

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, DECEMBER 7, 2020
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 NOVEMBER 16, 2020**

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. 6334**
Extending the Corporate Limits of Said City so as to Annex an Area of Land consisting of Approximately 46.339 acres generally located West of F. M. 1417, North of O.B. Groner Road, and East of Rolling Hill Drive, 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. 6335**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Credit Access Business (Loan Office) (Freddy's Fast Cash) in a C-2 (General Commercial) District on Property located at 2201 Texoma Parkway, Suite 100, being Lot 6, Block 9, Highland Park Addition and former rights-of-way abandoned by Resolution No. 580 and No. 612 (Michael S. Cook, Owner; Jim Hendrickson, Applicant; Freddy's Fast Cash, Proposed Tenant; 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. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6336**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Intellectual and Developmental Disabilities Facility in a C-2 (General Commercial) District/Central Business District on Property located at 222 South Elm Street, being Lots 2 and 4, Block 1, A.R. Loving Addition (Butterfly Properties V, LLC, Owners; Monica Brown, Applicant; Ambience Community Services, LLC, Tenant; and Copley Land 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. 6337**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the C-1 (Retail Business) District, generally located at 2213 South Crockett Street, being 0.329 acres of land in the Preston Kitchen Survey, Abstract No. 667 (Michael Sterry, Owner; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed \$2,000.00
- D. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6338**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-1 (One Family Residential) District, generally located in the 200 block of South F.M. 1417 (Heritage Parkway), being 4.040 acres of land in the E. Jones Survey, Abstract No. 625 (Stonehollow Homes, Owners; Spiars Engineering & Surveying, Civil Engineer/Surveyor; Lauren Helmberger, Representative; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed \$2,000.00
- D. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6339**
Providing for Permanent "Stop" Signs on Brockett Street at Harrison Avenue, on Wells Avenue at Dewey Avenue (S.H. 11), on Burdette Avenue at Dewey Avenue (S.H. 11), on Andrews Avenue at Dewey Avenue (S.H. 11), on Oak Park Drive at Dewey Avenue (S.H. 11), and "All-Way Stop" Signs on College Street and Walnut Street, within the City Limits of the City of Sherman, Texas; Providing for a Penalty Provision
- D. 7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6340**
Amending Chapter 3 of the Code of Ordinances, entitled "Building Regulations", Article 3.02, entitled "Building, Life Safety and Residential Codes", at Sections 3.02.001 and 3.02.002, Article 3.03, entitled "Electrical Code", at Section 3.03.141, Article 3.04, entitled "Gas Code", at Section 3.04.001, Article 3.05, entitled "Heating and Air-Conditioning Code", at Section 3.05.003, Article 3.06, entitled "Housing Code", at Sections 3.06.002 and 3.06.010, and Article 3.07, entitled "Plumbing Code", at Section 3.07.005
- D. 8. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6341**
Amending Chapter 5 of the Code of Ordinances, entitled "Fire Prevention and Protection", Article 5.05, entitled "Permit and Fire Service Fees", at Sections 5.05.001, 5.05.002 and 5.05.003

Close Public Hearing and Consider Adoption of Ordinances

D. 9. ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Number: 6334, 6335, 6336, 6337, 6338, 6339, 6340 and 6341

Resolutions

E. 1. * RESOLUTION NO. 6675

Repealing and Replacing Resolution No. 6655; Establishing Salary Structures and Incentive/Certification Pay Schedules for Firefighters and Police Officers; Establishing Special Longevity Pay Schedules for Newly Hired Firefighters and Police Officers; Providing for an Effective Date

Requests to Advertise

F. 1. REQUEST TO ADVERTISE

Construction of Moore Street from West Travis Street to Heritage Parkway (F.M. 1417)

F. 2. * REQUEST TO ADVERTISE

Repair of the Luella 3 Trinity Well

Other Business

G. 1. OTHER BUSINESS

Receive Update from Texas Department of Transportation Paris District Engineer Noel Paramanantham on TxDOT Projects

G. 2. OTHER BUSINESS

Consider Cancellation of the December 21, 2020 Regular City Council Meeting

G. 3. OTHER BUSINESS

Replat Approval of North Creek Addition, Section 5 and Replat of Lots 4 and 5, North Creek Addition, Section 4, being 6.359 acres in the Alexander & Richards Survey, Abstract No. 42; Young Enterprises, LP, Owners; City of Sherman, Wayne Lee, Applicant; and Jones Carter, Civil Engineers/Surveyor (4700-5000 blocks of North Travis Street and 5004 and 5008 Knollwood Road)

G. 4. * OTHER BUSINESS

Consider Calling a Special Meeting of the City Council for Tuesday, January 19, 2021, due to Conflict with a Federal Holiday

G. 5. * OTHER BUSINESS

Final Plat Approval of Meadow View Addition, being 0.329 acres in the Preston Kitchen Survey, Abstract No. 667; Michael Sterry, Owner and Helvey-Wagner Surveying, Inc., Surveyor (2213 South Crockett Street)

G. 6. * OTHER BUSINESS

Replat Approval of Sherman Crossroads, Phase II, Lots 25, 26 and 27, Block 2, being 8.938 acres and being Lot 6, Block 2, Sherman Crossroads, Phase II, Lots 1R-1 and 6, and in Tract 4 of the Blalock Industrial Park; Sherman Crossroads, LTD, Owners; and A & W Surveyors, Inc., Surveyor (3100-3500 blocks of South U.S. Highway 75)

H. MEDIA QUESTIONS

I. COUNCIL COMMENTS

Executive Session

J. 1. 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 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. (a) Sherman Economic Development Corporation Ex-Officio Members (b) Planning and Zoning Commission
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 implementations of security personnel, critical infrastructure or security devices.

The Council reconvenes into General Session

K. 1. OPEN MEETING

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

L. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on December 3, 2020 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 3rd day of December, 2020.
City of Sherman, Texas

City Clerk

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

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

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

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

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

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

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

Mayor

David Plyler

Deputy Mayor

Daron Holland

Council Members

Willie Steele, Council-At-Large, PL #1

Sandra Melton, Council-At-Large, PL #2

Shawn C. Teamann, Council – District #1

Josh Stevenson, Council – District #2

Pamela L. Howeth, Council – District #3

Daron Holland, Council – District #4



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

A. 4.

Meeting Date: 12/07/2020

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 16, 2020

Attachments

November 16, 2020

Building Code Update

November 16, 2020

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

CALL TO ORDER

CALL TO ORDER

APPROVE MINUTES

OATH OF OFFICE

Council Member, District 2	Josh Stevenson
Council Member, District 4	Daron Holland

NEW COUNCIL SEATED

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

COUNCIL ELECTION OF DEPUTY MAYOR

Mayor Plyler said the next Council Member with tenure for the Deputy Mayor position would be Council Member Daron Holland.

ELECTION OF DEPUTY MAYOR

Motion by Council Member Stevenson to appoint Council Member Daron Holland to serve as Deputy Mayor from November 17, 2020 until November 2, 2021. Second by Council Member Teamann.

COUNCIL MINUTES – NOVEMBER 16, 2020

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

VOTING NAY: None.

MOTION CARRIED.

CITIZEN'S COMMENTS

There were no citizen's comments.

CONSENT AGENDA

The Council reviewed the Consent Agenda. Mayor Plyler said the applicant has asked that the Council delete Item I-5, concerning a Replat in the South Side Addition, and located at 2005 South Sam Rayburn Freeway. The owner of the property is FRHP Lincolnshire, LLC, and the tenants are Camping World and Good Sam.

Council Member Howeth moved to approve the Consent Agenda, with the exception of Item I-5, as requested. Second by Council Member Melton. All present voted AYE.

Mayor Plyler introduced Ordinance No. 6333 and called for a public hearing:

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 MICRO-BLADING/PERMANENT MAKEUP IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM HIGHWAY 1417) OVERLAY DISTRICT AT 2001 SKYLINE DRIVE, SUITE B-210, BEING LOT 3, BLOCK 1 OF THE REPLAT OF SKYLINE BUSINESS PARK ADDITION, A PORTION OF BLOCK 4 OUT OF THE WESTERN HILLS ADDITION, SECTION 5 (DEAN GILBERT, JR., LLC, OWNERS; AND MARIA JEFFREY, APPLICANT); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Rob Rae, Director of Development Services, said the Specific Use Permit was to allow micro-blading/permanent makeup in a C-1 (Retail Business) District/O-1.1 (FM Highway 1417) Overlay District, at 2001 Skyline Drive, Suite B-210.

The Planning and Zoning Commission recommended approval of the SUP, subject to the Staff Review Letter.

No citizens appeared before the City Council to discuss Ordinance No. 6333.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6333

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 MICRO-BLADING/PERMANENT MAKEUP IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (FM

CITIZEN'S COMMENTS

CONSENT AGENDA

ORD 6333
SUP FOR MICRO-
BLADING/PERMANENT
MAKEUP
(2001 SKYLINE DR)

ORD 6333
SUP FOR MICRO-
BLADING/PERMANENT
MAKEUP
(2001 SKYLINE DR)

HIGHWAY 1417) OVERLAY DISTRICT AT 2001 SKYLINE DRIVE, SUITE B-210, BEING LOT 3, BLOCK 1 OF THE REPLAT OF SKYLINE BUSINESS PARK ADDITION, A PORTION OF BLOCK 4 OUT OF THE WESTERN HILLS ADDITION, SECTION 5 (DEAN GILBERT, JR., LLC, OWNERS; AND MARIA JEFFREY, APPLICANT); PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00.

Council Member Melton recommended tying the SUP to the applicant.

ACTION TAKEN.

Motion by Council Member Melton to adopt Ordinance No. 6333, but to tie the approval to the applicant. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6670 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BRIDGESTONE CONSTRUCTION FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN PARKHAVEN ESTATES, PHASE II, A 9.994-ACRE DEVELOPMENT EAST OF SOUTH BAKER PARK DRIVE AND NORTH OF WEST CENTER STREET IN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH BRIDGESTONE CONSTRUCTION FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN PARKHAVEN ESTATES, PHASE II, A 9.994-ACRE DEVELOPMENT EAST OF SOUTH BAKER PARK DRIVE AND NORTH OF WEST CENTER STREET IN THE CITY OF SHERMAN.

Wayne Lee, Director of Engineering, said this development agreement is for 40 family residential lots, and will include new roadway, water main, wastewater main, and storm sewer, built to City standards.

Council Member Melton confirmed that the developers aren't asking the City for anything, but are doing it all on their own.

ACTION TAKEN.

Motion by Council Member Melton to approve Resolution No. 6670, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6671 – AUTHORIZING EXECUTION OF A STANDARD FORM OF AGREEMENT BETWEEN OWNER AND

**RES 6670
DEVELOPMENT
AGREEMENT
PARKHAVEN ESTATES
(EAST OF S. BAKER
PARK DR. & NORTH
OF W. CENTER ST.)**

**RES 6671
POLICE DEPT.**

ARCHITECT BETWEEN THE CITY OF SHERMAN AND HIDELL
AND ASSOCIATES ARCHITECTS, INC. FOR THE DESIGN OF
THE NEW SHERMAN POLICE DEPARTMENT
HEADQUARTERS

HEADQUARTERS
DESIGN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ARCHITECT BETWEEN THE CITY OF SHERMAN AND HIDELL AND ASSOCIATES ARCHITECTS, INC. FOR THE DESIGN OF THE NEW SHERMAN POLICE DEPARTMENT HEADQUARTERS.

Zach Flores, Police Chief, said this contract is for two phases of the project for a new Police Department Headquarters and would complete the design of the facility. The contract is for \$770,000, which is within budget, and is based on Council direction from the Budget Workshop.

Aaron Babcock, Architect, with Hidell & Associates Consultants, said this contract would be in concert with the Construction Manager at Risk, and they would work with them to develop the scope of the project, and provide them the accurate level of detail so it could be “priced out.”

Mayor Plyler asked that, since Hidell & Associates have completed a lot of projects for the City of Sherman, are they creating a theme or look for the City?

Mr. Babcock said they absolutely were, and would like to have this project as a cohesive design that will work with other municipal facilities of the past and would be a design for the future. He said that was being taken into account during the design phase.

Mr. Hefton said Mr. Babcock has attended numerous meetings and understands what the staff means when they say they want these facilities to be “the right amount of nice.” Sherman wants a product that they can be proud of, but is also a balance between the use of taxpayer funds and functionality.

He said Mr. Babcock has worked on the Library project and the result was “the right amount of nice,” and they want to use the same approach on these other projects.

Chief Flores said they expect to come back to the Council late in December 2020 or early January 2021, to get more direction on design elements.

Council Member Howeth asked what would be done with the old Police Department. Chief Flores said the staff is looking at various City functions for use, and it will probably be used for a support service that is not used by the public on a regular basis. He said the building is not very “public friendly,” from an entrance, exit, parking situation. He said the staff has already begun to look at what could fit into that space. Mr. Hefton reiterated that it would not be left as an empty building.

COUNCIL MINUTES – NOVEMBER 16, 2020

Council Member Teamann asked if this contract would also be committing the City to \$164,250 from another funding source.

Mr. Hefton said there are two elements, broken up into three parts. The request today is for the design and civil technology at \$630,000.

The second part is for construction management at \$139,694, and the Council hasn't approved construction of anything yet. That portion is not ready for Council consideration, and would be brought back to Council at a later date for approval to actually construct the facility.

Council Member Teamann said this project wasn't budgeted in the last FY Budget, and he asked if these funds were being "pulled away" from other projects?

Mr. Hefton said the City didn't budget for the construction of the Police Department in the current budget. But they did budget for two main components during this budget year.

The first is the purchase of the site, which was completed several meetings ago, and the second is the design services. He reiterated that the design portion was budgeted in the FY 2021 Budget.

Council Member Teamann said he felt it was appropriate to do due diligence, and put the project out for bid, to obtain a fair assessment of architectural firms. He felt it was important to obtain a "fair price quote." Mr. Hefton confirmed that Council Member Teamann was asking for an RFQ for professional services.

Council Member Teamann asked when the City had completed a project of this magnitude, and had not put it out for bid.

Clint Philpott, Assistant City Manager, said State law prohibits the acquisition of professional services based on bidding, so even if the City did an RFQ, you couldn't ask what their fee would be. The City would pick the qualified firm, and once that firm was selected, they submit what their fee is. He said that was a State requirement.

Mr. Philpott said the City has worked with different firms in the past, and because of Hiddell's specific qualifications and interaction with the Council, that's why they were chosen. On engineering services, testing services, and architectural services, the City can't bid them out.

Mr. Hefton said that during discussions with Mr. Babcock, if the City had felt his fees were "out of line," they could have pulled back and talked to other architectural firms.

Chief Flores said he has been approached by other architectural firms, and after having seen what they can do,

and working with Mr. Babcock, he said he would prefer to continue with Hiddell & Associates.

Mr. Hefton said the construction part of the project will probably be a \$13 million to \$15 million project, so the 6% fee is approximately \$900,000. A fee in the 5%, 6%, or 7% range would be comparable to the other projects completed in the last few years. He said the company is selected based on qualifications, and the fee is a percentage of the total project budget. The fee percentage is checked to make sure it is in line with other projects.

Deputy Mayor Holland confirmed that, currently the project is under budget.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 6671, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6672 – ABANDONING A TEN FOOT (10') UTILITY EASEMENT LOCATED IN BLOCK 9 OF MILDRED HEIGHTS ADDITION, VOLUME 191, PAGE 1, DEED RECORDS, GRAYSON COUNTY, TEXAS, BEING ESTABLISHED IN QUIT CLAIM DEED FILED OF RECORD IN INSTRUMENT NO. 2019-25972, OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ABANDONING A TEN FOOT (10') UTILITY EASEMENT LOCATED IN BLOCK 9 OF MILDRED HEIGHTS ADDITION, VOLUME 191, PAGE 1, DEED RECORDS, GRAYSON COUNTY, TEXAS, BEING ESTABLISHED IN QUIT CLAIM DEED FILED OF RECORD IN INSTRUMENT NO. 2019-25972, OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

CONSENT AGENDA.

RESOLUTION NO. 6673 – AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO MEDISTAR CORPORATION FOR THE INSTALLATION OF A VARIABLE HEIGHT AND WIDTH RETAINING WALL BY A MAXIMUM OF FOUR FEET (4') WITHIN THE PLATTED PUBLIC UTILITY EASEMENTS ALONG THE NORTH AND SOUTH PROPERTY LINES OF THE AMENDED PLAT, LOT 2, BLOCK 2, INDEPENDENCE SQUARE ADDITION, SECTION THREE, AS SHOWN IN VOLUME 24, PAGE 151, PLAT RECORDS, GRAYSON COUNTY, TEXAS, LOCALLY KNOWN AS 2022 NORTH HIGHWAY 75 IN THE CITY OF SHERMAN, TEXAS

**RES 6672
UTILITY EASEMENT
MILDRED HEIGHTS
ADDITION**

**RES 6673
ENCROACHMENT
EASEMENT FOR
RETAINING WALL
(2022 N. HWY 75)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN ENCROACHMENT EASEMENT TO MEDISTAR CORPORATION FOR THE INSTALLATION OF A VARIABLE HEIGHT AND WIDTH RETAINING WALL BY A MAXIMUM OF FOUR FEET (4') WITHIN THE PLATTED PUBLIC UTILITY EASEMENTS ALONG THE NORTH AND SOUTH PROPERTY LINES OF THE AMENDED PLAT, LOT 2, BLOCK 2, INDEPENDENCE SQUARE ADDITION, SECTION THREE, AS SHOWN IN VOLUME 24, PAGE 151, PLAT RECORDS, GRAYSON COUNTY, TEXAS, LOCALLY KNOWN AS 2022 NORTH HIGHWAY 75 IN THE CITY OF SHERMAN, TEXAS.
CONSENT AGENDA.

RESOLUTION NO. 6674 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SHIPMAN COMMUNICATIONS, INC. FOR TWO-WAY RADIO AND EARLY WARNING SIREN MAINTENANCE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH SHIPMAN COMMUNICATIONS, INC. FOR TWO-WAY RADIO AND EARLY WARNING SIREN MAINTENANCE.
CONSENT AGENDA.

RES 6674
TWO-WAY RADIO &
EARLY WARNING
SIREN MAINTENANCE

REQUEST TO ADVERTISE
WASTEWATER TREATMENT PLANT AERATION AND
SECONDARY TREATMENT IMPROVEMENTS PROJECT

The City Council approved the request to advertise for the Wastewater Treatment Plant Aeration and Secondary Treatment Improvements Project. The current Capital Improvement Program contains a project to upgrade the aeration portion of the Wastewater Treatment Plant. Replacement of blower equipment and aeration basin piping and secondary clarifier improvements are included in the project.

REQ TO ADVERTISE
WWTP AERATION &
SECONDARY
TREATMENT
IMPROVEMENTS

The estimated cost of the project is approximately \$6 million. The project will be funded through the Greater Texoma Utility Authority \$13.59M Clean Water SRF, which is made available by the Texas Water Development Board.
CONSENT AGENDA.

OTHER BUSINESS

CONSIDER APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION OF APPROXIMATELY 46.339 ACRES LOCATED WEST OF F.M. 1417, NORTH OF O.B. GRONER ROAD AND EAST OF ROLLING HILL DRIVE, 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. Hefton explained that the caption said that the property was "south" of O.B. Groner Road, and it was actually "north" of O.B. Groner Road.

ANNEXATION
SCHEDULE
(WEST OF FM 1417,
NORTH OF O.B.
GRONER ROAD,
EAST OF ROLLING
HILL DR.)

The property owner has requested that the property, near the new Sherman High School, be annexed into the City for future development. This development would probably consist of commercial and multi-family.

Mr. Hefton also said, after consulting with the City's new attorneys, the process has been more streamlined than in the past. An annexation will now take two meetings, the meeting to approve the annexation schedule, and the meeting for the public hearing and consideration of the ordinance. If the Council approves this schedule, the annexation will be completed at the next Council Meeting.

He added that this is a voluntary annexation.

ACTION TAKEN.

Motion by Council Member Steele to approve the Annexation Scheduling Plan for approximately 46.339 acres located west of FM 1417, north of O.B. Groner Road, and east of Rolling Hill Drive, as presented. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

RECEIVE PRESENTATION FROM DEVELOPMENT SERVICES DIRECTOR ROB RAE, AICP, ON PROPOSED CHANGES TO THE CODE OF ORDINANCES AT CHAPTER 3, "BUILDING REGULATIONS"

**BUILDING CODE
PROPOSED CHANGES**

Mr. Rae said during the Budget Work Session, Billy Hartsfield, Fire Marshal, made a presentation about the Fire Code updates. As a part of that, the Development Services Department reviewed the Residential Code and the Building Code, and everything outside of the Fire Code.

He explained that Chapter 3 of the Building Code was last updated in 2011 and adopted the 2009 Code. Codes included in this update are the Residential, Building, Electrical, Fuel Gas, Mechanical, Plumbing, Energy Conservation, and Fire.

Many local builders are already beginning to use the 2018 Building Code, because many cities to the south are already requiring it. For this reason, the staff recommends updating to the 2018 Code and the 2020 for Electrical (NEC) Code.

Mr. Rae said there are a lot of changes since the 2009 Code, including 363 additions, clarifications, and deletions to the Residential Code; 229 to the Building Code; and less than 100 to the Plumbing, Mechanical, and Fuel Gas Codes. He did say that most of the changes have been minor and administrative, but some are based on new technology. Many builders in North Texas are already using the newer codes.

He said one of the more significant changes relates to the Swimming Pool and Spa Code. In 2009, this code was

included in the Building Code and the Residential Code. However in 2018, they adopted an ICC Swimming Pool and Spa Code. The City needs to update the ordinance to reflect this change and include the new code.

He said the staff intention is to place the proposed adoption of the updated codes on the next City Council Meeting agenda for Council consideration.

Mr. Rae also introduced Larry Bollier, as the new Building Official. Mr. Bollier and the inspectors have gone through all the changes, and can answer any questions that the Council might have.

Council Member Melton thanked the staff for proposing the update, saying that was too long not to update the code.

Council Member Howeth asked if the changes would cause any immense hardship to local builders. Mr. Bollier said he did not think this would cause any hardships, and added that these are all life and safety issues. He said most of the local builders are already using the 2018 Code because they also work in the Dallas area. He said he thought Denison had also adopted the 2018 Code.

She said even though many of the changes were minor, they might cause hardships. Mr. Bollier said the staff works with the builders and “works them into the changes,” giving them time to change. They start informing builders that they are changing to the new code and give them time to adapt.

Council Member Teamann said there are some codes that relate to things that have already been done. He asked about implementation for the pre-existing conditions. Mr. Bollier said that any building under construction under the previous code would stay with the old code. It doesn’t change on the current building, but if they do a complete remodel, then they would need to follow the new code.

Mr. Hefton said the City is trying to use technology better in the field. The inspectors carry their computer tablets into the field and can access the resources, or complete their reports in real-time, in the field instead of returning to the office. They are making better use of technology to make the inspectors job easier.

Council Member Stevenson said the builders are meeting these higher code requirements in cities south of Sherman, but when they build in Sherman they use the same models, but omit the safety equipment that is not required here. This will provide safer houses for our citizens, without incurring additional costs.

Mr. Hefton said no action is required tonight, but the staff will bring back the required ordinances at the next Council Meeting for their consideration.

Council Member Stevenson confirmed that the City was requiring static pressure tests for plumbing inspections. Council Member Stevenson also asked if the City would need to increase personnel when the codes change. Mr. Bollier said he is still helping with inspections and helps when the inspectors are overloaded. He felt that could be managed at this point.

AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE SHERMAN FIRE DEPARTMENT THROUGH SOURCEWELL, REIMBURSABLE THROUGH THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT CORONAVIRUS RELIEF FUND

Danny Jones, Fire Chief, said at the June 1, 2020 Council Meeting, the City Council accepted a grant from the Department of Emergency Management to fund expenditures due to the Corona Virus. At that time, the virus was “more of a medical thing” and their exposure came from transporting people with the virus to the hospital.

**PURCHASE OF
FIRE DEPT.
EQUIPMENT**

It has now evolved and the chance of exposure has increased to where their personnel can be exposed during their response to a motor vehicle accident. The procedure is for their responders to wear their bunker gear at motor vehicle accidents, which causes the possibility of the gear being exposed to the virus. Therefore, the gear must be cleaned as soon as possible.

The request tonight is for equipment that would provide a second set of bunker gear, so if one set becomes contaminated or possibly contaminated, it can be washed. This includes boots and hoods, and non-structural firefighting gear, which is basically a “shell” that can be worn over uniforms to protect them from the virus.

The grant would total just over \$500,000, and would offset the cost of equipment that will be needed in the future.

Council Member Steele asked if some of the money would be reimbursed at some point in the future. Ms. Lawrence and Chief Jones said it will be reimbursed. The City received about \$2.4 million to spend, which will be reimbursed after it is spent.

Chief Jones said the City can purchase anything that has to do with the Corona Virus and protecting their employees from that virus, and they will be reimbursed for it.

Council Member Teamann verified that the purchases had to be made by December 30, 2020.

ACTION TAKEN.

Motion by Council Member Teamann to approve the purchase of equipment for the Fire Department through Sourcewell, and reimbursable through the Texas Department of Emergency Management Coronavirus Relief Fund, as presented. Second by Deputy Mayor Holland.

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

VOTING NAY: None.

MOTION CARRIED.

SITE PLAN APPROVAL UNDER ORDINANCE NO. 2252, ARTICLE IV, SECTION 410 (2)(J) FOR CROSSROADS MEDICAL OFFICE BUILDING IN THE BLALOCK INDUSTRIAL PARK/BLALOCK COMMERCIAL OVERLAY DISTRICT AT 221 WEST TRAVIS STREET

Mr. Rae said the site plan is located in the Blalock Industrial Park/Blalock Commercial Overlay District, and must be approved by the City Council. The Planning and Zoning Commission recommended approval of the site plan.

SITE PLAN APPROVAL
CROSSROADS
MEDICAL OFFICE
BLDG.
(221 W. TRAVIS)

ACTION TAKEN.

Motion by Council Member Melton to approve the Site Plan for Crossroads Medical Office Building, located at 221 West Travis Street, and in the Blalock Industrial Park/Blalock Commercial Overlay District, as presented.

Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

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 14.08 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 SOUTH SIDE ADDITION; AND TRACT 4, BEING A 0.888 ACRE TRACT, EXCEPT A CALLED 0.487 ACRE PORTION OF LOTS 7-12, BLOCK 39; FRHP LINCOLNSHIRE, LLC, OWNER; CAMPING WORLD, AND GOOD SAM, TENANTS; AND CEI ENGINEERING ASSOCIATES, INC., CIVIL ENGINEER AND SURVEYING (2005 SOUTH SAM RAYBURN FREEWAY)

Mr. Hefton said I-5 was removed from the Consent Agenda, and the applicant has requested that the item be tabled, so they can make some administrative corrections to the Replat.

APPROVE REPLAT
SOUTHSIDE ADDITION
(2005 S. SAM
RAYBURN FRWY)
(REMOVED FROM
AGENDA – NOT
CONSIDERED)

Mayor Plyler asked if the item should officially be tabled or if it could just come back at a future Council Meeting. Ryan Pittman, Attorney, Roeder, Boyd, Hullett, said the Council could decide to take no action until the applicant would like to bring it back to Council.

FINAL PLAT APPROVAL OF GARLAND ADDITION IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 1.219 ACRES IN THE GARRETT PANGBURN SURVEY, ABSTRACT NO. 945; RHONDA GARLAND, OWNER; AND UNDERWOOD DRAFTING AND SURVEYING, INC., SURVEYOR (186 JIM LAMB ROAD)

APPROVE FINAL PLAT
GARLAND ADDITION
(186 JIM LAMB RD)

COUNCIL MINUTES – NOVEMBER 16, 2020

The City Council approved the Final Plat of Garland Addition, in the City's Extra Territorial Jurisdiction. The 1.219 acre tract is located in the Garrett Pangburn Survey, Abstract No. 945, and is located at 186 Jim Lamb Road. The owner would like to plat the property into one lot for residential development.

The Planning and Zoning Commission recommended approval of the Final Plat, subject to the Staff Review Letter.
CONSENT AGENDA.

REPLAT APPROVAL OF MORAN ADDITION, A REPLAT OF ALL OF LOTS 10, 11 AND 12 AND PART OF LOT 9, BLOCK 7, W. ELLIOTT'S ADDITION, BEING 0.271 ACRES IN THE G.B. PILANT SURVEY, ABSTRACT NO. 963, ALSO BEING ALL OF LOTS 10, 11, 12 AND PART OF LOT 9, BLOCK 7, W. ELLIOTT'S ADDITION, JUANA AND JESSICA ALVARADO, OWNERS; MORAN CONSTRUCTION, PROSPECTIVE BUYER; LUIS MORAN, REPRESENTATIVE; HELVEY-WAGNER SURVEYING, SURVEYOR; AND JEREMY W. BULLARD DESIGN STUDIO, LLC, ARCHITECT (623 SOUTH MAXEY STREET AND 809 EAST WELLS AVENUE)

The City Council approved the Replat of Moran Addition, a Replat of all of Lots 10, 11 and 12, and part of Lot 9, Block 7, W. Elliott's Addition, being 0.271 acres in the G.B. Pilant Survey, Abstract No. 963, also being all of Lots 10, 11, 12 and part of Lot 9, Block 7, W. Elliott's Addition.

The property is located at 623 South Maxey and 809 East Wells Avenue, and is zoned an R-1 (One Family Residential) District. The owners would like to replat the property into two lots for residential development. They were approved for an exception to allow a 58' lot width, 5,370 square foot lot area on the proposed Lot 11R of Moran Addition, a Replat of all of Lots 10, 11 and 12 and a part of Lot 9, Block 7, W. Elliott's Addition.

The Planning and Zoning Commission recommended approval of the Replat, subject to the Staff Review Letter.
CONSENT AGENDA.

MEDIA QUESTIONS

There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS
AIRPORT ADVISORY BOARD (3)

COUNCIL AUDIT COMMITTEE (3)
INVESTMENT COMMITTEE (2)
TAX REINVESTMENT COMMITTEE (2)
TAX INCREMENT FINANCING BOARD #1 (3)
TAX INCREMENT FINANCING BOARD #2 (3)
TAX INCREMENT FINANCING BOARD #3 (3)
TAX INCREMENT FINANCING BOARD #5 (3)
TAX INCREMENT FINANCING BOARD #6 (3)
TAX INCREMENT FINANCING BOARD #7 (3)

APPROVAL OF REPLAT
MORAN ADDITION
(623 S. MAXEY &
809 E. WELLS)

MEDIA QUESTIONS

AIRPORT ADVISORY
BOARD
COUNCIL AUDIT
COMMITTEE;
INVESTMENT
COMMITTEE; TAX
REINVESTMENT
COMMITTEE; TAX
INCREMENT
FINANCING BOARD #1,
#2, #3, #5, #6, & #7

COUNCIL MINUTES – NOVEMBER 16, 2020

Mayor Plyler asked if all board appointments and reappointments could be taken as one motion. Council Member Melton felt Council Members needed to talk about the Economic Development Subcommittee appointment.

Mayor Plyler said that board was not listed on the agenda for reappointment. Mr. Hefton said there were no terms set on that subcommittee. The other boards have specific terms and are considered every November, after the Council Election.

ACTION TAKEN.

Motion by Council Member Steele to reappoint Terry Norman Thomas and Michael McLendon to the Airport Advisory Board for a term from October 8, 2020 to October 8, 2022, and to reappoint Danny Smith for a term from October 22, 2020 to October 22, 2022, and that all Council Members currently serving on the Council Audit Committee, Investment Committee, Tax Reinvestment Committee, Tax Increment Financing Board #1, Tax Increment Financing Board #2, Tax Increment Financing Board #3, Tax Increment Financing Board #5, Tax Increment Financing Board #6, and Tax Increment Financing Board #7 be reappointed for terms from November 17, 2020 to November 2021. Second by Council Member Howeth.

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

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

STAY SAFE

Council Member Melton urged everyone to “stay safe.”

STAY SAFE

VETERAN’S DAY PARADE

Council Member Howeth thanked the groups and individuals that organized the Veteran’s Day Parade. She said it was a really nice parade, but she wished more people could attend. She said this was the second year for fly-overs. She said it was a great day, but hoped more people would participate and attend in the future.

VETERAN’S DAY
PARADE

RAILROAD TRACK REMOVAL

Council Member Steele said he has been on the Council for a long time and seen a lot of good projects, but felt one of the best had been the removal of the old railroad tracks.

RAILROAD TRACK
REMOVAL

GLAD TO BE BACK

Council Member Teamann said he missed the last Council Meeting because he was having a baby, but it was good to be back.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- There will be a ribbon cutting on November 18, 2020, at 10:30 a.m., to dedicate and open West Travis Street to traffic. The project took several years of development. The ceremony will be held at the intersection of West Travis Street and Moore Street.
- The Annual Christmas Parade and Snowflake Festival will be held on December 5, 2020. This year's theme is Candyland Christmas.

ANNOUNCEMENTS

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, VERNON TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

EXECUTIVE SESSION

SECTION 551.071 -- CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION

SECTION 551.071 -- CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER

SECTION 551.074 -- PERSONNEL MATTERS: DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE

CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS:
SHERMAN ECONOMIC DEVELOPMENT CORPORATION
EX-OFFICIO MEMBER (1)

GREATER TEXOMA UTILITY AUTHORITY BOARD OF DIRECTORS (1)

COUNCIL MINUTES – NOVEMBER 16, 2020

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

On Motion duly made and carried, the Open Meeting recessed
and reconvened in Executive Session at 5:49 p.m.

On Motion duly made and carried, the Executive Session
recessed at 6:39 p.m. and reconvened in Open Meeting.

OPEN MEETING

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

OPEN MEETING

SHERMAN ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS (2) AND EX-OFFICIO MEMBER (1)

No action was taken on this agenda item.

SEDCO

GREATER TEXOMA UTILITY AUTHORITY BOARD OF
DIRECTORS (1)

ACTION TAKEN.

Motion by Council Member Stevenson to reappoint Brad
Morgan to the Greater Texoma Utility Authority Board of
Directors, for a term from December 31, 2020 to December
31, 2022, as presented. Second by Council Member Steele.
VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson,
Teamann.
VOTING NAY: None.
MOTION CARRIED.

GTUA

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at
6:39 p.m.

ADJOURNMENT

MAYOR

CITY CLERK

Building Regulations Update

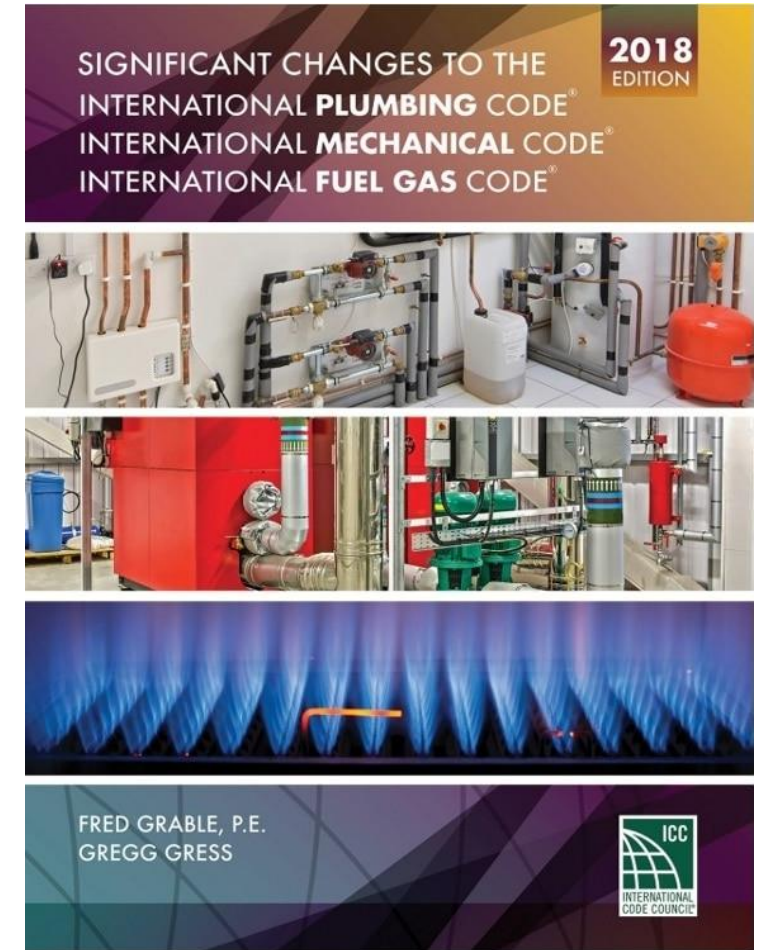
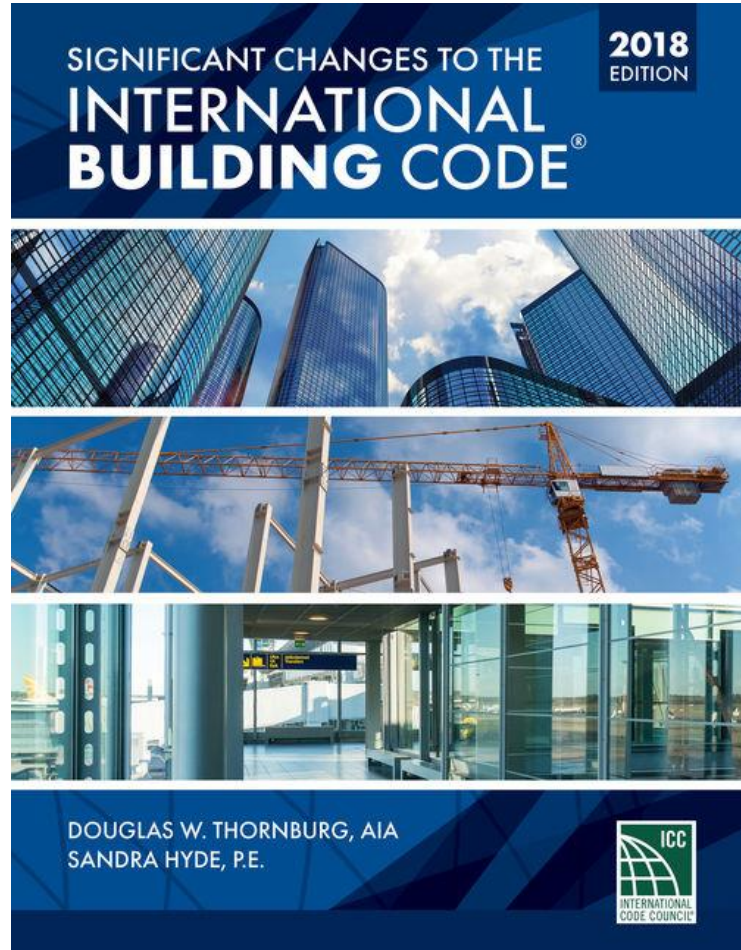
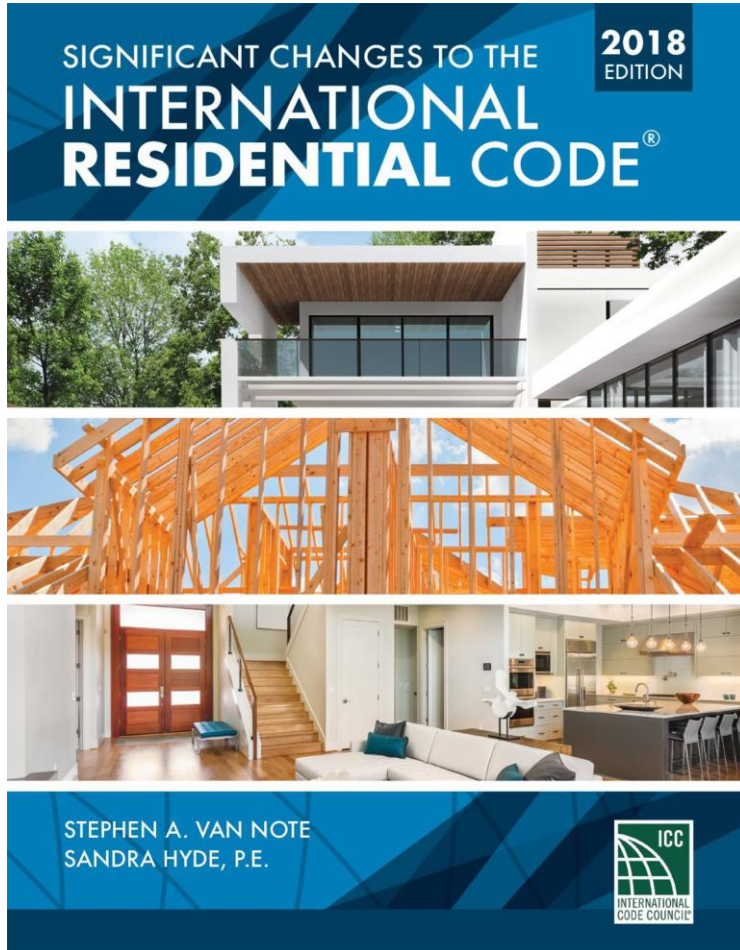
November 2, 2020



Building Code Background

- Chapter 3 last updated in 2011 (2009 code year)
- Consists of Residential, Building, Electrical, Fuel Gas, Mechanical, Plumbing, Energy Conservation, and Fire
- Many builders are currently using more current building codes
- Staff recommends the update to 2018 code year
 - 2020 for Electrical (NEC)

Significant Changes to the Building Codes



Significant Changes to the Building Codes

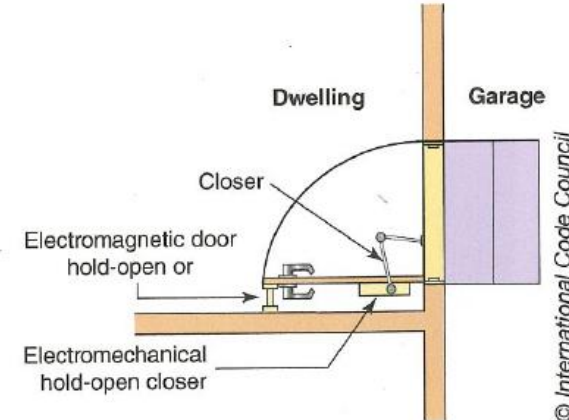
- Most changes are minor with administrative and wording updates
- Some of the changes are based on new technologies
- Many builders in the North Texas region are already building to codes newer than 2009

R302.5

Dwelling-Garage Opening Protection

CHANGE TYPE: Modification

CHANGE SUMMARY: An automatic-closing device is now permitted as an alternative to a self-closing device for the door between the garage and dwelling.

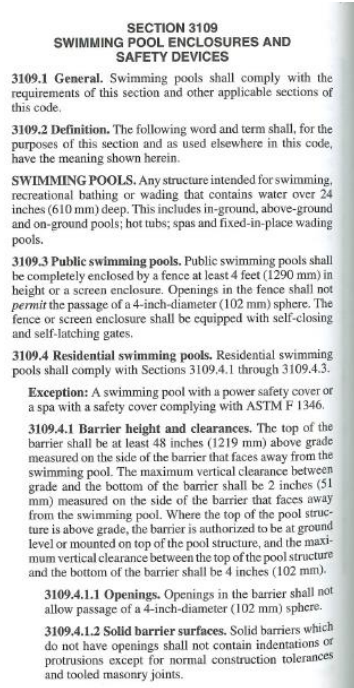


Automatic closing door between house and garage

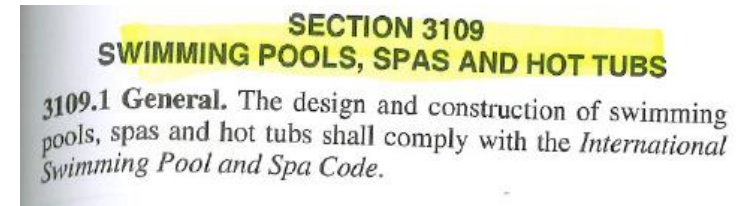
Code Amendments

- Swimming Pool and Spa codes have been included in a new code book:
 - ICC Swimming Pool and Spa Code (2018)

2009 Code



2018 Code



Sherman
CLASSIC TOWN. BROAD HORIZON.

Next Steps

- November 16th Council Meeting to approve update to Chapter 3, Building Regulations including the Fire Code.

ARTICLE 3.02 BUILDING, LIFE SAFETY AND RESIDENTIAL CODES*

Sec. 3.02.001 Adopted

(a) The following codes and the standards contained therein, are hereby adopted as the Minimum Building Standard Codes of the city:

- (1) International Residential Code, 2009-2018 edition, including appendices A, B, C, G, and J;
- (2) International Building Code, 2009-2018 edition, including appendices A, C, D, F, and I;
- (3) National Electrical Code (NEC), 2011-2020 edition;
- (4) International Fuel Gas Code, 2009-2018 edition, including appendices A, B, C, and D;
- (5) International Mechanical Code, 2009-2018 edition, including appendix A;
- (6) International Plumbing Code, 2009-2018 edition, including appendices D, E, and F;
- (7) International Energy Conservation Code, 2009-2018 edition;
- (8) International Fire Code, 2009-2018 edition; and
- (9) International Existing Building Code, 2009-2018 edition.
- (10) International Swimming Pool and Spa Code, 2018 edition.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C. 1.

Meeting Date: 12/07/2020

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:

- E. 1. * RESOLUTION NO. 6675**
Repealing and Replacing Resolution No. 6655; Establishing Salary Structures and Incentive/Certification Pay Schedules for Firefighters and Police Officers; Establishing Special Longevity Pay Schedules for Newly Hired Firefighters and Police Officers; Providing for an Effective Date
- F. 2. * REQUEST TO ADVERTISE**
Repair of the Luella 3 Trinity Well
- G. 4. * OTHER BUSINESS**
Consider Calling a Special Meeting of the City Council for Tuesday, January 19, 2021, due to Conflict with a Federal Holiday
- G. 5. * OTHER BUSINESS**
Final Plat Approval of Meadow View Addition, being 0.329 acres in the Preston Kitchen Survey, Abstract No. 667; Michael Sterry, Owner and Helvey-Wagner Surveying, Inc., Surveyor (2213 South Crockett Street)
- G. 6. * OTHER BUSINESS**
Replat Approval of Sherman Crossroads, Phase II, Lots 25, 26 and 27, Block 2, being 8.938 acres and being Lot 6, Block 2, Sherman Crossroads, Phase II, Lots 1R-1 and 6, and in Tract 4 of the Blalock Industrial Park; Sherman Crossroads, LTD, Owners; and A & W Surveyors, Inc., Surveyor (3100-3500 blocks of South U.S. Highway 75)
-



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 1.

Meeting Date: 12/07/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6334

Extending the Corporate Limits of Said City so as to Annex an Area of Land consisting of Approximately 46.339 acres generally located West of F. M. 1417, North of O.B. Groner Road, and East of Rolling Hill Drive, 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 46.339 acres of land situated west of F. M. 1417, north of O. B. Groner Road, and east of Rolling Hill Drive, 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 November 16th meeting, the City Council approved the schedule for annexation of this property, which set the public hearing for this the December 7th regular Council meeting, and adoption of the Ordinance for this same meeting.

This annexation was initiated by the property owners, Cristina Gonzalez, Veronica Gonzalez and Adriana Gonzalez Ramirez.

Origination:

Letter requesting annexation by Cristina Gonzalez, Veronica Gonzalez, and Adriana Gonzalez Ramirez, subject Property Owner / Developer

Financial Consideration:

Once developed, the additional property taxes on the land raised from this annexation are estimated at about \$120,000.00 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 46.339 acre tract of land located west of F. M. 1417, north of O. B. Groner Road, and east of Rolling Hill Drive, adjacent to the Sherman city limits and in the City of Sherman's ETJ.

