

**CITY OF SHERMAN
CITY COUNCIL REGULAR MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, FEBRUARY 18, 2019
5:00 P.M.**

- A. 1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
- A. 2. PLEDGE OF ALLEGIANCE LED BY COUNCIL MEMBER PAMELA L. HOWETH**
- A. 3. INVOCATION BY COUNCIL MEMBER PAMELA L. HOWETH**
- A. 4. APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 4, 2018**

Public Hearing

- B. 1. FIRST PUBLIC HEARING**
Conduct the First Public Hearing Concerning the Annexation of a 9.758 Acre Tract of Land on West Washington Street, West of F.M. 1417 (Heritage Parkway), Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction
- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6179**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Carrus Behavioral Hospital for Inpatient/Outpatient Care in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District at 1724 West U.S. Highway 82, Suite 200, being Lot 1, Carrus Medical Plaza, Replat Lot 5 (Carrus Health Holdings, LLC, Owners; Anbarasu Nachimuthu, Contractor; and McCalla Design Group, Architect); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6180**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Existing Duplex in an R-1 (One Family Residential) District at 917-919 North Brents Avenue, being Lot 7, Block 2, Colling Addition, Section 2 (Knightridge Property Group, LLC, Owners; and Lisa Biddle, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- B. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6181**
Closing and Abandoning the Platted Right-of-Way being Midway Drive, north of Fallon Drive, as shown on Plat in Volume 6, Page 11 of the Plat Records of Grayson County, Texas, dedicating ownership of said Right-of-Way to the adjacent owner, Datavault Joint Venture, being more particularly described and shown on Exhibit "A" attached hereto and made a part hereof for all purposes
- B. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6182**
Amending Chapter 8 of the Code of Ordinances, entitled "Offenses and Nuisances", Article 8.07, entitled "Noise", at Section 8.07.009, entitled "Building and Excavating Operations"; Providing for an Effective Date

B. 6. SECOND PUBLIC HEARING

Conduct the Second Public Hearing Concerning the Annexation of a 9.758 Acre Tract of Land on West Washington Street, West of F.M. 1417 (Heritage Parkway), Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction

Close Public Hearing and Consider Adoption of Ordinances

B. 7. ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 6179, 6180, 6181 and 6182

B. 8. CONSENT AGENDA

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

Resolutions

C. 1. * RESOLUTION NO. 6457

Authorizing Execution of a Professional Services Agreement with Freeman-Millican, Inc. for Engineering Services for Design of the Stormwater Lift Station Upgrade at the City's Wastewater Treatment Facility

C. 2. * RESOLUTION NO. 6458

Authorizing the Purchase of a New Kubota Skid Steer and attachment for the Street Maintenance Department from Six & Mango Equipment through the Texas Local Government Purchasing Cooperative (BuyBoard)

Requests to Advertise

D. 1. * REQUEST TO ADVERTISE

Purchase and Installation of a Pavilion, Benches and Outdoor Musical Equipment at the City of Sherman Library Park

Other Business

E. 1. OTHER BUSINESS

Discuss and Consider Approval of the Budget Calendar for Fiscal Year (FY) 2019-2020

E. 2. OTHER BUSINESS

Consider Request of Downtown Sherman NOW (formerly Downtown Sherman Preservation & Revitalization) to Temporarily Close Certain Streets for "Craft the Night Away" on Saturday, April 13, 2019

E. 3. OTHER BUSINESS

Final Plat Approval of West Hill Cemetery Addition, Annex D, Sections 1-5, being 5.478 acres in the Elizabeth Jones Survey, Abstract No. 625; City of Sherman, Owners; and Underwood Drafting and Surveying, Surveyor (1304 West Lamar Street)

E. 4. OTHER BUSINESS

Final Plat Approval of Old Cemetery Added Lots and Memorial Park, being 8,000 square feet in the Elizabeth Jones Survey, Abstract No. 625; City of Sherman, Owners; and Underwood Drafting and Surveying, Surveyor (1304 West Lamar Street)

E. 5. * OTHER BUSINESS

Replat Approval of Hill Smith Estates, Block 3, Lot 3R, 0.380 acres in the G.W. McGlothlin Survey, Abstract No. 827, also being part of Lots 3 and 4, Block 3, Hill Smith Estates; Bridgestone Construction, LLC, Owners; and Preston Trail Land Surveying, Surveyor (2211 East Alma Avenue)

E. 6. * OTHER BUSINESS

Final Plat Approval of Heritage Crossing, Phase 1, being 31.333 acres in the Bacon Fielding Survey, Abstract No. 120; Sapphire Group, LLC, Owners; Bluestone Partners, LLC, Developers; and Winkelmann & Associates, Inc., Civil Engineer/Surveyor (1600-1800 blocks of Norwood Street and 2700-3000 blocks of West McGee Street)

E. 7. * OTHER BUSINESS

Replat Approval of a part of Lots 1, 4 & 5, Block 1, G.W. Bond's Second Addition, being part of Lots 1, 4 & 5, Block 1, G.W. Bond's 2nd Addition, containing 0.259 acres in the J.B. McAnair Survey, Abstract No. 763; Hambrick Triple H Investment Group, LLC, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (521 East Brockett Street and 520 East Carter Street)

E. 8. * OTHER BUSINESS

Replat Approval of Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No 10, being Lot 2, Block A, Country Ridge Estates No. 10, containing 26.106 acres in the Elizabeth Jones Survey, Abstract No. 625; Wyldewood Homes, LLC, Owners; Vilbig & Associates, Civil Engineer; and Helvey-Wagner Surveying, Inc., Surveyor [1100-1300 blocks of South F.M. 1417 (Heritage Parkway)]

E. 9. * OTHER BUSINESS

Final Plat Approval of Lot 1, Block A, Golden Owens Addition, being 5.161 acres in the Brown and Ricketts Survey, Abstract No. 1553; Go Properties 7, LLC, Owners; Paramount Healthcare, Developer; Keen Surveying, LLC, Surveyor; and JM Civil Engineering, Civil Engineer (5011 North U.S. Highway 75)

F. CITIZEN REQUESTS

G. MEDIA QUESTIONS

H. COUNCIL COMMENTS

Executive Session

I. 1. EXECUTIVE SESSION

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

Section 551.087

Deliberation Regarding Economic Development Negotiations:

- (a) Deliberate Regarding Commercial or Financial Information that the City has Received from a Business Prospect and Deliberate any Offers or Incentives to the Business Prospect

The Council reconvenes into General Session

J. 1. OPEN MEETING

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

K. ADJOURNMENT

COUNCIL CALENDAR

CERTIFICATION

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the City Council of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board at City Hall of said City of Sherman, Texas, a place convenient to the public, and said notice was posted on February 14, 2019 at 4:00 p.m., and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 14th day of February, 2019.
City of Sherman, Texas

City Clerk

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

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

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

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

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

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

Mayor

David Plyler

Deputy Mayor

Shawn C. Teamann

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: 02/18/2019

Prepared By: Linda Ashby, City Clerk

Approved By: Robby Hefton, City Manager

Caption:

APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 4, 2018

Attachments

February 4, 2019

SHERMAN, GRAYSON COUNTY, TEXAS; FIXING PENALTIES FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

Council Member Stevenson asked if TxDOT said why they felt a reduction in speed was warranted. Mr. Philpott said the study was a “safety study” so he felt they probably took recent accidents into account.

During the study, they log in traffic in that area and determine what the 85th percentile is. On the southbound side, the 85th percentile was about 72 mph. It was higher on the northbound side. He said with the increased population and the road not being a median-divided road, they probably felt it should be 70 mph instead of 75 mph.

Deputy Mayor Teamann said a lot of cyclists use the SH 289 corridor and he felt they would probably appreciate any reduction in speed on that highway.

ACTION TAKEN.

Motion by Council Member Stevenson to approve Ordinance No. 6178, as presented. Second by Deputy Mayor Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

CONSENT AGENDA

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

CONSENT AGENDA

RESOLUTIONS

RESOLUTION NO. 6455 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH MITCHELL ENTERPRISES, LTD. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN COPLEY ADDITION, PHASE 2, A 10.704-ACRE DEVELOPMENT OFF OF COPLEY STREET, EAST OF STATE HIGHWAY 11 (DEWEY AVENUE) IN THE CITY OF SHERMAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH MITCHELL ENTERPRISES, LTD. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN COPLEY ADDITION, PHASE 2, A 10.704-ACRE DEVELOPMENT OFF OF COPLEY STREET, EAST OF STATE HIGHWAY 11 (DEWEY AVENUE) IN THE CITY OF SHERMAN.

**RES 6455
DEVELOPMENT
AGREEMENT
COPLEY ADDITION**

Mr. Philpott said the developer’s agreement is for 38 new residential lots. It will include City streets, water, sewer, and storm drainage improvements. The development will extend Copley Street to the north, and is located east of Valentine Street.

ACTION TAKEN.

Motion by Council Member Steele to approve Resolution No. 6455, as presented. Second by Deputy Mayor Teamann.

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

VOTING NAY: None.

MOTION CARRIED.

RESOLUTION NO. 6456 – AWARDING BIDS TO AND AUTHORIZING EXECUTION OF CONTRACTS WITH MULTIPLE VENDORS FOR AN ANNUAL SUPPLY OF CHEMICALS FOR THE SHERMAN WATER TREATMENT PLANT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING BIDS TO AND AUTHORIZING EXECUTION OF CONTRACTS WITH MULTIPLE VENDORS FOR AN ANNUAL SUPPLY OF CHEMICALS FOR THE SHERMAN WATER TREATMENT PLANT.

CONSENT AGENDA.

RES 6456
ANNUAL SUPPLY
OF CHEMICALS FOR
WATER TREATMENT
PLANT

OTHER BUSINESS

CONSIDER APPROVAL OF THE ANNEXATION SCHEDULING PLAN FOR ADOPTION OF 9.758 ACRES ON WEST WASHINGTON STREET, WEST OF F.M. 1417 (HERITAGE PARKWAY), 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

ANNEXATION
WEST WASHINGTON,
WEST OF FM 1417

Mr. Philpott said this annexation was requested by Washington Bend, the owners and developers of a 30 lot subdivision. The subdivision is located along Washington Street, just north of Timbercreek Road.

The total development is 22 acres, but 10 of those acres are not located inside the City limits. They are requesting annexation to continue developing the entire tract.

Brandon Shelby, City Attorney, said the proposed scheduling plan includes two public hearings on the February 18, 2019 City Council agenda, with action on the item at the March 18, 2019 Council Meeting.

For an annexation, State law requires two public hearings, no more than 40 days nor less than 20 days from the actual vote to consider the annexation. Normally those public hearings are scheduled for regular City Council Meetings, but there is nothing in the State law that precludes the City from having those public hearings at the same meeting.

By scheduling both public hearings at the same meeting, the City would not need to schedule a Special Called Council Meeting. Since this annexation is voluntary and requested by the property owner, the staff felt the public hearings could be held at the same meeting.

COUNCIL MINUTES – FEBRUARY 4, 2019

Council Member Steele asked what property around the proposed annexation is in the City limits. He verified that the City limits ends about where Washington Street ends.

He also verified that it would be up to each individual property owner, west of the City limits, to request annexation if they want to be inside the City.

Mr. Hefton said there are two main reasons that the City has annexed property in the past. The first is at the initiation of the property owner, which is what this request is. The other is where there is a large group, such as the Preston Club annexation, where there is a petition process. This is also considered voluntary if enough people sign the petition.

Sometimes if the proposed annexation is adjacent to the City limits it makes sense to annex for growth and the City will initiate the annexation. This requested annexation is adjacent to the City limits on multiple sides, so it just makes sense to annex the area.

Council Member Melton expressed concern that the public hearings could be held on the same day. Mr. Shelby said the public hearings are held for citizens to be heard on the issue, and in this case it's a requested annexation.

Mr. Shelby said this was the first time both public hearings have been heard on the same day, but since the owner approached the City for a voluntary annexation, the staff felt it would be okay to have the public hearings on the same day.

Council Member Stevenson verified that there are no citizens residing in the proposed annexation area. Mr. Hefton said the law is set up so people in the area to be annexed have the right to speak on whether or not they want to be annexed. In this case, it's one property owner and he initiated the request.

He added that the City has a policy that, for development purposes, for the City to extend utility services, they are required to be inside the City limits.

Council Member Steele addressed development in the Extra Territorial Jurisdiction, saying at some point they will want to be annexed and their development will be to the City's requirements. This is a list of what the City will provide to them.

ACTION TAKEN.

Motion by Council Member Stevenson to approve the Annexation Scheduling Plan for the annexation of 9.758 acres on West Washington Street, West of FM 1417, as presented. Second by Council Member Steele.

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

VOTING NAY: None.

MOTION CARRIED.

CITIZENS REQUESTS

DEMOLITION OF HOMES

Ronald Aycock, 220 E. Houston, addressed the demolition program for substandard homes and asked if the City recouped any money from the copper or wiring in these demolished homes. Mr. Hefton said the City did not receive any money for the copper.

**DEMOLITION
OF HOMES**

UTILITY POLE REPLACEMENT

Peter Tracy, 705 S. Valentine, said the utility company is boring holes in different locations to replace their poles. One was located by a Baptist church on Houston Street and another was located on the southwest corner of the Crutchfield Elementary School grounds.

**UTILITY POLE
REPLACEMENT**

He said they are not marking the holes and only place a piece of wood over it as a cover. He expressed concern about children jumping on the wood and falling into the hole. Mr. Tracy said he placed stakes and surveyor's tape around the holes to mark them.

He asked if the City could contact the utility company and make them install the new poles quicker so the holes are not open to the public.

Mr. Hefton said the City is only aware of the situation if it is brought to them on a complaint basis. He said he was unaware of the ones Mr. Tracy mentioned, but would ask the Street Department to check on the situation.

BUILDING CONSTRUCTION NOISE

Cynthia Sherman, 3405 Hanan Street, addressed construction in her neighborhood in Pebblebrook. She said, according to the City Code, construction is supposed to take place Monday through Friday, during certain hours.

**BUILDING
CONSTRUCTION
NOISE**

She said they have had to contact the Police Department several times because the builder is working on both Saturdays and Sundays, as well as holidays. She said the construction starts as early as 7:30 a.m. or 8:00 a.m. on Sunday morning.

Mr. Hefton said the staff is looking at revising the ordinance concerning construction noise. He said Hanan Street is a very new street in Sherman, and it was understandable that there was a lot of construction activity.

He said the staff is trying to maintain a reasonable balance, and 7:30 a.m. on a Sunday morning is not reasonable. By reviewing the ordinance, the staff will be able to remind the builders about what the existing or the new ordinance will be.

Mr. Hefton did feel that the new ordinance would expand the hours and allow construction on the weekend, however the hours would not be at 7:30 a.m. or 10:00 p.m., especially on weekends.

He added that the streets near Ms. Sherman's home in Pebblebrook are nearly "built out," but he will bring the issue back for Council discussion at the next City Council Meeting.

Ms. Sherman said she understood the construction on Saturday, because of rain delays, however she felt that there should be one day a week, Sunday, when there is no construction. She said they were also working on the Thanksgiving and Christmas holidays. Mr. Hefton agreed that there should be a balance.

BUILDING CONSTRUCTION NOISE

Alex Sherman, 3405 Hanan Street, said Mr. Hefton said where they live is nearly "built out" and he asked what that meant. Mr. Hefton said two years ago there were no houses in that area, and now there are 25 or 30 houses. He said there are a few lots left that don't have houses, either fully built or under construction.

Mr. Sherman said he counted at least six lots under construction across the street from his home. He invited Council Members to drive down the street to see the conditions of the road and the interference of the quality of life.

Mr. Hefton said Hanan Street is on the southernmost portion of Pebblebrook, Phase 3. Mr. Sherman asked Mr. Hefton to visit the area to assist with the decision making process. Mr. Sherman said there were more than a few lots left for construction.

MEDIA QUESTIONS

There were no media questions.

APPOINT/REMOVE OR CONSIDER QUALIFICATIONS TO BOARDS AND COMMISSIONS

LIBRARY BOARD (1)

ACTION TAKEN.

Motion by Council Member Howeth to appoint Donna Nesbit to the Library Board for a term from February 5, 2019 to February 5, 2022. Second by Council Member Stevenson.

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

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

FATHER - DAUGHTER DANCE

Council Member Stevenson said he and his daughter attended the Parks and Recreation Father - Daughter Dance and it was fun. He thanked the staff for scheduling the event.

CITIZEN'S COMMENTS

Council Member Stevenson thanked the citizens that spoke at tonight's Council Meeting. He said they don't know about problems until they are brought to their attention. He said he

**BUILDING
CONSTRUCTION
NOISE**

MEDIA QUESTIONS

LIBRARY BOARD

**FATHER - DAUGHTER
DANCE**

CITIZEN'S COMMENTS

hates to see a problem on Facebook that no one told him about. He said he appreciated those that came forward and wish more citizens would.

CITIZEN'S COMMENTS

Deputy Mayor Teamann said he appreciated each citizen that spoke at tonight's meeting too. It's hard to speak in front of a crowd, but he appreciated their comments.

VOLUNTEERS AT NEBLETT ELEMENTARY SCHOOL

Council Member Melton thanked the citizens that recently visited Neblett Elementary School during the National Read Aloud event. She encouraged citizens to become involved in the community.

CITIZEN'S COMMENTS

Council Member Melton said that Council Members do want to help the citizens. She said all Council Members have a webpage that lists their contact information. She said they would be happy to talk with citizens.

ANNOUNCEMENTS

Mayor Plyler announced the following:

- "The Choice" singing competition benefitting the House of Eli will be held on February 22, 2019 in the Municipal Ballroom.
- Main Street Mardi Gras will be held in Downtown Sherman on February 23, 2019. A new game rewards downtown shopping this year.
- The Sherman Celtic Festival will be held on March 23, 2019, and will be moved to the field north of Midway Mall.

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

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

SECTION 551.071 -- 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

CITIZEN'S COMMENTS

VOLUNTEERS AT NEBLETT ELEMENTARY SCHOOL

CITIZEN'S COMMENTS

ANNOUNCEMENTS

EXECUTIVE SESSION

THE STATE BAR OF TEXAS
CLEARLY CONFLICTS WITH THIS
CHAPTER

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 5:30 p.m.

On Motion duly made and carried, the Executive Session
recessed at 6:20 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

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at
6:22 p.m.

ADJOURNMENT

MAYOR

CITY CLERK



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.1.

Meeting Date: 02/18/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

FIRST PUBLIC HEARING

Conduct the First Public Hearing Concerning the Annexation of a 9.758 Acre Tract of Land on West Washington Street, West of F.M. 1417 (Heritage Parkway), Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction

Issue:

To conduct the first public hearing concerning the annexation of a 9.758 acre tract of land on West Washington Street, west of F.M. 1417 (Heritage Parkway), 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 February 4th meeting, the City Council approved the schedule for annexation of this property, which sets the first and second public hearings for this meeting and introduction and adoption of the Ordinance to annex the subject property at the March 18th regular Council meeting. This annexation was requested by the property owner.

Origination:

Letter requesting annexation by Washington Bend, LLC, subject Property Owner / Developer

Financial Consideration:

Once developed, the additional property taxes on the land raised from this annexation are estimated at about \$45,000 annually, which approximates the estimated costs associated with providing general City services.

Staff Recommendation:

It is recommended that the City Council conduct its first public hearing concerning the possible annexation of this property.

Alternatives:

As directed by the City Council

Attachments

Annexation Scheduling Plan

Request for Annexation

Legal Description - West Washington Street

Municipal Service Plan

Aerial Location Map

ANNEXATION SCHEDULING PLAN

- Wednesday, February 6, 2019.....Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
- Thursday, February 7, 2019.....Post notice on City's website, newspaper and City Hall for City Council's 1st and 2nd Public Hearings on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
- Thursday, February 14, 2019.....Post notice of 1st and 2nd Public Hearings under the Open Meetings Act.
- Monday, February 18, 2019.....City Council's 1st and 2nd Public Hearings on intent to annex and service plan.* (Regular Council Meeting)
- Thursday, March 14, 2019.....Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.*
- Monday, March 18, 2019.....City Council Public Hearing for introduction and consideration of adoption of annexation ordinance.* (Regular Council Meeting)

* If more than twenty (20) adults who are residents of the area to be annexed protest within ten (10) days of the notice by publication, then one (1) of the public hearings must be held in the area to be annexed.

Gary Corley

From: Gary Corley [garycorley@gorleylaw.com]
Sent: Wednesday, January 23, 2019 10:54 AM
To: 'amber@ci.sherman.tx.us'
Cc: 'Jim Lindsey'; 'Jacob Pelley'; 'Blume Loe'
Subject: FW: Washington Oaks Subdivision
Attachments: Washington Bend - City Limits tract - field notes.pdf; CGS310119.pdf; CGS631118.pdf; Washington Bend -plat application Sherman.pdf

Good morning, Amber

I now have the boundary survey of the portion of the Washington Oaks Subdivision that, on behalf of Washington Bend, LLC as a Managing Member, request the City of Sherman to annex the land for the development of residential use. Please see attached Survey, along with the platting for the portion of the subdivision that is already within the city limits of the City of Sherman. Please acknowledge that this email is sufficient for the purpose of commencing the annexation process and that addressing this communication to you is appropriate. If not, then I will prepare a letter on my firm's stationery to be hand-delivered today. Thank you.

With kindest, Regards,

GDC

Gary D. Corley
 CORLEY LAW FIRM
 108 North Travis Street
 Sherman, Texas 75090
 (903) 892-1048 Office
 (214) 260-4925 Fax
 * (903) 814-5032 Cell

[Handwritten signature: Gary Corley] AS MEMBER
 OF WASHINGTON BEND LLC

From: kate@helveywagnersurvey.net [mailto:kate@helveywagnersurvey.net]
Sent: Tuesday, January 22, 2019 11:27 AM
To: Gary Corley
Cc: garycorley@gorleylaw.com; Jake Pelley; jim@adamilindsey.com; Blume Loe, Jr.
Subject: Re: Washington Oaks Subdivision

Good morning:

Here is a copy of the plat and field notes for the annexation into the City Limits. This needs to be provided to the City of Sherman, along with any paperwork to get the annexation process started. I have also attached a PDF copy of the plat we have showing the changes Gary & I discussed. From the latest file from KJE, we do not have street names, so if you do not have those, please go ahead and start thinking of some.

I will also be forwarding this onto KJE Engineers also, so we will work on getting this to the City by Thursday, as that is the deadline for the next meeting. I went ahead and filled out a plat application that someone will need to complete and sign in pink and turn into the Planning & Zoning Department by 5 PM on Thursday. We will take care of the plat copies that will be required for the submittal. If you know of the street names, go ahead and forward to me. Otherwise, we will be working on some final touches for Thursday.

