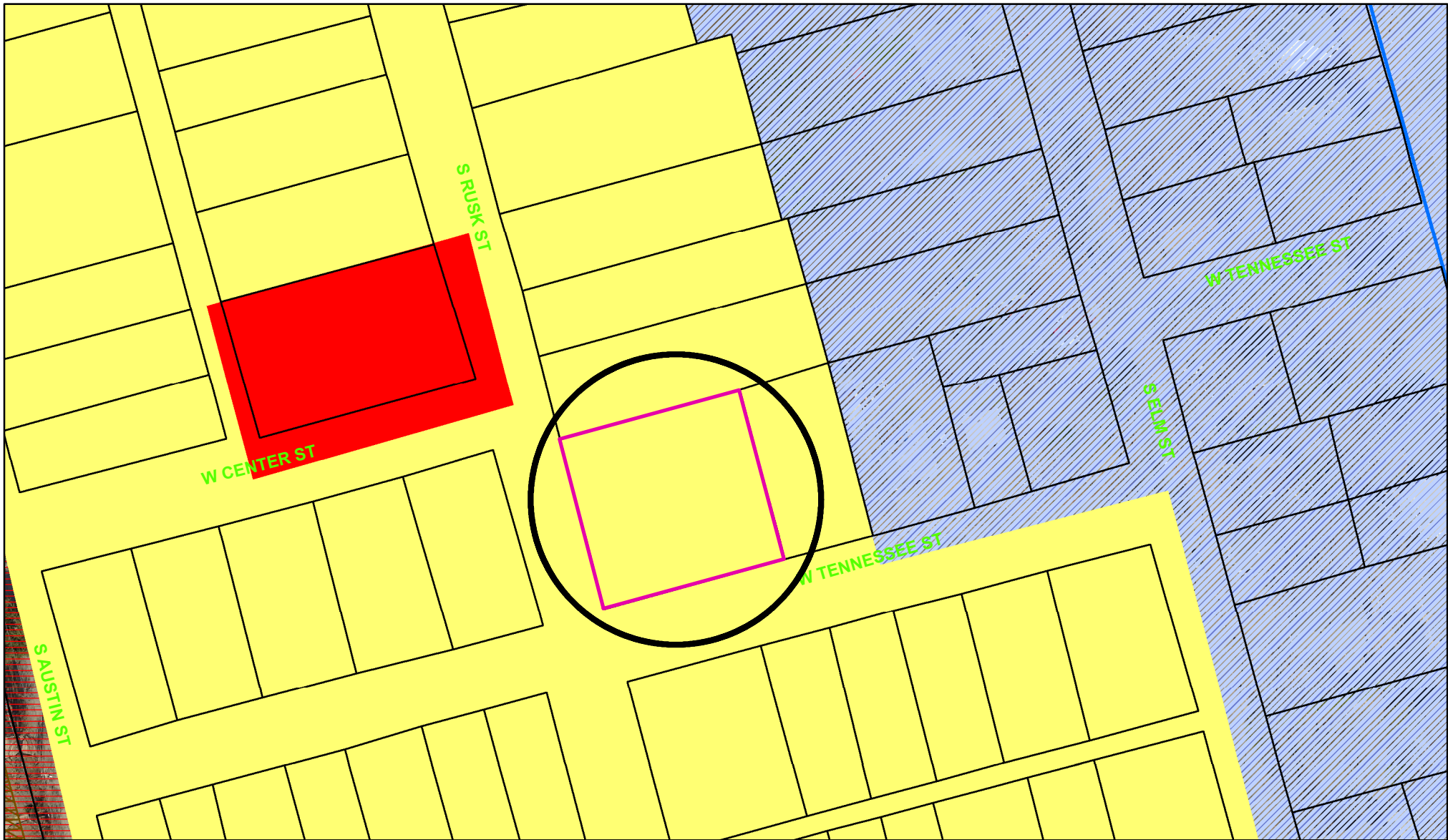
329 West Tennessee Street



City of Sherman, Texas
Developmental Services Department



1 in = 400 ft



Zoning - 329 West Tennessee 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

- 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 District
- 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

329 West Tennessee Street



1529 E. I-30, STE. 106
GARLAND, TX 75043

FIRM REGISTRATION NO. 10194052

SURVEY PLAT



RHODES

Surveying

WWW.RHODESSURVEYING.COM

BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 319 W TENNESSEE STREET, in the city of SHERMAN, GRAYSON COUNTY Texas.

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEING part of Lot 4 and all of Lot 5 in Block D of Ed Moore's Fairground Addition, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 26, Page 259, of the Plat Records of Grayson County, Texas, being that same tract of land described as Tract 1, Tract 2, and Tract 3 in a deed to James L. Hill, Jr., as recorded in Volume 5440, Page 726, of the Deed Records of Grayson County, Texas, being a tract of land conveyed to James M. Bonenberger, as recorded in Instrument No. 2017-21804 of the Official Public Records of Grayson County, Texas, as shown on survey, and being more particularly described by metes and bounds as follows:

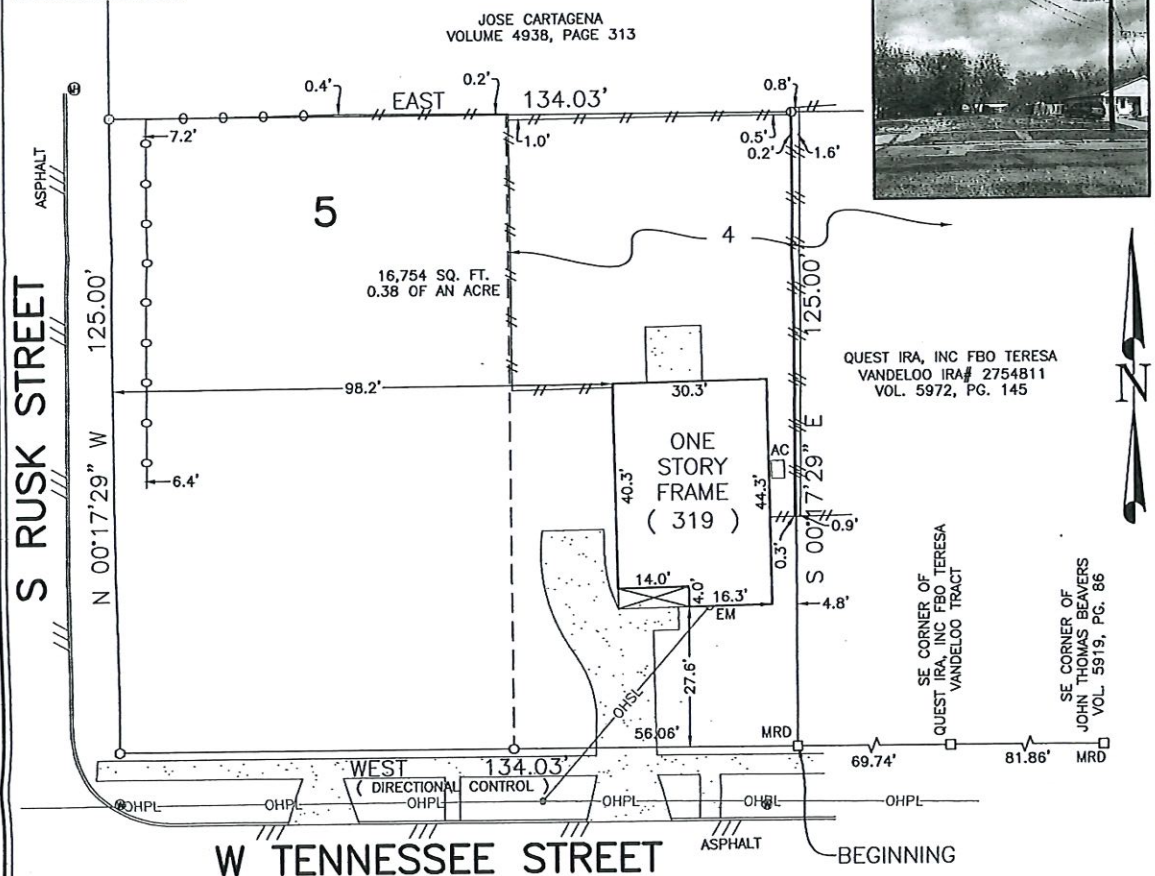
BEGINNING at a found 1/2-inch iron rod for corner on the north right-of-way line of W Tennessee Street, being the southwest corner of a parcel of land conveyed to Quest IRA, Inc., FBO Teresa Vandelloo IRA No. 2754811, as recorded in Volume 5972, Page 145, of the Deed Records of Grayson County, Texas, and being the southeast corner of said Bonenberger parcel;

THENCE along said right-of-way, West, passing a found 1/2-inch yellow-capped iron rod for reference at a distance of 56.06 feet, and continuing a total distance of 134.03 feet to a 1-inch iron pipe for corner, being the intersecting corner of the north right-of-way line of said W Tennessee Street and the east right-of-way line of S Rusk Street;

THENCE North 00 degrees 17 minutes 29 seconds West, along said S Rusk Street right-of-way, a distance of 125.00 feet to a set 1/2-inch yellow-capped iron rod for corner, being the southwest corner of a parcel of land conveyed to Jose Cartagena, as recorded in Volume 4938, Page 313, of the Deed Records of Grayson County, Texas;

THENCE East, leaving said right-of-way, a distance of 134.03 feet to a found 1/2-inch yellow-capped iron rod for corner, being the northwest corner of said Quest parcel;

THENCE South 00 degrees 17 minutes 29 seconds East, a distance of 125.00 feet to a PLACE OF BEGINNING and containing 16,754 square feet or 0.38 of an acre of land.



THIS CERTIFICATION DOES NOT
TAKE INTO CONSIDERATION
ADDITIONAL FACTS THAT AN
ACCURATE TITLE SEARCH AND OR
EXAMINATION MIGHT DISCLOSE.

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements. TITLE AND ABSTRACTING WORK FURNISHED BY METROPOLITAN ESCROW & TITLE, L.L.C. THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 30'

Date: 01/18/2019

G. F. No.: NEEDS TW

Job no.: 102960

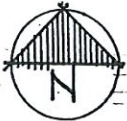
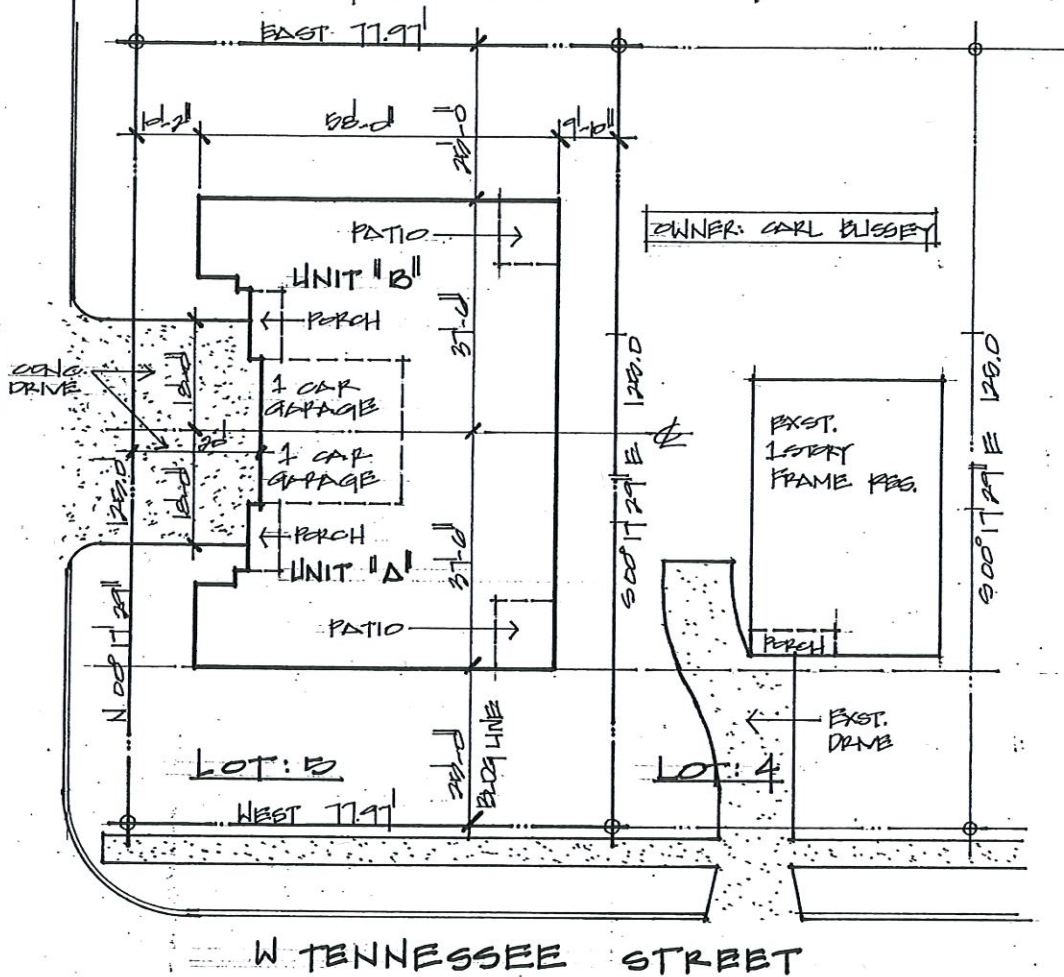
Drawn by: XT

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.
THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR
METROPOLITAN ESCROW & TITLE, L.L.C.

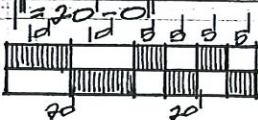
LEGEND	
WOOD FENCE	TEXT
CHAIN LINK	IMPROVEMENTS
IRON FENCE	BOUNDARY LINE
WIRE FENCE	EASEMENT SETBACK
	RESIDUAL BUILDING
MRD	MONUMENTS OF RECORD DENSITY
1/2" YELLOW-CAPPED IRON ROD FOUND	
1/2" YELLOW-CAPPED IRON ROD SET	
SET X	
1/2" IRON ROD FOUND	
1" IRON PIPE FOUND	
PK NAIL FOUND	
CABLE	ELECTRIC
CLEAN OUT	POOL EQUIP
GAS METER	POWER POLE
FIRE HYDRANT	TELEPHONE
LIGHT POLE	WATER METER
MANHOLE	WATER VALVE
(UNLESS OTHERWISE NOTED)	



S RUSK STREET



SITE PLAN



3/20/2020

LOT: 5 BLOCK: D
ED MOORE'S FAIRGROUND ADDITION
SHERMAN, GRAYSON CO. TEXAS

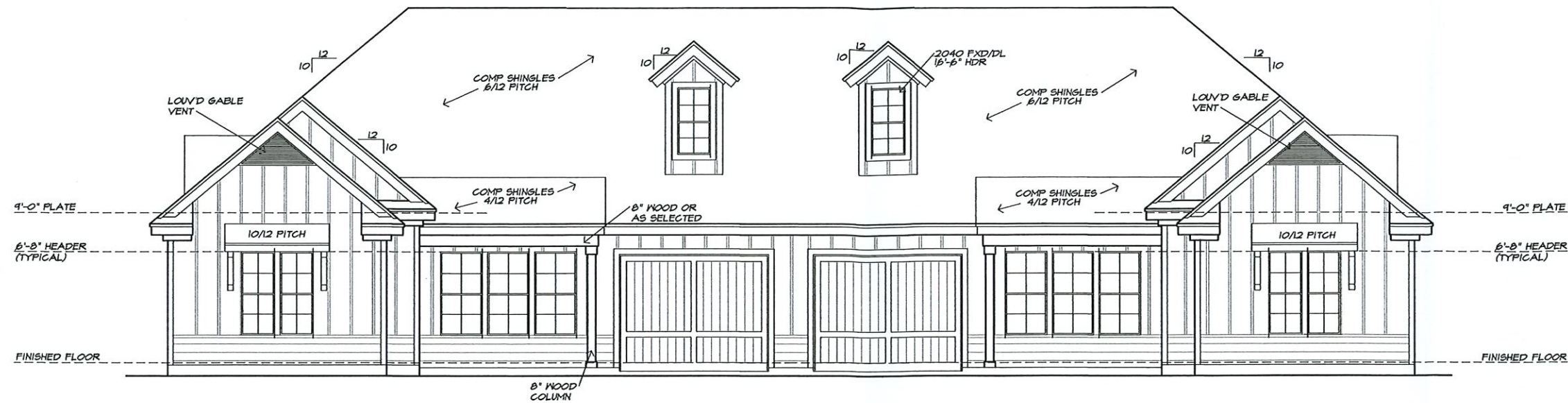
VOLUME: 20, PAGE 259 PLAT RECORDS OF GRAYSON CO.