Alternatives:

As directed by the City Council

Attachments

Ordinance No. 6334

Request for Annexation

Annexation Scheduling Plan approved at the November 16th City Council Meeting

Aerial Location Map

ORDINANCE NO. 6334

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 46.339 ACRES GENERALLY LOCATED WEST OF F. M. 1417, NORTH OF O.B. GRONER ROAD, AND EAST OF ROLLING HILL DRIVE, 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, A.R.C. STX Holdings, LLC ("Landowner") is the sole owner of real property within that certain area of land consisting of 46.339± acres, situated in the Elizabeth Jones Survey, Abstract No. 625, 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: 46.339± acres, situated in the Elizabeth Jones Survey, Abstract No. 625; 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 _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

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

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____

NAME: _____
CITY ATTORNEY

Exhibit A
Legal Description and Depiction of the Property

46.339 ACRE CITY OF SHERMAN, TEXAS ANNEXATION PARCEL

PROPERTY DESCRIPTION

BEING a tract of land situated in the Elizabeth Jones Survey, Abstract Number 625, Grayson County, Texas and being a portion of that certain called 70.15 acre tract of land described in deed to A. R. C. STX HOLDINGS, L.L.C., as recorded in Volume 4740, Page 328, Real Property Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron found in the approximate centerline of OB Groner Road (an existing 60' Right-of-Way), said iron rod being the southwest corner of said called 70.15 acre tract and also being the southeast corner of that certain called 220.14 acre tract of land described in deed to Huy Quach and Charles Shao Wu, as recorded in Volume 3260, Page 62, Real Property Records, Grayson County, Texas, and from which a 1/2 inch iron rod found for an angle point in the south line of said called 220.14 acre tract bears S 74°03'48"W, 1585.17 feet, said point of Beginning also being also being in the north property line of that certain called 200.5 acre tract of land described in deed to The Munson Realty Company, as recorded in Volume 925, Page 261, Real Property Records, Grayson County, Texas and in the existing City of Sherman, City Limit line per City Ordinance Number 6218;

THENCE N 15°23'01"W, a distance of 2708.57 feet departing said City Limit line and along the common line of the west property line of said called 70.15 acre tract and the east line of said called 220.14 acre tract to a 1 inch pipe found, said pipe being the northwest corner of the herein described tract and the southwest corner of that certain called 10.00 acre tract of land described in deed to Michael Douthey, as recorded in Volume 3436, Page 656, Real Property Records, Grayson County, Texas and from which a 1/2 inch iron rod found for the northwest corner of said called 10.00 acre tract bears N 15°46'4"W, 323.85 feet, and said pipe also being at an angle point in the existing City Limit line per City Ordinance Number 3723 ;

THENCE N 74°27'02"E, a distance of 912.47 feet with said existing City Limit line and along the common line of the north property line of the herein described tract and the south property line of said called 10.00 acre tract to a point, being in the west line of City Ordinance Number 3262 and being approximately 500 feet westerly of the easterly Right-of-Way line of FM Highway 1417 (an existing 120' Right-of-Way);

THENCE S 01°27'21"E, a distance of 635.29 feet continuing along said existing City Limit line and 500 feet westerly of said existing easterly Right-of-Way line to the beginning of a curve to the left;

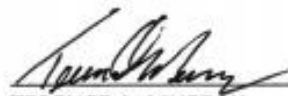
THENCE continuing along said existing City Limit line and continuing to be 500 feet westerly of said existing easterly Right-of-Way line and with said curve, an arc distance of 1448.54 feet, through a central angle of 25°06'54", having a radius of 3304.61 feet, and a long chord of which bears S 13°59'35"E, 1436.97 feet;

THENCE S 26°29'25"E, a distance of 657.84 feet continuing along said existing City Limit line and continuing to be 500 feet westerly of said existing easterly Right-of-Way line to a point in the approximate centerline of said O. B. Groner Road, being the common line of the southerly line of said called 70.15 acre tract and the northerly line of the aforementioned called 200.5 acre Munson Realty Company tract and returning to the north line of the aforementioned City Ordinance Number 6218;

THENCE S 73°46'23"W, a distance of 851.51 feet continuing along said existing City Limit line and with the north line of said City Ordinance Number 6218 and with said approximate centerline of O. B. Groner Road and along said common line returning to the Point of Beginning and containing 2,018,509 square feet or 46.339 acres of land, more or less.

CERTIFICATION IN REFERENCE TO PIERCE-MURRAY LAND SOLUTIONS JOB NUMBER 2008-072, FILE 2008-072ANX1.DWG DATED: 10-15-2020

I, TERENCE A. MURRAY, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO THAT THE ABOVE DESCRIBED 46.339 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 IN SEPTEMBER, 2020.



TERENCE A. MURRAY
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 6059
DATED : 12-01-2020



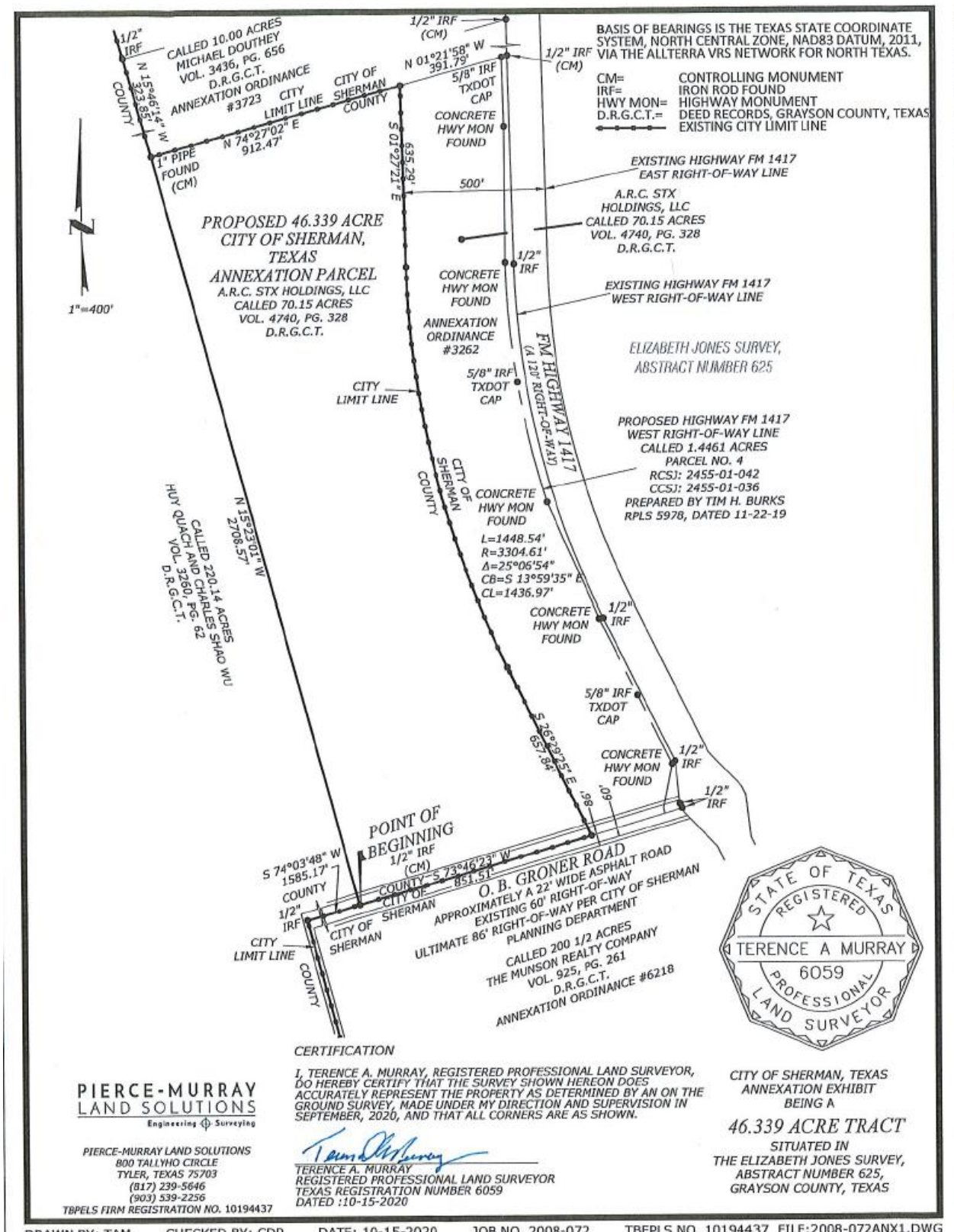


Exhibit B
Annexation Service Plan Agreement

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 A.R.C. STX HOLDINGS, L.L.C., a Domestic Limited Liability Company ("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 50.0± acres, situated in the Elizabeth Jones Survey, Abstract No. 625, 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 its 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.

- (iv) Developer agrees to design and construct per City standards a lift station to serve the Annexed Area. Future City sewer extensions will connect and abandon said lift station.
- (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:

A.R.C. STX HOLDINGS, L.L.C.
Attn: Veronica A. Gonzalez, Registered Agent
1519 San Bernardo Ave.
Laredo, Texas 78040
Telephone: _____
Email: _____

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.

[Signature page follows.]

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: _____

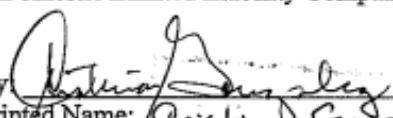
Attested to by:

Linda Ashby, City Clerk

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

By: _____
Name: _____
Title: City Attorney

A.R.C. STX HOLDINGS, L.L.C.,
a Domestic Limited Liability Company

By:  _____
Printed Name: Cristian Gerasim
Title: managing member
Date: Nov 5, 2020

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 _____, 2020.

Notary Public, State of Texas
My Commission Expires: _____

STATE OF TEXAS §
 §
COUNTY OF Webb §

BEFORE ME, the undersigned authority, on this day personally appeared Cristin Guerra, 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 5th day of November, 2020.

Notary Public, State of Texas
My Commission Expires: 3/29/24

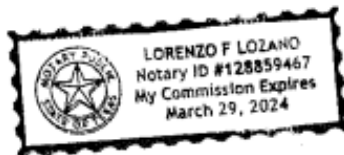


Exhibit A

PROPERTY DESCRIPTION

BEING a tract of land situated in the Elizabeth Jones Survey, Abstract Number 625, Grayson County, Texas and being a portion of that certain called 70.15 acre tract of land described in deed to A. R. C. STX HOLDINGS, L.L.C., as recorded in Volume 4740, Page 328, Real Property Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron found in the approximate centerline of OB Groner Road (an existing 60' Right-of-Way), said iron rod being the southwest corner of said called 70.15 acre tract and also being the southeast corner of that certain called 220.14 acre tract of land described in deed to Huy Quach and Charles Shao Wu, as recorded in Volume 3260, Page 62, Real Property Records, Grayson County, Texas, and from which a 1/2 inch iron rod found for an angle point in the south line of said called 220.14 acre tract bears S 74°03'48"W, 1585.17 feet, said point of Beginning also being also being in the north property line of that certain called 200.5 acre tract of land described in deed to The Munson Realty Company, as recorded in Volume 925, Page 261, Real Property Records, Grayson County, Texas and in the existing City of Sherman, City Limit line per City Ordinance Number 6218;

THENCE N 15°23'01"W, a distance of 2708.57 feet departing said City Limit line and along the common line of the west property line of said called 70.15 acre tract and the east line of said called 220.14 acre tract to a 1 inch pipe found, said pipe being the northwest corner of the herein described tract and the southwest corner of that certain called 10.00 acre tract of land described in deed to Michael Douthey, as recorded in Volume 3436, Page 656, Real Property Records, Grayson County, Texas and from which a 1/2 inch iron rod found for the northwest corner of said called 10.00 acre tract bears N 15°46'4"W, 323.85 feet, and said pipe also being at an angle point in the existing City Limit line per City Ordinance Number 3723 ;

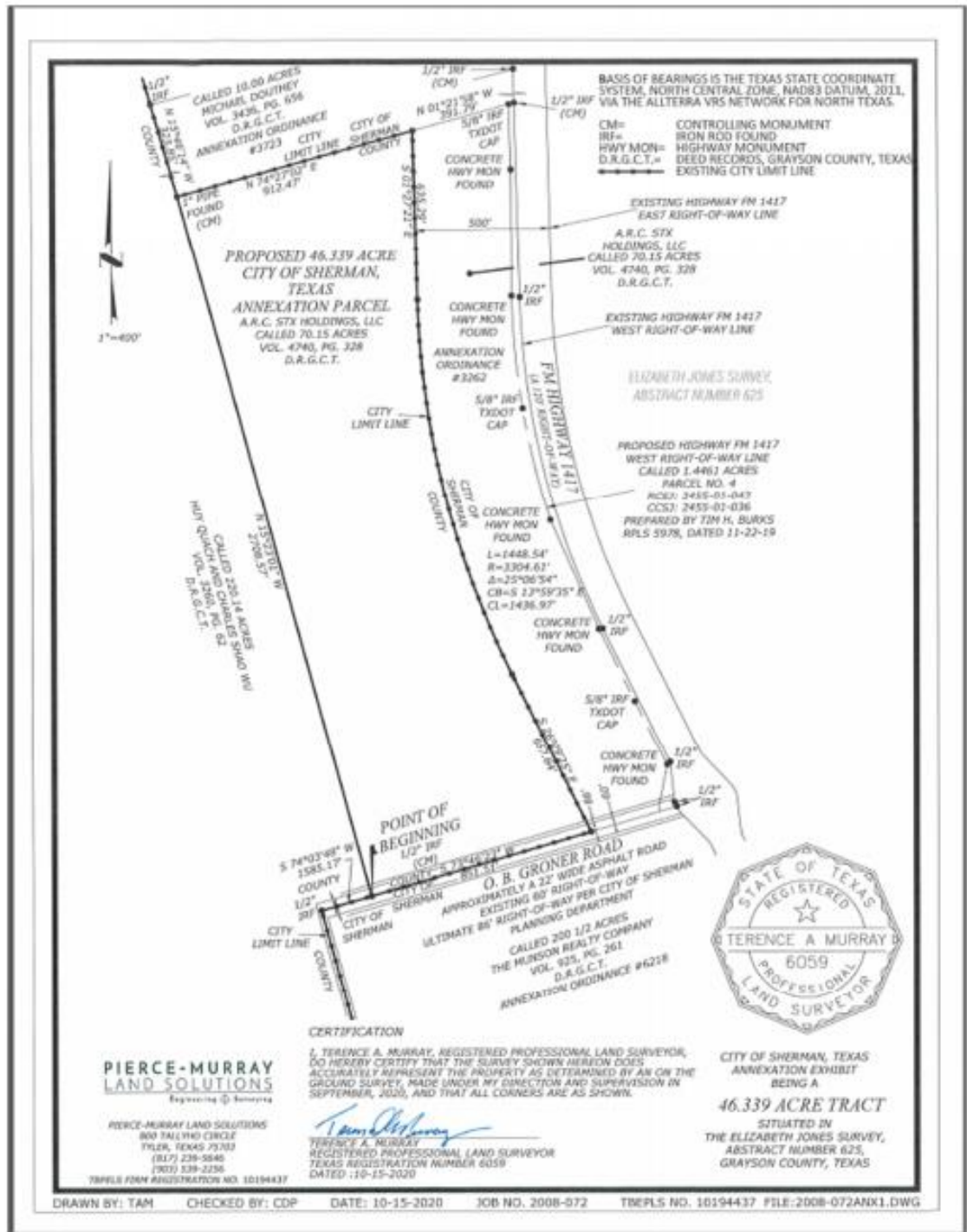
THENCE N 74°27'02"E, a distance of 912.47 feet with said existing City Limit line and along the common line of the north property line of the herein described tract and the south property line of said called 10.00 acre tract to a point, being in the west line of City Ordinance Number 3262 and being approximately 500 feet westerly of the easterly Right-of-Way line of FM Highway 1417 (an existing 120' Right-of-Way);

THENCE S 01°27'21"E, a distance of 635.29 feet continuing along said existing City Limit line and 500 feet westerly of said existing easterly Right-of-Way line to the beginning of a curve to the left

THENCE continuing along said existing City Limit line and continuing to be 500 feet westerly of said existing easterly Right-of-Way line and with said curve, an arc distance of 1448.54 feet, through a central angle of 25°06'54", having a radius of 3304.61 feet, and a long chord of which bears S 13°59'35"E, 1436.97 feet;

THENCE S 26°29'25"E, a distance of 657.84 feet continuing along said existing City Limit line and continuing to be 500 feet westerly of said existing easterly Right-of-Way line to a point in the approximate centerline of said O. B. Groner Road, being the common line of the southerly line of said called 70.15 acre tract and the northerly line of the aforementioned called 200.5 acre Munson Realty Company tract and returning to the north line of the aforementioned City Ordinance Number 6218;

THENCE S 73°46'23" W, a distance of 851.51 feet continuing along said existing City Limit line and with the north line of said City Ordinance Number 6218 and with said approximate centerline of O.B. Groner Road and along said common line returning to the Point of Beginning and containing 2,018,509 square feet or 46.339 acres of land, more or less.



ARC STX HOLDINGS, LLC
P.O. Box 451714
Laredo, Texas 78045

October 12, 2020

Ms. Amber Doan
Engineering Coordinator
City of Sherman
220 W. Mulberry Street
Sherman, Texas 75090

Dear Ms. Dorn:

My name is Cristina Gonzalez and I am the Manager Partner and one of the owners of ARC STX Holdings, LLC. ("ARC"). ARC owns 70 acres at the northwest corner of FM 1417 and O.B. Groner in Sherman, Texas (see attached survey). A portion of ARC's property is already annexed in the City of Sherman.

ARC is requesting the remaining property to be annexed into the City so ARC can have City services for future development.

Thank you and below are the signatures of all the owners of ARC STX Holdings, LLC.

ARC STX HOLDINGS, LLC


Cristina Gonzalez, Managing Partner, Owner

Date:

Oct 13, 2020


Veronica Gonzalez, Owner

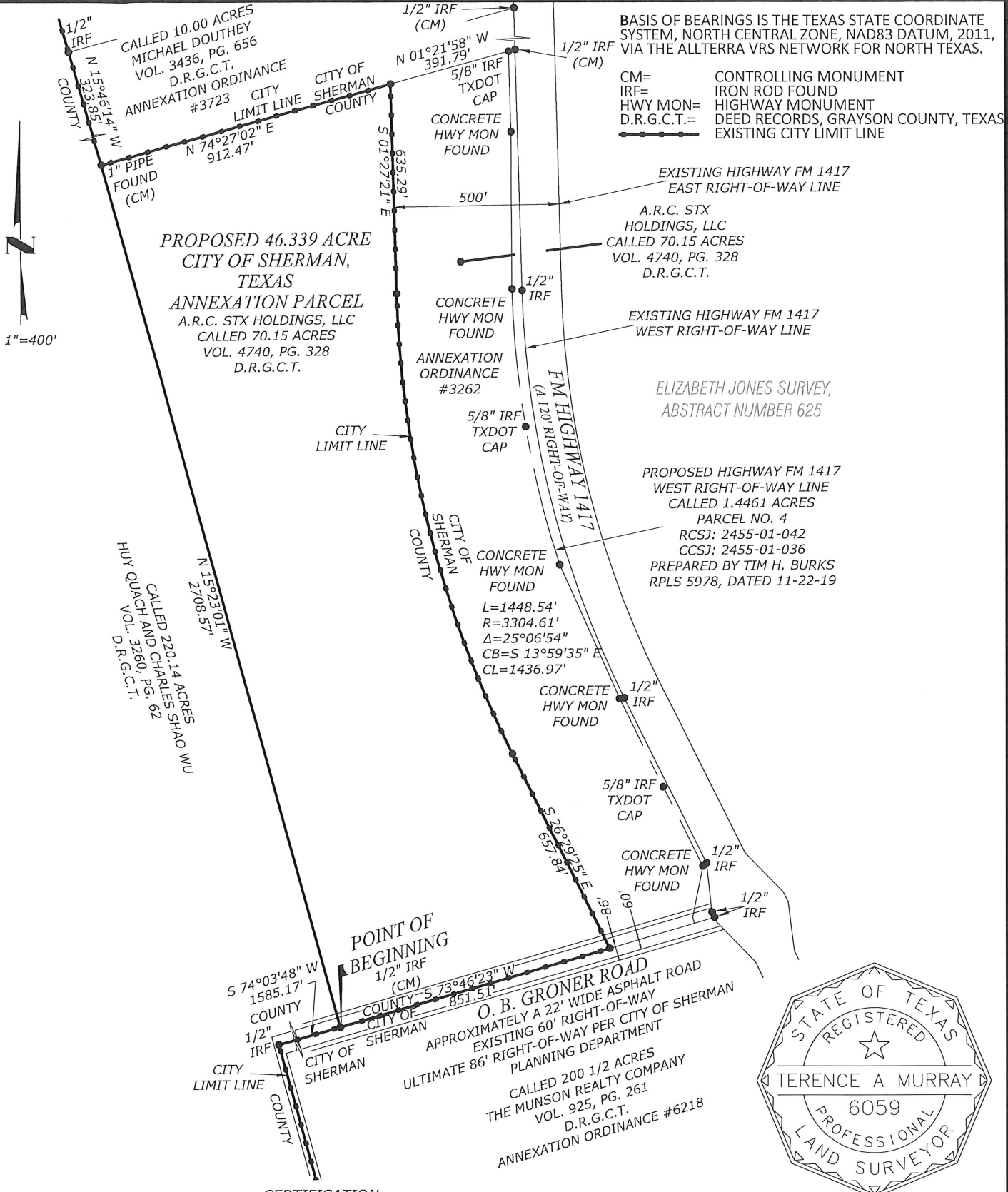
Date:

10.13.2020

10-13-2020
Adriana Gonzalez Ramirez, Owner

Date:

Adriana Gonzalez Ramirez



CERTIFICATION

I, TERENCE A. MURRAY, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON DOES ACCURATELY REPRESENT THE PROPERTY AS DETERMINED BY AN ON THE GROUND SURVEY, MADE UNDER MY DIRECTION AND SUPERVISION IN SEPTEMBER, 2020, AND THAT ALL CORNERS ARE AS SHOWN.

Terence A. Murray
 TERENCE A. MURRAY
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NUMBER 6059
 DATED :10-15-2020



CITY OF SHERMAN, TEXAS
 ANNEXATION EXHIBIT
 BEING A
46.339 ACRE TRACT
 SITUATED IN
 THE ELIZABETH JONES SURVEY,
 ABSTRACT NUMBER 625,
 GRAYSON COUNTY, TEXAS

PIERCE-MURRAY
LAND SOLUTIONS
 Engineering & Surveying

PIERCE-MURRAY LAND SOLUTIONS
 800 TALLYHO CIRCLE
 TYLER, TEXAS 75703
 (817) 239-5646
 (903) 539-2256
 TBPELS FIRM REGISTRATION NO. 10194437

46.339 ACRE CITY OF SHERMAN, TEXAS ANNEXATION PARCEL

PROPERTY DESCRIPTION

BEING a tract of land situated in the Elizabeth Jones Survey, Abstract Number 625, Grayson County, Texas and being a portion of that certain called 70.15 acre tract of land described in deed to A. R. C. STX HOLDINGS, L.L.C., as recorded in Volume 4740, Page 328, Real Property Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron found in the approximate centerline of OB Groner Road (an existing 60' Right-of-Way), said iron rod being the southwest corner of said called 70.15 acre tract and also being the southeast corner of that certain called 220.14 acre tract of land described in deed to Huy Quach and Charles Shao Wu, as recorded in Volume 3260, Page 62, Real Property Records, Grayson County, Texas, and from which a 1/2 inch iron rod found for an angle point in the south line of said called 220.14 acre tract bears S 74°03'48"W, 1585.17 feet, said point of Beginning also being also being in the north property line of that certain called 200.5 acre tract of land described in deed to The Munson Realty Company, as recorded in Volume 925, Page 261, Real Property Records, Grayson County, Texas and in the existing City of Sherman, City Limit line per City Ordinance Number 6218;

THENCE N 15°23'01"W, a distance of 2708.57 feet departing said City Limit line and along the common line of the west property line of said called 70.15 acre tract and the east line of said called 220.14 acre tract to a 1 inch pipe found, said pipe being the northwest corner of the herein described tract and the southwest corner of that certain called 10.00 acre tract of land described in deed to Michael Douthey, as recorded in Volume 3436, Page 656, Real Property Records, Grayson County, Texas and from which a 1/2 inch iron rod found for the northwest corner of said called 10.00 acre tract bears N 15°46'4"W, 323.85 feet, and said pipe also being at an angle point in the existing City Limit line per City Ordinance Number 3723 ;

THENCE N 74°27'02"E, a distance of 912.47 feet with said existing City Limit line and along the common line of the north property line of the herein described tract and the south property line of said called 10.00 acre tract to a point, being in the west line of City Ordinance Number 3262 and being approximately 500 feet westerly of the easterly Right-of-Way line of FM Highway 1417 (an existing 120' Right-of-Way);

THENCE S 01°27'21"E, a distance of 635.29 feet continuing along said existing City Limit line and 500 feet westerly of said existing easterly Right-of-Way line to the beginning of a curve to the left

THENCE continuing along said existing City Limit line and continuing to be 500 feet westerly of said existing easterly Right-of-Way line and with said curve, an arc distance of 1448.54 feet, through a central angle of 25°06'54", having a radius of 3304.61 feet, and a long chord of which bears S 13°59'35"E, 1436.97 feet;

THENCE S 26°29'25"E, a distance of 657.84 feet continuing along said existing City Limit line and continuing to be 500 feet westerly of said existing easterly Right-of-Way line to a point in the approximate centerline of said O. B. Groner Road, being the common line of the southerly line of said called 70.15 acre tract and the northerly line of the aforementioned called 200.5 acre Munson Realty Company tract and returning to the north line of the aforementioned City Ordinance Number 6218;

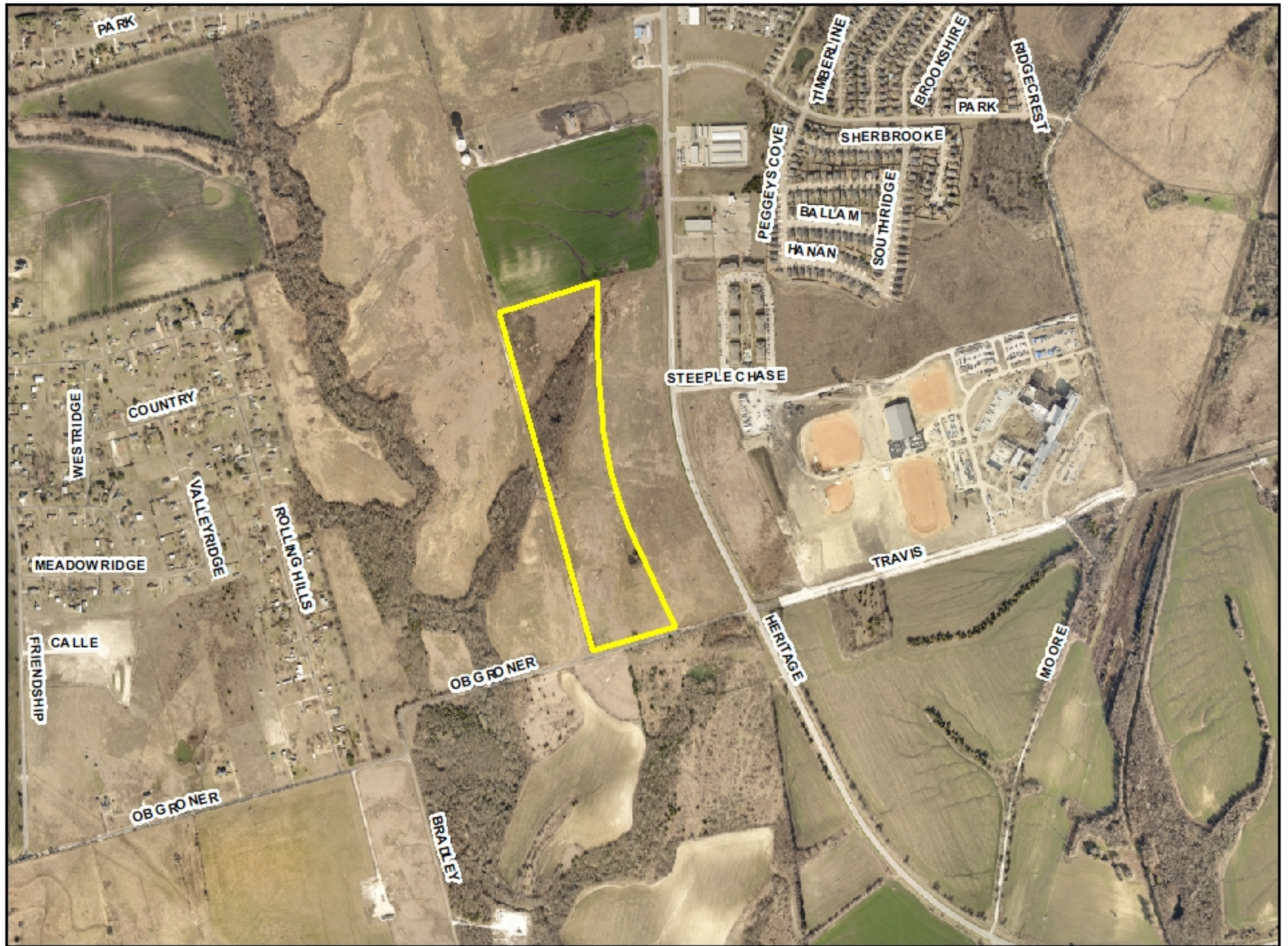
THENCE S 73°46'23"W, a distance of 851.51 feet continuing along said existing City Limit line and with the north line of said City Ordinance Number 6218 and with said approximate centerline of O. B. Groner Road and along said common line returning to the Point of Beginning and containing 2,018,5096 square feet or 46.339 acres of land, more or less.

ANNEXATION SCHEDULING PLAN

**Annexation of approximately 46.339 acres of land adjacent to the city limits,
located West of F. M. 1417, North of O. B. Groner Road, and East of Rolling Hill Drive,
being more specifically described as:
SHERMAN HEIGHTS**

- Monday, November 16, 2020.....City Council sets public hearing date and accepts annexation application.
- Monday, November 23, 2020.....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.
- Tuesday, November 24, 2020.....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, December 3, 2020.....Post notice of public hearing as required by Open Meetings Act.
- Monday, December 7, 2020.....Hold public hearing. (Regular Council Meeting)
- Monday, December 7, 2020.....Adopt ordinance. (Regular Council Meeting)

Annexation - North of O.B. Groner, West of FM 1417



0 500 1,000 2,000 3,000 4,000 1 inch = 1,000 feet
Feet



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 2.

Meeting Date: 12/07/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6335

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Credit Access Business (Loan Office) (Freddy's Fast Cash) in a C-2 (General Commercial) District on Property located at 2201 Texoma Parkway, Suite 100, being Lot 6, Block 9, Highland Park Addition and former rights-of-way abandoned by Resolution No. 580 and No. 612 (Michael S. Cook, Owner; Jim Hendrickson, Applicant; Freddy's Fast Cash, Proposed Tenant; 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 Michael S. Cook (Owner), Jim Hendrickson (Applicant), Freddy's Fast Cash (Proposed Tenant) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 2201 Texoma Parkway, Suite 100, being Lot 6, Block 9, Highland Park Addition and former rights-of-way abandoned by Resolution No. 580 and No. 612 for a Specific Use Permit to allow a Credit Access Business (Loan Office) (Freddy's Fast Cash) in a C-2 (General Commercial) District

Background:

The property is located at 2201 Texoma Parkway, Suite 100, the northeast corner of Texoma Parkway and Peyton Street, formerly Payless Shoes. The property is zoned a C-2 (General Commercial) District.

Freddy's Fast Cash Inc. is a licensed Credit Access Business in the State of Texas. They would like to open a loan office at 2201 Texoma Parkway, Suite 100.

Origination:

Michael S. Cook (Owner)
Jim Hendrickson (Applicant)
Freddy's Fast Cash (Proposed Tenant)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2020 regular meeting, the Planning and Zoning Board voted 6/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6335

Exhibit A - Legal Description

Aerial Location Map

Zoning Map

Zoning Sign Photo

Survey - Resolutions

Site Plan

Texas Business License

Building Elevations

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6335

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 CREDIT ACCESS BUSINESS (LOAN OFFICE) (FREDDY'S FAST CASH) IN A C-2 (GENERAL COMMERCIAL) DISTRICT ON PROPERTY LOCATED AT 2201 TEXOMA PARKWAY, SUITE 100, BEING LOT 6, BLOCK 9, HIGHLAND PARK ADDITION AND FORMER RIGHTS-OF-WAY ABANDONED BY RESOLUTION NO. 580 AND NO. 612 (MICHAEL S. COOK, OWNER; JIM HENDRICKSON, APPLICANT; FREDDY'S FAST CASH, PROPOSED TENANT; 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; 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 passage of this ordinance, Michael S. Cook (Owner), Jim Hendrickson (Applicant), Freddy's Fast Cash (Proposed Tenant) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 2201 Texoma Parkway, Suite 100 are granted a Specific Use Permit to allow a Credit Access Business (Loan Office) (Freddy's Fast Cash) 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 described property in **Exhibit A – Legal Description**.

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

Zoning:

1. All aspects of the City's General Zoning Ordinance No. 2280, as amended, including but not limited to regulations applicable to the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. All parking shall be on private property and shall not encroach into Texoma Parkway or Peyton Street right-of-way.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
5. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
6. Shall provide one off-street parking space for each 200 square feet of general floor space; a parking space is considered to be 9'x20'.
7. Shall comply with all City, Federal and State regulations for this use.
8. Review the zoning and development ordinance for additional requirements.
9. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

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

SECTION 3. That this Ordinance shall be entered upon the official zoning map as provided in Section 8, Subsection (5)(a), 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 _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

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

CITY OF SHERMAN, TEXAS

ATTEST:

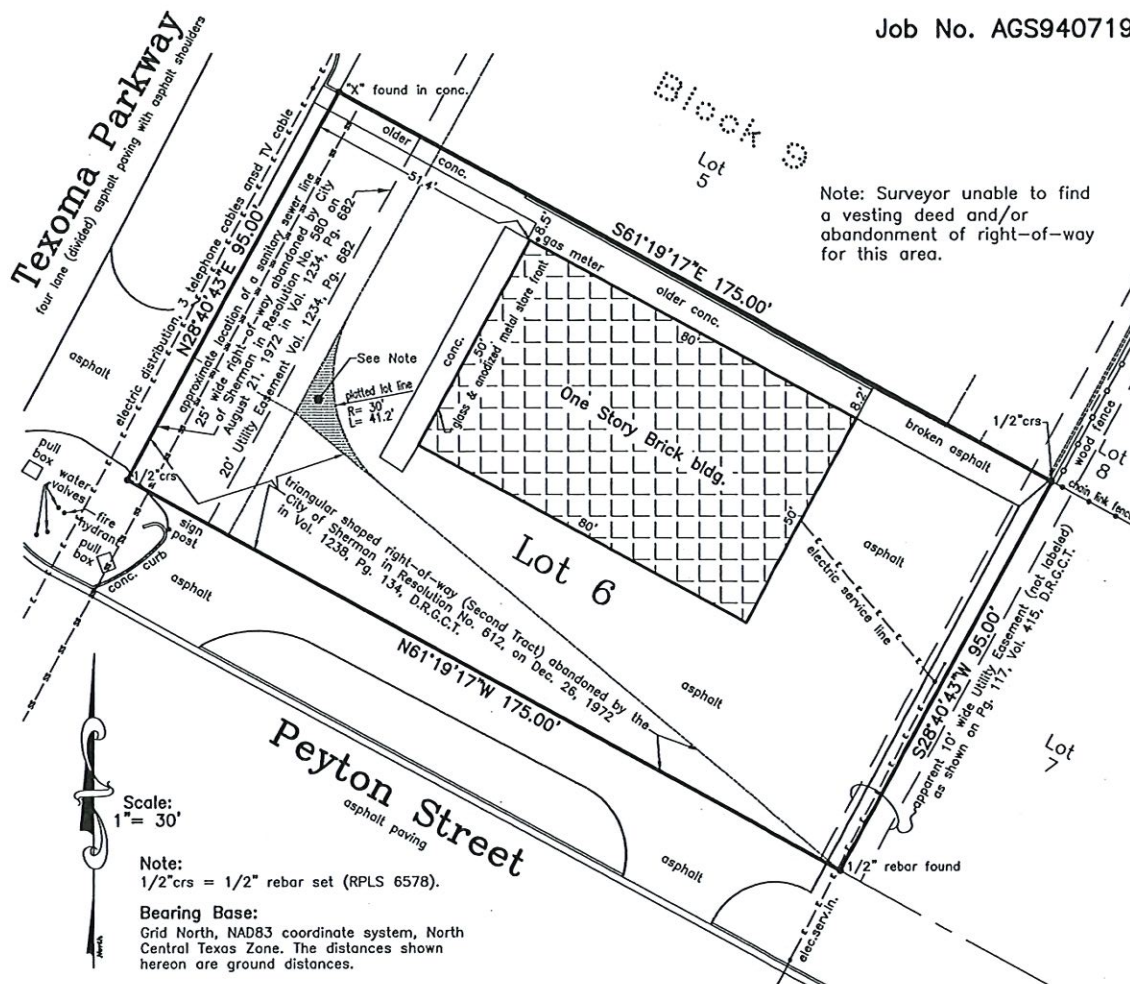
BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

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

BY: _____

NAME: _____
CITY ATTORNEY



Owner: Michael S. Cook
Address: 2201 Texoma Parkway
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 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.

Legal Description is as follows: Lot 6, Block 9, Highland Park Addition, to the City of Sherman, Texas, as per plat of record in Volume 415, Pages 116, 117 & 118, Deed Records, Grayson County, Texas. Block 9 is shown Page 117. And a portion of the 25 ft. wide "former" right-of-way that was abandoned by the City of Sherman, by Resolution No. 580, on August 21, 1972, and recorded in Volume 1234, Page 682, Deed Records, Grayson County, Texas. And all of the triangular shaped "former" right-of-way (Second Tract) that was abandoned by the City of Sherman, by Resolution No. 612, on December 26, 1972, and recorded in Volume 1238, Page 134, said Deed Records. And the triangular shaped "former" right-of-way that is situated between the Southwest corner (as platted) of said Lot 6 and the East line of said 25 ft. wide former right-of-way and the North line of said triangular shaped former right-of-way. Said Lot 6 and the former rights-of-way mentioned herein above, are shown as one tract or lot on the survey plat herein above.

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.

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

Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: July 23, 2019

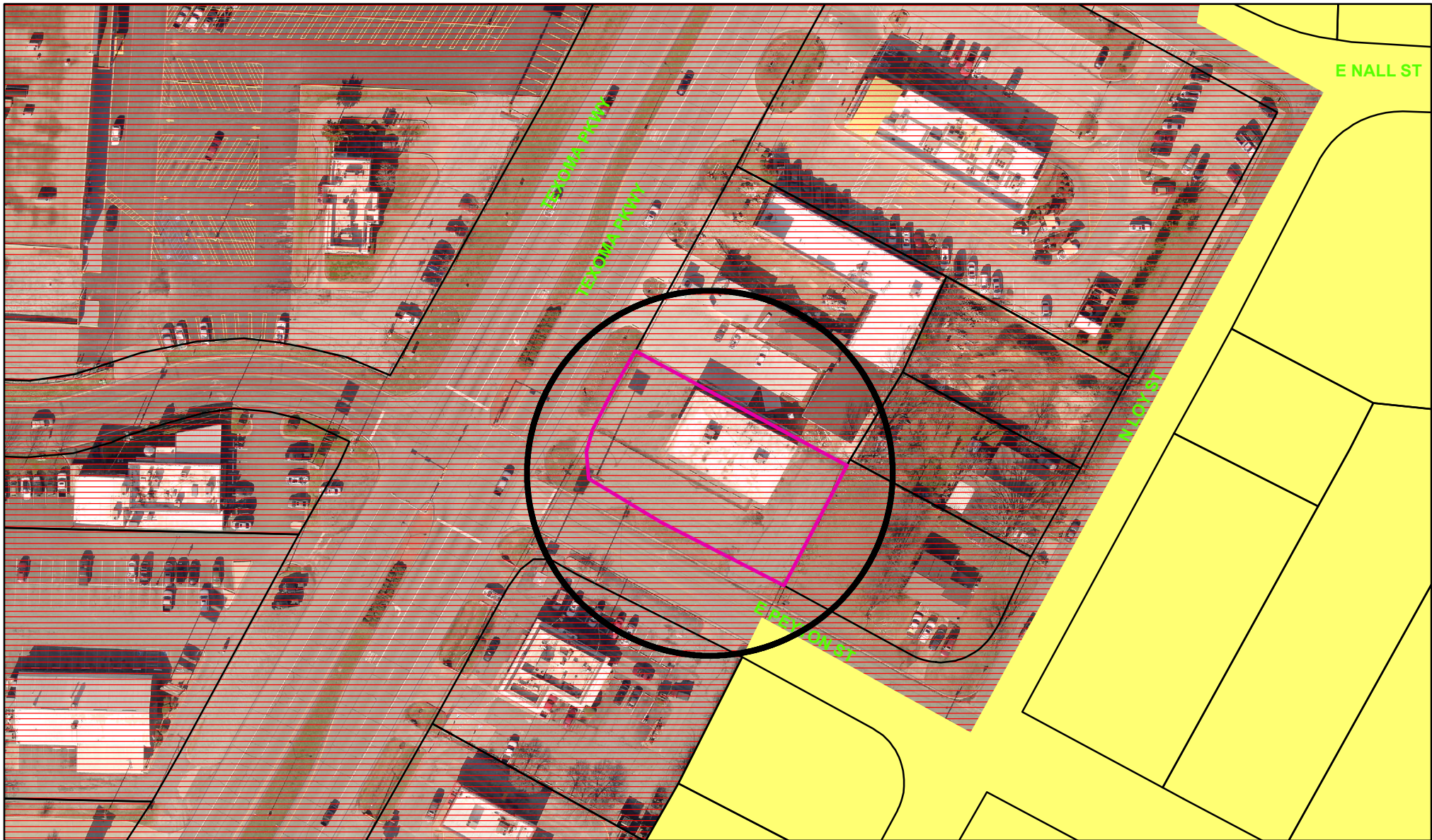


City of Sherman, Texas
Developmental Services Department

2201 Texoma Parkway, Suite 100



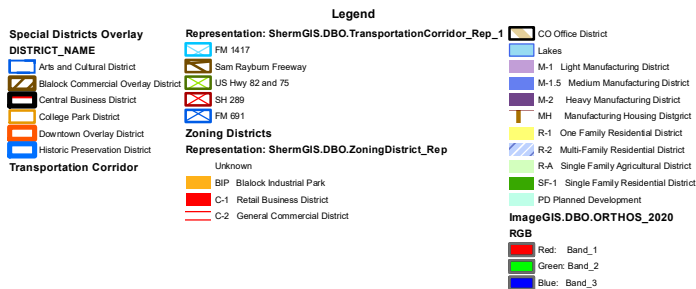
1 in = 300 ft



Zoning - 2201 Texoma Parkway, Suite 100



City of Sherman, Texas
Developmental Services Department

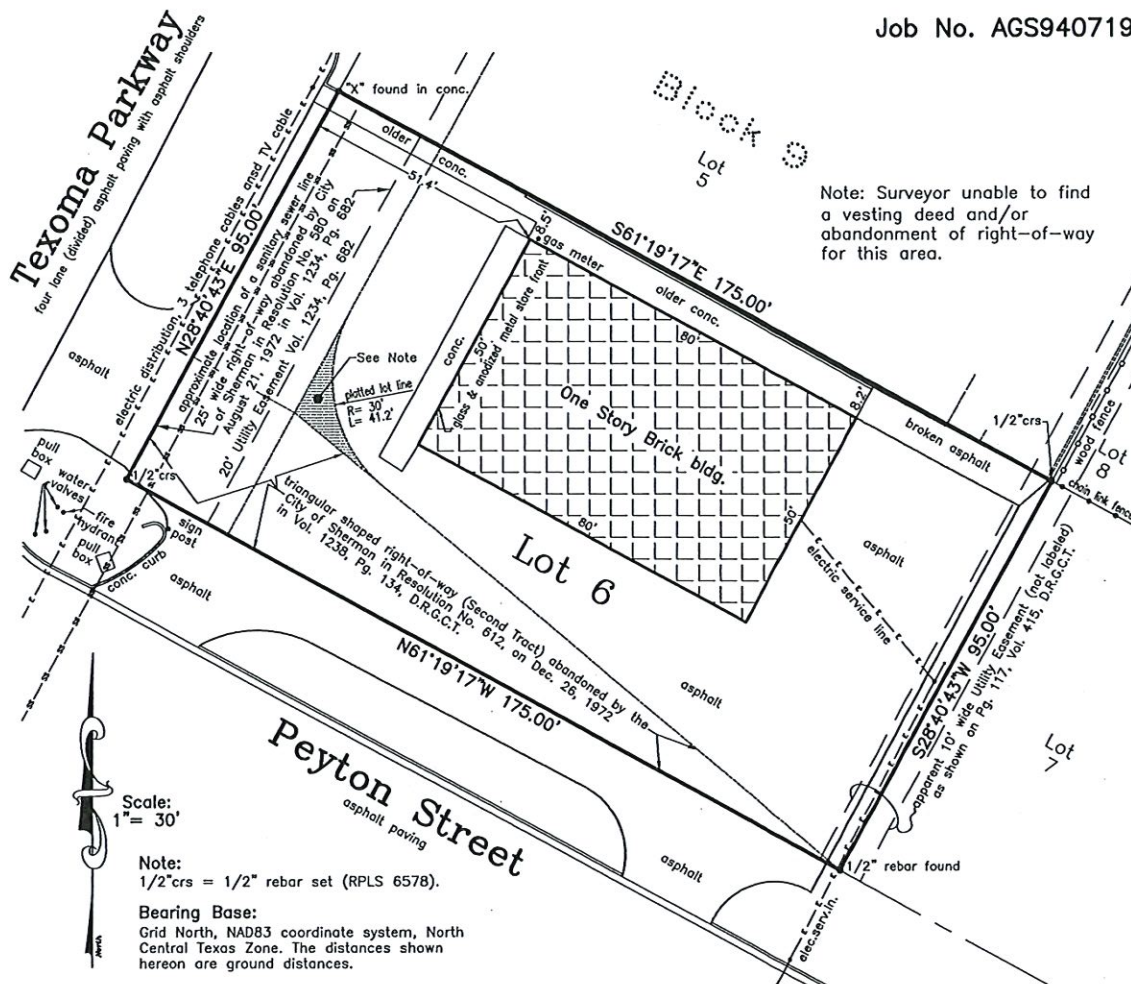


NOT TO SCALE

1 in = 100 ft

2201 TEXOMA PARKWAY, SUITE 100





Owner: Michael S. Cook
Address: 2201 Texoma Parkway
Sherman, Texas

This survey was prepared for the sole benefit of the transaction (boundary & improvement survey) for Michael S. Cook, 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.

Legal Description is as follows: Lot 6, Block 9, Highland Park Addition, to the City of Sherman, Texas, as per plat of record in Volume 415, Pages 116, 117 & 118, Deed Records, Grayson County, Texas. Block 9 is shown Page 117. And a portion of the 25 ft. wide "former" right-of-way that was abandoned by the City of Sherman, by Resolution No. 580, on August 21, 1972, and recorded in Volume 1234, Page 682, Deed Records, Grayson County, Texas. And all of the triangular shaped "former" right-of-way (Second Tract) that was abandoned by the City of Sherman, by Resolution No. 612, on December 26, 1972, and recorded in Volume 1238, Page 134, said Deed Records. And the triangular shaped "former" right-of-way that is situated between the Southwest corner (as platted) of said Lot 6 and the East line of said 25 ft. wide former right-of-way and the North line of said triangular shaped former right-of-way. Said Lot 6 and the former rights-of-way mentioned herein above, are shown as one tract or lot on the survey plat herein above.