Kindest Regards,

1/23/2019

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020

Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: helveysurvey@cableone.net

TBPLS Firm Registration No. 10088100

Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578 – Kenneth N. Russell, RPLS No. 4409

9.758 Acres

SITUATED in the County of Grayson, State of Texas, and being a part of the William Thompson Survey, Abstract No. 1210, and being a part of the 21.95 ac. tract of land conveyed to Washington Bend, LLC by Phillip A. Klas and Elizabeth Ellen Andrews Schnitker, Independent Executrix of the Estate of Stephen H. Klas, Deceased by Warranty Deed with Vendor's Lien dated August 16, 2018 and recorded in Instrument No. 2018-18690, 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 capped rebar set stamped "RPLS 6578" in the North line of Washington Street, a public street, in the East line of both the Fielding Bacon Survey, Abstract No. 119 and the 31-1/8 ac. tract of land (Parcel No. 1 – First Tract) conveyed to Harcomo Farms, Inc. in Instrument No. 2018-1491, said Official Public Records, in the West line of said William Thompson Survey, at the most Westerly Northwest corner of the 1.688 ac. tract of land conveyed to the City of Sherman in Volume 4739, Page 492, said Official Public Records, at the Southwest corner of both said Washington Bend, LLC 21.95 ac. and the herein described tract;

THENCE North 00 deg. 52 min. 54 sec. West, with the East line of both said Fielding Bacon Survey and said Harcomo Farms, Inc. 31-1/8 ac. and the West line of both said William Thompson Survey and said Washington Bend, LLC 21.95 ac., passing the Northeast corner of said Harcomo Farms, Inc. 31-1/8 ac. and crossing the South line of the former Texas and Pacific Railroad right-of-way, now abandoned as per Disclaimer filed in Volume 2351, Page 443, Real Property Records, Grayson County, Texas and continuing for a total distance of 1178.65 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" in the South line of Lot 5, Forest Glen Addition, an Addition to the City of Sherman, Texas, as per plat of record in Volume 10, Pages 53 and 53A, Plat Records, Grayson County, Texas, at the Northwest corner of both said Washington Bend, LLC 21.95 ac. and the herein described tract;

THENCE South 80 deg. 18 min. 00 sec. East, with the South line of said Lot 5 and the North line of said Washington Bend, LLC 21.95 ac., a distance of 193.42 ft. to a point at the beginning of a curve, said point being South 41 deg. 39 min. West, 0.28 ft. from a spike nail found;

THENCE Easterly, with the South line of said Lot 5, Lot 4 and Lot 3, the North line of said Washington Bend, LLC 21.95 ac. and with a non-tangent curve to the right, having a radius of 5,729.65 ft. and a central angle of 01 deg. 34 min. 14 sec. (chord bears South 78 deg. 41 min. 41 sec. East, 157.06 ft.), an arc distance of 157.07 ft. to a point at an Ell corner of the City Limits of the City of Sherman, at the Northeast corner of the herein described tract;

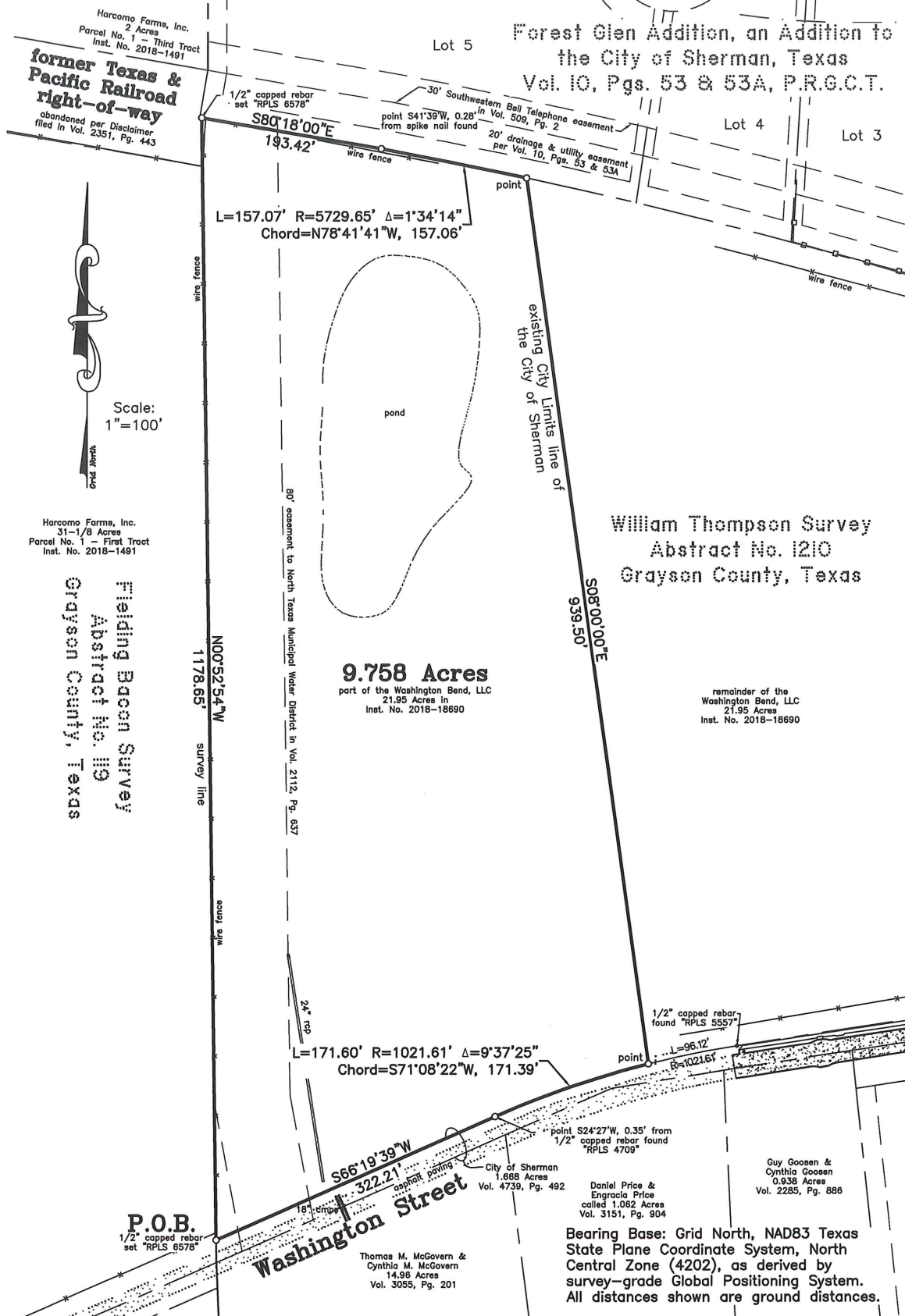
THENCE South 08 deg. 00 min. 00 sec. East, over and across said Washington Bend, LLC 21.95 ac., with a West line of the City Limits of the City of Sherman, a distance of 939.50 ft. to a point in the North line of said Washington Street, in the South line of said Washington Bend, LLC 21.95 ac., at the Southeast corner of the herein described tract;

THENCE Westerly, with the North line of said Washington Street, the South line of said Washington Bend, LLC 21.95 ac. and with a non-tangent curve to the left, having a radius of 1021.61 ft. and a central angle of 09 deg. 37 min. 25 sec. (chord bears South 71 deg. 08 min. 22 sec. West, 171.39 ft.), an arc distance of 171.60 ft. to a point at the end of said curve, being South 24 deg. 27 min. West, 0.35 ft. from a 1/2 inch capped rebar found stamped "RPLS 4709";

THENCE South 66 deg. 19 min. 39 sec. West, continuing with the North line of said Washington Street and the South line of said Washington Bend, LLC 21.95 ac., a distance of 322.21 ft. to the **PLACE OF BEGINNING** and containing **9.758 ACRES** of land.



Kate A. Wagner, R. P. L. S. No. 6578
January 18, 2019



City Limits Tract 9.758 Acres

Job No. CGS310119

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: January 18, 2019

City of Sherman Municipal Service Plan West Washington Street

INTRODUCTION:

The annexation is the site of approximately 9.758 acres along West Washington Street west of F.M. 1417 (Heritage Parkway), lying adjacent to the City of Sherman existing city limits.

This annexation is a step in the process of providing for the orderly growth and development of the City, to protect the City from substandard development and to provide for the enlargement of the city limits by including developments and improvements that are logically a part of the City and receive city utilities.

MUNICIPAL SERVICES TO BE PROVIDED:

POLICE PROTECTION: Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment will be provided on the effective date of annexation.

FIRE PROTECTION: Fire protection by the present personnel and equipment of the fire fighting force will be provided on the effective date of annexation.

SOLID WASTE: The same solid waste collection and disposal service now provided within the City of Sherman will be extended to the annexed area on the effective date of annexation.

BULK WASTE PICKUP: Free monthly bulk trash and brush pickup would be available on the effective date of annexation.

STREETS AND BRIDGES: All roads shall be accepted in current as-is conditions and shall be maintained by the City of Sherman. Any future streets or improvements will be developed by the standard provisions of the Developer's Ordinance. Street lighting will be established according to city guidelines.

PARKS: No public parks exist in the area to be annexed. Any new park facilities will be developed according to existing City policies as applicable to all city residents.

CONSTRUCTION INSPECTIONS: Building inspection activities will be available upon

annexation.

ENVIRONMENTAL HEALTH AND HEALTH CODE ENFORCEMENT: Enforcement of the City's environmental health ordinances and regulations shall be provided within this area on the effective date of the annexation ordinance.

ANIMAL CONTROL: Animal control services will be provided by the City on the effective date of annexation.

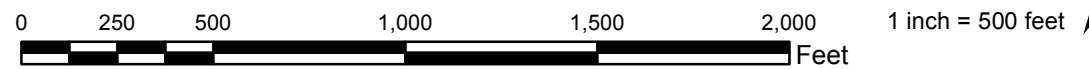
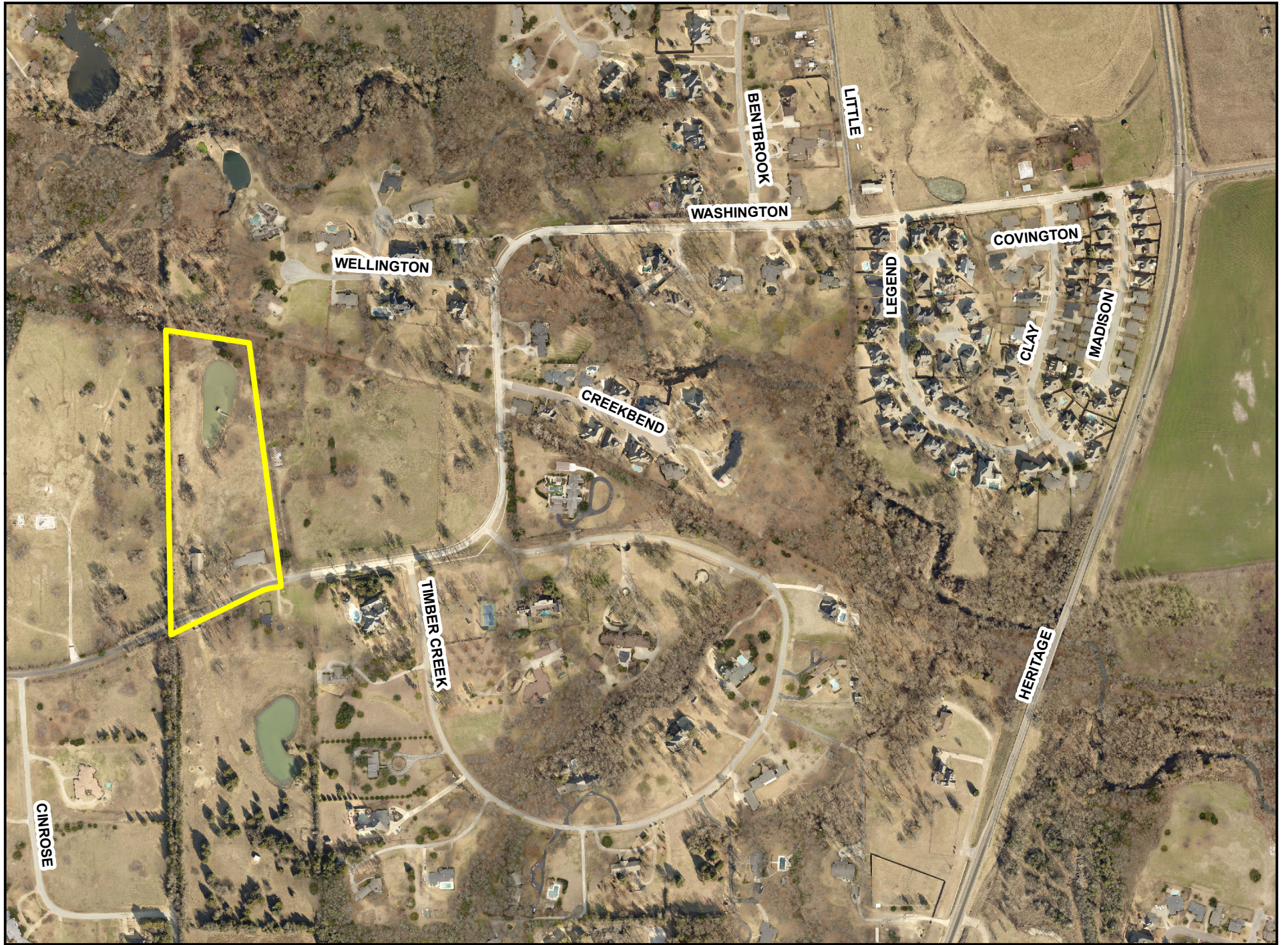
PLANNING AND ZONING: The Planning and Zoning jurisdiction of the City will extend to this area on the effective date of this annexation. All areas will be annexed as an R-A on the effective date of the annexation ordinance.

CAPITAL IMPROVEMENTS:

WATER SERVICE: Water improvements to the area will be in accordance with the City's Subdivision Ordinance and the City's Utility Extension Policies.

SEWER SERVICE: Sewer improvements to the area will be in accordance with the City's Subdivision Ordinance and the City's Utility Extension Policies.

West Washington Annexation





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.2.

Meeting Date: 02/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6179

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Carrus Behavioral Hospital for Inpatient/Outpatient Care in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District at 1724 West U.S. Highway 82, Suite 200, being Lot 1, Carrus Medical Plaza, Replat Lot 5 (Carrus Health Holdings, LLC, Owners; Anbarasu Nachimuthu, Contractor; and McCalla Design Group, Architect); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00

Issue:

To consider the request of Carrus Health Holdings, LLC (Owners), Anbarasu Nachimuthu (Contractor), and McCalla Design Group (Architect) concerning the property at 1724 West U.S. Highway 82, Suite 200, being Lot 1, Carrus Medical Plaza, Replat Lot 5, for a Specific Use Permit to allow Carrus Behavioral Hospital for inpatient/outpatient care in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District

Background:

The property is located at 1724 West U.S. Highway 82 between Post Oak Crossing and Rex Cruse Drive; Carrus Medical Office is the tenant. The property is zoned a C-1 (Retail Business) District and is also located in the O-1 (75 & 82) Overlay District. Carrus Health Holdings, LLC would like to finish out the second floor (approximately 17,250 square feet) of the medical office building for Carrus Behavioral Hospital for inpatient/outpatient care; they are currently looking at the adolescent population serving ages three to seventeen. The hospital will have 28 patient rooms.

Origination:

Carrus Health Holdings, LLC (Owners)
Anbarasu Nachimuthu (Contractor)
McCalla Design Group (Architect)

Financial Consideration:

None

Staff Recommendation:

At the January 22, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6179

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Building Elevations

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6179

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 CARRUS BEHAVIORAL HOSPITAL FOR INPATIENT/OUTPATIENT CARE IN A C-1 (RETAIL BUSINESS) DISTRICT/O-1 (75 & 82 OVERLAY) DISTRICT AT 1724 WEST U.S. HIGHWAY 82, SUITE 200, BEING LOT 1, CARRUS MEDICAL PLAZA, REPLAT LOT 5 (CARRUS HEALTH HOLDINGS, LLC, OWNERS; ANBARASU NACHIMUTHU, CONTRACTOR; AND MCCALLA DESIGN GROUP, ARCHITECT); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, Carrus Health Holdings, LLC (Owners), Anbarasu Nachimuthu (Contractor) and McCalla Design Group (Architect) concerning the property at 1724 West U.S. Highway 82, Suite 200 and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 1, Carrus Medical Plaza, Replat Lot 5

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

Zoning:

1. All aspects of the C-1 (Retail Business) District, the O-1 (75 & 82 Overlay) 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 U.S. Highway 82 access road or Cypress Grove Road right-of-way.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
5. A parking space is considered to be 9' x 20'.
6. The parking ratio for a medical office: 1/200 square foot; hospital: 1/3 beds, an exception will need to be granted if the parking ratio cannot be met for the proposed use on the lot before a Certificate of Occupancy Permit will be issued.
7. The required parking shall be provided on the same lot as the business is located.
8. Shall comply with all EPA, City, Federal and State regulations for this use.
9. Violations of the conditions of the SUP will terminate the Specific Use Permit.
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. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from the City of Sherman Engineering Department.
13. The location of the trash receptors must be approved by the Public Works Department.
14. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for approval.
15. Verify fire lane requirements with Fire Marshall.
16. Final site plans, utility, drainage and grading plan shall be provided and approved by the City Engineering Department.
17. Water and sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.

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

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

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

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

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

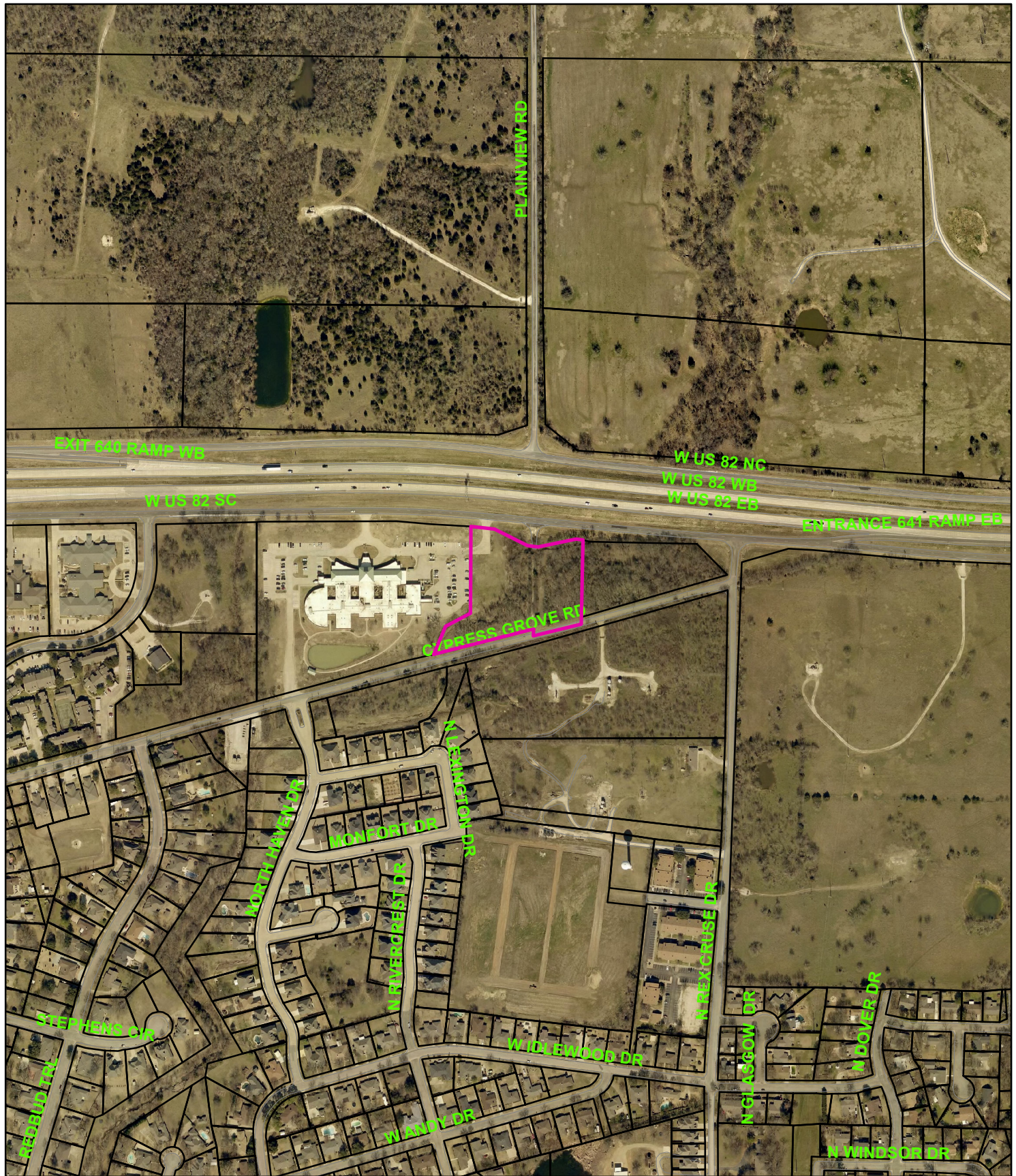
BY: _____
DAVID PLYLER, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

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



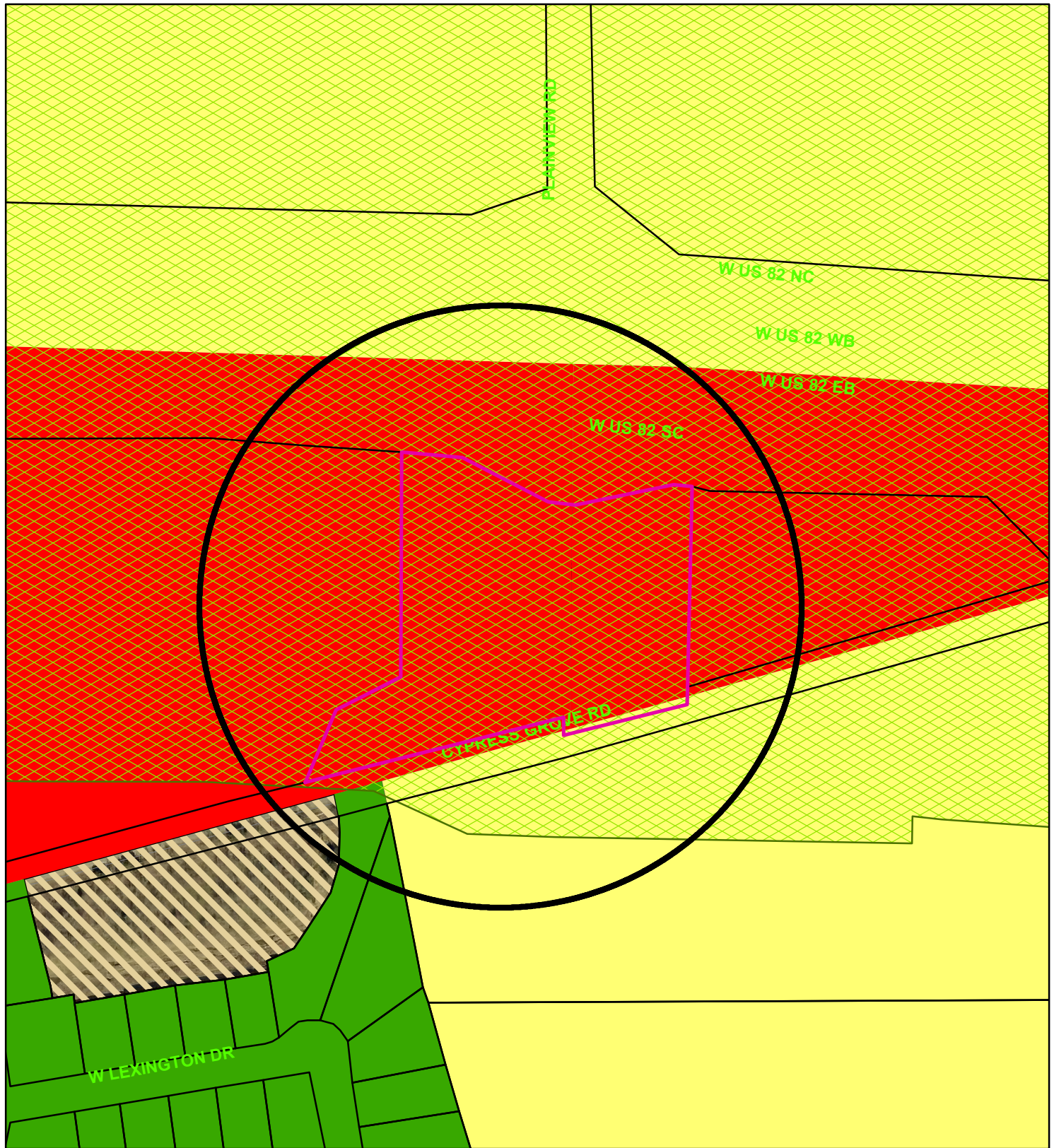
1724 West U.S. Highway 82, Suite 200



NOT TO SCALE

1 in = 500 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 1724 West U.S. Highway 82, Suite 200

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

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



City of Sherman, Texas
Developmental Services Department

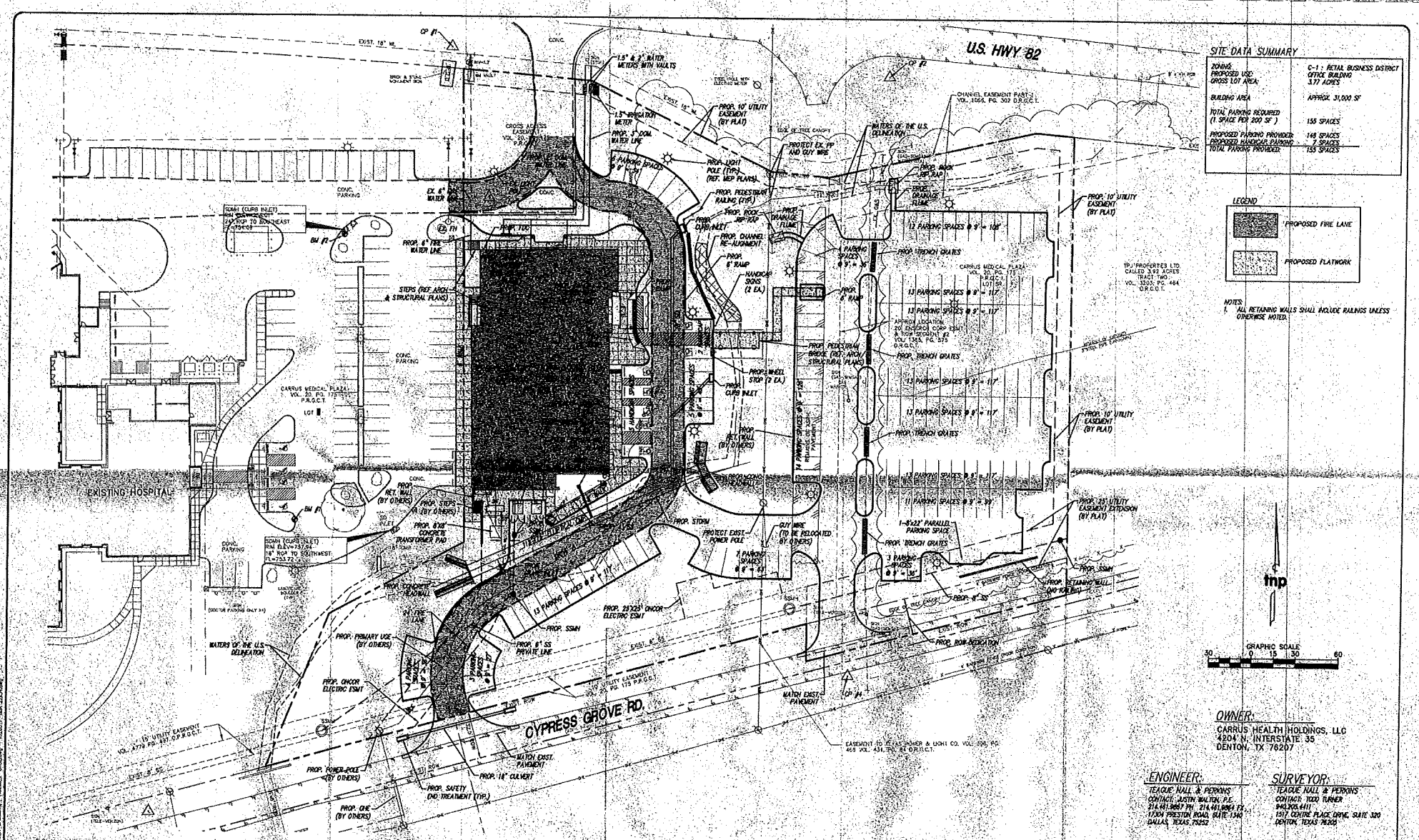


NOT TO SCALE

1 in = 200 ft

1724 West Highway 82





SITE DATA SUMMARY

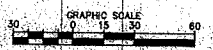
ROADS	C-1 - RETAIL BUSINESS DISTRICT
PROPOSED USE	OFFICE BUILDING
GROSS LOT AREA	3.77 ACRES
BUILDING AREA	APPROX. 31,000 SF
TOTAL PARKING REQUIRED (1 SPACE PER 200 SF)	155 SPACES
PROPOSED PARKING PROVIDED	148 SPACES
PROPOSED HANDICAP PARKING	7 SPACES
TOTAL PARKING PROVIDED	155 SPACES

LEGEND

PROPOSED FIRE LANE

PROPOSED FLATWORK

NOTES
1. ALL RETAINING WALLS SHALL INCLUDE RAININGS UNLESS OTHERWISE NOTED.



