CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
SHERMAN MUNICIPAL BALLROOM
405 NORTH RUSK
SHERMAN, TEXAS
MONDAY, APRIL 5, 2021
5:00 P.M.

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

A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER JOSH STEVENSON

A. 3. INVOCATION BY COUNCIL MEMBER JOSH STEVENSON

A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 15, 2021

Citizen Comments

B. 1. CITIZEN COMMENTS

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

Consent Agenda

C. 1. CONSENT AGENDA

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

Public Hearing

D. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6367

Extending the Corporate Limits of Said City so as to Annex an Area of Land consisting of Approximately 24.415 acres generally located East of U.S. Hwy 75, South of Park Street and along East Sherman Street, Adjacent to the Sherman City Limits and in the City of Sherman's Extraterritorial Jurisdiction, on Application of the Landowner; Providing that the Owners and Inhabitants of the Subject Area of Land shall be entitled to the Rights and Privileges of other Citizens of the City of Sherman and shall be Bound by the Acts and Ordinances now in Effect and hereinafter Adopted; Authorizing Execution of the Annexation Service Plan Agreement; Providing for a Penalty for a Violation of this Ordinance and Sherman's General Zoning Ordinance, Ordinance No. 2280

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

D. 2. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6368 (SUP ORIGINALLY APPROVED ON MARCH 16, 2020 WITH A 12-MONTH LIMIT)**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Renew a Specific Use Permit to Allow New and Used Tire Sales and Repair, General Maintenance with Alignments and Oil Changes in a C-2 (General Commercial) District at 207 and 209 South Dewey Avenue, being 1.091 acres in the G.B. Pilant Survey, Abstract No. 963 described as Lots 3, 4 and part of Lot 5 including the alley lying between Lots 3 and 4, Block 3, J.P. Loving's 2nd Addition (Miguel A. Avalos, Owner; Miguel Avalos, Representative; and Underwood Drafting and 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

D. 3. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6369**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Multi-Family Residential Complex (Aspire at Sherman Apartments) in a C-1 (Retail Business) District at 1111 Gallagher Drive, being Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the Partial Replat of Gleckler Plaza Addition (Aspire Two, LLC, Owner; Ryan Johnson, Representative; Covenant Development, Developer; Cross Architects, Architect; Cross Engineering Consultants, Civil Engineer; Lee Engineering, Civil Engineer and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6370**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to allow an Athletic Field (Outdoor Commercial Amusements) in an R-1 (One-Family Residential) District/(College Park) Overlay District at 1360 East Lewis Street, being Lots 1-3, Block 4, Luckett Park Addition and Lots 4-6, Block 4, Mildred Heights Addition (The Boys and Girls Club of Sherman, Inc., Owner; Todd Young, Young Enterprises, 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

D. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6371**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, Repealing Ordinance No. 6358 and Granting a Specific use Permit to allow (72) Patio Homes in an R-1 (One-Family Residential) District on Property Located in the 2100 block of West Moore Street, being Lots 1-19, Block A, Lots 1-9, Block B, Lots 1-22, Block F and Lots 1-22, Block G of the proposed The Grove Addition (SSCGC Holdings, LLC, Owner; Grove Addition Development JV, Applicant; Civil Point Engineers, Civil Engineer; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 6. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6372**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to allow Patio Homes in an R-1 (One Family Residential) District in 4000-4300 blocks of Hummingbird Drive and the 700 block of Swan Ridge Drive, being Lots 14-38, Block 11, Lots 1-14, Block 12, Lots 6-10 and 16-23, Block 13 of the Proposed The Preserve Addition, Phase III (Westar Home Builders, Owner; Ron Westervelt, Representative; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

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D. 7. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6373**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-1 (One-Family Residential) District, Located at 213 East Hill Street, being 0.172 Acres of Land in the J.B. McAnair Survey, Abstract No. 763 (Roberto Meraz, Owner; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed $2,000.00

D. 8. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6374**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-2 (Multi-Family Residential) District, Located at 4601 North Travis Street, being 21.799 acres in the John Jennings Survey, Abstract No. 647 (BMT Global LLC, Owner; Howard Akin, Jr., Prospective Buyer; Humphreys & Partners Architects LP, Architect; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed $2,000.00

Close Public Hearing and Consider Adoption of Ordinances

D. 9. **ADOPTION OF ORDINANCES**
Consider Adoption of Ordinance Numbers 6367, 6368, 6369, 6370, 6371, 6372, 6373 and 6374.

Resolutions

E. 1. **RESOLUTION NO. 6725**
Authorizing Execution of a Professional Services Agreement with Plummer Associates, Inc. for the Post Oak Wastewater Treatment Plant Condition Assessment

E. 2. **RESOLUTION NO. 6726**
Authorizing Execution of a Professional Services Agreement with Parkhill, Smith & Cooper, Inc, DBA Parkhill for Engineering Services for the Water System Emergency Backup Power Project

Other Business

F. 1. **OTHER BUSINESS**
Receive Quarterly Progress Report from Sherman Economic Development Corporation President Kent Sharp

F. 2. **OTHER BUSINESS**
Final Plat approval of Lloyd Plyler Addition, being 19.950 acres in the Samuel M. McGlothlin Survey, Abstract No. 811; Lloyd Plyler Construction, LLC., Owner; and Underwood Drafting and Surveying, Surveyor (2300-2600 blocks of Graystone Road and the 3200-3500 blocks of North Frisco Road)

F. 3. **** OTHER BUSINESS***
Final Plat Approval of Mora's Addition, a Replat of the West 104 foot of Lots 21 thru 24, Block 7 of the W.P. Carter's Addition, being 0.239 acres in the J.B. McAnair Survey, Abstract No. 763 also being the west 104 foot of Lots 21-24, Block 7 of W.P. Carter's Addition; M&G Homebuilders, LLC, Owner; Martin Covarrubias, Representative; and Helvey-Wagner Surveying, Inc., Surveyor (1103 & 1105 North Broughton Street)

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F. 4. **** OTHER BUSINESS***

Replat Approval of all of Lot 7, the east 20 ft. of Lot 9 and the west 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition, being 0.288 acres in the Samuel Blagg Survey, Abstract No. 56, being all of Lot 7 and the east 20 foot of Lot 9 and the west 10 foot of Lot 5, Block B, Ed Moore's Fair Ground Addition; Heriberto Garcia, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (420 & 422 West Tennessee Street)

F. 5. **** OTHER BUSINESS***

Final Plat Approval of Obara and Odwesso Addition, being 1.01 acres in the Elizabeth Jones Survey, Abstract No. 652; Peter Obara and Paul Odwesso, Owners; and Underwood Drafting and Surveying, Surveyor (1331 West Moore Street)

F. 6. **** OTHER BUSINESS***

Replat approval of Lots 14, 16 & the W/2 of 12, A. R. Loving's Addition, being all of Lots 14 & 16 and the West 2' of Lot 12 of A R Loving's Addition; Thomas L. Shields, Owner; Paul Terrell, Representative, NBS Drafting and Design, Draftsman and Copley Land Surveying, Surveyor (323, 325, 329, 331 and 333 W. Jones Street)

F. 7. **** OTHER BUSINESS***

Consider Request of the 2021 Earth Day Planning Committee to Temporarily Close Certain Streets for the "Texoma Earth Day Recycling Event" on Saturday, April 17, 2021.

F. 8. **** OTHER BUSINESS***

Final Plat approval of The Grove Addition, being 56.650 acres in the Elizabeth Jones Survey, Abstract No. 625; SSCGC Holdings, LLC, Owner; Grove Addition Development JV, Applicant; Civil Point Engineers, Civil Engineer; and Underwood Drafting and Surveying, Surveyor (2100 Blk. West Moore Street)

F. 9. **** OTHER BUSINESS***

Replat approval of Altona's Replat of Lot B, Taylor Plaza Addition, being 3.381 acres in the J. B. McAnair Survey, Abstract No. 763 and being all of Lot B of the Taylor Plaza Addition; Altona, Inc., Owner; GFM Architecture, Architect, Arris Consulting, Architect; and Underwood Drafting and Surveying, Surveyor (729 East Taylor Street)

F. 10. **** OTHER BUSINESS***

Final Plat approval of The Preserve, Phase III, being 16.393 acres in the Elizabeth Jones Survey, Abstract No. 625; Westar Home Builders, Owner; Ron Westervelt, Representative; and Underwood Drafting and Surveying, Surveyor (4000-4300 blocks Hummingbird Drive and 700 block Swan Ridge Drive)

F. 11. **** OTHER BUSINESS***

Replat approval of Texoma Rentals Addition, being a Replat of Lots 13, 14, 15, 16, 17, 18 and 19, Block 5, W. Elliott's Addition, being Lots 13, 14, 15, 16, 17, 18 & 19, Block 5, W. Elliott's Addition; Texoma Rent House LLC, Owner; and Underwood Drafting and Surveying, Surveyor (608 South Throckmorton Street)

G. MEDIA QUESTIONS

H. COUNCIL COMMENTS

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

Executive Session

EXECUTIVE SESSION

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

Tex. Gov't Code § 551.071	Seeking the advice of its attorney about pending or contemplated litigation, settlement offers or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. (a) Receive legal advice regarding the City's response to severe weather that occurred in February 2021
Tex. Gov't Code § 551.072	Deliberating the purchase, exchange, lease or value of real property if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.
Tex. Gov't Code § 551.073	Deliberating a negotiated contract for a prospective gift or donation to the City if deliberation in an Open Meeting would have a detrimental effect on the position of the City in negotiations with a third person.
Tex. Gov't Code § 551.074	Deliberating the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.
Tex. Gov't Code § 551.076	Deliberating the deployment, or specific occasions for implementation, of security personnel or devices or a security audit.
Tex. Gov't Code § 551.087	Discussing or deliberating commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay or expand in or near the City and with which the City is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect.
Tex. Gov't Code § 551.089	Deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementation of security personnel, critical infrastructure or security devices.

The Council reconvenes into General Session

J. 1. OPEN MEETING

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

K. 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 Thursday, April 1, 2021 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 1st day of April, 2021.
City of Sherman, Texas

_____
City Clerk

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

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

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

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

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

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

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

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SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 04/05/2021

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 15, 2021

Attachments

March 15, 2021
Sherman Cultural District
Police Headquarters Presentation

STATE OF TEXAS §

March 15, 2021

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Sherman Municipal Ballroom on March 15, 2021.

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

MEMBERS ABSENT: **NONE.**

CALL TO ORDER — **CALL TO ORDER**

Mayor Plyler called the meeting to order at 5:00 p.m. The Pledge of Allegiance and Invocation were given by Deputy Mayor Daron Holland.

APPROVE MINUTES — **APPROVE MINUTES**

The Council reviewed the Minutes of the Regular City Council Meeting of March 1, 2021. Council Member Melton moved to approve the Minutes, as presented; Second by Deputy Mayor Holland; All present voted AYE.
MOTION CARRIED.

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

There were no citizen's comments.

SPECIAL PRESENTATION

RECOGNITION OF CITY OF SHERMAN AWARD: "2020 TEXAS ACHIEVEMENT IN LIBRARY EXCELLENCE AWARD" — **2020 TEXAS ACHIEVEMENT IN LIBRARY EXCELLENCE AWARD**

Mayor Plyler presented Melissa Eason, Library Services Administrator, with the "2020 Texas Achievement in Library Excellence Award", which recognizes the top 10% of the libraries in Texas each year. This year only 56 libraries out of 568 Texas Public Library systems were awarded this honor.

Ms. Eason recognized several staff members that were in attendance in the audience. She said the award helped bring awareness to all the things a library has to offer. In order to be considered for this award, they must show examples of services provided in ten areas.

She also thanked the Library staff for their hard work, the City management for their support, and the Mayor and City Council for this recognition.

CONSENT AGENDA — **CONSENT AGENDA**

The Council reviewed the Consent Agenda. Council Member Steele asked to remove Item F-14, entitled "Resolution No. 6724 – Awarding a Bid to and Authorizing Execution of a Contract with All Seasons Contracting Company, Inc. of Denison, Texas, based on an Invitation to Bid for Central Fire Station Roof Replacement"

from the Consent Agenda, for consideration in its regular order of business.

Council Member Stevenson moved to approve the Consent Agenda, with the exception of Item F-14, which will be considered in its regular order of business; Second by Council Member Melton; All present voted AYE.

RES 6724 CENTRAL FIRE STATION ROOF REPLACEMENT

RESOLUTION NO. 6724 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH ALL SEASONS CONTRACTING COMPANY, INC. OF DENISON, TEXAS, BASED ON AN INVITATION TO BID FOR CENTRAL FIRE STATION ROOF REPLACEMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH ALL SEASONS CONTRACTING COMPANY, INC. OF DENISON, TEXAS, BASED ON AN INVITATION TO BID FOR CENTRAL FIRE STATION ROOF REPLACEMENT.

Council Member Steele asked to remove Item F-14 from Consent Agenda for consideration in its regular order of business.

Council Member Steele said he had been contacted by Shane Brem, Owner, Texoma Roofing and Construction, and wanted to give him an opportunity to discuss information about his bid.

Mr. Brem wanted to tell the Council about the roofing materials that his company offers, and said TML, that insures the building, prefers a different product. He mentioned a fire in downtown Denison that spread to several adjoining buildings, and said the type of roofing material that was bid was the same type that was on those buildings. He said the roofing product that he offers does not flare up like this product.

Mr. Brem also introduced the product representative that sells the roofing material he proposed.

Buddy Wilson, 1400 Winding Creek, Prosper, Texas

Mr. Wilson represents Duro-Last Roofing Manufacture. He said they sell directly to contractors, and don't go through distribution.

He discussed the makeup of his product and said they made a presentation to TML. He said TML was impressed with their product and the cost of their product. He said they also warranty their own product and insure the contents of the building against water damage. They are a "local" company and the product is made in Carrollton, Texas. They also have plants in other states.

Mr. Brem addressed the warranty and said the bid that was submitted came with a 15 year warranty, provided by Duro-Last. Texoma Roofing and Construction carries the first two years, and after that, he said the corporation carries the warranty.

Council Member Melton confirmed that Mr. Brem's bid was for this roofing material, and that the Finance Department received the bid.

Robby Hefton, City Manager, confirmed that the bid specifications were written by the Building Maintenance Department, and were "industry standards." He added that those specs had been used on other City buildings.

Council Member Melton expressed concern that Mr. Brem said he didn't know what the specifications were before he bid. Mr. Brem said he didn't remember. He said he bid the job as a "single-ply", which is probably what the other companies bid too. Council Member Melton said the specs provided were not for a specific brand of materials.

Mr. Brem said his appearance was to address the direction that the City's insurance provider wanted to go. It wasn't really "about this bid" but was "about the future." He mentioned talking with the Denison Fire Chief about the material.

Mayor Plyler said they were interested in what the Sherman Fire Marshal said about the product, and since it was going on the Fire Station, he was sure Sherman's Fire Marshal had reviewed the specifications. He said the Council would take the information "under advisement."

Council Member Melton wanted to be sure they understood what they were bidding on. Council Member Teamann said he appreciated the information for future bids. He asked what the percentage was that could be used for local preference to a Sherman bidder.

Mr. Hefton said there previously was a "local preference" that was either 3% or 5%, however, that preference has been "taken away."

Mr. Brem said they were the second lowest bid. Council Member Teamann confirmed that they were $6,000 higher than the low bid.

ACTION TAKEN.
Motion by Council Member Stevenson to table Resolution No. 6724, and review the bids.

Clint Philpott, Assistant City Manager, said the Council must either accept the bids that were submitted, or reject all bids and rebid the project, because there were specifications that everyone replied too.

Mr. Hefton said the options are to reject all bids and rebid the project. He clarified that the City did receive responsive bids that met the bid specifications. Council Member Stevenson said Mr. Brem was saying that the materials "were inferior."

Mr. Hefton said the bid specs were clear on what the staff wanted. Mr. Brem presented a product that was not in compliance, or they didn't demonstrate that it was in compliance. He said all the other bidders were responsive.

Mr. Hefton said the staff also talked with TML and they said both products are Class A rated and are acceptable. He said the project could be rebid if the Council rejects all bids and directs the staff to rebid the project.

Council Member Melton questioned whether the City could legally reject the bids. Ryan Pittman, Attorney, said Council could table the item and get more information about what the bid specs did or didn't include, and use that to determine whether or not to reject all bids. However, the option to deal with this specific bid is to reject all bids or to go with the company that submitted the best bid.

Council Member Stevenson said if it was tabled, the bids could still be rejected in two weeks, if Council wanted. Council Member Teamann clarified that the motion was to table the item, do more due diligence, and if the Council is okay with the specs and bids, then approve it in two weeks.

Mayor Plyler said the City asked for a specific roof for which they received 12 bids. There was no confusion from any of the bidders, based on the bid specs. Council Member Steele said this may be a better product.

Mayor Plyler said State law governs the way a project is bid, and the City complied with State law. He said there are hundreds of other better roofs that could have been in the specs. He said the question is, does the City want to spend more money than for the roof they bid. If the Council says "yes," then the bids can be rejected tonight.

Council Member Melton said, if the product is better, in the future that information could be used for bid specs. But the low bidder met what was required in the bid specs.

RESTATEMENT OF MOTION.

> **Motion by Council Member Stevenson to table Resolution No. 6724, and review the bids. Second by Council Member Teamann.**

Mayor Plyler asked how this would affect the timeline on the project. Mr. Philpott said typically, if it is extended, it is left to the low bidder as to how long they will honor their prices. He did not feel that tabling the Resolution would affect the timing.

Council Member Stevenson also wanted to instruct staff to enlighten Council Members on the bidding process, and how that relates to materials.

Council Member Melton said she didn't disagree, and if the product is better they should go with a different product in the

future, but at this point, they have to go with the bid that met the qualifications. She said "legally" the low bidder met the requirements.

Mr. Pittman said there is a motion and a second, so that allows for a vote to occur. If it fails, Council can come back with a different motion, or can take no action, which would "not award" the bid.

Mr. Hefton asked if "no action" on the item would be equivalent to a rejection of bids. Mr. Pittman said it would not be a rejection of bids, and the item would stay pending indefinitely, if there is no future action on the item. He said at some point, the Council would need to approve or reject the bids.

Mayor Plyler warned the Council that "this is a little bit of a slippery slope," in that, whenever the City competitively bids a project, they issue plans and specs, that contractors turn in, based on those plans and specs. Once they open the door to go back and requalify the products in each of these bids, then it won't be helpful.

RESTATEMENT OF MOTION.

Motion by Council Member Stevenson to table Resolution No. 6724, and review the bids. Second by Council Member Teamann.

VOTING AYE: Steele, Stevenson, Teamann.
VOTING NAY: Holland, Howeth, Melton.
MOTION FAILED.

ACTION TAKEN.

Motion by Council Member Howeth to adopt Resolution No. 6724, as presented. Second by Council Member Melton.

VOTING AYE: Plyler, Holland, Howeth, Melton.
VOTING NAY: Steele, Stevenson, Teamann.
MOTION CARRIED.

PUBLIC HEARING

ACCEPT PUBLIC COMMENTS AND DISCUSS THAT CERTAIN PETITION REQUESTING ESTABLISHMENT OF PUBLIC IMPROVEMENT DISTRICT, DATED JANUARY 27, 2021, REQUESTING THAT THE CITY CREATE THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT TO INCLUDE PROPERTY OWNED BY THE PETITIONERS LOCATED ENTIRELY WITHIN THE CORPORATE LIMITS OF THE CITY

BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT

Mr. Hefton said this item and Item F-1 are partner items and this is the public hearing to Resolution No. 6711, both relating to the creation of the Bel Air Village Public Improvement District.

At the February 1, 2021 Council Meeting, the City Council accepted the petition for the creation of this district. A notice was published, as required, for this public hearing.

A Public Improvement District provides an opportunity for developers to recoup some of their costs for public infrastructure, such as roads, sewer, and drainage.

A public hearing is required, as well as, a resolution to create the district. There are also a few other steps before the Public Improvement District will be implemented. An ordinance will also be required for the levy of the property tax.

Council Member Melton asked for clarification on the 50% or 60% of property owners that are required for creation of the district. The ACF said 50%, but the petition said 60%.

Mr. Hefton clarified that 100% of the property owners requested creation of the district. The required number is 60%, and the ACF is in error. There is only one property owner. Mr. Hefton clarified that the requirement has been met.

No citizens appeared before the City Council to discuss the Petition requesting establishment of a Public Improvement District, designated as Bel Air Village Public Improvement District.

Mayor Plyler introduced Ordinance No. 6365 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2021 (CITY OF SHERMAN PROJECT); AND APPROVING THE ISSUANCE THEREOF, THE NOTICE OF SALE PREPARED IN CONNECTION WITH THE PUBLIC OFFERING OF THE BONDS AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY.

ORD 6365 GTUA CAPITAL IMPROVEMENT PROJECTS

Mary Lawrence, Director of Finance, said the Revenue Bonds for the utility system improvements were bid out on March 11, 2021, through the Greater Texoma Utility Authority. She introduced Drew Satterwhite, GTUA General Manager, to update the Council on the bond sale.

Mr. Satterwhite said they received nine bids, which was about twice what was expected, and they received a 1.99% interest rate on a 25 year note. He said they have never received that low an interest rate on the open market, excluding the Texas Water Development Board's subsidized funds.

Mr. Satterwhite attributed this interest rate to the City's A+ rating from Standard & Poor. He also said there was good timing involved in going to market. Pending the Council's adoption of the ordinance, they are set to close on April 13, 2021.

No other citizens appeared before the City Council to discuss Ordinance No. 6365.

Mayor Plyler introduced Ordinance No. 6366 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES (SUBDIVISION REGULATION), ARTICLE 10.04 (ENGINEERING PLAN REVIEW, INSPECTION AND TESTING

ORD 6366 ENGINEERING PLAN REVIEW, INSPECTION & TESTING FEES

SERVICES), SECTION 10.04.001 (FEE ESTABLISHED); INCREASING THE ENGINEERING PLAN REVIEW, INSPECTION, AND TESTING SERVICES FEE TO FOUR PERCENT (4%) OF THE ESTIMATED COST OF PUBLIC IMPROVEMENTS IN AND ADJACENT TO A REQUESTED PLAT OR DEVELOPMENT; PROVIDING A REPEALING CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED $2,000.

Mr. Hefton said this item is related to fees for the engineering services, to review, inspect, and test, projects for public infrastructure, constructed by development.

Previously there was a 3% fee for many years, and it was determined that a 4% fee was reasonable and customary for most cities to charge. In looking at the services offered, it was determined that this 4% fee was reasonable for providing the services.

He explained that there are a series of plan reviews for a project, which eventually results in a Developer's Agreement. There are a number of projects in which engineering plans have already been submitted, and Mr. Hefton suggested that the increased fee only apply to projects for which they have not yet received any engineering plans.

No citizens appeared before the City Council to discuss Ordinance No. 6366.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6365

ORD 6365 GTUA CAPITAL IMPROVEMENT PROJECTS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, RELATING TO GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE BONDS, SERIES 2021 (CITY OF SHERMAN PROJECT); AND APPROVING THE ISSUANCE THEREOF, THE NOTICE OF SALE PREPARED IN CONNECTION WITH THE PUBLIC OFFERING OF THE BONDS AND THE FACILITIES TO BE CONSTRUCTED OR ACQUIRED BY SUCH AUTHORITY.

Council Member Teamann said they have discussed the Marilee Special Utility District cost in the past, and about them contributing to the upfront cost. He asked if the remainder of the bond issuance would be driven through water sales revenues.

Mr. Hefton said the City's water and sewer revenue are the only recurring source of the repayment of any debt from GTUA. He said the staff plans on the rates, and therefore the usage, covering all the debt service.

Council Member Teamann wanted to be sure there was a "multiplier" that would offset some of the Sherman resident's water bills, once this is done. He verified that it would service $2 million in debt and generate additional revenue.

Ordinance 6366

ORD 6366 ENGINEERING PLAN REVIEW, INSPECTION & TESTING FEES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES (SUBDIVISION REGULATION), ARTICLE 10.04 (ENGINEERING PLAN REVIEW, INSPECTION AND TESTING SERVICES), SECTION 10.04.001 (FEE ESTABLISHED); INCREASING THE ENGINEERING PLAN REVIEW, INSPECTION, AND TESTING SERVICES FEE TO FOUR PERCENT (4%) OF THE ESTIMATED COST OF PUBLIC IMPROVEMENTS IN AND ADJACENT TO A REQUESTED PLAT OR DEVELOPMENT; PROVIDING A REPEALING CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED $2,000.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance Nos. 6365 and 6366, with a change in Ordinance No. 6365 to correct the spelling of "bonds" and with the change in Ordinance No. 6366, to include the fee increase only for things that have not already been submitted to engineering. Second by Council Member Melton.

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

RESOLUTION NO. 6711 – AUTHORIZING AND CREATING THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE

RES 6711 BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING AND CREATING THE BEL AIR VILLAGE PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE.

ACTION TAKEN.

Motion by Council Member Steele to adopt Resolution No. 6711, as presented. Second by Council Member Stevenson.

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

RESOLUTION NO. 6712 – AUTHORIZING APPROVAL OF RECEIPT OF A PETITION FROM TPJ PROPERTIES, LTD TO CREATE A MUNICIPAL UTILITY DISTRICT OVER APPROXIMATELY 175 ACRES OF LAND IN SHERMAN, TEXAS, ACKNOWLEDGING THE FILING OF THE SAME PETITION

RES 6712 HERITAGE RANCH MUNICIPAL UTILITY DISTRICT PETITION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING APPROVAL OF RECEIPT OF A PETITION FROM TPJ PROPERTIES, LTD TO CREATE A MUNICIPAL UTILITY DISTRICT OVER APPROXIMATELY 175 ACRES OF LAND IN SHERMAN, TEXAS, ACKNOWLEDGING THE FILING OF THE SAME PETITION.

RES 6713 HERITAGE RANCH MUNICIPAL UTILITY DISTRICT

RESOLUTION NO. 6713 – CONSENTING TO THE CREATION OF HERITAGE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY WHICH LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CONSENTING TO THE CREATION OF HERITAGE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY, WHICH LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF SHERMAN.

Mayor Plyler asked that Resolution Nos. 6712 and 6713 be read and considered together.

Mr. Hefton said these items are related to another of the larger planned developments, and involves the creation of a Municipal Utility District. This MUD would allow the developer to recover a portion of their cost for public infrastructure development, through creation of a property tax levy on the property within the geographic boundaries of the district.

While a Public Improvement District requires City Council action to create and administer the district, the MUD is created by action of the State Legislature, after a petition and application process by the developer.

A part of the procedure requires that the City recognize the petition, which is what Resolution 6712 is. And then consent to recognize the MUD, which is what Resolution 6713 is. Both resolutions will be required for the developer to proceed with the steps needed to set up the MUD.

Mr. Hefton said there is no obligation to the City on either of these items, to create or issue debt, either directly or indirectly, nor is there any "back-stocking" of debt that might be issued in the future by this MUD. It doesn't use any credit-worthiness of the City's tax rate.

After discussions with the developer and their counsel, and City staff, Mr. Hefton said he felt comfortable with the process and what they're asking of the City. He added that this MUD will be located within Sherman's City limits, therefore all infrastructure will be constructed to existing City standards, using materials and workmanship that is already required by the City.

Council Member Steele verified that it does not include their entire development. Mr. Hefton said it only includes the residential portion, which is about 175 acres. They plan to carve out a 10 acre section on the southwest corner of the tract that will probably be commercial.

Council Member Teamann confirmed that the MUD can be expanded during Phase 2 and 3 of the project. Mr. Hefton said there are some things about MUDs that may not make them ideal for commercial development.

Ryan Johnson, TPJ Properties, Ltd, said the MUD will only cover the residential portion of the development, and can't be expanded without the consent of the City Council. Mr. Hefton asked if an expansion would need Legislative consent as well.

Mindy Koehne, Coats Rose Attorneys, appeared representing TPJ Properties, Ltd., and said they don't have to have Legislative consent to expand the MUD. With general law, they are able to expand with the City's consent.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution Nos. 6712 and 6713, as presented. Second by Council Member Melton.

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

RES 6714 HILRE DRIVE EXTENSION

RESOLUTION NO. 6714 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC BASED ON AN INVITATION TO BID FOR CONSTRUCTION OF HILRE DRIVE EXTENSION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC BASED ON AN INVITATION TO BID FOR THE CONSTRUCTION OF HILRE DRIVE EXTENSION.

Wayne Lee, Director of Engineering, said the award of bid is to Lynn Vessels Construction for the Hilre Drive Extension Project. Six bids were received, ranging from $283,000 to $423,000, with the lowest responsible bidder being Lynn Vessels Construction at $283,000. This bid was about 19% below the second low bidder.

Mr. Lee said construction should start in a couple of months and be complete by the end of summer. These improvements will allow closure of the intersection at Northcreek Drive and Knollwood Road, in order to make safety improvements, and allow the Texas Department of Transportation to install a traffic signal.

Council Member Melton was concerned that with such a low bid, there may be change orders for the project. Mr. Lee said he has not had that experience with Mr. Vessels. He said sometimes there are change orders when the City adds additional work into the project, or things happen in the field that were not expected.

Council Member Melton confirmed that Mr. Lee was comfortable with the bid that Mr. Vessels gave the City on this project.

Council Member Teamann asked about the bend in the proposed road. Mr. Lee said the alignment was worked out with the property owner.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6714, as presented. Second by Council Member Melton.

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

RES 6715 TEXOMA PKWY WATER MAIN REPLACEMENT, FROM FM 691 TO FALLON DR.

RESOLUTION NO. 6715 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH KCI TECHNOLOGIES, INC. FOR ENGINEERING DESIGN SERVICES FOR THE TEXOMA PARKWAY WATER MAIN REPLACEMENT FROM FM 691 TO FALLON DRIVE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KCI TECHNOLOGIES, INC. FOR ENGINEERING DESIGN SERVICES FOR THE TEXOMA PARKWAY WATER MAIN REPLACEMENT FROM FM 691 TO FALLON DRIVE.

Tom Pruitt, Utility Engineer, said when this project was placed on the Capital Improvement Program list, Mark Gibson, then City Engineer, said the water main was originally installed in 1964 and was a cast iron pipe. After a certain period of time, cast iron pipes deteriorate, and need to be replaced. They also lose pressure as water flows through. Council Member Stevenson confirmed that it is a 12" pipe.

Mr. Pruitt said this portion of the contract is for design only. Construction costs will be included in next year's budget.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6715, as presented. Second by Deputy Mayor Holland.

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

RES 6716 IDA ROAD GROUND STORAGE TANK REHABILITATION PROJECT

RESOLUTION NO. 6716 – AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING DESIGN SERVICES AGREEMENT WITH GARVER, LLC, FOR DESIGN OF IDA ROAD GROUND STORAGE TANK REHABILITATION PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL ENGINEERING DESIGN SERVICES AGREEMENT WITH GARVER, LLC FOR DESIGN OF THE IDA ROAD GROUND STORAGE TANK REHABILITATION PROJECT.

Mr. Pruitt said this contract is for the engineering design of the Ida Road Ground Storage Tank and some of the Pump Station Improvements. Needed repairs were based on the 2020 inspection.

ACTION TAKEN.

Motion by Council Member Melton to adopt Resolution No. 6716, as presented. Second by Council Member Stevenson.

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

RES 6717 ANNUAL FINISH & ROUGH MOWING

RESOLUTION NO. 6717 – TO CONSIDER AWARDING AND AUTHORIZING EXECUTION OF A CONTRACT FOR ANNUAL FINISH AND ROUGH MOWING SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, TO CONSIDER AWARDING AND AUTHORIZING EXECUTION OF A CONTRACT FOR ANNUAL FINISH AND ROUGH MOWING SERVICES.

Mr. Philpott said this is to award the annual finish and rough mowing contract. The staff received three proposals. This year, based on the history of the low bidders not being able to respond to mowing requests in a timely manner, the bidders had to have the highest score and the lowest bid.

The staff looked at the amount of equipment they had, the number of personnel they had, and set the bar pretty high. He said nine people attended the pre-bid meeting, but only three submitted bids.

They also added some additional areas for the finish mowing this year, including West Travis Street and Moore Street. In past years, parks and streets also had separate contracts, and those were combined this year.

Mr. Philpott said the mowing cycle cost is about $16,000 and the mowing is done every 10 days, dependent on the rain. Therefore the budget is hard to estimate, based on the mowing cycles and how long the mowing cycle lasts.

He felt this was a great price and said Lost Pines Landscaping has great references and has helped with projects in the parks in the past.

Council Member Steele asked who determined the mowing cycle. Mr. Philpott said the contract lists a 10 day cycle, which would give them a chance to catch up if it rained, instead of staying behind.

Council Member Melton wanted to be sure that trash was picked up prior to mowing. Council Member Teamann asked if they were doing all the mowing now. Mr. Philpott said there are still City crews that do a lot of mowing in the parks.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Resolution No. 6717, as presented. Second by Council Member Melton.

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

RES 6718 WWTP AERATION & OTHER SECONDARY IMPROVEMENTS PROJECT

RESOLUTION NO. 6718 – APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH RED RIVER CONSTRUCTION CO. FOR CONSTRUCTION OF THE POST OAK WWTP AERATION AND OTHER SECONDARY IMPROVEMENTS PROJECT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING THE GREATER TEXOMA UTILITY AUTHORITY'S INTENTION TO CONTRACT WITH RED RIVER CONSTRUCTION CO. FOR CONSTRUCTION OF POST OAK WWTP AERATION AND OTHER SECONDARY IMPROVEMENTS PROJECT.

Mr. Pruitt said the staff has opened bids on the aeration and other improvements at the Wastewater Treatment Plant. The low bidder was Red River Construction, with a bid of $5,644,800, which is currently under budget. The engineering estimate was about $6 million. Currently they are $1 million under budget.

This project is a part of the $13.59 million Clean Water State Revolving Fund, made available by a loan from the Texas Water Development Board.

ACTION TAKEN.

Motion by Council Member Melton to adopt Resolution No. 6718, as presented. Second by Deputy Mayor Holland.

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

RES 6719 RESIDENTIAL AD VALOREM TAX ABATEMENT (1411 S. WALNUT)

RESOLUTION NO. 6719 – AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1411 SOUTH WALNUT STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN AGREEMENT WITH M&G HOME BUILDERS LLC FOR THE ABATEMENT OF AD VALOREM PROPERTY TAXES FOR THE CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE AT 1411 SOUTH WALNUT STREET WITHIN CITY OF SHERMAN REINVESTMENT ZONE, NUMBER TEN (#10).
CONSENT AGENDA.

RES 6720 INTERLOCAL AGREEMENT WITH CITY OF MIDLOTHIAN

RESOLUTION NO. 6720 – AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF MIDLOTHIAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN

INTERLOCAL AGREEMENT BETWEEN THE CITY OF SHERMAN AND THE CITY OF MIDLOTHIAN.
CONSENT AGENDA.

RESOLUTION NO. 6721 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WILLDAN FINANCIAL SERVICES FOR A COMPREHENSIVE WATER AND WASTEWATER RATE STUDY

RES 6721 COMPREHENSIVE WATER & WASTEWATER RATE STUDY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH WILLDAN FINANCIAL SERVICES FOR A COMPREHENSIVE WATER AND WASTEWATER RATE STUDY.
CONSENT AGENDA.

RESOLUTION NO. 6722 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH DFW WINWATER COMPANY FOR THE ANNUAL SUPPLY OF WATER AND SEWER MAINTENANCE PARTS AND SUPPLIES

RES 6722 ANNUAL SUPPLY OF WATER & SEWER MAINTENANCE PARTS & SUPPLIES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH DFW WINWATER COMPANY FOR THE ANNUAL SUPPLY OF WATER AND SEWER MAINTENANCE PARTS AND SUPPLIES.
CONSENT AGENDA.

RESOLUTION NO. 6723 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT TO DUN-AL CLEANING FOR ANNUAL PARK RESTROOM CLEANING SERVICES

RES 6723 ANNUAL PARK RESTROOM CLEANING SERVICES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH DUN-AL CLEANING FOR ANNUAL PARK RESTROOM CLEANING SERVICES.
CONSENT AGENDA.

REQUEST TO ADVERTISE
SALE OF APPROXIMATELY 15 ACRES OF LAND LOCATED IN F.M. 1417 AND WEST TRAVIS STREET

REQ TO ADVERTISE LAND ON FM 1417 & WEST TRAVIS ST.

Mr. Hefton said the City owns a piece of land on FM 1417 and West Travis Street, and in the past the Council decided to delay sale of the property until certain things happened, such as the opening of West Travis Street and US Hwy 75, and the opening of the new high school.

He said the staff believes it is time to look at selling the property and putting those funds to use on other capital projects. He said they are proposing to sell the property by sealed bids, with reserves. He felt there would be enough interest in the property without going through a broker. They are finalizing the documentation now for the sale.

If the Council is in agreement, the staff will "package this up" and allow 20 days for the public to evaluate it. They already have the engineering and documentation that would be needed by

bidders/buyers. If the Council approves, it would probably be advertised in April with an award of bid in May.

Council Member Steele asked if a reserve had been established. Mr. Hefton said it would probably be $5 to $6 per foot. It consists of about 630,000 to 650,000 square feet, putting the reserve in the $3.5 million to $4 million range. The property is zoned C-1, which he felt was the best use of the property. It has water and sewer.

The property is not in a reinvestment zone. If it had been in a reinvestment zone, the proceeds would have to be used in that zone, however since it's not, the proceeds can be used for any City purpose.

Mr. Hefton said the City will also send offers to local developers that might be interested in purchasing the property.

ACTION TAKEN.

Motion by Council Member Steele, to approve the request to advertise for the sale of approximately 15 acres of land located at FM 1417 and West Travis Street, as presented. Second by Council Member Stevenson.

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

OTHER BUSINESS **ANNUAL AUDIT**

ACCEPT ANNUAL AUDIT REPORT FOR YEAR ENDED SEPTEMBER 30, 2020 FROM PATTILLO, BROWN AND HILL, LLP

Ms. Lawrence said Pattillo, Brown and Hill performed the Annual Audit this year, and the Audit Committee met and recommended it to the City Council for approval.

John Manning, Pattillo, Brown and Hill, LLP

Mr. Manning presented the report to the City Council. He presented an "unmodified opinion" on the Audit, meaning they did not have to modify the opinion for anything the City didn't have ready for them or that the City's finances didn't meet GAP.

Of the four types of opinions they can offer, the unmodified opinion is the highest level of assurance they can offer. He said achieving the unmodified opinion is really a team effort on the City's part. He said all departments had been extremely responsive to their inquiries.

He gave a brief overview of the Audit documents. He said the City decreased their long term debt by about $9 million, with the regularly scheduled bond payments. There was also a significant decrease in the pension liability, because of assets held by TML performing extremely well in the 2019 market year.

Both the governmental and business type activities, which are General Fund Debt Service and Water/Sewer Fund, both have positive net positions, which is a signal of financial strength.

As for the revenue and expenditures for the General Fund, even with COVID, the City added about $1.3 million to the fund balance. Mr. Manning felt that was a result of conservative budgeting, and revenues coming in, inline with projections. He said that puts the fund balance at about $12.7 million, which is what GFOA recommends, and is about 3.5 to 4 months of reserves in fund balance. He recognized the City's financial stability.

He said the Water/Sewer Fund has about a $28 million net position, which is very solid. With the COVID Virus Relief Fund, the City was again eligible to have a Single Audit, and they did on the CDBG program. There were no material weaknesses or significant deficiencies to report to Council.

The budget document shows very conservative budgeting principles and he said they have "nothing bad to say at all." He said the numbers are extremely reliable, and it was a great effort by a lot of City personnel.

ACTION TAKEN.

Motion by Council Member Stevenson, to accept the Annual Audit Report for the Year Ended September 30, 2020, from Pattillo, Brown and Hill, LLP, as presented. Second by Council Member Steele.

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

SHERMAN CULTURAL DISTRICT

RECEIVE SEMI-ANNUAL REPORT ON THE SHERMAN CULTURAL DISTRICT

Eddie Brown, Chairman, Sherman Cultural District Committee, presented the semi-annual report on the Cultural District, covering the period from September 2020 through March 2021.

They have had eight committee meetings this year, delivery completed for the Public Art Master Plan in October 2020, and the National Arts and Humanities Promotion, also in October 2020. He outlined several events that were held, promoting the Cultural District.

He said new signage is being designed and is in production for the district, with installation scheduled for May 2021. The project is supported by $4,800 from the Texas Commission of the Arts Focal District Grant.

The easy-to-read signage will engage a new brand and will encourage a more user-friendly experience downtown. The new directional signs will be located along major streets, and the project will include a map of downtown destinations, at the kiosk, located on Houston and Crockett Streets. A planned unveiling will be announced in May 2021.

Plans include coordinated banners, litter clean-up, streetscape elements, art work focused on rejuvenating Wall Street, and art tours. In the Summer of 2021, they will have mural creation on

Wall Street, a youth art project, and additional exhibits. The Annual Taco Tour will also be held again this year and Arts Fest will be held in September 2021.

Mr. Brown thanked the City Council for their support and Cary Wacker for her coordination of the effort.

EMERGENCY REPAIR OF STEPHENS 1T WATER WELL

REPAIR AND REWORK THE STEPHENS 1T WELL UNDER AN EMERGENCY DESIGNATION

Mr. Pruitt said the Stephens 1Trinity Well failed and the City hired Weissinger to pull and inspect the well. Their assessment was that the motor bearing failed, causing the motor to fail. Therefore the well needs a new motor and bearing.

Emergency bidding was done on the Luella 3T well, and Weissinger was the low bid. Mr. Pruitt asked Council for permission to proceed with well repairs under the emergency designation.

Deputy Mayor Holland confirmed that the bearings wore out and the pump failed. The estimate is for the motor and the bearing. Mr. Pruitt said lead time on the repair is two to three weeks.

ACTION TAKEN.

Motion by Council Member Melton, to approve emergency repairs to the Stephens 1T Well, as presented. Second by Council Member Stevenson.

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

ANNEXATION SCHEDULING PLAN (THREE OAKS DEVELOPMENT)

CONSIDER APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION OF APPROXIMATELY 24.415 ACRES OF LAND LOCATED EAST OF U.S. HWY 75, SOUTH OF PARK STREET AND ALONG EAST SHERMAN STREET, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; AND DIRECTING THE DEPARTMENT OF ENGINEERING SERVICES TO DEVELOP A SERVICE PLAN FOR THE AREA TO BE ANNEXED UPON APPROVAL OF THE ANNEXATION SCHEDULING PLAN

Mr. Philpott said the request is for approval of an Annexation Scheduling Plan for the annexation of approximately 24.415 acres of land, located east of Hwy 75, south of Park Street, and along East Sherman Street.

The owner has submitted development plans to the Engineering Department for a single-family subdivision. The subdivision will meet all the current City ordinances, and will include water, sewer, streets, and storm drainage.

The annexation will be set for consideration at the April 5, 2021 Council Meeting.

ACTION TAKEN.

Motion by Council Member Stevenson, to approve the Annexation Scheduling Plan for approximately 24.415 acres of land located east of US Hwy 75, south of Park Street, and along East Sherman Street, also known as Three Oaks Development, in the City's ETJ, as presented. Second by Council Member Melton.

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

POLICE HEADQUARTERS

RECEIVE PRESENTATION FROM POLICE CHIEF ZACHARY FLORES AND HIDELL & ASSOCIATES ARCHITECT AARON BABCOCK ON THE SCHEMATIC DESIGN FOR THE SHERMAN POLICE DEPARTMENT HEADQUARTERS

Aaron Babcock, Hidell & Associates, updated the Council on the schematic design for the Police Department Headquarters. The facility will be located at the intersection of West Travis Street and Northgate Drive.

The site has a considerable amount of grade and he addressed the layout of the facility to adapt to the grade. The site will contain the main building and an annex facility, as well as ample parking. The facility will feature security fencing and a steel retaining wall to provide an impact barrier.

Mr. Babcock addressed architectural elements including those common among municipal buildings and those that tie in with local architecture and other City buildings. There will also be a canopy system and a dark brown accent color that ties in with Fire Station #5, located nearby. He also presented a conceptual rendering of the proposed facility.

Mr. Hefton said they are making great progress on the design and the mass elements of the facility. There will be a presentation at the Budget Workshop and also discussion at the CIP Meeting. At the CIP Meeting, they will have a complete rendering and a cost estimate for construction of the facility.

APPROVE FINAL PLAT HIGHLAND MEADOWS ESTATES, PHASE 3 (800 BLOCK RIDGEVIEW DR.)

FINAL PLAT APPROVAL OF HIGHLAND MEADOWS ESTATES, PHASE 3, BEING A REPLAT OF LOTS 65-69, 74 AND THE ADJACENT ROADWAY OF HIGHLAND MEADOWS ESTATES IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING A PART OF LOTS 64 AND 75 AND ALL OF LOTS 65, 66, 67, 68, 69, AND 74 OF HIGHLAND MEADOW ESTATES (CONTAINING 12.152 ACRES); RANDY O'BRIEN, OWNER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR (800 BLOCK RIDGEVIEW DRIVE (ETJ)

The City Council approved the Highland Meadows Estates, Phase 3 Final Plat, located in the City's Extra Territorial Jurisdiction, in the 800 block of Ridgeview Drive. The property is off of SH 11, and the owner would like to Replat the property into ten lots for residential development.

The Final Plat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

APPROVE REPLAT W. ELLIOTT'S ADDITION (700 BLOCK S. WILLOW & 800 BLOCK E. ODNEAL)

REPLAT APPROVAL OF W. ELLIOTT'S ADDITION, BLOCK 11, LOTS 16R, 17R, 18R & 19R, BEING A REPLAT OF LOTS 16 THRU 24, BLOCK 11, W. ELLIOTT'S ADDITION, BEING 0.728 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NO. 963, AND BEING ALL OF LOTS 16 THRU 24, BLOCK 11, W. ELLIOTT'S ADDITION; ROBERTO & NANCY GARCIA, OWNER; AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (700 BLOCK SOUTH WILLOW STREET AND 800 BLOCK EAST ODNEAL STREET)
The City Council approved the Replat of the W. Elliott's Addition, located in the 700 block of South Willow Street and the 800 block of East Odneal Street. The property is zoned an R-1 (One Family Residential) District, and the owner would like to Replat the property into four lots for residential development.

The Replat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

APPROVE FINAL PLAT THOMPSON ADDITION (2952 LUELLA RD.)

FINAL PLAT APPROVAL OF THOMPSON ADDITION ON LUELLA ROAD, LOTS 1 & 2 IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 11.460 ACRES IN THE WINIFRED BAILEY SURVEY, ABSTRACT NO. 64; RANDY & AMY THOMPSON, OWNER; AND PRESTON TRAIL LAND SURVEYING, LLC, SURVEYOR (2952 LUELLA ROAD IN ETJ)
The City Council approved the Final Plat of Thompson Addition on Luella Road, in the City's Extra Territorial Jurisdiction, at 2952 Luella Road. The owners would like to Plat the property into two lots for residential development.

The Final Plat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

APPROVE REPLAT SOUTH SIDE ADDITION (2005 S. SAM RAYBURN FRWY)

REPLAT APPROVAL OF BLOCK 43R, LOT 1, SOUTH SIDE ADDITION, BEING A REPLAT OF THE FINAL PLAT OF BLOCK 43R, LOT 1, SOUTH SIDE ADDITION, BEING A 13.59 TRACT IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667, ALSO BEING MULTIPLE TRACTS: TRACT 1, BEING A 7.036 ACRE TRACT; TRACT 3, BEING ALL OF BLOCKS 38, 39 AND A PORTION OF BLOCK 37 OF THE REPLAT OF BLOCKS 4, 5, 6, 15, 16, 17, 29, 31, 40, AND 41 OF SOUTHSIDE ADDITION; AND TRACT 4, BEING A 0.888 ACRE TRACT, EXCEPT A CALLED 0.487 ACRE PORTION OF LOTS 7-12, BLOCK 39 AND TRACT 4, BEING A PORTION OF COTTAGE AVENUE (UNIMPROVED) ABANDONED BY CITY ORDINANCE NO. 4880, DESCRIBED IN QUITCLAIM DEED, VOLUME 2967, PAGE 608, O.P.R.G.C.T; FRHP LINCOLNSHIRE, LLC, OWNER; CAMPING WORLD AND GOOD SAM, TENANTS; AND CEI ENGINEERING ASSOCIATES, INC., CIVIL ENGINEER AND SURVEYING (2005 SOUTH SAM RAYBURN FREEWAY)
The City Council approved the Replat of Block 43R, Lot 1, South Side Addition, located at 2005 South Sam Rayburn Freeway. Camping World and Good Sam are the tenants. The property is zoned a C-1 (Retail Business) District and M-1 (Light Manufacturing) District, and is located in the O-1.2 (Sam Rayburn) Overlay District. The owner would like to Replat the property into one lot for commercial development.

The Replat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

APPROVE REPLAT AFFORDABLE SHERMAN ADDITION (1300 S. FM 1417)

REPLAT APPROVAL OF TRACT A AFFORDABLE SHERMAN ADDITION, BEING A REPLAT OF LOTS 2-6, BLOCK 6, HERITAGE FARMS ESTATES, A REPLAT OF LOT 2, BLOCK A, COUNTRY RIDGE ESTATES #10, BEING LOTS 2-6, BLOCK 6, HERITAGE FARMS ESTATES, REPLAT LOT 2, BLOCK A, COUNTRY RIDGE ESTATES #10, CONTAINING 4.91 ACRES; SHERMAN AFFORDABLE STORAGE INC., OWNER; AND CENTERLINE ENGINEERING AND CONSULTING, LLC, CIVIL ENGINEER/ SURVEYOR (1300 SOUTH FM 1417 (HERITAGE PARKWAY)

The City Council approved the Replat of Tract A Affordable Sherman Addition, located at 1300 South FM 1417. The property is zoned a C-1 (Retail Business) District and located in the O-1.1 (FM 1417) Overlay District. The owner would like to Replat five lots into one lot for commercial development of a Mini-Warehouse Facility.

The Replat was originally scheduled for the Planning and Zoning Commission Meeting on February 16, 2021, but due to the snow storm and power outages, the meeting was canceled.

The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091. The staff recommended approving the Final Plat as requested by the applicant.
CONSENT AGENDA.

MEDIA QUESTIONS — **MEDIA QUESTIONS**

There were no media questions.

COUNCIL COMMENTS

COUNCIL MEMBER ATTENDANCE BY ZOOM — **COUNCIL MEMBER ATTENDANCE BY ZOOM**

Council Member Howeth said she was in the San Francisco Bay area of California, joining the meeting by Zoom. She mentioned the warm weather in Sherman and said it was really cold there.

ANNOUNCEMENTS — **ANNOUNCEMENTS**

Mayor Plyler announced the following:

- **Thanked the staff that helped with the St. Patrick's Day Parade this weekend.**
- **Coffee with the Mayor will be held on April 2, 2021, at the First United Bank on Taylor Street. The Hot Summer Nights lineup will be announced.**
- **Downtown Sherman Now will host a huge sidewalk sale around the Court House Square on April 24, 2021. More than 25 local businesses will be participating.**

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

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

TEX. GOV'T CODE § 551.071 --
SEEKING THE ADVICE OF ITS ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR ANY MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF

PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT

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

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

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

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

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

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

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

On Motion duly made and carried, the Executive Session recessed at 7:10 p.m. and reconvened in Open Meeting.

OPEN MEETING **OPEN MEETING**

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

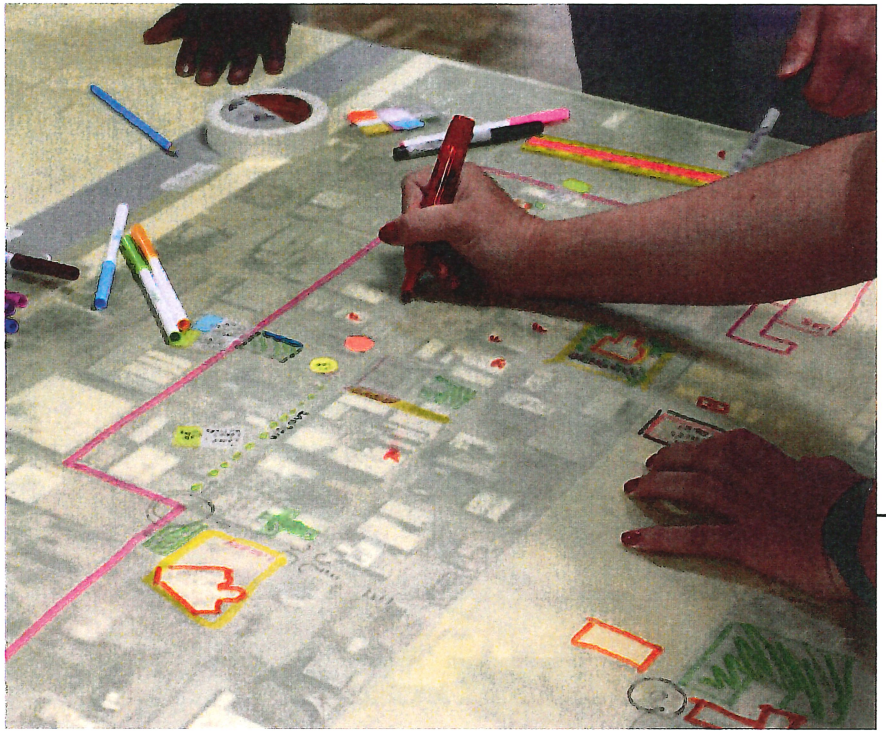
ADJOURNMENT **ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 7:11 p.m.

MAYOR

CITY CLERK

ARTS COUNCIL
OF FORT WORTH



Sherman Cultural District

CREATIVE PLACEMAKING REPORT

2020

Foreward

ARTS COUNCIL
OF FORT WORTH

Sherman has much to celebrate! This charming North Texas City is poised to embark on an exciting venture brought to fruition by the culmination of the 2018 Texas Commission on the Arts designation of the Sherman Cultural District and the award of the Our Town Grant from the distinguished National Endowment for the Arts.

The strength of partnership between the City of Sherman, Austin College, business leaders, and community stakeholders, has built a bridge for citizens to embrace art as a unique and vital resource to help shape and reflect Sherman's cultural identity. This important work represents the City's commitment to cultivate community through culture, enhance civic design, promote tourism and economic investment, and bolster a sense of pride in place.

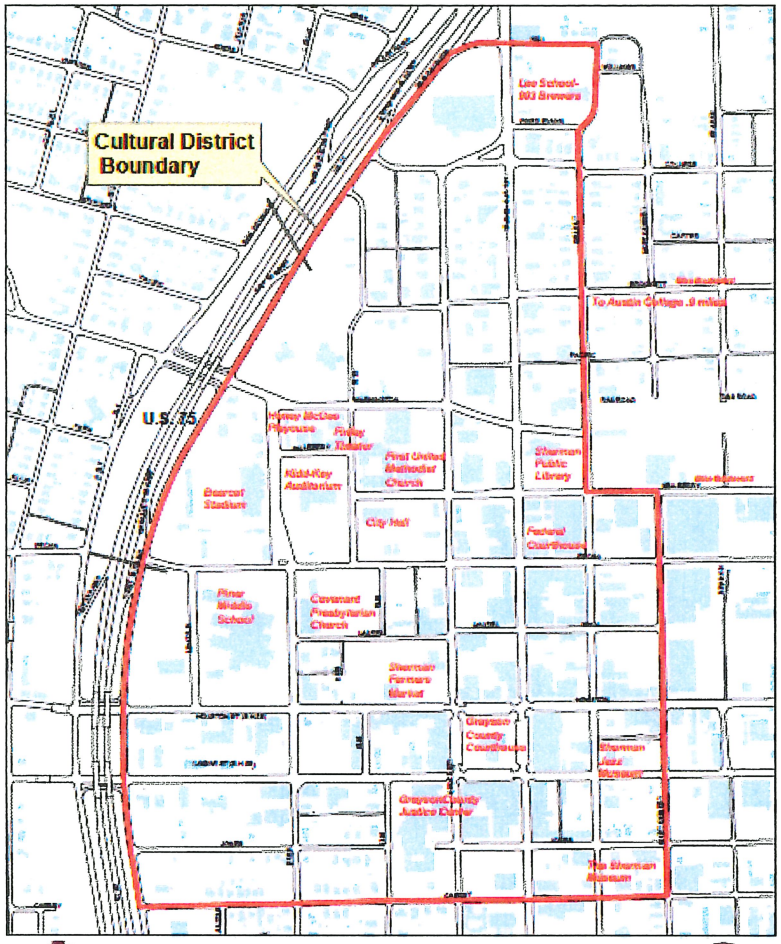
We are pleased to present this document as a tool to help navigate Sherman's vision to incorporate public art into the landscape of everyday life. The goal has been to establish a strategy for the selection of meaningful art projects that create a positive and inclusive place that will bring people together. While building a vibrant downtown through planning and revitalization, the time is ripe to grow a public art program to reinforce and amplify the City's role as a cultural hub and destination in North Texas. It has been an honor for Martha Peters and me to work with you on this project and we look forward to experiencing with you the transformation of Sherman through the lens of public art.

Karen Wiley, President & CEO, Arts Council of Fort Worth

"The Sherman Cultural District is a lively, imaginative, and evolving artistic hub that engages all people in the creative life of the community."

VISION

SHERMAN CULTURAL DISTRICT STRATEGIC PLAN 2018 - 2023



Sherman
ENGINEERING DEPT
220 W MULBERRY
SHERMAN, TX 75090

Cultural District Boundary
Landmark Buildings

1 inch = 500 feet

Sherman
ARTS + CULTURAL DISTRICT

Texas Commission on the Arts
State Cultural District

"The mission of the Sherman Cultural District is to advocate for the arts and artists, improve the built environment, promote arts-based tourism and economic growth, and create opportunities for inclusive cultural and civic engagement with art in all forms."

MISSION

SHERMAN CULTURAL DISTRICT STRATEGIC PLAN 2018-2023

Introduction

ARTS COUNCIL
OF FORT WORTH

In January 2017, Cary Wacker and a group of Austin College students visited the Arts Council of Fort Worth to gain an understanding of the role our organization plays in supporting the arts in Fort Worth. A key interest was the Fort Worth Public Art program, established by City Council in 2001 and managed by the Arts Council. We shared information and ideas over a few hours in our conference room at the Fort Worth Community Arts Center overlooking the Fort Worth Cultural District.

Fast forward to Spring 2020, when Ms. Wacker shared the news of Sherman's new state-designated Cultural District and of the *Focalpoint(!) project*. As a culmination of that effort, we were invited to facilitate a Creative Placemaking Workshop to develop initial recommendations as a starting point for creating a public art plan.

On a tour of the Sherman Cultural District in June 2020, I learned about Kidd-Key College and Conservatory (1892-1935) and came to appreciate just how deeply rooted the arts are in the community. On July 17, 2020, Creative Placemaking Workshop Panelists and community stakeholders discussed types of public art projects and potential locations in and around the Sherman Cultural District. One week later, the Creative Placemaking Workshop was held to generate specific ideas for public art that build upon the Sherman Cultural District Strategic Plan. The community was invited to an informal presentation at the end of the day.

It has been invigorating to engage with a diverse group of citizens and guests with backgrounds in visual art, theater, graphic design, architecture, and planning, along with elected officials, in this process. Clearly, there is all the talent, vision and enthusiasm to establish a successful public art program that will contribute to making the Sherman Cultural District a lively, walkable, entertaining, and artful destination for residents and visitors alike.

Martha Peters, Director of Public Art, Arts Council of Fort Worth

Focalpoint(!)

Community Photography Project | Sherman TX

ART WORKS. | National Endowment for the Arts arts.gov

AUSTIN COLLEGE

Sherman
ARTS + CULTURAL DISTRICT

Online Community Survey

JUNE/JULY 2020

What Attracts You?

1. **What attracts you to the Sherman Cultural District?**

83%	Arts Events
69%	Restaurants
68%	Festivals
58%	Art Exhibitions / Art Classes

What Kind of Public Art?

2. **What kind of public art would you like to see in the Sherman Cultural District?**

83%	Murals
83%	Local Art
68%	Sculpture
58%	Performing Arts

Where?

3. Where within the Sherman Cultural District would you like to see public art?

92%	Outside Public Buildings
83%	Exterior Walls of Privately-Owned Buildings
81%	Landscape or Streetscape Elements
75%	Inside Public Buildings

Your Role?

4. **What role would you like to have in enhancing the Sherman Cultural District?**

73%	Attendee
54%	Volunteer
41%	Arts / Culture Organization
37%	Visual Artist

Recommendations

Connect Cultural Assets

Workshop panelists noted that most of the existing cultural assets in the Sherman Cultural District are located along E. Mulberry Street *(Elm to Walnut Streets)* and N. Walnut Street *(Mulberry to Cherry Streets).*

By thoughtful placement of public art along these two corridors an "Art Walk" would be created to encourage pedestrians to explore the district and visit these institutions. It could also be marketed as a tourist destination.

❖ Wall Street Mural Program

Exterior walls of historic buildings along Wall Street provide a series of "canvases" for murals of diverse styles and subjects. "Wall Street Walls" was the suggested name. Property owners could become key partners in this effort, both by granting permission for placement of a mural on their wall(s) and, ideally, underwriting all or some costs of materials, including artist's fee, wall preparation and good quality paint ($25 - $50 per square foot). Since murals have a limited lifespan, it is suggested that murals be considered "long-term temporary", allowing for new murals to be painted in the same location(s) over time.

Wall Street, Sherman

❖ Wall Street Mural Program

Inspiration Alley, The Foundry District, Fort Worth

This program would provide opportunities for diverse artists and institutions from throughout Sherman/Grayson County to have a presence in the Sherman Cultural District. In addition, artists from other North Texas cities could be selected to create murals through a "Call for Qualifications". A Design Review Committee that would include representatives of the Sherman Cultural District, Main Street, City of Sherman, the property owner, as well as visual art professionals is recommended. Contracts between the property owner and the artist(s)/institution(s) should be utilized to outline roles and responsibilities and state maintenance responsibilities and the lifespan for the mural(s).

Temporary Art Installations

- Empty Storefronts
- Abandoned Billboards
- Projections on Silos During Cultural District Events

❖ Temporary Sculpture Program

Short-term temporary sculpture exhibitions (3 – 6 months) could activate of the vacant lot on the southwest corner of Wall and Lamar Streets in an exciting way. Other potential locations include Kidd-Key Park and other green spaces, empty storefronts, as well as unconventional locations that artists could be asked to propose. Existing programs in Austin and Fort Worth could serve as models and a Cultural District grant from the Texas Commission on the Arts could be an excellent funding source.

❖ Temporary Sculpture Program

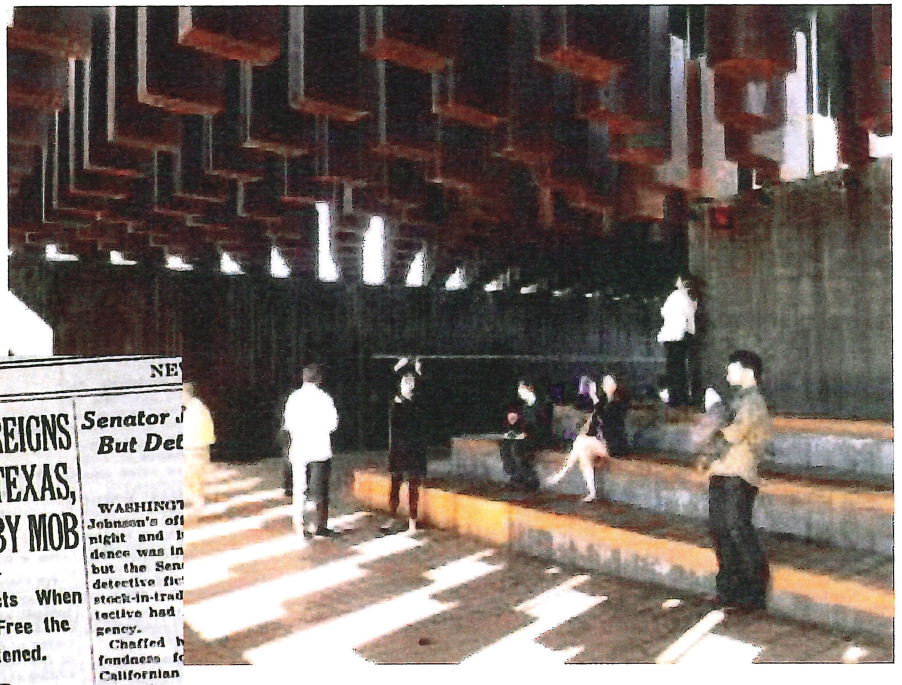
This approach could provide opportunities for diverse artists local and regional artists to make proposals within specific parameters. A Design Review Committee that would include representatives of the Sherman Cultural District, Main Street, City of Sherman and property owner providing the site, as well as visual art professionals is recommended. In addition, contracts between the property owner (s) and the artist(s) should be utilized to outline roles and responsibilities and state maintenance responsibilities and the duration of the installations.

Jihya HI on Untitled (Plinths) by Kris Pierce, Fort Worth Community Arts Center (fwcac.org)

Anne Allen, Art Tooth at SOMA, Fort Worth (arttooth.com)

Reflect Diverse Histories

- Texas Historical Commission Marker
- National Memorial for Peace and Justice



MARTIAL LAW REIGNS AT SHERMAN, TEXAS, TO END RULE BY MOB

Governor Moody Acts When Attack on Jail to Free the Rioters Is Threatened.

SIXTEEN ARRESTS MADE

Negro's Body Burned and Three Blocks in Colored Quarter Destroyed Before Riot Ends.

MORE TROOPS AT SCENE

Governor Declares He Will Use All His Powers to Send Leaders to Prison.

Special to The New York Times.

SHERMAN, Texas, May 10.—Fol-

❖ African American History

Confronting painful aspects of Sherman's history, such as the lynching of George Hughes and subsequent destruction of the thriving African-American Business District in May 1930, through engagement, education and a historical marker and/or work of public art opens a path to reconciliation and greater equity in the community. A two-fold approach should be considered:

- ✓ Commemorate the African-American Business District along East Mulberry Street with a marker at the southeast corner of the Sherman Public Library property, near the site of the former district
  - Apply for a **Texas Historical Commission** *Undertold Stories Historical Marker* utilizing University of North Texas Ph.D. candidate Donna J. Kumler's 1995 dissertation, which documented 6 businesses and 7 professional offices in the African-American Business District up to 1930
- ✓ Participate in the Equal Justice Initiative's *Community Remembrance Project* to honor the memory George Hughes at the **National Memorial for Peace and Justice** in Montgomery, Alabama and in Sherman, Texas

❖ Other Diverse Histories

Engaging diverse communities in Sherman, including recent immigrant communities, will be an important effort to undertake. The stories that unfold could become rich subject matter for murals, temporary or permanent public artworks in the Cultural District so that all residents of Sherman see themselves reflected in there. The first steps might be the following:

- ✓ Engage diverse local artists to propose mural or temporary art projects that share untold stories
- ✓ Identify a local historian to gather written documentation of community histories in Sherman and Grayson County
- ✓ Identify an experienced community facilitator to conduct meetings or workshops to reveal diverse histories
- ✓ Work with Austin College and/or the Sherman ISD to discuss establishing an oral/video history project that the students could undertake as part of a class assignment

Permanent Sculpture Commissions

- Streetscapes and Green Spaces
- May be functional
- Require larger budgets, longer timelines and management

Leticia Huerta, *Back to Nature*, 2017, Hemphill Berry Urban Village, Fort Worth

❖ Permanent Sculpture

After the Sherman Cultural District has completed some murals and temporary sculpture installations programs and has gathers diverse community histories, planning for more ambitious, permanent works should commence.

It would be advisable to hire a public art consultant to assist with planning, artist selection and management of the artist's contract from design through installation to insure a successful outcome. Ideally, a local arts professional would work closely with the consultant to assist and gain experience with public art project management.

It is suggested that the pool of potential artists for such a project be widened to include North Texas artists with public art experience that would widen the array of styles, materials and techniques for consideration.

Establish a Public Art Committee

- To Oversee the Public Art Program
- Set Program and Project Goals
- Seek Locations and Funding Sources

❖ Public Art Committee

To provide structure to Sherman's fledgling public art program, it is important that the Sherman Cultural District:

- ✓ Identify and formalize a relationship with an existing not-for-profit organization or institution, ideally with ties to the City of Sherman

- ✓ Appoint a Public Art Committee (PAC) composed of 5 – 7 diverse citizens, most with expertise in the arts and design fields, for staggered terms of office

Once established, the PAC should:

- ✓ Elect a Chair and Vice Chair, develop by-laws, set a regular meeting schedule and prioritize project(s) to undertake during the first few years

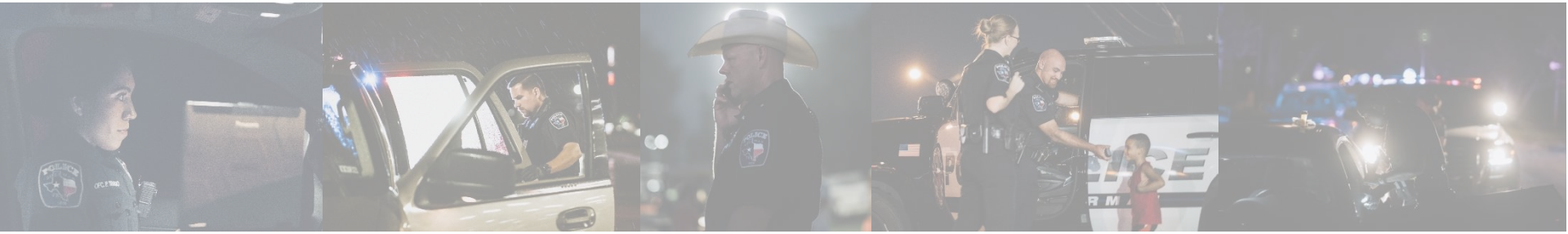
- ✓ Initially, serve as volunteer staff to seek approval for public art locations and funding support for projects

- ✓ While the PAC may serve as an artist selection panel for the initial project(s), it is recommended that others in the community be invited with serve on artist selection panels which would include at least one PAC member.

❖ Short-Term Goals

1. Launch the "Wall Street Walls" Mural Program by commissioning a first mural
   - Identify location / budget & funding source / thematic approach / artist selection process
2. Engage Sherman's diverse community in conversations about their untold stories to inform future murals, temporary, and permanent artworks
3. Commission temporary artwork(s) for existing events after COVID-19 restrictions are lifted
4. Identify a permanent structure for the Sherman Cultural District Public Art Program
5. Develop a plan for future permanent public artworks

City Council Review Session



SHERMAN POLICE HEADQUARTERS

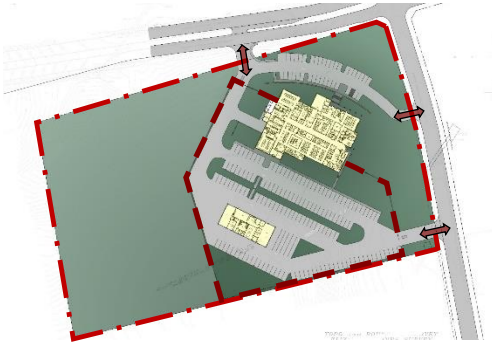
Concept Presentation
3.15.2021

PREPARED BY
HIDELL AND ASSOCIATES ARCHITECTS, INC.

AGENDA

FACILITY SITE LAYOUT

- *REVIEW SITE LAYOUT COMPONENTS*



BUILDING MASSING

- *REVIEW SITE LAYOUT WITH BUILDING A AND BUILDING B*

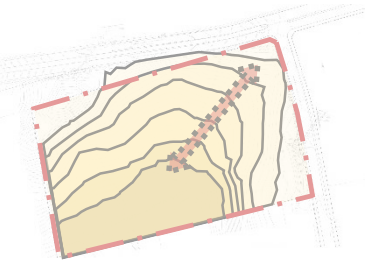
ARCHITECTURAL ELEMENTS

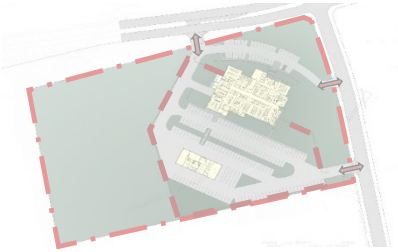
- *REVIEW ARCHITECTUAL ELEMENTS IN CIVIC FACILITIES*
- *REVIEW ARCHITECTURAL ELEMENTS IN SHERMAN TEXAS*

CONCEPTUAL RENDERINGS

- *PROPOSED SHERMAN POLICE HEADQUARTERS RENDERINGS*

FACILITY SITE LAYOUT



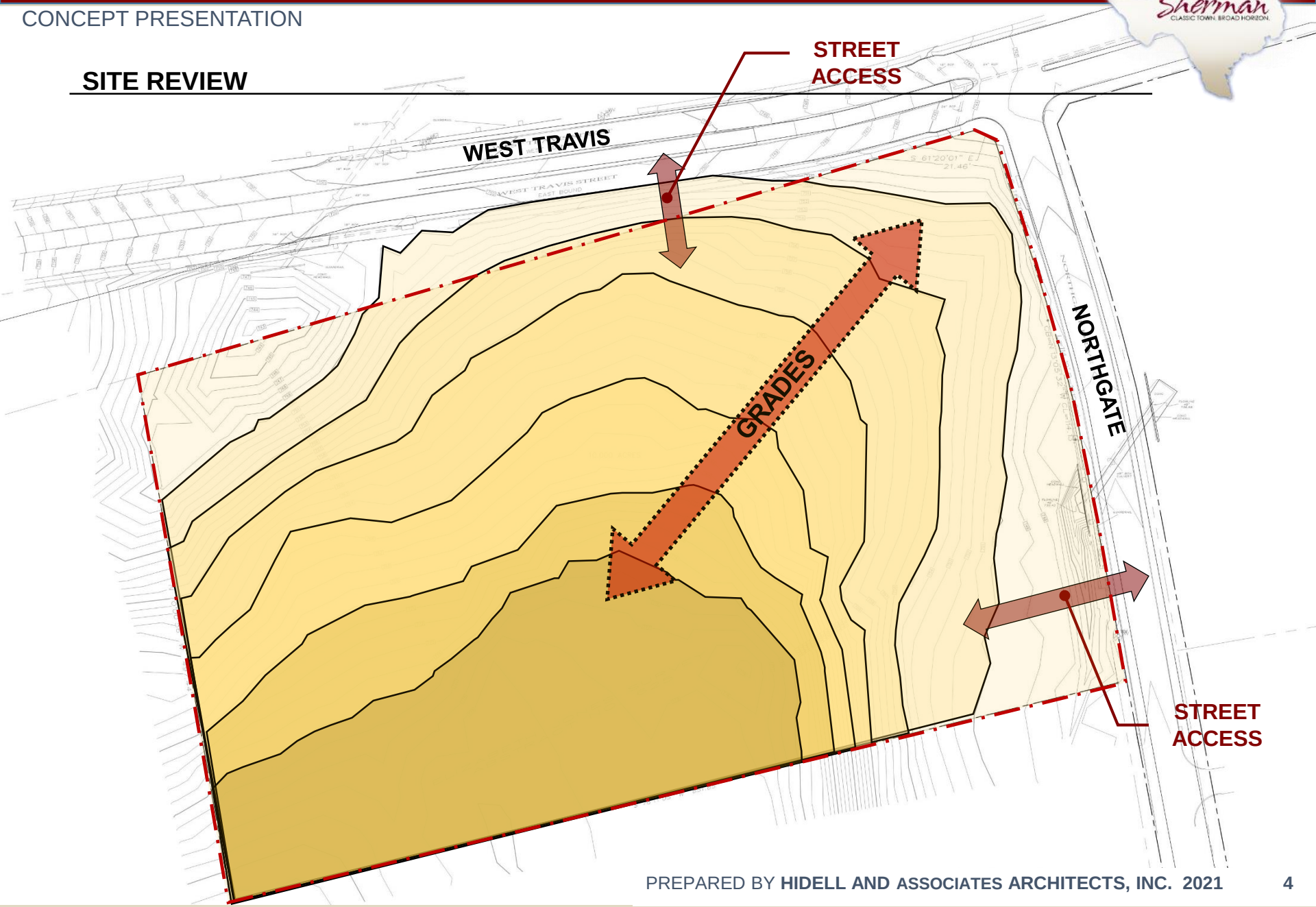


SHERMAN POLICE HEADQUARTERS

SHERMAN POLICE FACILITY HEADQUARTERS

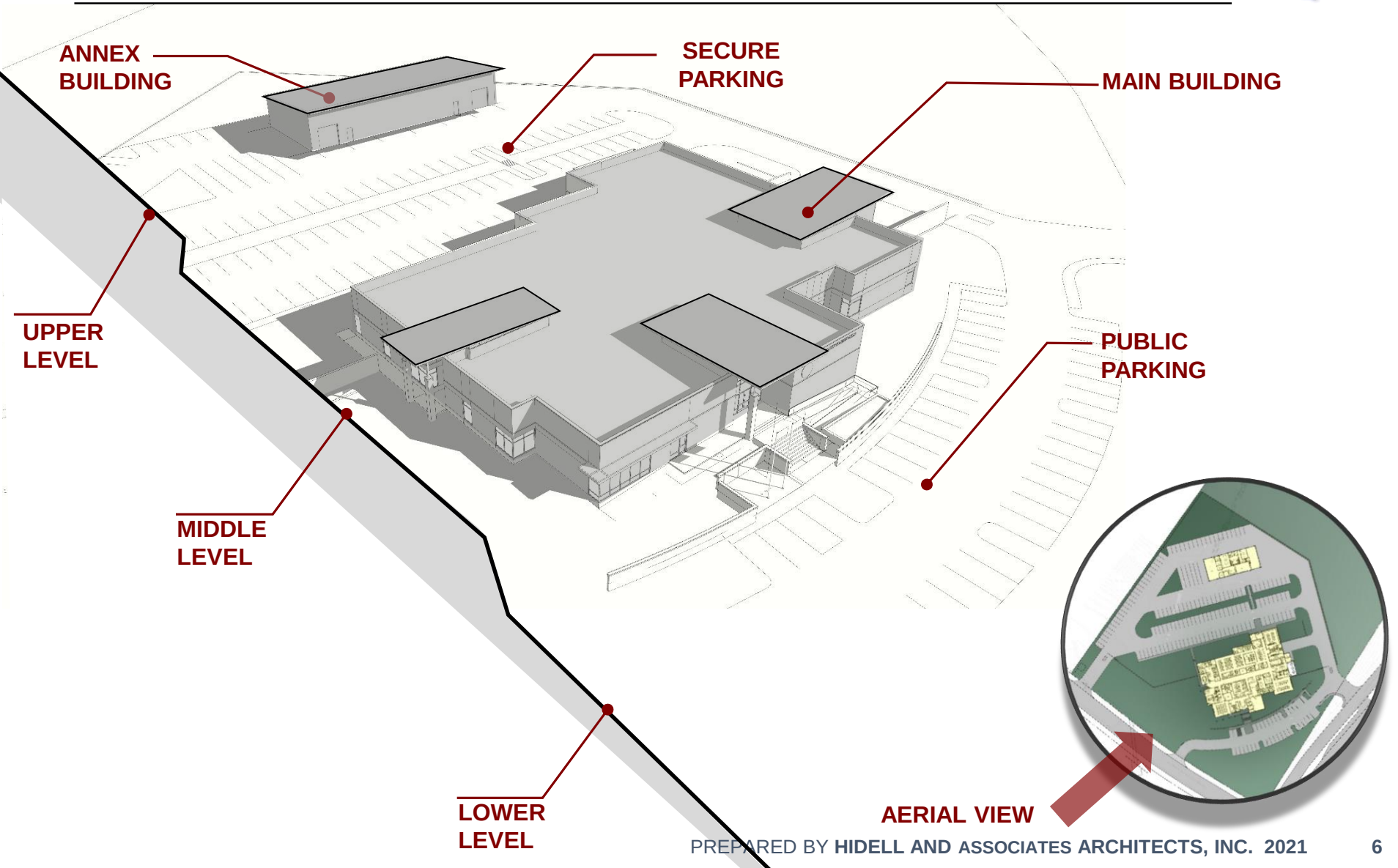
CONCEPT PRESENTATION

SITE REVIEW



SITE PLAN LAYOUT

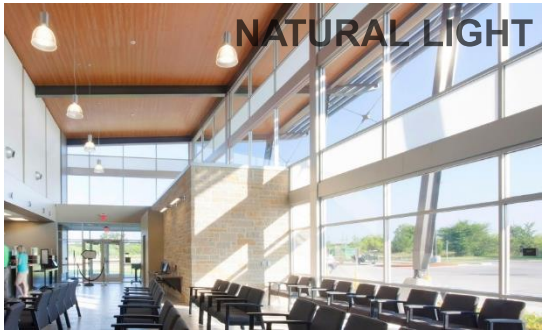
POLICE HQ – MASSING MODEL



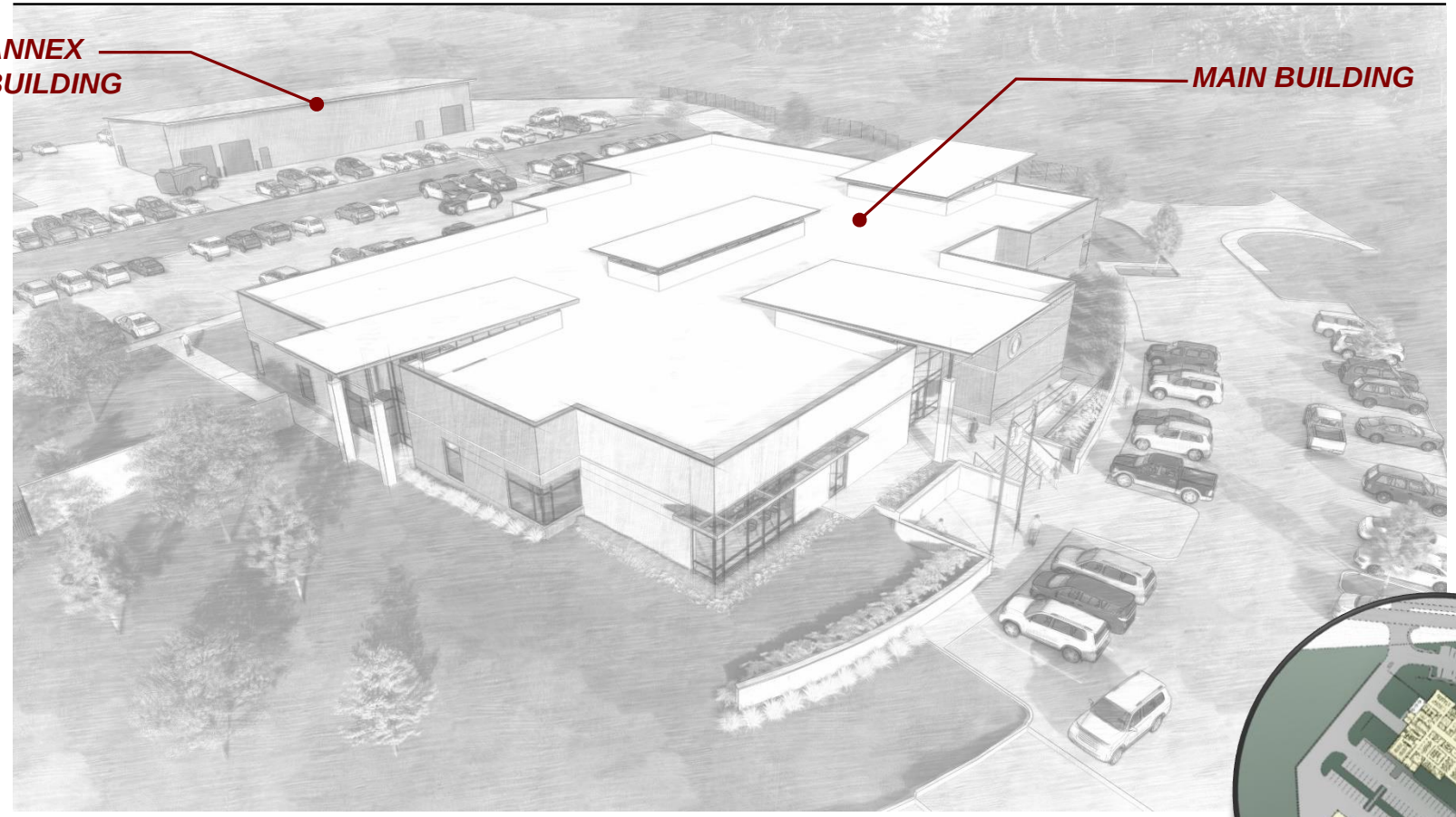
ARCHITECTURAL STYLE – ESTABLISH A VISION

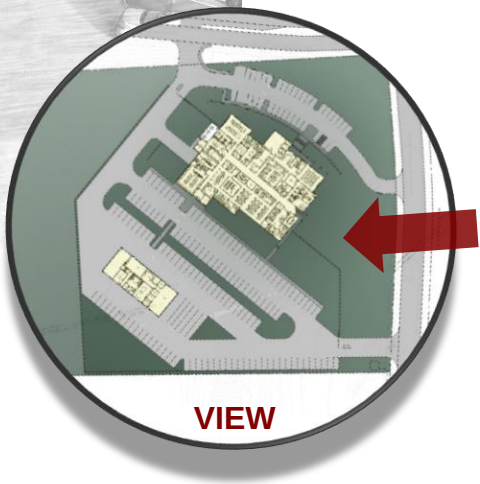
SHERMAN POLICE HEADQUARTERS

MUNICIPAL ARCHITECTURE – ESTABLISHING A VISION

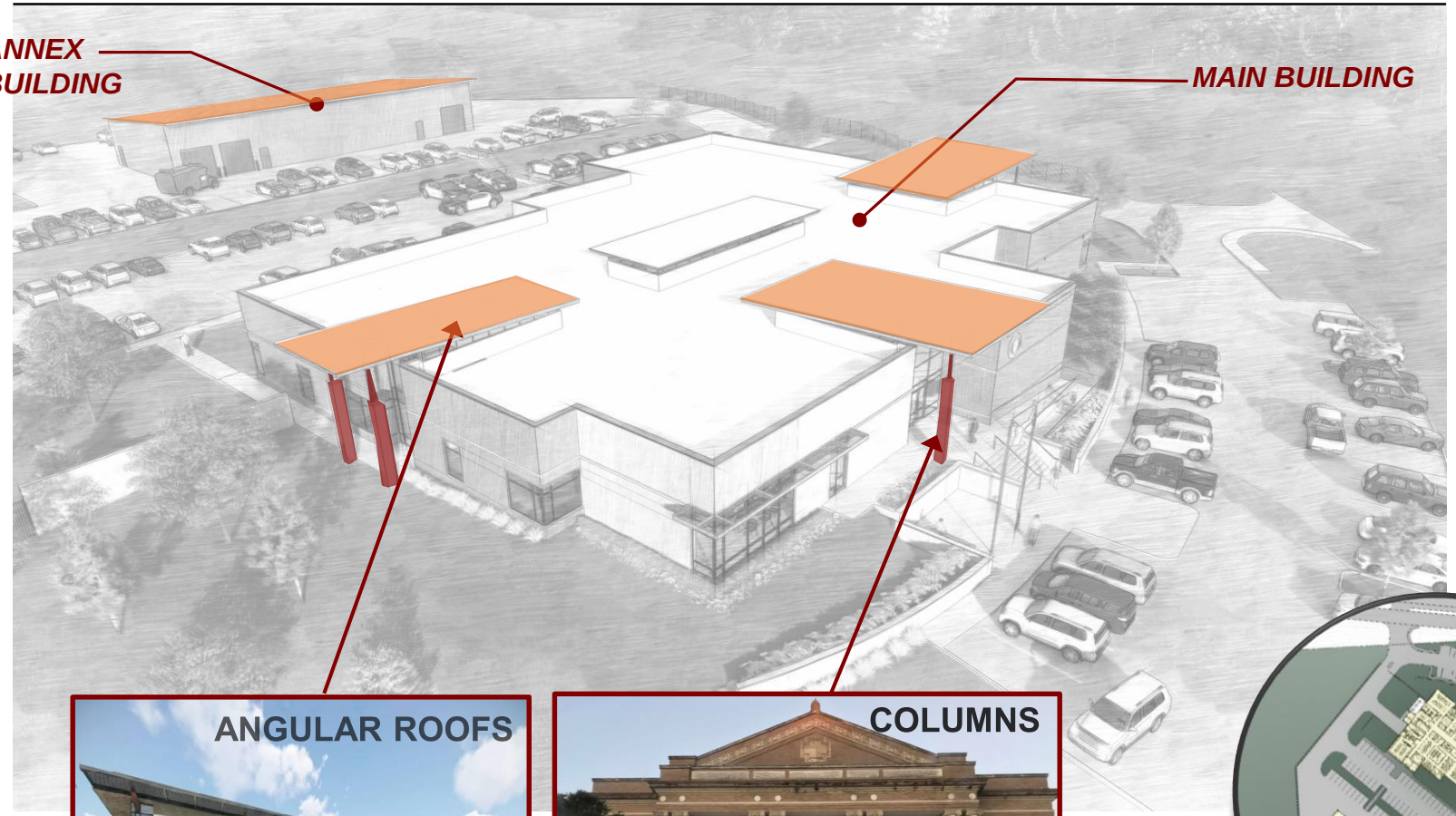


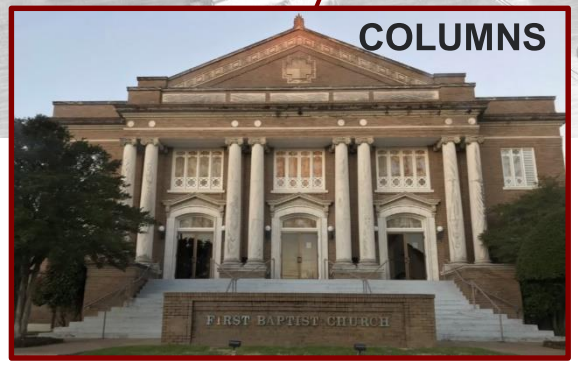
POLICE HQ – MASSING ELEMENTS

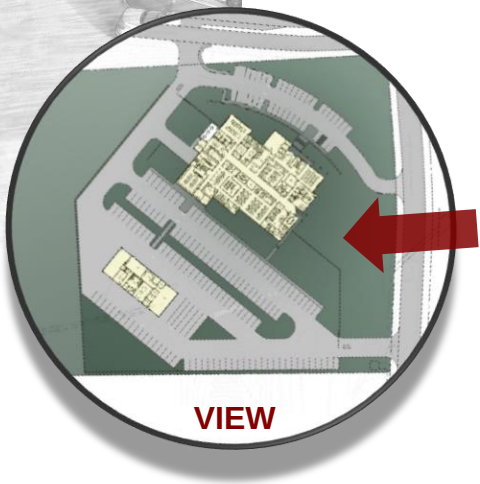




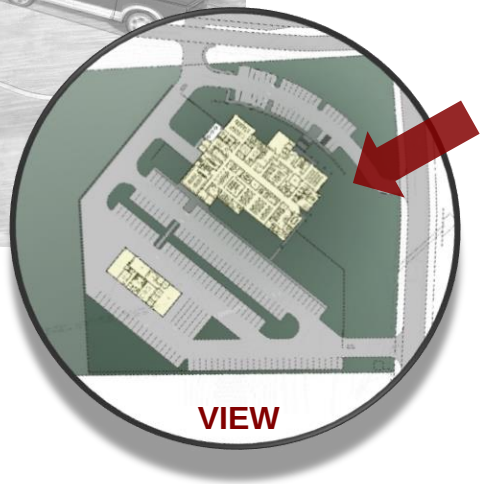
POLICE HQ – MASSING ELEMENTS



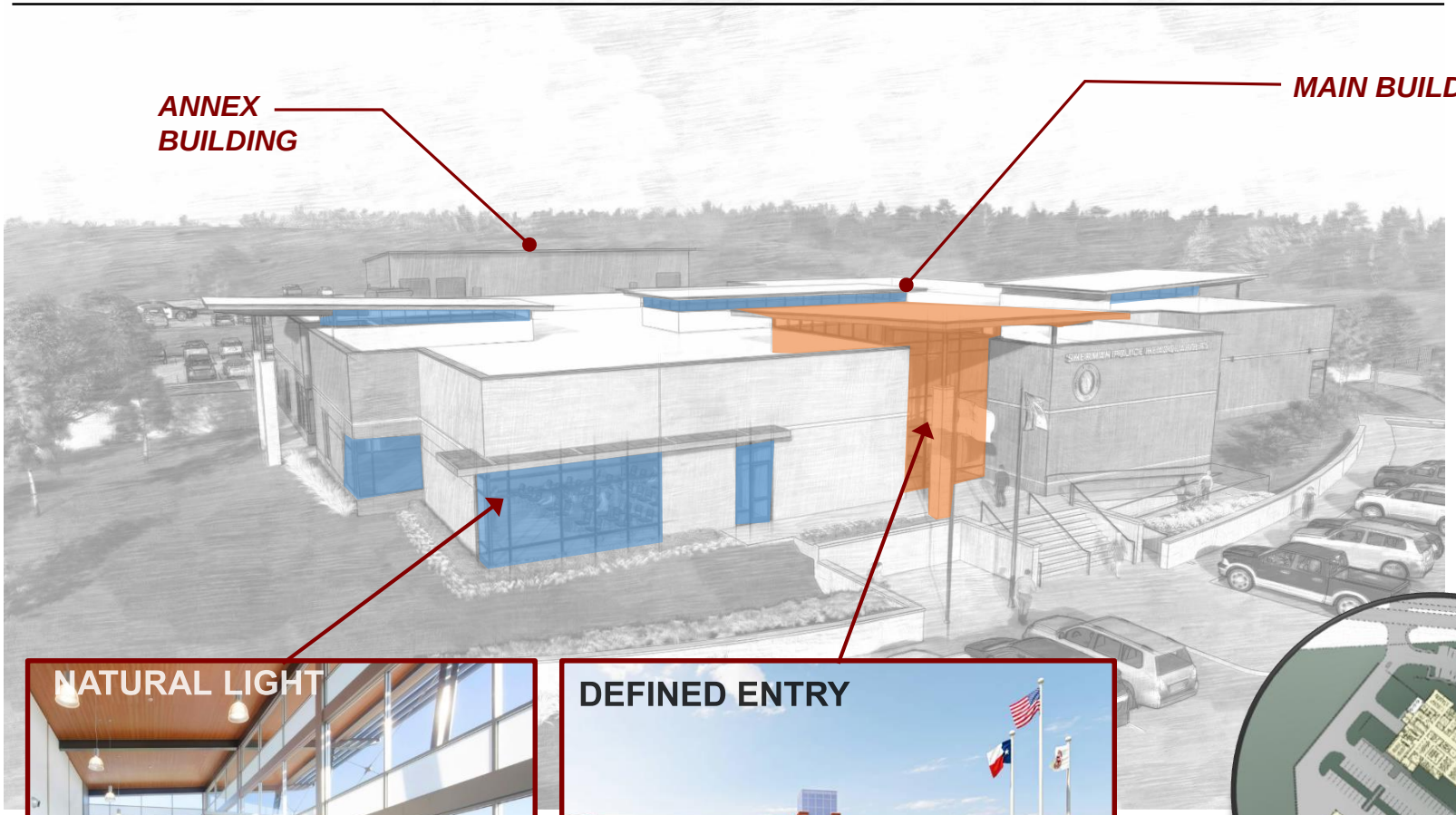


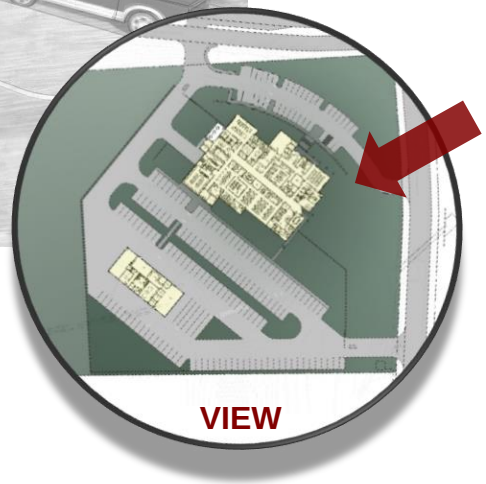


POLICE HQ – MASSING ELEMENTS



POLICE HQ – MASSING ELEMENTS





POLICE HQ – MASSING ELEMENTS

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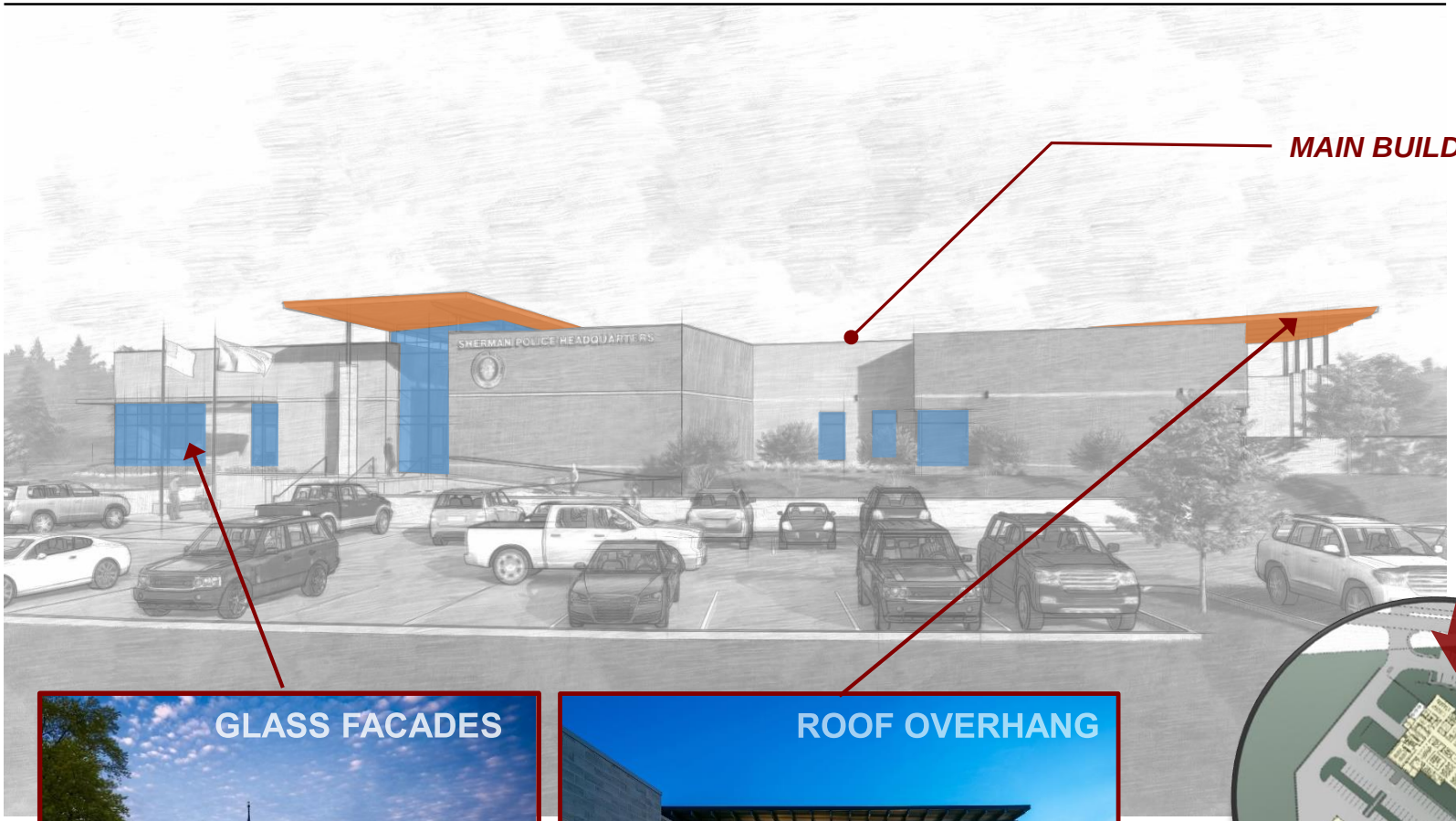

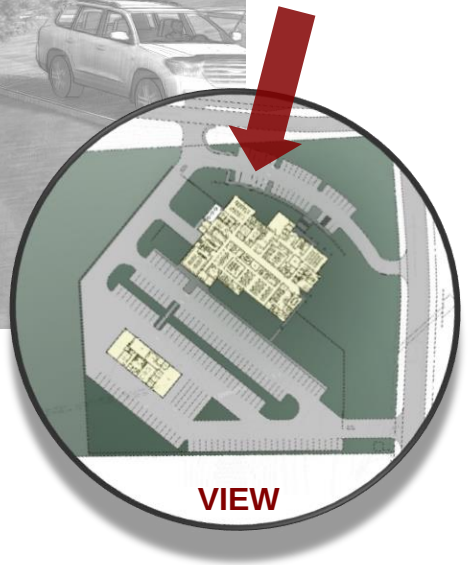

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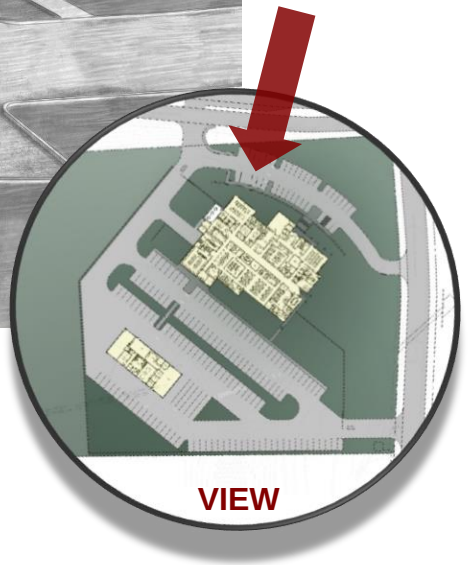
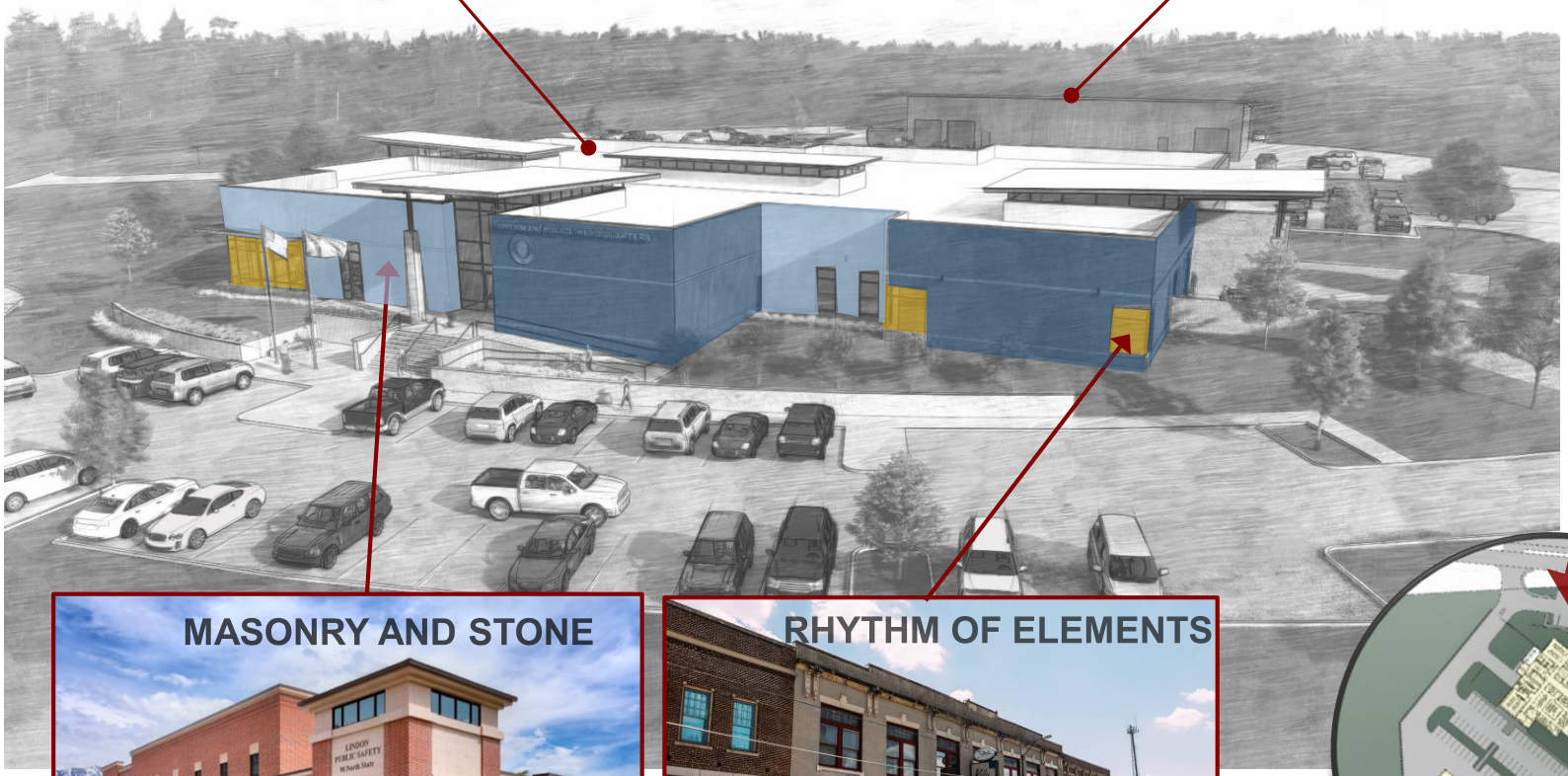
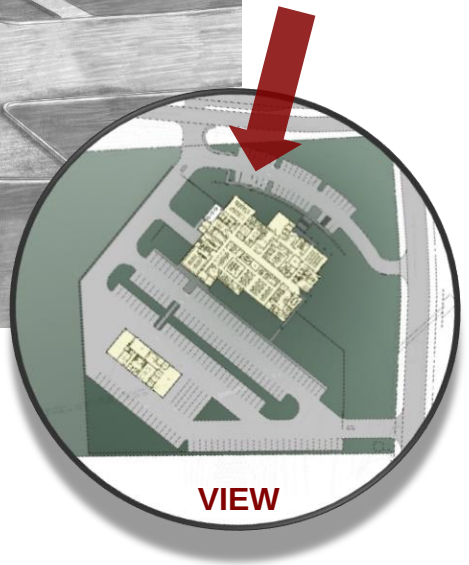


POLICE HQ – MASSING ELEMENTS

MAIN BUILDING

ANNEX BUIDLING





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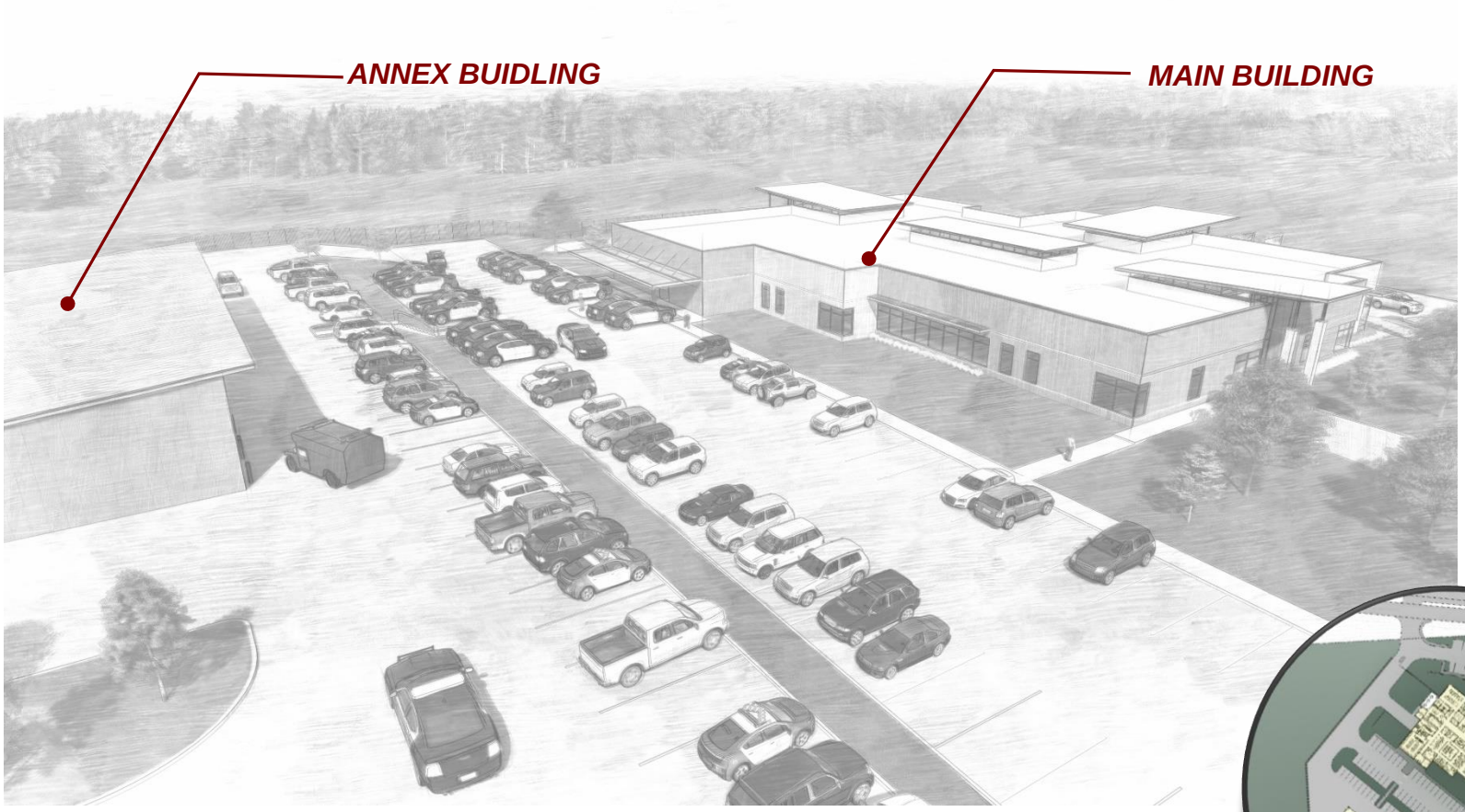

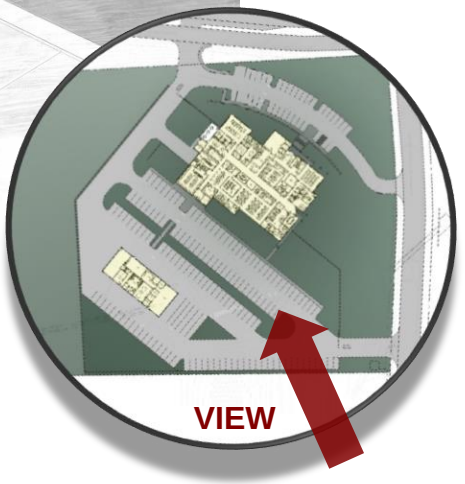

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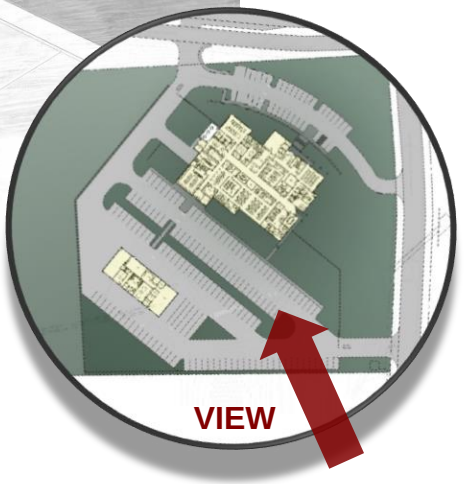


CONCEPT RENDERINGS

SHERMAN POLICE HEADQUARTERS

SHERMAN POLICE FACILITY HEADQUARTERS

CONCEPT PRESENTATION

POLICE HQ – CONCEPT RENDERING

SHERMAN POLICE FACILITY HEADQUARTERS

CONCEPT PRESENTATION

POLICE HQ – PROPOSED MATERIALS

POLICE HQ – CONCEPT RENDERING

POLICE HQ – CONCEPT RENDERING

SHERMAN POLICE FACILITY HEADQUARTERS

PROGRESS PRESENTATION

POLICE HQ – CONCEPT RENDERING

SHERMAN POLICE FACILITY HEADQUARTERS

PROGRESS PRESENTATION

POLICE HQ – PROPOSED MATERIALS

POLICE HQ – CONCEPT RENDERING

POLICE HQ – CONCEPT RENDERING

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 04/05/2021

Prepared By: Teri Fine, 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:

F. 3. **** OTHER BUSINESS***

Final Plat Approval of Mora's Addition, a Replat of the West 104 foot of Lots 21 thru 24, Block 7 of the W.P. Carter's Addition, being 0.239 acres in the J.B. McAnair Survey, Abstract No. 763 also being the west 104 foot of Lots 21-24, Block 7 of W.P. Carter's Addition; M&G Homebuilders, LLC, Owner; Martin Covarrubias, Representative; and Helvey-Wagner Surveying, Inc., Surveyor (1103 & 1105 North Broughton Street)

F. 4. **** OTHER BUSINESS***

Replat Approval of all of Lot 7, the east 20 ft. of Lot 9 and the west 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition, being 0.288 acres in the Samuel Blagg Survey, Abstract No. 56, being all of Lot 7 and the east 20 foot of Lot 9 and the west 10 foot of Lot 5, Block B, Ed Moore's Fair Ground Addition; Heriberto Garcia, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (420 & 422 West Tennessee Street)

F. 5. **** OTHER BUSINESS***

Final Plat Approval of Obara and Odwesso Addition, being 1.01 acres in the Elizabeth Jones Survey, Abstract No. 652; Peter Obara and Paul Odwesso, Owners; and Underwood Drafting and Surveying, Surveyor (1331 West Moore Street)

F. 6. **** OTHER BUSINESS***

Replat approval of Lots 14, 16 & the W/2 of 12, A. R. Loving's Addition, being all of Lots 14 & 16 and the West 2' of Lot 12 of A R Loving's Addition; Thomas L. Shields, Owner; Paul Terrell, Representative, NBS Drafting and Design, Draftsman and Copley Land Surveying, Surveyor (323, 325, 329, 331 and 333 W. Jones Street)

F. 7. **** OTHER BUSINESS***

Consider Request of the 2021 Earth Day Planning Committee to Temporarily Close Certain Streets for the "Texoma Earth Day Recycling Event" on Saturday, April 17, 2021.