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.

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

Kate A. Wagner, R. P. L. S. No. 6578
Copyright Date: July 23, 2019

RESOLUTION NO. 580

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, COUNTY OF GRAYSON, TEXAS, ABANDONING TWENTY-FIVE FEET IMMEDIATELY WEST OF THE PLATTED WEST LINES OF BLOCKS 9 & 7 OF HIGHLAND PARK ADDITION TO THE CITY OF SHERMAN, SUBJECT TO UTILITY EASEMENTS, AND REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN:

SECTION 1.

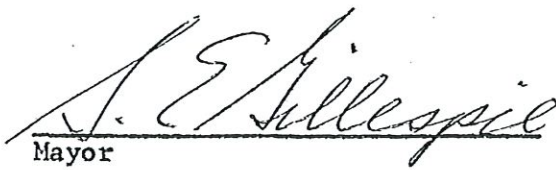
Twenty-five feet of platted right-of-way lying immediately west of and adjacent to the platted lot lines of the blocks 9 & 7 of Highland Park Addition to the City of Sherman is closed, abandoned, and vacated subject to the retainage of a utility easement 20 feet in width, measured 10 feet on either side of the centerline of the existing utility.

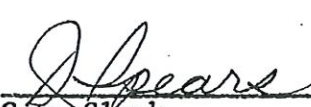
SECTION 2.

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS THE 21ST DAY OF AUGUST, 1972.

ATTEST:


Mayor


City Clerk

RESOLUTION NO. 612

R-612
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN VACATING AND ABANDONING TWO TRIANGULAR PIECES OF PROPERTY ADJACENT TO PEYTON AVENUE AND LOT ONE (1) BLOCK SEVEN (7) AND LOT SIX (6) BLOCK NINE (9) OF SAID ADDITION SUBJECT TO A SANITARY SEWER EASEMENT ACROSS PEYTON STREET AS DESCRIBED IN RESOLUTION 580 PASSED AUGUST 21, 1972.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN:

The following two tracts of land are abandoned, closed and vacated for street and park purposes. Said tracts of land are described by metes and bounds as follows, to-wit, and as shown by attached plat:

FIRST TRACT:

Beginning at the N.E. corner of Lot No. 1 of Block 7 of the Highland Park First Addition to the City of Sherman, said point also being on the south ROW line of Peyton Avenue;

THENCE north 72 deg. and 2 min. west with the south ROW line of Peyton Avenue and the north line of Lot 1 of Block 7 of the said addition 153' to the N.W. corner of said Lot. No. 1;

THENCE north 60 deg. and 43 min. west 25' to a point on the east ROW line of U.S. Hwy 75;

THENCE north 29 deg. and 17 min. east with the east ROW line of Hwy 75 30' to a point;

THENCE south 60 deg. and 43 min. east 175' to the NE corner of Lot 1, Block 7 of the Highland Park First Addition, said point being the place of beginning.

SECOND TRACT:

Beginning at the SE corner of Lot No. 6 of Block No. 9 of the Highland Park First Addition to the City of Sherman, said point being on the north ROW line of Peyton Avenue;

THENCE north 49 deg. and 24 min. west to the north ROW line of Peyton Avenue 153' to the SW corner of said Lot No. 6;

THENCE north 60 deg. and 43 min. west 25' to a point on the east ROW line of U.S. No. 75;

THENCE south 29 deg. and 17 min. west with the east ROW line of U.S. Hwy 75 to a point;

THENCE South 60 deg. 43 min. east 175' to a point on the SE corner of Lot 6, Block 9 of said addition, said point being the place of beginning and being more particularly shown on attached sketch.

This abandonment is subject to a sanitary sewer easement across Peyton Street and as shown by Resolution 580 passed August 21, 1972..

PASSED and APPROVED this the 26 day of Dec. 1972.

MAYOR

ATTEST:

CITY CLERK

CITY SEAL: #8

8

7

20

19

BLOCK 9

80'

95' BLOCK 7

HIGHLAND PARK

5

6

153' N 49° 24' W
S 60° 13' E 175'

PEYTON AVE.

ABANDONED BY RES. 580
AUG. 21-1972

HWY R-O-W

S 29° 17' W

U.S. HWY NO. 75

ADDITION

1

2

S 60° 43' E 175'
N 72° 02' W 153'

150'

65

ABANDONED BY RES. 580
AUG. 21-1972

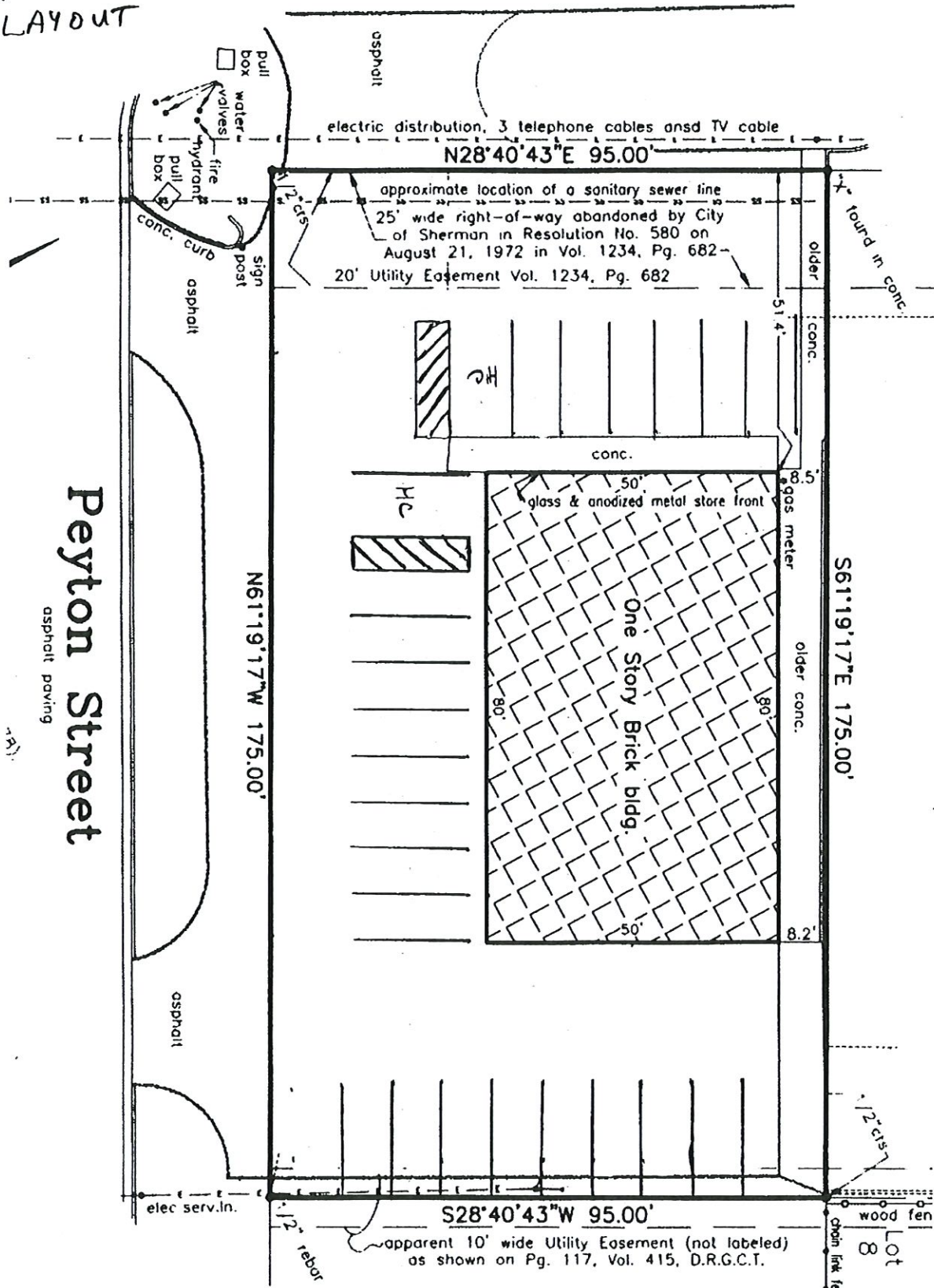
HWY R-O-W

SCALE 1"=40'
DATE 12-21-72

SURVEY
w/ PARKING
LAYOUT

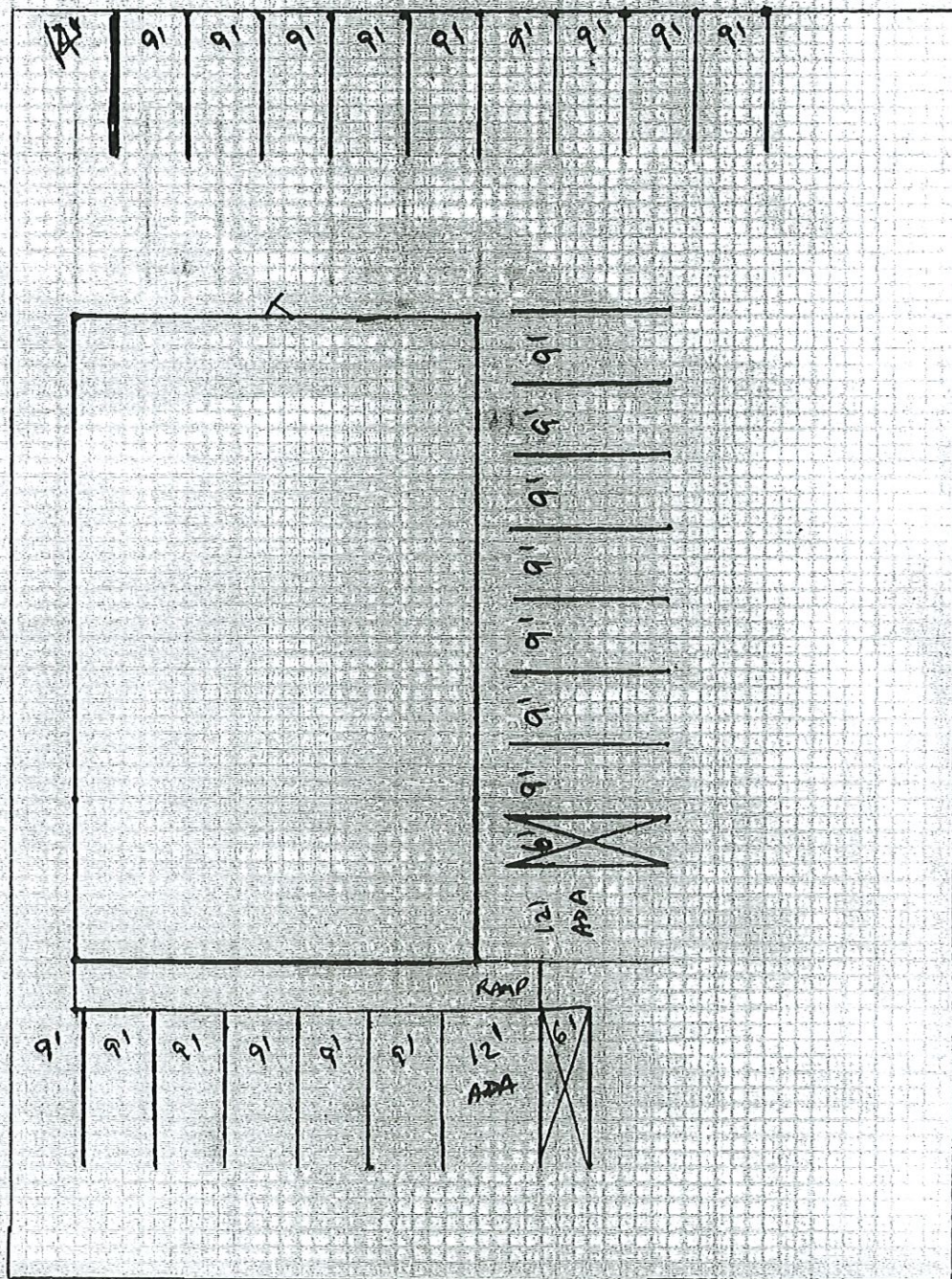
Texoma Parkway

four lane (divided) asphalt paving with asphalt should



2201 TEXOMA PARKWAY
PARKING LAY-OUT

SCALE $1" = 20'$
1 SQUARE = 2' FEET





OCCC

Office of Consumer
Credit Commissioner

License Issue Date: 8/16/2020

STATE OF TEXAS

CREDIT ACCESS BUSINESS LICENSE

License Number: 1500051734-164703

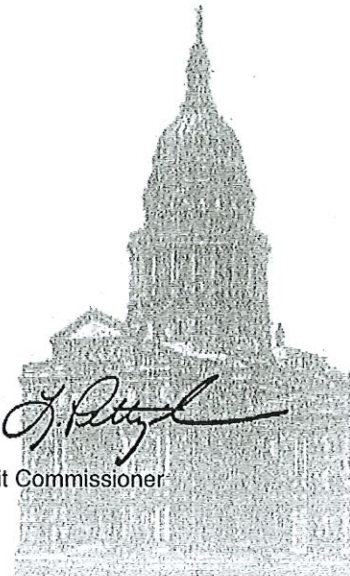
ACTIVE

FREDDY'S FAST CASH INC
2201 TEXOMA PARKWAY, #100
SHERMAN, TX, US, 75090

2601 N Lamar Blvd
Austin, Tx 78705

www.occc.state.tx.us
(512)936-7600


Consumer Credit Commissioner





Option #1 Rev.3: Manufacture and install (1) set of 36"x20' channel letters with yellow faces with green trim and green returns.

CH ☒ APPROVED AS SHOWN
☐ APPROVED WITH CHANGES AS NOTED
☐ REVISE AND SUBMIT NEW PROOF WITH CHANGES

PROPERTY OF WHATLEY SIGN COMPANY - NOT BE DUPLICATED

This art is the exclusive property of Whatley Sign Company and is for the sole purpose of viewing by the recipient. It is not to be released to outside parties. Any duplication and/or copying of these drawings in part or in whole is prohibited. Any violation of these terms will result in penalties and prosecution under copyright laws.

Due to variations in printing, the colors shown are representations and should be used as a guide only.

Freddy's Fast Cash / Clay Holman

Designed for

clayton Homan

Signature of Authorized Representative

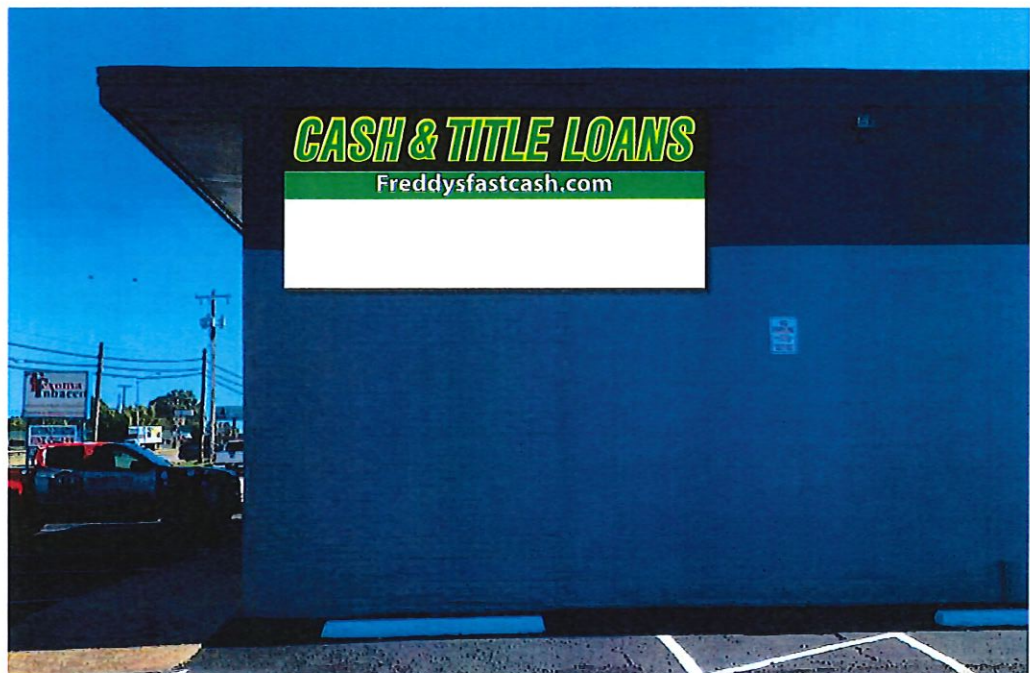
09/08/2020

Date

WHATLEY
SIGN COMPANY

1109 E 51st Street 870.773.2139 P
 Texarkana, AR 71854 870.772.5703 F

www.whatleysign.com



Option #2 Rev.4: Manufacture and install (1) single faced 6'x14' wall sign.

CH ☒ APPROVED AS SHOWN
☐ APPROVED WITH CHANGES AS NOTED
☐ REVISE AND SUBMIT NEW PROOF WITH CHANGES

PROPERTY OF WHATLEY SIGN COMPANY - NOT BE DUPLICATED

This art is the exclusive property of Whatley Sign Company and is for the sole purpose of viewing by the recipient. It is not to be released to outside parties. Any duplication and/or copying of these drawings in part or in whole is prohibited. Any violation of these terms will result in penalties and prosecution under copyright laws.

Due to variations in printing, the colors shown are representations and should be used as a guide only.

Freddy's Fast Cash / Clay Holman

Designed for

clayton Homan

Signature of Authorized Representative

09/2/2020

Date

WHATLEY
SIGN COMPANY

1109 E 51st Street 870.773.2139 P
 Texarkana, AR 71854 870.772.5703 F

www.whatleysign.com

STAFF REVIEW LETTER

November 11, 2020

Michael S. Cook
PO Box 6070
McKinney, TX 75071

Jim Hendrickson
4545 N. Stateline Ave.
Texarkana, TX 75503

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow a Credit Access Business (Loan Office) (Freddy's Fast Cash) in a C-2 (General Commercial) District located at 2201 Texoma Parkway, Suite 100 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the sign ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. All parking shall be on private property and shall not encroach into Texoma Parkway or Peyton Street right-of-way.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
5. Any structures built over any of the easements on the property will require approval for an encroachment easement from the City Council.
6. Shall provide one off-street parking space for each 200 square feet of general floor space; a parking space is considered to be 9'x20'.
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. Review the zoning and development ordinance for additional requirements.
9. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

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

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact 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
 Christopher Armstrong, Asst. City Engineer
 The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

 Billy Hartsfield, Fire Marshal
 Amber Doan, Engineering Coordinator
 Scott Shadden, Director of Developmental Services
 Tom Pruitt, Utility Engineer City Attorney



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

Agenda Item No. 6.

Meeting Date: 11/17/2020

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

Clay Mahone, Chairman

David Downtain, Vice Chairman

Shawn Davis, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Glenn Whitaker, Commissioner

Requested Action/Proposed Use:

2201 TEXOMA PARKWAY, SUITE 100

The request of Michael S. Cook (Owner), Jim Hendrickson (Applicant), Freddy's Fast Cash (Proposed Tenant) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 2201 Texoma Parkway, Suite 100, being Lot 6, Block 9, Highland Park Addition and former rights-of-way abandoned by Resolution No. 580 and No. 612, 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 Credit Access Business (Loan Office) (Freddy's Fast Cash) in a C-2 (General Commercial) District.

Background:

The property is located at 2201 Texoma Parkway, Suite 100; the northeast corner of Texoma Parkway and Peyton Street; formerly Payless Shoes. The property is zoned a C-2 (General Commercial) District.

Freddy's Fast Cash Inc. is a licensed Credit Access Business in the State of Texas. They would like to open a loan office at 2201 Texoma Parkway, Suite 100.

Adjacent Zoning:

R-1 (One Family Residential) District

C-2 (General Commercial) District

Origination:

Michael S. Cook (Owner)

Jim Hendrickson (Applicant)

Freddy's Fast Cash (Proposed Tenant)

Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

10

Objections Received:

0

Attachments

Aerial Location Map
Zoning Map
Zoning Sign Photo
Texas Business License
Survey - Resolutions
Site Plan
Building Elevations
Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 3.

Meeting Date: 12/07/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6336

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Intellectual and Developmental Disabilities Facility in a C-2 (General Commercial) District/Central Business District on Property located at 222 South Elm Street, being Lots 2 and 4, Block 1, A.R. Loving Addition (Butterfly Properties V, LLC, Owners; Monica Brown, Applicant; Ambience Community Services, LLC, Tenant; and Copley Land 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 Butterfly Properties V, LLC (Owners), Monica Brown (Applicant), Ambience Community Services, LLC (Tenant) and Copley Land Surveying (Surveyor) concerning the property at 222 South Elm Street, being Lots 2 and 4, Block 1, A.R. Loving Addition for a Specific Use Permit to allow an Intellectual and Developmental Disabilities Facility in a C-2 (General Commercial) District/Central Business District

Background:

The property is located at 222 South Elm Street; the northwest corner of Elm and Jones Streets. The property is zoned a C-2 (General Commercial) District and is located in the Central Business District.

Ambience Community Services, LLC provides various services and support to individuals with intellectual and developmental disabilities and their families in the North Texas Region. They provide residential group home and day programming services. They are committed to partnering with the individuals they serve and their families to achieve goals and independence in the community. They are requesting a Specific Use Permit to allow an Intellectual and Developmental Disabilities Facility for day habilitation and training. The applicant stated in the Planning and Zoning Commission Meeting that clients would not stay overnight or live at this facility. The Planning and Zoning Commission granted site plan approval to construct a 12' x 36' accessory building on the side of their existing building at the November 17, 2020 meeting.

Origination:

Butterfly Properties V, LLC (Owners)
Monica Brown (Applicant)
Ambience Community Services, LLC (Tenant)
Copley Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2020 regular meeting, the Planning and Zoning Board voted 6/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter. Staff recommends the Specific Use Permit be limited to the tenant (Ambience Community Services, LLC).

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6336
Exhibit A - Legal Description
Aerial Location Map
Zoning Map
Zoning Sign Photo
Business Information
Survey/Site Plan
Building Elevations
Building Elevations Accessory Building
Staff Review Letter
P&Z Communication

ORDINANCE NO. 6336

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 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES FACILITY IN A C-2 (GENERAL COMMERCIAL) DISTRICT/CENTRAL BUSINESS DISTRICT ON PROPERTY LOCATED AT 222 SOUTH ELM STREET, BEING LOTS 2 AND 4, BLOCK 1, A.R. LOVING ADDITION (BUTTERFLY PROPERTIES V, LLC, OWNERS; MONICA BROWN, APPLICANT; AMBIENCE COMMUNITY SERVICES, LLC, TENANT; AND COPLEY LAND 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, Butterfly Properties V LLC (Owners), Monica Brown (Applicant), Ambience Community Services, LLC (Tenant) and Copley Land Surveying (Surveyor) concerning the property at 222 South Elm Street are granted a Specific Use Permit to allow an Intellectual and Developmental Disabilities Facility in a C-2 (General Commercial) District/Central Business District and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the described property in **Exhibit A – Legal Description**.

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

Zoning:

1. All aspects of the City's General Zoning Ordinance No. 2280, as amended, including but not limited to regulations applicable to C-2 (General Commercial) District, the Central Business District, the sign ordinance, the fence ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking is permitted on paved surfaces only (concrete or asphalt).
4. A minimum 6' screening shall be provided and maintained abutting any residential districts.
5. The accessory building shall be setback a minimum of 25' from the Elm Street property line; 8' from any other structures and 15' from side (west) property line.
6. Masonry or equivalent shall be required on all sides of all commercial buildings in the Central Business District. Masonry shall be brick, stone, EFIS (Exterior Finish Insulation System) or concrete lap siding.
7. The property and the use shall comply with all City, Federal and State regulations.
8. Review the zoning and development ordinance for additional requirements.
9. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

10. New drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
11. The City of Sherman does not maintain alleys.

SECTION 3. That this Ordinance shall be entered upon the official zoning map as provided in Section 8, Subsection (5)(a), 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 _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

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

CITY OF SHERMAN, TEXAS

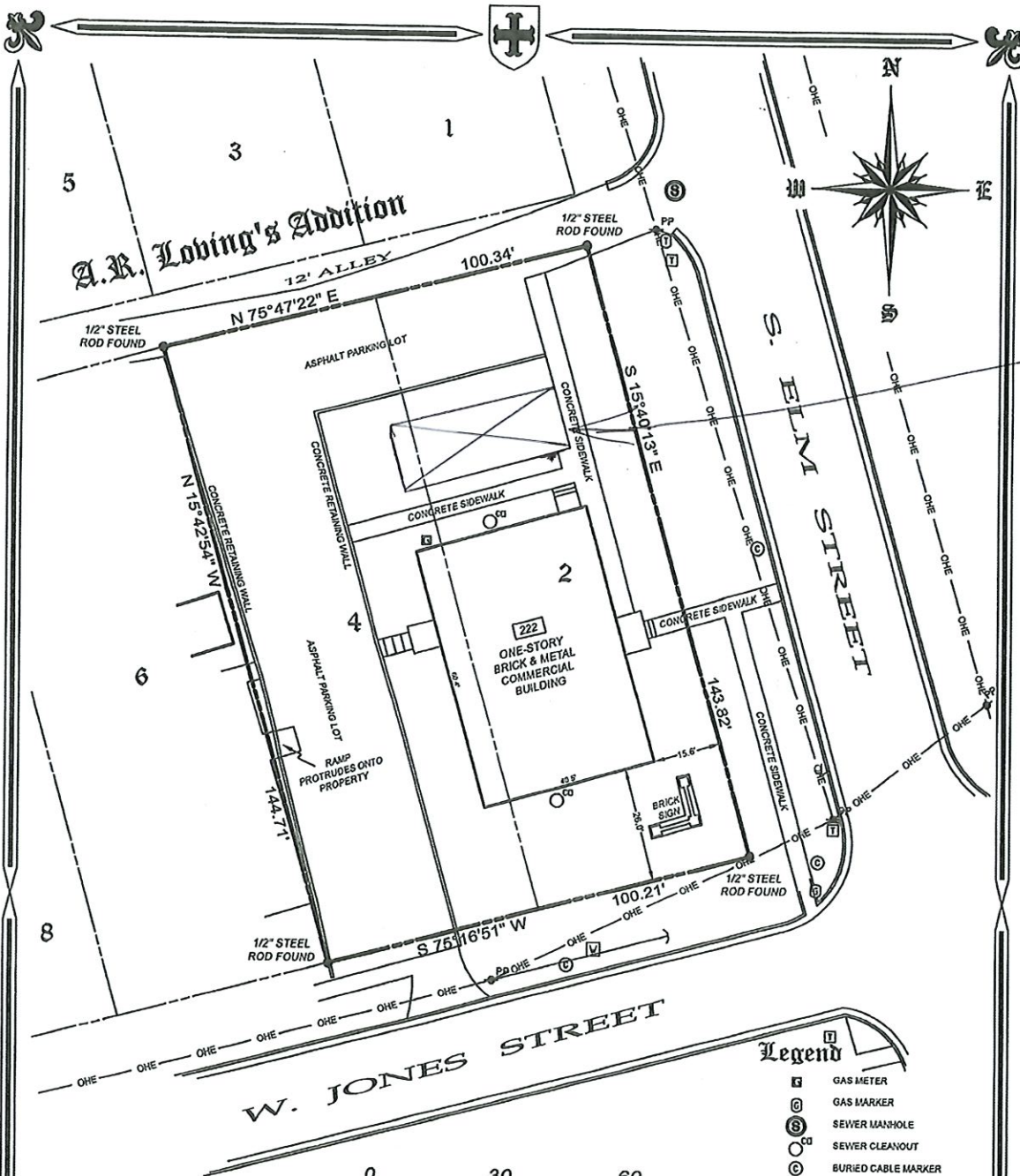
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____
NAME: _____
CITY ATTORNEY



Building 18x36

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

0 30 60

SCALE ~ 1" = 30'

Copyright © 2019
Copley Land Surveying, Inc.
All rights reserved.

Legend

- GAS METER
- GAS MARKER
- SEWER MANHOLE
- SEWER CLEANOUT
- BURIED CABLE MARKER
- TELEPHONE PEDESTAL
- WATER METER
- POWER POLE
- OVERHEAD ELECTRIC LINE
- BOUNDARY LINE
- PROPERTY LINE
- CHAINLINK FENCE

I, John C. Copley, Registered Professional Land Surveyor do hereby certify that on the 12th day of June 2019, a survey was made on the ground of the property shown hereon, described as Lots 2 & 4, 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, and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

The building on said lot is known as 222 S. Elm Street, Sherman, Texas, and is wholly located on said lot; there are no encroachments or protrusions from buildings on adjoining lots or tracts of land except as shown.

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



Copley Land Surveying

198 Keefer Rd., Pottsboro, Texas 75076
TX 903-415-0643, ©R 580-980-0181
john@copleylandsurveying.com

CLS Job# 19060141



222 South Elm Street



City of Sherman, Texas
Developmental Services Department

1 in = 300 ft



Zoning - 222 South Elm 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: SHERM.GIS.DBO.TransportationCorridor_Rep_1

FM 1417
Sam Rayburn Freeway
US Hwy 82 and 75
SH 289
FM 891

Zoning Districts

Representation: SHERM.GIS.DBO.ZoningDistrict_Rep

Unknown
BIP Blalock Industrial Park
C-1 Retail Business District
C-2 General Commercial District

CO Office District
Lakes
M-1 Light Manufacturing District
M-1.5 Medium Manufacturing District
M-2 Heavy Manufacturing District
MH Manufacturing Housing District
R-1 One Family Residential District
R-2 Multi-Family Residential District
R-A Single Family Agricultural District
SF-1 Single Family Residential District
PD Planned Development
ImageGIS.DBO.ORTHOS_2020
RGB
Red: Band_1
Green: Band_2
Blue: Band_3



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 100 ft

222 South Elm Street





[Home](#) » About Us

About Us

Ambience Community Services, LLC. provides various services and support to individuals with Intellectual and Developmental disabilities and their families in the North Texas Region. Centered in Sherman, Texas, we provide residential group home and day programming services. Ambience Community Services is a Program Provider of Home and Community Based Services (HCS) and Texas Home Living (TxHmL) Services. We also provide CFC Personal Assistance and Habilitation (PAS/HAB) Services and other services through alternate funding sources. We are committed to partnering with the individuals we serve and their families to achieve goals and independence in the community.

Vision

We want to make disABILITIES, **ABILITIES**

Mission

We are committed to providing quality services to meet the unique needs of each individual served. We also strive to empower individuals to set and achieve their personal goals.

Ambience Community Services, LLC. proudly serves the following Texas counties: Collin, Cooke, Dallas, Denton, Fannin, Grayson and Hunt.

Share this:



Like this:



Be the first to like this.



[Home](#) » Client Services

Client Services

Ambience Community Services, LLC. based out of North Texas, is committed to supporting the individuals we serve by providing quality individualized services. Meeting the needs of individuals with intellectual and developmental disabilities and their families requires a broad array of supports and services.

Our Case Coordinators use a person-centered approach during service planning so that each individual's services are tailored to their unique needs and personal goals. Each staff member who works with an individual is trained and informed on the individual's unique needs and service delivery preferences.

We proudly serve the following Texas counties: [Collin](#), [Cooke](#), [Dallas](#), [Denton](#), [Ellis](#), [Fannin](#), [Grayson](#), [Johnson](#), and [Navarro](#). ([full list](#))

TxHmL and HCS Services

- Adaptive Aids
- Dental Treatment
- Minor Home Modifications
- Day Habilitation
- Employment Assistance
- Supported Employment
- Transition Assistance Services
- Supported Home Living (Transportation)
- Community Support Services (Transportation)
- Respite
- [Group Home](#)
- [Host Home](#)

- Residential Support Services
- Supervised Living
- Audiology
- Behavior Support
- Cognitive Rehabilitation Therapy
- Dietary
- Nursing Services
- Occupational Therapy
- Physical Therapy
- Social Work
- Speech Therapy

CFC services available to individuals in the TxHmL and HCS Waivers

- CFC Personal Assistance/Habilitation
- CFC Emergency Response System

Share this:



Like this:

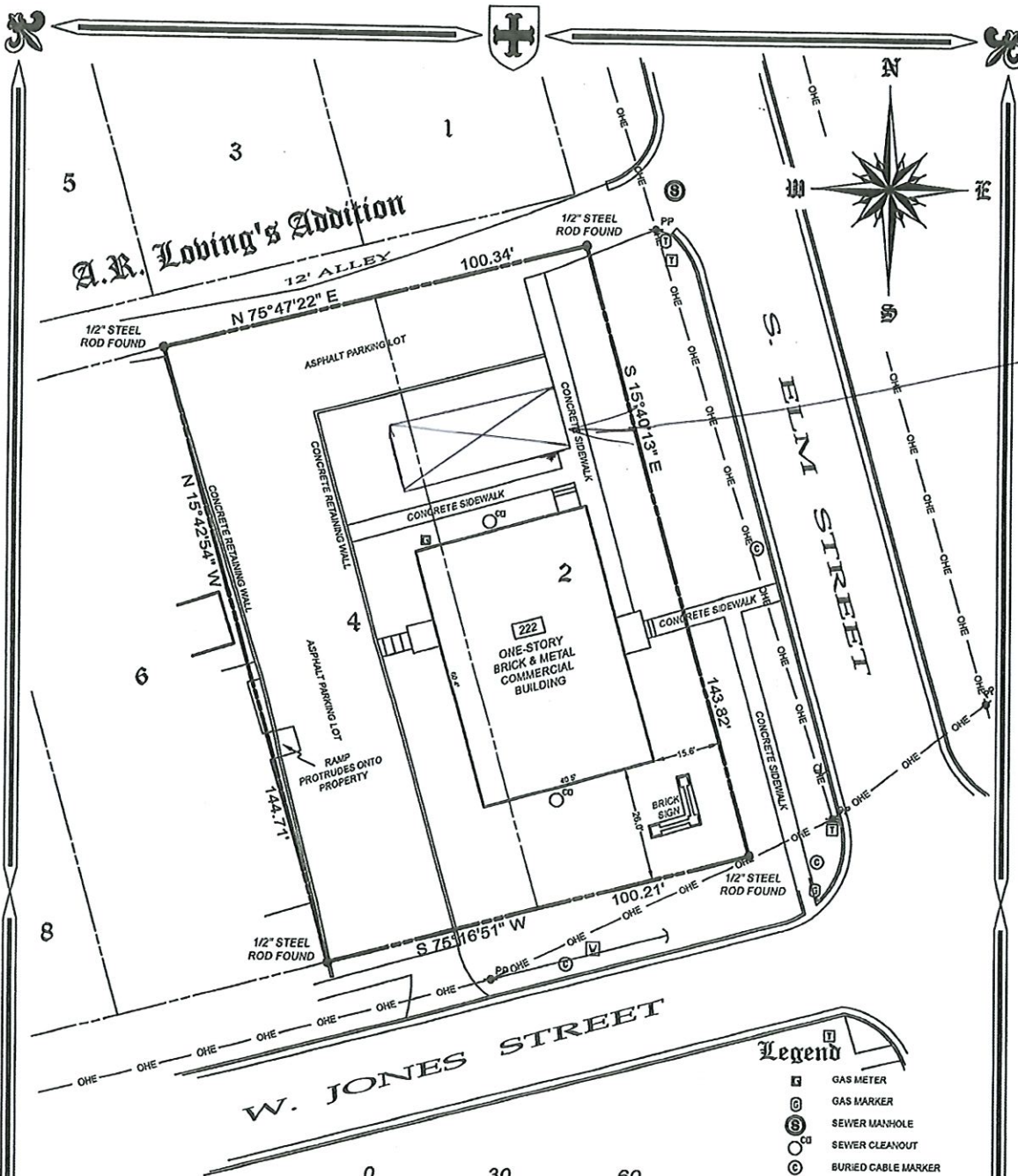


Be the first to like this.

© 2015 Ambience Community Services, LLC – All rights reserved

Designed by Press Customizr





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

Copyright © 2019
 Copley Land Surveying, Inc.
 All rights reserved.

I, John C. Copley, Registered Professional Land Surveyor do hereby certify that on the 12th day of June 2019, a survey was made on the ground of the property shown hereon, described as Lots 2 & 4, 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, and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

The building on said lot is known as 222 S. Elm Street, Sherman, Texas, and is wholly located on said lot; there are no encroachments or protrusions from buildings on adjoining lots or tracts of land except as shown.

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



Copley Land Surveying

198 Keefer Rd., Pottsboro, Texas 75076
 TX 903-415-0643, OK 580-980-0181
 john@copleylandsurveying.com

CLS Job# 19060141

Google Maps 222 S Elm St



Image capture: Sep 2019 © 2020 Google

Sherman, Texas



Street View


<https://www.google.com/maps/place/222+S+Elm+St,+Sherman,+TX+75050/@33.6343677,-96.6110702,3a,75y,253.36h,90t/data=!3m1!1e1!3m4!1sR5...> 1/1

Google Maps 304 W Jones St



Image capture: Sep 2019 © 2020 Google

Sherman, Texas



Street View


<https://www.google.com/maps/place/222+S+Elm+St,+Sherman,+TX+75050/@33.6340376,-96.6113616,3a,75y,90t/data=!3m1!1e1!3m4!1sR5...> 1/1

Google Maps 302 W Jones St

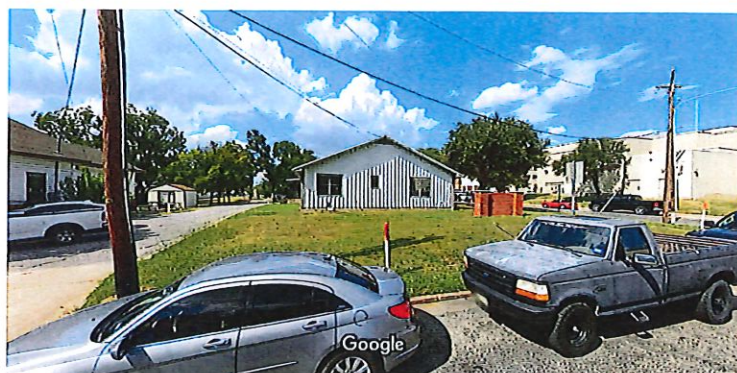


Image capture: Sep 2019 © 2020 Google

Sherman, Texas



Street View


<https://www.google.com/maps/place/222+S+Elm+St,+Sherman,+TX+75050/@33.6340579,-96.6112528,3a,75y,90t/data=!3m1!1e1!3m4!1smapuWiuG...> 1/1

Google Maps 220 S Elm St



Image capture: Sep 2019 © 2020 Google

Sherman, Texas



Street View


<https://www.google.com/maps/place/222+S+Elm+St,+Sherman,+TX+75050/@33.6345393,-96.611251,3a,75y,227.61h,90.14t/data=!3m1!1e1!3m4!1s...> 1/1



STAFF REVIEW LETTER

November 11, 2020

Butterfly Properties V LLC
Tom Rhodes
3517 Drexel Dr.
Dallas, TX 75705

Monica Brown
222 S. Elm St.
Sherman, TX 75090

Dear Applicants,

The request for Specific Use Permit and site plan approval to allow an Intellectual and Developmental Disabilities Facility in a C-2 (General Commercial) District/Central Business District located at 222 South Elm Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-2 (General Commercial) District, the Central Business District, the sign ordinance, the fence ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking is permitted on paved surfaces only (concrete or asphalt).
4. A minimum 6' screening shall be provided and maintained abutting any residential districts.
5. The accessory building shall be setback a minimum of 25' from the Elm Street property line; 8' from any other structures and 15' from side (west) property line.
6. Masonry or equivalent shall be required on all sides of all commercial buildings in the Central Business District. Masonry shall be brick, stone, EFIS (Exterior Finish Insulation System) or concrete lap siding.
7. Shall comply with all EPA, City, Federal and State regulations for this use.
8. Review the zoning and development ordinance for additional requirements.
9. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

10. New drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
11. The City of Sherman does not maintain alleys.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,



Rob Rae

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

Christopher Armstrong, Asst. City Engineer

The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Billy Hartsfield, Fire Marshal

Amber Doan, Engineering Coordinator

Scott Shadden, Director of Developmental Services

Tom Pruitt, Utility Engineer City Attorney



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

Agenda Item No. 10.

Meeting Date: 11/17/2020

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

Clay Mahone, Chairman

David Downtain, Vice Chairman

Shawn Davis, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Glenn Whitaker, Commissioner

Requested Action/Proposed Use:

222 SOUTH ELM STREET

The request of Butterfly Properties V LLC (Owners), Monica Brown (Applicant), Ambience Community Services, LLC (Tenant) and Copley Land Surveying (Surveyor) concerning the property at 222 South Elm Street, being Lots 2 & 4, Block 1, A.R. Loving 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 an Intellectual and Developmental Disabilities Facility in a C-2 (General Commercial) District/Central Business District.
- Site plan approval for an accessory building for Ambience Community Services, LLC

Background:

The property is located at 222 South Elm Street; the northwest corner of Elm and Jones Streets. The property is zoned a C-2 (General Commercial) District and located in the Central Business District.

Ambience Community Services, LLC. provides various services and support to individuals with Intellectual and Developmental disabilities and their families in the North Texas Region. They provide residential group home and day programming services. They are committed to partnering with the individuals they serve and their families to achieve goals and independence in the community. They are requesting a Specific Use Permit to allow an Intellectual and Developmental Disabilities Facility for day habilitation and training. They would also like to construct a 12' x 36' accessory building on the side of their existing building.

Adjacent Zoning:

R-2 (Multi-Family Residential) District
C-1 (Retail Business) District
C-2 (General Commercial) District
C-O (Office)

Origination:

Butterfly Properties V LLC (Owners)
Monica Brown (Applicant)
Ambience Community Services, LLC (Tenant)
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:

13

Objections Received:

0

Attachments

Aerial Location Map
Zoning Map
Zoning Sign Photo
Business Information
Survey/Site Plan
Building Elevations
Building Elevations Accessory Building
Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 4.

Meeting Date: 12/07/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6337

Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the C-1 (Retail Business) District, generally located at 2213 South Crockett Street, being 0.329 acres of land in the Preston Kitchen Survey, Abstract No. 667 (Michael Sterry, Owner; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed \$2,000.00

Issue:

To consider the request of Michael Sterry (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 2213 South Crockett Street, being 0.329 acres in the Preston Kitchen Survey, Abstract No. 667 for zone change approval from an R-1 (One Family Residential) District to a C-1 (Retail Business) District

Background:

The property is located at 2213 South Crockett Street, between Wilson Avenue and Mercer Street. The property was annexed into the City on June 30, 1986 by Ordinance No. 3950 as an R-1 (One Family Residential) District. The existing 640 square foot building on the lot has been used as a beauty shop, retail clothing sales, office, barber shop, thrift shop and retail fresh produce. The owner would like to change the zoning on the property to be in compliance with current zoning regulations to lease the building.

Origination:

Michael Sterry (Owner)

Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2020 regular meeting, the Planning and Zoning Board voted 6/0 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. 6337

Exhibit A - Legal Description/Field Notes

Aerial Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Building Elevations

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6337

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 C-1 (RETAIL BUSINESS) DISTRICT, GENERALLY LOCATED AT 2213 SOUTH CROCKETT STREET, BEING 0.329 ACRES OF LAND IN THE PRESTON KITCHEN SURVEY, ABSTRACT NO. 667 (MICHAEL STERRY, 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.

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 following described property, generally located at 2213 South Crockett Street, and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the C-1 (Retail Business) District, and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the property described in **Exhibit A – Legal Description/Field Notes**.

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 _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

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

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

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

BY: _____

NAME: _____
CITY ATTORNEY

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the Preston Kitchen Survey, Abstract No. 667 and being part of the 22.453 acre tract of land conveyed by Warranty Deed with Vendor's Lien from Safelink, Incorporated, to Michael S. Sterry, on June 8, 1998, recorded in Volume 2677, Page 814, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch square tube found on the East right-of-way line of Travis Street, the North right-of-way line of Mercer Drive, the most Northerly Southwest corner of said Sterry 22.453 ac., the Southwest corner of the herein described tract;

THENCE Northerly with the East right-of-way line of said Travis Street, West lines of said Sterry 22.453 ac., the following calls and distances:

1. North 14 deg. 59 min. 27 sec. West, a distance of 12.30 ft. to a railroad spike found.
2. With a curve to the left having a radius of 2,914.93 ft., a central angle of 00 deg. 58 min. 58 sec. (Chord Bears North 00 deg. 26 min. 49 sec. East, 50.00 ft.) an arc distance of 50.00 ft. to a 1/2 inch rebar found.
3. South 89 deg. 03 min. 55 sec. West, a distance of 9.93 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578".
4. With a curve to the left having a radius of 2,904.93 ft., a central angle of 00 deg. 58 min. 23 sec. (Chord Bears North 00 deg. 17 min. 53 sec. West, 49.33 ft.) an arc distance of 49.33 ft. to a 1/2 inch rebar found.
5. North 01 deg. 12 min. 54 sec. West, a distance of 25.38 ft. to a point in a stone column at the Southwest corner of SMCP-RC 6.60 acre tract of land (Tract 14), recorded in Inst. No. 2019-16953, said Official Public Records, Grayson County, Texas the Northwest corner of both said Sterry 22.453 ac. and the herein described tract;

THENCE North 74 deg. 49 min. 39 sec. East, with the North line of said Sterry 22.453 ac., the South line of said SMCP-RC 6.60 ac., a distance of 95.29 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" on the South line of said SMCP-RC 6.60 ac., the North line of said Sterry 22.453 ac., the Northeast corner of the herein described tract;

THENCE South 12 deg. 57 min. 59 sec. East, over and across said Sterry 22.453 ac., a distance of 136.74 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" on the North right-of-way line of said Mercer Drive, a South line of said Sterry 22.453 ac., the Southeast corner of the herein described tract;

THENCE South 75 deg. 33 min. 26 sec. West, with the North right-of-way line of said Mercer Drive, a South line of said Sterry 22.453 ac., a distance of 112.70 ft. to the **PLACE OF BEGINNING** and containing **0.329 ACRES and/or 14,352 SQ. FT.** 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:



I, _____, Clerk of the City of Sherman, Texas, do hereby dedicate the streets, easements, alleys.