OWNER:
CARRUS HEALTH HOLDINGS, LLC
4204 N. INTERSTATE 35
DENTON, TX 76207

ENGINEER:
TEAGUE NAIL & PERKINS
CONTR. ARCH. W/ENR. P.E.
214.461.9867 PH. 214.461.9864 FX.
17304 PRESTON ROAD, SUITE 1340
DALLAS, TEXAS 75252

SURVEYOR:
TEAGUE NAIL & PERKINS
CONTR. SURV. W/ENR. P.E.
214.461.9867 PH. 214.461.9864 FX.
17304 PRESTON ROAD, SUITE 1340
DENTON, TEXAS 76207

no.	description	by	date
1	ADDENDUM 1	JHW	4/11/2017
2	ADDENDUM 2	JHW	3/28/2017
3	ADDENDUM 3 - TRANSFORMER & ESMT. RELOCATION	JHW	2/23/2017
4	revision		

scale
vertical bar is
1 inch long
1"=30'
N/A
SEPT 2017

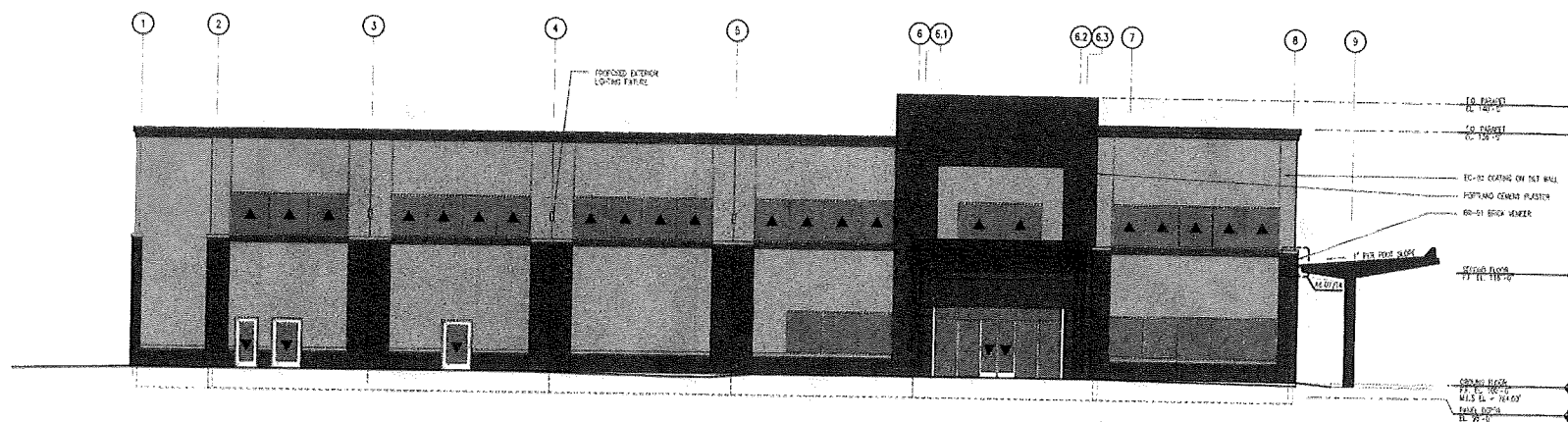


teague nail & perkins
17304 Preston Road, Suite 1340
Dallas, Texas 75252
214.461.9867 ph. 214.461.9864 fx.
TXBPE Registration No. F-230
www.tnplinc.com

This document is for interim review and is not
intended for construction, bidding or permit
purposes.
JULIAN N. WELTON, P.E. - DATE: SEPT. 2017
TX Reg. # 97267

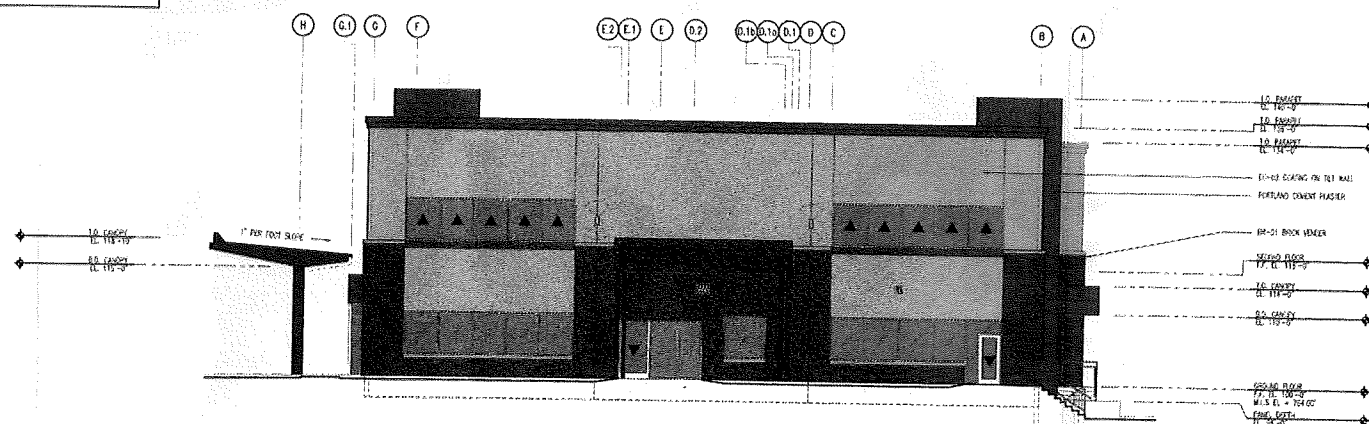
City of Sherman, Texas
Public Works & Utility Improvement for
CARRUS MOB
SITE PLAN

the project
CS1114303
sheet
C1.03



ELEVATION KEY

	100-01		100-08		01-01 (RED L&S)		01-03 (TRANSITION)
	01-02		01-05		01-02 (ARMORED GATE FOR FORTIFIED POSITION)		



01 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

CARRUS OFFICE PARK
1724 W. HIGHWAY 82
SHERMAN, TEXAS 75092

CLINT
CARPUS & ASSOCIATES, LLC
1504 H-55
Dorchester, Texas 76202
904.670.2400

CITY ENGINEER
1034
17304 Preston Road, Suite 1340
Dallas, Texas 75204
214.461.9917
214.461.9264 (fax)

CONCRETE ENGINEER
1574
WEST STRUCTURE, LLC
1701 N. Central Expressway, Ste 211, Ft. 18
Dallas, Texas 75202
214.453.4640

MAP ENGINEER
R.C. ENGINEERING
4031 N. Central Expressway, Suite 200
Ogden, UT 84204
214.540.5800
214.540.5940 (fax)

U.S. CONFIDENTIAL

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outside the Agency.

Revisions:

Issue Date:
17 DECEMBER 2018
Project No:
16111A
Sheet Title:
EXTERIOR ELEVATIONS

Sheet No:
A4.01



02 WEST ELEVATION
SCALE: 1/8" = 1'-0"

CLIENT
CARRYS HEALTH HOLDINGS, LLC
424 HHS
Dorland, Texas 76001
817.620.2600

CVS PHARMACY
718
17304 Preston Road
Dallas, TX 75224
214.461.9367
214.461.9364 (fax)

STRUCTURAL EXPANDER
URBAN STRUCTURE, INC.
1701 N. Market Street, Suite 211, LB 11
Dallas, Texas 75202
214.635.6000

4131 N. Central Expressway, Suite 200
Dallas, TX 75204
214.540.3700
214.540.3747 (fax)

1. *Chlorophyll a* and *Chlorophyll b* contents were determined by spectrophotometry using the method of Lichtenthaler and Whistler (1987). The total chlorophyll content was calculated as the sum of chlorophyll *a* and chlorophyll *b*.

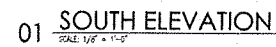
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Keywords:

Issue Date:
17 DECEMBER 2018
Project No:
16111A
Sheet Title:
EXTERIOR ELEVATIONS

Sheet No:
A4.02



01 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

STAFF REVIEW LETTER

January 11, 2019

Carrus Health Holdings, LLC
1810 West U.S. Highway 82
Sherman, TX 75092

McCalla Design Group, PLLC
780 N. Watters Rd., Suite 100
Allen, TX 75013

Anbarasu Nachimuthu
1810 West U.S. Highway 82
Sherman, TX 75092

Dear Applicants,

The request for a Specific Use Permit and site plan approval to allow Carrus Behavioral Hospital for inpatient/outpatient care in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District for the property located at 1724 West U.S. Highway 82, Suite 200 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2019 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 O-1 (75 & 82 Overlay) 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 U.S. Highway 82 access road or Cypress Grove Road right-of-way.
4. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
5. A parking space is considered to be 9' x 20'.
6. The parking ratio for a medical office: 1/200 square foot; hospital: 1/3 beds, an exception will need to be granted if the parking ratio cannot be met for the proposed use on the lot before a Certificate of Occupancy Permit will be issued.
7. The required parking shall be provided on the same lot as the business is located.
8. Shall comply with all EPA, City, Federal and State regulations for this use.
9. Violations of the conditions of the SUP will terminate the Specific Use Permit.
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. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit is required from the City of Sherman Engineering Department.
13. The location of the trash receptors must be approved by the Public Works Department.
14. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for approval.

15. Verify fire lane requirements with Fire Marshall.
16. Final site plans, utility, drainage and grading plan shall be provided and approved by the City Engineering Department.
17. Water and sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.

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.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

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

Respectfully,



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

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



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

Agenda Item No. 8.

Meeting Date: 01/22/2019

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

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1724 WEST U.S. HIGHWAY 82, SUITE 200

The request of Carrus Health Holdings, LLC (Owners), Anbarasu Nachimuthu (Contractor) and McCalla Design Group (Architect) concerning the property at 1724 West U.S. Highway 82, Suite 200, being Lot 1, Carrus Medical Plaza, Replat Lot 5, as follows:

Planning and Zoning Commission

Specific Use Permit and site plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Carrus Behavioral Hospital for inpatient/outpatient care in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District.

Background:

The property is located at 1724 West U.S. Highway 82 between Post Oak Crossing and Rex Cruse Drive; Carrus Medical Office is the tenant. The property is zoned a C-1 (Retail Business) District and also located in the O-1 (75 & 82) Overlay District. Carrus Health Holdings, LLC would like to finish out the second floor of the medical office building for Carrus Behavioral Hospital for inpatient/outpatient care; the hospital will have 28 patient rooms.

Adjacent Zoning:

SF-1 (Single Family Residential) District

R-1 (One Family Residential) District

C-O (Office) District

C-1 (Retail Business) District

Origination:

Carrus Health Holdings, LLC (Owners)

Anbarasu Nachimuthu (Contractor)

McCalla Design Group (Architect)

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

Location Map

Zoning Map

Zoning Sign Photo

Site Plan

Building Elevations

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.3.

Meeting Date: 02/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6180

Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Existing Duplex in an R-1 (One Family Residential) District at 917-919 North Brents Avenue, being Lot 7, Block 2, Colling Addition, Section 2 (Knightbridge Property Group, LLC, Owners; and Lisa Biddle, Representative); 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 Knightbridge Property Group, LLC (Owners) and Lisa Biddle (Representative) concerning the property at 917-919 North Brents Avenue, being Lot 7, Block 2, Colling Addition, Section 2, for a Specific Use Permit to allow an existing duplex in an R-1 (One Family Residential) District

Background:

The property is located at 917 and 919 North Brents Avenue, between East College and East Richards Streets. The property is zoned an R-1 (One Family Residential) District.

Timeline:

May 15, 2007, Building permit application received to construct a duplex

June 14, 2007 - Building permit approved and issued.

December 3, 2007 - Ordinance No. 5501 adopted removing duplexes from the R-1 (One Family Residential) District and adding them to the R-2 (Multi-Family Residential) District.

January 4, 2008 - Certificate of Occupancy Permit for the duplex approved.

The owners want to sell the property at 917-919 North Brents and, to get into compliance with current zoning regulations, they are requesting a Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District.

Origination:

Knightbridge Property Group, LLC (Owners)

Lisa Biddle (Representative)

Financial Consideration:

None

Staff Recommendation:

At the January 22, 2019 regular meeting, the Planning and Zoning Board voted 7/0 to recommend to the City Council that the Specific Use Permit be approved subject to the Staff Review Letter.

Alternatives:

The City Council could deny the request.

Attachments

Ordinance No. 6180

Location Map

Zoning Map

Zoning Sign Photo

Survey

Building Permit

Certificate of Occupancy Permit

Ordinance No. 5501

Staff Review Letter

P&Z Communication

ORDINANCE NO. 6180

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 EXISTING DUPLEX IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT AT 917-919 NORTH BRENTS AVENUE, BEING LOT 7, BLOCK 2, COLLING ADDITION, SECTION 2 (KNIGHTBRIDGE PROPERTY GROUP, LLC, OWNERS; AND LISA BIDDLE, REPRESENTATIVE); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

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

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

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

SECTION 1. That, from and after the passage of this ordinance, Knightbridge Property Group, LLC (Owners) and Lisa Biddle (Representative) concerning the property at 917-919 North Brents Avenue and that Section 8, Subsection (5)(a), Ordinance No. 2280 is hereby amended so as to hereafter include the following described property:

BEING Lot 7, Block 2, Colling Addition, Section 2

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

Zoning:

1. All aspects of the R-1 (One Family Residential) District, the fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.

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

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

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

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

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

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

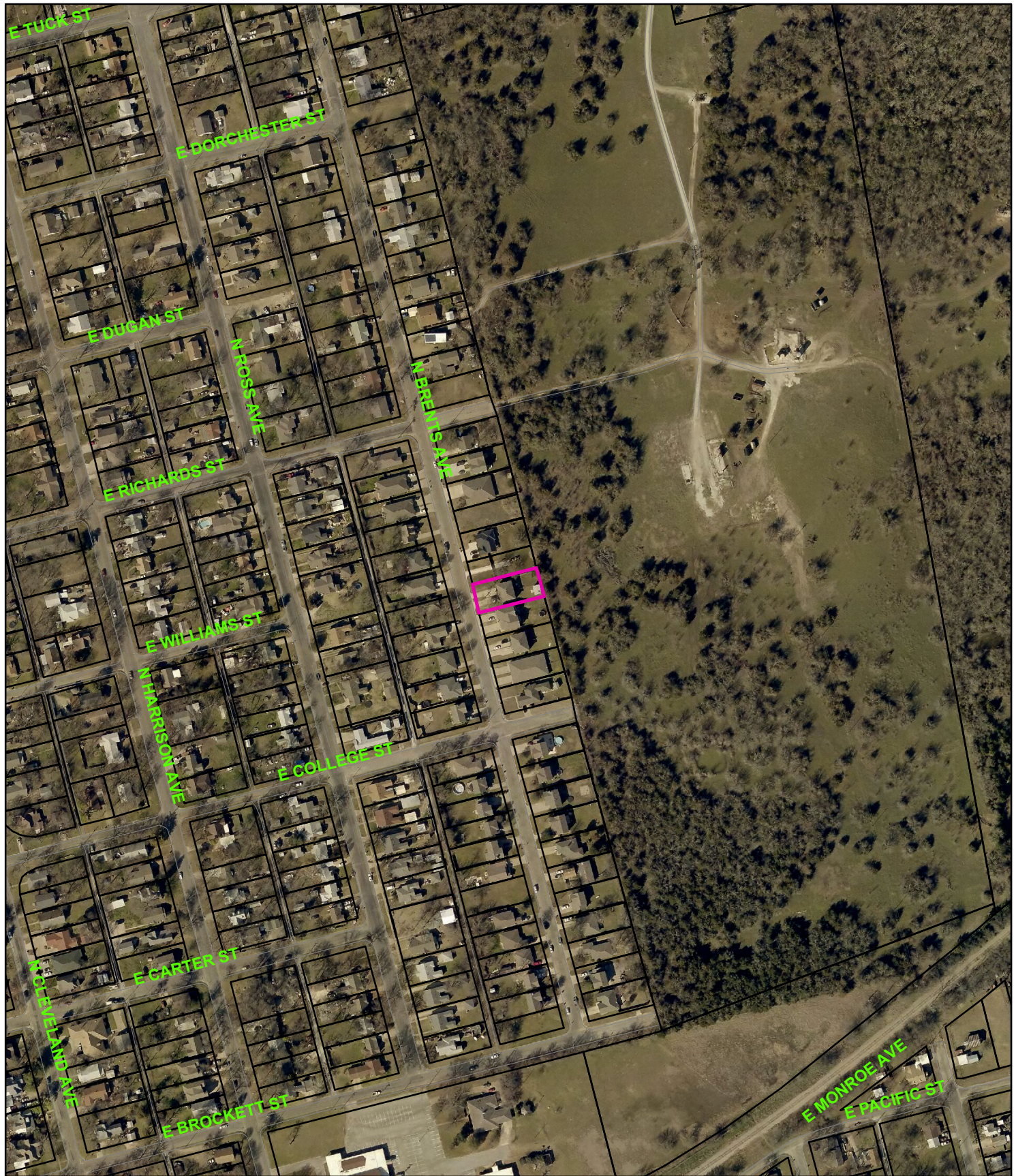
ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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



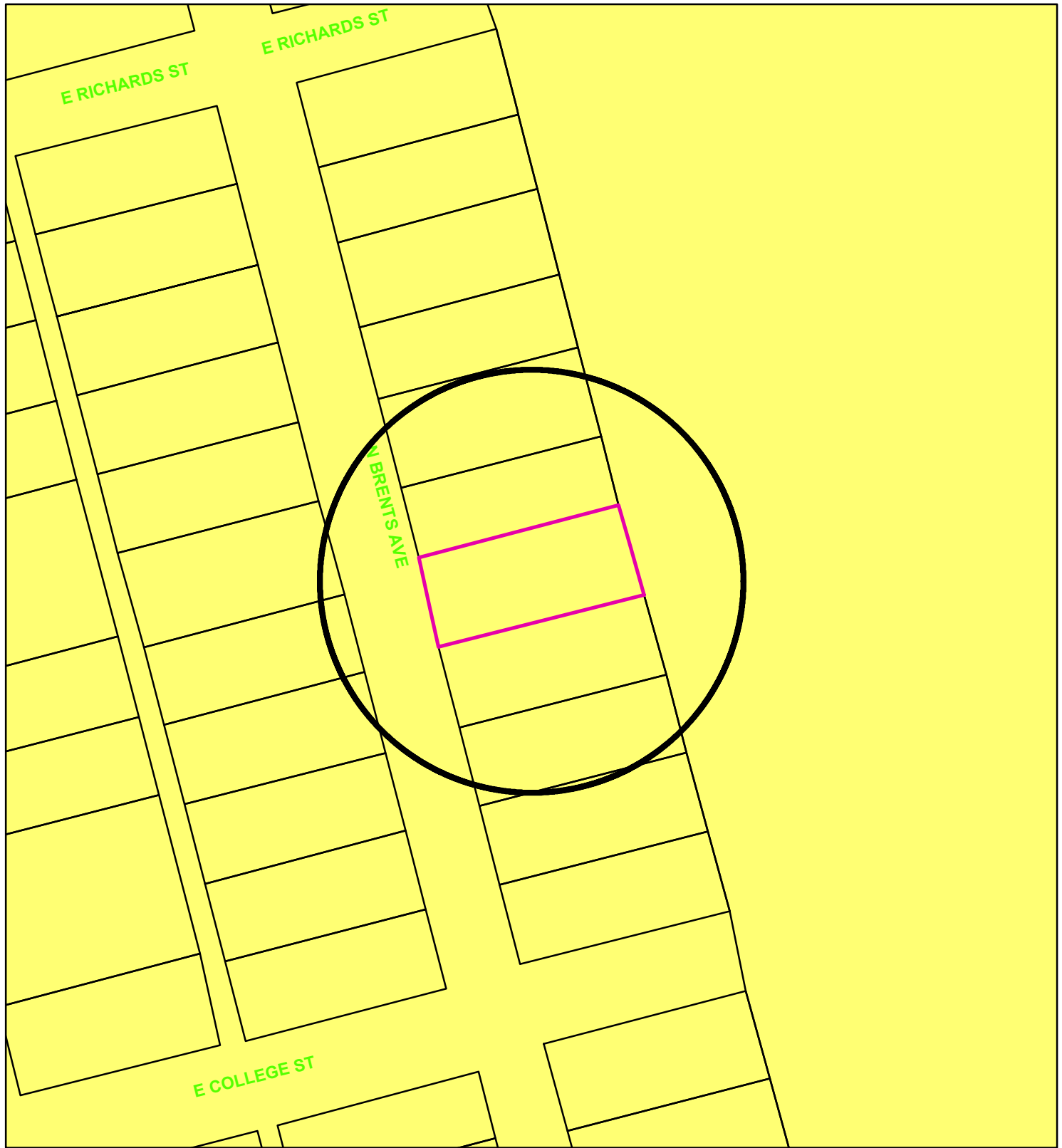
917-919 North Brents Avenue



NOT TO SCALE

1 in = 300 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 917-919 North Brents Avenue



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

- FM 1417
- Sam Rayburn Freeway
- US Hwy 62 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

Legend

- 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



NOT TO SCALE

1 in = 100 ft

917-919 North Brents



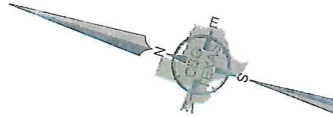


917 & 919 N. Brents Avenue

Being Lot Seven (7), in Block Two (2), of the Colling Addition, Section 2, to the City of Sherman, Grayson County, Texas, as shown by Plat Record in Volume 3, Page 10, of the Plat Records of Grayson County, Texas.

