

STATE OF TEXAS

§

December 11, 2007

COUNTY OF GRAYSON

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BE IT REMEMBERED THAT A Called Meeting of the Sherman City Council was begun and held in the City Council Chambers on December 11, 2007.

COUNCIL MEMBERS PRESENT: Mayor Bill Magers; Deputy Mayor Chip Adami.
Council Members Smith, T. Steele, W. Steele, Wacker.

COUNCIL MEMBERS ABSENT: Council Member Hughes.

CITY STAFF PRESENT: George Olson, City Manager; Robbie Hefton, Assistant City Manager/CFO; Doreen McGookey, City Attorney; Jeff Miller, Director of Public Works; Mark Gibson, Director of Utilities and Engineering; Scott Shadden, Director of Developmental Services; Tom Watt, Police Chief; Rita Gaither, Development Coordinator; Pam Cloer, Assistant to the City Manager; Linda Ashby, City Clerk.

PURPOSE: Call to Order, Quorum Determined, Meeting Declared Open,

Other Business
Review and Discuss Development Standards for Sherman's Major Highways and Thoroughfares

Executive Session
Section 551.087 – Deliberations Regarding Economic Development Negotiations:
Deliberate Regarding Commercial or Financial Information that the City has Received from Business Prospects and Deliberate Any Offers or Incentives to the Business Prospects

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

Adjournment

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

Mayor Magers called the meeting to order at 12:02 p.m., declared a quorum present, and opened the City Council Meeting.

OTHER BUSINESS

REVIEW AND DISCUSS DEVELOPMENT STANDARDS FOR SHERMAN'S MAJOR HIGHWAYS AND THOROUGHFARES

Mayor Magers introduced Scott Shadden, Director of Developmental Services, who presented a Power Point presentation on the development standards for Sherman's major highways and thoroughfares.

Mr. Shadden presented slides outlining the regulations for the Highway 75/82 Overlay District, the Sam Rayburn Freeway Overlay District, and the Heritage Parkway (FM 1417) Overlay District. He also presented a map of the Overlay Districts and photographs of various buildings in each Overlay

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District. Some of the photographs showed the development standards that the Council Members liked and some showed development standards that the Council wanted to change.

Mayor Magers asked why the Sam Rayburn Overlay District was different from the 75/82 Overlay District. Mr. Shadden explained that Sam Rayburn backs up to Austin Street and the Overlay District couldn't be as deep. The districts were also set up at different times.

One photograph of construction in the 75/82 Overlay District that really concerned Council Members was the furniture store that is under construction at Peyton Street and Highway 75. The facility will have 20% of wood, glass, or masonry on the front of the building, which will meet current standards. Council Members did not like the look of the furniture store.

Council Members also did not like the temporary wall that was constructed in front of the Woodmont Addition. Council Member Willie Steele said he understood the grass has not been planted on a portion of the wall but when it is, it should grow upward and cover the wall. There has been grass planted on the far north side. Council Members did not feel that the wall looked good for a major thoroughfare entrance into Sherman.

Mr. Shadden said the FM 1417 Overlay District is much stricter than the other Overlay Districts and requires a minimum of four architectural or landscaping features from a specific list. Council Members did not like the Dollar General facility located on FM 1417 with the metal building and the air conditioners located on the side of the building.

Mr. Shadden presented a comparison of the three Overlay Districts. He recommended that the Council consider enacting the FM 1417 Overlay District requirements for the other two Overlay Districts to make them more restrictive. Mayor Magers asked if the standards would work for all three of the districts. Mr. Shadden suggested leaving the current depths in place but adding the specific requirements. He added that making all Overlay Districts uniform would also make it easier to enforce.

Deputy Mayor Adami felt the recommendation makes sense since the FM 1417 Overlay District standards are good development standards. He added that there will be exceptions, and developers could apply for variances. He felt these were reasonable standards and improved the look of the developments.

Mayor Magers asked to review the signage requirements. Council Member Wacker said the signage for the FM 1417 Overlay District was set for the scale of the road and should be reconsidered for the other Overlay Districts. Deputy Mayor Adami asked if the signage requirements should be considered in the Overlay District ordinances or in a separate sign ordinance.

Lee Terrell, 2404 San Miguel

Mr. Terrell told the Council he appreciated their concerns on this serious issue. He was also upset about the Woodmont retaining wall and the furniture store on Highway 75 and asked the Council to also consider "damage control" to "fix" the current problems.

Council Member Terrence Steele verified that the 75/82 Overlay District extended to Highway 691. He wanted to be sure future development was included in the new regulations. Deputy Mayor Adami also verified that the FM 1417 Overlay District includes all of FM 1417, to Highway 11. The Highway 82 Overlay District currently stops at FM 1417 because of the width of the City limits.

Council Member Willie Steele asked David Baca if the development standards for the FM 1417 Overlay District were consistent with development in other cities.