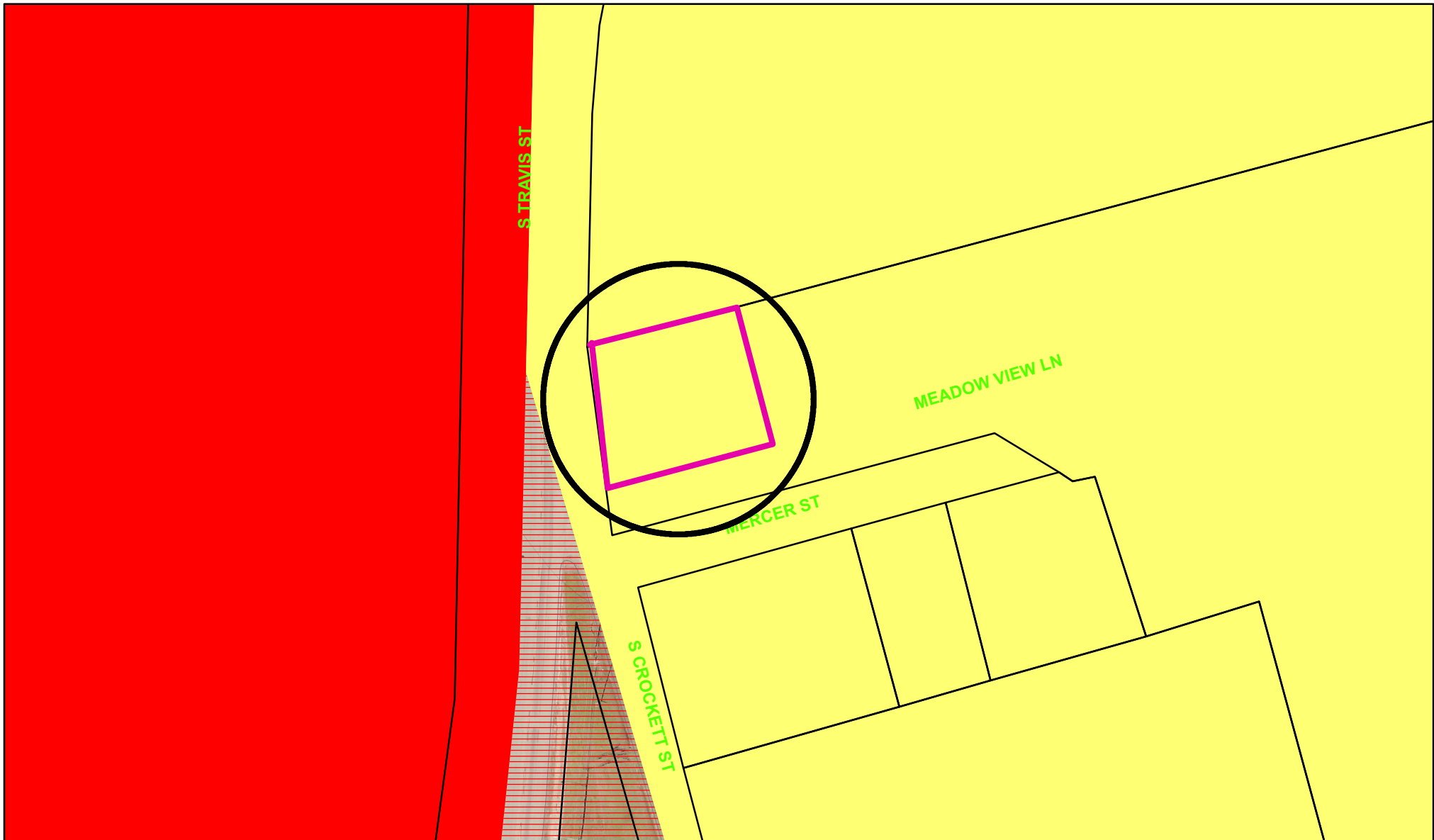
2213 South Crockett Street

City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

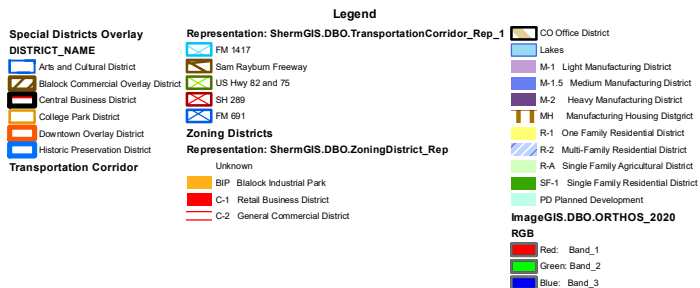
1 in = 200 ft



Zoning - 2213 South Crockett Street



City of Sherman, Texas
Developmental Services Department



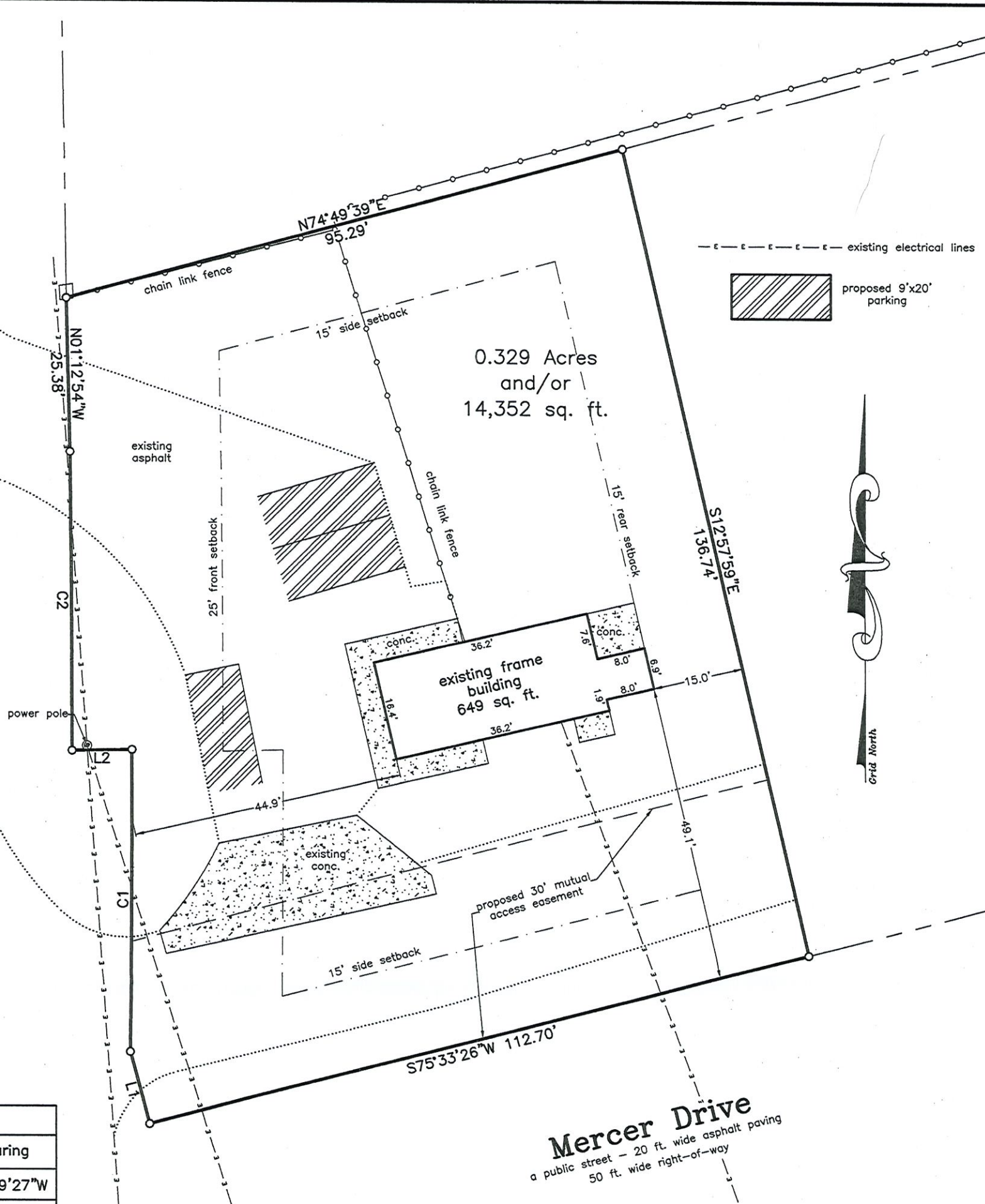
NOT TO SCALE

1 in = 100 ft

2213 South Crockett Street

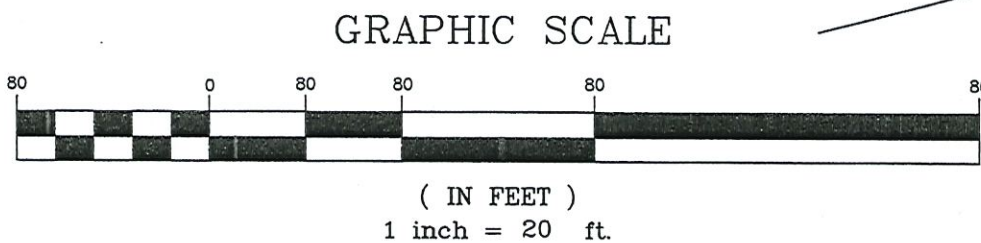


Travis Street
a public road - 35 ft. wide asphalt paving
variable width right-of-way



Line Table		
Line #	Length	Bearing
L1	12.30'	N14°59'27\"W
L2	9.93'	S89°03'55\"W

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	50.00'	2914.93'	0°58'58\"	N00°26'49\"E, 50.00'
C2	49.33'	2904.93'	0°58'23\"	N00°17'53\"W, 49.33'

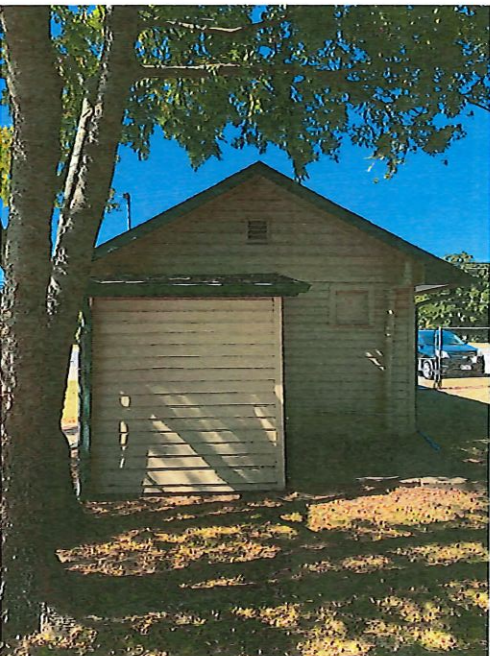
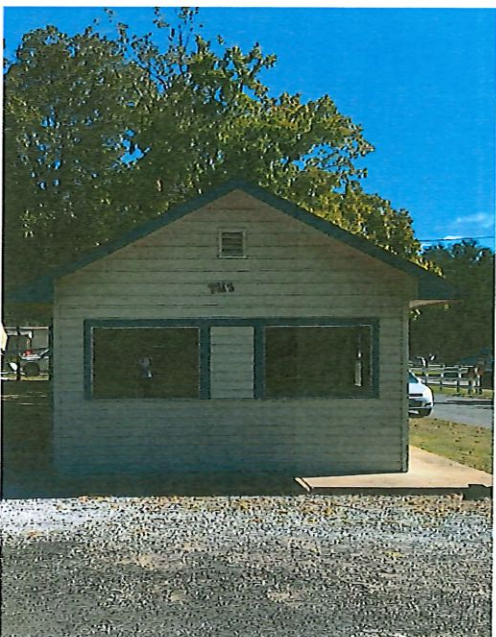


Site Plan for: Proposed Lot 1, Block One, Meadow View Addition to the City of Sherman, Texas

Job No. BGS901020

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

Date of preparation: October 22, 2020



STAFF REVIEW LETTER

November 11, 2020

Michael Sterry
241 Country Club Dr.
Heath, TX 75032

Helvey-Wagner Surveying, Inc.
222 W. Main
Denison, TX 75020

Dear Applicants,

The request for a zone change and site plan approval from an R-1 (One-Family Residential) District to a C-1 (Retail Business) District located at 2213 South Crockett Street has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the sign ordinance, the fence ordinance and the Commercial Tree and Landscaping Ordinance must be followed.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. The building must comply with all current City of Sherman building and fire codes prior to occupancy to assure a safe environment.
4. All parking shall be on private property and shall not encroach into South Crockett Street or Mercer Drive right-of-way.
5. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
6. A parking space is considered to be 9'x20'.
7. Parking is not allowed inside the mutual access easement.
8. A minimum 6' solid screening shall be provided and maintained abutting any residential districts.
9. Shall comply with all EPA, City, Federal and State regulations for this use.
10. Review the zoning and development ordinance for additional requirements.
11. 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:

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

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact 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
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Scott Shadden, Director of Developmental Services
Tom Pruitt, Utility Engineer City Attorney



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

Agenda Item No. 12.

Meeting Date: 11/17/2020

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

Clay Mahone, Chairman

David Downtain, Vice Chairman

Shawn Davis, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Glenn Whitaker, Commissioner

Requested Action/Proposed Use:

2213 SOUTH CROCKETT STREET

The request of Michael Sterry (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 2213 South Crockett Street, being 0.329 acres in the Preston Kitchen Survey, Abstract No. 667, as follows:

Planning and Zoning Commission

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

Background:

The property is located at 2213 South Crockett Street between Wilson Avenue and Mercer Street. The property was annexed into the City June 30, 1986 by Ordinance 3950 as an R-1 (One Family Residential) District. The existing building on the lot has been used as a beauty shop, retail clothing sales, office, barber shop, thrift shop and retail fresh produce. The owner would like to change the zoning on the property to be in compliance with current zoning regulations.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

C-2 (General Commercial) District

Origination:

Michael Sterry (Owner)

Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

5

Objections Received:

0

Attachments

Aerial Location Map
Zoning Map
Zoning Sign Photo
Meadow View Addition
Site Plan
Building Elevations
Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 5.

Meeting Date: 12/07/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6338

Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-1 (One Family Residential) District, generally located in the 200 block of South F.M. 1417 (Heritage Parkway), being 4.040 acres of land in the E. Jones Survey, Abstract No. 625 (Stonehollow Homes, Owners; Spiars Engineering & Surveying, Civil Engineer/Surveyor; Lauren Helmberger, Representative; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed \$2,00000

Issue:

To consider the request of Stonehollow Homes (Owners), Spiars Engineering & Surveying (Civil Engineer/Surveyor) and Lauren Helmberger (Representative) concerning the property in the 200 block of South F.M. 1417 (Heritage Parkway), being 4.040 acres in the E. Jones Survey, Abstract No. 625 for zone change approval from a C-1 (Retail Business) District to an R-1 (One Family Residential) District

Background:

The property is located in the 200 block of South F.M. 1417 (Heritage Parkway), between West Houston Street and Center Street. Estates at Baker Park is a proposed single-family development located on 46.925 acres of land. A 4.04 acre tract is zoned a C-1 (Retail Business) District; and the owners are requesting to rezone the property to an R-1 (One Family Residential) District to be included in the Estates at Baker Park, a proposed 167 lot, single-family development.

Origination:

Stonehollow Homes (Owners)
Spiars Engineering Inc. (Civil Engineer/Surveyor)
Lauren Helmberger (Representative)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2020 regular meeting, the Planning and Zoning Board voted 6/0 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. 6338

Exhibit A - Legal Description

Aerial Location Map

Zoning Map

Zoning Sign Photo

Ordinance 3651

Zoning Exhibit

Preliminary Plat

Staff Review Letter

P&Z Communication

Letter from William and Diana Tyner

ORDINANCE NO. 6338

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, GENERALLY LOCATED IN THE 200 BLOCK OF SOUTH F.M. 1417 (HERITAGE PARKWAY), BEING 4.040 ACRES OF LAND IN THE E. JONES SURVEY, ABSTRACT NO. 625 (STONEHOLLOW HOMES, OWNERS; SPIARS ENGINEERING & SURVEYING, CIVIL ENGINEER/SURVEYOR; LAUREN HELMBERGER, REPRESENTATIVE; AND HELVEY-WAGNER SURVEYING, INC., SURVEYOR); PROVIDING FOR 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.

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 following described property generally located in the 200 block of South F.M. 1417 (Heritage Parkway), and all streets, roads and alleyways contiguous and/or adjacent thereto, shall be rezoned and placed in the R-1 (One-Family Residential) District, Repealing Ordinance 3651 and that Section 12, Ordinance No. 2280 is hereby amended so as to hereafter include the property described in **Exhibit A – Metes and Bounds Descriptions**.

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 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.

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 _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

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

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

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

BY: _____

NAME: _____
CITY ATTORNEY

METES AND BOUNDS DESCRIPTION

BEING a tract of land situated in the E. Jones Survey, Abstract No. 625, City of Sherman, Grayson County, Texas, the subject tract being a portion of a tract conveyed to Park Development One, Ltd., according to the deed recorded in Volume 2479, Page 878 of the Real Property Records, Grayson County, Texas (RPRGCT), with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "SPIARSENG" set on the east line of Farm to Market Road 1417 for the northwest corner of a tract conveyed to Villas of Parkhaven, Ltd., recorded in Volume 3174, Page 35 RPRGCT;

THENCE N 01°20'35" W, 466.67 feet along the east line of said road;

THENCE S 76°30'46" E, 163.34 feet;

THENCE N 75°04'58" E, 240.00 feet;

THENCE S 01°12'02" E, 482.16 feet to the north line of said Villas tract;

THENCE S 88°47'58" W, 390.00 feet along the north line thereof to the POINT OF BEGINNING with the subject tract containing 175,977 square feet or 4.040 acres of land.



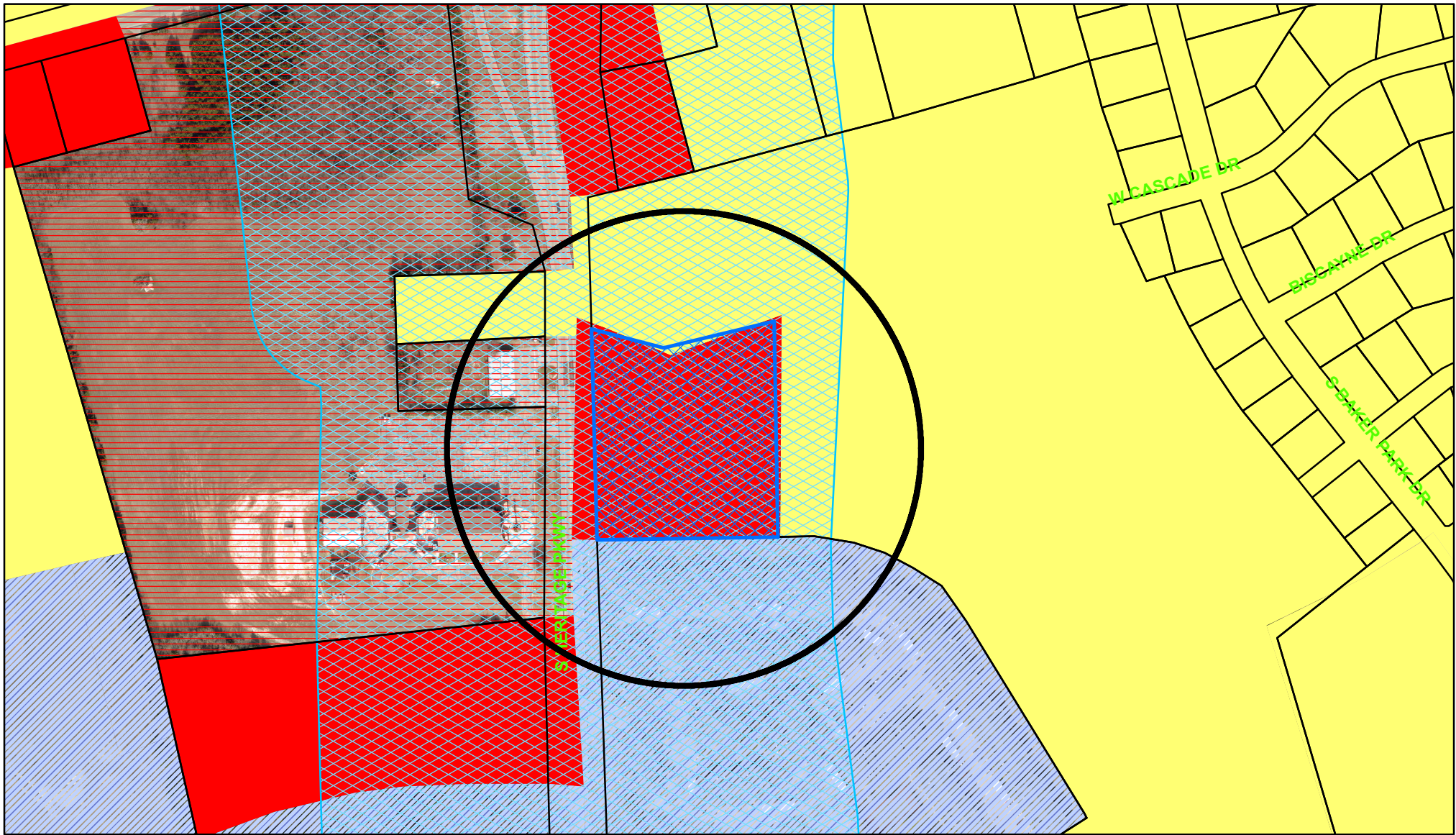
City of Sherman, Texas
Developmental Services Department

200 Block South FM 1417 (Heritage Parkway)



NOT TO SCALE

1 in = 400 ft



Zoning - 200 Block South FM 1417 (Heritage Parkway)

Legend

Special Districts Overlay

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

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep_1

FM 1417
Sam Rayburn Freeway
US Hwy 82 and 75
SH 269
FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

Unknown
BIP Blalock Industrial Park
C-1 Retail Business District
C-2 General Commercial District

CO Office District

Lakes
M-1 Light Manufacturing District
M-1.5 Medium Manufacturing District
M-2 Heavy Manufacturing District
MH Manufacturing Housing District
R-1 One Family Residential District
R-2 Multi-Family Residential District
R-A Single Family Agricultural District
SF-1 Single Family Residential District
PD Planned Development



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 300 ft

200 Blk. South FM 1417 (Heritage Parkway)



Oct 29, 2020 at 3:14 PM

300 Hwy. 1417 S.

Parkhaven 83 110
MP

not posted

ORDINANCE NO. 3651

AN ORDINANCE OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 2, SUBSECTION 1, ORDINANCE NO. 2280, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE C-1 (RETAIL BUSINESS) DISTRICT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

Section 1. That from and after the passage of this ordinance, the following described property shall be in the C-1 (Retail Business) District, and Section 2, Subsection 1, Ordinance No. 2280, is amended so as to hereafter include the property described in Section 2 below.

Section 2. Situated in the County of Grayson, State of Texas, being part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of a 128.15 acre tract of land conveyed by Joseph J. Bonner and May Belle Bonner Gowen, Trustees, to Harry J. Baker, Trustee, by deed recorded in Volume 1054, Page 324, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a steel rod in the east right-of-way line of F.M. Highway 1417, and the north line of said 128.15 acre tract of land, said rod being south 00 deg. 24 min. 00 sec. east, a distance of 250.00 feet from the most westerly northwest corner of said 128.15 acre tract of land;

THENCE south 75 deg. 42 min. 44 sec. east, a distance of 162.14 feet to a point;

THENCE north 75 deg. 53 min. 00 sec. east, a distance of 240.00 feet to a point;

THENCE south 00 deg. 24 min. 00 sec. east, a distance of 482.16 feet to a point;

THENCE south 89 deg. 36 min. 00 sec. west, a distance of 390.00 feet to a point in the east right-of-way line of said Highway and the west line of said 128.15 acre tract of land;

THENCE north 00 deg. 24 min. 00 sec. west with the east right-of-way line of said Highway 1417, and the west line of said 128.15 acre tract of land, a distance of 466.36 feet to the place of beginning and containing 4.034 acres of land.

Section 3. This ordinance shall not become effective until entered upon the official zoning map as provided in Section 2, Subsection 3, of Ordinance No. 2280.

Section 4. That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as

26

required by law, and that public notice of the date, time, and purpose of said meeting was given as required.

PASSED AND APPROVED:

1st reading 4th day of April, 1983.

2nd reading 18th day of April, 1983.

David Sprunt
MAYOR

ATTEST:

Jack Spears
CITY CLERK

APPROVED AS TO FORM & LEGALITY:

[Signature]
CITY ATTORNEY

ZONING INFORMATION REQUEST FORM

REQUESTED ZONE C-1 (Retail Business)PRESENT ZONE R-1 (Residential)LOCATION 300 Highway 1417 South

MASTER PLAN LAND USE RECOMMENDATION:

REQUESTED USE Retail sales - possible
fire station siteResidentialREQUESTING PARTY Billy R. Keller~~OWNER~~/AGENT Billy R. KellerNUMBER OF OBJECTIONS RECEIVED 0NUMBER OF NOTICES MAILED 4

DESCRIPTION OF PROPERTY:

SITE PLAN Sketch4.034 acres with 466.36' frontage inLANDSCAPING NoneElizabeth Jones SurveyFENCING Yes

SITE PLAN RECOMMENDATIONS:

None

TYPE OF ADJACENT STREETS:

Improved highwayCURB AND GUTTER Open drainage

TRAFFIC COUNT OF ADJACENT STREETS:

Highway 1417 South 239 V.P.H.

TRAFFIC CAPACITY OF ADJACENT STREETS:

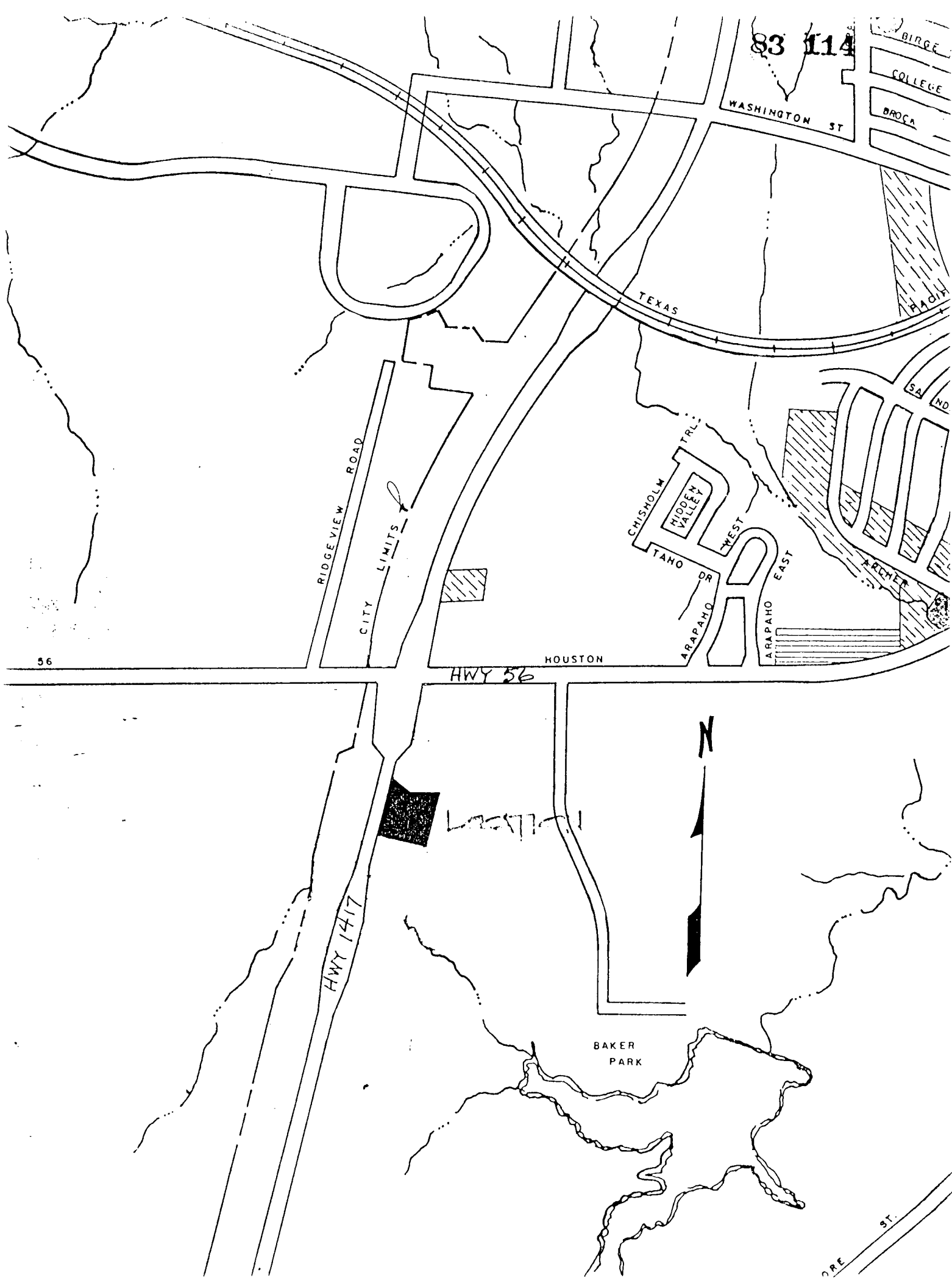
Highway 1417 South 981 V.P.H.

KNOWN TRAFFIC HAZARDS:

None

PROPOSED TRAFFIC HAZARD CORRECTION:

NoneFLOOD PLAIN N/ADRAINAGE NEEDS NoneCITY WATER - AVAILABLE/~~NOT AVAILABLE~~SEWER - AVAILABLE/~~NOT AVAILABLE~~NEEDS NoneNEEDS None



TO HONORABLE MAYOR AND CITY COUNCIL, CITY OF SHERMAN, TEXAS:

This petition for rezoning of property as described herein is located at 300 Highway 1417 South within the Corporate Limits of Sherman. A public hearing was held on March 8, 1983 and after considering the facts developed at the public hearing and the general Land Use Plan for the City, the Planning and Zoning Board recommends that your honorable body grant a zone change from R-1 (Residential) to C-1 (Retail Business) District to Billy R. Keller for retail sales and possible fire station site and that the attached ordinance be introduced at the March 21, 1983, Council Meeting

ing and a public hearing be set on this ordinance at the April 4, 1983, Council Meeting at 5:10 P.M. Description of property: 4.034 acres in the Elizabeth Jones Survey.

Votes for

Against

Eddie F. Shadden

Chairman, Planning & Zoning Board

Terry Corlin

Secretary to Planning & Zoning Board

Date

ACTION BY CITY COUNCIL:

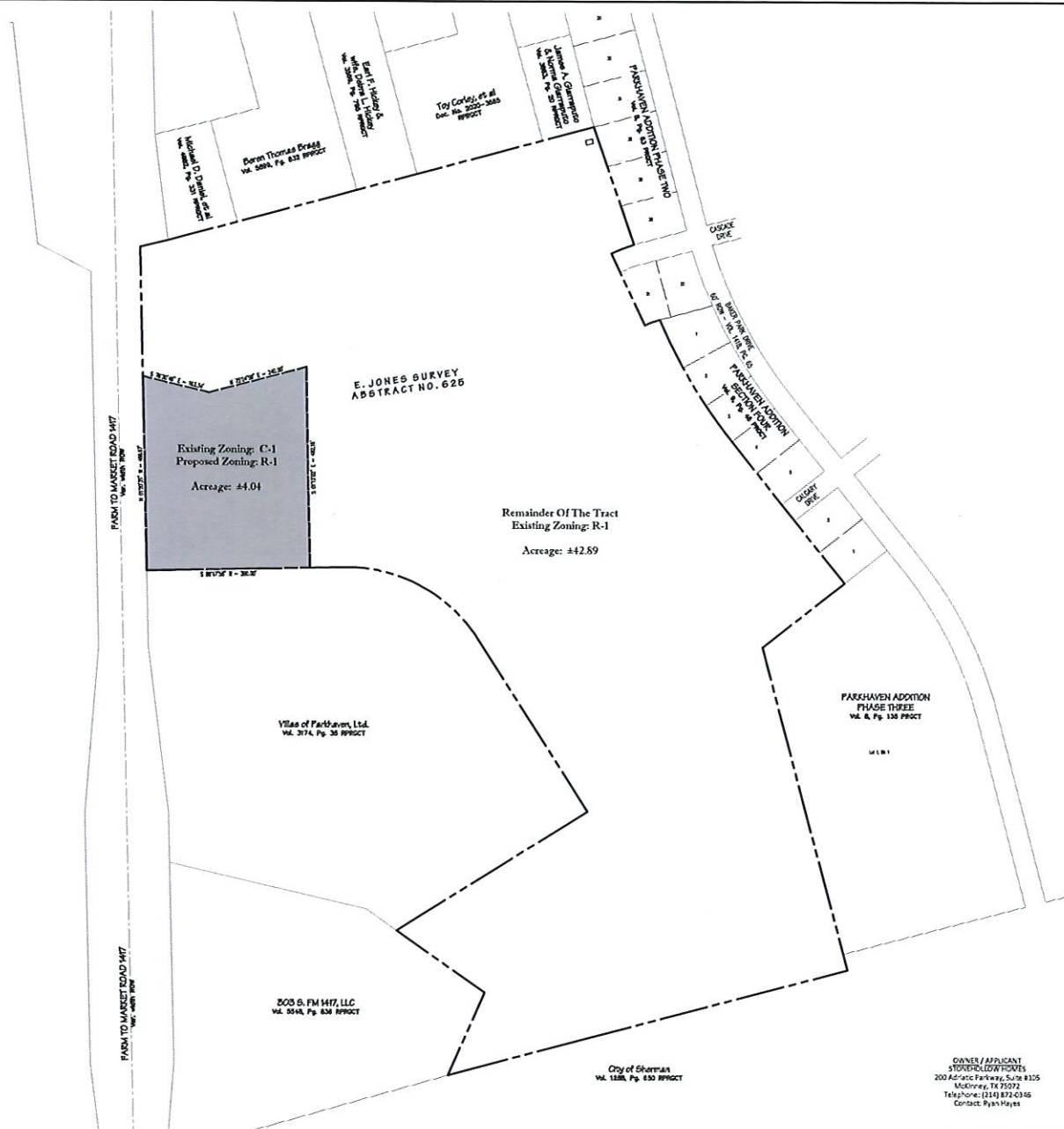
On _____ the City Council, after public hearing held on _____ and after considering the recommendation of the Planning and Zoning Board, acted as follows:

City Clerk

Date



120 0 80 120 240
1 inch = 120 ft.



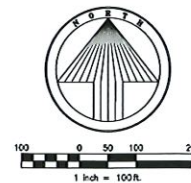
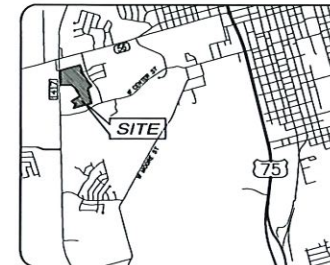
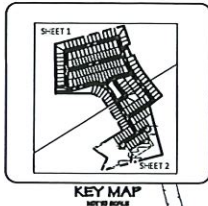
ZONING EXHIBIT
ESTATES AT BAKER PARK

46.925 GROSS ACRES OUT OF THE
E. JONES SURVEY, ABSTRACT No. 625
IN THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

OWNER / APPLICANT
STOKERDOWNS
200 Adair Parkway, Suite 4105
McKinney, TX 75072
Telephone: (214) 872-0346
Contact: Ryan Hayes

ENGINEER / SURVEYOR
Spaw Engineering, LLC
765 Guster Road, Suite 100
Piano, TX 75075
Telephone: (972) 422-0077
TEPE No. F-2121
Contact: Lauren Helmbarger

Scale: 1"=120' September, 2020 F&E Job No. 22-173



LEGEND	
(Not all items may be applicable)	
1	EXISTING LOT
2	EXISTING LOT
3	EXISTING LOT
4	EXISTING LOT
5	EXISTING LOT
6	EXISTING LOT
7	EXISTING LOT
8	EXISTING LOT
9	EXISTING LOT
10	EXISTING LOT
11	EXISTING LOT
12	EXISTING LOT
13	EXISTING LOT
14	EXISTING LOT
15	EXISTING LOT
16	EXISTING LOT
17	EXISTING LOT
18	EXISTING LOT
19	EXISTING LOT
20	EXISTING LOT
21	EXISTING LOT
22	EXISTING LOT
23	EXISTING LOT
24	EXISTING LOT
25	EXISTING LOT
26	EXISTING LOT
27	EXISTING LOT
28	EXISTING LOT
29	EXISTING LOT
30	EXISTING LOT
31	EXISTING LOT
32	EXISTING LOT
33	EXISTING LOT
34	EXISTING LOT
35	EXISTING LOT
36	EXISTING LOT
37	EXISTING LOT
38	EXISTING LOT
39	EXISTING LOT
40	EXISTING LOT
41	EXISTING LOT
42	EXISTING LOT
43	EXISTING LOT
44	EXISTING LOT
45	EXISTING LOT
46	EXISTING LOT
47	EXISTING LOT
48	EXISTING LOT
49	EXISTING LOT
50	EXISTING LOT
51	EXISTING LOT
52	EXISTING LOT
53	EXISTING LOT
54	EXISTING LOT
55	EXISTING LOT
56	EXISTING LOT
57	EXISTING LOT
58	EXISTING LOT
59	EXISTING LOT
60	EXISTING LOT
61	EXISTING LOT
62	EXISTING LOT
63	EXISTING LOT
64	EXISTING LOT
65	EXISTING LOT
66	EXISTING LOT
67	EXISTING LOT
68	EXISTING LOT
69	EXISTING LOT
70	EXISTING LOT
71	EXISTING LOT
72	EXISTING LOT
73	EXISTING LOT
74	EXISTING LOT
75	EXISTING LOT
76	EXISTING LOT
77	EXISTING LOT
78	EXISTING LOT
79	EXISTING LOT
80	EXISTING LOT
81	EXISTING LOT
82	EXISTING LOT
83	EXISTING LOT
84	EXISTING LOT
85	EXISTING LOT
86	EXISTING LOT
87	EXISTING LOT
88	EXISTING LOT
89	EXISTING LOT
90	EXISTING LOT
91	EXISTING LOT
92	EXISTING LOT
93	EXISTING LOT
94	EXISTING LOT
95	EXISTING LOT
96	EXISTING LOT
97	EXISTING LOT
98	EXISTING LOT
99	EXISTING LOT
100	EXISTING LOT

- NOTES:
1. Selling a portion of this addition by metes and bounds is a violation of Town ordinance and state law and is subject to fines and withholding of utilities and building permits.
 2. Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (NAD83).
 3. All development will comply with City of Sherman Requirements.
 4. All open space areas, Lots 1-4, Block 1, to be owned and maintained by the H.O.A.
 5. This plot is subject to the additional residential zoning standards outlined in the City Ordinance, Chapter 14, Section 4.2 (R-1 Zoning).
 6. 50' Lots will require Approval of an SLP by City Council.
 7. Floodplain redaction subject to engineering approval of flood study, wetland delineation study, habitat study, and vegetation study at the time of final plat submission.
 8. Finished floor elevation shall be at least 2 feet above the 100-year floodplain.
 9. No part of the subject tract is located in a 100 year FEMA Flood Plain or in an identified "flood prone area" as defined pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map Panel (FIRM) Map No. 48181C0400C dated September 28, 2010 prepared by the Federal Emergency Management Agency (FEMA) for Grayson County, Texas.

CERTIFICATE OF PRELIMINARY PLAT APPROVAL

APPROVED	Date
Chairman, City of Sherman	
Planning and Zoning Commission	

PARKHAVEN ADDITION
PHASE THREE
Vol. 8, Pg. 135 PROCT

PRELIMINARY PLAT

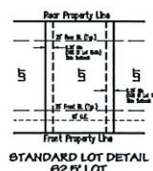
ESTATES AT BAKER PARK
167 LOTS & 4 COMMON AREAS
46.925 GROSS ACRES OUT OF THE
E. JONES SURVEY, ABSTRACT NO. 625
IN THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

SHEET 1 OF 3

OWNER / APPLICANT
STONEDCROW PROPERTIES
200 Atlantic Parkway, Suite 9150
Mckinney, TX 75072
Telephone: (214) 872-0346
Contact: Ryan Hayes

ENGINEER / SURVEYOR
Spartan Engineering, Inc.
705 Cedar Road, Suite 100
Flano, TX 75757
Telephone: (972) 422-0677
TXPE No. F-2133
Contact: Lauren Helmeberger

Scale: 1" = 100' September, 2020 JET Job No. 20-175

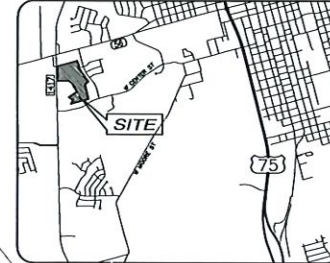


Villas of Parkhaven, Ltd.
Vol. 3174, Pg. 35 PROCT

Lot Summary	Phase 1	Phase 2
50' LOT TYPE	70	28
62.5' LOT TYPE	25	44
Total	95	72



KEY MAP
NOT TO SCALE



LOCATION MAP / KEY MAP
N.T.S.



100 0 50 100 200
1 inch = 100 ft.

LEGEND	
Not all items may be applicable	
10	ADJACENT LOT
11	ADJACENT LOT
12	ADJACENT LOT
13	ADJACENT LOT
14	ADJACENT LOT
15	ADJACENT LOT
16	ADJACENT LOT
17	ADJACENT LOT
18	ADJACENT LOT
19	ADJACENT LOT
20	ADJACENT LOT
21	ADJACENT LOT
22	ADJACENT LOT
23	ADJACENT LOT
24	ADJACENT LOT
25	ADJACENT LOT
26	ADJACENT LOT
27	ADJACENT LOT
28	ADJACENT LOT
29	ADJACENT LOT
30	ADJACENT LOT
31	ADJACENT LOT
32	ADJACENT LOT
33	ADJACENT LOT
34	ADJACENT LOT
35	ADJACENT LOT
36	ADJACENT LOT
37	ADJACENT LOT
38	ADJACENT LOT
39	ADJACENT LOT
40	ADJACENT LOT
41	ADJACENT LOT
42	ADJACENT LOT
43	ADJACENT LOT
44	ADJACENT LOT
45	ADJACENT LOT
46	ADJACENT LOT
47	ADJACENT LOT
48	ADJACENT LOT
49	ADJACENT LOT
50	ADJACENT LOT
51	ADJACENT LOT
52	ADJACENT LOT
53	ADJACENT LOT
54	ADJACENT LOT
55	ADJACENT LOT
56	ADJACENT LOT
57	ADJACENT LOT
58	ADJACENT LOT
59	ADJACENT LOT
60	ADJACENT LOT
61	ADJACENT LOT
62	ADJACENT LOT
63	ADJACENT LOT
64	ADJACENT LOT
65	ADJACENT LOT
66	ADJACENT LOT
67	ADJACENT LOT
68	ADJACENT LOT
69	ADJACENT LOT
70	ADJACENT LOT
71	ADJACENT LOT
72	ADJACENT LOT
73	ADJACENT LOT
74	ADJACENT LOT
75	ADJACENT LOT
76	ADJACENT LOT
77	ADJACENT LOT
78	ADJACENT LOT
79	ADJACENT LOT
80	ADJACENT LOT
81	ADJACENT LOT
82	ADJACENT LOT
83	ADJACENT LOT
84	ADJACENT LOT
85	ADJACENT LOT
86	ADJACENT LOT
87	ADJACENT LOT
88	ADJACENT LOT
89	ADJACENT LOT
90	ADJACENT LOT
91	ADJACENT LOT
92	ADJACENT LOT
93	ADJACENT LOT
94	ADJACENT LOT
95	ADJACENT LOT
96	ADJACENT LOT
97	ADJACENT LOT
98	ADJACENT LOT
99	ADJACENT LOT
100	ADJACENT LOT

NOTES:

1. Selling a portion of this addition by rates and bounds is a violation of Town ordinance and state law and is subject to fines and withholding of utilities and building permits.
2. Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (NAD83).
3. All development will comply with City of Sherman Requirements.
4. All open space areas, Lots 1-4, Block X, to be owned and maintained by the H.O.A.
5. This plot is subject to the additional residential zoning standards outlined in the City Ordinance, Chapter 14, Section 8.2 (R-1 Zoning).
6. 50' Lots will require Approval of an SUP by City Council.
7. Floodplain redaction subject to engineering approval of flood study, wetland delineation study, habitat study and vegetation study at the time of final plat submission.
8. Finished floor elevation shall be at least 2 feet above the 100-year floodplain.
9. No part of the subject tract is located in a 100 year FEMA Flood Plain or in an identified "flood prone area" as defined pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map Panel (FIRM) Map No. 48181C0400F dated September 28, 2010 prepared by the Federal Emergency Management Agency (FEMA) for Grayson County, TX.

CERTIFICATE OF PRELIMINARY PLAT APPROVAL

APPROVED

Chairman, City of Sherman
Planning and Zoning Commission

Date

PRELIMINARY PLAT

ESTATES AT BAKER PARK

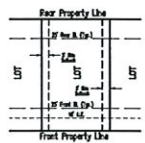
167 LOTS & 4 COMMON AREAS
46,925 GROSS ACRES OUT OF THE
E. JONES SURVEY, ABSTRACT No. 625
IN THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

OWNER / APPLICANT
STONEDOLLOW HOMES
200 Adair Parkway, Suite #105
Mckinney, TX 75072
Telephone: (214) 872-0315
Contact: Ryan Hayes

ENGINEER / SURVEYOR
Spartan Engineering, Inc.
785 Canyon Road, Suite 100
Ft. Worth, TX 76103
Telephone: (817) 412-0077
TEPE No. P-1211
Contact: Lauren Helmberger

SHEET 2 OF 3

Drawn: 1" = 100' September, 2020 SEE Job No. 20-173



STANDARD LOT DETAIL
50' LOT



STANDARD LOT DETAIL
62.5' LOT

Lot Summary	Phase 1	Phase 2
50' LOT TYPE	70	28
62.5' LOT TYPE	25	44
Total	95	72

OWNER'S CERTIFICATE

STATE OF TEXAS 5
COUNTY OF GRAYSON 5

BEING a tract of land situated in the E. Jones Survey, Abstract No. 625, City of Sherman, Grayson County, Texas, the subject tract being a portion of a tract conveyed to Park Development One, Ltd., according to the deed recorded in Volume 2478, Page 878 of the Real Property Records, Grayson County, Texas (RPRGCT), with the subject tract being more particularly described as follows:

BEGINNING at a THOD concrete monument found on the east line of Farm to Market Road 1417, a variable width right-of-way, for the southwest corner of a tract conveyed to Michael D. Daniel, et al, recorded in Volume 4585, Page 331 RPRGCT;

THENCE N 74°50'44" E, 1053.39 feet along the south line of said Daniel tract, and of a tract conveyed to Bern Thomas Briggs, recorded in Volume 3559, Page 832 RPRGCT, and of a tract conveyed to Earl F. Hickey and wife, Debra L. Hickey, recorded in Volume 3559, Page 795 RPRGCT, and of a tract conveyed to Toy Corley, et al, recorded in Doc. No. 2020-3665 RPRGCT, and of a tract conveyed to James A. Garza and wife, Norma Garza, recorded in Volume 3663, Page 20 RPRGCT, to the southwest corner thereof, and being the southwest corner of Lot 31, and the northeast corner of Lot 30, Block 1, Parkhaven Addition Phase Two, an addition recorded in Volume 8, Page 63, Plat Records, Grayson County, Texas (PRGCT);

THENCE S 18°01'45" E, 298.48 feet along the west line of Lots 30-38, Block 1, to a 1/2" iron rod found on the north line of Cascade Drive, a 50-foot right-of-way created by said plat;

THENCE along the north line of Cascade Drive, around a non-tangent curve to the left having a central angle of 68°24'27", a radius of 395.00 feet, a chord of S 69°17'09" W - 57.91 feet, an arc length of 57.95 feet to a 1/2" iron rod found for the northeast corner of said right-of-way;

THENCE S 24°55'04" E, 190.00 feet along the west line of said right-of-way and Lot 21, Block 15, to a point for southwest corner thereof;

THENCE along the south line of Lot 21, Block 15, around a non-tangent curve to the right having a central angle of 09°51'29", a radius of 205.00 feet, a chord of N 70°00'40" E - 35.23 feet, an arc length of 35.27 feet;

THENCE N 74°56'25" E, 3.16 feet continuing along the south line of Lot 21, Block 15, to the northeast corner of Lot 1, Block 14, Parkhaven Addition Section Four, an addition recorded in Volume 9, Page 46 PRGCT;

THENCE along the southwest line of Parkhaven Addition Section Four, around a non-tangent curve to the left having a central angle of 15°18'45", a radius of 1271.44 feet, a chord of S 30°46'09" E - 338.79 feet, an arc length of 339.80 feet;

THENCE S 38°25'32" E, 434.18 feet continuing along the southwest line of Parkhaven Addition Section Four to a 1/2" iron rod with plastic cap stamped "SPARSING" set on the north line of Lot 1, Block 1, Parkhaven Addition Phase Three, an addition recorded in Volume 8, Page 135 PRGCT;

THENCE S 51°34'28" W, 248.83 feet along the north line thereof;

THENCE S 14°48'54" E, along the west line of Lot 1, passing at 760.00 feet the southwest corner of Lot 1 and the northeast corner of a right-of-way dedication per plat, and continuing along the west line thereof a total distance of 800.08 feet to a 1/2" iron rod found for the southwest corner thereof, and being on the north line of a tract conveyed to the City of Sherman, recorded in Volume 1268, Page 659 RPRGCT;

THENCE S 75°10'05" W, 618.46 feet along the north line thereof;

THENCE S 74°54'10" W, 367.51 feet continuing along the north line thereof to a 1/2" iron rod found for the southeast corner of a tract conveyed to 303 S. FM 1417, LLC, recorded in Volume 5548, Page 835 RPRGCT;

THENCE N 23°43'54" E, 217.05 feet along the lower east line thereof to a 5/8" iron rod found;

THENCE N 54°55'09" W, 257.60 feet along the upper east line thereof to a 1/2" iron rod found for the most southerly corner of a tract conveyed to Villas of Parkhaven, Ltd., recorded in Volume 3174, Page 35 RPRGCT;

THENCE N 57°47'32" E, 536.69 feet along the easterly south line thereof to a 1/2" iron rod with plastic cap stamped "SPARSING" set;

THENCE N 32°17'35" W, 488.01 feet along the east line thereof;

THENCE along the northeast line thereof, around a tangent curve to the left having a central angle of 59°04'33", a radius of 370.00 feet, a chord of N 61°49'52" W - 364.82 feet, an arc length of 381.50 feet;

THENCE S 68°47'58" W, 471.72 feet along the north line thereof to a 1/2" iron rod with plastic cap stamped "SPARSING" set on the east line of Farm to Market Road 1417;

THENCE N 01°20'30" W, 776.36 feet along the east line thereof to a 1/2" iron rod with plastic cap stamped "SPARSING" set;

THENCE N 75°57'45" E, 67.27 feet along a southerly east line thereof to the POINT OF BEGINNING with the subject tract containing 2,044,033 square feet or 46,925 acres of land.