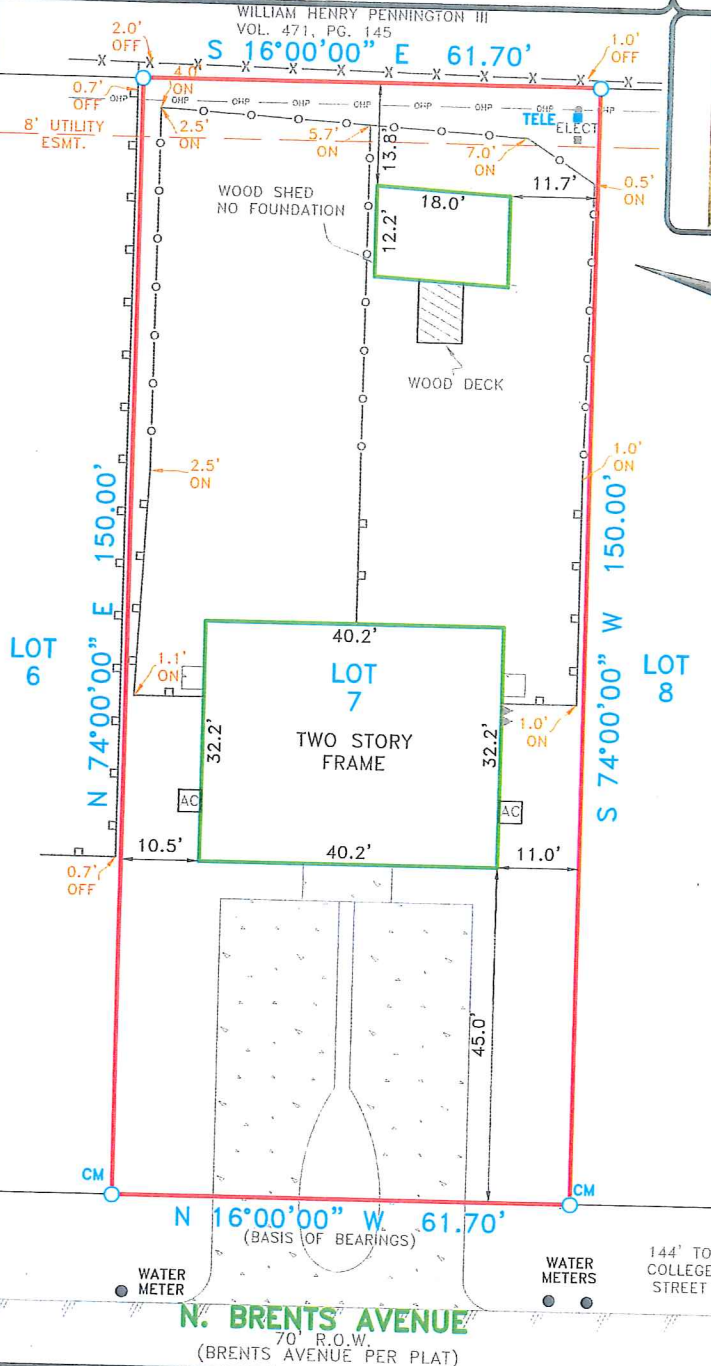


CHICAGO TITLE



LEGEND

- 1/2" ROD FOUND
- ⊗ 1/2" ROD SET
- 1" PIPE FOUND
- ⊗ "X" FOUND/SET
- ⊗ 5/8" ROD FOUND
- ⊕ POINT FOR CORNER
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- AC AIR CONDITIONER
- PE POOL EQUIPMENT
- TE TRANSFORMER PAD
- COLUMN
- POWER POLE
- ▲ UNDERGROUND ELECTRIC
- △ OVERHEAD ELECTRIC
- OHP— OVERHEAD ELECTRIC POWER
- OES— OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- IJ— IRON FENCE
- X— BARBED WIRE
- DOUBLE SIDED WOOD FENCE
- //— EDGE OF ASPHALT
- ▲— EDGE OF GRAVEL
- CONCRETE
- COVERED AREA



RECEPTIONS:

NOTE: PROPERTY SUBJECT TO TERMS, CONDITIONS, AND EASEMENTS CONTAINED IN INSTRUMENTS RECORDED IN VOL. 1013, PG. 823; VOL. 1015, PG. 456; VOL. 3, PG. 10; VOL. 2559, PG. 754

EASEMENTS RECORDED IN THE FOLLOWING VOLUMES AND PAGES DO NOT AFFECT THE ABOVE DESCRIBED PROPERTY VOL. 772, PG. 37

NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

FLOOD NOTE: According to the F.I.R.M. No.48181C0290F, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by Chicago Title Company. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions as are indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Drawn By: AC

Scale: 1" = 20'

Date: 12/04/18

GF No.: CTDAL67
-8058671800507

Job No. 1825190



12025 Shiloh Road, Ste. 240
Dallas, TX 75228
P 214-349-9485
F 214-349-2216
Firm No. 10168800
www.cbginetx.com



Accepted by:

Purchaser

Purchaser

SHERMAN



P.O. BOX 1106, SHERMAN, TEXAS 75091-1106

BUILDING PERMIT APPLICATION

PERMIT NUMBER

294

OCCUPANCY NUMBER

PLEASE NOTE - COMPLETE ALL ITEMS - MARK BOXES WHERE APPLICABLE

I LOCATION OF BUILDING	STREET NUMBER AND NAME <u>917/919 N. Brents</u>		SUBDIVISION OR SURVEY <u>Colling</u>		LOT <u>7</u>	BLOCK <u>2</u>	CENSUS TRACT
	FLOOD ZONE _____		E. ZONING _____		TIME TO COMPLETE <u>180</u> DAYS		
	BASE FLOOD ELE. _____		FIRE ZONE _____				
	1ST FLOOR ELE. _____		PLANS _____				
II TYPE AND COST OF BUILDING	A. TYPE OF IMPROVEMENT		DESCRIPTION OF REPAIRS: <u>Construct Duplex</u> <u>Elec - Romero</u> <u>Plumb - K&B</u> <u>HVAC - Sanning</u>				
	1 ☒ NEW BUILDING						
	2 ☐ ALTERATION						
	3 ☐ REPAIR, Replacement						
	4 ☐ MOVING (relocation)						
	5 ☐ FOUNDATION ONLY						
B. OWNERSHIP							
1 ☒ PRIVATE (Individual, corporation, non profit institution, etc.)							
2 ☐ PUBLIC (Federal, state, or local government)							
C. COST \$ <u>100,000</u>							
D. FEE <u>460.20</u>							
Sq. Ft. { Main Bldg. <u>2560</u>		<u>#25 Stormwater</u>					
III BUILDING SPECS. New Bldg. and Additions - Fill Out Parts F. - M. Wrecking - Fill Out Part K Only All Others Skip to IV	F. PRINCIPAL TYPE OF FRAME		H. TYPE OF SEWAGE DISPOSAL		K. DIMENSIONS		
	☐ MASONRY (wall bearing)		☒ PUBLIC OR PRIVATE CO.		Number of Stories <u>2</u>		
	☒ WOOD FRAME		☐ INDIVIDUAL (Septic tank, etc.)		TOTAL SQUARE FEET OF FLOOR AREA, ALL FLOORS BASED ON EXTERIOR DIMENSIONS _____		
	☐ STRUCTURAL STEEL				TOTAL LAND AREA SQ. FT. _____		
	☐ REINFORCED CONCRETE		I. TYPE OF WATER SUPPLY		L. No. OFF-STREET PARKING SPACES		
	☐ OTHER - SPECIFY _____		☒ PUBLIC OR PRIVATE CO.		ENCLOSED _____		
			☐ INDIVIDUAL (well, cistern)		OUTDOORS <u>3</u>		
	G. Principal Type of Heating Fuel		J. ADDITIONAL INFO		M. RESIDENTIAL BLDG. ONLY		
	☐ GAS ☐ OIL		RESIDENTIAL TAX ABATEMENT ☐ YES ☒ NO		No. of Bedrooms <u>3</u> Full <u>3</u>		
	☒ ELECTRICITY ☐ COAL		WILL THERE BE AN ELEVATOR? ☐ YES ☒ NO		No. of Bathrooms _____ Partial _____		
☐ OTHER _____							
IV IDENTI- FICATION	1. OWNER	NAME <u>Golden Eagle Development</u>		MAILING ADDRESS <u>3203 St. Pierre</u> <u>McKinney TX 75010</u>		PHONE <u>972 880 0149</u>	
	2. CONT.						
	3. Architect						
	The Owner Of This Building And the Undersigned Agree To Conform To All Applicable Laws Of The City Of Sherman <u>X</u> <u>[Signature]</u>						
SIGNATURE OF APPLICANT		ADDRESS					
DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY							
APPROVED <u>6-14</u> 20 <u>07</u> DENIED _____ 20 _____ <u>[Signature]</u> BUILDING OFFICIAL SIGNATURE Gold - File							



APPLICATION OF CERTIFICATE OF OCCUPANCY AND COMPLIANCE
CITY OF SHERMAN, TEXAS

TO DEPARTMENT OF BUILDING INSPECTION

SHERMAN, TEXAS

5/15 20 07

THE UNDERSIGNED HEREBY MAKES APPLICATION FOR A CERTIFICATE OF OCCUPANCY AND COMPLIANCE FOR THE OCCUPANCY OR USE OF THE BUILDING, STRUCTURE, OR PREMISES AS IDENTIFIED AND DESCRIBED HEREIN:

LOCATION 917/919 N. Brents APPLICATION NO. 185
REQUESTED OCCUPANCY USE Duplex BUILDING PERMIT NO. _____
EXISTING OR FORMER OCCUPANCY USE none FIRE LIMIT 1st ☐ 2nd ☐
FIRM OR BUSINESS NAME _____ ZONING DISTRICT _____
OWNER Golden Eagle Development LOT _____ BLOCK _____
LESSEE _____ SUBDIVISION _____
FLOOD ZONE _____

I, WE, UNDERSTAND THAT SHOULD THE SAID STRUCTURE OR PREMISES AS IDENTIFIED AND DESCRIBED HEREIN BE USED OR OCCUPIED IN VIOLATION OF THIS AGREEMENT OR IN VIOLATION OF ANY OF THE DIVISIONS OF ANY BUILDING, FIRE, HEALTH, OR ZONING LAWS OR ORDINANCES OF THE CITY OF SHERMAN, THAT WE SHALL BE SUBJECT TO A FINE OF NOT MORE THAN \$100.00 PER DAY SO LONG AS SUCH VIOLATION EXISTS OR IS PERMITTED TO EXIST.

[Signature]
OWNER

LESSEE

CERTIFICATE OF OCCUPANCY AND COMPLIANCE

DATE 1-4 20 08 MO. _____
APPLICATION FOR THE (CONFORMING) OCCUPANCY USE REQUESTED ABOVE IS (APPROVED) 1-4 2008
(NON-CONFORMING) (DENIED)
APPLICATION DENIED BECAUSE _____

APPEALED TO THE BOARD OF ADJUSTMENTS & APPEALS _____ 20 _____

DATE OF HEARING _____ 20 _____

ACTION OF BOARD OF ADJUSTMENTS & APPEALS

DECISION SUSTAINED ☐

DECISION OVER-RULED ☐

ELECTRICAL INSPECTOR

PLUMBING INSPECTOR

LEAD FREE

FIRE MARSHALL

BUILDING INSPECTOR

1-4-08 [Signature]
1-4-08 [Signature]
1-4-08 [Signature]
1-4-08 [Signature]

[Signature]
BUILDING OFFICIAL/DIRECTOR OF URBAN AFFAIRS

ORDINANCE NO. 5501

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 14, EXHIBIT A OF THE CODE OF ORDINANCES, ENTITLED "GENERAL ZONING ORDINANCE", AT SECTION 6.2 TO AMEND THE REQUIREMENTS FOR ONE-FAMILY RESIDENTIAL DISTRICT; 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.

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

SECTION 1. That Section 6.2 of the Code of Ordinances of the City of Sherman, Texas, is hereby amended so that such section shall read as follows:

Sec. 6.2. R-1 (~~One and two~~-family residential) district.

(1) Minimum requirements for lot area, width, and setback:

Lot area: 6,000 SF

Lot width: 60'

Front: 25'

Rear: 25'

Side yards: There shall be a side yard on each side of the main building not less than ten (10) percent of the mean horizontal distance between the side lines of the lot; except that such side yard shall be not less than six (6) feet; and need not be more than fifteen (15) feet. A building on a corner lot shall have a side yard adjacent to its side street of not less than ten (10) feet.

(2) See section 7 for supplementary district regulations, exceptions and parking regulations applying to the R-1 District.

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the board of adjustment and specific use permits that may be recommended by the [planning and] zoning board within the R-1 District under certain circumstances and conditions.

(4) Permitted uses and parking requirements:

Permitted Uses	Parking Ratio
One and two -family dwellings.	1/ bedroom (min. 2/unit)
Accessory building; garage or carport, domestic storage.	none
Bedrooms—two bedrooms may be rented to not more than four people.	1/unit
Field crops, horticulture, nursery, truck gardening, but not including retail sales on the premises.	none
Public park, playground or playfield.	none
Sign: Bulletin erected by a church, community center, school, public agency, or institution on its own premises for announcement purposes, and which does not exceed 20 square feet in area and 6 feet in height. See section 7(14)(g). *none	
Sign: Identification not exceeding 1-1/2 square feet in area. Name and address only. See <u>section 7(14)(g).</u> *	none
Sign: Real estate for sale, rent, or lease. Unlighted, 16 sq. ft. max. *	none
Swimming pool, private.	none
Railroad rights-of-way but not including shops and yards.	none
Portable offices and construction buildings which shall be removed upon completion or abandonment of construction work.	none
Home occupations: Any occupation that is customarily carried on at home that does not involve a structural change in the dwelling unit, that does not require the employment of help other than members of the immediate family, provided, however that the following uses shall not be	

permitted as customary home occupations: Any office in which services are rendered, or in which chattels or goods, wares or merchandise are commercially created, exchanged or sold; barber or beauty shops, beauty culture schools; commercial stables or kennels; doctor's office for the treatment of patients; and/or the display of goods.	
---	--

(5) Height regulations: No building shall exceed 35 feet or 2 stories in height.

(6) Front facing fences: Fences are not permitted in the front yard of any single family dwelling or duplex of any subdivision of four (4) lots or more, outside of the residential tax abatement zone and platted after this amendment to the ordinance, except an approved decorative fence.

(a) Decorative fences with openings not less than fifty (50) percent of the fence area and not exceeding three (3) feet in height are permitted in the front yard.

(b) Chain link, woven wire mesh or similar materials are not considered decorative fencing and are prohibited.

SECTION 2. 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 3. 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 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

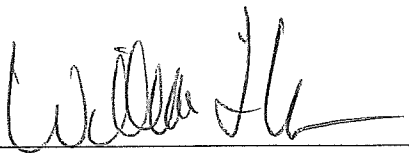
INTRODUCED on this the 3rd day of December, 2007.

ADOPTED on this the 3rd day of December, 2007.

EFFECTIVE DATE on this the 3rd day of December, 2007.

CITY OF SHERMAN, TEXAS

BY:


BILL MAGERS, MAYOR

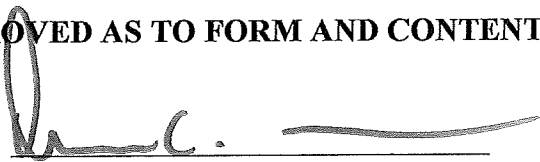
ATTEST:

BY:


LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM AND CONTENT:

BY:


DOREEN E. MCGOOKEY,
CITY ATTORNEY

STAFF REVIEW LETTER

January 11, 2019

Knightbridge Property Group, LLC
Natalie Mallinckrodt
PO Box 11565
Oakland, CA 94611

Lisa Biddle
312 N. Powell Pkwy.
Anna, TX 75409

Dear Applicants,

The request for a Specific Use Permit to allow an existing duplex in an R-1 (One Family Residential) District for the property located at 917 and 919 North Brents Avenue has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2019 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 fence ordinance and the Residential Tree and Landscaping Ordinance must be followed.
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'.
4. Parking is permitted on paved surfaces only; concrete or asphalt.
5. Review the zoning and development ordinance for additional requirements.
6. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

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.

You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

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

Respectfully,



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

CC: Robby Hefton, City Manager
Mark Gibson, Director of Utilities
Clint Philpott, P.E., Director of Engineering
Amber Doan, Engineering Coordinator

Danny Fuller, Fire Marshal
Brandon Shelby, City Attorney
Steve Ayers, Asst. City Manager



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

Agenda Item No. 11.

Meeting Date: 01/22/2019

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

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

917-919 NORTH BRENTS AVENUE

The request of Knightbridge Property Group, LLC (Owners) and Lisa Biddle (Representative) concerning the property at 917-919 North Brents Avenue, being Lot 7, Block 2, Colling Addition, Section 2, as follows:

Planning and Zoning Commission

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

Background:

The property is located at 917 and 919 North Brents Avenue between East College and East Richards Streets. The property is zoned an R-1 (One Family Residential) District.

Timeline:

May 15, 2007, Building permit application received to construct a duplex

June 14, 2007 - Building permit approved and issued.

December 3, 2007 - Ordinance 5501 adopted removing duplexes from the R-1 (One Family Residential) District and adding it to the R-2 (Multi-Family Residential) District.

January 4, 2008 - Certificate of Occupancy Permit for the duplex approved.

The owners are wanting to sell the property at 917-919 North Brents and to get in compliance with current zoning regulations, they are requesting a Specific Use Permit to allow a duplex in an R-1 (One Family Residential) District.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Knightbridge Property Group, LLC (Owners)
Lisa Biddle (Representative)

Master Plan Designation:

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

Number of notices mailed:

18

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Survey

Building Elevations

Permit Application

Certificate of Occupancy Permit

Ordinance 5501

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.4.

Meeting Date: 02/18/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6181

Closing and Abandoning the Platted Right-of-Way being Midway Drive, north of Fallon Drive, as shown on Plat in Volume 6, Page 11 of the Plat Records of Grayson County, Texas, dedicating ownership of said Right-of-Way to the adjacent owner, Datavault Joint Venture, being more particularly described and shown on Exhibit "A" attached hereto and made a part hereof for all purposes

Issue:

To consider approving the closure and abandonment of right-of-way of Midway Drive, an undeveloped right-of-way north of Fallon Drive, as described and shown on plat in Volume 6, Page 11 of the Plat Records of Grayson County, Texas, being more particularly shown on Exhibit "A" attached hereto and made a part hereof for all purposes

Background:

Midway Drive is an undeveloped platted right-of-way north of Fallon Drive. The right-of-way dedication was part of a masterplan for the area. Recent development interest has changed the master plan needs and layout. This right-of-way is proposed to be abandoned and relocated via future plat in order to account for proposed development in the surrounding area. Right of way is to be dedicated to the adjacent owner, Datavault Joint Venture, after City Council approval of said abandonment.

Origination:

Datavault Joint Venture, surrounding property owner, and Engineering Department

Financial Consideration:

None

Staff Recommendation:

It is recommended that the City Council approve the Ordinance closing and abandoning this right-of-way.

Alternatives:

As may be directed by the City Council

Attachments

Ordinance No. 6181

Quit Claim Deed

Exhibit "A" as noted in both documents

Aerial Location Map

ORDINANCE NO. 6181

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, CLOSING AND ABANDONING THE PLATTED RIGHT-OF-WAY BEING MIDWAY DRIVE, NORTH OF FALLON DRIVE, AS SHOWN ON PLAT IN VOLUME 6, PAGE 11 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS, DEDICATING OWNERSHIP OF SAID RIGHT-OF-WAY TO THE ADJACENT OWNER, DATAVAULT JOINT VENTURE, BEING MORE PARTICULARLY DESCRIBED AND SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; 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 the City Manager be and is hereby authorized and directed, subject to all documents being properly completed and approved as to form and content by the City Attorney, to close and abandon the platted right-of-way being Midway Drive, north of Fallon Drive, as shown on plat in Volume 6, Page 11 of the Plat Records of Grayson County, Texas, dedicating ownership of said right-of-way to the adjacent owner, Datavault Joint Venture, and being more particularly described and shown in the Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 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**

QUITCLAIM DEED

THE STATE OF TEXAS §
 §
COUNTY OF GRAYSON §

THIS QUITCLAIM DEED, executed this ____ day of _____, 2019, by the CITY OF SHERMAN, a municipal corporation of the State of Texas, with an address of P.O. Box 1106, Sherman, Texas 75091, hereinafter called "Grantor," acting by and through its duly authorized City Manager, to DATAVAULT JOINT VENTURE, with an address of P.O. Box 969, Sherman, Texas, 75091;

WITNESSETH, that the said Grantor, for good consideration and for the sum of \$10.00 paid by the said DATAVAULT JOINT VENTURE, the receipt whereof is hereby acknowledged, and pursuant to the authority of Ordinance No. ____ of the City of Sherman, Texas, passed and approved on the ____ day of _____, 2019, does hereby remise, release and quitclaim unto DATAVAULT JOINT VENTURE forever, all the right, title, interest and claim which the said Grantor has in and to the Midway Drive right-of-way north of Fallon Drive in the City of Sherman, Grayson County, Texas, being more particularly described in the Exhibit "A" attached hereto and made a part hereof for all purposes, and improvements and appurtenances thereto in the County of Grayson, State of Texas, to wit:

RELEASE. In accepting the quitclaim of this property, Grantee expressly accepts the property in its "as is" condition, with all of its faults and encumbrances, if any. Grantee RELEASES and forever discharges the Grantor, its officers, agents and employees from all rights, claims, demands, or causes of action, at law or in equity, Grantee has, or even can, shall, or may have in the future in connection with this transaction, including hazardous materials or environmental issues in, on or upon the property, if any. Grantee states that he is not relying upon any representations or disclosures by the Grantor and none have been made in connection with this property. This release shall be binding upon Grantee's heirs, assigns and successors in interest.

IN WITNESS WHEREOF, the City of Sherman, Texas, a municipal corporation of Grayson County, Texas, has caused this instrument to be executed by its City Manager, on the this ____ day of _____, 2019.

CITY OF SHERMAN

BY:_____
ROBBY HEFTON,
CITY MANAGER

ACKNOWLEDGMENT

THE STATE OF TEXAS	§
	§
COUNTY OF GRAYSON	§

BEFORE ME, the undersigned authority, in and for the State of Texas, on this day personally appeared Robby Hefton, City Manager, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said City of Sherman, a municipal corporation of the State of Texas, and that he executed the same as the act of such corporation for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2019.

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

R.O.W.**ABANDONMENT**

J.B. SHANNON SURVEY,
ABSTRACT NO. 1085
CITY OF SHERMAN,
GRAYSON COUNTY,
TEXAS

LEGAL DESCRIPTION

Being a 3.64 acre tract or parcel of land situated in the James B. Shannon Survey, Abstract Number 1085, in Grayson County, Texas and being all of Midway Drive a 60' Right-of-Way dedicated to the City of Sherman, Grayson County, Texas, recorded in Volume 6, Page 11 of the Plat Records of Grayson County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at capped 1/2" iron rod stamped "SARTIN R.P.L.S. 3694" found at the Southeast corner of a called 0.13 acre Right-of-Way dedication same being the Southeast corner of C & M Addition an addition to the City of Sherman, Grayson County, Texas, recorded in Volume 23, Page 3 of the Plat Records of Grayson County, Texas and being in the original North Right-of-Way line of Fallon Drive, recorded in Volume 6, Page 11 of the Plat Records of Grayson County, Texas;

THENCE South 88°18'43" East, with the original North Right-of-Way line of said Fallon Drive, a distance of 431.88 feet to a point at the original Southeast corner of Lot 5, Block 1 of Midway Industrial Park Addition an addition to the City of Sherman, Grayson County, Texas, recorded in Volume 6, Page 11 of the Plat Records of Grayson County, Texas and being at the Southeast corner of a 25' Right-of-Way dedication, recorded in Volume 23, Page 61 of the Plat Records of Grayson County, Texas, and being the Southwest corner of said Midway Drive, and the **POINT OF BEGINNING**;

THENCE North 01°27'58" East, with the West Right-of-Way line of said Midway Drive, passing at 25.00 feet the Northeast corner of said 25' Right-of-Way dedication and the common Southeast corner of Lot 2, Block 1 of the Replat of Midway Industrial Park Addition an addition to the City of Sherman, Grayson County, Texas, recorded in said Volume 23, Page 61, continuing on said course a total distance of 2624.89 feet to the Northwest corner of said Midway Drive and being in the Southeasterly Right-of-Way line of Southern Pacific Railroad;

THENCE North 57°32'31" East, with the North Right-of-Way line of said Midway Drive and the common Southeasterly Right-of-Way line of said Southern Pacific Railroad, a distance of 72.31 feet to the Northeast corner of said Midway Drive;

THENCE South 01°27'58" West, with the East Right-of-Way line of said Midway Drive, a distance of 2665.48 feet to a point from which a capped 1/2" iron rod found at the Northeast corner of Lot 1, Block 4 of Midway Industrial Park Addition an addition to the City of Sherman, Grayson County, Texas, recorded in Volume 6, Page 22 of the Plat Records of Grayson County, Texas and the common Northwest corner of a called 10.000 acre tract of land described as Parcel 1 in the deed to Cooper B-Line, Inc., recorded in Volume 3020, Page 623 of the Deed Records of Grayson County, Texas and being in the South Right-of-Way line of said Fallon Drive, bears South 46°38'46" West, a distance of 84.79 feet;

THENCE North 88°18'43" West, a distance of 60.00 feet to the **POINT OF BEGINNING** and containing 3.64 acres of land more or less.

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a licensed Land Surveyor under the laws of the State of Texas.

Ted A. Gossett
Ted A. Gossett
R.P.L.S. # 5991

02-12-2019
Date



PAGE 1 OF 2

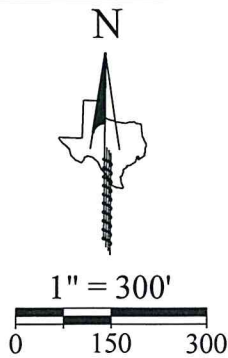


EAGLE SURVEYING, LLC
210 S. ELM STREET
SUITE: 104
DENTON, TX 76201
(940) 222-3009
TX FIRM # 10194177

JOB NUMBER	DRAWN BY	DATE
18-10-32-04	RZM	2/12/2019

R.O.W. ABANDONMENT

J.B. SHANNON SURVEY,
ABSTRACT NO. 1085
CITY OF SHERMAN,
GRAYSONCOUNTY,
TEXAS



SOUTHERN PACIFIC RAILROAD

JAMES B. SHANNON SURVEY,
ABSTRACT NO. 1085

CALLED 6.403
ACRES
JOHN W. HILL
AND ADRIANA
HILL
VOL. 5695, PG. 34
D.R.G.C.T.