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David Baca, 1000 S. Sam Rayburn Freeway

Mr. Baca said most cities he has worked in from South of Dallas to Van Alstyne, have stricter regulations than what Sherman has. He urged Council Members to consider these standards for all development in Sherman, not just in the Overlay Districts.

Mayor Magers felt an incremental change would be better because the unintended consequences could be of concern. He felt it was best to consider the changes for the thoroughfares at the current time.

George Olson, City Manager, explained that the staff presented the recommendation for the current Overlay Districts. The intent is to utilize the Comprehensive Plan when it is completed, however that will be another year.

Mayor Magers suggested that the staff look at the recommendation and bring a more complete plan back to the Council. He also asked that they consider requirements for signage. Council Member Wacker suggested that separate standards be considered for signage on Highway 75 and Highway 82 because of the width and speed of the highways and to accommodate the set-back. Mr. Shadden suggested that the Planning and Zoning Commission review the requirements and make a formal recommendation to the City Council.

Council Member Smith asked about requirements for Texoma Parkway that might not be as stringent because they would be dealing with existing structures. These are old structures and they will eventually need to be rebuilt. He felt it was important to have development standards in place when this happened. Mr. Shadden said the plan was to ask the consultant for the Comprehensive Plan to review and make recommendations for development standards for all thoroughfares in Sherman, including Texoma Parkway, Houston, Lamar, Travis, and Crockett.

Council Members were concerned about waiting an additional year for these standards. Mayor Magers asked Mr. Shadden about some standards that could be enacted for Texoma Parkway. He was concerned that some service types of businesses need a place to locate and if the standards were too strict, they would move to another City. He also asked the Planning and Zoning Commission to consider ways to upgrade Texoma Parkway.

Mayor Magers verified that since Texoma Parkway is not a separate Overlay District, the rules that pertain to it also pertain to other parts of the City that are not included in Overlay Districts. Mr. Shadden said the majority of Texoma Parkway is currently zoned C-2 General Commercial.

Mayor Magers wanted to look at the gateways to Sherman. He asked for some short term suggestions for the gateways and for Texoma Parkway and Highway 56. He added that temporary structures on Texoma Parkway should be stopped.

Council Member Terrence Steele expressed concern that construction would continue while the new standards were being studied. Mr. Terrell asked if the Council could consider a moratorium on construction until new development standards are in place.

Mayor Magers reviewed the Council's discussion. The standards for the FM 1417 Overlay District will be moved to the other Overlay Districts, they will review signage, they will also review standards for Texoma Parkway and Highway 56, and standards for retaining walls. Mr. Shadden said an ordinance would need to be adopted with the new standards before they could be enforced.

Council Member Willie Steele also asked that the staff review outdoor storage, temporary buildings, boat and trailer storage, and temporary signage. Mr. Shadden will include these items in the

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recommendation. Council Member Wacker added that storage is already addressed in the FM 1417 Overlay District standards and would be moved to the other Overlay Districts as well.

Deputy Mayor Adami also wanted to review the landscaping requirement. The Council didn't want a stringent tree ordinance, but they did want the property to look attractive. He asked if the current landscaping requirement was enough or if more regulation was needed, such as the review of visual drawings. Mr. Shadden said the landscaping requirements today are minimal.

Council Member Willie Steele said many cities require a landscaping plan with a permit. He added that, short of a plan, the developer should at least provide more detail on their intentions for the landscaping. He felt many restaurants in Sherman are voluntary following a landscape plan and providing more than required.

Council Member Terrence Steele wanted to review the standards for retention ponds.

Council Members discussed whether the items included in the ordinance should be limited so as not to delay its consideration or whether it should be a complete ordinance that addresses all their concerns. Most Council Members wanted to include all concerns in the ordinance, but did not want to delay its consideration. Council Member Willie Steele suggested considering an ordinance as quickly as possible, and then "tweaking" it as needed. This would address construction concerns now.

Mayor Magers confirmed with Mr. Shadden, that a February time frame was likely for the Overlay District portion of the ordinance. They will move as quickly as possible. Council Members really wanted to see changes on Texoma Parkway and Highway 56.

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

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

**SECTION 551.087 -- DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT
NEGOTIATIONS:
DELIBERATE REGARDING COMMERCIAL OR FINANCIAL
INFORMATION THAT THE CITY HAS RECEIVED FROM BUSINESS
PROSPECTS AND DELIBERATE ANY OFFERS OR INCENTIVES TO
THE BUSINESS PROSPECTS**

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 12:39 p.m.

On Motion duly made and carried, the Executive Session recessed at 1:03 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

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ADJOURNMENT

There being no further business to come before the City Council, motion was duly made and approved to adjourn the Called Meeting at 1:04 p.m.

MAYOR

ATTEST

CITY CLERK