OWNER: CARL BUSSEY
300 OAKBROOK DR.
LEWISVILLE, TEXAS 75057
912-297-2915
BUSSEY@MUSTANGSFC.COM



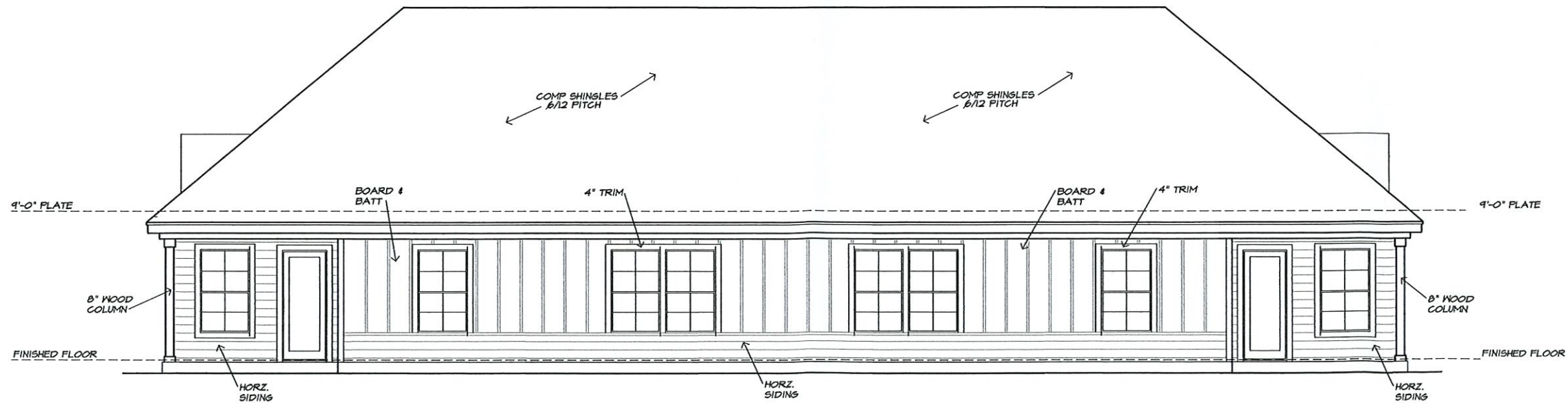
SHEARER DESIGN & ASSOCIATES

415 West Main St.
Denison, Texas 75020
214-497-5466
shearerdesign@yahoo.com



FRONT (NORTH) ELEVATION

SCALE: 1/4" = 1'-0"

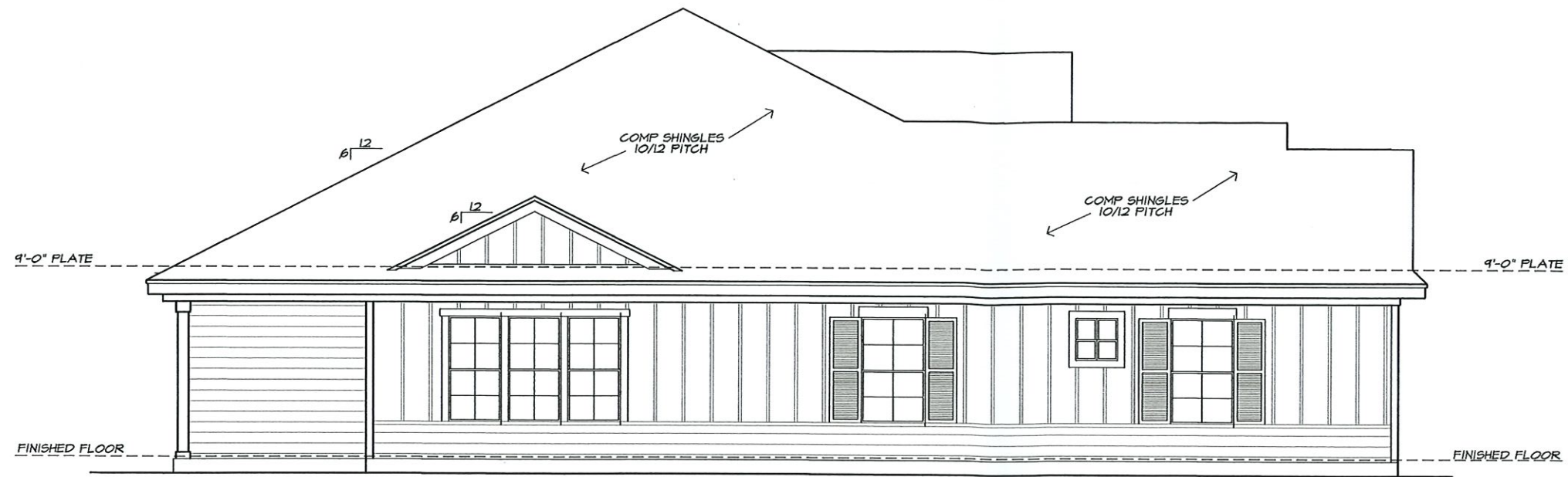


REAR (SOUTH) ELEVATION

SCALE: 1/4" = 1'-0"

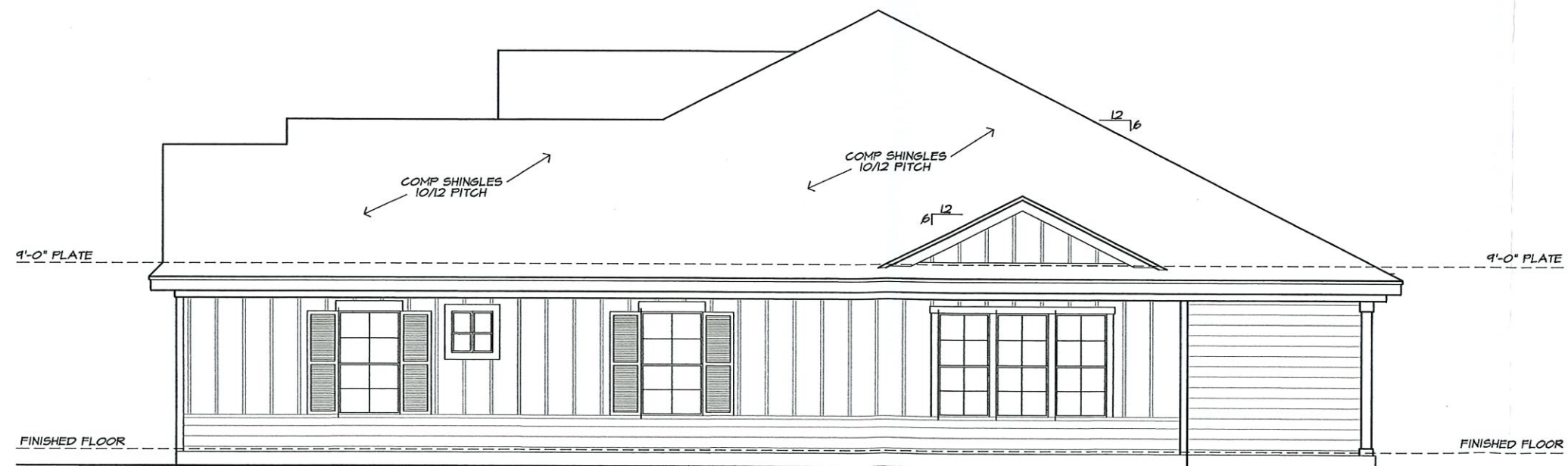
CARL BUSSEY
DUPLEX UNIT(S)

Shearer Design & Associates
214.497.5466
cshearer1@yahoo.com



EAST ELEVATION

SCALE: 1/4" = 1'-0"



WEST ELEVATION UNIT

SCALE: 1/4" = 1'-0"

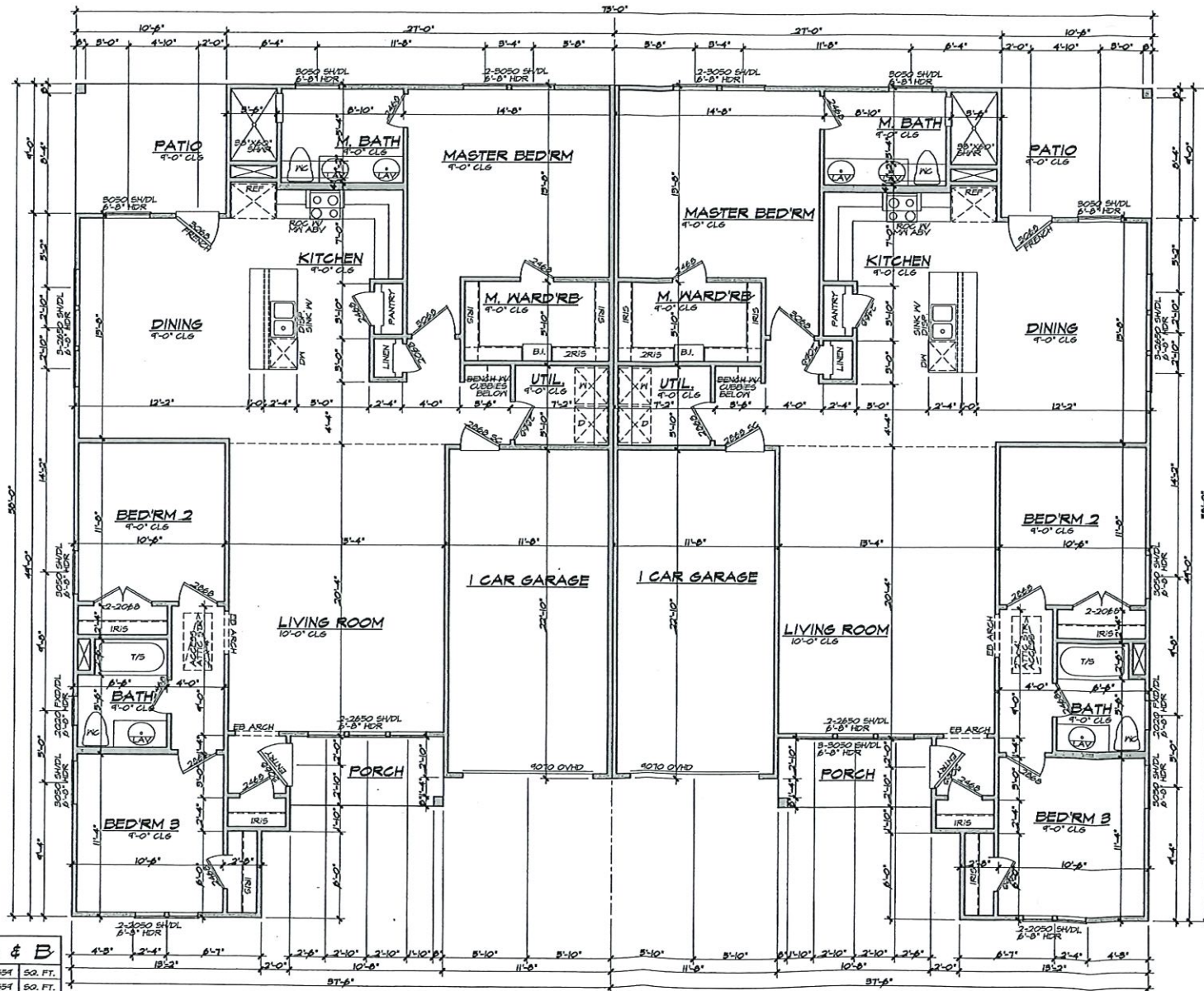
REVISIONS

CARL BUSSEY
DUPLEX UNIT(S)

Shearer Design & Associates
214.497.5466
cshearer1@yahoo.com

DATE: 032420

SHEET: 14 1



AREA UNITS A & B		
FIRST FLOOR LIVING (AC)	1554	SQ. FT.
TOTAL LIVING (AC)	1554	SQ. FT.
1 CAR GARAGE	260	SQ. FT.
PORCH	52	SQ. FT.
PATIO	43	SQ. FT.
TOTAL COVERAGE	1866	SQ. FT.

UNIT "B" FLOOR PLAN

SCALE: 1/4" = 1'-0"

UNIT "A" FLOOR PLAN

SCALE: 1/4" = 1'-0"

REVISIONS

CARL BUSSEY
DUPLEX UNIT(S)

Shearer Design & Associates
214.497.5466
cshearer@yahoo.com

032420

STAFF REVIEW LETTER

May 11, 2020

Carl Bussey
306 Oakbrook Dr.
Lewisville, TX 75057

Rhodes Surveying
1529 E. I-30, Ste. 106
Garland, TX 75043

Charlie Shearer
415 W. Main St.
Denison, TX 75020

Dear Applicant,

The request for a Specific Use Permit to allow a duplex in an R-1 (One-Family Residential) District for the property located at 329 West Tennessee Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 19, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
4. Parking is permitted on paved surfaces only (concrete or asphalt).
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

7. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
8. Proposed drive approach does not conform to City of Sherman standards.

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 Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with a long horizontal line extending from the end.

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

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer
Tom Pruitt, Utility Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator
Rob Rae, (Incoming) Director of Developmental Services



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

Agenda Item No. 13.

Meeting Date: 05/19/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

329 WEST TENNESSEE STREET

The request of Carl Bussey (Owner), Shearer Design & Associates (Representative) and Rhodes Surveying (Surveyor) concerning the property at 329 West Tennessee Street, being part of Lot 4 and all of Lot 5, Block D, Ed Moore's Fairground Addition, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a duplex in an R-1 (One-Family Residential) District.

Background:

The property is located at 329 West Tennessee Street; the northeast corner of Tennessee and Rusk Streets. The property is zoned an R-1 (One Family Residential) District. The owner is requesting a Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District. The duplex will be approximately 1,966 square feet, three-bedroom, two-bath, one car garage on each side.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Carl Bussey (Owner)

Shearer Design & Associates (Representative)

Rhodes Sur 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:

26

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey

Site Plan

Floor Plan

Building Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 6.

Meeting Date: 06/15/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6302

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-1 (One Family Residential) District at 1201 South Montgomery Street, being the west 89.2 feet of Lot 1, Block 6, Jones & Wainrights Addition (Ulises A. Henriquez Lopez, Owner; and Copley Land Surveying, Surveyor)

Issue:

To consider the request of Ulises A. Henriquez Lopez (Owner) and Copley Land Surveying (Surveyor) concerning the property located at 1201 South Montgomery Street, being the west 89.2 feet of Lot 1, Block 6, Jones & Wainrights Addition for a zone change from a C-1 (Retail Business) District to an R-1 (One Family Residential) District

Background:

The property is located at 1201 South Montgomery Street; the southeast corner of Montgomery and Rosedale Streets. The property is zoned a C-1 (Retail Business) District; and the owner is requesting a zone change to an R-1 (One Family Residential) District. The building has formerly been a restaurant and storage. The existing one story metal building is approximately 1,705 square feet, is located 1.2 feet from the front property line, and protrudes across the property line on the north side. An encroachment easement was approved by Resolution No. 6607 at the March 16, 2020 City Council Meeting.

Origination:

Ulises A. Henriquez Lopez (Owner)
Copley Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 19, 2020 regular meeting, the Planning and Zoning Board voted 6/0 to approve the request subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6302

Aerial Location Map

Zoning Map

Zoning Sign Photo

Survey

Building Elevations

Encroachment Easement

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6302

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 1201 SOUTH MONTGOMERY STREET, BEING THE WEST 89.2 FEET OF LOT 1, BLOCK 6, JONES & WAINRIGHTS ADDITION (ULISES A. HENRIQUEZ LOPEZ, OWNER; AND COPLEY LAND SURVEYING, SURVEYOR); PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That, from and after the passage of this ordinance, the following described property shall be in the R-1 (One Family Residential) District at 1201 South Montgomery Street, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING the west 89.2 feet of Lot 1, Block 6, Jones & Wainrights Addition

SECTION 2. That this ordinance shall not become effective until entered upon the official zoning map as provided in Section 12, Ordinance No. 2280.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

EFFECTIVE DATE on this the _____ day of _____, 2020.