F. 8. **** OTHER BUSINESS***

Final Plat approval of The Grove Addition, being 56.650 acres in the Elizabeth Jones Survey, Abstract No. 625; SSCGC Holdings, LLC, Owner; Grove Addition Development JV, Applicant; Civil Point Engineers, Civil Engineer; and Underwood Drafting and Surveying, Surveyor (2100 Blk. West Moore Street)

F. 9. **** OTHER BUSINESS***

Replat approval of Altona's Replat of Lot B, Taylor Plaza Addition, being 3.381 acres in the J. B. McAnair Survey, Abstract No. 763 and being all of Lot B of the Taylor Plaza Addition; Altona, Inc., Owner; GFM Architecture, Architect, Arris Consulting, Architect; and Underwood Drafting and Surveying, Surveyor (729 East Taylor Street)

F. 10. **** OTHER BUSINESS***

Final Plat approval of The Preserve, Phase III, being 16.393 acres in the Elizabeth Jones Survey, Abstract No. 625; Westar Home Builders, Owner; Ron Westervelt, Representative; and Underwood Drafting and Surveying, Surveyor (4000-4300 blocks Hummingbird Drive and 700 block Swan Ridge Drive)

F. 11. **** OTHER BUSINESS***

Replat approval of Texoma Rentals Addition, being a Replat of Lots 13, 14, 15, 16, 17, 18 and 19, Block 5, W. Elliott's Addition, being Lots 13, 14, 15, 16, 17, 18 & 19, Block 5, W. Elliott's Addition; Texoma Rent House LLC, Owner; and Underwood Drafting and Surveying, Surveyor (608 South Throckmorton Street)

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 04/05/2021

Prepared By: Teri Fine, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6367

Extending the Corporate Limits of Said City so as to Annex an Area of Land consisting of Approximately 24.415 acres generally located East of U.S. Hwy 75, South of Park Street and along East Sherman Street, Adjacent to the Sherman City Limits and in the City of Sherman's Extraterritorial Jurisdiction, on Application of the Landowner; Providing that the Owners and Inhabitants of the Subject Area of Land shall be entitled to the Rights and Privileges of other Citizens of the City of Sherman and shall be Bound by the Acts and Ordinances now in Effect and hereinafter Adopted; Authorizing Execution of the Annexation Service Plan Agreement; Providing for a Penalty for a Violation of this Ordinance and Sherman's General Zoning Ordinance, Ordinance No. 2280

Issue:

To introduce, hold a public hearing, and consider adoption of the annexation ordinance that extends the City of Sherman's corporate limits so as to annex approximately 24.415 acres of land located east of U.S. Hwy 75, south of Park Street and along east Sherman Street, adjacent to the Sherman City Limits, and in the City's extra territorial jurisdiction (ETJ), in accordance with state law and the City Charter

Background:

It is the City's intention to annex specifically identified individual areas in the City's ETJ, in accordance with state law and the City Charter. At its March 15th meeting, the City Council approved the schedule for annexation of this property, which set the public hearing for this the April 5th Regular Council Meeting, and adoption of the Ordinance for this same meeting.

This annexation was initiated by the property owner/developer, Three Oaks Development and Construction.

Origination:

Letter requesting annexation by Three Oaks Development and Construction, subject Property Owner / Developer

Financial Consideration:

Once developed, the additional property taxes on the land raised from this annexation are estimated at about $73,000.00 annually, which approximates the estimated costs associated with providing general City services.

Staff Recommendation:

It is recommended that the City Council introduce, hold the required public hearing, and consider adoption of the ordinance for annexation of this approximately 24.415 acres of land located east of U.S. Hwy 75, south of Park Street and along east Sherman Street, adjacent to the Sherman city limits and in the City of Sherman's ETJ.

Alternatives:

As directed by the City Council

Attachments

Ordinance No. 6367
Request for Annexation
Annexation Schedule
Exhibit A - Legal Description
Exhibit A - Annexation Drawing
Exhibit B - Annexation Service Plan Agreement (Unsigned)
Aerial Location Map

ORDINANCE NO. 6367

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX AN AREA OF LAND CONSISTING OF APPROXIMATELY 24.415 ACRES GENERALLY LOCATED EAST OF U.S. HWY 75, SOUTH OF PARK STREET AND ALONG EAST SHERMAN STREET, ADJACENT TO THE SHERMAN CITY LIMITS AND IN THE CITY OF SHERMAN'S EXTRATERRITORIAL JURISDICTION, ON APPLICATION OF THE LANDOWNER; PROVIDING THAT THE OWNERS AND INHABITANTS OF THE SUBJECT AREA OF LAND SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY OF SHERMAN AND SHALL BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND HEREINAFTER ADOPTED; AUTHORIZING EXECUTION OF THE ANNEXATION SERVICE PLAN AGREEMENT; PROVIDING FOR A PENALTY FOR A VIOLATION OF THIS ORDINANCE AND SHERMAN'S GENERAL ZONING ORDINANCE, ORDINANCE NO. 2280; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; 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, Three Oaks Development and Construction ("Landowner") is the sole owner of real property within that certain area of land consisting of 24.415± acres, situated in the Preston Kitchens Survey, Abstract No. 667, Grayson County, Texas, as more particularly described and depicted in Exhibit A, attached hereto and incorporated herein for all purposes ("Property"); and

WHEREAS, Landowner submitted an application to the City of Sherman, Texas ("Sherman"), requesting voluntary annexation of the Property into the city limits of Sherman; and

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to Sherman and its citizens to annex the Property under the authority of Chapter 43 of the Texas Local Government Code and the Sherman City Charter; and

WHEREAS, the City Council finds that Sherman has complied with all requirements for the consideration and adoption of this Ordinance pursuant to Chapter 43 of the Texas Local Government Code; and

WHEREAS, prior to conducting the public hearings required under Chapter 43 of the Texas Local Government Code, the City Council also investigated and determined that the Property is within the extraterritorial jurisdiction of Sherman and is adjacent and contiguous to the existing city limits of Sherman; and

WHEREAS, the Landowner and Sherman have negotiated and are prepared to enter into a written annexation service plan agreement, a copy of which is attached hereto as Exhibit B, in accordance with Section 43.0672 of the Texas Local Government Code; and

WHEREAS, the City Council finds that the field notes close the boundaries of the Property; and

WHEREAS, the City Council has conducted at least one public hearing at which persons interested in the annexation were given an opportunity to be heard regarding the proposed annexation; and

WHEREAS, the City Council finds that all legal notices, hearings, procedures and publishing requirements for annexation have been performed and completed in the manner and form required by law;

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

SECTION 1: Findings Incorporated. That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Annexation Service Plan Agreement. That the City Manager or his designee is hereby authorized and directed to execute, on behalf of Sherman, the annexation service plan agreement between Sherman and the Landowner, a copy of which is attached hereto as Exhibit B.

SECTION 3: Property Annexed. That the Property described as follows and all public streets, roadways and alleyways located within or contiguous to the same are hereby annexed to Sherman, to-wit:

> BEING the following tract of land located in Grayson County, Texas: 24.415± acres, situated in the Preston Kitchens Survey, Abstract No. 667; said Property is more particularly described and depicted in Exhibit A.

SECTION 4: Rights/Privileges/Inhabitants Bound by Ordinances and Regulations. That from and after the passage of this Ordinance, the Property shall be a part of Sherman, and the inhabitants thereof shall be entitled to all the rights and privileges of all the citizens of Sherman and shall be bound by all of the ordinances and regulations enacted pursuant to and in conformity with the City Charter and the laws of the State of Texas.

SECTION 5: Official Map and Boundaries Amended. That the official map and boundaries of Sherman are hereby amended to include the Property as part of Sherman. A certified copy of this Ordinance shall be filed in the County Clerk's Office of Grayson County, Texas.

SECTION 6: Unlawful Use. That it shall be unlawful for any person, firm, entity or corporation to use the Property in a manner other than as authorized by this Ordinance and Sherman's General Zoning Ordinance, Ordinance No. 2280 ("Zoning Ordinance"), as they exist or may be amended, and it shall be unlawful for any person to construct on the Property any

building that is not in conformity with the permissible uses under this Ordinance and the Zoning Ordinance, as they exist or may be amended.

SECTION 7: Penalty. That any person violating any provision of this Ordinance or the Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding Two Thousand and 00/100 Dollars ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude Sherman from filing suit to enjoin the violation. Sherman retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 8: Savings/Repealing. That all provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 9: Severability. That should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof regardless of the fact that any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 10: Effective Date. That this Ordinance shall become effective from and after its adoption and publication as required by the City Charter and by law.

SECTION 11: Public Meeting. That it is hereby officially found and determined that the meeting at which this ordinance was introduced and passed was open to the public and that public notice of the time, place and purpose of said meeting was given all as required by law.

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

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

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

CITY OF SHERMAN, TEXAS

BY: _____

DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____

NAME: _____
RYAN PITTMAN, CITY ATTORNEY

City of Sherman

Engineering Department

Attn: Amber Doan

Amber,

Per prior discussions, please accept this brief letter as a formal annexation request for the property we have informally identified as Three Oaks Phase 2, inclusive of the area encompassing the detention pond for Phase 1. This property will be identified legally on forthcoming survey but is a portion of the property adjacent to Phase 1 and previously owned by Harold Falk.

This annexation is both necessary for our Phase 1 development and for a planned Phase 2, additional third phase may be considered later on an additional request if feasible.

Should you require anything further to process this request, please Let me know. Survey will be provided via Underwood in separate transmittal today or tomorrow.

Thank you,

26 Jan 2021

Kirk Allen

Three Oaks

ANNEXATION SCHEDULING PLAN

Annexation of approximately 24.415 acres of land adjacent to the city limits, located East of U.S. Hwy 75, South of Park Street and along East Sherman Street, being more specifically described as:
THREE OAKS PH. 2

Monday, March 15, 2021.....	City Council sets public hearing date and accepts annexation application.
Wednesday, March 17, 2021.....	Send written notice via certified mail, RRR, to property owner(s) in area to be annexed, public or private entities that provide services in the area and any railroads that have ROW in the area to be annexed. Send written notice via certified mail, RRR, to each public school district in the area to be annexed. Such notices must contain the details described in Section 43.0561 of the Local Government Code. Provide draft of proposed annexation service plan agreement in accordance with Section 43.0672 of the Local Government Code.
Friday, March 19, 2021.....	Publish notice of public hearing in the City's official newspaper. Obtain required affidavit of publication from newspaper. Post notice of public hearing on City's website and keep posting up until the date of the hearing.
Thursday, April 1, 2021.....	Post notice of public hearing as required by Open Meetings Act.
Monday, April 5, 2021.....	Hold public hearing. (Regular Council Meeting)
Monday, April 5, 2021.....	Adopt ordinance. (Regular Council Meeting)

UNDERWOOD

DRAFTING & SURVEYING, INC.

Legal Description

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchens Survey, Abstract No. 667, and being a part of that 49.497 acre tract of land conveyed to Three Oaks Development and Construction as recorded in Document No. 2020-27922, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found ½" steel rod in the south line of Sherman Street and being the Northwest corner of a tract of land Conveyed to Kirk Allen in Volume 3501, Page 795, Official Public Records, Grayson County, Texas;

Thence South 16°35'41" East, with the west line of said Allen Tract a distance of 702.15 feet to a found 1/2" steel rod;

Thence North 74°51'49" East, with the south line of said Allen Tract a distance of 324.55 feet to a found 1/2" steel rod;

Thence South 15°56'52" East, with the west line of a Tract of land conveyed to the City of Sherman, Recorded in Volume 876, Page 150, Deed Records, Grayson County, Texas a distance of 829.25 feet to a set 1/2" steel rod;

Thence South 74°03'08" West, a distance of 620.56 feet to a set 1/2" steel rod in the west line of said 49.497 acre tract;

Thence North 16°22'48" West with said west line and a barbwire fence, a distance of 251.25 feet to a metal fence post;

Thence South 74°57'33" West a distance of 277.70 feet with a barbwire fence to a metal fence post;

Thence North 15°32'13" West a distance of 1249.95 feet with a barb wire fence to a 1/2" steel rod set;

Thence North 74°52'55" East with the north line of said 49.497 acre tract of land a distance of 348.25 feet to a found 1/2" steel rod;

Thence North 15°07'05" West a distance of 38.31 feet to a found 1/2" steel rod;

Thence North 74°50'17" East a distance of 209.96 feet to the Point of Beginning and containing 24.415 acres of land.

I, DOUGLAS W. UNDERWOOD, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO THAT THE ABOVE DESCRIBED 24.415 ACRE ANNEXATION PARCEL METES AND BOUNDS DESCRIPTION DOES FORM A MATHEMATICALLY CLOSED FIGURE AND IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709
Firm No. 10006300
01-20-2021

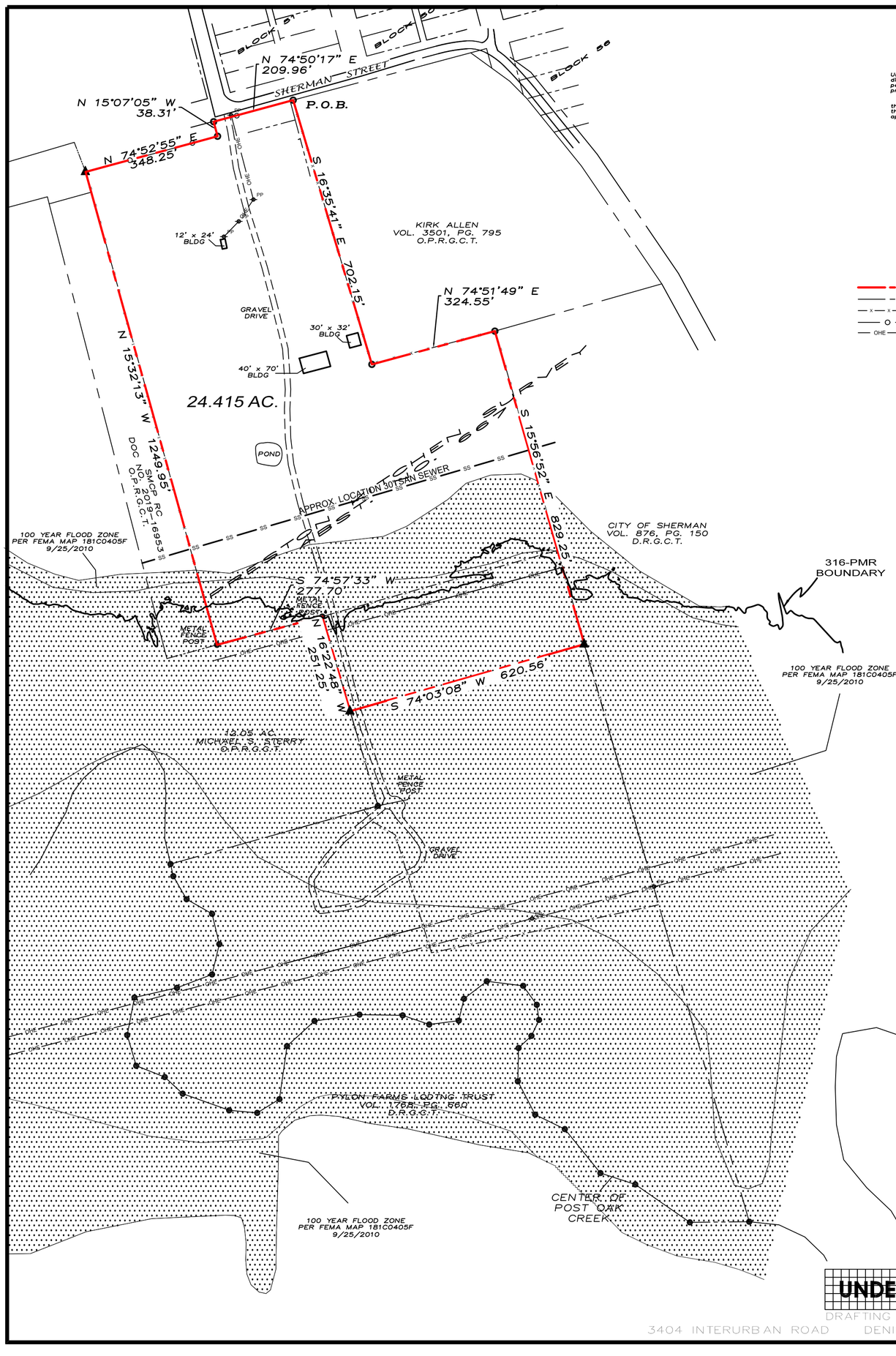
JOB NO. 20080650
FW: HC – DFT: BAU

EXHIBIT "A"

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
- POINT IN CREEK
- 1/2" STEEL ROD FOUND
- PP — POWER POLE
- BOUNDARY LINE
- PROPERTY LINE
- BARBWIRE FENCE
- CHAINLINK FENCE
- OHE — OVERHEAD ELECTRIC LINE

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

LEGAL DESCRIPTION

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

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709
Firm No. 10006300
01–20–2021

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

ANNEXATION SERVICE PLAN AGREEMENT

This SERVICE PLAN AGREEMENT ("Agreement") is made and entered into by and among the CITY OF SHERMAN, TEXAS, a home-rule municipality ("Sherman"), and THREE OAKS DEVELOPMENT AND CONSTRUCTION ("Landowner" or "Developer"). Sherman and Landowner or Developer are each referred to herein as a "party" or collectively as the "parties."

WHEREAS, Landowner is the sole owner of that certain tract of land consisting of 24.415± acres, situated in the Preston Kitchens Survey, Abstract No. 667, Grayson County, Texas, as more particularly described and depicted in Exhibit A, attached hereto and incorporated herein for all purposes (the "Property" or "Annexed Area"); and

WHEREAS, Landowner submitted to Sherman a voluntary request for annexation of the Property into the corporate limits of Sherman pursuant to Subchapter C-3 of Chapter 43 of the Texas Local Government Code; and

WHEREAS, Landowner acknowledges and agrees that in submitting the voluntary request for annexation of the Property, Landowner has fully investigated and is aware of the rights, duties and obligations that will apply to Landowner and its successors and assigns, as owner of the Property, in the event that the Sherman City Council adopts an ordinance annexing the Property into the corporate limits of Sherman (the "Annexation Ordinance"); and

WHEREAS, Landowner acknowledges and agrees that Sherman has complied or will comply with all requirements for the consideration of Landowner' request for annexation of the Property pursuant to Chapter 43 of the Texas Local Government Code, including holding a public hearing and providing the required public notices regarding the requested annexation; and

WHEREAS, Landowner acknowledges and agrees that the Property is eligible for annexation in all respects under Texas law; and

WHEREAS, the parties desire to enter into this Agreement pursuant to Section 43.0672 of the Texas Local Government Code to memorialize their agreement regarding the services Sherman will provide to the Property provided that the Sherman City Council adopts the Annexation Ordinance; and

WHEREAS, Landowner acknowledges and agrees that this Agreement fully complies with Section 43.0672 of the Texas Local Government Code; and

WHEREAS, Sherman has investigated and determined that it would be advantageous and beneficial to Sherman and it citizens to enter into this Agreement on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the covenants and conditions contained in this Agreement, Sherman and Landowner agree as follows:

1. **Incorporation of Recitals**. The representations, covenants and recitations set forth in the forth in the foregoing recitals of this Agreement are true and correct, are incorporated into

the body of this Agreement and are adopted as findings of Sherman and Landowner.

2. **Land Subject to Agreement**. The land that is subject to this Agreement is the Property. Landowner represents that he is the sole owner of the Property.

3. **Agreement Conditioned on Annexation**. This Agreement and the rights, duties and obligations herein are subject to and conditioned on the Sherman City Council adopting the Annexation Ordinance within ninety (90) days after the Effective Date (hereinafter defined) of this Agreement. In the event that the Sherman City Council does not adopt the Annexation Ordinance within ninety (90) days after the Effective Date of this Agreement, this Agreement shall not be effective and neither party shall have any rights, duties or obligations of any kind under this Agreement. In the event Landowner argues or claims that a term, condition or provision of this Agreement or the Annexation Ordinance is invalid, illegal, void, unenforceable or unlawful, then Sherman has the option to terminate this Agreement, effective immediately.

4. **Agreed Service Plan**. Subject to the terms and conditions of this Agreement, the parties agree that Sherman shall furnish or provide for the following municipal services to the Property after annexation at the following levels and in accordance with the following schedule:

(a) Police Services.

(i) Patrolling, responses to calls and other routine police services, within the limits of existing personnel and equipment and in a manner consistent with the methods of Sherman, will be provided in the Annexed Area on the effective date of the Annexation Ordinance.

(ii) Upon ultimate development of the Annexed Area, the same level of police services will be provided to the Annexed Area as are furnished throughout Sherman at that time.

(b) Fire Services.

(i) Fire protection and emergency ambulance services and equipment, within the limits of existing personnel and equipment and the limits of available water and distances from existing fire stations and in a manner consistent with the methods of Sherman, will be provided to the Annexed Area upon the effective date of the Annexation Ordinance.

(ii) Upon ultimate development of the Annexed Area, the same level of fire and emergency ambulance services will be provided to the Annexed Area as are furnished throughout Sherman at that time.

(c) Environmental Health and Code Enforcement Services.

(i) Enforcement of Sherman's environmental health ordinances and

regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances and animal control ordinances, shall be provided within the Annexed Area within sixty (60) days of the effective date of the Annexation Ordinance. Sherman's environmental health ordinances and regulations will be enforced through the use of existing personnel.

(ii) As development and construction commence in the Annexed Area, sufficient personnel will be provided to furnish the Annexed Area with the same level of environmental health and code enforcement services as are furnished throughout Sherman at that time.

(d) Building Inspections.

(i) Inspection services, including the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical and electrical work to ensure compliance with Sherman's codes, regulations and ordinances will be provided within sixty (60) days of the effective date of the Annexation Ordinance. Existing personnel will be used to provide such services.

(ii) All inspection services furnished by Sherman but not mentioned above will be provided to the Annexed Area beginning within sixty (60) days of the effective date of the Annexation Ordinance.

(e) Planning and Zoning Services.

(i) The planning and zoning jurisdiction of Sherman will extend to the Annexed Area upon the effective date of the Annexation Ordinance. Sherman city planning will thereafter encompass the Annexed Area, and it shall be entitled to consideration for zoning in accordance with Sherman's Zoning Ordinance and Comprehensive Plan.

(ii) Sherman's zoning, subdivision, sign and other ordinances shall be enforced in the Annexed Area beginning on the effective date of the Annexation Ordinance.

(f) Park and Recreation Services.

(i) Inhabitants of the Annexed Area may utilize all existing park and recreational services, facilities and sites throughout Sherman beginning on the effective date of the Annexation Ordinance.

(ii) Additional facilities and sites to serve the Annexed Area will be acquired, developed and maintained at locations and times provided by applicable plans, policies, programs and decisions of Sherman. The Annexed Area will

be included in all future plans for providing parks and recreation services to Sherman.

(iii) Existing parks, playgrounds, swimming pools and other recreational facilities within the Annexed Area shall, upon dedication to and acceptance by Sherman, be maintained and operated by Sherman, but not otherwise.

(g) Solid Waste Collection Services.

(i) Solid waste collection services shall be provided to the Annexed Area in accordance with Sherman's existing policies, beginning on the effective date of the Annexation Ordinance.

(ii) As development and construction commence in the Annexed Area and population density increases in the Annexed Area, solid waste collection services shall be provided to the Annexed Area in accordance with Sherman's policies regarding frequency, changes and the like as are existing at that time.

(h) Streets.

(i) Sherman's existing policies with regard to street maintenance, applicable throughout Sherman, shall apply to the Annexed Area beginning on the effective date of the Annexation Ordinance. Unless a street within the Annexed Area has been constructed or is improved to Sherman's standards and specifications, such street will not be maintained by Sherman. Notwithstanding anything to the contrary herein, private streets within the Annexed Area shall remain private streets after annexation and Sherman and the Landowner agree that Sherman shall have no obligation to maintain, repair or improve the private streets or to pay the costs thereof.

(ii) As development, improvement or construction of streets to Sherman's standards commences within the Annexed Area, the policies of Sherman with regard to participation in the costs thereof, acceptance upon completion thereof and maintenance after completion thereof shall apply as such policies exist at that time.

(iii) The same level of maintenance shall be provided to streets within the Annexed Area that are accepted by Sherman as is provided to streets throughout Sherman.

(iv) Street lighting installed on streets improved to Sherman's standards and specifications shall be maintained by the appropriate franchise holder in accordance with existing Sherman policies.

(i) Water Services.

(i) Connection to existing Sherman water mains for water service for domestic, commercial and industrial use within the Annexed Area will be provided in accordance with existing Sherman policies. Upon connection to existing mains, water will be provided at rates established by Sherman ordinances for such service throughout Sherman.

(ii) As development and construction commence on the Annexed Area, Sherman water mains will be extended in accordance with provisions of the Subdivision Ordinance and other applicable ordinances and regulations in effect at that time. Sherman's participation in the costs of such extensions shall be in accordance with the applicable Sherman ordinances and regulations in effect at that time. Such extensions will be commenced in accordance with state law.

(iii) Water mains installed or improved to Sherman's standards which are within the Annexed Area and are within dedicated easements shall be maintained by Sherman beginning on the effective date of the Annexation Ordinance.

(iv) Private water lines within the Annexed Area shall be maintained by their respective owners in accordance with existing policies applicable throughout Sherman.

(j) Sanitary Sewer Services.

(i) Connections to existing Sherman sanitary sewer mains for sanitary sewer service in the Annexed Area will be provided in accordance with existing Sherman policies. Upon connection, sanitary sewer service will be provided at rates established by Sherman ordinances for such service throughout Sherman.

(ii) Sanitary sewer mains and/or lift stations installed or improved to Sherman's standards that are located in dedicated easements, are within the Annexed Area and are connected to Sherman mains will be maintained by Sherman beginning on the effective date of the Annexation Ordinance.

(iii) As development and construction commence in the Annexed Area, Sherman sanitary sewer services will be extended in accordance with provisions of the Subdivision Ordinance and other applicable Sherman ordinances and regulations in effect at that time. Sherman's participation in the costs of such extensions shall be in accordance with the applicable Sherman ordinances and regulations in effect at that time. Such extensions will be commenced in accordance with state law.

(k) Miscellaneous.

(i) General municipal administration and administrative services of Sherman shall be available to the Annexed Area beginning on the effective date of the Annexation Ordinance.

(ii) Notwithstanding anything set forth above, this Service Plan does not require all municipal services be provided as set forth above if different characteristics of topography, land use and population density are considered a sufficient basis for providing different levels of service.

5. **Default**. If Sherman fails to comply with the terms and conditions of this Agreement and such failure is not cured within a reasonable period of time after Sherman receives written notice of such failure from Landowner, then Landowner may seek disannexation pursuant to Section 43.141 of the Texas Local Government Code as its sole and exclusive remedy. In no event shall Sherman be liable to Landowner or any other owner or inhabitant of the Annexed Area for any direct, indirect, incidental, special or consequential damages arising out of this Agreement or for the cost of procurement of substitute services.

6. **Covenant Running with the Land**. This Agreement shall be a covenant running with the land and Property and shall be binding on Landowner and Landowner's successors and assigns.

7. **Limitations of Agreement**. Sherman ordinances covering property taxes, utility rates, permit fees, inspection fees, tree mitigation fees, impact fees, development fees, tap fees, pro-rata fees and the like are not affected by this Agreement. Further, this Agreement does not waive or limit any of the obligations of Landowner to Sherman under any ordinance, whether now existing or in the future arising.

8. **Notices**. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by depositing same in the United States Mail, addressed to the Party to be notified, postage pre-paid and registered or certified with return receipt requested; by facsimile; by electronic mail, with documentation evidencing the addressee's receipt thereof; or by delivering the same in person to such party a via hand-delivery service, or any courier service that provides a return receipt showing the date of actual delivery of same to the addressee thereof. Notice given in accordance herewith shall be effective upon receipt at the address of the addressee. For purposes of notification, the addresses of the parties shall be as follows:

If to Sherman, addressed to it at:

City of Sherman
Attn: Robby Hefton, City Manager
220 West Mulberry Street
Sherman, Texas 75090
Telephone: (903) 892-7200
Facsimile: (903) 892-7355
Email: robbyh@cityofsherman.com

with a copy to:

Abernathy, Roeder, Boyd & Hullett, P.C.
Attention: Ryan D. Pittman
1700 Redbud Blvd., Suite 300
McKinney, Texas 75069
Telephone: (214) 544-4000
Facsimile: (214) 544-4044
Email: rpittman@abernathy-law.com

If to Landowner, addressed to him at:

THREE OAKS DEVELOPMENT AND CONSTRUCTION
Attn: Kirk Allen
1313 W. Washington
Sherman, Texas 75092
Telephone: (972) 672-7793
Email: kirkallen@yahoo.com

10. **Release. LANDOWNER HEREBY RELEASES, WAIVES AND HOLDS HARMLESS SHERMAN AND ITS COUNCIL MEMBERS, OFFICERS, AGENTS, REPRESENTATIVES AND EMPLOYEES FROM ALL DAMAGES, INJURIES, CLAIMS, OBJECTIONS, LOSSES, DEMANDS, SUITS, JUDGMENTS AND COSTS ARISING OUT OF OR RELATED TO SHERMAN'S ANNEXATION OF THE PROPERTY, SHERMAN'S CONSIDERATION OF ANNEXATION OF THE PROPERTY AND SHERMAN'S ADOPTION OF THE ANNEXATION ORDINANCE. THIS SECTION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.**

11. **Vested Rights/Chapter 245 Waiver**. This Agreement shall confer no vested rights on the Property, or any portion thereof. In addition, nothing contained in this Agreement shall constitute a "permit" as defined in Chapter 245 of the Texas Local Government Code, as amended, and nothing in this Agreement provides Sherman with fair notice of any project of Landowner. **LANDOWNER WAIVES ANY STATUTORY CLAIM UNDER CHAPTER 245 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED, UNDER THIS AGREEMENT. THIS SECTION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.**

12. **Warranties/Representations**. All warranties, representations and covenants made by one party to the other in this Agreement or in any certificate or other instrument delivered by one party to the other under this Agreement shall be considered to have been relied upon by the other party and will survive the satisfaction of any fees under this Agreement, regardless of any investigation made by either party.

13. **Entire Agreement**. This Agreement contains the entire agreement of the parties with respect to the matters contained herein and may not be modified or terminated except upon the provisions hereof or by the mutual written agreement of the parties.

14. **Governing Law; Venue**. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement, without regard to conflict of law

principles. This Agreement is performable in Grayson County, Texas, and the exclusive venue for any action arising out of this Agreement shall be a court of appropriate jurisdiction in Grayson County, Texas.

15. **Consideration**. This Agreement is executed by the parties without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

16. **Multiple Counterparts**. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. An electronic mail or facsimile signature will also be deemed to constitute an original if properly executed and delivered to the other party.

17. **Authority to Execute**. The individuals executing this Agreement on behalf of the respective parties below represent to each other and to others that all appropriate and necessary action has been taken to authorize the individual who is executing this Agreement to do so for and on behalf of the party for which his or her signature appears, that there are no other parties or entities required to execute this Agreement in order for the same to be an authorized and binding agreement on the party for whom the individual is signing this Agreement and that each individual affixing his or her signature hereto is authorized to do so, and such authorization is valid and effective on the Effective Date (hereinafter defined). Landowner acknowledges that each and every owner of the Property must sign this Agreement in order for the Agreement to take full effect, and **Landowner covenants and agrees to indemnify, hold harmless, and defend Sherman and its Council members, officers, agents, representatives and employees against any and all claims asserted by any person claiming an ownership interest in the Property who has not signed the Agreement that arise in any way from Sherman's reliance on this Agreement**.

18. **Savings; Severability**. In the event that a term, condition or provision of this Agreement is determined to be invalid, illegal, void, unenforceable or unlawful by a court of competent jurisdiction, then that term, condition or provision shall be deleted and the remainder of the Agreement shall remain in full force and effect as if such invalid, illegal, void, unenforceable or unlawful provision had never been contained in this Agreement.

19. **Representations**. Each party represents that it has carefully read this Agreement, knows the contents hereof, has consulted with an attorney of its choice regarding the meaning and effect hereof and is signing the same solely of its own judgment.

20. **No Third Party Beneficiaries**. Nothing in this Agreement shall be construed to create any right in any third party not a signatory to this Agreement, and the parties do not intend to create any third party beneficiaries by entering into this Agreement.

21. **Immunity**. It is expressly understood and agreed that, in the execution and performance of this Agreement, Sherman has not waived, nor shall be deemed hereby to have waived, any defense or immunity, including governmental, sovereign and official immunity, that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied, other than those set forth herein.

22. **Miscellaneous Drafting Provisions**. This Agreement shall be deemed drafted equally by all parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any party shall not apply. Headings in this Agreement are for the convenience of the parties and are not intended to be used in construing this document.

IN WITNESS WHEREOF, the parties have executed this Agreement and caused this Agreement to be effective when all the parties have signed it. The date this Agreement is signed by the last party to sign it (as indicated by the date associated with that party's signature below) will be deemed the effective date of this Agreement ("Effective Date").

CITY OF SHERMAN, TEXAS,
a home-rule municipality

By: _____
Robby Hefton, City Manager
Date: _____

Attested to by:

_____
Linda Ashby, City Clerk

Approved as to Form and Content:
The Law Firm of Abernathy, Roeder, Boyd & Hullett, P.C.

By: _____
Name: Ryan D. Pittman
Title: City Attorney

THREE OAKS DEVELOPMENT AND CONSTRUCTION

By: _____
Printed Name: Kirk D. Allen
Title: President
Date: 3 Mar 21

STATE OF TEXAS §
§
COUNTY OF GRAYSON §

BEFORE ME, the undersigned authority, on this day personally appeared **Robby Hefton**, known to me to be one of the persons whose names are subscribed to the foregoing instrument; he acknowledged to me that he is the City Manager and duly authorized representative of the **CITY OF SHERMAN, TEXAS**, a home-rule municipality, and that he executed the same for the purposes and consideration therein stated and in the capacity therein stated as the act and deed of the City of Sherman, Texas.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this _____ day of _____, 2021.

_____
Notary Public, State of Texas
My Commission Expires:_____

STATE OF TEXAS §
§
COUNTY OF Grayson §

BEFORE ME, the undersigned authority, on this day personally appeared **KIRK ALLEN,** known to me to be one of the persons whose names are subscribed to the foregoing instrument; he/she acknowledged to me that he/she executed the same for the purposes and consideration therein stated and in the capacity therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office this 3rd day of March, 2021.

Amber Doan
Notary Public, State of Texas
My Commission Expires: 09/12/2024

AMBER DOAN
Notary Public, State of Texas
Comm. Expires 09-12-2024
Notary ID 12467837-6

Exhibit A

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchens Survey, Abstract No. 667, and being a part of that 49.497 acre trat of land conveyed to Three Oaks Development and Construction as recorded in Document No. 2020-27922, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found ½" steel rod in the south line of Sherman Street and being the Northwest corner of a tract of land Conveyed to Kirk Allen in Volume 3501, Page 795, Official Public Records, Grayson County, Texas;

Thence South 16°35'41" East, with the west line of said Allen Tract a distance of 702.15 feet to a found 1/2" steel rod;

Thence North 74°51'49" East, with the south line of said Allen Tract a distance of 324.55 feet to a found 1/2" steel rod;

Thence South 15°56'52" East, with the west line of a Tract of land conveyed to the City of Sherman, Recorded in Volume 876, Page 150, Deed Records, Grayson County, Texas a distance of 829.25 feet to a set 1/2" steel rod;

Thence South 74°03'08" West, a distance of 620.56 feet to a set 1/2" steel rod in the west line of said 49.497 acre tract;

Thence North 16°22'48" West with said west line and a barbwire fence, a distance of 251.25 feet to a metal fence post;

Thence South 74°57'33" West a distance of 277.70 feet with a barbwire fence to a metal fence post;

Thence North 15°32'13" West a distance of 1249.95 feet with a barb wire fence to a 1/2" steel rod set;

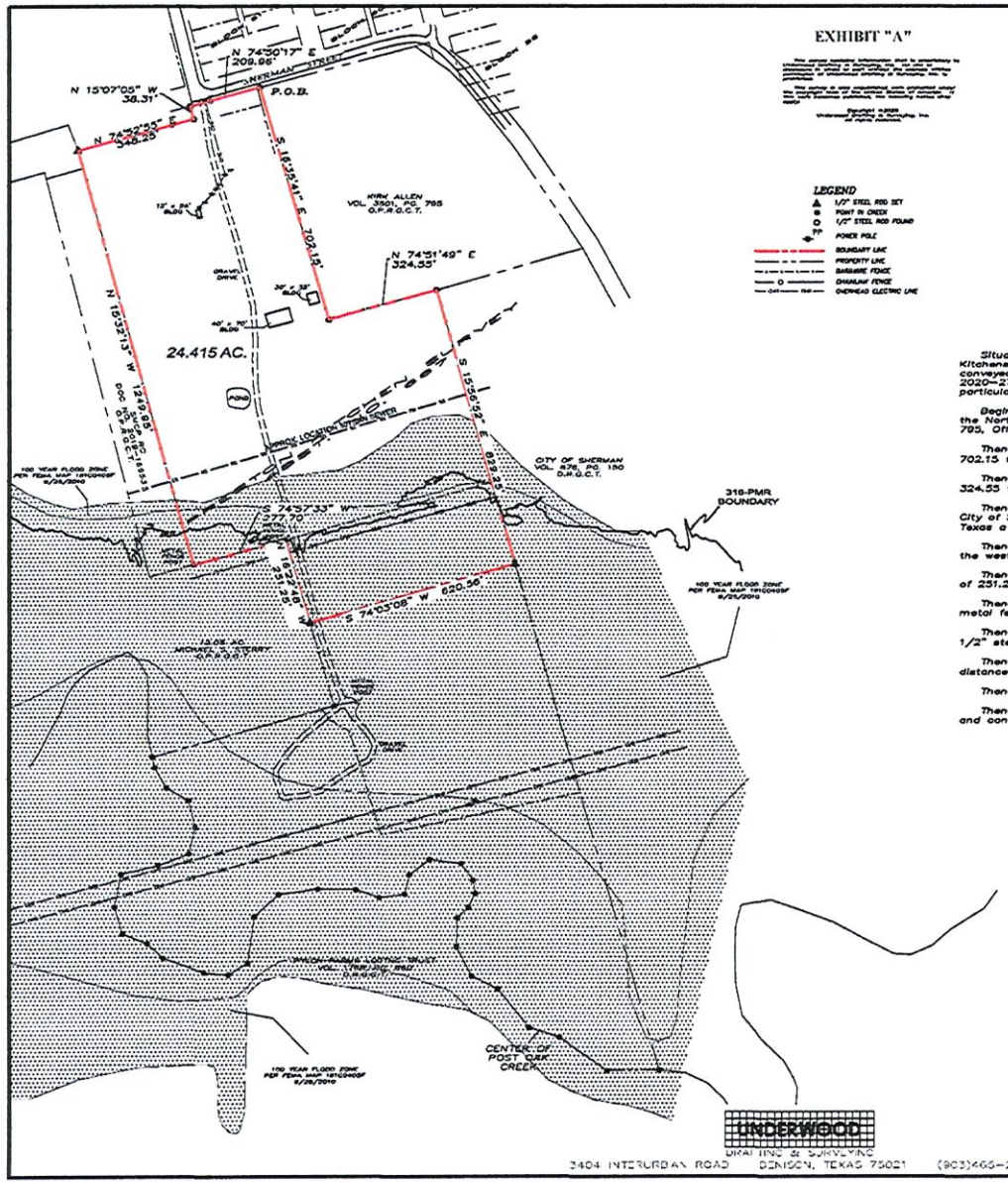
Thence North 74°52'55" East with the north line of said 49.497 acre tract of land a distance of 348.25 feet to a found 1/2" steel rod;

Thence North 15°07'05" West a distance of 38.31 feet to a found 1/2" steel rod;

Thence North 74°50'17" East a distance of 209.96 feet to the Point of Beginning and containing 24.415 acres of land.

JOB NO. 20080650
FW: MC – DFI: BAU

EXHIBIT "A"



LEGEND

- ▲ 1/2" STEEL ROD SET
- ● POINT IN CREEK
- ○ 1/2" STEEL ROD FOUND
- PP POWER PLE
- BOUNDARY LINE
- PROPERTY LINE
- BARBWIRE FENCE
- ORNAMENTAL FENCE
- OHW OVERHEAD ELECTRIC LINE

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

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchens Survey, Abstract No. 667, and being a part of that 49.497 acre trat of land conveyed to Three Oaks Development and Construction as recorded in Document No. 2020-27922, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found ½" steel rod in the south line of Sherman Street and being the Northwest corner of a tract of land Conveyed to Kirk Allen in Volume 3501, Page 795, Official Public Records, Grayson County, Texas;

Thence South 16°35'41" East, with the west line of said Allen Tract a distance of 702.15 feet to a found 1/2" steel rod;

Thence North 74°31'49" East, with the south line of said Allen Tract a distance of 324.55 feet to a found 1/2" steel rod;

Thence South 15°56'52" East, with the west line of a Tract of land conveyed to the City of Sherman, Recorded in Volume 878, Page 150, Deed Records, Grayson County, Texas a distance of 829.25 feet to a set 1/2" steel rod;

Thence South 74°03'08" West, a distance of 620.56 feet to a set 1/2" steel rod in the west line of said 49.497 acre tract;

Thence North 15°22'48" West with said west line and a barbwire fence, a distance of 231.25 feet to a metal fence post;

Thence South 74°57'33" West a distance of 277.70 feet with a barbwire fence to a metal fence post;

Thence North 15°32'13" West a distance of 1249.95 feet with a barb wire fence to a 1/2" steel rod set;

Thence North 74°32'55" East with the north line of said 49.497 acre tract of land a distance of 348.25 feet to a found 1/2" steel rod;

Thence North 15°07'05" West a distance of 38.31 feet to a found 1/2" steel rod;

Thence North 74°30'17" East a distance of 209.96 feet to the Point of Beginning and containing 24.415 acres of land.

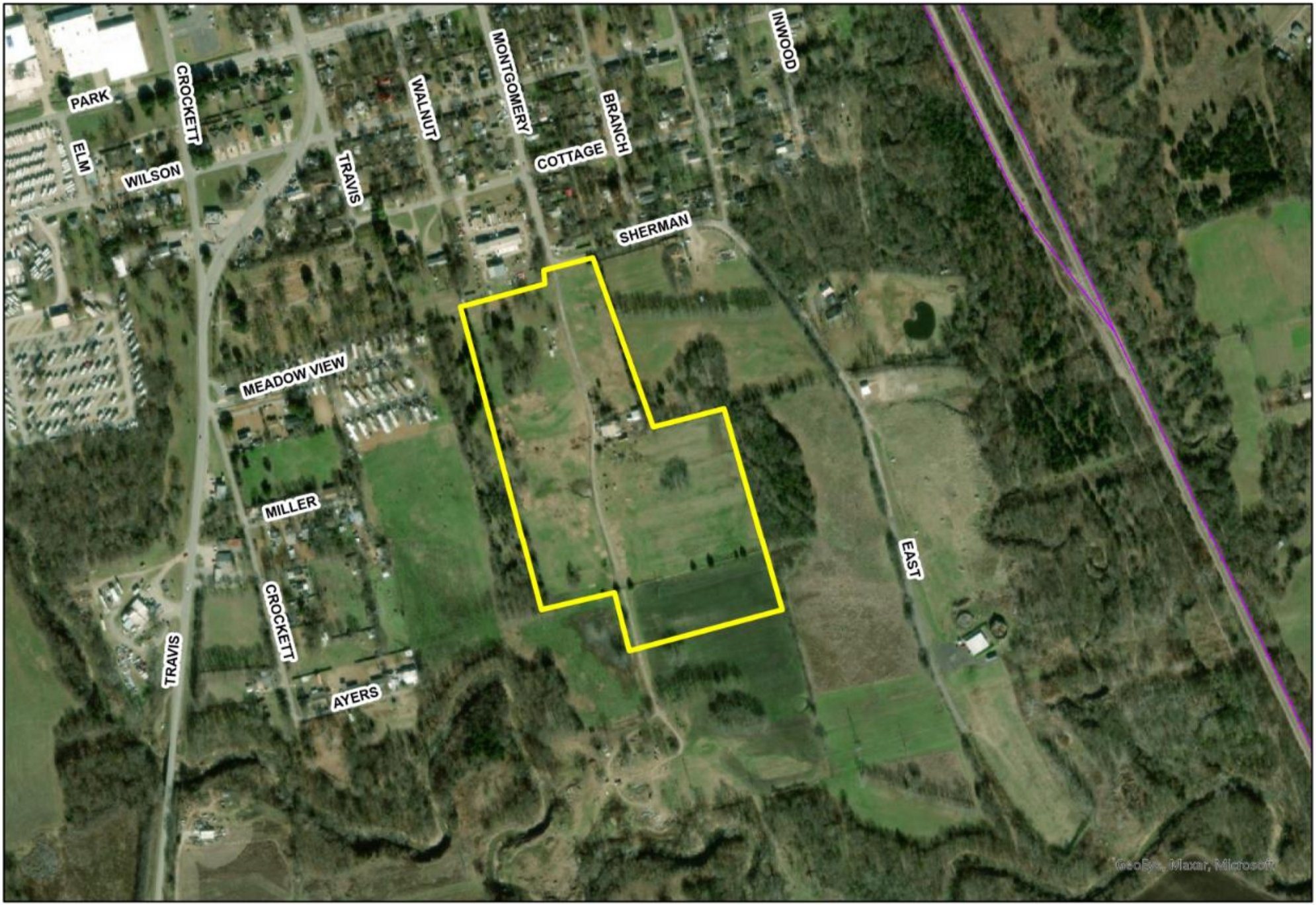
I, DOUGLAS W. UNDERWOOD, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO THAT THE ABOVE DESCRIBED 24.415 ACRE ANNEXATION PARCEL METES AND BOUNDS DESCRIPTION DOES FORM A MATHEMATICALLY CLOSED FIGURE AND IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION

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

Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709
Firm No. 10008300
01-20-2021

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

Three Oaks, Phase II



SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6368 (SUP ORIGINALLY APPROVED ON MARCH 16, 2020 WITH A 12-MONTH LIMIT)

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Renew a Specific Use Permit to Allow New and Used Tire Sales and Repair, General Maintenance with Alignments and Oil Changes in a C-2 (General Commercial) District at 207 and 209 South Dewey Avenue, being 1.091 acres in the G.B. Pilant Survey, Abstract No. 963 described as Lots 3, 4 and part of Lot 5 including the alley lying between Lots 3 and 4, Block 3, J.P. Loving's 2nd Addition (Miguel A. Avalos, Owner; Miguel Avalos, Representative; and Underwood Drafting and 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

Issue:

To consider the request of Miguel A. Avalos (Owner), Miguel Avalos (Representative), and Underwood Drafting and Surveying (Surveyor) concerning the property located at 207 and 209 South Dewey Avenue, being 1.091 acres in the G. B. Pilant Survey, Abstract No. 963 described as Lots 3, 4 & part of Lot 5 including the alley lying between Lots 3 and 4, Block 3, J. P. Loving's 2nd Addition, to Renew a Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow new and used tire sales and repair, general maintenance with alignments and oil changes in a C-2 (General Commercial) District.

Background:

The property is located at 207 and 209 South Dewey Avenue between Lamar and Cherry Streets and is zoned a C-2 (General Commercial) District. A Specific Use Permit to allow new and used tire sales and repair, general maintenance with alignments and oil changes was approved March 16, 2020 (Ordinance No. 6287) limited to a one-year time period. Mr. Avalos is requesting to renew the Specific Use Permit to continue his business providing new and used tires sales, service and repair, as well as general maintenance with alignments and oil changes. Mr. Avalos has made improvements to the property by erecting a 6 foot privacy fence abutting the residentially zoned property and has maintained no outdoor storage, tires or wheels.

Origination:

Miguel A. Avalos (Owner)
Miguel Avalos (Representative)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter and limiting it to Miguel Avalos. Two citizens of Sherman, James Douglas, 215 S. Dewey and Linda Robertson, 311 S. Dewey spoke on Mr. Avalos' behalf at the meeting, stating they are very quiet and have kept the property neat and clean.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6368
Exhibit A - Legal Description
Location Map
Zoning Map
Zoning Sign Photo
Ord 6287
Site Plan
Building Elevations
Photos
Staff Review Letter
P&Z Communication
Email from Tim Jones
Letter from Sherman Investment of WA LLC

ORDINANCE NO. 6368

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO RENEW A SPECIFIC USE PERMIT TO ALLOW NEW AND USED TIRE SALES AND REPAIR, GENERAL MAINTENANCE WITH ALIGNMENTS AND OIL CHANGES IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 207 AND 209 SOUTH DEWEY AVENUE, BEING 1.091 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 DESCRIBED AS LOTS 3, 4 AND PART OF LOT 5 INCLUDING THE ALLEY LYING BETWEEN LOTS 3 AND 4, BLOCK 3, J.P. LOVING'S 2ND ADDITION (MIGUEL A. AVALOS, OWNER; MIGUEL AVALOS, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND 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 effective date of this ordinance, Miguel A. Avalos (Owner), Miguel Avalos (Representative), and Underwood Drafting and Surveying (Surveyor) and certain property located at 207 and 209 South Dewey Avenue described in **Exhibit A – Legal Description** are granted a Specific Use Permit to new and used tire sales and repair, general maintenance with alignments and oil changes in a C-2 (General Commercial) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the property described as:

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-2 (General Commercial) District, the Fence Ordinance, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance.
2. Fire 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 the right-of-way.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, equipment, wrecks, tires, parts or displays is allowed.
5. Parking is permitted on paved surfaces only (concrete); a parking space is considered to be 9'x20'.
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. All requirements of the Floodplain Ordinance shall be followed.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

11. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standard and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within the public right of way.
12. Parking permitted on private property only.
13. Parking permitted on improved surfaces only.
14. All aspects of the Stormwater requirements must be followed.
15. Verify fire requirements and code compliance with Fire Marshal.

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 no person shall acquire any vested interest in this Ordinance or in any other specific regulations contained herein. Any portion of this ordinance may be repealed or amended by the City Council in the manner provided for by law.

SECTION 5. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100

DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 6. That the General Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect..

SECTION 7. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 8. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 9. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

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

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

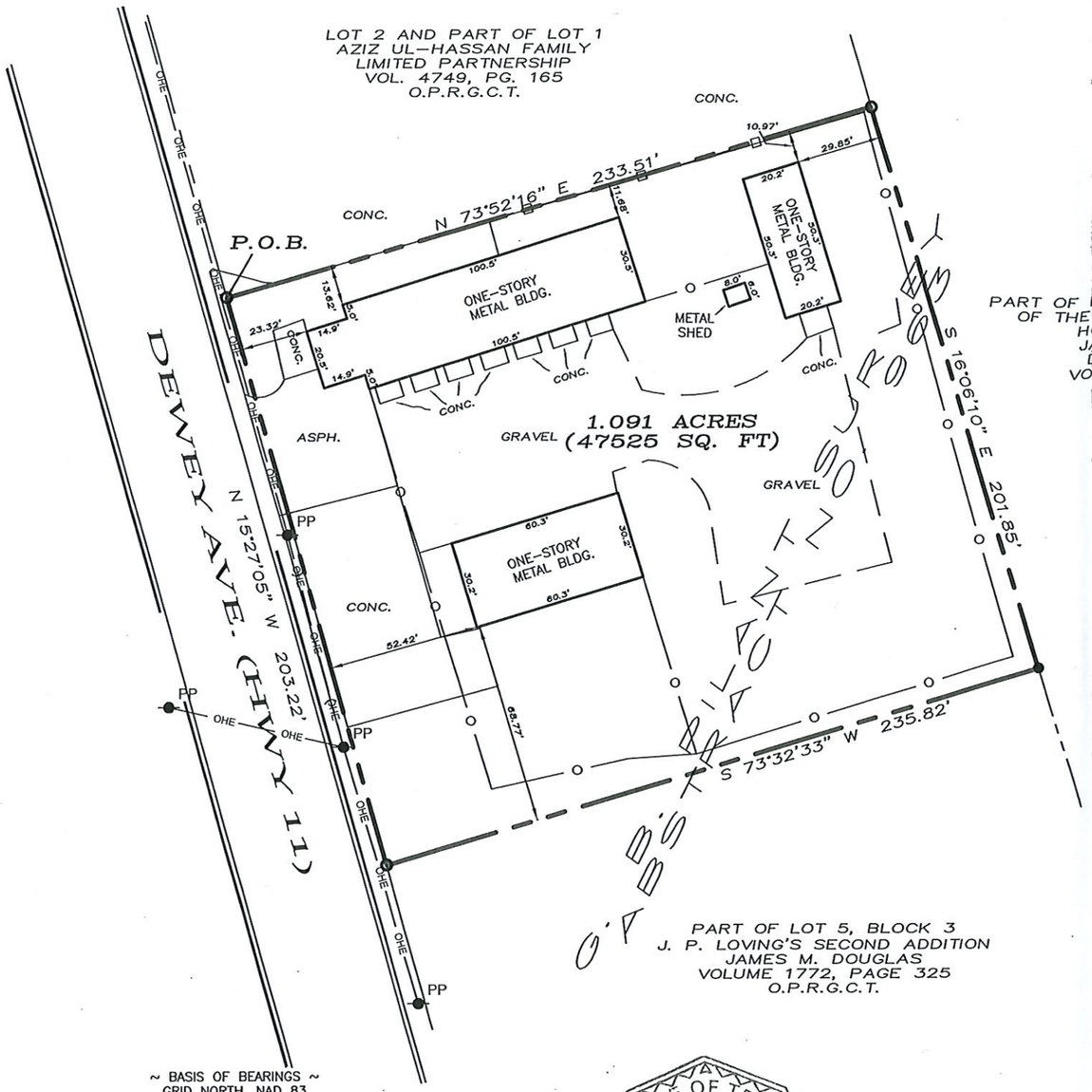
BY: _____
DAVID PLYLER, MAYOR

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

BY: _____
RYAN PITTMAN, CITY ATTORNEY

EXHIBIT A - LEGAL DESCRIPTION

JOB NO. 19110858
FW:AS – DFT:JP



LEGEND

- 1/2" STEEL ROD SET
- 1/2" STEEL ROD FOUND
- PP — POWER POLE
- W — WATER METER
- BOUNDARY LINE
- PROPERTY LINE
- CHAINLINK FENCE
- STOCKADE FENCE
- OHE — OHE — OVERHEAD ELECTRIC LINE

SCALE
1" = 50'

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

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the G. B. Pilant Survey, Abstract No. 963 described as Lots 3, 4, and part of 5, including the alley lying between Lots 3 and 4, Block 3, of the J. P. Loving's Second Addition, an addition to the City of Sherman, Texas, as shown by plat of record in Volume 130, Page 345, of the Plat Records, Grayson County, Texas, and being the same 1.091 acre tract of land conveyed to Thomas M. Hooker by deed of record in Volume 1857 Page 691, Official Public Records, Grayson County, Texas and being more particularly described as follows:

Beginning at a found 5/8" iron rod at the intersection of the North line of lot 3 and the East right-of-way line of Highway 11, also known as Dewey Avenue;

Thence North 73°52'16" East with the North line of Lot 3 a distance of 233.51 ft. to a 1" iron rod found;

Thence South 16°06'10" East a distance of 201.85 ft. to a set 1/2" iron rod;

Thence South 73°32'33" West a distance of 235.82 ft. to a 1/2" iron rod found in the East Right-of-Way of Highway 11;

Thence North 15°27'05" West along the East Right-of-Way of Highway 11 a distance of 203.22 ft to the Point of Beginning and containing 1.091 acres.

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

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

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 11/25/19

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

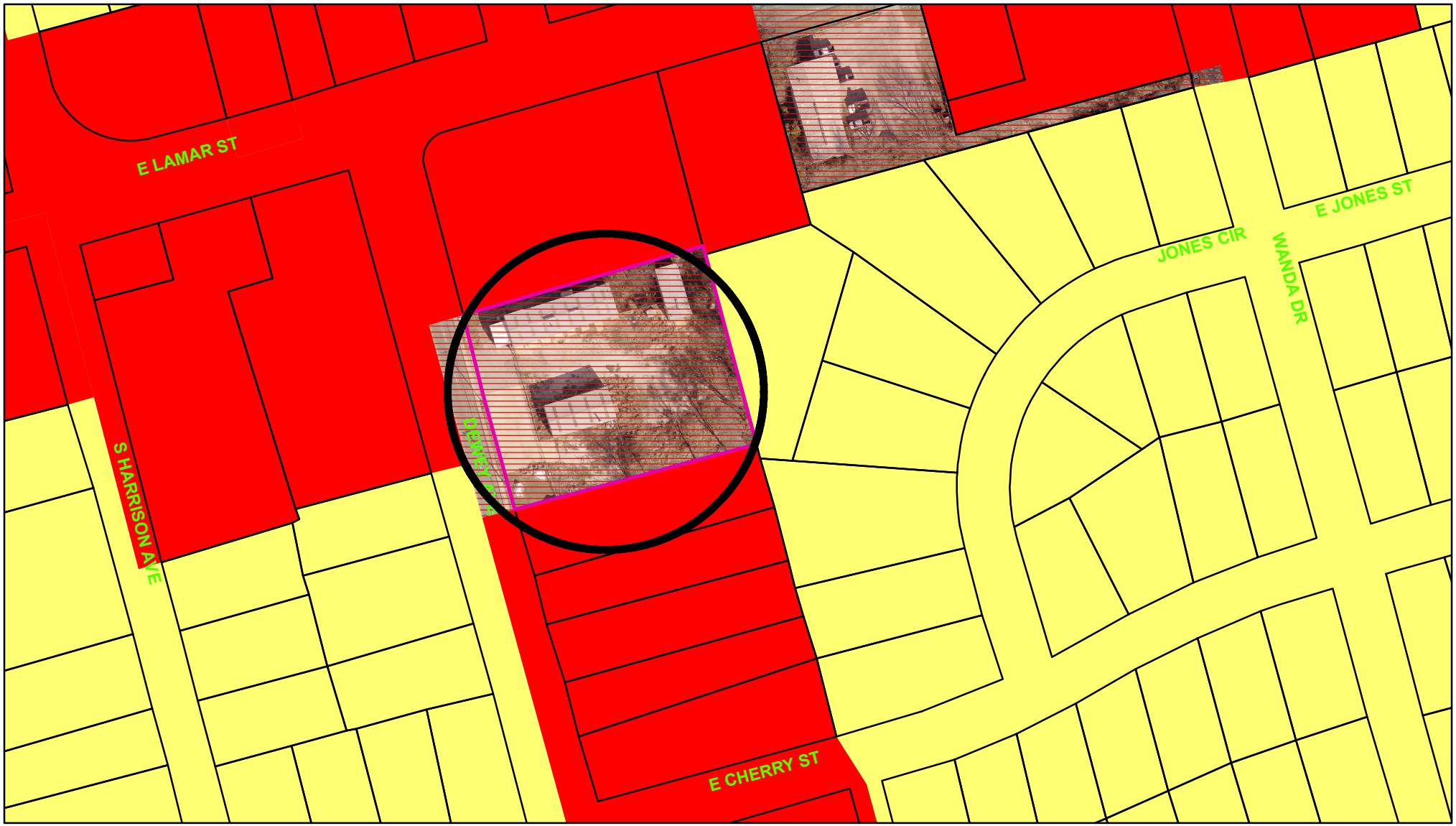
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

207 & 209 South Dewey Avenue

NOT TO SCALE

1 in = 200 ft



Zoning - 207 & 209 South Dewey Avenue

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 128 ft

207 & 209 South Dewey Avenue

ORDINANCE NO. 6287

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 NEW AND USED TIRE SALES AND REPAIR, GENERAL MAINTENANCE WITH ALIGNMENTS AND OIL CHANGES IN A C-2 (GENERAL COMMERCIAL) DISTRICT AT 207 AND 209 SOUTH DEWEY AVENUE, BEING 1.091 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963 DESCRIBED AS LOTS 3, 4 AND PART OF LOT 5 INCLUDING THE ALLEY LYING BETWEEN LOTS 3 AND 4, BLOCK 3, J.P. LOVING'S 2ND ADDITION (MIGUEL A. AVALOS, OWNER; MIGUEL AVALOS, REPRESENTATIVE; AND UNDERWOOD DRAFTING AND 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, Miguel A. Avalos (Owner), Miguel Avalos (Representative), and Underwood Drafting and Surveying (Surveyor) are granted a Specific Use Permit and site plan approval to allow new and used tire sales and repair, general maintenance with alignments and oil changes in a C-2 (General Commercial) District at 207 and 209 South Dewey Avenue 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 the G. B. Pilant Survey, Abstract No. 963 described as Lots 3, 4, and part of 5, including the alley lying between Lots 3 and 4, Block 3, of the J. P. Loving's Second Addition,

an addition to the City of Sherman, Texas, as shown by plat of record in Volume 130, Page 345, of the Plat Records, Grayson County, Texas, and being the same 1.091 acre tract of land conveyed to Thomas M. Hooker by deed of record in Volume 1857 Page 691, Official Public Records, Grayson County, Texas and being more particularly described as follows:

BEGINNING at a found 5/8" iron rod at the intersection of the North line of Lot 3 and the East right-of-way line of Highway 11, also known as Dewey Avenue;

THENCE North 73° 52' 16" East with the North line of Lot 3 a distance of 233.51 ft. to a 1" iron rod found;

THENCE South 16° 06' 10" East a distance of 201.85 ft. to a set 1/2" iron rod;

THENCE South 73° 32' 33" West a distance of 235.82 ft. to a 1/2" iron rod found in the East Right-of- Way of Highway 11;

THENCE North 15° 27" 05" West along the East Right-of-Way of Highway I l a distance of 203.22 feet to the **POINT OF BEGINNING and containing 1.091 acres**.....

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 fence ordinance, the sign ordinance and the Commercial Tree and Landscaping Ordinance shall apply to all new and existing structures and improvements.
2. Fire 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 the right-of-way.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, equipment, wrecks, tires or parts is allowed.
5. Parking is permitted on paved surfaces only (concrete); a parking space is considered to be 9'x20'.
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. All requirements of the Floodplain Ordinance shall be followed.
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 and TxDOT standards and a permit is required from City of Sherman Engineering Department.

12. Parking permitted on private property only.
13. Parking permitted on improved surfaces only.
14. All aspects of the Stormwater requirements must be followed.
15. Verify fire lane requirements with Fire Marshall.

Planning and Zoning Commission:

16. Limited to Miguel Avalos
17. Limited to a one-year time period.

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

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

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

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

INTRODUCED on this the 16th day of March, 2020.

ADOPTED on this the 16th day of March, 2020.

EFFECTIVE DATE on this the 16th day of March, 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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

207 & 209 Dewey Ave.

NOT TO SCALE

1 in = 200 ft

Zoning - 207 & 209 South Dewey Avenue

Legend

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

Transportation Corridor
Representation: ShermGIS.DBO.TransportationCorridor_Rep_1
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- 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.

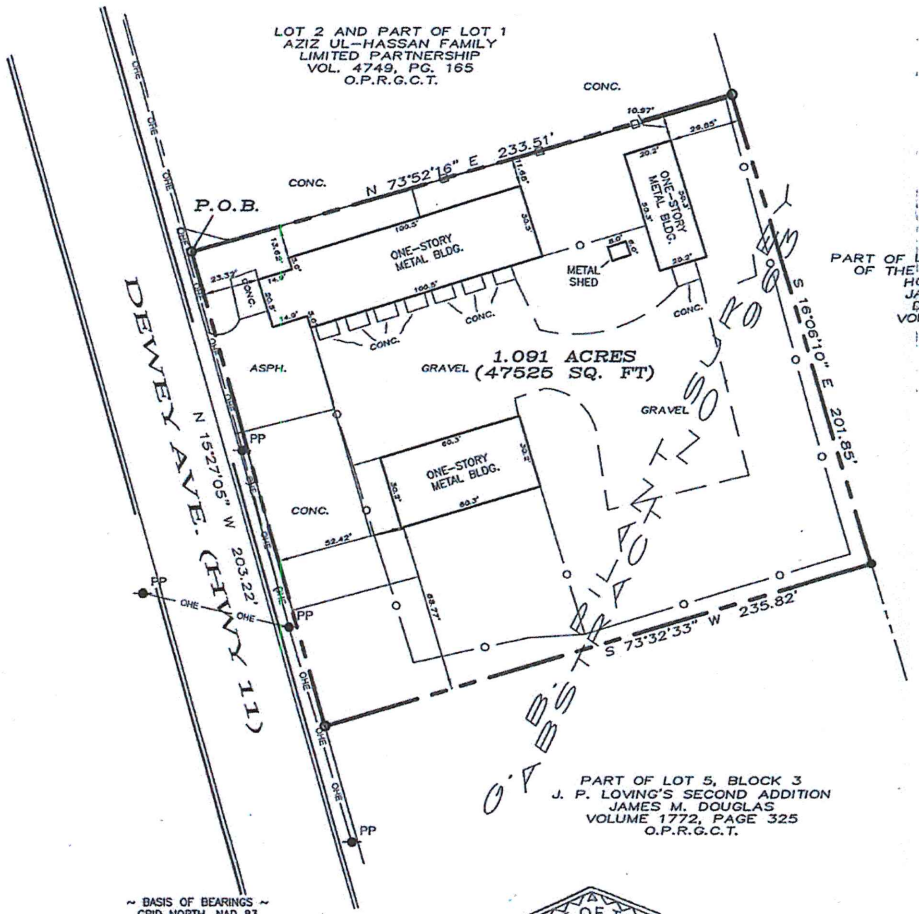
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

207 & 209 South Dewey Avenue

JOB NO. 19110858
FW:AS — DFT:JP



PART OF LOTS 4 AND 5, BLOCK 1
OF THE REPLAT OF PRESTON
HOLLOW ADDITION
JAMES W. BUNCH
DIXIE Y. BUNCH
VOL. 1702, PG. 621
O.P.R.G.C.T.

PART OF LOT 5, BLOCK 3
J. P. LOVING'S SECOND ADDITION
JAMES M. DOUGLAS
VOLUME 1772, PAGE 325
O.P.R.G.C.T.

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

LEGEND

- 1/2" STEEL ROD SET
- 1/2" STEEL ROD FOUND
- PP — POWER POLE
- W — WATER METER
- BOUNDARY LINE
- PROPERTY LINE
- CHAINLINK FENCE
- STOCKADE FENCE
- OHE — OHE — OVERHEAD ELECTRIC LINE

SCALE
1" = 50'

LEGAL DESCRIPTION

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

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

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 11/25/19

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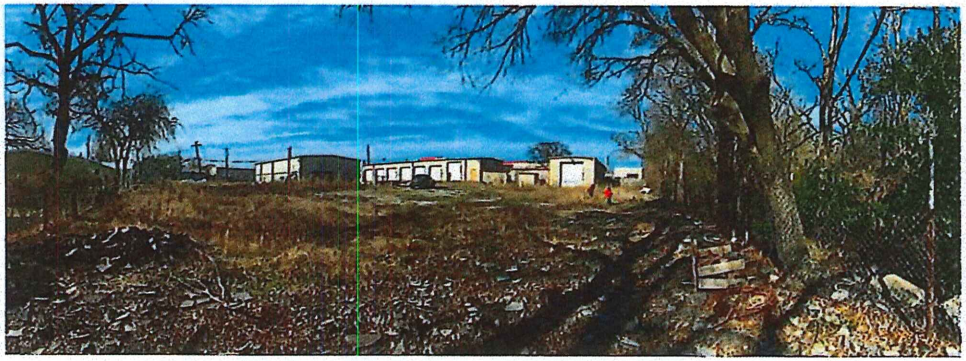
UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

EXXON



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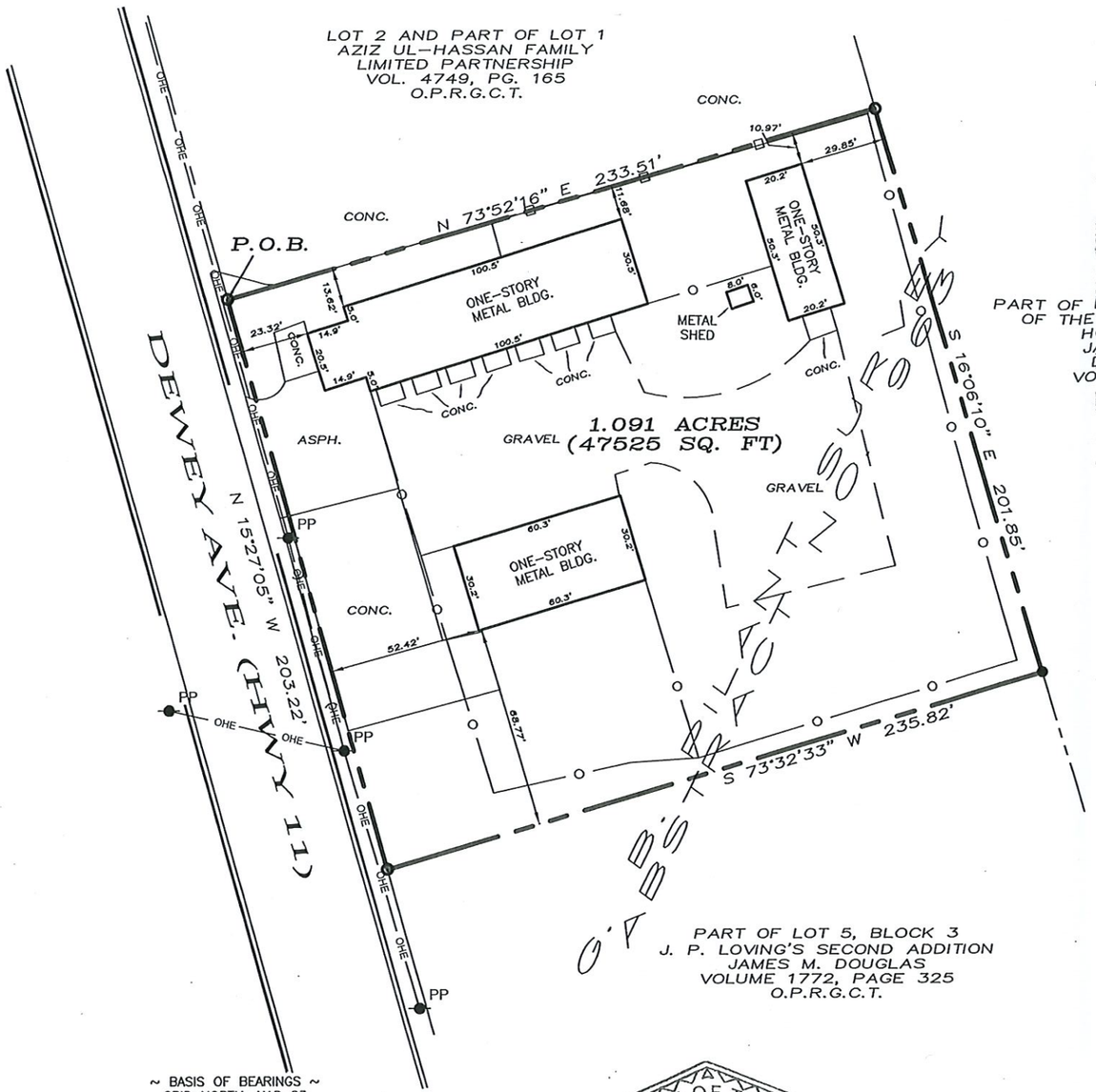
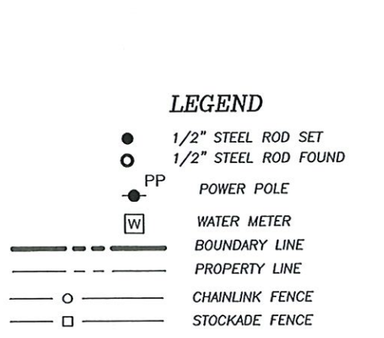
FW:AS — DFT:JP



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



SCALE
1" = 50'

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Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709
Firm No. 10006300
DATE OF SURVEY: 11/25/19

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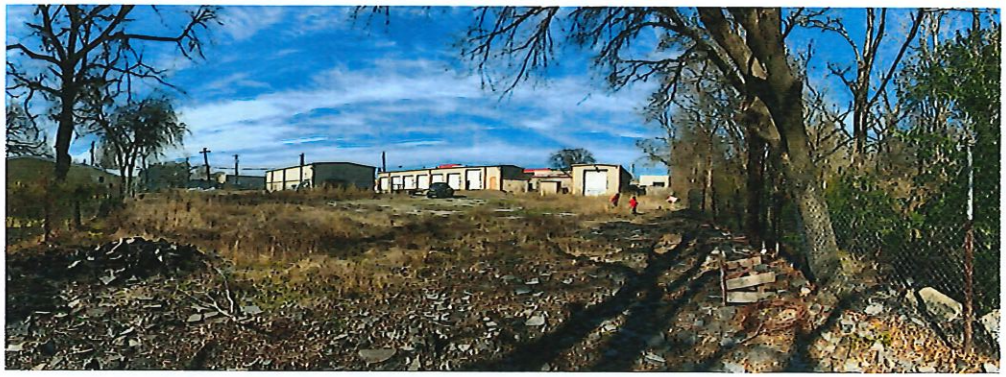
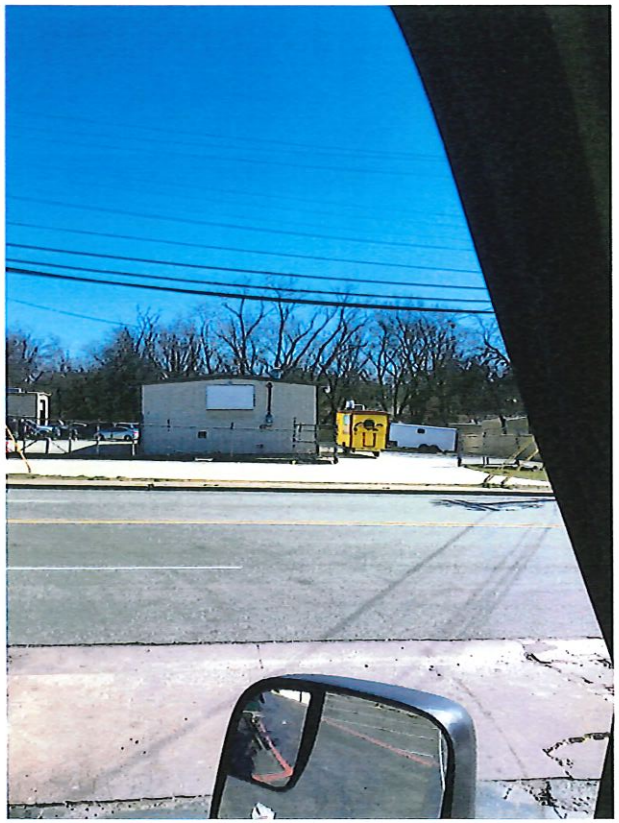
UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

EXXON





Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

March 9, 2021

Miguel Avalos
2105 S. First St.
Sherman, TX 75090

Miguel Avalos
207 S. Dewey Ave.
Sherman, TX 75090

Dear Applicants,

The request to Renew a Specific Use Permit and site plan approval to allow new and used tire sales and repair, general maintenance with alignments and oil changes in a C-2 (General Commercial) District located at 207 and 209 South Dewey Avenue has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, March 16, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-2 (General Commercial) District, the Fence Ordinance, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance.
2. Fire 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 the right-of-way.
4. No outside parking or storage of dismantled, junk or inoperable vehicles, equipment, wrecks, tires, parts or displays is allowed.
5. Parking is permitted on paved surfaces only (concrete); a parking space is considered to be 9'x20'.
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. All requirements of the Floodplain Ordinance shall be followed.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

11. New drive approaches and sidewalks must conform to City of Sherman and TxDOT standard and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within the public right of way.
12. Parking permitted on private property only.
13. Parking permitted on improved surfaces only.
14. All aspects of the Stormwater requirements must be followed.

15. Verify fire requirements and code compliance with Fire Marshal.

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

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

Respectfully,

Rob Rae
Secretary, Planning and Zoning Board and Board of Adjustment

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

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 28.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

207 & 209 SOUTH DEWEY AVENUE

The request of Miguel A. Avalos (Owner), Miguel Avalos (Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 207 and 209 South Dewey Avenue, being 1.091 acres in the G. B. Pilant Survey, Abstract No. 963 described as Lots 3, 4 & part of Lot 5 including the alley lying between Lots 3 & 4, Block 3, J. P. Loving's 2nd Addition, as follows:

Planning and Zoning Commission

Renew Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow new and used tire sales and repair, general maintenance with alignments and oil changes in a C-2 (General Commercial) District.

Background:

The property is located at 207 and 209 South Dewey Avenue between Lamar and Cherry Streets and is zoned a C-2 (General Commercial) District. A Specific Use Permit to allow new and used tire sales and repair, general maintenance with alignments and oil changes was approved March 16, 2020 (Ordinance No. 6287) limited to a one-year time period. Mr. Avalos is requesting to renew the Specific Use Permit to continue his business providing new and used tires sales, service and repair, as well as general maintenance with alignments and oil changes.

Adjacent Zoning:

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

Origination:

Miguel A. Avalos (Owner)
Miguel Avalos (Representative)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

18

Objections Received:

2

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Ord 6287
Site Plan
Building Elevations
Photos
Staff Review Letter
Email from Tim Jones
Letter from Sherman Investment of WA LLC

Reeves, Patsy

From: Rae, Rob
Sent: Tuesday, March 2, 2021 10:18 AM
To: Tim Jones
Cc: Reeves, Patsy; Liss, Andreas
Subject: RE: Zoning and Planning

Mr. Jones,

I have received your comments and will include a copy of it for each of the Planning and Zoning Commission members. I will do some digging before the meeting to determine if the sales and installation of truck accessory's is a permitted use or part of his Specific Use Permit. We will also forward this comment to our Code Enforcement officers to determine if there are any noise violations.

Thanks,

Rob Rae, AICP
Director of Development Services
City of Sherman, Texas
P 903.892.7333
robr@cityofsherman.com
www.ci.sherman.tx.us
Sherman
CLASSIC TOWN. BROAD HORIZON.

The City of Sherman is a public entity; therefore, this correspondence may be subject to disclosure under the Texas Public Records Act. Any views or opinions presented herein are solely those of the author and do not necessarily represent official City of Sherman policy.

CONFIDENTIALITY NOTICE: This correspondence and any files accompanying its transmission are intended only for the recipient to whom they are addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you have received this in error, please notify the sender (only) and permanently delete this message.

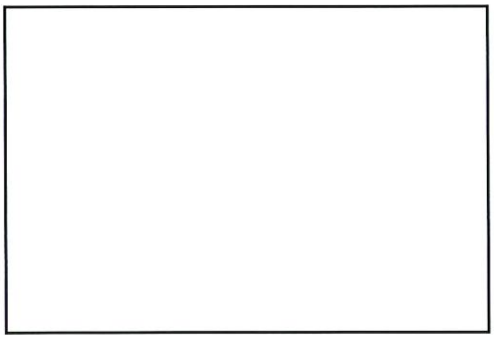
From: Tim Jones <pictxterowner@hotmail.com>
Sent: Tuesday, March 2, 2021 9:33 AM
To: Rae, Rob <RobR@cityofsherman.com>
Subject: Zoning and Planning

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

To Rob Rae
Thank you for the notice of the hearing on the day of March 16, 2021 Concerning business located at 207 and 209 S Dewey Avenue.
200 ft or less from my Homestead.
In the letter it says that I do not have to appear but I may voice my views to you.
The applicant Miguel A. Avlos (owner/representative) Has not specified Sales and Instillation of Truck Accessory's, specifically Air Horns/Train Horns.
It is possible that the Horns are personal property of Miguel A. Avlos and not a part of his services, it is unclear

untill you speak with him.
I do see the Modified Trucks frequent the business and I am going to send a link to help you understand exactly what type of service I am referring to.
https://hornblasters.com/
I am not the only person disturbed by these horns, I have been in the General Dollar as the employees were startled by this also and it does occur after dark as well. Most people know we can't even honk regular horns after dark unless necessary to insure safe operation whitch would make it a service provide by Mr. Avlos.
To save you time, seconds probably I am including the Ordinance I believe closely corresponds to this Infraction.
Texas Transportation Code § 547.501. Audible Warning Devices - (a) A motor vehicle shall be equipped with a horn in good working condition that emits a sound audible under normal conditions at a distance of at least 200 feet. (b) A vehicle may not be equipped with and a person may not use on a vehicle a siren, whistle, or bell unless the vehicle is: (1) a commercial vehicle that is equipped with a theft alarm signal device arranged so that the device cannot be used as an ordinary warning signal; or (2) an authorized emergency vehicle that is equipped with a siren, whistle, or bell that complies with Section 547.702 . (c) A motor vehicle operator shall use a horn to provide audible warning only when necessary to insure safe operation. (d) A warning device, including a horn, may not emit an unreasonably loud or harsh sound or a whistle.

I have no problems with the services he has listed.
Tim Jones
310 S Dewey Ave.



HornBlasters - Don't Blow Your Temper, Blow Your Horns!

YOUR ONE-STOP PNEUMATIC SHOP. Train Horns, Air Horns, Onboard Air Systems, and Air Suspension, we have it all!We bring the real sound of a locomotive right to your vehicle and service all your pneumatic needs. Our Horn Kits are simply ridiculous and provide your vehicle with a voice on the road! To learn more about our company, please visit our About Us section to get the whole story!

hornblasters.com

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

February 26, 2021

Sherman Investment of WA LLC
% Royal Property Mgmt.
PO Box 60218
Shoreline, WA 98160

RECEIVED
MAR 0 8 2021

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, March 16, 2021 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Miguel A. Avalos (Owner), Miguel Avalos (Representative) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 207 and 209 South Dewey Avenue, being 1.091 acres in the G. B. Pilant Survey, Abstract No. 963 described as Lots 3, 4 & part of Lot 5 including the alley lying between Lots 3 & 4, Block 3, J. P. Loving's 2nd Addition

The request is as follows:
Planning and Zoning Commission
Renew Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow new and used tire sales and repair, general maintenance with alignments and oil changes in a C-2 (General Commercial) District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you cannot attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Rob Rae
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Secretary, Planning & Zoning Board

What precautions will be taken to protect the soil from contamination from petroleum products?

Harley D. O'Neil, Jr.
Sherman Investment of WA, LLC
(206) 353-5516

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6369

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Multi-Family Residential Complex (Aspire at Sherman Apartments) in a C-1 (Retail Business) District at 1111 Gallagher Drive, being Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the Partial Replat of Gleckler Plaza Addition (Aspire Two, LLC, Owner; Ryan Johnson, Representative; Covenant Development, Developer; Cross Architects, Architect; Cross Engineering Consultants, Civil Engineer; Lee Engineering, Civil Engineer and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

Issue:

To consider the request of Aspire Two LLC (Owner), Ryan Johnson (Representative), Covenant Development (Developer), Cross Architects (Architect), Cross Engineering Consultants (Civil Engineer), Lee Engineering (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) concerning the property at 1111 Gallagher Drive, being Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the partial Replat of Gleckler Plaza Addition for a Specific Use Permit to allow a Multi-Family Residential Complex (Aspire at Sherman Apartments in a C-1 (Retail Business) District.

Background:

The property is located at 1111 Gallagher Drive, the northwest corner of Calais and Gallagher Drive; formerly Community Specialty Hospital. The property is zoned a C-1 (Retail Business) District.

The owner would like to construct a 234 unit, 204,804 square foot, three-story apartment complex (Aspire at Sherman Apartments) including (78) carports, (42) attached garages, clubhouse, pool and dog park. The units will be 143 efficiency and one-bedroom units, 87 two-bedroom units, 24 efficiencies, 137 one-bedrooms units for a total of 248 units. They were granted exceptions to allow 438 parking spaces in lieu of the required 472 and to allow a wrought iron perimeter fence with brick columns every 24' in lieu of the required masonry perimeter wall surrounding the complex.

Origination:

Aspire Two LLC (Owner)
Ryan Johnson (Representative)
Covenant Development (Developer)
Cross Architects (Architect)
Cross Engineering Consultants (Civil Engineer)
Lee Engineering (Civil Engineer)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6369
Exhibit A
Exhibit B
Location Map
Zoning Map
Zoning Sign Photo
Narrative
Plat
Site Plan
Site Plan - Color Renderings
Building Elevations
Parking Comparison
Fence Elevations
Fence Elevations
Staff Review Letter
P&Z Communication
Letter from Larry Jordan (1)
Letter from Brenda Ragland
Letter from C&C Rental Properties
Letter from Larry Jordan (2)

ORDINANCE NO. 6369

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 MULTI-FAMILY RESIDENTIAL COMPLEX (ASPIRE AT SHERMAN APARTMENTS) IN A C-1 (RETAIL BUSINESS) DISTRICT AT 1111 GALLAGHER DRIVE, BEING LOT 1, BLOCK 1, JACKSON WALKER ADDITION, BEING A REPLAT OF ALL OF LOT 7, BLOCK 1, GLECKLER PLAZA ADDITION AND ALL OF LOTS 5 & 6, BLOCK 1, OF THE PARTIAL REPLAT OF GLECKLER PLAZA ADDITION (ASPIRE TWO, LLC, OWNER; RYAN JOHNSON, REPRESENTATIVE; COVENANT DEVELOPMENT, DEVELOPER; CROSS ARCHITECTS, ARCHITECT; CROSS ENGINEERING CONSULTANTS, CIVIL ENGINEER; LEE ENGINEERING, CIVIL ENGINEER; AND UNDERWOOD DRAFTING AND SURVEYING, SURVEYOR); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the effective date of this Ordinance, Aspire Two LLC (Owner), Ryan Johnson (Representative), Covenant Development (Developer), Cross Architects (Architect), Cross Engineering Consultants (Civil Engineer), Lee Engineering (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) and the property located at 1111 Gallagher Drive, and more particularly described as Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the partial Replat of Gleckler Plaza Addition, according to the Plat thereof filed of record on August 28, 2020, Document 2020-133, Real Property Records of Grayson County, Texas are granted a Specific Use Permit to

allow a Multi-Family Residential Complex as depicted in **Exhibit B,** in a C-1 (Retail Business) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include property described as:

> Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the partial Replat of Gleckler Plaza Addition according to the Plat thereof filed of record on August 28, 2020, Document 2020-133, Real Property Records of Grayson County, Texas.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-1 (Retail Business) District, the screening Ordinance, the Sign Ordinance and the Residential Tree and Landscaping Ordinance.
2. The development and uses of the property shall conform to and comply with the Zoning Exhibit, attached hereto as **Exhibit B** and incorporated herein for all purposes.
3. A minimum 6' masonry perimeter wall shall be provided to surround the development unless an exception is granted.
4. No building shall exceed the height of 45 feet unless an exception is granted.
5. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
6. Parking is permitted on paved surfaces only (concrete and asphalt).
7. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20' unless an exception is granted.
8. The monument sign will require approval of an exception; only wall signs are allowed.
9. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
10. The trash dumpster will need to be located inside the main building area and screened.
11. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
12. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

13. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
14. Privately owned and maintained detention to comply with City criteria.
15. Civil plans to be reviewed and approved by City of Sherman Engineering Department prior to building permits being issued.

16. Verify fire requirements and code compliance with Fire Marshal.
17. The location of trash receptors must be approved by the Public Works Department.
18. Internal water and sewer lines will be privately owned and maintained.

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

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

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

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

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

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

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

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

EFFECTIVE DATE on this the_____ day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

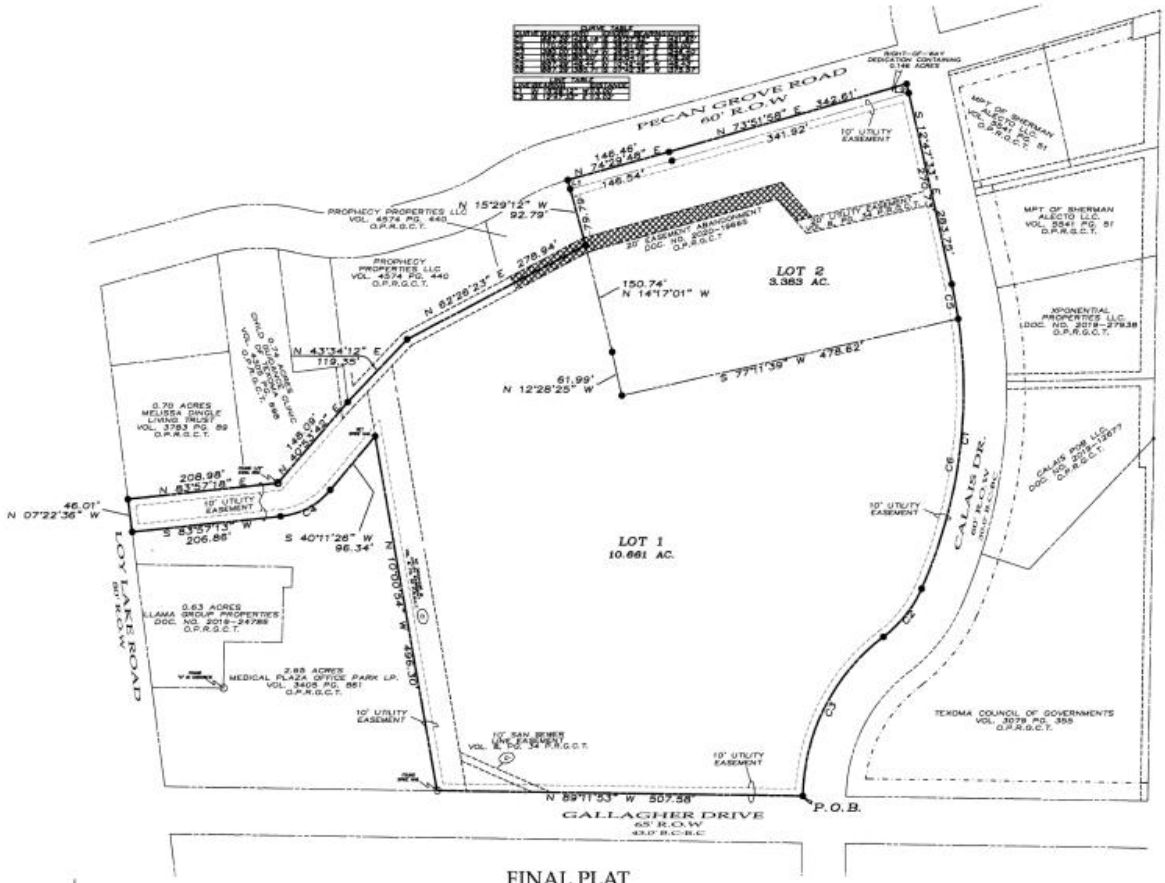
APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A
Legal Description and Depiction of the Property

"Exhibit A"

JOB NO. 20050479



FINAL PLAT

JACKSON WALKER ADDITION

Being a replat of all of Lot 7, Block One, of Gleckler Plaza Addition, to the City of Sherman, of record in Volume 8, Page 35, of the Plat Records, Grayson County, Texas, and all of Lots 5 & 6, Block One ,of the partial replat of Gleckler Plaza Addition, of record in Volume 8, Page 85, of said Plat Records

BEING 14.189 ACRES

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

Filed for Record
In the Official Records Of:
Grayson County Clerk
On: 8/28/2020 2:48:46 PM
In the PLAT Records
JACKSON WALKER ADDN
Doc Number: 2020-133
Number of Pages: 2
Amount: 75.00
Order#: 20200828000124
By: HA

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

OWNERS/DEVELOPER
MPT OF SHERMAN ALECTO LLC.
1000 URBAN CENTER DRIVE
BIRMINGHAM, ALABAMA 35242

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

6-23-2020

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

SHEET 1 OF 2

23067

JOB NO. 20060479

LEGAL DESCRIPTION

Situated in the City of Sherman, Grayson County, Texas, being a part of the J.B. McAnair Survey, Abstract No. 763, being all of Lot 7, Block One, of Gleckler Plaza Addition, to the City of Sherman, of record in Volume 8, Page 35, of the Plat Records, Grayson County, Texas, and all of Lots 5 & 6, Block One ,of the partial replat of Gleckler Plaza Addition, of record in Volume 8, Page 85, of said Plat Records, also being all that parcel of land described as Tract One in Warranty Deed from Notami Hospitals of Texas, Inc., to Epic Properties, Inc., of record in Volume 2165, Page 808, of the Real Property Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a ½" capped steel rod set at the intersection of the north right-of-way line of Gallagher Drive with the west right-of-way line of Calais Drive, being the southeast corner of said Lot 7 and Block One;

Thence North 89°11'53" West with said north right-of-way line, a distance of 507.58 feet to a Found Spike Nail set at the southeast corner of Lot 8, of said Block One;

Thence North 10°00'54" West with the east line of said Lot 8, a distance of 496.30 feet to a spike nail set in an asphalt drive, said nail being the northeast corner of said Lot 8;

Thence with the north line of said Lot 8 the following calls and distances:
South 40°11'26" West a distance of 98.34 feet to a set ½" capped steel rod;

A curve to the right having a radius of 105.00 feet, an arc length of 80.20 feet, a chord bearing of S 62°04'19" W, and an chord length of 78.26 feet to a set ½" capped steel rod;

South 83°57'13" West a distance of 206.86 feet to a ½" capped steel rod set in the east right-of-way line of Loy Lake Road;

Thence North 07°22'36" West with said east right-of-way line, a distance of 46.01 feet to a ½" capped steel rod set at the southwest corner of that tract of land conveyed to Melissa Dingle Living Trust by deed of record in Volume 3783, Page 89, Official Public Records, Grayson County, Texas;

Thence North 83°57'18" East with the south line of said tract a distance of 208.98 feet to a ½" steel rod found in concrete at an angle point in the south line of Lot 1, of said Block One;

Thence North 40°53'42" East with said south line, a distance of 148.09 feet to a ½" capped steel rod set at the southeast corner of said Lot One, the southwest corner of Lot 3, of said Block One;

Thence North 43°34'12" East with the south line of said Lot 3, a distance of 119.35 feet to a ½" capped steel rod set at an angle point in said south line;

Thence North 82°26'23" East a distance of 278.94 feet to a ½" capped steel rod set at the southeast corner of Lot 4, of said Block One;

Thence North 15°29'12" West with the east line of said Lot 4, a distance of 92.79 feet to a ½" capped steel rod set at the northeast corner of said Lot 4, also being in the north line of said Block One;

Thence North 74°29'48" East with the north line of said Block One, a distance of 146.46 feet to a set ½" capped steel rod;

Thence North 73°51'58" East a distance of 342.61 feet to a ½" capped steel rod set at the northeast corner of Lot 6, of said Block One, said rod being in the west right-of-way line of said Calais Drive;

Thence with said west right-of-way line the following calls and distances:
South 12°47'33" East a distance of 283.75 feet to a set ½" capped steel rod;
A curve to the right having a radius of 667.29 feet, an arc length of 429.46, feet a chord bearing of South 05°37'52" West 421.80 feet to a set ½" capped steel rod;
A curve to the right having a radius of 170.00 feet, an arc length of 85.91 feet, a chord bearing South 38°31'58" West 85.00 feet to a set ½" capped steel rod;
A curve to the left having a radius of 280.00 feet, an arc length of 255.14 feet, a chord bears South 26°54'21" West 246.40 feet to the Point-of-Beginning and containing 14.189 acres of land.

ACCEPTANCE

Approved this 21st day of July, 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 _____ 08/28/2020 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.

_____ 08/24/2020

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

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, MPT OF SHERMAN ALECTO LLC., do hereby adopt this plat designating the hereinabove property as the JACKSON WALKER ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this 27th day of August, 2020

EMMETT E. MCLEAN, EVP AND COO
MPT OF SHERMAN ALECTO LLC.

STATE OF Alabama
COUNTY OF Jefferson

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared EMMETT E. MCLEAN 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 27th day of August, 2020.

Brandi Dipiazza
Notary Public in and for Alabama
the State of Alabama
Commission Expires 12/26/23

BRANDI DIPIAZZA NOTARY PUBLIC ALABAMA STATE AT LARGE MY COMMISSION EXPIRES DECEMBER 26, 2023 NOTARY PUBLIC STATE OF ALABAMA

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, JACKSON WALKER ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the 28th day of August, 2020, and the City Council by 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 28th day of August, 2020.

Linda Ashley
Clerk, City of Sherman, Texas

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.