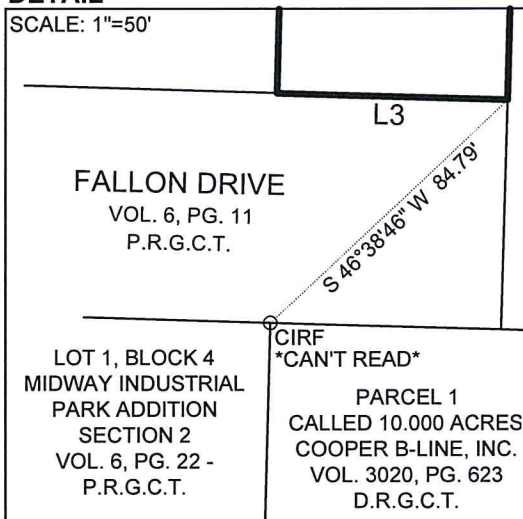
EXHIBIT P-3
CALLED
39.434 ACRES
DATAVAULT
CORPORATION
VOL. 1870, PG. 717
D.R.G.C.T.

3.64 ACRES
MIDWAY DRIVE
60' R.O.W.
VOL. 6, PG. 11
P.R.G.C.T.

LINE	BEARING	DISTANCE
L1	S 88°18'43" E	431.88'
L2	N 57°32'31" E	72.31'
L3	N 88°18'43" W	60.00'

DETAIL

SCALE: 1"=50'



LOT 2
BLOCK 1
MIDWAY INDUSTRIAL
PARK ADDITION
VOL. 23, PG 61
P.R.G.C.T.

N 01°27'58" E 2624.89'

S 01°27'58" W 2665.48'

(PARCEL ONE-
TRACT NO. 2)
DATAVAULT
CORPORATION
VOL. 1870, PG. 717
D.R.G.C.T.

CIRF = CAPPED IRON ROD FOUND
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT

PAGE 2 OF 2



EAGLE SURVEYING, LLC
210 S. ELM STREET
SUITE 104
DENTON, TX 76201
(940) 222-3009
TX FIRM # 10194177

FALLON DRIVE
VOL. 6, PG. 11
P.R.G.C.T.

1/2" CIRF
"SARTIN"
R.P.L.S. 3694"

C&M ADDITION
VOL. 23, PG 3
P.R.G.C.T.

LOT 1
BLOCK 1
MIDWAY
INDUSTRIAL
PARK ADDITION
VOL. 23, PG 61
P.R.G.C.T.

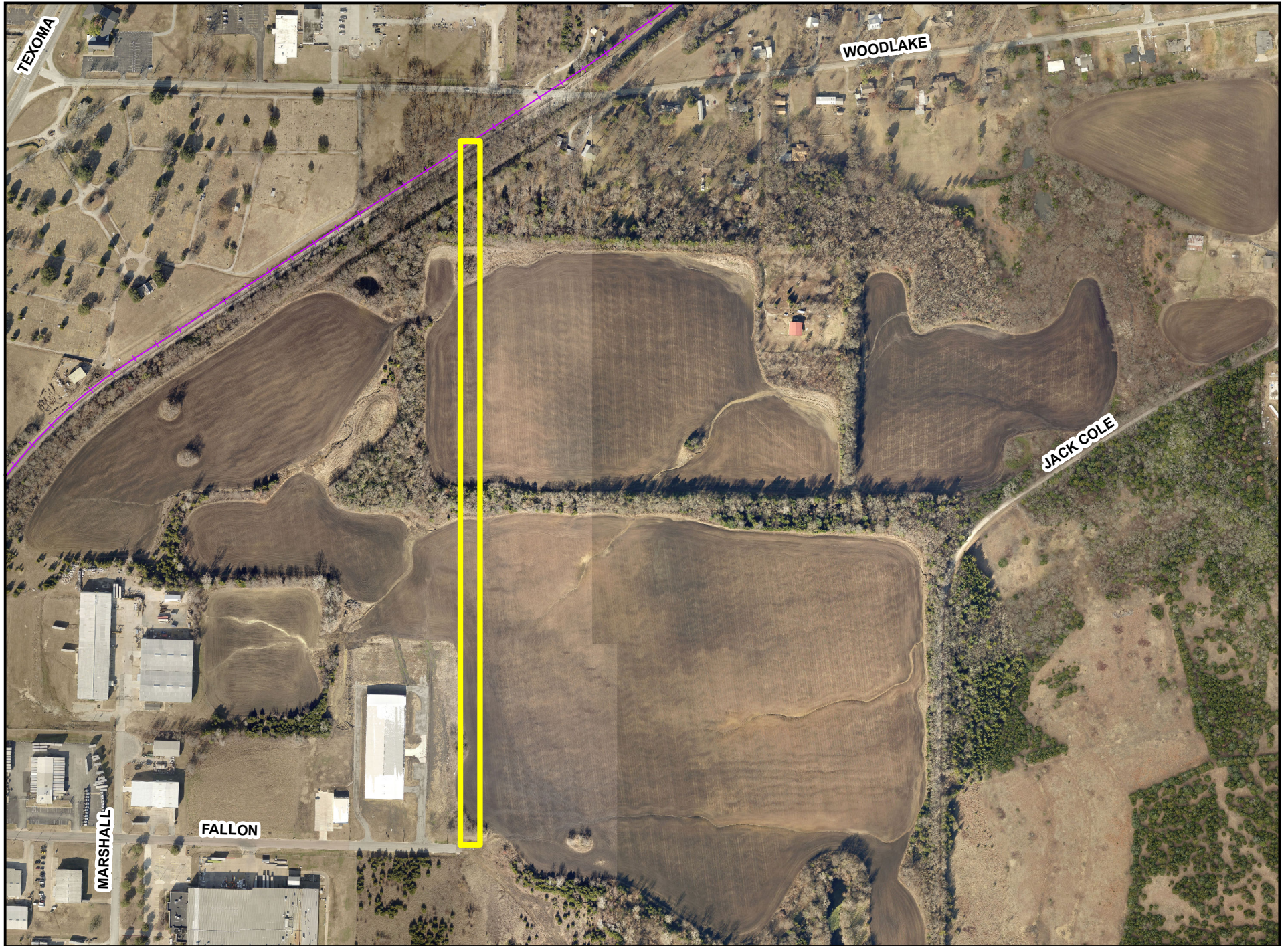
LOT 1, BLOCK 4
MIDWAY INDUSTRIAL PARK ADDITION
SECTION 2
VOL. 6, PG. 22 - P.R.G.C.T.

25' R.O.W.
DEDICATION
VOL. 23, PG 61
P.R.G.C.T.

SEE
DETAIL

PARCEL 1
CALLED 10.000 ACRES
COOPER B-LINE, INC.
VOL. 3020, PG. 623
D.R.G.C.T.

Midway Drive



0 250 500 1,000 1,500 2,000 1 inch = 500 feet Feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.5.

Meeting Date: 02/18/2019

Prepared By: Brandon Shelby, City Attorney

Approved By: Robby Hefton, City Manager

Caption:

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6182

Amending Chapter 8 of the Code of Ordinances, entitled "Offenses and Nuisances", Article 8.07, entitled "Noise", at Section 8.07.009, entitled "Building and Excavating Operations"; Providing for an Effective Date

Issue:

Extending the hours for building and excavating operations in residential districts within the city limits

Background:

The City has been approached by residential developers asking for the extension of hours during which work can take place. Under the current code provision, the hours for work to be performed are from 7:00 a.m. to 6:00 p.m. on weekdays. This includes erection (including excavation), demolition, alteration or repair of any building and the excavation of streets and highways in any residential district or section. Those hours may only be extended for a period of no more than thirty days with a special permit issued by the City Manager.

The proposed ordinance would extend the hours for work to be performed on residential developments during Monday through Friday until 8:00 p.m. It would also authorize work to be performed on Saturdays from 8:00 a.m. through 5:00 p.m. and on Sundays from 12:00 p.m. through 7:00 p.m. No work would be permitted on holidays.

Origination:

City Manager

Financial Consideration:

None

Staff Recommendation:

The staff recommends adoption of the proposed ordinance to extend the hours for building and excavation operations.

Alternatives:

Council could elect not to pass the proposed ordinance, leaving Section 8.07.009 unchanged.

Attachments

Ordinance No. 6182

ORDINANCE NO. 6182

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, ENTITLED “OFFENSES AND NUISANCES”, ARTICLE 8.07, ENTITLED “NOISE”, AT SECTION 8.07.009, ENTITLED “BUILDING AND EXCAVATING OPERATIONS”; PROVIDING FOR AN EFFECTIVE DATE; 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 8, Article 8.07 of the Code of Ordinances of the City of Sherman, Texas, be and is hereby amended at Section 8.07.009 so that such section shall read as follows:

Sec. 8.07.009 Building and excavating operations

The erection (including excavation), demolition, alteration or repair of any building in any residential district or section, and the excavation of streets and highways in any residential district or section, other than between the hours of ~~7:00 a.m. and 6:00 p.m. on weekdays~~ 7:00 a.m. and 8:00 p.m. on Monday through Friday, 8:00 a.m. and 5:00 p.m. on Saturday, and 12:00 p.m. and 7:00 p.m. on Sunday, excluding holidays, is hereby prohibited, except in case of urgent necessity in the interest of public health and safety and then only with a permit from the city manager, which permit may be granted for a period not to exceed thirty (30) days while the emergency continues. If the city manager should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of ~~6:00 p.m. and 7:00 a.m.~~ 8:00 p.m. and 7:00 a.m. on Monday through Friday, 8:00 p.m. Friday through 8:00 a.m. Saturday, 5:00 p.m. Saturday through 12:00 p.m. Sunday, and 7:00 p.m. Sunday through 7:00 a.m. Monday, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of ~~6:00 p.m. and 7:00 a.m.~~ 8:00 p.m. and 7:00 a.m. on Monday through Friday, 8:00 p.m. Friday through 8:00 a.m. Saturday, 5:00 p.m. Saturday through 12:00 p.m. Sunday, and 7:00 p.m. Sunday through 7:00 a.m. Monday, upon application being made at the time the permit for the work is awarded or during progress of the work.

SECTION 2. That this ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

SECTION 3. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances of the City of Sherman, as

amended, in effect when the offense was committed; and the former law is continued in effect for this purpose.

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.

INTRODUCED on this the _____ day of _____, 2019.

ADOPTED on this the _____ day of _____, 2019.

EFFECTIVE DATE on this the _____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

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



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.6.

Meeting Date: 02/18/2019

Prepared By: Clint Philpott, Director of Engineering

Approved By: Robby Hefton, City Manager

Caption:

SECOND PUBLIC HEARING

Conduct the Second Public Hearing Concerning the Annexation of a 9.758 Acre Tract of Land on West Washington Street, West of F.M. 1417 (Heritage Parkway), Adjacent to the Sherman City Limits and in the City of Sherman's Extra Territorial Jurisdiction

Issue:

To conduct the second public hearing concerning the annexation of a 9.758 acre tract of land on West Washington Street, west of F.M. 1417 (Heritage Parkway), 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 February 4th meeting, the City Council approved the schedule for annexation of this property, which sets the first and second public hearings for this meeting and introduction and adoption of the Ordinance to annex the subject property at the March 18th regular Council meeting. This annexation was requested by the property owner.

Origination:

Letter requesting annexation by Washington Bend, LLC, subject Property Owner / Developer

Financial Consideration:

Once developed, the additional property taxes on the land raised from this annexation are estimated at about \$45,000 annually, which approximates the estimated costs associated with providing general City services.

Staff Recommendation:

It is recommended that the City Council conduct its second public hearing concerning the possible annexation of this property.

Alternatives:

As directed by the City Council

Attachments

Annexation Scheduling Plan

Request for Annexation

Legal Description - West Washington Street

Municipal Service Plan

Aerial Location Map

ANNEXATION SCHEDULING PLAN

- Wednesday, February 6, 2019.....Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
- Thursday, February 7, 2019.....Post notice on City's website, newspaper and City Hall for City Council's 1st and 2nd Public Hearings on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
- Thursday, February 14, 2019.....Post notice of 1st and 2nd Public Hearings under the Open Meetings Act.
- Monday, February 18, 2019.....City Council's 1st and 2nd Public Hearings on intent to annex and service plan.* (Regular Council Meeting)
- Thursday, March 14, 2019.....Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.*
- Monday, March 18, 2019.....City Council Public Hearing for introduction and consideration of adoption of annexation ordinance.* (Regular Council Meeting)

* If more than twenty (20) adults who are residents of the area to be annexed protest within ten (10) days of the notice by publication, then one (1) of the public hearings must be held in the area to be annexed.

Gary Corley

From: Gary Corley [garycorley@gorleylaw.com]
Sent: Wednesday, January 23, 2019 10:54 AM
To: 'amber@ci.sherman.tx.us'
Cc: 'Jim Lindsey'; 'Jacob Pelley'; 'Blume Loe'
Subject: FW: Washington Oaks Subdivision
Attachments: Washington Bend - City Limits tract - field notes.pdf; CGS310119.pdf; CGS631118.pdf; Washington Bend -plat application Sherman.pdf

Good morning, Amber

I now have the boundary survey of the portion of the Washington Oaks Subdivision that, on behalf of Washington Bend, LLC as a Managing Member, request the City of Sherman to annex the land for the development of residential use. Please see attached Survey, along with the platting for the portion of the subdivision that is already within the city limits of the City of Sherman. Please acknowledge that this email is sufficient for the purpose of commencing the annexation process and that addressing this communication to you is appropriate. If not, then I will prepare a letter on my firm's stationery to be hand-delivered today. Thank you.

With kindest, Regards,

GDC

Gary D. Corley
 CORLEY LAW FIRM
 108 North Travis Street
 Sherman, Texas 75090
 (903) 892-1048 Office
 (214) 260-4925 Fax
 * (903) 814-5032 Cell

*Gary Corley, AS MEMBER
 OF WASHINGTON BEND LLC*

From: kate@helveywagnersurvey.net [mailto:kate@helveywagnersurvey.net]
Sent: Tuesday, January 22, 2019 11:27 AM
To: Gary Corley
Cc: garycorley@gorleylaw.com; Jake Pelley; jim@adamilindsey.com; Blume Loe, Jr.
Subject: Re: Washington Oaks Subdivision

Good morning:

Here is a copy of the plat and field notes for the annexation into the City Limits. This needs to be provided to the City of Sherman, along with any paperwork to get the annexation process started. I have also attached a PDF copy of the plat we have showing the changes Gary & I discussed. From the latest file from KJE, we do not have street names, so if you do not have those, please go ahead and start thinking of some.

I will also be forwarding this onto KJE Engineers also, so we will work on getting this to the City by Thursday, as that is the deadline for the next meeting. I went ahead and filled out a plat application that someone will need to complete and sign in pink and turn into the Planning & Zoning Department by 5 PM on Thursday. We will take care of the plat copies that will be required for the submittal. If you know of the street names, go ahead and forward to me. Otherwise, we will be working on some final touches for Thursday.

Kindest Regards,

1/23/2019

Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020

Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: helveysurvey@cableone.net

TBPLS Firm Registration No. 10088100

Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578 – Kenneth N. Russell, RPLS No. 4409

9.758 Acres

SITUATED in the County of Grayson, State of Texas, and being a part of the William Thompson Survey, Abstract No. 1210, and being a part of the 21.95 ac. tract of land conveyed to Washington Bend, LLC by Phillip A. Klas and Elizabeth Ellen Andrews Schnitker, Independent Executrix of the Estate of Stephen H. Klas, Deceased by Warranty Deed with Vendor's Lien dated August 16, 2018 and recorded in Instrument No. 2018-18690, 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 capped rebar set stamped "RPLS 6578" in the North line of Washington Street, a public street, in the East line of both the Fielding Bacon Survey, Abstract No. 119 and the 31-1/8 ac. tract of land (Parcel No. 1 – First Tract) conveyed to Harcomo Farms, Inc. in Instrument No. 2018-1491, said Official Public Records, in the West line of said William Thompson Survey, at the most Westerly Northwest corner of the 1.688 ac. tract of land conveyed to the City of Sherman in Volume 4739, Page 492, said Official Public Records, at the Southwest corner of both said Washington Bend, LLC 21.95 ac. and the herein described tract;

THENCE North 00 deg. 52 min. 54 sec. West, with the East line of both said Fielding Bacon Survey and said Harcomo Farms, Inc. 31-1/8 ac. and the West line of both said William Thompson Survey and said Washington Bend, LLC 21.95 ac., passing the Northeast corner of said Harcomo Farms, Inc. 31-1/8 ac. and crossing the South line of the former Texas and Pacific Railroad right-of-way, now abandoned as per Disclaimer filed in Volume 2351, Page 443, Real Property Records, Grayson County, Texas and continuing for a total distance of 1178.65 ft. to a 1/2 inch capped rebar set stamped "RPLS 6578" in the South line of Lot 5, Forest Glen Addition, an Addition to the City of Sherman, Texas, as per plat of record in Volume 10, Pages 53 and 53A, Plat Records, Grayson County, Texas, at the Northwest corner of both said Washington Bend, LLC 21.95 ac. and the herein described tract;

THENCE South 80 deg. 18 min. 00 sec. East, with the South line of said Lot 5 and the North line of said Washington Bend, LLC 21.95 ac., a distance of 193.42 ft. to a point at the beginning of a curve, said point being South 41 deg. 39 min. West, 0.28 ft. from a spike nail found;

THENCE Easterly, with the South line of said Lot 5, Lot 4 and Lot 3, the North line of said Washington Bend, LLC 21.95 ac. and with a non-tangent curve to the right, having a radius of 5,729.65 ft. and a central angle of 01 deg. 34 min. 14 sec. (chord bears South 78 deg. 41 min. 41 sec. East, 157.06 ft.), an arc distance of 157.07 ft. to a point at an Ell corner of the City Limits of the City of Sherman, at the Northeast corner of the herein described tract;

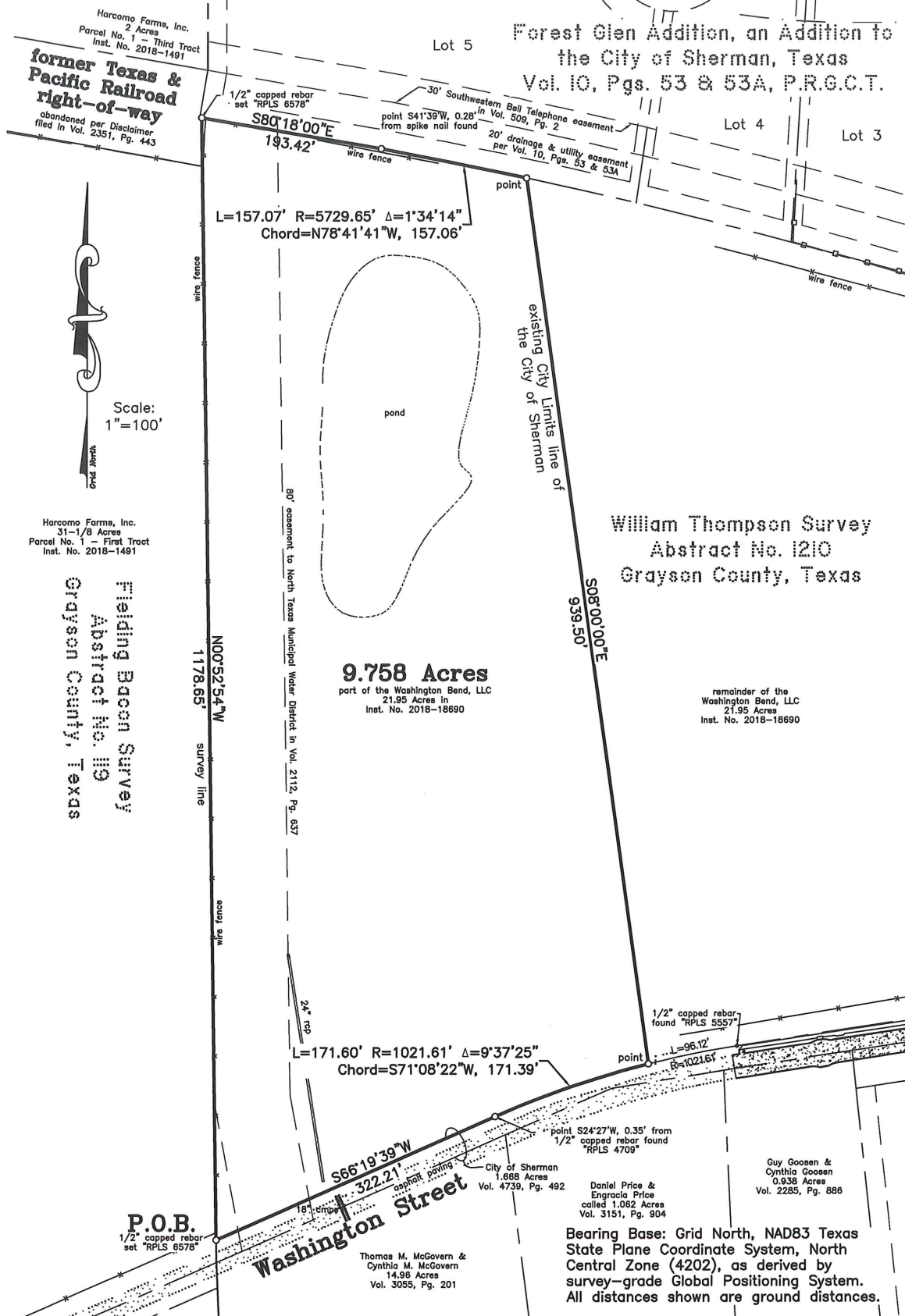
THENCE South 08 deg. 00 min. 00 sec. East, over and across said Washington Bend, LLC 21.95 ac., with a West line of the City Limits of the City of Sherman, a distance of 939.50 ft. to a point in the North line of said Washington Street, in the South line of said Washington Bend, LLC 21.95 ac., at the Southeast corner of the herein described tract;

THENCE Westerly, with the North line of said Washington Street, the South line of said Washington Bend, LLC 21.95 ac. and with a non-tangent curve to the left, having a radius of 1021.61 ft. and a central angle of 09 deg. 37 min. 25 sec. (chord bears South 71 deg. 08 min. 22 sec. West, 171.39 ft.), an arc distance of 171.60 ft. to a point at the end of said curve, being South 24 deg. 27 min. West, 0.35 ft. from a 1/2 inch capped rebar found stamped "RPLS 4709";

THENCE South 66 deg. 19 min. 39 sec. West, continuing with the North line of said Washington Street and the South line of said Washington Bend, LLC 21.95 ac., a distance of 322.21 ft. to the **PLACE OF BEGINNING** and containing **9.758 ACRES** of land.



Kate A. Wagner, R. P. L. S. No. 6578
January 18, 2019



City Limits Tract 9.758 Acres

Job No. CGS310119

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: January 18, 2019

City of Sherman Municipal Service Plan West Washington Street

INTRODUCTION:

The annexation is the site of approximately 9.758 acres along West Washington Street west of F.M. 1417 (Heritage Parkway), lying adjacent to the City of Sherman existing city limits.

This annexation is a step in the process of providing for the orderly growth and development of the City, to protect the City from substandard development and to provide for the enlargement of the city limits by including developments and improvements that are logically a part of the City and receive city utilities.

MUNICIPAL SERVICES TO BE PROVIDED:

POLICE PROTECTION: Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment will be provided on the effective date of annexation.

FIRE PROTECTION: Fire protection by the present personnel and equipment of the fire fighting force will be provided on the effective date of annexation.

SOLID WASTE: The same solid waste collection and disposal service now provided within the City of Sherman will be extended to the annexed area on the effective date of annexation.

BULK WASTE PICKUP: Free monthly bulk trash and brush pickup would be available on the effective date of annexation.

STREETS AND BRIDGES: All roads shall be accepted in current as-is conditions and shall be maintained by the City of Sherman. Any future streets or improvements will be developed by the standard provisions of the Developer's Ordinance. Street lighting will be established according to city guidelines.

PARKS: No public parks exist in the area to be annexed. Any new park facilities will be developed according to existing City policies as applicable to all city residents.

CONSTRUCTION INSPECTIONS: Building inspection activities will be available upon

annexation.

ENVIRONMENTAL HEALTH AND HEALTH CODE ENFORCEMENT: Enforcement of the City's environmental health ordinances and regulations shall be provided within this area on the effective date of the annexation ordinance.

ANIMAL CONTROL: Animal control services will be provided by the City on the effective date of annexation.