CITY OF SHERMAN, TEXAS

BY: _____

DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**



City of Sherman, Texas
Developmental Services Department

1201 South Montgomery Street

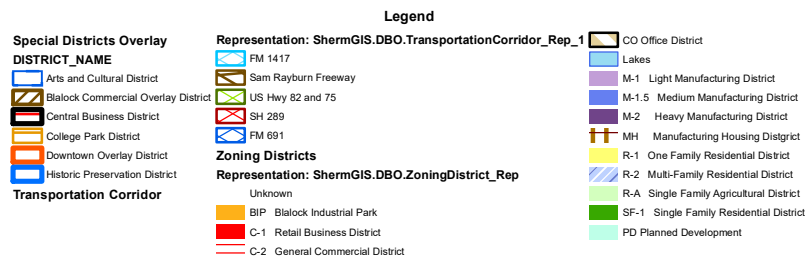


NOT TO SCALE

1 in = 200 ft



Zoning - 1201 South Montgomery Street

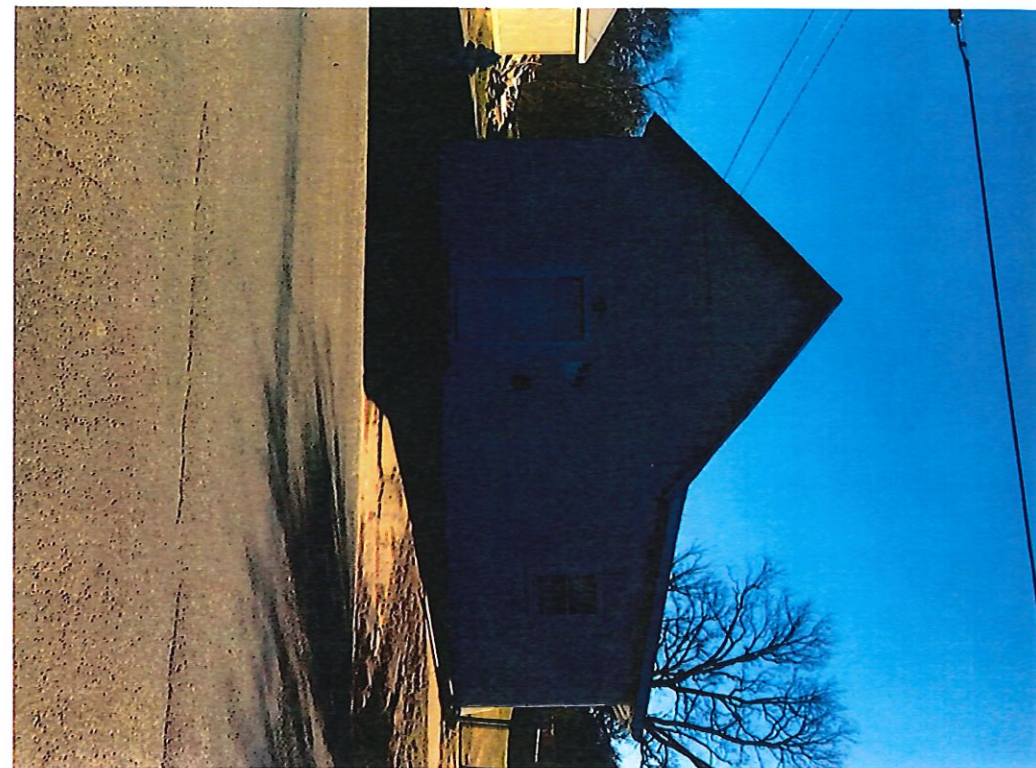
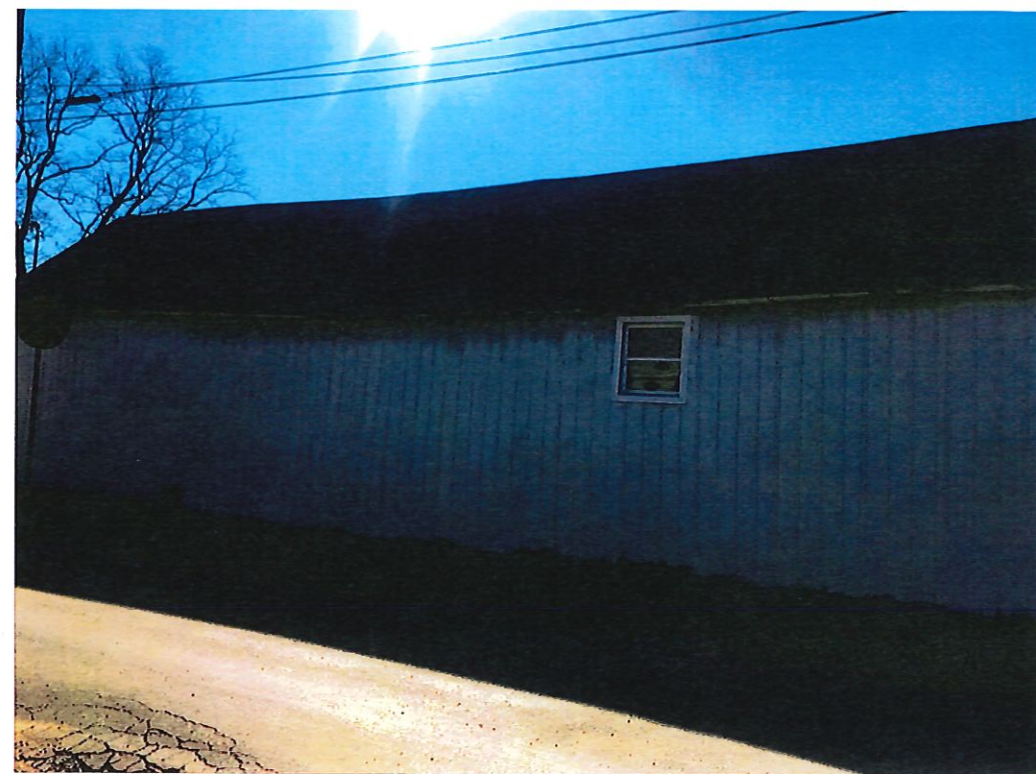
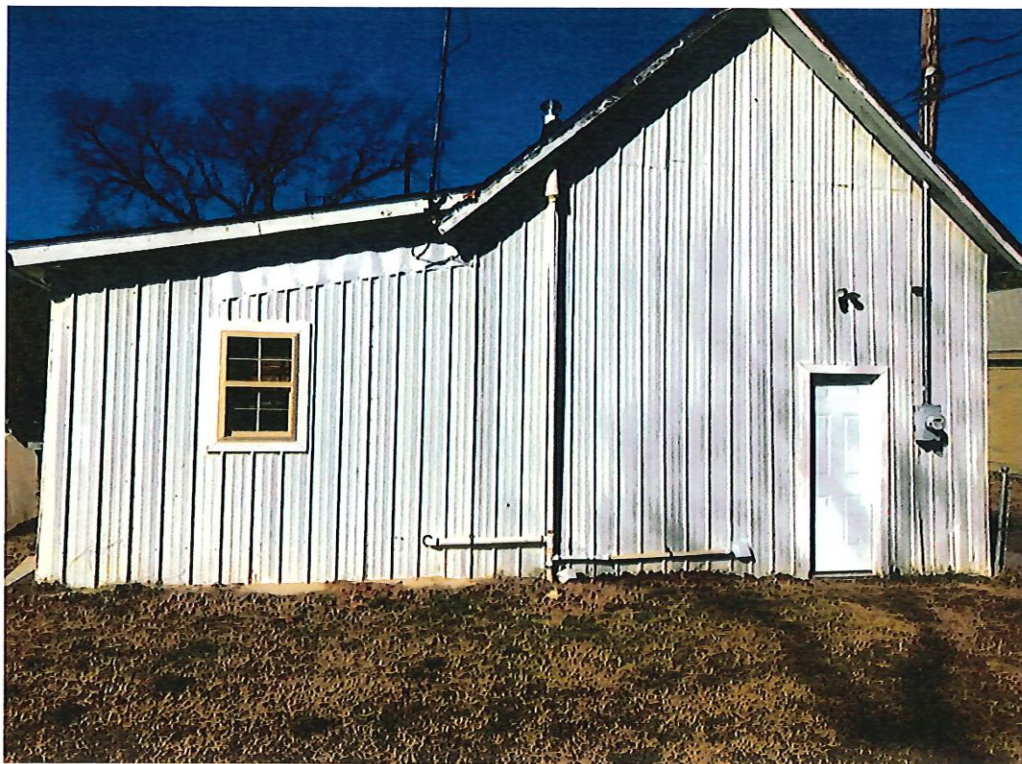


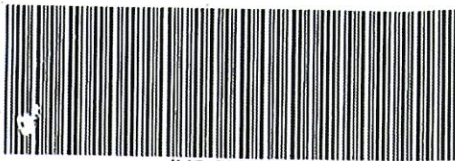
NOT TO SCALE

1 in = 60 ft

1201 South Montgomery Street







VG-286-2020-8214

Grayson County
Wilma Bush
County Clerk
Sherman, TX 75090

Instrument Number: 2020 - 8214

Real Property Recordings

Recorded On: April 02, 2020 03:46 PM

Number of Pages: 8

Parties: SHERMAN CITY OF

" Examined and Charged as Follows: "

Total Recording: \$40.00

***** 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: 8214
Receipt Number: 20200402000064
Recorded Date/Time: April 02, 2020 03:46 PM
User: Cort M
Station: CLERK07

Record and Return To:

SHERMAN CITY OF
220 W MULBERRY

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

ENCROACHMENT EASEMENT

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF GRAYSON §

That the **CITY OF SHERMAN**, a municipal corporation of the State of Texas, hereinafter called "GRANTOR," in consideration of ONE DOLLAR AND NO CENTS (\$1.00) and other good and valuable consideration to it, in hand paid, hereby grants to **ULISES ADONAY HENRIQUEZ LOPEZ and MARIBEL ROMERO MANJIVAR** of Sherman, Texas, hereinafter called "GRANTEE," an encroachment easement to allow a one story metal commercial building to encroach a maximum of 1-foot, 2-inches within a platted public right of way along the north side of Lot 1, Block 6 of Jones and Wainrights Addition, Volume 35, Page 96, Deed Records, locally known as 1201 S. Montgomery, in the City of Sherman, as shown on the Exhibit "A," attached hereto and incorporated herein for all purposes. Said encroachment easement shall be inferior, subordinate, and subject to the GRANTOR'S rights herein.

This instrument shall be construed as conveying an encroachment easement to GRANTEE, its heirs, successors and assigns, for the limited purpose of allowing a one story metal commercial building within the herein described encroachment area. GRANTEE agrees that all maintenance of the building shall be the responsibility of the GRANTEE without cost, fees or expense to GRANTOR.

That GRANTEE shall fully and completely indemnify and hold harmless the GRANTOR and any franchise utilities utilizing said right of way from any and all damages, actions, suits, claims, demands, liabilities, executions and judgments, whether liquidated or unliquidated, absolute or contingent, direct or indirect, at law or in equity, together with attorney fees which may occur in any manner by reason of any manner, fact, or thing arising from this conveyance and use of the area.

In the event it becomes necessary for the GRANTOR or any public utility to utilize the encroachment area for the purpose of installing new utilities, removing or repairing any public utilities located therein, GRANTEE hereby releases GRANTOR and any public utility from any and all claims for damages, costs or expenses, and shall include, but specifically not be limited to, the cost of repair, relocation, or removal of structure and loss of use of such area.

TO HAVE AND TO HOLD the above described encroachment easement unto the said GRANTEE, its heirs, successors and assigns, until the use of such encroachment is no longer necessary.

EXECUTED this the 26th day of March, 2020.

CITY:

CITY OF SHERMAN, a Texas home-rule
municipal corporation

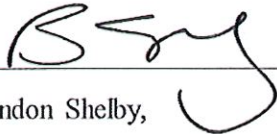
BY:



Robby Helton,
City Manager

Approved as to Form and Content:

By:



Brandon Shelby,
City Attorney

OWNER:

**ULISES ADONAY HENRIQUEZ
LOPEZ**, homeowner

BY:



Ulises Adonay Henriquez Lopez,
Homeowner

OWNER:

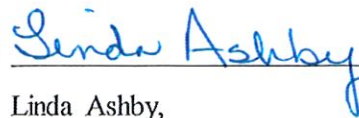
MARIBEL ROMERO MANJIVAR,
homeowner

BY:



Maribel Romero Manjivar,
Homeowner

Attest:



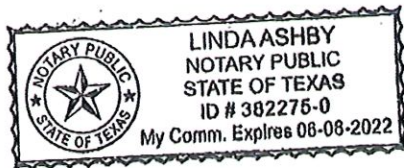
Linda Ashby,
City Clerk

STATE OF TEXAS §

§

COUNTY OF GRAYSON §

THIS INSTRUMENT was subscribed, sworn to and acknowledged before me on March 24, 2020, by Robby Heflon, City Manager of the **CITY OF SHERMAN**, a Texas home-rule municipal corporation, on behalf of said corporation.



Linda Ashby

Notary Public, State of Texas

Printed Name of Notary: Linda Ashby

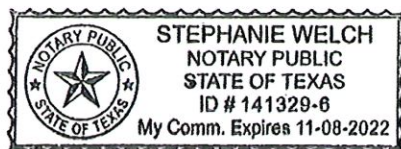
My Commissions Expires: 6/6/2022

STATE OF TEXAS §

§

COUNTY OF GRAYSON §

THIS INSTRUMENT was subscribed, sworn to and acknowledged before me on March 24, 2020, by Ulises Adonay Henriquez Lopez, to be the person whose name is subscribed to the forgoing instrument and who acknowledged to me that he executed the same for the purposes and consideration expressed therein.



Stephanie Welch

Notary Public, State of Texas

Printed Name of Notary: Stephanie Welch

My Commissions Expires: 11/8/22

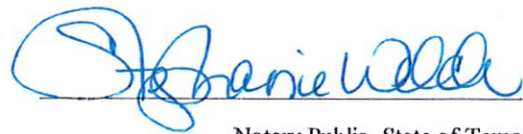
STATE OF TEXAS §

§

COUNTY OF GRAYSON §

THIS INSTRUMENT was subscribed, sworn to and acknowledged before me on March 26th, 2020, by Maribel Romero Manjivar, to be the person whose name is subscribed to the forgoing instrument and who acknowledged to me that he executed the same for the purposes and consideration expressed therein.





Notary Public, State of Texas

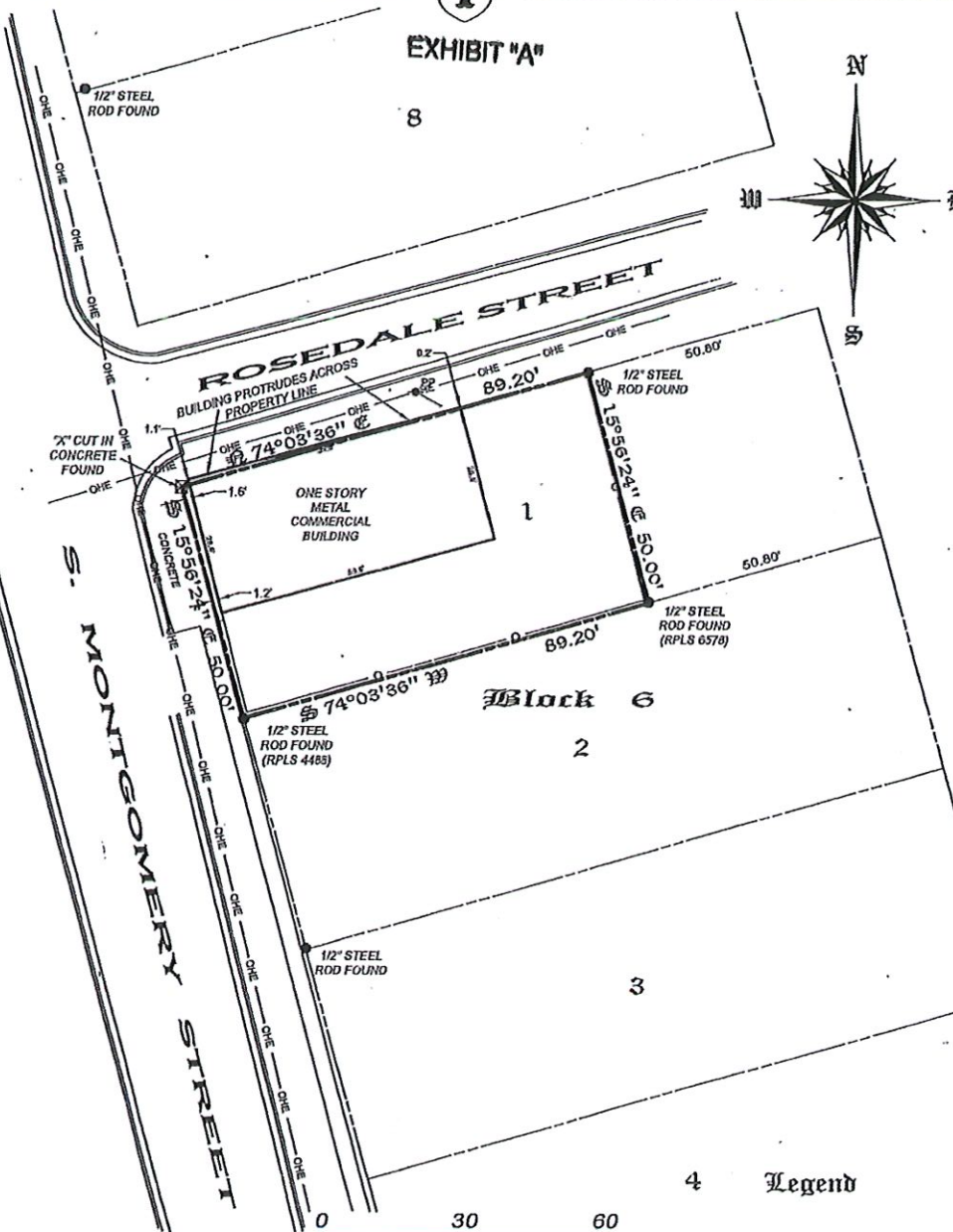
Printed Name of Notary:

Stephanie Welch

My Commissions Expires:

11/8/22

EXHIBIT "A"



- BASIS OF BEARINGS -
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)

I, John C. Copley, Registered Professional Land Surveyor do hereby certify that on the 20th day of February, 2020, a survey was made on the ground of the property shown hereon, described as the West 89.2 feet of Lot 1, Block 6, JONES & WAINRIGHTS ADDITION, an addition to Sherman, Texas, as shown by plat of record in Volume 35, Page 96, Deed Records, Grayson County, Texas and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

The building on said lot is known as 1201 S. Montgomery St., Sherman, Texas, and is wholly located on said lot; there are no encroachments or protrusions from buildings on adjoining lots or tracts of land except as shown.

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429



Copley Land Surveying

1702 Verbi Ln., Sherman, Texas 75090
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

CLSS Job# 20020076

RESOLUTION NO. 6607

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO ULISES ADONAY HENRIQUEZ LOPEZ AND MARIBEL ROMERO MANJIVAR FOR THE ENCROACHMENT OF A ONE STORY METAL COMMERCIAL BUILDING WITHIN THE PLATTED PUBLIC RIGHT OF WAY ALONG THE NORTH SIDE OF LOT 1, BLOCK 6 OF JONES & WAINRIGHTS ADDITION, VOLUME 35, PAGE 96, DEED RECORDS, LOCALLY KNOWN AS 1201 SOUTH MONTGOMERY STREET IN THE CITY OF SHERMAN, 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.

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 an encroachment easement for the encroachment of a one story metal commercial building within the platted public right of way along the north side of Lot 1, Block 6 of Jones & Wainrights Addition, Volume 35, Page 96, Deed Records, locally known as 1201 South Montgomery Street in the City of Sherman, Texas, as shown on the Exhibit "A" attached hereto and incorporated herein 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.