FINAL PLAT

JACKSON WALKER ADDITION

Being a replat of all of Lot 7, Block One, of Gleckler Plaza Addition, to the City of Sherman, of record in Volume 8, Page 35, of the Plat Records, Grayson County, Texas, and all of Lots 5 & 6, Block One ,of the partial replat of Gleckler Plaza Addition, of record in Volume 8, Page 85, of said Plat Records
BEING 14.189 ACRES

Filed for Record
in the Official Records Of:
Grayson County Clerk
On: 8/28/2020 2:48:46 PM
In the PLAT Records
JACKSON WALKER ADDN
Doc Number: 2020-133
Number of Pages: 2
Amount: 75.00
Order#: 20200828000124
By: HA

GRAYSON COUNTY TEXAS

OWNERS/DEVELOPER
MPT OF SHERMAN ALECTO LLC.
1000 URBAN CENTER DRIVE
BIRMINGHAM, ALABAMA 35242

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

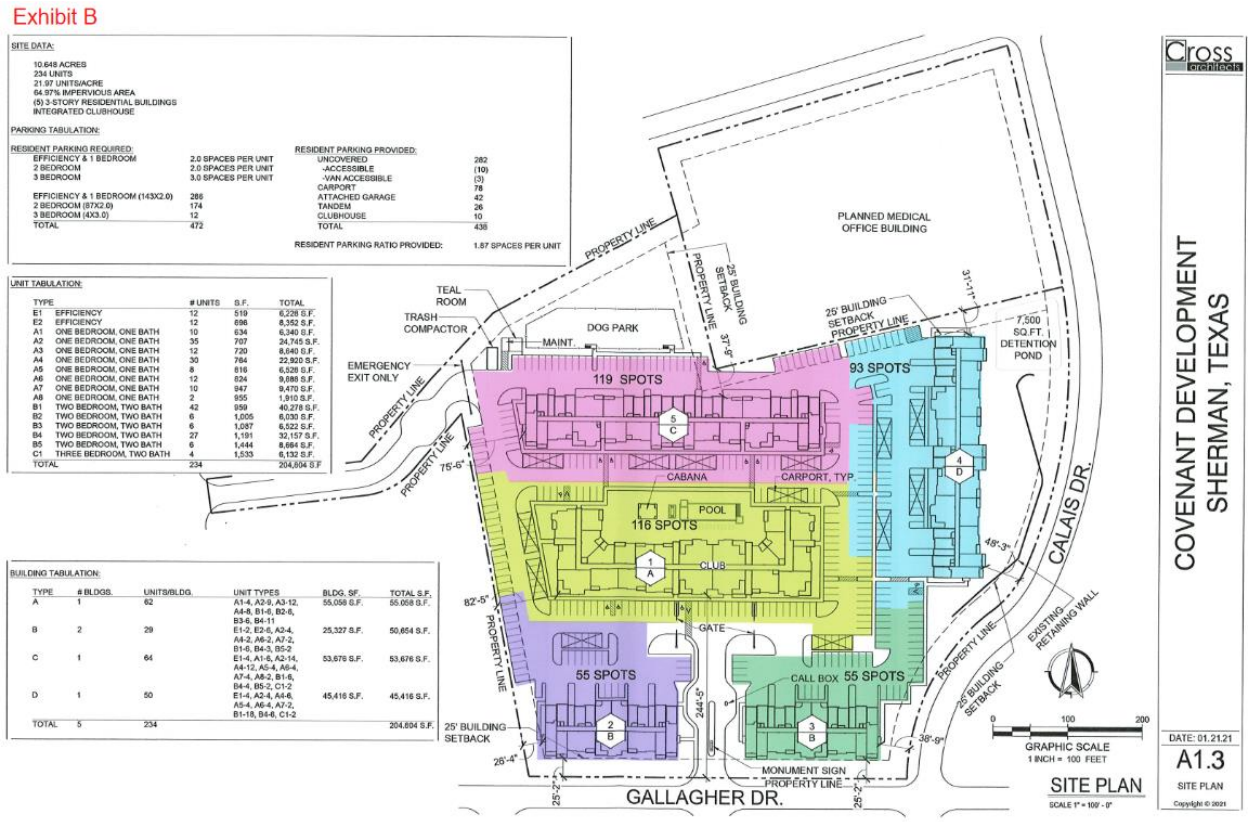
6-23-2020

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

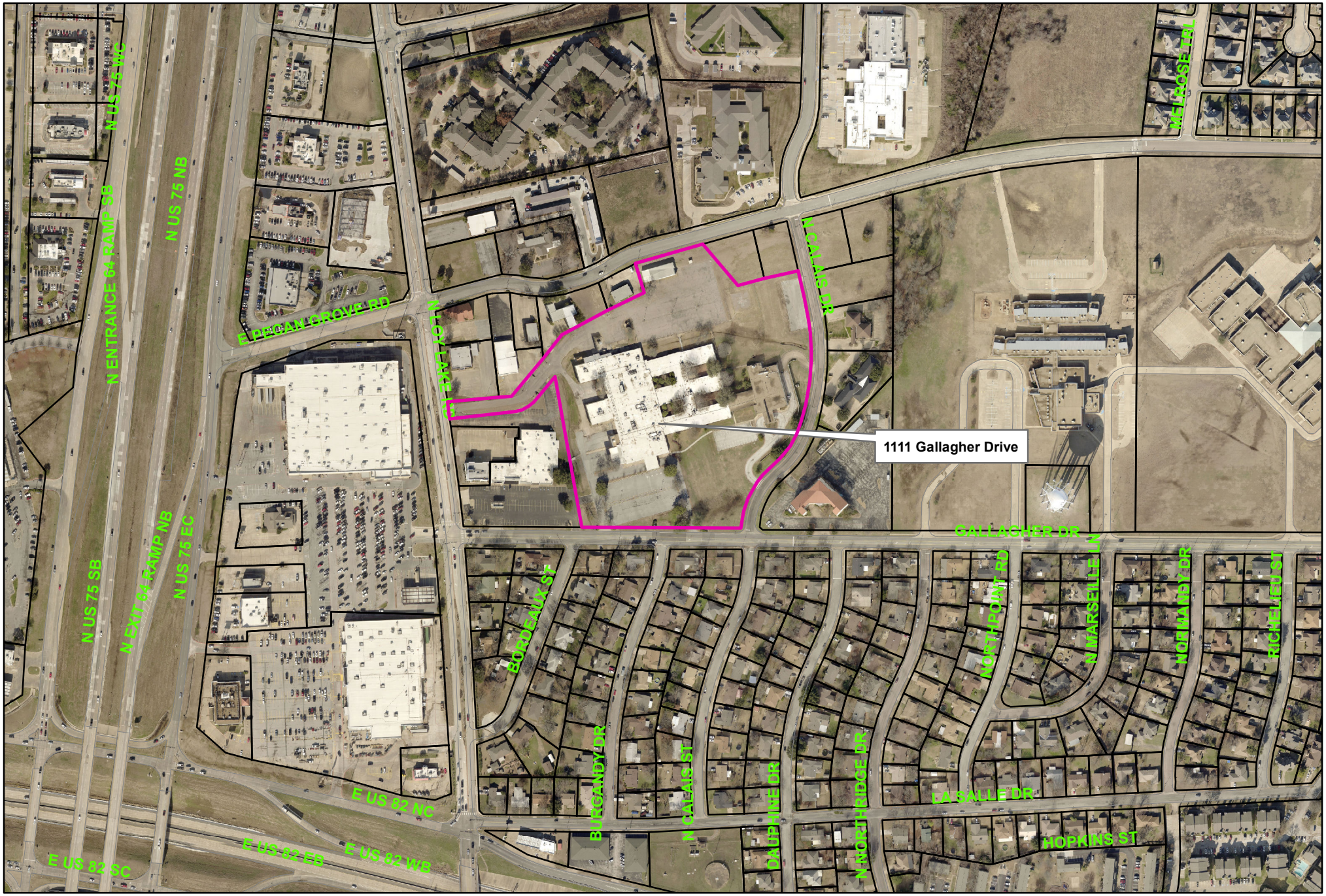
SHEET 2 OF 2

E-9-409

Exhibit B
Zoning Exhibit



Note: Approval of the zoning case associated with this exhibit shall not imply or be interpreted as approval of any associated study, plat or plan, approval of development standards shown hereon or the initiation of the development process. Planning and Zoning Commission and/or City Council action on studies, plats or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.



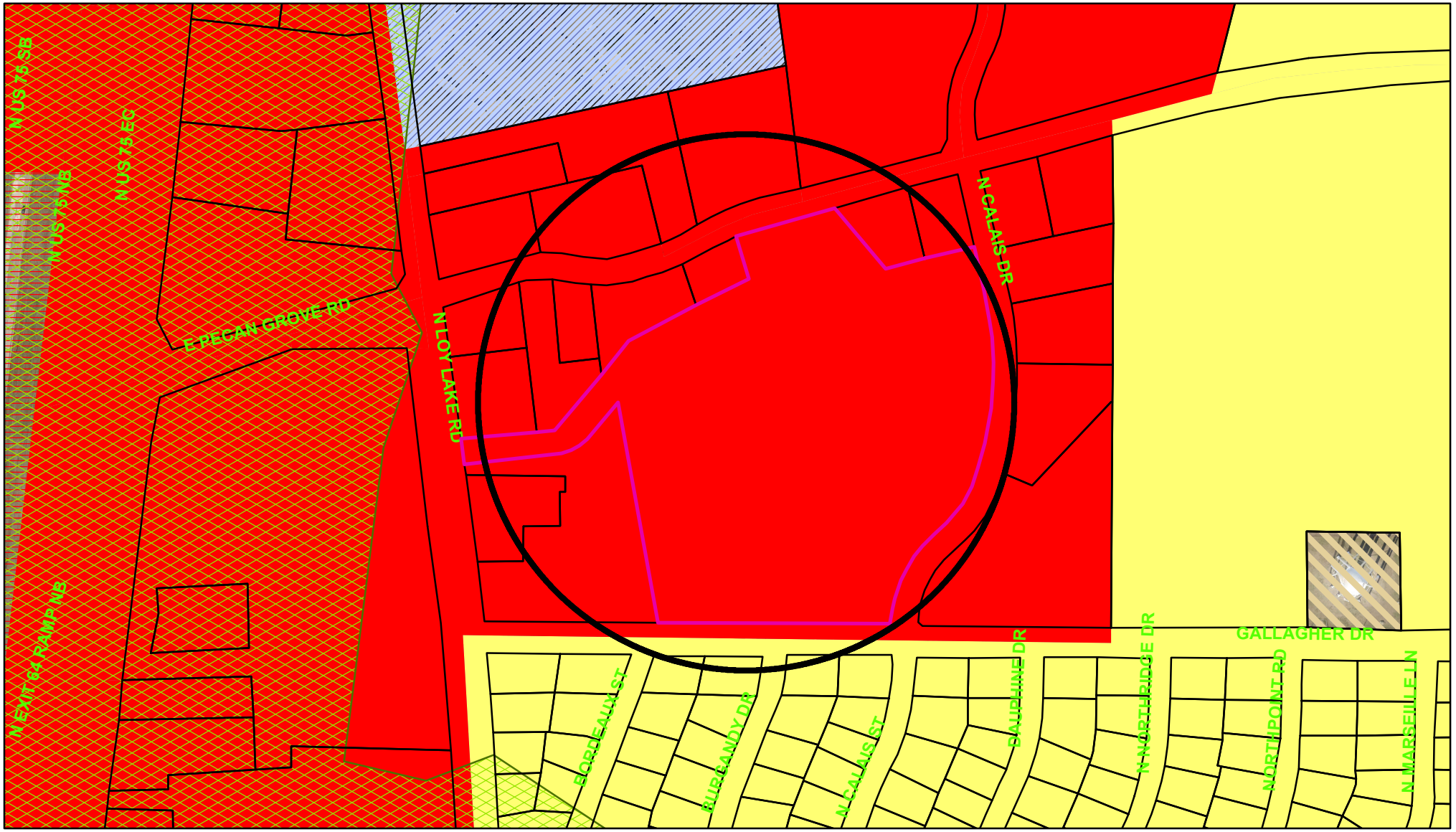
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

1111 Gallagher Drive

NOT TO SCALE

1 in = 400 ft



Zoning - 1111 Gallagher Drive

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 300 ft

1111 Gallagher Drive

COVENANT DEVELOPMENT

www.covdevelopment.com
PO Box 670 | Sherman, Texas 75091

January 21, 2021

Rob Rae
Director of Development Services
220 W. Mulberry Street
Sherman, Texas 75090

Re: 1111 Gallagher Dr; Project Narrative; Specific Use Permit & Variance Request

Dear Mr. Rae:

Covenant Development is requesting a Specific Use Permit at 1111 Gallagher Dr for the construction of a 234-unit Class A multifamily complex. The property was previously a Wilson N. Jones specialty hospital that had been vacant for many years and fallen into disrepair. Covenant has completed asbestos remediation and is in the process of demolishing the building for a mixed-use redevelopment. It is our opinion that the highest and best use for the property is Class A market rate apartments, office, and medical office development. Because of the existing demand and the record growth Sherman is experiencing quality housing is needed. If Sherman is to continue to attract new businesses and residents, additional high-quality housing options are sorely needed.

The first project in this mixed-use redevelopment will be the construction of a 234-unit Class A Multifamily complex on Lot 1 of the Jackson Walker addition, which contains 10.661 acres. The City has previously communicated to us that their desire is urban style housing with more density. We were able to accomplish this request, but this style of development has created a conflict with the current R-2 Multifamily Residential Parking Ordinance ("Ordinance"). Under the Ordinance the required parking spaces for this project is 472 spaces or a 2.0 parking ratio based on the unit mix of the project. The final design for this project yields a total of 438 parking spaces or a 1.87 parking ratio. Due to the requested density by the City, the configuration and topography of the site itself, and the current use of the shared access road at the northwest corner of the property, Covenant is respectfully requesting a variance to the parking requirements under the Ordinance.

The driveway connecting the main portion of the property with Loy Lake Road, (photos on following page), is currently being used for dumpsters and parking lot access by tenants in the adjacent buildings. If we were to use this area to add more parking then we would be forced to move the private access gate further west towards Loy Lake Road, which would create a hardship on our neighbors by restricting or eliminating access to their trash collection and parking areas. Even extending the parking into this area will not yield the required number of parking spaces.

Included with our application is a map showing our parking distribution or number of parking spaces per building. Based on the number of units in each building we are confident that each building has an adequate number of parking spaces for residents. In our other multifamily projects throughout the State of Texas, parking ratios range from 1.6 to 1.9. We have not had any complaints about the lack of parking. We have researched some cities near Sherman and below is quick summary of their required parking ratios. Additionally, the proposed parking arrangement for this project would

PHONE (903) 893-8500 | FAX (903) 893-8580 | EMAIL ryan@covdevelopment.com

comply with all recently passed Planned Development ordinances in Sherman. If the City of Sherman desires more density and urban-style housing options, then loosening the existing parking requirements will be a necessity.

Finally, we are requesting an exception to the minimum six-foot masonry perimeter wall requirement in R-2 Multi-family residential districts. In lieu of a masonry wall, we would like to install a six-foot welded tubular steel (wrought iron) perimeter fence for multiple reasons. First, we do not want to block the urban aesthetic of the building elevations. We have worked hard to meet the City's direction to provide an urban style product with great curb appeal. A solid masonry wall would take away from this directive. Second, a solid masonry wall seriously detracts from the open feeling that is necessary for a successful urban project. We have used welded tubular steel perimeter fencing in our past multifamily projects and this type of fencing is standard for this type of project. Having a solid masonry feel gives the project a "compound" type feel and detracts from the marketability of the project. We aim to achieve any desired screening from surrounding properties through the use of strategically placed landscaping. We find our residents appreciate and value landscaping as a screening device because it enhances the nature feel of the project. Finally, the project site is not immediately adjacent to any single-family homes so a solid screening wall around the entire perimeter is unnecessary.

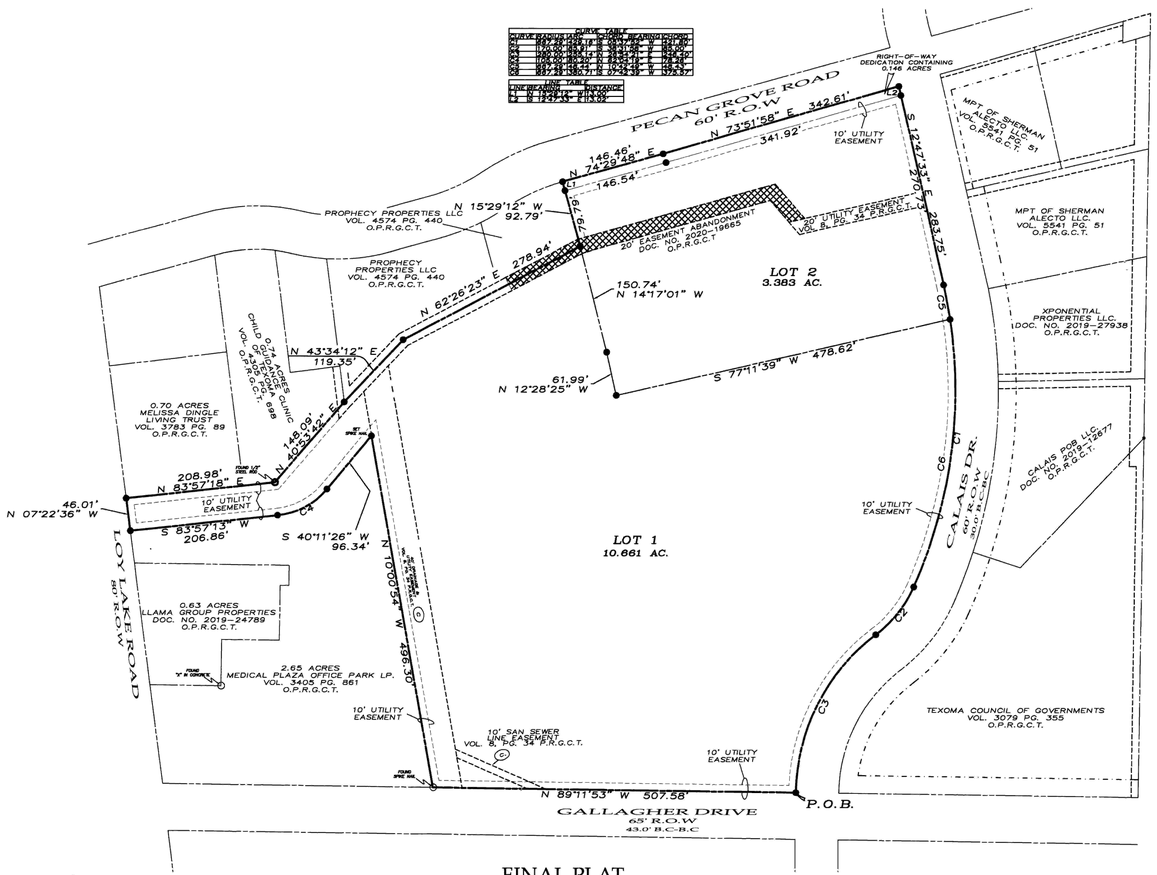
We respectfully request that the Planning & Zoning Commission and City Council consider granting the SUP, parking variance, and masonry screening wall variance so that Covenant Development may continue redeveloping a previously blighted property into a quality development which will add much-needed, high-quality housing for our growing community.

Sincerely,

Ryan Johnson
President
Covenant Development

JOB NO. 20050479

"Exhibit A"



CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	667.29'	36°51'25"	S 05°37'52" W	421.80'	429.46'
C2	170.00'	28°57'19"	S 38°31'58" W	85.00'	85.91'
C3	280.00'	50°54'12"	S 26°54'21" W	240.40'	255.14'
C4	105.00'	43°48'19"	S 62°04'19" W	78.26'	80.20'
C5	105.00'	43°48'19"	N 62°04'19" E	78.26'	80.20'
C6	887.29'	36°51'25"	S 05°37'52" W	560.87'	570.82'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 74°29'48" E	146.54'
L2	N 43°34'12" E	119.35'

FINAL PLAT

JACKSON WALKER ADDITION

Being a replat of all of Lot 7, Block One, of Gleckler Plaza Addition, to the City of Sherman, of record in Volume 8, Page 35, of the Plat Records, Grayson County, Texas, and all of Lots 5 & 6, Block One ,of the partial replat of Gleckler Plaza Addition, of record in Volume 8, Page 85, of said Plat Records

BEING 14.189 ACRES

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

Filed for Record
in the Official Records Of:
Grayson County Clerk
On: 8/28/2020 2:48:46 PM
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JACKSON WALKER ADDN
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Amount: 75.00
Order#: 20200828000124
By: HA

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

OWNERS/DEVELOPER
MPT OF SHERMAN ALECTO LLC.
1000 URBAN CENTER DRIVE
BIRMINGHAM, ALABAMA 35242

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
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6-23-2020

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

SHEET 1 OF 2 — 20067

JOB NO. 20060479

LEGAL DESCRIPTION

Situated in the City of Sherman, Grayson County, Texas, being a part of the J.B. McAnair Survey, Abstract No. 763, being all of Lot 7, Block One, of Gleckler Plaza Addition, to the City of Sherman, of record in Volume 8, Page 35, of the Plat Records, Grayson County, Texas, and all of Lots 5 & 6, Block One ,of the partial replat of Gleckler Plaza Addition, of record in Volume 8, Page 85, of said Plat Records, also being all that parcel of land described as Tract One in Warranty Deed from Natami Hospitals of Texas, Inc., to Epic Properties, Inc., of record in Volume 2165, Page 808, of the Real Property Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a ½" capped steel rod set at the intersection of the north right-of-way line of Gallagher Drive with the west right-of-way line of Calais Drive, being the southeast corner of said Lot 7 and Block One;

Thence North 89°11'53" West with said north right-of-way line, a distance of 507.58 feet to a Found Spike Nail set at the southeast corner of Lot 8, of said Block One;

Thence North 10°00'54" West with the east line of said Lot 8, a distance of 496.30 feet to a spike nail set in an asphalt drive, said nail being the northeast corner of said Lot 8;

Thence with the north line of said Lot 8 the following calls and distances:
South 40°11'26" West a distance of 96.34 feet to a set ½" capped steel rod;

A curve to the right having a radius of 105.00 feet, an arc length of 80.20 feet, a chord bearing of S 62°04'19" W, and an chord length of 78.26 feet to a set ½" capped steel rod;

South 83°57'13" West a distance of 206.86 feet to a ½" capped steel rod set in the east right-of-way line of Loy Lake Road;

Thence North 07°22'36" West with said east right-of-way line, a distance of 46.01 feet to a ½" capped steel rod set at the southwest corner of that tract of land conveyed to Melissa Dingle Living Trust by deed of record in Volume 3783, Page 89, Official Public Records, Grayson County, Texas;

Thence North 83°57'18" East with the south line of said tract a distance of 208.98 feet to a ½" steel rod found in concrete at an angle point in the south line of Lot 1, of said Block One;

Thence North 40°53'42" East with said south line, a distance of 148.09 feet to a ½" capped steel rod set at the southeast corner of said Lot One, the southwest corner of Lot 3, of said Block One;

Thence North 43°34'12" East with the south line of said Lot 3, a distance of 119.35 feet to a ½" capped steel rod set at an angle point in said south line;

Thence North 62°26'23" East a distance of 278.94 feet to a ½" capped steel rod set at the southeast corner of Lot 4, of said Block One;

Thence North 15°29'12" West with the east line of said Lot 4, a distance of 92.79 feet to a ½" capped steel rod set at the northeast corner of said Lot 4, also being in the north line of said Block One;

Thence North 74°29'48" East with the north line of said Block One, a distance of 146.46 feet to a set ½" capped steel rod;

Thence North 73°51'58" East a distance of 342.61 feet to a ½" capped steel rod set at the northeast corner of Lot 6, of said Block One, said rod being in the west right-of-way line of said Calais Drive;

Thence with said west right-of-way line the following calls and distances:
South 12°47'33" East a distance of 283.75 feet to a set ½" capped steel rod;
A curve to the right having a radius of 667.29 feet, an arc length of 429.46, feet a chord bearing of South 05°37'52" West 421.80 feet to a set ½" capped steel rod;
A curve to the right having a radius of 170.00 feet, an arc length of 85.91 feet, a chord bearing South 38°31'58" West 85.00 feet to a set ½" capped steel rod;
A curve to the left having a radius of 280.00 feet, an arc length of 255.14 feet, a chord bears South 26°54'21" West 246.40 feet to the Point-of-Beginning and containing 14.189 acres of land.

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, MPT OF SHERMAN ALECTO LLC., do hereby adopt this plat designating the hereinabove property as the JACKSON WALKER ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this 27th day of August, 2020

EMMETT E. MCLEAN, EVP AND COO
MPT OF SHERMAN ALECTO LLC.

STATE OF Alabama
COUNTY OF Jefferson

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared EMMETT E. MCLEAN 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 27th day of August, 2020.

Brandi Dipiazza
Notary Public in and for the State of Alabama
Commission Expires: 12/26/23

BRANDI DIPIAZZA
MY COMMISSION EXPIRES
DECEMBER 26, 2023
NOTARY PUBLIC
STATE OF ALABAMA

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, JACKSON WALKER ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the 17th day of August, 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 28th day of August, 2020.

Linda Ashby
Clerk, City of Sherman, Texas

CITY OF SHERMAN, TEXAS

ACCEPTANCE

Approved this 21st day of July, 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

08/28/2020
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

08/24/2020
Date

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot 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

JACKSON WALKER ADDITION

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6-23-2020

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

SHEET 2 OF 2 — E-9-409

SITE DATA:

10.648 ACRES
234 UNITS
21.97 UNITS/ACRE
64.97% IMPERVIOUS AREA
(5) 3-STORY RESIDENTIAL BUILDINGS
INTEGRATED CLUBHOUSE

PARKING TABULATION:

RESIDENT PARKING REQUIRED:		RESIDENT PARKING PROVIDED:	
EFFICIENCY & 1 BEDROOM	2.0 SPACES PER UNIT	UNCOVERED	282
2 BEDROOM	2.0 SPACES PER UNIT	-ACCESSIBLE	(10)
3 BEDROOM	3.0 SPACES PER UNIT	-VAN ACCESSIBLE	(3)
		CARPORT	78
EFFICIENCY & 1 BEDROOM (143X2.0)	286	ATTACHED GARAGE	42
2 BEDROOM (87X2.0)	174	TANDEM	26
3 BEDROOM (4X3.0)	12	CLUBHOUSE	10
TOTAL	472	TOTAL	438

RESIDENT PARKING RATIO PROVIDED: 1.87 SPACES PER UNIT

SITE PLAN

SCALE 1" = 100' - 0"

Cross architects

COVENANT DEVELOPMENT
SHERMAN, TEXAS

DATE: 01.21.21

A1.1

SITE PLAN

Copyright © 2021

SITE DATA:

10.648 ACRES
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21.97 UNITS/ACRE
64.97% IMPERVIOUS AREA
(5) 3-STORY RESIDENTIAL BUILDINGS
INTEGRATED CLUBHOUSE

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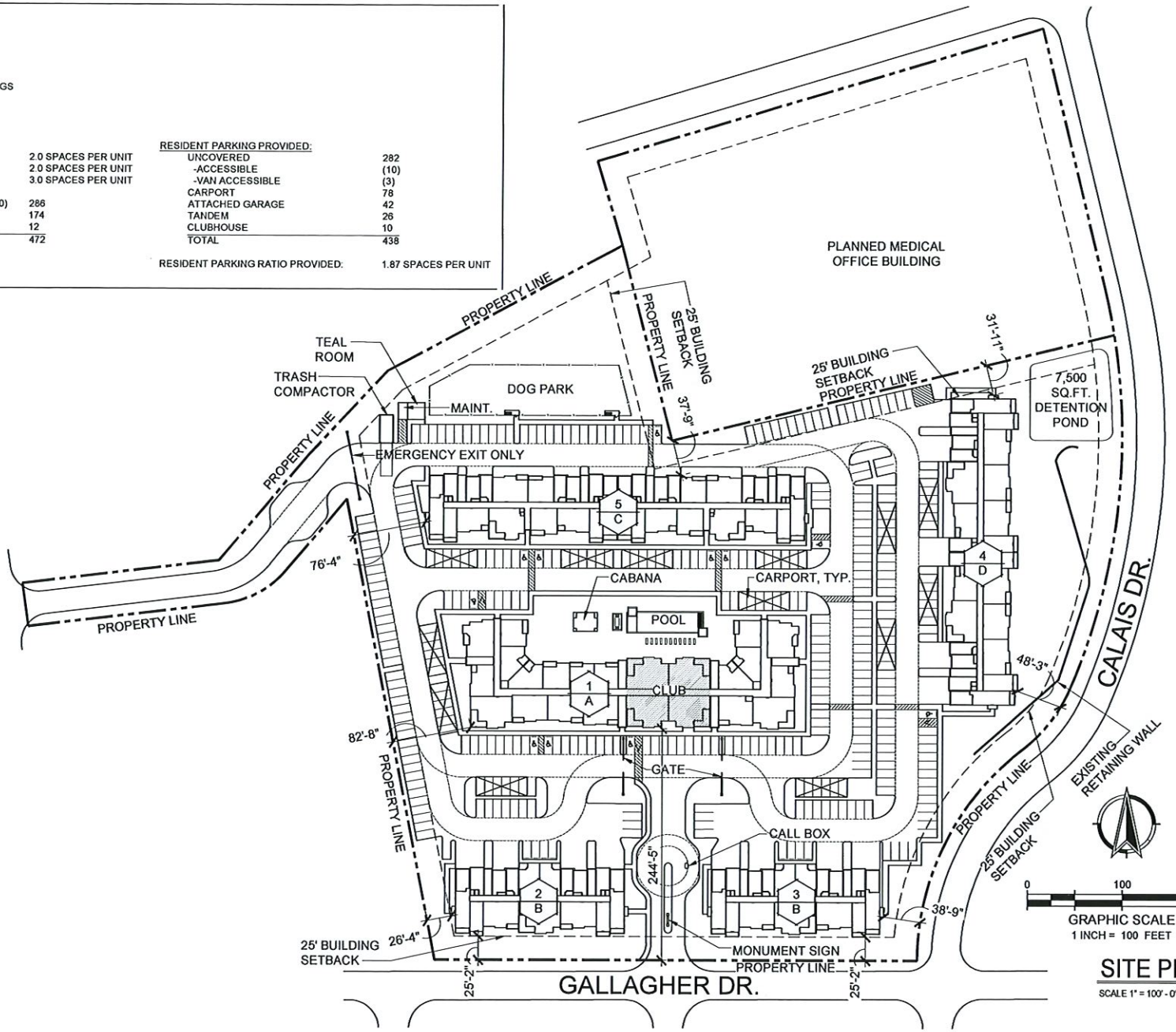

SITE PLAN
SCALE 1" = 100' - 0"

Cross architects

COVENANT DEVELOPMENT
SHERMAN, TEXAS

DATE: 01.21.21

A1.2

SITE PLAN

Copyright © 2021

SITE DATA:

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21.97 UNITS/ACRE
64.97% IMPERVIOUS AREA
(5) 3-STORY RESIDENTIAL BUILDINGS
INTEGRATED CLUBHOUSE

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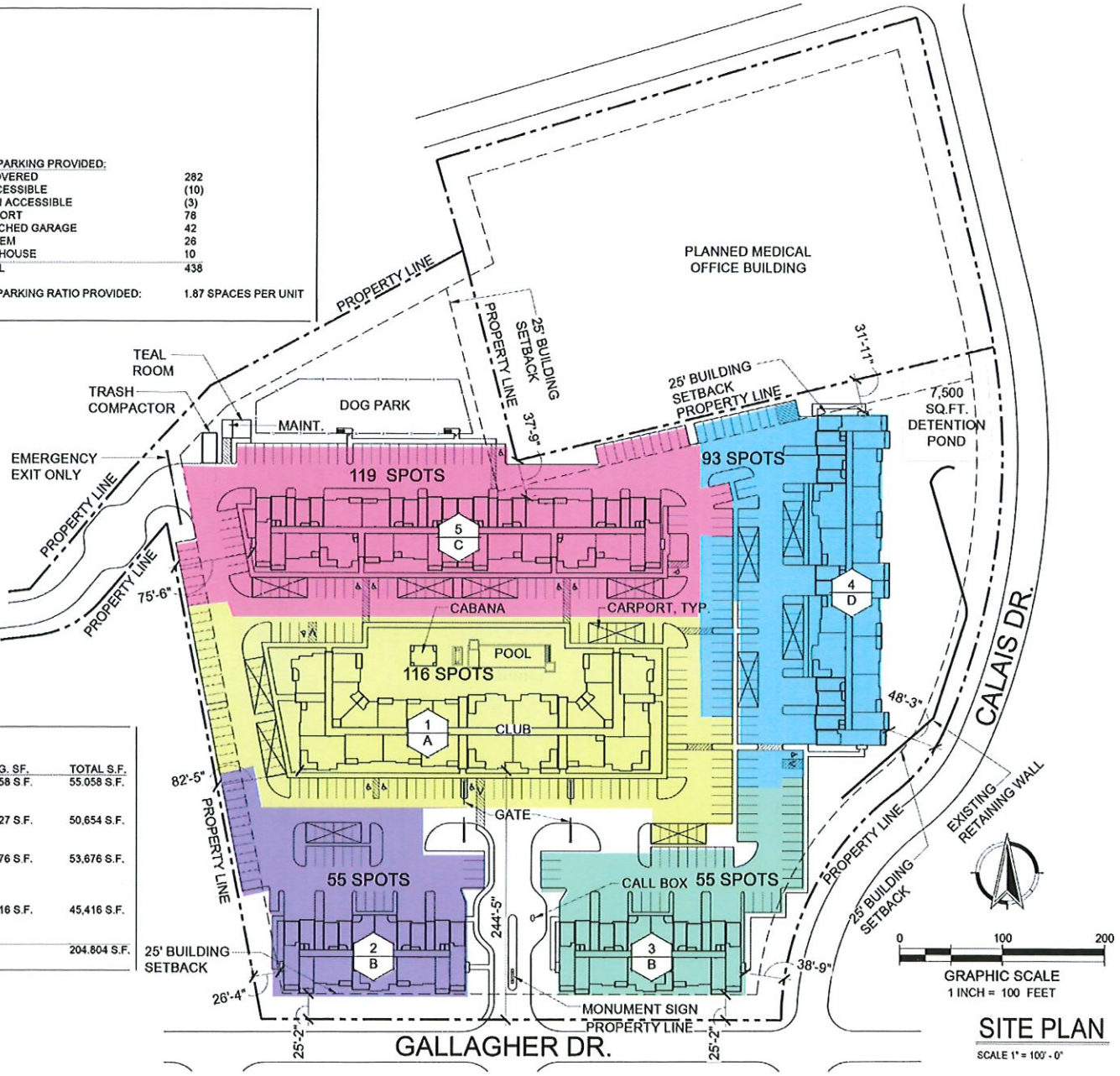
2 BEDROOM	2.0 SPACES PER UNIT	-ACCESSIBLE	(10)
3 BEDROOM	3.0 SPACES PER UNIT	-VAN ACCESSIBLE	(3)
		CARPORT	78
EFFICIENCY & 1 BEDROOM (143X2.0)	286	ATTACHED GARAGE	42
2 BEDROOM (87X2.0)	174	TANDEM	26
3 BEDROOM (4X3.0)	12	CLUBHOUSE	10
TOTAL	472	TOTAL	438
		RESIDENT PARKING RATIO PROVIDED:	1.87 SPACES PER UNIT

UNIT TABULATION:

TYPE		# UNITS	S.F.	TOTAL
E1	EFFICIENCY	12	519	6,228 S.F.
E2	EFFICIENCY	12	696	8,352 S.F.
A1	ONE BEDROOM, ONE BATH	10	634	6,340 S.F.
A2	ONE BEDROOM, ONE BATH	35	707	24,745 S.F.
A3	ONE BEDROOM, ONE BATH	12	720	8,640 S.F.
A4	ONE BEDROOM, ONE BATH	30	764	22,920 S.F.
A5	ONE BEDROOM, ONE BATH	8	816	6,528 S.F.
A6	ONE BEDROOM, ONE BATH	12	824	9,888 S.F.
A7	ONE BEDROOM, ONE BATH	10	947	9,470 S.F.
A8	ONE BEDROOM, ONE BATH	2	955	1,910 S.F.
B1	TWO BEDROOM, TWO BATH	42	959	40,278 S.F.
B2	TWO BEDROOM, TWO BATH	6	1,005	6,030 S.F.
B3	TWO BEDROOM, TWO BATH	6	1,087	6,522 S.F.
B4	TWO BEDROOM, TWO BATH	27	1,191	32,157 S.F.
B5	TWO BEDROOM, TWO BATH	6	1,444	8,664 S.F.
C1	THREE BEDROOM, TWO BATH	4	1,533	6,132 S.F.
TOTAL		234		204,804 S.F

BUILDING TABULATION:

TYPE	# BLDGS.	UNITS/BLDG.	UNIT TYPES	BLDG. SF.	TOTAL S.F.
A	1	62	A1-4, A2-9, A3-12, A4-8, B1-6, B2-6, B3-6, B4-11	55,058 S.F.	55,058 S.F.
B	2	29	E1-2, E2-6, A2-4, A4-2, A6-2, A7-2, B1-6, B4-3, B5-2	25,327 S.F.	50,654 S.F.
C	1	64	E1-4, A1-6, A2-14, A4-12, A5-4, A6-4, A7-4, A8-2, B1-6, B4-4, B5-2, C1-2	53,676 S.F.	53,676 S.F.
D	1	50	E1-4, A2-4, A4-6, A5-4, A6-4, A7-2, B1-18, B4-6, C1-2	45,416 S.F.	45,416 S.F.
TOTAL	5	234			204,804 S.F.



SITE PLAN

SCALE 1" = 100' - 0"

Cross architects

COVENANT DEVELOPMENT
SHERMAN, TEXAS

DATE: 01.21.21

A1.3

SITE PLAN

Copyright © 2021

SITE DATA:

10.648 ACRES
234 UNITS
21.97 UNITS/ACRE
64.97% IMPERVIOUS AREA
(5) 3-STORY RESIDENTIAL BUILDINGS
INTEGRATED CLUBHOUSE

PARKING TABULATION:

RESIDENT PARKING REQUIRED:

EFFICIENCY & 1 BEDROOM	2.0 SPACES PER UNIT
2 BEDROOM	2.0 SPACES PER UNIT
3 BEDROOM	3.0 SPACES PER UNIT
EFFICIENCY & 1 BEDROOM (143X2.0)	286
2 BEDROOM (87X2.0)	174
3 BEDROOM (4X3.0)	12
TOTAL	472

RESIDENT PARKING PROVIDED:

UNCOVERED	282
-ACCESSIBLE	(10)
-VAN ACCESSIBLE	(3)
CARPORT	78
ATTACHED GARAGE	42
TANDEM	26
CLUBHOUSE	10
TOTAL	438

RESIDENT PARKING RATIO PROVIDED: 1.87 SPACES PER UNIT

SITE PLAN

SCALE 1" = 100' - 0"

Cross architects

COVENANT DEVELOPMENT
SHERMAN, TEXAS

DATE: 01.21.21

A1.1

SITE PLAN

Copyright © 2021

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CARPORT	78
ATTACHED GARAGE	42
TANDEM	26
CLUBHOUSE	10
TOTAL	438

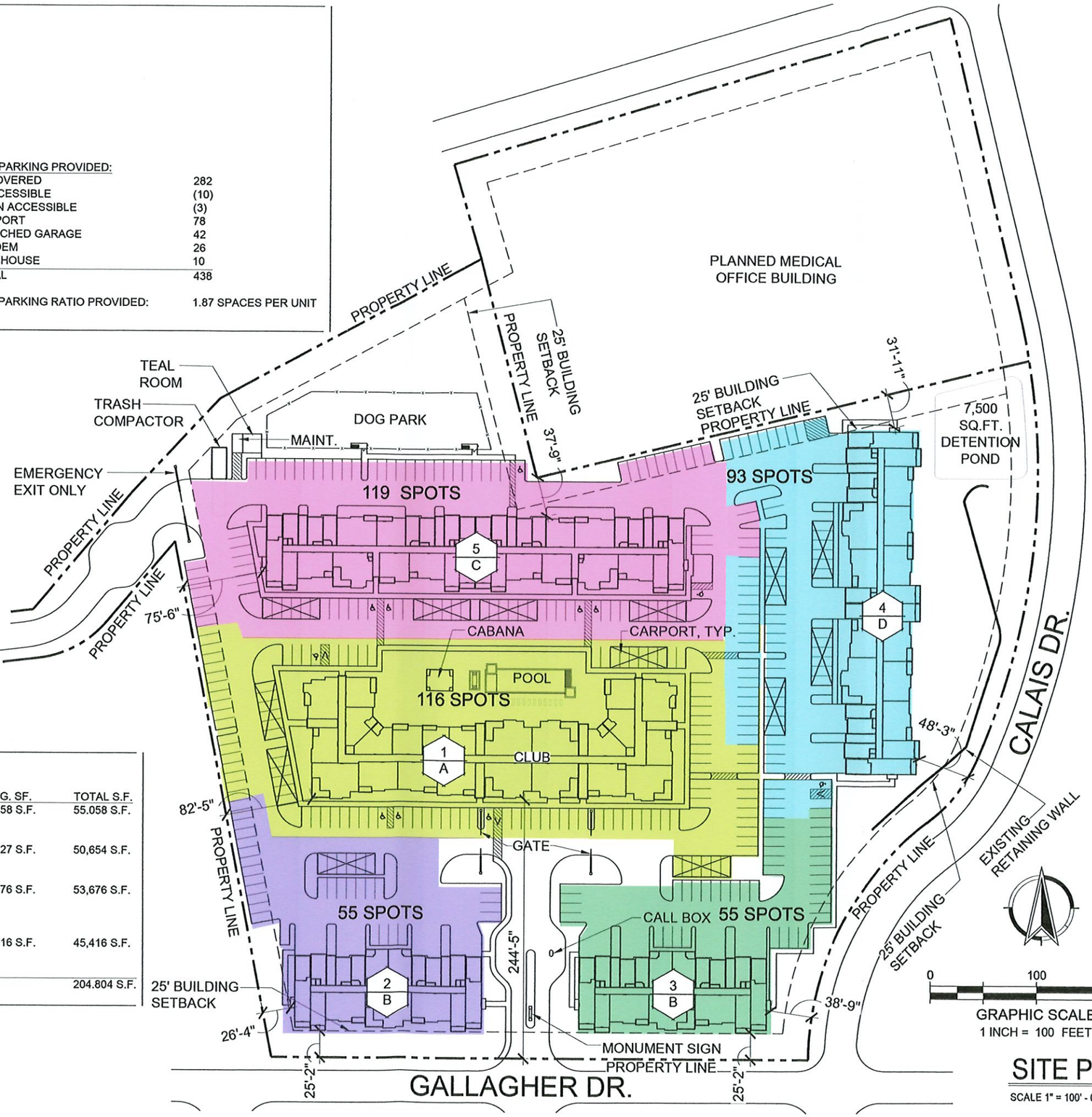
RESIDENT PARKING RATIO PROVIDED: 1.87 SPACES PER UNIT

UNIT TABULATION:

TYPE		# UNITS	S.F.	TOTAL
E1	EFFICIENCY	12	519	6,228 S.F.
E2	EFFICIENCY	12	696	8,352 S.F.
A1	ONE BEDROOM, ONE BATH	10	634	6,340 S.F.
A2	ONE BEDROOM, ONE BATH	35	707	24,745 S.F.
A3	ONE BEDROOM, ONE BATH	12	720	8,640 S.F.
A4	ONE BEDROOM, ONE BATH	30	764	22,920 S.F.
A5	ONE BEDROOM, ONE BATH	8	816	6,528 S.F.
A6	ONE BEDROOM, ONE BATH	12	824	9,888 S.F.
A7	ONE BEDROOM, ONE BATH	10	947	9,470 S.F.
A8	ONE BEDROOM, ONE BATH	2	955	1,910 S.F.
B1	TWO BEDROOM, TWO BATH	42	959	40,278 S.F.
B2	TWO BEDROOM, TWO BATH	6	1,005	6,030 S.F.
B3	TWO BEDROOM, TWO BATH	6	1,087	6,522 S.F.
B4	TWO BEDROOM, TWO BATH	27	1,191	32,157 S.F.
B5	TWO BEDROOM, TWO BATH	6	1,444	8,664 S.F.
C1	THREE BEDROOM, TWO BATH	4	1,533	6,132 S.F.
TOTAL		234		204,804 S.F

BUILDING TABULATION:

TYPE	# BLDGS.	UNITS/BLDG.	UNIT TYPES	BLDG. SF.	TOTAL S.F.
A	1	62	A1-4, A2-9, A3-12, A4-8, B1-6, B2-6, B3-6, B4-11	55,058 S.F.	55.058 S.F.
B	2	29	E1-2, E2-6, A2-4, A4-2, A6-2, A7-2, B1-6, B4-3, B5-2	25,327 S.F.	50,654 S.F.
C	1	64	E1-4, A1-6, A2-14, A4-12, A5-4, A6-4, A7-4, A8-2, B1-6, B4-4, B5-2, C1-2	53,676 S.F.	53,676 S.F.
D	1	50	E1-4, A2-4, A4-6, A5-4, A6-4, A7-2, B1-18, B4-6, C1-2	45,416 S.F.	45,416 S.F.
TOTAL	5	234			204.804 S.F.



0 100 200

GRAPHIC SCALE
1 INCH = 100 FEET

SITE PLAN
SCALE 1" = 100' - 0"

Cross architects

COVENANT DEVELOPMENT
SHERMAN, TEXAS

DATE: 01.21.21

A1.3

SITE PLAN

Copyright © 2021

01 BUILDING TYPE 'B' - REPRESENTATIVE ELEVATION - FRONT

SCALE: N.T.S.

Cross architects

COVENANT DEVELOPMENT
SHERMAN, TEXAS

DATE: 01.21.21

A1.0

ELEVATION

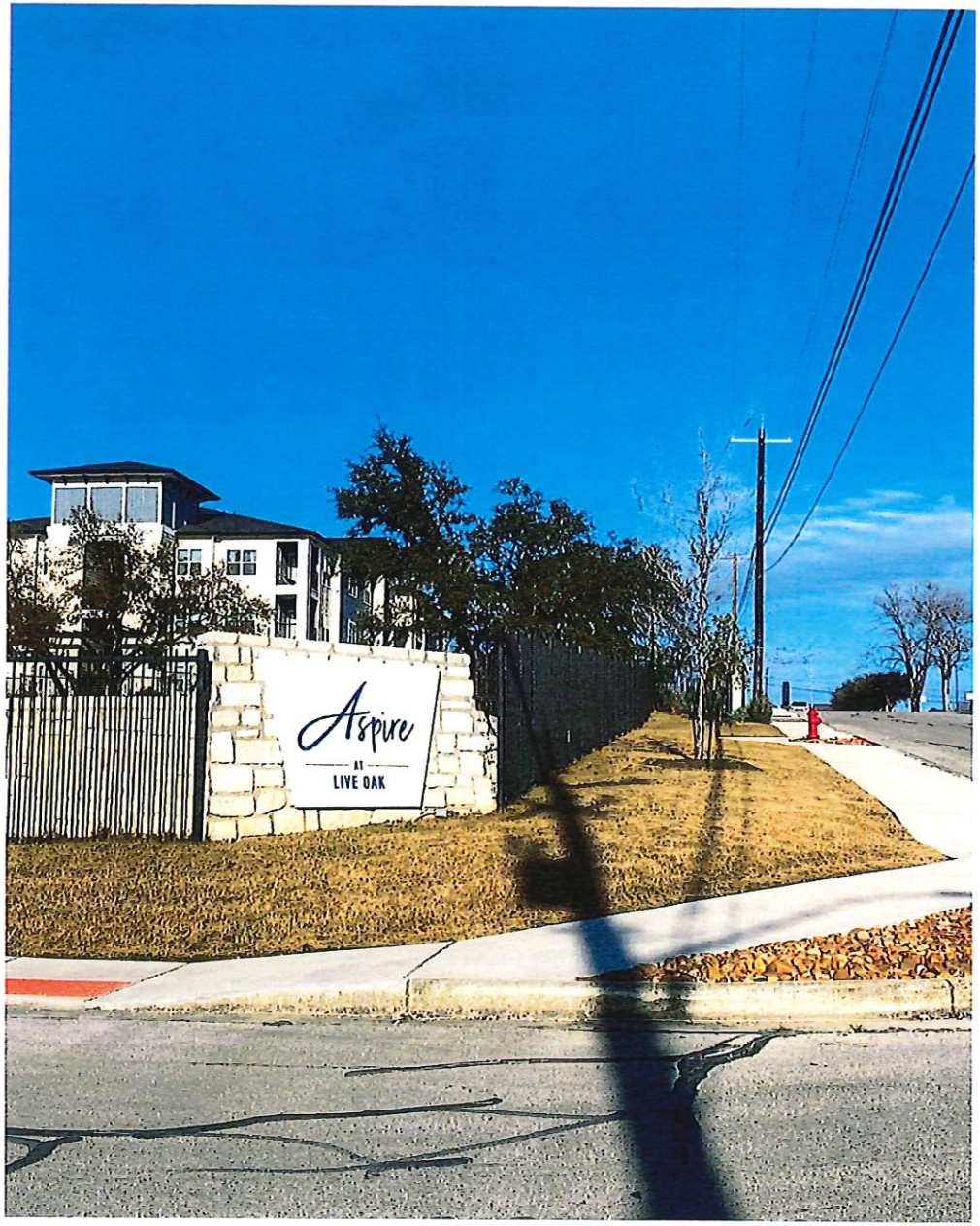
Copyright © 2021

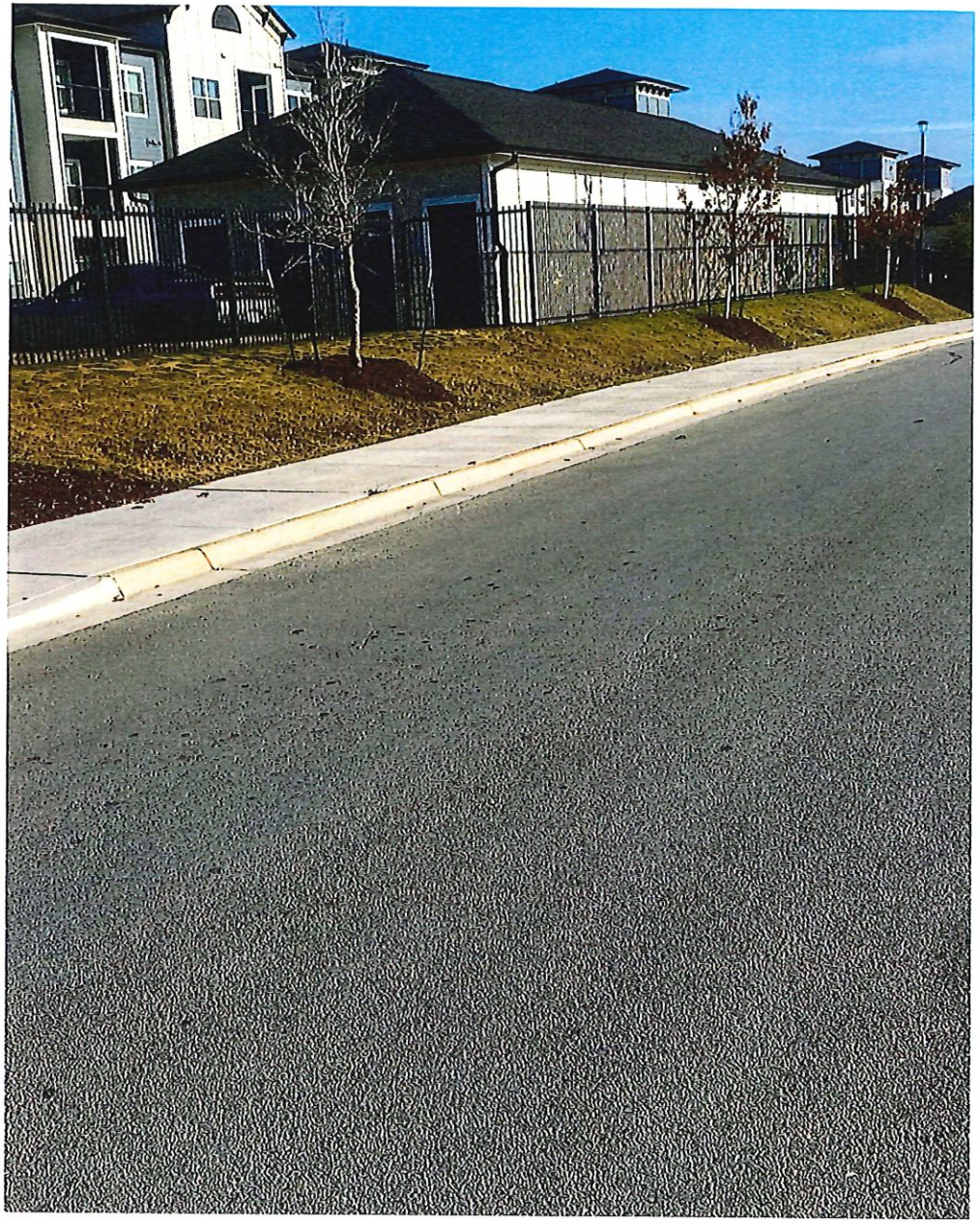
West Access Drive (Loy Lake Rd to site)

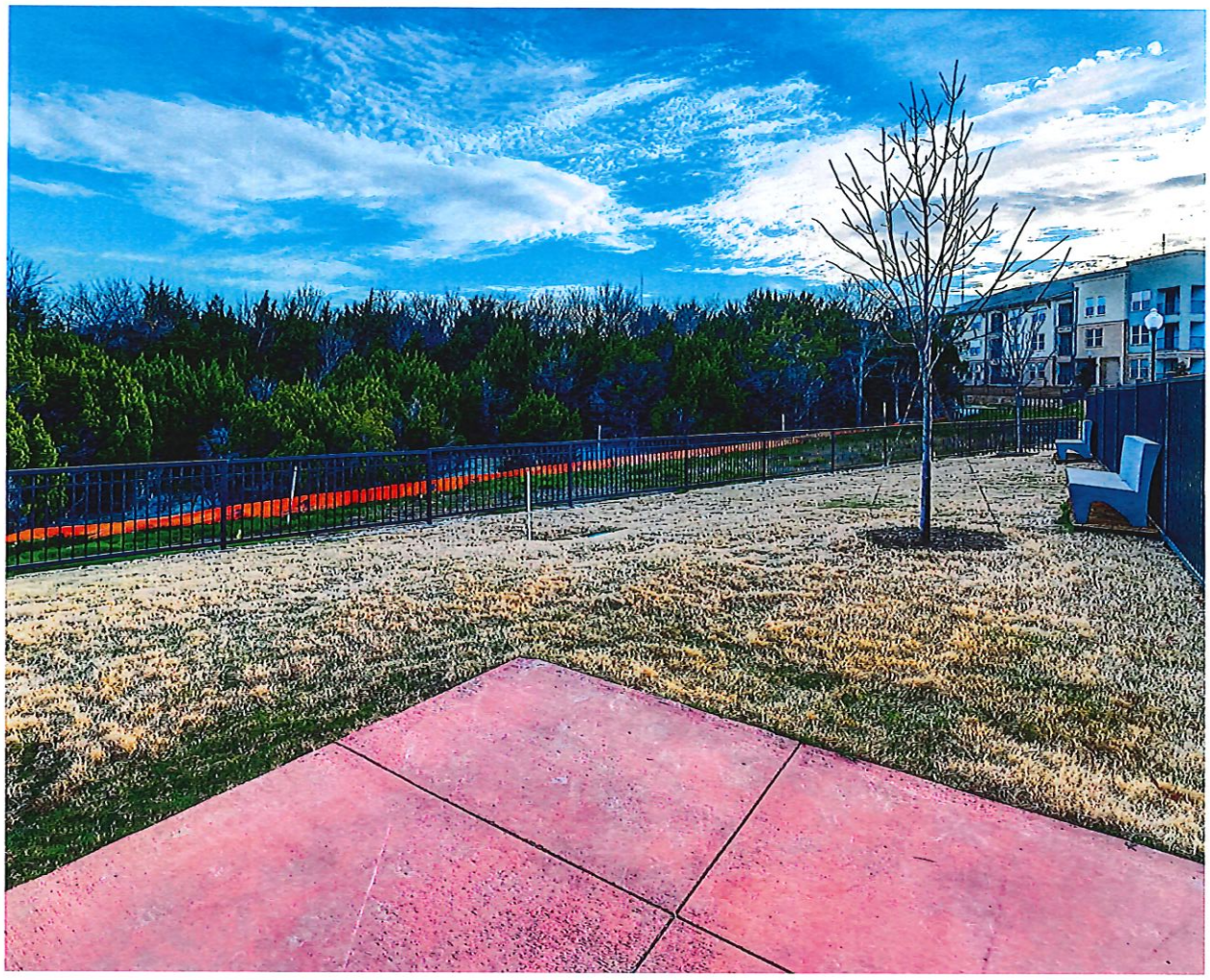
Parking Comparison

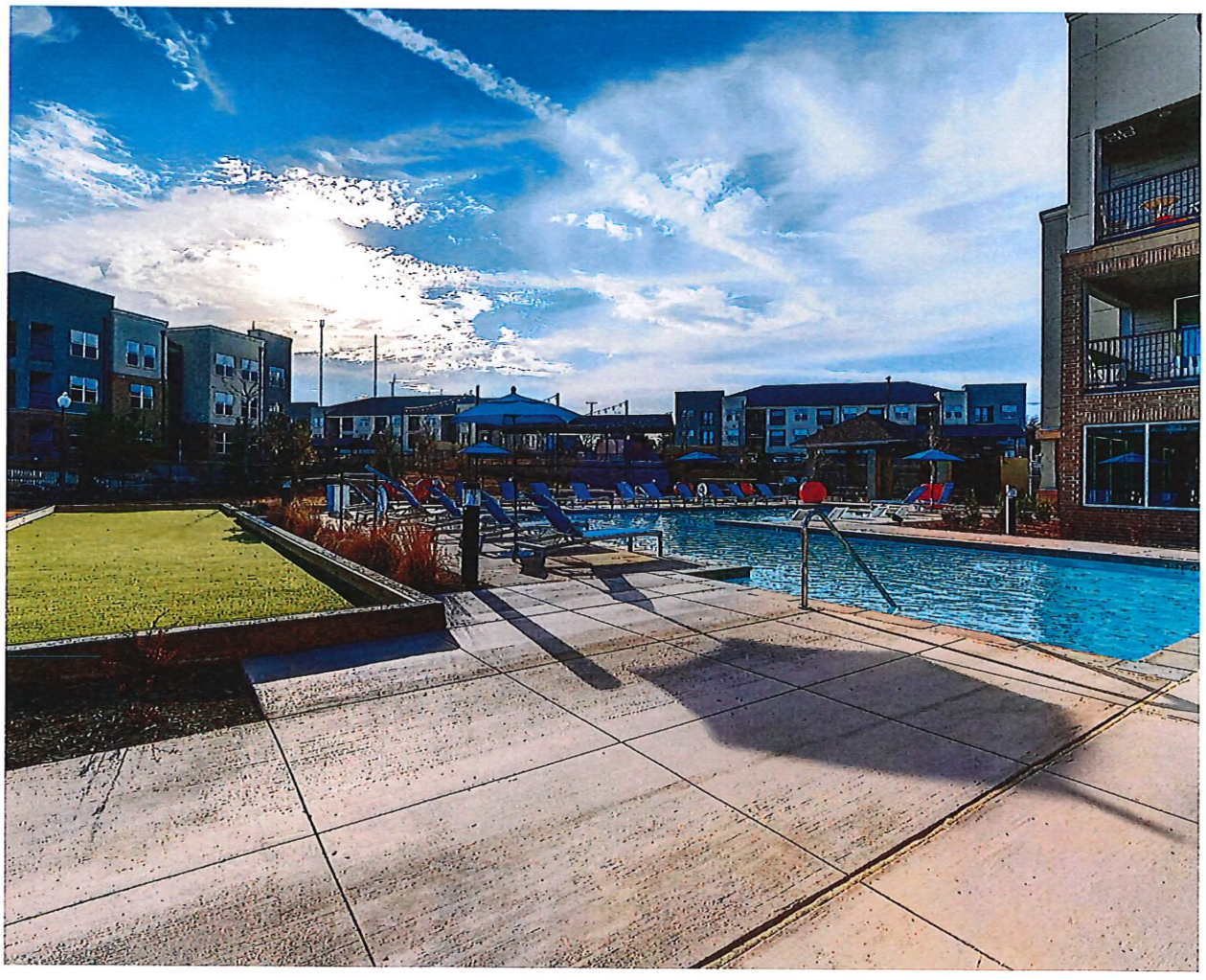
Proposed 1111 Gallagher Dr Site						
Eff	1 BR	2BR	3 BR	Total	Parking Provided	Per Unit
24	119	87	4	234	438	1.87

Example Parking Requirements							
Ordinance	Eff	1 BR	2BR	3 BR	Guest	Per Unit	Equivalent for 1111 Gallagher Dr
Heritage Ranch PD (Sherman)	1	1.5	2	2.5			387
Bel Air PD (Sherman)					.25 per unit	1.6	433
Munson PD (Sherman)					.25 per unit	1.6	433
Celina						1.8	421
Grand Prairie	1.25	1.25	2	2			361
McKinney						1 + .5 per bedroom	399
Murphy	1.5	1.5	2	2.5			399


Aspire
AT
LIVE OAK







Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

March 9, 2021

Aspire Two, LLC
PO Box 670
Sherman, TX 75091

Ryan Johnson
PO Box 670
Sherman, TX 75091

Cross Engineering Consultants
1720 W. Virginia St.
McKinney, TX 75069

Lee Engineering
3030 Lyndon B. Johnson Freeway
Suite 1660
Dallas, TX 75234

Dear Applicants,

The request for a Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Multi-Family Residential Complex (Aspire at Sherman Apartments) in a C-1 (Retail Business) District located at 1111 Gallagher Drive has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, March 16, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-1 (Retail Business) District, the screening Ordinance, the Sign Ordinance and the Residential Tree and Landscaping Ordinance.
2. A minimum 6' masonry perimeter wall shall be provided to surround the development unless an exception is granted.
3. No building shall exceed the height of 45 feet unless an exception is granted.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Parking is permitted on paved surfaces only (concrete and asphalt).
6. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20' unless an exception is granted.
7. The monument sign will require approval of an exception; only wall signs are allowed.
8. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
9. The trash dumpster will need to be located inside the main building area and screened.
10. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
11. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

12. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
13. Privately owned and maintained detention to comply with City criteria.
14. Civil plans to be reviewed and approved by City of Sherman Engineering Department prior to building permits being issued.
15. Verify fire requirements and code compliance with Fire Marshal.
16. The location of trash receptors must be approved by the Public Works Department.
17. Internal water and sewer lines will be privately owned and maintained.

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

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

Respectfully,

Rob Rae
Incoming Secretary, Planning and Zoning Board and Board of Adjustment

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

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 18.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

1111 GALLAGHER DRIVE

The request of Aspire Two LLC (Owner), Ryan Johnson (Representative), Covenant Development (Developer), Cross Architects (Architect), Cross Engineering Consultants (Civil Engineer), Lee Engineering (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) concerning the property at 1111 Gallagher Drive, being Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the partial Replat of Gleckler Plaza Addition, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Multi-Family Residential Complex (Aspire at Sherman Apartments) in a C-1 (Retail Business) District.

Board of Adjustments

- Exception under Ordinance No. 2280, Section 6.3, Subsection (4) to allow 438 parking spaces in lieu of the required 472 for a Multi-Family Residential Complex in a C-1 (Retail Business) District.
- Exception under Ordinance No. 2280, Section 6.3, Subsection (7) to allow a 6’ welded tubular steel (wrought iron) perimeter fence in lieu of the required masonry perimeter wall surrounding a Multi-Family Residential Complex in a C-1 (Retail Business) District.

Background:

The property is located at 1111 Gallagher Drive, the northwest corner of Calais and Gallagher Drive; formerly Community Specialty Hospital. The property is zoned a C-1 (Retail Business) District. Background on the property:

- November, 1974 - Zone change to a C-1 (Retail Business) District. (Ord. 3046). SUP to allow a general hospital and related professional and medical facilities.
- October 22, 2013 - Exception/Variance to allow an additional freestanding sign for a total of two freestanding signs, with a 3' front setback and a 20' side street setback in lieu of the required 25'.

The existing building was recently demolished and the owner would like to construct a 234 unit, 204,804 square foot, three-story apartment complex (Aspire at Sherman Apartments) including (78) carports, (42) attached garages, clubhouse, pool and dog park. The units will include 143 efficiency and one-bedroom units, 87 two-bedroom units and 4 three-bedroom units for a total of 234 units. They are requesting exceptions to allow 438 parking spaces in lieu of the required 472 and to allow a wrought iron perimeter fence in lieu of the required masonry perimeter wall surrounding the complex.

Adjacent Zoning:

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

Origination:

Aspire Two LLC (Owner)
Ryan Johnson (Representative)
Covenant Development (Developer)
Cross Architects (Architect)
Cross Engineering Consultants (Civil Engineer)
Lee Engineering (Civil Engineer)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Public/Institutional – The Public and Institutional character type includes schools, churches, and other public services for the City. Buildings may be designed to act as landmarks and this urban design adds flair to a neighborhood.

Number of notices mailed:

30

Objections Received:

3

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Plat
Site Plan
Site Plan - Color Renderings
Building Elevations
Fence Elevations
Fence Elevations
Parking Comparison
Staff Review Letter
Letter from Larry Jordan (1)
Letter from Brenda Ragland

Letter from C&C Rental Properties
Letter from Larry Jordan (2)

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

January 29, 2021

Larry Jordan
3229 Bordeaux
Sherman, TX 75090

RECEIVED
FEB 03 2021

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, February 16, 2021 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Aspire Two LLC (Owner), Ryan Johnson (Representative), Covenant Development (Developer), Cross Architects (Architect), Cross Engineering Consultants (Civil Engineer), Lee Engineering (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) concerning the property at 1111 Gallagher Drive, being Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the partial Replat of Gleckler Plaza Addition

The request is 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 Multi-Family Residential Complex in a C-1 (Retail Business) District.
Board of Adjustments

- **Exception under Ordinance No. 2280, Section 6.3, Subsection (4) to allow 438 parking spaces in lieu of the required 472 for a Multi-Family Residential Complex in a C-1 (Retail Business) District.**
- **Exception under Ordinance No. 2280, Section 6.3, Subsection (7) to allow a 6' welded tubular steel (wrought iron) perimeter fence in lieu of the required masonry perimeter wall surrounding a Multi-Family Residential Complex in a C-1 (Retail Business) District.**

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you cannot attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Rob Rae
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Secretary, Planning & Zoning Board

See attached page

Dear Mr. Rae,

I am absolutely, adamantly opposed to this! I can't believe that the Planning + Zoning Board, would introduce this to the home owner, taxpaying citizens, even as demolition and construction has been going on for over a month now! This confirms what I knew from the start. The City of Sherman doesn't give a rats behind about its taxpaying home owners, other than what they can gouge out of them!

You know, as well as anyone that has any brains at all, what this is going to cause. First off, property values will decrease, (big time), and the crime rate will increase (big time) as riff raff settles in. I bet you don't live in this neighborhood, do you, Mr. Rae? This has to stop! Put your multi family section 8 on the outskirts of town, not right smack in the middle of decent neighborhoods! Asinine! Absolutely no common sense or regard for the neighborhood citizens, whatsoever! Put it beside the mayor's house or your house, then your story would change. This is all about money, regardless of whose lives or neighborhood you ruin!

Larry Jordan
Pissed off homeowner

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

January 29, 2021

Brenda Ragland
3218 N. Calais St.
Sherman, TX 75090

RECEIVED
FEB 25 2021

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, February 16, 2021 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Aspire Two LLC (Owner), Ryan Johnson (Representative), Covenant Development (Developer), Cross Architects (Architect), Cross Engineering Consultants (Civil Engineer), Lee Engineering (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) concerning the property at 1111 Gallagher Drive, being Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the partial Replat of Gleckler Plaza Addition

The request is as follows:
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Board of Adjustments

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Rob Rae
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Secretary, Planning & Zoning Board

Increase traffic, location of main entrance on Gallagher will hinder driveways and intersection and turn lane safety. Disruption of quite neighbor with extra 1,000+ people. School

Traffic increase. TRASH in street and neighbors yards not to mention TRASH from demolistion and construction. Increase in crime and no law enforcement in area now. Speeding and wreak will increase at Gallagher at Calais. Postage will be delayed more and come about 4 pm now.

If you had at least enclosed an envelope you might have received more responses.

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

Sherman
CLASSIC TOWN. BROAD HORIZON.

GARY

Developmental Services

January 29, 2021

C&C Rental Properties
Ronald Dale Campbell
4111 W. Crawford
Denison, TX 75020

RECEIVED
FEB 19 2021

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, February 16, 2021 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Aspire Two LLC (Owner), Ryan Johnson (Representative), Covenant Development (Developer), Cross Architects (Architect), Cross Engineering Consultants (Civil Engineer), Lee Engineering (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) concerning the property at 1111 Gallagher Drive, being Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the partial Replat of Gleckler Plaza Addition

34 spots Less Than Required

The request is 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 Multi-Family Residential Complex in a C-1 (Retail Business) District.
Board of Adjustments

- **Exception under Ordinance No. 2280, Section 6.3, Subsection (4) to allow 438 parking spaces in lieu of the required 472 for a Multi-Family Residential Complex in a C-1 (Retail Business) District.**
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Rob Rae
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Secretary, Planning & Zoning Board

Dear Sirs: I own the Property a 1116 Gallagher If They build a Mutli-Residential Complex cadd-corner from Me. They need to have a least the 472 parking (OVER)

Parking Spaces, in fact they need more than 472 spaces As Some Apartments have more than one vechile per unit. "Please" do not let them have less parking than the Ordinance Calls For.

As for a 6' Iron Fence. No They need a Masonary Wall around the Parking Area, not a fence that you can see through. "Please" make them put 6' high Stone or Brick Fence arond parking lot as required.

"Thank You" Ronald Campbell

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

RECEIVED
MAR 0 8 2021

Attn: Rob Rae,

First of all, let me congratulate you for having your PHD in, "not giving a damn about the Sherman homeowners" degree.

I see at least three potential lawsuits here. Let me start by enlightening you on the definition of the word "Required." Required - Mandatory, officially compulsory, essential, indispensable. If it's required, there is no "in lieu of". Also on the term "in lieu of", why didn't you just put the words, "instead of", which is what it means? I'll tell you why. Because "in lieu of" makes it sound like the requirements will be added later on. Right Robbie? To start with, the fact that you're putting a residential complex, in a zoned business district, is asinine to begin with, plus it devalues homeowners property and drives up crime. But you already know that, don't you, Robbie? Then to add fuel to the fire, you want to put 438 parking spaces, in a "Required" 472 parking spaces. I have any idea where those extra 34 vehicles are going to park, Robbie? I bet it's not in front of your house, is it, Robbie?

Out of all the places in this city, to put something like this, why would you go out of your way to put a section 8, residential

complex in a zoned business district?

Don't you think that the homeowners on the south side of Gallagher have enough to worry about, without this asinine, insane stunt? How you aquired the position that you have, is far beyond comprehension.

You've heard the old saying, "what goes around, comes around"? You lit the fuse, now don't complain when fireworks fly, Robbie.

Larry Jordan,

Totally betrayed, pissed off homeowner.

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6370

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to allow an Athletic Field (Outdoor Commercial Amusements) in an R-1 (One-Family Residential) District/(College Park) Overlay District at 1360 East Lewis Street, being Lots 1-3, Block 4, Luckett Park Addition and Lots 4-6, Block 4, Mildred Heights Addition (The Boys and Girls Club of Sherman, Inc., Owner; Todd Young, Young Enterprises, 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 the Boys and Girls Club of Sherman Inc, (Owner), Todd Young, Young Enterprises (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1360 East Lewis Street, being Lots 1-3, Block 4, Luckett Park Addition and Lots 4-6, Block 4, Mildred Heights Addition for a Specific Use Permit to allow an Athletic Field (Outdoor Commercial Amusements) in an R-1 (One-Family Residential) District/College Park Overlay District.

Background:

The property is located at 1360 East Lewis Street, the southwest corner of Lewis and Luckett Streets; across the street from the Boys and Girls Club. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District.

The Boys and Girls Club would like to create a sports memorial field on a tract of land in close proximity to their club at 1500 North Luckett Street. They would like to create a 7 on 7 football field layout and also utilize that layout for youth soccer games. Currently the site is divided into two tracts divided by a gravel alley which was recently abandoned. by City Ordinance 6361. An exception to allow off-premise parking for the field was approved March 16, 2021. Parking (28) spaces for the field will be provided on the Boys and Girls Club parking lot. They feel there would be no conflict in sharing access to the parking area between the club operations and the field occupancy. The majority of the time use will be on the weekend when the club's main operations are closed.

Origination:

Boys and Girls of Sherman Inc, (Owner)
Todd Young, Young Enterprises (Representative)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6370
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Site Plan
Parking
Ord 6358
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6370

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW AN ATHLETIC FIELD (OUTDOOR COMMERCIAL AMUSEMENT) IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT/(COLLEGE PARK) OVERLAY DISTRICT AT 1360 EAST LEWIS STREET, BEING LOTS 1-3, BLOCK 4, LUCKETT PARK ADDITION, AND LOTS 4-6, BLOCK 4, MILDRED HEIGHTS ADDITION (THE BOYS AND GIRLS CLUB OF SHERMAN, INC., OWNER; TODD YOUNG, YOUNG ENTERPRISES, 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; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the effective date of this Ordinance, The Boys and Girls Club of Sherman, Inc. (Owner), Todd Young, Young Enterprises (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) and the property located at 1360 East Lewis Street, more particularly described as Lots 1-3, Block 4, Luckett Park Addition, according to the Plat thereof filed of record in Volume 292, Page 52, Deed Records, Grayson County, Texas, and Lots 4-6, Block 4, Mildred Heights Addition in Volume 191, Page 1, Deed Records, Grayson County, Texas, are granted a Specific Use Permit to allow an Athletic Field (Outdoor Commercial Amusement), as depicted in **Exhibit A,** in an R-1 (One-Family Residential) District/(College Park) Overlay District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include property described as:

Lots 1-3, Block 4, Luckett Park Addition, according to the Plat thereof filed of record in Volume 292, Page 52, Deed Records, Grayson County, Texas, and Lots 4-6, Block 4, Mildred Heights Addition in Volume 191, Page 1, Deed Records, Grayson County, Texas

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the College Park Overlay, the Sign Ordinance, the Screening Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. The parking ratio is 1 space per 2,000 square foot of space utilized or total operation; 28 spaces required. An exception will need to be approved for off-premise parking.
4. A pedestrian crosswalk should be requested crossing Lewis Street from the Boys and Girls Club.
5. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
6. Driveways and parking are permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9' x 20'.
7. Any structures built over any easements will require an encroachment easement approved by the City Council.
8. Screening shall be provided abutting residentially zoned property.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

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

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

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

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

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

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

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

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

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

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____ **BY:** _____

LINDA ASHBY, CITY CLERK **DAVID PLYLER, MAYOR**

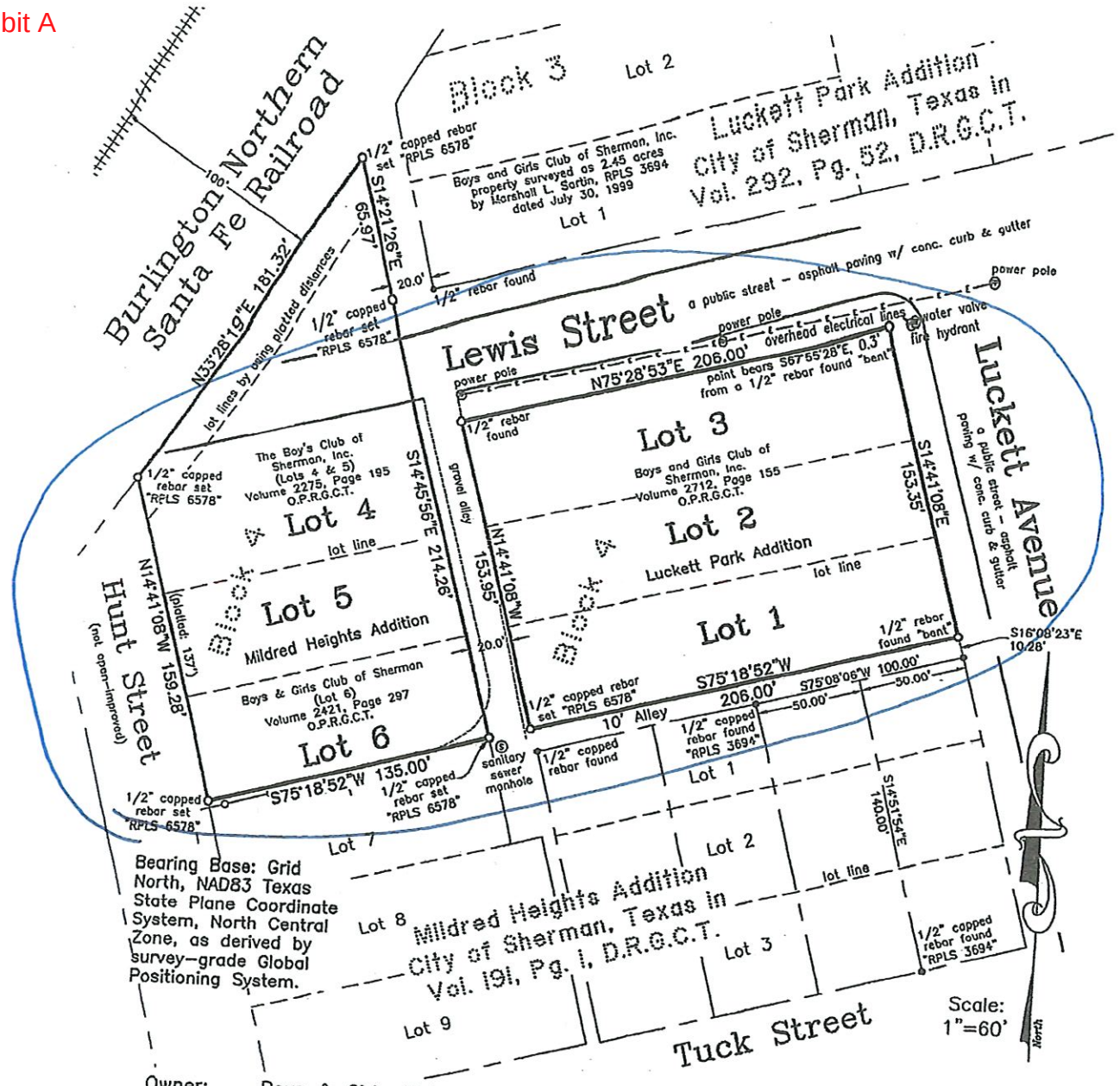
APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____

RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A
Zoning Exhibit

Exhibit A



Owner: Boys & Girls Club of Sherman Inc.

This survey is for the sole benefit of the Owner Stated hereon and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with the current Texas Society of Professional Surveyors Manual of Practice for a Category 1A, Condition 2, TSPS Land Title Survey and is a true and correct representation of the property shown hereon to the best of my knowledge and belief.

Legal Description is as follows: Lots 1, 2 and 3, Block 4, Luckett Park Addition to the City of Sherman, Texas, as per plat of record in Volume 292, Page 52, Deed Records, Grayson County, Texas, and Lots 4, 5 and 6, Block 4, Mildred Heights Addition to the City of Sherman, Texas, as per plat of record in Volume 191, Page 1, Deed Records, Grayson County, Texas.

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

Job No. AGS590920

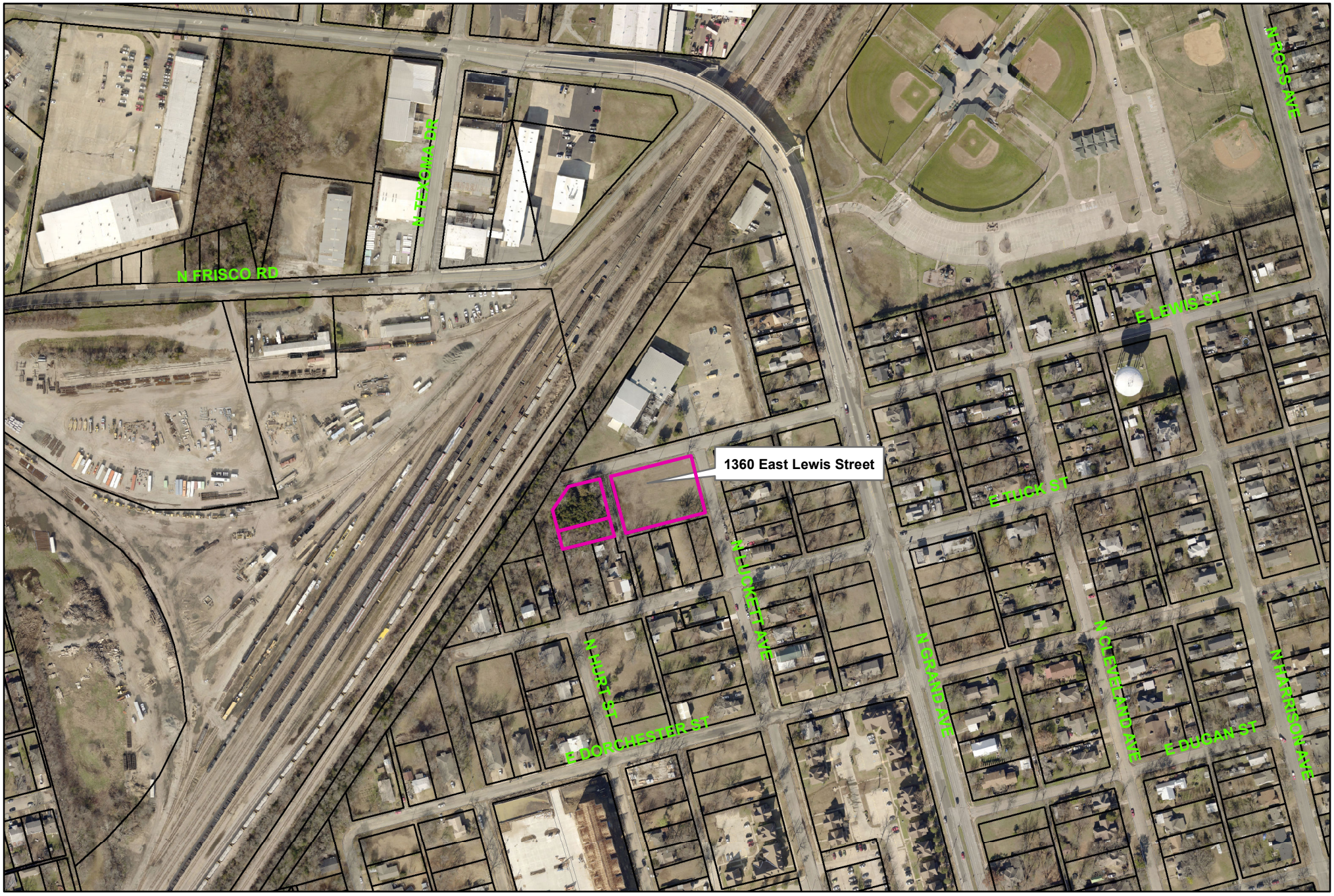
Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph: (903) 463-6191 Fax: (903) 463-4088
Email: kate@helveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
SURVEYOR

Kate A. Wagner, R.P.L.S. No. 6578

Copyright Date: September 25, 2020

S:\Land Projects R2\1308-Lewis-Street-Sherman\Civil 3D\1308 Lewis Street.dwg Layout: Legal-Portrait Plot Date: Sep 25 20 Time: 11:12 AM



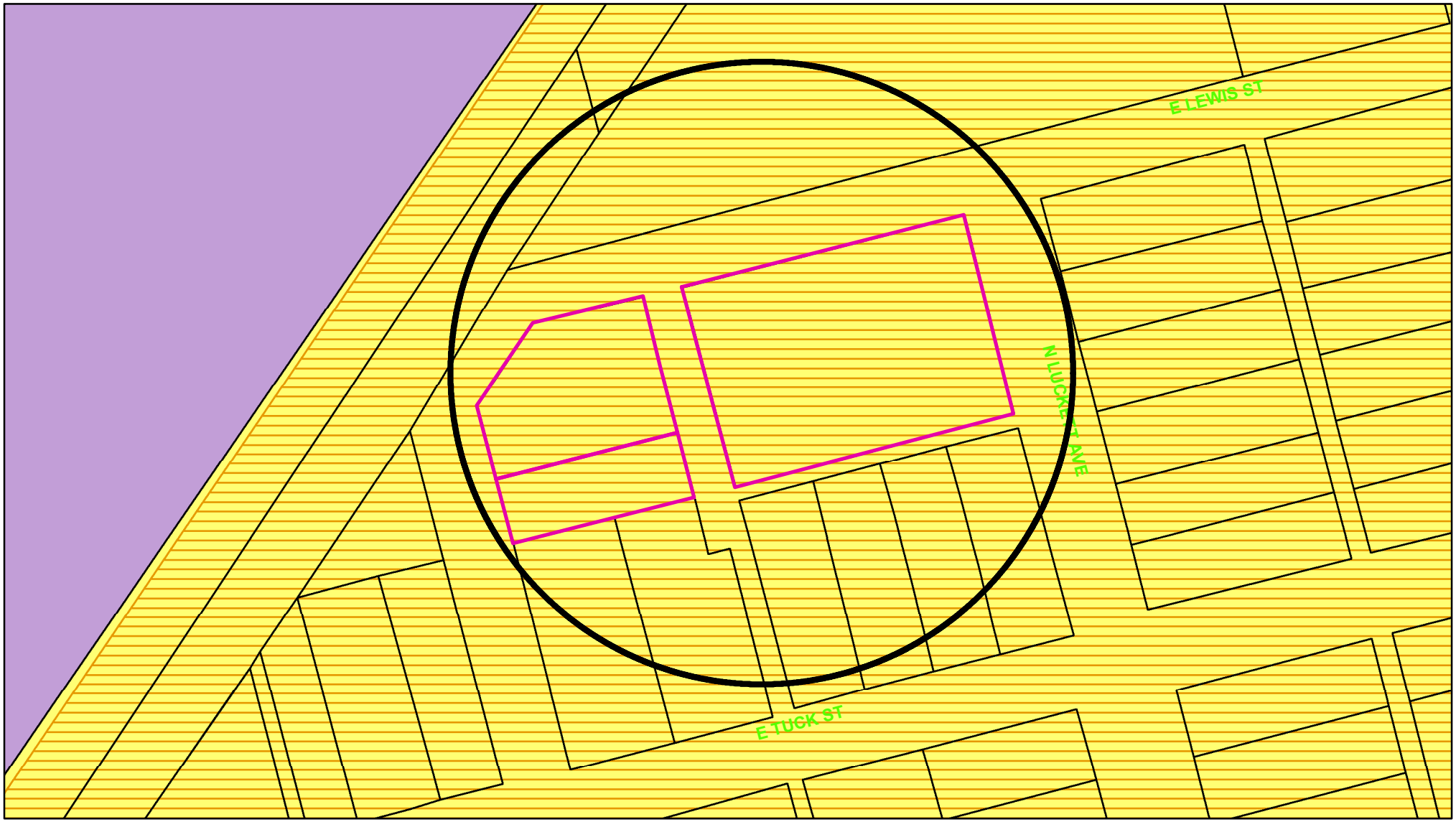
1360 East Lewis Street

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 322 ft



Zoning - 1360 East Lewis Street

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

1360 East Lewis Street

BOYS & GIRLS CLUB
OF SHERMAN

12/17/2020

To Whom It May Concern:

The Boys & Girls Club of Sherman is submitting a plan to create a sports memorial field on a tract of land in close proximity to our club at 1500 N Luckett. We have submitted a site plan showing the layout and details of our proposal. The objective will be to create a 7 on 7 football field layout and also utilize that layout for youth soccer games. Currently, the site is divided into two tracts divided by a gravel alley, as shown on our submitted survey. We have been told the city will dissolve the alley as part of this plan and special use so that we can combine these tracts.

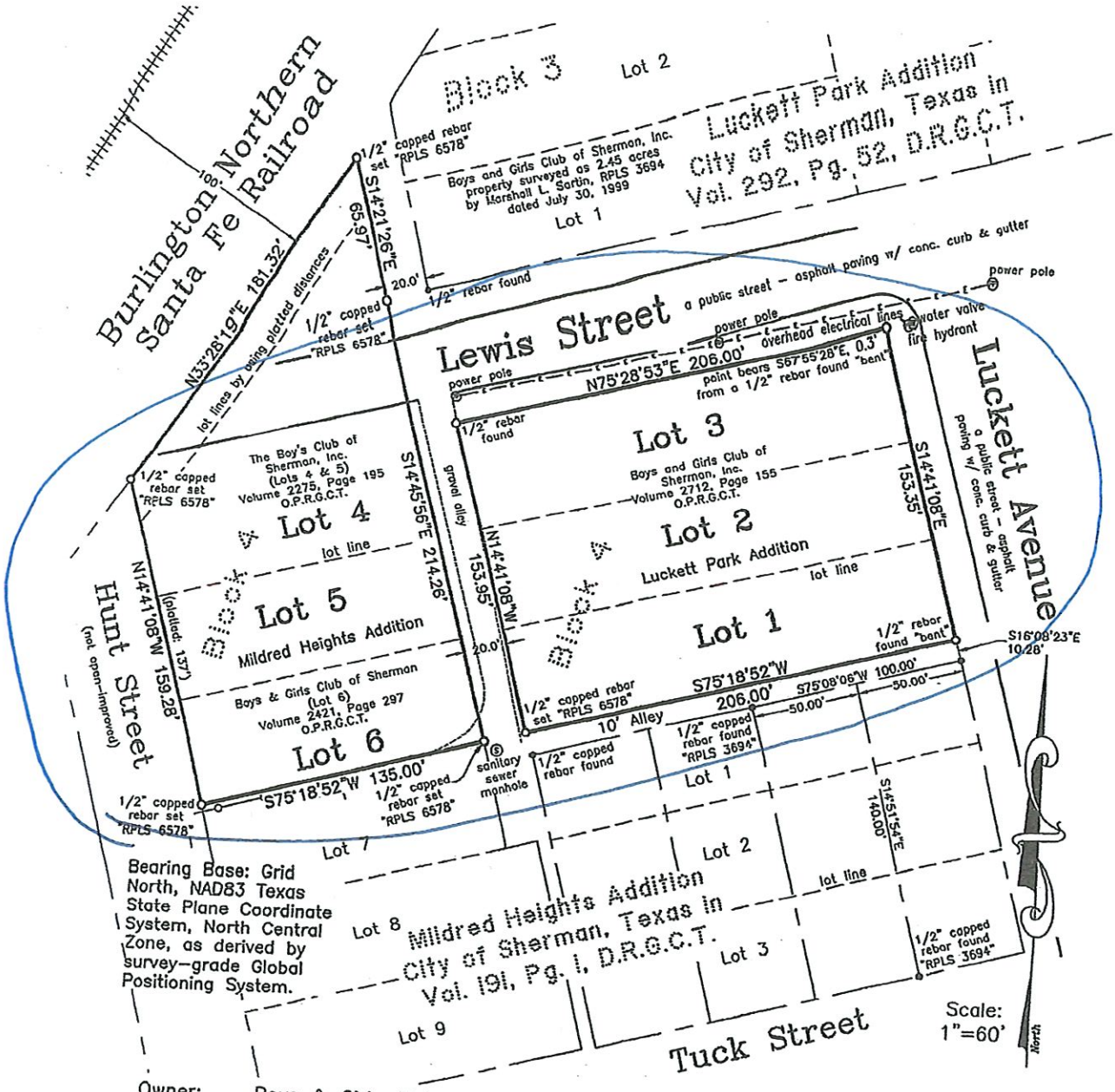
Parking for the field will be provided by our current parking lot. We feel that there would be no conflict in sharing access to the parking area between the club operations and the field occupancy. The majority of the time use will be on the weekend when the club's main operations are closed.

If you have any questions or concerns please call me directly at 903.892.1508

Thank you for the opportunity.

Todd Young

Todd Young, Board of Directors



Owner: Boys & Girls Club of Sherman Inc.

This survey is for the sole benefit of the Owner Stated hereon and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with the current Texas Society of Professional Surveyors Manual of Practice for a Category 1A, Condition 2, TSPS Land Title Survey and is a true and correct representation of the property shown hereon to the best of my knowledge and belief.

Legal Description is as follows: Lots 1, 2 and 3, Block 4, Luckett Park Addition to the City of Sherman, Texas, as per plat of record in Volume 292, Page 52, Deed Records, Grayson County, Texas, and Lots 4, 5 and 6, Block 4, Mildred Heights Addition to the City of Sherman, Texas, as per plat of record in Volume 191, Page 1, Deed Records, Grayson County, Texas.

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

Job No. AGS590920

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

STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
SURVEYOR

Kate A. Wagner, R.P.L.S. No. 6578

Copyright Date: September 25, 2020

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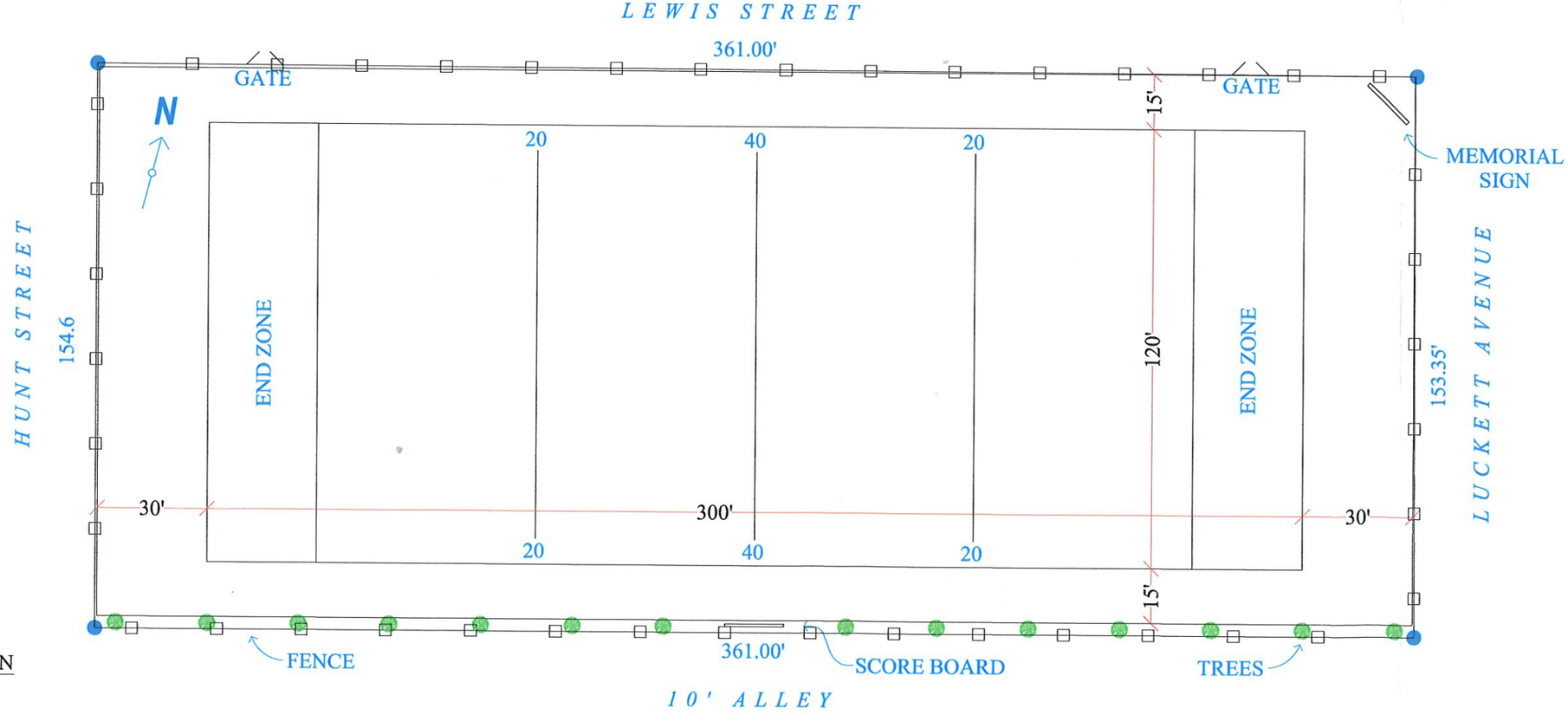
CONCEPT PLAN STATISTICS

LOT:	1, 2, 3, 4, 5, & 6 BLOCK 4 MILDRED HEIGHTS ADDITION
CURRENT ZONING:	R-1
PROPOSED ZONING:	SPECIAL USE PERMIT FOR YOUTH SPORTS FIELD
GROSS AREA:	1.28 ACRES (55,549 S.F.)
BUILDING AREA:	N/A
HARD SURFACE:	N/A
LANDSCAPE AREA:	64,370 S.F.
PARKING:	75 TOTAL LOCATED ACROSS THE ROAD AT BOYS & GIRLS CLUB SEE PARKING PLAN



CONCEPT PLAN

D2L DESIGNS, LLC
903.267.1284
HOUSE PLANS

BOYS & GIRLS CLUB SPORTS FIELD

TBD LEWIS STREET
SHERMAN, TEXAS

D2LDESIGNS@YAHOO.COM

DATE
12/16/2020

SHEET
CONCEPT

SCALE
1/16" = 1'

PARKING PLAN

D2L DESIGNS, LLC
903.267.1284
HOUSE PLANS

BOYS & GIRLS CLUB SPORTS FIELD

TBD LEWIS STREET
SHERMAN, TEXAS

D2LDESIGNS@YAHOO.COM

DATE
12/16/2020

SHEET
PARKING

SCALE
NTS

ORDINANCE NO. 6361

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING A PORTION OF THE PLATTED ALLEY WEST OF LOTS 1 & 2, BLOCK 3, LUCKETT PARK ADDITION (TRACT ONE) AND A PORTION OF THE PLATTED ALLEY WEST OF LOTS 1-3, BLOCK 4, MILDRED HEIGHTS ADDITION (TRACT TWO) IN THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, AS SHOWN IN VOLUME 292, PAGE 52 AND VOLUME 191, PAGE 1, DEED RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AND DEPICTED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; CONVEYING THE INTEREST IN SAID RIGHT-OF-WAY TO THE SURROUNDING PROPERTY OWNER, BOYS AND GIRLS CLUB OF SHERMAN, INC.; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Sherman, Texas has received a request to close and abandon a portion of two alleys, as described herein; and

WHEREAS, the City Council has held a public hearing on the proposed abandonment and the abutting property owner(s) of the proposed abandonment have been notified; and

WHEREAS, the City Council has investigated and determined that all persons who own property adjacent to the alleys concur and agree with the proposed abandonment; and

WHEREAS, the City Council has investigated and determined that the alleys are not essential to the safe and efficient flow of traffic in the area in which the alleys are located; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to abandon the City's right and interest in the alleys, and that such action will benefit the public generally.

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

SECTION 1. That the portion of the platted alley west of Lots 1 & 2, Block 3, Luckett Park Addition (Tract One) and the portion of the platted alley west of Lots 1-3, Block 4, Mildred Heights Addition (Tract Two) in the City of Sherman, Grayson County, Texas, as shown in Volume 292, Page 52 and Volume 191, Page 1, Deed Records, Grayson County, Texas, and being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes, shall be closed and abandoned.

SECTION 2. That it is the intent of the City Council that the City's rights and interests in such alleys are hereby vacated and shall vest in and to the abutting property owner(s) by appropriate conveyance of said right-of-way herein described.

SECTION 3. All presently existing water and wastewater lines and facilities, electric transmission and distribution lines and facilities, gas lines and facilities, communications lines and facilities and any other utility lines and facilities, if any, that are located in the alleys may remain in place despite this Ordinance and may continue to be used, repaired, enlarged and maintained in the ordinary course of business. Any person wanting removal of any existing utility line or facility must negotiate separately with the pertinent utility. Any person building in the alley without first reaching an agreement with a utility having lines or facilities in the alley does so at his own risk. After the date of this Ordinance, no utility may add new lines or facilities in the alley based on a claim that the alley is a public easement or right-of-way. The abandonment approved by this Ordinance does not relinquish any right arising other than from the plat or other instrument creating the public easement or right-of-way, nor does this Ordinance create new rights.

SECTION 4. That the City Clerk is hereby directed to file and record this Ordinance after its adoption in the Deed Records of Grayson County, Texas.

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

SECTION 6. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 7. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 8. This Ordinance shall become effective immediately upon its passage and adoption.

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

INTRODUCED on this the 1st day of March, 2021.

ADOPTED on this the 1st day of March, 2021.

EFFECTIVE DATE on this the 1st day of March, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

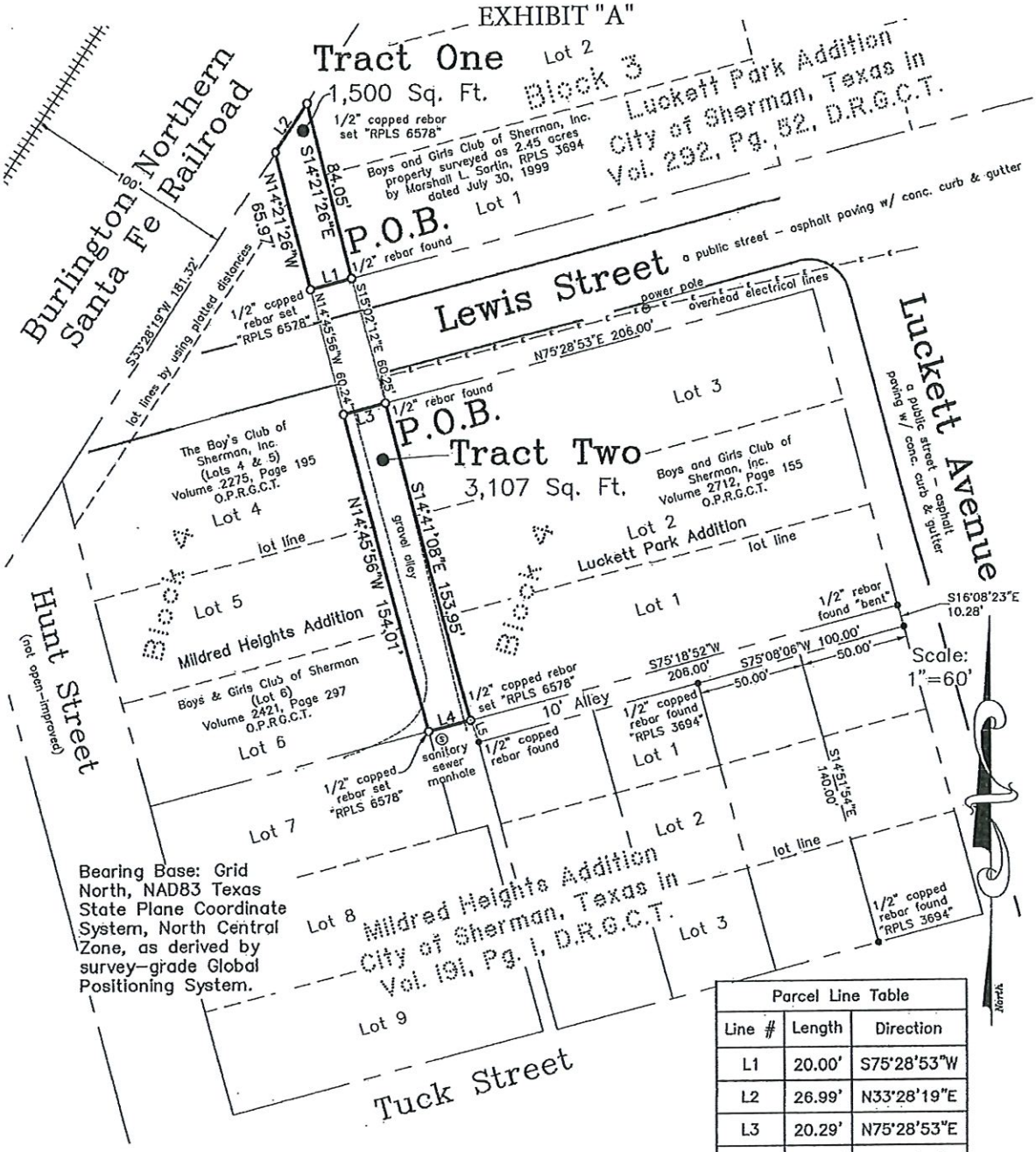
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____
RYAN D. PITTMAN
CITY ATTORNEY

EXHIBIT "A"



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

Parcel Line Table		
Line #	Length	Direction
L1	20.00'	S75°28'53"W
L2	26.99'	N33°28'19"E
L3	20.29'	N75°28'53"E
L4	20.07'	S75°18'52"W
L5	10.97'	S20°32'06"E

Alley & Right-of-way Abandonment Survey

Owner: City of Sherman, Texas

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 2, TSPS Land Title Survey and is a true and correct representation of the property shown hereon to the best of my knowledge and belief. See Field Notes attached herewith.

Note: No title commitment was provided to undersigned surveyor during the course of this survey.

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

Kate A. Wagner, R.P.L.S. No. 6578
Copyright Date: September 25, 2020

Job No. BGS140121

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

S:\Land Projects 82\1308-Lewis-Street-Sherman\Civil 3D\Abandoned-part-of-alley-and-street.dwg Layout: Legal-Portrait Plot Date: Jan 8 21 Time: 10:35 AM

EXHIBIT "A"

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020
Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: kate@helveywagnersurvey.net
TBPLS Firm Registration No. 10088100
Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578

TRACT ONE
1,500 Square Feet

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the J.B. McAnair Survey, Abstract No. 763 and being a portion of a platted alley lying between Lots 1 and 2, Block 3, Luckett Park Addition to the City of Sherman, Texas, recorded in Volume 292, Page 52, Deed Records, Grayson County, Texas and Lot 4, Block 4, Mildred Heights Addition to the City of Sherman, Texas, as per plat of record in Volume 191, Page 1, said Deed Records and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at 1/2 inch rebar found at the intersection of the North right-of-way line of Lewis Street, a public street, with the East line of said alley, at the Southwest corner of said Lot 1, Block 3, Luckett Park and the Southeast corner of the herein described tract;

THENCE South 75 deg. 28 min. 53 sec. West, over and across said alley, a distance of 20.00 ft. to a ½ inch capped rebar set, stamped "RPLS 6578" in the East line of said Lot 4, Block 4, Mildred Heights and the West line of said alley, at the Southwest corner of the herein described tract;

THENCE North 14 deg. 21 min. 26 sec. West, with the East line of said Lot 4, Block 4, Mildred Heights and the West line of said alley, a distance of 65.97 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" in the South right-of-way line of the Burlington Northern Santa Fe Railroad, at the Northeast corner of said Lot 4 and the Northwest corner of both said alley and the herein described tract;

THENCE North 33 deg. 28 min. 19 sec. East, with the South right-of-way line of said Burlington Northern Santa Fe Railroad and the North line of said alley, a distance of 26.99 ft. to a point at the Northwest corner of said Lot 2, Block 3, Luckett Park and the Northeast corner of both said alley and the herein described tract;

THENCE South 14 deg. 21 min. 26 sec. East, with the West line of said Lots 1 and 2, Block 3, Luckett Park and the East line of said alley, a distance of 84.05 ft. to the **PLACE OF BEGINNING** and containing **1,500 SQUARE FEET** of land.