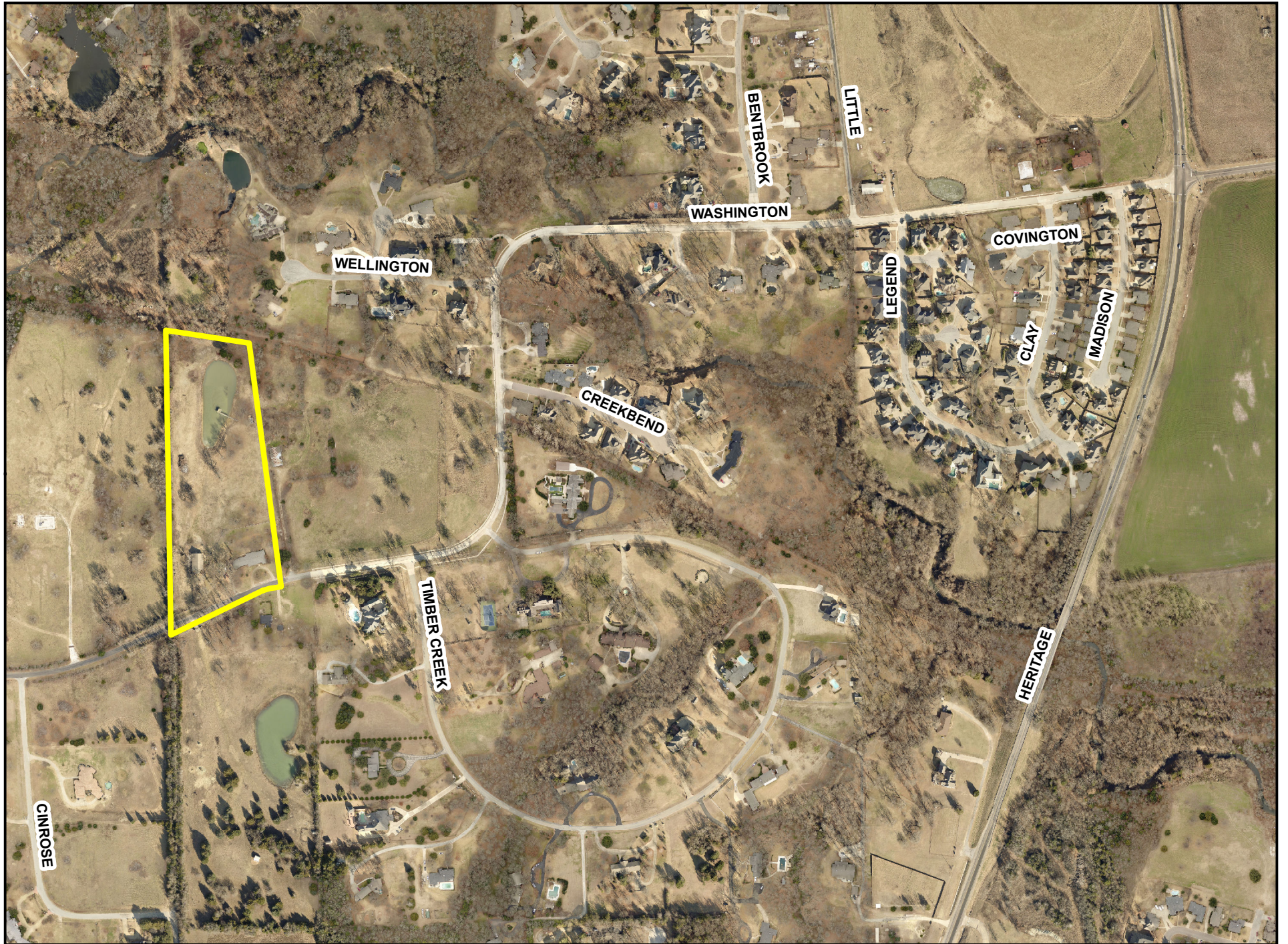
PLANNING AND ZONING: The Planning and Zoning jurisdiction of the City will extend to this area on the effective date of this annexation. All areas will be annexed as an R-A on the effective date of the annexation ordinance.

CAPITAL IMPROVEMENTS:

WATER SERVICE: Water improvements to the area will be in accordance with the City's Subdivision Ordinance and the City's Utility Extension Policies.

SEWER SERVICE: Sewer improvements to the area will be in accordance with the City's Subdivision Ordinance and the City's Utility Extension Policies.

West Washington Annexation



0 250 500 1,000 1,500 2,000 1 inch = 500 feet Feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.7.

Meeting Date: 02/18/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Numbers: 6179, 6180, 6181 and 6182

Issue:

- B. 2. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6179**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow Carrus Behavioral Hospital for Inpatient/Outpatient Care in a C-1 (Retail Business) District/O-1 (75 & 82 Overlay) District at 1724 West U.S. Highway 82, Suite 200, being Lot 1, Carrus Medical Plaza, Replat Lot 5 (Carrus Health Holdings, LLC, Owners; Anbarasu Nachimuthu, Contractor; and McCalla Design Group, Architect); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- B. 3. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6180**
Amending Section 8, Subsection (5)(A), Ordinance No. 2280, so as to Grant a Specific Use Permit to Allow an Existing Duplex in an R-1 (One Family Residential) District at 917-919 North Brents Avenue, being Lot 7, Block 2, Colling Addition, Section 2 (Knightbridge Property Group, LLC, Owners; and Lisa Biddle, Representative); Providing that this Specific Use Permit shall be Granted Subject to Certain Conditions; Providing a Penalty not to Exceed \$2,000.00
- B. 4. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6181**
Closing and Abandoning the Platted Right-of-Way being Midway Drive, north of Fallon Drive, as shown on Plat in Volume 6, Page 11 of the Plat Records of Grayson County, Texas, dedicating ownership of said Right-of-Way to the adjacent owner, Datavault Joint Venture, being more particularly described and shown on Exhibit "A" attached hereto and made a part hereof for all purposes
- B. 5. INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 6182**
Amending Chapter 8 of the Code of Ordinances, entitled "Offenses and Nuisances", Article 8.07, entitled "Noise", at Section 8.07.009, entitled "Building and Excavating Operations"; Providing for an Effective Date



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

B.8.

Meeting Date: 02/18/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

CONSENT AGENDA

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

Issue:

C. 1. * RESOLUTION NO. 6457

Authorizing Execution of a Professional Services Agreement with Freeman-Millican, Inc. for Engineering Services for Design of the Stormwater Lift Station Upgrade at the City's Wastewater Treatment Facility

C. 2. * RESOLUTION NO. 6458

Authorizing the Purchase of a New Kubota Skid Steer and attachment for the Street Maintenance Department from Six & Mango Equipment through the Texas Local Government Purchasing Cooperative (BuyBoard)

D. 1. * REQUEST TO ADVERTISE

Purchase and Installation of a Pavilion, Benches and Outdoor Musical Equipment at the City of Sherman Library Park

E. 5. * OTHER BUSINESS

Replat Approval of Hill Smith Estates, Block 3, Lot 3R, 0.380 acres in the G.W. McGlothin Survey, Abstract No. 827, also being part of Lots 3 and 4, Block 3, Hill Smith Estates; Bridgestone Construction, LLC, Owners; and Preston Trail Land Surveying, Surveyor (2211 East Alma Avenue)

E. 6. * OTHER BUSINESS

Final Plat Approval of Heritage Crossing, Phase 1, being 31.333 acres in the Bacon Fielding Survey, Abstract No. 120; Sapphire Group, LLC, Owners; Bluestone Partners, LLC, Developers; and Winkelmann & Associates, Inc., Civil Engineer/Surveyor (1600-1800 blocks of Norwood Street and 2700-3000 blocks of West McGee Street)

E. 7. * OTHER BUSINESS

Replat Approval of a part of Lots 1, 4 & 5, Block 1, G.W. Bond's Second Addition, being part of Lots 1, 4 & 5, Block 1, G.W. Bond's 2nd Addition, containing 0.259 acres in the J.B. McAnair Survey, Abstract No. 763; Hambrick Triple H Investment Group, LLC, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (521 East Brockett Street and 520 East Carter Street)

E. 8. * OTHER BUSINESS

Replat Approval of Heritage Farms Estates, a Repat of Lot 2, Block A, Country Ridge Estates No 10, being Lot 2, Block A, Country Ridge Estates No. 10, containing 26.106 acres in the Elizabeth Jones Survey, Abstract No. 625; Wyldewood Homes, LLC, Owners; Vilbig & Associates, Civil Engineer; and Helvey-Wagner Surveying, Inc., Surveyor [1100-1300 blocks of South F.M. 1417 (Heritage Parkway)]

E. 9. * OTHER BUSINESS

Final Plat Approval of Lot 1, Block A, Golden Owens Addition, being 5.161 acres in the Brown and Ricketts Survey, Abstract No. 1553; Go Properties 7, LLC, Owners; Paramount Healthcare, Developer; Keen Surveying, LLC, Surveyor; and JM Civil Engineering, Civil Engineer (5011 North U.S. Highway 75)



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.1.

Meeting Date: 02/18/2019

Prepared By: Mark Gibson, Director of Utilities

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6457**

Authorizing Execution of a Professional Services Agreement with Freeman-Millican, Inc. for Engineering Services for Design of the Stormwater Lift Station Upgrade at the City's Wastewater Treatment Facility

Issue:

To consider a contract for professional services with Freeman-Millican, Inc. for design of the stormwater lift station upgrade at the City's wastewater treatment facility

Background:

The City proposes to upgrade the stormwater pump station and stormwater basin at the City's wastewater treatment facility. This project is included in the City's Capital Improvement Program. The Engineering contract contains provisions for the Preliminary Engineering Study and Basic Engineering Services throughout the project.

Origination:

Department of Utilities Administration

Financial Consideration:

The total fee for all engineering services will be \$79,000.00.

Staff Recommendation:

It is recommended that the contract for professional services with Freeman-Millican, Inc. for engineering services associated with the upgrading of the stormwater lift station at the City's wastewater treatment facility be approved.

Alternatives:

As may be directed by the City Council

Attachments

Resolution No. 6457

Engineering Services Agreement

Aerial Location Map

RESOLUTION NO. 6457

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FREEMAN-MILLICAN, INC. FOR ENGINEERING SERVICES FOR DESIGN OF THE STORMWATER LIFT STATION UPGRADE AT THE CITY'S WASTEWATER TREATMENT FACILITY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed, subject to all contract documents being properly completed and approved as to form and content by the City Attorney, to execute a Professional Services Agreement with Freeman-Millican, Inc. for engineering services for design of the upgrade of the stormwater pump station and stormwater basin at the City's wastewater treatment facility, in accordance with all contract documents attached hereto and made a part hereof for all purposes.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
LINDA ASHBY,
CITY CLERK

BY: _____
DAVID PLYLER, MAYOR

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
BRANDON S. SHELBY,
CITY ATTORNEY

ENGINEERING SERVICES AGREEMENT

THIS AGREEMENT is made and entered by and between the CITY OF SHERMAN, a Home-Rule Municipality, organized and existing under the laws of the state of Texas, hereinafter referred to as "City", and, Freeman-Millican, Inc. hereinafter referred to as "Engineer", to be effective upon the date indicated below.

WITNESSETH:

WHEREAS, the City desires to engage the services of the Engineer to prepare construction plans, specifications, details and special provisions and to perform other related engineering services in connection with the **Sherman Wastewater Treatment Plant Storm Water Pump Station Project** in the City of Sherman, Texas, hereinafter referred to as the "Project"; and

WHEREAS, the Engineer desires to render such engineering services for the City subject to the terms and conditions provided herein.

NOW, THEREFORE, in consideration of the covenants contained herein, and for the mutual benefits to be obtained hereby, the parties hereto agree as follows:

1. **Employment of the Engineer.** The City hereby agrees to retain the Engineer to perform professional engineering services in connection with the Project. Engineer agrees to perform such services in accordance with the terms and conditions of this Agreement.
2. **Scope of Work.** The parties agree that Engineer shall perform such services as are set forth and described in Exhibit "1", which is attached hereto and made a part of this Agreement. The parties understand and agree that deviations or modifications in the form of written contract modifications may be authorized from time to time by the City. Engineer agrees to submit all final documents in a form acceptable to the City.
3. **Time of the Essence.** Time is of the essence. Engineer agrees to commence work immediately upon execution of this Agreement and to proceed diligently to completion except for delays beyond Engineer's reasonable control.
4. **Compensation and Method of Payment.** The parties agree that Engineer shall be compensated for all services provided pursuant to this Agreement in the amount described and set forth in Exhibit "1".
5. **Access to the Site.** City agrees to provide access to the Project area necessary or Engineer to complete his work.
6. **Insurance.** Engineer agrees to procure the following insurance:
 - a. Workers' Compensation as required by law.
 - b. Professional Liability Insurance in an amount not less than \$1,000,000 in the aggregate.

c. Comprehensive General Liability and Property Damage Insurance with minimum limits of \$1,000,000 for injury or death of any one person, \$1,000,000 for each occurrence, and \$1,000,000 for each occurrence of damage to or destruction of property.

d. Comprehensive Automobile and Truck Liability Insurance covering owned, hired, and non-owned vehicles, with minimum limits of \$1,000,000 for injury or death of any one person, \$1,000,000 for each occurrence, and \$1,000,000 for property damage.

e. The Engineer shall include the City as an additional insured under the policies, with the exception of the Professional Liability Insurance and Workers' Compensation. Certificates of Insurance and endorsements shall be furnished to the City before work commences. Each insurance policy shall be endorsed to state that coverage shall not be suspended, voided, canceled, and/or reduced in coverage or in limits ("Change in Coverage") except with prior written consent of the City and only after the City has been provided with written notice of such Change in Coverage, such notice to be sent to the City either by hand delivery to the City Manager or by certified mail, return receipt requested, and received by the City no fewer than thirty (30) days prior to the effective date of such Change in Coverage. Prior to commencing services under this Contract, Engineer shall furnish City with Certificates of Insurance, or formal endorsements as required by this Contract, issued by Engineer's insurer(s), as evidence that policies providing the required coverage, conditions, and limits required by this Contract are in full force and effect.

7. Indemnity and Duty to Defend.

a. Engineer shall release, defend, indemnify and hold city and its officers, agents and employees harmless from and against all damages, injuries (including death), claims, property damages (including loss of use), losses, demands, suits, judgments and costs, including reasonable attorney's fees and expenses, in any way arising out of, related to, or resulting from the services provided by engineer and to the extent caused by the negligent act or omission or intentional wrongful act or omission of engineer, its officers, agents, employees, subcontractors, licensees, invitees or any other third parties for whom engineer is legally responsible. This agreement does not waive, nor shall it be deemed to waive, any immunity or defense, including, but not limited to Governmental immunity that would otherwise be available to the city against claims arising from the exercise of governmental powers and functions.

b. Engineer is expressly required to defend the City against all Claims for which the City becomes liable. In its sole discretion, City shall have the right to select or to approve defense counsel to be retained by Engineer in fulfilling its obligation hereunder to defend and indemnify City, unless such a right is expressly waived by City in writing by the City Manager, approved by the City Attorney, and properly authorized by the City's Council. City reserves the right to provide a portion or all of its own defense; however, City is under no obligation to do so. Any such action by City is not to be construed as a waiver of Engineer's obligation to defend the City or as a waiver of Engineer's obligation to indemnify the City pursuant to this Contract. Engineer shall retain City approved defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this Contract. If Engineer fails to retain Counsel within such time period, City shall have the right to retain defense counsel on its own behalf, and Engineer shall be liable for all costs incurred by City in defense of Claims for which Engineer is liable under this Paragraph.

c. This indemnification and duty to defend is subject to and does not waive any governmental immunity available to the City under Texas law, and any defenses of the parties

under Texas law. The provisions of this paragraph are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

8. **Independent Contractor.** Engineer is an independent contractor and not an officer, agent, servant or employee of City. Engineer shall have exclusive control of and exclusive right to control the details of the work performed hereunder and all persons performing same, and shall be responsible for the acts and omissions of its officers, agents, employees, contractors, subcontractors and consultants; that the doctrine of respondent superior shall not apply as between City and Engineer, its officers, agents, employees, contractors, subcontractors and consultants, and nothing herein shall be construed as creating a partnership or joint enterprise between City and Engineer.

9. **Assignment and Subletting.** The Engineer agrees that neither this Agreement nor the work to be performed hereunder will be assigned or sublet without the prior written consent of the City. The Engineer further agrees that the assignment or subletting of any portion or feature of the work or materials required in the performance of this Agreement shall not relieve the Engineer from its full obligations to the City as provided by this Agreement.

10. **Contract Termination.** The parties agree that City shall have the right to terminate this Agreement with or without cause upon thirty (30) days written notice to Engineer. In the event of such termination, Engineer shall deliver to City all finished or unfinished documents, data, studies, surveys, drawings, maps, models, reports, photographs or other items prepared by Engineer in connection with this Agreement. Engineer shall be entitled to compensation for any and all work completed to the satisfaction of City in accordance with the provisions of this Agreement prior to termination. In the event this Agreement is terminated, the City shall have the option of entering into an Agreement with another party for the completion of the work.

11. **Ownership of Documents.** Original drawings and specifications are the property of the Engineer; however, the Project is the property of the City and Engineer may not use the drawings and specifications therefore for any purpose not relating to the Project without City's consent. City shall be furnished with such reproductions of drawings and specifications as City may reasonably require. Upon completion of the work or any earlier termination of this Agreement under Paragraph 10, Engineer will revise drawings, if necessary, and he will promptly furnish the City with one (1) complete set of reproducible record prints. Prints shall be furnished, as an additional service, at any other time requested by City. All such reproductions shall be the property of the City who may use them without Engineer's permission for any proper purpose including, but not limited to, additions to or completion of the Project. Engineer also acknowledges that such information shall become subject to the Public Information Laws of this State and that Engineer agrees to waive any copyright claims to the information once the information is submitted to the City.

12. **Complete Contract.** This Agreement, including Exhibit "1", constitutes the entire agreement by and between the parties regarding the subject matter hereof and supersedes all prior or contemporaneous written or oral understandings. To the extent that any of the provisions in Exhibit "1" conflicts with this Agreement, the provisions in the Agreement control over the provisions in the exhibit(s). This Agreement may only be amended, supplemented, modified or canceled by a duly executed written instrument.

13. **Mailing of Notices.** Unless instructed otherwise in writing, Engineer agrees that all notices or communications to City permitted or required under this Agreement shall be addressed to City at the following address:

Director of Utilities
City of Sherman
P.O. Box 1106
Sherman, TX. 75090

City agrees that all notices or communications to Engineer permitted or required under this Agreement shall be addressed to Engineer at the following address:

Richard Dormier
Freeman-Millican, Inc.
12160 N. Abrams Rd., Suite 508
Dallas, Texas 75243

All notices or communications required to be given in writing by one party or the other shall be considered as having been given to the addressee on the date such notice or communication is posted by the sending party.

14. **Miscellaneous.**

a. **Paragraph Headings.** The paragraph headings contained herein are for convenience only and are not intended to define or limit the scope of any provision in this Agreement.

b. **Contract Interpretation.** Although this Agreement is drafted by the City, should any part be in dispute, the parties agree that the Agreement shall not be construed more favorably for either party.

c. **Venue/Governing Law.** The parties agree that the laws of the State of Texas shall govern this Agreement. Exclusive venue shall lie in Grayson County, Texas.

d. **Successors and Assigns.** City and Engineer, and their partners, successors, subcontractors, executors, legal representatives, and administrators are hereby bound to the terms and conditions of this Agreement.

e. **Severability.** In the event a term, condition, or provision of this Agreement is determined to be 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.

f. **Effective Date.** This Agreement shall be effective from and after execution by both parties hereto.

SIGNED on the date indicated below.

CITY OF SHERMAN

ENGINEER:
Freeman-Millican, Inc.

BY _____
Robby Hefton
City Manager

BY _____
Richard Dormier, P.E.
Vice President

DATE _____

DATE _____

APPROVED AS TO FORM:

Brandon S. Shelby, City Attorney

EXHIBIT "1"
ENGINEERING SERVICES AGREEMENT

City of Sherman, Texas
Sherman Wastewater Treatment Plant
Storm Water Pump Station Project
Scope of Professional Services

OWNER and ENGINEER, in consideration of their mutual covenants herein, agree in respect of the performance of professional engineering services by ENGINEER and the payment for those services by OWNER as set forth below.

ENGINEER shall provide professional engineering services for OWNER in all phases of the Project to which this Agreement applies, serve as OWNER'S professional engineering representative for the Project as set forth below, and shall give professional engineering consultation and advice to OWNER during the performance of services hereunder.

OWNER intends to construct, through Prime Contractor(s) the Sherman Wastewater Treatment Plant Storm Water Pump Station Project, hereinafter called the "Project".

SECTION 1 - BASIC SERVICES OF ENGINEER

1.1 GENERAL

1.1.1 ENGINEER shall perform professional services as hereinafter stated which include customary civil, structural, mechanical, and electrical engineering services and customary architectural services incidental thereto. A study phase of process options shall be the initial phase of this project.

1.2 PRELIMINARY DESIGN PHASE

After authorization to proceed with the Preliminary Design Phase, ENGINEER shall:

- 1.2.1 In consultation with OWNER, determine the extent of the Project.
- 1.2.2 Advise OWNER as to the necessity of OWNER'S providing, or obtaining from others, data or services of the types described in paragraph 3.3, and act as OWNER'S representative in connection with any such services.
- 1.2.3 Prepare preliminary design documents consisting of final design criteria, preliminary drawings, and outline specifications.
- 1.2.4 Based on the information contained in the preliminary design documents, submit a revised opinion of probable Project Costs.
- 1.2.5 Furnish 3 copies of the above preliminary design documents and present and review them in person with OWNER.

1.3 FINAL DESIGN PHASE

After authorization to proceed with the Final Design Phase, ENGINEER shall:

- 1.3.1 On the basis of comments from the review of the preliminary design documents and the revised opinion of probable Project Cost, prepare for incorporation in the Contract Documents final drawings to show the character and extent of the Project (hereinafter called "Drawings") and Specifications.
- 1.3.2 Furnish to OWNER such documents and design data as may be required for, and assist in the preparation of, the required documents so that OWNER may apply for approvals of such governmental authorities as have jurisdiction over design criteria applicable to the Project, and assist in obtaining such approvals by participating in submissions to and negotiations with appropriate authorities.
- 1.3.3 Advise OWNER of any adjustments to the latest opinion of probable Project Cost caused by changes in extent or design requirements of the Project or Construction Costs and furnish a revised opinion of probable Project Cost based on the Drawings and Specifications.
- 1.3.4 Prepare for review and approval by OWNER, his legal counsel, and other advisors, contract agreement forms, general conditions and supplementary conditions, and (where appropriate) bid forms, invitations to bid and instructions to bidders, and assist in the preparation of other related documents.
- 1.3.5 Submit plans, specifications, and contract documents to applicable regulatory agencies for approval.
- 1.3.6 Furnish 3 copies of the above documents and present and review them in person with OWNER. Make any needed final revisions.
- 1.4 BIDDING PHASE
After authorization to proceed with the Bidding Phase, ENGINEER shall:
 - 1.4.1 Assist OWNER in obtaining bids for each separate prime contract for construction, materials, equipment, and services.
 - 1.4.2 Consult with and advise OWNER as to the acceptability of subcontractors and other persons and organizations proposed by the prime contractor(s) (hereinafter called "Contractor(s)") for those portions of the work as to which such acceptability is required by the bidding documents.
 - 1.4.3 Prepare a tabulation of bids and assist OWNER in evaluating bids and in assembling and awarding contracts.
- 1.5 CONSTRUCTION PHASE
During the Construction Phase ENGINEER shall:
 - 1.5.1 Consult with and advise OWNER and act as his representative as provided in the General Conditions of the Construction Contract. All of OWNER'S instructions to Contractor(s) will be issued through ENGINEER who will have authority to act on behalf of OWNER to the extent provided in said General Conditions except as otherwise provided in writing.
 - 1.5.2 Make visits to the site at intervals appropriate to the various stages of construction to observe as an experienced and qualified design professional the progress and quality

of the executed work of Contractor(s) and to determine in general if such work is proceeding in accordance with the Contract Documents. ENGINEER shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of such work. ENGINEER shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by Contractor(s) or the safety precautions and programs incident to the work of Contractor(s). ENGINEER'S efforts will be directed toward providing a greater degree of confidence for OWNER that the completed work of Contractor(s) will conform to the Contract Documents, but ENGINEER shall not be responsible for the failure of Contractor(s) to perform the work in accordance with the Contract Documents. During such visits and on the basis of on-site observations ENGINEER shall keep OWNER informed of the progress of the work and shall endeavor to guard OWNER against defects and deficiencies in such work and may disapprove or reject work failing to conform to the Contract Documents.