PASSED AND APPROVED on this the 16th day of March, 2020.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

BY: David Plyler
DAVID PLYLER, MAYOR

APPROVED AS TO FORM
AND CONTENT:

BY: Brandon S. Shielby
BRANDON S. SHELBY,
CITY ATTORNEY

CERTIFIED COPY - DOCUMENT
THIS IS CERTIFIED TO BE A TRUE COPY
OF THE PERMANENT RECORD AS FILED IN
THE OFFICE OF THE CITY CLERK.

Linda Ashby
CITY CLERK, SHERMAN, TEXAS

3/26/20

1201 S. Montgomery



1 inch = 100 feet



STAFF REVIEW LETTER

May 11, 2020

Ulises A. Henriquez-Lopez
921 S. Hub St.
Sherman, TX 75090

Dear Applicant,

The request for a zone change from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District for the property located at 1201 South Montgomery Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 19, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. The building must comply with all current City of Sherman building and fire codes prior to occupancy to assure a safe environment.
3. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
4. Parking shall be provided on private property for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
5. Parking is permitted on paved surfaces only (concrete or asphalt).
6. All parking shall be on private property and shall not encroach into Montgomery or Rosedale Streets right-of-way.
7. The existing nonconforming structure shall not be extended, enlarged or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
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. Review the zoning and development ordinance for additional requirements.
10. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

11. New drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from the Engineering Department.

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 Scott Shadden at 903-892-7229 prior to the meeting.

Respectfully,

A handwritten signature in black ink, reading "Scott Shadden". The signature is fluid and cursive, with the first name "Scott" and last name "Shadden" clearly legible.

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

CC: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer
Tom Pruitt, Utility Engineer

Billy Hartsfield, Fire Marshal
Brandon Shelby, City Attorney
Amber Doan, Engineering Coordinator
Rob Rae, (Incoming) Director of Developmental Services



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 11.

Meeting Date: 05/19/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1201 SOUTH MONTGOMERY STREET

The request of Ulises A. Henriquez Lopez (Owner) and Copley Land Surveying (Surveyor) concerning the property located at 1201 South Montgomery Street, being the west 89.2 feet of Lot 1, Block 6, Jones & Wainrights Addition, as follows;

Planning and Zoning Commission

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

Board of Adjustments

Exception, variance and site plan approval under Ordinance No. 2280, Section 5 and Section 6.2, Subsection (1) to allow an existing nonconforming structure located on the side street property line in lieu of the required 10' and 1.2' from the front property line in lieu of the required 25' in an R-1 (One Family Residential) District.

Background:

The property is located at 1201 South Montgomery Street; the southeast corner of Montgomery and Rosedale Streets. The property is zoned a C-1 (Retail Business) District and the owner is requesting a zone change to an R-1 (One Family Residential) District. The building has formerly been a restaurant and storage. The existing one story metal building is approximately 1,705 square foot and is located 1.2 feet from the front property line and protrudes across the property line on the north side. An encroachment easement was approved by Resolution 6607 at the March 16, 2020, City Council Meeting.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Ulises A. Henriquez Lopez (Owner)
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:

25

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey

Building Elevations

Encroachment Easement

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 7.

Meeting Date: 06/15/2020

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Number: 6298, 6299, 6300, 6301 and 6302

Issue:

- C. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6298**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Taxidermy Studio in a C-2 (General Commercial) District at 2207 Gallagher Drive, being a part of Lots 12-15, Block 2, Redick Addition, containing 1.57 acres (David Pierce, Owner); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- C. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6299**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Mini-Warehouse Facility (Affordable Storage) in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District at 1300 South F.M. 1417 (Heritage Parkway), being Lots 2-6, Block 6, Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No. 10 (Wyldeewood Homes, Owners; Tim Pike, Representative; David Vilbig, Vilbig and Associates, Civil Engineer; and Amazing Construction, Architect); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- C. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6300**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Automobile Repair including Transmission, Performance Tuning, Engine Repair, Brakes, Steering, Suspension, Oil Change and Alignments in a C-2 (General Commercial) District at 4114 Texoma Parkway, being 0.499 acres in the W. F. Patterson Survey, Abstract No. 969 (LCA Properties, LLC, Owners; Todd Kofsky, Representative; and Helvey-Wagner Surveying, Inc., Surveyor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

C. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6301

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Duplex in an R-1 (One Family Residential) District at 329 West Tennessee Street, being part of Lot 4 and all of Lot 5, Block D, Ed Moore's Fairground Addition (Carl Bussey, Owner; Shearer Design & Associates, Representative; and Rhodes Surveying, Surveyor); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

C. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6302

Amending Section 12, Ordinance No. 2280, so as to Include Certain Properties within the R-1 (One Family Residential) District at 1201 South Montgomery Street, being the west 89.2 feet of Lot 1, Block 6, Jones & Wainrights Addition (Ulises A. Henriquez Lopez, Owner; and Copley Land Surveying, Surveyor)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 8.

Meeting Date: 06/15/2020

Prepared By: Pamela Cloer, Assistant to the City Manager

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:

D. 2. * RESOLUTION NO. 6626

Authorizing Execution of an Agreement with Julio Cesar Tobar and Leticia Tobar for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1719 South Travis Street within City of Sherman Reinvestment Zone, Number Ten (#10)

E. 1. * REQUEST TO ADVERTISE

Water Treatment Plant Sludge Pond Dewatering Project

F. 1. * OTHER BUSINESS

Consider Request of Downtown Sherman NOW to Temporarily Close Certain Streets for "Craft the Night Away" on Saturday, August 1, 2020

F. 2. * OTHER BUSINESS

Replat Approval of Lot 1, Block 1, Thomason Addition, being 4.074 acres in the A.C. Smith Survey, Abstract No. 1561 and being Lot 1, Block 1, Thomason Addition; TJ Thomason Enterprises, Inc., Owners; and Underwood Drafting and Surveying, Inc., Surveyor (5800 block of North U.S. Highway 75)

F. 3. * OTHER BUSINESS

Final Plat Approval of Osmani Addition, being 1.949 acres in the G.B. Pilant Survey, Abstract No. 963; Ty and Saira Osmani, Owners; and Underwood Drafting and Surveying, Inc., Surveyor (405 and 415 South Dewey Avenue)

F. 4. * *OTHER BUSINESS*

Replat Approval of Rawlins Addition, a Replat of part of Lot 2, Block 6, B. H. Moore Heirs Addition, being 0.373 acres in the Sam Blagg Survey, Abstract No. 56, also being Lot 2, Block 6, B.H. Moore Heirs Addition; Rodger Rawlins, Owners; Richard Rawlins, Applicant; and Underwood Drafting and Surveying, Inc., Surveyor (1410 South Crockett Street)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 1.

Meeting Date: 06/15/2020

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6625

Authorizing Publication of the Proposed Amendment to the Final Statement/Action Plan for the Community Development Block Grant for Program Year 2019; Authorizing Submission of the Block Grant Application; Authorizing Execution of Certifications of Compliance in Connection with the Administration and Conduct of the Community Development Program for Program Year 2019

Issue:

Approval of the Program Year (PY) 2019 Community Development Block Grant Final Amended Plan to accept CARES Act funds

Background:

Each year, the City of Sherman receives an entitlement grant (Community Development Block Grant) from the U.S. Department of Housing and Urban Development (HUD). The Coronavirus Aid, Relief, and Economic Security Act has provided each entitlement grantee with additional funds to respond to, prepare for, and prevent the spread of COVID-19. We are required to prepare and submit an amendment, which is a description of the activities that will be undertaken during the coming months to address the needs of our low-to-moderate income citizens affected by the novelty coronavirus. For the PY 2019 amendment, the City's focus for use of these funds will shift towards a more community-wide perspective, allocating the majority of the funds towards emergency assistance and public service activities.

Origination:

Teri Fine, Grants Coordinator

Financial Consideration:

The City of Sherman has been allocated \$215,775.00 in Community Development Block Grant funds from HUD to address our various community development needs for low-to-moderate income and special needs citizens affected by COVID-19.

Staff Recommendation:

The staff recommends the Sherman City Council approve the PY 2019 Community Development Block Grant Amendment as submitted.

Alternatives:

The Sherman City Council may change or re-appropriate these funds/allocations as they see fit.

Attachments

Resolution No. 6625

Attachment A - Amendment to Final Statement/Action Plan

RESOLUTION NO. 6625

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING PUBLICATION OF THE PROPOSED AMENDMENT TO THE FINAL STATEMENT/ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR PROGRAM YEAR 2019; AUTHORIZING SUBMISSION OF THE BLOCK GRANT APPLICATION; AUTHORIZING EXECUTION OF CERTIFICATIONS OF COMPLIANCE IN CONNECTION WITH THE ADMINISTRATION AND CONDUCT OF THE COMMUNITY DEVELOPMENT PROGRAM FOR PROGRAM YEAR 2019; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, under the Housing and Community Development Act of 1974, as amended, the City of Sherman is eligible to receive \$215,775 for program year 2019, to be expended on eligible activities primarily benefiting low/moderate income families and special need populations in order to meet CARES Act requirements to respond to, prepare for and prevent the spread of COVID-19; and

WHEREAS, the Community Development Block Grant regulations require the opportunity for citizen participation in the development of the final statement and authorizing of the expenditure of such funds; and

WHEREAS, the City Council, after due consideration of the proposed Amendment to the Community Development Final Statement and of all matters raised at public meetings, is of the opinion that, unless public comment warrants revisions, said final statement should be submitted as the Community Development Application for the City of Sherman for the program year 2019 to the U.S. Department of Housing and Urban Development, in order to secure funding as provided herein;

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

SECTION 1. That the Amendment to the Community Development Final Statement, embodying those projects set forth on Attachment "A", attached hereto and made a part hereof for all purposes, is hereby approved and adopted as the Community Development Plan of the City of Sherman, Texas, for the program year 2019.

SECTION 2. That the City Council of the City of Sherman hereby certifies and assures the U.S. Department of Housing and Urban Development that development of this application for funds under the Housing and Community Development Act of 1974, as amended, and the implementation of the Block Grant Program will be conducted in accordance with all applicable provisions of the "Assurances" as required.

SECTION 3. That the City Manager of the City of Sherman is hereby authorized to submit, as the Chief Executive Officer of the City of Sherman, and on behalf of the City of Sherman, the Community Development Final Statement and a certified copy of this resolution and

all attachments thereto to the U.S. Department of Housing and Urban Development, in application for funds available to the City of Sherman under the Housing and Community Development Act of 1974, as amended. Said application shall be made on forms required by the U.S. Department of Housing and Urban Development.

SECTION 4. That the City Manager of the City of Sherman is hereby authorized and designated to act as Chief Executive Officer in connection with this application, and is hereby authorized and directed to provide such additional information as may be required in connection with said application.

SECTION 5. 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.

PASSED AND APPROVED on this the ____ day of _____, 2020.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

**CITY OF SHERMAN, TEXAS
AMENDMENT TO FINAL STATEMENT/ACTION PLAN OF
COMMUNITY DEVELOPMENT OBJECTIVES
AND PROJECTED USE OF FUNDS FOR PROGRAM YEAR 2019**

GRANT NO: B-19-MC-48-0027

The City of Sherman has received notice from the U.S. Department of Housing and Urban Development (HUD) that its entitlement grant for the Community Development Program (CDBG) from the Coronavirus Aid, Relief, and Economic Security (CARES) Act is \$215,775.00. Activities that directly benefit low and moderate-income persons affected by COVID-19 will be available citywide. Other activities which have an area benefit will only be available in areas of the city which are populated by a majority of low and moderate-income persons. The City has met citizen participation requirements.

The overall goal of this community development planning and development program is to respond to, prepare for and prevent the spread of COVID-19 principally for low-moderate income persons and special need populations of the City of Sherman. Therefore, based on these objectives, the following use of funds is being proposed:

**COMMUNITY DEVELOPMENT PROGRAM AMENDED ACTIVITIES TO PLAN
PROGRAM YEAR 2019**

PROGRAM ADMINISTRATION: \$ 43,155

The City proposes to use the Administration funds for personnel and support for all phases of the application process, environmental reviews, fair labor standard compliance, contract management, fair housing Grantee Performance Report, and preparation of Amended Plan.

EMERGENCY ASSISTANCE PROGRAM: \$86,720

This program will provide help to low income Sherman residents affected by COVID-19 with utility bills, rental payment or childcare tuition. Assistance would cover one activity for no more than three months per household.

PUBLIC SERVICE ACTIVITIES: \$85,900

GRAYSON COUNTY SHELTER, INC: \$10,000

A program of activities that will provide emergency assistance to homeless individuals and families, who at one time, resided within the city limits of Sherman and have been affected by COVID-19.

CHILD & FAMILY GUIDANCE CENTER OF TEXOMA: \$10,000

A program to provide counseling services for family dysfunction, alcohol and substance abuse, domestic violence and sexual abuse for the low and moderate income Sherman residents affected by COVID-19.

BOYS & GIRLS CLUB OF SHERMAN, INC: \$20,000

A program to maintain virtual Club for outreach, and for staff to be trained and fully prepared for the Summer program which is predicted to be significantly affected by COVID-19.

FOUR RIVERS OUTREACH: \$9,000

A program that serves those who are overcoming their struggles with addiction by providing a men's residential 16-bed facility and a 12-month Life Renewal program. Recipients are ones, who at one time, resided within the city limits of Sherman and have been affected by COVID-19.

GRAND CENTRAL STATION: \$15,000

A program to support nutrition, specifically food for the underserved of Sherman area residents. Funding will support the additional expenses incurred from COVID-19.

HOUSE OF ELI: \$5,000

A program to purchase nutritious food products, such as meat, eggs, fresh fruits and vegetables to meet the increase needs created by COVID-19.

SHERMAN YOUTH SPORTS ASSOCIATION: \$16,900

A program to provide scholarships to players whose families have been financially affected by COVID-19

TOTAL PROGRAM ALLOCATION: \$215,775

The City of Sherman seeks, through the following program objectives, to improve housing conditions, neighborhood appearance, employment opportunities, and the overall quality of life

for low and moderate-income citizens. No activities will be undertaken which cause involuntary displacement of persons.

CITY OF SHERMAN COMMUNITY DEVELOPMENT OBJECTIVES

1. Encourage citizen participation and input to obtain maximum public involvement in program activities.
2. Promote the general health and wellness of all members of the community through improved parks & recreational facilities in the lower/moderate income target areas.
3. Improve the quality of life in lower/moderate income target areas with the removal of structures that create unsafe, unsanitary and hazardous situations for the public.
4. Promote drug elimination programs for low and moderate income assisted housing families/households.
5. Provide support for provision of emergency shelter/assistance to the homeless.
6. Assist in providing counseling services to youth and adults from low and moderate income families.
7. Assist in providing youth activities for children from low and moderate income families.
8. Provide support for provision of shelter/assistance to men in overcoming addiction.
9. Educate and train volunteers who advocate for abused and neglected children.

The Action Plan of Community Development Objectives and Projected Use of Funds for Program Year 2019 are available in the Finance Department of the City of Sherman. Any citizen or agency interested in commenting on this Final Statement of Objectives is invited to submit written comments c/o Teri Fine, Grants Coordinator, City of Sherman, P.O. Box 1106, Sherman, TX 75091-1106. Written comments must be received prior to 5:00 p.m. on the fifth day following original posting date.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 2.

Meeting Date: 06/15/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6626**

Authorizing Execution of an Agreement with Julio Cesar Tobar and Leticia Tobar for the Abatement of Ad Valorem Property Taxes for the Construction of a New Single-Family Residence at 1719 South Travis 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 1719 South Travis 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:

Julio Cesar Tobar and Leticia Tobar, Owners

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 \$363.20 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. 6626

Residential Tax Abatement Agreement

Application

Warranty Deed

Survey

Building Permit

Site Plan

Aerial Location Map

Photo

Reinvestment Zone Map

RESOLUTION NO. 6626

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH JULIO CESAR TOBAR AND LETICIA TOBAR FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1719 SOUTH TRAVIS 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 Julio Cesar Tobar and Leticia Tobar 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 Julio Cesar Tobar and Leticia Tobar 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 1719 South Travis 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.

PASSED AND APPROVED on this the ____ day of _____, 2020.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
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 **JULIO CESAR TOBAR AND LETICIA TOBAR** 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, 2020, and continuing for tax years 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028 and 2029, 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 2020, sometimes referred to herein as the Base Tax Year.

SCHEDULE OF TAXES ASSESSED

<u>TAX YEAR</u>	<u>ABATEMENT</u>
2020	100%
2021	100%
2022	100%
2023	100%
2024	100%
2025	100%
2026	80%
2027	60%
2028	40%
2029	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 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028 and 2029, 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 1719 South Travis Street, Sherman, Texas, and as more particularly described by the following:

BEING LOT 8, BLOCK 3, 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.

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

Julio Cesar Tobar & Leticia Tobar
1212 Tejas Drive
Sherman, TX 75092
(903) 816-3990

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 _____, 2020.

CITY:
CITY OF SHERMAN, TEXAS

OWNERS:
JULIO CESAR TOBAR AND
LETICIA TOBAR

BY: _____
ROBBY HEFTON
CITY MANAGER

BY: _____
JULIO CESAR TOBAR

BY: _____
LETICIA TOBAR

ATTEST:

BY: _____
LINDA ASHBY
CITY CLERK

APPROVED AS TO FORM
AND CONTENT:

BY: _____
BRANDON S. SHELBY
CITY ATTORNEY

**THE STATE OF TEXAS §
COUNTY OF GRAYSON §**

BEFORE ME, the undersigned authority, on this day personally appeared **JULIO CESAR 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 _____, 2020 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 **LETICIA 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 _____, 2020 A.D.