Kate A. Wagner, R.P.L.S. No. 6578
September 25, 2020

EXHIBIT "A"

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020
Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: kate@helveywagnersurvey.net
TBPLS Firm Registration No. 10088100
Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578

TRACT TWO
3,107 Square Feet

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the J.B. McAnair Survey, Abstract No. 763 and being a part of a platted alley lying between Lots 1, 2 and 3, Block 4, of Luckett Park Addition to the City of Sherman, Texas, recorded in Volume 292, Page 52, Deed Records, Grayson County, Texas, and Lots 4, 5 and 6, Block 4, Mildred Heights Addition to the City of Sherman, Texas as per plat of record in Volume 191, Page 1, said Deed Records and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at 1/2 inch rebar found at the intersection of the South right-of-way line of Lewis Street, a public street, with the East line of said alley, at the Northwest corner of said Lot 3, Block 4, Luckett Park and the Northeast corner of the herein described tract;

THENCE South 14 deg. 41 min. 08 sec. East, with the West lines of said Lots 1 thru 3, Block 4, Luckett Park and the East line of said alley, a distance of 153.95 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the Southwest corner of said Lot 1 and the Southeast corner of the herein described tract;

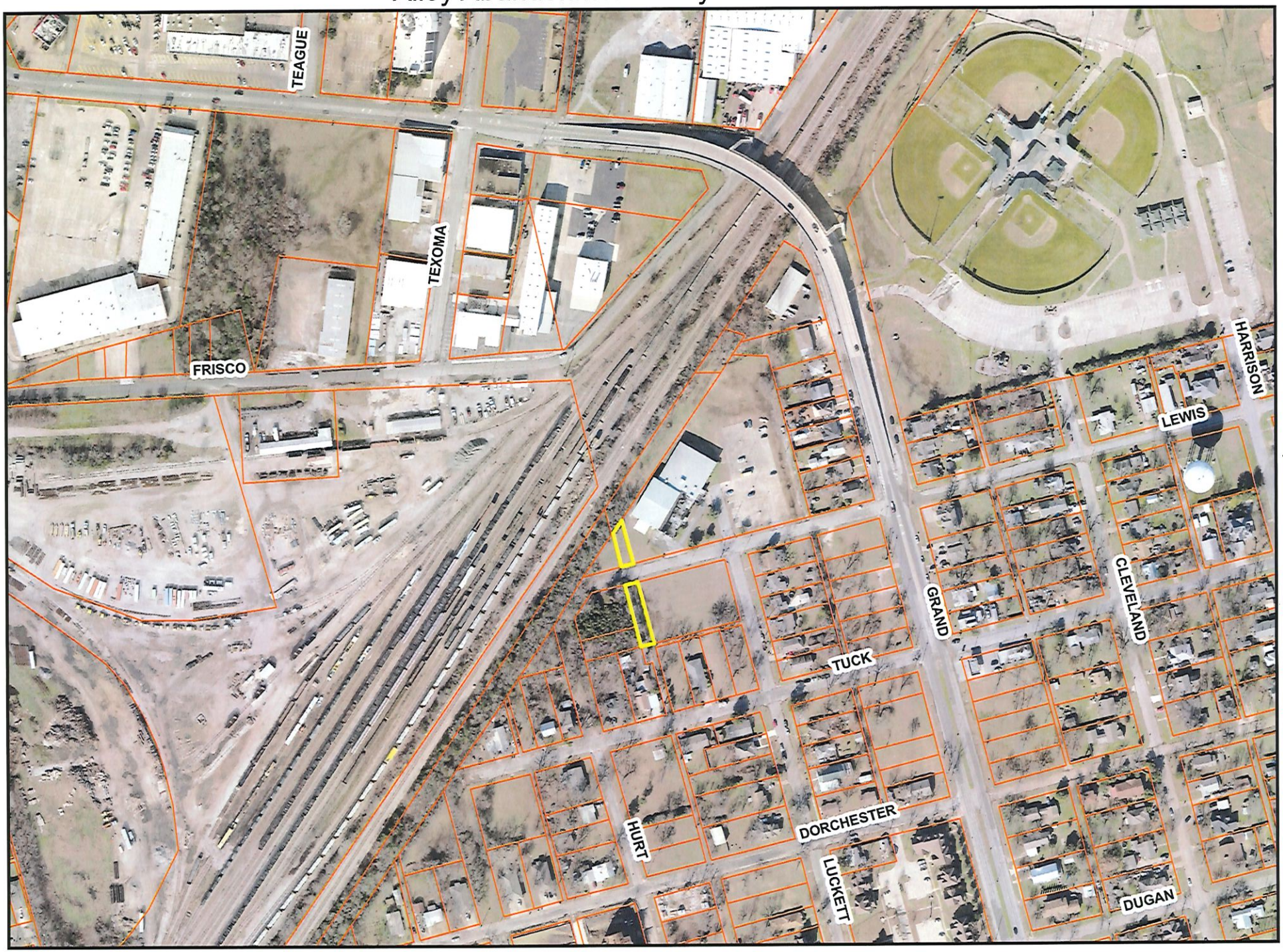
THENCE South 75 deg. 18 min. 52 sec. West, over and across said alley, a distance of 20.07 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the Southeast corner of said Lot 6, Block 4, Mildred Heights and the Southwest corner of the herein described tract;

THENCE North 14 deg. 45 min. 56 sec. West, with the East line of said Lots 4 thru 6, Block 4, Mildred Heights and the West line of said alley, a distance of 154.01 ft. to a point at the Northwest corner of the herein described tract;

THENCE North 75 deg. 28 min. 53 sec. East, over and across said alley, a distance of 29.20 ft. to the **PLACE OF BEGINNING** and containing **3,107 SQUARE FEET** of land.

Kate A. Wagner, R.P.L.S. No. 6578
September 23, 2020

Alley Abandonment - Boys & Girls Club



Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

March 9, 2021

Boys & Girls Club of Sherman
1500 N. Luckett
Sherman, TX 75090

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

Todd Young
5414 N. FM 1417 (Heritage Parkway)
Sherman, TX 75092

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow an Athletic Field (Outdoor Commercial Amusements) in an R-1 (One-Family Residential) District/College Park Overlay District located at 1360 East Lewis Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, March 16, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the College Park Overlay, the Sign Ordinance, the Screening Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. The parking ratio is 1 space per 2,000 square foot of space utilized or total operation; 28 spaces required. An exception will need to be approved for off-premise parking.
4. A pedestrian crosswalk should be requested crossing Lewis Street from the Boys and Girls Club.
5. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
6. Driveways and parking are permitted on paved surfaces only (concrete or asphalt); a parking space is considered to be 9' x 20'.
7. Any structures built over any easements will require an encroachment easement approved by the City Council.
8. Screening shall be provided abutting residentially zoned property.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

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

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

Respectfully,

Rob Rae
Secretary, Planning and Zoning Board and Board of Adjustment

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

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 22.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

1360 EAST LEWIS STREET

The request of the Boys and Girls Club of Sherman Inc, (Owner), Todd Young, Young Enterprises (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1360 East Lewis Street, being Lots 1-3, Block 4, Luckett Park Addition and Lots 4-6, Block 4, Mildred Heights Addition, as follows;

Board of Adjustments

Exception and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) and Section 6.2, Subsection (4) and Section 7, Subsection (10) to allow off premise parking in lieu of the required parking (28) spaces on the same lot as an Outdoor Commercial Amusement in an R-1 (One-Family Residential) District/College Park Overlay District.

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow an Athletic field (Outdoor Commercial Amusements) in an R-1 (One-Family Residential) District/College Park Overlay District.

Background:

The property is located at 1360 East Lewis Street, the southwest corner of Lewis and Luckett Streets; across the street from the Boys and Girls Club. The property is zoned an R-1 (One Family Residential) District and located in the College Park Overlay District.

The Boys and Girls Club would like to create a sports memorial field on a tract of land in close proximity to their club at 1500 North Luckett Street. They would like to create a 7 on 7 football field layout and also utilize that layout for youth soccer games. Currently the site is divided into two tracts divided by a gravel alley which was abandoned by Ordinance 6361, March 1, 2021. Parking for the field will be provided on the Boys and Girls Club parking lot. They feel there would be no conflict in sharing access to the parking area between the club operations and the field occupancy. The majority of the time the field will be used on the weekend when the club's main operations are closed.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Boys and Girls of Sherman Inc, (Owner)
Todd Young, Young Enterprises (Representative)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Public/Institutional – The Public and Institutional character type includes schools, churches, and other public services for the City. Buildings may be designed to act as landmarks and this urban design adds flair to a neighborhood.

Number of notices mailed:

15

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Site Plan
Parking
Ord 6361 Alley Abandonment
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

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

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6371

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, Repealing Ordinance No. 6358 and Granting a Specific use Permit to allow (72) Patio Homes in an R-1 (One-Family Residential) District on Property Located in the 2100 block of West Moore Street, being Lots 1-19, Block A, Lots 1-9, Block B, Lots 1-22, Block F and Lots 1-22, Block G of the proposed The Grove Addition (SSCGC Holdings, LLC, Owner; Grove Addition Development JV, Applicant; Civil Point Engineers, Civil Engineer; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

Issue:

To consider the request of SSCGC Holdings, LLC (Owner), Grove Addition Development JV (Applicant), Civil Point Engineers (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) for the property in the 2100 block of West Moore Street, being Lots 1-19, Block A, Lots 1-9, Block B, Lots 1-22, Block F and Lots 1-22, Block G of the proposed The Grove Addition to Amend a Specific Use Permit to allow 72 Patio Homes in an R-1 (One-Family Residential) District.

Background:

The property is located in the 2100 block of West Moore Street between Park Avenue and West Steadman Street. The property is zoned an R-1 (One Family Residential) District. A Specific Use Permit to allow 48 patio homes was approved by Ordinance 6358, February 1, 2021. The owners are dedicating 14 acres to the City for a hike and bike trail as part of this development; it will connect with the trails at Herman Baker Park. In doing so, a portion of the land changed the layout of the plat and they would like to increase the number of patio homes lots to 72 in the proposed The Grove Addition.

Origination:

SSCGC Holdings, LLC (Owner)
Grove Addition Development JV (Applicant)
Civil Point Engineers (Civil Engineer)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6371
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Ord 6358
Patio Home Lots
Site Plan
Building Elevations
Staff Review Letter
P&Z Communication
Letter from Bill Magers

ORDINANCE NO. 6371

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, REPEALING ORDINANCE NO. 6358, AND GRANTING A SPECIFIC USE PERMIT TO ALLOW (72) PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT ON PROPERTY LOCATED IN THE 2100 BLOCK OF WEST MOORE STREET, LOTS 1-19, BLOCK A, LOTS 1-9, BLOCK B, LOTS 1-22, BLOCK F AND LOTS 1-22, BLOCK G OF THE PROPOSED THE GROVE ADDITION (SSCGC HOLDINGS, LLC, OWNER; GROVE ADDITION DEVELOPMENT JV, APPLICANT; CIVIL POINT ENGINEERS, CIVIL ENGINEER; AND UNDERWOOD DRAFTING SURVEYING, SURVEYOR); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Sherman, have given the required notices and have held the required public hearings regarding this 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. Ordinance No. 6358 is hereby repealed in its entirety. The effective date of the repeal discussed in this Section shall not occur until the effective date of this Ordinance, at which time Ordinance No. 6358 shall be repealed. Such repeal shall not abate any pending prosecution or lawsuit or prevent any prosecution or lawsuit from being commenced for any violation of Ordinance No. 6358 occurring before the effective date of this Ordinance.

SECTION 2. That, from and after the effective date of this Ordinance, SSCGC Holdings, LLC (Owner), Grove Addition Development JV (Applicant), Civil Point Engineers (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) and that certain property located in the 2100

block of West Moore Street, and more particularly described as Lots 1-19, Block A, Lots 1-9, Block B, Lots 1-22, Block F and Lots 1-22, Block G of the proposed The Grove Addition, as depicted in **Exhibit A**, attached hereto, are granted a Specific Use Permit to allow a maximum of 72 Patio Homes in an R-1 (One-Family Residential) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the property described as:

> Lots 1-19, Block A, Lots 1-9, Block B, Lots 1-22, Block F and Lots 1-22, Block G of the proposed The Grove Addition, as depicted in **Exhibit A**, attached hereto.

SECTION 3. That this Specific Use Permit is granted on the following conditions:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Patio Home Ordinance, the Fence Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
4. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
5. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
6. Parking requirement is one space per bedroom, minimum two per unit, a parking space is considered to be 9'x 20'.
7. Side yard setbacks must be uniform for all homes within a given block.
8. Any subdivision developed under the Patio Home (PH) standards of this ordinance shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Usable open space shall not be required for a patio home development if it contains fifty (50) or fewer lots and the property contiguous (abutting or separating only by a local or collector street) to the subdivision is either developed for use other than patio homes or is restricted by zoning to not permit patio home development. Properties separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

11. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
12. Sidewalks are required along all street frontages and ADA compliant pedestrian ramp is required at street intersections.

SECTION 4. That this Ordinance shall be entered upon the official zoning map as provided in Section 2, Ordinance No. 2280.

SECTION 5. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 6. That the General Zoning Ordinance shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 7. That in the event any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 8. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

SECTION 9. That this Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

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

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

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

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

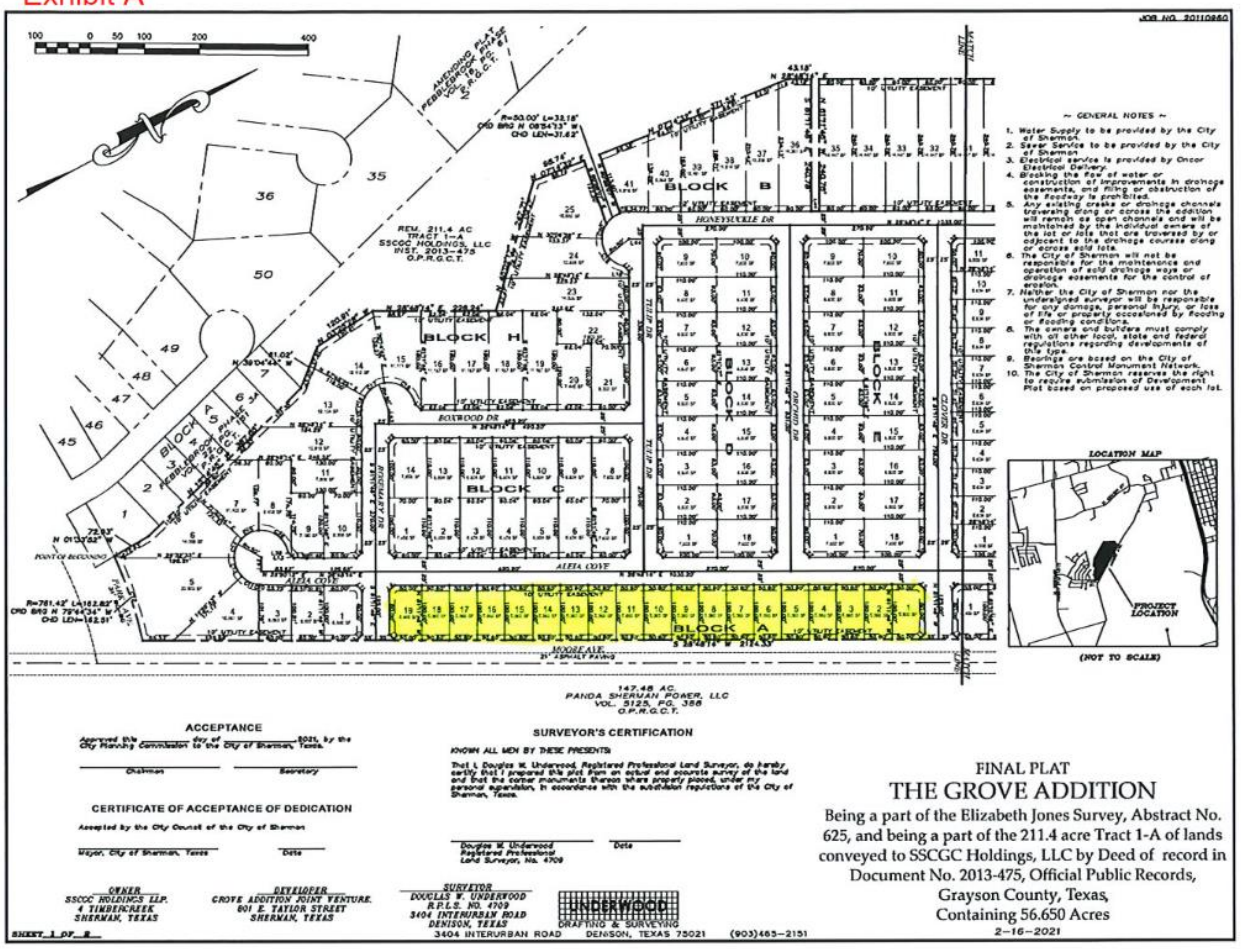
BY: _____
LINDA ASHBY, CITY CLERK

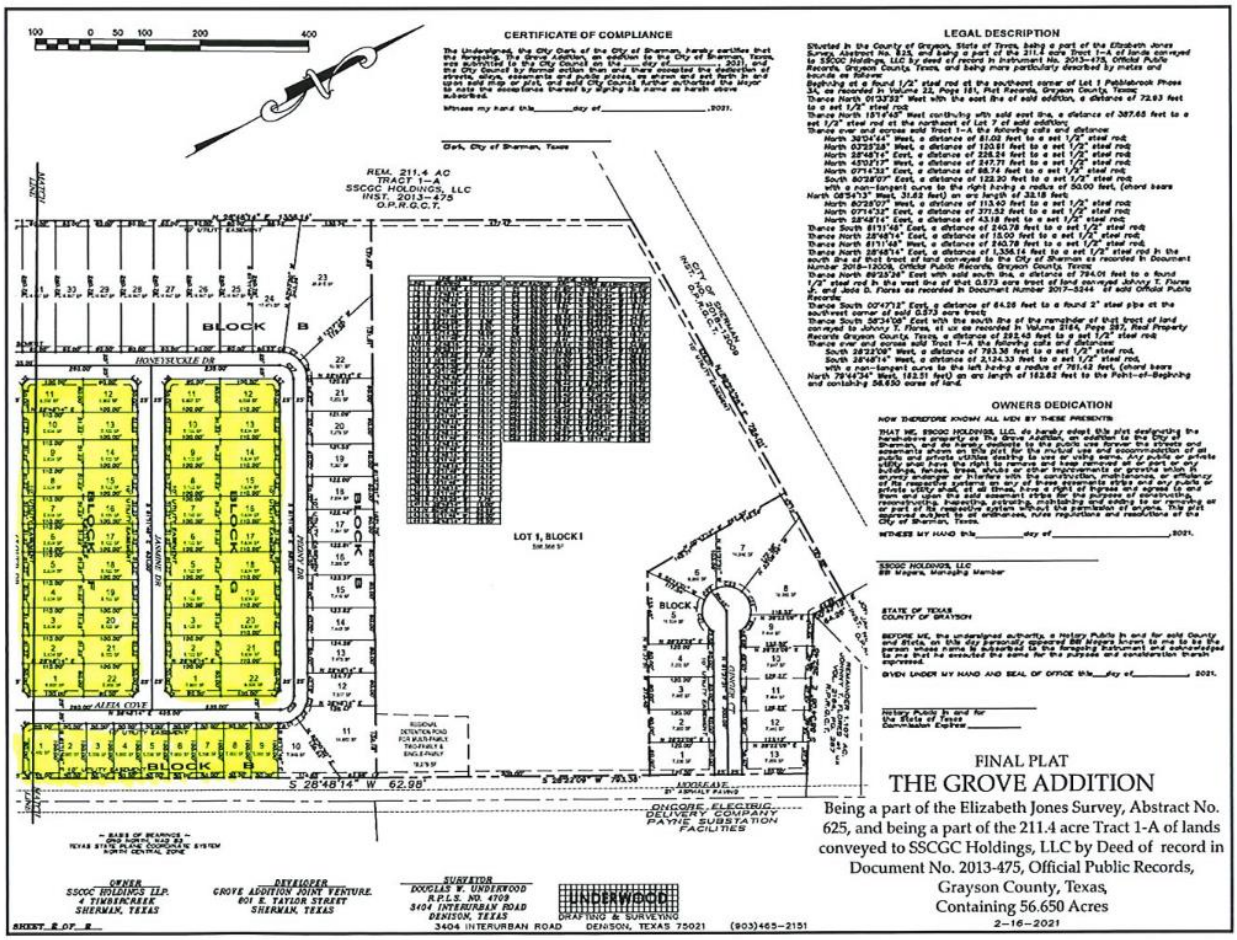
APPROVED AS TO FORM
AND CONTENT:
THE LAW FIRM OF ABERNATHY,
ROEDER, BOYD & HULLETT, P.C.

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A
Legal Description and Depiction of the Property

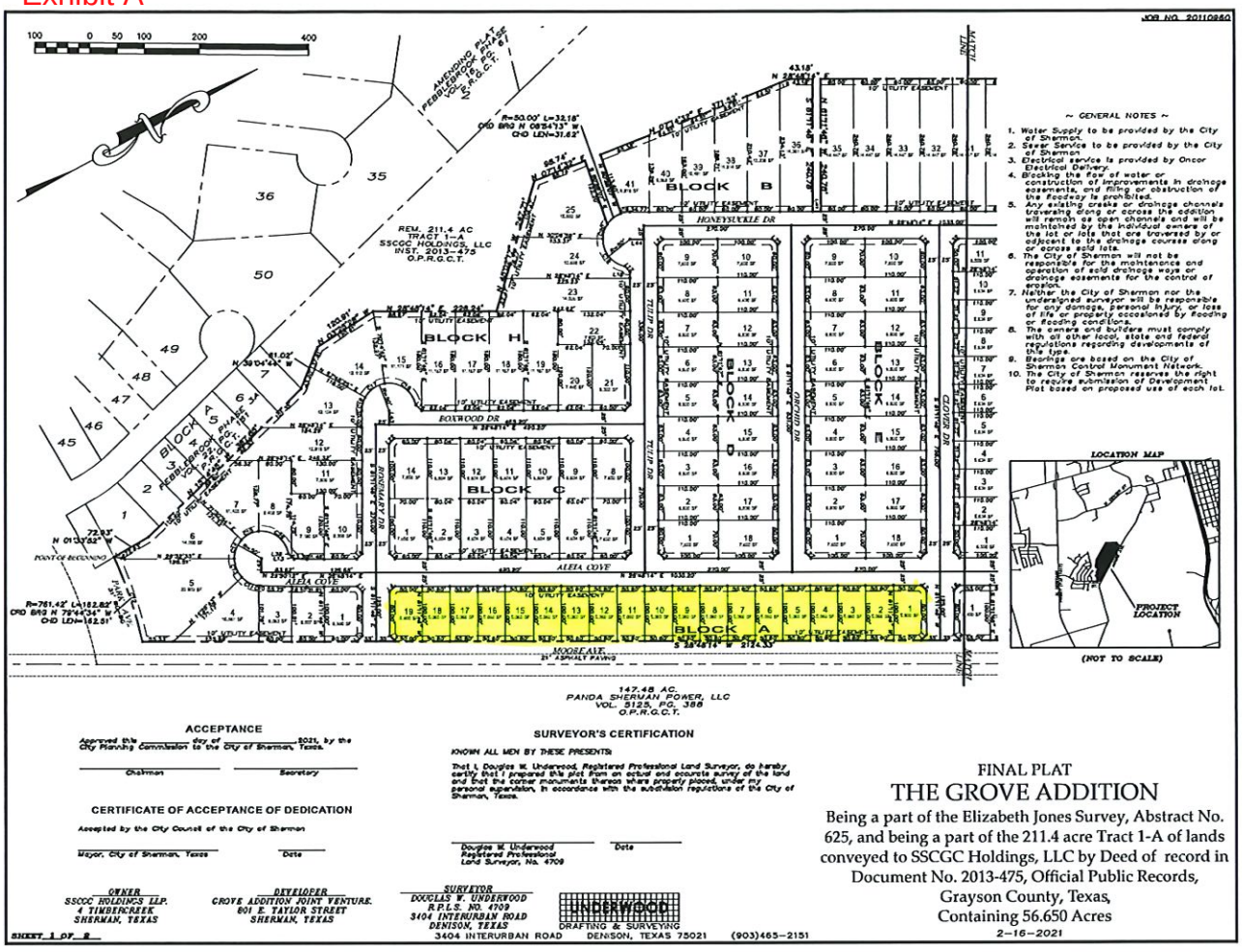
Exhibit A





Note: Approval of the zoning case associated with this exhibit shall not imply or be interpreted as approval of any associated study, plat or plan, approval of development standards shown hereon or the initiation of the development process. Planning and Zoning Commission and/or City Council action on studies, plats or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.

Exhibit A



ACCEPTANCE

Approved this ____ day of ____, 2021, by the City Planning Commission to the City of Sherman, Texas.

Chairman ____ Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas ____ Date

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon 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

OWNER
SSCGC HOLDINGS LLP.
4 TIMBERCREEK
SHERMAN, TEXAS

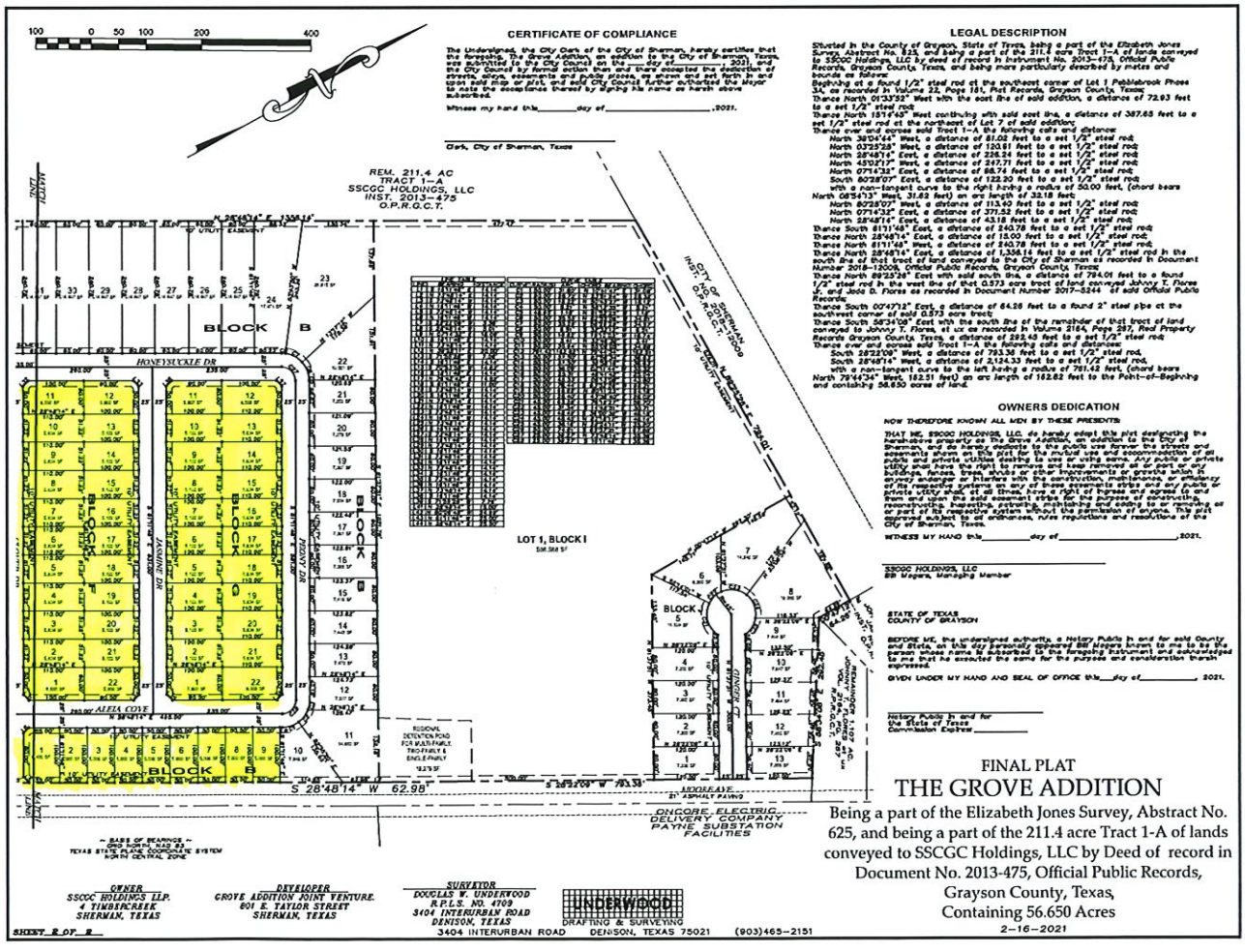
DEVELOPER
GROVE ADDITION JOINT VENTURE.
601 E. TAYLOR STREET
SHERMAN, TEXAS

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

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

SHEET 1 OF 2

FINAL PLAT
THE GROVE ADDITION
Being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by Deed of record in Document No. 2013-475, Official Public Records, Grayson County, Texas, Containing 56.650 Acres
2-16-2021



CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, the Grove Addition, an addition to the City of Sherman, Texas, was submitted to the City Council on the ____ day of ____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public sites, as shown and set forth in and upon said plat or plats, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this ____ day of ____, 2021.

Clerk, City of Sherman, Texas

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by deed of record in Instrument No. 2013-475, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod at the southeast corner of Lot 1 Pebblebrook Phase 2A, as recorded in Volume 22, Page 181, Plat Records, Grayson County, Texas;
Thence North 01°33'52" West with the east line of said addition, a distance of 72.93 feet to a set 1/2" steel rod;
Thence North 15°14'45" West continuing with said east line, a distance of 387.65 feet to a set 1/2" steel rod at the northeast of Lot 7 of said addition;
Thence over and across said Tract 1-A the following calls and distances:
North 39°04'43" West, a distance of 81.02 feet to a set 1/2" steel rod;
North 03°25'28" West, a distance of 120.91 feet to a set 1/2" steel rod;
North 28°48'14" East, a distance of 226.24 feet to a set 1/2" steel rod;
North 45°03'17" East, a distance of 247.71 feet to a set 1/2" steel rod;
North 07°14'32" East, a distance of 68.74 feet to a set 1/2" steel rod;
South 80°28'07" East, a distance of 122.90 feet to a set 1/2" steel rod;
with a non-tangent curve to the right having a radius of 50.00 feet, (chord bears North 08°34'13" West, 31.82 feet) an arc length of 32.18 feet;
North 80°28'07" West, a distance of 113.90 feet to a set 1/2" steel rod;
North 07°14'32" East, a distance of 371.52 feet to a set 1/2" steel rod;
North 28°48'14" East, a distance of 43.18 feet to a set 1/2" steel rod;
South 61°11'46" East, a distance of 240.78 feet to a set 1/2" steel rod;
Thence North 28°48'14" East, a distance of 18.00 feet to a set 1/2" steel rod;
Thence North 61°11'46" West, a distance of 240.78 feet to a set 1/2" steel rod;
Thence North 28°48'14" East, a distance of 1,358.14 feet to a set 1/2" steel rod in the south line of that tract of land conveyed to the City of Sherman as recorded in Document Number 2018-12006, Official Public Records, Grayson County, Texas;
Thence North 89°25'26" East with said south line, a distance of 794.01 feet to a found 1/2" steel rod in the west line of that 0.573 acre tract of land conveyed to Johnny T. Flores et. and Jada D. Flores as recorded in Document Number 2017-5244 of said Official Public Records;
Thence South 00°47'12" East, a distance of 64.26 feet to a found 2" steel pipe at the southwest corner of said 0.573 acre tract;
Thence South 58°34'08" East with the south line of the remainder of that tract of land conveyed to Johnny T. Flores, et ux as recorded in Volume 2164, Page 287, Real Property Records Grayson County, Texas, a distance of 282.45 feet to a set 1/2" steel rod;
Thence over and across said Tract 1-A the following calls and distances:
South 28°48'14" West, a distance of 793.36 feet to a set 1/2" steel rod;
South 28°48'14" West, a distance of 2,124.33 feet to a set 1/2" steel rod;
with a non-tangent curve to the left having a radius of 761.42 feet, (chord bears North 79°44'34" West, 162.51 feet) an arc length of 162.82 feet to the Point-of-Beginning and containing 56.650 acres of land.

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, SSCGC HOLDINGS, LLC, do hereby adopt this plat designating the hereinabove property as the Grove 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 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 or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective system 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 said easement strips for the purpose of construction, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity of at any time procuring the permission of anyone. This plat is approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this ____ day of ____, 2021.

SSCGC HOLDINGS, LLC
Bill Magers, Managing Member

STATE OF TEXAS
COUNTY OF GRAYSON

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2021.

Notary Public in and for the State of Texas
Commission Expires ____

OWNER
SSCGC HOLDINGS LLP.
4 TIMBERCREEK
SHERMAN, TEXAS

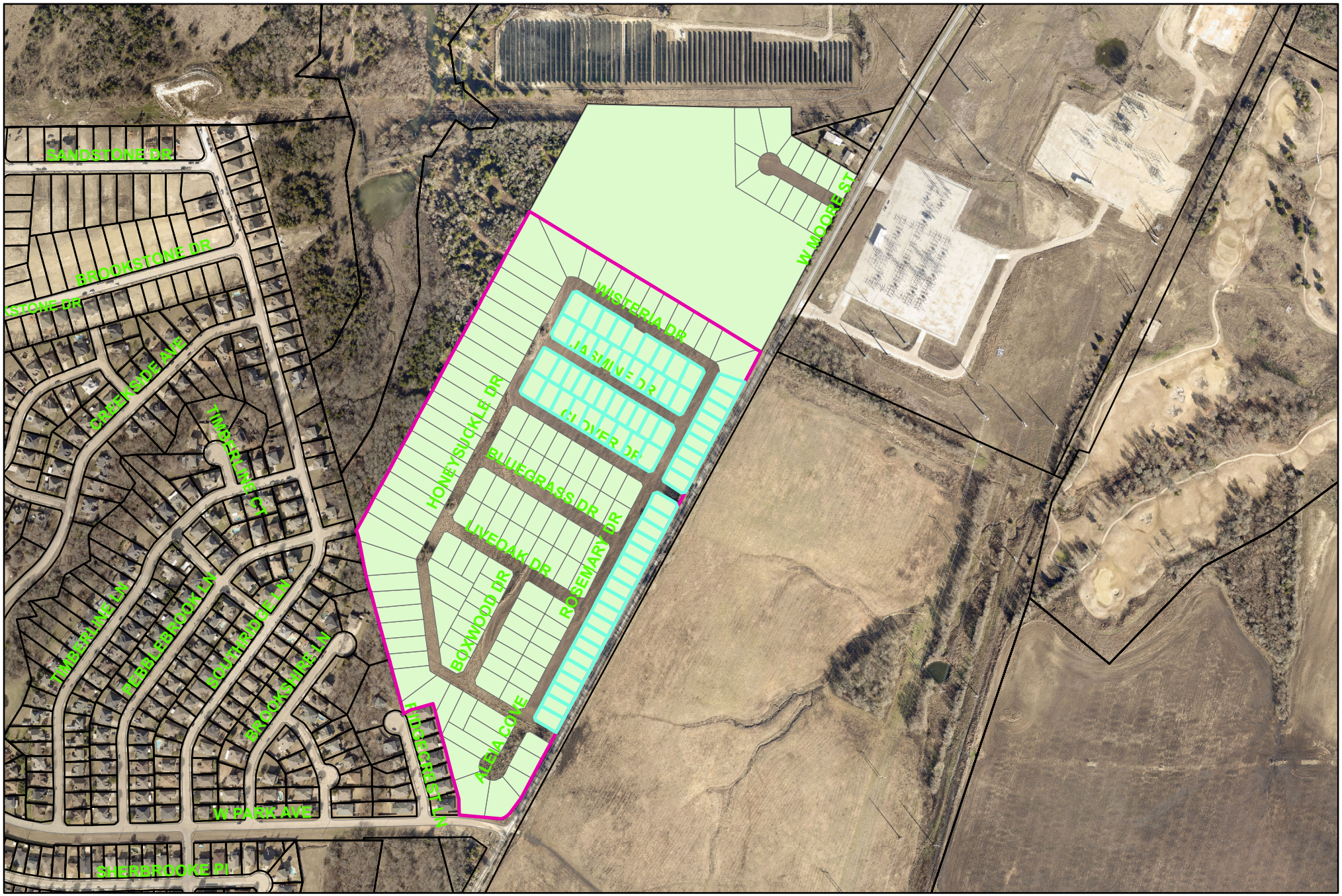
DEVELOPER
GROVE ADDITION JOINT VENTURE.
601 E. TAYLOR STREET
SHERMAN, TEXAS

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

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

SHEET 2 OF 2

FINAL PLAT
THE GROVE ADDITION
Being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by Deed of record in Document No. 2013-475, Official Public Records, Grayson County, Texas, Containing 56.650 Acres
2-16-2021



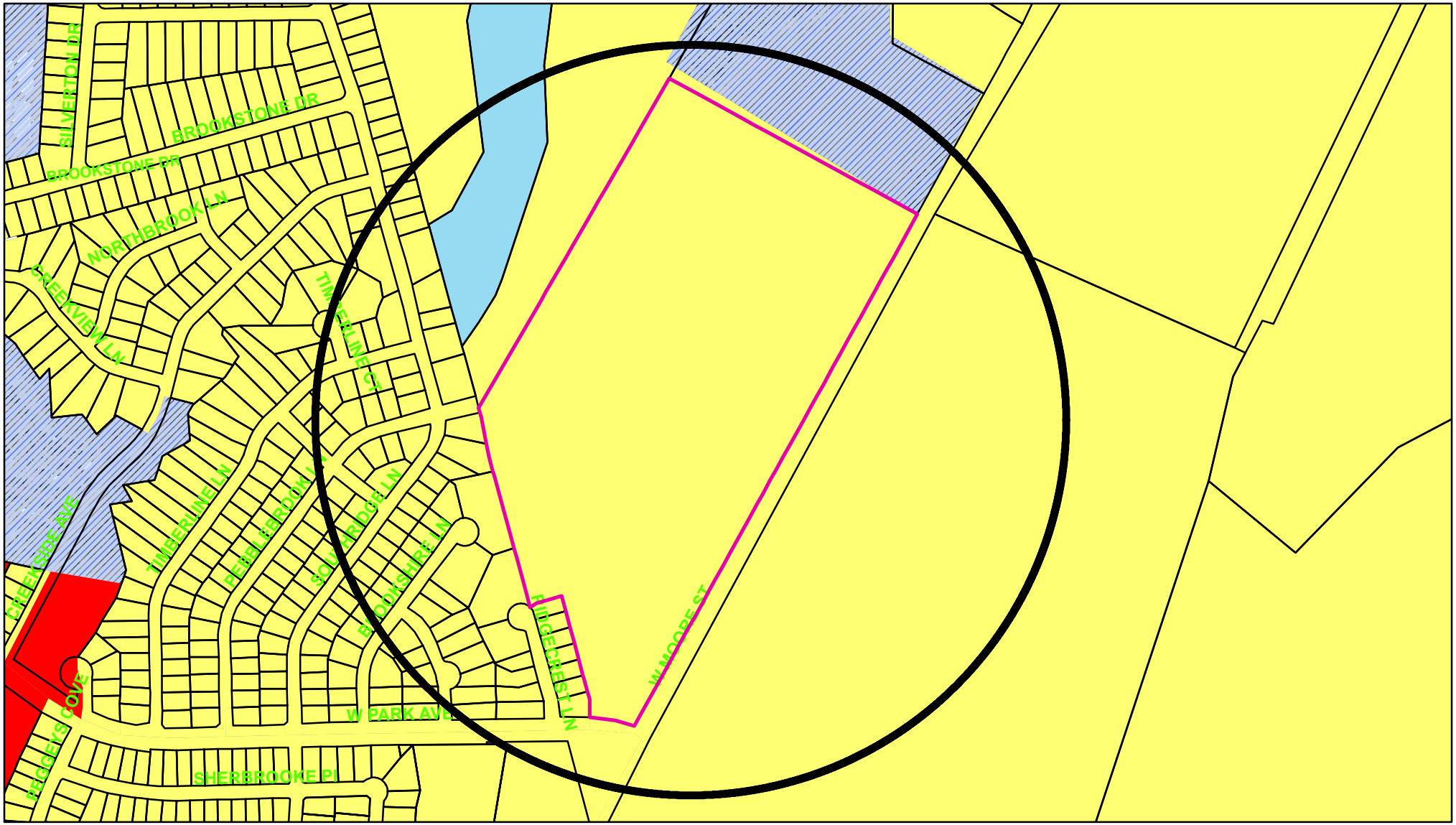
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

2100 Block West Moore Street Patio Home Lots

NOT TO SCALE

1 in = 500 ft



Zoning - 2100 Block West Moore Street Patio Homes

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 500 ft

2100 West Moore Street

ORDINANCE NO. 6358

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT ON PROPERTY LOCATED IN THE 2100 BLOCK OF WEST MOORE STREET, BEING LOTS 2-18, BLOCK A, LOTS 1-9, BLOCK B, LOTS 1-11, BLOCK H AND LOTS 10-20, BLOCK G OF THE PROPOSED THE GROVE ADDITION (SSCGC HOLDINGS, LLC, OWNER; GROVE ADDITION DEVELOPMENT JV, APPLICANT; CIVIL POINT ENGINEERS, CIVIL ENGINEER; AND UNDERWOOD DRAFTING 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; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the effective date of this Ordinance, SSCGC Holdings, LLC (Owner), Grove Addition Development JV (Applicant), Civil Point Engineers (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) and certain property located in the 2100 block of West Moore Street, and more particularly described as Lots 2-18, Block A, Lots 1-9, Block B, Lots 1-11, Block H and Lots 10-20, Block G of the proposed The Grove Addition, as depicted in **Exhibit A – Preliminary Plat**, are granted a Specific Use Permit to allow Patio Homes in an R-1 (One-Family Residential) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the property described as:

Lots 2-18, Block A, Lots 1-9, Block B, Lots 1-11, Block H and Lots 10-20, Block G of the proposed The Grove Addition.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Fence Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
4. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
5. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
6. Parking requirement is one space per bedroom, minimum two per unit, a parking space is considered to be 9'x 20'.
7. Side yard setbacks must be uniform for all homes within a given block.
8. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

10. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
11. Sidewalks required along all street frontage. ADA ramps required at all street corners.

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

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate

violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

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

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

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

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

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

INTRODUCED on this the 1st day of February, 2021.

ADOPTED on this the 1st day of February, 2021.

EFFECTIVE DATE on this the 1st day of February, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

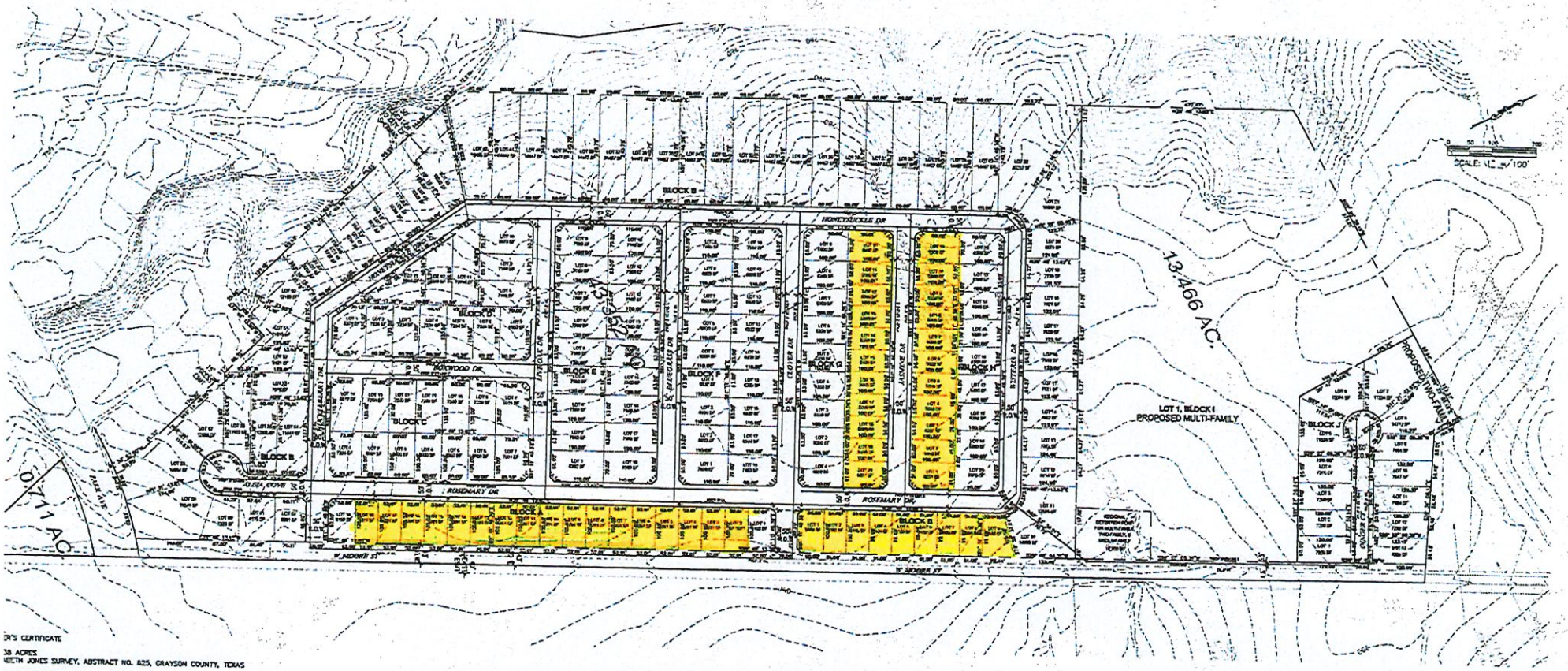
ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

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

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A - Preliminary Plat



OR'S CERTIFICATE

38 ACRES
NEETH JONES SURVEY, ABSTRACT NO. 625, GRAYSON COUNTY, TEXAS

L DESCRIPTION:

ted in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by deed of record in Instrument No. 2013-475, Official Public Records, Grayson County, Texas, being more particularly described by metes and bounds as follows:

ning at a found 1/2" steel rod at the southeast corner of Lot 1 Pebblebrook, Phase 3A, as recorded in Volume 22, Page 161, Plat Records, Grayson County, Texas;
e North 01°33'52" West with the east line of said addition, a distance of 72.93 feet to a set 1/2" steel rod;
e North 15°14'45" West continuing with said east line, a distance of 387.05 feet to a set 1/2" steel rod at the northeast of Lot 7 of said addition;
e South 74°45'15" West with the north line of said Lot 7, a distance of 109.00 feet to a set 1/2" steel rod in the east line of the Amending Plat of Pebblebrook, Phase 3 as recorded in Volume 18, Page 8 of said Plat Records, said rod also being in the west line of said Tract 1-A;
e North 15°14'45" West with said west line and the west line of said Tract 1-A, a distance of 694.64 feet to a set 1/2" steel rod;
e North 28°48'14" East, a distance of 1,884.08 feet to a set 1/2" steel rod in the south line of that tract of land conveyed to the City of Sherman as recorded in Document Number 2016-12009, Official Public Records, Grayson County, Texas;
e North 89°25'26" East with said south line, a distance of 794.01 feet to a found 1/2" steel rod in the west line of that 0.573 acre tract of land conveyed Johnny T. Flores Jr. and Jada D. Flores as recorded in Document Number 2017-5244 of said Official Public Records;
e South 00°47'12" East, a distance of 64.26 feet to a found 2" steel pipe at the southwest corner of said 0.573 acre tract;
e South 58°34'08" East with the south line of the remainder of that tract of land conveyed to Johnny T. Flores, et ux as recorded in Volume 2164, Page 267, Real Property Records Grayson County, Texas, a distance of 292.45 feet to a set 1/2" steel rod,
e over and across said Tract 1-A the following calls and distances:
South 28°22'09" West, a distance of 793.36 feet to a set 1/2" steel rod,
South 28°48'14" West, a distance of 2,124.33 feet to a set 1/2" steel rod,
with a non-tangent curve to the left having a radius of 761.42 feet, (chord bears North 78°44'34" West, 162.51 feet) an arc length of 162.82 feet to the Point-of-Beginning and containing 60.038 acres of land.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That _____, does hereby adopt this plat designating the hereinabove described property as _____, an Addition to the City of Sherman, Grayson County, Texas, and do hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths in which any may endanger or interfere with the construction, maintenance or efficiency of its respective system on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easements for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

_____
NAME

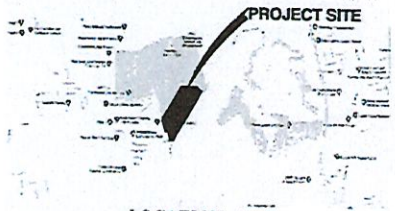
BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ___DAY _____, 20___

_____
Notary Public in and for the State of _____

PRELIMINARY
NOT FOR CONSTRUCTION

JOHN H BECKER
PE # 85489



LOCATION MAP
(NOT TO SCALE)

Engineer:
CIVIL POINT ENGINEERS
9101 JBJ Freeway, Ste 300
Dallas, TX 75243
(972) 554-1100

Surveyor:
Underwood Drafting & Surveying, Inc.
3404 Interurban Rd
Denison, TX 75021
903-465-2151

Developer:
Grove Addition
Development Joint Venture
801 E Taylor St
Sherman, TX 75090
903-893-5188

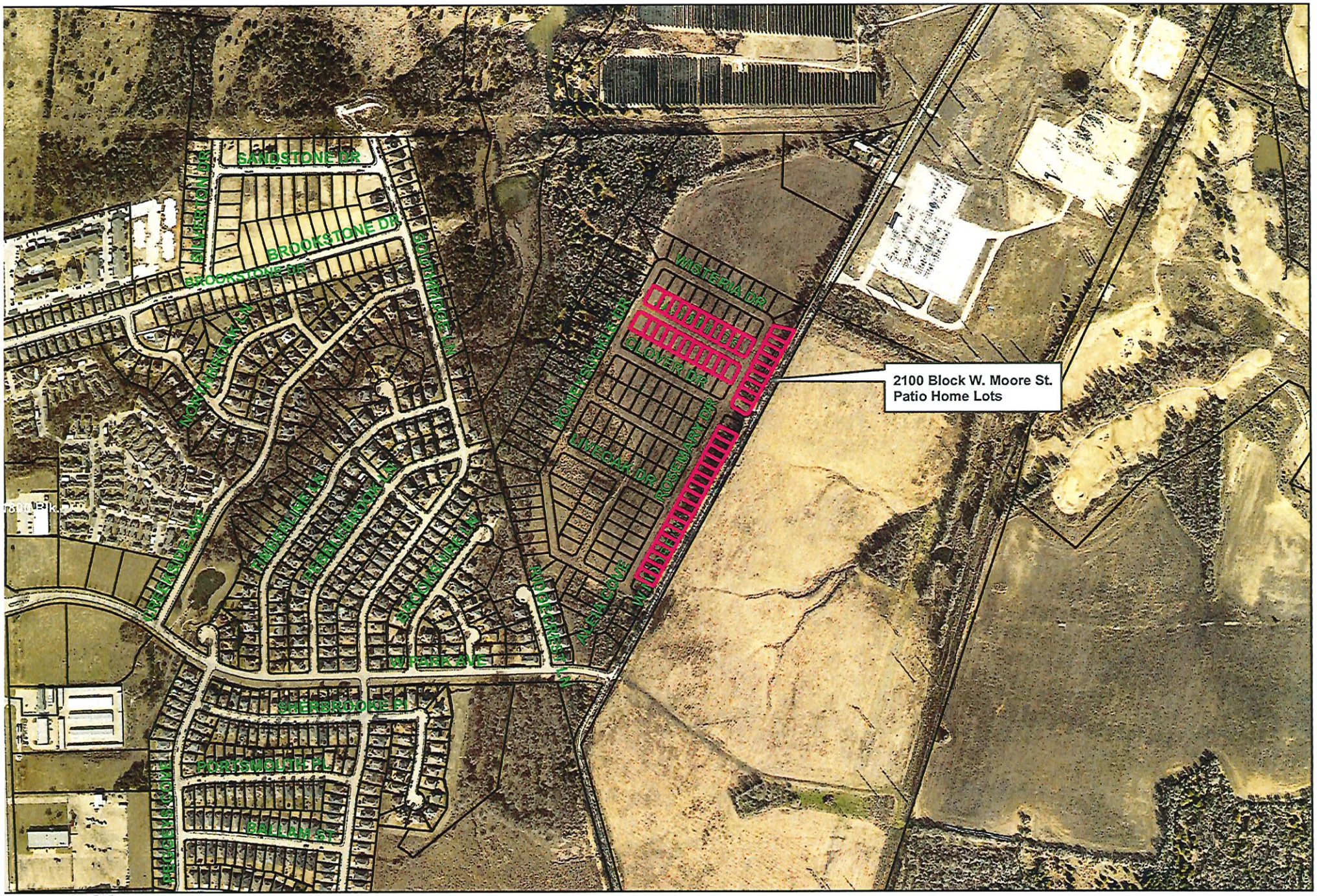
PRELIMINARY PLAT

Tract 1-A

The Grove Addition

Block A, Lots 1-19; Block B, Lots 1-62;
Block C, Lots 1-14; Block D, Lots 1-13;
Block E, Lots 1-18; Block F, Lots 1-18;
Block G, Lots 1-20; Block H, Lots 1-20;
Block J, Lots 1-13
Being 60.00 Acres in the
SSCGC Holdings, LLC, Inst 2013-475,
O.P.R.G.C.T. Survey
in the City of Sherman, Grayson County, Texas

December 18, 2020



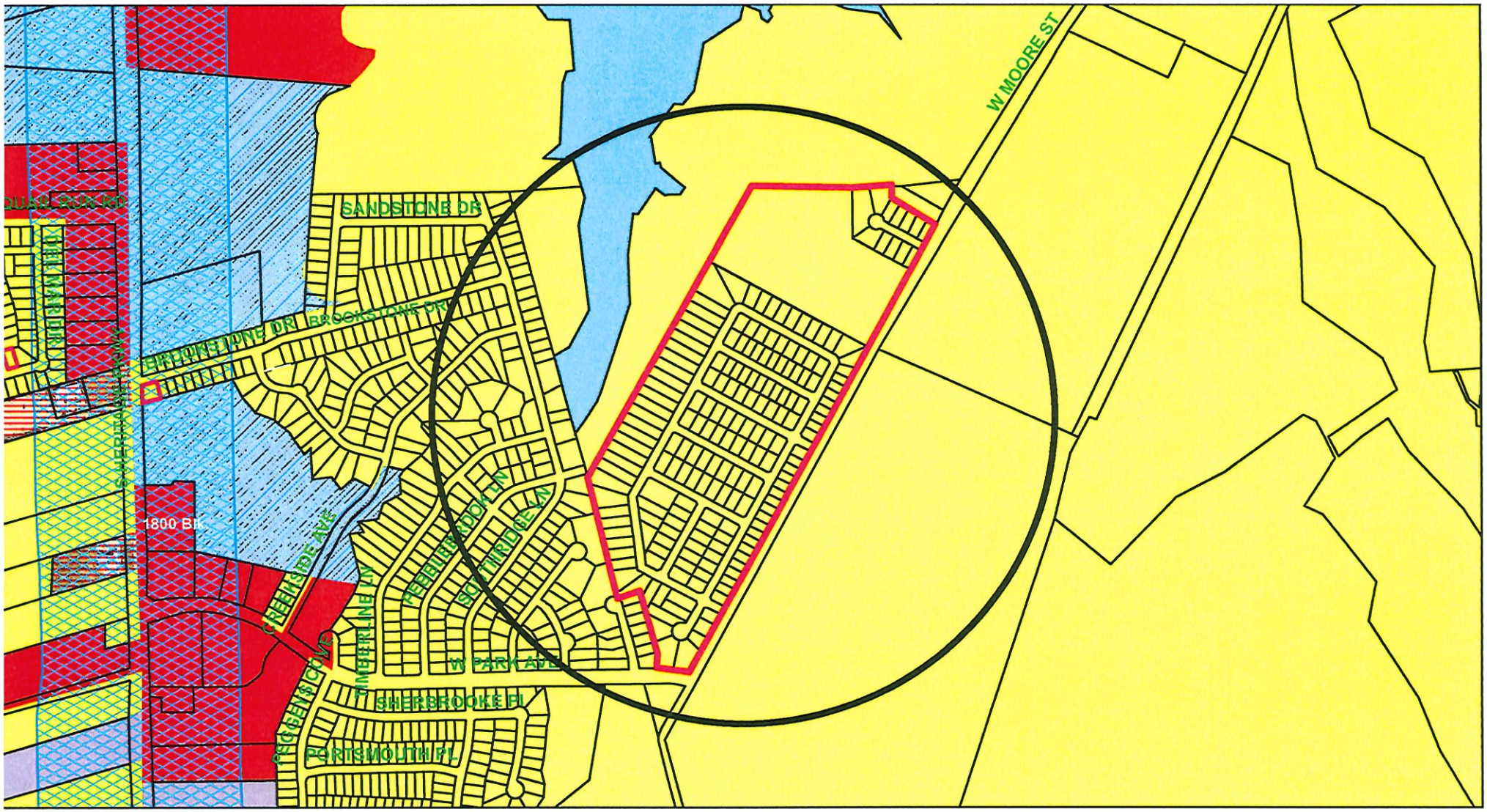
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

2100 Block W. Moore St. - Patio Home Lots

NOT TO SCALE

1 in = 637 ft



Zoning - 2100 Block West Moore Street

Legend

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

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

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

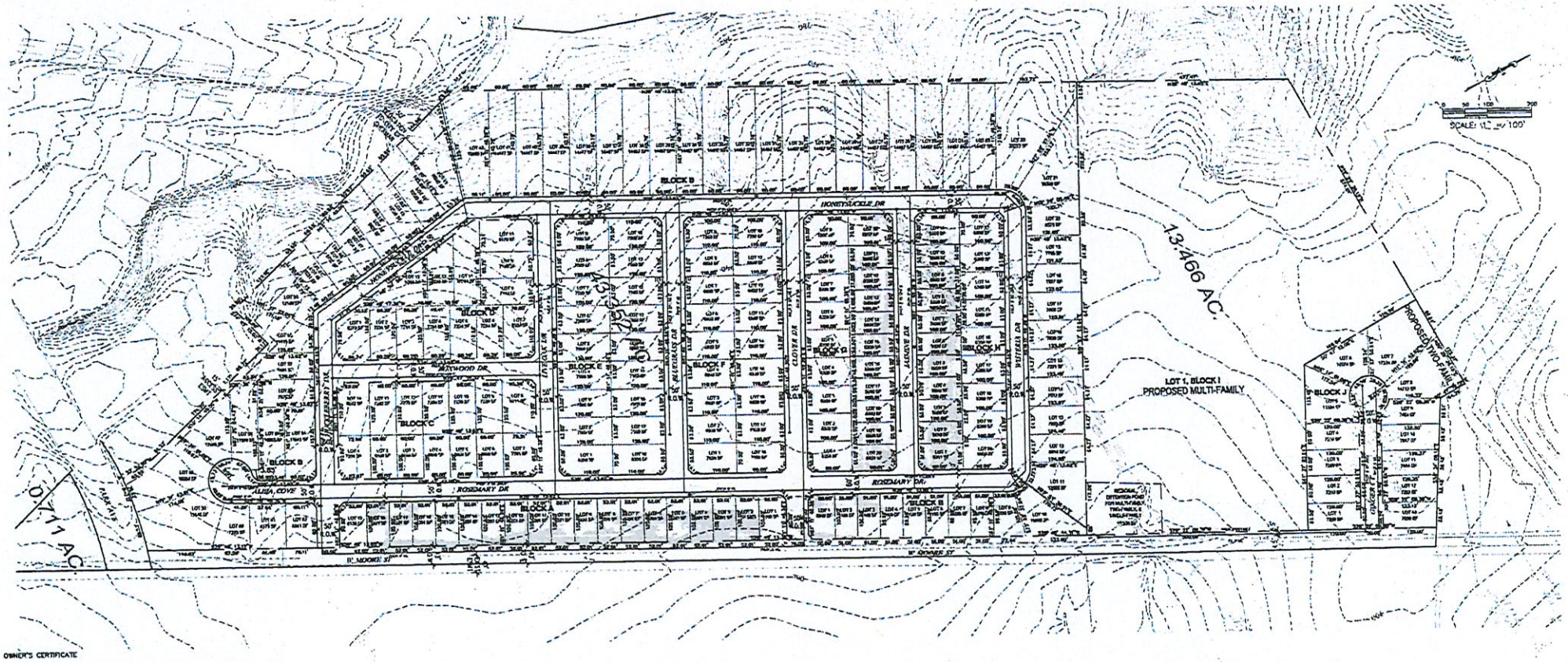
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 800 ft

2100 Block West Moore Street



OWNER'S CERTIFICATE

60.038 ACRES
ELIZABETH JONES SURVEY, ABSTRACT NO. 625, GRAYSON COUNTY, TEXAS

LEGAL DESCRIPTION:

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by deed of record in Instrument No. 2013-475, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod at the southeast corner of Lot 1 Pebblebrook Phase 3A, as recorded in Volume 22, Page 161, Plat Records, Grayson County, Texas;
Thence North 01°33'52" West with the east line of said addition, a distance of 72.93 feet to a set 1/2" steel rod;
Thence North 15°14'45" West continuing with said east line, a distance of 387.85 feet to a set 1/2" steel rod at the northeast of Lot 7 of said addition;
Thence South 74°45'15" West with the north line of said Lot 7, a distance of 109.00 feet to a set 1/2" steel rod in the east line of the Amending Plat of Pebblebrook, Phase 3 as recorded in Volume 16, Page 6 of said Plat Records, said rod also being in the west line of said Tract 1-A;;
Thence North 15°14'45" West with said west line and the east line of said Tract 1-A, a distance of 694.64 feet to a set 1/2" steel rod;
Thence North 28°48'14" East, a distance of 1,884.08 feet to a set 1/2" steel rod in the south line of that tract of land conveyed to the City of Sherman as recorded in Document Number 2018-12009, Official Public Records, Grayson County, Texas;
Thence North 89°25'26" East with said south line, a distance of 794.01 feet to a found 1/2" steel rod in the west line of that 0.573 acre tract of land conveyed Johnny T. Flores Jr. and Jada D. Flores as recorded in Document Number 2017-5244 of said Official Public Records;
Thence South 00°47'12" East, a distance of 64.26 feet to a found 2" steel pipe at the southwest corner of said 0.573 acre tract;
Thence South 58°34'08" East with the south line of the remainder of that tract of land conveyed to Johnny T. Flores, et ux as recorded in Volume 2164, Page 267, Real Property Records Grayson County, Texas, a distance of 282.45 feet to a set 1/2" steel rod;
Thence over and across said Tract 1-A the following calls and distances:
South 28°22'09" West, a distance of 793.36 feet to a set 1/2" steel rod,
South 28°48'14" West, a distance of 2,124.33 feet to a set 1/2" steel rod,
with a non-tangent curve to the left having a radius of 761.42 feet, (chord bears North 79°44'34" West, 162.51 feet) an arc length of 182.62 feet to the Point-of-Beginning and containing 60.038 acres of land.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That _____ does hereby adopt this plat designating the hereinbefore described property as _____ an Addition to the City of Sherman, Grayson County, Texas, and do hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Gerconville, Texas.

_____
NAME

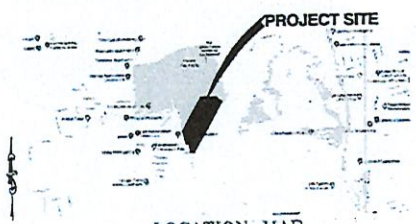
BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ___DAY _____ 20____

_____
Notary Public in and for the State of _____

PRELIMINARY
NOT FOR CONSTRUCTION

JOHN H BEZNER
PE # 66489



LOCATION MAP
(NOT TO SCALE)

Engineer:

CIVIL POINT ENGINEERS
9101 JBJ Freeway, Ste 300
Dallas, TX 75243
(972) 554-1100

Surveyor:
Underwood Drafting & Surveying, Inc.
3404 Interurban Rd
Denison, TX 75021
903-465-2151

Developer:
Grove Addition
Development Joint Venture
801 E Taylor St
Sherman, TX 75090
903-893-5188

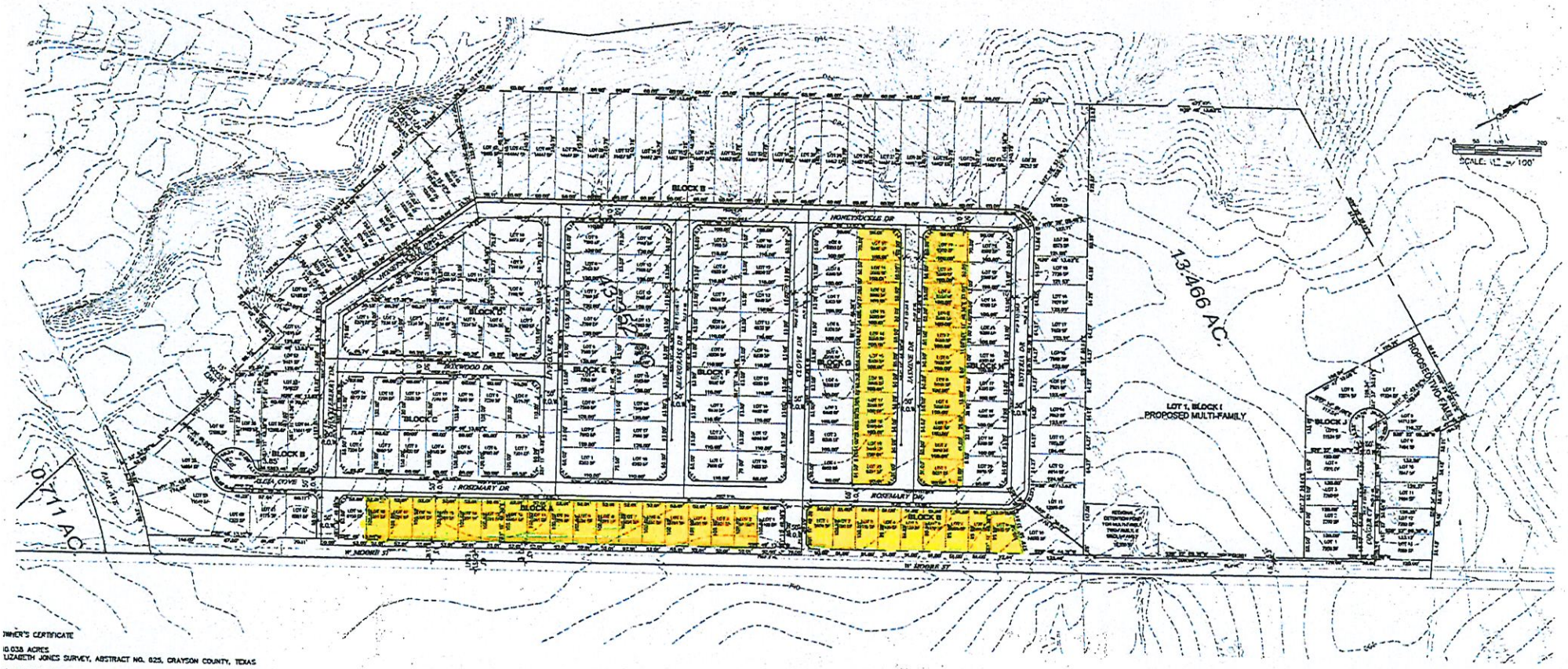
PRELIMINARY PLAT

Tract 1-A

The Grove Addition

Block A, Lots 1-19; Block B, Lots 1-62;
Block C, Lots 1-14; Block D, Lots 1-13;
Block E, Lots 1-18; Block F, Lots 1-18;
Block G, Lots 1-20; Block H, Lots 1-20;
Block J, Lots 1-13
Being 60.00 Acres in the
SSCGC Holdings, LLC, Inst 2013-475,
O.P.R.G.C.T. Survey
in the City of Sherman, Grayson County, Texas

December 18, 2020



OWNER'S CERTIFICATE

60.038 ACRES
LIZABETH JONES SURVEY, ABSTRACT NO. 625, GRAYSON COUNTY, TEXAS

EGAL DESCRIPTION:

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by deed of record in Instrument No. 2013-475, Official Public Records, Grayson County, Texas, nd being more particularly described by metes and bounds as follows:

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hence North 01°23'52" West with the east line of said addition, a distance of 72.93 feet to a set 1/2" steel rod;
hence North 13°14'45" West continuing with said east line, a distance of 387.65 feet to a set 1/2" steel rod at the northeast of Lot 7 of said addition;
hence South 74°45'15" West with the north line of said Lot 7, a distance of 109.00 feet to a set 1/2" steel rod in the east line of the Amending Plat of Pebblebrook, Phase 3 as recorded in Volume 16, Page 6 of said Plat Records, said rod also being in the west line of said Tract 1-A;
hence North 13°14'45" West with said west line and the east line of said Tract 1-A, a distance of 624.64 feet to a set 1/2" steel rod;
hence North 28°46'14" East, a distance of 1,884.08 feet to a set 1/2" steel rod in the south line of that tract of land conveyed to the City of Sherman as recorded in Document Number 2018-12009, Official Public Records, Grayson County, Texas;
hence North 89°25'25" East with said south line, a distance of 794.01 feet to a found 1/2" steel rod in the west line of that 0.573 acre tract of land conveyed Johnny T. Flores Jr. and Jada D. Flores as recorded in Document Number 2017-5244 of said Official Public Records;
hence South 00°47'12" East, a distance of 64.26 feet to a found 2" steel pipe at the southwest corner of said 0.573 acre tract;
hence South 58°34'08" East with the south line of the remainder of that tract of land conveyed to Johnny T. Flores, et ux as recorded in Volume 2164, Page 267, Real Property Records Grayson County, Texas, a distance of 292.45 feet to a set 1/2" steel rod,
ence over and across said Tract 1-A the following calls and distances,
South 29°22'09" West, a distance of 793.36 feet to a set 1/2" steel rod,
South 28°48'14" West, a distance of 2,124.33 feet to a set 1/2" steel rod,
with a non-tangent curve to the left having a radius of 761.42 feet, (chord bears North 79°44'34" West, 162.51 feet) an arc length of 162.82 feet to the Point-of-Beginning and containing 60.038 acres of land.

LOCATION MAP
(NOT TO SCALE)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That _____, does hereby adopt this plat designating the hereinbefore described property as _____ an Addition to the City of Sherman, Grayson County, Texas, and do hereby dedicate to the public use forever all streets, right-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths in or on any of the easements shown on the plat which may endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements; and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easements for the purpose of constructing, reconstructing, inspecting, and patrolling without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

_____
NAME

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____DAY _____, 20____.

_____
Notary Public in and for the State of _____

PRELIMINARY
NOT FOR CONSTRUCTION

JOHN H BECKNER
PE # 99468

Engineer:
CIVIL POINT ENGINEERS
9101 JBJ Freeway, Ste 300
Dallas, TX 75243
(972) 554-1100

Surveyor:
Underwood Drafting & Surveying, Inc.
3404 Interurban Rd
Denison, TX 75021
903-465-2151

Developer:
Grove Addition
Development Joint Venture
801 E Taylor St
Sherman, TX 75090
903-893-5188

PRELIMINARY PLAT

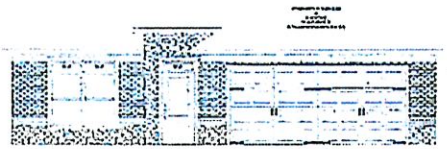
Tract 1-A

The Grove Addition

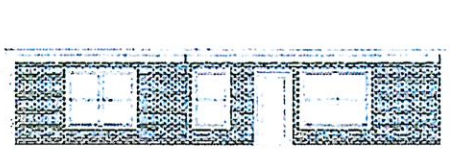
Block A, Lots 1-19; Block B, Lots 1-62;
Block C, Lots 1-14; Block D, Lots 1-13;
Block E, Lots 1-18; Block F, Lots 1-18;
Block G, Lots 1-20; Block H, Lots 1-20;
Block J, Lots 1-13
Being 60.00 Acres in the
SSCGC Holdings, LLC, Inst 2013-475,
O.P.R.G.C.T. Survey
in the City of Sherman, Grayson County, Texas

December 18, 2020

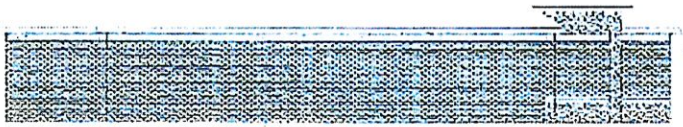
ELEVATION PLAN
PLAN - 3
ELEVATION - A



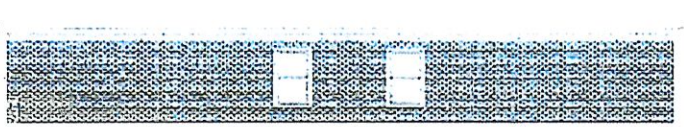
FRONT ELEVATION



BACK ELEVATION



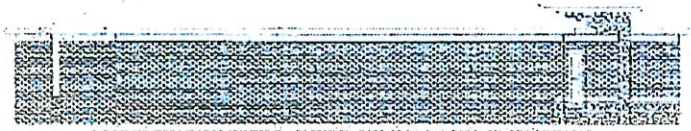
LEFT ELEVATION



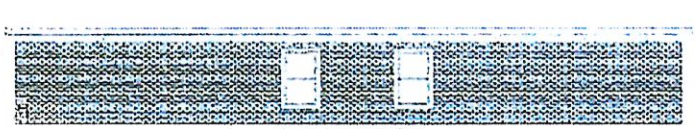
RIGHT ELEVATION

FRONT ELEVATION WITH BAY WINDOW OPTION

BACK ELEVATION WITH BACK PORCH OPTION



LEFT ELEVATION WITH BAY WINDOW AND BACK PORCH OPTION



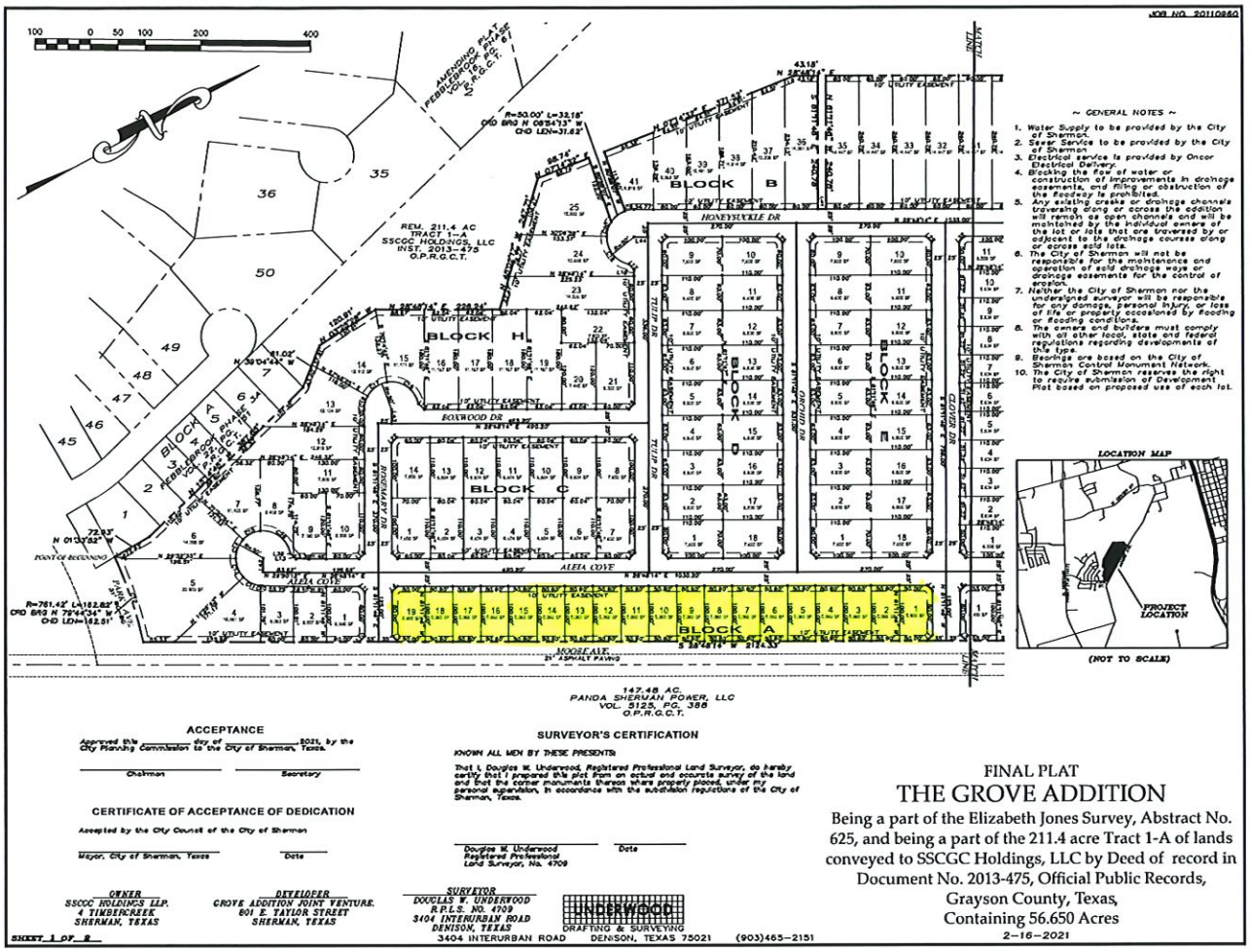
RIGHT ELEVATION

GILBERT
SHERMAN, TEXAS 75092
D2LDESIGNS@YAHOO.COM

DATE
09/22/16

SHEET
ELEVATION A

SCALE
3/32" = 1'

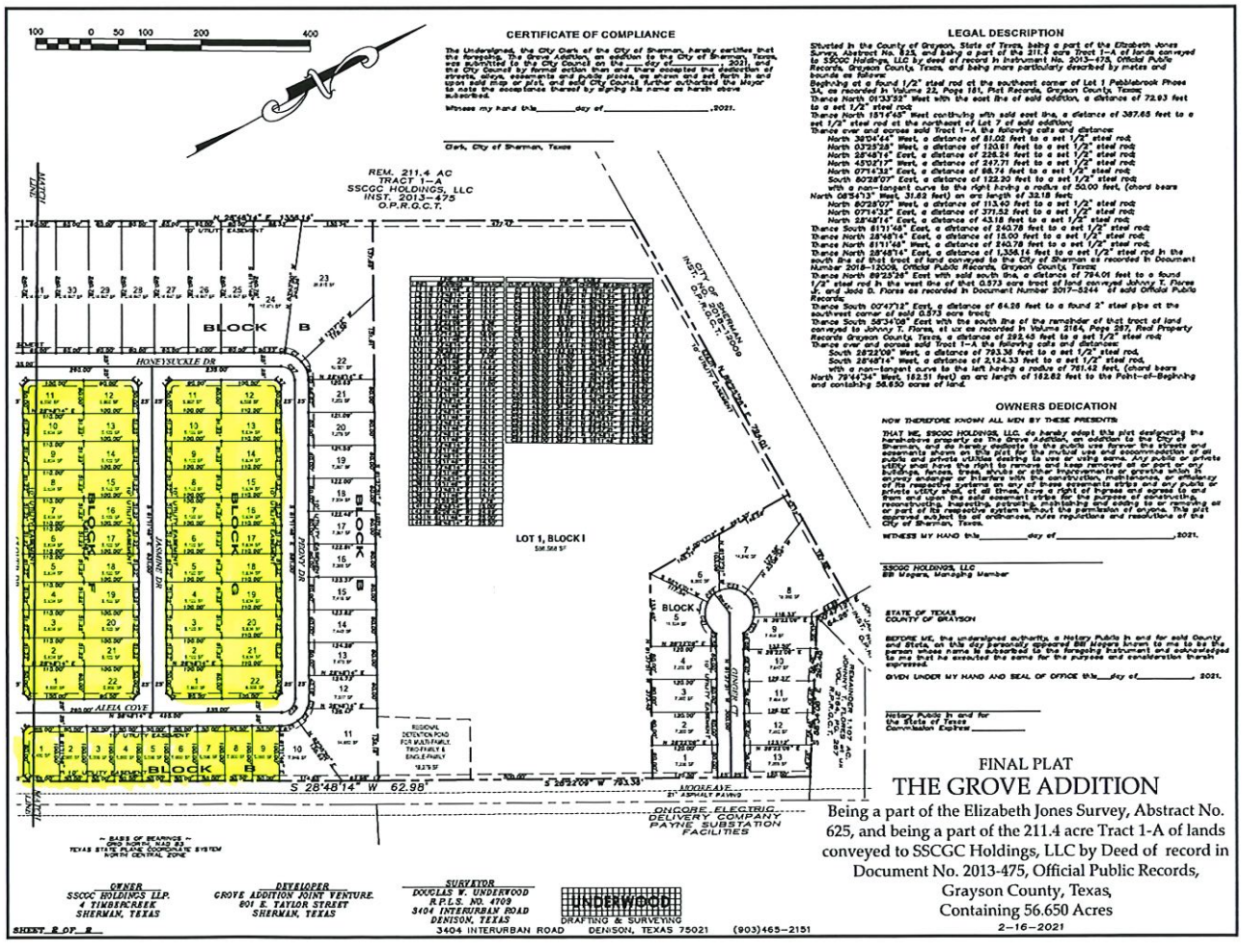


FINAL PLAT

THE GROVE ADDITION

Being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by Deed of record in Document No. 2013-475, Official Public Records, Grayson County, Texas, Containing 56.650 Acres

2-16-2021

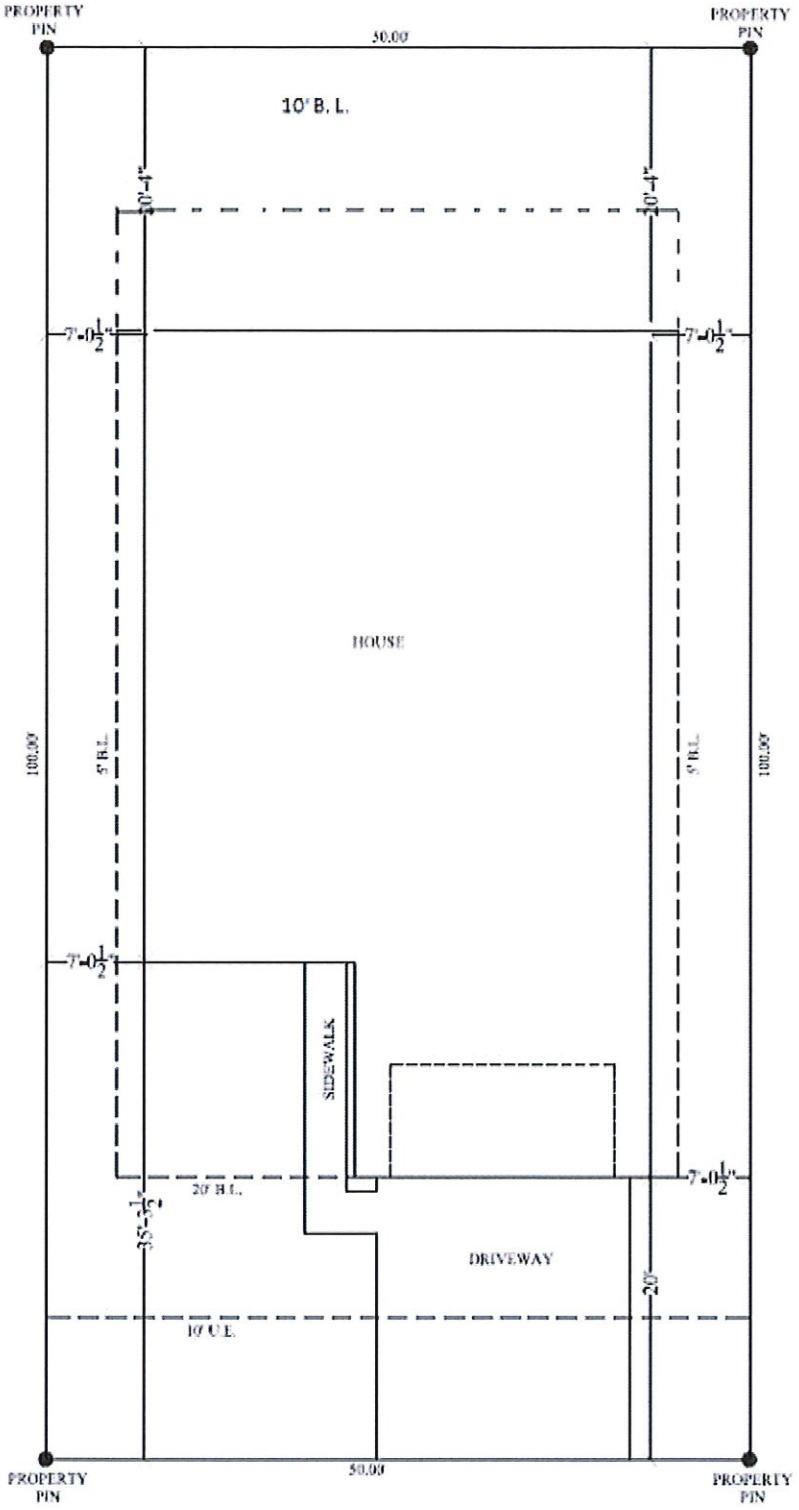


FINAL PLAT

THE GROVE ADDITION

Being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by Deed of record in Document No. 2013-475, Official Public Records, Grayson County, Texas, Containing 56.650 Acres

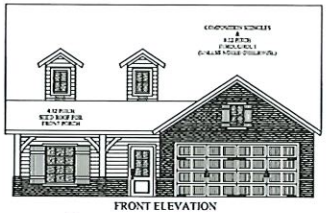
2-16-2021



SITE

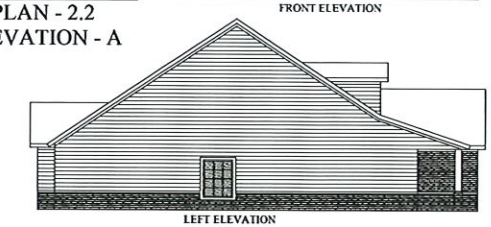
SCALE: 3/16 = 1'

ELEVATION PLAN
PLAN - 2.2
ELEVATION - A



FRONT ELEVATION

BACK ELEVATION

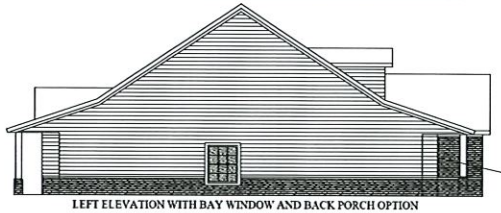


LEFT ELEVATION

RIGHT ELEVATION

FRONT ELEVATION WITH BAY WINDOW OPTION

BACK ELEVATION WITH BACK PORCH OPTION



LEFT ELEVATION WITH BAY WINDOW AND BACK PORCH OPTION

RIGHT ELEVATION WITH BACK PORCH OPTION

D2L DESIGNS, LLC
903.267.1284
HOUSE PLANS

GILBERT

TBD BROOKSTONE SUBDIVISION
SHERMAN, TEXAS 75092

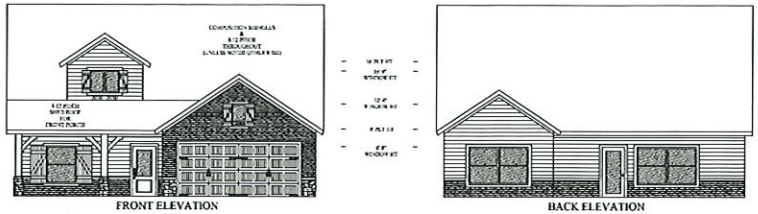
D2LDESIGNS@YAHOO.COM

DATE
08/18/19

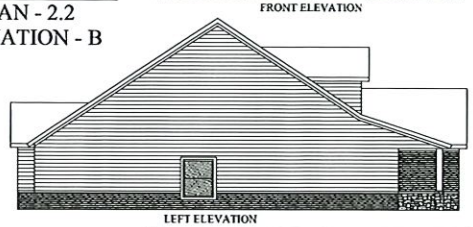
SHEET
ELEVATION A

SCALE
1/16" = 1'

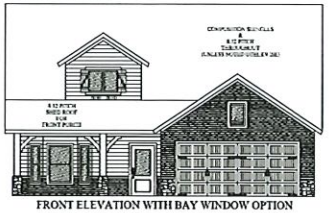
ELEVATION PLAN
PLAN - 2.2
ELEVATION - B


FRONT ELEVATION

BACK ELEVATION

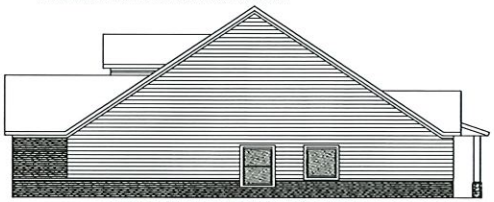

LEFT ELEVATION

RIGHT ELEVATION


FRONT ELEVATION WITH BAY WINDOW OPTION

BACK ELEVATION WITH BACK PORCH OPTION

LEFT ELEVATION WITH BAY WINDOW AND BACK PORCH OPTION


RIGHT ELEVATION WITH BAY WINDOW OPTION

D2L DESIGNS, LLC
903.267.3284
HOUSE PLANS

GILBERT

TBD BROOKSTONE SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

DATE
08/18/19

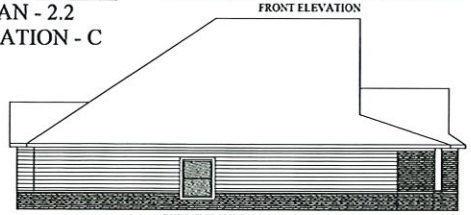
SHEET
ELEVATION B

SCALE
1/16" = 1'

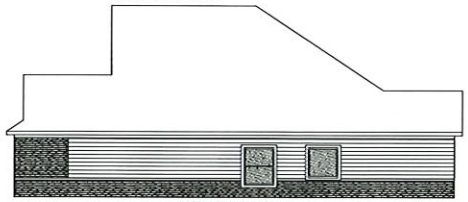
ELEVATION PLAN
PLAN - 2.2
ELEVATION - C

FRONT ELEVATION

BACK ELEVATION



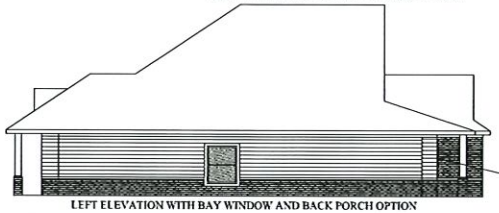
LEFT ELEVATION



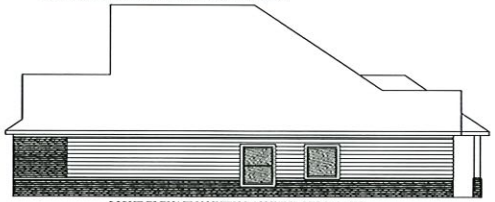
RIGHT ELEVATION

FRONT ELEVATION WITH BAY WINDOW OPTION

BACK ELEVATION WITH BACK PORCH OPTION



LEFT ELEVATION WITH BAY WINDOW AND BACK PORCH OPTION



RIGHT ELEVATION WITH BAY WINDOW OPTION

D2L DESIGNS, LLC
903.267.3284
HOUSE PLANS

GILBERT

TBD BROOKSTONE SUBDIVISION
SHERMAN, TEXAS 75092

D2LDESIGNS@YAHOO.COM

DATE
08/18/19

SHEET
ELEVATION C

SCALE
1/16" = 1'

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

March 9, 2021

SSCGC Holdings, LLC
4 Timber Creek
Sherman, TX 75092

Underwood Drafting & Surveying
3404 Interurban Rd.
Denison, Texas 75020

Grove Addition Development JV
Joe Gilbert
801 E. Taylor St.
Sherman, TX 75090

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow patio homes in an R-1 (One-Family Residential) District located in the 2100 block of West Moore Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, March 16, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Patio Home Ordinance, the Fence Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
4. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
5. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
6. Parking requirement is one space per bedroom, minimum two per unit, a parking space is considered to be 9'x 20'.
7. Side yard setbacks must be uniform for all homes within a given block.
8. Any subdivision developed under the Patio Home (PH) standards of this ordinance shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Usable open space shall not be required for a patio home development if it contains fifty (50) or fewer lots and the property contiguous (abutting or separating only by a local or collector street) to the subdivision is either developed for use other than patio homes or is restricted by zoning to not permit patio home development. Properties separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval,

at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.

10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

1. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
2. Sidewalks are required along all street frontages and ADA compliant pedestrian ramp is required at street intersections.

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

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

Respectfully,

Rob Rae
Secretary, Planning and Zoning Board and Board of Adjustment

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

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 25.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

2100 BLOCK WEST MOORE STREET

The request of SSCGC Holdings, LLC (Owner), Grove Addition Development JV (Applicant), Civil Point Engineers (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) for the property in the 2100 block of West Moore Street, being Lots 1-19, Block A, Lots 1-9, Block B, Lots 1-22, Block F and Lots 1-22, Block G of the proposed The Grove Addition, as follows:

Planning and Zoning Commission

Amending a Specific Use Permit and site plan approval (Ord. 6358) under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow 72 patio homes in an R-1 (One-Family Residential) District.

Background:

The property is located in the 2100 block of West Moore Street between Park Avenue and West Steadman Street. The property is zoned an R-1 (One Family Residential) District. A Specific Use Permit to allow 48 patio homes was approved by Ordinance 6358, February 1, 2021. The layout of the plat has changed and the owner is requesting to amend the Specific Use Permit to allow patio homes on 72 lots in the proposed The Grove Addition. The owner is dedicating 14.111 acres for park land and walking trails.

Adjacent Zoning:

R-1 (One Family Residential) District
R-2 (Multi-Family Residential) District

Origination:

SSCGC Holdings, LLC (Owner)
Grove Addition Development JV (Applicant)
Civil Point Engineers (Civil Engineeer)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

34

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Ord 6358
The Grove Addition
Park Land Dedication
Patio Home Lots
Site Plan
Building Elevations
Staff Review Letter

March 16, 2021

RECEIVED
MAR 16 2021

Chairman Clay Mahone,
Honorable Commissioners
Sherman Planning and Zoning Commission
City of Sherman
220 W Mulberry
Sherman, TX 75090

RE: Grove Addition Joint Venture's request for an SUP for Garden Homes in R1 District and approval of the Final Plat

Mr. Chairman and Honorable Commissioners,

Since I have a conflict this evening and may not be in attendance when this item is discussed, I am writing on behalf of SSCGC Holdings, LLP to support the above initiatives for Grove Addition on Moore St. This development is a partnership between the City of Sherman, SSCGC Holdings, LLP and Grove Addition Joint Venture. SSCGC agreed to donate land to significantly expand Baker Park and its natural hike and bike trail from Center Street to Park Avenue. SSCGC also agreed to dedicate needed ROW to the City of Sherman in order to expedite the expansion of Moore Rd. In return, the City agreed to extend water service along Moore Rd. to serve this development and position the area north for utility services.

As the attachments demonstrate, the original configuration, which was previously approved by Planning and Zoning Commission, anticipated that an approximate +/- 10 acres of "park land" would be dedicated. Further analysis revealed that, in order for accommodate the trail network, an additional +/- 4 acres would be needed. This reduced the expected developable acreage from +/- 60 acres to +/- 56 acres. Thus, the increase in green space drives the developer's request for the SUP to simply help recoup the lost revenues from the lot reduction. In short, the developer needs to reconfigure the development to make fiscal sense.

This project serves to drive quality development along Moore Rd. and around the new Sherman High School, benefits the developer, new homeowners and the surrounding neighbors and enhances, expands and improves an existing amenity for Sherman taxpayers and all Grayson County residents while increasing property tax revenues for the City. After reviewing the above and attached, please let me know if you have any questions or need more information. Thank you for your service and your consideration and approval of this request.

Sincerely,

William L. Magers

Bill Magers
Member
SSCGC Holdings, LLC

Att./ 3

Cc: Patsy Reeves, Development Services Coordinator
Rob Rae, Director of Development Services
Wayne E. Lee, P.E., CFM, Director of Engineering
Clint Philpott, P.E., Assistant City Manager
Robby Hefton, City Manager

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 6.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6372

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to allow Patio Homes in an R-1 (One Family Residential) District in 4000-4300 blocks of Hummingbird Drive and the 700 block of Swan Ridge Drive, being Lots 14-38, Block 11, Lots 1-14, Block 12, Lots 6-10 and 16-23, Block 13 of the Proposed The Preserve Addition, Phase III (Westar Home Builders, Owner; Ron Westervelt, Representative; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

Issue:

To consider the request of Westar Home Builders (Owner), Ron Westervelt (Representative) and Underwood Drafting and Surveying, Inc. (Surveyor) concerning the property located in the 4000-4300 blocks of Hummingbird Drive, and the 700 block of Swan Ridge Drive, being Lots 14-38, Block 11, Lots 1-14, Block 12, Lots 6-10 and 16-23, Block 13 of the proposed The Preserve Addition, Phase III, to Grant a Specific Use Permit to allow 57 Patio Homes in an R-1 (One-Family Residential) District.

Background:

The property is located in the 4000-4300 blocks of Hummingbird Drive and the 700 block of Swan Ridge Drive; the southeast corner of Swan Ridge Drive and Hummingbird Drive. The property is zoned an R-1 (One Family Residential) District. The owner is requesting a Specific Use Permit to allow patio homes on 50 lots in The Preserve, Phase III Addition.