- 1.5.3 Review Shop Drawings and samples, the results of tests and inspections and other data which each Contractor is required to submit, but only for conformance with the design concept of the Project and general compliance with the information given in the Contract Documents (but such review and approval or other action shall not extend to means, methods, sequences, techniques or procedures of construction or to safety precautions and programs incident thereto); determine the acceptability of substitute materials and equipment proposed by Contractor(s); and receive and review (for general content as required by the Specifications) maintenance and operating instructions, schedules, guarantees, bonds and certificates of inspection which are to be assembled by Contractor(s) in accordance with the Contract Documents.
- 1.5.4 Issue all instructions of OWNER to Contractor(s); issue necessary interpretations and clarifications of the Contract Documents and in connection therewith prepare change orders as required; have authority, as OWNER'S representative, to require special inspection or testing of the work; act as initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the work thereunder and make decisions on all claims of OWNER and Contractor(s) relating to the acceptability of the work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of the work; but ENGINEER shall not be liable for the results of any such interpretations or decisions rendered by him in good faith.
- 1.5.5 Based on ENGINEER'S on-site observations as an experienced and qualified design professional and on review of applications for payment and the accompanying data and schedules, determine the amounts owing to Contractor(s) and recommend in writing payments to Contractor(s) in such amounts: such recommendations of payment will constitute a representation to OWNER, based on such observations and review, that the work has progressed to the point indicated, that, to the best of ENGINEER'S knowledge, information and belief, the quality of such work is in accordance with the Contract Documents (subject to an evaluation of such work as a functioning Project upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents, and to any qualifications stated in his recommendation), and that payment of the amount recommended is due Contractor(s); but by recommending any payment ENGINEER will not thereby be deemed to have represented that continuous or exhaustive examinations have been made by ENGINEER to check the quality or quantity of the work or to review the means, methods, sequences, techniques or procedures of construction or safety precautions or programs incident thereto or that ENGINEER has made an examination to ascertain how or for what purposes any

Contractor has used the moneys paid on account of the Contract Price, or that title to any of the work, materials or equipment has passed to OWNER free and clear of any lien, claims, security interests or encumbrances, or that Contractor(s) have completed their work exactly in accordance with the Contract Documents.

- 1.5.6 Conduct in company with OWNER, an inspection to determine if the Project is substantially complete and a final inspection for compliance with the Contract Documents and if each Contractor has fulfilled all of his obligations thereunder so that ENGINEER may recommend, in writing, final payment to each Contractor and may give written notice to OWNER and the Contractor(s) that the work is acceptable (subject to any conditions therein expressed), but any such recommendation and notice shall be subject to the limitations expressed in paragraph 1.5.5.
- 1.5.7 ENGINEER shall not be responsible for the acts or omissions of any Contractor, or subcontractor, or any of the Contractor(s)' or subcontractors' agents or employees or any other persons (except ENGINEER'S own employees and agents) at the site or otherwise performing any of the Contractor(s)' work; however, nothing contained in paragraphs 1.5.1 through 1.5.7, inclusive, shall be construed to release ENGINEER from liability for failure to properly perform duties undertaken by him in the Contract Documents.
- 1.5.8 Revise contract drawings (unless redrawing is required), with the assistance of the OWNER and Contractor(s), and furnish two set in Adobe Acrobat Portable Document Format (pdf).

SECTION 2 - ADDITIONAL SERVICES OF ENGINEER

2.1 GENERAL

If authorized in writing by OWNER, ENGINEER shall furnish or obtain from others Additional Services of the following types which are not considered normal or customary Basic Services

- 2.1.1 Preparation of applications and supporting documents for governmental grants, loans or advances in connection with the Project; preparation or review of environmental assessments and impact statements; review and evaluation of the effect on the design requirements of the Project of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the Project.
- 2.1.2 Services to make measured drawings of or to investigate existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by OWNER.
- 2.1.3 Services resulting from significant changes in extent of the Project or its design including, but not limited to, changes in size, complexity, OWNER'S schedule, or character of construction or method of financing; and revising previously accepted studies, reports, design documents or Contract Documents when such revisions are due to causes beyond ENGINEER'S control.
- 2.1.4 Providing renderings or models for OWNER'S use.

- 2.1.5 Furnishing the services of special consultants for other than the normal civil, structural, mechanical and electrical engineering and normal architectural design incidental thereto, such as consultants for interior design, furniture, furnishings, communications, acoustics, kitchens and landscaping; and providing data or services of the types described in paragraph 3.3 when OWNER authorizes ENGINEER to provide such data or services in lieu of furnishing the same in accordance with paragraph 3.3.
- 2.1.6 Services resulting from the arranging for performance by persons other than the principal prime contractors of services for the OWNER and administering OWNER'S contracts for such services.
- 2.1.7 Provide staking to enable Contractor(s) to proceed with their work and providing other special field surveys.
- 2.1.8 Services during out-of-town travel required of ENGINEER other than visits to the site and OWNER'S office as required by SECTION 1 and authorized by OWNER.
- 2.1.9 Additional or extended services during construction made necessary by (1) work damaged by fire or other cause during construction, (2) a significant amount of defective or neglected work of Contractor(s), (3) prolongation of the contract time of any prime contract by more than sixty days, (4) acceleration of the progress schedule involving services beyond normal working hours, and (5) default by Contractor(s).
- 2.1.10 Preparation of operating and maintenance manuals; protracted or extensive assistance in the utilization of any equipment or system (such as initial startup, testing, adjusting and balancing); and training personnel for operation and maintenance.
- 2.1.11 Services after completion of the Construction Phase, such as inspections during any guarantee period and reporting observed discrepancies under guarantees called for in any contract for the Project.
- 2.1.12 Preparing to serve or serving as a consultant or witness for OWNER in any litigation, public hearing or other legal or administrative proceeding involving the Project (except as agreed to under Basic Services).
- 2.1.13 Additional services in connection with the Project, including services normally furnished by OWNER and services not otherwise provided for in this Agreement.
- 2.1.14 Preparation of property descriptions.
- 2.1.15 Additional copies of reports (over agreed number) and additional sets of Contract Documents (over agreed number).
- 2.1.16 Services of a resident Project representative, and other field personnel as required, for on-the-site observation of construction.
- 2.1.17 Any other special or miscellaneous assignments specifically authorized by OWNER.

SECTION 3 - OWNER'S RESPONSIBILITIES

OWNER shall:

- 3.1 Provide all criteria and full information as to OWNER'S requirements for the Project, including design objectives and constraints, space, capacity and performance

requirements, flexibility and expandability, and any budgetary limitations; and furnish copies of all design and construction standards which OWNER will require to be included in the Drawings and Specifications.

- 3.2 Assist ENGINEER by placing at his disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project.
- 3.3 Furnish to ENGINEER, as required for performance of ENGINEER'S Basic Services, data prepared by or services of others, including without limitation core borings, probings and subsurface explorations, hydrographic surveys, laboratory tests and inspections of samples, materials and equipment; appropriate professional interpretations of all of the foregoing; environmental assessment and impact statements; property, boundary, easement, right-of-way, topographic and utility surveys; property descriptions; zoning, deed and other land use restrictions; and other special data or consultations not covered in SECTION 2; all of which ENGINEER may rely upon in performing his services.
- 3.4 Provide field control surveys and establish reference points and base lines to enable Contractor(s) to proceed with the layout of the work.
- 3.5 Arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform his services.
- 3.6 Examine all studies, reports, sketches, Drawings, Specifications, proposals and other documents presented by ENGINEER, obtain advice of an attorney, insurance counselor and other consultants as OWNER deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of ENGINEER.
- 3.7 Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- 3.8 Provide such accounting, independent cost estimating and insurance counseling services as may be required for the Project, such legal services as OWNER may require or ENGINEER may reasonably request with regard to legal issues pertaining to the Project including any that may be raised by Contractor(s), such auditing service as OWNER may require to ascertain how or for what purpose any Contractor has used the moneys paid to him under the construction contract and such inspection services as OWNER may require to ascertain that Contractor(s) are complying with any law, rule or regulation applicable to their performance of the work.
- 3.9 Designate in writing a person to act as OWNER'S representative with respect to the services to be rendered under this Agreement. Such person shall have complete authority to transmit instructions, receive information, interpret and define OWNER'S policies and decisions with respect to materials, equipment, elements and systems pertinent to ENGINEER'S services.
- 3.10 Give prompt written notice to ENGINEER whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of ENGINEER'S services, or any defect in the work of Contractor(s).

- 3.11 Furnish, or direct ENGINEER to provide, necessary Additional Services as stipulated in Section 2 of this Agreement or other services as required.
- 3.12 Bear all costs incident to compliance with the requirements of this Section 3.

SECTION 4 - PERIOD OF SERVICE

- 4.1 The provisions of this Section 4 and the various rates of compensation for ENGINEER'S services provided for elsewhere in this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the Construction Phase. ENGINEER'S obligation to render services hereunder will extend for a period which may reasonably be required for the design, award of contracts and construction of the Project including extra work and required extensions thereto.
- 4.2 After acceptance by OWNER of the ENGINEER'S Drawings, Specifications and other Final Design Phase documentation including the most recent opinion of probable Project Cost and upon written authorization to proceed, ENGINEER shall proceed with performance of the services called for in the Bidding. This Phase shall terminate and the services to be rendered thereunder shall be considered complete upon commencement of the Construction Phase or upon cessation of the negotiations with prospective Contractor(s) (except as may be otherwise required to complete the services called for in paragraph 6.1.2.5).
- 4.3 The Construction Phase will commence with the execution of the first prime contract to be executed for the work of the Project or any part thereof, and will terminate upon written approval by ENGINEER of final payment on the last prime contract to be completed. Construction Phase services may be rendered at different times in respect of separate prime contracts if the Project involves more than one prime contract.
- 4.4 If OWNER has requested significant modifications or changes in the extent of the Project, the time of performance of ENGINEER'S services and his various rates of compensation shall be adjusted appropriately.
- 4.5 If OWNER fails to give prompt written authorization to proceed with any phase of services after completion of the immediately preceding phase, or if the Construction Phase has not commenced within 90 calendar days (plus such additional time as may be required to complete the services called for under paragraph 6.2.2.5) after completion of the Final Design Phase, ENGINEER may, after giving seven days' written notice to OWNER, suspend services under this Agreement.
- 4.6 If ENGINEER'S services for design or during construction of the Project are delayed or suspended in whole or in part by OWNER for more than three months for reasons beyond ENGINEER'S control, ENGINEER shall on written demand to OWNER (but without termination of this Agreement) be paid as provided in paragraph 5.3.2. If such delay or suspension extends for more than one year for reasons beyond ENGINEER'S control, or if ENGINEER for any reason is required to render services more than one year after Substantial Completion, the various rates of compensation provided for elsewhere in this Agreement shall be subject to renegotiation.

- 4.7 In the event that the work designed or specified by ENGINEER is to be performed under more than one prime contract, OWNER and ENGINEER shall, prior to commencement of the Final Design Phase, develop a schedule for performance of ENGINEER'S services during the Final Design, Bidding and Construction Phases in order to sequence and coordinate properly such services as applicable to the work under such separate contracts.

SECTION 5 - PAYMENTS TO ENGINEER

5.1 METHODS OF PAYMENT FOR SERVICES AND EXPENSES OF ENGINEER

5.1.1 For Basic Services

OWNER shall pay ENGINEER for Basic Services rendered under SECTION 1 and as further identified in Exhibit "A" as the preliminary engineering phase, final design phase, bidding phase and construction phase a lump sum in the amount of \$79,000.00.

5.1.2 For Additional Services

OWNER shall pay ENGINEER for Additional Services rendered under SECTION 2 as follows:

5.1.2.1 General

For Additional Services rendered under paragraphs 2.1.1 through 2.1.17, inclusive (except services covered by paragraph 2.1.5 and services as a consultant or witness under paragraph 2.1.12), payment will be at the hourly rates in Exhibit "B".

5.1.2.2 Special Consultants

For services and reimbursable expenses of special consultants employed by ENGINEER pursuant to paragraph 2.1.5 or 2.1.17, the amount billed to ENGINEER therefor times a factor of 1.10

5.1.2.3 Serving as a Witness

For the services rendered by principals and employees as consultants or witnesses in any litigation, hearing or proceeding in accordance with paragraph 2.1.12, at the rate of \$ 2,500 per day or any portion thereof (but compensation for time spent in preparing to appear in any such litigation, hearing or proceeding will be on the basis provided in paragraph 5.1.2.1).

- 5.1.3 As used in this paragraph 5.1 the term "Reimbursable Expenses" will have the meaning assigned to it in paragraph 5.4.

5.2 TIMES OF PAYMENTS

5.2.1 ENGINEER shall submit monthly statements for Basic and Additional Services rendered and for reimbursable Expenses incurred. The statements will be based upon ENGINEER'S estimate of the proportion of the total services actually completed at the time of billing. OWNER shall make prompt monthly payments in response to ENGINEER'S monthly statements.

5.2.2 Upon conclusion of each phase of Basic Services, OWNER shall pay such additional amount, if any, as may be necessary to bring total compensation paid on account of such phase to the following percentages of total compensation payable for all phases of Basic Services:

Phase	Percent of Basic Services
Preliminary Design & Surveying	16%
Final Design	51%
Bidding or Negotiating	11%
Construction	22%
TOTAL	100%

5.3 OTHER PROVISIONS CONCERNING PAYMENTS

5.3.1 Changes in Project Scope

In the event the OWNER changes the scope of the project after the commencement of the Final Design Phase and such changes render the work unusable that has been performed to the date of the change in project scope, ENGINEER will be paid for services rendered during that phase to the date of notice of the change in project scope at the hourly rates in Exhibit "B" for services rendered by principals and employees assigned to the Project during that phase to date of notice of the change in project scope. In the event of any such change in scope, ENGINEER will be paid for all unpaid Additional Services and unpaid Reimbursable Expenses.

In the event the OWNER changes the scope of the project after the commencement of the Final Design Phase and such changes require the Engineer to modify, redesign or otherwise change engineering work that has been completed or partially completed at the date of the change in scope, ENGINEER will be paid for services required to modify, redesign or otherwise change completed engineering work to meet the requirements of the revised scope of services at the hourly rates in Exhibit "B" for principals and employees assigned to the Project. In the event of any such change in scope, ENGINEER will be paid for all Additional Services and Reimbursable Expenses required to make the above stated changes. Before making changes to the engineering work under this provision, the ENGINEER shall submit an estimate of the cost of making the changes under this paragraph. The ENGINEER shall not begin making changes to the engineering work until authorized by the OWNER.

5.3.2 If OWNER fails to make any payment due ENGINEER for services and expenses within sixty days after receipt of ENGINEER'S bill therefor, the amounts due ENGINEER shall include a charge at the rate of 1% per month from said sixtieth day, and in addition, ENGINEER may, after giving seven days' written notice to OWNER, suspend services under this Agreement until he has been paid in full all amounts due him for services and expenses.

5.3.3 In the event of termination by OWNER, upon the completion of any phase of the Basic Services, progress payments due ENGINEER for services rendered through such phase shall constitute total payment for such services. In the event of such termination by OWNER during any phase of the Basic Services, ENGINEER will be paid for services rendered during that phase at the hourly rates in Exhibit "B" for services rendered during that phase to date of termination by principals and employees assigned to the Project. In the event of any such termination, ENGINEER will be paid for all unpaid Additional Services and unpaid Reimbursable Expenses, plus all termination expenses. Termination expenses mean Reimbursable Expenses directly attributable to termination, which shall include an amount computed as a percentage of total compensation for Basic Services earned by ENGINEER to the date of termination, as follows:

20% if termination occurs after commencement of the Preliminary Design Phase but prior to commencement of the Final Design Phase; or

10% if termination occurs after commencement of the Final Design Phase.

5.4 DEFINITIONS

5.4.1 Reimbursable Expenses mean the actual expenses incurred directly or indirectly in connection with the Project for: transportation and subsistence incidental thereto; obtaining bids or proposals from Contractor(s); furnishing and maintaining field office facilities; subsistence and transportation of Resident Project Representatives and their assistants; toll telephone calls and telegrams; reproduction of reports, Drawings, Specifications, and similar Project related items in addition to those required under Section 1; and, if authorized in advance by OWNER, overtime work requiring higher than regular rates.

SECTION 6 - OPINIONS OF COST

6.1 OPINIONS OF COST

6.1.1 Since ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor(s)' methods of determining prices, or over competitive bidding or market conditions, his opinions of probable Project Cost and Construction Cost provided for herein are to be made on the basis of his experience and qualifications and represent his best judgment as an experienced and qualified professional engineer, familiar with the construction industry; but ENGINEER cannot and does not guarantee that proposals, bids or actual Project or Construction Cost will not vary from opinions of probable cost prepared by him. If prior to the Bidding Phase OWNER wishes greater assurance as to Project or Construction Cost he shall employ an independent cost estimator as provided in paragraph 3.8. If a

Construction Cost limit is established by written agreement between OWNER and ENGINEER, the following will apply:

- 6.1.1.1 The acceptance by OWNER at any time during the Basic Services of a revised opinion of probable Project or Construction Cost in excess of the then established cost limit will constitute a corresponding revision in the Construction Cost limit to the extent indicated in such revised opinion.
- 6.1.1.2 Any Construction Cost limit so established will include a contingency of ten percent unless another amount is agreed upon in writing.
- 6.1.1.3 ENGINEER will be permitted to determine what materials, equipment, component systems and types of construction are to be included in the Drawings and Specifications and to make reasonable adjustments in the extent of the Project to bring it within the cost limit.
- 6.1.1.4 If the Bidding Phase has not commenced within six months after completion of the Final Design Phase, the established Construction Cost limit will not be binding on ENGINEER, and OWNER shall consent to an adjustment in such cost limit commensurate with any applicable change in the general level of prices in the construction industry between the date of completion of the Final Design Phase and the date on which proposals or bids are sought.
- 6.1.1.5 If the lowest bona fide proposal or bid exceeds the established Construction Cost limit, OWNER shall (1) give written approval to increase such cost limit, (2) authorize negotiating or rebidding the Project within a reasonable time, or (3) cooperate in revising the Project's extent or quality. In the case of (3), ENGINEER shall, without additional charge, modify the Contract Documents as necessary to bring the Construction Cost within the cost limit. The providing of such service will be the limit of ENGINEER'S responsibility in this regard and, having done so, ENGINEER shall be entitled to payment for his services in accordance with this Agreement.

SECTION 7 - GENERAL CONSIDERATIONS

7.1 REUSE OF DOCUMENTS

All documents including Drawings and Specifications prepared by ENGINEER pursuant to this Agreement are instruments of service in respect to the Project. They are not intended or represented to be suitable for reuse by OWNER or others on extensions of the Project or on any other project. Any reuse without written verification or adaptation by ENGINEER for the specific purpose intended will be at OWNER'S sole risk and without liability or legal exposure to ENGINEER; and OWNER shall indemnify and hold harmless ENGINEER from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom. Any such verification or adaptation will entitle ENGINEER to further compensation at rates to be agreed upon by OWNER and ENGINEER.

SECTION 8 - SPECIAL PROVISIONS, EXHIBITS AND SCHEDULES

- 8.1 The following Exhibits are attached to and made a part of this Exhibit 1:
Exhibit "A" Scope of Work and Exhibit "B" – Freeman-Millican, Inc. - Hourly Rate

Exhibit "A"

**SHERMAN WWTP STORM WATER PUMP STATION PROJECT
ENGINEERING SCOPE OF SERVICES**

PRELIMINARY DESIGN

Identify LS options and FM preliminary alignment

Preliminary and design surveying

Review LS options, FM alignment, pumps and wet well design with Sherman

Geotech investigation

DESIGN PHASE

Determine final runoff area and peak flow

Final pump and wet well design for selected LS option

Design wet well, piping, valves and valve vault

Design wet well detention pond and ditch regrading

Design force main

Review design with Sherman

Design FM road crossing and develop drawings

Design wet well foundation and pump bases

Develop FM plan & profile drawings

Develop FM & FM discharge details & drawings

Develop LS plan, profile, site and detail drawings

Develop technical specifications for FM

Develop technical specifications for LS

Develop proposal, front end bid document, contracts and specification

Review bid document with Sherman and TCEQ and make revisions

Project management

Develop documents for bidding pumps & equipment

QA/QC

Develop cover and general drawings

Develop plans and specs to fill and demo 2 concrete storm water valve boxes and 1 sample manhole 4' below grade near plant discharge.

ELECTRICAL & CONTROLS

LS Site 3 phase electrical service planning and routing

Application for new service, coordination with Oncor

Lower or relocate existing power & signal cables

Design one-line diagram and load distribution design and calculations

Design A&B electrical feed

Design and drawings for LS site lighting

Design power switch VFDs and panels with operator station & drawings

Design control panel, level sensors and equipment with drawing

Design SCADA

Design grounding & lightning system with drawings

Design wiring/conduits meter to switch to control panel to pumps & equip

Identify and review control issues with Sherman staff

Develop Electrical and I&C detail drawing

Develop electrical and I&C technical specifications

BIDDING

Revise bid documents and print for bidding

Respond to vendor request for information and bid documents

Develop and provide addendums

Conduct a pre-bid conference

Open bids and develop bid tabulation

Evaluate bids and make award recommendations

Attend meeting for contract award

Develop purchase and construction contract for execution

CONSTRUCTION

Conduct preconstruction conference

Review contractor submittals on all equip, piping, electrical, etc.

Monthly site reviews and pay applications, about 7

Construction meetings and site visits, about 4

Respond to contractor request for information

Review and process any required changes

Start up and training

Final inspection & punch list

Make record drawings per contractor as built mark ups

Close out documentation

EXHIBIT "B"
FREEMAN-MILLICAN, INC.
HOURLY RATES

<u>Employee Category</u>		<u>Hourly Rate</u>
Principal Engineer		\$185
Senior Engineer		\$165
Associate Engineer		\$150
Senior Project Engineer		\$135
Architect		\$140
Project Engineer		\$120
EIT		\$100
Designer		\$ 90
CAD		\$ 75
Clerical		\$ 50
RPLS		\$170
Survey Crew	(Including GPS)	\$140
Mileage	\$0.56/mile	



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

Wastewater Treatment Plant

1 inch = 400 feet





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

C.2.

Meeting Date: 02/18/2019

Prepared By: Kevin Winkler, Public Works Manager

Approved By: Robby Hefton, City Manager

Caption:

*** RESOLUTION NO. 6458**

Authorizing the Purchase of a New Kubota Skid Steer and attachment for the Street Maintenance Department from Six & Mango Equipment through the Texas Local Government Purchasing Cooperative (BuyBoard)

Issue:

To consider approval of a resolution to purchase a new Kubota Skid Steer and attachment from Six & Mango Equipment of Sherman, Texas, through the BuyBoard for use within the Street Maintenance Department

Background:

The Skid Steer and attachment will be used for many different projects within the Street Maintenance Department including milling, grading, cutting trees, and clearing creeks and right of way.

The Texas Local Government Purchase Cooperative was created to increase the purchasing power of government entities and to simplify their purchasing power by using a customized electronic purchasing system, called the BuyBoard.

Origination:

Department of Public Works

Financial Consideration:

The new Kubota Skid Steer and attachment will be purchased from Six & Mango Equipment of Sherman, Texas, for \$70,173.56 (\$61,793.56 for the Skid Steer and \$8,380.00 for the attachment) through the BuyBoard. Funding for this purchase was appropriated in the fiscal year 2018-2019 Street Maintenance Department budget.

Staff Recommendation:

Is it recommended that staff be authorized to purchase the new Kubota Skid Steer and attachment through the BuyBoard.

Alternatives:

As may be recommended by the City Council

Attachments

Resolution No. 6458

Six & Mango Equipment Quote

BuyBoard Interlocal Agreement

RESOLUTION NO. 6458

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING THE PURCHASE OF A NEW KUBOTA SKID STEER AND ATTACHMENT FOR THE STREET MAINTENANCE DEPARTMENT FROM SIX & MANGO EQUIPMENT THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD); FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the City Manager be and is hereby authorized and directed to purchase from Six & Mango Equipment of Sherman, Texas, through the Texas Local Government Purchasing Cooperative (BuyBoard), a Kubota SVL95-2SHFC Skid Steer and an SWA 540 Baumalight Mower Attachment, at a total price of Seventy Thousand One Hundred Seventy-Three Dollars and Fifty-Six Cents (\$70,173.56). Any agreements related to the purchase must be approved by the City Attorney. Funds for this purchase are being committed out of the City of Sherman's fiscal year 2018-2019 budget.

SECTION 2. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED AND APPROVED on this the ____ day of _____, 2019.

CITY OF SHERMAN, TEXAS

ATTEST:

BY: _____
DAVID PLYLER, MAYOR

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM.
AND CONTENT:**

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



QUOTE

Six & Mango Equipment

910 S Sam Rayburn Fwy

Sherman, Texas 75090

P: 903-893-5564

F: 903-893-5932

TO

DATE

EXPIRATION DATE 30 Days

SALESPERSON	JOB	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
Brent Yates					Due on receipt	

QTY	ITEM #	DESCRIPTION	LIST PRICE	6M PRICE	EXTENDED PRICE
1.00		SVL95-2SHFC			\$ 61,793.56
1.00		SWA 540 BAUMALIGHT MOWER			8,380.00
					-
					-
					-
					-
					-
					-
					-
					-
					-
					-

TOTAL DISCOUNT

SUBTOTAL

SALES TAX 8.25%

DIESEL TAX 1.5%

HET TAX .207025

TOTAL \$ 70,173.56

Quotation prepared by: _____

This is a quotation on the goods named, subject to the conditions noted below:
(Describe any conditions pertaining to these prices and any additional terms of the agreement.
You may want to include contingencies that will affect the quotation.)