**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

CITY OF SHERMAN
APPLICATION FOR RESIDENTIAL TAX ABATEMENT

Property Owner:

Name: Julio Cesar Tobar and Jeticia Tobar

Mailing Address: 1212 TEJAS DR. SHERMAN.

Telephone Number: (903) 816-3990

Contact (if different than owner):

Name: _____

Mailing Address: _____

Telephone Number: _____

Property:

Physical Address: 1719 S. TRAVIS Sherman TX

Summary Legal Description: Lot: 8 Block: 3 Addition: S Side.

Full Legal Description: Include as an attachment a full legal description with metes and bounds.

Improvements:

Type of Improvements (please check one). New Construction: Yes Remodeling: _____

Estimated Value of Improvements: 85,000

Estimated Date of Start of Construction: 2 - WEEKS

Estimated Date of Completion of Project: 5 mons.

Description of Project: NEW House.

Applicant(s): Julio Cesar

Date: 5-28-20

Julio Cesar

Date: _____



VG-286-2017-26363

**Grayson County
Wilma Bush
County Clerk**

Instrument Number: 2017 - 26363

Real Property Recordings

Recorded On: November 22, 2017 03:33 PM

Number of Pages: 3

Parties: GRAYSON COUNTY SHERIFF

" 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 REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 26363
Receipt Number: 20171122000156
Recorded Date/Time: November 22, 2017 03:33 PM
User: Regina F
Station: CLERK07

Record and Return To:

GRAYSON COUNTY TAX ASSESSOR/COLLECTOR
100 W HOUSTON STE A-11

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

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.

SHERIFF'S TAX DEED

STATE OF TEXAS

X

X KNOW ALL MEN BY THESE PRESENTS

COUNTY OF GRAYSON

X

That, whereas, by virtue of an Order of Sale issued by the Clerk of the District Court in and for Grayson County, dated October 6, 2017 on a certain judgment rendered in said Court on 6th day of July, 2017, in a certain **Suit No. T-14-3417, Sherman Independent School District, Et Al vs. Minnie Kester**, I, Sheriff Tom Watt, of said County, did upon October 6, 2017, levy upon and advertise the said premises as described in said Order of Sale, by giving public notice of the time and place of said sale by an advertisement in the English language, published once a week for three (3) consecutive weeks preceding such sale, the first publication appearing not less than twenty (20) days immediately preceding the day of sale, beginning on October 8, 2017, in the HERALD DEMOCRAT, a newspaper published in the County of Grayson, stating in said advertisement the authority by virtue of which such sale was to be made, the time of levy, the time and place of sale, a brief description of the property to be sold, the number of acres, the original survey, its locality in the County, and the name by which the land is generally known, and by delivering a similar notice to each of the named Defendants, and on the first Tuesday, the 7th day of November, 2017, beginning at 1:00 PM sold said hereinafter described land or lots at public venue, at the Assembly Room (Annex 2) on the Second Floor of the Courthouse of said County, at which sale the premises hereinafter described were struck off to:

**Leticia Tobar
Julio Cesar Tobar
1212 Tejas Dr.
Sherman, TX 75092**

for the sum of **\$7,000.00**, Leticia Tobar and Julio Cesar Tobar being the highest bidder(s), and that being the highest bid for the same, NOW, THEREFORE, in consideration of the premises aforesaid, and of the payment of the aforesaid sum, the receipt of which is hereby acknowledged, I as Sheriff aforesaid, have Granted, Sold, and Conveyed, and by these presents do Grant, Sell, and Convey unto the said grantee(s) all of the estate, right, title, and interest which the Defendants in such suit had on the date said judgment was rendered or at any time afterwards, in and to the following described land and premises, as described in the Order of Sale, viz:

PROPERTY DESCRIPTION

Lot 8, Block 3, South Side Addition, an addition to the City of Sherman, Grayson County, Texas, as described in Volume 2166, Page 324, Real Property Records of Grayson County, Texas.

TO HAVE AND TO HOLD the above described premises unto the said grantee(s), heirs and assigns forever, as fully and absolute as I, as Sheriff aforesaid, can convey by virtue of said Order of Sale;

Subject, however to the owner's right to redeem the same in the manner and within the time prescribed by Section 34.21 of the Property Tax Code of the State of Texas.

This conveyance is made expressly subject to recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

IN TESTIMONY WHEREOF, I have hereunto set my hand this the 16 day of November, 2017.

Thomas E. Watt
Sheriff Tom Watt
Grayson County, Texas

D. Bowling
By: Deputy Donald Bowling

STATE OF TEXAS

X

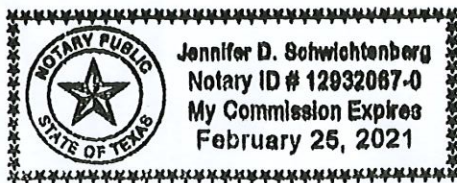
X

GRAYSON COUNTY

X

Before me, the undersigned authority, on this day personally appeared Donald Bowling Deputy, of Grayson County, Texas, 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, consideration, and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 16th DAY OF November, 2017.

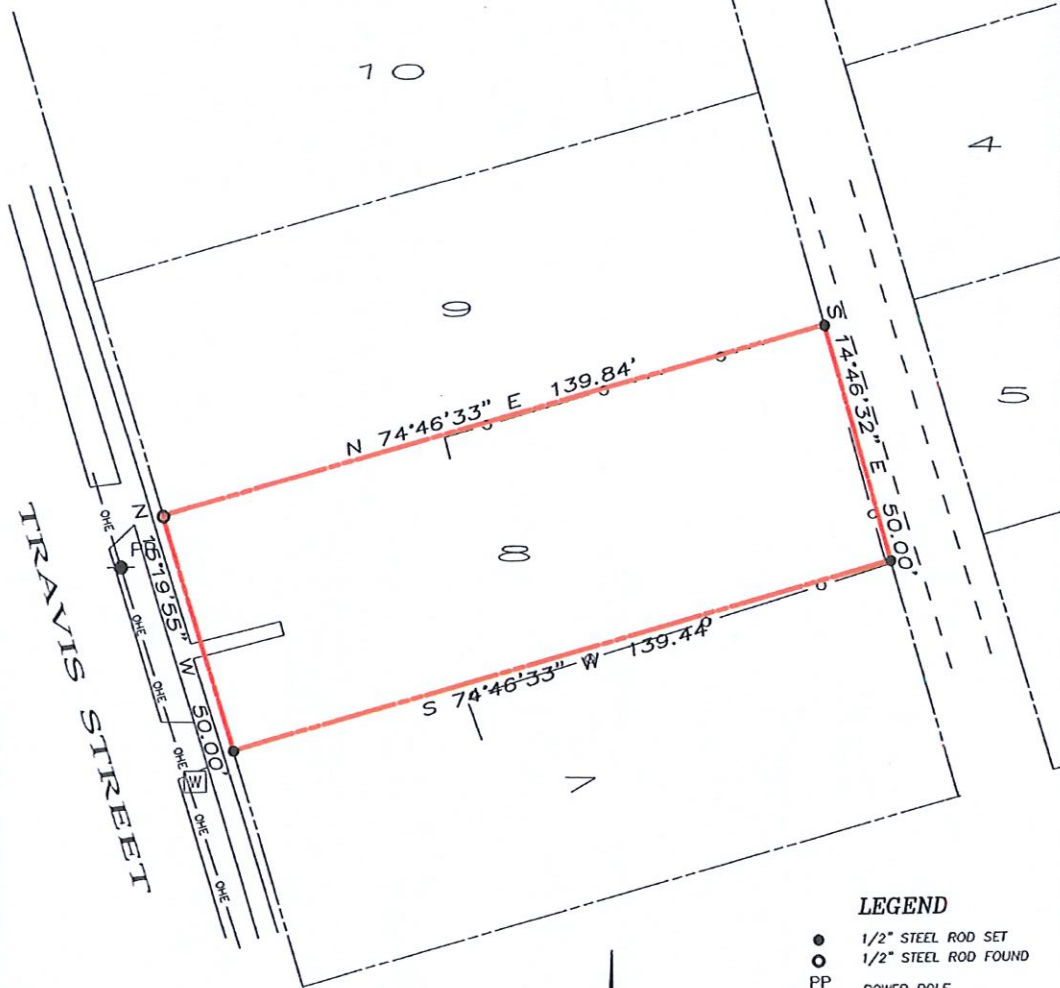


Jennifer D. Schwichtenberg
Printed Name: Jennifer D. Schwichtenberg
Notary Public, State of Texas
My Commission Expires: 2/25/21

After recording return to:

Leticia Tobar
Julio Cesar Tobar
1212 Tejas Dr.
Sherman, TX 75092

JOB NO. 20050361
FW: AS - DFT: CG



SCALE
1" = 30'

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 © 2020
Underwood Drafting & Surveying, Inc.
All rights reserved.

- LEGEND**
- 1/2" STEEL ROD SET
 - 1/2" STEEL ROD FOUND
 - PP POWER POLE
 - W WATER METER
 - BOUNDARY LINE
 - PROPERTY LINE
 - CHAINLINK FENCE
 - OHE — OHE — OVERHEAD ELECTRIC LINE
- ~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

I, Douglas W. Underwood, Registered Professional Land Surveyor do hereby certify that on the 13th day of May 2020, a survey was made on the ground of the property shown hereon, described as Lot 8, Block 3, of the Southside Addition, an addition to the City of Sherman, Texas, as shown by plat of record in Volume 94, Page 134, of the Plat Records, Grayson County, Texas, and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

The building on said lot is known as 1719 S. Travis Street, Sherman, Texas, and is wholly located on said lot; there are no encroachments or protrusions from buildings on adjoining lots or tracts of land except as shown.



UNDERWOOD
DRAFTING & SURVEYING

Douglas W. Underwood
Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300

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



CITY OF SHERMAN
New Residential Building Permit
#20-001230 | Issued on: 05/28/2020 at 1:57 PM

ADDRESS	LEGAL	PERMIT HOLDER	OWNERS
1719 S TRAVIS St Sherman, TX	Southside Addn, Block 3, Lot 8	Julio Cesar Tobar	• Leticia & Julio Cesar Tobar Tobar

INFORMATION FIELDS

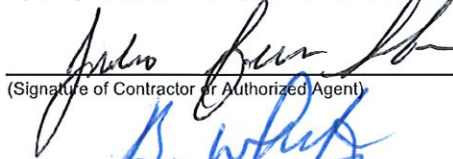
Subcontractor	JULIO CESAR TOBAR	Square Feet	2071
Bedrooms	3	Bathrooms	2
Number of Stories	1	Number of Acres	0.5
Type of Construction List	Wood Frame	Garage Parking	2
Off Street Parking	2	Tax Abatement	Yes
Sewer Disposal	Public Sewer	Water Supply	Public
Heating	Gas	Permit Certification	Yes
Proposed Use	SINGLE FAMILY RESIDENTIAL	Former Use	NONE
Firm Name	JULIO CESAR TOBAR		

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 or abandoned for a period of 6 months at any time after work is started.

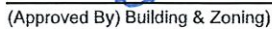
I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provision of any other state or local law regulating construction or the performance of construction.


(Signature of Contractor or Authorized Agent)

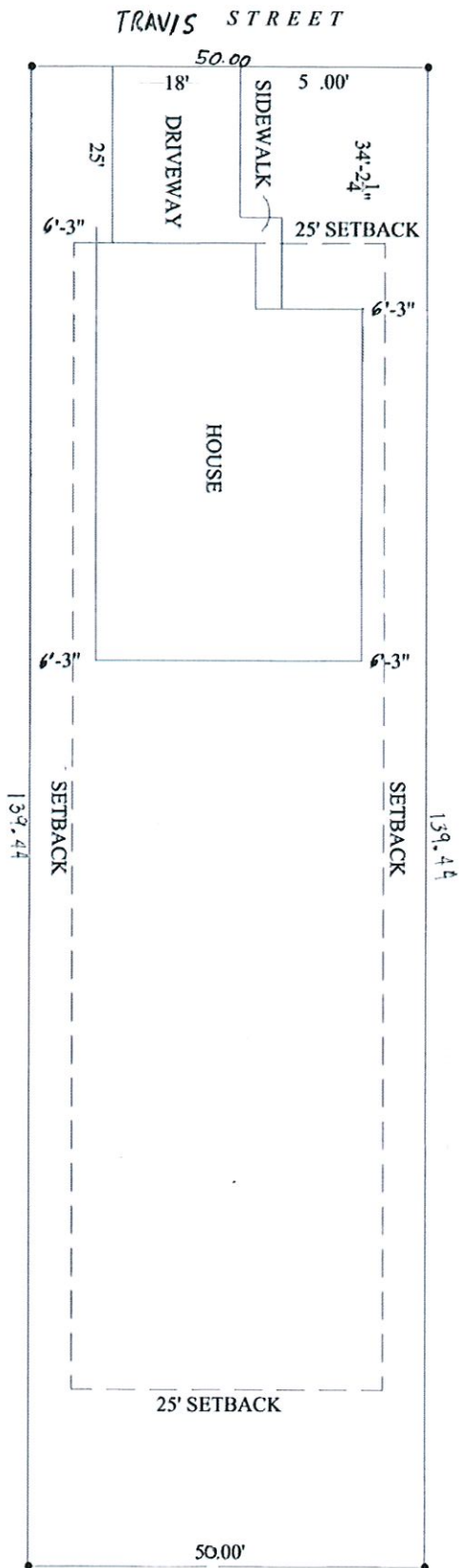
5-28-20
Date


(Approved By) Flood Plain Administrator

5-28-2020
Date


(Approved By) Building & Zoning

6/2/20
Date



TOBAR

1719 S TRAVIS
SHERMAN, TEXAS

D2LDESIGNS@YAHOO.COM



DATE

05/28/20

SHEET

SITE

SCALE

1/8" = 1'



1719 South Travis St.
Residential Tax Abatement



City of Sherman, Texas
Developmental Services Department

1719 South Travis Street Residential Tax Abatement

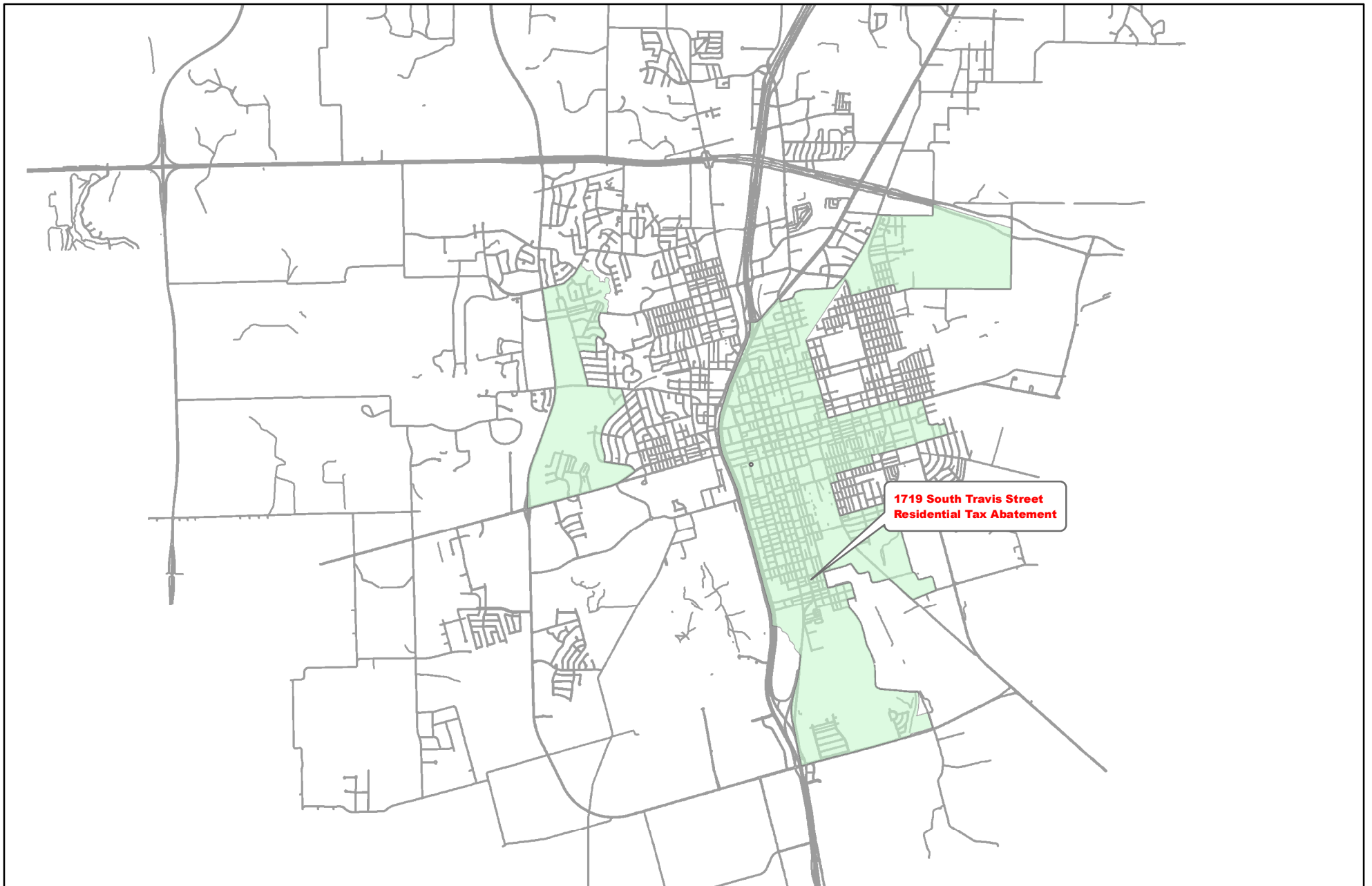


NOT TO SCALE

1 in = 400 ft

1719 S. Travis Street





**1719 South Travis Street
Residential Tax Abatement**

1719 South Travis Street Residential Tax Abatement



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 inch = 6,000 feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E. 1.