Origination:

Westar Home Builders (Owner)
Ron Westervelt (Representative)
Underwood Drafting and Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted 6/1 to recommend to the City Council that the Specific Use Permit be approved to allow 57 lots for patio homes subject to the Staff Review Letter. Commission Member Davis voted against the request voicing concerns with the green space requirement. Mr. Westervelt has reduced the number of lots to 50. Three people spoke against the request at the meeting; Elyse Hogan, 4405 Hummingbird Drive, Shawn Rennwanz, 801 South Cormorant Drive and Peter Tracey, 700 South Valentine. Their concerns were congestion, traffic and size of homes next to larger lot homes.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6372
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Plat
Patio Home Lots
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6372

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 8, SUBSECTION (5)(A), ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW PATIO HOMES IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT ON PROPERTY LOCATED IN THE 4000-4300 BLOCKS OF HUMMINGBIRD DRIVE AND THE 700 BLOCK SWAN RIDGE DRIVE, BEING LOTS 14-38, BLOCK 11, LOTS 1-14, BLOCK 12, LOTS 6-10 AND 16-23, BLOCK 13 OF THE PROPOSED THE PRESERVE ADDITION, PHASE III (WESTAR HOME BUILDERS, OWNER; RON WESTERVELT, REPRESENTATIVE; AND UNDERWOOD DRAFTING SURVEYING, SURVEYOR); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the effective date of this Ordinance, Westar Home Builders (Owner), Ron Westervelt (Representative) and Underwood Drafting and Surveying, Inc. (Surveyor) and that certain property located in the 4000-4300 blocks of Hummingbird Drive, and the 700 block of Swan Ridge Drive, and more particularly described as Lots 14-38, Block 11, Lots 1-14, Block 12, Lots 6-10 and 16-23, Block 13 of the proposed The Preserve Addition, Phase III as depicted in **Exhibit A**, attached hereto, are granted a Specific Use Permit to allow Patio Homes in an R-1 (One-Family Residential) District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the property described as:

Lots 14-38, Block 11, Lots 1-14, Block 12, Lots 6-10 and 16-23, Block 13 of the proposed The Preserve Addition, Phase III, as depicted in **Exhibit A**.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Patio Home Ordinance, the Fence Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
4. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
5. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
6. Parking requirement is one space per bedroom, minimum two per unit, a parking space is considered to be 9'x 20'.
7. Side yard setbacks must be uniform for all homes within a given block.
8. Any subdivision developed under the Patio Home (PH) standards of this ordinance shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Usable open space shall not be required for a patio home development if it contains fifty (50) or fewer lots and the property contiguous (abutting or separating only by a local or collector street) to the subdivision is either developed for use other than patio homes or is restricted by zoning to not permit patio home development. Properties separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

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

SECTION 4. That it shall be unlawful for any person to make use of the Property in some manner other than as authorized by this Ordinance, and it shall be unlawful for any person to construct on the Property any building that is not in conformity with the permissible uses under this Ordinance. Any person violating any provision of this Ordinance or the General Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and on

conviction thereof, shall be fined in an amount not exceeding TWO THOUSAND AND NO/100 DOLLARS ($2,000.00). A violation of any provision of this Ordinance shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

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

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

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

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

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

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

EFFECTIVE DATE on this the_____day of _____, 2021.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

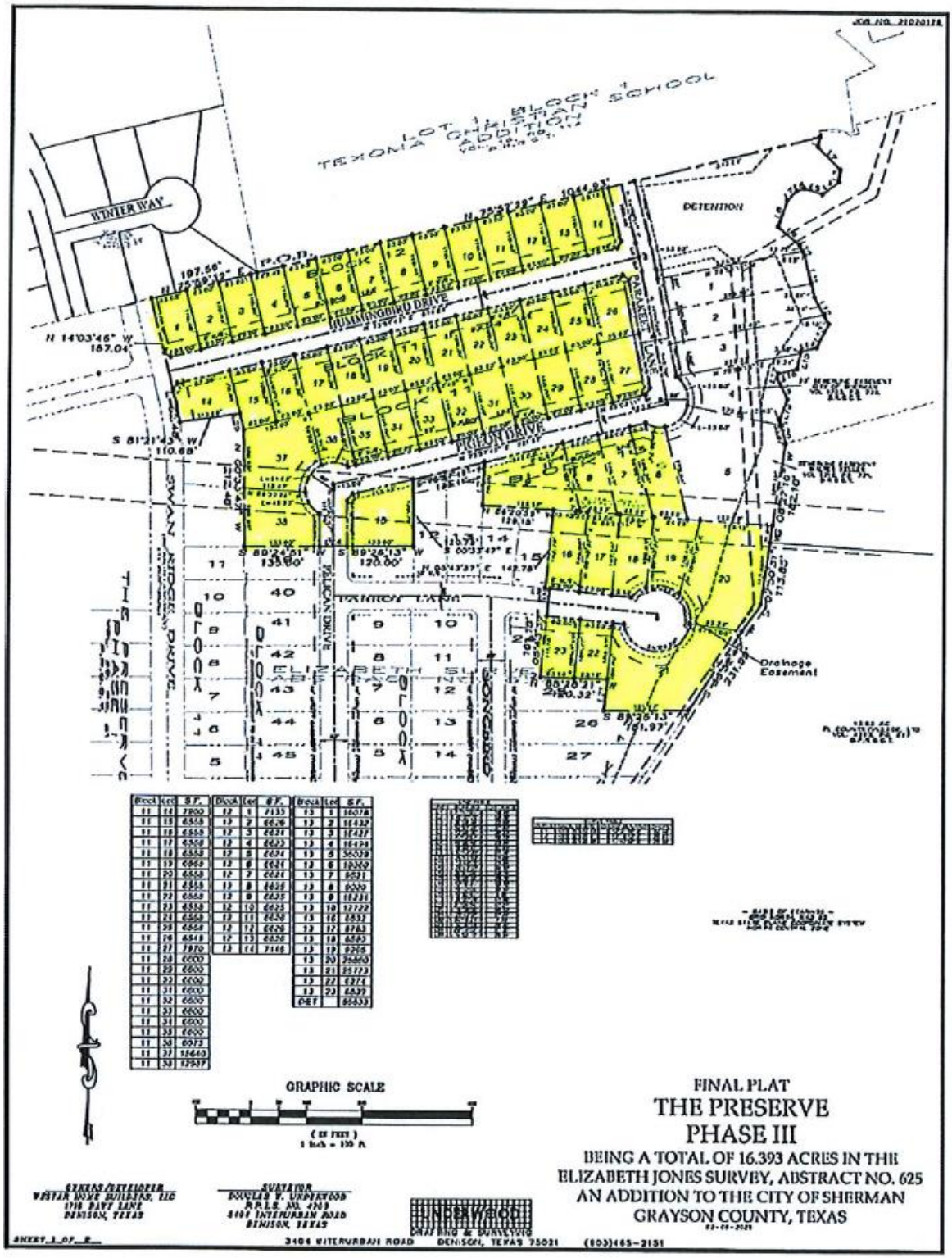
ATTEST:

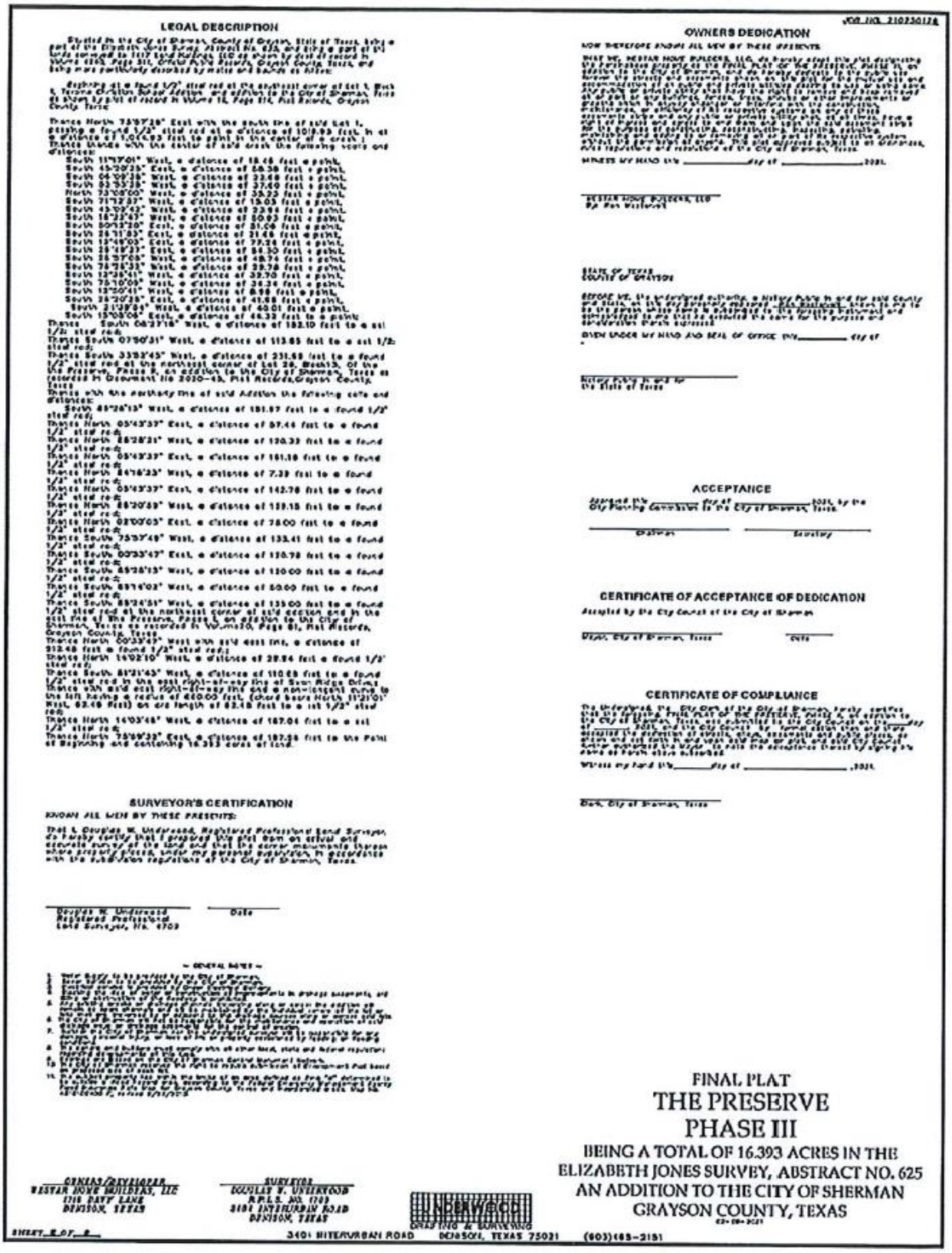
BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____
RYAN D. PITTMAN, CITY ATTORNEY

Exhibit A


TEXOMA CHRISTIAN SCHOOL ADDITION
WINTER WAY
DETENTION
P.O.B.
HUMMINGBIRD DRIVE
PARAKEET LANE
PIGEON DRIVE
SWAN MEADOW DRIVE
PELICAN DRIVE
ELIZABETH JONES SURVEY
Drainage Easement
GRAPHIC SCALE
FINAL PLAT
THE PRESERVE
PHASE III
BEING A TOTAL OF 16.393 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625
AN ADDITION TO THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151



LEGAL DESCRIPTION

SURVEYOR'S CERTIFICATION

OWNERS DEDICATION

ACCEPTANCE

CERTIFICATE OF ACCEPTANCE OF DEDICATION

CERTIFICATE OF COMPLIANCE

FINAL PLAT
THE PRESERVE
PHASE III
BEING A TOTAL OF 16.393 ACRES IN THE
ELIZABETH JONES SURVEY, ABSTRACT NO. 625
AN ADDITION TO THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

OWNER/DEVELOPER
WESTAR HOME BUILDERS, LLC
1310 PAPP LANE
DENISON, TEXAS

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4703
3101 INTERURBAN ROAD
DENISON, TEXAS

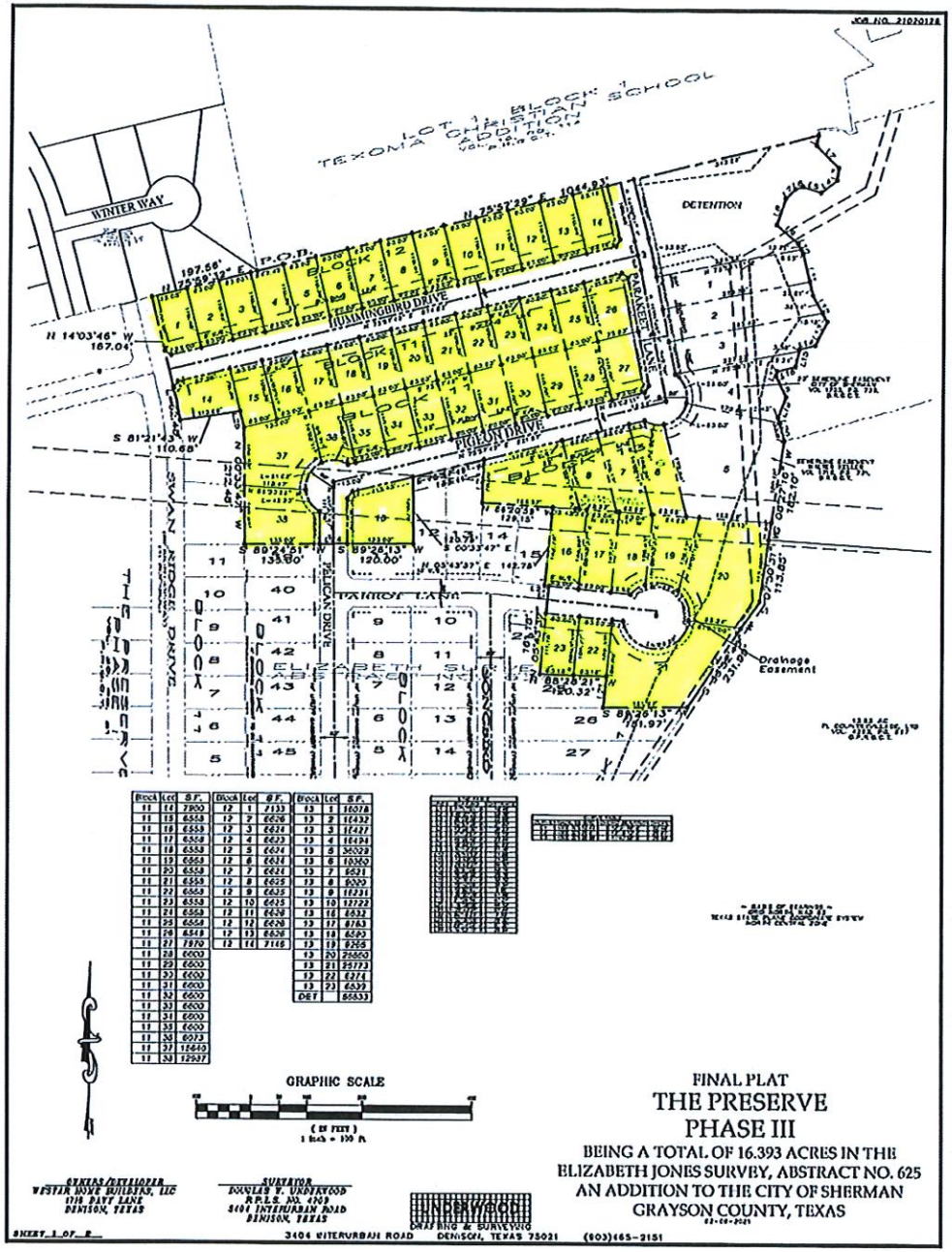
UNDERWOOD
SURVEYING & SURVEYING
3101 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

SHEET 2 OF 2

Note: Approval of the zoning case associated with this exhibit shall not imply or be interpreted as approval of any associated study, plat or plan, approval of development standards shown hereon or the initiation of the development

process. Planning and Zoning Commission and/or City Council action on studies, plats or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.

Exhibit A



JOB NO. 210250128
LOT 1, BLOCK 1
TEXOMA CHRISTIAN SCHOOL
ADDITION
WINTER WAY
DETENTION
HUMMINGBIRD DRIVE
PIGEON DRIVE
PARKER LANE
PELICAN DRIVE
SWAN RIDGE DRIVE
THE PRESERVE
ELIZABETH SURVEY
Drainage Easement
GRAPHIC SCALE
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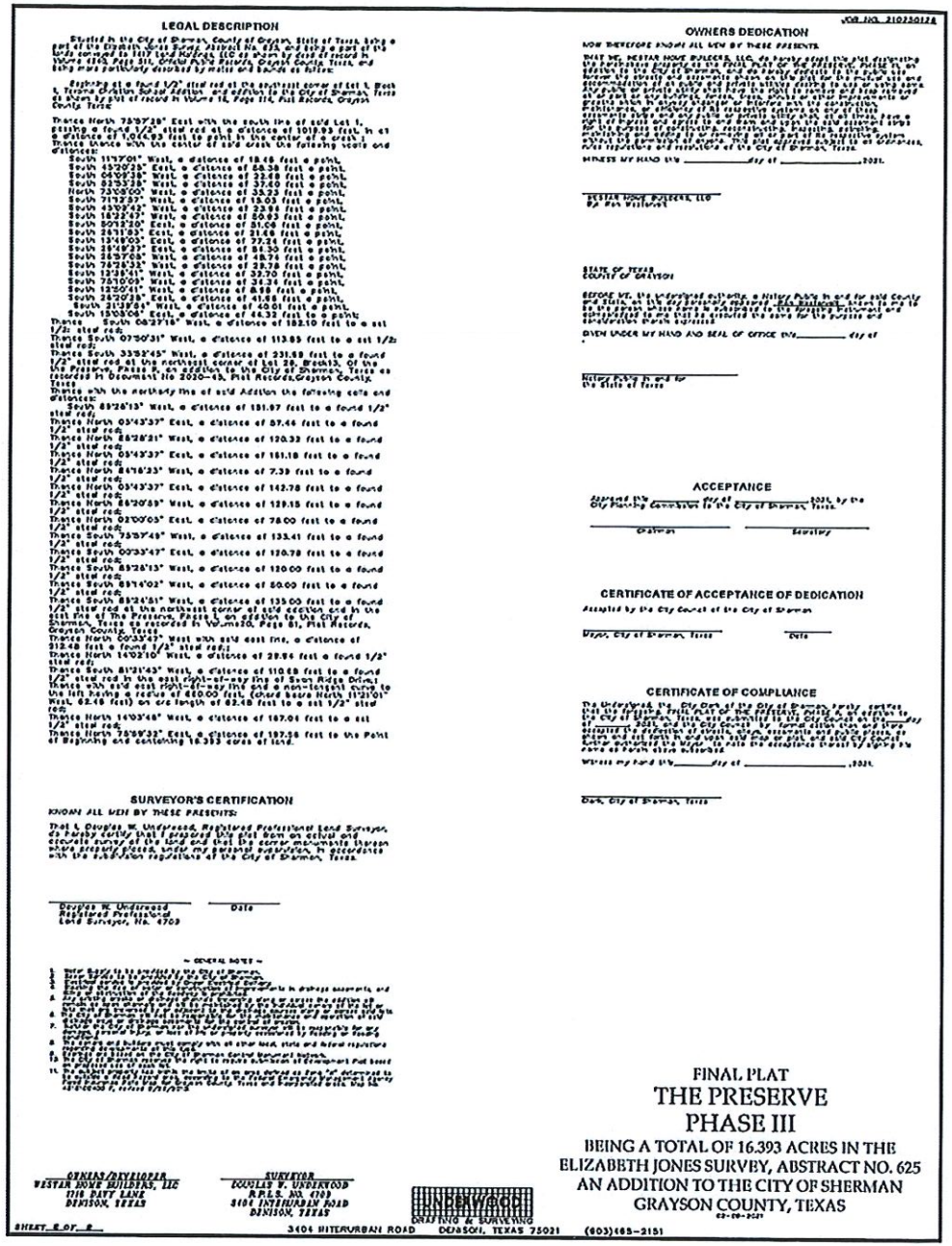
OWNERS/DEVELOPER
WESTAR HOME BUILDERS, LLC
1716 DAVY LANE
DENISON, TEXAS
SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS
UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151



LEGAL DESCRIPTION
SURVEYOR'S CERTIFICATION
OWNERS DEDICATION
ACCEPTANCE
CERTIFICATE OF ACCEPTANCE OF DEDICATION
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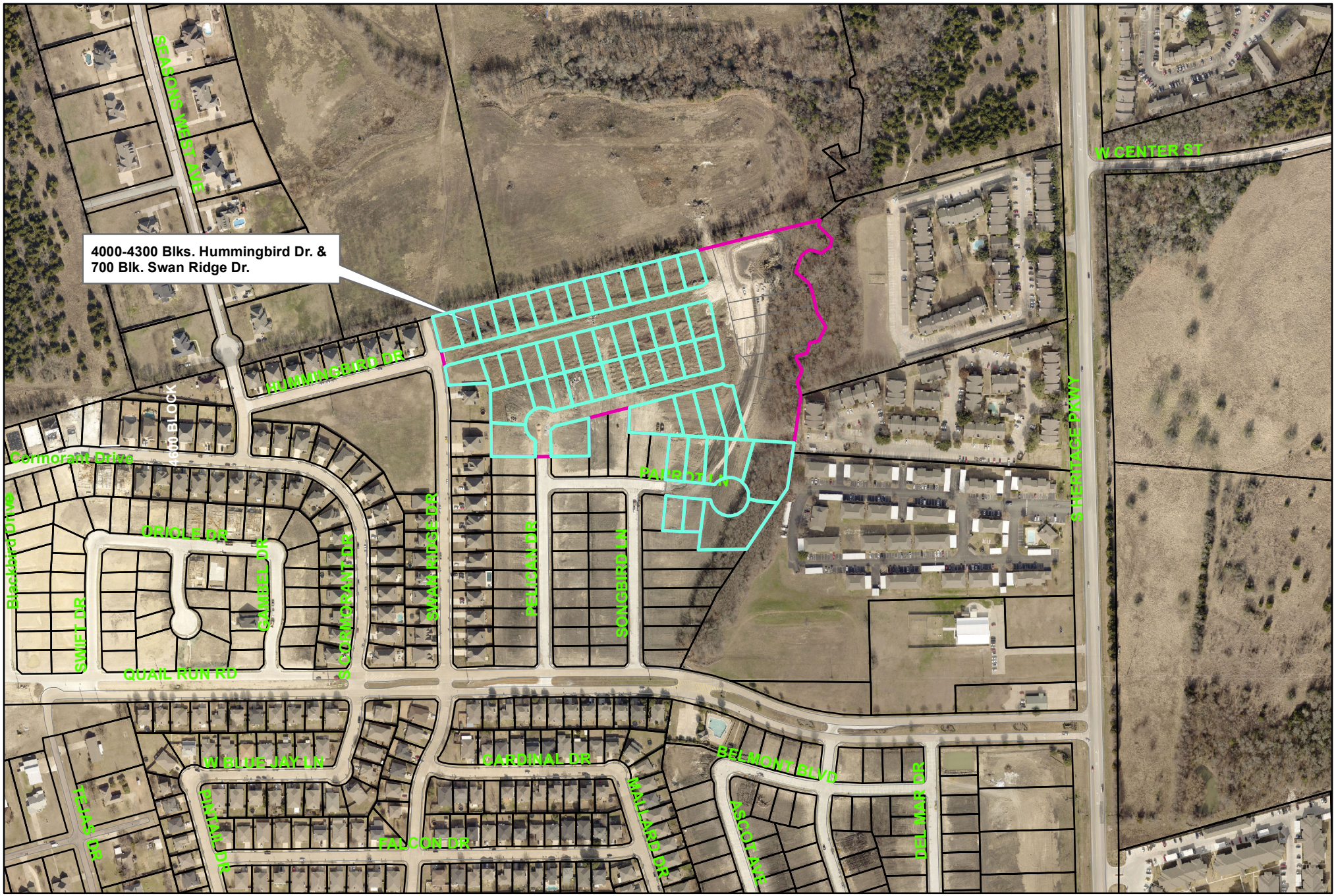


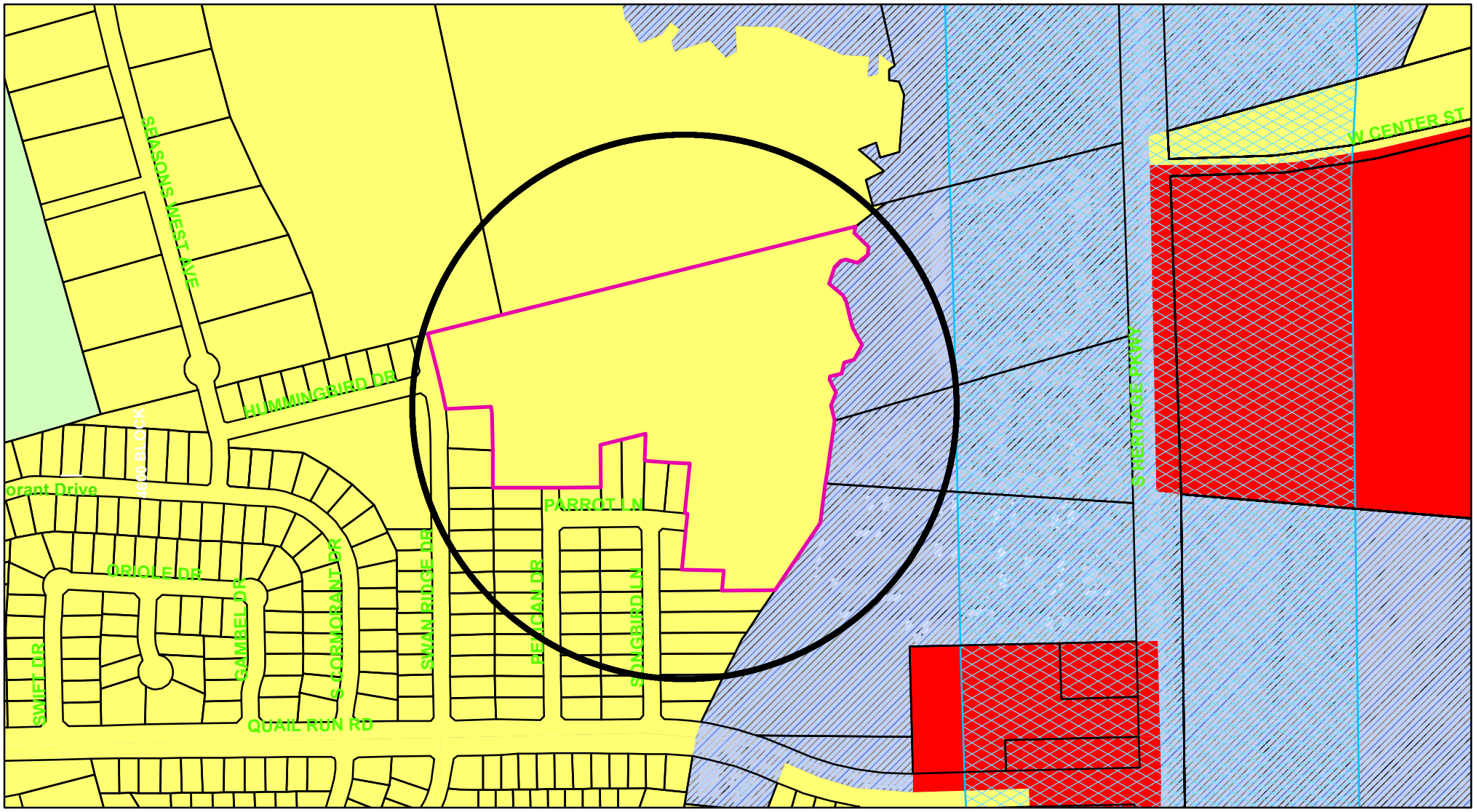
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

4000-4300 Blks. Hummingbird Drive & 700 Blk. Swan Ridge Drive

NOT TO SCALE

1 in = 400 ft



Zoning - 4000-4300 Blocks Hummingbird Drive & 700 Block Swan Ridge Drive

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

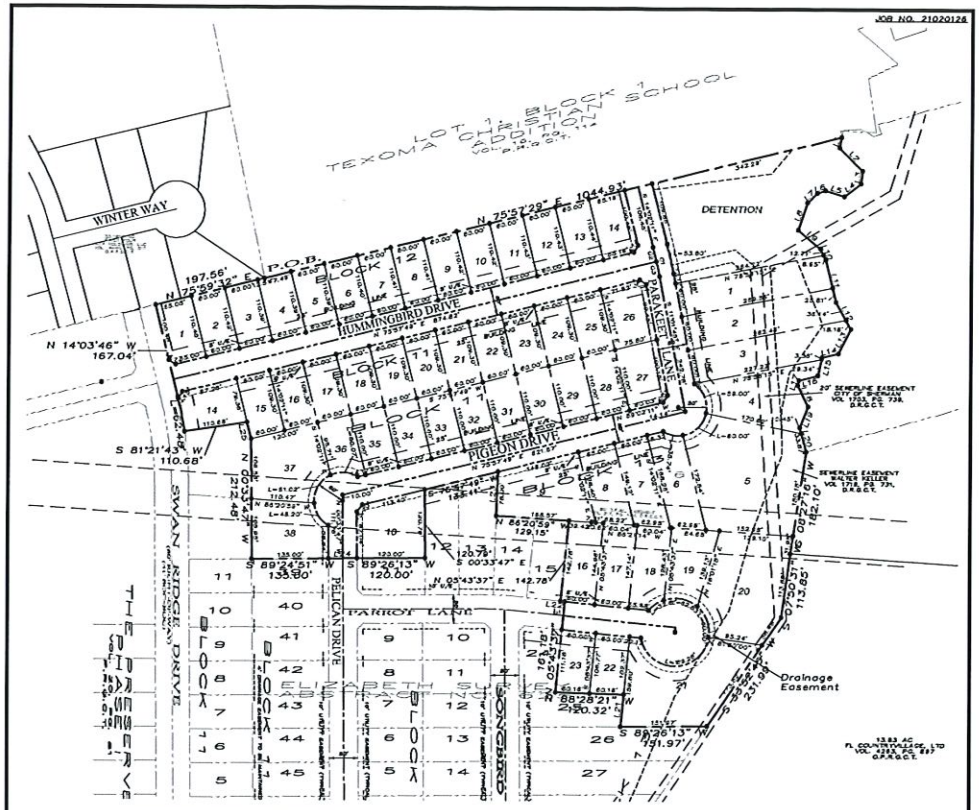
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 400 ft

4000-4300 Hummingbird Drive &
700 Block Swan Ridge Drive

JOB NO. 210201.28



Block	Lot	S.F.	Block	Lot	S.F.	Block	Lot	S.F.
11	14	7980	12	1	7133	13	1	16078
11	15	6558	12	2	6626	13	2	16432
11	16	6558	12	3	6624	13	3	16427
11	17	6558	12	4	6623	13	4	16494
11	18	6558	12	5	6624	13	5	36029
11	19	6558	12	6	6624	13	6	10360
11	20	6558	12	7	6624	13	7	6621
11	21	6558	12	8	6625	13	8	9020
11	22	6558	12	9	6625	13	9	16231
11	23	6558	12	10	6625	13	10	12722
11	24	6558	12	11	6626	13	16	6632
11	25	6558	12	12	6626	13	17	8763
11	26	8548	12	13	6626	13	18	6590
11	27	7970	12	14	7146	13	19	9265
11	28	6600				13	20	25550
11	29	6600				13	21	25773
11	30	6600				13	22	6274
11	31	6600				13	23	6539
11	32	6600				DET		55833
11	33	6600						
11	34	6600						
11	35	6600						
11	36	6073						
11	37	15540						
11	38	12987						

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 89°24'51" W	135.00'
L2	N 00°43'47" E	142.78'
L3	S 89°26'13" W	120.00'
L4	S 00°33'47" W	120.79'
L5	S 89°26'13" W	120.00'
L6	S 89°14'02" W	50.00'
L7	S 89°24'51" W	135.00'
L8	N 00°33'47" W	212.48'
L9	N 14°02'10" W	29.94'
L10	S 81°21'43" W	110.68'
L11	S 89°26'13" W	251.97'
L12	N 14°03'46" W	167.04'
L13	N 75°59'32" E	197.56'
L14	S 89°26'13" W	120.00'
L15	N 00°43'47" E	142.78'
L16	S 89°26'13" W	129.15'
L17	N 02°00'05" E	78.00'
L18	S 75°57'49" W	133.41'
L19	S 00°33'47" E	120.79'
L20	S 89°26'13" W	120.00'
L21	S 89°14'02" W	50.00'
L22	S 89°24'51" W	135.00'
L23	N 00°33'47" W	212.48'
L24	N 14°02'10" W	29.94'
L25	S 81°21'43" W	110.68'
L26	S 89°26'13" W	251.97'
L27	N 14°03'46" W	167.04'
L28	N 75°59'32" E	197.56'

CURVE TABLE				
CURVE	RADIUS	ARC	CHORD BEARING	CHORD
C1	25.00'	39.27'	S 30°33'47" E	35.36'
C2	25.00'	39.27'	S 59°26'13" W	35.36'
C3	25.00'	39.27'	N 30°33'47" W	35.36'
C4	25.00'	39.27'	N 59°26'13" E	35.36'
C5	25.00'	39.27'	S 30°33'47" E	35.36'
C6	25.00'	39.27'	S 59°26'13" W	35.36'
C7	25.00'	39.27'	N 30°33'47" W	35.36'
C8	25.00'	39.27'	N 59°26'13" E	35.36'
C9	25.00'	39.27'	S 30°33'47" E	35.36'
C10	25.00'	39.27'	S 59°26'13" W	35.36'
C11	25.00'	39.27'	N 30°33'47" W	35.36'
C12	25.00'	39.27'	N 59°26'13" E	35.36'
C13	25.00'	39.27'	S 30°33'47" E	35.36'
C14	25.00'	39.27'	S 59°26'13" W	35.36'
C15	25.00'	39.27'	N 30°33'47" W	35.36'
C16	25.00'	39.27'	N 59°26'13" E	35.36'
C17	25.00'	39.27'	S 30°33'47" E	35.36'
C18	25.00'	39.27'	S 59°26'13" W	35.36'
C19	25.00'	39.27'	N 30°33'47" W	35.36'
C20	25.00'	39.27'	N 59°26'13" E	35.36'
C21	25.00'	39.27'	S 30°33'47" E	35.36'
C22	25.00'	39.27'	S 59°26'13" W	35.36'
C23	25.00'	39.27'	N 30°33'47" W	35.36'
C24	25.00'	39.27'	N 59°26'13" E	35.36'
C25	25.00'	39.27'	S 30°33'47" E	35.36'
C26	25.00'	39.27'	S 59°26'13" W	35.36'
C27	25.00'	39.27'	N 30°33'47" W	35.36'
C28	25.00'	39.27'	N 59°26'13" E	35.36'
C29	25.00'	39.27'	S 30°33'47" E	35.36'
C30	25.00'	39.27'	S 59°26'13" W	35.36'
C31	25.00'	39.27'	N 30°33'47" W	35.36'
C32	25.00'	39.27'	N 59°26'13" E	35.36'
C33	25.00'	39.27'	S 30°33'47" E	35.36'
C34	25.00'	39.27'	S 59°26'13" W	35.36'
C35	25.00'	39.27'	N 30°33'47" W	35.36'
C36	25.00'	39.27'	N 59°26'13" E	35.36'
C37	25.00'	39.27'	S 30°33'47" E	35.36'
C38	25.00'	39.27'	S 59°26'13" W	35.36'
C39	25.00'	39.27'	N 30°33'47" W	35.36'
C40	25.00'	39.27'	N 59°26'13" E	35.36'
C41	25.00'	39.27'	S 30°33'47" E	35.36'
C42	25.00'	39.27'	S 59°26'13" W	35.36'
C43	25.00'	39.27'	N 30°33'47" W	35.36'
C44	25.00'	39.27'	N 59°26'13" E	35.36'
C45	25.00'	39.27'	S 30°33'47" E	35.36'
C46	25.00'	39.27'	S 59°26'13" W	35.36'
C47	25.00'	39.27'	N 30°33'47" W	35.36'
C48	25.00'	39.27'	N 59°26'13" E	35.36'
C49	25.00'	39.27'	S 30°33'47" E	35.36'
C50	25.00'	39.27'	S 59°26'13" W	35.36'
C51	25.00'	39.27'	N 30°33'47" W	35.36'
C52	25.00'	39.27'	N 59°26'13" E	35.36'
C53	25.00'	39.27'	S 30°33'47" E	35.36'
C54	25.00'	39.27'	S 59°26'13" W	35.36'
C55	25.00'	39.27'	N 30°33'47" W	35.36'
C56	25.00'	39.27'	N 59°26'13" E	35.36'
C57	25.00'	39.27'	S 30°33'47" E	35.36'
C58	25.00'	39.27'	S 59°26'13" W	35.36'
C59	25.00'	39.27'	N 30°33'47" W	35.36'
C60	25.00'	39.27'	N 59°26'13" E	35.36'
C61	25.00'	39.27'	S 30°33'47" E	35.36'
C62	25.00'	39.27'	S 59°26'13" W	35.36'
C63	25.00'	39.27'	N 30°33'47" W	35.36'
C64	25.00'	39.27'	N 59°26'13" E	35.36'
C65	25.00'	39.27'	S 30°33'47" E	35.36'
C66	25.00'	39.27'	S 59°26'13" W	35.36'
C67	25.00'	39.27'	N 30°33'47" W	35.36'
C68	25.00'	39.27'	N 59°26'13" E	35.36'
C69	25.00'	39.27'	S 30°33'47" E	35.36'
C70	25.00'	39.27'	S 59°26'13" W	35.36'
C71	25.00'	39.27'	N 30°33'47" W	35.36'
C72	25.00'	39.27'	N 59°26'13" E	35.36'
C73	25.00'	39.27'	S 30°33'47" E	35.36'
C74	25.00'	39.27'	S 59°26'13" W	35.36'
C75	25.00'	39.27'	N 30°33'47" W	35.36'
C76	25.00'	39.27'	N 59°26'13" E	35.36'
C77	25.00'	39.27'	S 30°33'47" E	35.36'
C78	25.00'	39.27'	S 59°26'13" W	35.36'
C79	25.00'	39.27'	N 30°33'47" W	35.36'
C80	25.00'	39.27'	N 59°26'13" E	35.36'
C81	25.00'	39.27'	S 30°33'47" E	35.36'
C82	25.00'	39.27'	S 59°26'13" W	35.36'
C83	25.00'	39.27'	N 30°33'47" W	35.36'
C84	25.00'	39.27'	N 59°26'13" E	35.36'
C85	25.00'	39.27'	S 30°33'47" E	35.36'
C86	25.00'	39.27'	S 59°26'13" W	35.36'
C87	25.00'	39.27'	N 30°33'47" W	35.36'
C88	25.00'	39.27'	N 59°26'13" E	35.36'
C89	25.00'	39.27'	S 30°33'47" E	35.36'
C90	25.00'	39.27'	S 59°26'13" W	35.36'
C91	25.00'	39.27'	N 30°33'47" W	35.36'
C92	25.00'	39.27'	N 59°26'13" E	35.36'
C93	25.00'	39.27'	S 30°33'47" E	35.36'
C94	25.00'	39.27'	S 59°26'13" W	35.36'
C95	25.00'	39.27'	N 30°33'47" W	35.36'
C96	25.00'	39.27'	N 59°26'13" E	35.36'
C97	25.00'	39.27'	S 30°33'47" E	35.36'
C98	25.00'	39.27'	S 59°26'13" W	35.36'
C99	25.00'	39.27'	N 30°33'47" W	35.36'
C100	25.00'	39.27'	N 59°26'13" E	35.36'
C101	25.00'	39.27'	S 30°33'47" E	35.36'
C102	25.00'	39.27'	S 59°26'13" W	35.36'
C103	25.00'	39.27'	N 30°33'47" W	35.36'
C104	25.00'	39.27'	N 59°26'13" E	35.36'
C105	25.00'	39.27'	S 30°33'47" E	35.36'
C106	25.00'	39.27'	S 59°26'13" W	35.36'
C107	25.00'	39.27'	N 30°33'47" W	35.36'
C108	25.00'	39.27'	N 59°26'13" E	35.36'
C109	25.00'	39.27'	S 30°33'47" E	35.36'
C110	25.00'	39.27'	S 59°26'13" W	35.36'
C111	25.00'	39.27'	N 30°33'47" W	35.36'
C112	25.00'	39.27'	N 59°26'13" E	35.36'
C113	25.00'	39.27'	S 30°33'47" E	35.36'
C114	25.00'	39.27'	S 59°26'13" W	35.36'
C115	25.00'	39.27'	N 30°33'47" W	35.36'
C116	25.00'	39.27'	N 59°26'13" E	35.36'
C117	25.00'	39.27'	S 30°33'47" E	35.36'
C118	25.00'	39.27'	S 59°26'13" W	35.36'
C119	25.00'	39.27'	N 30°33'47" W	35.36'
C120	25.00'	39.27'	N 59°26'13" E	35.36'
C121	25.00'	39.27'	S 30°33'47" E	35.36'
C122	25.00'	39.27'	S 59°26'13" W	35.36'
C123	25.00'	39.27'	N 30°33'47" W	35.36'
C124	25.00'	39.27'	N 59°26'13" E	35.36'
C125	25.00'	39.27'	S 30°33'47" E	35.36'
C126	25.00'	39.27'	S 59°26'13" W	35.36'
C127	25.00'	39.27'	N 30°33'47" W	35.36'
C128	25.00'	39.27'	N 59°26'13" E	35.36'
C129	25.00'	39.27'	S 30°33'47" E	35.36'
C130	25.00'	39.27'	S 59°26'13" W	35.36'
C131	25.00'	39.27'	N 30°33'47" W	35.36'
C132	25.00'	39.27'	N 59°26'13" E	35.36'
C133	25.00'	39.27'	S 30°33'47" E	35.36'
C134	25.00'	39.27'	S 59°26'13" W	35.36'
C135	25.00'	39.27'	N 30°33'47" W	35.36'
C136	25.00'	39.27'	N 59°26'13" E	35.36'
C137	25.00'	39.27'	S 30°33'47" E	35.36'
C138	25.00'	39.27'	S 59°26'13" W	35.36'
C139	25.00'	39.27'	N 30°33'47" W	35.36'
C140	25.00'	39.27'	N 59°26'13" E	35.36'
C141	25.00'	39.27'	S 30°33'47" E	35.36'
C142	25.00'	39.27'	S 59°26'13" W	35.36'
C143	25.00'	39.27'	N 30°33'47" W	35.36'
C144	25.00'	39.27'	N 59°26'13" E	35.36'
C145	25.00'	39.27'	S 30°33'47" E	35.36'
C146	25.00'	39.27'	S 59°26'13" W	35.36'
C147	25.00'	39.27'	N 30°33'47" W	35.36'
C148	25.00'	39.27'	N 59°26'13" E	35.36'
C149	25.00'	39.27'	S 30°33'47" E	35.36'
C150	25.00'	39.27'	S 59°26'13" W	35.36'
C151	25.00'	39.27'	N 30°33'47" W	35.36'
C152	25.00'	39.27'	N 59°26'13" E	35.36'
C153	25.00'	39.27'	S 30°33'47" E	35.36'
C154	25.00'	39.27'	S 59°26'13" W	35.36'
C155	25.00'	39.27'	N 30°33'47" W	35.36'
C156	25.00'	39.27'	N 59°26'13" E	35.36'
C157	25.00'	39.27'	S 30°33'47" E	35.36'
C158	25.00'	39.27'	S 59°26'13" W	35.36'
C159	25.00'	39.27'	N 30°33'47" W	35.36'
C160	25.00'	39.27'	N 59°26'13" E	35.36'
C161	25.00'	39.27'	S 30°33'47" E	35.36'
C162	25.00'	39.27'	S 59°26'13" W	35.36'
C163	25.00'	39.27'	N 30°33'47" W	35.36'
C164	25.00'	39.27'	N 59°26'13" E	35.36'
C165	25.00'	39.27'	S 30°33'47" E	35.36'
C166	25.00'	39.27'	S 59°26'13" W	35.36'
C167	25.00'	39.27'	N 30°33'47" W	35.36'
C168	25.00'	39.27'	N 59°26'13" E	35.36'
C169	25.00'	39.27'	S 30°33'47" E	35.36'
C170	25.00'	39.27'	S 59°26'13" W	35.36'
C171	25.00'	39.27'	N 30°33'47" W	35.36'
C172	25.00'	39.27'	N 59°26'13" E	35.36'
C173	25.00'	39.27'	S 30°33'47" E	35.36'
C174	25.00'	39.27'	S 59°26'13" W	35.36'
C175	25.00'	39.27'	N 30°33'47" W	35.36'
C176	25.00'	39.27'	N 59°26'13" E	35.36'
C177	25.00'	39.27'	S 30°33'47" E	35.36'
C178	25.00'	39.27'	S 59°26'13" W	35.36'
C179	25.00'	39.27'	N 30°33'47" W	35.36'
C180	25.00'	39.27'	N 59°26'13" E	35.36'
C181	25.00'	39.27'	S 30°33'47" E	35.36'
C182	25.00'	39.27'	S 59°26'13" W	35.36'
C183	25.00'	39.27'	N 30°33'47" W	35.36'
C184	25.00'	39.27'	N 59°26'13" E	35.36'
C185	25.00'	39.27'	S 30°33'47" E	35.36'
C186	25.00'	39.27'	S 59°26'13" W	35.36'
C187	25.00'	39.27'	N 30°33'47" W	35.36'
C188	25.00'	39.27'	N 59°26'13" E	35.36'
C189	25.00'	39.27'	S 30°33'47" E	35.36'
C190	25.00'	39.27'	S 59°26'13" W	35.36'
C191	25.00'	39.27'	N 30°33'47" W	35.36'
C192	25.00'	39.27'	N 59°26'13" E	35.36'
C193	25.00'	39.27'	S 30°33'47" E	35.36'
C194	25.00'	39.27'	S 59°26'13" W	35.36'
C195	25.00'	39.27'	N 30°33'47" W	35.36'
C196	25.00'	39.27'	N 59°26'13" E	35.36'
C197	25.00'	39.27'	S 30°33'47" E	35.36'
C198	25.00'	39.27'	S 59°26'13" W	35.36'
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C204	25.00'	39.27'	N 59°26'13" E	35.36'
C205	25.00'	39.27'	S 30°33'47" E	35.36'
C206	25.00'	39.27'	S 59°26'13" W	35.36'
C207	25.00'	39.27'	N 30°33'47" W	35.36'
C208	25.00'	39.27'	N 59°26'13" E	35.36'
C209	25.00'	39.27'	S 30°33'47" E	35.36'
C210	25.00'	39.27'	S 59°26'13" W	35.36'
C211	25.00'	39.27'	N 30°33'47" W	35.36'
C212	25.00'	39.27'	N 59°26'13" E	35.36'
C213	25.00'	39.27'	S 30°33'47" E	35.36'
C214	25.00'	39.27'	S 59°26'13" W	35.36'
C215	25.00'	39.27'	N 30°33'47" W	35.36'
C216	25.00'	39.27'	N 59°26'13" E	35.36'
C217	25.00'	39.27'	S 30°33'47" E	35.36'
C218	25.00'	39.27'	S 59°26'13" W	35.36'
C219	25.00'	39.27'	N 30°33'47" W	35.36'
C220	25.00'	39.27'	N 59°26'13" E	35.36'
C221	25.00'	39.27'	S 30°33'47" E	35.36'
C222	25.00'	39.27'	S 59°26'13" W	35.36'
C223	25.00'	39.27'	N 30°33'47" W	35.36'
C224	25.00'	39.27'	N 59°26'13" E	35.36'
C225	25.00'	39.27'	S 30°33'47" E	35.36'
C226	25.00'	39.27'	S 59°26'13" W	35.36'
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C229	25.00'	39.27'	S 30°33'47" E	35.36'
C230	25.00'	39.27'	S 59°26'13" W	35.36'
C231	25.00'	39.27'	N 30°33'47" W	35.36'
C232	25.00'	39.27'	N 59°26'13" E	35.36'
C233	25.00'	39.27'	S 30°33'47" E	35.36'
C234	25.00'	39.27'	S 59°26'13" W	35.36'
C235	25.00'	39.27'	N 30°33'47" W	35.36'
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C237	25.00'	39.27'	S 30°33'47" E	35.36'
C238	25.00'	39.27'	S 59°26'13" W	35.36'
C239	25.00'	39.27'	N 30°33'47" W	35.36'
C240	25.00'	39.27'	N 59°26'13" E	35.36'
C241	25.00'	39.27'	S 30°33'47" E	35.36'
C242	25.00'	39.27'	S 59°26'13" W	35.36'
C243	25.00'	39.27'	N 30°33'47" W	35.36'
C244	25.00'	39.27'	N 59°26'13" E	35.36'
C245	25.00'	39.27'	S 30°33'47" E	35.36'
C246	25.00'	39.27'	S 59°26'13" W	35.36'
C247	25.00'	39.27'	N 30°33'47" W	35.36'
C248	25.00'	39.27'	N 59°26'13" E	35.36'
C249	25.00'	39.27'	S 30°33'47" E	35.36'
C250	25.00'	39.27'	S 59°26'13" W	35.36'
C251	25.00'	39.27'	N 30°33'47" W	35.36'
C252	25.00'	39.27'	N 59°26'13" E	35.36'
C253	25.00'	39.27'	S 30°33'47" E	35.36'
C254	25.00'	39.27'	S 59°26'13" W	35.36'
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C256	25.00'	39.27'	N 59°26'13" E	35.36'
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C258	25.00'	39.27'	S 59°26'13" W	35.36'
C259	25.00'	39.27'	N 30°33'47" W	35.36'
C260	25.00'	39.27'	N 59°26'13" E	35.36'
C261	25.00'	39.27'	S 30°33'47" E	35.36'
C262	25.00'	39.27'	S 59°26'13" W	35.36'
C263	25.00'	39.27'	N 30°33'47" W	35.36'
C264	25.00'	39.27'	N 59°26'13" E	35.36'
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C272	25.00'	39.27'	N 59°26'13" E	35.36'
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C274	25.00'	39.27'	S 59°26'13" W	35.36'
C275	25.00'	39.27'	N 30°33'47" W	35.36'
C276	25.00'	39.27'	N 59°26'13" E	35.36'
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C282	25.00'	39.27'	S 59°26'13" W	35.36'
C283	25.00'	39.27'	N 30°33'47" W	35.36'
C284	25.00'	39.27'	N 59°26'13" E	35.36'
C285	25.00'	39.27'	S 30°33'47" E	35.36'
C286	25.00'	39.27'	S 59°26'13" W	35.36'
C287	25.00'	39.27'	N 30°33'47" W	35.36'
C288	25.00'	39.27'	N 59°26'13" E	35.36'
C289	25.00'	39.27'	S 30°33'47" E	35.36'
C290	25.00'	39.27'	S 59°26'13" W	35.36'
C291	25.00'	39.27'	N 30°33'47" W	35.36'
C292	25.00'	39.27'	N 59°26'13" E	35.36'
C293	25.00'	39.27'	S 30°33'47" E	35.36'
C294	25.00'	39.27'	S 59°26'13" W	35.36'
C295	25.00'	39.27'	N 30°33'47" W	35.36'
C296	25.00'	39.27'	N 59°26'13" E	35.36'
C297	25.00'	39.27'	S 30°33'47" E	35.36'
C298	25.00'	39.27'	S 59°26'13" W	35.36'
C299	25.00'	39.27'	N 30°33'47" W	35.36'
C300	25.00'	39.27'	N 59°26'13" E	35.36'
C301	25.00'	39.27'	S 30°33'47" E	35.36'
C302	25.00'	39.27'	S 59°26'13" W	35.36'
C303	25.00'	39.27'	N 30°33'47" W	35.36'
C304	25.00'	39.27'	N 59°26'13" E	35.36'
C305	25.00'	39.27'	S 30°33'47" E	35.36'
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C308	25.00'	39.27'	N 59°26'13" E	35.36'
C309	25.00'	39.27'	S 30°33'47" E	35.36'
C310	25.00'	39.27'	S 59°26'13" W	35.36'
C311	25.00'	39.27'	N 30°33'47" W	35.36'
C312	25.00'	39.27'	N 59°26'13" E	35.36'
C313	25.00'	39.27'	S 30°33'47" E	35.36'
C314	25.00'	39.27'	S 59°26'13" W	35.36'
C315	25.00'	39.27'	N 30°33'47" W	35.36'
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C319	25.00'	39.27'	N 30°33'47" W	35.36'
C320	25.00'	39.27'	N 59°26'13" E	35.36'
C321	25.00'	39.27'	S 30°33'47" E	35.36'
C322	25.00'	39.27'	S 59°26'13" W	35.36'
C323	25.00'	39.27'	N 30°33'47" W	35.36'
C324	25.00'	39.27'	N 59°26'13" E	35.36'
C325	25.00'	39.27'	S 30°33'47" E	35.36'
C326	25.00'	39.27'	S 59°26'13" W	35.36'
C327	25.00'	39.27'	N 30°33'47" W	35.36'
C328	25.00'	39.27'	N 59°26'13" E	35.36'
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C330	25.00'	39.27'	S 59°26'13" W	35.36'
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C334	25.00'	39.27'	S 59°26'13" W	35.36'
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C336	25.00'	39.27'	N 59°26'13" E	35.36'
C337	25.00'	39.27'	S 30°33'47" E	35.36'
C338	25.00'	39.27'	S 59°26'13" W	35.36'
C339	25.00'	39.27'	N 30°33'47" W	35.36'
C340	25.00'	39.27'	N 59°26'13" E	35.36'
C341	25.00'	39.27'	S 30°33'47" E	35.36'
C342	25.00'	39.27'	S 59°26'13" W	35.36'
C343	25.00'	39.27'	N 30°33'47" W	35.36'
C344	25.00'	39.27'	N 59°26'13" E	35.36'
C345	25.00'	39.27'	S 30°33'47" E	35.36'
C346	25.00'	39.27'	S 59°26'13" W	35.36'
C347	25.00'	39.27'	N 30°33'47" W	35.36'
C348	25.00'	39.27'	N 59°26'13" E	35.36'
C349	25.00'	39.27'	S 30°33'47" E	35.36'
C350	25.00'	39.27'	S 59°26'13" W	35.36'
C351	25.00'	39.27'	N 30°33'47" W	35.36'
C352	25.00'	39.27'	N 59°26'13" E	35.36'
C353	25.00'	39.27'	S 30°33'47" E	35.36'
C354	25.00'	39.27'	S 59°26'13" W	35.36'
C355	25.00'	39.27'	N 30°33'47" W	35.36'
C356	25.00'	39.27'	N 59°26'13" E	35.36'
C357	25.00'	39.27'	S 30°33'47" E	35.36'
C358	25.00'	39.27'	S 59°26'13" W	35.36'
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C360	25.00'	39.27'	N 59°26'13" E	35.36'
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C364	25.00'	39.27'	N 59°26'13" E	35.36'
C365	25.00'	39.27'	S 30°33'47" E	35.36'
C366	25.00'	39.27'	S 59°26'13" W	35.36'
C367	25.00'	39.27'	N 30°33'47" W	35.36'
C368	25.00'	39.27'	N 59°26'13" E	35.36'
C369	25.00'	39.27'	S 30°33'47" E	35.36'
C370	25.00'	39.27'	S 59°26'13" W	35.36'
C371	25.00'	39.27'	N 30°33'47" W	35.36'
C372	25.00'	39.27'	N 59°26'13" E	35.36'
C373	25.00'	39.27'	S 30°33'47" E	35.36'
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C379	25.00'	39.27'	N 30°33'47" W	35.36'
C380	25.00'	39.27'	N 59°26'13" E	35.36'
C381	25.00'	39.27'	S 30°33'47" E	35.36'
C382	25.00'	39.27'	S 59°26'13" W	35.36'
C383	25.00'	39.27'	N 30°33'47" W	35.36'
C384	25.00'	39.27'	N 59°26'13" E	35.36'
C385	25.00'	39.27'	S 30°33'47" E	35.36'
C386	25.00'	39.27'	S 59°26'13" W	35.36'
C387	25.00'	39.27'	N 30°33'47" W	35.36'
C388	25.00'	39.27'	N 59°26'13" E	35.36'
C389	25.00'	39.27'	S 30°33'47" E	35.36'
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C391	25.00'	39.27'	N 30°33'47" W	35.36'
C392	25.00'	39.27'	N 59°26'13" E	35.36'
C393	25.00'	39.27'	S 30°33'47" E	35.36'
C394	25.00'	39.27'	S 59°26'13" W	35.36'
C395	25.00'	39.27'	N 30°33'47" W	35.36'
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C403	25.00'	39.27'	N 30°33'47" W	35.36'
C404	25.00'	39.27'	N 59°26'13" E	35.36'
C405

0 50 100

GRAPHIC SCALE
1"=50'

LEGEND

SITE DATA

Existing Zoning:	R-1 Single Family Residential
Lot Count:	50
Lot Width:	60'
Front Setback:	20'
Rear Setback:	10'
Side Yard:	5'

Area:	8.81 Ac (383,871 sf)
No Lots:	50
Density:	5.67 Lots/Acre

BENCHMARK:

Rim of existing sanitary sewer manhole located at the southeast corner of property.
Elevation = 821.20

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

Issue Dates:	Revisions:	Date:
1 09/15/2020	1	
2 11/13/2020	2	
3 01/08/2021	3	
4 02/11/2021	4	
5 02/26/2021	5	
6 03/08/2021	6	

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

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

STOP!
CALL BEFORE YOU DIG
Texas 811 Know what's below.
(@ least 72 hours prior to digging)

SPECIFIC USE PERMIT

THE PRESERVE PHASE 3

Westar Home Builders, LLC
Sherman, Texas

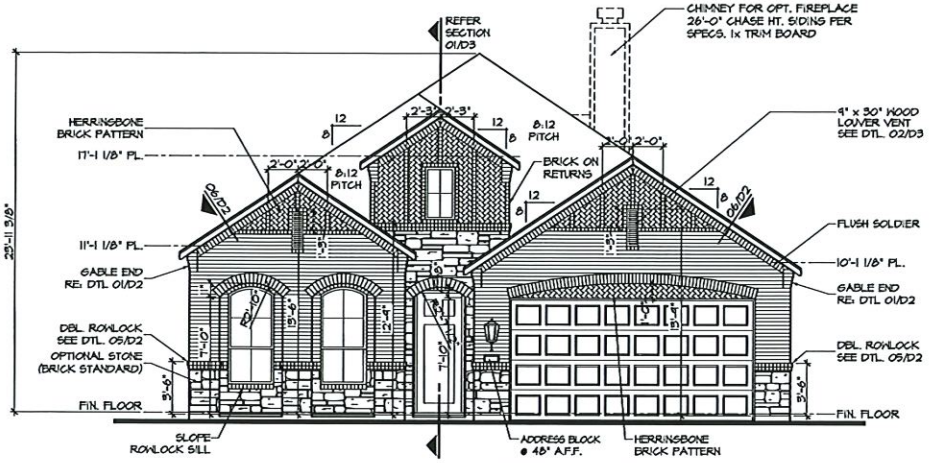
Sheet No.
SUP

Project No.
20048

THE PRESERVE PHASE 3

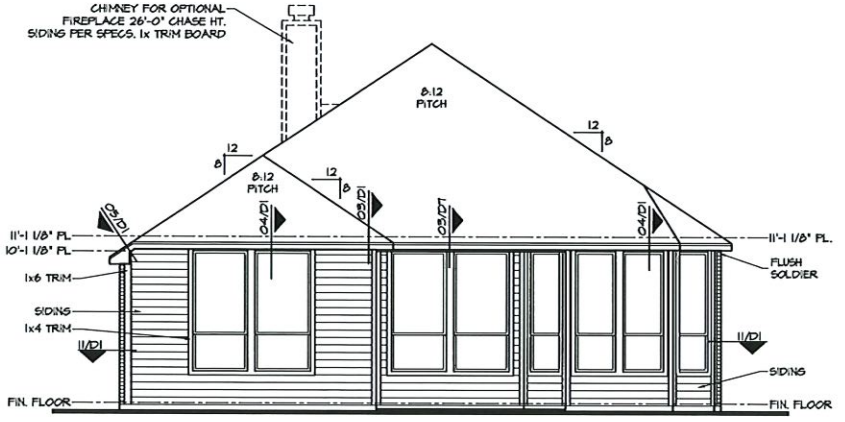
NOTE: SIDING TO BE FURRED OUT FLUSH W/ BRICK.

NOTE: ALL SIDING & TRIM SHALL BE OF CEMENTITIOUS MATERIAL.



FRONT ELEVATION

SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"

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REVISIONS

No.	DATE	DESCRIPTION	BY
1	08/03/18	REV#18-142 UPDATE GARAGE VE.	SC
2	03/08/19	REV#19-009 B.O.W. KITCHEN #4, M.SHOWER ILO TUB	JK
3	05/13/19	REV#19-023 REVISED PATIO & EXT. PATIO FRAMING	JK
4	06/07/19	REV#19-042 CORRECTED GARAGE CEILING FRAMING	JK
5	11/14/19	REV#19-084 MISC. UPDATES, NEW KITS, NEW M.BATH OPTIONS.	SC

PRODUCTION RELEASE

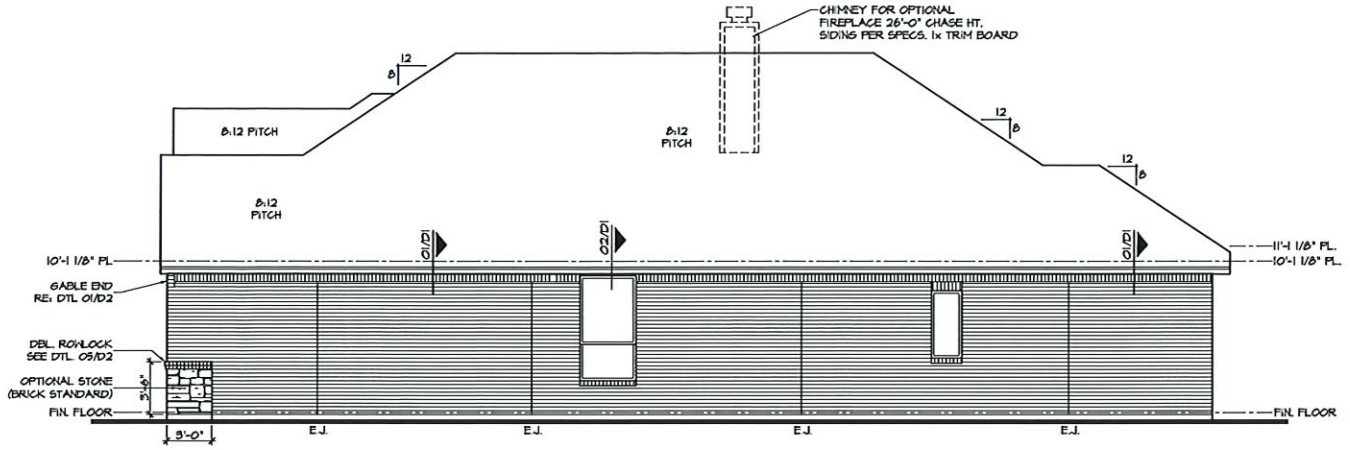
CONSTRUCTION

DATE: 05/18/18
RELEASED BY: SC
DRAWN BY: SC

PLAN INFORMATION

OPTION(S): BASE

SHEET No: 1
ELEVATION: "A"
PLAN NAME: **AMBERLEY**



RIGHT ELEVATION

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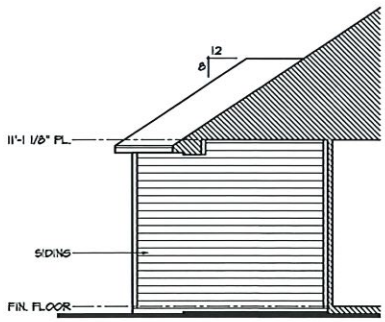
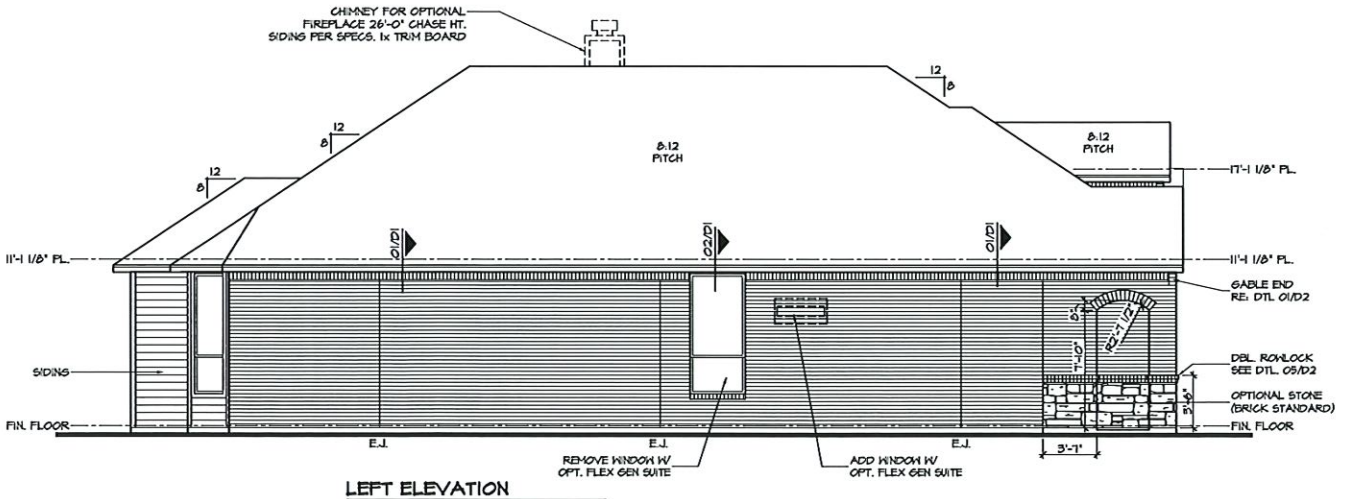


LEFT PATIO SECTION

SCALE: 1/8" = 1'-0"



LEFT ELEVATION

SCALE: 1/8" = 1'-0"

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REVISIONS

No.	DATE	DESCRIPTION	BY
1	08/03/18	REV#18-142 UPDATE GARAGE VE.	SC
2	03/08/19	REV#19-009 B.O.W. KITCHEN #4, M.SHOWER, I.O. TUB	JK
3	05/13/19	REV#19-023 REVISED PATIO & EXT. PATIO FRAMING	JK
4	06/07/19	REV#19-042 CORRECTED GARAGE CEILING FRAMING	JK
5	11/14/19	REV#19-084 MISC. UPDATES, NEW KIT#5, NEW M.BATH OPTIONS.	SC

PRODUCTION RELEASE

CONSTRUCTION

DATE: 05/18/18
RELEASED BY: SC
DRAWN BY: SC

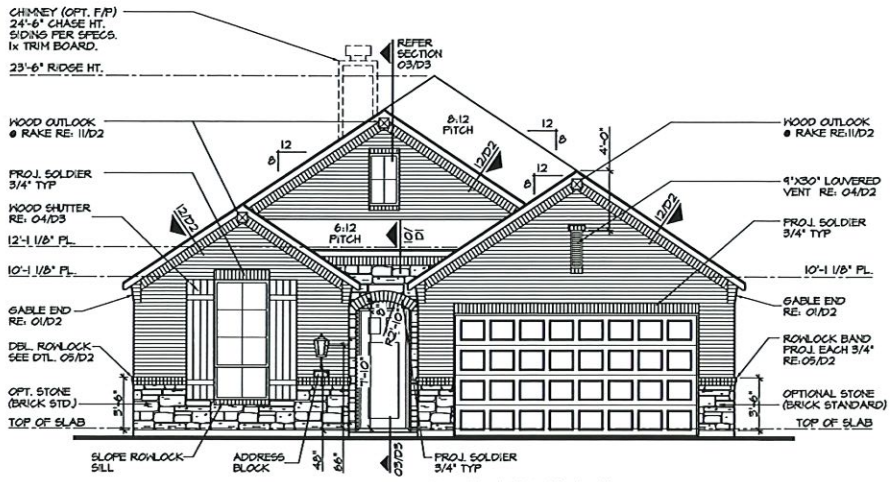
PLAN INFORMATION

OPTION(S):
BASE

SHEET No: 2
ELEVATION: "A"
PLAN NAME:
AMBERLEY

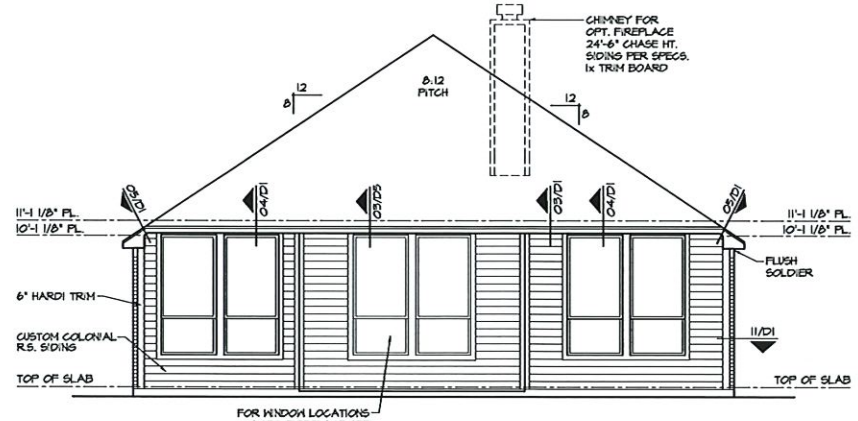
NOTE: SIDING TO BE FURRED OUT FLUSH W/ BRICK.

NOTE: ALL SIDING & TRIM SHALL BE OF CEMENTITIOUS MATERIAL.



FRONT ELEVATION

SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"

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REVISIONS

No.	DATE	DESCRIPTION	BY
1	05/31/18	REV# 18-086 REVISED PLATE HEIGHTS.	mu
2	08/03/18	REV# 18-142 UPDATE GARAGE VE	DC
3	08/31/18	REV# 18-162 BREAKFAST WINDOW SIZE CORRECTED.	SG
4	03/08/19	REV# 19-009 B.O.W. KITCHEN #4, M.SHOWER 1.0 TUB	JAK
5	11/14/19	REV# 19-087 MISC. UPDATES, NEW KIT. #5, NEW M.BATH OPTIONS DLC	

PRODUCTION RELEASE

CONSTRUCTION

DATE: 12/04/15

RELEASED BY: DC

DRAWN BY: DC

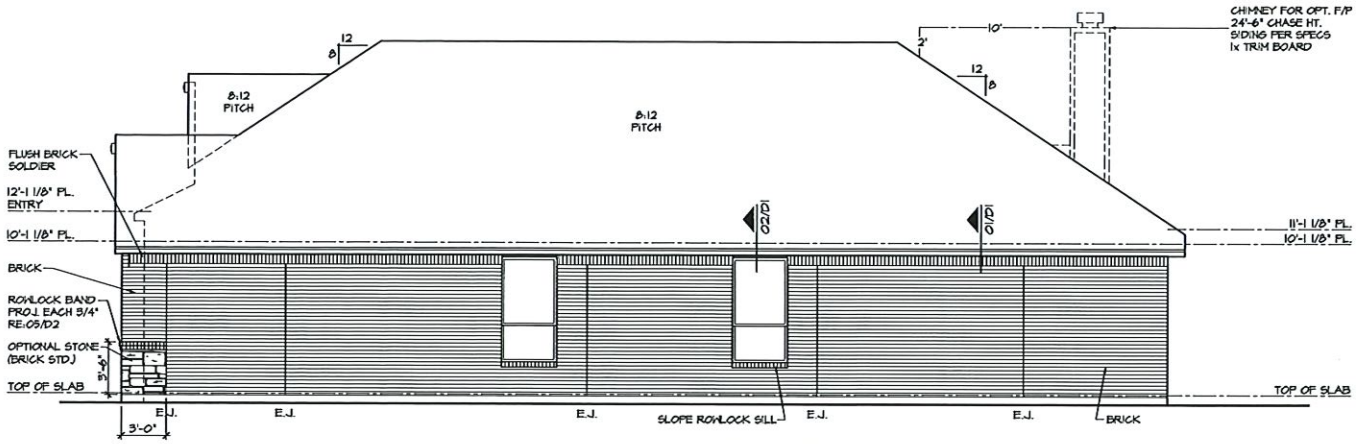
PLAN INFORMATION

OPTION(S): **BASE**

SHEET No: 1

ELEVATION: "C"

PLAN NAME: **DORCHESTER**



RIGHT ELEVATION

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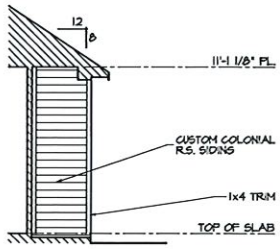

RIGHT PATIO SECTION

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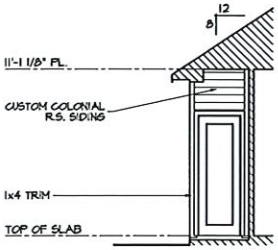
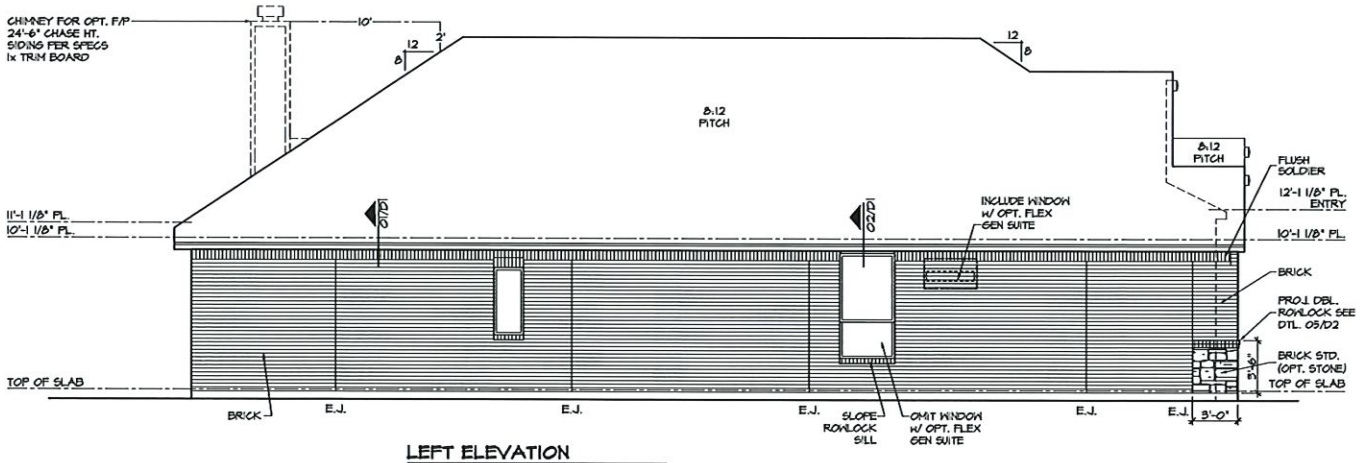


LEFT PATIO SECTION

SCALE: 1/8" = 1'-0"



LEFT ELEVATION

SCALE: 1/8" = 1'-0"

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REVISIONS

No.	DATE	DESCRIPTION	BY
6	05/31/18	REV# 18-088 REVISED PLATE HEIGHTS.	mw
8	08/03/18	REV# 18-142 UPDATE GARAGE VE	DC
9	08/31/18	REV# 18-162 BREAKFAST WINDOW SIZE CORRECTED.	SC
10	03/08/19	REV# 19-009 B.O.W. KITCHEN #4, M.SHOWER 1LO TUB	JK
11	11/14/19	REV# 19-087 MISC. UPDATES, NEW KIT. #5, NEW M.BATH OPTIONS DLC	

PRODUCTION RELEASE

CONSTRUCTION

DATE: 12/04/15
RELEASED BY: DC
DRAWN BY: DC

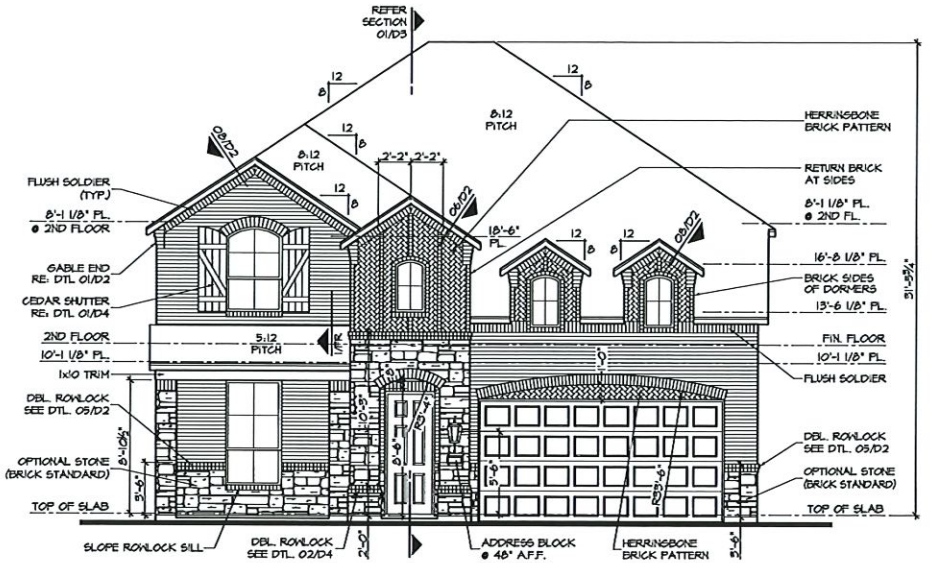
PLAN INFORMATION

OPTION(S): BASE

SHEET No: 2
ELEVATION: "C"
PLAN NAME: **DORCHESTER**

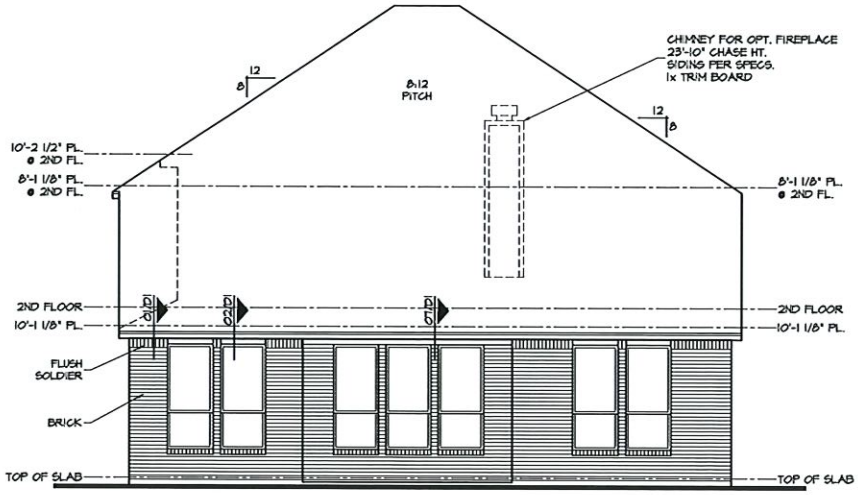
NOTE: SIDING TO BE FURRED OUT FLUSH W/ BRICK.

NOTE: ALL SIDING & TRIM SHALL BE OF CEMENTITIOUS MATERIAL.



FRONT ELEVATION

SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"

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REVISIONS

No.	DATE	DESCRIPTION	BY
1	05/08/18	REV# 18-057, UPDATE VE ENGINEERING	IDG
2	08/30/18	REV# 18-088, UPDATE ROOF PLATES, FOYER ELEVS.	SC
3	08/03/18	REV# 18-142, GARAGE VE	IDG
4	03/08/19	REV# 19-009, B.O.W., KITCHEN #4, M.SHOWER, I.O. TUB	JG
5	11/14/19	REV# 19-093, MISC. UPDATES, NEW KIT. #5, NEW M.BATH OPTIONS	DLC
6	12/30/19	REV# 19-124, SWAPPED FLEX, GEN. SHOWER W/ TOILET ROOM	DLC

PRODUCTION RELEASE

CONSTRUCTION

DATE:

RELEASED BY:

DRAWN BY:

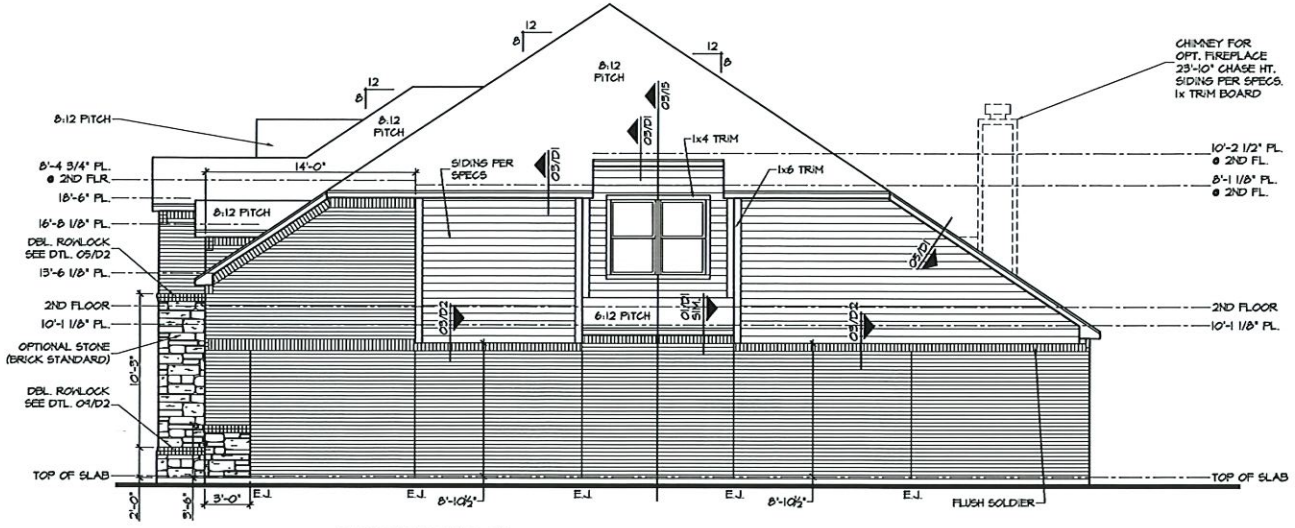
PLAN INFORMATION

OPTION(S):
BASE

SHEET No: 1

ELEVATION: "A"

PLAN NAME:
WESTBURY



RIGHT ELEVATION

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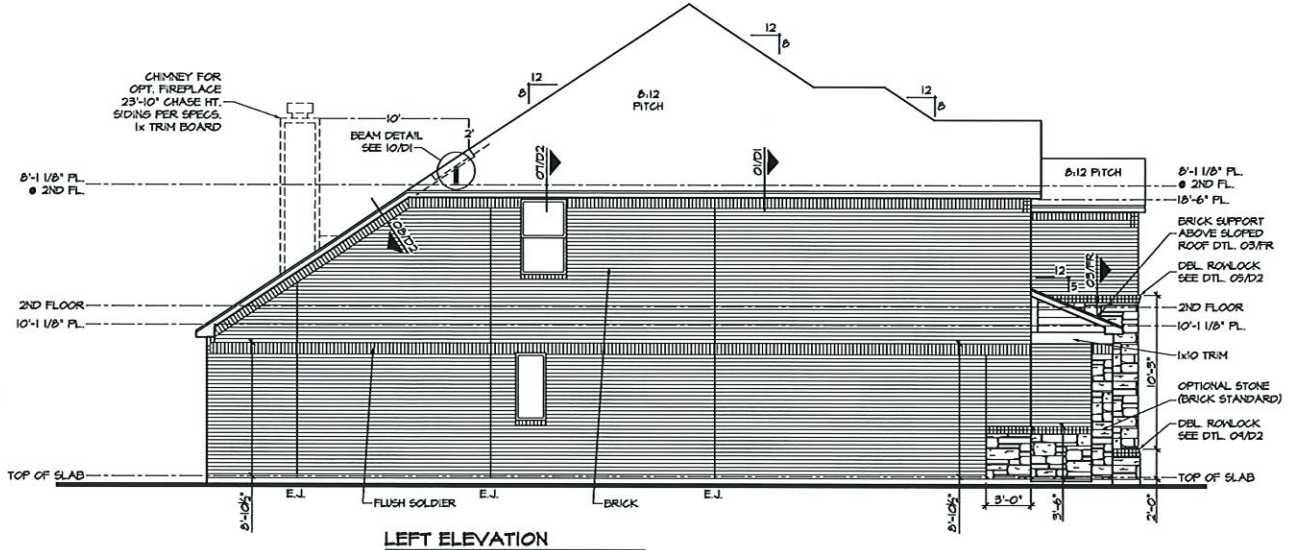
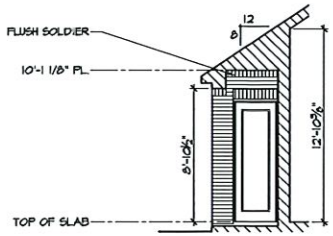


LEFT ELEVATION

SCALE: 1/8" = 1'-0"



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REVISIONS

No.	DATE	DESCRIPTION	BY
6	05/08/18	REV# 18-057_UPDATE VE, ENGINEERING	IDG
7	03/30/18	REV# 18-088_UPDATE ROOF PLATES, FOYER ELEVS.	SC
8	08/03/18	REV# 18-142_GARAGE VE	IDG
9	03/08/19	REV# 19-009_B.O.W., KITCHEN #4, M.SHOWER, I.O. TUB	JK
10	11/14/19	REV# 19-093_MISC. UPDATES, NEW KIT. #5, NEW M.BATH OPTIONS	DJC
11	12/30/19	REV# 19-124_SWAPPED FLEX, GEN. SHOWER W/ TOILET ROOM	DJC

PRODUCTION RELEASE

CONSTRUCTION

DATE:

RELEASED BY:

DRAWN BY:

PLAN INFORMATION

OPTION(S):
BASE

SHEET No: 2

ELEVATION: "A"

PLAN NAME:
WESTBURY

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

March 9, 2021

Westar Home Builders, LLC
1716 Davy Lane
Denison, TX 75020

Underwood Drafting & Surveying, Inc.
3404 Interurban Rd.
Denison, TX 75021

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow patio homes in an R-1 (One-Family Residential) District located in the 4000-4300 blocks of Hummingbird Drive and the 700 block of Swan Ridge Drive has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, March 16, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Patio Home Ordinance, the Fence Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
4. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
5. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
6. Parking requirement is one space per bedroom, minimum two per unit, a parking space is considered to be 9'x 20'.
7. Side yard setbacks must be uniform for all homes within a given block.
8. Any subdivision developed under the Patio Home (PH) standards of this ordinance shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Usable open space shall not be required for a patio home development if it contains fifty (50) or fewer lots and the property contiguous (abutting or separating only by a local or collector street) to the subdivision is either developed for use other than patio homes or is restricted by zoning to not permit patio home development. Properties separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.
9. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
10. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning

Commission.

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

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

Respectfully,

Rob Rae
Secretary, Planning and Zoning Board and Board of Adjustment

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

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 32.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

4000-4300 BLOCKS OF HUMMINGBIRD DRIVE, 700 BLOCK SWAN RIDGE DRIVE

The request of Westar Home Builders (Owner), Ron Westervelt (Representative) and Underwood Drafting and Surveying, Inc. (Surveyor) concerning the property located in the 4000-4300 blocks of Hummingbird Drive, and the 700 block of Swan Ridge Drive, being Lots 14-38, Block 11, Lots 1-14, Block 12, Lots 1-10 and 16-23, Block 13 of the proposed The Preserve Addition, Phase III, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval (Ord. 6358) under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow patio homes in an R-1 (One-Family Residential) District.

Background:

The property is located in the 4000-4300 blocks of Hummingbird Drive and the 700 block of Swan Ridge Drive; the southeast corner of Swan Ridge Drive and Hummingbird Drive. The property is zoned an R-1 (One Family Residential) District. The owner is requesting a Specific Use Permit to allow patio homes on 57 lots in The Preserve, Phase III Addition.

Adjacent Zoning:

R-1 (One Family Residential) District
R-2 (Multi-Family Residential) District

Origination:

Westar Home Builders (Owner)
Ron Westervelt (Representative)
Underwood Drafting and Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

17

Objections Received:

0

Attachments

Location Map
Location Map Patio Homes
Zoning Map
Zoning Sign Photo
Patio Home Lots
Building Elevations
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 7.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6373

Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-1 (One-Family Residential) District, Located at 213 East Hill Street, being 0.172 Acres of Land in the J.B. McAnair Survey, Abstract No. 763 (Roberto Meraz, Owner; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed $2,000.00

Issue:

To consider the request of Roberto Meraz (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 213 East Hill Street, being 0.172 acres in the J.B. McAnair Survey, Abstract No. 763 for a zone change approval from a C-2 (General Commercial) District to an R-1 (One Family Residential) District.

Background:

The property is located at 213 East Hill Street between Walnut and Montgomery Streets. The property is zoned a C-2 (General Commercial) District. The owner would like to rezone the property to an R-1 (One Family Residential) District for residential development.

Origination:

Roberto Meraz (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the zone change be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6373
Exhibit A - Legal Description/Field Notes
Location Map
Zoning Map
Zoning Sign Photo
Survey
Site Plan
Building Elevations
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6373

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 213 EAST HILL STREET, BEING 0.172 ACRES OF LAND IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763 (ROBERTO MERAZ, OWNER; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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

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

WHEREAS, the City Council finds that it is in the public interest to rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this Ordinance, the property described in **Exhibit A – Legal Description/Field Notes**, attached hereto, located at 213 East Hill Street, and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the R-1 (One-Family Residential) District, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include such property.

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

SECTION 3. That no person shall acquire any vested interest in this ordinance or in any other specific regulations contained herein. Any portion of this ordinance may be repealed or amended by the City Council in the manner provided for by law.

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

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

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

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

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

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

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

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

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____
RYAN PITTMAN, CITY ATTORNEY

Exhibit A
Legal Description and Depiction of the Property

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020
Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: helveysurvey@cableone.net
TBPLS Firm Registration No. 10088100
Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578 – Kenneth N. Russell, RPLS No. 4409

FIELD NOTES
0.172 Acres

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the J. B. McAnair Survey, Abstract No. 763, being all of the 50 ft. by 150 ft. lot or tract of land conveyed by Warranty Deed, **FROM:** RJT Property, **TO**: Barton Capital, Ltd., on September 12, 2008, and recorded in Volume 4527, Page 527, Official Public Records, Grayson County, Texas, and in Grayson County Clerk's Document No. 2008-00022739, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a ½ inch rebar (RPLS 3694) found in the North line of Hill Street, an "East-West" city street, at the Southwest corner of said Barton Capital tract of land, and at the Southeast corner of the Donnie B. Griffith and wife, Darliene Griffith 50 ft. by 242 ft. lot or tract of land in Vol. 2289, Pg. 5, R.P.R.G.C.T.;

THENCE North 11 deg. 22 min. 07 sec. West, with the East line of said Griffith tract of land, a distance of 150.00 ft. to a ½ inch rebar (RPLS 3694) found in said Griffith East line, and in a South line of an apparent street right-of-way of the City of Sherman (Texas), at an apparent Southwest corner of said street right-of-way, "unimproved" along here, and at the Northwest corner of said Barton Capital tract of land;

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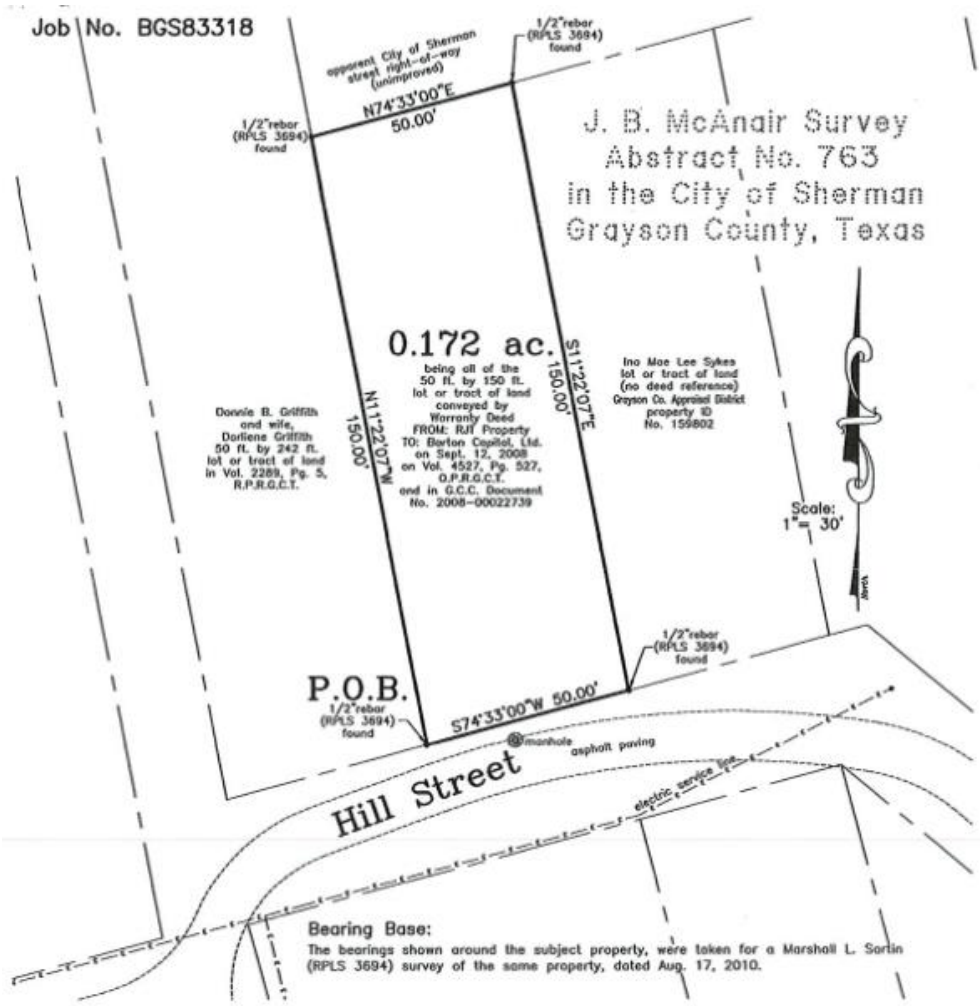
Kate A. Wagner, R.P.L.S. No. 6578
March 27, 2018



Owner: Barton Capital, LTD

Address: 213 E. Hill Street
Sherman, Texas

This survey was prepared for the sole benefit of the transaction (boundary survey) for the Owner stated hereon, and is null and void for any other transactions. Any other use of this survey without the sole consent of the undersigned surveyor is prohibited, and would infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with both the General Rules of Procedures and Practices as adopted by the Texas Board of Professional Land Surveying and the current Texas Society of Professional Surveyors standards and is a true and correct representation of the property shown hereon. Field Notes attached hereto.

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

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

Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: March 27, 2018

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

G:\Land Projects 02\213-E-Hill-St-Sherman\dwg\213-E-Hill.dwg 3/27/2018 10:05:25 AM CDT

"Exhibit A"

Helvey-Wagner Surveying, Inc.

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Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: helveysurvey@cableone.net
TBPLS Firm Registration No. 10088100
Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578 – Kenneth N. Russell, RPLS No. 4409

FIELD NOTES
0.172 Acres

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Kate A. Wagner, R.P.L.S. No. 6578
March 27, 2018

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

213 East Hill Street

NOT TO SCALE

1 in = 300 ft

Zoning - 213 East Hill Street

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

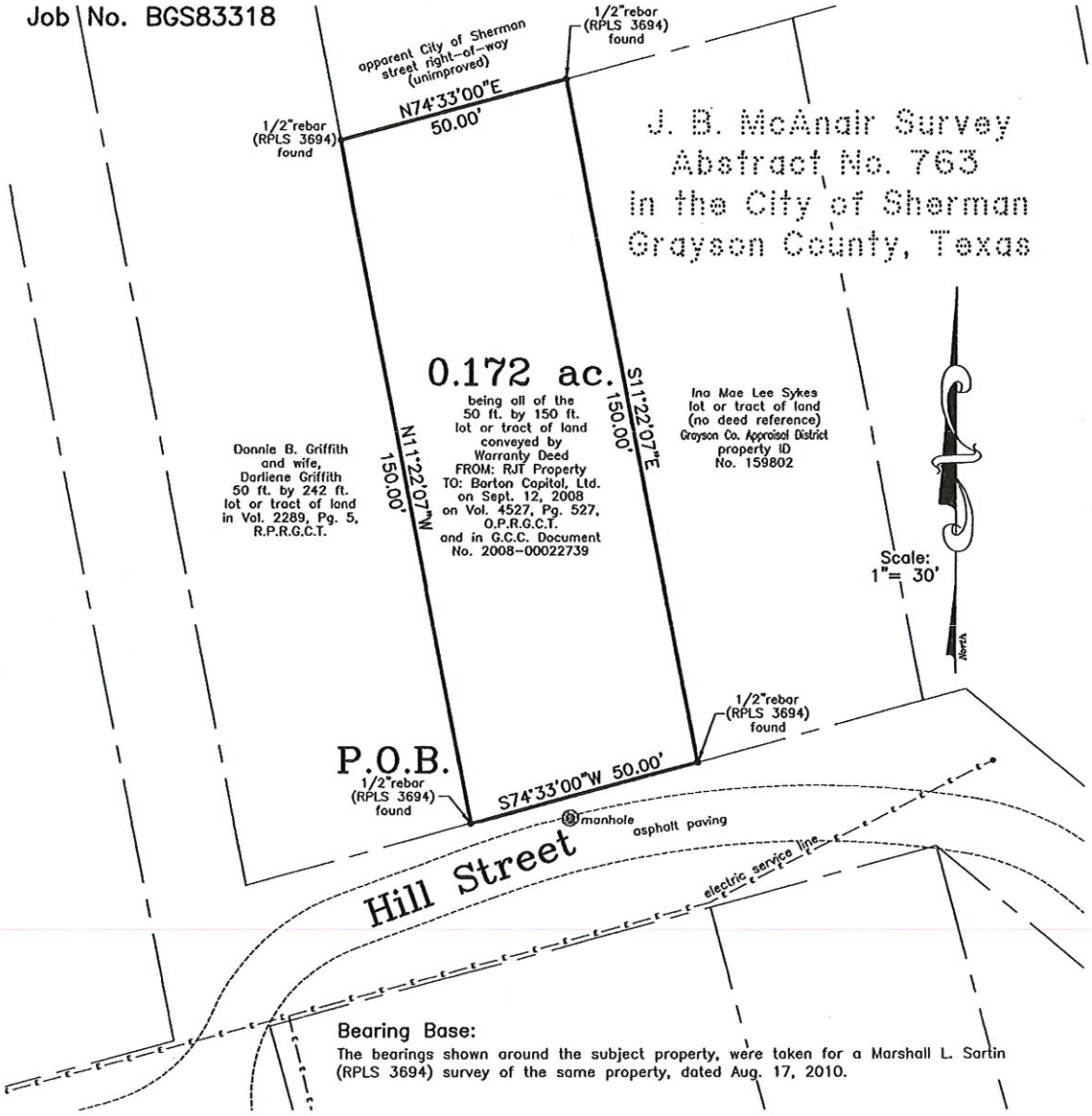
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 152 ft

213 East Hill Street

Job No. BGS83318



Bearing Base:
The bearings shown around the subject property, were taken for a Marshall L. Sartin (RPLS 3694) survey of the same property, dated Aug. 17, 2010.

Owner: Barton Capital, LTD

Address: 213 E. Hill Street
Sherman, Texas

This survey was prepared for the sole benefit of the transaction (boundary survey) for the Owner stated hereon, and is null and void for any other transactions. Any other use of this survey without the sole consent of the undersigned surveyor is prohibited, and would infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

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

Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: March 27, 2018

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

C:\Land Projects R2\213-E-Hill-St-Sherman\dwg\213-E-Hill.dwg 3/27/2018 10:05:25 AM CDT

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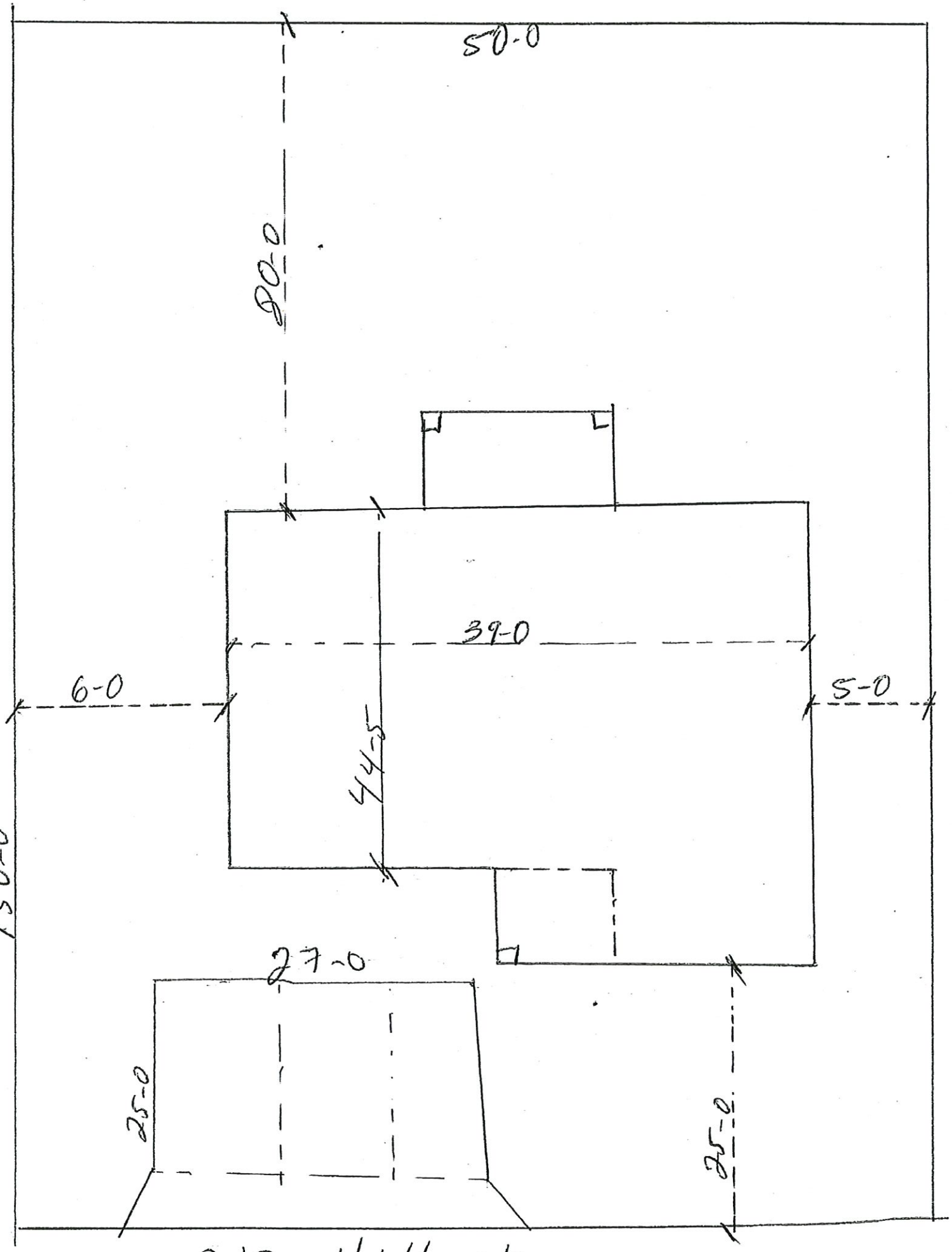
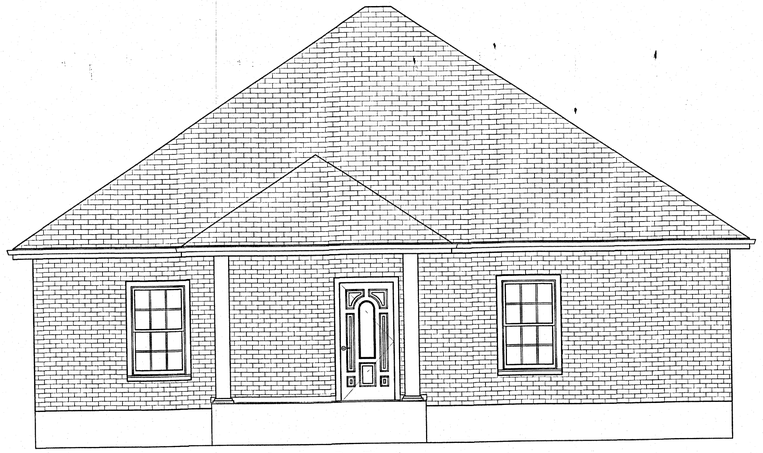
March 27, 2018


50-0
90-0
39-0
6-0
5-0
44-5
150-0
27-0
25-0
25-0
213 Hill st

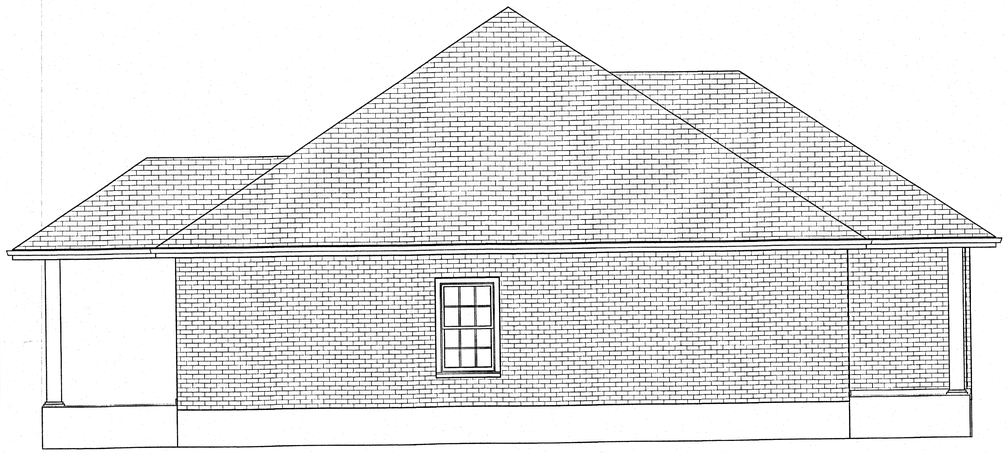
Front Elevation

Cross Section 7



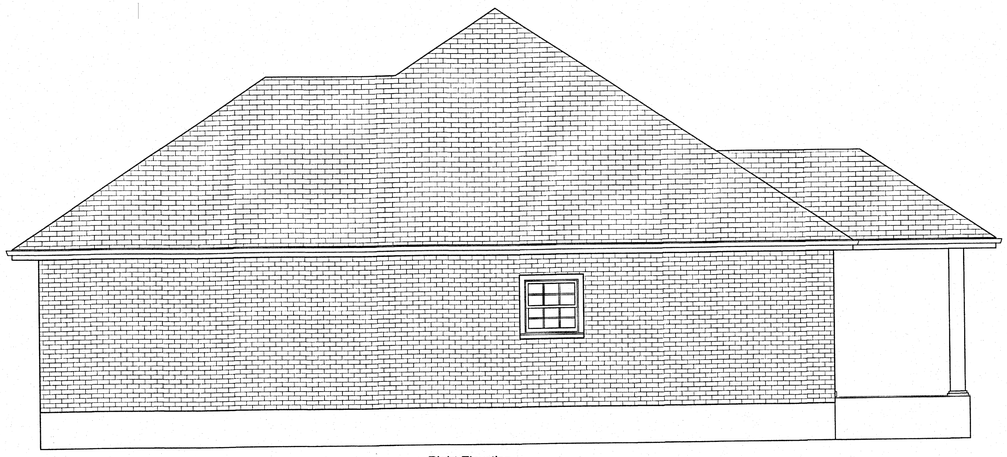
Rear Elevation

Cross Section 8



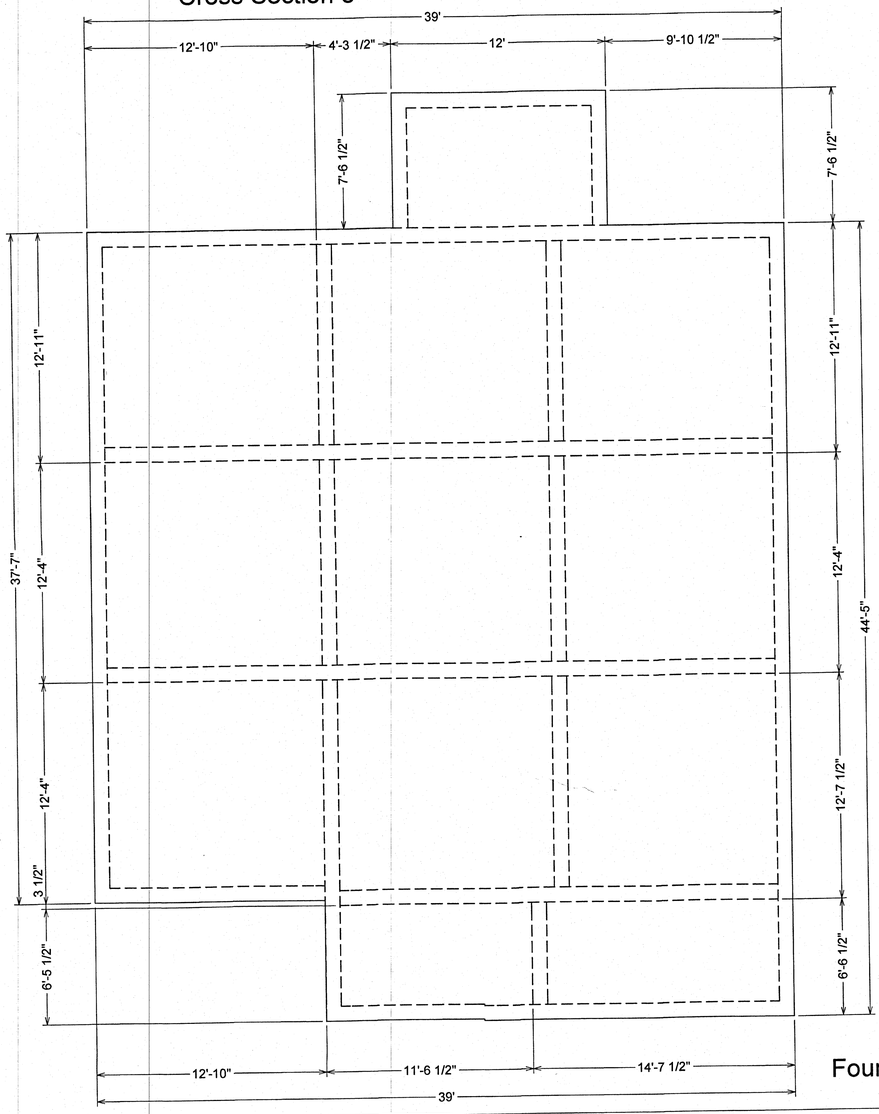
Left Elevation

Cross Section 9

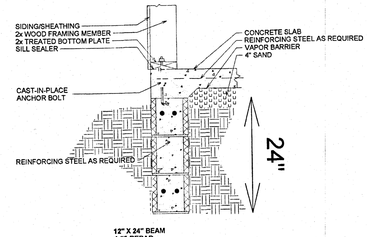


Right Elevation

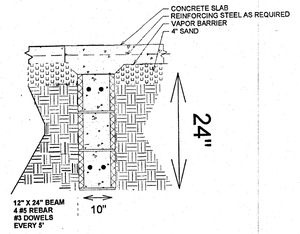
Cross Section 10



Foundation



Monolithic Slab exterior beam
(print at 1"=1')



Monolithic Slab Interior beam
(print at 1"=1')

NO.	DESCRIPTION	BY	DATE

SHEET TITLE: Elevations, Foundation

PROJECT DESCRIPTION: 213 Hill St
Roberto Meraz
903-821-5862

DRAWINGS PROVIDED BY:
Cupid Homes
715 S. Hwy 75
Sherman, Texas 75090
903-868-4201 -

DATE: 2/13/2018

SCALE: 1/4" = 1'

SHEET: A-0

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

March 9, 2021

Roberto Meraz
3264 Dripping Springs Rd.
Sherman, TX 75090

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

Lisseth Lara
1101 E. Cherry St.
Sherman, TX 75090

Dear Applicants,

The request for a zone change and site plan approval from a C-2 (General Commercial) District to an R-1 (One-Family Residential) District located at 213 East Hill Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, March 16, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Screening Ordinance and the Residential Tree and Landscaping Ordinance.
2. Fire 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. Driveways and parking are permitted on paved surfaces only (concrete or asphalt).
5. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
6. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

7. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
8. Drive approach does not meet City standard. Coordinate with Engineering Department prior to obtaining building permit.

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

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

Respectfully,

Rob Rae
Secretary, Planning and Zoning Board and Board of Adjustment

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

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 10.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

213 EAST HILL STREET

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

Planning and Zoning Commission

Zone change and site plan approval under Ordinance No. 2280, Section 12, from a C-2 (General Commercial) District to an R-1 (One-Family Residential) District.

Background:

The property is located at 213 East Hill Street between Walnut and Montgomery Streets. The property is zoned a C-2 (General Commercial) District. The owner would like to rezone the property to an R-1 (One Family Residential) District for residential development.