Line #	Length	Bearing
B1	67.27	N 75°57'45" E
B2	180.07	S 24°50'04" E
B3	217.05	N 23°43'54" E

Curve #	Length	Radius	Chord	Chord Bearing	Delta
B1	57.96	395.00	57.91	S 69°17'09" W	68°24'27"
B2	38.45	205.00	38.37	N 70°00'40" E	10°44'28"
B3	338.80	1271.44	338.79	S 30°46'09" E	15°18'45"
B4	331.50	370.00	364.82	N 61°49'52" W	59°04'33"

Line #	Length	Bearing
L1	16.14	N 43°30'25" E
L2	14.87	N 43°18'52" W
L3	16.18	N 43°30'56" E
L4	16.10	N 44°30'36" W
L5	15.74	N 36°45'05" E
L6	14.81	S 82°05'30" E
L7	13.53	S 64°28'05" E
L8	14.44	N 23°09'54" E
L9	18.08	S 30°31'00" W
L10	16.47	S 64°19'30" E
L11	13.24	S 18°38'53" W
L12	15.07	S 75°46'14" E
L13	13.13	N 25°53'49" E
L14	13.38	S 70°50'34" W
L15	10.52	S 73°04'02" W
L16	4.46	S 73°04'02" W
L17	14.54	N 11°27'10" W
L18	16.14	N 77°17'35" W
L19	13.37	S 08°38'27" W
L20	16.14	N 12°42'25" E
L21	16.14	N 77°17'35" W
L22	16.14	S 12°42'25" W
L23	16.14	S 08°38'27" W
L24	16.14	S 12°42'25" W
L25	16.14	S 77°17'35" E

Line #	Length	Bearing
L29	6.76	S56° 41' 31.42"W
L28	31.25	S22° 37' 49.24"E

Curve #	Length	Radius	Tangent	Chord	Chord Bearing	Delta
C1	69.78	300.00	35.24	69.40	S81°21'04"E	19°59'09"
C2	78.11	312.80	36.24	75.92	N81°49'21"E	13°57'13"
C3	128.82	215.00	65.31	124.99	S88°15'24"E	33°47'43"
C4	72.32	300.00	36.33	72.14	N81°45'05"E	13°46'41"
C5	361.50	300.00	221.43	358.31	S68°43'36"E	72°31'40"
C6	194.22	250.00	103.48	191.22	S52°21'39"W	41°58'11"
C7	57.03	180.00	28.76	56.79	S65°46'08"W	18°09'13"
C8	64.74	300.00	32.49	64.61	N64°02'49"E	12°21'49"
C9	33.89	370.00	18.86	33.68	N82°28'25"E	51°30'1"
C10	68.92	250.00	34.48	68.70	S30°31'40"E	15°47'41"
C11	406.23	1000.00	205.08	404.30	S28°43'36"E	19°23'41"
C12	53.51	300.00	26.78	53.46	N54°38'36"E	6°07'58"

Lot #	Block #	Area Feet
1	A	7,813
2	A	7,812
3	A	7,812
4	A	7,812
5	A	7,813
6	A	7,812
7	A	7,812
8	A	7,806
9	A	8,688
10	A	13,060
11	A	7,821
12	A	7,813
13	A	7,813
14	A	7,812
15	A	7,812
16	A	7,813
17	A	7,813
18	A	7,812
19	A	7,812
20	A	7,813
21	A	7,813
22	A	7,812
23	A	7,830
24	A	13,651
25	A	7,815
26	A	9,387

Lot #	Block #	Area Feet
1	B	8,541
2	B	8,250
3	B	8,250
4	B	8,250
5	B	8,250
6	B	8,250
7	B	8,250
8	B	8,250
9	B	8,250
10	B	8,250
11	B	8,250
12	B	9,688
13	B	8,686
14	B	8,250
15	B	8,250
16	B	8,250
17	B	8,250
18	B	8,250
19	B	8,250
20	B	8,250
21	B	8,250
22	B	8,250
23	B	8,250
24	B	8,250
25	B	8,250
26	B	8,250
27	B	8,250
28	B	10,182

Lot #	Block #	Area Feet
1	C	8,625
2	C	7,832
3	C	8,250
4	C	8,250
5	C	8,250
6	C	8,250
7	C	8,250
8	C	8,250
9	C	8,250
10	C	8,250
11	C	8,250
12	C	8,250
13	C	8,250
14	C	8,250
15	C	8,250
16	C	8,250
17	C	9,061
18	C	9,647
19	C	8,250
20	C	8,250
21	C	8,250
22	C	6,730
23	C	7,665
24	C	13,651
25	C	8,188
26	C	8,103
27	C	7,702
28	C	8,811
29	C	6,352
30	C	8,250
31	C	8,250
32	C	8,250
33	C	8,250
34	C	7,503
35	C	10,255

Lot #	Block #	Area Feet
1	D	7,692
2	D	8,635
3	D	9,170
4	D	8,976
5	D	8,588
6	D	7,641
7	D	8,925
8	D	8,750
9	D	8,750
10	D	8,750
11	D	8,750
12	D	8,750
13	D	8,750
14	D	8,750
15	D	8,750
16	D	8,750
17	D	7,754
18	D	8,668
19	D	8,668
20	D	8,671
21	D	8,675
22	D	7,211

Lot #	Block #	Area Feet
1	E	8,900
2	E	8,313
3	E	8,635
4	E	15,720
5	E	7,647
6	E	8,305
7	E	8,250
8	E	7,662
9	E	10,871
10	E	10,263
11	E	7,813
12	E	7,813
13	E	7,812
14	E	7,813
15	E	8,570
16	E	8,874
17	E	7,808
18	E	8,250
19	E	8,250
20	E	8,250
21	E	8,250
22	E	8,250
23	E	8,900

Lot #	Block #	Area Feet
1	F	11,204
2	F	8,668
3	F	8,668
4	F	8,669
5	F	8,625
6	F	8,430
7	F	8,204
8	F	8,125
9	F	8,125
10	F	8,125
11	F	8,125
12	F	8,125
13	F	8,908

Lot #	Block #	Area Feet
1	G	8,387
2	G	8,875
3	G	8,875
4	G	8,875
5	G	8,875
6	G	8,847
7	G	8,518

Lot #	Block #	Area Feet
2	H	8,250
3	H	8,250
4	H	8,125
5	H	8,250
6	H	8,250
7	H	8,250

Lot #	Block #	Area Feet
1	K	15,194
2	K	33,077
3	K	29,865
4	K	33,064

CERTIFICATE OF PRELIMINARY PLAT APPROVAL

APPROVED _____

Chairman, City of Sherman _____

Planning and Zoning Commission _____

Date _____

PRELIMINARY PLAT
ESTATES AT BAKER PARK
167 LOTS & 4 COMMON AREAS
46,925 GROSS ACRES OUT OF THE
E. JONES SURVEY, ABSTRACT NO. 625
IN THE CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

OWNER / APPLICANT
SYNDICATED HOLDINGS
200 Atlantic Parkway, Suite 8105
Maitland, FL 32751
Telephone: (407) 872-0346
Contact: Ryan Hayes

ENGINEER / SURVEYOR
Spahn Engineering, Inc.
755 Cedar Road, Suite 100
Ft. Worth, TX 76102
Telephone: (817) 422-0077
TFPE No. F-2121
Contact: Lauren Helmberger

STAFF REVIEW LETTER

November 11, 2020

Stonehollow Homes
Ryan Hayes
200 Adriatic Parkway, Suite 105
McKinney, TX 75072

Spiars Engineering, Inc.
Lauren Helmberger
765 Custer Road, Ste. 100
Plano, TX 75075

Dear Applicants,

The request for a zone change from a C-1 (Retail Business) District to an R-1 (One-Family Residential) District and Specific Use Permit to allow Patio Homes in an R-1 (One-Family Residential) District located in the 200 block of South FM 1417 (Heritage Parkway) has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2020 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

Zoning:

1. All aspects of the R-1 (One-Family Residential) District, the patio home ordinance, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access lanes and codes shall be coordinated with the Fire Marshal 903-892-7267.
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
4. All 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. Side yard setbacks must be uniform for all patio homes within a given block.
7. Review the zoning and development ordinance for additional requirements.
8. 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.

Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to present your case on the date and time stated above.

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

Respectfully,



Rob Rae

Incoming Secretary, Planning and Zoning Board and Board of Adjustment

CC: Robby Heflon, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Scott Shadden, Director of Developmental Services
Tom Pruitt, Utility Engineer City Attorney



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

Agenda Item No. 13.

Meeting Date: 11/17/2020

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

Clay Mahone, Chairman

David Downtain, Vice Chairman

Shawn Davis, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Glenn Whitaker, Commissioner

Requested Action/Proposed Use:

200 BLOCK SOUTH FM 1417 (HERITAGE PARKWAY)

The request of Stonehollow Homes (Owners), Spiars Engineering & Surveying (Civil Engineer/Surveyor) and Lauren Helmberger (Representative) concerning the property in the 200 block of South FM 1417 (Heritage Parkway), being 4.040 acres in the E. Jones Survey, Abstract No. 625, as follows:

Planning and Zoning Commission

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

Background:

The property is located in the 200 block of South FM 1417 (Heritage Parkway) between West Houston Street and Center Street. Estates at Baker Park is a proposed single-family development located on 46.925 acres of land. A 4.04 acre tract is zoned a C-1 (Retail Business) District and the owners are requesting to rezone the property to an R-1 (One Family Residential) District to be included in the Estates at Baker Park a proposed 167 lot, single-family development.

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

C-1 (Retail Business) District

Origination:

Stonehollow Homes (Owners)

Spiars Engineering Inc. (Civil Engineer/Surveyor)

Lauren Helmberger (Representative)

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:

27

Objections Received:

0

Attachments

Aerial Location Map
Zoning Map
Zoning Sign Photo
Estates at Baker Park
Zoning Exhibit
Building Elevations
Staff Review Letter



Developmental Services

October 30, 2020

William & Diana Tyner
310 Baker Park Dr.
Sherman, TX 75092

RECEIVED

NOV 16 2020

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of Tuesday, November 17, 2020 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Stonehollow Homes (Owners), Spirars Engineering & Surveying (Civil Engineer/Surveyor) and Lauren Helmberger (Representative) concerning the property in the 200 block of South FM 1417 (Heritage Parkway), being 4.040 acres in the E. Jones Survey, Abstract No. 625

The request is as follows:

Planning and Zoning Commission

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

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

Secretary, Planning & Zoning Board

We are in favor of the rezoning to R-1

Diana Tyner

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. 6.

Meeting Date: 12/07/2020

Prepared By: Wayne Lee, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6339

Providing for Permanent "Stop" Signs on Brockett Street at Harrison Avenue, on Wells Avenue at Dewey Avenue (S.H. 11), on Burdette Avenue at Dewey Avenue (S.H. 11), on Andrews Avenue at Dewey Avenue (S.H. 11), on Oak Park Drive at Dewey Avenue (S.H. 11), and "All-Way Stop" Signs on College Street and Walnut Street, within the City Limits of the City of Sherman, Texas; Providing for a Penalty Provision

Issue:

To adopt an ordinance providing for permanent "Stop" signs at the following intersections:

- on Brockett Street at Harrison Avenue, stopping eastbound and westbound traffic on Brockett Street
- on Wells Avenue at Dewey Avenue, stopping eastbound and westbound traffic on Wells Avenue
- on Burdette Avenue at Dewey Avenue, stopping westbound traffic on Burdette Avenue
- on Andrews Avenue at at Dewey Avenue, stopping westbound traffic on Andrews Avenue
- on Oak Park Drive at Dewey Avenue, stopping westbound traffic on Oak Park Drive
- "All-Way Stop" signs on College Street and Walnut Street

Background:

The Engineering Department reviewed the intersections and, based on engineering judgment, determined that "Stop" signs are recommended at these locations. The "Stop" signs have been in place for 90 days to allow staff sufficient time to evaluate the issues.

Origination:

Engineering Department

Financial Consideration:

The City's cost for installing the signs is approximately \$500.00 for time and materials.

Staff Recommendation:

It is recommended that the City Council adopt the proposed ordinance.

Alternatives:

As directed by the Council

Attachments

Ordinance No. 6339

Aerial Location Map

Aerial Location Map

Aerial Location Map

ORDINANCE NO. 6339

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR PERMANENT “STOP” SIGNS ON BROCKETT STREET AT HARRISON AVENUE, ON WELLS AVENUE AT DEWEY AVENUE (S.H. 11), ON BURDETTE AVENUE AT DEWEY AVENUE (S.H. 11), ON ANDREWS AVENUE AT DEWEY AVENUE (S.H. 11), ON OAK PARK DRIVE AT DEWEY AVENUE (S.H. 11), AND “ALL-WAY STOP” SIGNS ON COLLEGE STREET AND WALNUT STREET, WITHIN THE CITY LIMITS OF THE CITY OF SHERMAN, TEXAS; PROVIDING FOR A PENALTY PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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, permanent “Stop” signs shall be in place at the following locations within the corporate limits of the City of Sherman, Texas:

At the intersection of Brockett Street and Harrison Avenue, stopping eastbound and westbound traffic on Brockett Street.

At the intersection of Wells Avenue and Dewey Avenue, stopping eastbound and westbound traffic on Wells Avenue.

At the intersection of Burdette Avenue and Dewey Avenue, stopping westbound traffic on Burdette Avenue.

At the intersection of Andrews Avenue and Dewey Avenue, stopping westbound traffic on Andrews Avenue.

At the intersection of Oak Park Drive and Dewey Avenue, stopping westbound traffic on Oak Park Drive.

All-Way “Stop” Signs placed at the intersection of College Street and Walnut Street.

SECTION 2. That the City Engineer is directed to designate this action by the appropriate marking and sign.

SECTION 3. That, from and after the erection of the stop sign herein authorized, it shall be unlawful for the driver of any vehicle approaching such stop sign to fail to bring such vehicle to a complete stop at a clearly-marked stop line; but, if none, then at the point nearest the

intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Violators of this ordinance shall be subject to fine as provided in Section 1-6 of the Code of Ordinances of the City of Sherman, Texas, codified.

SECTION 4. That the provisions of this ordinance are severable and the invalidity of any word, phrase, or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 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.

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

INTRODUCED on this the _____ day of _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

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

CITY OF SHERMAN, TEXAS

ATTEST:

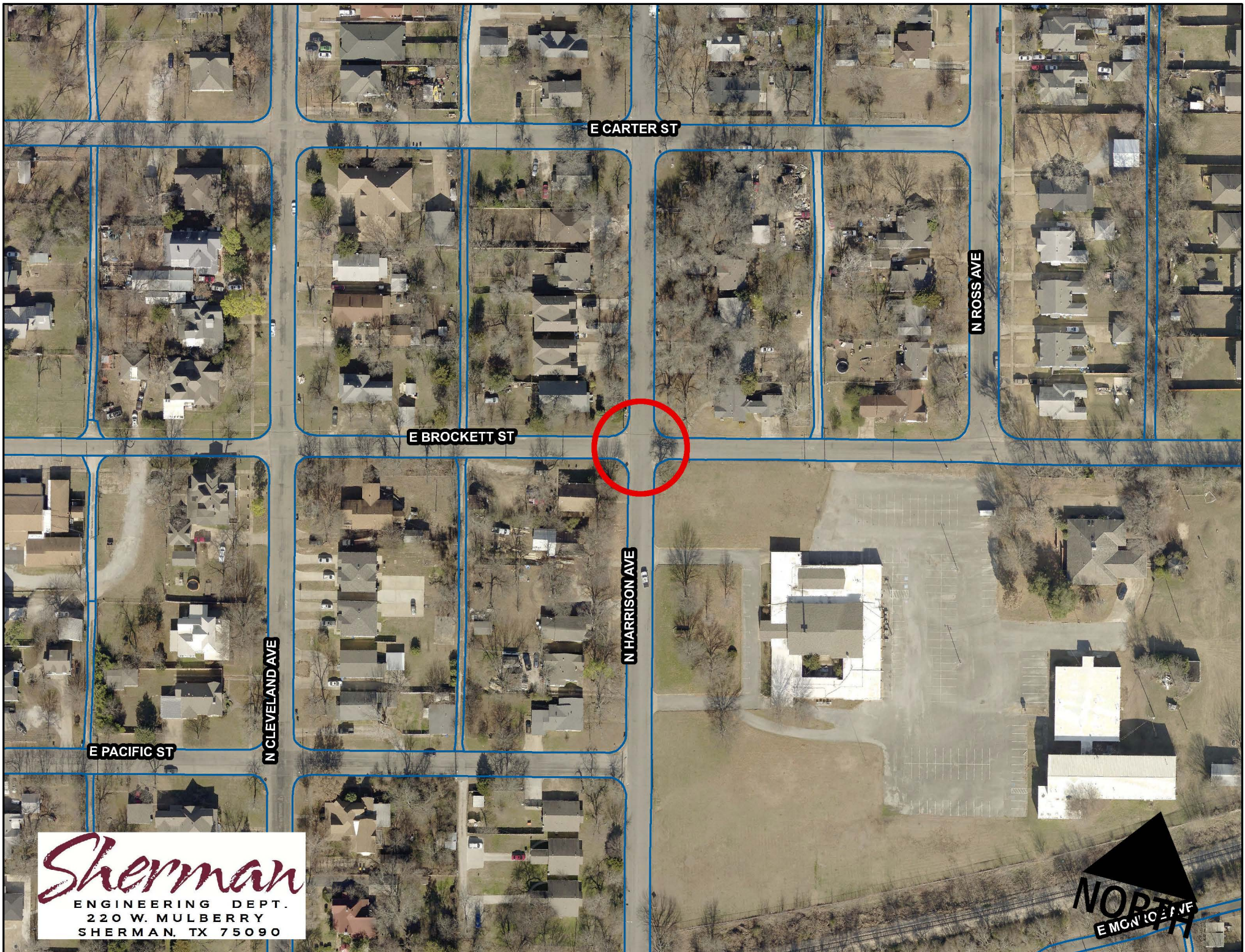
BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

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

BY: _____

NAME: _____
CITY ATTORNEY



E CARTER ST

N ROSS AVE

E BROCKETT ST

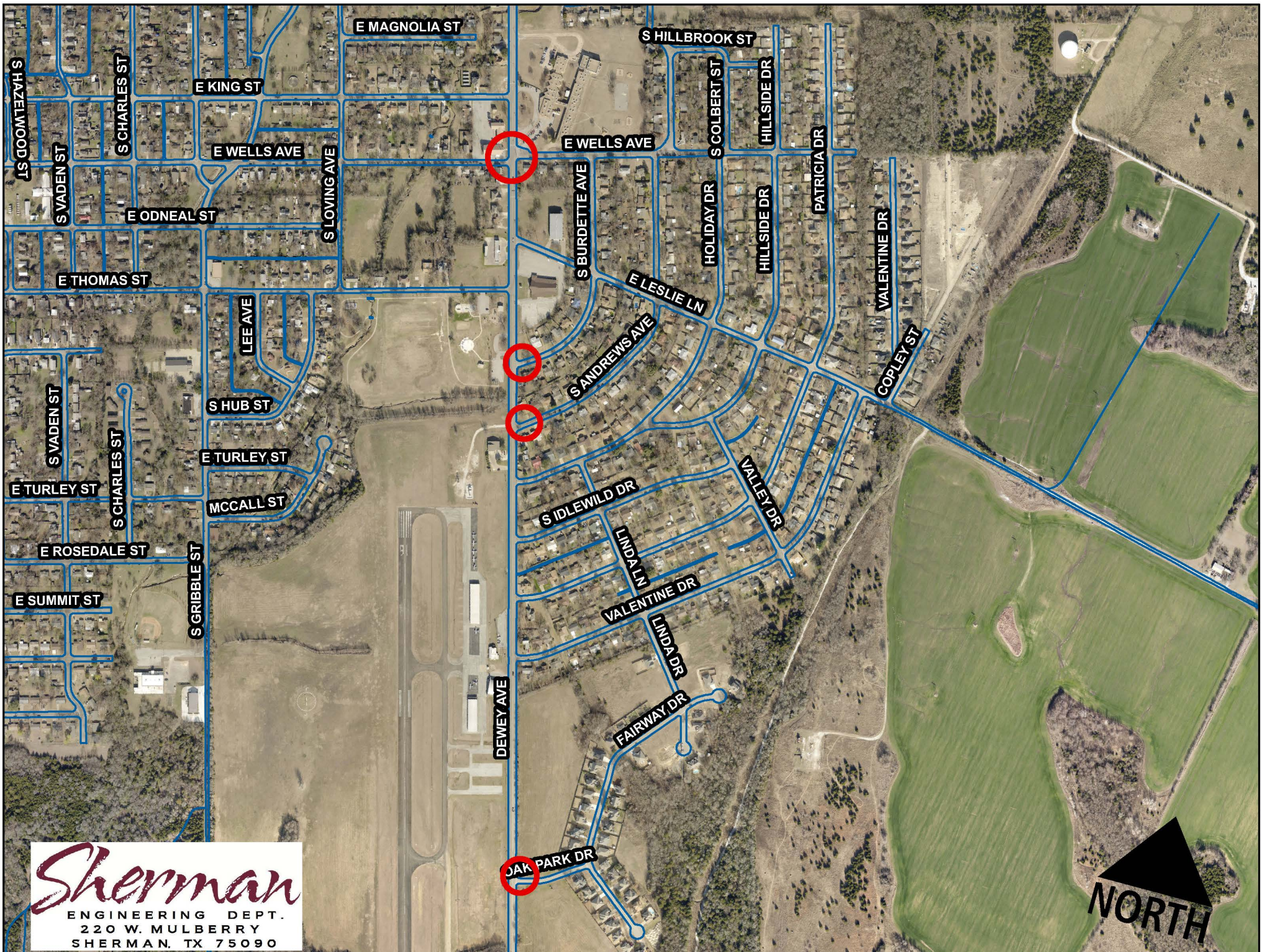
N HARRISON AVE

N CLEVELAND AVE

E PACIFIC ST

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

NORTH
E MONROE AVE



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



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





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 7.

Meeting Date: 12/07/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6340

Amending Chapter 3 of the Code of Ordinances, entitled "Building Regulations", Article 3.02, entitled "Building, Life Safety and Residential Codes", at Sections 3.02.001 and 3.02.002, Article 3.03, entitled "Electrical Code", at Section 3.03.141, Article 3.04, entitled "Gas Code", at Section 3.04.001, Article 3.05, entitled "Heating and Air-Conditioning Code", at Section 3.05.003, Article 3.06, entitled "Housing Code", at Sections 3.06.002 and 3.06.010, and Article 3.07, entitled "Plumbing Code", at Section 3.07.005

Issue:

Proposed amendments to the City's Building Regulations, including the Building, Life Safety and Residential Codes, Electrical Code, Gas Code, Heating and Air-Conditioning Code, Housing Code and Plumbing Code

Background:

The City Council gave direction at this year's Budget Workshop that the City's Building Regulations should be reviewed for proposed changes that would bring them up to date. The City's Building Regulations were last updated in 2011 to reflect the 2009 International Code Council building codes and standards. The recommended changes would update the City Building Regulations to reflect the 2018 International Code Council building codes and standards. At the November 16th meeting, the City Council received a presentation from Development Services Director Rob Rae on proposed amendments; and those have been compiled into the proposed Ordinance that would provide for amendments to the Building, Life Safety and Residential Codes, Electrical Code, Gas Code, Heating and Air-Conditioning Code, Housing Code and Plumbing Code.

Origination:

Mayor and City Council
City Manager Robby Hefton

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is the staff's recommendation that the Council hold the public hearing and consider adoption of the proposed Ordinance to amend the City's Building Regulations.

Alternatives:

As the City Council directs

Attachments

Ordinance No. 6340

ORDINANCE NO. 6340

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING REGULATIONS", ARTICLE 3.02, ENTITLED "BUILDING, LIFE SAFETY AND RESIDENTIAL CODES", AT SECTIONS 3.02.001 AND 3.02.002, ARTICLE 3.03, ENTITLED "ELECTRICAL CODE", AT SECTION 3.03.141, ARTICLE 3.04, ENTITLED "GAS CODE", AT SECTION 3.04.001, ARTICLE 3.05, ENTITLED "HEATING AND AIR-CONDITIONING CODE", AT SECTION 3.05.003, ARTICLE 3.06, ENTITLED "HOUSING CODE", AT SECTIONS 3.06.002 AND 3.06.010, AND ARTICLE 3.07, ENTITLED "PLUMBING CODE", AT SECTION 3.07.005; PROVIDING A PENALTY CLAUSE, 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.

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

SECTION 1. That Chapter 3, Article 3.02 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 3.02.001, such section to read as follows:

Sec. 3.02.001 Adopted

(a) The following codes and the standards contained therein, are hereby adopted as the Minimum Building Standard Codes of the city:

- (1) International Residential Code, ~~2009~~ 2018 edition, including appendices A, B, C, ~~G~~, and J;
- (2) International Building Code, ~~2009~~ 2018 edition, including appendices A, C, D, F, and I;
- (3) National Electrical Code (NEC), ~~2011~~ 2020 edition;
- (4) International Fuel Gas Code, ~~2009~~ 2018 edition, including appendices A, B, C, and D;
- (5) International Mechanical Code, ~~2009~~ 2018 edition, including appendix A;
- (6) International Plumbing Code, ~~2009~~ 2018 edition, including appendices D, E, and F;
- (7) International Energy Conservation Code, ~~2009~~ 2018 edition;
- (8) International Fire Code, ~~2009-2018~~ edition; ~~and~~
- (9) International Existing Building Code, ~~2009~~ 2018 edition; *and*
- (10) *International Swimming Pool and Spa Code, 2018 edition.*

(b) Where a provision of the International Building Code, ~~2009~~ 2018 edition, including appendices A, C, D, F and I; International Residential Code, ~~2009~~ 2018 edition, including

appendices A, B, C, G and J; International Plumbing Code, 2009 2018 edition, including appendices D, E and F; International Mechanical Code, 2009 2018 edition, including appendix A; International Fuel Gas Code, 2009 2018 edition, including appendices A, B, C and D; International Energy Conservation Code, 2009 2018 edition; International Fire Code, 2009 2018 edition; International Existing Building Code, 2009 2018 edition; and the National Electrical Code (NEC), 2011 2020 edition, and/or the International Swimming Pool and Spa Code, 2018 edition; conflicts with a section of this article, the language contained in this article governs. A copy of the codes shall be retained on file in the office of the building official.

SECTION 2. That Chapter 3, Article 3.02 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 3.02.002, such section to read as follows:

Sec. 3.02.002 Amendments to Codes

(a) Residential code. The following additions, amendments, and/or deletions to the 2009 2018 IRC are hereby adopted:

~~(1) R602.6.1, is hereby amended to add the following section:~~

~~Exception: When galvanized metal ties not less than 0.054 inches thick, 1 1/2 inches wide and extending 6 inches beyond the cut, drilling or notch of the top plates and fastened securely.~~

~~(2) (1) P2906 Materials, Joints and Connections. Table P2904.4 Water Service, Table P2904.5 Water Distribution Table P2906 Water Service Pipe, Table P2904.6 Pipe Fittings Table P2906.5 Water Distribution Pipe, Table P3002.1 Drain waste and vent piping and fitting materials Table P2906.6 Pipe Fittings, and Section P3002 Materials and Table P3002.2 Building Sewer Piping, are hereby deleted and replaced with the following:~~

~~(A) Materials for water.~~

~~(i) In structure: copper, K, L, chlorine resistant PEX, and chlorine resistant PEX/AL/PEX.~~

~~(ii) Service: copper, PVC 40, chlorine resistant PEX, and chlorine resistant PEX/AL/PEX.~~

~~(B) Material for drains. PVC Schedule 40, cast iron, copper, SDR35 in sizes over 4 inches. Note: PVC cell core and foam core are not permitted.~~

~~(3) (2) Part VIII-Electrical, chapters 34-43, shall be deleted.~~

~~(4) (3) Section R313.2, One- and two-family dwellings automatic fire systems, shall be deleted.~~

(5) (4) ~~Appendix G, AG105.2 Outdoor swimming pool~~ *International Swimming Pool and Spa Code (ISPSC 2018), Section 305.2.1 Barrier Height and Clearances*, is amended to read as follows:

1. The top of the barrier shall be at least 72 inches (1830 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The remainder of the section is unchanged.

(6) (5) Contractor roofing bond. It shall be the duty of every residential roofing contractor who shall make contracts for the erection, construction, enlargement, alteration, and repair of roofs for which a permit is required, and every contractor of builder making such contracts and subletting the same, or any part thereof to pay a permit fee as provided in the general license ordinance and to register his name with the building official, in a book provided for that purpose, giving fill name, residence and place of business and, in case of removal from one place to another, to have made corresponding change in said register accordingly; and it shall be the further duty of every such person to give good and sufficient bond in the sum of twenty thousand dollars and no cents (\$20,000.00), conditioned to conform to the building regulations, the regulation of this section, and other ordinances or laws of the city council and the state.

(b) Building code. The following additions, amendments, and/or deletions to the ~~2009~~ 2018 IBC:

- (1) Chapter 1, Section 101.4.5, is hereby amended to add the following section:

~~101.4.5.1 Maintenance~~ 101.4.1 *Property Maintenance*.

All buildings and structures, both existing and new and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this code in a building when erected, altered, or repaired, shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of buildings and structures.

The building official shall keep, or cause to be kept, a record of the business of the department. The records of the department shall be open to public inspection.

- (2) ~~Chapter 1, Section 108, is hereby amended to add the following section:~~

~~108.7~~ 109.7 Contractor bond required.

A five thousand dollar (\$5,000.00) obstruction bond shall be required for persons doing work on and over public ways. Person doing repair work or demolition work on or over public ways shall be required to furnish a five thousand dollar (\$5,000.00) obstruction bond and proof of, as a condition to said obstruction bond, public liability insurance in the amount of one hundred thousand dollars

(\$100,000.00) per occurrence and three hundred thousand dollars (\$300,000.00) aggregate.

- (3) Section 1101.2. Design, shall be changed to read as follows:

Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC/ANSI A117.1. All buildings governed by Texas Department of Licensing and Regulations will take precedence over this code or ICC/ANSI A117.1.

- (4) Chapter 17 Structural Tests and Special Inspections, shall be deleted in its entirety.

- (5) Section 3109.3 Public Swimming Pools, is amended to read as follows:

Public swimming pools shall be completely enclosed by a fence at least 6 feet (1830 mm) in height or a screen enclosure. The remainder of the section is unchanged.

- (6) ~~Section 3109.4.1 Barrier height and clearances,~~ *International Swimming Pool and Spa Code (ISPSC 2018) Section 305.2.1 Barrier Height and Clearances* shall be amended to read as follows:

The top of the barrier shall be at least 72 inches (1830 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The remainder of the section is unchanged.

- (7) Chapter 1, Section 110, is hereby amended to add the following section:

110.2.1 Existing building certificate of occupancy.

A certificate for any existing building may be obtained by applying to the building official and supplying the information and data necessary to determine compliance with this code and the city's zoning ordinance.

- (8) Chapter 1, Section 112, shall be deleted and replaced with the following:

CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

112.4 Appointment. There is hereby established a board to be called the Construction Board of Adjustment and Appeals, which shall consist of ~~three~~ *five* members and two alternates. The Board shall be appointed by the applicable governing body.

112.4.1 Membership and terms.

112.4.1.1 Membership. The Construction Board of Adjustment and Appeals should consist of *five* members. Such board members should be composed of individuals

with knowledge and experience in the technical codes, such as design professionals, contractors or building industry representatives. In addition to the regular members, there should be two alternate members, one member at large from the building industry and one member at large from the public. A board member shall not act in a case in which he has a personal or financial interest.

112.4.1.2 Terms. The terms of office of the board members *are three years and* shall be staggered so no more than 1/3 of the board is appointed or replaced in any 12-month period. The two alternates, if appointed, shall serve one-year terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Continued absence of any member from required meetings of the board shall, at the discretion of the applicable governing body, render any such member subject to immediate removal from office. A member whose term is expired may continue to serve until such time a replacement has been appointed.

112.4.1.3 Quorum and voting. A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. In modifying a decision of the building official, not less than three affirmative votes, but not less than a majority of the board, shall be required. In the event that regular members are unable to attend a meeting, the alternate members, if appointed, shall vote.

112.4.1.4 Secretary of board. The building official shall act as secretary of the board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member and any failure of a member to vote.

112.5 Powers. The Construction Board of Adjustment and Appeals shall have the power, as further defined in 112.6 to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes.

112.6 Appeals.

112.6.1 Decision of the building official. The owner of a building, structure or service system, or his duly authorized agent, may appeal a decision of the building official to the Construction Board of Adjustment and Appeals whenever any one of the following conditions are claimed to exist:

1. The building official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure or service system.
2. The provisions of this code do not apply to this specific case.

3. That an equally good or more desirable form of installation can be employed in any specific case.
4. The true intent and meaning of this code or any of the regulations thereunder have been misconstrued or incorrectly interpreted.

112.6.2 Variances. The Construction Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the technical codes or public interest, and also finds all of the following:

1. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.
2. That the special conditions and circumstances do not result from the action or inaction of the applicant.
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other buildings, structures or service system.
4. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.
5. That the grant of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety and general welfare.

112.6.2.1 Conditions of the variance. In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this code. Violation of the conditions of a variance shall be deemed a violation of this code.

112.6.3 Notice of appeal. Notice of appeal shall be in writing and filed within 10 calendar days after the decision is rendered by the building official. Appeals shall be in a form acceptable to the building official.

112.6.4 Unsafe or dangerous buildings or service systems. In the case of a building, structure or service system which, in the opinion of the building official, is unsafe, unsanitary or dangerous, the building official may, in his order, limit the time for such appeals to a shorter period.

112.7 Procedures of the Board.

112.7.1 Rules and regulations. The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code. The board shall meet on call of the chairman. The board shall meet within 30 calendar days after notice of appeal has been received.

112.7.2. Decisions. The Construction Board of Adjustment and Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official or varies the application or of any provision of this code, the building official shall *promptly* take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A certified copy of the decision shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the building official for two weeks after filing. Every decision of the board shall be final, subject however to such remedy as any aggrieved party might have at law or in equity.

- (9) Chapter V, Section 503, is hereby amended to add the following:

Section 503.2 RESIDENTIAL OPEN-SIDED BUILDINGS.

Open-sided buildings of up to five hundred fifty (550) square feet may be erected on residential building lots with a horizontal separation from a common property line of six (6) feet or more. These buildings may be of any type construction.

Section 503.2.1 RESIDENTIAL STORAGE BUILDINGS.

Type IV buildings used for residential storage, and not exceeding five hundred fifty (550) square feet may be erected on residential building lots with a horizontal separation from a common property line of five (5) feet or more. The walls of these buildings will not require a one-hour protection.

Section 101.1. Insert: City of Sherman, Texas.

Section 1612.3. Insert: City of Sherman, Texas.

Section 1612.3. Insert: July 17, 1995.

Section 3410.2. Insert: January 5, 1981.

- (c) Fire Prevention Code. The ~~2009~~ 2018 edition of the International Fire Code, published by the International Code Council, being chapters 1 through ~~47~~, 67 together with appendices ~~B through J~~ A through J and N, is hereby adopted in its entirety, as if fully set forth herein, as the fire prevention code of the city. The latest edition of NFPA standards shall be adopted and will be

referred to when referenced in the ~~2009~~ 2018 International Fire Code. The following additions, amendments, and/or deletions to the ~~2009~~ 2018 International Fire Code are hereby adopted:

- (1) Section 102 is hereby amended to add section 102.1.1 to read as follows:

Section 102.1.1. The latest edition of NFPA standards shall be adopted and will be referred to when referenced in the ~~2009~~ 2018 International Fire Code.

- (2) Section 103.2 is hereby amended to read as follows:

Section 103.2 Appointment. The fire code official (fire marshal) shall be appointed by the fire chief.

- (3) Section 202 is hereby amended to add the following definitions:

Emergency access easement. An access road or fire lane located on private property dedicated by the owner(s) of the property to provide fire apparatus access.

Self-service storage facility. Real property designated and used for the purpose of renting or leasing individual spaces to customers for the purpose of storing and removing personal property on a self-service basis.

Standby personnel. Qualified fire service personnel, approved by the fire chief. When utilized, the number required shall be as directed by the fire chief. Charges for utilization shall be as normally calculated by the jurisdiction.

Fire code official. The fire chief, fire marshal, or member of the fire department charged with the duties of administration and enforcement of this code, or a duly authorized representative.

City. The City of Sherman, Texas.

- (4) Section 307.2 is hereby amended to read as follows:

307.2 Permit required. A permit shall be obtained from the fire code official in accordance with section ~~405.6~~ 105.6.3.2 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Exceptions:

1. Fires which meet all of the following requirements:
 - a. The pile size is 10 feet (3048 mm) or less in diameter and 5 feet (1524 mm) or less in height.

- b. Atmospheric humidity is 40 percent or greater and maximum wind speed is 15 miles per hour or less.
- c. No more than one pile burning at any one time.
- d. Prior notification given to the Sherman Fire Department.
- e. Conducted in accordance with all Texas Commission on Environmental Quality conditions.

(5) Section 307.4 is hereby amended to read as follows:

307.4 Location. The location for open burning shall not be less than 100 feet (30 480 mm) from any structure or the property boundary, and provisions shall be made to prevent the fire from spreading to within 100 feet (30 480 mm) of any structure or the property boundary. The location for open burning shall not be less than 300 feet (91 440 mm) from any sensitive receptor as defined by Texas Commission on Environmental Quality 30 TAC 111.203(7), unless written permission is obtained from the owner of the sensitive receptor, including any occupied buildings.

Exceptions:

- 1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.
- 2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

(6) Section 307.4.1 is hereby amended to read as follows:

307.4.1 Bonfires. Bonfires are prohibited.

(7) Section 307.4.2 is hereby amended to read as follows:

307.4.2 Recreational fires. ~~Recreational fires are prohibited~~ Recreational fires shall not be conducted within 100 feet (30 480 mm) of a structure or combustible material. Conditions which could cause a fire to spread to within 100 feet (30 480 mm) of a structure shall be eliminated prior to ignition.

(8) Section 503.2.1 is hereby amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads and security gate openings shall have an unobstructed width of not less than 24 feet (7315 mm), except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4267 mm).

(9) Section 503.2.2 is hereby amended to read as follows:

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

- (10) Section 503.3 is hereby amended to add section 503.3.1 to read as follows:

503.3.1 Fire lane marking.

- (1) Striping. Fire apparatus access roads shall be marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four-inch (4") white letters at 15-foot intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
- (2) When required by the fire code official, fire lane striping shall include an enlarged box that is eighteen inches (18") in length and twelve inches (12") in width to show the boundaries of the box. The words "BUILDING [APPROPRIATE BUILDING DESIGNATION]" shall appear in ten-inch (10") white letters on the red box and will appear directly in front of the appropriate structure.
- (3) Signs. Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be twelve inches (12") wide and eighteen inches (18") high. Signs shall be painted on a white background with letters and borders in red, using not less than two-inch (2") lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart. Signs may be installed on permanent buildings or walls or as approved by the fire code official.

- (11) Section 503.4 is hereby amended to read as follows:

1. 503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be, obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in section 503.2.1 and any area marked as a fire lane as described in section 503.3 shall be maintained at all times. The operator of a premises shall maintain, free of obstruction, all fire lanes on his premises. No person may mark, post or otherwise identify a non-fire lane private vehicular passageway as a fire lane or in such a manner as tends to create confusion as to whether the passageway is a fire lane.

- (12) Section 901.4 is hereby amended to read as follows:

901.4 Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards. Any alteration to the fire protection system must be approved and a permit issued by the fire code official. Hydrostatic testing of the system may be required prior to the acceptance of any system alteration.

- (13) Section 901.7 is hereby amended to read as follows:

901.7 Systems out of service. Where a required fire protection system is out of service or in the event of an excessive number of activations, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

- (14) Section 903.2.9 #5 #6 is hereby added to read as follows:

5.6. Self-service storage facility. An automatic sprinkler system shall be installed throughout all self-service storage facilities.

Exception: One-story self-service storage facilities that have no interior corridors, with a one-hour fire barrier separation wall installed between every storage compartment.

- (15) Section 903.3.1.1.2 is hereby amended to read as follows:

903.3.1.1.2 Bathrooms. Sprinklers shall be required in all bathrooms regardless of size.

- ~~(15)~~ (16) Section 903.3.1.2 is hereby amended to read as follows:

903.3.1.2 NFPA 13R sprinkler system. Where allowed in buildings of group R, up to and including four stories in height, automatic sprinkler systems shall be installed in accordance with NFPA 13R.

Exception:

1. Mixed use buildings. In buildings that include or may include multiple types of occupancies, the code official may designate the type of system and number of standpipes required.

- (17) Section 903.3.1.2.3 is hereby amended to read as follows:

Section 903.3.1.2.3 Attics and attached garages. Sprinkler protection is required in attached garages and in the following attic spaces.

1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.
2. Where fuel fired equipment is installed in an attic.
3. Attic spaces of buildings that are two or more stories in height above grade plane or above the lowest level of fire department vehicle access.
4. Group R-4, Condition 2 occupancy attics not required by item 1 or 3 to have sprinklers shall comply with one of the following:
 - a. Provide automatic sprinkler system protection.
 - b. Provide a heat detection system throughout the attic that is arranged to activate the building fire alarm system.
 - c. Construct the attic using noncombustible materials.
 - d. Construct the attic using fire-retardant-treated wood complying with section 2303.2 of the International al Building Code.
 - e. Fill the attic with noncombustible insulation.

~~(16)~~ (18) Section 903.4 is hereby amended to read as follows:

903.4 Sprinkler system monitoring and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised. Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Automatic sprinkler systems installed in accordance with NFPA13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
3. Jockey pumps control valves that are sealed or locked in the open position.

4. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
5. Valves controlling the fuel supply to the fire pump engines that are sealed or locked in the open position.
6. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

~~(17)~~ (19) Section 905.2 is hereby amended to read as follows:

905.2 Installation standards. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with a high/low alarm. In addition to this section, the fire code official may require the installation of standpipe systems in buildings where because of type of occupancy, access or use requires additional fire protection. The fire code official may designate the type and location of standpipes within this system.

(20) Section 905.3.9 is hereby added to read as follows:

905.3.9 Buildings Exceeding 10,000 sq. ft. *In buildings exceeding 10,000 square feet in area per story and where any portion of the building's interior are is more than 200 feet (60960mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class 1 automatic wet or manual wet standpipes shall be provided.*

Exceptions:

1. *Automatic dry, semi-automatic dry, and manual dry standpipes are allowed as provided for in NFPA 14 where approved by the fire code official.*
2. *R-2 occupancies of four stories or less in height having no interior corridors.*

~~(18)~~ (21) Section ~~907.1.3~~ 907.1.4 is hereby added to read as follows:

~~907.1.3~~ 907.1.4 Design standards. All alarm systems new or replacement shall be analog intelligent addressable fire detection systems.

Exception: Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30% of the building. When cumulative building remodel or expansion exceeds 50% of the building must comply within 18 months of permit application.

~~(19)~~ (22) Section 907.2.3 is hereby amended to read as follows:

907.2.3 Group E. A manual fire alarm system that activates the occupant notification system in accordance with section 907.6 shall be installed in group E occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. Group E occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.

Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children 2-1/2 or less years of age, see section 907.2.6.)

2. Manual fire alarm boxes are not required in group E occupancies where all the following apply:
 - 2.1. Interior corridors are protected by smoke detectors with alarm verification.
 - 2.2. Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other approved detection devices.
 - 2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
 - 2.4. Off-premises monitoring is provided.
 - 2.5. The capability to activate the evacuation signal from a central point is provided.
 - 2.6. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from where a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.

~~(20)~~ (23) Section 907.2.8.4 is hereby added to read as follows:

907.2.8.4 Carbon monoxide detectors. An approved carbon monoxide detection system shall be installed and maintained in all buildings that include an underground garage or vehicle storage area and in buildings that provide parking as part of the structure. The detection system shall be monitored and shall signal an alarm as part of the fire alarm panel.

Exception:

1. Group R division 3.

~~(21)~~ (24) Section 907.4 is hereby amended to read as follows:

907.4 Manual fire alarm boxes. Where a manual fire alarm system is required by another section of this code, it shall be activated by fire alarm boxes installed in accordance with sections ~~907.5.2~~ 907.4.2.1 through ~~907.5.2.5~~ 907.4.2.6 Manual alarm actuating devices shall be an approved double action type.

~~(22)~~ (25) Section 907.4.6 is hereby added to read as follows:

Section 907.4.6. Where any fire alarm system is installed ~~or any~~ without a supervised sprinkler system is installed; manual fire alarm boxes shall be installed at all exits. Audio-visual notification devices shall be installed to provide complete coverage as required by the fire code official.

~~(23)~~ (26) Section ~~907.7~~ 907.6 is hereby added to read as follows:

~~907.7~~ 907.6 Installation. All fire alarm systems shall be installed in such a manner that the failure of any single alarm-actuating or alarm-indicating device will not interfere with the normal operation of any other such devices. All systems shall be Class "A" wired with a minimum of six feet separation between supply and return loops. IDC-Class "A" style-D- SLC Class "A" Style 6-notification Class "B" Style Y.

~~(24)~~ (27) Section ~~907.7.6~~ 907.6.3.2 is hereby added to read as follows:

~~907.7.6~~ 907.6.3.2 Point addressable systems. When a fire alarm system is required by this section or by the fire code official, the system shall be "point addressable"; providing the type and location of the alarm. The alarm type and location must display on the alarm panel and provide type and location information to the Sherman Fire Department dispatch.

~~(25)~~ (28) Section 913.2 is hereby amended to read as follows:

913.2 Protection against interruption of service. The fire pump, driver, and controller shall be protected in accordance with NFPA 20 against possible interruption of service through damage caused by explosion, fire, flood, earthquake,

rodents, insects, windstorm, freezing, vandalism and other adverse conditions. The fire code official may require a stand alone power source, or secondary source of power where a fire pump is installed to maintain the required fire flow in assembly occupancies, high-rise structures or any structure with greater than one hundred thousand (100,000) square feet.

~~(26)~~ (29) Section ~~913.2.2 #5~~ 913.2.2 #4 is hereby added to read as follows:

- 5 4. Fire pump system shall be supervised for “loss of power,” “phase reversal” and “pump running” conditions by supervisory signal on distinct circuits.