Meeting Date: 06/15/2020

Prepared By: Tom Pruitt, Utility Engineer

Approved By: Robby Hefton, City Manager

Caption:

*** REQUEST TO ADVERTISE**

Water Treatment Plant Sludge Pond Dewatering Project

Issue:

Requesting permission to advertise for bids the construction of the Water Treatment Plant Sludge Pond Dewatering Project

Background:

This project is to remove sludge that has been dredged and stockpiled on-site for removal to the landfill. As the Water Treatment Plant operates, it slowly fills with sludge that periodically must be removed. This project is planned maintenance.

Origination:

Engineering Department

Financial Consideration:

This project will cost approximately \$200,000.00; funding is available in the WTP Maintenance Fund. The cost of advertising is expected to be less than \$300.00.

Staff Recommendation:

It is recommended that the City Council authorize the staff to advertise the project for bid.

Alternatives:

As may be directed by the City Council

Attachments

Aerial Location Map



Dredged Sludge to be
picked up and hauled
to landfill



Feet
200

400

0



Sherman
CLASSIC TOWN. BROAD HORIZON.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F. 1.

Meeting Date: 06/15/2020

Prepared By: Sarah McRae, Tourism/Main Street Manager

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Consider Request of Downtown Sherman NOW to Temporarily Close Certain Streets for "Craft the Night Away" on Saturday, August 1, 2020

Issue:

Assistance for Downtown Sherman NOW's "Craft the Night Away" event on Saturday, August 1, 2020

Background:

At the April 20th meeting, the City Council approved Downtown Sherman NOW's request to temporarily close Crockett Street (between Lamar Street and Houston Street) and Travis Street (between Lamar Street and Houston Street) on Saturday, June 20, 2020 from 1:00 p.m. to 11:30 p.m. for "Craft the Night Away". Downtown Sherman NOW is requesting the event be rescheduled for Saturday, August 1st.

This will be the fifth year for this event, which will include food trucks and artisan crafters, and musicians will perform. This year, there will also be one stage devoted to a fiddling contest sanctioned by the Texas Old Time Fiddlers Association. Downtown Sherman NOW will obtain necessary permits from the Texas Tobacco and Alcohol Commission for the sale of craft beer to the patrons of this event.

Origination:

Mrs. Karen Tooley, Executive Director of Downtown Sherman NOW

Financial Consideration:

Barricades and cones would be provided by the City of Sherman Street Department. Solid waste receptacles would be provided by the City's Solid Waste Department. Downtown Sherman NOW would work with the Sherman Police Department to arrange for security officers necessary for the event. Downtown Sherman NOW has been instructed that emergency vehicle accessibility must be maintained throughout the closed streets at all times.

Staff Recommendation:

It is recommended that the Council authorize the use of City resources to provide barricades, cones, solid waste receptacles, and security support as requested.

Alternatives:

As directed by the Council

Attachments

Craft the Night Away 2020 Request Letter

Craft the Night Away 2020 Map

June 5, 2020

Ms. Sarah McRae
Sherman Tourism Director/Main Street Manager
PO Box 1106
Sherman, TX 75091



Dear Sarah,

Downtown Sherman NOW would like city approval to hold an event, *Craft the Night Away*. The details are below. If I can answer questions or help clarify this request, please do not hesitate to contact me by email (kctooley@msn.com) or phone (903-816-2811).

Sincerely,

Karen Tooley

Executive Director, Downtown Sherman NOW

Name of Event: Craft the Night Away

Date/Time of Event: Saturday, August 1, 2020, 5:00-10:00 PM

Description of Event:

Craft beer from 30 Texas breweries will be available for tasting. Food trucks will provide food for sale, artisan crafters will display and sell their art, and musicians will perform. One stage will be devoted to a fiddling contest sanctioned by Texas Old Time Fiddlers Association.

Street Closure Request:

From 1:00 PM-11:30 PM: 100 blocks of S Travis and S Crockett

Supplies Requested: 32 rolling trash cans & 50 orange traffic cones (delivered to the east side of the courthouse near the trash dumpsters)

TABC Permit: DSP&R/Downtown Sherman NOW will obtain the necessary festival permit from TABC.

XXX - barricades

T - toilets

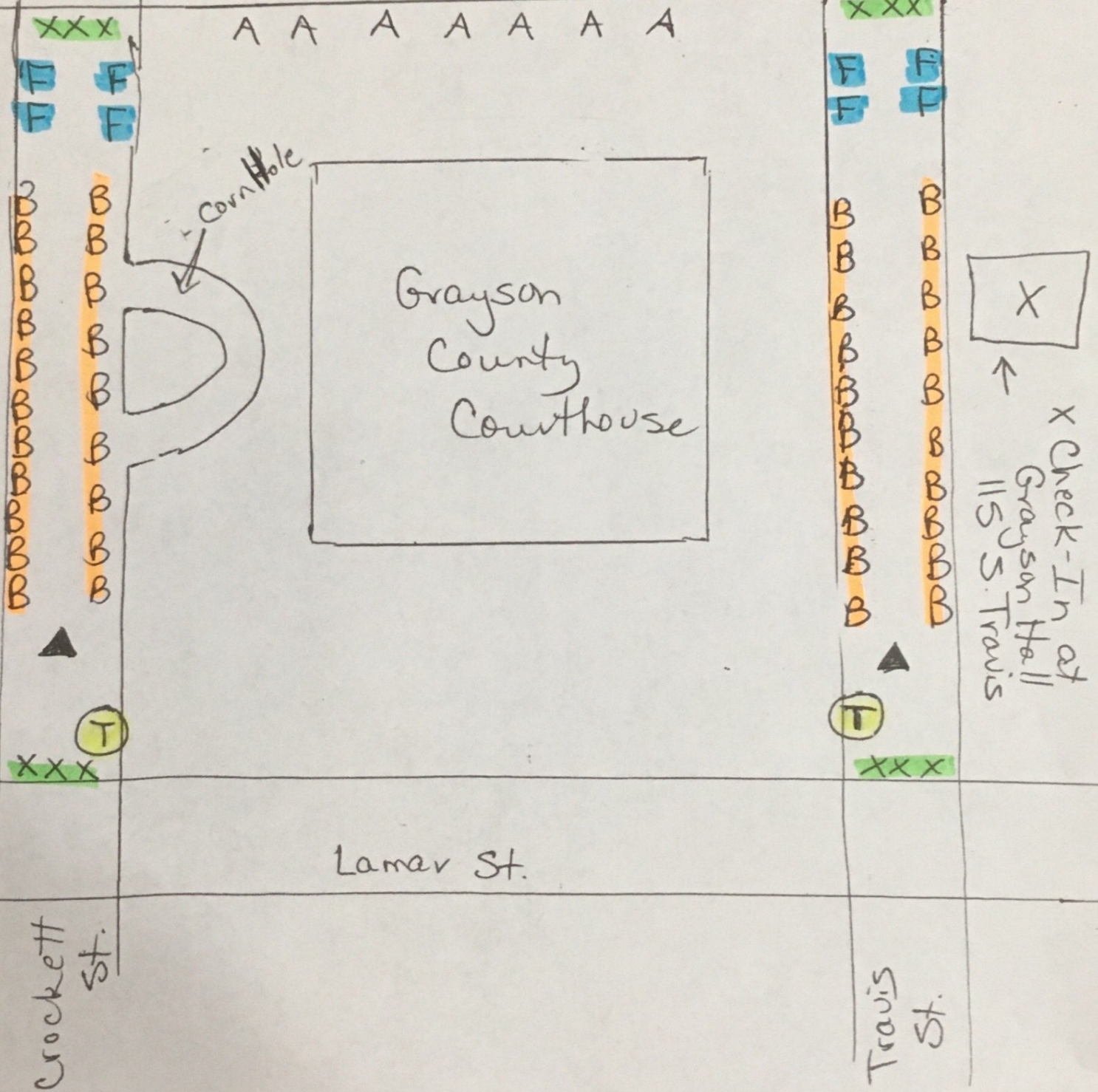
B - beer tents

A - artist booths

F - food trucks

▲ Stages

↑ N





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F. 2.

Meeting Date: 06/15/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Lot 1, Block 1, Thomason Addition, being 4.074 acres in the A.C. Smith Survey, Abstract No. 1561 and being Lot 1, Block 1, Thomason Addition; TJ Thomason Enterprises, Inc., Owners; and Underwood Drafting and Surveying, Inc., Surveyor (5800 block of North U.S. Highway 75)

Issue:

Replat Approval of Lot 1, Block 1, Thomason Addition, being 4.074 acres in the A.C. Smith Survey, Abstract No. 1561 and being Lot 1, Block 1, Thomason Addition; TJ Thomason Enterprises, Inc., Owners; and Underwood Drafting and Surveying, Inc., Surveyor (5800 block of North U.S. Highway 75)

Background:

The property is located in the 5800 block of North U.S. Highway 75; the northeast corner of U.S. Highway 75 and Blue Flame Road. The property is zoned a C-1 (Retail Business) District and is located in the O-1 (75 & 82) Overlay District. The owners would like to Replat the property into two lots for commercial development.

Origination:

TJ Thomason Enterprises, Inc. (Owners)
Underwood Drafting & Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 19, 2020 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

Aerial Location Map

Zoning Map

Thomason Addition Replat

Staff Review Letter

P&Z Communication



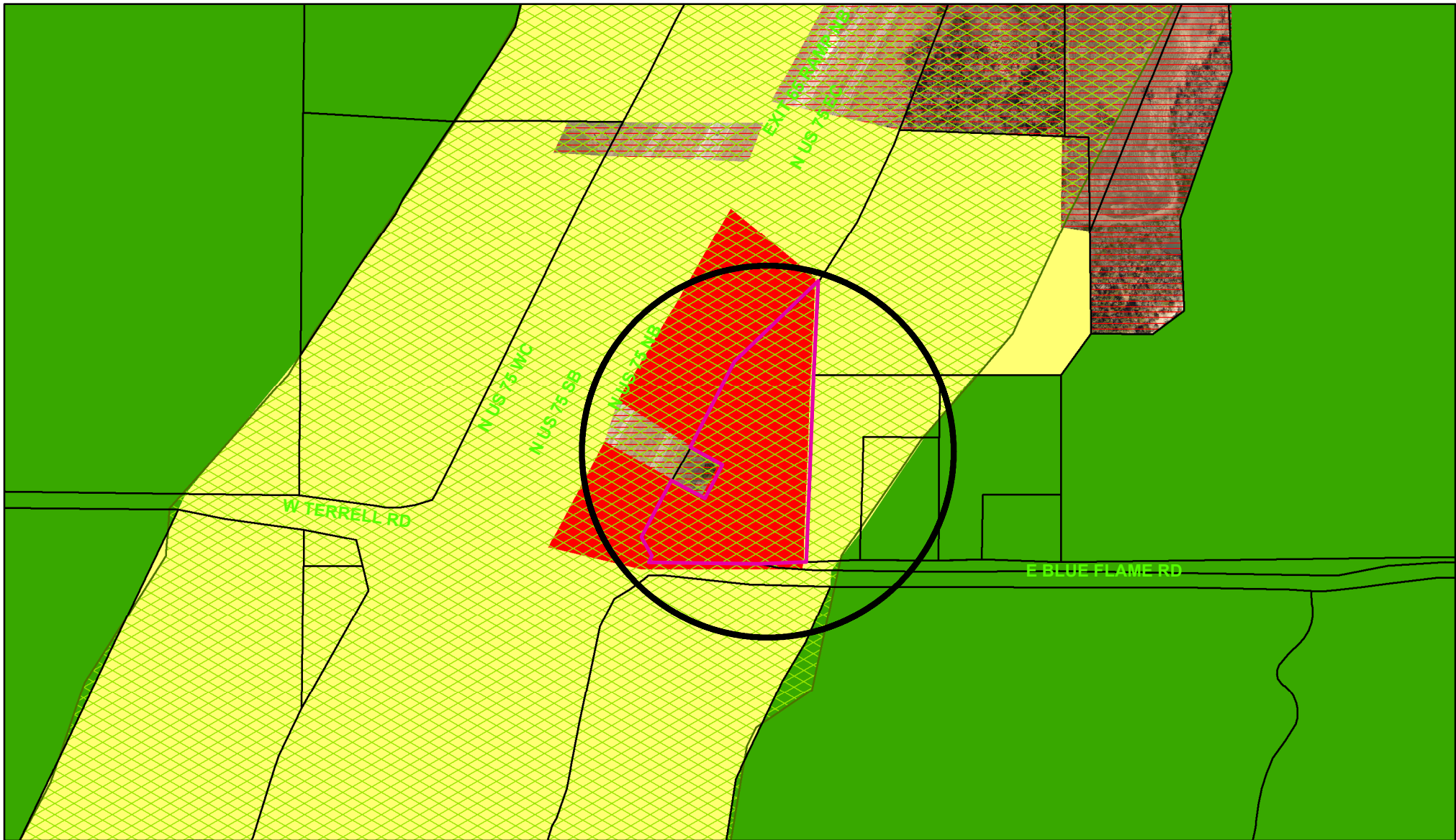
5800 Block North U.S. Highway 75

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 800 ft



Zoning - 5800 Block North U.S. Highway 75

Legend

Parcels_Buffer3

Special Districts Overlay

DISTRICT_NAME

- Arts and Cultural District
- Bialock Commercial Overlay District
- Central Business District
- College Park District
- Downtown Overlay District
- Historic Preservation District

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 Bialock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- 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

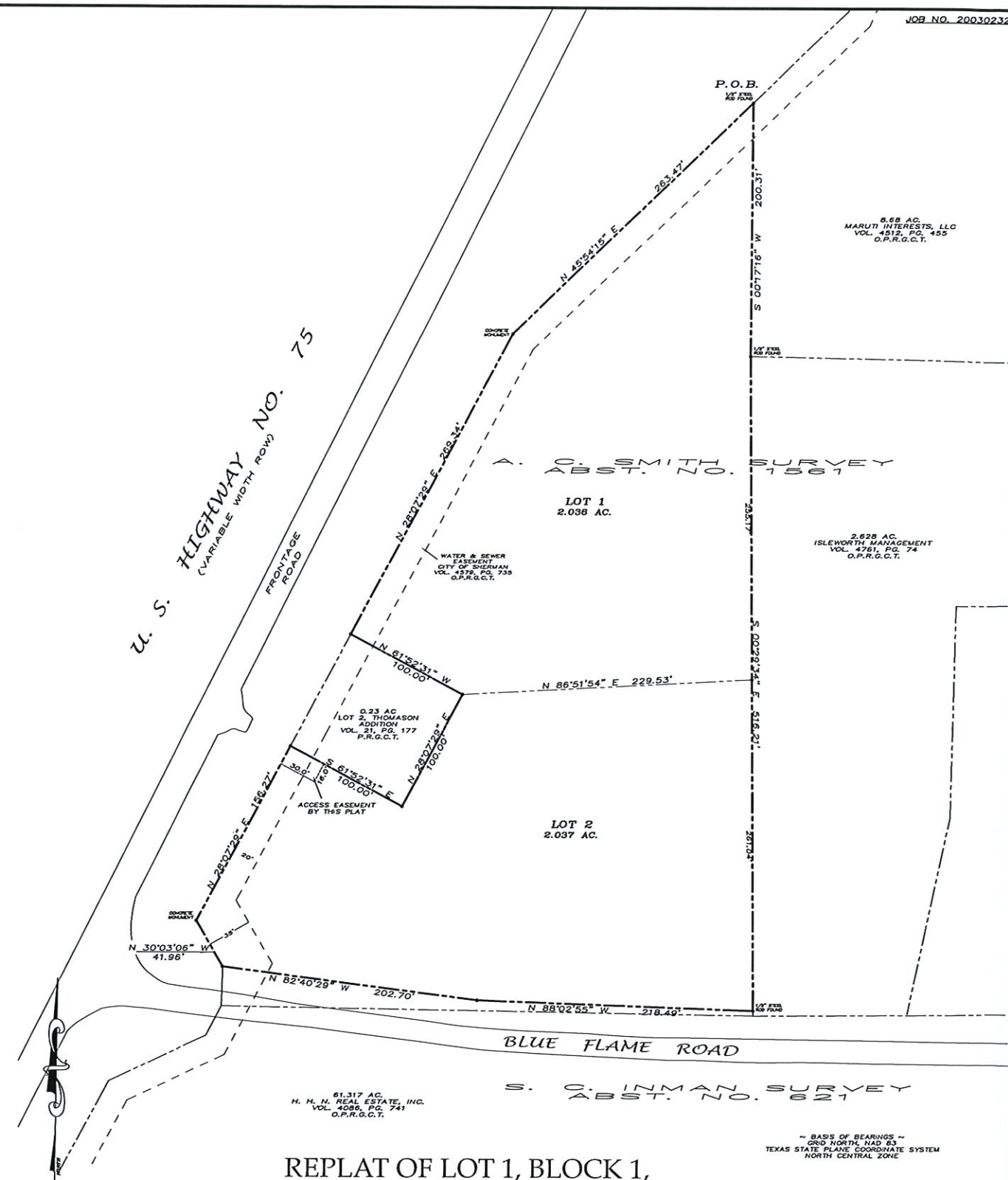


City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 366 ft



REPLAT OF LOT 1, BLOCK 1,
THOMASON ADDITION
BEING A PLAT OF LOT 1 OF THE THOMASON
ADDITION, AN ADDITION TO THE CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS
BEING 4.074 ACRES