Adjacent Zoning:

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

Origination:

Roberto Meraz (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

13

Objections Received:

0

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 **D. 8.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6374

Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-2 (Multi-Family Residential) District, Located at 4601 North Travis Street, being 21.799 acres in the John Jennings Survey, Abstract No. 647 (BMT Global LLC, Owner; Howard Akin, Jr., Prospective Buyer; Humphreys & Partners Architects LP, Architect; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed $2,000.00

Issue:

To consider the request of BMT Global LLC (Owner), Howard Akin, Jr. (Prospective Buyer), Humphreys & Partners Architects LP (Architect) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 4601 North Travis Street, being 21.799 acres in the John Jennings Survey, Abstract No. 647 for a zone change approval from an R-1 (One Family Residential) District to an R-2 (Multi-Family Residential) District.

Background:

The property is located at 4601 North Travis Street between Forest Creek Drive and North Creek Drive. The property is zoned an R-1 (One Family Residential) District. The owner would like to rezone the property to an R-2 (Multi-Family Residential) District for development of an apartment community to be completed in two phases of approximately 260 units each. The site plan is conceptual and will require a more detailed site before construction begins.

Origination:

BMT Global LLC (Owner)
Howard Akin, Jr. (Prospective Buyer)
Humphreys & Partners Architects LP (Architect)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the zone change be approved subject to the Staff Review Letter. One person, Roy Whisenant, 201 Forest Creek Drive spoke against the request the meeting, His concerns were: floodplain, traffic, entrance and exit points and knock down gates off Forest Creek Drive.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6374
Exhibit A
Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Site Plan
Building Elevations
Building Elevations
Staff Review Letter
P&Z Communication
Email from David Reeder

ORDINANCE NO. 6374

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 12, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTY WITHIN THE R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT, LOCATED AT 4601 NORTH TRAVIS STREET, BEING 21.799± ACRES IN THE JOHN JENNINGS SURVEY, ABSTRACT NO. 647 (BMT GLOBAL LLC, OWNER; HOWARD AKIN, JR., PROSPECTIVE BUYER; HUMPHREYS & PARTNERS ARCHITECTS, LP, ARCHITECT; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING A PENALTY NOT TO EXCEED $2,000.00; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

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

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

WHEREAS, the City Council finds that it is in the public interest to rezone the property as described in this Ordinance.

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

SECTION 1. That, from and after the effective date of this ordinance, the property described in **Exhibit A – Legal Description**, attached hereto, located at 4601 North Travis Street and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the R-2 (Multi-Family Residential) District, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include such property.

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

SECTION 3. That no person shall acquire any vested interest in this ordinance or in any other specific regulations contained herein. Any portion of this ordinance may be repealed or amended by the City Council in the manner provided for by law.

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

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

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

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

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

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

INTRODUCED on this the _____ day of _____, 2021.

ADOPTED on this the _____ day of _____, 2021.

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

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____
RYAN PITTMAN, CITY ATTORNEY

Exhibit A
Legal Description and Depiction of the Property

TRACT ONE:

21.799 ACRES

SITUATED in the County of Grayson, State of Texas, being a part of the John Jennings Survey, Abstract No. 647 and being a part of the 22.3 acre tract of land conveyed by Deed from Sarah C. Durbin and N.T. Durbin to Mary E. Owens, Sam M. Owens, and Myrtle Owens on January 5, 1926 and recorded in Volume 317, Page 392, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at 1/2 inch rebar found in the West line of Lot 3, Sherman Town Center to the City of Sherman, Texas as per plat of record in Volume 16, Page 42, Plat Records, Grayson County, Texas, at the Southeast corner of Lot 10, Block B, Amended Plat of Magnolia Village to the City of Sherman, Texas as per plat of record in Doc. No. 2017-3272, said Plat Records and at the Northeast corner of both said Owens 22.3 ac. and the herein described tract;

THENCE South 00 deg. 28 min. 10 sec. West, with the West line of said Lot 3 and the East line of said Owens 22.3 ac., passing the Southwest corner of said Lot 3 and a Northwest corner of Lot 5, said Sherman Town Center, continuing for a total distance of 1,188.30 ft. to a 2 inch pipe corner post found at an Ell corner of said Lot 5 and the Southeast corner of both said Owens 22.3 ac. and the herein described tract;

THENCE North 89 deg. 42 min. 53 sec. West, with the North line of said Lot 5 and a South line of said Owens 22.3 ac., passing a 5/8 inch capped rebar found at 358.97 ft. at a Northwest corner of said Lot 5 and the Northeast corner of the 28.78 acre tract of land conveyed to Creed Canyon Partners, LTD in Volume 3807, Page 320, Official Public Records, continuing now with the North line of said Creed Canyon Partners 28.78 ac. for a **TOTAL** distance of 441.51 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the Southeast corner of Block 4, Moorman-Moore Addition to the City of Sherman, Texas as per plat of record in Volume 7, Page 64, said Plat Records and the most Southern Southwest corner of both said Owens 22.3 ac. and the herein described tract;

THENCE North 13 deg. 47 min. 26 sec. West, with a West line of said Owens 22.3 ac. and the East line of said Moorman-Moore Addition, passing the Northeast corner of said Moorman-Moore Addition and the Southeast corner of the 11.065 acre tract of land conveyed to Saeed Rouhani-Nasab and Moisa Sapozhnikova in Volume 5846, Page 345, said Official Public Records, continuing now with the East line of said Rouhani-Nasab & Sapozhnikova 11.065 ac. for a total distance of 1,067.67 ft. to a 1/2 inch rebar found at the Northeast corner of said Rouhani-Nasab & Sapozhnikova 11.065 ac. and an Ell corner of both said Owens 22.3 ac. and the herein described tract;

THENCE South 85 deg. 41 min. 54 sec. West, with the North line of said Rouhani-Nasab & Sapozhnikova 11.065 ac. and a South line of said Owens 22.3 ac., a distance of 1,042.65 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" in the East line of F.M. Highway No. 131, at the Northwest corner of said Rouhani-Nasab & Sapozhnikova 11.065 ac. and the most Western Southwest corner of the herein described tract;

THENCE North 08 deg. 46 min. 33 sec. West, with the East line of said F.M. Highway No. 131, a distance of 286.93 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the Southwest corner of Lot One-R, Replat of Lot One, Block 6 & Lot One, Block 7 of the Replat of Blocks 2-3-4-5-6-7-8 & 9, North Creek

Addition, Section One and All of Block No. 1 of the Replat of North Creek Addition, Section One to the City of Sherman, Texas as per plat of record in Volume 24, Page 30, said Plat Records and at the Northwest corner of the herein described tract;

THENCE South 88 deg. 12 min. 03 sec. East, with the South line of said Lot One-R, passing the Southeast corner of said Lot One-R and the Southwest corner of the "Open Space" lot of said Amended Plat of Magnolia Village, continuing now with the South line of said Block B, Amended Plat of Magnolia Village for a total distance of 1,790.06 ft. to the PLACE OF BEGINNING and containing 21.799 ACRES of land.

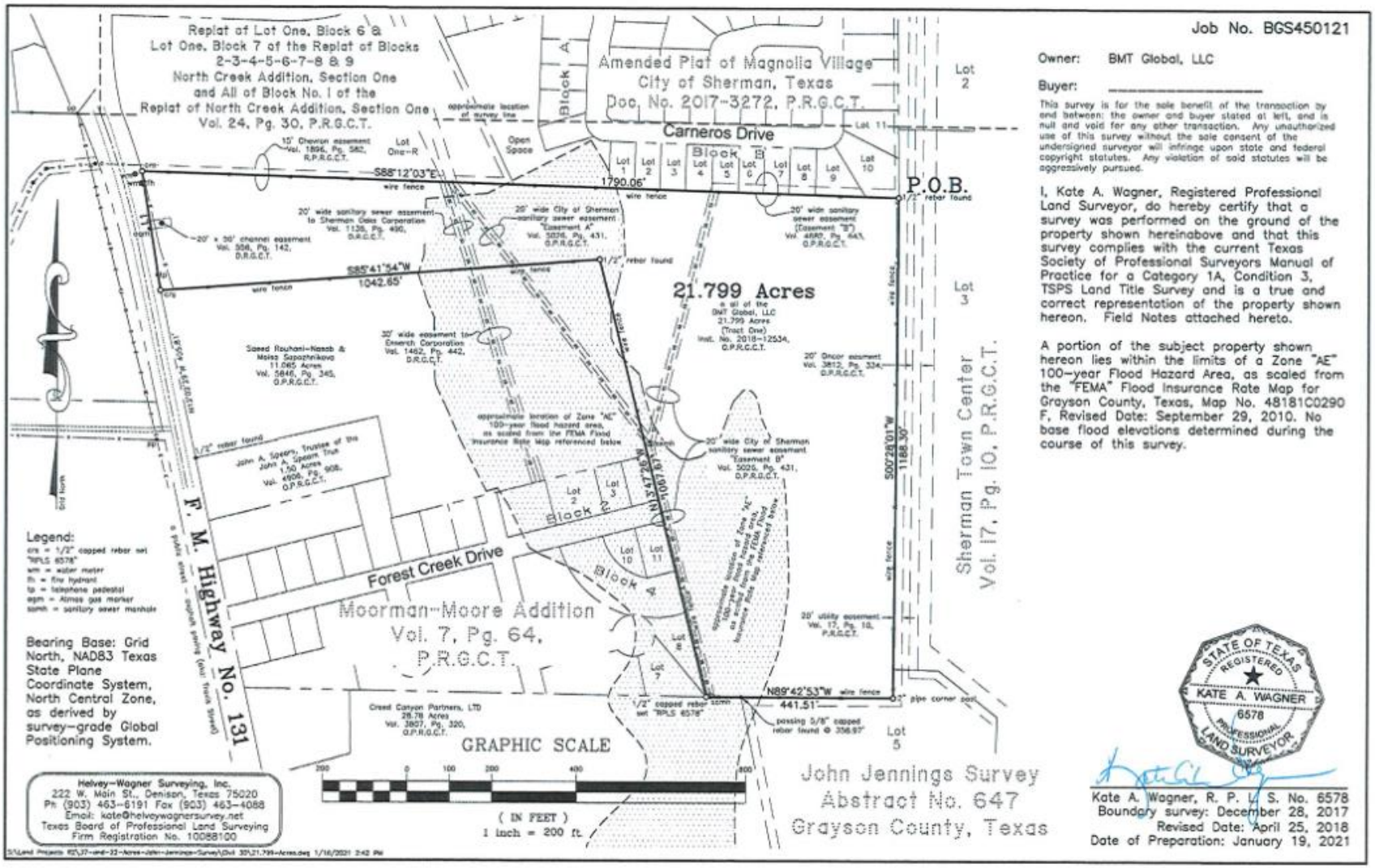

Job No. BGS450121
Owner: BMT Global, LLC
Buyer:
This survey is for the sole benefit of the transaction by and between: the owner and buyer stated at left, and is null and void for any other transaction. Any unauthorized use of this survey without the sole consent of the undersigned surveyor will infringe 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.
A portion of the subject property shown hereon lies within the limits of a Zone "AE" 100-year Flood Hazard Area, as scaled from the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0290 F, Revised Date: September 29, 2010. No base flood elevations determined during the course of this survey.
Replat of Lot One, Block 6 & Lot One, Block 7 of the Replat of Blocks 2-3-4-5-6-7-8 & 9 North Creek Addition, Section One and All of Block No. 1 of the Replat of North Creek Addition, Section One Vol. 24, Pg. 30, P.R.G.C.T.
Amended Plat of Magnolia Village City of Sherman, Texas Doc. No. 2017-3272, P.R.G.C.T.
Carneros Drive
Forest Creek Drive
F. M. Highway No. 131
S88°12'03"E 1790.06'
S85°41'54"W 1042.65'
N89°42'53"W 441.51'
S00°28'01"W 1188.30'
N13°47'26"W 1006.67'
P.O.B.
1/2" rebar found
21.799 Acres
a tract of land out of the BMT Global, LLC 21.799 Acres (Tract One) Inst. No. 2018-12534, O.P.R.G.C.T.
Sherman Town Center Vol. 17, Pg. 10, P.R.G.C.T.
Moorman-Moore Addition Vol. 7, Pg. 64, P.R.G.C.T.
John Jennings Survey Abstract No. 647 Grayson County, Texas
Legend:
Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Zone, as derived by survey-grade Global Positioning System.
GRAPHIC SCALE
(IN FEET)
1 inch = 200 ft.
STATE OF TEXAS REGISTERED KATE A. WAGNER 6578 PROFESSIONAL LAND SURVEYOR
Kate A. Wagner, R. P. L. S. No. 6578
Boundary survey: December 28, 2017
Revised Date: April 25, 2018
Date of Preparation: January 19, 2021
Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Email: kate@helveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

EXHIBIT A - LEGAL DESCRIPTION

TRACT ONE:

21.799 ACRES

SITUATED in the County of Grayson, State of Texas, being a part of the John Jennings Survey, Abstract No. 647 and being a part of the 22.3 acre tract of land conveyed by Deed from Sarah C. Durbin and N.T. Durbin to Mary E. Owens, Sam M. Owens, and Myrtle Owens on January 5, 1926 and recorded in Volume 317, Page 392, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

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EXHIBIT A - LEGAL DESCRIPTION

Addition, Section One and All of Block No. 1 of the Replat of North Creek Addition, Section One to the City of Sherman, Texas as per plat of record in Volume 24, Page 30, said Plat Records and at the Northwest corner of the herein described tract;

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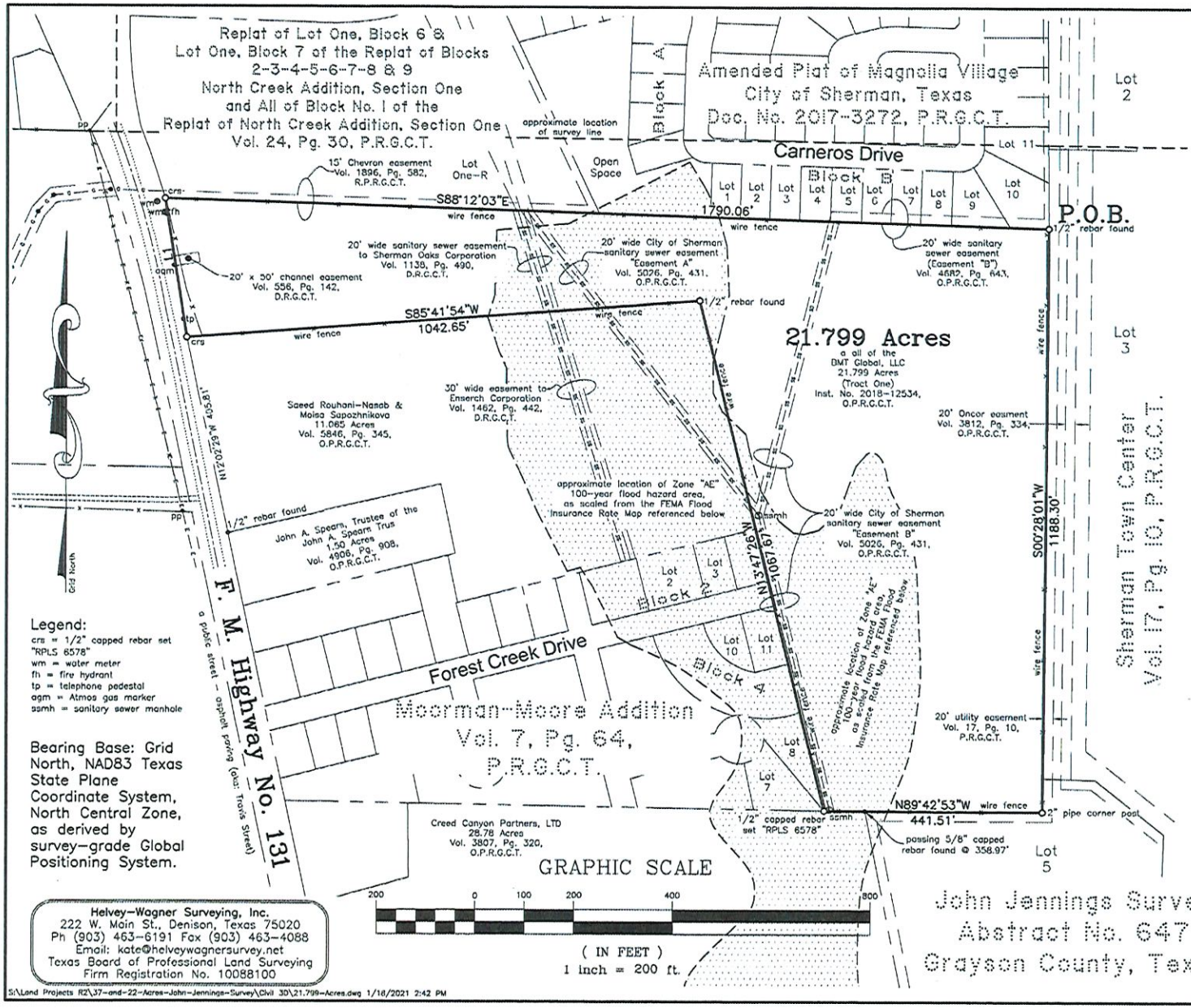
EXHIBIT A - LEGAL DESCRIPTION



Job No. BGS450121

Owner: BMT Global, LLC

Buyer: _____

This survey is for the sole benefit of the transaction by and between: the owner and buyer stated at left, 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.

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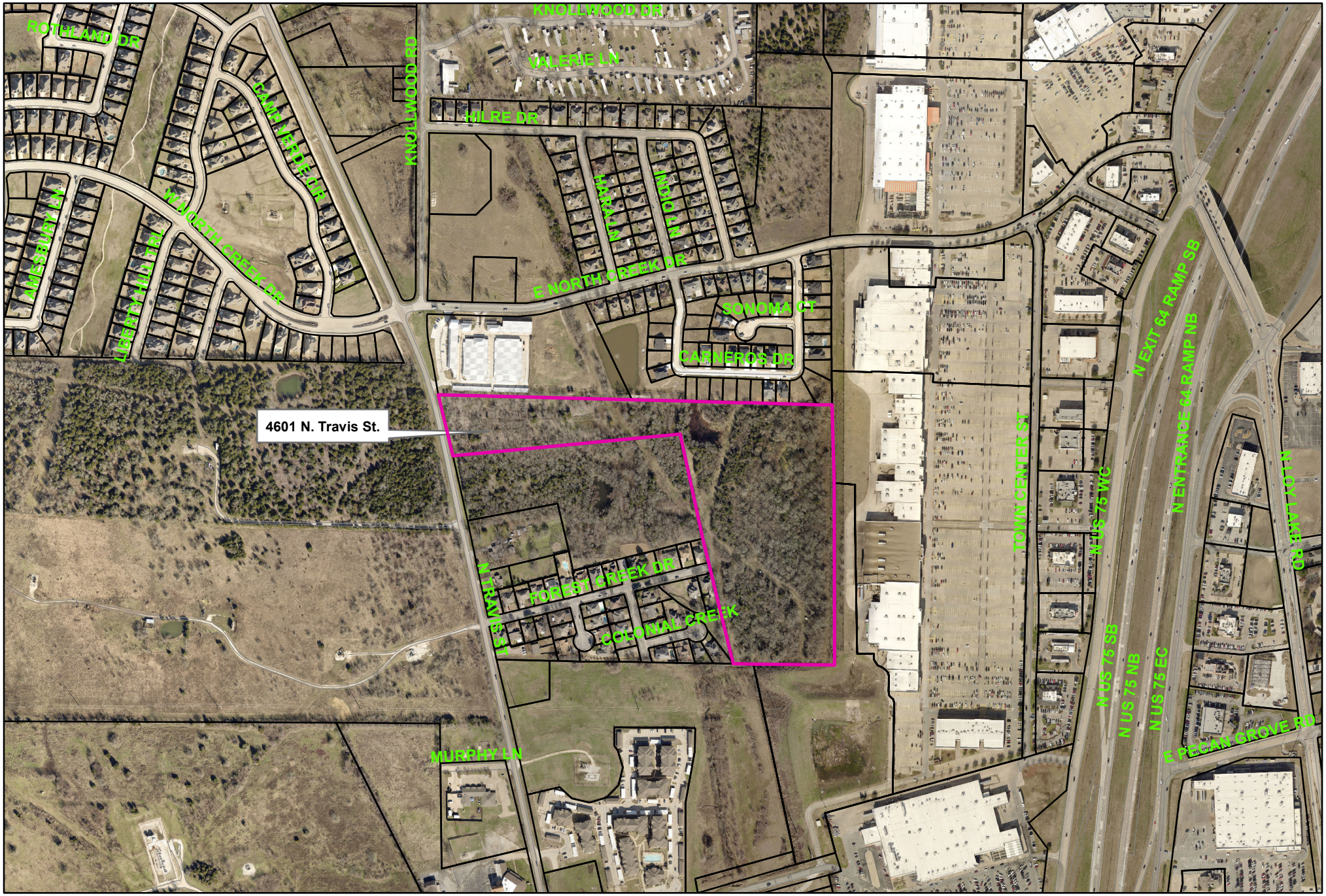
STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
LAND SURVEYOR

Kate A. Wagner, R. P. L. S. No. 6578
Boundary survey: December 28, 2017
Revised Date: April 25, 2018
Date of Preparation: January 19, 2021



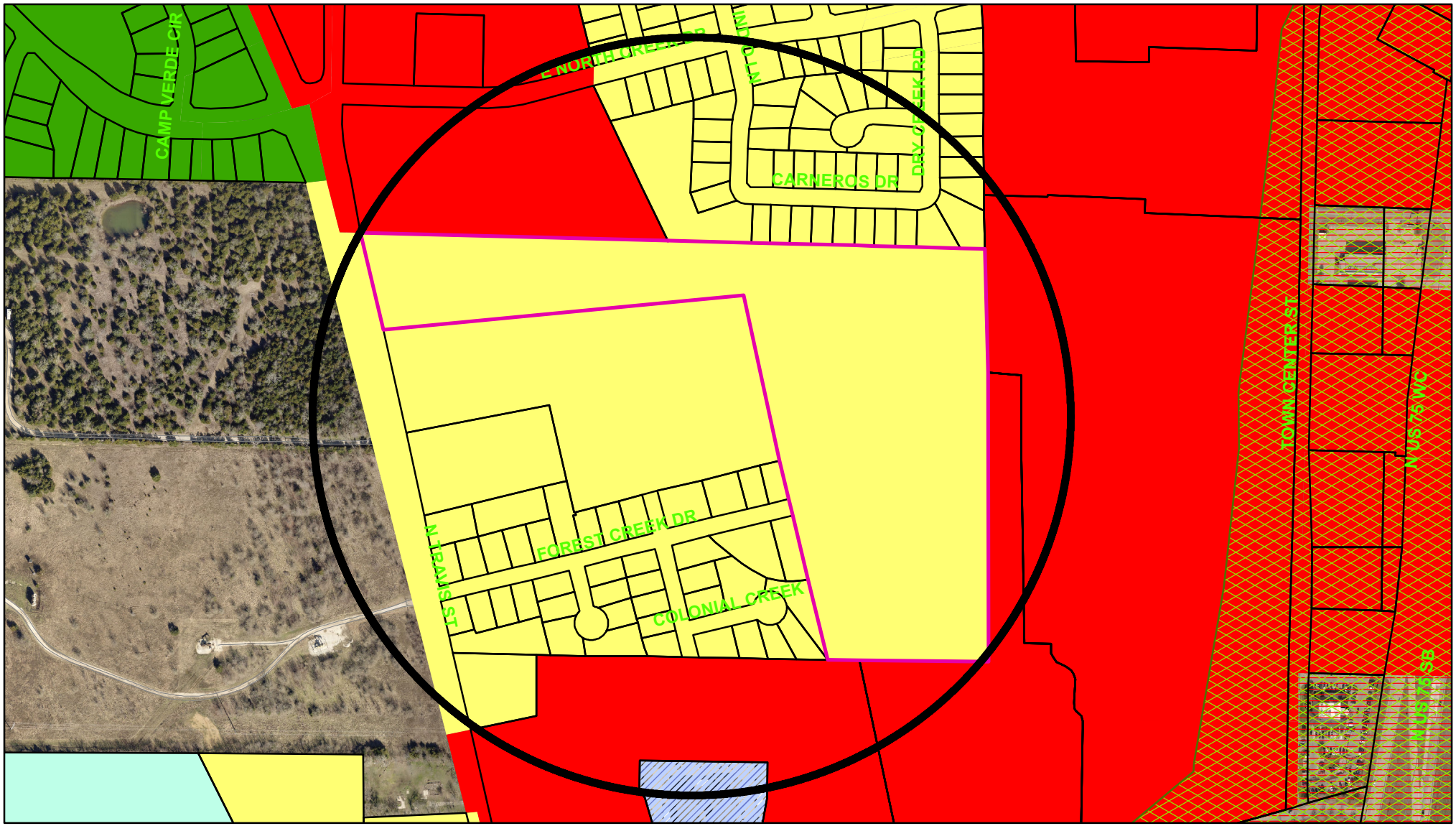
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

4601 North Travis Street

NOT TO SCALE

1 in = 578 ft



Zoning - 4601 North Travis Street

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

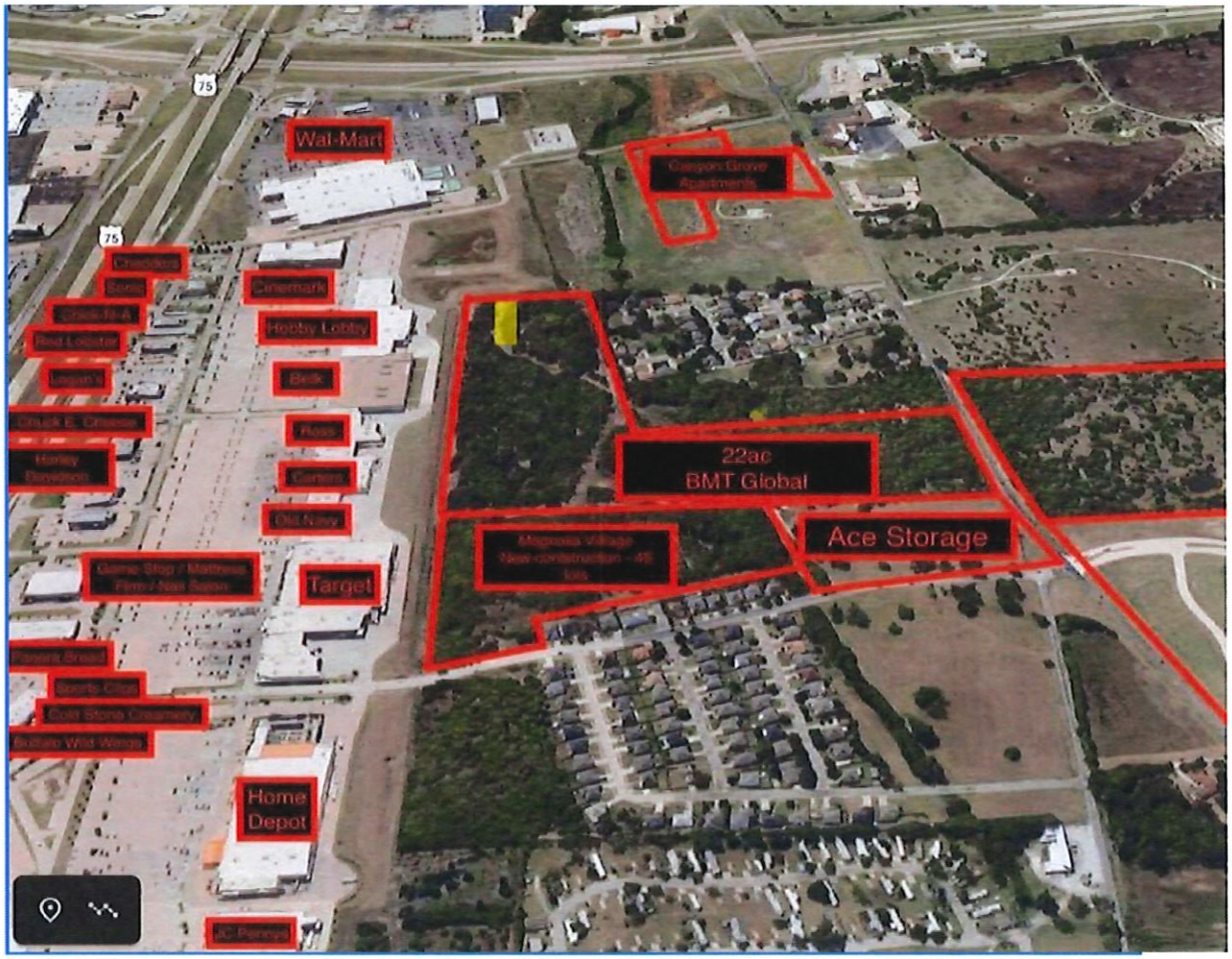
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 400 ft

4601 North Travis Street

Zoning Request Memorandum



Residences of Sherman Land – Request for Rezoning to 26 Units per Acre Multifamily

P R E S E N T E D B Y

Howard Akin
Partner
US Prime Group, LLC
On behalf of Montford Management, LP
Tel: (972) 628-4705
hakin@usprimegroup.com

RESIDENCES OF SHERMAN DEVELOPMENT NOTES

Property: Currently Zoned Single Family

Requested Zoning: R-2 Multi-Family Residential District

Applicant: Montford Management, LP or its assigns.

We anticipate the development will accommodate up to 26 units per acre. The development would be completed in two phases of approximately 260 units each. We plan to submit to Fema a request to reclaim land in the flood zone. All city development requirements for multi-family housing to include parking, height restrictions etc will be followed.

We have attached a "Conceptual" site plan along with elevations/renderings of the product type the development will have. Each building will have a percentage of "direct access" garages and be two and three story(see elevations). The development will have number amenities for the residents.

Address: FM 131, Travis Street, Sherman TX, 75090, behind Town Center Development

Phases: Two (2)

Type of Ownership: Fee Simple

Number of Units: Up to 520 units would be developed in two phases.

Lot Size (AC): 21.799

Density: Maximum 26 units/acre

Residences of Sherman Land – 26 Unit/Acre Multifamily Development

The subject property consists of one parcel and is ready for development. The parcel sits adjacent to the Town Center Drive Development. The apartment home residents will have easy access to the retail shopping and dining options at Town Center along with quick access to downtown and I-75.

Median home values in Sherman have continued to go up over the past year. The Residences of Sherman apartment home development will provide housing for those who must rent because they are priced out of the single-family market and by those who choose to rent as they prefer renting as a lifestyle choice.

We anticipate working with FEMA to reclaim a portion of the tract from the flood plain but if we are not successful the conceptual project site map as presented would provide approximately 380 apartment homes.

Job No. BGS450121

Owner: BMT Global, LLC

Buyer: _____

This survey is for the sole benefit of the transaction by and between: the owner and buyer stated at left, 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.

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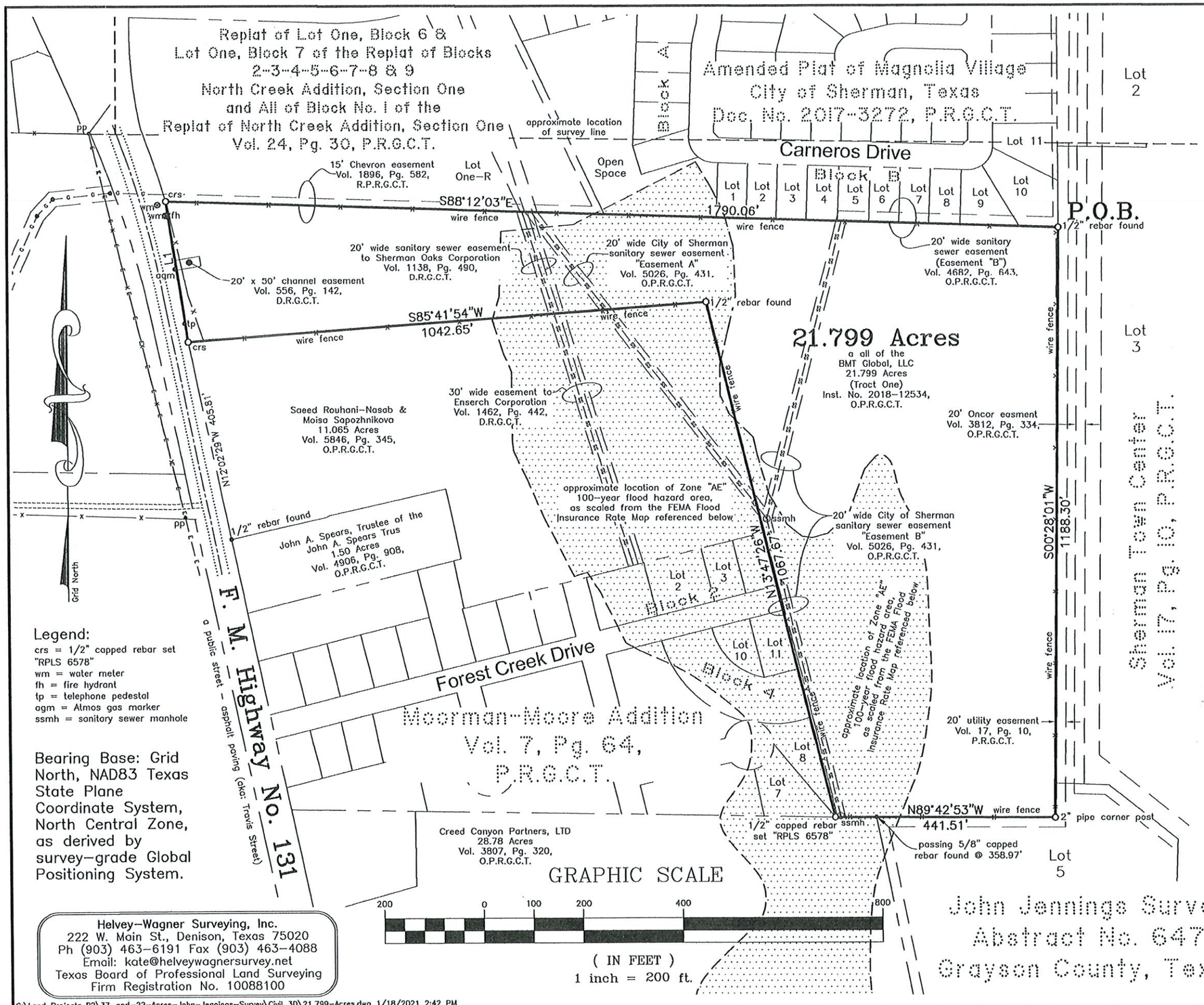

Kate A. Wagner, R. P. L. S. No. 6578
Boundary survey: December 28, 2017
Revised Date: April 25, 2018
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Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Ph (903) 463-6191 Fax (903) 463-4088
Email: kate@helveywagnersurvey.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

S:\Land Projects R2\37-and-22-Acres-John-Jennings-Survey\Civil 3D\21.799-Acres.dwg 1/18/2021 2:42 PM

SCALE: 1" = 90' - 0" (24"x36" SHEET)

0' 90' 180' 360'

N

TRAVIS ST. APTS					HOWARD AKIN	2021013
UNIT TABULATION -2/3 STORY STACK HOUSE						2/22/21
UNIT NAME	UNIT TYPE	NET AREA(SF)	UNIT COUNT	PERCENTAGE	TOTAL AREA	% BREAKDOWN
A1	1br/1ba	735	38	10%	27,930	70%
A2	1br/1ba	775	76	20%	58,900	
A3	1br/1ba	845	152	40%	128,440	
B1	2br/2ba	1,030	38	10%	39,140	30%
B2	2br/2ba	1,187	38	10%	45,106	
B3	2br/2ba	1,230	38	10%	46,740	
TOTALS			380	100%	346,256	

UNIT AVERAGE NET SF : 911

* NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE.

PROJECT DATA

UNIT AVERAGE NET SF :	911	S.F.
ACREAGE:	21.80	GROSS ACRES
DENSITY:	17	UNITS/ACRE
PARKING:		
REQUIRED	684	SPACES
PROVIDED	650	SPACES
GARAGE PARKING	190	GARAGE SPACES
TANDEM PARKING	114	SURFACE SPACES
SURFACE PARKING	346	SURFACE SPACES
	1.7	SPACES/UNIT

A201

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

CLIENT NAME or LOGO

ARCHITECTURAL SITEPLAN
SCHEME 01
February 1, 2021

PROJECT NAME
CITY,ST
HPA# XXXXX

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SCALE: 1/8" = 1'-0" (24"x36" SHEET)

0' 8' 16' 32'

HUMPHREYS & **PARTNERS** ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

DFWTXGC, LLS

RENDERING

November 1, 2019

STAK HOUSE MODULAR

HPA# 19307

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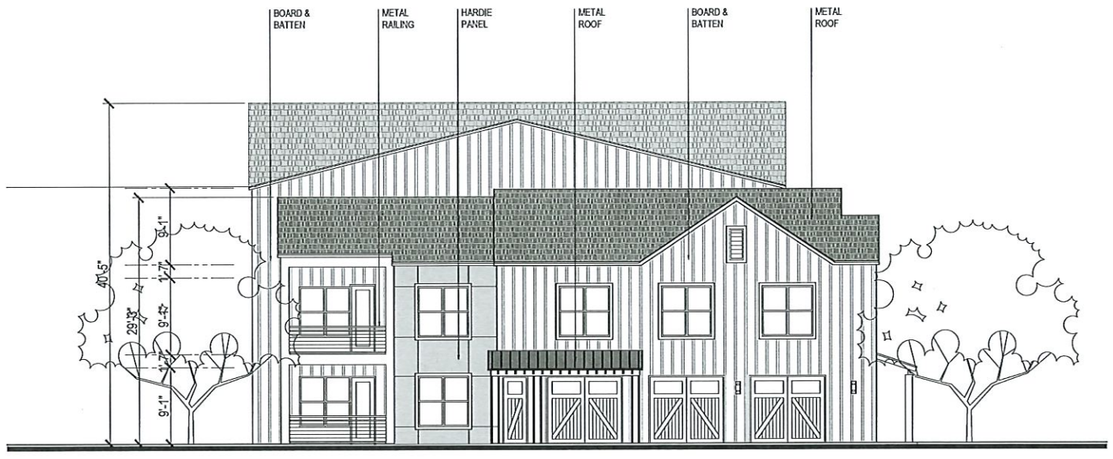
FRONT ELEVATION



LEFT ELEVATION

SCALE: 1/8" = 1'-0" (24"x36" SHEET)

0' 8' 16' 32'

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5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

DFWTXGC, LLS

ELEVATION
November 1, 2019

A414
STAK HOUSE MODULAR
HPA# 19307

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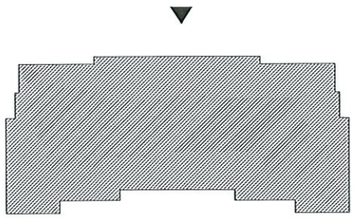

REAR ELEVATION

SCALE: 1/8" = 1'-0" (24"x36" SHEET)

0' 8' 16' 32'

HUMPHREYS & **PARTNERS** ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

DFWTXGC, LLS

ELEVATION
November 1, 2019

A415
STAK HOUSE MODULAR
HPA# 19307

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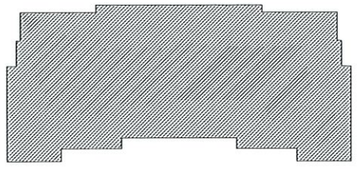
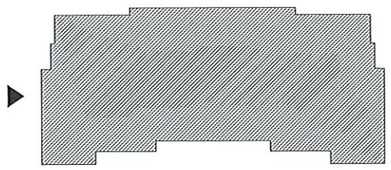
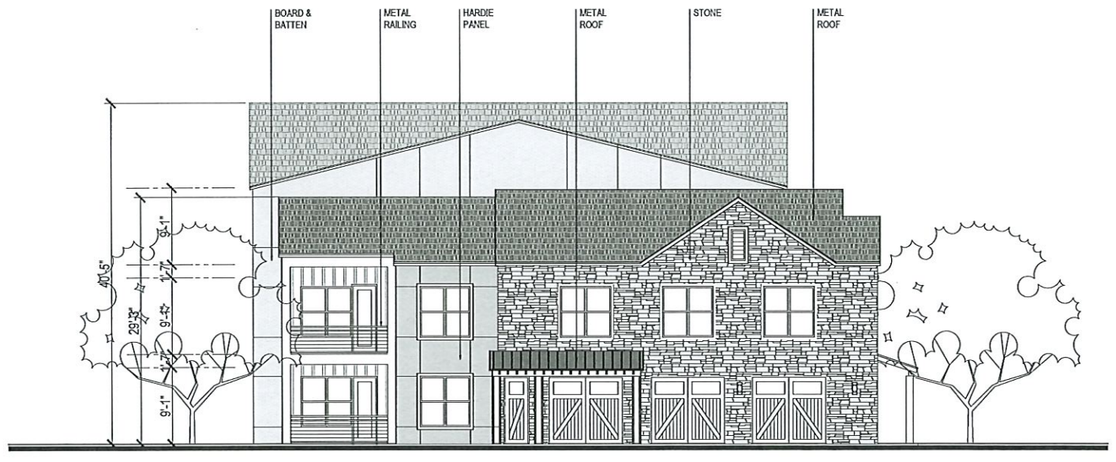


FRONT ELEVATION





LEFT ELEVATION

SCALE: 1/8" = 1'-0" (24"x36" SHEET)

0' 8' 16' 32'

HUMPHREYS & PARTNERS ARCHITECTS, L.P.
5339 Alpha Rd., Suite 300, Dallas, TX 75240 | 972.701.9636 | www.humphreys.com

DFWTXGC, LLS

ELEVATION
November 1, 2019

A416
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HPA# 19307

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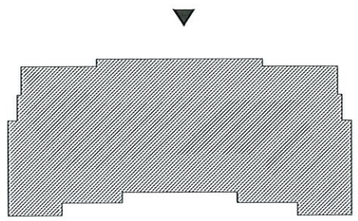

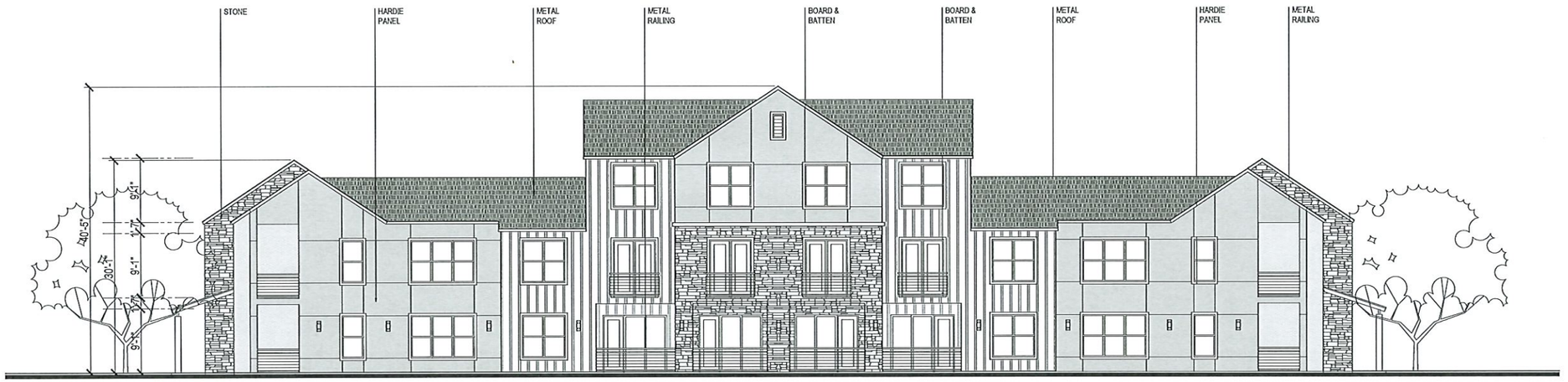

REAR ELEVATION

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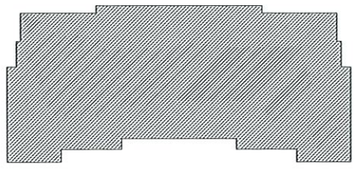
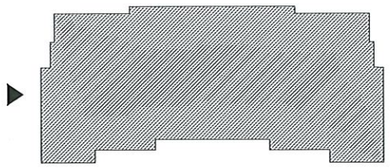
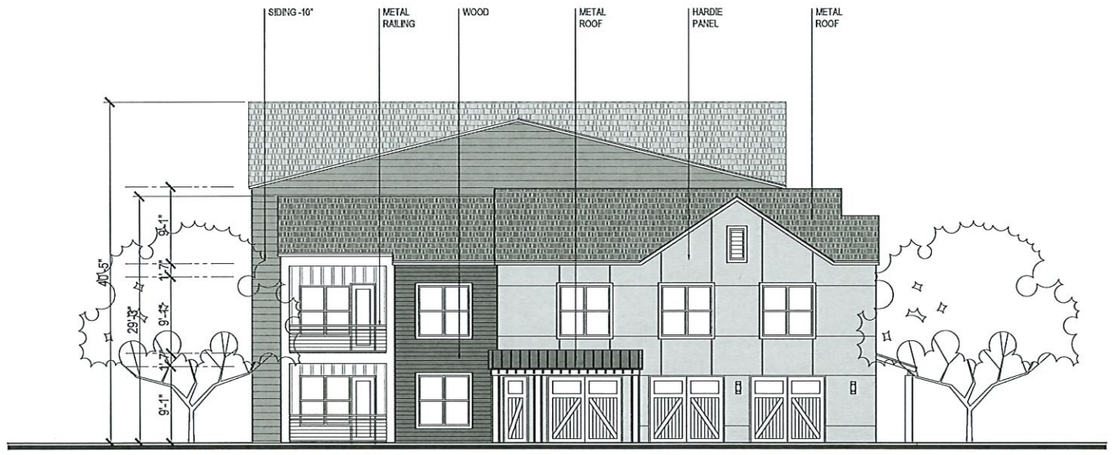


FRONT ELEVATION





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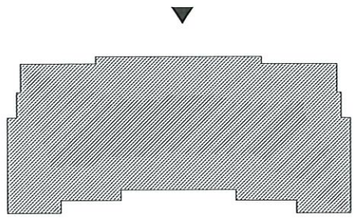

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ELEVATION
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DFWTXGC, LLS

RENDERING
November 1, 2019

STAK HOUSE MODULAR
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Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

March 9, 2021

BMT Global, LLC
3000 Overland Trail
Sherman, TX 75092

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

Howard Akin, Jr.
418 Jones Street, #300
Lewisville, TX 75057

Humphreys & Partners Architects, LP
5339 Alpha Rd., Ste. 300
Dallas, TX 75240

Dear Applicants,

The request for a Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District located at 4601 North Travis Street has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, March 16, 2021 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-2 (Multi-Family Residential) District and the Residential Tree and Landscaping Ordinance.
2. A minimum 6' masonry perimeter wall shall be provided to surround the development unless an exception is granted.
3. No building shall exceed the height of 45 feet unless an exception is granted.
4. Fire lanes and codes shall be coordinated with the Fire Marshal, (903.892.7267).
5. Parking is permitted on paved surfaces only (concrete and asphalt).
6. The Floodplain Ordinance shall be followed.
7. Any structures built over any easements will require an encroachment easement approved by the City Council.
8. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9'x20' unless an exception is granted.
9. All required off-street parking shall be on private property and shall not encroach into the right-of-way.
10. The trash dumpster will need to be located inside the main building area and screened.
11. The site plan is conceptual in nature and will require a more detailed site plan approval from the Planning and Zoning Commission before construction begins.
12. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
13. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review

letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering:

14. Platting of the subject property is required.
15. 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.
16. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
17. All requirements of the Floodplain Ordinance shall be followed. *Chapter 3, Article 3.12*
18. Verify fire requirements and code compliance with Fire Marshal.
19. The location of trash receptors must be approved by the Public Works Department.
20. Final site plans, utility, drainage and grading plan shall be provided and approved by the City Engineering Department.
21. Internal water and sewer lines will be privately owned and maintained.
22. Show flood fringe on plans. Plans must reflect and reference information as stated in FEMA Physical Map Revision No. 316-PMR.

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

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

Respectfully,

Rob Rae
Incoming Secretary, Planning and Zoning Board and Board of Adjustment

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

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 36.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

4601 NORTH TRAVIS STREET

The request of BMT Global LLC (Owner), Howard Akin, Jr. (Prospective Buyer), Humphreys & Partners Architects LP (Architect) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 4601 North Travis Street, being 21.799 acres in the John Jennings Survey, Abstract No. 647, as follows:

Planning and Zoning Commission

Zone change and conceptual site plan approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District to an R-2 (Multi-Family Residential) District.

Background:

The property is located at 4601 North Travis Street between Forest Creek Drive and North Creek Drive. The property is zoned an R-1 (One Family Residential) District. The owner would like to rezone the property to an R-2 (Multi-Family Residential) District for development of an apartment community to be completed in two phases of approximately 260 units each. The site plan is conceptual and will require a more detailed site before construction begins.

Adjacent Zoning:

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

Origination:

BMT Global LLC (Owner)
Howard Akin, Jr. (Prospective Buyer)
Humphreys & Partners Architects LP (Architect)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Natural – Natural areas are wooded or vegetated lands which are essentially untouched by development and still retain significant resources.

Number of notices mailed:

24

Objections Received:

1

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
Survey
Conceptual Site Plan
Conceptual Building Elevations
Conceptual Building Elevations
Email from David Reeder
Staff Review Letter

Reeves, Patsy

From: David Reeder <forestcreek@cableone.net>
Sent: Wednesday, March 3, 2021 12:59 PM
To: Reeves, Patsy
Subject: BMT GLOBAL LLC ZONING PROPOSAL

Importance: High

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

Mr. Rob Rae
Secretary, Planning and Zoning Board
PO Box 1106 Sherman, TX 75091

I am writing you regarding the proposed zoning issue on the change from R-1 to R-2 for the Property located at 4601 North Travis, Sherman, TX.

I AM AGAIST THIS PROPOSAL.

REASON:

North Travis is already a highly traveled street and this will only ADD to the congestion. I live in the secluded neighborhood off Travis Street on Forest Creek Drive and live at then End of the street. We have a highly wooded area that provides refuge for wildlife. I do NOT Want this area to be disturbed. (this area that is beside our house is in a flood plain and I do NOT see how anything could be built in that area and would OPPOSE the building In this area. Also I do NOT want Forest Creek Drive to become a through Street to Towne Center. This is a very narrow neighborhood street and we do NOT need added Traffic. I would NOT want to see any access from our neighborhood to the proposed apartment Neighborhood.

I feel that the current proposal of the number of apartment buildings is EXCESSIVE for this area. I know that Sherman has a shortage of housing and I would rather see SINGLE FAMILY HOMES Built in this area and leave the zoning at its current status of R-1. Leaving it at this status will Create enough traffic on North Travis Street.

Building all these apartments crammed into such a small area would create additional traffic and

Would effect our home values in this secluded neighborhood.

Please register my vote as NO to changing zoning to R-2.

DAVID F. REEDER
308 Forest Creek Dr.
Sherman, TX 75092
972-658-6773 Cell

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **D. 9.**

Meeting Date: 04/05/2021

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers 6367, 6368, 6369, 6370, 6371, 6372, 6373 and 6374.

Issue:

D. 1. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6367**

Extending the Corporate Limits of Said City so as to Annex an Area of Land consisting of Approximately 24.415 acres generally located East of U.S. Hwy 75, South of Park Street and along East Sherman Street, Adjacent to the Sherman City Limits and in the City of Sherman's Extraterritorial Jurisdiction, on Application of the Landowner; Providing that the Owners and Inhabitants of the Subject Area of Land shall be entitled to the Rights and Privileges of other Citizens of the City of Sherman and shall be Bound by the Acts and Ordinances now in Effect and hereinafter Adopted; Authorizing Execution of the Annexation Service Plan Agreement; Providing for a Penalty for a Violation of this Ordinance and Sherman's General Zoning Ordinance, Ordinance No. 2280

D. 2. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6368** **(SUP ORIGINALLY APPROVED ON MARCH 16, 2020 WITH A 12-MONTH LIMIT)**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Renew a Specific Use Permit to Allow New and Used Tire Sales and Repair, General Maintenance with Alignments and Oil Changes in a C-2 (General Commercial) District at 207 and 209 South Dewey Avenue, being 1.091 acres in the G.B. Pilant Survey, Abstract No. 963 described as Lots 3, 4 and part of Lot 5 including the alley lying between Lots 3 and 4, Block 3, J.P. Loving's 2nd Addition (Miguel A. Avalos, Owner; Miguel Avalos, Representative; and Underwood Drafting and 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

D. 3. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6369**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Multi-Family Residential Complex (Aspire at Sherman Apartments) in a C-1 (Retail Business) District at 1111 Gallagher Drive, being Lot 1, Block 1, Jackson Walker Addition, being a Replat of all of Lot 7, Block 1, Gleckler Plaza Addition and all of Lots 5 & 6, Block 1, of the Partial Replat of Gleckler Plaza Addition (Aspire Two, LLC, Owner; Ryan Johnson, Representative; Covenant Development, Developer; Cross Architects, Architect; Cross Engineering Consultants, Civil Engineer; Lee Engineering, Civil Engineer and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 4. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6370**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to allow an Athletic Field (Outdoor Commercial Amusements) in an R-1 (One-Family Residential) District/(College Park) Overlay District at 1360 East Lewis Street, being Lots 1-3, Block 4, Luckett Park Addition and Lots 4-6, Block 4, Mildred Heights Addition (The Boys and Girls Club of Sherman, Inc., Owner; Todd Young, Young Enterprises, 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

D. 5. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6371**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, Repealing Ordinance No. 6358 and Granting a Specific use Permit to allow (72) Patio Homes in an R-1 (One-Family Residential) District on Property Located in the 2100 block of West Moore Street, being Lots 1-19, Block A, Lots 1-9, Block B, Lots 1-22, Block F and Lots 1-22, Block G of the proposed The Grove Addition (SSCGC Holdings, LLC, Owner; Grove Addition Development JV, Applicant; Civil Point Engineers, Civil Engineer; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 6. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6372**

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to allow Patio Homes in an R-1 (One Family Residential) District in 4000-4300 blocks of Hummingbird Drive and the 700 block of Swan Ridge Drive, being Lots 14-38, Block 11, Lots 1-14, Block 12, Lots 6-10 and 16-23, Block 13 of the Proposed The Preserve Addition, Phase III (Westar Home Builders, Owner; Ron Westervelt, Representative; and Underwood Drafting and Surveying, Surveyor); Providing That This Specific Use Permit Shall Be Granted Subject to Certain Conditions; Providing A Penalty Not to Exceed $2,000.00

D. 7. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6373**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-1 (One-Family Residential) District, Located at 213 East Hill Street, being 0.172 Acres of Land in the J.B. McAnair Survey, Abstract No. 763 (Roberto Meraz, Owner; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed $2,000.00

D. 8. **INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6374**

Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-2 (Multi-Family Residential) District, Located at 4601 North Travis Street, being 21.799 acres in the John Jennings Survey, Abstract No. 647 (BMT Global LLC, Owner; Howard Akin, Jr., Prospective Buyer; Humphreys & Partners Architects LP, Architect; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed $2,000.00

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 1.**

Meeting Date: 04/05/2021
Prepared By: Tom Pruitt, Utility Engineer
Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6725

Authorizing Execution of a Professional Services Agreement with Plummer Associates, Inc. for the Post Oak Wastewater Treatment Plant Condition Assessment

Issue:

To consider a contract for professional services with Plummer Associates, Inc. for engineering services to perform a condition assessment at the Post Oak Wastewater Treatment Plant.

Background:

This project is only for the evaluation of existing wastewater treatment units. This information which will include performance evaluation, will be a resource on future selection of new or replacement equipment, expected costs, and engineering recommendations.

Origination:

Engineering Department

Financial Consideration:

The total Engineering Services fee will be $182,181.00. Funding is in the 2021 Utility Fund budget for fiscal year 2021.

Staff Recommendation:

It is recommended that the contract for professional engineering services with Plummer Associates,Inc. for the Wastewater Treatment Plant Condition Assessment be approved.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6725
Agreement
Location Map

RESOLUTION NO. 6725

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PLUMMER ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR THE POST OAK WASTEWATER TREATMENT PLANT CONDITION ASSESSMENT; 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 a Professional Services Agreement with Plummer Associates, Inc. for engineering services for the Post Oak Wastewater Treatment Plant Condition Assessment, in accordance with all contract documents attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this the_____ day of_____, 2021.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____ **BY:** _____
LINDA ASHBY, CITY CLERK **DAVID PLYLER, MAYOR**

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

BY: _____
NAME: _____
CITY ATTORNEY

Professional Services/Consultant Agreement

ENGINEERING SERVICES AGREEMENT

This AGREEMENT or CONTRACT is made and entered into this ___ day of _____ 20__, by and between the City of Sherman, Texas hereinafter also called the OWNER or City, and _____ _____ hereinafter called the ENGINEER or Consultant. On consideration of the mutual agreements herein and subject to the following terms and conditions, the parties mutually agree as follows:

ARTICLE I.
SERVICES TO BE PROVIDED

ENGINEER agrees to furnish professional engineering services in accordance with the terms and conditions of this AGREEMENT (1) with the professional skill and care ordinarily provided by competent engineers practicing in the same or similar locality and under the same or similar circumstances and professional license; and (2) as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer.

ENGINEER shall conduct professional engineering services generally described as follows:

Post Oak Wastewater Treatment Plant Condition Assessment

ARTICLE II.
SCOPE OF WORK

During the term of this AGREEMENT, ENGINEER shall perform at the request and satisfaction of the Engineering Department of the City of Sherman, the stated services and the indicated fee schedule attached as **EXHIBIT A.**

ARTICLE III.
TERM

The contract term shall commence on the date of this AGREEMENT and be completed by _____ _____. The contract term may be extended by mutual AGREEMENT of the parties.

ARTICLE IV.
PROJECT INITIATION

Prior to the OWNER issuing a work order to proceed with any assessments, surveys, or other related work, ENGINEER shall provide OWNER with a written proposal detailing the scope of services and providing a fee estimate for proposed work. Said costs are to be based on the attached fee schedule. Final cost, excluding an approved change order, may not exceed the cost estimate by more that 10 percent without written approval of the OWNER.

ARTICLE V.
FEES

Fees for services performed under this AGREEMENT shall be based on an hourly rate for personnel, equipment, and related services as detailed on the fee schedule attached as **EXHIBIT A** to this AGREEMENT. Subcontract services such as consulting with other engineers, as well as other services not specifically listed on the fee schedule, will be performed by subconsultants who operate under a subcontract agreement with ENGINEER. Fees shall be payable from the currently available funds. In the event funds are not available, ENGINEER shall not be obligated to perform the work.

ARTICLE VI.
PAYMENT TERMS

ENGINEER will invoice OWNER for work performed on a monthly basis. In the case of short duration projects, invoicing will be upon project completion, with the invoice issued upon delivery of appropriate proposals or documents. Alternative invoicing methods may be acceptable provided they are agreed to prior to the work being undertaken.

ARTICLE VII.
INSURANCE

Prior to the commencement of services under this AGREEMENT, ENGINEER shall obtain professional liability insurance coverage in an amount of at least $1,000,000.00 per claim with a $2,000,000.00 aggregate policy limit per year, covering the services provided under this AGREEMENT. A "claims made" policy is acceptable subject to coverage being maintained during the course of the PROJECT and up to two (2) years after completion and acceptance of PROJECT by the City. ENGINEER shall maintain such coverage during all phases of engineering services and for two (2) years after substantial completion of the PROJECT. The OWNER shall be supplied with a certificate of such coverage which shall provide for a thirty (30) day notice of cancellation, non-renewal, to the OWNER by certified mail.

ENGINEER will maintain general insurance coverage as follows:

A. Worker's Compensation Insurance – Statutory as required by the Texas Labor Code.
B. Employer's Liability Insurance - $100,000 per accident; $300,000 per disease; $100,000 occupational disease per employee.
C. Commercial General Liability Insurance - $2,000,000 per occurrence; $2,000,000 aggregate policy limit applies per project.
D. Automobile Liability Insurance - $1,000,000 CSL
E. Professional Liability - $2,000,000 per claim; $2,000,000 aggregate policy limit. A "claims made" policy is acceptable subject to coverage being maintained during the course of the project and up to two (2) years after completion and acceptance of the project by the City.

ENGINEER shall maintain such coverage during all phases of engineering services and for two (2) years after substantial completion of the PROJECT. The OWNER shall be supplied with a certificate of such coverage which shall provide for a thirty (30) day notice of cancellation, non-renewal, to the OWNER by certified mail.

The OWNER, City of Sherman, including its officers, officials, employees, Boards and Commissions, and volunteers shall be named as an additional insured by endorsement to the general insurance coverage listed in this AGREEMENT, excluding Workers' Compensation, Employers' Liability, and Professional Liability (for which a waiver of subrogation is required to be issued in favor of the OWNER), with regard to the ENGINEER'S activities as required by this CONTRACT. The coverage shall contain no

special limitations on the scope of protection afforded to the OWNER, and all premiums arising from the coverage herein shall be the responsibility of the ENGINEER.

ARTICLE VIII.
INDEMNIFICATION

The ENGINEER shall hold harmless and indemnify the OWNER from all claims and liability for damage arising out of or in connection with this CONTRACT to the extent that the damage is caused by or results from failure by the ENGINEER, consultant under contract, or another entity over which the ENGINEER exercises control to perform services with the professional skill and care ordinarily provided by competent engineers practicing in the same or similar locality and under the same or similar circumstances and professional license and as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer, or that results from an act of negligence, intentional tort, intellectual property infringement, or failure to pay a subcontractor or supplier committed by the ENGINEER, consultant under contract, or another entity over which the ENGINEER exercises control. The ENGINEER shall also save harmless the OWNER from any and all expenses, including reasonable attorney fees which might be incurred by the OWNER in litigation or otherwise resisting said claim or liabilities, which might be imposed on the OWNER as the result of such negligent acts or omissions by the ENGINEER in proportion to the ENGINEER'S liability.

ENGINEER further agrees that during the course and scope of this AGREEMENT, except with OWNER'S knowledge and consent, ENGINEER shall not represent any third party against the OWNER in any claim, litigation, or other matter, or be retained to act as an expert witness for any third party in any claim, litigation, or any other matter that is, or may be, adversarial to the OWNER, as determined by the OWNER.

Acceptance by the OWNER of the ENGINEER'S work shall not constitute nor be deemed a release of the responsibility and liability of ENGINEER, its employees, subcontractors, agents, or consultants for the accuracy and competency of ENGINEER'S work; nor shall such acceptance be deemed to be an assumption of such responsibility by the OWNER for any defect, error, or omission in the ENGINEER'S work, its employees, subcontractors, and consultants. ENGINEER, shall without additional costs or fee, correct or revise any errors or deficiencies in his performance.

The parties hereby acknowledge and agree that OWNER is entering into this AGREEMENT pursuant to its governmental functions and that nothing contained in the AGREEMENT shall be construed as constituting a waiver of the OWNER'S governmental immunity from suit or liability, which is expressly reserved to the extent allowed by law. Notwithstanding anything to the contrary herein, the parties hereby acknowledge and agree that to the extent this AGREEMENT is subject to the provisions of Subchapter I of Chapter 271, TEXAS LOCAL GOVERNMENT CODE, as amended, the OWNER'S immunity from suit is waived only as set forth in Subchapter I of Chapter 271, TEXAS LOCAL GOVERNMENT CODE. Further, the parties agree that this AGREEMENT is made subject to all applicable provisions of the Texas Civil Practices and Remedies Code ("CPRC"), including but not limited to all defenses, limitations, and exceptions to the limited waiver of immunity from liability provided in Chapter 101 and Chapter 75.

ARTICLE IX.
COMPLIANCE WITH LAWS

The ENGINEER, its consultants, agents, employees and subcontractors shall comply with all applicable Federal and State laws, charter and ordinances of the City of Sherman, as amended, and all other applicable rules and regulations promulgated by local, state and national boards, bureaus and agencies. ENGINEER shall complete only the professional engineering services as required in the performance of the services contracted for herein.

ARTICLE X.
OWNER'S RIGHTS AND OWNERSHIP OR DOCUMENTS

All ENGINEER'S designs and work products under this AGREEMENT including, but not limited to, tracings, drawings, plans, specifications, studies and other documents completed or partially completed, shall be the property of the City, to be used as the City desires, without restriction. ENGINEER specifically waives and releases any proprietary rights or ownership claims herein.

ARTICLE XI.
SUCCESSORS AND ASSIGNS

The City and the ENGINEER each bind himself, his partners, successors, assigns and legal representatives to the other party to this AGREEMENT and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this AGREEMENT. The ENGINEER shall not assign, sublet or transfer its interest in this AGREEMENT without the written consent of the City.

ARTICLE XII.
PROVISION FOR TERMINATION/INTERRUPTION

The City may terminate or suspend the ENGINEER'S services under this AGREEMENT at any time upon paying all sums due the ENGINEER for work to time of termination and after giving the ENGINEER seven (7) calendar days prior written notice by certified mail, stating the reason for such termination or suspension.

In the event of termination or abandonment of the ENGINEER'S services under this AGREEMENT, payment shall be made to the ENGINEER for all services performed to the date of same.

Upon payment in the event of termination or abandonment, all documents prepared by the ENGINEER shall become the property of the City.

If this AGREEMENT is terminated because of material breach of this AGREEMENT by the ENGINEER, the City may have the remaining work and services to be performed by the ENGINEER performed by another engineer, and the ENGINEER shall be liable to the City for any excess costs accrued by the City thereof.

ARTICLE XIII.
CONFIDENTIALITY

ENGINEER will maintain as confidential any documents or information provided by OWNER and will not release or publish same to any third party without prior permission from OWNER, unless compelled by law or order of a court or regulatory body of competent jurisdiction. Such release will occur only after prior notice to OWNER.

ARTICLE XIV.
GOVERNING LAW

This AGREEMENT shall be governed in all respects by the laws of the State of Texas. Venue for this AGREEMENT shall be exclusively in Grayson County, Texas.

ARTICLE XV.
SURVIVAL

All provisions of this AGREEMENT for indemnity or allocation of responsibility or liability between OWNER and ENGINEER shall survive the completion of the services and the termination of the AGREEMENT.

ARTICLE XVI.
SEVERABILTY

In the event that any provision of the AGREEMENT is found to be unenforceable under law, the remaining provisions shall continue in full force and effect.

ARTICLE XVII.
ENGINEERS SEAL

The ENGINEER shall place a Texas Professional Engineer's seal of endorsement on all documents and engineering data furnished by ENGINEER to the Owner.

ARTICLE XVIII.
PUBLIC FUNDING

This Contract is subject to the appropriation of public funds by the City in its budget adopted for any fiscal year for the specific purpose of making payments pursuant to this Contract for that fiscal year. The obligation of the City pursuant to this Contract in any fiscal year for which this Contract is in effect shall constitute a current expense of the City for that fiscal year only, and shall not constitute an indebtedness of the City of any monies other than those lawfully appropriated in any fiscal year. In the event of non-appropriation of funds in any fiscal year to make payments pursuant to this Contract, this Contract may be terminated without any liability to either party.

ARTICLE XIX.
EXTENT OF AGREEMENT

This AGREEMENT represents the entire and integrated AGREEMENT between the City and the ENGINEER and supersedes all prior negotiations, representations or agreements, either written or oral.

EXECUTED in three (3) counterparts (each of which is an original) on behalf of ENGINEER shown below, and on behalf of the OWNER this ___ day of _____, 20 __.

OWNER:
CITY OF SHERMAN, TEXAS

_____
Robby Hefton, City Manager

ATTEST:

_____

ENGINEER:
Company Name

_____
Name of authorized signer

ATTEST:

_____

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

BY: _____

NAME: _____
CITY ATTORNEY

CORPORATE ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____ of _____ known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said _____, a corporation, that (s)he was duly authorized to perform the same by appropriate resolution of the board of directors of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, A.D. 20___.

_____

Notary Public In and For _____ County, Texas

My Commission Expires:

_____

EXHIBIT A
SCOPE OF SERVICES, FEE, AND RATE SCHEDULE

Exhibit A

Scope of Services

BACKGROUND

The City of Sherman (Owner) has requested Plummer Associates, Inc. (Engineer) to provide a condition assessment evaluation for the Post Oak Wastewater Treatment Plant (POWWTP). The objective is to develop phased improvements projects for required rehabilitation, facility upgrades, and/or regulatory requirements as drivers. A corresponding objective is to identify ways to operate the existing facilities to meet treatment requirements and to identify trigger points for when capital improvements are needed to assist the City with responsible management of capital funds. For capital improvement projects that may have options that require future input, provide a range of possible options, costs, and phasing.

The POWWTP currently is permitted to treat 16.0 million gallons per day (MGD) Annual Average Daily Flow (AADF), and 29,167 gpm peak two-hour flow (P2HF). Key areas of focus are the primary clarifiers, anaerobic digesters, and electrical improvements throughout the POWWTP.

The Engineer is requested to perform a condition assessment with the focus on the Digesters, Lagoon liners, Trickling Filters, Primary Clarifier #3, the Electrical Power System, Bar Screens, and EQ Basin Blower Building. The information from the assessment will be used to develop a list of recommended improvement projects, and rank and prioritize the projects. Engineer may use previous assessment work as a reference to complement the condition assessment. Recommend improvements based on assessments performed and assist in prioritization of improvements. Develop a phased capital improvements plan to achieve the defined level of service.

The City has requested that the Electrical System take priority to ensure safety of operations and continued reliability.

BASIC SERVICES

Basic Services provided by the Engineer shall generally be covered under the following tasks:

1. Project Management, Meetings, and Site Visits
2. Condition Assessment
3. Solids Treatment Train Planning Evaluation
4. Electrical, Instrumentation, and Control Evaluation
5. Implementation Planning

Certain assumptions are made in preparing this scope of services. To the extent possible, these assumptions are stated herein and are reflected in the budget for services. If the work tasks required are different from the assumptions presented or if the City desires additional services, the resultant change in scope will serve as the basis for modifying this Agreement.

1. Project Management, Meetings, and Site Visits

1.1. Project Management

1.1.1. Provide project management for the project. Project management shall include developing and implementing a project management plan; tracking and managing internal schedules of work; monitoring and addressing issues related to the scope of work, budget and deliverables; preparing and processing monthly billings; providing labor resources necessary to fulfill scoped

work; scheduling and participating in quality control reviews; and providing updates to the Owner on a regular basis.

1.1.1.1. The Engineer shall coordinate efforts on project tasks identified above.

1.1.1.2. The Engineer shall prepare a common monthly invoice.

1.2. Meetings and Site Visits

1.2.1. Kickoff Meeting: Prepare for and attend a kickoff meeting with the City at the POWWTP. The following items will be discussed at the kickoff meeting:

1.2.1.1. Review the scope of work, discuss the work plan, verify the City's requirements for the project, review the schedule for the project. Review project deliverables, workshops, and meetings.

1.2.1.2. A request for information to be obtained from the City will be prepared and presented to the City prior to the Project kickoff meeting. Data requested shall be furnished by the Owner within 10 business days of project kickoff meeting.

1.2.1.3. Based on discussions during the kickoff meeting, the proposed Project approach will be refined, if necessary.

1.2.2. The Engineer shall participate in two (2) workshops with the City at the POWWTP over the course of the project. The first workshop will cover the electrical infrastructure and the second workshop will cover the condition assessment results, process evaluations, and CIP development.

1.2.2.1. The Engineer shall prepare an agenda for and moderate the meetings.

1.2.2.2. Prepare draft meeting notes and list of action items resulting from meeting. Provide a draft copy of meeting notes in PDF format to the Owner's Project Manager for distribution and review to Owner's staff.

1.2.2.3. Prepare final meeting notes and list of action items incorporating comments from the Owner. Provide a final copy of meeting notes in PDF format to the Owner's Project Manager for distribution to the Owner's staff.

1.2.3. The Engineer shall participate in one (1) virtual review meeting to review comments on the draft Condition Assessment Report and CIP list.

1.2.4. Quality Control (QC) Review: Conduct internal QC review meetings utilizing senior staff members, one for each of the client deliverables.

2. Condition Assessment

2.1. Conduct a process equipment and structure condition assessment review based on a two-day visit to the POWWTP and all information provided by plant operations staff. The electrical power system review will be conducted over a three-day visit. Structural condition assessment will be based solely on observations of visible portions of each structure. Focus will be on the following:

2.1.1. Digesters

2.1.2. Lagoon Liner

2.1.3. Trickling Filters

2.1.4. Primary Clarifier #3

2.1.5. Electrical Power System

2.2. Identify Critical Infrastructure and Structures to be Abandoned, if any:

2.2.1. Identify single point of failure items that could take POWWTP out of service, including equipment, pipes, valves, gates, and electrical power:

2.2.2. Develop list of equipment and structures to be abandoned.

2.2.2.1. Asbestos and lead paint inspection and testing are considered an Additional Service.

2.2.2.2. Detailed evaluation of instrumentation and controls system are considered an Additional Service.

2.3. Review wastewater flow, quality, load projections, and capacity analyses and tabulate and incorporate into the condition assessment.

2.4. Prepare chapter report of the condition assessment. Provide condition assessment raw forms and spreadsheets as an appendix.

2.5. Develop conceptual scope of work and opinion of probable construction costs for recommended improvements.

3. Solids Treatment Train Planning Evaluation

3.1. Sludge Storage and Digestion

3.1.1. Evaluate capacity, existing equipment, and design of sludge storage and digestion facilities and determine options for improvements if needed. Consider future timing, priority, and components of sludge storage and digestion rehabilitation.

3.2. Prepare conceptual layouts and opinions of probable construction costs for the recommended improvements.

3.3. Prepare report chapter summarizing solids treatment recommendations including an economic analysis of continued use of the digesters compared to temporary sludge storage tanks.

4. Electrical, Instrumentation, and Control Evaluation

4.1. Electrical Improvements:

4.1.1. Holistic review of the electrical infrastructure of the plant including redundancy and safety. Assume that existing electrical power distribution system needs full replacement except for recently upgrades components.

4.1.2. Load Flow Analysis: Analyze overall plant loads based on large motor loads and transformers only. SKM software will not be used as a tool. The analysis will be high level with the intent to determine potential issues. Further investigation will be identified as a future project.

4.1.3. Prepare an electrical one-line diagram for the POWWTP. The effort will start with the baseline one-line developed from an initial site visit, add loads from on-going projects and proposed additional loads based on process improvements developed by ENGINEER. The one-lines are key to understanding both space and capacity constraints to help further define electrical requirements.

4.1.4. Electrical Buildings: Identify any new electrical buildings which will be required to support future equipment or needed to support replacement of existing equipment to facilitate construction sequencing.

4.1.5. Electrical Redundancy and Reliability: As part of the analysis, review redundancy and reliability of the electrical distribution to determine potential single points of failure or areas of risk.

4.1.6. Prepare proposed plant one-line diagrams utilizing both medium voltage and 480 voltage as distribution power, in a radial and loop feed arrangements. Consideration will be given to automatic operation of breakers during power failure.

4.1.7. Prepare an overall site plan with proposed underground electrical feeder replacement utilizing the selected electrical distribution system.

4.1.8. Review control system architecture and 5-year SCADA Risk Assessment (ongoing by others) and provide recommendation on reliability, required spare parts to keep on hand, and plans for ongoing upgrades.

4.2. POWWTP Rehabilitation Items:

4.2.1. Develop opinions of probable construction costs for rehabilitation of major assets identified by the City. This task does not include evaluations of multiple alternatives, or detailed descriptions or drawings.

4.3. Prepare report chapter summarizing electrical improvements. Electrical rehabilitation items will be included in the Condition Assessment Chapter listed in Task 4.

5. Implementation Planning

5.1. Based on condition assessment, solids treatment train and electrical power evaluations, summarize the recommended process modifications and support facilities for the POWWTP.

5.2. The Engineer, in coordination with the City, will develop the initial prioritization of projects for the purpose of defining the capital projects needed to be implemented within the next five (5) years, and identify projects that should be scheduled within the subsequent five (5) years (years 6 thru 10).

5.3. Provide opinions of probable construction costs for future improvements and expansions in 2021 dollars based on adjusting historically developed costs using Engineering News Record (ENR) construction cost index.

5.4. Prepare a chapter summarizing the recommended phased approach to implementing improvements.

6. Deliverables and Schedule

6.1. The Engineer will submit an electronic copy of the draft condition assessment in pdf format for the City's review prior to the final review virtual meeting described in Task 1.

6.2. The Engineer will submit an electronic copy of the final condition assessment in PDF format to the City. The Engineer will also provide one (1) hard copy to the City.

7. Special Services

7.1. Special Services incidental to the Project, but not included within the scope of Basic Services covered above, which may be performed or arranged for separately by the Owner, or may be added to the Engineer's responsibilities by mutual agreement and written authorization.

7.1.1. Pipe TV inspection is included as a special service.

8. Additional Services

8.1. Additional Services are those services not included in Basic Services that may be required for the Project, but cannot be defined sufficiently at this time to establish a Scope of Work. These include, but are not necessarily limited to the following:

8.1.1. Providing mechanical, structural, or electrical testing during condition assessment beyond what is described in Tasks 2, 3, and 4.

8.1.2. Evaluating POWWTP and other City infrastructure for implementation of SCADA.

8.1.3. Preparing applications and supporting documents for grants, loans, or planning advances for providing data for detailed applications.

8.1.4. Providing additional hard copies of technical memorandums, reports, plans, specifications, OPCCs, and contract documents beyond those specifically described in Basic and Special Services.

8.1.5. Preparing environmental impact statements, storm water discharge permits, and 404 permit applications, except as specifically included in the Basic Engineering Services.

8.1.6. Investigations involving detailed consideration of operation, maintenance and overhead expenses, and the preparation of rate schedules, earnings and expense statements, feasibility studies, appraisals, evaluations, assessment schedules, and material audits for inventories required for certifications by force account performed by the City.

8.1.7. Payment for fees for permit applications and publication(s) of notices.

8.1.8. Public relation activities and consulting services.

8.1.9. Other services beyond those included in Basic or Special Services that are approved by the Owner.

8.1.10. Services required as a result of Owner's providing incomplete or incorrect Project information to Engineer.

8.1.11. Services to investigate existing conditions of facilities (in addition to those furnished under Basic Services), make measured drawings of, or to verify the accuracy of drawings or other information furnished by Owner or others.

8.1.12. Services resulting from significant changes in the scope, extent, or character of the portions of the Project designed or specified by Engineer or its design requirements including, but not limited to, changes in size, complexity, Owner's schedule, character of construction, or method of financing; and revising previously accepted studies, reports, Drawings, Specifications, or Contract Documents when such revisions are required by changes in Laws and Regulations enacted subsequent to the Effective Date or are due to any other causes beyond Engineer's control.

8.1.13. Preparing for, coordinating with, participating in and responding to structured independent review processes, including, but not limited to, construction management, cost estimating, project peer review, value engineering, and constructability review requested by Owner; and performing or furnishing services required to revise studies, reports, Drawings, Specifications, or other Bidding Documents as a result of such review processes.

8.1.14. Providing renderings or models for Owner's use.

8.1.15. Additional visits to the site (if required) that are not identified in Section 1.2 above.

8.1.16. Services requiring out-of-town travel of Engineer other than for visits to the Site or Owner's office.

8.1.17. Property surveys or related engineering services needed for the transfer of interests in real property; and providing other special field surveys.

8.1.18. Assistance to Owner in training Owner's staff to operate and maintain Project equipment and systems.

8.1.19. Assistance to Owner in developing procedures for (a) control of the operation and maintenance of Project equipment and systems, and (b) related record-keeping.

8.1.20. Easement acquisition assistance or aid in acquiring property in fee, including in-house labor by the Engineer, subconsultant services or property appraisals.

8.1.21. Corrosion studies.

8.1.22. Archeological investigations.

8.1.23. Providing assistance in responding to the presence of any Constituent of Concern at the Site, in compliance with current Laws and Regulations.

8.1.24. GIS processing of geophysical and/or geotechnical data beyond the assumptions provided in Basic or Special Services.

8.1.25. Services known to be required for completion of the Project that the Owner agrees are to be furnished by the Engineer or by a subconsultant that cannot be defined sufficiently at this time to establish the maximum compensation.

PLUMMER ASSOCIATES, INC.
HOURLY FEE SCHEDULE
2021

Staff Description	Staff Code	Range of Billing Rates
Admin Staff	A1-A3	$ 75.00 - $ 100.00
Senior Admin Staff	A4	$ 85.00 - $ 130.00
Designer/Technician	C1-C2	$ 75.00 - $ 115.00
Designer/Technician III	C3	$ 100.00 - $ 130.00
Senior Designer/Technician	C4	$ 125.00 - $ 160.00
Engineer/Scientist Intern	ES0	$ 50.00 - $ 95.00
Engineer-in-Training/Scientist-in-Training	ES1-ES2	$ 95.00 - $ 130.00
Engineer-in-Training/Scientist-in-Training III	ES3	$ 105.00 - $ 140.00
Project Engineer/Scientist	ES4	$ 120.00 - $ 150.00
Senior Project Engineer/Scientist	ES5	$ 135.00 - $ 195.00
Project Manager	ES6	$ 175.00 - $ 245.00
Senior Project Manager	ES7	$ 215.00 - $ 275.00
Principal I	ES8	$ 250.00 - $ 330.00
Principal II	ES9	$ 290.00 - $ 400.00
Electrical Engineer in Training I	EE1	$ 85.00 - $ 110.00
Electrical Engineer in Training II	EE2	$ 100.00 - $ 115.00
Electrical Engineer in Training III	EE3	$ 115.00 - $ 140.00
Electrical Specialist	EE4	$ 130.00 - $ 160.00
Programmer	EE5	$ 130.00 - $ 160.00
Programmer II	EE6	$ 130.00 - $ 165.00
Senior Electrical Engineer	EE7	$ 260.00 - $ 295.00

Billing rates are based on "salary cost" times a multiplier of 2.3.

Salary cost is based on direct payroll costs times 1.43. Salary cost includes direct payroll costs, payroll taxes, vacation, holiday, sick leave, employee insurance, and other fringe.

Range of billing rates shown may be adjusted by up to 4 percent annually (at the beginning of each calendar year) during the term of this agreement. The multipliers shown will not be adjusted.

A multiplier of 1.15 will be applied to all direct expenses.

A technology charge will be billed at $2 per labor hour.

City of Sherman

Post Oak Wastewater Treatment Plant Condition Assessment

Condition Assessment

Level 2 (Phase) No. and Description *Level 3 (Task) No. and Description*	Principal (hrs)	Sr. Elec Engr (hrs)	Sr. Proj Mgr (hrs)	Project Mgr (hrs)	EIT (hrs)	Technician (hrs)	Clerical (hrs)	QC (hrs)	Total Labor Hours	Total Labor Fee ($$$)	Percent of Total Fee
Design Phase Services	**42**	**124**	**68**	**179**	**290**	**24**	**20**	**36**	**783**	**$ 157,825**	**100.0%**
Task 1 - Project Management, Meetings, and Site Visits	**26**	**22**	**26**	**93**	**46**	**0**	**0**	**20**	**233**	**$ 53,095**	**33.6%**
1 Kickoff Meeting	4	4	4	4	9				25	$ 5,390	3.4%
2 Kickoff Meeting Agenda and Notes	1	1	1	2	3				8	$ 1,660	1.1%
3 Internal Progress Meetings (2)	2	2	2	2	2				10	$ 2,370	1.5%
4 Internal Progress Meetings Agendas and Notes (2)				2	2				4	$ 690	0.4%
5 Workshops at Plant (2)	12	8	12	12	12				56	$ 13,100	8.3%
6 Workshops Agendas and Notes (2)	2	2	2	4	4				14	$ 3,060	1.9%
7 Client Final Review Call	2	2	2	2	2				10	$ 2,370	1.5%
8 Internal Coordination Meetings	3	3	3	12	12				33	$ 6,660	4.2%
9 Project Management				53					53	$ 11,395	7.2%
10 Quality Control								20	20	$ 6,400	4.1%
Task 2 - Condition Assessment	**8**	**16**	**24**	**46**	**92**	**8**	**8**	**4**	**206**	**$ 37,970**	**24.1%**
1 Document Recent Improvements	1		2	4	8				15	$ 2,700	1.7%
2 Assess Condition and Score Each Major Asset	1		8	8	16				33	$ 6,040	3.8%
3 Perform Criticality Assessment of Each Asset	1		4	4	12				21	$ 3,700	2.3%
4 Summarize Results of Condition Assessment and Criticality Assessment			2	2	16				20	$ 2,990	1.9%
5 Develop Rehabilitation OPCC	1	8	4	8	24				45	$ 8,360	5.3%
6 Prepare Chapter on Condition Assessment	2	8	4	8	16	8	8	4	58	$ 10,960	6.9%
7 Subconsultant Coordination	2			12					14	$ 3,220	2.0%
									0	$ -	0.0%
Task 3 - Solids Treatment Train Planning Evaluation	**3**	**0**	**6**	**16**	**40**	**8**	**4**	**4**	**81**	**$ 13,880**	**8.8%**
1 Solids Storage Evaluation	1.0		2	4	8				15	$ 2,700	1.7%
2 Solids Treatment Process Evaluation	1.0		2	4	16				23	$ 3,740	2.4%
3 Prepare Chapter on Solids Treatment Train	1		2	8	16	8	4	4	43	$ 7,440	4.7%
Task 4 - Electrical, Instrumentation, and Control Evaluation	**2**	**76**	**0**	**0**	**64**	**8**	**4**	**4**	**158**	**$ 33,080**	**21.0%**
1 E/I/C Improvements Evaluation	1	60			40				101	$ 22,320	14.1%
2 Prepare Chapter on Electrical, Instrumentation, and Control Evaluation	1	16			24	8	4	4	57	$ 10,760	6.8%
Task 5 - Implementation Plan	**3**	**10**	**12**	**24**	**48**	**0**	**4**	**4**	**105**	**$ 19,800**	**12.5%**
1 Develop Priority List and Phasing Plan	1.0	4	4	8	16				33	$ 6,200	3.9%
2 Develop Implementation OPCC	1.0	2	4	8	16				31	$ 5,640	3.6%
3 Prepare Chapter on Implementation Plan	1	4	4	8	16		4	4	41	$ 7,960	5.0%
TOTAL LABOR											
Total Labor Hours	**42**	**124**	**68**	**179**	**290**	**24**	**20**	**36**	**783**		
Total Labor Amount										**$ 157,825**	**100.0%**
Total Amounts by Labor Category	**$ 13,440**	**$ 34,720**	**$ 16,320**	**$ 38,485**	**$ 37,700**	**$ 3,240**	**$ 2,400**	**$ 11,520**		**$ 157,825**	
Labor Category Percent of Total Labor	**8.5%**	**22.0%**	**10.3%**	**24.4%**	**23.9%**	**2.1%**	**1.5%**	**7.3%**			**100.0%**
TOTAL EXPENSES (see breakdown below)											
Total Subconsultants										**$ 19,800**	
Total Reimbursables										**$ 4,556**	
Total Expenses										**$ 24,356**	
GRAND TOTAL - Design Phase Services										**$ 182,181**	

SUBCONSULTANT EXPENSES

Code	Description	Budget ($$)	Markup	Fee ($$$)
CA	Architect Consultant	$ -	1.10	$ -
CC	Civil Engr Consultant	$ -	1.10	$ -
CE	Electrical Consultant	$ -	1.10	$ -
CG	Geotechnical Consultant	$ -	1.10	$ -
CM	Mechanical Consultant	$ -	1.10	$ -
CO	Digester Consultant - Vic Weir	$ 15,000	1.10	$ 16,500
CS	Structural Consultant	$ 3,000	1.10	$ 3,300
CY	Surveying Consultant	$ -	1.10	$ -
C1	Hydrologist	$ -	1.10	$ -
C2		$ -	1.10	$ -
C3		$ -	1.10	$ -
C4		$ -	1.10	$ -
C5		$ -	1.10	$ -
C6		$ -	1.10	$ -
TOTAL SUBCONSULTANT EXPENSES		**$ 18,000**		**$ 19,800**

REIMBURSABLE EXPENSES

Code	Description	Budget ($$)	Markup	Fee ($$$)
RA	Laboratory Analysis	$ -	1.15	$ -
RC	Computer	$ -	1.15	$ -
RH	Historical	$ -	1.15	$ -
RI	In-House Reproduction	$ 600	1.15	$ 690
RL	Long Distance Telephone	$ -	1.15	$ -
RM	Employee Mileage	$ 500	1.15	$ 575
RO	Other Expenses	$ 1,000	1.15	$ 1,150
RP	Purchased Services	$ -	1.15	$ -
RR	Reproduction	$ 500	1.15	$ 575
RS	Shipping, Delivery, Postage	$ -	1.15	$ -
RT	Travel, Meals, Lodging	$ -	1.15	$ -
RU	Telecommunications	$ 1,566	1.00	$ 1,566
R1		$ -	1.15	$ -
R2		$ -	1.15	$ -
TOTAL REIMBURSABLE EXPENSES		**$ 4,166**		**$ 4,556**

1417
42"
11612
9883
10545
10007
8"
42"
10031
48"
11613
FM 1417
9918
6"
1417
24"
Biological Clarifiers
#1
#3
#2
Headworks Lift Station
11668
8"
Thickeners
#2
#1
Secondary Anaerobic Digester #4
42"
Aeration Basins
#1
#3
#2
6"
2"
Primary Anaerobic Digesters
Second Stage Trickling Filters
PC1
First Stage Trickling Filters
Flow Equalization Basin
PC2
N
2"
PC3
Operations Center & Maint. Bldg.
6"
Post Oak Rd
Sludge Storage Basins
0 100 200 400
Feet
Sherman
CLASSIC TOWN. BROAD HORIZON.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **E. 2.**

Meeting Date: 04/05/2021
Prepared By: Tom Pruitt, Utility Engineer
Approved By: Robby Hefton, City Manager

Caption:

RESOLUTION NO. 6726

Authorizing Execution of a Professional Services Agreement with Parkhill, Smith & Cooper, Inc, DBA Parkhill for Engineering Services for the Water System Emergency Backup Power Project

Issue:

To consider a contract for professional services with Parkhill, Smith & Cooper, Inc, DBA Parkhill for engineering services to design emergency backup power system for 1) the Water Treatment Plant, and 2) the Raw Water Pump Station at Lake Texoma.

Background:

This project is only for the design authorization for the water system emergency backup power sources. Construction is not included in this resolution.

Origination:

Engineering Department

Financial Consideration:

The total Engineering Services fee will be $190,000.00. Funding will come from the 2021 Capital Improvement Program Fund budget for fiscal year 2021, which may require an amendment to account for this project.

Staff Recommendation:

It is recommended that the contract for professional services with Parkhill, Smith & Cooper, Inc, DBA Parkhill for Engineering Services for the Water System Emergency Backup Power Project be approved.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6726
Agreement
Location Map

RESOLUTION NO. 6726

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PARKHILL, SMITH & COOPER INC., DBA PARKHILL FOR ENGINEERING SERVICES FOR THE WATER SYSTEM EMERGENCY BACKUP POWER PROJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a Professional Services Agreement with Parkhill, Smith & Cooper, Inc., DBA Parkhill for engineering services for the Water System Emergency Backup Power Project, in accordance with all contract documents attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this the_____ day of_____, 2021.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

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

BY: _____
RYAN PITTMAN, CITY ATTORNEY

Professional Services/Consultant Agreement

ENGINEERING SERVICES AGREEMENT

This AGREEMENT or CONTRACT is made and entered into this _____ day of April 2021, by and between the City of Sherman, Texas hereinafter also called the OWNER or City, and Parkhill, Smith & Cooper, Inc, DBA Parkhill hereinafter called the ENGINEER or Consultant. On consideration of the mutual agreements herein and subject to the following terms and conditions, the parties mutually agree as follows:

ARTICLE I.
SERVICES TO BE PROVIDED

ENGINEER agrees to furnish professional engineering services in accordance with the terms and conditions of this AGREEMENT (1) with the professional skill and care ordinarily provided by competent engineers practicing in the same or similar locality and under the same or similar circumstances and professional license; and (2) as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer.

ENGINEER shall conduct professional engineering services generally described as follows:

City of Sherman – Water System Emergency Backup Power Project

ARTICLE II.
SCOPE OF WORK

During the term of this AGREEMENT, ENGINEER shall perform at the request and satisfaction of the Engineering Department of the City of Sherman, the stated services and the indicated fee schedule attached as **EXHIBIT A.**

ARTICLE III.
TERM

The contract term shall commence on the date of this AGREEMENT and be completed by December 31, 2021. The contract term may be extended by mutual AGREEMENT of the parties.

ARTICLE IV.
PROJECT INITIATION

Prior to the OWNER issuing a work order to proceed with any assessments, surveys, or other related work, ENGINEER shall provide OWNER with a written proposal detailing the scope of services and providing a fee estimate for proposed work. Said costs are to be based on the attached fee schedule. Final cost, excluding an approved change order, may not exceed the cost estimate by more than 10 percent without written approval of the OWNER.

ARTICLE V.
FEES

Fees for services performed under this AGREEMENT shall be based on an hourly rate for personnel, equipment, and related services as detailed on the fee schedule attached as **EXHIBIT A** to this AGREEMENT. Subcontract services such as consulting with other engineers, as well as other services not specifically listed on the fee schedule, will be performed by subconsultants who operate under a subcontract agreement with ENGINEER. Fees shall be payable from the currently available funds. In the event funds are not available, ENGINEER shall not be obligated to perform the work.

ARTICLE VI.
PAYMENT TERMS

ENGINEER will invoice OWNER for work performed on a monthly basis. In the case of short duration projects, invoicing will be upon project completion, with the invoice issued upon delivery of appropriate proposals or documents. Alternative invoicing methods may be acceptable provided they are agreed to prior to the work being undertaken.

ARTICLE VII.
INSURANCE

Prior to the commencement of services under this AGREEMENT, ENGINEER shall obtain standard comprehensive professional liability insurance coverage in an amount of at least $1,000,000.00 per claim with a $2,000,000.00 aggregate policy limit per year, covering the services provided under this AGREEMENT. A “claims made” policy is acceptable subject to coverage being maintained during the course of the PROJECT and up to two (2) years after completion and acceptance of PROJECT by the City. ENGINEER shall maintain such coverage during all phases of engineering services and for two (2) years after substantial completion of the PROJECT. The OWNER shall be supplied with a certificate of such coverage which shall provide for a thirty (30) day notice of cancellation, non-renewal, to the OWNER by certified mail.

ENGINEER will maintain general insurance coverage as follows:

A. Worker’s Compensation Insurance – Statutory as required by the Texas Labor Code.
B. Employer’s Liability Insurance - $100,000 per accident; $300,000 per disease; $100,000 occupational disease per employee.
C. Commercial General Liability Insurance - $2,000,000 per occurrence; $2,000,000 aggregate policy limit applies per project.
D. Automobile Liability Insurance - $1,000,000 CSL
E. Professional Liability - $1,000,000 per occurrence; $2,000,000 aggregate policy limit. A “claims made” policy is acceptable subject to coverage being maintained during the course of the project and up to two (2) years after completion and acceptance of the project by the City.

ENGINEER shall maintain such coverage during all phases of engineering services and for two (2) years after substantial completion of the PROJECT. The OWNER shall be supplied with a certificate of such coverage which shall provide for a thirty (30) day notice of cancellation, non-renewal, to the OWNER by certified mail.

The OWNER, City of Sherman, including its officers, officials, employees, Boards and Commissions, and volunteers shall be named as an additional insured by endorsement to the general insurance coverage listed in this AGREEMENT, excluding Workers’ Compensation, Employers’ Liability, and Professional Liability (for which a waiver of subrogation is required to be issued in favor of the OWNER), with regard to the ENGINEER’S activities as required by this CONTRACT. The coverage shall contain no

special limitations on the scope of protection afforded to the OWNER, and all premiums arising from the coverage herein shall be the responsibility of the ENGINEER.

ARTICLE VIII.
INDEMNIFICATION

The ENGINEER shall hold harmless and indemnify the OWNER from all claims and liability for damage arising out of or in connection with this CONTRACT to the extent that the damage is caused by or results from failure by the ENGINEER or the ENGINEER'S agent, consultant under contract, or another entity over which the ENGINEER exercises control to perform services with the professional skill and care ordinarily provided by competent engineers practicing in the same or similar locality and under the same or similar circumstances and professional license and as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer, or that results from an act of negligence, intentional tort, intellectual property infringement, or failure to pay a subcontractor or supplier committed by the ENGINEER or the ENGINEER'S agent, consultant under contract, or another entity over which the ENGINEER exercises control. The ENGINEER shall also save harmless the OWNER from any and all expenses, including attorney fees which might be incurred by the OWNER in litigation or otherwise resisting said claim or liabilities, which might be imposed on the OWNER as the result of such negligent acts or omissions by the ENGINEER in proportion to the ENGINEER'S liability.

ENGINEER further agrees that during the course and scope of this AGREEMENT, except with OWNER'S knowledge and consent, ENGINEER shall not represent any third party against the OWNER in any claim, litigation, or other matter, or be retained to act as an expert witness for any third party in any claim, litigation, or any other matter that is, or may be, adversarial to the OWNER, as determined by the OWNER.

Acceptance by the OWNER of the ENGINEER'S work shall not constitute nor be deemed a release of the responsibility and liability of ENGINEER, its employees, subcontractors, agents, or consultants for the accuracy and competency of ENGINEER'S work; nor shall such acceptance be deemed to be an assumption of such responsibility by the OWNER for any defect, error, or omission in the ENGINEER'S work, its employees, subcontractors, agents, and consultants. ENGINEER, shall without additional costs or fee, correct or revise any errors or deficiencies in his performance.

The parties hereby acknowledge and agree that OWNER is entering into this AGREEMENT pursuant to its governmental functions and that nothing contained in the AGREEMENT shall be construed as constituting a waiver of the OWNER'S governmental immunity from suit or liability, which is expressly reserved to the extent allowed by law. Notwithstanding anything to the contrary herein, the parties hereby acknowledge and agree that to the extent this AGREEMENT is subject to the provisions of Subchapter I of Chapter 271, TEXAS LOCAL GOVERNMENT CODE, as amended, the OWNER'S immunity from suit is waived only as set forth in Subchapter I of Chapter 271, TEXAS LOCAL GOVERNMENT CODE. Further, the parties agree that this AGREEMENT is made subject to all applicable provisions of the Texas Civil Practices and Remedies Code ("CPRC"), including but not limited to all defenses, limitations, and exceptions to the limited waiver of immunity from liability provided in Chapter 101 and Chapter 75.

ARTICLE IX.
COMPLIANCE WITH LAWS

The ENGINEER, its consultants, agents, employees and subcontractors shall comply with all applicable Federal and State laws, charter and ordinances of the City of Sherman, as amended, and all other applicable rules and regulations promulgated by local, state and national boards, bureaus and agencies. ENGINEER shall complete only the professional engineering services as required in the performance of the services contracted for herein.

ARTICLE X.
OWNER'S RIGHTS AND OWNERSHIP OR DOCUMENTS

All ENGINEER'S designs and work products under this AGREEMENT including, but not limited to, tracings, drawings, plans, specifications, studies and other documents completed or partially completed, shall be the property of the City, to be used as the City desires, without restriction. ENGINEER specifically waives and releases any proprietary rights or ownership claims herein.

ARTICLE XI.
SUCCESSORS AND ASSIGNS

The City and the ENGINEER each bind himself, his partners, successors, assigns and legal representatives to the other party to this AGREEMENT and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this AGREEMENT. The ENGINEER shall not assign, sublet or transfer its interest in this AGREEMENT without the written consent of the City.

ARTICLE XII.
PROVISION FOR TERMINATION/INTERRUPTION

The City may terminate or suspend the ENGINEER'S services under this AGREEMENT at any time upon paying all sums due the ENGINEER for work to time of termination and after giving the ENGINEER seven (7) calendar days prior written notice by certified mail, stating the reason for such termination or suspension.

In the event of termination or abandonment of the ENGINEER'S services under this AGREEMENT, payment shall be made to the ENGINEER for all services performed to the date of same.

Upon payment in the event of termination or abandonment, all documents prepared by the ENGINEER shall become the property of the City.

If this AGREEMENT is terminated because of material breach of this AGREEMENT by the ENGINEER, the City may have the remaining work and services to be performed by the ENGINEER performed by another engineer, and the ENGINEER shall be liable to the City for any excess costs accrued by the City thereof.

ARTICLE XIII.
CONFIDENTIALITY

ENGINEER will maintain as confidential any documents or information provided by OWNER and will not release or publish same to any third party without prior permission from OWNER, unless compelled by law or order of a court or regulatory body of competent jurisdiction. Such release will occur only after prior notice to OWNER.

ARTICLE XIV.
GOVERNING LAW

This AGREEMENT shall be governed in all respects by the laws of the State of Texas. Venue for this AGREEMENT shall be exclusively in Grayson County, Texas.

ARTICLE XV.
SURVIVAL

All provisions of this AGREEMENT for indemnity or allocation of responsibility or liability between OWNER and ENGINEER shall survive the completion of the services and the termination of the AGREEMENT.

ARTICLE XVI.
SEVERABILTY

In the event that any provision of the AGREEMENT is found to be unenforceable under law, the remaining provisions shall continue in full force and effect.

ARTICLE XVII.
ENGINEERS SEAL

The ENGINEER shall place a Texas Professional Engineer's seal of endorsement on all documents and engineering data furnished by ENGINEER to the Owner.

ARTICLE XVIII.
PUBLIC FUNDING

This Contract is subject to the appropriation of public funds by the City in its budget adopted for any fiscal year for the specific purpose of making payments pursuant to this Contract for that fiscal year. The obligation of the City pursuant to this Contract in any fiscal year for which this Contract is in effect shall constitute a current expense of the City for that fiscal year only, and shall not constitute an indebtedness of the City of any monies other than those lawfully appropriated in any fiscal year. In the event of non-appropriation of funds in any fiscal year to make payments pursuant to this Contract, this Contract may be terminated without any liability to either party.

ARTICLE XIX.
EXTENT OF AGREEMENT

This AGREEMENT represents the entire and integrated AGREEMENT between the City and the ENGINEER and supersedes all prior negotiations, representations or agreements, either written or oral.

EXECUTED in three (3) counterparts (each of which is an original) on behalf of ENGINEER shown below, and on behalf of the OWNER this _____ day of April, 2021.

OWNER:
CITY OF SHERMAN, TEXAS

_____
Robby Hefton, City Manager

ATTEST:

_____

ENGINEER:
PARKHILL

_____
Ryan Kennerly, Principal

ATTEST:

_____

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

BY: _____

NAME: _____
CITY ATTORNEY

CORPORATE ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF Tarrant §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Ryan Kennerly of Parkhill known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Parkhill, a corporation, that (s)he was duly authorized to perform the same by appropriate resolution of the board of directors of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 29 day of March, A.D. 2021.

SHARON WEST
Notary Public, State of Texas
Comm. Expires 01-21-2022
Notary ID 2443564

Notary Public In and For Tarrant County, Texas

My Commission Expires:
1-21-2022

EXHIBIT A
SCOPE OF SERVICES, FEE, AND RATE SCHEDULE

Parkhill

March 29, 2021

Tom Pruitt, PE
Utility Engineer
220 W Mulberry St
Sherman, TX 75091

Re: Emergency Power Generation – ROWTP & LTPS

Dear Mr. Pruitt:

Parkhill, Smith & Cooper, Inc. (Parkhill) is pleased to provide this proposal to deliver professional services under our engineering, survey and construction administration teams. These tasks are related to the design and construction efforts at two City facilities (RO Water Treatment Plant & Lake Texoma Pump Station) in order to maintain adequate supply and treatment of the potable water system should primary power be disrupted for any reason.

Please see Exhibit A, attached, for a proposed scope of service to be accomplished, along with associated cost. For reference, Parkhill's rate schedule for the current calendar year has also been included.

Thank you for the opportunity to provide our services on this project. We trust the letter is responsive to your request, and we look forward to your approval. Should you have any questions, please do not hesitate to call me at 817.633.0434 or 806.441.1602. I may also be reached by email at rkennerly@parkhill.com

Sincerely,

PARKHILL, SMITH & COOPER, INC.

By

Ryan Kennerly, PE, DBIA
Principal

RSK

Enclosures

cc: Clint Philpott – City of Sherman
Wayne Lee – City of Sherman
Jim Cross – City of Sherman
Oscar Canales – City of Sherman
Marcy Trujillo - Parkhill

EXHIBIT A

Professional Engineering Scope of Services
Emergency Power Generation – ROWTP & LTPS

PROJECT DESCRIPTION

The project generally includes the addition of two new generators and associated electrical feeds, gas and/or diesel supply, automatic transfer switches and concrete support structures.

PROFESSIONAL SERVICES

The following items have been identified as necessary components for delivery of a complete and effective project. Parkhill will perform preliminary analysis of the system to include any required site investigations, verify topographic and site survey components, develop plan and specifications documents, and coordinate bid phase along with construction administration services. *Please note that services do not include SCADA, HMI and/or PLC programming*

Task 1 – Engineering Design and Basic Services:

a. Preliminary Analysis and Investigation:

- Scope development & contract execution
- Site investigation & data collection
- Review of existing as-built documents
- City kick-off and team introductions
- Coordination with local energy providers & inspectors
- Review and suggest grant and/or loan forgiveness opportunities.
- Coordination with NTMWD @ LTPS

b. Design and City Compliance:

- 60% design documents (plans & specifications) / QA/QC review
- City review and comment period
- Manufacturer coordination on material lead times
- 90% design documents (plans & specifications) / QA/QC review
- City review and comment period
- Internal constructability review (Internal)
- Finalize bid documents and submit w/ OPCC

Parkhill.com

c. Bidding and Contract Award:

- Develop & publish project advertisement
- Furnish bid documents to perspective contractors
- Schedule and attend pre-bid conference
- Prepare and issue addenda, as applicable
- Schedule and attend bid opening
- Proposal evaluation and recommendation

d. Construction Administration:

- Schedule and attend pre-construction conference
- Submittal review and approval
- Attend factory testing, as applicable, prior to shipment
- Facilitate monthly construction progress meetings
- Monthly site inspection (maximum of six)
- Preparation of change orders, as applicable
- Prepare applications for payment
- Conformed to construction (as-built) document submittal

Task 2 – Site Survey:

- Topographic and site survey along project limits
- Derive same control, as applicable to existing City files
- Establish control monuments and benchmarks throughout project limits
- Easement description and exhibit development along project limits

OWNER'S SERVICES

- Coordination of site visits at appropriate times throughout the project
- Coordination with utility providers and assistance with any easement procurement
- Design documents review at 60% & 90%
- Facilitate meeting site for project related conferences
- Process engineering and construction pay-application requests

SCHEDULE

Engineering design and basic services will initiate after notification from the Owner and are estimated to conclude no later than December 31st, 2021, or as generator lead times and contractor install will allow, whichever is later.