~~(27)~~ (30) Section 914.3.1.1.1.1 is hereby added to read as follows:

Section 914.3.1.1.1.1 Exterior access to sprinkler control rooms. The fire code official may require an exterior access door directly into the sprinkler control room.

~~(28)~~ ~~Section 1008.1.4.4 #7 is hereby added to read as follows:~~

- ~~7. If a full building smoke detection system is not provided, approved smoke detectors shall be provided on both the access and egress sides of doors and in a location approved by fire code official. Actuation of a smoke detector shall automatically unlock the door.~~

~~(29)~~ (31) Section ~~2302.1~~ 3202.1 Definition “high piled combustible storage” is hereby amended to read as follows:

High piled combustible storage. Any building exceeding 6,000 sq. ft. that has a clear height in excess of 12 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high piled storage and shall comply with the provisions of this section. When a specific product cannot be identified, a fire protection system shall be installed as for class IV commodities, to the maximum pile height.

~~(30)~~ (32) Section ~~3301.1.3~~ 5601.1.3 is hereby amended to read as follows:

~~3301.1.3~~ 5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the city limits or within five thousand (5,000) feet of the city limits.

Exceptions:

1. Only when approved for fireworks displays, storage and handling of fireworks as provided in section 3304 and 3308.
2. The use of fireworks for approved display as permitted in section 3308.

~~(31)~~ ~~Section 3403.6.12 is hereby added to read as follows:~~

~~3403.6.12 Containment. An approved method of secondary containment shall be provided for underground tank and piping systems.~~

(32) (33) Section ~~3404.2.11.5.3~~ 5703.6.12 is hereby added to read as follows:

~~3404.2.11.5.3~~ 5703.6.12 Dry sumps. Approved sampling tubes of a minimum 6 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank the tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling sump at the corners of the excavation with a minimum of 4 sumps. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

(33) ~~Section 3803.2.1.8 is hereby added to read as follows:~~

~~3803.2.1.8 Jewelry repair, dental labs and similar occupancies. Where natural gas service is not available, portable LP Gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20 pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60 pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.~~

(34) Section ~~3804.2~~ 6104.2 is hereby amended to read as follows:

~~3804.2~~ 6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

Exceptions:

1. In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed containers, degree of fire protection to be provided and capabilities of the local fire department.
2. Except as permitted in City Ordinance 5331, section 5.04.005 LP-gas containers are not permitted in residential areas.

(36) (35) Appendix D, section D103 figure D103.1 is hereby ~~deleted.~~ amended to read as follows:

D.103.1 Access road width. Where a road is used for fire department access, the minimum road width shall be 24 feet, exclusive of shoulder, unless otherwise approved by fire code official.

(36) *Appendix D, section D103.3 is hereby amended to read as follows:*

D103.3 Turning radius. The minimum turning radius shall be at least 25 feet radius unless roadway or fire lane exceeds minimum requirement of 24 feet or approved by fire code official.

~~(35)~~ (37) Appendix D, section D103.4 table D103.4 is hereby amended as follows:

REQUIREMENTS FOR DEAD-END FIRE

APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0–150	24	None Required
150–700	24	100' Diameter Cul-de-Sac or 120' Hammerhead
Over 700		Special Approval Required

~~(37)~~ (38) Appendix D, section D103.5 is hereby amended to read as follows:

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 24 feet. (7315m²).

SECTION 3. That Chapter 3, Article 3.03 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 3.03.141, such section to read as follows:

Sec. 3.03.141 Electrical code

The ~~2011~~ 2017 National Electrical Code is adopted with the following limitations and exceptions:

- (1) Aluminum conductors or copper-clad aluminum conductors are not permitted to be used except for service drop or service lateral.
- (2) No person shall hereafter install for residential purposes any service entrance conductors with a rating of less than one hundred (100) amps.
- (3) No person shall install any electrical wiring of a smaller size wire than no. 12.

- (4) No person shall install any electrical wiring on the outside surface of any building within the city, including a private residence, without placing such wiring in an approved and properly grounded metallic conduit. P.V.C. may be used only on temporary power pole installations on the load side.
- (5) No person shall install any service entrance switches or any service equipment switches or any service equipment within a bathroom, heating closet, cabinets or kitchens.
- (6) No person shall leave any unused electrical equipment within or upon public or private buildings or premises, if, in the opinion of the electrical inspector, the same constitutes a hazard or danger to life or property, including unused electric range installations and unused contractor meter loops.
- (7) No person shall cover up any electrical conduit or wiring in the process of construction without inspection by an electrical inspector of the city.
- (8) All service entrance conductors from the meter base to the panel shall be installed in either of the following three (3) ways:
 - (A) The disconnect shall be located back of meter or under the meter with a metallic conduit nipple.
 - (B) If the service entrance conductors are placed in metallic conduit from the meter socket to the main panel, no main disconnect shall be required at the meter, except in apartment complexes.
 - (C) A service disconnect shall be provided at the meter except in back to back installations.
- (9) The minimum size of service disconnects shall be sixty (60) amps.
 - (A) Service panel breakers: All service panel breakers, known as piggyback, tandems, twins, thins, or any other of this type disconnect above thirty-amp capacity, are hereby prohibited on new installations.
- (10) Section 110-14(b) of the NEC is hereby amended; electricians tape alone will not be permitted as the sole insulation equivalent on splices and joints.
- (11) All electrical circuits shall have an equipment grounding conductor.
- (12) All condensing units of air-conditioning and refrigeration shall be connected to the final switch or disconnect with liquid-tight flexible conduit approved for outside use.

SECTION 4. That Chapter 3, Article 3.04 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 3.04.001, such section to read as follows:

Sec. 3.04.001 Amendments

The following additions, amendments, and/or deletions to the ~~2009~~ 2018 International Fuel Gas Code are hereby adopted:

- (1) Chapter 1, section ~~104~~ 1064, is hereby amended to add the following:
~~104.5.1~~ 1064.7 Plumbing contractor bond. All contractors engaged in the business of plumbing in the city shall have current insurance as required by the state plumbing board.
- (2) Chapter 4 is hereby amended with the following additions:

403.6.3.1 Plastic piping. All plastic pipe approved for use with natural gas shall bear the manufacturer's name or trademark, pipe size, plastic pipe material designation code, standard dimension ratio number, the ASTM specifications to which the pipe conforms, ASTM D 2513, ASTM D 2517, and the production code number to indicate resins used in manufacturing. See 314 for outside use. Polyvinyl Chloride (PVC) Commercial Standards (CS256-63) shall not be used for consumer's gas piping.

~~309 Installation of piping.~~ 404 Piping System Installation.

~~309.15 Tracer wire.~~ 404.17.3 Tracer.

~~309.15.1~~ 404.17.3.1 Tracer wire size and installation instruction. Where polyethylene (plastic) piping is installed as a carrier of natural gas, an electrically conductive wire, not smaller than #12-600V solid plastic covered conductor shall be installed in the same ditch, at the same depth as the gas pipe for the entire length of the pipe and shall exit the ground with the pipe with approximately twelve (12) inches of free wire, so as to form a tracer circuit for the plastic pipe.

- (3) Section 109 Means of Appeal shall be deleted and be replaced with Article IV, Division 2 Board of Plumbing and Mechanical Contractors, Sections 6-191 through 6-202, City of Sherman Code of Ordinances [sic].

SECTION 5. That Chapter 3, Article 3.05 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 3.05.003, such section to read as follows:

Sec. 3.05.003 Mechanical code amendments

The following additions, amendments and/or deletions to the ~~2009~~ 2018 edition of the International Mechanical Code are hereby adopted:

- (1) Chapter 1, section 108.4, is hereby deleted and amended by adding the following section:

108.4 Violations~~and~~ penalties. Any person, firm, corporation, or agent who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall install, construct, alter, repair, replace or move any mechanical system, or has installed, altered, repaired, moved or replaced a mechanical system in violation of a detailed statement or drawing submitted and permitted thereunder, shall be punished as provided in section 1.01.009 of the Code of Ordinances.

- (2) Section 109, Means of Appeal. Shall be deleted and shall be replaced with Article IV, Division 2, Board of Plumbing and Mechanical Contractors, Sections 6-191 through 6-202, City of Sherman Code of Ordinances [sic].

SECTION 6. That Chapter 3, Article 3.06 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 3.06.002, such section to read as follows:

Sec. 3.06.002 Adopted

- (a) The Standard Housing Code, 1997 edition is adopted by reference.

(b) It shall be unlawful for the owner, occupant, manager or person in control of real property ~~used as a residence,~~ to occupy or cause or permit the *human* occupancy of ~~the residence~~ *a building, structure or portion thereof* without having running water and sanitary sewer services.

SECTION 7. That Chapter 3, Article 3.06 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 3.06.010, such section to read as follows:

Sec. 3.06.010 Definitions

The words and phrases contained herein shall have the following meaning ascribed to them unless the context states otherwise:

Building. Includes, but is not limited to, any building, fence, awning, canopy, sign, shed, garage, house, tent, trailer or other structure whatsoever.

Dangerous building. Any building that does not comply with the minimum standards, as defined herein.

Minimum standard. The minimum standards for continued use and occupancy of a building as set forth in section 3.06.013 herein.

Municipal court of record. The municipal court of record of Sherman, Texas.

Occupancy. *The purpose for which a building, structure, or portion thereof is utilized or occupied.*

Owner of record. Any person, agent, firm, corporation or governmental agency shown to be the owner or owners of a building in:

- (1) The real property, assumed name, or appraisal district record of the county;
- (2) The tax or utility records of the city; or
- (3) The records of the secretary of state.

Public nuisance.

- (1) Whatever is dangerous to human life or health; whatever renders the ground, water, air or food hazardous to human life, or health, or that is offensive to the senses; or that is or threatens to become detrimental to the public health; or
- (2) Any building that creates a hazard to health, safety, comfort or welfare is a public nuisance.

SECTION 8. That Chapter 3, Article 3.07 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 3.07.005, such section to read as follows:

Sec. 3.07.005 Amendments

(a) The International Plumbing Code adopted in this article is revised or amended in the following respects:

~~(1) Approved materials.~~

~~(A) Materials for water:~~

~~(1) In structure: copper K, L, chlorine resistant PEX and chlorine resistant PEX/AL/PEX.~~

~~(2) Service: copper, PVC 40, chlorine resistant PEX, and chlorine resistant PEX/AL/PEX.~~

~~(B) Material for Drains: PVC Schedule 40, cast iron, copper SDR35 in sizes over 4 inches. Note: PVC cell core and foam core are not permitted.~~

~~(2)~~ (1) Chapter 1, section 101 is hereby amended to add the following section:

101.1.1 Building and zoning department. The building and zoning department of the city shall administer and enforce the plumbing code.

101.1.2 Plumbing inspector. Inspectors with a current plumbing inspector license issued by the state will be used as plumbing inspectors.

~~(3)~~ (2) Chapter 1, Section 106 is hereby amended with the following:

106.1.2 Plumbing license and bond. Each plumbing contractor doing business in the city shall have a full-time person employed who has a current master plumbing license, issued by the state, and must have a current valid surety bond made to the city, in the amount of two thousand dollars (\$2,000.00) and on a form supplied by the city, or insurance required by the state plumbing board.

~~(4)~~ (3) Chapter 1, section ~~110.1~~ 108.4, violations and penalties, is hereby added.

~~110.1~~ 108.4 Violations—and penalties. Any person, firm, corporation or agent who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, repair, or replace any plumbing installation or has erected, constructed, altered, repaired, or replaced a plumbing installation in violation of detailed statement or drawing submitted and permitted thereunder, shall be punished as provided in section 1.01.009 of the Code of Ordinances.

~~(5)~~ (4) Chapter 7, section 701.2, is hereby deleted and replaced with the following:

A separate sewer service shall be provided for each building, structure, apartment complex, shopping mall, or factory complex.

~~(6)~~ (5) Chapter 6, tables 605.4-3, 605.4, and 605.5 are hereby amended to allow only those approved materials from subsection (a)(1) above, as amended by this section.

~~(7)~~ (6) Chapter 7, tables 702.1, 702.2, 702.3, and 702.4 are hereby amended to allow only those approved materials from subsection (a)(1) above, as amended by this section.

~~(8)~~ (7) Chapter 11 is hereby deleted.

~~(9)~~ (8) The ~~2009~~ 2018 edition of the International Plumbing Code is hereby amended by adding:

Appendix E1 Private Sewage Systems.

E1.1. Private sewage systems shall be regulated by the Texoma Council of Governments and/or the Grayson County Health Department in accordance with their regulations and the laws covering this subject of the state.

~~(10)~~ (9) Section 109 Means of Appeal shall be deleted and shall be replaced with Article IV, Division 2 Board of Plumbing and Mechanical Contractors, Section 6-191 through 6-202, City of Sherman Code of Ordinances [sic].

~~(11)~~ (10) Section 608.14.2 Protection of backflow preventers shall be amended to read as follows:

Backflow preventers shall not be located in areas subject to freezing except where protected from freezing by heat, insulation or both.

~~(12)~~ (11) Section 1103 Traps shall be deleted.

~~(13)~~ (12) Section 1108 Combined Sanitary and Storm System shall be deleted.

(13) *Cellular Core Piping is not allowed to be used in underground applications.*

(14) *Any new building shall have new water and sewer service unless approved by the Building Official.*

SECTION 9. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 10. That any person violating any provision of this Ordinance, as it exists 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) if the violation relates to fire safety, zoning or public health and sanitation, otherwise the fine shall be an amount not exceeding FIVE HUNDRED AND NO/100 DOLLARS (\$500.00). 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 11. 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 12. That the Code of Ordinances 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 13. 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 14. 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 _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

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

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____

NAME: _____
CITY ATTORNEY



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 8.

Meeting Date: 12/07/2020

Prepared By: Danny Jones, Fire Chief

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6341

Amending Chapter 5 of the Code of Ordinances, entitled "Fire Prevention and Protection", Article 5.05, entitled "Permit and Fire Service Fees", at Sections 5.05.001, 5.05.002 and 5.05.003

Issue:

To consider amending the Fire Prevention and Protection Code at Sections 5.05.001, 5.05.002 and 5.05.003 related to permit fees, service fees and their assessment

Background:

At this year's annual Budget Workshop, the Council received a presentation from Fire Marshal Billy Hartsfield on current and proposed fees in the Fire Prevention and Protection Code. Ordinance No. 6341 will replace Ordinance No. 5398 that was originally approved in August 2006 and which set certain rates for Permit and Inspection Fees conducted by Sherman Fire-Rescue. Ordinance No. 6341 will bring the fees for services more in line with the cost of actually conducting the services and closer to industry standards in the area.

Origination:

Sherman Fire and Rescue Services
Sherman City Council

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council hold the public hearing and consider adoption of the proposed ordinance.

Alternatives:

No alternatives are recommended.

Attachments

Ordinance No. 6341

Chapter 5, Fire Prevention and Protection - Redlined Version

ORDINANCE NO. 6341

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES, ENTITLED "FIRE PREVENTION AND PROTECTION", ARTICLE 5.05, ENTITLED "PERMIT AND FIRE SERVICE FEES", AT SECTIONS 5.05.001, 5.05.002 AND 5.05.003; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That Chapter 5, Article 5.05 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 5.05.001, such section to read as follows:

Sec. 5.05.001 Permit Fees

Automatic Fire Sprinkler System, Underground Fire Lane	\$50.00 \$250.00
Automatic Fire Sprinkler System, Above Ground System	\$50.00 \$250.00
<i>Automatic Fire Sprinkler System, Modification</i>	\$250.00
<i>Fire Alarm System</i>	\$250.00
<i>Fire Alarm System, Modification</i>	\$250.00
Automatic Fire-Extinguishing System	\$50.00 \$250.00
<i>Automatic Fire Pump</i>	\$250.00
Controlled Access Gate	\$50.00 \$150.00
After Hours Inspections <i>Two (2) hour minimum</i>	\$77.00 \$150.00/hour
Re-Inspection (per occurrence)	\$35.00 \$100.00
<i>Work without Permit</i>	\$500.00
<i>Open Burn within City Limits</i>	\$1,000.00

SECTION 2. That Chapter 5, Article 5.05 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 5.05.002, such section to read as follows:

Sec. 5.05.002 Assessment of fees

The City of Sherman ~~shall~~ *may* assess and collect fees for certain services rendered by the Fire Department. The fees for use of equipment and supplies set out in Section 5.05.003 of the Code ~~shall~~ *may* be assessed and collected when such equipment and/or supplies are used in connection with the following events or incidents:

1. Vehicle fires,
2. Vehicle accidents requiring more than a single engine and medic,
3. Hazardous material spills or releases, and
4. Rescues or rescue attempts.

SECTION 3. That Chapter 5, Article 5.05 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 5.05.003, such section to read as follows:

Sec. 5.05.003 Service fees

The following fees ~~shall~~ *may* be assessed and collected for the use of apparatus, tools, equipment, and materials:

ITEMS TO BE BILLED PER HOUR.**

**The minimum usage charge for any item on this list is one hour and, for any additional hour, or portion thereof, the charge will be prorated accordingly.

<u>Unit of Measure</u>	<u>Apparatus</u>	<u>Price per Hour**</u>
Per Engine	Class A Engine	\$500.00
Per Aerial	Aerial	\$500.00
Per Rescue unit	Rescue (Special)	\$600.00
Per Brush unit	Brush Truck	\$400.00
Per Medic Unit	Medic Unit	\$400.00
Per Command unit	Command Car/Truck	\$200.00
Per Staff Vehicle	Staff Car/Truck	\$200.00
Per PPV fan	PPV Fan	\$55.00
Per Generator	Generator, Portable	\$55.00
Per Generator	Generator	\$55.00
Per Saw	Chain Saw	\$45.00
Per Pump	Portable Pump	\$95.00
Per Pump	Float Pump	\$65.00

FIRE EQUIPMENT

<u>Tool</u>	<u>Price</u>	<u>Unit of Measurement</u>
Foam Nozzle	\$55.00	Per Incident
Foam Eductor	\$50.00	Per Incident
AFFF Foam	\$40.00	Per Gallon
Class A Foam	\$25.00	Per Gallon
Piercing Nozzle	\$40.00	Per Incident
M/S Fog Nozzle	\$55.00	Per Incident
M/S Straight Bore Nozzle	\$30.00	Per Incident
Salvage Cover	\$28.00	Each Used
SCBA Pack	\$85.00	Each Used
Hall Runner	\$18.00	Per Incident
Portable Tank	\$75.00	Per incident
Water Extinguisher	\$22.00	Per Incident
Dry Chemical Extinguisher	\$45.00	Per Incident
CO ₂ Extinguisher	\$45.00	Per Incident
Scene Lights	\$22.00	Each Used
Thermal Imaging Camera	\$75.00	Per Incident
Heat Detection Gun	\$75.00	Per Incident
Sawzall	\$55.00	Per Incident

HAZARDOUS MATERIAL EQUIPMENT

<u>Supplies/Service</u>	<u>Price</u>	<u>Unit of Measurement</u>
Absorbent	\$17.00	Per Bag
Absorbent Booms	\$40.00	Each Used
Top Sol	\$35.00	Each Used
Disposable Coveralls	\$30.00	Each Used
Neoprene Gloves	\$20.00	Each Used
Latex Gloves	\$6.00	Each Used
Over Boots	\$25.00	Each Used
Disposable Goggles	\$15.00	Each Used
Gas Plug Kit	\$50.00	Each Used
Plug and Dike	\$65.00	Each Used
Drum Liners	\$10.00	Each Used
Barricade Tape	\$22.00	Each Used
Poly Sheeting	\$55.00	Each Used
Removal of Hazardous Material	\$150.00	Per Incident ***
Disposal of Hazardous Material	\$150.00	Per Incident ***
Gas Multi Meter	\$65.00	Per Incident
CO ₂ Meter	\$65.00	Per incident
Microblaze	\$150.00	Per 5 Gallons

*** Removal and/or disposal of Hazardous Material shall be at \$150.00 or actual cost, whichever is greater.

RESCUE EQUIPMENT

<u>Tool</u>	<u>Price</u>	<u>Unit of Measurement</u>
Spreaders	\$250.00	Per Incident
Cutters	\$250.00	Per incident
Rams	\$250.00	Per Incident
Air Bags	\$250.00	Per Incident
K-12 Saw	\$55.00	Per Incident
Target Saw	\$55.00	Per Incident
Ajax Tool	\$25.00	Per Incident
K-tool	\$25.00	Per Incident
Windshield Tool	\$15.00	Per incident
Rescue Blanket	\$32.00	Each Used
Rope	\$25.00	Each Used

(Ordinance 5398 adopted 8/21/06)

SECTION 4. That it is the intention of the City Council of the City of Sherman, Texas, that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Sherman, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 5. That the provisions of this ordinance are servable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity of effectiveness of the remainder of the ordinance.

SECTION 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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.

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

INTRODUCED on this the _____ day of _____, 2020.

ADOPTED on this the _____ day of _____, 2020.

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

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____

NAME: _____
CITY ATTORNEY

CHAPTER 5

FIRE PREVENTION AND PROTECTION

ARTICLE 5.01 GENERAL PROVISIONS

Sec. 5.01.001 Arson reward

The city hereby offers a standing reward of two hundred fifty dollars (\$250.00) for the arrest and conviction of any person found guilty of committing the crime of arson within the corporate limits of the city. The city council shall be the sole and exclusive judge in determining eligibility for the disbursement of the reward. (1991 Code, sec. 11-1; Ordinance adopting Code)

Sec. 5.01.002 Appeal of decisions of department of code enforcement or fire marshal to building code board of adjustments

Any person may file an appeal with the building code board of adjustments for a review of any decision of the department of code enforcement or fire marshal of the city, provided that such appeal is made in writing within five (5) days after such person shall have been notified of such decision by the department of code enforcement or fire marshal. Such appeal shall be taken by the filing of written notice thereof with the director of code enforcement, upon receipt of which the director of code enforcement shall immediately call and arrange for a meeting of the board, and the board shall proceed to determine whether or not the action of the department of code enforcement or fire marshal complies with this chapter. The building code board of adjustments shall, within seven (7) days, make a decision in accordance with its findings, which decision shall be final. (1991 Code, sec. 11-2)

ARTICLE 5.02 FIRE DEPARTMENT

Sec. 5.02.001 Reserved

ARTICLE 5.03 FIRE PREVENTION CODE

Sec. 5.03.001 Penalty for violation

Violations of this article are punishable as provided in section 1.01.009. (1991 Code, sec. 11-46)

Sec. 5.03.002 Parking prohibited in fire lanes

(a) The accessways referred to in the fire prevention code shall be identified as "fire lanes"; and when determined by the fire marshal that parking shall be prohibited in such fire lane, appropriate "no parking" signs shall be installed and maintained by the owner of such building.

(b) Any person who shall park a vehicle in a marked fire lane shall be punished as provided in section 1.01.009. Unlawfully parked vehicles may be towed away at the owner's expense and placed in the police auto pound.

(c) When part of the private road is selected as a fire lane by the fire chief or his authorized representative, it shall be marked along the perimeter with conspicuous signs in accordance with the specifications shown on exhibits 1 and 2 to the legislation from which this section is derived; and where a curb exists, the sign shall have the words "fire lane--no parking" painted:

- (1) In four-inch-high letters, white in color;
- (2) At fifteen-foot intervals;
- (3) On a contrasting background stripe, red in color, six (6) inches wide.

(d) The fire lanes shall be:

- (1) Free of all obstructions which pose a substantial threat of interference to the fire department, firefighting or rescue activities.
- (2) Constructed in accordance with the specifications set out in exhibits 3 and 4 and shall be surfaced with a material substantial to support any fire department vehicle.
- (3) Maintained so that it remains structurally unaffected during inclement weather.

(e) The operator of the premises shall maintain, free of obstruction, all fire lanes on his premises.

(f) No person may mark, post or otherwise identify a nonfire lane, private vehicular passageway:

- (1) As a fire lane; or
- (2) In such a manner as tends to create confusion as to whether the passageway is a fire lane.

(g) No person may park nonemergency vehicles in a fire lane.

(h) An unauthorized vehicle in a fire lane is:

- (1) Subject to removal by the operator from the premises with the expense of removal and storage to be borne by the registered owner of the vehicle;
- (2) Subject to citation, as well as removal, by the fire chief, his authorized representative or a police officer;
- (3) Prima facie evidence that the person in whose name the vehicle is registered is the person who parked the vehicle in the fire lane.

(i) Any person who violates a provision of this section shall be punished as provided in section 1.01.009.

(1991 Code, sec. 11-48)

ARTICLE 5.04 LIQUEFIED PETROLEUM GAS

Sec. 5.04.001 Adoption of liquefied petroleum gas safety rules

The city hereby adopts the liquefied petroleum gas safety rules previously adopted by the Texas Railroad Commission, including any and all future amendments thereto.

Sec. 5.04.002 Exclusive regulation

The liquefied petroleum gas safety rules adopted under section 5.04.001 and the rules and standards, if any, promulgated with the permission of the Texas Railroad Commission's executive director shall be the city's exclusive regulations for liquefied petroleum gas.

Sec. 5.04.003 Construction of city codes

All ordinances, orders, rules, or codes adopted by the city shall be construed in a manner consistent with this article on all matters relating to liquefied petroleum gas.

Sec. 5.04.004 Conflict with city codes

In the event of conflict between any ordinance, order, rule, or code adopted by the city and this article, this article shall control.

Sec. 5.04.005 Adoption of rules, regulations, policies, practices, procedures, or standards

City staff shall not adopt or enforce any rule, regulation, practice, policy, procedure, or standard that conflicts with this article.

Sec. 5.04.006 Construction consistent with Texas Railroad Commission

This article shall not be construed so as to conflict with the Texas Railroad Commission's interpretation of the liquefied petroleum gas safety rules, including any and all future amendments thereto.

(Ordinance 6024 adopted 4/17/17)

ARTICLE 5.05 PERMIT AND FIRE SERVICE FEES

Sec. 5.05.001 Permit Fees

Automatic Fire Sprinkler System, Underground Fire Lane	\$50.00 \$250.00
--	-----------------------------

Automatic Fire Sprinkler System, Above Ground System	\$50.00 \$250.00
<i>Automatic Fire-Sprinkler System, Modification</i>	\$250.00
<i>Fire Alarm System</i>	\$250.00
<i>Fire Alarm System, Modification</i>	\$250.00
Automatic Fire-Extinguishing System	\$50.00 \$250.00
<i>Automatic Fire Pump</i>	\$250.00
Controlled Access Gate	\$50.00 \$150.00
After Hours Inspections <i>Two (2) hour minimum</i>	\$77.00 \$150.00/hour
Re-Inspection (per occurrence)	\$35.00 \$100.00
<i>Work without Permit</i>	\$500.00
<i>Open Burn within City limits</i>	\$1,000.00

Sec. 5.05.002 Assessment of fees

The City of Sherman ~~shall~~ *may* assess and collect fees for certain services rendered by the Fire Department. The fees for use of equipment and supplies set out in Section 5.05.003 of the Code ~~shall~~ *may* be assessed and collected when such equipment and/or supplies are used in connection with the following events or incidents:

1. Vehicle fires,
2. Vehicle accidents requiring more than a single engine and medic,
3. Hazardous material spills or releases, and
4. Rescues or rescue attempts.

Sec. 5.05.003 Service fees

The following fees ~~shall~~ *may* be assessed and collected for the use of apparatus, tools, equipment, and materials:

ITEMS TO BE BILLED PER HOUR.**

**The minimum usage charge for any item on this list is one hour and, for any additional hour, or portion thereof, the charge will be prorated accordingly.

<u>Unit of Measure</u>	<u>Apparatus</u>	<u>Price per Hour**</u>
Per Engine	Class A Engine	\$500.00
Per Aerial	Aerial	\$500.00
Per Rescue unit	Rescue (Special)	\$600.00
Per Brush unit	Brush Truck	\$400.00
Per Medic Unit	Medic Unit	\$400.00
Per Command unit	Command Car/Truck	\$200.00
Per Staff Vehicle	Staff Car/Truck	\$200.00
Per PPV fan	PPV Fan	\$55.00
Per Generator	Generator, Portable	\$55.00
Per Generator	Generator	\$55.00
Per Saw	Chain Saw	\$45.00
Per Pump	Portable Pump	\$95.00
Per Pump	Float Pump	\$65.00

FIRE EQUIPMENT

<u>Tool</u>	<u>Price</u>	<u>Unit of Measurement</u>
Foam Nozzle	\$55.00	Per Incident
Foam Eductor	\$50.00	Per Incident
AFFF Foam	\$40.00	Per Gallon
Class A Foam	\$25.00	Per Gallon
Piercing Nozzle	\$40.00	Per Incident
M/S Fog Nozzle	\$55.00	Per Incident
M/S Straight Bore Nozzle	\$30.00	Per Incident
Salvage Cover	\$28.00	Each Used
SCBA Pack	\$85.00	Each Used
Hall Runner	\$18.00	Per Incident
Portable Tank	\$75.00	Per incident
Water Extinguisher	\$22.00	Per Incident
Dry Chemical Extinguisher	\$45.00	Per Incident
CO ₂ Extinguisher	\$45.00	Per Incident
Scene Lights	\$22.00	Each Used
Thermal Imaging Camera	\$75.00	Per Incident
Heat Detection Gun	\$75.00	Per Incident
Sawzall	\$55.00	Per Incident

HAZARDOUS MATERIAL EQUIPMENT

<u>Supplies/Service</u>	<u>Price</u>	<u>Unit of Measurement</u>
-------------------------	--------------	----------------------------

Absorbent	\$17.00	Per Bag
Absorbent Booms	\$40.00	Each Used
Top Sol	\$35.00	Each Used
Disposable Coveralls	\$30.00	Each Used
Neoprene Gloves	\$20.00	Each Used
Latex Gloves	\$6.00	Each Used
Over Boots	\$25.00	Each Used
Disposable Goggles	\$15.00	Each Used
Gas Plug Kit	\$50.00	Each Used
Plug and Dike	\$65.00	Each Used
Drum Liners	\$10.00	Each Used
Barricade Tape	\$22.00	Each Used
Poly Sheeting	\$55.00	Each Used
Removal of Hazardous Material	\$150.00	Per Incident ***
Disposal of Hazardous Material	\$150.00	Per Incident ***
Gas Multi Meter	\$65.00	Per Incident
CO ₂ Meter	\$65.00	Per incident
Microblaze	\$150.00	Per 5 Gallons

*** Removal and/or disposal of Hazardous Material shall be at \$150.00 or actual cost, whichever is greater.

RESCUE EQUIPMENT

<u>Tool</u>	<u>Price</u>	<u>Unit of Measurement</u>
Spreaders	\$250.00	Per Incident
Cutters	\$250.00	Per incident
Rams	\$250.00	Per Incident
Air Bags	\$250.00	Per Incident
K-12 Saw	\$55.00	Per Incident
Target Saw	\$55.00	Per Incident
Ajax Tool	\$25.00	Per Incident
K-tool	\$25.00	Per Incident
Windshield Tool	\$15.00	Per incident
Rescue Blanket	\$32.00	Each Used
Rope	\$25.00	Each Used

(Ordinance 5398 adopted 8/21/06)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D. 9.

Meeting Date: 12/07/2020

Prepared By: Teri Fine, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Number: 6334, 6335, 6336, 6337, 6338, 6339, 6340 and 6341

Issue:

D. 1. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6334

Extending the Corporate Limits of Said City so as to Annex an Area of Land consisting of Approximately 46.339 acres generally located West of F. M. 1417, North of O.B. Groner Road, and East of Rolling Hill Drive, 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. 6335

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow a Credit Access Business (Loan Office) (Freddy's Fast Cash) in a C-2 (General Commercial) District on Property located at 2201 Texoma Parkway, Suite 100, being Lot 6, Block 9, Highland Park Addition and former rights-of-way abandoned by Resolution No. 580 and No. 612 (Michael S. Cook, Owner; Jim Hendrickson, Applicant; Freddy's Fast Cash, Proposed Tenant; 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. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6336

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Intellectual and Developmental Disabilities Facility in a C-2 (General Commercial) District/Central Business District on Property located at 222 South Elm Street, being Lots 2 and 4, Block 1, A.R. Loving Addition (Butterfly Properties V, LLC, Owners; Monica Brown, Applicant; Ambience Community Services, LLC, Tenant; and Copley Land 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. 6337**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the C-1 (Retail Business) District, generally located at 2213 South Crockett Street, being 0.329 acres of land in the Preston Kitchen Survey, Abstract No. 667 (Michael Sterry, Owner; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed \$2,000.00
- D. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6338**
Amending Section 12, Ordinance No. 2280, so as to Include Certain Property within the R-1 (One Family Residential) District, generally located in the 200 block of South F.M. 1417 (Heritage Parkway), being 4.040 acres of land in the E. Jones Survey, Abstract No. 625 (Stonehollow Homes, Owners; Spiars Engineering & Surveying, Civil Engineer/Surveyor; Lauren Helmberger, Representative; and Helvey-Wagner Surveying, Inc., Surveyor); Providing for a Penalty not to Exceed \$2,000.00
- D. 6. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6339**
Providing for Permanent "Stop" Signs on Brockett Street at Harrison Avenue, on Wells Avenue at Dewey Avenue (S.H. 11), on Burdette Avenue at Dewey Avenue (S.H. 11), on Andrews Avenue at Dewey Avenue (S.H. 11), on Oak Park Drive at Dewey Avenue (S.H. 11), and "All-Way Stop" Signs on College Street and Walnut Street, within the City Limits of the City of Sherman, Texas; Providing for a Penalty Provision
- D. 7. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6340**
Amending Chapter 3 of the Code of Ordinances, entitled "Building Regulations", Article 3.02, entitled "Building, Life Safety and Residential Codes", at Sections 3.02.001 and 3.02.002, Article 3.03, entitled "Electrical Code", at Section 3.03.141, Article 3.04, entitled "Gas Code", at Section 3.04.001, Article 3.05, entitled "Heating and Air-Conditioning Code", at Section 3.05.003, Article 3.06, entitled "Housing Code", at Sections 3.06.002 and 3.06.010, and Article 3.07, entitled "Plumbing Code", at Section 3.07.005
- D. 8. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6341**
Amending Chapter 5 of the Code of Ordinances, entitled "Fire Prevention and Protection", Article 5.05, entitled "Permit and Fire Service Fees", at Sections 5.05.001, 5.05.002 and 5.05.003
-



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E. 1.

Meeting Date: 12/07/2020

Prepared By: Terrence Steele, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6675**

Repealing and Replacing Resolution No. 6655; Establishing Salary Structures and Incentive/Certification Pay Schedules for Firefighters and Police Officers; Establishing Special Longevity Pay Schedules for Newly Hired Firefighters and Police Officers; Providing for an Effective Date

Issue:

The City Council is required by state law to establish salary structures and incentive/certification pay schedules for members of the classified service.

Background:

The City Council has authorized base salary, certification pay, and incentive pay for certain positions within the Police and Fire Departments. This resolution implements Police Department market salary adjustments, incentive pay, and certification pay for fiscal year 2020-2021 (FY2021), costs of which were approved by Council during the FY2021 budget development process.

Origination:

Mayor and City Council
City Manager

Financial Consideration:

Funds are available in the FY2021 budget for these pay amounts for Police Department personnel.

Staff Recommendation:

Staff recommends approval of the resolution.

Alternatives:

The City Council could choose not to approve the resolution, leaving unchanged the fire and police pay schedules adopted on September 21, 2020 by Resolution No. 6655.

Attachments

Resolution No. 6675

Redlined Version of Resolution

Resolution No. 6655 approved at the September 21, 2020 City Council Meeting

RESOLUTION NO. 6675

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING AND REPLACING RESOLUTION NO. 6655; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That Resolution No. 6655, passed and approved on the 21st day of September, 2020, is hereby repealed.

SECTION 2. That, from and after the effective date of the 16th day of December, 2020, the following salary structures and incentive/certification pay schedules will be adopted for the Sherman Fire Department and the Sherman Police Department:

FIRE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
FIREFIGHTER			
Entry	\$4,288.26	N/A	\$4,288.26
1 Year	\$4,288.26	\$441.84	\$4,730.11
2 Year	\$4,288.26	\$507.24	\$4,795.50
3 Year	\$4,288.26	\$572.62	\$4,860.89
4 Year	\$4,288.26	\$632.73	\$4,920.99
5 Year	\$4,288.26	\$775.19	\$5,063.45
ENGINEER			
Entry	\$5,458.82	N/A	\$5,458.82
1 Year	\$5,458.82	\$68.73	\$5,527.55
2 Year	\$5,458.82	\$138.01	\$5,596.83
CAPTAIN			
Entry	\$6,114.36	N/A	\$6,114.36
1 Year	\$6,114.36	\$75.68	\$6,190.04
BATTALION CHIEF			
Entry	\$6,741.24	N/A	\$6,741.24
1 Year	\$6,741.24	\$108.51	\$6,849.75

DIVISION CHIEF	\$7,628.59	N/A	\$7,628.59
ASSISTANT CHIEF	\$8,451.94	N/A	\$8,451.94
POLICE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
PATROLMAN			
Entry – Non-Certified	\$4,458.33	N/A	\$4,458.33
1 Year	\$4,458.33	\$208.34	\$4,666.67
2 Year	\$4,458.33	\$416.67	\$4,875.00
3 Year	\$4,458.33	\$791.67	\$5,250.00
4 Year	\$4,458.33	\$1,000.01	\$5,458.34
5 Year	\$4,458.33	\$1,208.34	\$5,666.67
6 Year	\$4,458.33	\$1,458.34	\$5,916.67
7 Year	\$4,458.33	\$1,666.67	\$6,125.00
CORPORAL			
Entry	\$6,250.00	N/A	\$6,250.00
1 Year	\$6,250.00	\$83.34	\$6,333.34
2 Year	\$6,250.00	\$166.67	\$6,416.67
3 Year	\$6,250.00	\$250.00	\$6,500.00
SERGEANT			
Entry	\$6,666.67	N/A	\$6,666.67
1 Year	\$6,666.67	\$208.33	\$6,875.00
2 Year	\$6,666.67	\$291.67	\$6,958.34
3 Year	\$6,666.67	\$416.67	\$7,083.34
LIEUTENANT			
Entry	\$7,166.67	N/A	\$7,166.67
1 Year	\$7,166.67	\$166.67	\$7,333.34
2 Year	\$7,166.67	\$333.33	\$7,500.00
3 Year	\$7,166.67	\$500.00	\$7,666.67
ASSISTANT CHIEF			
Entry	\$8,333.34	N/A	\$8,333.34
1 Year	\$8,333.34	\$291.67	\$8,625.01
2 Year	\$8,333.34	\$583.33	\$8,916.67
3 Year	\$8,333.34	\$833.33	\$9,166.67

SECTION 3. That, from and after the effective date of the 1st day of October, 2020, the following incentive/certification pay schedules shall be adopted for the Sherman Fire Department:

- (a) Each employee certified by the Texas Department of State Health Services as a Paramedic and who meets the Sherman Medical Director's prescribed Medical Standards for Medical Authorization shall receive \$125.00 per month Incentive/Certification Pay.

- (b) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Intermediate Firefighter shall receive \$104.00 per month Incentive/Certification Pay.
- (c) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Advanced Firefighter shall receive \$218.40 per month Incentive/Certification Pay.
- (d) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as a Master Firefighter shall receive \$318.40 per month Incentive/Certification Pay.
- (e) Incentive/Certification Pay shall only be paid for the highest Texas Commission on Fire Protection Personnel Standards and Education Certification achieved.
- (f) All Certifications shall be kept current to receive Incentive/Certification Pay.
- (g) Each employee who holds an Associates Degree from an accredited college or university shall receive \$75.00 per month Education Incentive Pay.
- (h) Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$175.00 per month Education Incentive Pay.
- (i) Each employee who holds a Masters Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
- (j) Education Incentive Pay shall only be paid for the highest degree received.

SECTION 4. That, from and after the effective date of the 1st day of October, 2020, the following incentive/certification pay schedules shall be adopted for the Sherman Police Department:

- (a) Employees hired prior to October 1, 2020 shall adopt the following incentive/certification pay schedule:
 - 1. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Intermediate Peace Officer shall receive \$75.00 per month Incentive/Certification Pay.
 - 2. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Advanced Peace Officer shall receive \$175.00 per month Incentive/Certification Pay.
 - 3. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as a Master Peace Officer shall receive \$275.00 per month Incentive/Certification Pay.

4. Incentive/Certification Pay shall only be paid for the highest Texas Commission on Law Enforcement Officer Standards and Education Certification achieved.
 5. Each employee who speaks Spanish as a second language, as certified and designated by the Police Chief, shall receive \$100.00 per month Incentive/Certification Pay.
 6. All Certifications shall be kept current to receive Incentive/Certification Pay.
 7. Each employee who holds an Associates Degree from an accredited college or university shall receive \$100.00 per month Education Incentive Pay.
 8. Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
 9. Each employee who holds a Masters Degree from an accredited college or university shall receive \$500.00 per month Education Incentive Pay.
 10. Education Incentive Pay shall only be paid for the highest degree received.
- (b) Employees hired after October 1, 2020 shall adopt the following incentive/certification pay schedule:
1. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Intermediate Peace Officer shall receive \$50.00 per month Incentive/Certification Pay.
 2. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Advanced Peace Officer shall receive \$100.00 per month Incentive/Certification Pay.
 3. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as a Master Peace Officer shall receive \$150.00 per month Incentive/Certification Pay.
 4. Incentive/Certification Pay shall only be paid for the highest Texas Commission on Law Enforcement Officer Standards and Education Certification achieved.
 5. Each employee who speaks Spanish as a second language, as certified and designated by the Police Chief, shall receive \$100.00 per month Incentive/Certification Pay.

6. All Certifications shall be kept current to receive Incentive/Certification Pay.
7. Each employee who holds an Associates Degree from an accredited college or university shall receive \$50.00 per month Education Incentive Pay.
8. Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$100.00 per month Education Incentive Pay.
9. Each employee who holds a Masters Degree from an accredited college or university shall receive \$200.00 per month Education Incentive Pay.
10. Education Incentive Pay shall only be paid for the highest degree received.

SECTION 5. That eligible pay types are authorized by the City Council below for patrolmen and firefighters.

(a) Seniority Pay – Lateral Entry (prior Police Experience):

1. Seniority Pay is authorized by Chapter 143.041 (c)(1) of the Texas Local Government Code.
2. Applicants for patrolmen positions who are hired after July 31, 2018 shall be eligible for Special Seniority Pay for lateral entry if they have at least two (2) years' continuous service as a paid, full-time certified peace officer, or comparable Military Police experience as approved by the Chief of Police, with the authority to enforce laws, investigate crimes, make arrests, respond to calls for service, carry a firearm, and use discretion as part of their assigned duties. A lateral entry applicant shall not have more than a one-year break in service from the time the applicant left employment as a certified peace officer, or Military Police service and, as of the last date, applications are accepted.
3. Starting Pay: The starting pay for lateral entry patrolmen with prior qualifying law enforcement experience will be determined based on the commensurate number of years of prior qualified service at their previous agency or agencies as of the last date applications are accepted.
 - i. Lateral entry patrolmen who have at least two (2) years of prior qualified service will start at two (2) years of service according to the Sherman Police Department pay schedule.
4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior law enforcement work experience will not be considered for promotional eligibility requirements, departmental

seniority or transfers. Department seniority for lateral patrolmen will begin on their most recent Civil Service hire date with the Sherman Police Department. Exception will be made for reappointed patrolmen in which seniority will include all time served as a paid Sherman Police Officer.

5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by police policies and Local Civil Service Commission Rules and Regulations. The Chief of Police shall make the final determination as to whether an applicant meets the criteria for the Police Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.
6. Longevity Pay: Sworn police employees shall be paid Longevity Pay in accordance with City policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.

(b) Seniority Pay – Lateral Entry (prior Fire Experience):

1. Seniority Pay is authorized by Chapter 143.041(c)(1) of the Texas Local Government Code.
2. Applicants for firefighter positions who are hired after December 16, 2018 shall be eligible for Special Longevity pay for lateral entry if they have at least one (1) year of continuous service as a paid, full time certified firefighter as approved by the Fire Chief. A lateral entry applicant shall not have more than a one (1) year break in service from the time the applicant left employment as a certified firefighter as of the date of hire.
3. Starting Pay: The starting pay for lateral firefighters will be determined based on the number of years of prior qualified service as of the date of hire.
 - i. Lateral entry firefighter's starting pay will be determined based on the commensurate number of years of qualified service at their previous agency or agencies as of the date of hire.
4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-Section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior fire work experience will not be considered for promotional eligibility requirements, departmental seniority or transfers. Departmental seniority for lateral entry firefighters will begin on their most recent Civil Service hire date with the Sherman Fire Department.
5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by fire department policies and Local Civil Service

Commission Rules and Regulations. The Fire Chief shall make the final determination as to whether an applicant meets the criteria for the Fire Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.

6. Longevity Pay: Fire department employees shall be paid Longevity Pay in accordance with City Policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.
7. Base pay for incumbent firefighters, hired prior to the adoption date of this Resolution who have at least one (1) year of prior qualified service will be increased to the commensurate number of years of service according to the Sherman Fire Department pay schedule.

SECTION 6. That detailed rules and regulations for qualifying standards, eligibility and administration of such pay types may be stated within the City and/or Police Department policies and/or Fire Department policies, and/or Local Civil Service Commission Rules and Regulations. Such policies are subject to change as needed and approved by the City Manager for purposes of City policies or by the Chief of Police for purposes for Police Department policies, by the Fire Chief for purposes of Fire Department policies, or by the Local Civil Service Commission for the purposes of Local Civil Service Commission Rules and Regulations.

SECTION 7. 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.

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

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

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

BY: _____
NAME: _____
CITY ATTORNEY

RESOLUTION NO. ~~6665~~

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ~~REVOKING REPEALING~~ AND REPLACING RESOLUTION NO. ~~6536 6655~~; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/ CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE; 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 Resolution No. ~~6536 6655~~, passed and approved on the ~~16th~~ **21st** day of September, ~~2019~~ **2020**, is hereby ~~revoked repealed~~.