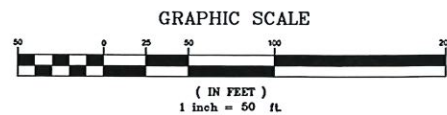
OWNERS/DEVELOPER
TONY THOMASON
118 HILLTOP LANE
POTTSBORO, TEXAS 75076

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

4-23-2020

UNDERWOOD
DRAFTING & SURVEYING

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



LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the A. C. Smith Survey, Abstract No. 1561, and being Lot 1 of the Thomason Addition, recorded in Volume 21, Page 77, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a Found $\frac{1}{4}$ " steel rod in the East Right-of-Way of Highway 75 and the West line of a 8.68 Acre tract of land Conveyed to Maruti Interests, LLC, Recorded in Vol. 4512, Page 455, Official Public Records, Grayson County, Texas;

Thence South $00^{\circ}17'16''$ West a distance of 200.31 to a $1\frac{1}{2}$ " steel rod found maintaining the Southwest corner of the said 8.68 acre tract and the Northwest corner of the same tract of land described as 2.628 acres and referred to as Tract Two as conveyed by Rex J. Criswell and Susan Criswell to Isleworth Management by deed dated February 5, 2010, recorded in Volume 4761, Page 74, said Official Public Records;

Thence South $00^{\circ}29'34''$ East a distance of 516.21 feet to a $1\frac{1}{2}$ " steel rod found maintaining the Southeast corner of the said Lot 1 and the Southwest corner of said Tract Two on the North side of said Blue Flame Road;

Thence North $88^{\circ}02'55''$ West with the South Line of said Lot 1 a distance of 218.49 feet Found $\frac{1}{4}$ " Steel rod;

Thence North $82^{\circ}40'29''$ West a distance of 202.70 feet to a found $\frac{1}{4}$ " steel rod in said East Right-of-Way of Highway 75;

Thence North $30^{\circ}03'06''$ West with said East Right-of-Way a distance of 41.96 feet to a found Concrete Monument;

Thence North $28^{\circ}07'29''$ East with said East Right-of-Way a distance of 156.27 feet to a found $\frac{1}{4}$ " steel rod also being the Southwest Corner of Lot 2 of said Thomason Addition;

Thence the following calls and distances around said Lot 2:
South $61^{\circ}52'31''$ East a distance of 100.00 feet to a found $\frac{1}{4}$ " steel rod;
North $28^{\circ}07'29''$ East a distance of 100.00 feet to a found $\frac{1}{4}$ " steel rod;
North $61^{\circ}52'31''$ West a distance of 100.00 feet to a found $\frac{1}{4}$ " steel rod in the East line of said Highway 75 Right-of-Way;

Thence North $28^{\circ}07'29''$ East with the west line of said Lot 1 a distance of 269.34 feet to a found Concrete Monument;

Thence North $45^{\circ}54'15''$ East a distance of 263.47 feet to the Point of Beginning and containing 4.074 acres of land.

ACCEPTANCE

Approved this _____ day of _____, 2020, 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 were 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

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, Tony Thomason, do hereby adopt this plat designating the hereinabove property as the REPLAT OF LOT 1, BLOCK 1, THOMASON ADDITION, on addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way 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 _____, 2020

TONY THOMASON

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 TONY THOMASON 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 _____, 2020.

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, REPLAT OF LOT 1, BLOCK 1, THOMASON ADDITION, on addition to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2020, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this _____ day of _____, 2020.

Clerk, City of Sherman, Texas

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

REPLAT OF LOT 1, BLOCK 1,
THOMASON ADDITION
BEING A PLAT OF LOT 1 OF THE THOMASON
ADDITION, AN ADDITION TO THE CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS
BEING 4.074 ACRES

OWNERS/DEVELOPER
TONY THOMASON
118 HILLTOP LANE
POTTSBORO, TEXAS 75076

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

4-23-2020

UNDERWOOD
DRAFTING & SURVEYING

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



STAFF REVIEW LETTER

May 11, 2020

Tony Thomason
118 Hilltop Lane
Pottsboro, TX 75076

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Replat of Lot 1, Block 1, Thomason Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 19, 2020 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. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Privately owned and maintained detention in accordance with City criteria is required upon future development.
6. Sub name in Addition block must read "Being a Replat of Lot 1..."
7. Dedicate a 10' Utility Easement along south and east boundaries of plat.
8. City sewer does not serve subject property. On-site sewage facility or extension of sewer main by developer is required.
9. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
10. 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.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative 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
Rob Rae, Incoming Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager

Scott Shadden, Director of Development Services
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal



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

Agenda Item No. 21.

Meeting Date: 05/19/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 5800 BLOCK NORTH U.S. HIGHWAY 75**

The request of TJ Thomason Enterprises, Inc. (Owner) and Underwood Drafting & Surveying, Inc. (Surveyor) concerning the property in the 5800 block North U.S. Highway 75, being Lots 1 & 2, Block 1, Thomason Addition, as follows:

Planning and Zoning Commission

Replat approval of Thomason Addition.

Background:

The property is located in the 5800 block of North U.S. Highway 75; the northeast corner of Highway 75 and Blue Flame Road. The property is zoned a C-1 (Retail Business) District and located in the O-1 (75 & 82) Overlay District. The owner would like to Replat the property into two lots for commercial development.

Adjacent Zoning:

C-1 (Retail Business) District

C-2 (General Commercial) District

R-1 (One Family Residential) District

Origination:

TJ Thomason Enterprises, Inc. (Owner)

Underwood Drafting & Surveying, Inc. (Surveyor)

Master Plan Designation:

Suburban Commercial - Suburban character primarily from reduced site coverage relative to more auto-oriented commercial development. Especially at key community entries and along high-profile corridors, may also involve other criteria to yield less intensive and more attractive development outcomes relative to auto-oriented areas, including higher standards for landscaping (along street frontages and within parking areas), signs, and building design. Range of commercial retail and service uses, at varying scales and intensities depending on the site.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Thomason Addition Replat Lot 1

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F. 3.

Meeting Date: 06/15/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Osmani Addition, being 1.949 acres in the G.B. Pilant Survey, Abstract No. 963; Ty and Saira Osmani, Owners; and Underwood Drafting and Surveying, Inc., Surveyor (405 and 415 South Dewey Avenue)

Issue:

Final Plat Approval of Osmani Addition, being 1.949 acres in the G.B. Pilant Survey, Abstract No. 963; Ty and Saira Osmani, Owners; and Underwood Drafting and Surveying, Inc., Surveyor (405 and 415 South Dewey Avenue)

Background:

The property is located at 405 and 415 South Dewey Avenue; the southeast corner of East Cherry Street and Magnolia Street. The property is zoned a C-1 (Retail Business) District. The owner would like to Replat the property into one lot for commercial development.

Origination:

Ty and Saira Osmani (Owner)
Underwood Drafting & Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 19, 2020 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

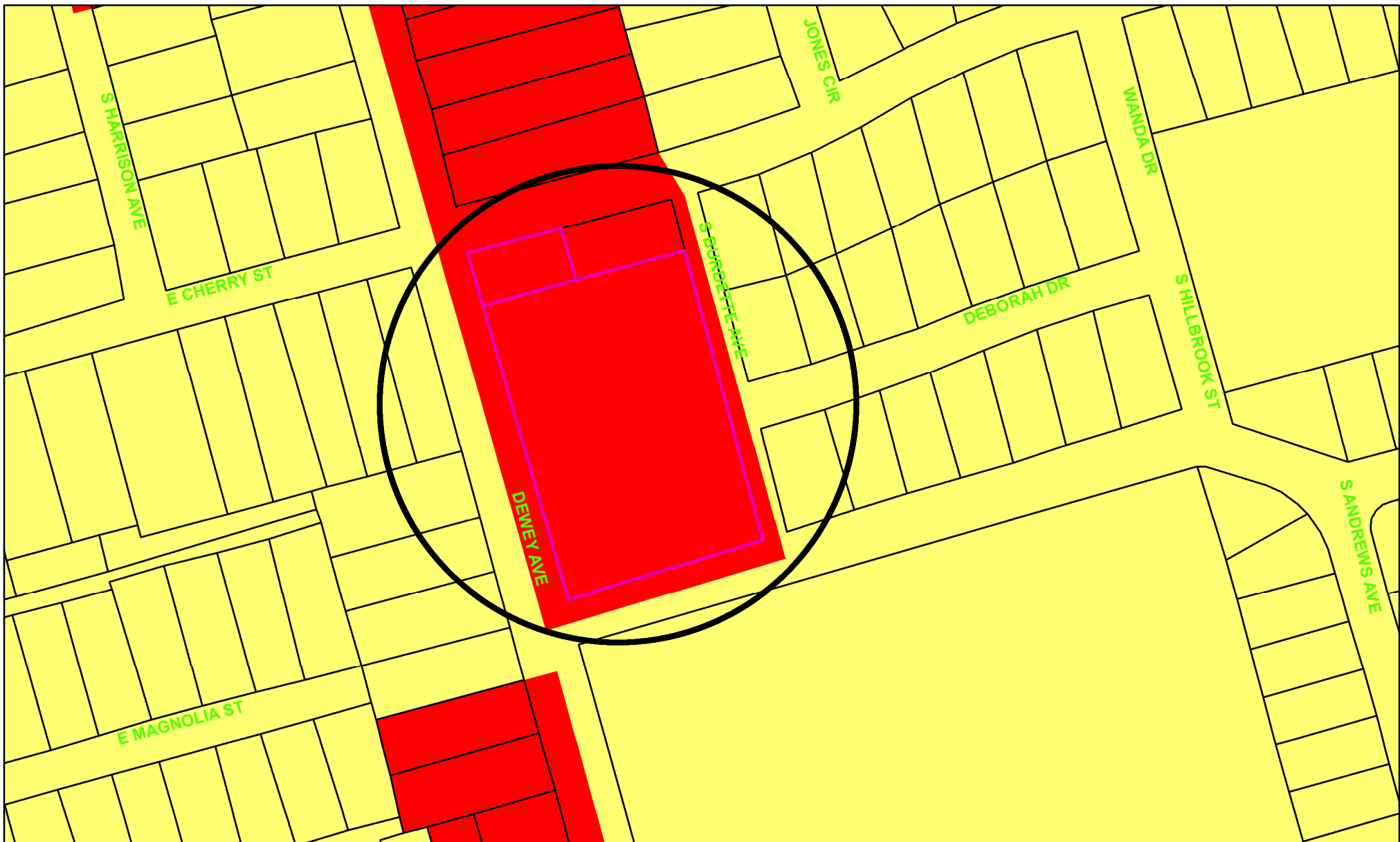
Aerial Location Map
Zoning Map
Osmani Addition
Staff Review Letter
P&Z Communication



City of Sherman, Texas
Developmental Services Department

405 & 415 South Dewey Avenue


$$1 \text{ in} = 300 \text{ ft}$$



Zoning - 405 & 415 South Dewey Avenue

Legend

Parcels_Buffer3 Special Districts Overlay DISTRICT_NAME Arts and Cultural District Blalock Commercial Overlay District Central Business District College Park District Downtown Overlay District Historic Preservation District Transportation Corridor	Representation: ShermGIS.DBO.TransportationCorridor_Rep_1 FM 1417 Sam Rayburn Freeway US Hwy 82 and 75 SH 289 FM 691 Zoning Districts Representation: ShermGIS.DBO.ZoningDistrict_Rep Unknown BIP Blalock Industrial Park C-1 Retail Business District C-2 General Commercial District	CO Office District Lakes M-1 Light Manufacturing District M-1.5 Medium Manufacturing District M-2 Heavy Manufacturing District MH Manufacturing Housing District 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
--	---	--

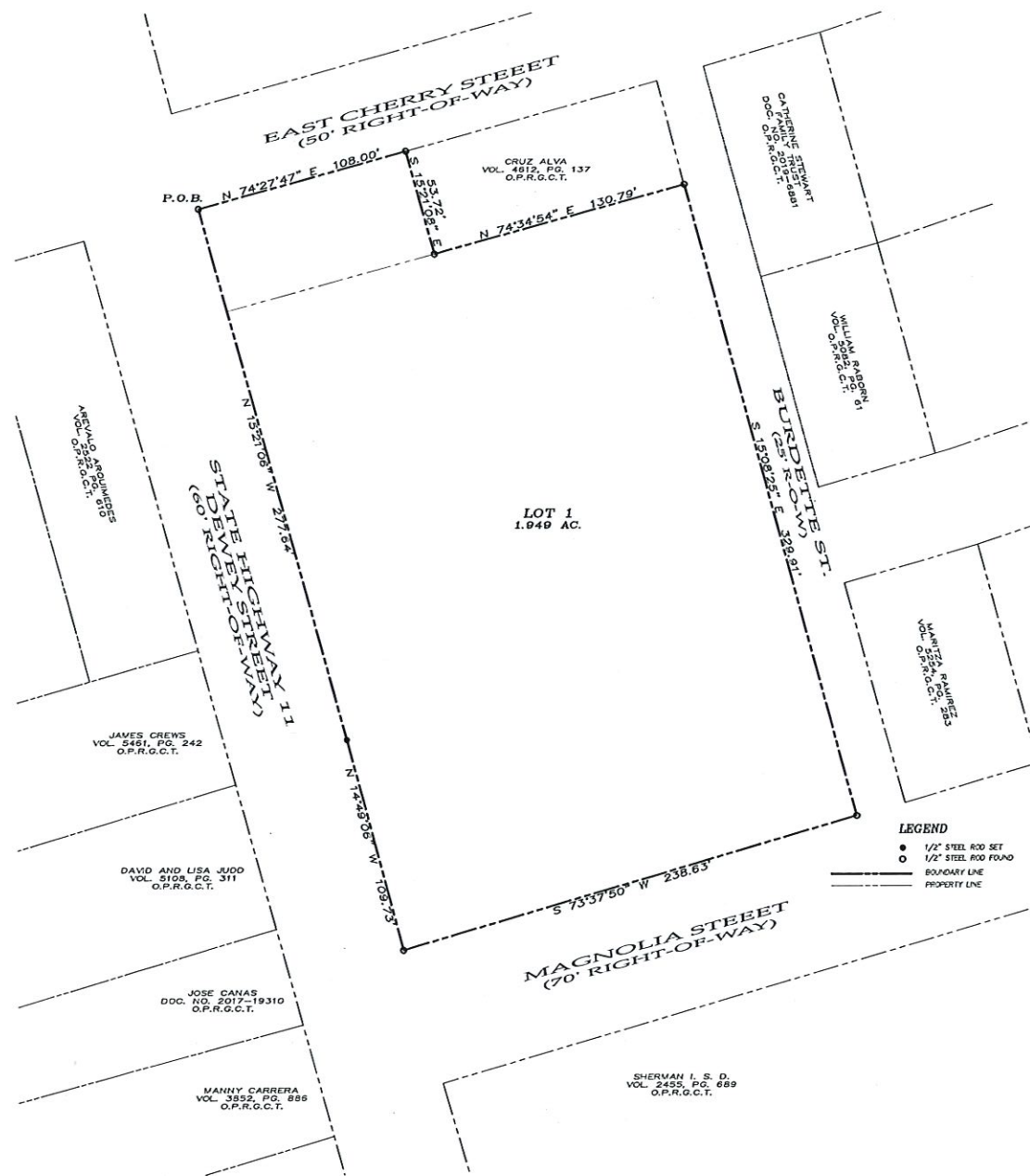


City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 146 ft



FINAL PLAT OSMANI ADDITION

BEING A PLAT OF A 0.13 ACRE TRACT OF LAND
RECORDED IN DOC. NO. 2018-14558 AND A 1.82 ACRE
TRACT OF LAND RECORDED IN DOC. NO. 2017-28385
O.P.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS
BEING 1.949 ACRES

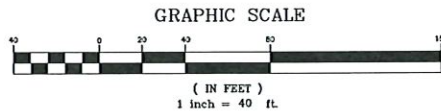
OWNERS/DEVELOPER
TY OSMANI
4916 TEXOMA PARKWAY
DENISON, TEXAS 75020

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

4-23-2020

UNDERWOOD
DRAFTING & SURVEYING

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



LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the G.B. Pilant Survey, Abstract No. 963, and being a 0.13 acre tract of land conveyed to Ty Osmari, Recorded in Document Number 2018-14558, Official Public Records, Grayson County, Texas, and a 1.82 acre tract of land conveyed to Ty and Saira Osmari, Recorded in Document Number 2017-28385 Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found $\frac{1}{2}$ " steel rod being the Northwest corner of said 0.13 acre tract of land and being at the intersection of the east Right-of-way of State Highway 11 and the South Right-of-Way of East Cherry Street;

Thence North 74°27'47" East, with said south Right-of-Way of East Cherry Street a distance of 108.00 feet to a found $\frac{1}{2}$ " steel rod;

Thence South 15°21'08" East, with the east line of said 0.13 acre tract of land a distance of 53.72 feet to a found $\frac{1}{2}$ " steel rod;

Thence North 74°34'54" East, with the North line of said 1.82 acre tract of land a distance of 130.79 feet to a found $\frac{1}{2}$ " steel rod;

Thence South 15°08'25" East, with the West Right-of-Way line of Burdette Street a distance of 329.91 feet to a found $\frac{1}{2}$ " steel rod;

Thence South 73°37'50" West, with the south line of said 1.82 acre tract of land a distance of 238.63 feet to a found $\frac{1}{2}$ " steel rod;

Thence North 14°49'06" West, with said East Right-of-Way of State Highway 11 a distance of 109.73 feet to a set $\frac{1}{2}$ " steel rod;

Thence North 15°21'06" West with said East Right-of-Way of State Highway 11 a distance of 277.64 feet to the Point of Beginning and containing 1.949 acres of land.