Parkhill.com

METHOD OF PAYMENT

Owner shall deliver compensation on an hourly rate basis in accordance with the fee summary below. Invoices shall be submitted monthly by the engineer, in a format acceptable to the owner, based upon the percentage of work completed to date. The engineer shall not exceed the stated fee without prior written consent from the Owner.

1a – Preliminary Analysis and Investigation…….…….....$18,000
1b – Design and City Compliance…….…….....$110,000
1c – Bidding & Contract Award.…….……$12,500
1d – Construction Administration…….……$32,500
2 – Site Survey……$17,000

Estimated Hourly Rate, NTE Fee: ***$190,000***

***SPECIAL SERVICES**

Services shall be authorized in writing by the Owner, as needed. Basis of payment is to be determined at the time of authorization. The following are examples and are not intended to be all-inclusive of types of special services which may be required.

- *Architectural improvements to electrical control structures*
- *Funding Agency Form Submission and Application Coordination*
- *Construction Oversight and/or Resident Project Representation*
- *Remote Automation (SCADA), HMI or PLC Design and/or Programming*
- *Bond Counsel*
- *Financial Advisor*
- *Subsurface Utility Engineering (SUE)*
- *Geotechnical Investigation*
- *Construction Materials Testing*

Parkhill.com

PARKHILL 2021 RATE SCHEDULE

Parkhill
Hourly Rate Schedule
January 1, 2021 through December 31, 2021

Client: City of Sherman **Project:** Emergency Power Generation

Agreement Date: TBD **Location:** Sherman, TX

CLASSIFICATION	HOURLY RATE
SUPPORT STAFF I	$64.00
SUPPORT STAFF II	$76.00
SUPPORT STAFF III	$104.00
SUPPORT STAFF IV	$111.00
SUPPORT STAFF V	$123.00
SUPPORT STAFF VI	$133.00
PROFESSIONAL LEVEL I	
Architect	$131.00
Civil Engineer	$136.00
Electrical Engineer	$139.00
Interior Designer	$124.00
Landscape Architect	$124.00
Mechanical Engineer	$136.00
Structural Engineer	$130.00
Surveyor I	$99.00
Other Professional	$122.00
PROFESSIONAL LEVEL II	
Architect	$141.00
Civil Engineer	$152.00
Electrical Engineer	$156.00
Interior Designer	$131.00
Landscape Architect	$131.00
Mechanical Engineer	$156.00
Structural Engineer	$147.00
Surveyor II	$110.00
Other Professional	$129.00

CLASSIFICATION	HOURLY RATE
PROFESSIONAL LEVEL III	
Architect	$160.00
Civil Engineer	$189.00
Electrical Engineer	$183.00
Interior Designer	$144.00
Landscape Architect	$155.00
Mechanical Engineer	$183.00
Structural Engineer	$181.00
Surveyor III	$128.00
Other Professional	$141.00
PROFESSIONAL LEVEL IV	
Architect	$197.00
Civil Engineer	$220.00
Electrical Engineer	$215.00
Interior Designer	$156.00
Landscape Architect	$168.00
Mechanical Engineer	$215.00
Structural Engineer	$210.00
Surveyor IV	$147.00
Other Professional	$167.00
PROFESSIONAL LEVEL V	
Architect	$238.00
Civil Engineer	$265.00
Electrical Engineer	$263.00
Interior Designer	$189.00
Landscape Architect	$207.00
Mechanical Engineer	$263.00
Structural Engineer	$253.00
Professional Surveyor V	$174.00
Other Professional	$185.00

CLASSIFICATION	HOURLY RATE
PROFESSIONAL LEVEL VI	
Architect	$265.00
Civil Engineer	$286.00
Electrical Engineer	$297.00
Interior Designer	$229.00
Landscape Architect	$247.00
Mechanical Engineer	$297.00
Structural Engineer	$273.00
Professional Surveyor VI	$208.00
Other Professional	$225.00
PROFESSIONAL LEVEL VII	
Architect	$341.00
Civil Engineer	$341.00
Electrical Engineer	$341.00
Interior Designer	$257.00
Landscape Architect	$341.00
Mechanical Engineer	$341.00
Structural Engineer	$341.00
Professional Surveyor VII	$231.00
Other Professional	$341.00

Expenses: Reimbursement for expenses as listed, but not limited to, incurred in connection with services, will be at cost plus 15 percent for items such as:

1. Maps, photographs, postage, phone, reproductions, printing, equipment rental, and special supplies related to the services.
2. Consultants, soils engineers, surveyors, contractors, and other outside services.
3. Rented vehicles, local public transportation and taxis, road toll fees, travel, and subsistence.
4. Special or job-specific fees, insurance, permits, and licenses applicable to work services.
5. Mileage at IRS-approved rate.

Rate for professional staff for legal proceedings or as expert witnesses will be a rate one-and-a-half times these Hourly Rates. Excise and gross receipt taxes, if any, will be added as an expense.

Foregoing Schedule of Charges is incorporated into the Agreement for Services provided, effective January 1, 2021 through December 31, 2021. After December 31, 2021, invoices will reflect the Schedule of Charges currently in effect.

Water Treatment Plant
La Cima Rd
72"
24"
12"
N
0 125 250 500
Feet
GeoEye, Maxar, Microsoft, Esri
Wildlife, BuildingFootprintUSA, Esr
Sherman
CLASSIC TOWN. BROAD HORIZON.

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 1.**

Meeting Date: 04/05/2021

Prepared By: Teri Fine, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Receive Quarterly Progress Report from Sherman Economic Development Corporation President Kent Sharp

Issue:

To receive the Sherman Economic Development Corporation (SEDCO) quarterly progress report from President Kent Sharp

Background:

The brief presentation by the SEDCO President will provide the City Council with an overview of SEDCO's activities and accomplishments during the period of January 2021 through the end of March 2021. SEDCO's last update for the quarterly period of October, November and December 2020 was presented at the January 4th City Council meeting.

Origination:

City Council

Financial Consideration:

This presentation is for informational purposes only and has no impact on the City's revenues or expenses.

Staff Recommendation:

No action is required of the City Council.

Alternatives:

None recommended

Attachments

SEDCO's Quarterly Progress Report

REPORTING FORM FOR BOARDS AND COMMISSIONS

Name of Board: **Sherman Economic Development Corporation**

Name of Chair: Janie Bates
Name of Vice-Chair: Gail Utter

Date of Report to City Council: April 5, 2021

1. **In simple terms and as briefly as possible, please describe the mission of your board.**
   - *The mission of the Sherman Economic Development Corporation (SEDCO) is to grow and diversify the economy of Sherman and the surrounding area through the addition of new jobs and investment of primary employers.*

2. **Please list the top accomplishments of your board within the past quarter. (Please limit the list to five or fewer items).**
   - *The SEDCO Board passed Resolution No. SEDCO-2021.01 authorizing the execution of a contract of sale agreement with Sherman Development Limited Partnership No. 1, L.P. for the acquisition of approx. 114.94 acres located south and southeast of Emerson. SEDCO closed on this property in February, and it is now marketed as Progress Park VIII.*
   - *The SEDCO Board passed Resolution No. SEDCO-2021.02 authorizing an extension of the assistance awarded to Elevate Recoveries through February 1, 2022.*
   - *The SEDCO Board passed Resolution No. SEDCO-2021.03 authorizing an incentive up to $70,000 to P.Q.D. International, Inc. towards their $1,400,000 project. PQD purchased a building in Midway Park and the current business residing in that building, which retained six jobs. PQD will add two new jobs for a total of eight jobs.*
   - *SEDCO presented the first incentive payment of $90,163.88 to Eternity Technologies. The company has invested $1,803,277.50 in capital expenditures.*

3. **What are your plans for this board in the next quarter?**
   - *Compete aggressively for the attraction of new jobs and investments to the city from existing Sherman employers and new companies, both nationally and internationally.*
   - *Work closely with companies that have announced new investments in Sherman to ensure they have the support to meet their goals and receive the incentives as identified in the Performance Agreements.*
   - *SEDCO will close on the 10.33 acres located at the southeast corner of Dorset Drive and Howe Drive.*
   - *Continue working with Retail Strategies on the geofence study to learn more about the people that live in Grayson County but commute to Collin County for work (and vice versa) and how to target them.*
   - *Update the Raising Innovative Sherman Entrepreneurs (RISE) Challenge collateral for the next competition and schedule a meeting with the Sherman bank lenders to educate them on the program, so when an eligible Type A project comes to their bank for a loan, they can share how RISE can assist in reaching those fundraising goals.*
   - *Kent will continue business retention and expansion visits to the Sherman industries and attend meetings for the Texas Economic Development Council (TEDC), Center for Workplace Learning (CWL) Advisory Board, Advanced Manufacturing Program (AMP),*

North Texas Regional Airport (NTRA) Master Plan Steering Committee, United Way of Grayson County, Grayson Leadership Roundtable, and the Sherman Education Foundation Board.

- *Host the Summer Leadership Breakfast on June 22nd.*
- *To celebrate SEDCO's 25th Anniversary, we will release a video that highlights Sherman's industrial history leading up to SEDCO's start and to present day.*
- *Poll the Plant Managers, Safety Leaders and Human Resource Managers to plan either in-person or virtual forums for Q2 2021.*
- *Contact each company with a job listing on shermantxjobs.com for updates. New listings will be boosted on Facebook.*
- *The staff will attend the TEDC Mid-Year Conference.*
- *Sponsor and set up a tee box at the Sherman Chamber Golf Tournament.*

4. **How often did this board meet in the last quarter?**
   - *The SEDCO Board meets on the second Tuesday of each month and holds special called meetings when needed. Since our last report, the SEDCO Board held two regularly scheduled meetings (January 12th, March 9th). The February 9th meeting was cancelled due to winter weather.*

5. **In what percentage of those meetings was a quorum of board members present?**
   - *100%*

6. **Did any member attend less than 75% of those meetings? If so, which member and how often did they attend.**
   - *Only two meetings were held this quarter. Janie Bates, Scott Bandemir, Daniel Worrell, and Jason Brumm attended both meetings. Gail Utter attended one of the two meetings.*

7. **What other information would your board like to communicate to the City Council? (please be concise in your response).**
   - *SEDCO is presently working 5 active projects with an estimated $905M in investments and approximately 4,754 new jobs.*
   - *We completed one site visit and two prospect meetings.*
   - *Launched a marketing campaign for approx. 50 California companies in our target markets using contacts through the Gazelle AI software and LinkedIn. The campaign includes targeted LinkedIn marketing, direct mailers, and follow up emails/LinkedIn messages.*
   - *Kent completed Business Retention and Expansion visits with Commissary Express, Eternity Technologies, and 903 Brewers.*
   - *The staff relayed updates to the Sherman industries and collected answers to their questions during the winter weather event.*
   - *Representatives from SEDCO, Austin College, the City of Sherman, II-VI, and GlobiTech gathered for a Task Force Meeting to discuss the issues caused by the winter storm.*
   - *Kent participated in a statewide video conference with the Governor's Office and TEDC to discuss the short-term, intermediate, and long-term effects on economic development efforts in Texas with regards to the winter storm. The discussion centered on how communities can become more proactive when existing companies and potential new companies inquire about the community's preparedness for another major incident.*
   - *Launched a geofence study with Retail Strategies to learn more about incoming and outgoing commuters between Grayson and Collin Counties.*

- *Announced a partnership with the Grayson College CWL to offer no-cost training to full-time employees of Sherman-based, Type A businesses. Twelve courses are being offered during the spring and summer semesters. As of March 31st, the program had 42 registrations across three industries – Altium Packaging, Modular Power Solutions, and Sunny Delight.*
- *Organized an effort for education, workforce, and industry representatives to visit the high schools to talk to the AMP 10th graders as a retention effort.*
- *The staff met with Austin College, the Grayson Small Business Development Center (SBDC), and the judges to brainstorm ideas for the next RISE Challenge which is tentatively scheduled to launch in August.*
- *Kent provided an economic update to the RE/MAX Signature Properties team.*
- *Finalized the production of a commemorative logo for SEDCO's 25th Anniversary and worked with the Sherman Museum to collect photographs, newspaper articles, and other archives for the anniversary video.*
- *Sponsored a total of eight ads on Facebook and LinkedIn promoting Progress Park, RISE, a Presco Job Fair, a Tyson Hiring Event, and an available job a Douglass Distributing.*
- *Completed an aerial map update.*
- *The staff attended the TEDC 2021 Virtual Legislative Conference and participated in two TEDC Webinars – "Data and Analytics for Economic Developers to Support the US Manufacturing Economy" and "TEDC Legislative Update."*
- *Kent attended the following: United Way of Grayson County Board Meeting, Grayson College CWL Advisory Board Meeting, Grayson Leadership Roundtable, TEDC Finance Committee Meeting, AMP Meeting, Sherman Education Foundation Board Meeting, Human Resources Supervisors Training, and the Ribbon Cutting for the new Sherman High School.*
- *Sponsored the virtual Sherman Chamber Annual Awards Luncheon.*

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 2.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Final Plat approval of Lloyd Plyler Addition, being 19.950 acres in the Samuel M. McGlothlin Survey, Abstract No. 811; Lloyd Plyler Construction, LLC., Owner; and Underwood Drafting and Surveying, Surveyor (2300-2600 blocks of Graystone Road and the 3200-3500 blocks of North Frisco Road)

Issue:

To consider Final Plat approval of Lloyd Plyler Addition, being 19.950 acres in the Samuel M. McGlothlin Survey, Abstract No. 811; Lloyd Plyler Construction, LLC., Owner; and Underwood Drafting and Surveying, Surveyor (2300-2600 blocks of Graystone Road and the 3200-3500 blocks of North Frisco Road)

Background:

The property is located in the 2300-2600 blocks of Graystone Road and the 3200-3500 blocks of North Frisco Road; the northeast corner of Graystone Road and North Frisco Road. The property is zoned a C-2 (General Commercial) District. The owner would like to Plat the property into thirteen lots for commercial development.

Origination:

Lloyd Plyler Construction, LLC (Owner)
Underwood Drafting and Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

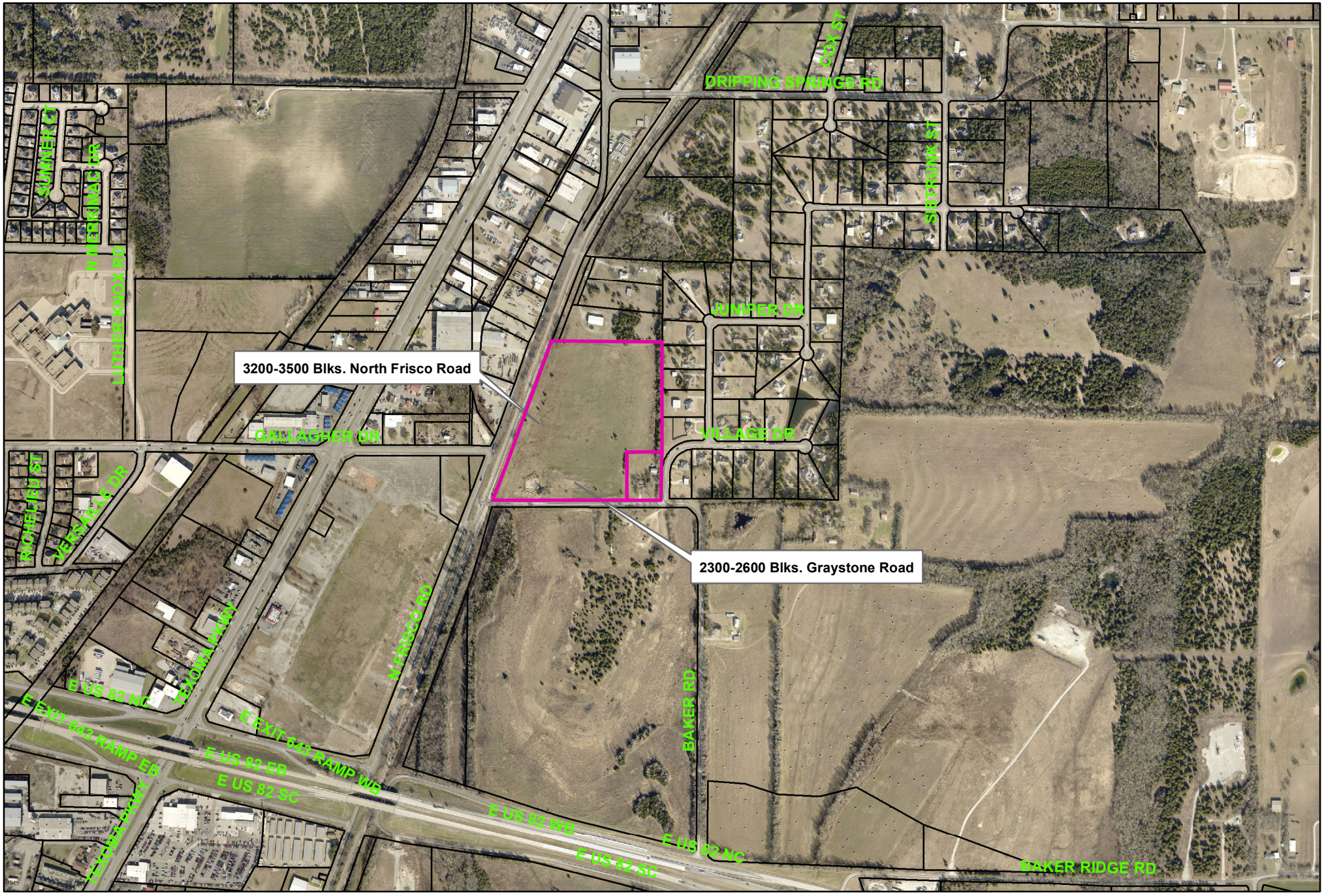
At the March 16, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Lloyd Plyler Addition
Staff Review Letter
P&Z Communication



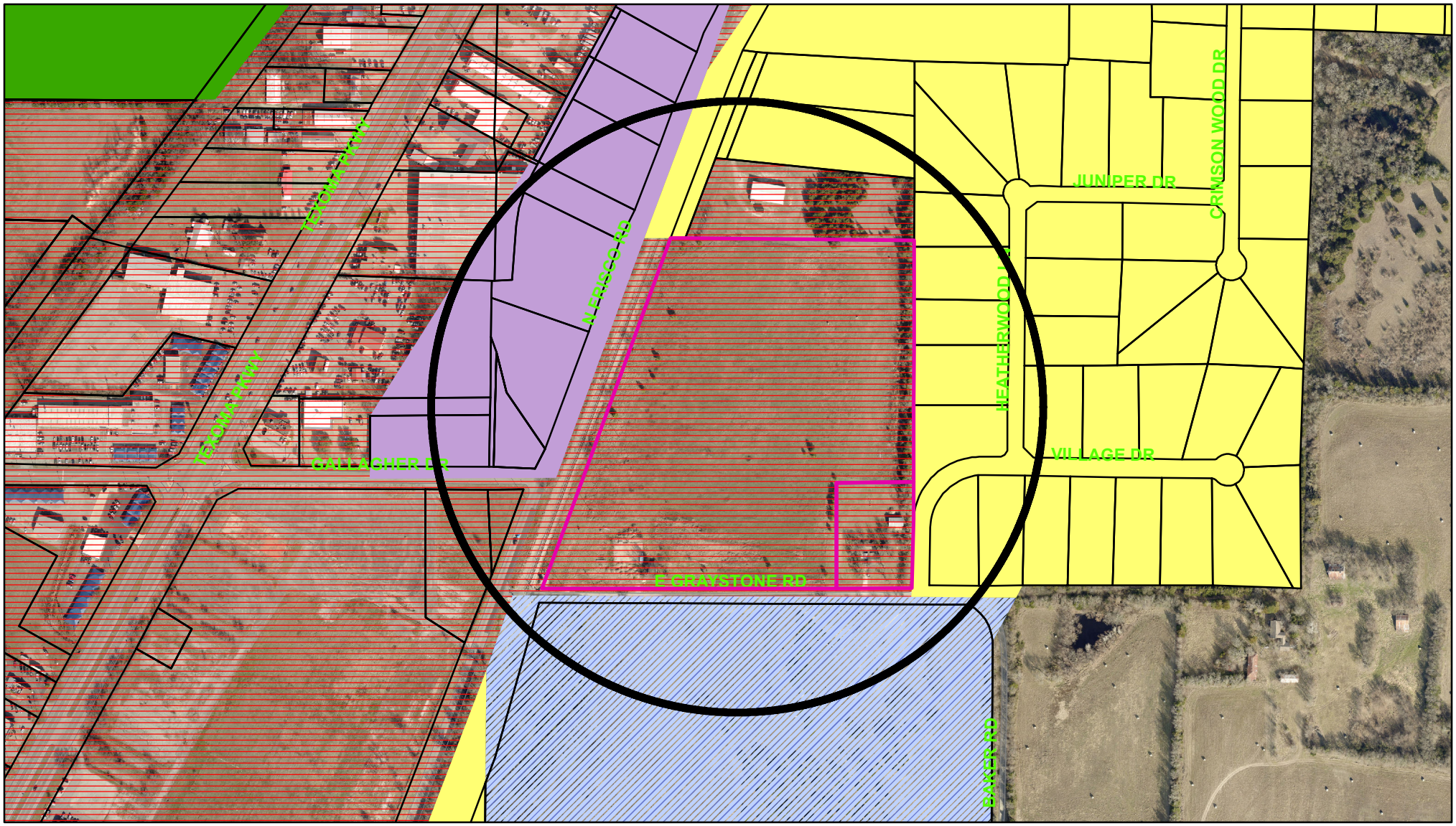
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

2300-2600 Blocks Graystone Road & 3200-3500 Blocks North Frisco Road

NOT TO SCALE

1 in = 800 ft



2300-2600 Blocks Graystone Road & 3200-3500 Blocks North Frisco Road

Legend

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

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

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

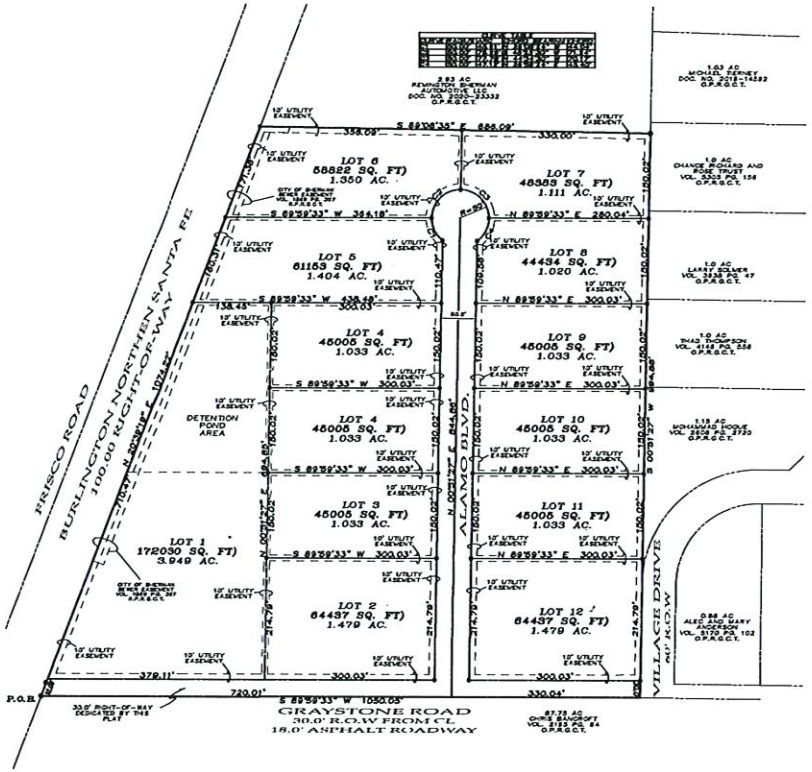
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 400 ft

JOB NO. 21020121



FINAL PLAT

LLOYD PLYLER ADDITION

BEING ALL OF THE 19.95 ACRE TRACT OF LAND
CONVEYED TO LLOYD PLYLER CONSTRUCTION, LLP
IN VOLUME 4897, PAGE 547, O.P.R.G.C.T. AN ADDITION
TO THE CITY OF SHERMAN, GRAYSON COUNTY,
TEXAS
BEING 19.95 ACRES

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

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

OWNERS/DEVELOPER
LLOYD PLYLER CONSTRUCTION LLP.
P.O. BOX 2406
SHERMAN, TEXAS

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

2-17-2021

UNDERWOOD
DRAFTING & SURVEYING

SHEET 1 OF 2

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

JOB NO. 21020121

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Samuel M. McGlothlin Survey, Abstract No. 811, and being a part of the same tract of land described as 19.95 acres conveyed to Lloyd Plyler Construction LLP, by deed recorded in Volume 4897, Page 548, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found ½" steel road at the southwest corner of said 19.95 acre tract, being at the intersection of the east Right-of-Way of the Burlington Northern Santa Fe railroad and the center of Graystone Road;

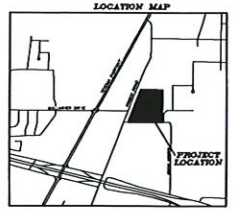
Thence North 20°39'19" East, with the said East Right-of-Way of the Burlington Northern Santa Fe railroad a distance of 1074.22 feet to a set ½" steel rod;

Thence South 89°08'35" East with the south line of a 2.83 acre tract of land conveyed to Remington Sherman Automotive LLC. Recorded in Document Number 2020-23332 of said Official Public Records, a distance of 888.09 feet to a found ½" steel rod;

Thence South 00°31'27" West, with the west line of the Cedar Park Village Addition a distance of 894.85 feet to a found P/K nail in the center of said Graystone Road;

Thence South 89°59'33" West with the center of said Graystone Road a distance of 1050.05 feet to the Point of Beginning and containing 19.950 acres of land.

LOCATION MAP



(NOT TO SCALE)

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, LLOYD PLYLER CONSTRUCTION LLP, do hereby adopt this plat designating the hereinabove property as the LLOYD PLYLER ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in anyway may endanger or interfere with the construction, maintenance and efficiency of its respective systems on any of these easements; and any public utility shall at all times have the right of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this_____day of_____, 2021.

DAVID PLYLER

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this___day of_____, 2021.

Notary Public in and for
the State of Texas
Commission Expires_____

ACCEPTANCE

Approved this _____ day of _____, 2021, by the City Planning Commission to the City of Sherman, Texas.

Chairman Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas Date

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

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

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

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman
3. Electrical service 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.

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, ALTERATE REPLAT OF LOT 8, TAYLOR PLAZA ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the___day of_____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this____day of_____, 2021.

Clerk, City of Sherman, Texas

FINAL PLAT

LLOYD PLYLER ADDITION

BEING ALL OF THE 19.95 ACRE TRACT OF LAND
CONVEYED TO LLOYD PLYLER CONSTRUCTION, LLP
IN VOLUME 4897, PAGE 547, O.P.R.G.C.T. AN ADDITION
TO THE CITY OF SHERMAN, GRAYSON COUNTY,
TEXAS
BEING 19.95 ACRES

OWNERS/DEVELOPER
LLOYD PLYLER CONSTRUCTION LLP.
P.O. BOX 2406
SHERMAN, TEXAS

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

2-17-2021

UNDERWOOD
DRAFTING & SURVEYING

SHEET 2 OF 2

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

Sherman
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STAFF REVIEW LETTER

March 5, 2021

Lloyd Plyler Construction LLP
P.O. Box 2406
Sherman, TX 75091

Underwood Drafting & Surveying, Inc.
3404 Interurban Rd.
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Lloyd Plyler Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 16, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Indicate purpose of dashed line on proposed Lot 1.
2. Vesting info in title block is incorrect. Correct appropriately.
3. Dedicate Sanitary Sewer Easement from Southern boundary of SSE in Vol. 1869, Page 357 extending to property line.
4. Show Easement for water line along northern border of property. Dedicate a 10' Waterline Easement around existing water line if no easement found.
5. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval. Ownership and Maintenance information to be shown on plat.
6. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
7. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

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

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 30.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

* **2300-2600 BLOCKS GRAYSTONE ROAD & 3200–3500 BLOCKS NORTH FRISCO ROAD**

The request of Lloyd Plyler Construction, LLC (Owner) and Underwood Drafting and Surveying, Inc. (Surveyor) concerning the property in the 2300-2600 blocks of Graystone Road and the 3200-3500 blocks of North Frisco Road, being 19.950 acres in the Samuel M. McGlothlin Survey, Abstract No. 811, as follows;

Planning and Zoning Commission

Final Plat approval of Lloyd Plyler Addition.

Background:

The property is located in the 2300-2600 blocks of Graystone Road and the 3200-3500 blocks of North Frisco Road; the northeast corner of Graystone Road and North Frisco Road. The property is zoned a C-2 (General Commercial) District. The owner would like to Plat the property into thirteen lots for commercial development.

Adjacent Zoning:

R-1 (One Family Residential) District
C-2 (General Commercial) District
M-1 (Light Manufacturing) District

Origination:

Lloyd Plyler Construction, LLC (Owner)
Underwood Drafting and Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map
Zoning Map
Lloyd Plyler Addition
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 3.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Final Plat Approval of Mora's Addition, a Replat of the West 104 foot of Lots 21 thru 24, Block 7 of the W.P. Carter's Addition, being 0.239 acres in the J.B. McAnair Survey, Abstract No. 763 also being the west 104 foot of Lots 21-24, Block 7 of W.P. Carter's Addition; M&G Homebuilders, LLC, Owner; Martin Covarrubias, Representative; and Helvey-Wagner Surveying, Inc., Surveyor (1103 & 1105 North Broughton Street)

Issue:

To consider Final Plat Approval of Mora's Addition, a Replat of the West 104 ft. of Lots 21 thru 24, Block 7 of the W.P. Carter's Addition, being 0.239 acres in the J.B. McAnair Survey, Abstract No. 763 also being the west 104 foot of Lots 21-24, Block 7 of W.P. Carter's Addition, M&G Homebuilders, LLC, Owners; Martin Covarrubias, Representative; and Helvey-Wagner Surveying, Inc., Surveyor (1103 & 1105 North Broughton Street)

Background:

The property is located at 1103 and 1105 North Broughton Street, the northeast corner of Broughton and Richards Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into two 50' lots for residential development.

Origination:

M&G Homebuilders, LLC (Owners)
Martin Covarrubias (Representative)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Mora's Addition
Staff Review Letter
P&Z Communication

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

1103 & 1105 North Broughton Street

NOT TO SCALE

1 in = 200 ft

Zoning - 1103 & 1105 North Broughton Street

Legend

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

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

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

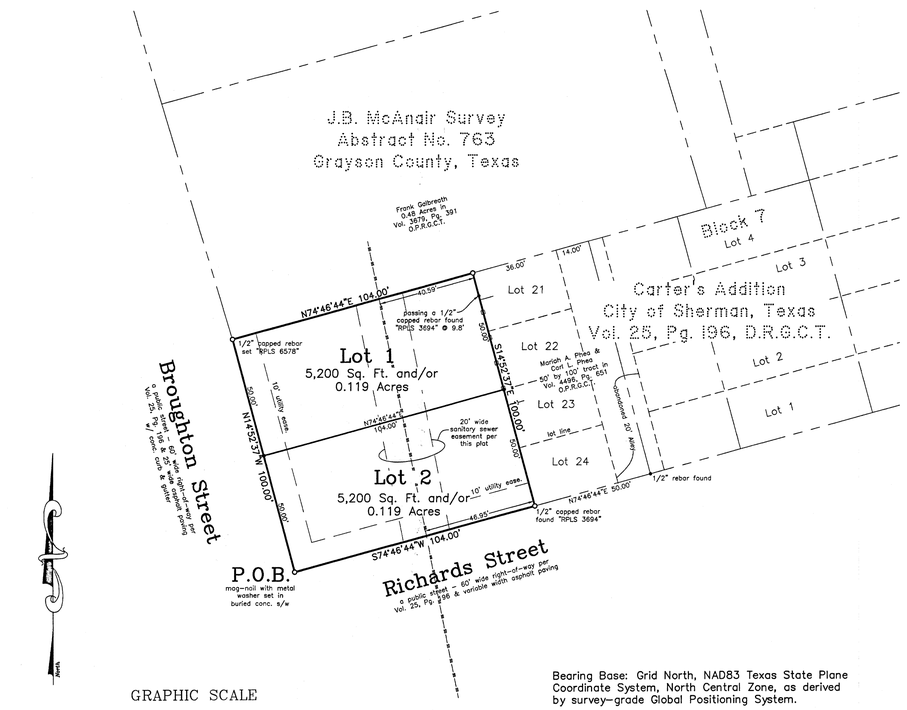
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

N
NOT TO SCALE

1 in = 100 ft

1103 & 1105 North Broughton Street



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

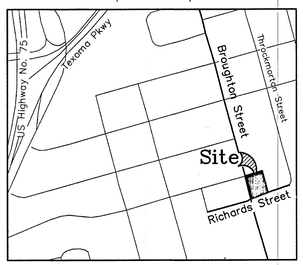
Mora's Addition
(being a Replat of the West 104 ft. of Lots 21 thru 24, Block 7 of the W.P. Carter's Addition) to the City of Sherman, Texas
0.239 Acres
in the
J.B. McAnair Survey Abstract No. 763

Job No. CGS501120

General Notes:

1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Oncor Electric Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0290 F, Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.

Vicinity Map
(not to scale)



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

Owner:
M&G Home Builders, LLC
1218 N. Brents Avenue
Sherman, Texas 75090

S:\Land Projects R2\West-104-ft-of-Lots-21-thru-24-Blk-7-WP-Carters-Addition\Civil 3D\1103-n-broughton.dwg Layout: Plat Plot Date Jan 15 21 Time: 9:48 AM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, being out of the J.B. McAnair Survey, Abstract No. 763, and being the West 104 ft. of Lots 21 thru 24, Block 7 of the W.P. Carter's Addition to the City of Sherman, Texas, recorded in Volume 25, Page 196, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a mag-nail with metal flasher set in buried concrete sidewalk at the intersection of the North line of Richards Street, a public street, with the East line of Broughton Street, a public street, at the Southwest corner of both said Lot 24 and the herein described tract;

THENCE North 14 deg. 52 min. 37 sec. West, with the East line of said Broughton Street and a West line of said Lots 24 thru 21, a distance of 100.00 ft. to a 1/2 inch capped rebar set, stamped "RPLS 6578" at the Northwest corner of both said Lot 21 and the herein described tract;

THENCE North 74 deg. 46 min. 44 sec. East, with the North line of said Lot 21, a distance of 104.00 ft. to a point at the Northwest corner of the 50 ft. by 100 ft. tract of land conveyed to Mariah A Phea and Carl L. Phea, recorded in Volume 4496, Page 651, said Official Public Records (being a part of said Lots 21 thru 24) and the Northeast corner of the herein described;

THENCE South 14 deg. 52 min. 37 sec. East, over and across said Lots 21 thru 24, with the West line of said Phea tract, passing a 1/2 inch rebar found, stamped "RPLS 3694" at a distance of 9.8 ft. and continuing on said course for a **TOTAL** distance of 100.00 ft. to a 1/2 inch capped rebar found, stamped "RPLS 3694" in the North line of said Richards Street, at the Southwest corner of said Phea tract and the Southeast corner of the herein described tract, **SAID** rebar bears South 74 deg. 46 min. 44 sec. West, 50.00 ft. from a 1/2 inch rebar found at the Southeast corner of said Phea tract;

THENCE South 74 deg. 46 min. 44 sec. West, with the North line of said Richards Street and the South line of said Lot 24, a distance of 104.00 ft. to the **PLACE OF BEGINNING** and containing **0.239 ACRES** of land.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

_____
Kate A. Wagner, R. P. L. S. No. 6578 Date:

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

I, M&G Home Builders, LLC, owner of Mora's Addition, being a Replat of the West 104 ft. of Lots 21 thru 24, Block 7 of W.P. Carter's Addition to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

_____
Martin Covarrubias, Authorized Representative for M&G Home Builders, LLC

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Martin Covarrubias, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2020.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of Mora's Addition, being a Replat of the West 104 ft. of Lots 21 thru 24, Block 7 of W.P. Carter's Addition, to the City of Sherman, Texas,, is hereby approved this _____ day of _____, 2020, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the final plat of Mora's Addition, being a Replat of the West 104 ft. of Lots 21 thru 24, Block 7 of W.P. Carter's Addition, to the City of Sherman, Texas,, is hereby approved this _____ day of _____, 2020, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of Mora's Addition, being a Replat of the West 104 ft. of Lots 21 thru 24, Block 7 of W.P. Carter's Addition, to the City of Sherman, Texas,, was submitted to the city council of Sherman, Texas, on the _____ day of _____, 2020, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2020, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Mora's Addition
(being a Replat of the West 104 ft. of Lots 21 thru 24, Block 7 of the W.P. Carter's Addition) to the City of Sherman, Texas

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

S:\Land Projects R2\West-104-ft-of-Lots-21-thru-24-Blk-7-WP-Carters-Addition\Civil 3D\1103-n-broughton.dwg Layout: Plat Plot Date Jan 15 21 Time: 9:48 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

March 5, 2021

M&G Home Builders, LLC
1218 N. Brents Ave.
Sherman, TX 75090

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

Dear Applicants,

The request for approval of the Final Plat of Mora's Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 16, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
2. The width of the right-of-way and pavement for streets shall be shown on the plat.
3. Dates on signature blocks to be updated to 2021.
4. Indicate whether point on Northeast corner of proposed Lot 1 is set or found; reflect appropriately in metes and bounds description.
5. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
6. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
7. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

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

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 8.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

1103 & 1105 NORTH BROUGHTON STREET

The request of M&G Homebuilders, LLC (Owners), Martin Covarrubias (Representative) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 1103 and 1105 North Broughton Street, being 0.239 acres in the J.B. McAnair Survey, Abstract No. 763, also being the west 104 foot of Lots 21-24, Block 7 of W.P. Carter's Addition, as follows:

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.2, Subsection (1) to allow two 50' lots in lieu of the required 60' lot widths for residential development in the proposed Mora's Addition in an R-1 (One-Family Residential) District.

Planning and Zoning Commission

Replat approval of Mora's Addition, a Replat of the West 104 ft. of Lots 21 thru 24, Block 7 of the W.P. Carter's Addition.

Background:

This item was tabled at the December 15, 2020, meeting. The property is located at 1103 and 1105 North Broughton Street, the northeast corner of Broughton and Richards Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to plat the property into two 50' lots for residential development.

Adjacent Zoning:

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

Origination:

M&G Homebuilders, LLC (Owners)
Martin Covarrubias (Representative)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

84

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Mora's Addition
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 4.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Replat Approval of all of Lot 7, the east 20 ft. of Lot 9 and the west 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition, being 0.288 acres in the Samuel Blagg Survey, Abstract No. 56, being all of Lot 7 and the east 20 foot of Lot 9 and the west 10 foot of Lot 5, Block B, Ed Moore's Fair Ground Addition; Heriberto Garcia, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (420 & 422 West Tennessee Street)

Issue:

To consider Replat Approval of all of Lot 7, the east 20 ft. of Lot 9 and the west 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition, being 0.288 acres in the Samuel Blagg Survey, Abstract No. 56, being all of Lot 7 and the east 20 foot of Lot 9 and the west 10 foot of Lot 5, Block B, Ed Moore's Fair Ground Addition; Heriberto Garcia, Owner; and Helvey-Wagner Surveying, Inc., Surveyor (420 & 422 West Tennessee Street)

Background:

The property is located at 420 and 422 West Tennessee Street between South Rusk Street and Austin Street. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into two 50' wide lots for residential development.

Origination:

Heriberto Garcia (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

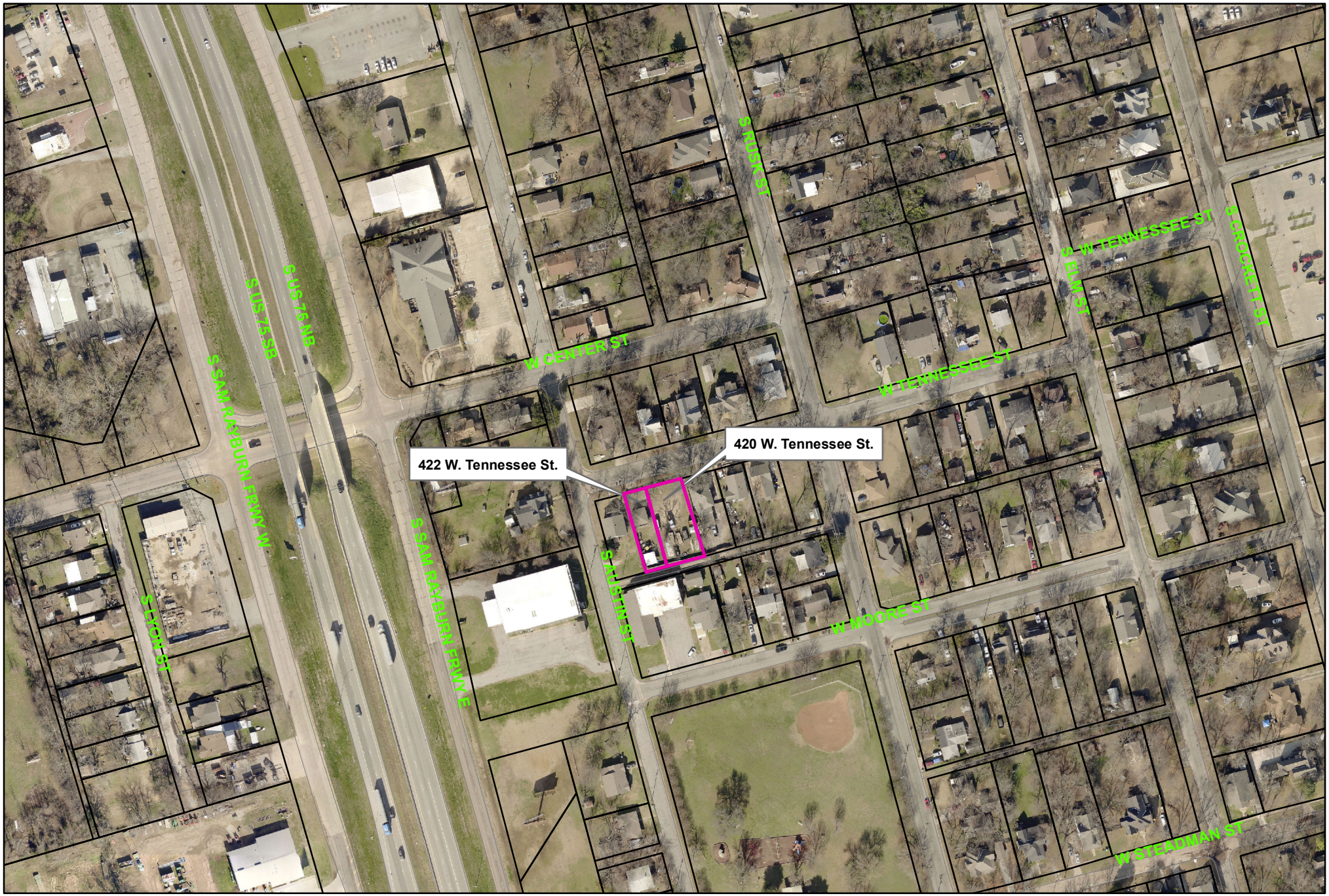
At the March 16, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Ed Moore's Fair Ground Replat
Staff Review Letter
P&Z Communication



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

420 & 422 West Tennessee Street

NOT TO SCALE

1 in = 200 ft

Zoning - 420 & 422 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
- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development

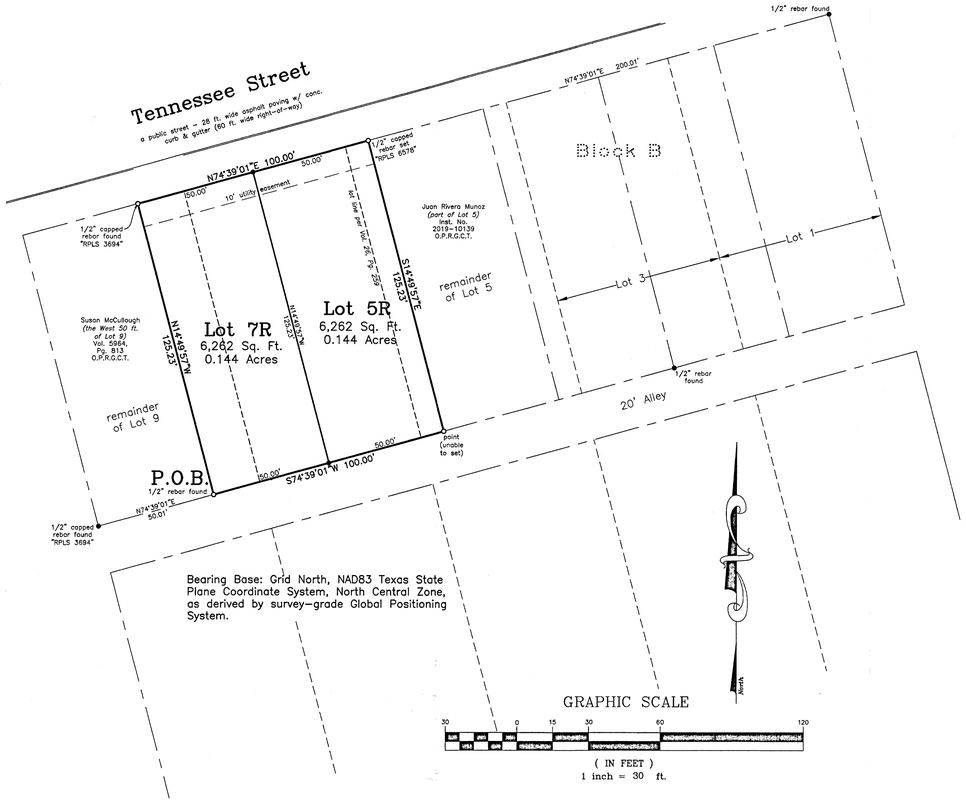
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

420 & 422 West Tennessee Street



Replat of all of Lot 7, the East 20 ft. of Lot 9 and the West 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition

to

City of Sherman, Texas

0.288 Acres

in the

Samuel Blagg Survey Abstract No. 56

General Notes:

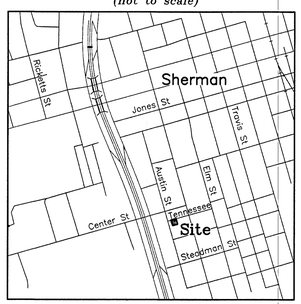
1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery Co.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0290 F, Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Job No. CGS631220

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

Owner:
Heriberto Garcia
122 E. Wilson Street
Sherman, Texas 75090

Vicinity Map
(not to scale)



S:\Land Projects R2\Block-B-Fairground-Addition\Civil 3D\Replat.dwg 12/15/2020 2:49 PM

FIELD NOTES

SITUATED in the City of Sherman, Texas of Texas, being a part of the Samuel Blagg Survey, Abstract No. 56, being all of Lot 7, the East 20 ft. of Lot 9 and the West 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition to the City of Sherman, Texas as per plat of record in Volume 26, Page 259, Deed Records, Grayson County, Texas and being more particularly described by metes and bounds as follows to-wit:

BEGINNING at a ½ inch rebar found in the North line of a 20 ft. wide alley and in the South line of said Lot 9, at the Southwest corner of the herein described tract, SAID rebar bears North 74 deg. 39 min. 01 sec. East, 50.01 ft. from a ½ inch capped rebar found, stamped "RPLS 3964" at the Southwest corner of said Lot 9;

THENCE North 14 deg. 49 min. 57 sec. West, over and across said Lot 9, a distance of 125.23 ft. to a ½ inch capped rebar found, stamped "RPLS 3694" in the South line of Tennessee Street, a public street, and the North line of said Lot 9, at the Northwest corner of the herein described tract;

THENCE North 74 deg. 39 min. 01 sec. East, with the South right-of-way line of said Tennessee Street and the North line of said Lots 9, 7 and 5, a distance of 100.00 ft. to a ½ inch capped rebar set, stamped "RPLS 6578" at the Northeast corner of the herein described tract, SAID rebar bears South 74 deg. 39 min. 01 sec. West, 200.01 ft. from a ½ inch rebar found at the Northeast corner of Lot 1, said Block B;

THENCE South 14 deg. 49 min. 57 sec. East, over and across said Lot 5, a distance of 125.23 ft. to a point in the North line of said 20 ft. wide alley and the South line of said Lot 5, at the Southeast corner of the herein described tract;

THENCE South 74 deg. 39 min. 01 sec. West, with the North line of said alley and the South line of said Lots 5, 7 and 9, a distance of 100.00 ft. to the **PLACE OF BEGINNING** and containing **0.288 ACRES** of land.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

_____
Kate A. Wagner, R. P. L. S. No. 6578 Date:

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

I, Heriberto Garcia, sole owner of the Replat of all of Lot 7, the East 20 ft. of Lot 9 and the West 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition to the City of Sherman, Texas do hereby dedicate the streets, easements, alleys, rights-of-way, parks, school sites and other public places shown hereon to the public use forever.

_____
Heriberto Garcia

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Heriberto Garcia, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2021.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of Replat of all of Lot 7, the East 20 ft. of Lot 9 and the West 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition to the City of Sherman, Texas is hereby approved this _____ day of _____, 2021, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the final plat of Replat of all of Lot 7, the East 20 ft. of Lot 9 and the West 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2021, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of Replat of all of Lot 7, the East 20 ft. of Lot 9 and the West 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition to the City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

WITNESS MY HAND THIS _____ DAY OF _____, 2021, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Replat of all of Lot 7, the East 20 ft. of Lot 9 and the West 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition

to

City of Sherman, Texas

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

S:\Land Projects R2\Block-B-Fairground-Addition\Civil 3D\Replat.dwg 12/15/2020 2:49 PM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

March 5, 2021

Heriberto Garcia
122 E. Wilson St.
Sherman, TX 75090

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

Dear Applicants,

The request for approval of the Replat of all of Lot 7, the East 20 ft. of Lot 9 and the West 10 ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 16, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
2. The City of Sherman does not maintain alleys.
3. The width of the right-of-way and pavement for streets shall be shown on the plat.
4. 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.
5. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
6. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

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

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 6.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

420 & 422 WEST TENNESSEE STREET

The request of Heriberto Garcia (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 420 and 422 West Tennessee Street, being 0.288 acres in the Samuel Blagg Survey, Abstract No. 56, being all of Lot 7 and the east 20 foot of Lot 9 and the west 10 foot of Lot 5, Block B, Ed Moore's Fair Ground Addition, as follows:

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.2, Subsection (1) to allow two 50' lots (Lots 5R and Lot 7R of the proposed Replat of all of Lot 7, the east 20 ft. of Lot 9 and the West 10' ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition) in lieu of the required 60' lot widths for residential dwellings in an R-1 (One-Family Residential) District:

Planning and Zoning Commission

Replat of all of Lot 7, the east 20 ft. of Lot 9 and the West 10' ft. of Lot 5, Block B, Ed Moore's Fair Ground Addition

Background:

The property is located at 420 and 422 West Tennessee Street between South Rusk Street and Austin Street. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into two 50' wide lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Heriberto Garcia (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

34

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Ed Moore's Fair Ground Replat
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 5.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Final Plat Approval of Obara and Odwesso Addition, being 1.01 acres in the Elizabeth Jones Survey, Abstract No. 652; Peter Obara and Paul Odwesso, Owners; and Underwood Drafting and Surveying, Surveyor (1331 West Moore Street)

Issue:

To consider Final Plat Approval of Obara and Odwesso Addition, being 1.01 acres in the Elizabeth Jones Survey, Abstract No. 652; Peter Obara and Paul Odwesso, Owners; and Underwood Drafting and Surveying, Surveyor (1331 West Moore Street)

Background:

The property is located at 1331 West Moore Street, the northeast corner of Moore Street and Holly Avenue. The property is zoned an R-1 (One Family Residential) District. The owner is requesting to Plat the property into three lots for residential development.

Origination:

Peter Obara & Paul Odwesso (Owners)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

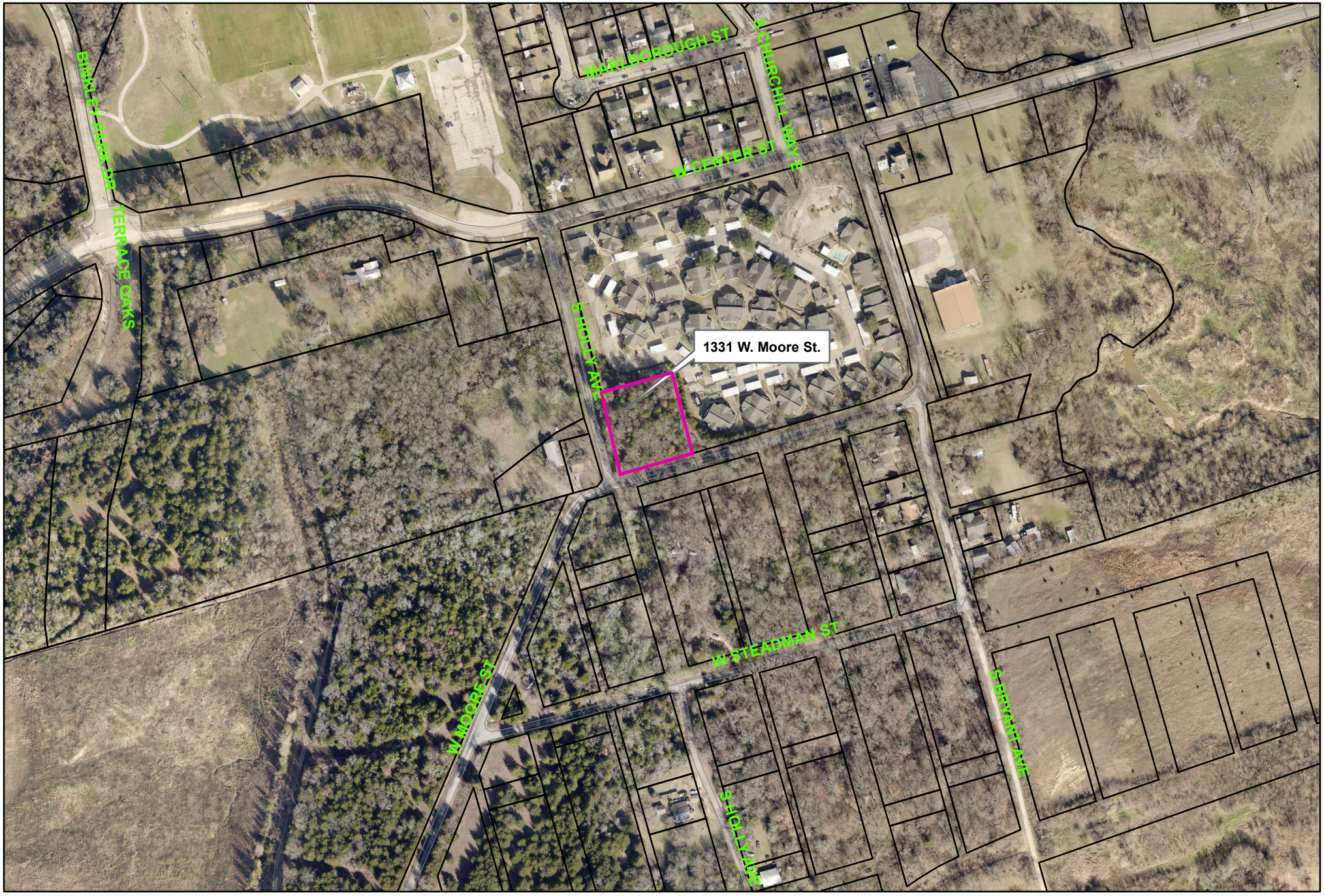
At the March 16, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Obara & Odwesso Addition
Staff Review Letter
P&Z Communication



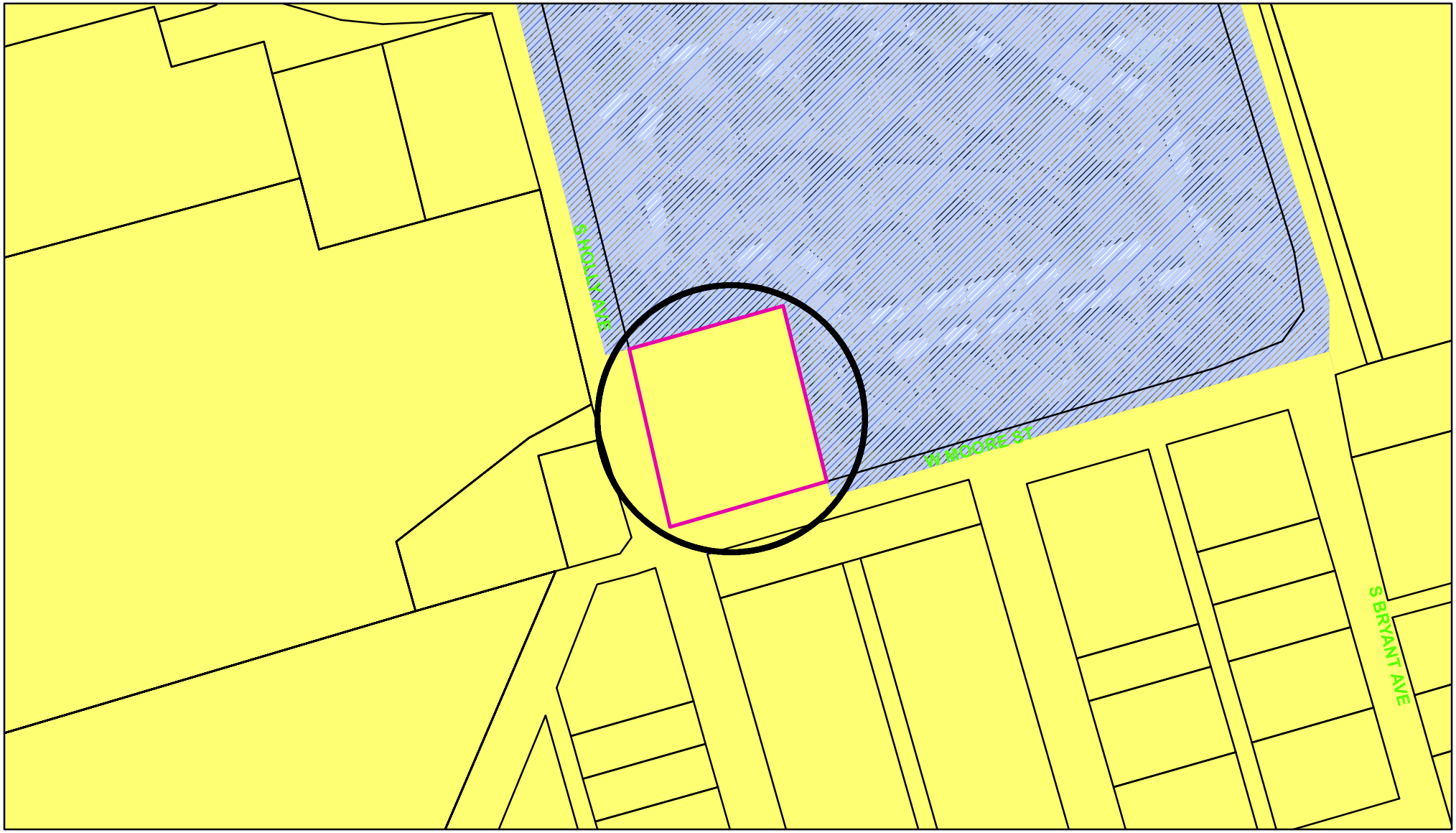
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

1331 West Moore Street

NOT TO SCALE

1 in = 300 ft



Zoning - 1331 West Moore Street

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

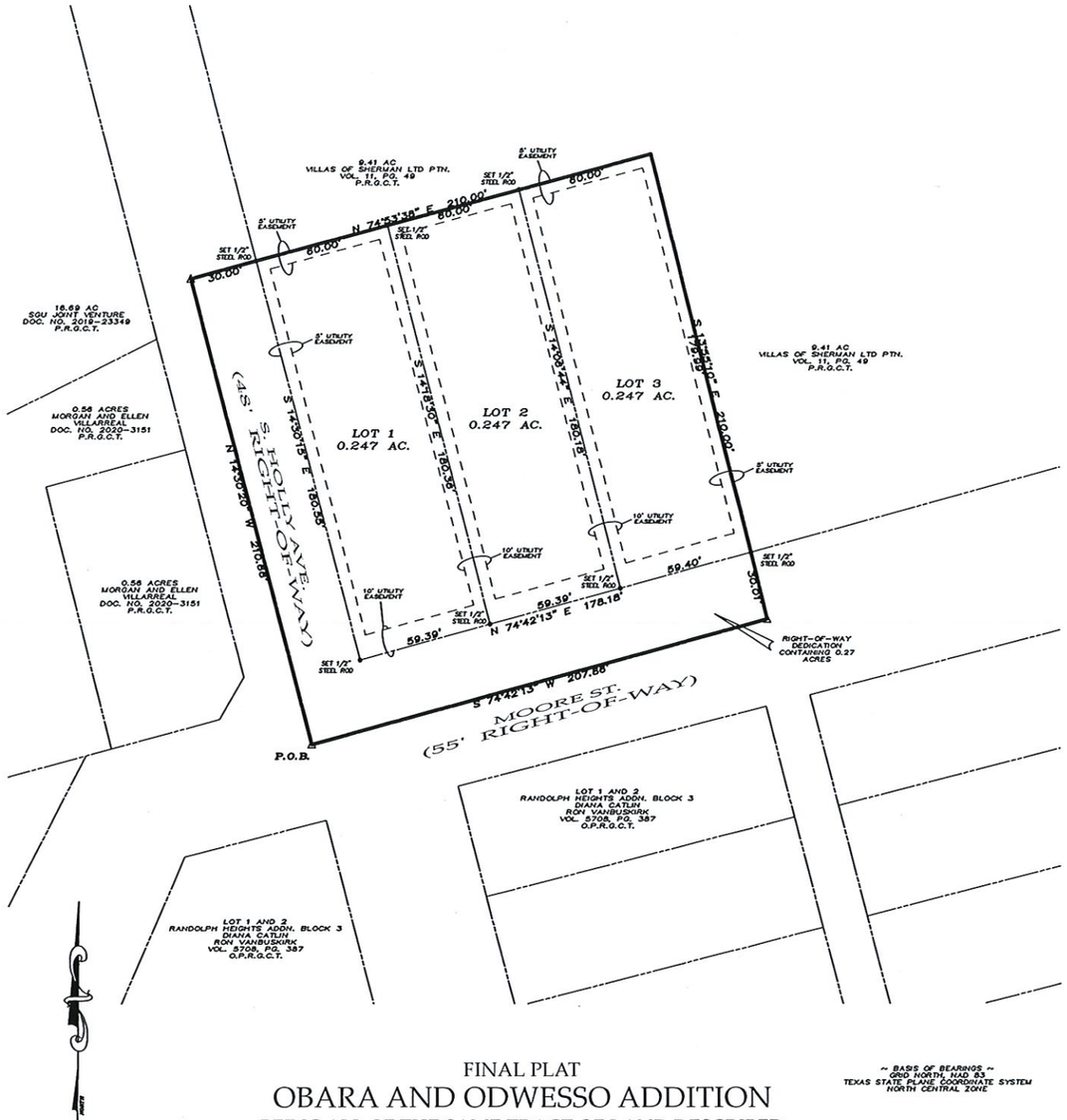
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 152 ft

1331 West Moore Street

JOB NO. 21010002



FINAL PLAT
OBARA AND ODWESSO ADDITION

BEING ALL OF THE SAME TRACT OF LAND DESCRIBED AS A 1.009 ACRE TRACT OF LAND RECORDED IN DOCUMENT NUMBER 2020-36118 O.P.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING 1.01 ACRES

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

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

OWNERS/DEVELOPER
PETER OBARA
1931 W. MOORE STREET
SHERMAN, TEXAS

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

1-19-2021

UNDERWOOD SURVEYING
DRAFTING & SURVEYING

SHEET 1 OF 2

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

JOB NO. 21010002

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 652, and being all of the tract of land described as 1.009 acres conveyed to Peter O. Obara and Paul R. Odwesso by deed recorded in Document Number 2020-36118 Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at Set P/K nail at the intersection of Moore Street and S. Holly Avenue;

Thence North 14°30'15" West with the center of said S. Holly Avenue a distance of 210.88 feet to set P/K nail;

Thence North 74°53'38" East with the most westerly south line of a 9.41 acre tract of land conveyed to Villas of Sherman LTD PTN, Recorded in Volume 11, page 49, Plat Records, Grayson County, Texas a distance of 210.00 feet to a found ½" steel rod;

Thence South 13°55'10" East with the most southerly west line of said 9.41 acre tract of land a distance of 210.00 feet to a set P/K Nail in the center of said Moore Street;

Thence South 74°42'13" West with the center of said Moore Street a distance of 207.88 feet to the Point of Beginning and containing 1.01 acres of land.

ACCEPTANCE

Approved this _____ day of _____, 2021, by the City Planning Commission to the City of Sherman, Texas.

_____ Chairman

_____ Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

_____ Mayor, City of Sherman, Texas

_____ Date

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

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

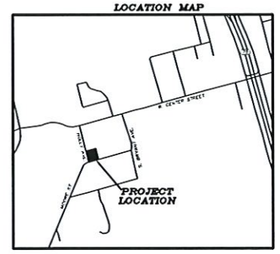
_____ Douglas W. Underwood
Registered Professional
Land Surveyor, No. 4709

_____ Date

~ GENERAL NOTES ~

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

LOCATION MAP



(NOT TO SCALE)

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, PETER OBARA AND PAUL ODWESSO do hereby adopt this plat designating the hereinabove property as the OBARA AND ODWESSO ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this_____day of_____,2021.

_____ PETER OBARA

_____ PAUL ODWESSO

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this___day of_____, 2021.

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

STATE OF TEXAS
COUNTY OF GRAYSON

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this___day of_____, 2021.

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

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, OBARA AND ODWESSO ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the_____day of _____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this_____day of _____,2021.

_____ Clerk, City of Sherman, Texas

FINAL PLAT
OBARA AND ODWESSO ADDITION
BEING ALL OF THE SAME TRACT OF LAND DESCRIBED AS A 1.009 ACRE TRACT OF LAND RECORDED IN DOCUMENT NUMBER 2020-36118 O.P.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING 1.01 ACRES

OWNERS/DEVELOPER
PETER OBARA
1931 W. MOORE STREET
SHERMAN, TEXAS

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

1-19-2021

UNDERWOOD SURVEYING
DRAFTING & SURVEYING

SHEET 2 OF 2

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

March 5, 2021

Peter Obara
1331 W. Moore St.
Sherman, TX 75090

Underwood Drafting & Surveying, Inc.
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Obara and Odwesso Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 16, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
2. The width of the pavement for streets shall be shown on the plat.
3. Remove direction from Holly Avenue.
4. Show a minimum of three (3) found monuments on plat.
5. Metes and bounds do not match. Correct appropriately.
6. Graphically show found steel rod on Northeast corner of proposed Lot 3.
7. Dedicate a 15' Utility Easement along Holly Avenue
8. Dedicate 10' Utility Easements along Moore Street frontage.
9. Remove Utility Easements from between lots, along North addition boundary line, and East addition boundary line.
10. Dedicate 15' corner clip on Southwest corner of proposed Lot 1.
11. Add zip code to ownership block and surveyor block.
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. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
14. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department

for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

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

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 11.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

1331 WEST MOORE STREET

The request of Peter Obara & Paul Odwesso (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 1331 West Moore Street, being 1.01 acres in the Elizabeth Jones Survey, Abstract No. 652, as follows:

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.2, Subsection (1) to allow the following lots widths in lieu of the required 60' lot width for residential dwellings in the proposed Obara and Odwesso Addition in an R-1 (One-Family Residential) District:

Lot 1 – 59.39'
Lot 2 – 59.39'
Lot 3 – 59.40'

Planning and Zoning Commission

Final Plat approval of Obara and Odwesso Addition.

Background:

The property is located at 1331 West Moore Street, the northeast corner of Moore Street and Holly Avenue. The property is zoned an R-1 (One Family Residential) District. The owner is requesting to Replat the property into three lots for residential development. They are also requesting approval for an exception for three lots less than 60' wide.

Adjacent Zoning:

R-1 (One Family Residential) District
R-2 (Multi-Family Residential) District

Origination:

Peter Obara & Paul Odwesso (Owners)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Natural – Natural areas are wooded or vegetated lands which are essentially untouched by development and still retain significant resources.

Number of notices mailed:

8

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Obara & Odwesso Addition
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 6.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Replat approval of Lots 14, 16 & the W/2 of 12, A. R. Loving's Addition, being all of Lots 14 & 16 and the West 2' of Lot 12 of A R Loving's Addition; Thomas L. Shields, Owner; Paul Terrell, Representative, NBS Drafting and Design, Draftsman and Copley Land Surveying, Surveyor (323, 325, 329, 331 and 333 W. Jones Street)

Issue:

To consider Replat approval of Lots 14, 16 & the W/2 of 12, A. R. Loving's Addition, being all of Lots 14 & 16 and the West 2' of Lot 12 of A R Loving's Addition; Thomas L. Shields, Owner; Paul Terrell, Representative, NBS Drafting and Design, Draftsman and Copley Land Surveying, Surveyor (323, 325, 329, 331 and 333 W. Jones Street)

Background:

The property is located at 323, 325, 329 331 and 333 West Jones Street; the northeast corner of Rusk and Jones Streets. The property is zoned a C-2 (General Commercial) District and located in the Central Business District. The owner would like to Replat the property into three lots for commercial and residential development.

Origination:

Thomas L. Shields (Owner)
Paul Terrell (Representative)
NBS Drafting and Design (Draftsman)
Copley Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
A. R. Loving's Addition Replat
Staff Review Letter
P&Z Communication

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

323, 325, 329, 331 & 333 West Jones Street

NOT TO SCALE

1 in = 120 ft

Zoning - 323, 325, 329, 331 & 333 West Jones Street

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

323, 325, 329, 331 & 333 West Jones Street

N

W E

S

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

0 30 60

SCALE ~ 1" = 30'

Copyright © 2021
Copley Land Surveying, Inc.
All rights reserved.

Replat of
Lots 14 , 16 & the W/2 of 12
A.R. Loving's Addition
an addition to
the City of Sherman
Grayson County, Texas

1/7/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-413-0643, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
TOM SHIELDS
402 W. LAMAR ST.
SHERMAN, TEXAS

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN.
SHERMAN, TEXAS

Legal Description

Situated *in the City of Sherman, County of Grayson, State of Texas being all of Lots 14 & 16 and the W/2 of Lot 12, of the A. R. Loving's Addition, an addition to the City of Sherman, Texas as shown by plat of record in Volume 27, Page 117, Deed Records, Grayson County, Texas being the same Lots conveyed to Tom L. Shields by deed of record in Volume 4312, Page 894, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:*

Beginning *at a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 at the intersection of the north line of W. Jones Street and the east line of S. Rusk Street being the southwest corner of said Lot 16;*

Thence ***North 15°31'01" West****, along the east line of said S. Rusk Street and the west line of said Lot 16, a distance of* ***144.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the northwest corner of said Lot 16 in the south line of a 12' alley;*

Thence ***North 75°41'52" East****, along the north line of said Lots 16, 14, & 12 and the south line of said 12' alley, a distance of* ***144.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 in the north line of said Lot 12 for the northeast corner of the herein described tract;*

Thence ***South 15°31'01" East****, over and across said Lot 12, a distance of* ***144.00 feet*** *to a 1/2" steel rod found with a cap marked RPLS 6578 in the north line of said W. Jones Street maintaining the southwest corner of said Tom Shields Tract;*

Thence ***South 75°41'52" West****, along the north line of said W. Jones Street, a distance of* ***144.00 feet*** *to the* ***Point-of-Beginning*** *and containing* ***0.476 acres*** *of land.*

KNOWN ALL MEN BY THESE PRESENTS:

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

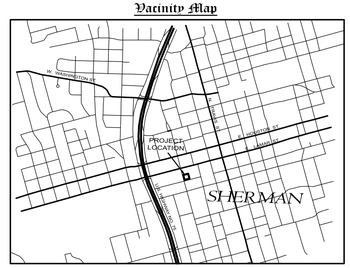
John C. Copley *Date*
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429

~ GENERAL NOTES ~

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

Purpose:
The purpose of this Replat is to adjust Lots 14, 16 & W/2 12 into 3 usable tracts.

Vicinity Map



Owners Certificate & Dedication

STATE OF TEXAS
COUNTY OF GRAYSON

We, TOM L. SHIELDS, Owner and Developer of the Replat of LOTS 14, 16 & the W/2 of 12, of the A.R. LOVING'S ADDITION, an addition to the City of Sherman, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the Replat of LOTS 14, 16 & the W/2 of 12, A.R. LOVING'S ADDITION, an addition to the City of Sherman have been notified and signed this plat.

I (we) further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

WITNESS MY HAND this ____ day of_____, 2021.

TOM SHIELDS
PARTNER

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 TOM SHIELDS, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this__ day of_____, 2021.

Notary Public in and for
the State of Texas

Acceptance of Dedication

Approved this____day of_____,2021, by the City Planning Commission to the City of Sherman, Texas.

Chairman

Secretary

Replat of
Lots 14 , 16 & the W/2 of 12
A.R. Loving's Addition
an addition to
the City of Sherman
Grayson County, Texas

1/7/2021

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-413-0643, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
TOM SHIELDS
402 W. LAMAR ST.
SHERMAN, TEXAS

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN.
SHERMAN, TEXAS

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

March 5, 2021

Tom Shields
402 W. Lamar St.
Sherman, TX 75090

Copley Land Surveying
1702 Verdi Ln.
Sherman, TX 75090

Dear Applicants,

The request for approval of the Replat of Lots 14, 16, & the W/2 of 12, A.R. Loving's Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 16, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Sidewalks are required along both Rusk Street and Jones Street and an ADA compliant pedestrian ramp is required on the corner of Rusk Street and Jones Street.
2. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way.
3. The width of the pavement for streets shall be shown on the plat.
4. Remove direction from Rusk Street and Jones Street on both drawing and from metes and bounds description.
5. Dedicate a 15' corner clip on Lot 16R.
6. Dedicate 10' Utility Easement along all street frontage.
7. Show a minimum of 3 found monuments.
8. Add zip code to ownership block and surveyor block.
9. Addition Name, surrounding plat references, and calls must be in Arial, Calibri, or Times New Roman font.
10. The City of Sherman does not maintain alleys.
11. 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.
12. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
13. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include

the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

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

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 13.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

323, 325, 329, 331 & 333 WEST JONES STREET

The request of Thomas L. Shields (Owner), Paul Terrell (Representative), NBS Drafting and Design (Draftsman) and Copley Land Surveying (Surveyor) concerning the properties at 323, 325, 329, 331 and 333 West Jones Street, being all of Lots 14 & 16 and the West 2' of Lot 12 of A R Loving's Addition, as follows;

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.3, Subsection (1) to allow 50' lot widths on Lots 12R and 14R in lieu of the required 60' lot widths for Two-Family Dwellings (Duplexes) and Section 6.5, Subsection (1) to allow a 44' lot width on Lot 16R in the proposed Replat of Lots 14, 16 & W/2 of Lot 12, A.R. Loving's Addition in a C-2 (General Commercial) District/Central Business District:

Planning and Zoning Commission

Replat approval of Lots 14, 16 & the W/2 of 12, A. R. Loving's Addition

Background:

The property is located at 323, 325, 329 331 and 333 West Jones Street; the northeast corner of Rusk and Jones Streets. The property is zoned a C-2 (General Commercial) District and located in the Central Business District. The owner would like to Replat the property into three lots for commercial and residential development. They are also requesting an exception to allow two of the lots less than 60' and one lot less than 50'.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

Thomas L. Shields (Owner)
Paul Terrell (Representative)
NBS Drafting and Design (Draftsman)
Copley Land Surveying (Surveyor)

Master Plan Designation:

Urban/Downtown – Buildings are two to five stories and are built right up to the sidewalk, creating a sense of enclosure. Sidewalks provide pedestrian access and streetscape amenities. Parking is available along the street or in small parking lots in the rear of the buildings.

Number of notices mailed:

23

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Narrative
A. R. Loving's Addition Replat
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 7.**

Meeting Date: 04/05/2021

Prepared By: Sarah McRae, Tourism/Main Street Manager

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Consider Request of the 2021 Earth Day Planning Committee to Temporarily Close Certain Streets for the "Texoma Earth Day Recycling Event" on Saturday, April 17, 2021.

Issue:

The 2021 Earth Day Planning Committee proposes that in lieu of their Annual Earth Day Festival, they plan to offer an expanded recycling event, "Texoma Earth Day Recycling Event" on Saturday, April 17th. They request barricades for street closures, traffic cones, and the closure of the north side of the Sherman Municipal Building parking lot.

Background:

Ms. Amy Hoffman-Shehan, representing the 2021 Earth Day Planning Committee, proposes to hold "Texoma Earth Day Recycling Event" on the Sherman Municipal Grounds from 9:00 a.m. to 1:00 p.m. on Saturday, April 17th. In order to accommodate the festival, the Committee requests delivery and pick up of cones and barricades for street closures around the Municipal Building and North Municipal Building Parking Lot closure. The street and parking lot closure times are from 7:00 a.m. - 1:30 p.m.

Origination:

Ms. Amy Hoffman-Shehan, Event Organizer, 2021 Earth Day Planning Committee

Financial Consideration:

Barricade placement and removal will be provided by the City of Sherman Street Department.

Staff Recommendation:

It is recommended that the City Council authorize the street closures, City Hall parking lot closure, the utilization of the Municipal Grounds and City resources to accommodate this event.

Alternatives:

As directed by the Council

~~Attachments~~

Request Letter 2021 Texoma Earth Day Recycling Event
Special Events Packet Texoma Earth Day Recycling Event 2021
Map for Texoma Earth Day Recycling Event 2021

Earth Day Festival
Amy Hoffman-Shehan
1503 S Travis St
Sherman TX 75090
www.earthdaytexoma.org

City of Sherman
Robby Hefton, City Manager
Terrence Steele, Assistant City Manager
Clint Philpott, Assistant City Manager
Sarah McRae, Tourism/Main Street Manager
Members of the Sherman City Council

March 25, 2021

We decided to not to hold a Texoma Earth Day Festival this year and will offer an expanded recycling event instead. The Texoma Earth Day Recycling Event will be Saturday, April 17 from 9:00 am to 1:00 pm. We will use the parking lot on the north side of the Sherman Municipal Building for routing traffic and North Rusk Street between Mulberry and Pecan Streets for the recycling event.

The Texoma Earth Day Recycling Event will offer expanded recycling options from previous years, including a community-wide paper shredding event, electronic waste, cardboard, Styrofoam, hard plastics, ink and toner cartridges, and more. We are continuing to work with the Choctaw Nation Going Green program. The program is a valuable resource, providing resources and recycling services and assisting with publicity for the event. Once again, Strategic Materials will provide a roll off container to collect glass bottles and jars, and Keystone Enterprises will once again provide electronic waste recycling. Keystone Enterprises will accept anything that had a current run through it, whether wired, plugged or battery operated. We will accept flat screen televisions, monitors, car batteries, marine batteries and more. In addition, the e-waste event is open to businesses and individuals, and no limits will be imposed. New to our event this year is a latex paint collection sponsored by TCOG and TCEQ. Latex paint in any condition will be accepted as long as the cans are sealed and not leaking. There will be a limit of 10 cans per household, and it is first come first served.

One change in the recycling event will be containers provided by the City of Sherman. We exceeded the capacity of the container provided by Choctaw Nation last fall and requested a separate container for cardboard only from the Solid Waste and Recycling Department. Recently, Oklahoma Department of Transportation instituted changes that prohibit Choctaw Nation from bringing a container for collection into Texas and transporting it back to Oklahoma. Our Solid Waste and Recycling Department will provide the container for the wide assortment of materials Choctaw Nation recycles and will transport it to their facility. This is a greatly appreciated contribution that helps us maintain the services we have offered for the past 12 years.

Event sponsors are: Texoma Earth Day Planning Committee, Doctors Jeannine Hatt and Chuck Phelps, Red River Unitarian Universalist Church, City of Sherman, Choctaw Nation Recycling, Keystone Enterprises, Strategic Materials, Texoma Council of Governments, Texas Commission on Environmental Quality.

Sincerely,
Amy Hoffman-Shehan
Event Organizer

Sherman

CLASSIC TOWN. BROAD HORIZON.

Special Events

Policies and Procedures Manual & Application

Community and Support Services Department
405 N. Rusk
903-892-7230

The City of Sherman is host to a wide variety of special events each year. Those events range from small gatherings to larger community events. The City has recognized that these special events have become an important part of our resident's life by enhancing tourism, culture, recreation and education as well as providing economic benefit to businesses in the City.

Some gatherings due to their size and special requirements may place unique demands on public resources. In order to plan for those demands and to ensure that public health and safety is protected, it is necessary that the city have advance notice of these special events. This manual will provide details outlining what types of events can be hosted and where.

The purpose of the Special Events Policies and Procedures Manual is to provide a consolidated manual to enable special event coordinators or those thinking of hosting an event easy access to the necessary information to help make the event a success. The primary goal of this manual is to create a win-win relationship between the City of Sherman and event organizers. By creating this relationship both parties will be able to receive, in a timely manner, the required information to plan a special event, big or small.

The specific objectives of the policy and procedure manual ensure that:

- The City of Sherman's assets are protected;
- The City of Sherman's citizens interests are met;
- The event organizers work with the merchants and residents to ensure that any negative impact is kept to a minimum;
- All Federal, County and Municipal laws, regulations and statutes are observed;
- The event organizers work closely with the Community and Support Services Department or designee;
- All special event applications are handled in a fair and equitable manner;
- Each event is evaluated in a consistent manner;
- All direct costs related to the services provided by the City of Sherman are recovered.

A special event is defined as a one time, annual, or infrequently occurring event on City of Sherman property that is reserved for exclusive use. Types of events may include but are not limited to: Cultural events that celebrate/educate heritage and cultures; Theatrical events; Commemorative events acknowledging significant dates or occurrences; Community events that provide the community with an opportunity to celebrate; Athletic events; Artistic events that celebrate/display creative and artistic works; or Commercial events designed to generate surplus revenue.

Special Event Permit Application Process

1. Complete the Special Event Permit Application and submit it to the Department of Community and Support Services, along with any applicable fees, sixty (60) days prior to the event date. The Community and Support Services Office is located in the Sherman Municipal Building at 405 N. Rusk on the 2nd Floor.

2. To ensure that your event is moved along in a timely manner, include as much information as possible on the application. You will be contacted for verification if questions arise.

3. After departmental approval from all affected departments, event approval will be placed on the City Council agenda.

4. You will be notified within 30 days of application submittal the date your event will go to City Council for approval. (All special events require City Council approval.)

5. It is advised, but not required; that you or someone from your organization is present at the City Council meeting to answer any questions that may arise.

6. After the City Council has approved your event you will receive written notification of the approval of your Special Event Application.

Events that will be held on the Municipal Grounds or at a park facility will require facility reservation prior to completion of the Special Event Application. Facility reservation does not guarantee event approval, nor does event approval guarantee facility reservation. Facility reservations will be checked prior to event approval and any event that does not have the appropriate facility reserved will be denied.

For annual events, you can submit a Date Request Form to hold the date of your event for the following year. Event date requests should be submitted by October 31st prior to the event year. An event date request may still be submitted after October 31st; however, the event application must be submitted a minimum of sixty (60) days prior to your event. Remember to check facility availability prior to submitting a Date Request Form.

General Policies and Procedures

1. All legislation, bylaws, regulations and City of Sherman Code of Ordinances must be adhered to.

2. The special event staff and volunteers must adhere to all special event policies and procedures. In the interest of public safety, a zero tolerance policy is enforced for all special events. This means failure to comply with standards will result in ticketing and/or closure of event.

3. The special event operator is required to provide evidence of all necessary licenses/permits required to operate the event.

4. The special event operator is required to submit an Emergency Plan with the special event application. The Emergency Plan must identify potential risks and provide information on how to respond to those risks (i.e. severe weather, notification system and evacuation plan).

5. All special events must comply with current ADA standards to allow participation of all residents at the special event they are planning. For useful information on planning an accessible event, please contact the Community and Support Services Office.

6. No person may be permitted at any special event to: (a) carry or sell firearms or prohibited weapons or (b) carry or sell illegal drugs or (c) carry or sell alcohol.

7. Notwithstanding any of the above, the community and support services department or its designee may vary any element of this policy at their sole discretion.

8. Chalk can be used on a limited basis, as outlined by the Public Works Department or designate to enhance the event setup.

9. Facilities will not be used for anything other than what is permitted by the Community and Support Services Department.

Special Event Insurance

1. The special event organizer must maintain commercial liability insurance, with the city listed as an additional insured before the special events permit will be issued.

2. The certificate shall serve as evidence of a policy written by a company licensed in the state.

3. The policy is to be in effect for the duration of the event, with minimum limits of liability of $500,000.00 per occurrence, $1,000,000.00 aggregate for bodily injury, personal injury and property damage, and $100,000.00 per injury, $300,000.00 per occurrence and $100,000.00 per occupational disease.

4. The liability insurance requirements shall not apply to private parties that will not be open to the general public.

5. The City of Sherman reserves the right, solely at its discretion, to set higher insurance limits. This may be required depending on the type of activity planned during the event (e.g. fireworks displays, amusement rides).

6. The special event organizer shall indemnify and hold the City of Sherman harmless from and against all liability, loss, claims, demands, costs, and expenses, including reasonable legal fees, occasioned wholly or in part by any negligence or act of omissions by the above names, their officers, agents, employees, volunteers or others for whom they are responsible at law, arising out of any cause whatsoever, either direct or indirect, through its use and/or operation of city property in connection with the special event.

Special Event Emergency Procedures

1. Fire Code requires a Public Safety Plan for certain events. If a Plan is required, it must address how the organizer plans to alert both the attendees and emergency services personnel to the emergency, how they plan to move attendees to safety and provide Fire and Police access to the scene. The City will notify you if a Plan is required.

2. At no time may the activities of the special event restrict access to the street by police and fire vehicles.

3. Prepare an emergency plan to address the following issues:

   - Medical Aid: Know the location of first-aid kits; identify people who have knowledge of CPR and/or a medical background.
   - Fire Emergencies: Provide fire extinguishers/extinguishing equipment, garden hoses, etc., for all cooking areas.
   - Maintaining and/or providing emergency access (moving barricades, tables, etc.) when necessary.

   The emergency plan should identify all persons assigned to execute the emergency plan operation, the method to alert the personnel (i.e., bullhorn, whistle, bell, etc.), and the response to put into action for the emergency situation.

4. Fire hydrants shall not be blocked at any time by vehicles, tables, decoration, etc. A minimum six-foot clearance must be maintained around hydrants at all times, and a clear unobstructed path from the street to the hydrant. Ropes or other objects shall not be attached to fire hydrants at any time.

5. In the event an emergency vehicle must enter the event area, a minimum sixteen (16) foot wide road clearance must be maintained for the emergency vehicles. At all times during the event, persons shall be designated to be available to move barricades, tables, chairs, etc. if necessary.

6. If emergency vehicles are requested to respond to your event, the designated personnel must immediately go to the appropriate barricades and standby, as the responding vehicles will need access to your event. Having this standby procedure will prevent any delays for the emergency vehicles.

City of Sherman – Police & Fire Rescue Services

1. Crowd control will be the responsibility of the event organizer. A detailed plan outlining the measures put in place to deal with crowd control will be the responsibility of the event organizer. The plan will need to be submitted to the Community and Support Services department along with application submission.

2. The need for the use of security will be evaluated by the Sherman Police Department on an event by event basis. The cost of special/additional support will be the responsibility of the event organizer.

3. The plan will be forwarded by the Community and Support Services department, as needed, to the City of Sherman Fire Department to ensure adequate measures are in place for fire and life safety concerns. If there are any concerns, the event organizer will be contacted prior to your event being placed on the City Council agenda.

Street Closure

1. Applicants requesting a temporary street (meaning any part of the municipal road allowance) closure for any special event will need to request the street closure on the Special Event application.

2. Approval is contingent upon ensuring adequate signage and barricades, a traffic control plan and providing adequate emergency access at all times to the satisfaction of the Community and Support Services department or designate.

3. To request a temporary street closure, the applicant may be asked to submit a petition signed and approved by 100% of the business and residence owners or habitants of adjacent properties on the affected street(s) or block(s).

4. In the event an emergency vehicle must enter the closed area, a minimum sixteen (16) foot wide road clearance must be maintained.

5. The applicant or designee must be present on the site during the entire duration of the street closure.

6. Possession and/or consumption of alcoholic beverages on the closed portion of the street is prohibited, unless approval is granted by motion and order by the City Council.

Noise Policy

1. Noise issues will fall subject to the guidelines set forth in Article 8.07 of the Sherman Code of Ordinances.

2. The creating of any unreasonably loud, disturbing and unnecessary noise within the corporate city limits of the city is prohibited.

3. Any noise of such character, intensity or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare, is prohibited.

4. The maintenance or operation of any loudspeaker or amplifying device on the outside of any building or structure in the city whereby music, speaking or noises of any type are or may be transmitted outside the confines of a fully enclosed stone or wood structure is prohibited.

5. The amplification of sound for special events will be limited to the hours of 8:00a.m. until 9:00p.m., per City Ordinance.

Garbage/Recycling/Site Cleanup/General Maintenance

1. The special event organizer is responsible for the cleanup of the location to the satisfaction of the Community and Support Services Director or designee and the removal of all garbage by noon the day after the event ends.

2. The City will provide all normal maintenance services to its current routine standards including, but not restricted to, grass cutting, snow and ice clearing and any regular janitorial services and supplies at the event location before and during the event. Any additional maintenance required by the special event organizer prior to or during the event, may be at the cost and responsibility of the special event organizer.

3. The City of Sherman will not supply any additional garbage containers over and above the current level for special events, without prior notification. It will be the sole responsibility of the special event organizer to notify the City of collection service needs for the event. Additional fees may be required for additional services.

4. The special event organizer will use recycling containers for beverage cans and bottles.

5. Each event should have the same number of recycling containers as garbage containers and place them appropriately throughout the site.

6. The special event organizer will ensure that a suitable location is provided for food and merchandise vendors to place flattened corrugated cardboard boxes. These will be kept separate from any other recyclables or garbage.

Miscellaneous Requirements

1. Bathroom Facility Requirements

A. The following should be considered when determining the number of toilets to provide at your event.

- Duration of the event
- Weather conditions
- Crowd size, and
- Ticketed or unticketed event.

Where local laws or regulations do not exist, the following table can be used as a guide. Assume a 50/50 male/female split unless otherwise advised.

Crowd Size	Number of Facilities Necessary (dependent on event hours)								
	1	2	3	4	5	6	7	8	9
500	2	4	4	5	6	7	9	9	10
1,000	4	6	8	8	9	9	11	12	13
2,000	5	6	9	12	14	16	18	20	23
3,000	6	9	12	16	20	24	26	30	34
4,000	8	13	16	22	25	30	35	40	45
5,000	12	16	20	25	31	38	44	50	56
10,000	15	25	38	50	63	75	88	100	113

B. A copy of the contract with the Waste Disposal Company must be provided to the Community and Support Services Department no less than 14 days prior to the event.

- Note: the special event coordinator must ensure all washroom/hand wash stations are kept stocked with toilet paper and hand sanitizer.

C. There should be a minimum of one handwashing station with hot/warm water, liquid soap and paper towels immediately adjacent to the bathroom facilities. Washrooms in nearby stores or restaurants are not sufficient. The use of antiseptic hand gels can be used, but it is a good practice to have one handwashing station in case the need arises. The handwashing facilities must be accessible to all event attendees.

D. For more information on portable bathroom facilities please visit the Portable Sanitation Association website at www.psai.org/about.html.

2. Vendors

A. In the interest of public safety, a zero tolerance policy is enforced for all special events. This means failure to comply with standards may result in ticketing and/or closure.

B. All vendors will be required to ensure:

- All outdoor electrical cords used are in good operating condition.
- The use of manufactured extension cords with a three wire configuration or 2 wire polarized outdoor rated cords are acceptable (no modification to cords or equipment is permitted).
- The use of panels that are properly assembled and contained in an approved weatherproof enclosure supplying 15 and 20 amp receptacles only which are protected by Ground Fault Circuit Interrupters.
- Any non weatherproof equipment used in display enclosures (tents, gazebos etc) shall be protected from inclement weather.
- All vendors shall supply the event organizer with the voltage and current that their equipment will require to eliminate overloading of circuits.
- All trailers that are self contained and/or have lighting and equipment may be subjected to a field evaluation by the City of Sherman.

3. Food Vendors

A. The City of Sherman has adopted the provisions of the current rules or rules as amended by the state board of health found in 25 Texas Administrative Code, chapter 229, sections 161 through 171 and 173 through 175, regarding the regulation of food establishments in this jurisdiction.

B. All food vendors must have a temporary food permit.

C. For further information regarding permitting of food vendors please contact the Grayson County Health Department.

4. Alcohol & TABC Licensing

A. The drinking of any alcoholic beverages or the possession of any open container which contains an alcoholic beverage is prohibited and unlawful in the following places:

- In any public park; on the sidewalks, streets and alleys; on any public parking lot; the Ham Center and the Youth Center.
- In or on any public school district campus or facility.

- On any private parking lot of any shopping center or any parking lot of any retail or commercial business.
- In any theatre building and/or drive-in theater within the corporate limits of the city.

B. An alcoholic beverage is defined as any spirits, wine, beer, ale or other liquid containing more than one-half of one (1) percent alcohol by volume.

C. Event organizers must acquire the appropriate temporary permit from the TABC for all events where alcohol will be consumed. If a letter of permission is needed from the City, the request must be made no later than 2 (two) weeks prior to the event date.

5. Petting Zoos or Open Farms

A. Your petting zoo or farm is designed to provide children and students with the joy of coming close to animals. You must remember, however, animals can carry diseases that can make humans ill, and proper precautions must be taken to ensure that the health and safety of all visitors are protected, especially children.

B. For the safety of attendees, the City of Sherman requires the following:

Handwashing:

- Staff/Volunteers must encourage all visitors to wash their hands after handling the animals and before consuming food or drinks.
- There should be a minimum of one handwashing station with hot/warm water, liquid soap and paper towels immediately adjacent to the animal petting area. Washrooms in nearby stores or restaurants are not sufficient.
- The use of antiseptic hand gels can be used, but it is a good practice to have one handwashing station in case the need arises.
- Temporary handwash stations should be installed when permanent facilities are not immediately available.
- The exit to the animal area should be controlled to ensure that all participants pass by the handwash facilities and can use them if they choose.
- Handwashing facilities must be accessible to all visitors.

Operation:

- The public should not be permitted access to any animal enclosure except under the direct supervision of trained personnel. These enclosures should be kept locked outside of regular business hours.

- Ensure that any manure is quickly and thoroughly cleaned up, and appropriately discarded. Straw and sawdust bedding should be replaced at least daily.
- Staff/Volunteers must report all animal bites or scratches, or other injuries resulting from animal contact to Sherman Police Dispatch at 903-892-7290.

Animals:

- Potentially dangerous animals should not be included in a petting zoo. Reptiles and amphibians are not recommended.
- All animals must be in good health, and any animals with diarrhea must be excluded from display immediately.
- All animals must have up to date vaccinations for diseases applicable to the region. Vaccination records must be readily available when requested.
- All animals must have a friendly disposition, and must be comfortable with extensive petting or handling.

Signs:

- Ensure signs are erected at the entrance of the petting zoo or farm encouraging the act of washing hands upon leaving the animal area and before eating.

Sherman
CLASSIC TOWN. BROAD HORIZON.

Special Event Application

This agreement is between the City of Sherman, hereinafter referred to as City, and an event/event coordinator, hereinafter referred to as event, for the cooperation of planning and operating a Special Event.

City reserves the right to close down or cancel any Event that is in violation of any City Ordinance or deviation from this agreement. The City also reserves the right to close down or cancel the Event if public safety or affected department supervisors deem the event unsafe for public participation.

- Application must be submitted at least 60 days prior to the event date.
- The Event must carry property, bodily injury and municipal liability insurance of $1,000,000.00 per occurrence. The City of Sherman must be shown as an additional named insured on the insurance declaration. One (1) original copy of insurance must be submitted 30 days prior to event date.
- Alcohol distribution or consumption in any City Park and/or street is prohibited, unless approval is granted by motion and order by the City Council. A special event permit for alcohol on private property in conjunction with a Sherman private club may be permitted with a T.A.B.C license. Certain city-owned properties may allow for the consumption of alcohol.
- Please provide all information pertaining to the event as accurately as possible.

General Event Information

Official Name of Event: Texoma Earth Day Recycling Event

Type of Event: (i.e. Carnival, Circus, 1 Mile/5 K Run, etc.) Recycling Event

Event Date: April 17, 2021 Event Times: 9 am to 1 pm

Alternate Date: none Event Times: _____

*Alternate date required in case of weather delays

Location of Event: North Elm Street between Mulberry & Pecan, north Municipal Parking Lot

Event Contact Name: Amy Hoffman-Shehan

Event Contact Address: 1503 S Travis St

Event Contact Phone: 903-821-8198

Event Contact Email: amychs@cableone.net

Alternate Event Contact Name: Marla Loturco

Alternate Event Contact Address: 940-367-3291

Alternate Event Contact Phone: Jim Holmes

Alternate Event Contact Email: 512-810-1025

Event Day Emergency Contact: Amy Hoffman-Shehan Phone: 903-821-8198

Event Day Emergency Contact: Marla Loturco Phone: 940-367-3291

Estimated # of Participants: 200 at intervals Spectators: none

Is Event Private or Open to the Public? _____ Private Event __X__ Public Event

Description of Event

Include background/history of this event or type of event and a timeline of event. Maps and site plans are required; site plans should include location of concessions, port-a-lets and dumpsters; description of routes to be used, severe weather emergency plan, etc. Clean-up deposit may be required.

Rather than hold the Texoma Earth Day Festival due to the pandemic, we have decided to expand the recycling services we normally provide at the festival. Services will include paper shredding, glass recycling, electronic waste recycling, latex paint, Styrofoam, paper, flattened cardboard, plastics 1,2&5, ink and toner cartridges. The electronic waste collection and glass recycling are open to businesses as well to individuals. We expect to direct patrons to the police station for unused drug collection since we have a long history of working with the Sherman Police for this effort.

Public Services

Will event take place at a public park/facility? __X__ Yes _____ No

If yes, which park/facility? North Municipal Building parking lot and North Rusk Street

*Park and/or facility reservation(s) required prior to completing this application.

Will you need any public street closures? X Yes _____ No

If Yes, which streets? North Rusk Street between Mulberry and Pecan Streets, North parking Municipal Building parking lot. In addition, we will need traffic cones so we can direct vehicles through the parking lot to relieve congestion on the streets

*Closure of TxDOT controlled streets will need prior approval by TxDOT.
*Police and Fire vehicles must have access through street closures if the need arises.

Street closure time: 7:00 am Time closure removed: 1:30 pm

*Barricades will be provided by the City for the listed street closures. Fees may be required for additional barricade requests.

Where are the parking areas located: (Include on site plan) Volunteers will park on the west end of the Municipal parking lot or in the south Municipal parking lot. Patrons who want to visit the Animal Shelter Adoption Trailer or Tacos Hondumex will park on Rusk or Pecan

Does your event require special/additional support? (Fee may be required)

____ Police
(crowd control, traffic control, etc.)
If yes, contact Jarena Capps, Police Department, 903-892-7397

____ Fire Department
(EMT Support, etc.)
If yes, contact Chief Jones, Fire Department, 903-892-7263

____ Other
(provide detail)

If any special/additional support is checked above it is the responsibility of the event coordinator to contact the person listed above, prior to approval. If no contact is made by the event coordinator, the approval process for your special event will cease.

Number of trash containers and size requested over and above the current level: 1 trash can

*Per city ordinance, all solid waste services must be provided by the city. Additional fees are possible for solid waste services.

Concessions

Will food concessions be present at the event? _X_ Yes _____ No

Name, Address & Phone Number for Food Vendors: Tacos Hondumex will be the sole food vendor.

*All food vendors are required to have the appropriate permits required by the city or the county.

Fire Prevention

Will you have any tents at the event? _X_ Yes _____ No

Will any tents be over 200sq. ft.? _____ Yes _X_ No
*No smoking signs and 5lb. ABC extinguishers are required in all tents over 200sq. ft.

Will any tents be enclosed? _____ Yes _X_ No
*A permit ($50.00 fee) must be obtained from the Developmental Services Department for enclosed tents.
*A flame certificate for the tent and a site plan showing the setback from the property lines will be required to obtain this permit.

Will you have bounce houses? _____ Yes _X_ No Number: _____

Will you have other air supported structures? _____ Yes _X_ No

Will there be fireworks? _____ Yes _X_ No

Will there be any temporary structures built or placed on site? _____ Yes _X_ No

If Yes, describe: _____

Miscellaneous

Will you need the use of city water and/or electricity? _X_ Yes _____ No
*Additional fees will apply to the usage of city utilities

Where will restroom facilities be located? We would like permission to have restrooms in the Municipal Building made available to volunteers.

*Depending on accessibility of restroom facilities, city may require portable toilets to be used

Will there be music or any other use of a loudspeaker? _____ Yes _X_ No

If Yes, please fill out the following:
Type of loudspeakers: _____ How many: _____

Type of Amplifiers: _____ How many: _____

Type of electrical devices: _____ How many: _____

Date and time loudspeakers/amplifiers/electrical devices will be in use: _____
*Loudspeakers/Amplifiers/Electrical Devices cannot be used during the hours of 9pm to 8am

Will you have any animals at the event? _X_ Yes _____ No

If yes, are any prohibited/regulated animals? Animal Shelter Adoption Trailer will participate

*All pet owners must abide by Grayson County leash law

Public Information

Describe signage that will be used for the event, to include placement of signs: one banner to advertise the event will be placed on fence posts in the grass at the entrance to the parking lot. Signage for each recycling vendor will be placed on the vendor's container or vehicle

Describe how you will notify residents affected by the event either living on the route/course or nearby. N/A

*Proof of notification may be required

Overnight Accommodation Needs

Will event produce overnight stays in Sherman hotels, motels or bed and breakfasts? If so, how many rooms potentially? none

* The Sherman Chamber of Commerce is available for assistance with hotel information and accommodation needs for the event.

Agreement:

Initial AHS I hereby attest that the information contained in this application is true and correct. I understand that this is only an application and not a guarantee that a permit will be issued. If a permit is issued, I agree that: (1) if any of the information contained in this application is found to be false: or (2) should my conduct, or the conduct of any participants or guests, not adhere to the Special Event Policies and Procedures: or (3) should any applicable city, county, state or federal rules, regulations, codes or laws be violated, any permit issued shall automatically become null and void and any activity associated with this permit will immediately cease.

Initial AHS Applicant agrees to assume the defense of and indemnify and save harmless the City, its council members, boards, commissions, officers, employees and agents, from all suits, actions, damages or claims to which the City may be subjected of any kind or nature whatsoever resulting from, caused by, arising out of or as a consequence of such temporary street closure and the activities permitted in connection therewith. The city may require, as a condition of issuance of a permit, that the applicant obtain insurance to serve this end, in such an amount and with such terms as the City determines to be appropriate under the circumstances. This shall be a continuing release and shall remain in effect until revoked in writing.

Initial AHS In case of emergency or for reasons beyond the City's control, the City reserves the right to cancel the permit prior to scheduled use without liability. Refunds will be made if cancellation by the City is necessary.

Initial AHS Alcohol must be confined to private property. Alcohol consumed on Public property is a violation of city Ordinance and is prohibited.

Signature:

I the undersigned representative have read the policies and procedures with reference to this application. The information contained herein is complete and accurate.

Amy Hoffman-Shehan _____ March 25, 2021 _____

Signature Date

For Office Use Only

DEPARTMENT APPROVALS

DEPARTMENT	DATE	SIGNATURE
City Council Approval		
Fire Department		
Police Department		
Public Works Department		
Solid Waste & Recycling Department		
Parks & Recreation Department		

Sherman
CLASSIC TOWN. BROAD HORIZON.