SECTION 2. That, from and after the effective date of the ~~1st day of October, 2020~~ **16th day of December, 2020**, the following salary structures and incentive/certification pay schedules will be adopted for the Sherman Fire Department and the Sherman Police Department:

FIRE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
FIREFIGHTER			
Entry	\$4,288.26	N/A	\$4,288.26
1 Year	\$4,288.26	\$441.84	\$4,730.11
2 Year	\$4,288.26	\$507.24	\$4,795.50
3 Year	\$4,288.26	\$572.62	\$4,860.89
4 Year	\$4,288.26	\$632.73	\$4,920.99
5 Year	\$4,288.26	\$775.19	\$5,063.45
ENGINEER			
Entry	\$5,458.82	N/A	\$5,458.82
1 Year	\$5,458.82	\$68.73	\$5,527.55
2 Year	\$5,458.82	\$138.01	\$5,596.83
CAPTAIN			
Entry	\$6,114.36	N/A	\$6,114.36
1 Year	\$6,114.36	\$75.68	\$6,190.04
BATTALION CHIEF			
Entry	\$6,741.24	N/A	\$6,741.24
1 Year	\$6,741.24	\$108.51	\$6,849.75

DIVISION CHIEF	\$7,628.59	N/A	\$7,628.59
ASSISTANT CHIEF	\$8,451.94	N/A	\$8,451.94
POLICE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
PATROLMAN			
Entry – Non-Certified	\$4,455.54 \$4,458.33	N/A	\$4,455.54 \$4,458.33
1 Year	\$4,455.54 \$4,458.33	\$132.17 \$208.34	\$4,587.71 \$4,666.67
2 Year	\$4,455.54 \$4,458.33	\$328.76 \$416.67	\$4,784.30 \$4,875.00
3 Year	\$4,455.54 \$4,458.33	\$748.63 \$791.67	\$5,204.17 \$5,250.00
4 Year	\$4,455.54 \$4,458.33	\$917.46 \$1,000.01	\$5,373.00 \$5,458.34
5 Year	\$4,455.54 \$4,458.33	\$1,094.63 \$1,208.34	\$5,550.17 \$5,666.67
6 Year	\$4,455.54 \$4,458.33	\$1,279.13 \$1,458.34	\$5,734.67 \$5,916.67
7 Year	\$4,455.54 \$4,458.33	\$1,279.13 \$1,666.67	\$5,898.30 \$6,125.00
CORPORAL			
Entry	\$6,084.58 \$6,250.00	N/A	\$6,084.58 \$6,250.00
1 Year	\$6,084.58 \$6,250.00	\$41.67 \$83.34	\$6,126.25 \$6,333.34
2 Year	\$6,084.58 \$6,250.00	\$83.34 \$166.67	\$6,167.92 \$6,416.67
3 Year	\$6,084.58 \$6,250.00	\$125.00 \$250.00	\$6,209.58 \$6,500.00
SERGEANT			
Entry	\$6,543.25 \$6,666.67	N/A	\$6,543.25 \$6,666.67
1 Year	\$6,543.25 \$6,666.67	\$104.17 \$208.33	\$6,647.42 \$6,875.00
2 Year	\$6,543.25 \$6,666.67	\$145.84 \$291.67	\$6,689.09 \$6,958.34
3 Year	\$6,543.25 \$6,666.67	\$208.34 \$416.67	\$6,751.59 \$7,083.34
LIEUTENANT			
Entry	\$7,063.21 \$7,166.67	N/A	\$7,063.21 \$7,166.67
1 Year	\$7,063.21 \$7,166.67	\$83.34 \$166.67	\$7,146.55 \$7,333.34
2 Year	\$7,063.21 \$7,166.67	\$166.67 \$333.33	\$7,229.88 \$7,500.00
3 Year	\$7,063.21 \$7,166.67	\$250.00 \$500.00	\$7,313.21 \$7,666.67
ASSISTANT CHIEF			
Entry	\$8,315.50 \$8,333.34	N/A	\$8,315.50 \$8,333.34
1 Year	\$8,315.50 \$8,333.34	\$145.84 \$291.67	\$8,461.34 \$8,625.01
2 Year	\$8,315.50 \$8,333.34	\$291.67 \$583.33	\$8,607.17 \$8,916.67
3 Year	\$8,315.50 \$8,333.34	\$416.67 \$833.33	\$8,732.17 \$9,166.67

SECTION 3. That, from and after the effective date of the 1st day of October, 2020, the following incentive/certification pay schedules shall be adopted for the Sherman Fire Department:

- (a) Each employee certified by the Texas Department of State Health Services as a Paramedic and who meets the Sherman Medical Director's prescribed Medical Standards for Medical Authorization shall receive \$125.00 per month Incentive/Certification Pay.

- (b) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Intermediate Firefighter shall receive \$104.00 per month Incentive/Certification Pay.
- (c) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Advanced Firefighter shall receive \$218.40 per month Incentive/Certification Pay.
- (d) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as a Master Firefighter shall receive \$318.40 per month Incentive/Certification Pay.
- (e) Incentive/Certification Pay shall only be paid for the highest Texas Commission on Fire Protection Personnel Standards and Education Certification achieved.
- (f) All Certifications shall be kept current to receive Incentive/Certification Pay.
- (g) Each employee who holds an Associates Degree from an accredited college or university shall receive \$75.00 per month Education Incentive Pay.
- (h) Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$175.00 per month Education Incentive Pay.
- (i) Each employee who holds a Masters Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
- (j) Education Incentive Pay shall only be paid for the highest degree received.

SECTION 4. That, from and after the effective date of the 1st day of October, 2020, the following incentive/certification pay schedules shall be adopted for the Sherman Police Department:

- (a) Employees hired prior to October 1, 2020 shall adopt the following incentive/certification pay schedule:
 - 1. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Intermediate Peace Officer shall receive \$75.00 per month Incentive/Certification Pay.
 - 2. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Advanced Peace Officer shall receive \$175.00 per month Incentive/Certification Pay.
 - 3. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as a Master Peace Officer shall receive \$275.00 per month Incentive/Certification Pay.

4. Incentive/Certification Pay shall only be paid for the highest Texas Commission on Law Enforcement Officer Standards and Education Certification achieved.
 5. Each employee who speaks Spanish as a second language, as certified and designated by the Police Chief, shall receive \$100.00 per month Incentive/Certification Pay.
 6. All Certifications shall be kept current to receive Incentive/Certification Pay.
 7. Each employee who holds an Associates Degree from an accredited college or university shall receive \$100.00 per month Education Incentive Pay.
 8. Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
 9. Each employee who holds a Masters Degree from an accredited college or university shall receive \$500.00 per month Education Incentive Pay.
 10. Education Incentive Pay shall only be paid for the highest degree received.
- (b) Employees hired after October 1, 2020 shall adopt the following incentive/certification pay schedule:
1. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Intermediate Peace Officer shall receive \$50.00 per month Incentive/Certification Pay.
 2. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Advanced Peace Officer shall receive \$100.00 per month Incentive/Certification Pay.
 3. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as a Master Peace Officer shall receive \$150.00 per month Incentive/Certification Pay.
 4. Incentive/Certification Pay shall only be paid for the highest Texas Commission on Law Enforcement Officer Standards and Education Certification achieved.
 5. Each employee who speaks Spanish as a second language, as certified and designated by the Police Chief, shall receive \$100.00 per month Incentive/Certification Pay.

6. All Certifications shall be kept current to receive Incentive/Certification Pay.
7. Each employee who holds an Associates Degree from an accredited college or university shall receive \$50.00 per month Education Incentive Pay.
8. Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$100.00 per month Education Incentive Pay.
9. Each employee who holds a Masters Degree from an accredited college or university shall receive \$200.00 per month Education Incentive Pay.
10. Education Incentive Pay shall only be paid for the highest degree received.

SECTION 5. That eligible pay types are authorized by the City Council below for patrolmen and firefighters.

(a) Seniority Pay – Lateral Entry (prior Police Experience):

1. Seniority Pay is authorized by Chapter 143.041 (c)(1) of the Texas Local Government Code.
2. Applicants for patrolmen positions who are hired after July 31, 2018 shall be eligible for Special Seniority Pay for lateral entry if they have at least two (2) years' continuous service as a paid, full-time certified peace officer, or comparable Military Police experience as approved by the Chief of Police, with the authority to enforce laws, investigate crimes, make arrests, respond to calls for service, carry a firearm, and use discretion as part of their assigned duties. A lateral entry applicant shall not have more than a one-year break in service from the time the applicant left employment as a certified peace officer, or Military Police service and, as of the last date, applications are accepted.
3. Starting Pay: The starting pay for lateral entry patrolmen with prior qualifying law enforcement experience will be determined based on the commensurate number of years of prior qualified service at their previous agency or agencies as of the last date applications are accepted.
 - i. Lateral entry patrolmen who have at least two (2) years of prior qualified service will start at two (2) years of service according to the Sherman Police Department pay schedule.
4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior law enforcement work experience will not be considered for promotional eligibility requirements, departmental

seniority or transfers. Department seniority for lateral patrolmen will begin on their most recent Civil Service hire date with the Sherman Police Department. Exception will be made for reappointed patrolmen in which seniority will include all time served as a paid Sherman Police Officer.

5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by police policies and Local Civil Service Commission Rules and Regulations. The Chief of Police shall make the final determination as to whether an applicant meets the criteria for the Police Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.
6. Longevity Pay: Sworn police employees shall be paid Longevity Pay in accordance with City policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.

(b) Seniority Pay – Lateral Entry (prior Fire Experience):

1. Seniority Pay is authorized by Chapter 143.041(c)(1) of the Texas Local Government Code.
2. Applicants for firefighter positions who are hired after December 16, 2018 shall be eligible for Special Longevity pay for lateral entry if they have at least one (1) year of continuous service as a paid, full time certified firefighter as approved by the Fire Chief. A lateral entry applicant shall not have more than a one (1) year break in service from the time the applicant left employment as a certified firefighter as of the date of hire.
3. Starting Pay: The starting pay for lateral firefighters will be determined based on the number of years of prior qualified service as of the date of hire.
 - i. Lateral entry firefighter's starting pay will be determined based on the commensurate number of years of qualified service at their previous agency or agencies as of the date of hire.
4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-Section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior fire work experience will not be considered for promotional eligibility requirements, departmental seniority or transfers. Departmental seniority for lateral entry firefighters will begin on their most recent Civil Service hire date with the Sherman Fire Department.
5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by fire department policies and Local Civil Service

Commission Rules and Regulations. The Fire Chief shall make the final determination as to whether an applicant meets the criteria for the Fire Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.

6. Longevity Pay: Fire department employees shall be paid Longevity Pay in accordance with City Policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.
7. Base pay for incumbent firefighters, hired prior to the adoption date of this Resolution who have at least one (1) year of prior qualified service will be increased to the commensurate number of years of service according to the Sherman Fire Department pay schedule.

SECTION 6. That detailed rules and regulations for qualifying standards, eligibility and administration of such pay types may be stated within the City and/or Police Department policies and/or Fire Department policies, and/or Local Civil Service Commission Rules and Regulations. Such policies are subject to change as needed and approved by the City Manager for purposes of City policies or by the Chief of Police for purposes for Police Department policies, by the Fire Chief for purposes of Fire Department policies, or by the Local Civil Service Commission for the purposes of Local Civil Service Commission Rules and Regulations.

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

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

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

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

BY: _____
NAME: _____
CITY ATTORNEY

RESOLUTION NO. 6655

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVOKING AND REPLACING RESOLUTION NO. 6536; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE; 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 Resolution No. 6536, passed and approved on the 16th day of September, 2019, is hereby revoked.

SECTION 2. That, from and after the effective date of the 1st day of October, 2020, the following salary structures and incentive/certification pay schedules will be adopted for the Sherman Fire Department and the Sherman Police Department:

FIRE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
FIREFIGHTER			
Entry	\$4,288.26	N/A	\$4,288.26
1 Year	\$4,288.26	\$441.84	\$4,730.11
2 Year	\$4,288.26	\$507.24	\$4,795.50
3 Year	\$4,288.26	\$572.62	\$4,860.89
4 Year	\$4,288.26	\$632.73	\$4,920.99
5 Year	\$4,288.26	\$775.19	\$5,063.45
ENGINEER			
Entry	\$5,458.82	N/A	\$5,458.82
1 Year	\$5,458.82	\$68.73	\$5,527.55
2 Year	\$5,458.82	\$138.01	\$5,596.83
CAPTAIN			
Entry	\$6,114.36	N/A	\$6,114.36
1 Year	\$6,114.36	\$75.68	\$6,190.04
BATTALION CHIEF			
Entry	\$6,741.24	N/A	\$6,741.24
1 Year	\$6,741.24	\$108.51	\$6,849.75

DIVISION CHIEF	\$7,628.59	N/A	\$7,628.59
ASSISTANT CHIEF	\$8,451.94	N/A	\$8,451.94
POLICE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
PATROLMAN			
Entry – Non-Certified	\$4,455.54	N/A	\$4,455.54
1 Year	\$4,455.54	\$132.17	\$4,587.71
2 Year	\$4,455.54	\$328.76	\$4,784.30
3 Year	\$4,455.54	\$748.63	\$5,204.17
4 Year	\$4,455.54	\$917.46	\$5,373.00
5 Year	\$4,455.54	\$1,094.63	\$5,550.17
6 Year	\$4,455.54	\$1,279.13	\$5,734.67
7 Year	\$4,455.54	\$1,279.13	\$5,898.30
CORPORAL			
Entry	\$6,084.58	N/A	\$6,084.58
1 Year	\$6,084.58	\$41.67	\$6,126.25
2 Year	\$6,084.58	\$83.34	\$6,167.92
3 Year	\$6,084.58	\$125.00	\$6,209.58
SERGEANT			
Entry	\$6,543.25	N/A	\$6,543.25
1 Year	\$6,543.25	\$104.17	\$6,647.42
2 Year	\$6,543.25	\$145.84	\$6,689.09
3 Year	\$6,543.25	\$208.34	\$6,751.59
LIEUTENANT			
Entry	\$7,063.21	N/A	\$7,063.21
1 Year	\$7,063.21	\$83.34	\$7,146.55
2 Year	\$7,063.21	\$166.67	\$7,229.88
3 Year	\$7,063.21	\$250.00	\$7,313.21
ASSISTANT CHIEF			
Entry	\$8,315.50	N/A	\$8,315.50
1 Year	\$8,315.50	\$145.84	\$8,461.34
2 Year	\$8,315.50	\$291.67	\$8,607.17
3 Year	\$8,315.50	\$416.67	\$8,732.17

SECTION 3. That, from and after the effective date of the 1st day of October, 2020, the following incentive/certification pay schedules shall be adopted for the Sherman Fire Department:

- (a) Each employee certified by the Texas Department of State Health Services as a Paramedic and who meets the Sherman Medical Director's prescribed Medical Standards for Medical Authorization shall receive \$125.00 per month Incentive/Certification Pay.

- (b) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Intermediate Firefighter shall receive \$104.00 per month Incentive/Certification Pay.
- (c) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Advanced Firefighter shall receive \$218.40 per month Incentive/Certification Pay.
- (d) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as a Master Firefighter shall receive \$318.40 per month Incentive/Certification Pay.
- (e) Incentive/Certification Pay shall only be paid for the highest Texas Commission on Fire Protection Personnel Standards and Education Certification achieved.
- (f) All Certifications shall be kept current to receive Incentive/Certification Pay.
- (g) Each employee who holds an Associates Degree from an accredited college or university shall receive \$75.00 per month Education Incentive Pay.
- (h) Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$175.00 per month Education Incentive Pay.
- (i) Each employee who holds a Masters Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
- (j) Education Incentive Pay shall only be paid for the highest degree received.

SECTION 4. That, from and after the effective date of the 1st day of October, 2020, the following incentive/certification pay schedules shall be adopted for the Sherman Police Department:

- (a) Employees hired prior to October 1, 2020 shall adopt the following incentive/certification pay schedule:
 - 1. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Intermediate Peace Officer shall receive \$75.00 per month Incentive/Certification Pay.
 - 2. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Advanced Peace Officer shall receive \$175.00 per month Incentive/Certification Pay.
 - 3. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as a Master Peace Officer shall receive \$275.00 per month Incentive/Certification Pay.

4. Incentive/Certification Pay shall only be paid for the highest Texas Commission on Law Enforcement Officer Standards and Education Certification achieved.
 5. Each employee who speaks Spanish as a second language, as certified and designated by the Police Chief, shall receive \$100.00 per month Incentive/Certification Pay.
 6. All Certifications shall be kept current to receive Incentive/Certification Pay.
 7. Each employee who holds an Associates Degree from an accredited college or university shall receive \$100.00 per month Education Incentive Pay.
 8. Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
 9. Each employee who holds a Masters Degree from an accredited college or university shall receive \$500.00 per month Education Incentive Pay.
 10. Education Incentive Pay shall only be paid for the highest degree received.
- (b) Employees hired after October 1, 2020 shall adopt the following incentive/certification pay schedule:
1. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Intermediate Peace Officer shall receive \$50.00 per month Incentive/Certification Pay.
 2. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Advanced Peace Officer shall receive \$100.00 per month Incentive/Certification Pay.
 3. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as a Master Peace Officer shall receive \$150.00 per month Incentive/Certification Pay.
 4. Incentive/Certification Pay shall only be paid for the highest Texas Commission on Law Enforcement Officer Standards and Education Certification achieved.
 5. Each employee who speaks Spanish as a second language, as certified and designated by the Police Chief, shall receive \$100.00 per month Incentive/Certification Pay.

6. All Certifications shall be kept current to receive Incentive/Certification Pay.
7. Each employee who holds an Associates Degree from an accredited college or university shall receive \$50.00 per month Education Incentive Pay.
8. Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$100.00 per month Education Incentive Pay.
9. Each employee who holds a Masters Degree from an accredited college or university shall receive \$200.00 per month Education Incentive Pay.
10. Education Incentive Pay shall only be paid for the highest degree received.

SECTION 5. That eligible pay types are authorized by the City Council below for patrolmen and firefighters.

(a) Seniority Pay – Lateral Entry (prior Police Experience):

1. Seniority Pay is authorized by Chapter 143.041 (c)(1) of the Texas Local Government Code.
2. Applicants for patrolmen positions who are hired after July 31, 2018 shall be eligible for Special Seniority Pay for lateral entry if they have at least two (2) years' continuous service as a paid, full-time certified peace officer, or comparable Military Police experience as approved by the Chief of Police, with the authority to enforce laws, investigate crimes, make arrests, respond to calls for service, carry a firearm, and use discretion as part of their assigned duties. A lateral entry applicant shall not have more than a one-year break in service from the time the applicant left employment as a certified peace officer, or Military Police service and, as of the last date, applications are accepted.
3. Starting Pay: The starting pay for lateral entry patrolmen with prior qualifying law enforcement experience will be determined based on the commensurate number of years of prior qualified service at their previous agency or agencies as of the last date applications are accepted.
 - i. Lateral entry patrolmen who have at least two (2) years of prior qualified service will start at two (2) years of service according to the Sherman Police Department pay schedule.
4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior law enforcement work experience will not be considered for promotional eligibility requirements, departmental

seniority or transfers. Department seniority for lateral patrolmen will begin on their most recent Civil Service hire date with the Sherman Police Department. Exception will be made for reappointed patrolmen in which seniority will include all time served as a paid Sherman Police Officer.

5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by police policies and Local Civil Service Commission Rules and Regulations. The Chief of Police shall make the final determination as to whether an applicant meets the criteria for the Police Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.
6. Longevity Pay: Sworn police employees shall be paid Longevity Pay in accordance with City policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.

(b) Seniority Pay – Lateral Entry (prior Fire Experience):

1. Seniority Pay is authorized by Chapter 143.041(c)(1) of the Texas Local Government Code.
2. Applicants for firefighter positions who are hired after December 16, 2018 shall be eligible for Special Longevity pay for lateral entry if they have at least one (1) year of continuous service as a paid, full time certified firefighter as approved by the Fire Chief. A lateral entry applicant shall not have more than a one (1) year break in service from the time the applicant left employment as a certified firefighter as of the date of hire.
3. Starting Pay: The starting pay for lateral firefighters will be determined based on the number of years of prior qualified service as of the date of hire.
 - i. Lateral entry firefighter's starting pay will be determined based on the commensurate number of years of qualified service at their previous agency or agencies as of the date of hire.
4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-Section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior fire work experience will not be considered for promotional eligibility requirements, departmental seniority or transfers. Departmental seniority for lateral entry firefighters will begin on their most recent Civil Service hire date with the Sherman Fire Department.
5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by fire department policies and Local Civil Service

Commission Rules and Regulations. The Fire Chief shall make the final determination as to whether an applicant meets the criteria for the Fire Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.

6. Longevity Pay: Fire department employees shall be paid Longevity Pay in accordance with City Policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.
7. Base pay for incumbent firefighters, hired prior to the adoption date of this Resolution who have at least one (1) year of prior qualified service will be increased to the commensurate number of years of service according to the Sherman Fire Department pay schedule.

SECTION 6. That detailed rules and regulations for qualifying standards, eligibility and administration of such pay types may be stated within the City and/or Police Department policies and/or Fire Department policies, and/or Local Civil Service Commission Rules and Regulations. Such policies are subject to change as needed and approved by the City Manager for purposes of City policies or by the Chief of Police for purposes for Police Department policies, by the Fire Chief for purposes of Fire Department policies, or by the Local Civil Service Commission for the purposes of Local Civil Service Commission Rules and Regulations.

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

PASSED AND APPROVED on this the 21st day of September, 2020.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: Linda Ashby
LINDA ASHBY, CITY CLERK

BY: David Plyler
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: Brandon S. Shelby
**BRANDON S. SHELBY,
CITY ATTORNEY**

RESOLUTION NO. 6536

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVOKING AND REPLACING RESOLUTION NO. 6448 6536; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE; 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 Resolution No. 6448 6536, passed and approved on the ~~17th day of December, 2018~~ 16th day of September, 2019, is hereby revoked.

SECTION 2. That, from and after the effective date of the 1st day of October, 2019 2020, the following salary structures and incentive/certification pay schedules will be adopted for the Sherman Fire Department and the Sherman Police Department:

FIRE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
FIREFIGHTER			
Entry	\$4,288.26	N/A	\$4,288.26
1 Year	\$4,288.26	\$441.84	\$4,730.11
2 Year	\$4,288.26	\$507.24	\$4,795.50
3 Year	\$4,288.26	\$572.62	\$4,860.89
4 Year	\$4,288.26	\$632.73	\$4,920.99
5 Year	\$4,288.26	\$775.19	\$5,063.45
ENGINEER			
Entry	\$5,458.82	N/A	\$5,458.82
1 Year	\$5,458.82	\$68.73	\$5,527.55
2 Year	\$5,458.82	\$138.01	\$5,596.83
CAPTAIN			
Entry	\$6,114.36	N/A	\$6,114.36
1 Year	\$6,114.36	\$75.68	\$6,190.04
BATTALION CHIEF			
Entry	\$6,741.24	N/A	\$6,741.24
1 Year	\$6,741.24	\$108.51	\$6,849.75

DIVISION CHIEF	\$7,628.59	N/A	\$7,628.59
ASSISTANT CHIEF	\$8,451.94	N/A	\$8,451.94
POLICE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
PATROLMAN			
Entry – Non-Certified	\$4,129.48 \$4,455.54	N/A	\$4,129.48 \$4,455.54
Entry – Certified	\$4,452.73	N/A	\$4,452.73
1 Year	\$4,452.73 \$4,455.54	\$55.81 \$132.17	\$4,508.54 \$4,587.71
2 Year	\$4,452.73 \$4,455.54	\$233.27 \$328.76	\$4,686.00 \$4,784.30
3 Year	\$4,452.73 \$4,455.54	\$705.59 \$748.63	\$5,158.32 \$5,204.17
4 Year	\$4,452.73 \$4,455.54	\$834.97 \$917.46	\$5,287.70 \$5,373.00
5 Year	\$4,452.73 \$4,455.54	\$980.95 \$1,094.63	\$5,433.68 \$5,550.17
6 Year	\$4,455.54	\$1,279.13	\$5,734.67
7 Year	\$4,455.54	\$1,279.13	\$5,898.30
10 Year	\$4,452.73	\$1,099.91	\$5,552.64
20 Year	\$4,452.73	\$1,218.86	\$5,671.59
CORPORAL			
Entry	\$5,919.16 \$6,084.58	N/A	\$5,919.16 \$6,084.58
1 Year	\$6,084.58	\$41.67	\$6,126.25
2 Year	\$6,084.58	\$83.34	\$6,167.92
3 Year	\$6,084.58	\$125.00	\$6,209.58
SERGEANT			
Entry	\$6,419.87 \$6,543.25	N/A	\$6,419.87 \$6,543.25
1 Year	\$6,543.25	\$104.17	\$6,647.42
2 Year	\$6,543.25	\$145.84	\$6,689.09
3 Year	\$6,543.25	\$208.34	\$6,751.59
LIEUTENANT			
Entry	\$6,959.77 \$7,063.21	N/A	\$6,959.77 \$7,063.21
1 Year	\$7,063.21	\$83.34	\$7,146.55
2 Year	\$7,063.21	\$166.67	\$7,229.88
3 Year	\$7,063.21	\$250.00	\$7,313.21
ASSISTANT CHIEF			
Entry	\$8,297.68 \$8,315.50	N/A	\$8,297.68 \$8,315.50
1 Year	\$8,315.50	\$145.84	\$8,461.34
2 Year	\$8,315.50	\$291.67	\$8,607.17
3 Year	\$8,315.50	\$416.67	\$8,732.17

SECTION 3. That, from and after the effective date of the 1st day of October, ~~2019~~ 2020, the following incentive/certification pay schedules shall be adopted for the Sherman Fire Department:

- (a) Each employee certified by the Texas Department of State Health Services as a Paramedic and who meets the Sherman Medical Director's prescribed Medical

Standards for Medical Authorization shall receive \$125.00 per month Incentive/Certification Pay.

- (b) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Intermediate Firefighter shall receive \$104.00 per month Incentive/Certification Pay.
- (c) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Advanced Firefighter shall receive \$218.40 per month Incentive/Certification Pay.
- (d) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as a Master Firefighter shall receive \$318.40 per month Incentive/Certification Pay.
- (e) Incentive/Certification Pay shall only be paid for the highest Texas Commission on Fire Protection Personnel Standards and Education Certification achieved.
- (f) All Certifications shall be kept current to receive Incentive/Certification Pay.
- (g) Each employee who holds an Associates Degree from an accredited college or university shall receive \$75.00 per month Education Incentive Pay.
- (h) Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$175.00 per month Education Incentive Pay.
- (i) Each employee who holds a Masters Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
- (j) Education Incentive Pay shall only be paid for the highest degree received.

SECTION 4. That, from and after the effective date of the 1st day of October, ~~2019~~ 2020, the following incentive/certification pay schedules shall be adopted for the Sherman Police Department:

- (a) *Employees hired prior to October 1, 2020 shall adopt the following incentive/certification pay schedule:*
 - ~~(a)~~ 1. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Intermediate Peace Officer shall receive \$75.00 per month Incentive/Certification Pay.
 - ~~(b)~~ 2. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Advanced Peace Officer shall receive \$175.00 per month Incentive/Certification Pay.

- ~~(e)~~ 3. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as a Master Peace Officer shall receive \$275.00 per month Incentive/Certification Pay.
 - ~~(d)~~ 4. Incentive/Certification Pay shall only be paid for the highest Texas Commission on Law Enforcement Officer Standards and Education Certification achieved.
 - ~~(e)~~ 5. Each employee who speaks Spanish as a second language, as certified and designated by the Police Chief, shall receive \$100.00 per month Incentive/Certification Pay.
 - ~~(f)~~ 6. All Certifications shall be kept current to receive Incentive/Certification Pay.
 - ~~(g)~~ 7. Each employee who holds an Associates Degree from an accredited college or university shall receive \$100.00 per month Education Incentive Pay.
 - ~~(h)~~ 8. Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
 - ~~(i)~~ 9. Each employee who holds a Masters Degree from an accredited college or university shall receive \$500.00 per month Education Incentive Pay.
 - ~~(j)~~ 10. Education Incentive Pay shall only be paid for the highest degree received.
- (b) Employees hired after October 1, 2020 shall adopt the following incentive/certification pay schedule:*
- 1. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Intermediate Peace Officer shall receive \$50.00 per month Incentive/Certification Pay.*
 - 2. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Advanced Peace Officer shall receive \$100.00 per month Incentive/Certification Pay.*
 - 3. Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as a Master Peace Officer shall receive \$150.00 per month Incentive/Certification Pay.*
 - 4. Incentive/Certification Pay shall only be paid for the highest Texas Commission on Law Enforcement Officer Standards and Education Certification achieved.*

5. *Each employee who speaks Spanish as a second language, as certified and designated by the Police Chief, shall receive \$100.00 per month Incentive/Certification Pay.*
6. *All Certifications shall be kept current to receive Incentive/Certification Pay.*
7. *Each employee who holds an Associates Degree from an accredited college or university shall receive \$50.00 per month Education Incentive Pay.*
8. *Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$100.00 per month Education Incentive Pay.*
9. *Each employee who holds a Masters Degree from an accredited college or university shall receive \$200.00 per month Education Incentive Pay.*
10. *Education Incentive Pay shall only be paid for the highest degree received.*

SECTION 5. That eligible pay types are authorized by the City Council below for patrolmen and firefighters.

(a) Seniority Pay – Lateral Entry (prior Police Experience):

1. Seniority Pay is authorized by Chapter 143.041 (c)(1) of the Texas Local Government Code.
2. Applicants for patrolmen positions who are hired after July 31, 2018 shall be eligible for Special Seniority Pay for lateral entry if they have at least two (2) years' continuous service as a paid, full-time certified peace officer, or comparable Military Police experience as approved by the Chief of Police, with the authority to enforce laws, investigate crimes, make arrests, respond to calls for service, carry a firearm, and use discretion as part of their assigned duties. A lateral entry applicant shall not have more than a one-year break in service from the time the applicant left employment as a certified peace officer, or Military Police service and, as of the last date, applications are accepted.
3. Starting Pay: The starting pay for lateral entry patrolmen with prior qualifying law enforcement experience will be determined based on the commensurate number of years of prior qualified service at their previous agency or agencies as of the last date applications are accepted.
 - i. Lateral entry patrolmen who have at least two (2) years of prior qualified service will start at two (2) years of service according to the Sherman Police Department pay schedule.

4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior law enforcement work experience will not be considered for promotional eligibility requirements, departmental seniority or transfers. Department seniority for lateral patrolmen will begin on their most recent Civil Service hire date with the Sherman Police Department. Exception will be made for reappointed patrolmen in which seniority will include all time served as a paid Sherman Police Officer.
5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by police policies and Local Civil Service Commission Rules and Regulations. The Chief of Police shall make the final determination as to whether an applicant meets the criteria for the Police Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.
6. Longevity Pay: Sworn police employees shall be paid Longevity Pay in accordance with City policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.

(b) Seniority Pay – Lateral Entry (prior Fire Experience):

1. Seniority Pay is authorized by Chapter 143.041(c)(1) of the Texas Local Government Code.
2. Applicants for firefighter positions who are hired after December 16, 2018 shall be eligible for Special Longevity pay for lateral entry if they have at least one (1) year of continuous service as a paid, full time certified firefighter as approved by the Fire Chief. A lateral entry applicant shall not have more than a one (1) year break in service from the time the applicant left employment as a certified firefighter as of the date of hire.
3. Starting Pay: The starting pay for lateral firefighters will be determined based on the number of years of prior qualified service as of the date of hire.
 - i. Lateral entry firefighter's starting pay will be determined based on the commensurate number of years of qualified service at their previous agency or agencies as of the date of hire.
4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-Section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior fire work experience will not be considered for promotional eligibility requirements, departmental seniority or transfers.

Departmental seniority for lateral entry firefighters will begin on their most recent Civil Service hire date with the Sherman Fire Department.

5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by fire department policies and Local Civil Service Commission Rules and Regulations. The Fire Chief shall make the final determination as to whether an applicant meets the criteria for the Fire Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.
6. Longevity Pay: Fire department employees shall be paid Longevity Pay in accordance with City Policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.
7. Base pay for incumbent firefighters, hired prior to the adoption date of this Resolution who have at least one (1) year of prior qualified service will be increased to the commensurate number of years of service according to the Sherman Fire Department pay schedule.

SECTION 6. That detailed rules and regulations for qualifying standards, eligibility and administration of such pay types may be stated within the City and/or Police Department policies and/or Fire Department policies, and/or Local Civil Service Commission Rules and Regulations. Such policies are subject to change as needed and approved by the City Manager for purposes of City policies or by the Chief of Police for purposes for Police Department policies, by the Fire Chief for purposes of Fire Department policies, or by the Local Civil Service Commission for the purposes of Local Civil Service Commission Rules and Regulations.

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

PASSED AND APPROVED on this the _____ day of _____, ~~2019~~
~~2020~~.

CITY OF SHERMAN, TEXAS

BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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

RESOLUTION NO. 6536

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REVOKING AND REPLACING RESOLUTION NO. 6448; ESTABLISHING SALARY STRUCTURES AND INCENTIVE/CERTIFICATION PAY SCHEDULES FOR FIREFIGHTERS AND POLICE OFFICERS; ESTABLISHING SPECIAL LONGEVITY PAY SCHEDULES FOR NEWLY HIRED FIREFIGHTERS AND POLICE OFFICERS; PROVIDING FOR AN EFFECTIVE DATE; 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 Resolution No. 6448, passed and approved on the 17th day of December, 2018, is hereby revoked.

SECTION 2. That, from and after the effective date of the 1st day of October, 2019, the following salary structures and incentive/certification pay schedules will be adopted for the Sherman Fire Department and the Sherman Police Department:

FIRE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
FIREFIGHTER			
Entry	\$4,288.26	N/A	\$4,288.26
1 Year	\$4,288.26	\$441.84	\$4,730.11
2 Year	\$4,288.26	\$507.24	\$4,795.50
3 Year	\$4,288.26	\$572.62	\$4,860.89
4 Year	\$4,288.26	\$632.73	\$4,920.99
5 Year	\$4,288.26	\$775.19	\$5,063.45
ENGINEER			
Entry	\$5,458.82	N/A	\$5,458.82
1 Year	\$5,458.82	\$68.73	\$5,527.55
2 Year	\$5,458.82	\$138.01	\$5,596.83
CAPTAIN			
Entry	\$6,114.36	N/A	\$6,114.36
1 Year	\$6,114.36	\$75.68	\$6,190.04
BATTALION CHIEF			
Entry	\$6,741.24	N/A	\$6,741.24
1 Year	\$6,741.24	\$108.51	\$6,849.75

DIVISION CHIEF	\$7,628.59	N/A	\$7,628.59
ASSISTANT CHIEF	\$8,451.94	N/A	\$8,451.94
POLICE DEPARTMENT CLASSIFICATION	MONTHLY BASE SALARY	MONTHLY STEP PAY	TOTAL
PATROLMAN			
Entry – Non-Certified	\$4,129.48	N/A	\$4,129.48
Entry – Certified	\$4,452.73	N/A	\$4,452.73
1 Year	\$4,452.73	\$55.81	\$4,508.54
2 Year	\$4,452.73	\$233.27	\$4,686.00
3 Year	\$4,452.73	\$705.59	\$5,158.32
4 Year	\$4,452.73	\$834.97	\$5,287.70
5 Year	\$4,452.73	\$980.95	\$5,433.68
10 Year	\$4,452.73	\$1,099.91	\$5,552.64
20 Year	\$4,452.73	\$1,218.86	\$5,671.59
CORPORAL	\$5,919.16	N/A	\$5,919.16
SERGEANT	\$6,419.87	N/A	\$6,419.87
LIEUTENANT	\$6,959.77	N/A	\$6,959.77
ASSISTANT CHIEF	\$8,297.68	N/A	\$8,297.68

SECTION 3. That, from and after the effective date of the 1st day of October, 2019, the following incentive/certification pay schedules shall be adopted for the Sherman Fire Department:

- (a) Each employee certified by the Texas Department of State Health Services as a Paramedic and who meets the Sherman Medical Director's prescribed Medical Standards for Medical Authorization shall receive \$125.00 per month Incentive/Certification Pay.
- (b) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Intermediate Firefighter shall receive \$104.00 per month Incentive/Certification Pay.
- (c) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as an Advanced Firefighter shall receive \$218.40 per month Incentive/Certification Pay.

- (d) Each employee who is certified by the Texas Commission on Fire Protection Personnel Standards and Education as a Master Firefighter shall receive \$318.40 per month Incentive/Certification Pay.
- (e) Incentive/Certification Pay shall only be paid for the highest Texas Commission on Fire Protection Personnel Standards and Education Certification achieved.
- (f) All Certifications shall be kept current to receive Incentive/Certification Pay.
- (g) Each employee who holds an Associates Degree from an accredited college or university shall receive \$75.00 per month Education Incentive Pay.
- (h) Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$175.00 per month Education Incentive Pay.
- (i) Each employee who holds a Masters Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
- (j) Education Incentive Pay shall only be paid for the highest degree received.

SECTION 4. That, from and after the effective date of the 1st day of October, 2019, the following incentive/certification pay schedules shall be adopted for the Sherman Police Department:

- (a) Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Intermediate Peace Officer shall receive \$75.00 per month Incentive/Certification Pay.
- (b) Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as an Advanced Peace Officer shall receive \$175.00 per month Incentive/Certification Pay.
- (c) Each employee certified by the Texas Commission on Law Enforcement Officer Standards and Education as a Master Peace Officer shall receive \$275.00 per month Incentive/Certification Pay.
- (d) Incentive/Certification Pay shall only be paid for the highest Texas Commission on Law Enforcement Officer Standards and Education Certification achieved.
- (e) Each employee who speaks Spanish as a second language, as certified and designated by the Police Chief, shall receive \$100.00 per month Incentive/Certification Pay.
- (f) All Certifications shall be kept current to receive Incentive/Certification Pay.

- (g) Each employee who holds an Associates Degree from an accredited college or university shall receive \$100.00 per month Education Incentive Pay.
- (h) Each employee who holds a Bachelors Degree from an accredited college or university shall receive \$250.00 per month Education Incentive Pay.
- (i) Each employee who holds a Masters Degree from an accredited college or university shall receive \$500.00 per month Education Incentive Pay.
- (j) Education Incentive Pay shall only be paid for the highest degree received.

SECTION 5. That eligible pay types are authorized by the City Council below for patrolmen and firefighters.

(a) Seniority Pay – Lateral Entry (prior Police Experience):

1. Seniority Pay is authorized by Chapter 143.041 (c)(1) of the Texas Local Government Code.
2. Applicants for patrolmen positions who are hired after July 31, 2018 shall be eligible for Special Seniority Pay for lateral entry if they have at least two (2) years' continuous service as a paid, full-time certified peace officer, or comparable Military Police experience as approved by the Chief of Police, with the authority to enforce laws, investigate crimes, make arrests, respond to calls for service, carry a firearm, and use discretion as part of their assigned duties. A lateral entry applicant shall not have more than a one-year break in service from the time the applicant left employment as a certified peace officer, or Military Police service and, as of the last date, applications are accepted.
3. Starting Pay: The starting pay for lateral entry patrolmen with prior qualifying law enforcement experience will be determined based on the commensurate number of years of prior qualified service at their previous agency or agencies as of the last date applications are accepted.
 - i. Lateral entry patrolmen who have at least two (2) years of prior qualified service will start at two (2) years of service according to the Sherman Police Department pay schedule.
4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior law enforcement work experience will not be considered for promotional eligibility requirements, departmental seniority or transfers. Department seniority for lateral patrolmen will begin on their most recent Civil Service hire date with the Sherman Police

Department. Exception will be made for reappointed patrolmen in which seniority will include all time served as a paid Sherman Police Officer.

5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by police policies and Local Civil Service Commission Rules and Regulations. The Chief of Police shall make the final determination as to whether an applicant meets the criteria for the Police Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.
6. Longevity Pay: Sworn police employees shall be paid Longevity Pay in accordance with City policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.

(b) Seniority Pay – Lateral Entry (prior Fire Experience):

1. Seniority Pay is authorized by Chapter 143.041(c)(1) of the Texas Local Government Code.
2. Applicants for firefighter positions who are hired after December 16, 2018 shall be eligible for Special Longevity pay for lateral entry if they have at least one (1) year of continuous service as a paid, full time certified firefighter as approved by the Fire Chief. A lateral entry applicant shall not have more than a one (1) year break in service from the time the applicant left employment as a certified firefighter as of the date of hire.
3. Starting Pay: The starting pay for lateral firefighters will be determined based on the number of years of prior qualified service as of the date of hire.
 - i. Lateral entry firefighter's starting pay will be determined based on the commensurate number of years of qualified service at their previous agency or agencies as of the date of hire.
4. Departmental Seniority Impact: The Lateral Entry Program described in this Sub-Section is for seniority pay purposes only to determine placement into the existing pay schedule. Prior fire work experience will not be considered for promotional eligibility requirements, departmental seniority or transfers. Departmental seniority for lateral entry firefighters will begin on their most recent Civil Service hire date with the Sherman Fire Department.
5. Requirements: Guidelines and administration for eligibility for lateral entry shall be governed by fire department policies and Local Civil Service Commission Rules and Regulations. The Fire Chief shall make the final determination as to whether an applicant meets the criteria for the Fire

Lateral Entry Program; and the Chief's decision shall be final and non-appealable to the Civil Service Commission or to any court.

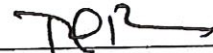
6. Longevity Pay: Fire department employees shall be paid Longevity Pay in accordance with City Policy, Chapter 142 of the Texas Local Government Code, and as permitted under Chapter 143.041(c)(1) of the Texas Local Government Code. City policy provides specifics on administration and application.
7. Base pay for incumbent firefighters, hired prior to the adoption date of this Resolution who have at least one (1) year of prior qualified service will be increased to the commensurate number of years of service according to the Sherman Fire Department pay schedule.

SECTION 6. That detailed rules and regulations for qualifying standards, eligibility and administration of such pay types may be stated within the City and/or Police Department policies and/or Fire Department policies, and/or Local Civil Service Commission Rules and Regulations. Such policies are subject to change as needed and approved by the City Manager for purposes of City policies or by the Chief of Police for purposes for Police Department policies, by the Fire Chief for purposes of Fire Department policies, or by the Local Civil Service Commission for the purposes of Local Civil Service Commission Rules and Regulations.

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

PASSED AND APPROVED on this the 16th day of September, 2019.

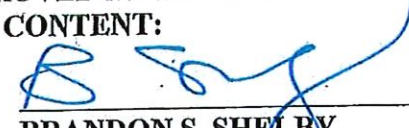
CITY OF SHERMAN, TEXAS

BY: 
DAVID PLYLER, MAYOR

ATTEST:

BY: 
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F. 1.

Meeting Date: 12/07/2020

Prepared By: Wayne Lee, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

REQUEST TO ADVERTISE

Construction of Moore Street from West Travis Street to Heritage Parkway (F.M. 1417)

Issue:

Requesting permission to advertise for bids the construction of Moore Street from West Travis Street to Heritage Parkway (F.M. 1417)

Background:

Moore Street is on the Grayson County Thoroughfare Plan. As future developments are planned around the new high school, it is necessary to construct the section of Moore Street between West Travis Street and Heritage Parkway (F.M. 1417) to improve vehicular traffic and safety. Staff is seeking permission to advertise for bids the construction of Moore Street, from West Travis Street to Heritage Parkway (F.M. 1417). This includes construction of two lanes of the future four-lane divided road that will connect the existing West Travis Street and Heritage Parkway (F.M. 1417). Construction also includes the installation of a 12-inch water main along the road if budget allows. Staff expects to seek Council approval for construction of this project in the January/February 2021 timeframe.

Origination:

Engineering Department

Financial Consideration:

This project will cost between \$2.5 million and \$3.0 million and is funded in the Capital Improvement Program. The cost of advertising is expected to be less than \$500.00.

Staff Recommendation:

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

Alternatives:

As may be directed by the City Council

Attachments

Aerial Location Map





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

F. 2.

Meeting Date: 12/07/2020

Prepared By: Tom Pruitt, Utility Engineer

Approved By: Robby Hefton, City Manager

Caption:

*** REQUEST TO ADVERTISE**

Repair of the Luella 3 Trinity Well

Issue:

Permission to advertise for bids to repair the Luella 3 Trinity Well

Background:

The well is throwing the circuit breaker on a regular basis. Probable cause is failed pump.

Origination:

Engineering Department

Financial Consideration:

Funds are available in the fiscal year (FY) 2020-2021 budget for these expenditures. The project estimate of probable cost is approximately \$275,000.00.

Staff Recommendation:

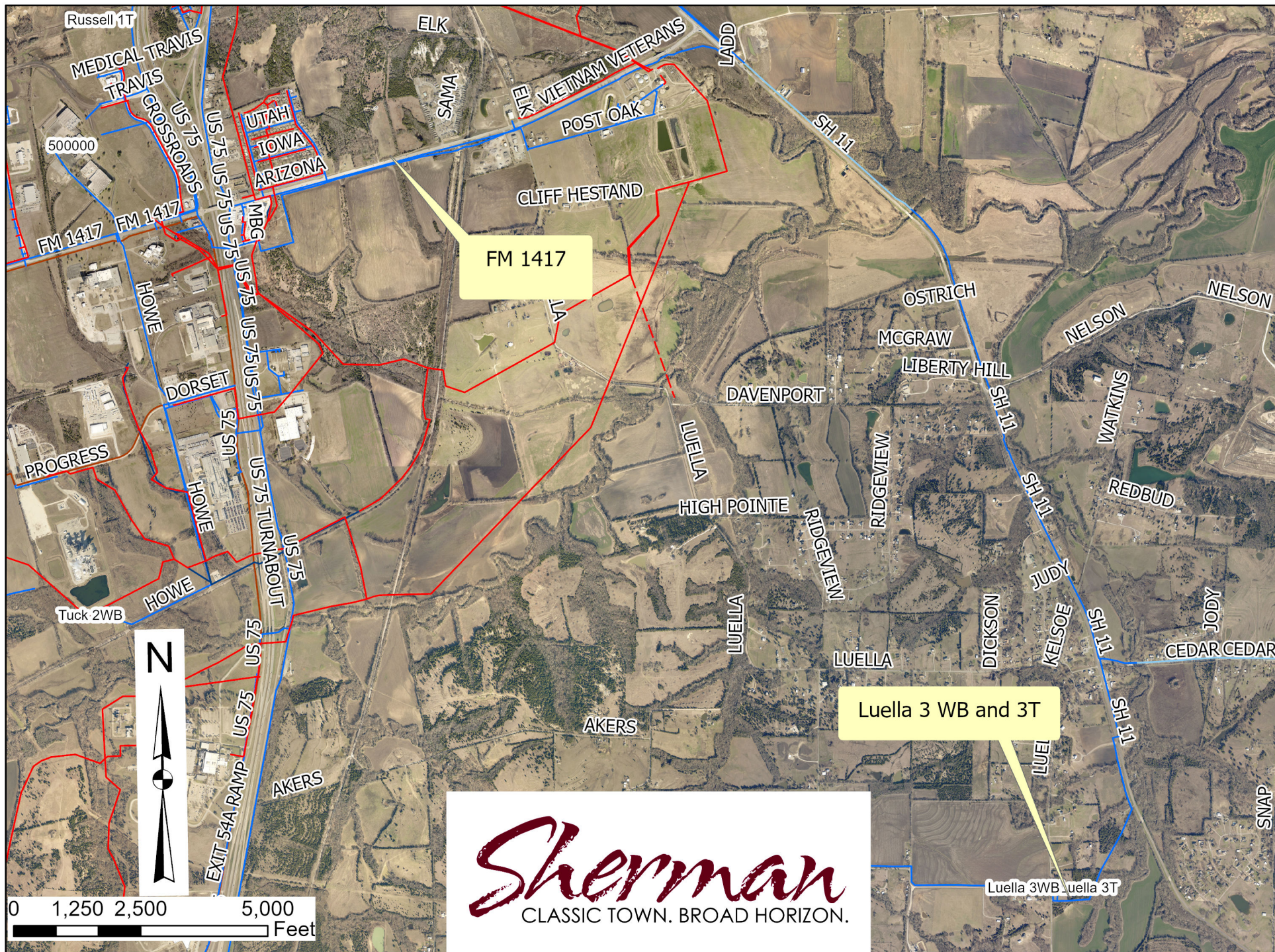
It is recommended that the City Council authorize the staff to advertise for bids to repair the Luella 3 Trinity Well.

Alternatives:

As may be recommended by the City Council

Attachments

Aerial Location Map





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 1.

Meeting Date: 12/07/2020

Prepared By: Clint Philpott, Assistant City Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Receive Update from Texas Department of Transportation Paris District Engineer Noel Paramanantham on TxDOT Projects

Issue:

To receive an update on the status of current and planned Sherman area TxDOT projects

Background:

TxDOT's Paris District Engineer Noel Paramanantham will provide a brief update on the status of several current transportation projects, including:

- FM 691 Widening Project - US 75 to FM 131
- US 75 from FM 1417 to SH 91 (Texoma Parkway)
- More US 75 Projects to Come
- FM 1417 - US 82 to SH 56 and Beyond

Origination:

City Manager Robby Hefton

Financial Consideration:

There is no financial consideration related to this agenda item.

Staff Recommendation:

There is no Council action required on this agenda item.

Alternatives:

This is an update presentation, so no alternatives apply to this agenda item.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 2.

Meeting Date: 12/07/2020

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Consider Cancellation of the December 21, 2020 Regular City Council Meeting

Issue:

To consider the cancellation of the December 21st regular City Council meeting

Background:

The City Council's second regular meeting in December falls during the week of Christmas. Cancellation of this meeting will not cause an unnecessary obstacle to efficient operations due to the typical slowdown of City business during the holiday season.