ACCEPTANCE

Approved this _____ day of _____, 2020, 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

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, TY OSMANI AND SAIRA OSMANI, do hereby adopt this plat designating the hereinabove property as the OSMANI ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way 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 _____, 2020

TY OSMANI

SAIRA OSMANI

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 TY OSMANI 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 _____, 2020.

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

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared SAIRA OSMANI 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 _____, 2020.

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, OSMANI ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2020, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this _____ day of _____, 2020.

Clerk, City of Sherman, Texas

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

FINAL PLAT OSMANI ADDITION

BEING A PLAT OF A 0.13 ACRE TRACT OF LAND
RECORDED IN DOC. NO. 2018-14558 AND A 1.82 ACRE
TRACT OF LAND RECORDED IN DOC. NO. 2017-28385
O.P.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS
BEING 1.949 ACRES

OWNERS/DEVELOPER
TY OSMANI
4916 TEXOMA PARKWAY
DENISON, TEXAS 75020

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

4-23-2020

UNDERWOOD
DRAFTING & SURVEYING

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



STAFF REVIEW LETTER

May 11, 2020

Ty Osmani
4916 Texoma Parkway
Denison, TX 75020

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat for Osmani Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 19, 2020 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. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. New drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Dewey Street shall be changed to Dewey Avenue.
6. Remove direction (East) from Cherry Street.
7. Burdette Street shall be changed to Burdette Avenue.
8. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
9. Show Sanitary Sewer Easement and filing information over existing sewer main on drawing. If no easement, Dedicate a 20' Sanitary Sewer Easement on plat.
10. 10' Utility Easement required around perimeter of proposed Lot 1.
11. Dedicate 26' of Right of Way along Eastern line of Dewey Avenue (S.H. 11) per Grayson County Thoroughfare Plan.
12. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
13. 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.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative 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
Rob Rae, Incoming Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager

Scott Shadden, Director of Development Services
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal



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

Agenda Item No. 19.

Meeting Date: 05/19/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 405 & 415 SOUTH DEWEY AVENUE**

The request of Ty and Saira Osmani (Owner) and Underwood Drafting & Surveying, Inc. (Surveyor) concerning the property at 405 and 415 South Dewey Avenue, being 1.949 acres in the G.B. Pilant Survey, Abstract No. 963, as follows:

Planning and Zoning Commission

Final Plat approval of Osmani Addition.

Background:

The property is located at 405 and 415 South Dewey Avenue; the southeast corner of East Cherry Street and Dewey Avenue. The property is zoned a C-1 (Retail Business) District. The owner would like to Replat the property into one lot for commercial development.

Adjacent Zoning:

C-1 (Retail Business) District

R-1 (One Family Residential) District

Origination:

Ty and Saira Osmani (Owner)

Underwood Drafting & Surveying, Inc. (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.

and

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Osmani Addition

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F. 4.

Meeting Date: 06/15/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Rawlins Addition, a Replat of part of Lot 2, Block 6, B. H. Moore Heirs Addition, being 0.373 acres in the Sam Blagg Survey, Abstract No. 56, also being Lot 2, Block 6, B.H. Moore Heirs Addition; Rodger Rawlins, Owners; Richard Rawlins, Applicant; and Underwood Drafting and Surveying, Inc., Surveyor (1410 South Crockett Street)

Issue:

Replat Approval of Rawlins Addition, a Replat of part of Lot 2, Block 6, B. H. Moore Heirs Addition, being 0.373 acres in the Sam Blagg Survey, Abstract No. 56, also being Lot 2, Block 6, B.H. Moore Heirs Addition; Rodger Rawlins, Owner; Richard Rwwlins, Applicant; and Underwood Drafting and Surveying, Inc., Surveyor (1410 South Crockett Street)

Background:

The property is located at 1410 South Crockett Street, between Hester and Olive Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to replat the property into two lots for residential development.

Origination:

Rodger Rawlins (Owner)

Richard Rawlins (Applicant)

Underwood Drafting & Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the May 19, 2020 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

Aerial Location Map

Zoning Map

Zoning Sign Photo

Rawlins Addition

Staff Review Letter

P&Z Communication



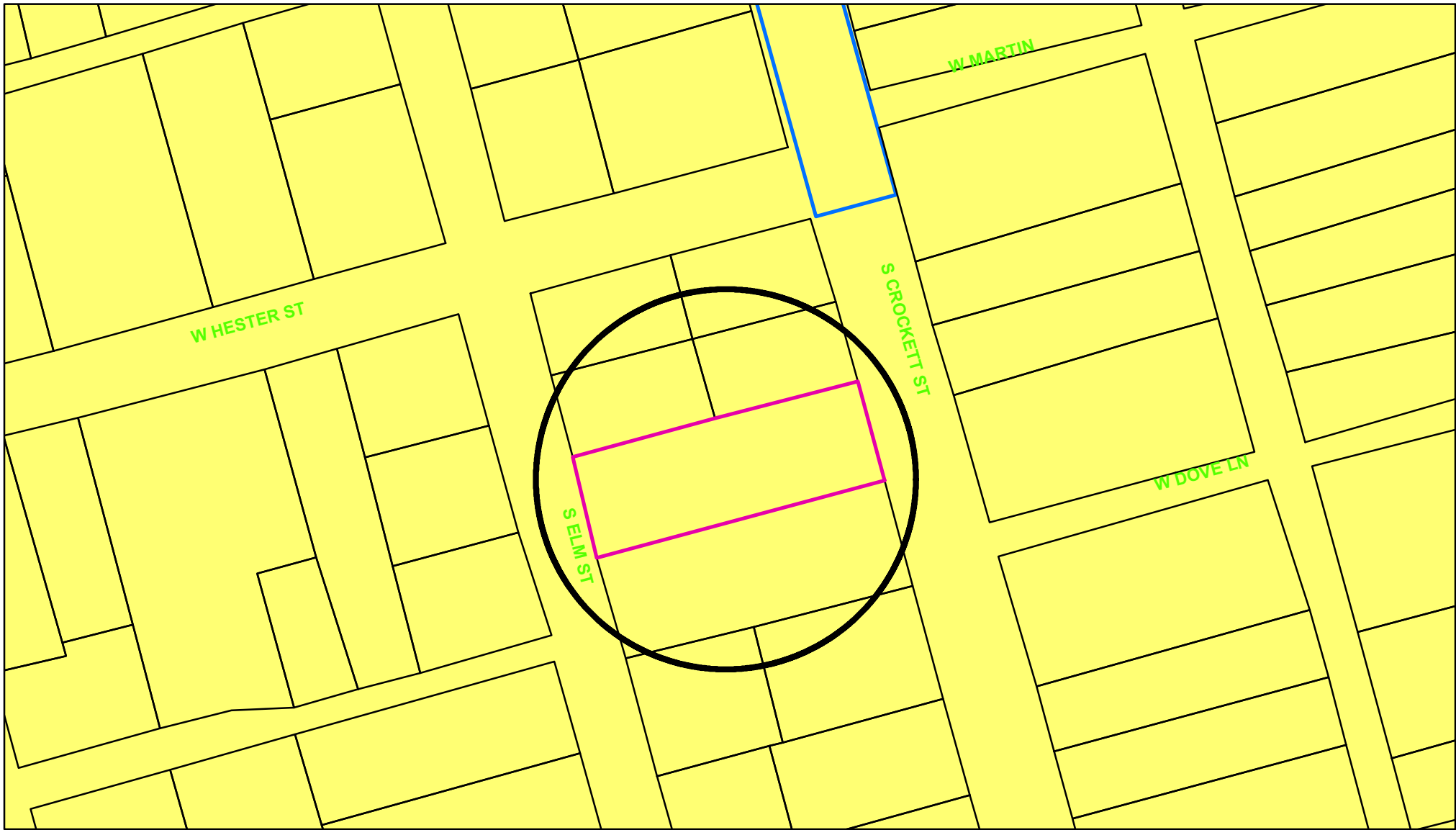
1410 South Crockett Street

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 400 ft



Zoning - 1410 South Crockett Street



City of Sherman, Texas
Developmental Services Department

Legend	
Special Districts Overlay	
DISTRICT_NAME	
Arts and Cultural District	CO Office District
Blalock Commercial Overlay District	Lakes
Central Business District	M-1 Light Manufacturing District
College Park District	M-1.5 Medium Manufacturing District
Downtown Overlay District	M-2 Heavy Manufacturing District
Historic Preservation District	MH Manufacturing Housing District
Transportation Corridor	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
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	



NOT TO SCALE

1 in = 100 ft

1410 South Crockett Street





STAFF REVIEW LETTER

May 11, 2020

Rodger Rawlins
289 Hiland Acres Circle
Pottsboro, TX 75076

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat for Rawlins Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 19, 2020 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. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. New drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. 10' Utility Easement along southern portion of Lot 2 must be removed.
6. Private 10' Sanitary Sewer Easement required as a separate instrument, and filing information and location shown on the plat in order to provide proposed Lot 1 with sewer service. Easement location must be over existing sewer line. Engineering Department must be provided with a copy of recorded easement.
7. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
8. 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.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative 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
Rob Rae, Incoming Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager

Scott Shadden, Director of Development Services
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal



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

Agenda Item No. 18.

Meeting Date: 05/19/2020

Prepared by: Patsy Reeves, Developmental Services Coordinator
Scott Shadden, Director of Development Services

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 1410 SOUTH CROCKETT STREET**

The request of Rodger Rawlins (Owner), Richard Rawlins (Applicant) and Underwood Drafting & Surveying, Inc. (Surveyor) concerning the property at 1410 South Crockett Street, being 0.373 acres in the Sam Blagg Survey, Abstract No. 56, also being Lot 2, Block 6, B.H. Moore Heirs Addition, as follows:

Planning and Zoning Commission

Replat approval of Rawlins Addition, a Replat of part of Lot 2, Block 6, B. H. Moore Heirs Addition.

Background:

The property is located at 1410 South Crockett Street between Hester and Olive Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to replat the property into two lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Rodger Rawlins (Owner)

Richard Rawlins (Applicant)

Underwood Drafting & 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:

198

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Rawlins Addition

Staff Review Letter



City Council Regular Meeting

H. 1.

Meeting Date: 06/15/2020

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

(a) Parks and Recreation Advisory Board (2)

Issue:

The terms of Brantley Blackburn and Shane Martin on the Parks and Recreation Advisory Board expired on May 8, 2020. Both are eligible and do wish to be reappointed. There is also one vacancy on this board. There are no other applications on file for this board.

Background:

The Parks and Recreation Advisory Board advises the City Council on long-range planning and the implementation of programs and activities conducted by the Parks and Recreation Department.

Origination:

The reappointments originated with the City Clerk's Office.

Financial Consideration:

There is no financial consideration.

Staff Recommendation:

The staff recommends that Brantley Blackburn and Shane Martin be reappointed to the Parks and Recreation Advisory Board.

Alternatives:

The alternative is to delay reappointments to the Board.

Attachments

Roster

Fact Sheet

Applicant List

Brantley Blackburn Reappointment Letter

Shane Martin Reappointment Letter

MEMBERSHIP ROSTER

PARKS & RECREATION BOARD

LENGTH OF TERMS: TWO YEARS

Ord. 4112 Consecutive Term Limit (3)*effective 7/24/89

MEMBER	DISTRICT	TERM BEGINS	TERM EXPIRES	TERMS	MEMBERSHIP REQUIREMENTS
Vacant			5/19/2021		
Amanda Phillips	1	A 3/21/2017 R 3/21/2019	3/21/2019 3/21/2021	1 2	
Brantley Blackburn	n/a	A 5/8/2018	5/8/2020	1	
Shane Martin	4	A 5/8/2018	5/8/2020	1	
Michael Kelly	1	A 12/19/2017 R 12/19/2019	12/19/2019 12/19/2021	1 2	
Michael Waitt	1	A 11/17/2015 R 11/17/2017 R 11/17/2019	11/17/2017 11/17/2019 11/17/2021	1 2 3	
Michelle Casey	3	A 2/4/2020	2/4/2022	1	

NOTE:

Chair:

Vice Chair:

CITY STAFF: Theresa Hutchinson, Parks and Recreation Manager
Revised 2/27/2020

FACT SHEET

PARKS AND RECREATION BOARD

Established by ORDINANCE 3181 – MARCH 28, 1977

1. Number of Members: SEVEN (7)
2. Term of Appointment: TWO (2) YEARS
3. Consecutive Term Rule: THREE (3) TERMS – ORDINANCE 4112 (7/24/89)
4. Qualifications for Membership: INTEREST IN PROGRAMS AND ACTIVITIES CONDUCTED BY PARKS AND RECREATION DEPARTMENT. A STUDENT OF SHERMAN HIGH SCHOOL DESIGNATED BY STUDENT COUNCIL, AND THE DIRECTOR OF PARKS AND RECREATION SHALL BE EX-OFFICIO, NON-VOTING MEMBERS
5. Appointed by: MAYOR AND CITY COUNCIL
6. Board Organization
CHAIRPERSON E VICE CHAIRPERSON SECRETARY A
ELECTED APPOINTED
7. Departmental Responsibility: PARKS AND RECREATION DEPARTMENT
8. Meeting Date: FIRST WEDNESDAY OF EACH MONTH
9. Attendance Requirements: WILL FORFEIT SEAT BY MISSING 3 CONSECUTIVE MEETING WITHOUT GOOD CAUSE

=====

PURPOSE:

To assist in long-range planning and implementation of programs and activities conducted by the Parks and Recreation Department.

RESPONSIBILITIES:

Advise concerning future development; to study and make recommendations concerning additional park land or sites; and to recommend means for maximum utilization of facilities.

APPLICANT LIST

Parks and Recreation Advisory Board

Positions Vacant 2

Applicant	Address	District	Qualifications
Brantley Blackburn	988 Plainview Rd	n/a	Current Member; Wishes to be Reappointed
Shane Martin	1307 W. Washington	4	Current Member; Wishes to be Reappointed

COMMENTS:

PUBLIC RECORDS DEPARTMENT

Phone No. (903) 892-7204

Fax No. (903) 892-7394

May 13, 2020

Brantley Blackburn
988 Plainview Road
Sherman, Texas 75092



RE: Parks and Recreation Advisory Board

Dear Mr. Blackburn:

Your term on the Parks and Recreation Advisory Board expired on May 8, 2020. You are eligible for reappointment to the Board. Please let me know whether or not you are interested in reappointment to this board by checking the appropriate statement at the bottom of this letter and returning a copy to me at the address below. If you have any questions or need additional information, please don't hesitate to contact me.

Best regards,

Linda Ashby
City Clerk

cc: Theresa Hutchinson, Parks and Recreation Manager

☒

I do wish to be considered for reappointment to this board

☐

I do not wish to be considered for reappointment to this board

Signature

5-20-2020
Date

Please return to: City of Sherman
City Clerk's Office
P.O. Box 1106

PUBLIC RECORDS DEPARTMENT

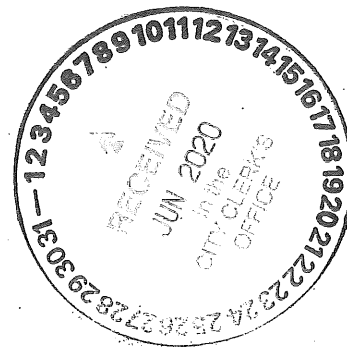
Phone No. (903) 892-7204

Fax No. (903) 892-7394

SECOND REQUEST

May 27, 2020

Shane Martin
1307 W. Washington
Sherman, Texas 75092



RE: Parks and Recreation Advisory Board

Dear Mr. Martin:

Your term on the Parks and Recreation Advisory Board expired on May 8, 2020. You are eligible for reappointment to the Board. Please let me know whether or not you are interested in reappointment to this board by checking the appropriate statement at the bottom of this letter and returning a copy to me at the address below. If you have any questions or need additional information, please don't hesitate to contact me.

Best regards,

Linda Ashby

Linda Ashby
City Clerk

cc: Theresa Hutchinson, Parks and Recreation Manager

☒

I do wish to be considered for reappointment to this board

☐

I do not wish to be considered for reappointment to this board

S. J. Martin

Signature

Date

06/01/2020

Please return to:

City of Sherman
City Clerk's Office
P.O. Box 1106
Sherman, Texas 75091-1106



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 06/15/2020

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2020 Council Calendar

2020

JANUARY						
S	M	T	W	T	F	S
			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						
S	M	T	W	T	F	S
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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

MARCH						
S	M	T	W	T	F	S
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15	16	17	18	19	20	21
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29	30	31				

APRIL						
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26	27	28	29	30		

MAY						
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE						
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21	22	23	24	25	26	27
28	29	30				

JULY						
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AUGUST						
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30	31					

SEPTEMBER						
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27	28	29	30			

OCTOBER						
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18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER						
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22	23	24	25	26	27	28
29	30					

DECEMBER						
S	M	T	W	T	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

1/20/2020	Martin Luther King, Jr. Day/Called City Council Meeting on 1/21/2020
2/12/2020	Called Council Meeting - Training Session for Council Members
3/30/2020	Called Council Meeting - Intro and PH of Ordinance No. 6288, Extending Declaration of Public Health Disaster Indefinitely and Other Matters related to COVID-19
4/6/2020	City Council Meeting - Cancelled
6/25/2020	Called Budget Workshop in the Municipal Ballroom - Rescheduled
6/26/2020	Called Budget Workshop in the Municipal Ballroom - Rescheduled
9/7/2020	Labor Day/Called City Council Meeting on 9/8/2020