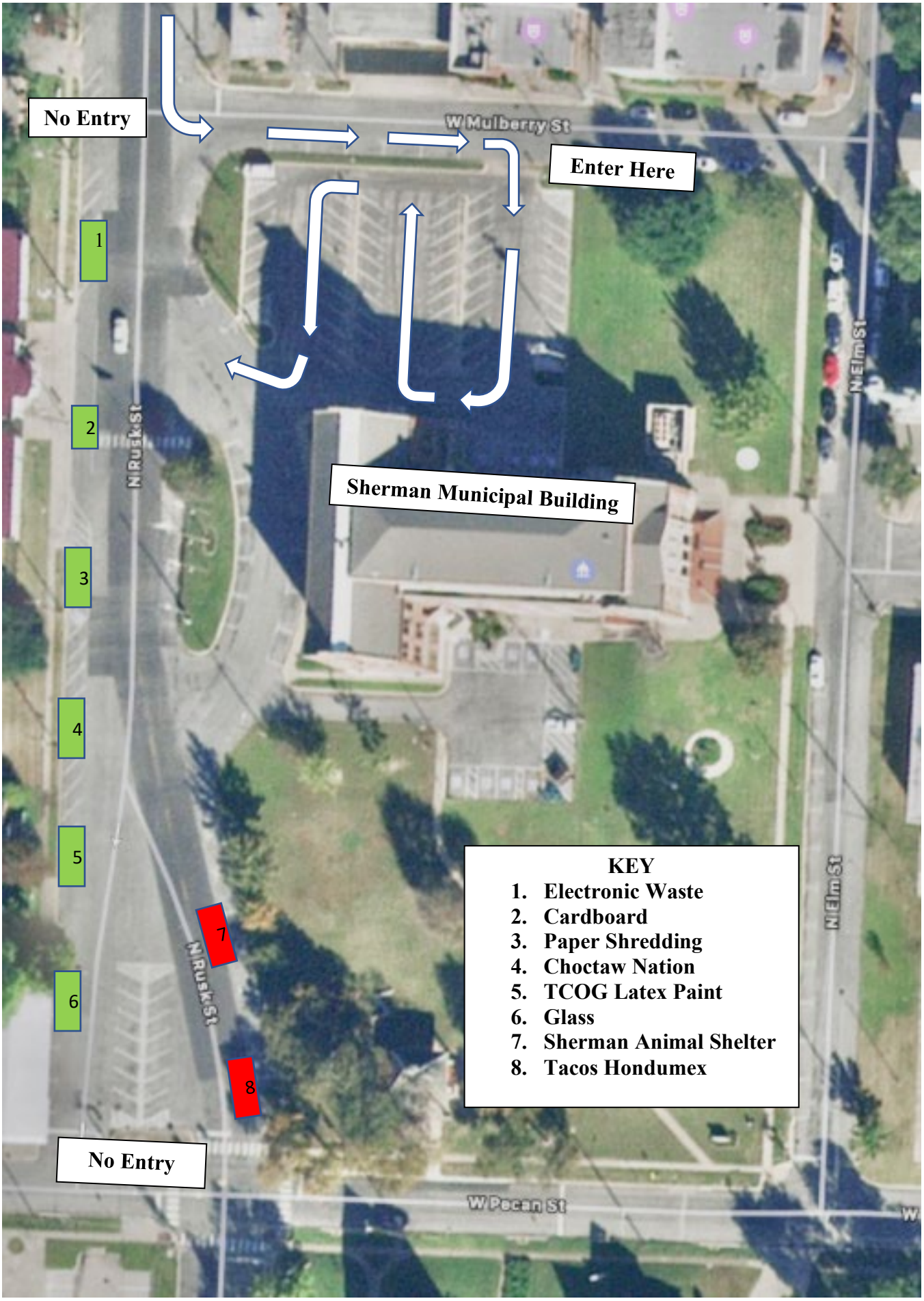
Special Event
Date Request Form

Name of Event:
Type of Event (i.e. Carnival, Circus, Festival, 1 Mile/5 K Run, etc.):
Location of Event:
Date of Event:
Event Contact Name:
Event Contact Address:
Event Contact Phone:
Event Contact Email:

Completion and approval of the Special Event Date Request Form does not guarantee event approval. The Community and Support Services Department must receive the completed Special Event Application 60 days prior to the event date. If the application is not received the date will be released 60 days prior to the event.

Requester Signature: Date:

*Office Use Only
Date Request Received:
Event Date Hold Approved: YES NO
If NO, reason:
Date 60 Days Prior to the Event Date:
Date Special Event Application Received:
Requested Event Date Released: YES NO Date:
Community and Support Services Department Signature:


No Entry
W Mulberry St
Enter Here
1
2
N Rusk St
Sherman Municipal Building
3
4
5
N Elm St
7
N Rusk St
6
8
No Entry
W Pecan St
KEY
1. Electronic Waste
2. Cardboard
3. Paper Shredding
4. Choctaw Nation
5. TCOG Latex Paint
6. Glass
7. Sherman Animal Shelter
8. Tacos Hondumex

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 8.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Final Plat approval of The Grove Addition, being 56.650 acres in the Elizabeth Jones Survey, Abstract No. 625; SSCGC Holdings, LLC, Owner; Grove Addition Development JV, Applicant; Civil Point Engineers, Civil Engineer; and Underwood Drafting and Surveying, Surveyor (2100 Blk. West Moore Street)

Issue:

To consider Final Plat approval of The Grove Addition, being 56.650 acres in the Elizabeth Jones Survey, Abstract No. 625; SSCGC Holdings, LLC, Owner; Grove Addition Development JV, Applicant, Civil Point Engineers, Civil Engineer and Underwood Drafting and Surveying, Surveyor (2100 Block West Moore Street)

Background:

The property is located in the 2100 block of West Moore Street between Park Avenue and West Steadman Street. The property is zoned an R-1 (One Family Residential) District. An exception was approved January 12, 2021 to allow six lots to have less than 60' lot widths. The layout of the plat changed since it was approved and the owner requested an amendment to the exception to allow eleven lots to have less than 60' lot widths to plat the property into 193 residential lots.

Origination:

SSCGC Holdings, LLC (Owner)
Grove Addition Development JV (Applicant)
Civil Point Engineers (Civil Engineeer)
Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

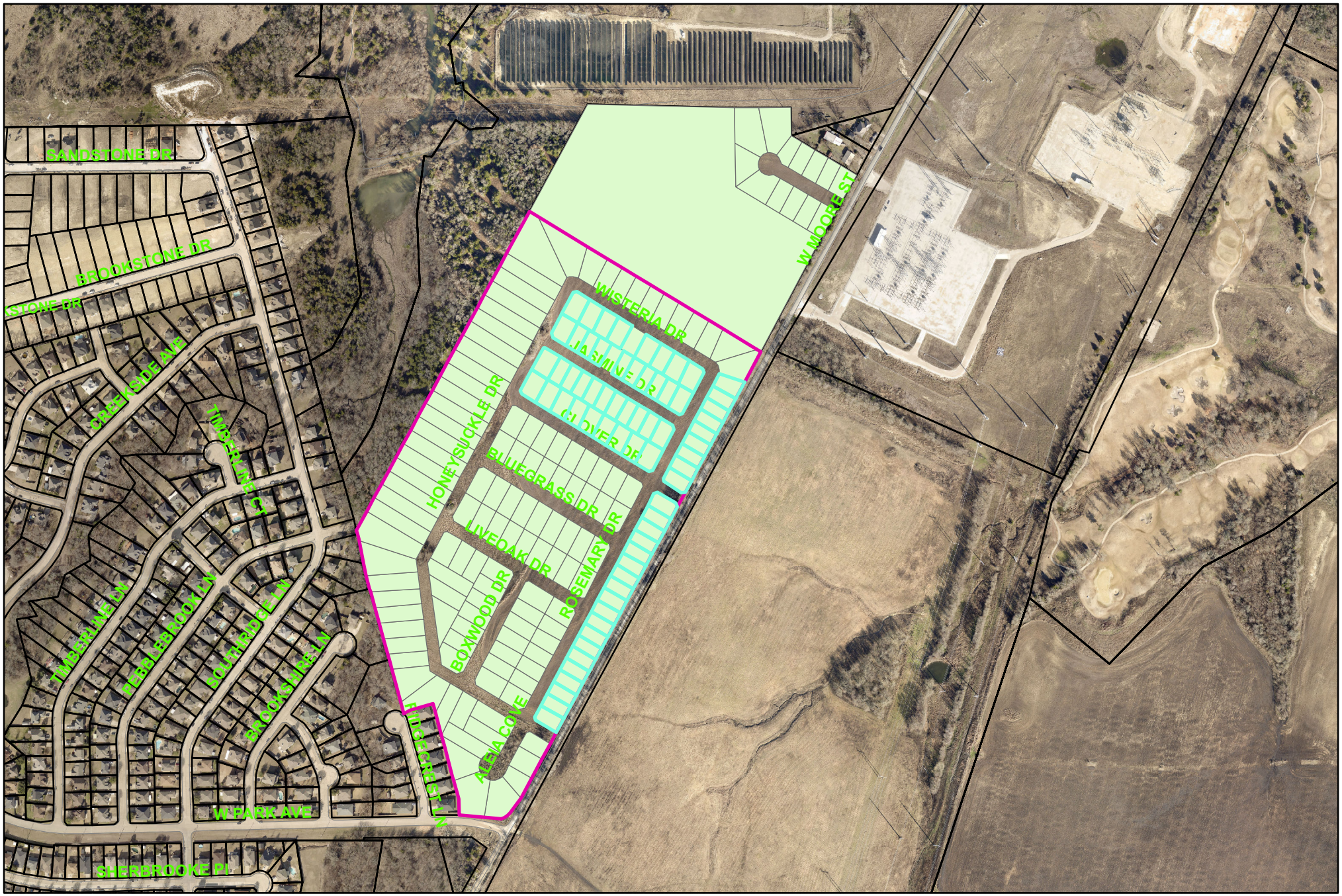
At the March 16, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
The Grove Addition
Staff Review Letter
P&Z Communication



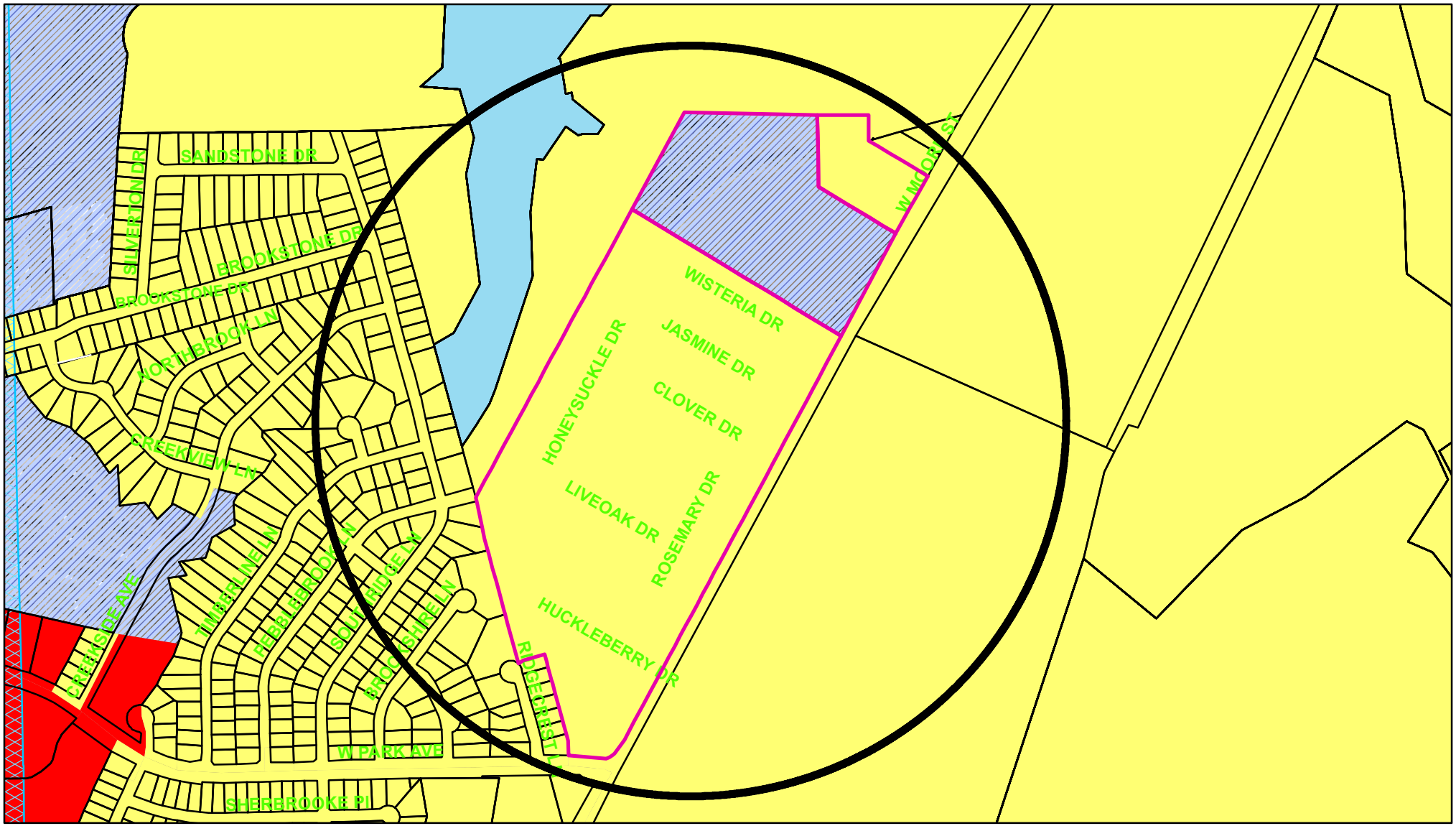
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

2100 Block West Moore Street Patio Home Lots

NOT TO SCALE

1 in = 500 ft



Zoning - 2100 Block West Moore Street

Legend

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

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

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

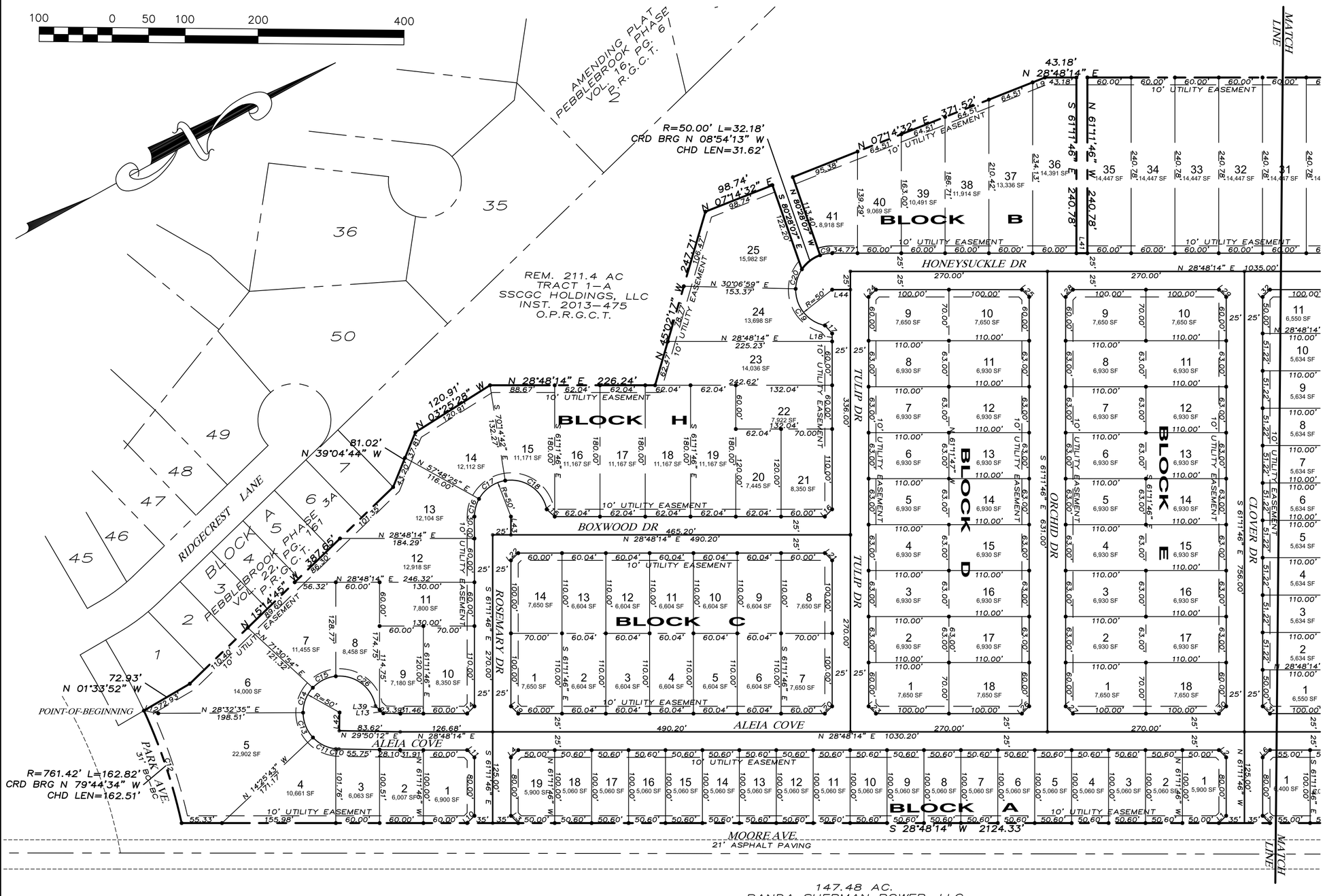
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 600 ft

2100 West Moore Street

JOB NO. 20110960



~ 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.

ACCEPTANCE

Approved this _____ day of _____, 2021, by the City Planning Commission to the City of Sherman, Texas.

_____ Chairman

_____ Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

_____ Mayor, City of Sherman, Texas

_____ Date

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

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

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

_____ Date

OWNER
SSCGC HOLDINGS LLP.
4 TIMBERCREEK
SHERMAN, TEXAS

DEVELOPER
GROVE ADDITION JOINT VENTURE.
801 E. TAYLOR STREET
SHERMAN, TEXAS

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

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

SHEET 1 OF 2

FINAL PLAT

THE GROVE ADDITION

Being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by Deed of record in Document No. 2013-475, Official Public Records, Grayson County, Texas, Containing 56.650 Acres

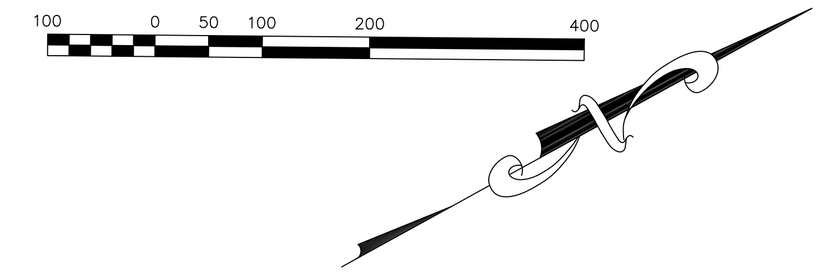
2-16-2021

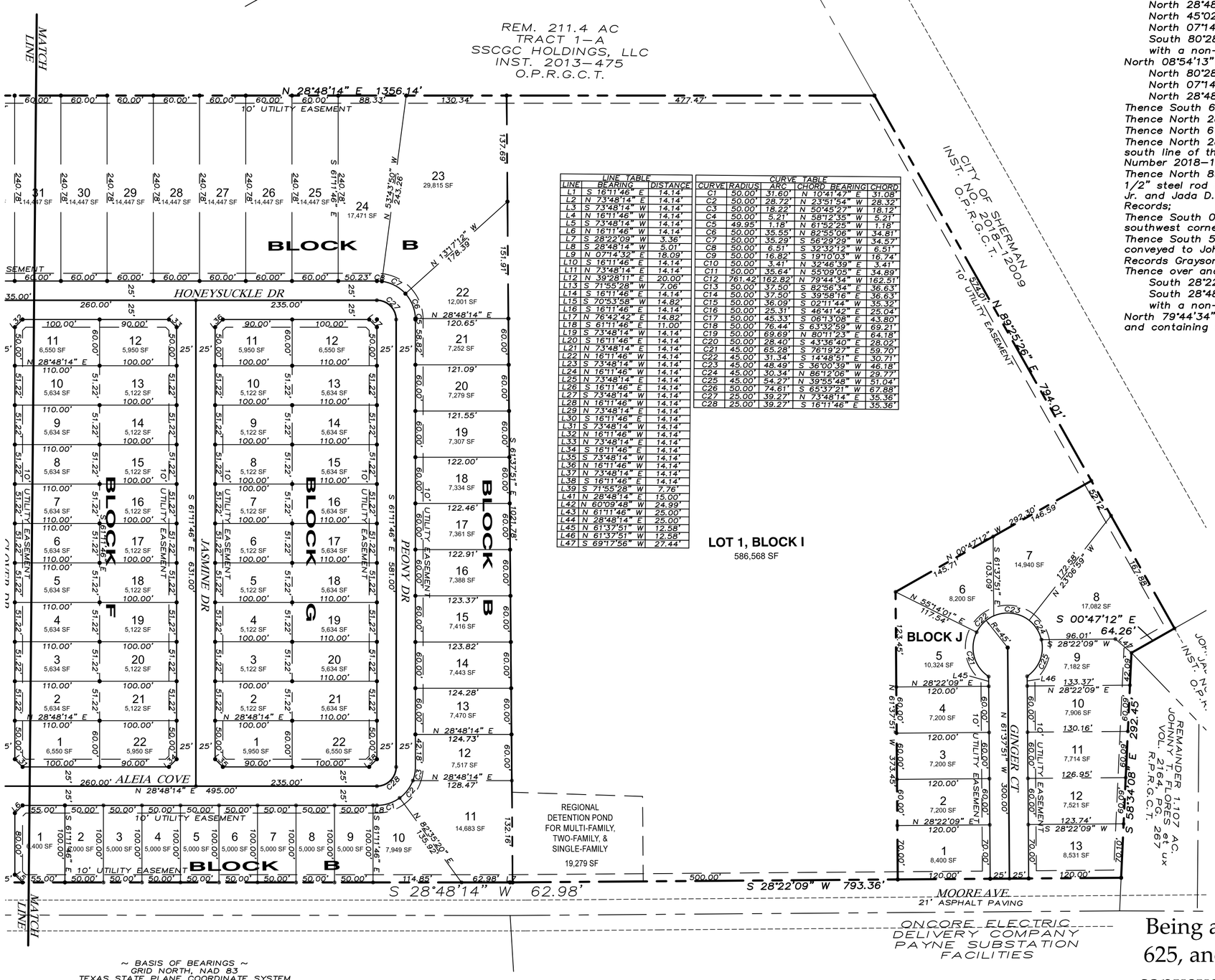
CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, The Grove Addition, an addition to the City of Sherman, Texas, was submitted to the City Council on the ___ day of _____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this_____day of _____,2021.

_____ Clerk, City of Sherman, Texas





LINE TABLE

LINE	BEARING	DISTANCE
L1	S 16°11'46" E	14.14'
L2	N 73°48'14" E	14.14'
L3	S 73°48'14" W	14.14'
L4	N 16°11'46" W	14.14'
L5	S 73°48'14" W	14.14'
L6	N 16°11'46" W	14.14'
L7	S 28°22'09" W	3.36'
L8	S 28°48'14" W	5.01'
L9	N 07°14'32" E	18.09'
L10	S 16°11'46" E	14.14'
L11	N 73°48'14" E	14.14'
L12	N 39°28'11" E	20.00'
L13	S 71°55'28" W	7.06'
L14	S 16°11'46" E	14.14'
L15	S 70°53'58" W	14.82'
L16	S 16°11'46" E	14.14'
L17	N 76°42'42" E	14.82'
L18	S 61°11'46" E	11.00'
L19	S 73°48'14" W	14.14'
L20	S 16°11'46" E	14.14'
L21	N 73°48'14" E	14.14'
L22	N 16°11'46" W	14.14'
L23	S 73°48'14" W	14.14'
L24	N 16°11'46" W	14.14'
L25	N 73°48'14" E	14.14'
L26	S 16°11'46" E	14.14'
L27	S 73°48'14" W	14.14'
L28	N 16°11'46" W	14.14'
L29	N 73°48'14" E	14.14'
L30	S 16°11'46" E	14.14'
L31	S 73°48'14" W	14.14'
L32	N 16°11'46" W	14.14'
L33	N 73°48'14" E	14.14'
L34	S 16°11'46" E	14.14'
L35	S 73°48'14" W	14.14'
L36	N 16°11'46" W	14.14'
L37	N 73°48'14" E	14.14'
L38	S 16°11'46" E	14.14'
L39	S 71°55'28" W	7.76'
L41	N 28°48'14" E	15.00'
L42	N 60°09'48" W	24.99'
L43	N 61°11'46" W	25.00'
L44	N 28°48'14" E	25.00'
L45	N 61°37'51" W	12.58'
L46	N 61°37'51" W	12.58'
L47	S 69°17'56" W	27.44'

CURVE TABLE

CURVE	RADIUS	ARC	CHORD BEARING	CHORD
C1	50.00'	31.60'	N 10°41'47" E	31.08'
C2	50.00'	28.72'	N 23°51'54" W	28.32'
C3	50.00'	18.22'	N 50°45'27" W	18.12'
C4	50.00'	5.21'	N 58°12'35" W	5.21'
C5	49.95'	1.18'	N 61°52'25" W	1.18'
C6	50.00'	35.55'	N 82°55'06" W	34.81'
C7	50.00'	35.29'	S 56°29'29" W	34.57'
C8	50.00'	6.51'	S 32°32'12" W	6.51'
C9	50.00'	16.82'	S 19°10'03" W	16.74'
C10	50.00'	3.41'	N 32°46'39" E	3.41'
C11	50.00'	35.64'	N 55°09'05" E	34.89'
C12	761.42'	162.82'	N 79°44'34" W	162.51'
C13	50.00'	37.50'	S 82°56'34" E	36.63'
C14	50.00'	37.50'	S 39°58'16" E	36.63'
C15	50.00'	36.09'	S 02°11'44" W	35.32'
C16	50.00'	25.31'	S 46°41'42" E	25.04'
C17	50.00'	45.33'	S 06°13'08" E	43.80'
C18	50.00'	76.44'	S 63°32'59" W	69.21'
C19	50.00'	69.69'	N 80°11'23" E	64.18'
C20	50.00'	28.40'	S 43°36'40" E	28.02'
C21	45.00'	65.28'	S 76°19'27" E	59.70'
C22	45.00'	31.34'	S 14°48'51" E	30.71'
C23	45.00'	48.49'	S 36°00'39" W	46.18'
C24	45.00'	30.34'	N 86°12'06" W	29.77'
C25	45.00'	54.27'	N 39°55'48" W	51.04'
C26	50.00'	74.61'	S 65°37'21" W	67.86'
C27	25.00'	39.27'	N 73°48'14" E	35.36'
C28	25.00'	39.27'	S 16°11'46" E	35.36'

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by deed of record in Instrument No. 2013-475, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod at the southeast corner of Lot 1 Pebblebrook Phase 3A, as recorded in Volume 22, Page 161, Plat Records, Grayson County, Texas;

Thence North 01°33'52" West with the east line of said addition, a distance of 72.93 feet to a set 1/2" steel rod;

Thence North 15°14'45" West continuing with said east line, a distance of 387.65 feet to a set 1/2" steel rod at the northeast of Lot 7 of said addition;

Thence over and across said Tract 1-A the following calls and distance:

North 39°04'44" West, a distance of 81.02 feet to a set 1/2" steel rod;
North 03°25'28" West, a distance of 120.91 feet to a set 1/2" steel rod;
North 28°48'14" East, a distance of 226.24 feet to a set 1/2" steel rod;
North 45°02'17" West, a distance of 247.71 feet to a set 1/2" steel rod;
North 07°14'32" East, a distance of 98.74 feet to a set 1/2" steel rod;
South 80°28'07" East, a distance of 122.20 feet to a set 1/2" steel rod;
with a non-tangent curve to the right having a radius of 50.00 feet, (chord bears North 08°54'13" West, 31.62 feet) an arc length of 32.18 feet;
North 80°28'07" West, a distance of 113.40 feet to a set 1/2" steel rod;
North 07°14'32" East, a distance of 371.52 feet to a set 1/2" steel rod;
North 28°48'14" East, a distance of 43.18 feet to a set 1/2" steel rod;

Thence South 61°11'46" East, a distance of 240.78 feet to a set 1/2" steel rod;

Thence North 28°48'14" East, a distance of 15.00 feet to a set 1/2" steel rod;

Thence North 61°11'46" West, a distance of 240.78 feet to a set 1/2" steel rod;

Thence North 28°48'14" East, a distance of 1,356.14 feet to a set 1/2" steel rod in the south line of that tract of land conveyed to the City of Sherman as recorded in Document Number 2018-12009, Official Public Records, Grayson County, Texas;

Thence North 89°25'26" East with said south line, a distance of 794.01 feet to a found 1/2" steel rod in the west line of that 0.573 acre tract of land conveyed Johnny T. Flores Jr. and Jada D. Flores as recorded in Document Number 2017-5244 of said Official Public Records;

Thence South 00°47'12" East, a distance of 64.26 feet to a found 2" steel pipe at the southwest corner of said 0.573 acre tract;

Thence South 58°34'08" East with the south line of the remainder of that tract of land conveyed to Johnny T. Flores, et ux as recorded in Volume 2164, Page 267, Real Property Records Grayson County, Texas, a distance of 292.45 feet to a set 1/2" steel rod;

Thence over and across said Tract 1-A the following calls and distances:

South 28°22'09" West, a distance of 793.36 feet to a set 1/2" steel rod,
South 28°48'14" West, a distance of 2,124.33 feet to a set 1/2" steel rod,
with a non-tangent curve to the left having a radius of 761.42 feet, (chord bears North 79°44'34" West, 162.51 feet) an arc length of 162.82 feet to the Point-of-Beginning and containing 56.650 acres of land.

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, SSCGC HOLDINGS, LLC. do hereby adopt this plat designating the hereinabove property as The Grove Addition, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this_____day of _____,2021.

_____ SSCGC HOLDINGS, LLC
Bill Magers, Managing Member

STATE OF TEXAS
COUNTY OF GRAYSON

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this___day of_____, 2021.

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

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

OWNER
SSCGC HOLDINGS LLP.
4 TIMBERCREEK
SHERMAN, TEXAS

DEVELOPER
GROVE ADDITION JOINT VENTURE.
801 E. TAYLOR STREET
SHERMAN, TEXAS

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

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

SHEET 2 OF 2

FINAL PLAT

THE GROVE ADDITION

Being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 211.4 acre Tract 1-A of lands conveyed to SSCGC Holdings, LLC by Deed of record in Document No. 2013-475, Official Public Records, Grayson County, Texas, Containing 56.650 Acres

2-16-2021

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

March 5, 2021

SSCGC Holdings, LLP
4 Timbercreek
Sherman, TX 75090

Grove Addition Joint Venture
801 E. Taylor Street
Sherman, TX 75090

Underwood Drafting & Surveying, Inc.
3404 Interurban Rd.
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of The Grove Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 16, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Rename Honeysuckle Drive. There is already a street named Honeysuckle in West Sherman in the County.
2. Change Moore Avenue to Moore Street.
3. Ginger Court cul-de-sac does not meet City Ordinance. Chapter 10.05, Exhibit A, Sec. 12, B.
4. Knuckles required on lots at both intersections of Peony Drive.
5. Lot 24, Block B and Lots 5-9, Block J do not meet standard. Minimum lot width at property line is 60 feet. Variance required for all lots not meeting 60 feet. Chapter 14, 6.1.1
6. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval. Ownership and Maintenance information to be shown on plat.
7. Detention Area to have its own Lot and Block # and shall be shown as owned and maintained by HOA on plat.
8. Verify fire requirements and code compliance with Fire Marshal.
9. Water and sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
10. Development Agreement required for Public Infrastructures.
11. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
12. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include

the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

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

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 24.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

2100 BLOCK WEST MOORE STREET

The request of SSCGC Holdings, LLC (Owner), Grove Addition Development JV (Applicant), Civil Point Engineers (Civil Engineer) and Underwood Drafting and Surveying (Surveyor) for the property in the 2100 block of West Moore Street, being 56.650 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

Board of Adjustments

Amending a previously approved Exception under Ordinance No. 2280, Section 6.2, Subsection (1) to allow the following lots widths in lieu of the required 60' lot width for a residential dwelling for the proposed The Grove Addition in an R-1 (One-Family Residential) District:

Lot 10, Block B – 36.61'
Lot 11, Block B – 28.72'
Lot 22, Block B - 35.55'
Lot 23, Block B – 35.29'
Lot 41, Block B – 52.86'
Lot 4, Block H – 35.64'
Lot 5, Block H – 37.50'
Lot 6, Block H - 37.50'
Lot 7, Block H – 36.09
Lot 13, Block H – 55.31'
Lot 14, Block H – 45.33'

Planning and Zoning Commission

Final Plat approval of The Grove Addition

Background:

The property is located in the 2100 block of West Moore Street between Park Avenue and West Steadman Street. The property is zoned an R-1 (One Family Residential) District. An exception was approved January 12, 2021 to allow six lots to have less than 60' lot widths. The layout of the plat has changed since it was approved and the owner is requesting an amendment to the exception to allow eleven lots to have less than 60' lot widths to plat the property into 193 residential lots.

Adjacent Zoning:

R-1 (One Family Residential) District
R-2 (Multi-Family Residential) District

Origination:

SSCGC Holdings, LLC (Owner)
Grove Addition Development JV (Applicant)
Civil Point Engineers (Civil Engineeer)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

34

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
The Grove Addition
Lots for Exception
Park Land Dedication
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 9.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Replat approval of Altona's Replat of Lot B, Taylor Plaza Addition, being 3.381 acres in the J. B. McAnair Survey, Abstract No. 763 and being all of Lot B of the Taylor Plaza Addition; Altona, Inc., Owner; GFM Architecture, Architect, Arris Consulting, Architect; and Underwood Drafting and Surveying, Surveyor (729 East Taylor Street)

Issue:

To consider Replat approval of Altona's Replat of Lot B, Taylor Plaza Addition, being 3.381 acres in the J. B. McAnair Survey, Abstract No. 763 and being all of Lot B of the Taylor Plaza Addition; Altona, Inc., Owner; GFM Architecture, Architect, Arris Consulting, Architect; and Underwood Drafting and Surveying, Surveyor (729 East Taylor Street)

Background:

The property is located in the 729 East Taylor Street; the northwest corner of Loy Lake Road and Taylor Street. The property is zoned a C-2 (General Commercial) District and an M-1 (Light Manufacturing) District. The owner would like to Replat the property into two lots for commercial development of HTeaO, an iced tea business.

Origination:

Altona, Inc, (Owner)
GFM Architecture (Architect)
Arris Consulting (Architect)
Underwood Drafting and Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

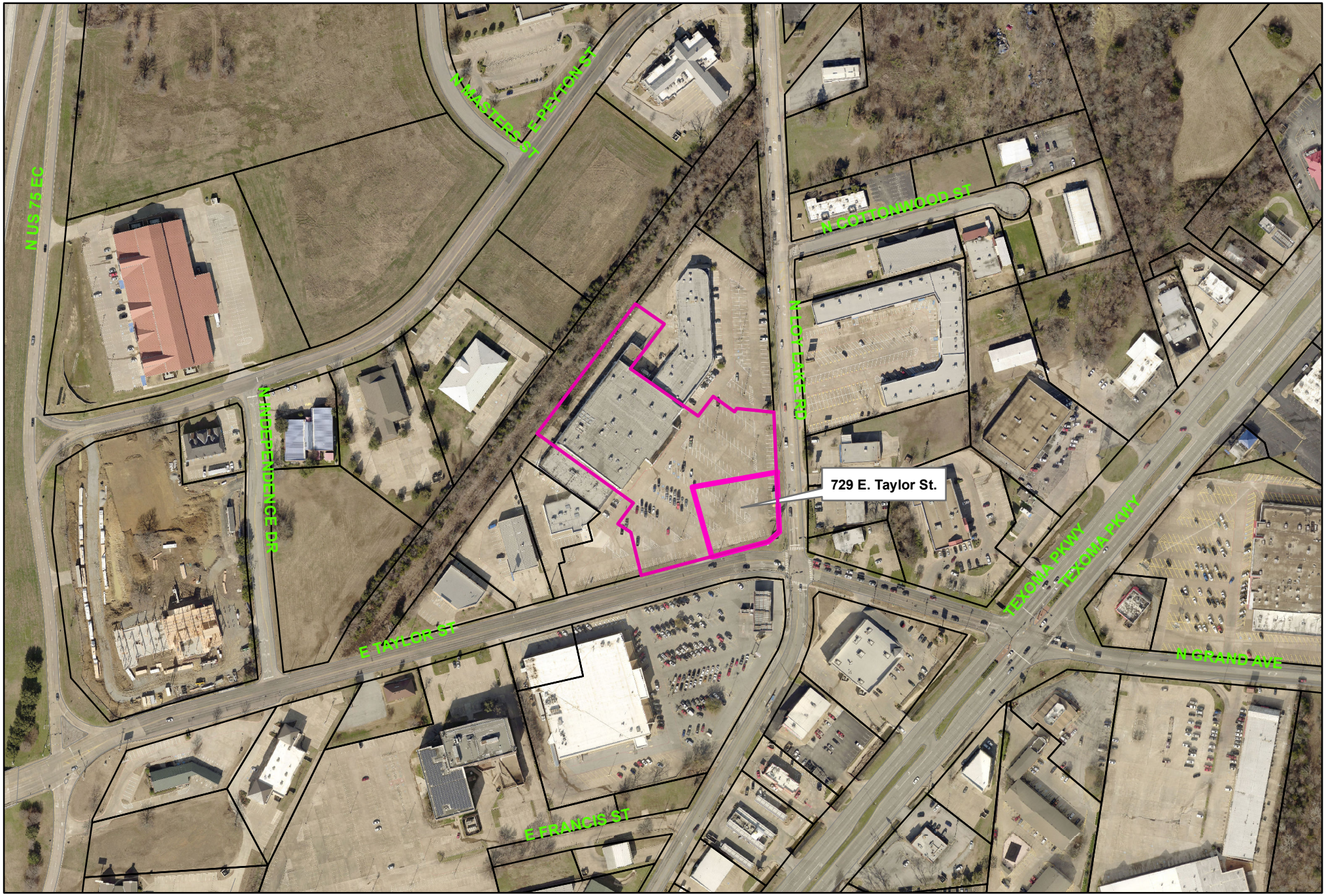
At the March 16, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Altona's Replat
Staff Review Letter
P&Z Communication



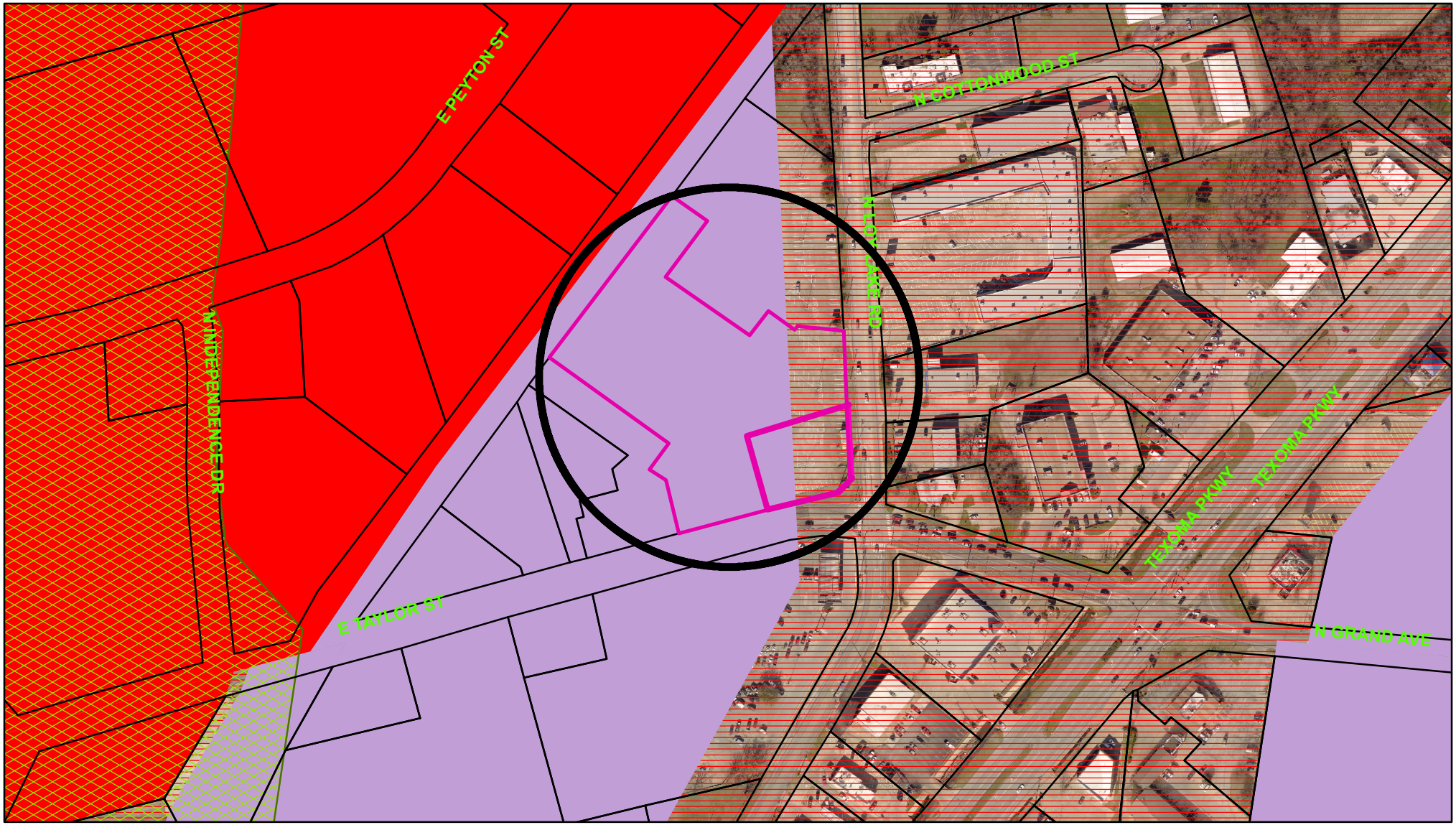
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

729 East Taylor Street

NOT TO SCALE

1 in = 289 ft



Zoning - 729 East Taylor Street

Legend

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

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

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

Sherman
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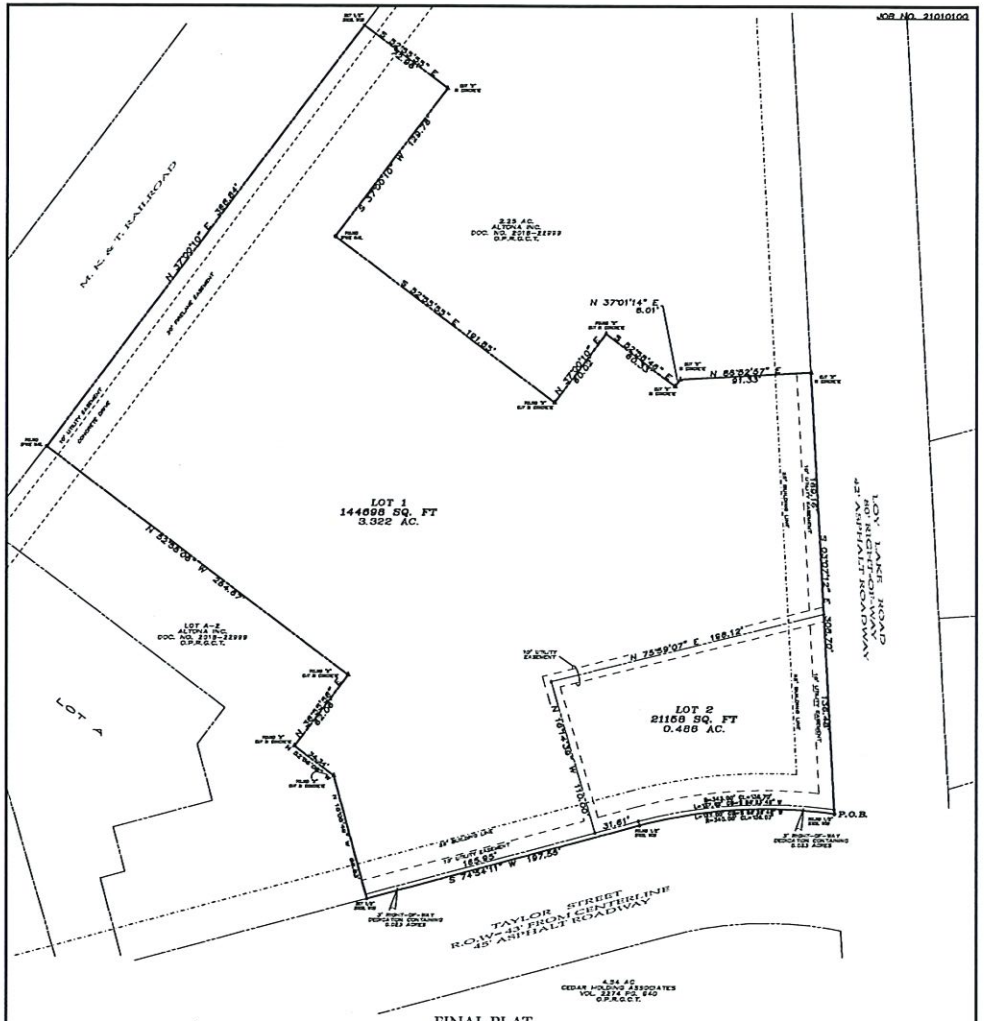
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 256 ft

JOB NO. 21010100



FINAL PLAT

ALTONA'S REPLAT OF LOT B, TAYLOR PLAZA

BEING ALL OF LOT B OF THE TAYLOR PLAZA ADDITION RECORDED IN VOLUME 8, PAGE 80, O.P.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING 3.381 ACRES

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

GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

OWNERS/DEVELOPER
ALTONA, INC.
610 CLARIDEN RANCH
SOUTHLAKE, TEXAS

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

2-8-2021

UNDERWOOD
DRAFTING & SURVEYING

SHEET 1 OF 2

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

JOB NO. 21010100

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the J.B. McNAIR Survey, Abstract No. 783, and being all of Lot B of the Taylor Plaza Addition recorded in Volume 8, Page 80, Plat Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a Found ½" steel rod at the southeast corner of said Lot B and being at the intersection of the North Right-of-Way of Taylor Street and the West Right-of-Way of Loy Lake Road;

Thence with a non-tangent curve to the left having a radius of 340.00 feet, (chord bears South 83°26'46" West, a distance of 138.07 feet) an arc length of 137.00 feet to a found ½" steel rod;

Thence South 74°34'11" West with the said North line of Taylor Street a distance of 197.58 feet to a set ½" steel rod;

Thence the following calls and distances with the west line of said Lot B;
North 15°05'49" West a distance of 88.83 feet to a Found "X" cut in concrete;
North 52°58'08" West a distance of 34.34 feet to a Found "X" cut in concrete;
North 36°55'58" East a distance of 62.06 feet to a Found "X" cut in concrete;
North 52°58'08" West a distance of 254.87 feet to a Found Spike Nail in the Easterly Right-of-Way of the M.K. & T. Railroad;

Thence North 37°00'10" East with the M.K. & T. Railroad Right-of-Way a distance of 368.64 feet to a set ½" steel rod;

Thence the Following calls and distances with the North Easterly line of said Lot B;
South 52°55'55" East a distance of 72.98 feet to a Found "X" in concrete;
South 37°00'10" West a distance of 129.78 feet to a Found Spike Nail;
South 52°55'55" East a distance of 191.85 feet to a Found "X" in concrete;
North 37°00'10" East a distance of 60.02 feet to a Found "X" in concrete;
South 52°58'46" East a distance of 60.33 feet to a Found "X" in concrete;
North 37°01'14" East a distance of 8.01 feet to a Found "X" in concrete;
North 88°52'57" East a distance of 91.33 feet to a Found "X" in concrete;

Thence South 03°07'12" East with the West Right-of-Way of said Loy Lake Road a distance of 308.70 feet
to the Point of Beginning and containing 3.831 acres or 166881 square feet of land.

ACCEPTANCE

Approved this _____ day of _____, 2021, by the City Planning Commission to the City of Sherman, Texas.

Chairman _____ Secretary _____

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas _____ Date _____

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

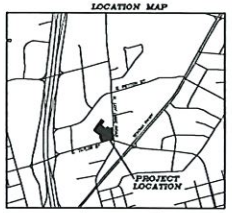
That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed, under my personal supervision, in accordance with the subdivision regulations of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

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

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman
3. Electrical service 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.

LOCATION MAP



(NOT TO SCALE)

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, ALTONA, INC. do hereby adopt this plat designating the hereinabove property as the ALTONA'S REPLAT OF LOT B, TAYLOR PLAZA 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 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 manner endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this _____ day of _____, 2021.

AMAR B. ALI
PRESIDENT

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ___day of _____, 2021.

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

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, ALTONA'S REPLAT OF LOT B, TAYLOR PLAZA ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the _____ day of _____, 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor, to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this _____ day of _____, 2021.

Clerk, City of Sherman, Texas

FINAL PLAT

ALTONA'S REPLAT OF LOT B, TAYLOR PLAZA

BEING ALL OF LOT B OF THE TAYLOR PLAZA ADDITION RECORDED IN VOLUME 8, PAGE 80, O.P.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING 3.381 ACRES

OWNERS/DEVELOPER
ALTONA, INC.
610 CLARIDEN RANCH
SOUTHLAKE, TEXAS

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

2-8-2021

UNDERWOOD
DRAFTING & SURVEYING

SHEET 2 OF 2

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

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

March 5, 2021

Altona, Inc.
610 Clariden Ranch
Southlake, TX 76092

Underwood Drafting & Surveying, Inc.
3404 Interurban Rd.
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Altona's Replat of Lot B, Taylor Plaza has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 16, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Mutual Access Easements must be shown on plat.
2. Remove building line from plat.
3. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
4. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

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

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 29.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

*** 729 EAST TAYLOR STREET**

The request of Altona, Inc, (Owner), GFM Architecture (Architect), Arris Consulting (Architect) and Underwood Drafting and Surveying, Inc. (Surveyor) concerning the property located at 729 East Taylor Street, being 3.381 acres in the J. B. McAnair Survey, Abstract No. 763 and being all of Lot B of the Taylor Plaza Addition, as follows;

Planning and Zoning Commission

- Replat approval of Altona's Replat of Lot B, Taylor Plaza Addition.
- Site plan approval for HteaO

Background:

The property is located at 729 East Taylor Street; the northwest corner of Loy Lake Road and Taylor Street. The property is zoned a C-2 (General Commercial) District and an M-1 (Light Manufacturing) District.

The owner would like to Replat the property into two lots for commercial development of HTeaO, an iced tea business. HTeaO is a franchise business which originated in Amarillo, Texas. Originally created as "Texas Tea" in 2009, as an extension of a burger restaurant, sales of the tea became popular, the owners decided to franchise the business under the name "H Tea O" in 2017. Currently they are operating five company owned stores, three under the Texas Tea brand and two under the HTeaO brand. These stores are located in Amarillo, Dumas and Midland, Texas. HTeaO continues to expand with over 30 locations under development in North Texas including Plano, Frisco and McKinney.

Kate and Doyle Whitson would like to open the first HTeaO business in Sherman by constructing a 2,400 square foot building with drive thru at the northwest corner of Loy Lake Road and Taylor Street. Parking will be provided twelve (12) cars.

Adjacent Zoning:

M-1 (Light Manufacturing) District
C-2 (General Commercial) District

Origination:

Altona, Inc, (Owner)
GFM Architecture (Architect)
Arris Consulting (Architect)
Underwood Drafting and 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:

Not required.

Objections Received:

0

Attachments

Location Map
Zoning Map
Narrative
Altona's Replat
Site Plan
Building Elevations
Floor Plan
Staff Review Letter - Replat
Staff Review Letter - Site Plan

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 10.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Final Plat approval of The Preserve, Phase III, being 16.393 acres in the Elizabeth Jones Survey, Abstract No. 625; Westar Home Builders, Owner; Ron Westervelt, Representative; and Underwood Drafting and Surveying, Surveyor (4000-4300 blocks Hummingbird Drive and 700 block Swan Ridge Drive)

Issue:

To consider Final Plat approval of The Preserve, Phase III, being 16.393 acres in the Elizabeth Jones Survey, Abstract No. 625; Westar Home Builders, Owner; Ron Westervelt, Representative; and Underwood Drafting and Surveying, Surveyor (4000-4300 blocks Hummingbird Drive and 700 block Swan Ridge Drive)

Background:

The property is located in the 4000-4300 blocks of Hummingbird Drive and the 700 block of Swan Ridge Drive; the southeast corner of Swan Ridge Drive and Hummingbird Drive. The property is zoned an R-1 (One Family Residential) District. The owner would like to Plat the property into 57 lots for residential development.

Origination:

Westar Home Builders (Owner)
Ron Westervelt (Representative)
Underwood Drafting and Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

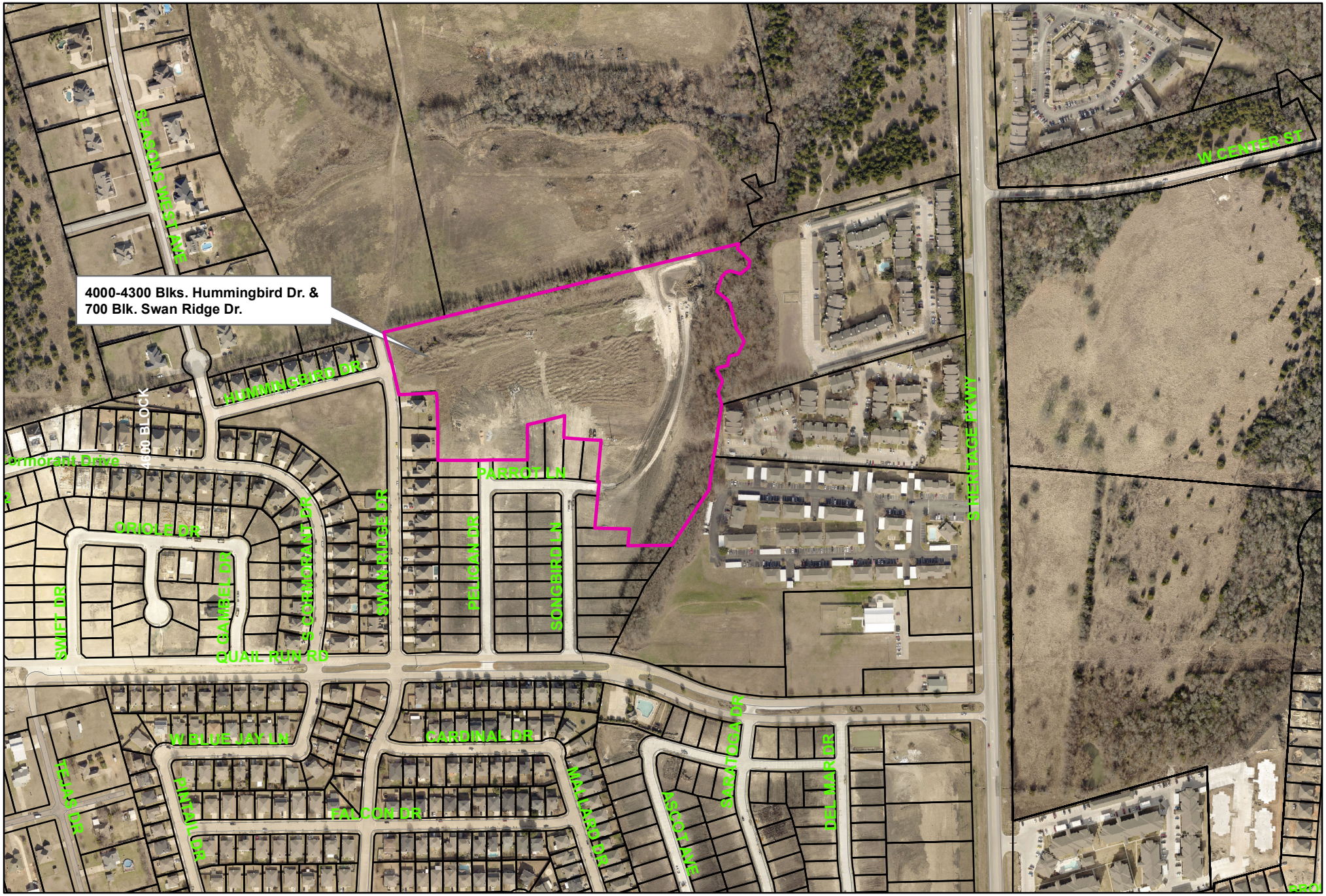
At the March 16, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
The Preserve, Phase III
Staff Review Letter
P&Z Communication



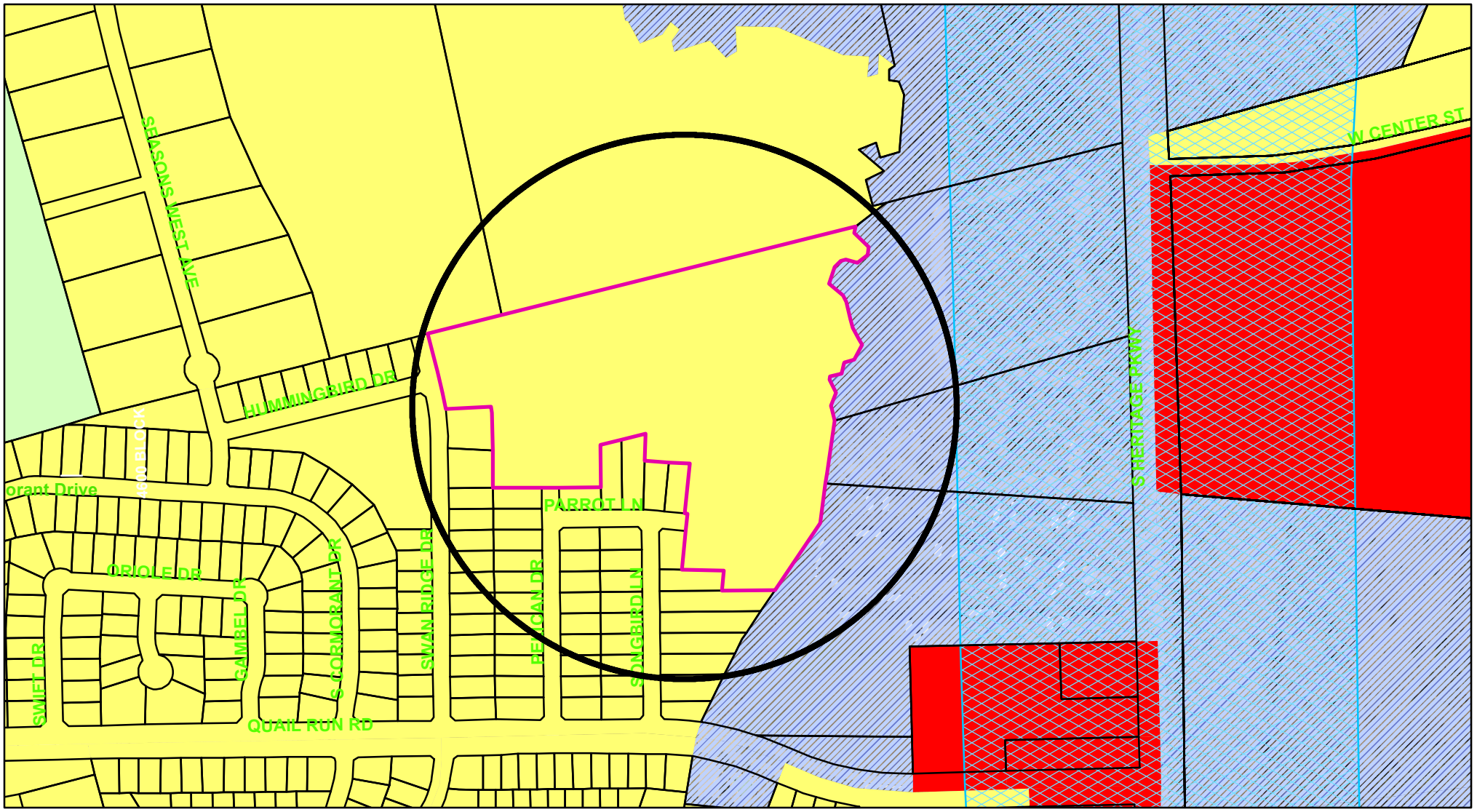
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

4000-4300 Blocks Hummingbird Drive & 700 Block Swan Ridge Drive

NOT TO SCALE

1 in = 433 ft



Zoning - 4000-4300 Blocks Hummingbird Drive & 700 Block Swan Ridge Drive

Legend

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

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

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

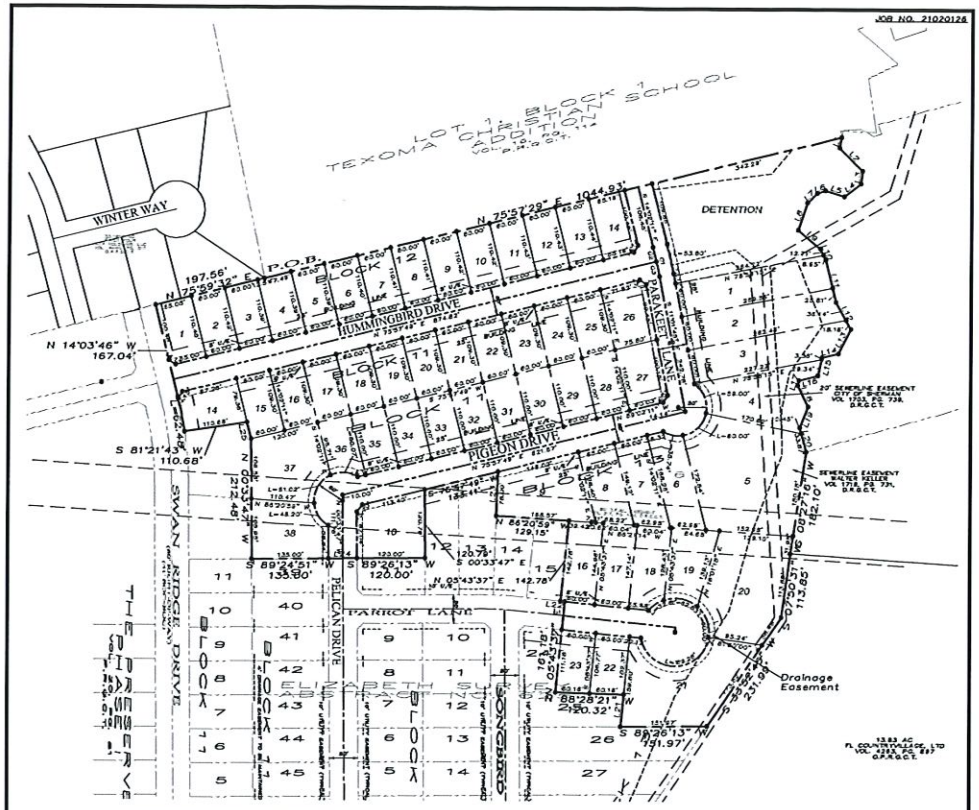
Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 400 ft

JOB NO. 210201.28



Block	Lot	S.F.	Block	Lot	S.F.	Block	Lot	S.F.
11	14	7980	12	1	7133	13	1	16078
11	15	6558	12	2	6626	13	2	16432
11	16	6558	12	3	6624	13	3	16427
11	17	6558	12	4	6623	13	4	16494
11	18	6558	12	5	6624	13	5	36029
11	19	6558	12	6	6624	13	6	10360
11	20	6558	12	7	6624	13	7	6621
11	21	6558	12	8	6625	13	8	9020
11	22	6558	12	9	6625	13	9	16231
11	23	6558	12	10	6625	13	10	12722
11	24	6558	12	11	6626	13	16	6632
11	25	6558	12	12	6626	13	17	8763
11	26	8548	12	13	6626	13	18	6590
11	27	7970	12	14	7146	13	19	9265
11	28	6600				13	20	25550
11	29	6600				13	21	25773
11	30	6600				13	22	6274
11	31	6600				13	23	6539
11	32	6600				DET		55833
11	33	6600						
11	34	6600						
11	35	6600						
11	36	6073						
11	37	15540						
11	38	12987						

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 89°24'51" W	135.00'
L2	N 00°43'47" E	142.78'
L3	S 89°26'13" W	120.00'
L4	S 00°33'47" W	120.79'
L5	S 89°26'13" W	120.00'
L6	S 89°14'02" W	50.00'
L7	S 89°24'51" W	135.00'
L8	N 00°33'47" W	212.48'
L9	N 14°02'10" W	29.94'
L10	S 81°21'43" W	110.68'
L11	S 89°26'13" W	251.97'
L12	N 14°03'46" W	167.04'
L13	N 75°59'32" E	197.56'
L14	S 89°26'13" W	120.00'
L15	N 00°43'47" E	142.78'
L16	S 89°26'13" W	129.15'
L17	N 02°00'05" E	78.00'
L18	S 75°57'49" W	133.41'
L19	S 00°33'47" E	120.79'
L20	S 89°26'13" W	120.00'
L21	S 89°14'02" W	50.00'
L22	S 89°24'51" W	135.00'
L23	N 00°33'47" W	212.48'
L24	N 14°02'10" W	29.94'
L25	S 81°21'43" W	110.68'
L26	S 89°26'13" W	251.97'
L27	N 14°03'46" W	167.04'
L28	N 75°59'32" E	197.56'

CURVE TABLE				
CURVE	RADIUS	ARC	CHORD BEARING	CHORD
C1	25.00'	39.27'	S 30°33'47" E	35.36'
C2	25.00'	39.27'	S 59°26'13" W	35.36'
C3	25.00'	39.27'	N 30°33'47" W	35.36'
C4	25.00'	39.27'	N 59°26'13" E	35.36'
C5	25.00'	39.27'	S 30°33'47" E	35.36'
C6	25.00'	39.27'	S 59°26'13" W	35.36'
C7	25.00'	39.27'	N 30°33'47" W	35.36'
C8	25.00'	39.27'	N 59°26'13" E	35.36'
C9	25.00'	39.27'	S 30°33'47" E	35.36'
C10	25.00'	39.27'	S 59°26'13" W	35.36'
C11	25.00'	39.27'	N 30°33'47" W	35.36'
C12	25.00'	39.27'	N 59°26'13" E	35.36'
C13	25.00'	39.27'	S 30°33'47" E	35.36'
C14	25.00'	39.27'	S 59°26'13" W	35.36'
C15	25.00'	39.27'	N 30°33'47" W	35.36'
C16	25.00'	39.27'	N 59°26'13" E	35.36'
C17	25.00'	39.27'	S 30°33'47" E	35.36'
C18	25.00'	39.27'	S 59°26'13" W	35.36'
C19	25.00'	39.27'	N 30°33'47" W	35.36'
C20	25.00'	39.27'	N 59°26'13" E	35.36'
C21	25.00'	39.27'	S 30°33'47" E	35.36'
C22	25.00'	39.27'	S 59°26'13" W	35.36'
C23	25.00'	39.27'	N 30°33'47" W	35.36'
C24	25.00'	39.27'	N 59°26'13" E	35.36'
C25	25.00'	39.27'	S 30°33'47" E	35.36'
C26	25.00'	39.27'	S 59°26'13" W	35.36'
C27	25.00'	39.27'	N 30°33'47" W	35.36'
C28	25.00'	39.27'	N 59°26'13" E	35.36'
C29	25.00'	39.27'	S 30°33'47" E	35.36'
C30	25.00'	39.27'	S 59°26'13" W	35.36'
C31	25.00'	39.27'	N 30°33'47" W	35.36'
C32	25.00'	39.27'	N 59°26'13" E	35.36'
C33	25.00'	39.27'	S 30°33'47" E	35.36'
C34	25.00'	39.27'	S 59°26'13" W	35.36'
C35	25.00'	39.27'	N 30°33'47" W	35.36'
C36	25.00'	39.27'	N 59°26'13" E	35.36'
C37	25.00'	39.27'	S 30°33'47" E	35.36'
C38	25.00'	39.27'	S 59°26'13" W	35.36'
C39	25.00'	39.27'	N 30°33'47" W	35.36'
C40	25.00'	39.27'	N 59°26'13" E	35.36'
C41	25.00'	39.27'	S 30°33'47" E	35.36'
C42	25.00'	39.27'	S 59°26'13" W	35.36'
C43	25.00'	39.27'	N 30°33'47" W	35.36'
C44	25.00'	39.27'	N 59°26'13" E	35.36'
C45	25.00'	39.27'	S 30°33'47" E	35.36'
C46	25.00'	39.27'	S 59°26'13" W	35.36'
C47	25.00'	39.27'	N 30°33'47" W	35.36'
C48	25.00'	39.27'	N 59°26'13" E	35.36'
C49	25.00'	39.27'	S 30°33'47" E	35.36'
C50	25.00'	39.27'	S 59°26'13" W	35.36'
C51	25.00'	39.27'	N 30°33'47" W	35.36'
C52	25.00'	39.27'	N 59°26'13" E	35.36'
C53	25.00'	39.27'	S 30°33'47" E	35.36'
C54	25.00'	39.27'	S 59°26'13" W	35.36'
C55	25.00'	39.27'	N 30°33'47" W	35.36'
C56	25.00'	39.27'	N 59°26'13" E	35.36'
C57	25.00'	39.27'	S 30°33'47" E	35.36'
C58	25.00'	39.27'	S 59°26'13" W	35.36'
C59	25.00'	39.27'	N 30°33'47" W	35.36'
C60	25.00'	39.27'	N 59°26'13" E	35.36'
C61	25.00'	39.27'	S 30°33'47" E	35.36'
C62	25.00'	39.27'	S 59°26'13" W	35.36'
C63	25.00'	39.27'	N 30°33'47" W	35.36'
C64	25.00'	39.27'	N 59°26'13" E	35.36'
C65	25.00'	39.27'	S 30°33'47" E	35.36'
C66	25.00'	39.27'	S 59°26'13" W	35.36'
C67	25.00'	39.27'	N 30°33'47" W	35.36'
C68	25.00'	39.27'	N 59°26'13" E	35.36'
C69	25.00'	39.27'	S 30°33'47" E	35.36'
C70	25.00'	39.27'	S 59°26'13" W	35.36'
C71	25.00'	39.27'	N 30°33'47" W	35.36'
C72	25.00'	39.27'	N 59°26'13" E	35.36'
C73	25.00'	39.27'	S 30°33'47" E	35.36'
C74	25.00'	39.27'	S 59°26'13" W	35.36'
C75	25.00'	39.27'	N 30°33'47" W	35.36'
C76	25.00'	39.27'	N 59°26'13" E	35.36'
C77	25.00'	39.27'	S 30°33'47" E	35.36'
C78	25.00'	39.27'	S 59°26'13" W	35.36'
C79	25.00'	39.27'	N 30°33'47" W	35.36'
C80	25.00'	39.27'	N 59°26'13" E	35.36'
C81	25.00'	39.27'	S 30°33'47" E	35.36'
C82	25.00'	39.27'	S 59°26'13" W	35.36'
C83	25.00'	39.27'	N 30°33'47" W	35.36'
C84	25.00'	39.27'	N 59°26'13" E	35.36'
C85	25.00'	39.27'	S 30°33'47" E	35.36'
C86	25.00'	39.27'	S 59°26'13" W	35.36'
C87	25.00'	39.27'	N 30°33'47" W	35.36'
C88	25.00'	39.27'	N 59°26'13" E	35.36'
C89	25.00'	39.27'	S 30°33'47" E	35.36'
C90	25.00'	39.27'	S 59°26'13" W	35.36'
C91	25.00'	39.27'	N 30°33'47" W	35.36'
C92	25.00'	39.27'	N 59°26'13" E	35.36'
C93	25.00'	39.27'	S 30°33'47" E	35.36'
C94	25.00'	39.27'	S 59°26'13" W	35.36'
C95	25.00'	39.27'	N 30°33'47" W	35.36'
C96	25.00'	39.27'	N 59°26'13" E	35.36'
C97	25.00'	39.27'	S 30°33'47" E	35.36'
C98	25.00'	39.27'	S 59°26'13" W	35.36'
C99	25.00'	39.27'	N 30°33'47" W	35.36'
C100	25.00'	39.27'	N 59°26'13" E	35.36'
C101	25.00'	39.27'	S 30°33'47" E	35.36'
C102	25.00'	39.27'	S 59°26'13" W	35.36'
C103	25.00'	39.27'	N 30°33'47" W	35.36'
C104	25.00'	39.27'	N 59°26'13" E	35.36'
C105	25.00'	39.27'	S 30°33'47" E	35.36'
C106	25.00'	39.27'	S 59°26'13" W	35.36'
C107	25.00'	39.27'	N 30°33'47" W	35.36'
C108	25.00'	39.27'	N 59°26'13" E	35.36'
C109	25.00'	39.27'	S 30°33'47" E	35.36'
C110	25.00'	39.27'	S 59°26'13" W	35.36'
C111	25.00'	39.27'	N 30°33'47" W	35.36'
C112	25.00'	39.27'	N 59°26'13" E	35.36'
C113	25.00'	39.27'	S 30°33'47" E	35.36'
C114	25.00'	39.27'	S 59°26'13" W	35.36'
C115	25.00'	39.27'	N 30°33'47" W	35.36'
C116	25.00'	39.27'	N 59°26'13" E	35.36'
C117	25.00'	39.27'	S 30°33'47" E	35.36'
C118	25.00'	39.27'	S 59°26'13" W	35.36'
C119	25.00'	39.27'	N 30°33'47" W	35.36'
C120	25.00'	39.27'	N 59°26'13" E	35.36'
C121	25.00'	39.27'	S 30°33'47" E	35.36'
C122	25.00'	39.27'	S 59°26'13" W	35.36'
C123	25.00'	39.27'	N 30°33'47" W	35.36'
C124	25.00'	39.27'	N 59°26'13" E	35.36'
C125	25.00'	39.27'	S 30°33'47" E	35.36'
C126	25.00'	39.27'	S 59°26'13" W	35.36'
C127	25.00'	39.27'	N 30°33'47" W	35.36'
C128	25.00'	39.27'	N 59°26'13" E	35.36'
C129	25.00'	39.27'	S 30°33'47" E	35.36'
C130	25.00'	39.27'	S 59°26'13" W	35.36'
C131	25.00'	39.27'	N 30°33'47" W	35.36'
C132	25.00'	39.27'	N 59°26'13" E	35.36'
C133	25.00'	39.27'	S 30°33'47" E	35.36'
C134	25.00'	39.27'	S 59°26'13" W	35.36'
C135	25.00'	39.27'	N 30°33'47" W	35.36'
C136	25.00'	39.27'	N 59°26'13" E	35.36'
C137	25.00'	39.27'	S 30°33'47" E	35.36'
C138	25.00'	39.27'	S 59°26'13" W	35.36'
C139	25.00'	39.27'	N 30°33'47" W	35.36'
C140	25.00'	39.27'	N 59°26'13" E	35.36'
C141	25.00'	39.27'	S 30°33'47" E	35.36'
C142	25.00'	39.27'	S 59°26'13" W	35.36'
C143	25.00'	39.27'	N 30°33'47" W	35.36'
C144	25.00'	39.27'	N 59°26'13" E	35.36'
C145	25.00'	39.27'	S 30°33'47" E	35.36'
C146	25.00'	39.27'	S 59°26'13" W	35.36'
C147	25.00'	39.27'	N 30°33'47" W	35.36'
C148	25.00'	39.27'	N 59°26'13" E	35.36'
C149	25.00'	39.27'	S 30°33'47" E	35.36'
C150	25.00'	39.27'	S 59°26'13" W	35.36'
C151	25.00'	39.27'	N 30°33'47" W	35.36'
C152	25.00'	39.27'	N 59°26'13" E	35.36'
C153	25.00'	39.27'	S 30°33'47" E	35.36'
C154	25.00'	39.27'	S 59°26'13" W	35.36'
C155	25.00'	39.27'	N 30°33'47" W	35.36'
C156	25.00'	39.27'	N 59°26'13" E	35.36'
C157	25.00'	39.27'	S 30°33'47" E	35.36'
C158	25.00'	39.27'	S 59°26'13" W	35.36'
C159	25.00'	39.27'	N 30°33'47" W	35.36'
C160	25.00'	39.27'	N 59°26'13" E	35.36'
C161	25.00'	39.27'	S 30°33'47" E	35.36'
C162	25.00'	39.27'	S 59°26'13" W	35.36'
C163	25.00'	39.27'	N 30°33'47" W	35.36'
C164	25.00'	39.27'	N 59°26'13" E	35.36'
C165	25.00'	39.27'	S 30°33'47" E	35.36'
C166	25.00'	39.27'	S 59°26'13" W	35.36'
C167	25.00'	39.27'	N 30°33'47" W	35.36'
C168	25.00'	39.27'	N 59°26'13" E	35.36'
C169	25.00'	39.27'	S 30°33'47" E	35.36'
C170	25.00'	39.27'	S 59°26'13" W	35.36'
C171	25.00'	39.27'	N 30°33'47" W	35.36'
C172	25.00'	39.27'	N 59°26'13" E	35.36'
C173	25.00'	39.27'	S 30°33'47" E	35.36'
C174	25.00'	39.27'	S 59°26'13" W	35.36'
C175	25.00'	39.27'	N 30°33'47" W	35.36'
C176	25.00'	39.27'	N 59°26'13" E	35.36'
C177	25.00'	39.27'	S 30°33'47" E	35.36'
C178	25.00'	39.27'	S 59°26'13" W	35.36'
C179	25.00'	39.27'	N 30°33'47" W	35.36'
C180	25.00'	39.27'	N 59°26'13" E	35.36'
C181	25.00'	39.27'	S 30°33'47" E	35.36'
C182	25.00'	39.27'	S 59°26'13" W	35.36'
C183	25.00'	39.27'	N 30°33'47" W	35.36'
C184	25.00'	39.27'	N 59°26'13" E	35.36'
C185	25.00'	39.27'	S 30°33'47" E	35.36'
C186	25.00'	39.27'	S 59°26'13" W	35.36'
C187	25.00'	39.27'	N 30°33'47" W	35.36'
C188	25.00'	39.27'	N 59°26'13" E	35.36'
C189	25.00'	39.27'	S 30°33'47" E	35.36'
C190	25.00'	39.27'	S 59°26'13" W	35.36'
C191	25.00'	39.27'	N 30°33'47" W	35.36'
C192	25.00'	39.27'	N 59°26'13" E	35.36'
C193	25.00'	39.27'	S 30°33'47" E	35.36'
C194	25.00'	39.27'	S 59°26'13" W	35.36'
C195	25.00'	39.27'	N 30°33'47" W	35.36'
C196	25.00'	39.27'	N 59°26'13" E	35.36'
C197	25.00'	39.27'	S 30°33'47" E	35.36'
C198	25.00'	39.27'	S 59°26'13" W	35.36'
C199	25.00'	39.27'	N 30°33'47" W	35.36'
C200	25.00'	39.27'	N 59°26'13" E	35.36'
C201	25.00'	39.27'	S 30°33'47" E	35.36'
C202	25.00'	39.27'	S 59°26'13" W	35.36'
C203	25.00'	39.27'	N 30°33'47" W	35.36'
C204	25.00'	39.27'	N 59°26'13" E	35.36'
C205	25.00'	39.27'	S 30°33'47" E	35.36'
C206	25.00'	39.27'	S 59°26'13" W	35.36'
C207	25.00'	39.27'	N 30°33'47" W	35.36'
C208	25.00'	39.27'	N 59°26'13" E	35.36'
C209	25.00'	39.27'	S 30°33'47" E	35.36'
C210	25.00'	39.27'	S 59°26'13" W	35.36'
C211	25.00'	39.27'	N 30°33'47" W	35.36'
C212	25.00'	39.27'	N 59°26'13" E	35.36'
C213	25.00'	39.27'	S 30°33'47" E	35.36'
C214	25.00'	39.27'	S 59°26'13" W	35.36'
C215	25.00'	39.27'	N 30°33'47" W	35.36'
C216	25.00'	39.27'	N 59°26'13" E	35.36'
C217	25.00'	39.27'	S 30°33'47" E	35.36'
C218	25.00'	39.27'	S 59°26'13" W	35.36'
C219	25.00'	39.27'	N 30°33'47" W	35.36'
C220	25.00'	39.27'	N 59°26'13" E	35.36'
C221	25.00'	39.27'	S 30°33'47" E	35.36'
C222	25.00'	39.27'	S 59°26'13" W	35.36'
C223	25.00'	39.27'	N 30°33'47" W	35.36'
C224	25.00'	39.27'	N 59°26'13" E	35.36'
C225	25.00'	39.27'	S 30°33'47" E	35.36'
C226	25.00'	39.27'	S 59°26'13" W	35.36'
C227	25.00'	39.27'	N 30°33'47" W	35.36'
C228	25.00'	39.27'	N 59°26'13" E	35.36'
C229	25.00'	39.27'	S 30°33'47" E	35.36'
C230	25.00'	39.27'	S 59°26'13" W	35.36'
C231	25.00'	39.27'	N 30°33'47" W	35.36'
C232	25.00'	39.27'	N 59°26'13" E	35.36'
C233	25.00'	39.27'	S 30°33'47" E	35.36'
C234	25.00'	39.27'	S 59°26'13" W	35.36'
C235	25.00'	39.27'	N 30°33'47" W	35.36'
C236	25.00'	39.27'	N 59°26'13" E	35.36'
C237	25.00'	39.27'	S 30°33'47" E	35.36'
C238	25.00'	39.27'	S 59°26'13" W	35.36'
C239	25.00'	39.27'	N 30°33'47" W	35.36'
C240	25.00'	39.27'	N 59°26'13" E	35.36'
C241	25.00'	39.27'	S 30°33'47" E	35.36'
C242	25.00'	39.27'	S 59°26'13" W	35.36'
C243	25.00'	39.27'	N 30°33'47" W	35.36'
C244	25.00'	39.27'	N 59°26'13" E	35.36'
C245	25.00'	39.27'	S 30°33'47" E	35.36'
C246	25.00'	39.27'	S 59°26'13" W	35.36'
C247	25.00'	39.27'	N 30°33'47" W	35.36'
C248	25.00'	39.27'	N 59°26'13" E	35.36'
C249	25.00'	39.27'	S 30°33'47" E	35.36'
C250	25.00'	39.27'	S 59°26'13" W	35.36'
C251	25.00'	39.27'	N 30°33'47" W	35.36'
C252	25.00'	39.27'	N 59°26'13" E	35.36'
C253	25.00'	39.27'	S 30°33'47" E	35.36'
C254	25.00'	39.27'	S 59°26'13" W	35.36'
C255	25.00'	39.27'	N 30°33'47" W	35.36'
C256	25.00'	39.27'	N 59°26'13" E	35.36'
C257	25.00'	39.27'	S 30°33'47" E	35.36'
C258	25.00'	39.27'	S 59°26'13" W	35.36'
C259	25.00'	39.27'	N 30°33'47" W	35.36'
C260	25.00'	39.27'	N 59°26'13" E	35.36'
C261	25.00'	39.27'	S 30°33'47" E	35.36'
C262	25.00'	39.27'	S 59°26'13" W	35.36'
C263	25.00'	39.27'	N 30°33'47" W	35.36'
C264	25.00'	39.27'	N 59°26'13" E	35.36'
C265	25.00'	39.27'	S 30°33'47" E	35.36'
C266	25.00'	39.27'	S 59°26'13" W	35.36'
C267	25.00'	39.27'	N 30°33'47" W	35.36'
C268	25.00'	39.27'	N 59°26'13" E	35.36'
C269	25.00'	39.27'	S 30°33'47" E	35.36'
C270	25.00'	39.27'	S 59°26'13" W	35.36'
C271	25.00'	39.27'	N 30°33'47" W	35.36'
C272	25.00'	39.27'	N 59°26'13" E	35.36'
C273	25.00'	39.27'	S 30°33'47" E	35.36'
C274	25.00'	39.27'	S 59°26'13" W	35.36'
C275	25.00'	39.27'	N 30°33'47" W	35.36'
C276	25.00'	39.27'	N 59°26'13" E	35.36'
C277	25.00'	39.27'	S 30°33'47" E	35.36'
C278	25.00'	39.27'	S 59°26'13" W	35.36'
C279	25.00'	39.27'	N 30°33'47" W	35.36'
C280	25.00'	39.27'	N 59°26'13" E	35.36'
C281	25.00'	39.27'	S 30°33'47" E	35.36'
C282	25.00'	39.27'	S 59°26'13" W	35.36'
C283	25.00'	39.27'	N 30°33'47" W	35.36'
C284	25.00'	39.27'	N 59°26'13" E	35.36'
C285	25.00'	39.27'	S 30°33'47" E	35.36'
C286	25.00'	39.27'	S 59°26'13" W	35.36'
C287	25.00'	39.27'	N 30°33'47" W	35.36'
C288	25.00'	39.27'	N 59°26'13" E	35.36'
C289	25.00'	39.27'	S 30°33'47" E	35.36'
C290	25.00'	39.27'	S 59°26'13" W	35.36'
C291	25.00'	39.27'	N 30°33'47" W	35.36'
C292	25.00'	39.27'	N 59°26'13" E	35.36'
C293	25.00'	39.27'	S 30°33'47" E	35.36'
C294	25.00'	39.27'	S 59°26'13" W	35.36'
C295	25.00'	39.27'	N 30°33'47" W	35.36'
C296	25.00'	39.27'	N 59°26'13" E	35.36'
C297	25.00'	39.27'	S 30°33'47" E	35.36'
C298	25.00'	39.27'	S 59°26'13" W	35.36'
C299	25.00'	39.27'	N 30°33'47" W	35.36'
C300	25.00'	39.27'	N 59°26'13" E	35.36'
C301	25.00'	39.27'	S 30°33'47" E	35.36'
C302	25.00'	39.27'	S 59°26'13" W	35.36'
C303	25.00'	39.27'	N 30°33'47" W	35.36'
C304	25.00'	39.27'	N 59°26'13" E	35.36'
C305	25.00'	39.27'	S 30°33'47" E	35.36'
C306	25.00'	39.27'	S 59°26'13" W	35.36'
C307	25.00'	39.27'	N 30°33'47" W	35.36'
C308	25.00'	39.27'	N 59°26'13" E	35.36'
C309	25.00'	39.27'	S 30°33'47" E	35.36'
C310	25.00'	39.27'	S 59°26'13" W	35.36'
C311	25.00'	39.27'	N 30°33'47" W	35.36'
C312	25.00'	39.27'	N 59°26'13" E	35.36'
C313	25.00'	39.27'	S 30°33'47" E	35.36'
C314	25.00'	39.27'	S 59°26'13" W	35.36'
C315	25.00'	39.27'	N 30°33'47" W	35.36'
C316	25.00'	39.27'	N 59°26'13" E	35.36'
C317	25.00'	39.27'	S 30°33'47" E	35.36'
C318	25.00'	39.27'	S 59°26'13" W	35.36'
C319	25.00'	39.27'	N 30°33'47" W	35.36'
C320	25.00'	39.27'	N 59°26'13" E	35.36'
C321	25.00'	39.27'	S 30°33'47" E	35.36'
C322	25.00'	39.27'	S 59°26'13" W	35.36'
C323	25.00'	39.27'	N 30°33'47" W	35.36'
C324	25.00'	39.27'	N 59°26'13" E	35.36'
C325	25.00'	39.27'	S 30°33'47" E	35.36'
C326	25.00'	39.27'	S 59°26'13" W	35.36'
C327	25.00'	39.27'	N 30°33'47" W	35.36'
C328	25.00'	39.27'	N 59°26'13" E	35.36'
C329	25.00'	39.27'	S 30°33'47" E	35.36'
C330	25.00'	39.27'	S 59°26'13" W	35.36'
C331	25.00'	39.27'	N 30°33'47" W	35.36'
C332	25.00'	39.27'	N 59°26'13" E	35.36'
C333	25.00'	39.27'	S 30°33'47" E	35.36'
C334	25.00'	39.27'	S 59°26'13" W	35.36'
C335	25.00'	39.27'	N 30°33'47" W	35.36'
C336	25.00'	39.27'	N 59°26'13" E	35.36'
C337	25.00'	39.27'	S 30°33'47" E	35.36'
C338	25.00'	39.27'	S 59°26'13" W	35.36'
C339	25.00'	39.27'	N 30°33'47" W	35.36'
C340	25.00'	39.27'	N 59°26'13" E	35.36'
C341	25.00'	39.27'	S 30°33'47" E	35.36'
C342	25.00'	39.27'	S 59°26'13" W	35.36'
C343	25.00'	39.27'	N 30°33'47" W	35.36'
C344	25.00'	39.27'	N 59°26'13" E	35.36'
C345	25.00'	39.27'	S 30°33'47" E	35.36'
C346	25.00'	39.27'	S 59°26'13" W	35.36'
C347	25.00'	39.27'	N 30°33'47" W	35.36'
C348	25.00'	39.27'	N 59°26'13" E	35.36'
C349	25.00'	39.27'	S 30°33'47" E	35.36'
C350	25.00'	39.27'	S 59°26'13" W	35.36'
C351	25.00'	39.27'	N 30°33'47" W	35.36'
C352	25.00'	39.27'	N 59°26'13" E	35.36'
C353	25.00'	39.27'	S 30°33'47" E	35.36'
C354	25.00'	39.27'	S 59°26'13" W	35.36'
C355	25.00'	39.27'	N 30°33'47" W	35.36'
C356	25.00'	39.27'	N 59°26'13" E	35.36'
C357	25.00'	39.27'	S 30°33'47" E	35.36'
C358	25.00'	39.27'	S 59°26'13" W	35.36'
C359	25.00'	39.27'	N 30°33'47" W	35.36'
C360	25.00'	39.27'	N 59°26'13" E	35.36'
C361	25.00'	39.27'	S 30°33'47" E	35.36'
C362	25.00'	39.27'	S 59°26'13" W	35.36'
C363	25.00'	39.27'	N 30°33'47" W	35.36'
C364	25.00'	39.27'	N 59°26'13" E	35.36'
C365	25.00'	39.27'	S 30°33'47" E	35.36'
C366	25.00'	39.27'	S 59°26'13" W	35.36'
C367	25.00'	39.27'	N 30°33'47" W	35.36'
C368	25.00'	39.27'	N 59°26'13" E	35.36'
C369	25.00'	39.27'	S 30°33'47" E	35.36'
C370	25.00'	39.27'	S 59°26'13" W	35.36'
C371	25.00'	39.27'	N 30°33'47" W	35.36'
C372	25.00'	39.27'	N 59°26'13" E	35.36'
C373	25.00'	39.27'	S 30°33'47" E	35.36'
C374	25.00'	39.27'	S 59°26'13" W	35.36'
C375	25.00'	39.27'	N 30°33'47" W	35.36'
C376	25.00'	39.27'	N 59°26'13" E	35.36'
C377	25.00'	39.27'	S 30°33'47" E	35.36'
C378	25.00'	39.27'	S 59°26'13" W	35.36'
C379	25.00'	39.27'	N 30°33'47" W	35.36'
C380	25.00'	39.27'	N 59°26'13" E	35.36'
C381	25.00'	39.27'	S 30°33'47" E	35.36'
C382	25.00'	39.27'	S 59°26'13" W	35.36'
C383	25.00'	39.27'	N 30°33'47" W	35.36'
C384	25.00'	39.27'	N 59°26'13" E	35.36'
C385	25.00'	39.27'	S 30°33'47" E	35.36'
C386	25.00'	39.27'	S 59°26'13" W	35.36'
C387	25.00'	39.27'	N 30°33'47" W	35.36'
C388	25.00'	39.27'	N 59°26'13" E	35.36'
C389	25.00'	39.27'	S 30°33'47" E	35.36'
C390	25.00'	39.27'	S 59°26'13" W	35.36'
C391	25.00'	39.27'	N 30°33'47" W	35.36'
C392	25.00'	39.27'	N 59°26'13" E	35.36'
C393	25.00'	39.27'	S 30°33'47" E	35.36'
C394	25.00'	39.27'	S 59°26'13" W	35.36'
C395	25.00'	39.27'	N 30°33'47" W	35.36'
C396	25.00'	39.27'	N 59°26'13" E	35.36'
C397	25.00'	39.27'	S 30°33'47" E	35.36'
C398	25.00'	39.27'	S 59°26'13" W	35.36'
C399	25.00'	39.27'	N 30°33'47" W	35.36'
C400	25.00'	39.27'	N 59°26'13" E	35.36'
C401	25.00'	39.27'	S 30°33'47" E	35.36'
C402	25.00'	39.27'	S 59°26'13" W	35.36'
C403	25.00'	39.27'	N 30°33'47" W	35.36'
C404	25.00'	39.27'	N 59°26'13" E	35.36'
C405

Sherman
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STAFF REVIEW LETTER

March 5, 2021

Westar Home Builders, LLC
1716 Davy Lane
Denison, TX 75020

Underwood Drafting & Surveying, Inc.
3404 Interurban Rd.
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of The Preserve, Phase III has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 16, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Remove building line from plat.
2. Lots 1 and 14, Block 12 must show Easement as noted in Volume 1995, Page 320, Real Property Records, Grayson County, Texas.
3. Dedicate 20' Utility Easement along street Swan Ridge Drive for Lots 1 and 14, Block 12.
4. Lot 36, Block 11 and Lot 4, Block 13 do not meet minimum lot with of 60 feet at property line. Variance required for all lots not meeting 60 feet. Chapter 14, Sec. 6.1.1
5. Drainage Easement on Eastern boundary shall be changed to Private Drainage Easement.
6. Detention Lot must be assigned Lot number and be notated as owned and maintained by the HOA.
7. All existing easements shall be clearly identified and show filing information.
8. Show exact location of Sewer line Easement in Volume 1719, Page 731 on drawing.
9. Dedicate 10' Utility Easement along all street frontage.
10. Calls are not clearly shown on drawing. Correct appropriately.
11. Curve data missing from drawing on 3rd from last call in metes and bounds description.
12. Typos in metes and bounds description. Correct appropriately.
13. Subdivision with Winter Way shall be removed from drawing. Site does not exist.
14. Any subdivision developed under the Patio Home (PH) standards shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Usable open space shall not be required for a patio home development if it contains fifty (50) or fewer lots and the property contiguous (abutting or separating only by a local or collector street) to the subdivision is either developed for use other than patio homes or is restricted by zoning to not permit patio home development. Properties separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.
15. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.

16. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

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

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 31.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

* **4000-4300 BLOCKS OF HUMMINGBIRD DRIVE & 700 BLOCK SWAN RIDGE DRIVE**

The request of Westar Home Builders (Owner), Ron Westervelt (Representative) and Underwood Drafting and Surveying, Inc. (Surveyor) concerning the property located in the 4000-4300 blocks of Hummingbird Drive and the 700 block of Swan Ridge Drive, being 16.393 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

Planning and Zoning Commission

Final Plat approval of The Preserve, Phase III.

Background:

The property is located in the 4000-4300 blocks of Hummingbird Drive and the 700 block of Swan Ridge Drive; the southeast corner of Swan Ridge Drive and Hummingbird Drive. The property is zoned an R-1 (One Family Residential) District. The owner would like to Plat the property into 57 lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District
R-2 (Multi-Family Residential) District

Origination:

Westar Home Builders (Owner)
Ron Westervelt (Representative)
Underwood Drafting and Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map
Zoning Map
The Preserve, Phase III
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting **F. 11.**

Meeting Date: 04/05/2021

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

**** OTHER BUSINESS***

Replat approval of Texoma Rentals Addition, being a Replat of Lots 13, 14, 15, 16, 17, 18 and 19, Block 5, W. Elliott's Addition, being Lots 13, 14, 15, 16, 17, 18 & 19, Block 5, W. Elliott's Addition; Texoma Rent House LLC, Owner; and Underwood Drafting and Surveying, Surveyor (608 South Throckmorton Street)

Issue:

To consider Replat approval of Texoma Rentals Addition, being a Replat of Lots 13, 14, 15, 16, 17, 18 and 19, Block 5, W. Elliott's Addition, being Lots 13, 14, 15, 16, 17, 18 & 19, Block 5, W. Elliott's Addition; Texoma Rent House LLC, Owner; and Underwood Drafting and Surveying, Surveyor (608 South Throckmorton Street)

Background:

The property is located at 608 South Throckmorton Street; the southwest corner of Throckmorton and King Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into three lots for residential development.

Origination:

Texoma Rent House LLC (Owner)
Underwood Drafting and Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the March 16, 2021 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Texoma Rentals Addition Replat
Staff Review Letter
P&Z Communication

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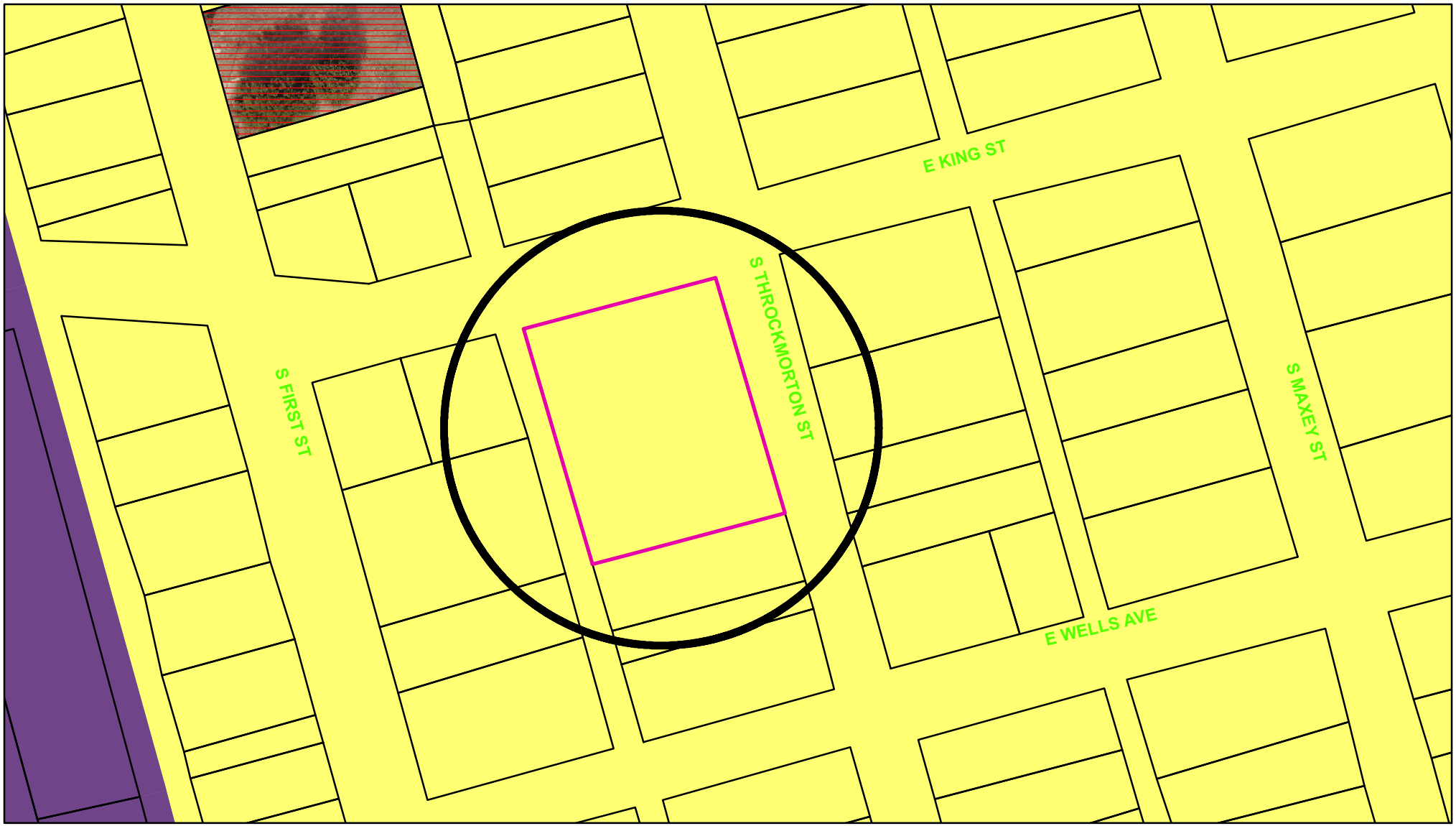
City of Sherman, Texas
Developmental Services Department

608 South Throckmorton Street

NOT TO SCALE

1 in = 200 ft



Zoning - 608 South Throckmorton Street

Legend

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

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

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

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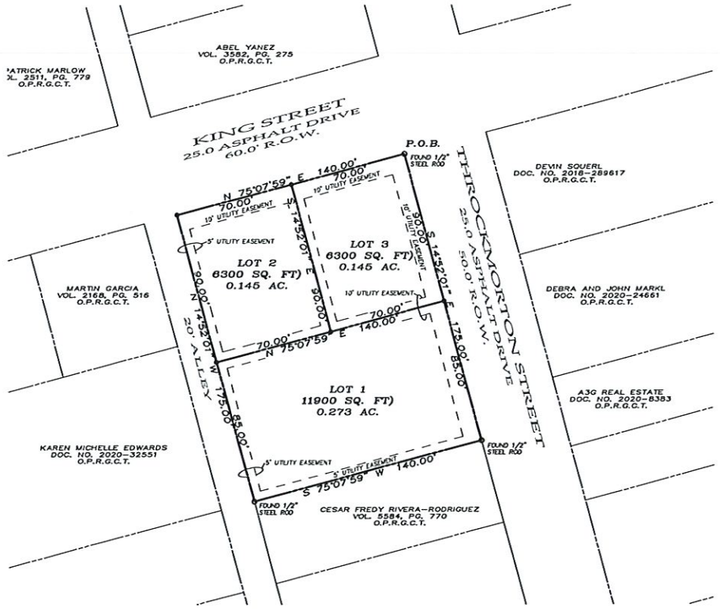
City of Sherman, Texas
Developmental Services Department

NOT TO SCALE

1 in = 100 ft

608 South Throckmorton Street

JOB NO. 21010055



REPLAT

TEXOMA RENTALS ADDITION

BEING A REPLAT OF LOTS 13, 14, 15, 16, 17, 18, AND 19, BLOCK 5, OF THE W. ELLIOTTS ADDITION RECORDED IN VOL. 101, PG. 4 D.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING 0.562 ACRES

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

GRAPHIC SCALE
40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

OWNERS/DEVELOPER
TEXOMA RENT HOUSE LLC.
920 W. MAIN ST.
DENISON, TEXAS

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

2-17-2021

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

SHEET 1 OF 2

JOB NO. 21010055

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of the W. Elliotts Addition , and being Lots 13, 14, 15, 16, 17, 18, and 19 conveyed to Texoma Rent House LLC by deed recorded in Volume 5750, Page 301, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a found ½" steel rod at the intersection of the South Right-of-Way of King Street and the West Right-of-Way of Throckmorton Street being the Northeast Corner of said Lot 13;

Thence South 14°52'01" East with the said West Right-of-Way of Throckmorton Street a distance of 175.00 feet to a found ½" steel rod;

Thence South 75°07'59" West with the North line of a tract of land conveyed to Cesar Fredy Rivera-Rodriguez, Recorded in Volume 5584, Page 770 of said Official Public Records a distance of 140.00 feet to a found ½" steel rod in the east line of a 20' alley;

Thence North 14°52'01" West with said East line of the alley a distance of 175.00 feet to a set ½" steel rod in the South Right-of-Way of said King Street;

Thence North 75°07'59" East with the South Right-of-Way of King Street a distance of 140.00 feet to the Point of Beginning and containing 0.562 acres of land.

ACCEPTANCE

Approved this _____ day of _____, 2021, by the City Planning Commission to the City of Sherman, Texas.

_____ Chairman

_____ Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

_____ Mayor, City of Sherman, Texas

_____ Date

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

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

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

_____ Date

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, TEXOMA RENT HOUSE LLC/TANNER BARCLAY do hereby adopt this plat designating the hereinabove property as the TEXOMA RENTALS ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this_____day of _____2021

_____ TANNER BARCLAY

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this___day of_____, 2021.

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

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, TEXOMA RENTAL ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the___day of _____ 2021, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this_____day of _____, 2021.

_____ Clerk, City of Sherman, Texas

~ 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

TEXOMA RENTALS ADDITION

BEING A REPLAT OF LOTS 13, 14, 15, 16, 17, 18, AND 19, BLOCK 5, OF THE W. ELLIOTTS ADDITION RECORDED IN VOL. 101, PG. 4 D.R.G.C.T. AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS
BEING 0.562 ACRES

OWNERS/DEVELOPER
TEXOMA RENT HOUSE LLC.
920 W. MAIN ST.
DENISON, TEXAS

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

2-17-2021

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

SHEET 2 OF 2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

March 5, 2021

Texoma Rent House, LLC
920 W. Main Street
Denison, TX 75020

Underwood Drafting & Surveying, Inc.
3404 Interurban Rd.
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Texoma Rentals Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, March 16, 2021 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Sewer main must be extended in accordance with City criteria within King Street to serve proposed Lot 3. Chapter 13, Sec. 13.07.282
2. Remove 5' Utility Easement from West and South boundary lines.
3. Remove 10' Utility Easement from internal lot lines.
4. Remove "Replat" from title block. Should read "Texoma Rentals Addition being a Replat of Lots …"
5. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat.
6. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

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

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 35.

Meeting Date: 03/16/2021

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

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

Requested Action/Proposed Use:

*** 608 SOUTH THROCKMORTON STREET**

The request of Texoma Rent House LLC (Owner) and Underwood Drafting and Surveying, Inc. (Surveyor) concerning the property located at 608 South Throckmorton Street, being Lots 13, 14, 15, 16, 17, 18 & 19, Block 5, W. Elliott's Addition, as follows:

Planning and Zoning Commission

Replat approval of Texoma Rentals Addition, being a Replat of Lots 13, 14, 15, 16, 17, 18 and 19, Block 5, W. Elliott's Addition.

Background:

The property is located at 608 South Throckmorton Street; the southwest corner of Throckmorton and King Streets. The property is zoned an R-1 (One Family Residential) District. The owner would like to Replat the property into three lots for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Texoma Rent House LLC (Owner)
Underwood Drafting and 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:
162

Objections Received:
0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Texoma Rentals Addition Replat
Staff Review Letter

SHERMAN CITY COUNCIL
Agenda Communication Form

City Council Regular Meeting
Meeting Date: 04/05/2021
Prepared By: Teri Fine, Assistant to the City Manager
Approved By: Robby Hefton, City Manager

Caption:
COUNCIL CALENDAR

Issue:

Attachments

Council Calendar 2021

2021
Council Calendar

January						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February						
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28						

March						
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April						
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May						
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June						
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July						
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August						
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September						
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October						
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31						

November						
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28	29	30				

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

	Holiday
	Holiday for Firefighters/Police Only
	City Council Regular Meeting
	City Council Called Meeting
	Special Called Meeting
	Budget Workshop
	Cancelled City Council Meeting

CALLED MEETINGS	
1/19/2021	Rescheduled - Martin Luther King, Jr. Day
4/23/2021	Called Budget Planning Meeting
5/27/2021	Called Capital improvement Program Work Session
7/6/2021	Rescheduled - Independence Day
9/7/2021	Rescheduled - Labor Day