Origination:

City Manager Robby Hefton

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council cancel the December 21st regular City Council meeting.

Alternatives:

The Council could choose to hold this meeting.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 3.

Meeting Date: 12/07/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Replat Approval of North Creek Addition, Section 5 and Replat of Lots 4 and 5, North Creek Addition, Section 4, being 6.359 acres in the Alexander & Richards Survey, Abstract No. 42; Young Enterprises, LP, Owners; City of Sherman, Wayne Lee, Applicant; and Jones Carter, Civil Engineers/Surveyor (4700-5000 blocks of North Travis Street and 5004 and 5008 Knollwood Road)

Issue:

To consider Replat approval of North Creek Addition, Section 5 and Replat of Lots 4 and 5, North Creek Addition, Section 4, being 6.359 acres in the Alexander & Richards Survey, Abstract No. 42; Young Enterprises, LP, Owners; City of Sherman, Wayne Lee, Applicant; and Jones Carter, Civil Engineers/Surveyor (4700-5000 blocks of North Travis Street and 5004 and 5008 Knollwood Road)

Background:

The property is located in the 4700-5000 blocks of North Travis Street and 5004 and 5008 Knollwood Road, between Liberty Hill Trail and Northcreek Drive. The property is zoned an R-2 (Multi-Family Residential) District and C-1 (Retail Business) District. They are requesting a Replat of the property to dedicate right-of-way for the Hilre Drive extension and three lots.

Related to the Replat, the Owners and the City of Sherman *in the future* would like to extend Hilre Drive west to Travis Street to help improve traffic safety along Northcreek Drive. This will be accomplished by closing and abandoning Knollwood Drive, between Northcreek Drive and Hilre Drive. Closing this portion of Knollwood Drive will also allow TxDOT to install a traffic signal at the intersection of North Travis and Northcreek Drive. The project to close Knollwood Drive and construct Hilre Drive will come to the Council for approval at a future Council meeting, so no action is needed by the Council at this time on those related issues.

Origination:

Young Enterprises, LP (Owners)

City of Sherman, Wayne Lee (Applicant)

Jones Carter (Civil Engineers/Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2020 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Aerial Location Map

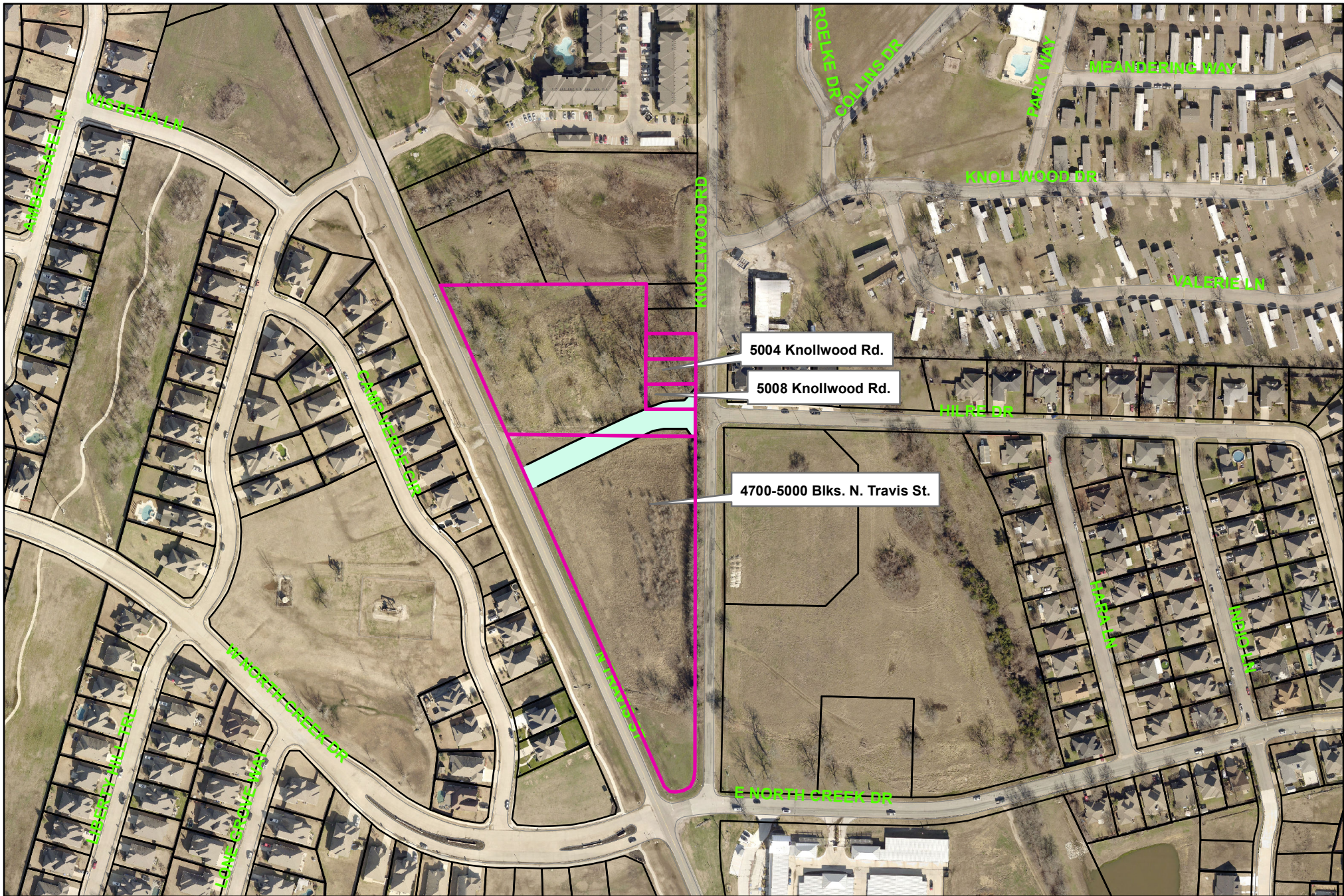
Zoning Map

Zoning Sign Photo

North Creek Addition Section 5 & Replat Lots 4 & 5 North Creek Section 4

Staff Review Letter

P&Z Communication

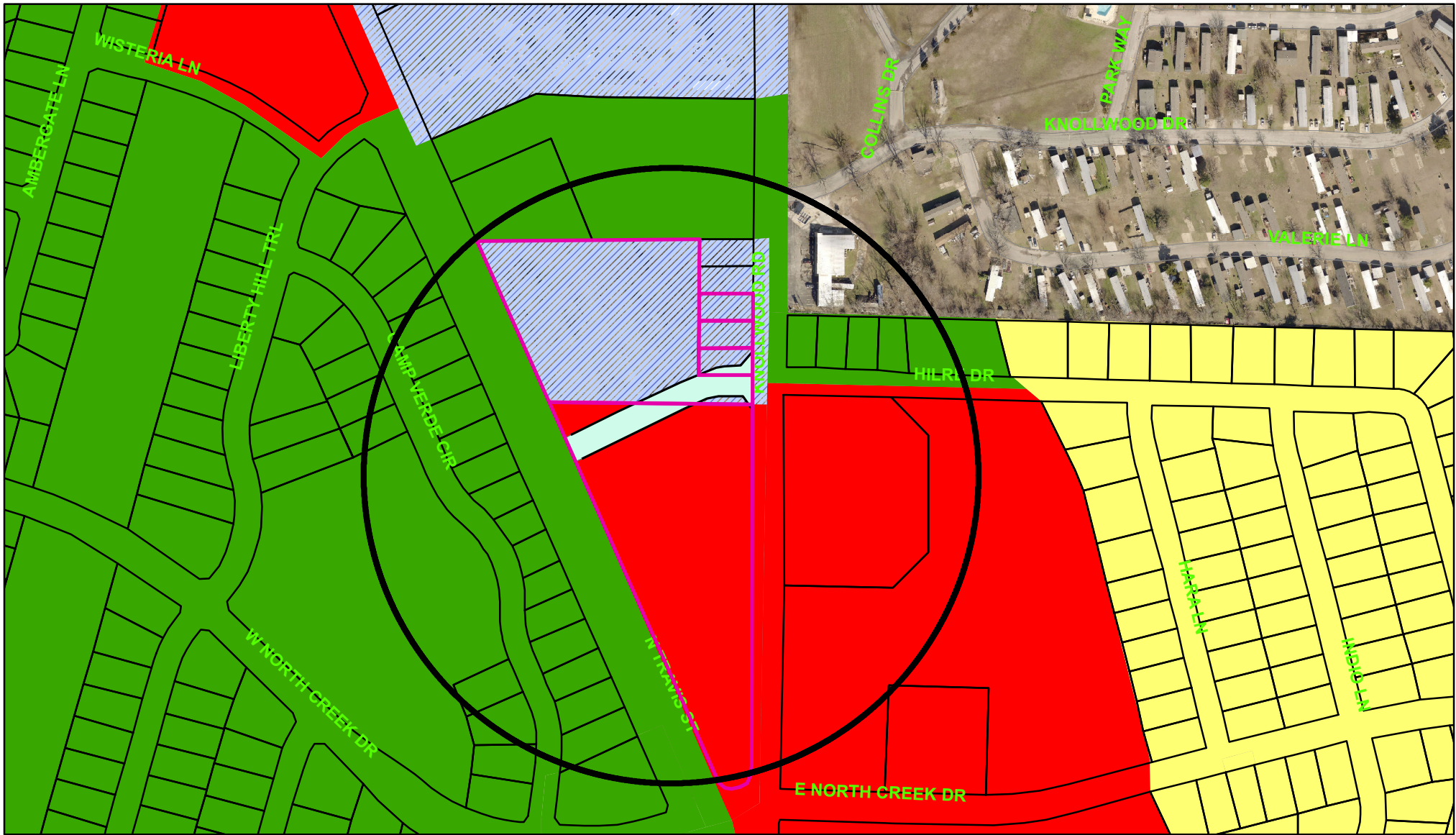


City of Sherman, Texas
Developmental Services Department

**4700-5000 Blocks North Travis Street &
5004 & 5008 Knollwood Road**



1 in = 271 ft



Zoning - 4700-5000 Blocks North Travis Street & 5004 & 5008 Knollwood Road



City of Sherman, Texas
Developmental Services Department

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

Legend

CO Office District

- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development



NOT TO SCALE

1 in = 271 ft

4700-5000 N. Travis Street



5004 & 5008 Knollwood Road



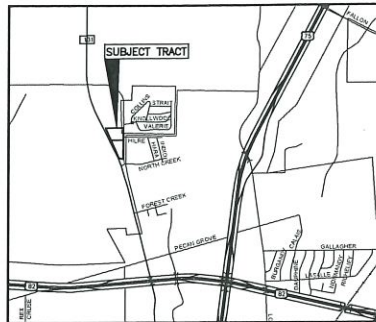
Oct 29, 2020 at 2:43 PM

GENERAL NOTES:

- Bearings are based on the Texas State Plane Coordinate System, NAD 83, North Central Zone 4202. and the Final Plat, NORTH CREEK ADDITION, SECTION FOUT, an addition to the City of Sherman, Texas, as per plat recorded in Doc. No. 2019-118, Plat Records, Grayson County, Texas.
- Set monuments are 5/8" iron rods with yellow plastic cap stamped "Jones Carter", unless noted otherwise.

FLOOD NOTE:

Inherent inaccuracies of FEMA or Flood Insurance Rate Maps preclude a surveyor from certifying to the accuracies of locations based on such maps. All flood-plain information on this survey is for graphical depiction only, as scaled off of Firm Panel Map No. 48181C0290F, dated September 29, 2010. This property is in Zone X, Areas determined to be outside of the 0.2% annual chance floodplain.



VICINITY MAP
N.T.S.

LINE	BEARING	DISTANCE
L1	N 37°42'30" W	36.29'
L2	N 88°34'15" W	5.01'
L3	N 09°45'05" W	5.00'
L4	N 09°45'05" W	5.00'
L5	S 88°34'15" E	3.30'
L6	N 89°36'48" E	2.07'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	185.00	38.06	37.89	S 85°50'20" W	11°10'49"
C2	200.00	49.38	49.22	S 73°10'32" W	14°08'47"
C3	250.00	61.73	61.57	N 73°10'32" E	14°08'47"
C4	255.00	49.78	49.68	N 85°50'20" E	11°10'49"

LEGEND

POC POINT OF COMMENCING
POB POINT OF BEGINNING
CM CONTROL MONUMENT
R.O.W. RIGHT OF WAY
VOL. VOLUME
PG. PAGE
ESMT EASEMENT
IRF IRON ROD FOUND
CIRF CAPPED IRON ROD FOUND
CIRS 5/8" CAPPED IRON ROD WITH YELLOW CAP
STAMPED "JONES CARTER" SET FOR CORNER
D.R.G.C.T. DEED RECORDS, GRAYSON COUNTY, TEXAS
O.P.R.G.C.T. OFFICIAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS
P.R.G.C.T. PLAT RECORDS GRAYSON COUNTY, TEXAS

FINAL PLAT
NORTH CREEK ADDITION, SECTION FIVE
AND REPLAT OF LOTS 4 AND 5
OF NORTH CREEK ADDITION, SECTION FOUR
AN ADDITION TO THE CITY OF
SHERMAN, TEXAS
AND BEING 6.359 ACRES OUT OF THE
ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42
GRAYSON COUNTY, TEXAS

OCTOBER 2020

ENGINEER / SURVEYOR:



Engineer Registration No. F-439, Survey Registration No. 150461-01
2802 Dallas Parkway, Suite 600 - Plano, Texas 75093
972.486.3888

Contact: Eduardo Martinez, E-mail: emartinez@jonescarter.com

DEVELOPER / OWNER:
YOUNG ENTERPRISES, L.P.,
5414 NORTH FM HWY. 1417
SHERMAN, TX 75092
PHONE: (903) 892-1508

SHEET 1 OF 2

JOB No. 16653-0001 BAS/EM DWG No. 1855

OWNER'S CERTIFICATION

STATE OF TEXAS :
COUNTY OF GRAYSON :

WHEREAS, Young Enterprises, L.P., is/are the owner(s) of a 6.359 acre tract of a tract of land situated in the Alexander & Richards Survey, Abstract No. 42, Grayson County Texas, being all of a called 3.804 acre tract described in deed to Young Enterprises, L.P., recorded in Document No. 2017-28667 of the Official Public Records of Grayson County, Texas (O.P.R.G.C.T.) and all of a called 3.081 acre tract described in deed to Young Enterprises, L.P., recorded in Document No. 2019-27628, O.P.R.G.C.T., and being all of Lots 4 and 5, of North Creek Addition, Section Four, an addition to the City of Sherman, Texas, as plat recorded in Document No. 2019-118, Plat Records, Grayson County, Texas.(P.R.G.C.T.) and being more particularly described as follows:

BEGINNING at a 1/2" capped iron rod with cap stamped "RPLS 6578" found for the northwest corner of said 3.804 acre tract, and the southwest corner of tract two, a called 0.734 acre tract described in deed to JBM Interest, LLC, recorded in Document No. 2019-12725, O.P.R.G.C.T., also being the easterly line of North Travis Street (a variable width Right-of-Way);

THENCE South 89 Degrees 36 Minutes 34 Seconds East, departing the easterly line of said Travis Street, along the north line of said 3.804 acre tract, passing at a distance of 223.97 feet, the southeast corner of Lot 1, Austin Landing Addition, Phase Two, an addition to the City of Sherman, Texas, as recorded in Volume 20, Page 30, P.R.G.C.T., and continuing for a total distance of 410.11 feet to a 1/2" iron rod with cap stamped "RPLS 6585" found for the northwest corner of Lot 1, of said North Creek Addition, Section Four;

THENCE South 00 Degrees 04 Minutes 46 Seconds West, departing the south line of said Austin Landing, along the west line of said North Creek Addition, Section Four, a distance of 180.67 feet to a 1/2" iron rod with cap stamped "6578" found for the southwest corner of Lot 3;

THENCE South 89 Degrees 55 Minutes 14 Seconds East, along the south line of said Lot 3, a distance of 120.00 feet to a 1/2" iron rod with cap stamped "6578" found for the southeast corner of Lot 3, and the west right-of-way line of Knollwood Road;

THENCE South 00 Degrees 04 Minutes 46 Seconds West, departing the southeast corner of said Lot 3, along the west line of said Knollwood Road, a distance of 156.17 feet to a point for corner;

THENCE South 00 Degrees 36 Minutes 19 Seconds West, along the west line of said Knollwood Road, a distance of 28.42 feet to a point for corner;

THENCE North 89 Degrees 36 Minutes 48 Seconds East, departing the west line of Knollwood Road, along the north line of said 3.081 acre tract, a distance of 2.07 feet to a 1/2" capped iron rod with cap stamped "RPLS 6578" found for the northeast corner of said 3.081 acre tract;

THENCE South 00 Degrees 40 Minutes 30 Seconds West, along the east line of said 3.081 acre tract, a distance of 579.50 feet to a 1/2" iron rod found for the southeast corner of said 3.081 acre tract and the northerly line of N. Travis Street;

THENCE North 72 Degrees 00 Minutes 04 Seconds West, along the northerly line of N. Travis Street, a distance of 127.88 feet to 1/2" capped iron rod found for the southwest corner of said 3.081 acre tract, and the easterly line of North Travis Street;

THENCE North 23 Degrees 53 Minutes 52 Seconds West, along the easterly line of N. Travis Street and the westerly line of said 3.081 acre tract, a distance of 587.87 feet to a 1/2" iron rod found for the northwest corner of said 3.081 acre tract and the southwest corner of said 3.804 acre tract;

THENCE North 23 Degrees 58 Minutes 14 Seconds West, along the easterly line of N. Travis Street and the westerly line of said 3.804 acre tract, a distance of 405.67 feet to the POINT OF BEGINNING and containing 276,993 square feet or 6.359 acres of land more or less.

Approved this _____ day of _____, 20____ by the City Planning and Zoning Commision of the City of Sherman, Texas.

Chairman Secretary

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the forgoing, PLAT OF LOT 4R, 5 AND 6, 'BLOCK 1 OF NORTH CREEK ADDITION, SECTION FIVE, an addition to the City of Sherman, Texas was submitted to the City Council on the _____ day of _____, 20____, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above described.

Witness my hand this _____ day of _____, 20____.

Clerk City of Sherman, Texas

STATE OF TEXAS :
COUNTY OF GRAYSON :

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, _____ do hereby adopt this plat designating the hereinabove property as NORTH CREEK ADDITION, SECTION FIVE, 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, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strip[s] and any public or private utility shall, at all times, have a right of ingress or egress to and from and upon the said easements stripes 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 _____, 20____.

Young Enterprises, L.P., a Texas limited partnership

By: _____

Name: _____

Title: _____

STATE OF TEXAS:
COUNTY OF GRAYSON :

Before me, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared _____, Owner, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purpose and considerations therein expressed.

given my hand and seal of office, this the _____ day of _____, 20____.

Notary Public, State of Texas

My Commission expires : _____

KNOW ALL MEN BY THESE PRESENTS:

That I, Eduardo Martinez, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Sherman, Texas.

FOR REVIEW ONLY.
Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document
Eduardo Martinez,
Registered Professional Land Surveyor No. 5274

STATE OF TEXAS:
COUNTY OF COLLIN :

Before me, the undersigned authority, a Notary Public in and for The State of Texas, on this date personally appeared Eduardo Martinez, 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 considerations therein expressed and in the capacity therein stated.

given my hand and seal of office, this the _____ day of _____, 20____.

Notary Public, State of Texas

FINAL PLAT
NORTH CREEK ADDITION, SECTION FIVE
AND REPLAT OF LOTS 4 AND 5
OF NORTH CREEK ADDITION, SECTION FOUR
AN ADDITION TO THE CITY OF
SHERMAN, TEXAS
AND BEING 6.359 ACRES OUT OF THE
ALEXANDER & RICHARDS SURVEY, ABSTRACT NO. 42
GRAYSON COUNTY, TEXAS

OCTOBER 2020

DEVELOPER / OWNER:
YOUNG ENTERPRISES, L.P.,
5414 NORTH FM HWY. 1417
SHERMAN, TX 75092
PHONE: (903) 892-1508

ENGINEER / SURVEYOR:



Engineer Registration No. F-439, Survey Registration No. 150461-01
2802 Dallas Parkway, Suite 600 - Plano, Texas 75093
972.486.3888

Contact: Eduardo Martinez, E-mail: emartinez@jonescarter.com

SHEET 2 OF 2

JOB No. 16653-0001 BAS/EM DWG No. 1855



STAFF REVIEW LETTER

November 11, 2020

Young Enterprises, L.P.
5414 N. FM Hwy. 1417
Sherman, TX 75092

Jones-Carter
2805 Dallas Parkway, Suite 600
Plano, TX 75093

Dear Applicants,

The request for approval of the Final Plat of North Creek Addition, Section Five has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2020 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Remove direction from Travis Street. (Per P&Z)
6. Dedicate 10' Utility Easement along N. Travis Street, outside of existing 20' Water Line Easement.
7. Dedicate 10' Utility Easement along Knollwood Road.
8. Corner clips required on proposed Hilre Drive at Travis Street.
9. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
10. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,



Wayne E. Lee, P.E., CFM,
Director of Engineering

cc: Robby Hefton, City Manager
Rob Rae, Incoming Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney
Scott Shadden, Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 16.

Meeting Date: 11/17/2020

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

Clay Mahone, Chairman

David Downtain, Vice Chairman

Shawn Davis, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Glenn Whitaker, Commissioner

Requested Action/Proposed Use:

4700-5000 BLOCKS NORTH TRAVIS STREET AND 5004 & 5008 KNOLLWOOD ROAD

The request of Young Enterprises, LP (Owners), City of Sherman, Wayne Lee (Applicant) and Jones Carter (Civil Engineers/Surveyor) concerning the property in the 4700-5000 Blocks North Travis Street and 5004 and 5008 Knollwood Road, being 6.359 acres in the Alexander & Richards Survey, Abstract No. 42, as follows:

Board of Adjustments

Exception under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 46.86' lot width in lieu of the required 60' lot width on the proposed Lot 4R (5008 Knollwood Road) of the Final Plat of North Creek Addition, Section 5 and Replat of Lots 4 & 5, North Creek Addition, Section 4 in an R-2 (Multi-Family Residential) District.

Planning and Zoning Commission

Final Plat approval of North Creek Addition, Section 5 and Replat of Lots 4 & 5, North Creek Addition, Section 4

Background:

The property is located in the 4700-5000 blocks North Travis Street and 5004 and 5008 Knollwood Road between Liberty Hill Trail and Northcreek Drive. The property is zoned an R-2 (Multi-Family Residential) District and C-1 (Retail Business) District. The owners and the City of Sherman would like to extend Hilre Drive west to Travis Street to help reduce some of the traffic issues along Northcreek Drive. They are requesting a Replat of the property to dedicate right-of-way for the Hilre Drive extension and three lots. The lot at 5008 Knollwood Road requires an exception to allow a 46.86' lot width in lieu of the required 60' on the proposed Lot 4R of the Final Plat of North Creek Addition, Section 5 and Replat of Lots 4 & 5, North Creek Addition, Section 4.

Adjacent Zoning:

SF-1 (Single Family Residential) District
R-2 (Multi-Family Residential) District
C-1 (Retail Business) District

Origination:

Young Enterprises, LP (Owners)
Jones Carter (Civil Engineers/Surveyor)

Master Plan Designation:

Estate – Estate is a large lot residential use (1-5 acres) with open space and a rural street network (ditches and no sidewalk). These homes are unlikely to have access to full service public utilities, especially sewer service.

and

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:

Replat - 25
Exception - 5

Objections Received:

0

Attachments

Aerial Location Map
Zoning Map
Zoning Sign Photo
North Creek Addition Section 5 & Replat Lots 4 & 5 North Creek Section 4
Exception Lot Width
Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 4.

Meeting Date: 12/07/2020

Prepared By: Teri Fine, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Consider Calling a Special Meeting of the City Council for Tuesday, January 19, 2021, due to Conflict with a Federal Holiday

Issue:

This agenda item considers calling a special meeting of the City Council for **5:00 p.m.** on Tuesday, January 19, 2021, to make up for the second regular meeting in January, which falls on the Federal Holiday of Martin Luther King, Jr. Day

Background:

The City Charter provides that City Council regular meetings shall fall “on the first and third Mondays of each month, excluding holidays, at its discretion.” The regular date for the Council’s second meeting in January is Monday, January 18th, a Federal Holiday to celebrate Martin Luther King, Jr. Day. With the City Council’s direction at the 2019 Budget Workshop, this day is now an officially recognized holiday for City of Sherman employees. Federal holidays are traditionally respected by not holding regular City Council meetings on those dates. While the Charter provision does not require the City Council to meet on a Federal Holiday, neither does it establish a make up date, which would be done by a motion and order with a 72-hour public notice.

Origination:

City Manager's Office

Financial Consideration:

There is no financial impact to be considered.

Staff Recommendation:

It is recommended that the City Council call a special City Council meeting for **5:00 p.m.** on Tuesday, January 19, 2021.

Alternatives:

No alternatives are recommended.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 5.

Meeting Date: 12/07/2020

Prepared By: Rob Rae, Director of Development Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Meadow View Addition, being 0.329 acres in the Preston Kitchen Survey, Abstract No. 667; Michael Sterry, Owner and Helvey-Wagner Surveying, Inc., Surveyor (2213 South Crockett Street)

Issue:

To consider Final Plat Approval of Meadow View Addition, being 0.329 acres in the Preston Kitchen Survey, Abstract No. 667; Michael Sterry, Owner and Helvey-Wagner Surveying, Inc., Surveyor (2213 South Crockett Street)

Background:

The property is located at 2213 South Crockett Street, between Wilson Avenue and Mercer Street. The property was annexed into the City on June 30, 1986 by Ordinance No. 3950 as an R-1 (One Family Residential) District. The existing building on the lot has been used as a beauty shop, retail clothing sales, office, barber shop, thrift shop and retail fresh produce. The owner would like to plat the property into one lot for commercial development.

Origination:

Michael Sterry (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2020 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Aerial Location Map

Zoning Map

Meadow View Addition

Staff Review Letter

P&Z Communication

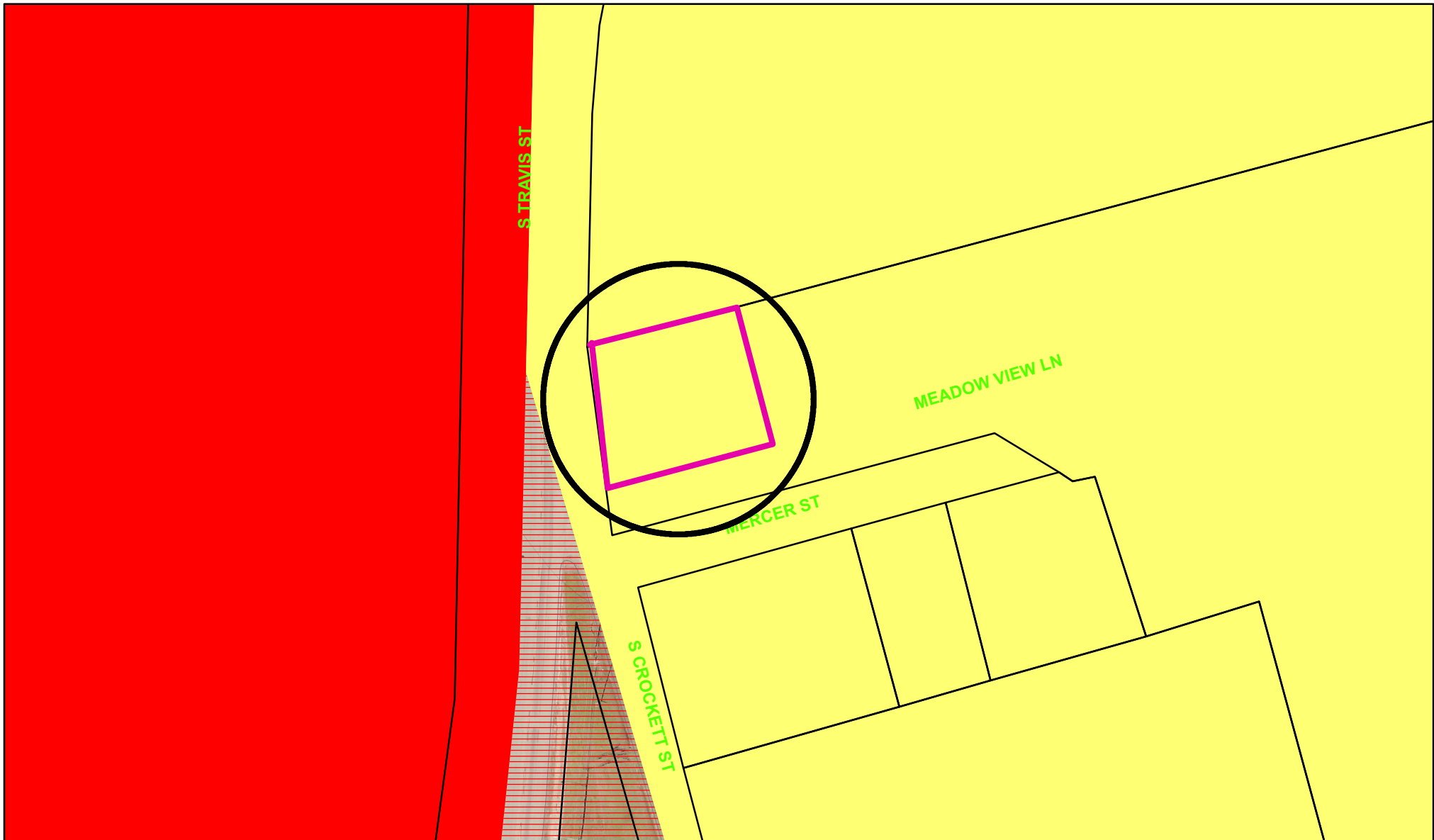


City of Sherman, Texas
Developmental Services Department

2213 South Crockett Street



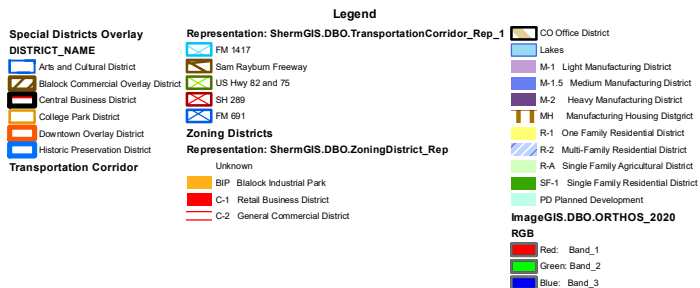
1 in = 200 ft



Zoning - 2213 South Crockett Street



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 100 ft

Bearing Base: Grid North, NAD83
Texas State Plane Coordinate
System, as derived by
survey-grade Global Positioning
System. The distances shown
hereon are ground distances.

SMCP-RC
6.60 Acres
(Tract 14)
Inst. No. 2019-16953,
O.P.R.G.C.T.

Preston Kitchen Survey
Abstract No. 667
Grayson County, Texas

remainder of the
Michael S. Sterry
22.453 Acres
Vol. 2677, Pg. 814,
O.P.R.G.C.T.

Travis Street
a public road - 35 ft. wide asphalt paving
variable width right-of-way

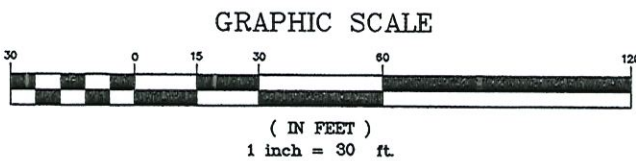
Lot 1
0.329 Acres and/or
14,352 sq. ft.
Block One

P.O.B.
1/2" square
tube found

Mercer Drive
a public street - 20 ft. wide asphalt paving
50 ft. wide right-of-way

Line Table		
Line #	Length	Bearing
L1	12.30'	N14°59'27"W
L2	9.93'	S89°03'55"W

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	50.00'	2914.93'	0°58'58"	N00°26'49"E, 50.00'
C2	49.33'	2904.93'	0°58'23"	N00°17'53"W, 49.33'



Meadow View Addition to the City of Sherman, Texas 0.329 Acres

in the
Preston Kitchen Survey
Abstract No. 667

Job No. CGS851020

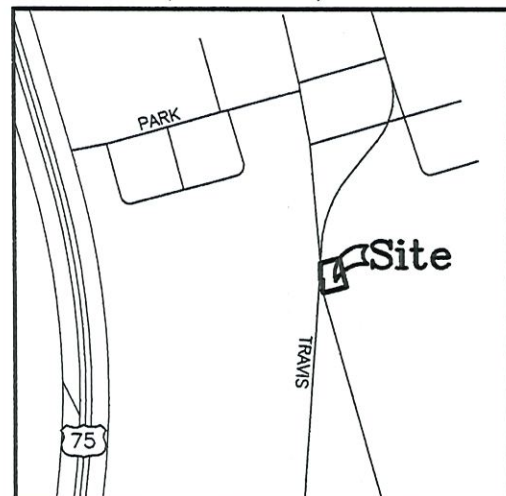
General Notes:

1. Water Supply to be provided by the City of Sherman, Texas.
2. Sewer service to be provided by the City of Sherman, Texas.
3. Electrical service is provided by Oncor Electric Delivery Coop.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. Grayson County will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0405 F, Revised Date: September 29, 2010.
8. Neither Grayson County nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

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/Developer:
Michael S. Sterry
241 Country Club Drive
Heath, Texas 75032

Vicinity Map (not to scale)





STAFF REVIEW LETTER

November 11, 2020

Michael S. Sterry
241 Country Club Drive
Heath, TX 75032

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Final Plat of Meadow View Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2020 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
4. The width of the right-of-way and pavement for streets shall be shown on the plat.
5. Travis Street should be changed to Crockett Street. (Per P&Z)
6. Metes and bounds must match drawing.
7. General Notes No. 6 should read "City of Sherman will not be responsible..."
8. General Notes No. 8 should read City of Sherman instead of Grayson County.
9. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
10. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,



Wayne E. Lee, P.E., CFM,
Director of Engineering

cc: Robby Hefton, City Manager
Rob Rae, Incoming Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney
Scott Shadden, Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager



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

Agenda Item No. 11.

Meeting Date: 11/17/2020

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

Clay Mahone, Chairman

David Downtain, Vice Chairman

Shawn Davis, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Glenn Whitaker, Commissioner

Requested Action/Proposed Use:

*** 2213 SOUTH CROCKETT STREET**

The request of Michael Sterry (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property at 2213 South Crockett Street, being 0.329 acres in the Preston Kitchen Survey, Abstract No. 667, as follows:

Planning and Zoning Commission

Final Plat approval of Meadow View Addition.

Background:

The property is located at 2213 South Crockett Street between Wilson Avenue and Mercer Street. The property was annexed into the City June 30, 1986 by Ordinance 3950 as an R-1 (One Family Residential) District. The existing building on the lot has been used as a beauty shop, retail clothing sales, office, barber shop, thrift shop and retail fresh produce. The owner would like to plat the property into one lot for commercial development.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

C-2 (General Commercial) District

Origination:

Michael Sterry (Owner)

Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Aerial Location Map

Zoning Map

Meadow View Addition

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

G. 6.

Meeting Date: 12/07/2020

Prepared By: Patsy Reeves, Developmental Services Coordinator

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Sherman Crossroads, Phase II, Lots 25, 26 and 27, Block 2, being 8.938 acres and being Lot 6, Block 2, Sherman Crossroads, Phase II, Lots 1R-1 and 6, and in Tract 4 of the Blalock Industrial Park; Sherman Crossroads, LTD, Owners; and A & W Surveyors, Inc., Surveyor (3100-3500 blocks of South U.S. Highway 75)

Issue:

To consider Replat approval of Sherman Crossroads, Phase II, Lots 25, 26 and 27, Block 2, being 8.938 acres and being Lot 6, Block 2, Sherman Crossroads, Phase II, Lots 1R-1 and 6, and in Tract 4 of the Blalock Industrial Park; Sherman Crossroads, LTD, Owners; and A & W Surveyors, Inc., Surveyor (3100-3500 blocks of South U.S. Highway 75)

Background:

The property is located in the 3100-3500 blocks of South U.S. Highway 75; the southeast corner of F.M. 1417 (Heritage Parkway) and U.S. Highway 75. The property is located in the Blalock Industrial Park and Blalock Commercial Overlay District. The owners would like to Replat the property into four (4) lots for commercial development.

Origination:

Sherman Crossroads, LTD (Owners)
A & W Surveyors, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the November 17, 2020 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

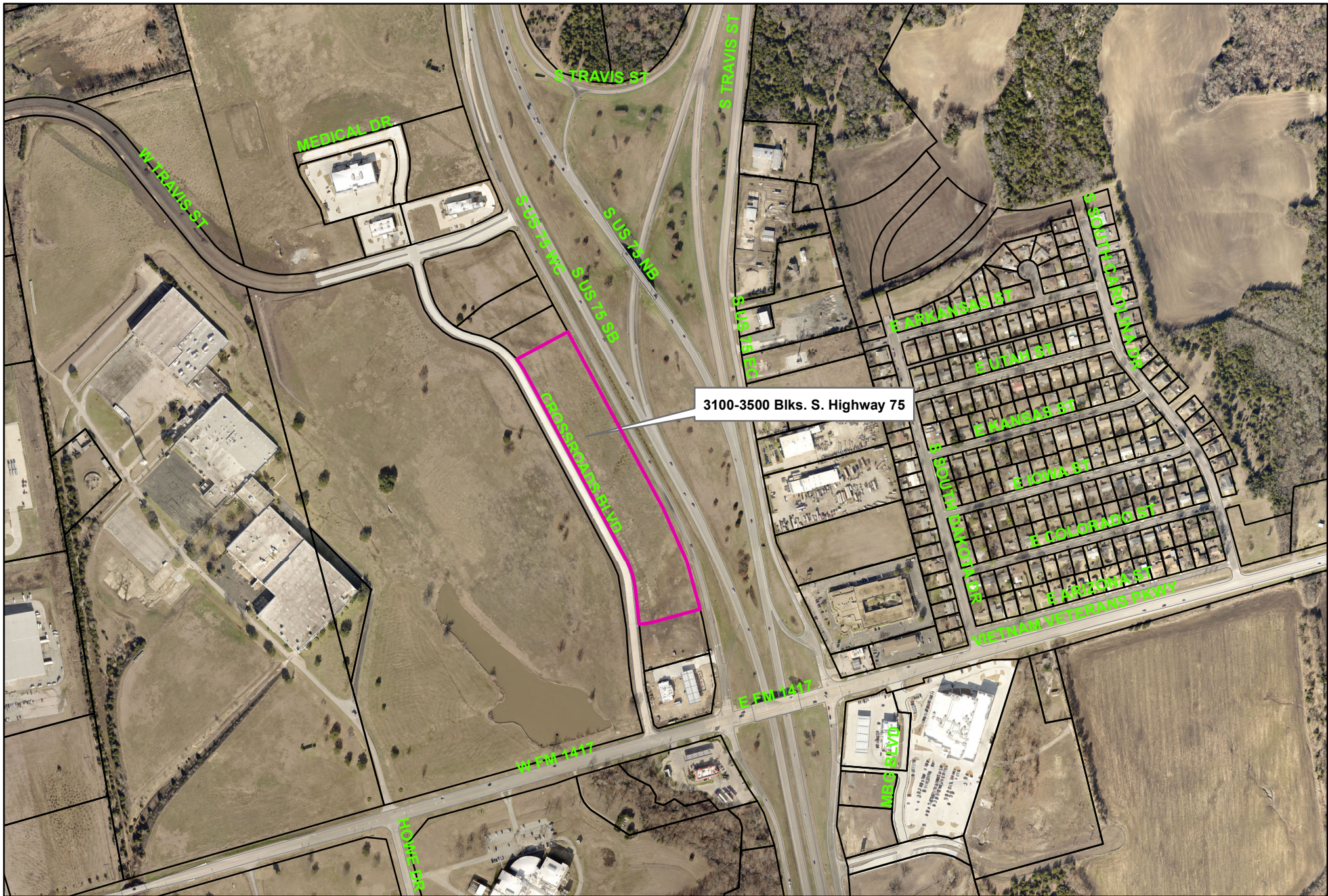
Aerial Location Map

Zoning Map

Sherman Crossroad Phase II Replat Lots 25, 26 & 27

Staff Review Letter

P&Z Communication



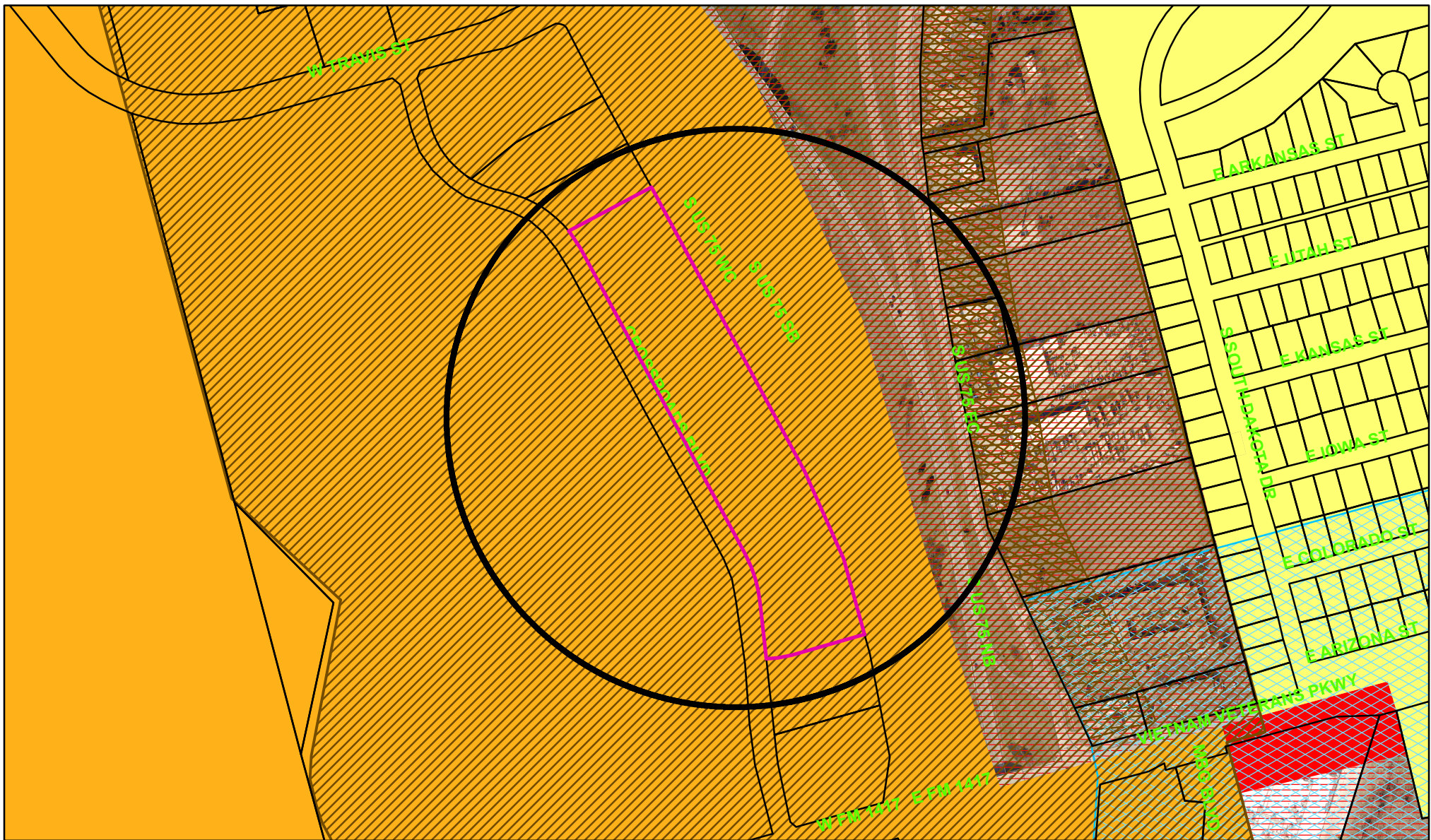
City of Sherman, Texas
Developmental Services Department

3100-3500 Blocks South U.S.Highway 75



NOT TO SCALE

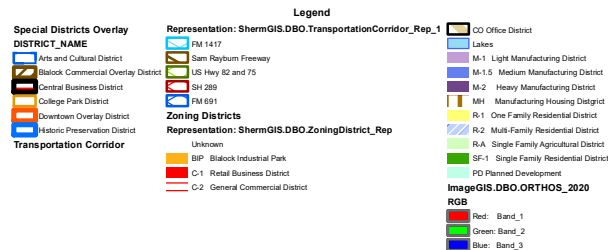
1 in = 600 ft



Zoning - 3100-3500 Blocks South U.S. Highway 75



City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 400 ft



STAFF REVIEW LETTER

November 11, 2020

Sherman Crossroads, Ltd.
4650 Beltline Road, Ste. 400
Addison, TX 75001

A&W Surveyors, Inc.
P.O. Box 870029
Mesquite, TX 75187

Dear Applicants,

The request for approval of the Replat of Sherman Crossroads, Phase II, Lots 25, 26, & 27, Block 2 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 17, 2020 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

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

1. Letters from various utility providers are required verifying availability of service and when service will be available.
2. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
3. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from City of Sherman Engineering Department.
4. Shared drive approaches required. Independent approaches for each lot will not be permitted.
5. The width of the right-of-way and pavement for streets shall be shown on the plat.
6. Water Line Easement as filed in Instrument No. 2020-25676 shall be shown on plat.
7. Engineering Department to receive civil plans for review.
8. Additional Easements may be required per Engineering review of infrastructure or civil plans of future development.
9. Metes and bounds must match drawing.
10. Mutual Access Easement to be dedicated along Hwy. 75 Service Road frontage.
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. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,



Wayne E. Lee, P.E., CFM,
Director of Engineering

cc: Robby Hefton, City Manager
Rob Rae, Incoming Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney
Scott Shadden, Director of Development Services
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager



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

Agenda Item No. 17.

Meeting Date: 11/17/2020

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

Clay Mahone, Chairman

David Downtain, Vice Chairman

Shawn Davis, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Glenn Whitaker, Commissioner

Requested Action/Proposed Use:

*** 3100-3500 BLOCKS SOUTH U.S. HIGHWAY 75**

The request of Sherman Crossroads LTD (Owners) and A & W Surveyors, Inc. (Surveyor) concerning the property in the 3100-3500 Blocks South U.S. Highway 75, being 8.938 and being Lot 6, Block 2, Sherman Crossroads, Phase II, Lots 1R-1 and 6, and in Tract 4 of the Blalock Industrial Park, as follows:

Planning and Zoning Commission

Replat approval of Sherman Crossroads Phase II, Lots 25, 26 & 27, Block 2

Background:

The property is located in the 3100-3500 blocks of South U.S. Highway 75; the southeast corner of FM 1417 (Heritage Parkway) and U.S. Highway 75. The property is located in the Blalock Industrial Park and Blalock Commercial Overlay District. The owners would like to Replat the property into (4) four lots for commercial development.

Adjacent Zoning:

Blalock Industrial Park

Blalock Commercial Overlay District

Origination:

Sherman Crossroads LTD (Owners)

A & W Surveyors, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Aerial Location Map

Zoning Map

Sherman Crossroad Phase II Replat Lots 25, 26 & 27

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 12/07/2020

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2020 Council Calendar

2021 Council Calendar

2020

JANUARY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY						
S	M	T	W	T	F	S
						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

MARCH						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

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

9/11/2020	Called Joint Meeting of City Council and SEDCO Board in the Sherman Municipal Ballroom
11/2/2020	City Council Meeting - Cancelled

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						
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						

March						
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			

April						
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	

May						
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					

June						
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			

July						
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

August						
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				

September						
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		

October						
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						

November						
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				

December						
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	

	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
7/6/2021	Rescheduled - Independence Day
9/7/2021	Rescheduled - Labor Day