To accept this quotation, sign here and return: _____



THANK YOU FOR YOUR BUSINESS!

RECEIVED JUN 15 2002

YOUR COPY

INTERLOCAL PARTICIPATION AGREEMENT RECEIVED JUN 15 2002

for the
Texas Local Government Purchasing Cooperative

This Interlocal Participation Agreement ("Agreement") is made and entered into by and between the Texas Local Government Purchasing Cooperative ("Cooperative"), an administrative agency of cooperating local governments, acting on its own behalf and the behalf of all participating local governments, and the undersigned local government of the State of Texas ("Cooperative Member"). The purpose of this Agreement is to facilitate compliance with state bidding requirements, to identify qualified vendors of commodities, goods and services, to relieve the burdens of the governmental purchasing function, and to realize the various potential economies, including administrative cost savings, for Cooperative Members.

WITNESSETH:

WHEREAS, the Cooperative Members are authorized by Chapter 791, et seq., The Interlocal Cooperation Act of the Government Code ("the Act"), to agree with other local governments to form purchasing cooperatives; and

WHEREAS, the Cooperative is an administrative agency of local governments cooperating in the discharge of their governmental functions; and

WHEREAS, the Cooperative Member does hereby adopt the Organizational Interlocal Agreement, together with such amendments as may be made in the future, reflecting the evolving mission of the Cooperative and further agrees to become an additional party to that certain Organizational Interlocal Agreement promulgated on the 26th day of January, 1998.

NOW, THEREFORE, BE IT RESOLVED that the undersigned Cooperative Member in consideration of the agreement of the Cooperative and the Cooperative Members to provide services as detailed herein does agree to the following terms, conditions, and general provisions.

In return for the payment of the contributions and subject to all terms of this Agreement, the parties agree as follows:

TERMS AND CONDITIONS

1. Adopt Organizational Interlocal Cooperation Agreement. The Cooperative Member by the adoption and execution of this Agreement hereby adopts and approves the Organizational Interlocal Agreement dated January 26, 1998, together with such amendments as may be made in the future and further agrees to become a Cooperative Member.
2. Term. The initial term of this Agreement shall commence at 12:01 a.m. on the date executed and signed and shall automatically renew for successive one-year terms unless sooner terminated in accordance with the provisions of this Agreement. The terms, conditions, and general provisions set forth below shall apply to the initial term and all renewals.
3. Termination.
 - a. By the Cooperative Member. This Agreement may be terminated by the Cooperative Member at any time by thirty (30) days prior written notice to the Cooperative; provided all charges owed to the Cooperative and any vendor have been fully paid.
 - b. By the Cooperative. The Cooperative may terminate this Agreement by:
 1. Giving ten (10) days notice by certified mail to the Cooperative Member if the Cooperative Member fails or refuses to make the payments or contributions as herein provided; or
 2. Giving thirty (30) days notice by certified mail to the Cooperative Member.

- c. **Termination Procedure.** If the Cooperative Member terminates its participation during the term of this Agreement or breaches this Agreement, or if the Cooperative terminates participation of the Cooperative Member under any provision of this Article, the Cooperative Member shall bear the full financial responsibility for any purchases occurring after the termination date, and for any unpaid charges accrued during its term of membership in the Cooperative. The Cooperative may seek the whole amount due, if any, from the terminated Cooperative Member. The Cooperative Member will not be entitled to a refund of membership dues paid.
4. **Payments.**
 - a. The Cooperative Member agrees to pay membership fees based on a plan developed by the Cooperative. Membership fees are payable by Cooperative Member upon receipt of an invoice from the Cooperative, Cooperative Contractor or vendor. A late charge amounting to the maximum interest allowed by law, but not less than the rate of interest under Section 2251.021, et seq., Texas Government Code, shall begin to accrue daily on the 31st day following the due date and continue to accrue until the contribution and late charges are paid in full. The Cooperative reserves the right to collect all funds that are due to the Cooperative in the event of termination by Cooperative Member or breach of this Agreement by Cooperative Member.
 - b. The Cooperative Member will make timely payments to the vendor for the goods, materials and services received in accordance with the terms and conditions of the Invitation to Bid and related procurement documents. Payment for goods, materials and services and inspections and acceptance of goods, materials and services ordered by the procuring party shall be the exclusive obligation of the procuring Cooperative Member.
5. **Cooperative Reporting.** The Cooperative will provide periodic activity reports to the Cooperative Member. These reports may be modified from time to time as deemed appropriate by the Cooperative.
6. **Administration.** Cooperative Member will use the BuyBoard purchasing application in accordance with instruction from the Cooperative; discontinue use upon termination of participation; maintain confidentiality and prevent unauthorized use; maintain equipment, software and testing to operate the system at its own expense; report all purchase orders generated to Cooperative or its designee in accordance with instructions of the Cooperative; and make a final accounting to Cooperative upon termination of membership.
7. **Amendments.** The Board may amend this agreement, provided that notice is sent to each participant at least 60 days prior to the effective date of any change described in such amendment which, in the opinion of the Board, will have a material effect on the Cooperative Members participation in the Cooperative.

GENERAL PROVISIONS

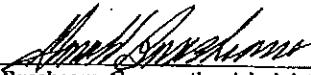
1. **Authorization to Participate.** Each Cooperative Member represents and warrants that its governing body has duly authorized its participation in the Cooperative.
2. **Bylaws.** The Cooperative Member agrees to abide by the Bylaws of the Cooperative, as they may be amended, and any and all reasonable policies and procedures established by the Cooperative.
3. **Compensation.** The parties agree that the payments under this Agreement and all related exhibits and documents are amounts that fairly compensate the Cooperative for the services or functions performed under the Agreement, and that the portion of gross sales paid by participating vendors enables the Cooperative to pay the necessary licensing fees, marketing costs, and related expenses required to operate a statewide system of electronic commerce for the local governments of Texas.
4. **Cooperation and Access.** The Cooperative Member agrees that it will cooperate in compliance with any reasonable requests for information and/or records made by the Cooperative. The Cooperative reserves the right to audit the relevant records of any Cooperative Member. Any breach of this Article shall be considered material and shall make the Agreement subject to termination on ten (10) days written notice to the Cooperative Member.

5. **Coordinator.** The Cooperative Member agrees to appoint a program coordinator who shall have express authority to represent and bind the Cooperative Member, and the Cooperative will not be required to contact any other individual regarding program matters. Any notice to or any agreements with the coordinator shall be binding upon the Cooperative Member. The Cooperative Member reserves the right to change the coordinator as needed by giving written notice to the Cooperative. Such notice is not effective until actually received by the Cooperative.
6. **Current Revenue.** The Cooperative Member hereby warrants that all payments, contributions, fees, and disbursements required of it hereunder shall be made from current revenues budgeted and available to the Cooperative Member.
7. **Defense and Prosecution of Claims.** The Cooperative Member authorizes the Cooperative to regulate the commencement, defense, intervention, or participation in a judicial, administrative, or other governmental proceeding or in an arbitration, mediation, or any other form of alternative dispute resolution, or other appearances of the Cooperative and/or any past or current Cooperative Member in any litigation, claim or dispute, and to engage counsel and appropriate experts, in the Cooperative's sole discretion, with respect to such litigation, claim or disputes. The Cooperative Member does hereby agree that any suit brought against the Cooperative or a Cooperative Member may be defended in the name of the Cooperative or the Member by the counsel selected by the Cooperative, in its sole discretion, or its designee, on behalf of and at the expense of the Cooperative as necessary for the prosecution or defense of any litigation. Full cooperation by the Cooperative Member shall be extended to supply any information needed or helpful in such prosecution or defense. Subject to specific revocation, the Cooperative Member hereby designates the Cooperative to act as a class representative on its behalf in matters arising out of this Agreement.
8. **Governance.** The Board of Trustees (Board) will govern the Cooperative in accordance with the Bylaws. Travis County, Texas will be the location for filing any dispute, claim or lawsuit.
9. **Limitations of Liability.** COOPERATIVE, ITS ENDORSERS (TEXAS ASSOCIATION OF SCHOOL BOARDS, TEXAS ASSOCIATION OF COUNTIES, AND TEXAS MUNICIPAL LEAGUE) AND SERVICING CONTRACTOR (TEXAS ASSOCIATION OF SCHOOL BOARDS) DO NOT WARRANT THAT THE OPERATION OR USE OF COOPERATIVE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE. COOPERATIVE, ITS ENDORSERS AND SERVICING CONTRACTORS, HEREBY DISCLAIM ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, IN REGARD TO ANY INFORMATION, PRODUCT OR SERVICE FURNISHED UNDER THIS AGREEMENT, INCLUDING WITHOUT LIMITATION, ANY AND ALL IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE PARTIES AGREE THAT IN REGARD TO ANY AND ALL CAUSES OF ACTION ARISING OUT OF OR RELATING TO THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER UNDER ANY CIRCUMSTANCES FOR SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES, EVEN IF IT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
10. **Merger.** This Interlocal Participation Agreement, Terms and Conditions, and General Provisions, together with the Bylaws, Organizational Interlocal Agreement, and Exhibits, represents the complete understanding of the Cooperative, and Cooperative Member electing to participate in the Cooperative.
11. **Notice.** Any written notice to the Cooperative shall be made by first class mail, postage prepaid, and delivered to the Associate Executive Director Financial Planning, Texas Association of School Boards, Inc., P.O. Box 400, Austin, Texas 78767-0400.
12. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, and venue shall lie in Travis County, Texas.
13. **Warranty.** By the execution and delivery of this Agreement, the undersigned individuals warrant that they have been duly authorized by all requisite administrative action required to enter into and perform the terms of this Agreement.

IN WITNESS WHEREOF, the parties, acting through their duly authorized representatives, sign this Agreement as of the date indicated.

TO BE COMPLETED BY THE COOPERATIVE:

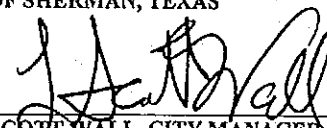
TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, as acting on behalf of all other Cooperative Members

By: 
Gerald Brashears, Cooperative Administrator

Date: 7-15-02

TO BE COMPLETED BY COOPERATIVE MEMBER:

CITY OF SHERMAN, TEXAS

By: 
L. SCOTT WALL, CITY MANAGER

Date: 5/28/2002

Coordinator for the Cooperative Member is:

Name: MARYANN WINKLER
Address: 405 N. RUSK STREET
SHERMAN, TEXAS 75090
Phone: (903) 892-7285
Fax: (903) 891-0255
Email: PURCH@TEXOMA.NET



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

D.1.

Meeting Date: 02/18/2019

Prepared By: Theresa Hutchinson, Parks & Recreation Manager

Approved By: Robby Hefton, City Manager

Caption:

*** REQUEST TO ADVERTISE**

Purchase and Installation of a Pavilion, Benches and Outdoor Musical Equipment at the City of Sherman Library Park

Issue:

Approval of a request to advertise for proposals for a project to purchase and install a pavilion, benches and outdoor musical equipment at the new special use park located at the recently renovated City of Sherman Public Library.

Background:

At the May 15, 2017 meeting, the City Council approved and adopted the 2017 Parks Master Plan. The highest priority initiatives arising from the Plan update were identified and included in the approved 2017-2022 Capital Improvement Plan. Among these initiatives were special use parks, identified by unique characteristics within recreational, social and community activities. The Sherman Public Library Park will host a number of social, recreational and library-specific activities overseen by the Library Department.

The estimated cost of \$100,000 was approved by the City Council in the fiscal year 2018-2019 Budget.

Origination:

Department of Parks and Recreation

Financial Consideration:

The cost of advertising will be approximately \$200.00.

Staff Recommendation:

Staff recommends that the City Council approve this request to advertise for bids for the purchase and installation of a pavilion, benches and outdoor musical equipment park improvements at the City of Sherman Public Library.

Alternatives:

As may be directed by the City Council

Attachments

Aerial Location Map

Sherman Library Park





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.1.

Meeting Date: 02/18/2019

Prepared By: Mary Lawrence, Director of Finance

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Discuss and Consider Approval of the Budget Calendar for Fiscal Year (FY) 2019-2020

Issue:

Set budget calendar for FY 2019-2020

Background:

Several meetings are necessary to develop the budget for the upcoming fiscal year. There is some flexibility in meeting dates reflected in the proposed budget calendar. Particularly important are the dates for the Budget Planning Meeting and the Budget Workshop. The Budget Planning Meeting will be used to garner Council input on Council initiatives to be included in the budget development process. The Budget Workshop will present a more detailed picture of the City budget and will be used to summarize Council direction for the upcoming year.

Included in this year's budget process will be discussion of the five-year financial and operational projections as has been the practice for the past several years. Although we will only be developing a budget and appropriating funds for FY 2019-2020, this five-year time horizon will reflect the impacts of such things as the capital improvement program, debt service, and projected tax base changes on the City's long-term financial outlook.

Origination:

Robby Hefton, City Manager

Financial Consideration:

None

Staff Recommendation:

The staff recommends that the Council, **by motion and order**, approve the budget calendar as presented and confirm the City Council Chambers as the site for the Budget Planning Meeting and Budget Workshop.

Alternatives:

The City Council could select alternative dates for the meetings, subject to Charter requirements.

Attachments

Proposed Budget Calendar FY 2019-2020

PROPOSED BUDGET CALENDAR

FISCAL YEAR 2019-2020

Budget Planning Meeting with City Council and Financial Update	April 26, 2019
Budget Workshop*	June 13-14, 2019
Present Draft Budget to Council	August 5, 2019
Introduction and Public Hearing of Budget Ordinance Final Action on Budget Ordinance Introduction and First Public Hearing of Tax Rate Ordinance	August 19, 2019
Second Public Hearing on Tax Rate Ordinance	September 3, 2019
Final Action on Tax Rate Ordinance	September 16, 2019

Notes:

Meeting times to be confirmed after the Budget Calendar is approved.

It is recommended that the Budget Planning Meeting and the Budget Workshop be held in the City Council Chambers.

* This is expected to be a one-day Workshop; but an additional day is scheduled as a placeholder in case more time is needed.



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.2.

Meeting Date: 02/18/2019

Prepared By: Sarah McRae, Tourism/Main Street Manager

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Consider Request of Downtown Sherman NOW (formerly Downtown Sherman Preservation & Revitalization) to Temporarily Close Certain Streets for "Craft the Night Away" on Saturday, April 13, 2019

Issue:

Assistance for Downtown Sherman NOW's "Craft the Night Away" event on Saturday, April 13, 2019

Background:

Downtown Sherman NOW is requesting to temporarily close Crockett Street (between Lamar Street and Houston Street) and Travis Street (between Lamar Street and Houston Street) on Saturday, April 13, 2019 from 1:30 p.m. to 11:00 p.m. for "Craft the Night Away". This will be the fourth year for this event, which will include food trucks and/or vendors, bands/music, and other activities. Downtown Sherman NOW will obtain necessary permits from the Texas Tobacco and Alcohol Commission for the sale of craft beer to the patrons of this event.

Origination:

Mrs. Karen Tooley, Executive Director of Downtown Sherman NOW

Financial Consideration:

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

Staff Recommendation:

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

Alternatives:

As directed by the Council

Attachments

Craft the Night Away 2019 Request Letter

Craft the Night Away 2019 Map

1 February 2019

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



Dear Sarah,

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

Sincerely,

A handwritten signature in black ink, appearing to read "K Tooley". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Karen Tooley

Executive Director, Downtown Sherman NOW

Name of Event: Craft the Night Away

Date/Time of Event: Saturday, 13 April 2019, 5:00-9:00 PM

Description of Event:

Craft beer from 30 Texas breweries will be available for tasting. Food trucks will provide food for sale, artisan crafters will display and sell their art, and musicians will perform.

Street Closure Request:

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

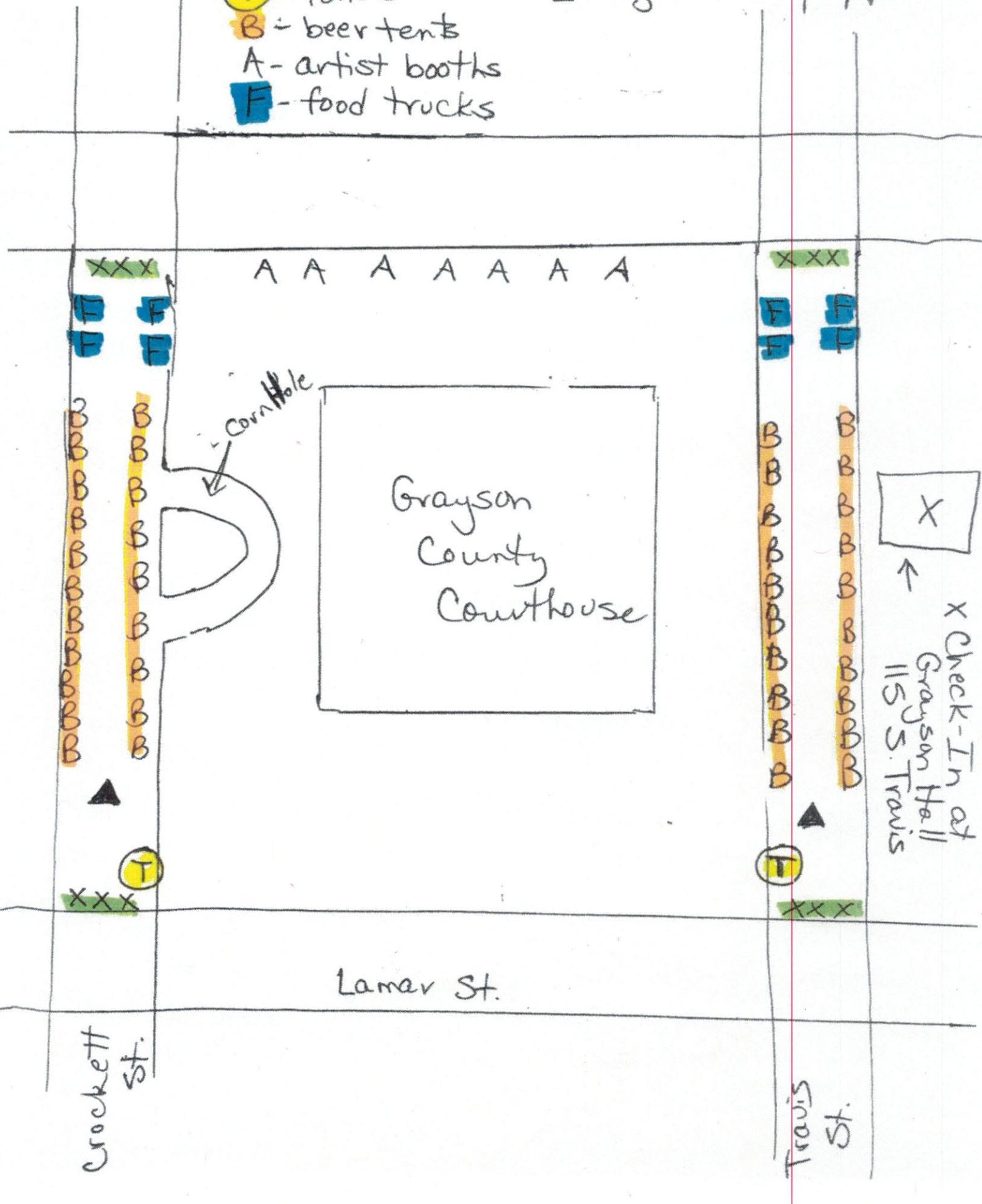
Supplies Requested: 32 rolling trash cans & 50 orange traffic cones (delivered to the east side of the courthouse near the trash dumpsters)

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

- xxx - barricades
- T - toilets
- B - beer tents
- A - artist booths
- F - food trucks

▲ Stages

↑ N





SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.3.

Meeting Date: 02/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Final Plat Approval of West Hill Cemetery Addition, Annex D, Sections 1-5, being 5.478 acres in the Elizabeth Jones Survey, Abstract No. 625; City of Sherman, Owners; and Underwood Drafting and Surveying, Surveyor (1304 West Lamar Street)

Issue:

To consider Final Plat approval of West Hill Cemetery Addition, Annex D, Sections 1-5, being 5.478 acres in the Elizabeth Jones Survey, Abstract No. 625; City of Sherman, Owners; and Underwood Drafting and Surveying, Surveyor; located at 1304 West Lamar Street

Background:

The property is located at 1304 West Lamar Street, the southwest corner of Lamar and Woods Streets; West Hill Cemetery. The City would like to plat the property into 3,146 cemetery lots.

Origination:

City of Sherman (Owners)

Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the January 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map

Zoning Map

Final Plat - West Hill Cemetery, Annex D, Sections 1-5

Staff Review Letter

P&Z Communication

West Hill Cemetery Addition, Annex D, Sections 1-5


$$1 \text{ in} = 800 \text{ ft}$$



LEGAL DESCRIPTION

Situated in the City of Sherman, Grayson County, Texas, being a part of the Elisabeth Jones Survey, Abstract No. 625, and being a part of the 28 acre tract of land conveyed from L. A. Austin, attorney in fact for Jesse Edwards to the City of Sherman, Texas by deed of record in Volume 182, Page 176, Deed Records, Grayson County, Texas said tract also known as West Hill Cemetery, being more particularly described by metes and bounds as follows:

Commencing at a 1/2" steel rod found in the south right-of-way line of Lomax Street at the northeast corner of a 0.73 acre tract of land conveyed to the City of Sherman as recorded in Volume 2547, Page 501 of said deed records.

Thence North 89°54'02" East, a distance of 731.85 feet to the True Point-of-Beginning.

Thence over and across said 28 acre tract the following rods and distances:

With a curve to the right having a radius of 800.00 feet (chord bears South 83°05'23" East a distance of 254.77 feet) on an arc length of 255.85 feet to a 1/2" steel rod set.

South 48°05'40" East, a distance of 140.01 feet to a point.

With a curve to the right having a radius of 500.00 feet, (chord bears South 37°02'50" East, a distance of 154.35 feet) on an arc length of 154.08 feet to a 1/2" steel rod set.

South 28°10'07" East, a distance of 66.55 feet to a 1/2" steel rod set.

South 76°43'19" West, a distance of 234.82 feet to a 1/2" steel rod set.

South 25°26'15" East, a distance of 108.05 feet to a 1/2" steel rod set.

With a curve to the right having a radius of 17.50 feet, (chord bears South 44°25'16" West, a distance of 32.86 feet) on an arc length of 42.67 feet to a 1/2" steel rod set.

With a reverse curve to the left having a radius of 264.67 feet (chord bears North 87°32'57" West, a distance of 188.68 feet) on an arc length of 204.75 feet to a 1/2" steel rod set.

With a non tangent curve to the right having a radius of 92.50 feet, (chord bears North 78°01'14" West, a distance of 95.10 feet) on an arc length of 103.40 feet to a 1/2" steel rod set.

North 45°09'40" West, a distance of 211.43 feet to a 1/2" steel rod set.

With a curve to the right having a radius of 42.60 feet, (chord bears North 53°03'30" West, a distance of 50.37 feet) on an arc length of 50.37 feet to a 1/2" steel rod set.

North 65°11'15" West, a distance of 85.17 feet to a point.

With a curve to the right having a radius of 57.60 feet, (chord bears North 23°03'03" East, a distance of 58.40 feet) on an arc length of 57.60 feet to a 1/2" steel rod set.

North 52°14'57" East, a distance of 56.27 feet to a 1/2" steel rod set.

North 40°27'55" East, a distance of 84.47 feet to a 1/2" steel rod set.

North 32°58'32" East, a distance of 52.67 feet to a 1/2" steel rod set.

North 21°00'00" East, a distance of 56.67 feet to a 1/2" steel rod set.

North 16°41'18" East, a distance of 81.72 feet to a 1/2" steel rod set.

With a non tangent curve to the left having a radius of 55.89 feet, (chord bears North 03°02'07" East, a distance of 22.49 feet) on an arc length of 22.63 feet to a 1/2" steel rod set.

North 84°33'40" East, a distance of 85.80 feet to a point to the point-of-beginning and containing 5.478 acres (238,632 square feet) of land.

KNOWN ALL MEN BY THESE PRESENTS

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

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

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

OWNERS/DEVELOPER
CITY OF SHERMAN
P.O. BOX 1106
SHERMAN, TEXAS 76601

SHEET 2 OF 2

3404 INTERURBAN ROAD DENISON, TEXAS 76021 (903)465-2151

The undersigned, the City Manager of the City of Sherman, hereby certifies that the foregoing WEST HILL CEMETERY ADDITION, ANNEX D, SECTIONS 1-5, on Section 15 of the City of Sherman, Texas, was submitted to the City Council and that they accepted the dedication of streets, alleys, easements and public places, and that the same are shown and set forth in and upon said plat, and said City Council further authorized the Mayor to execute the acceptance thereof by signing this certificate as herein above authorized.

Witness my hand this _____ day of _____, 2018.

Kathy Horton
City Manager, City of Sherman, Texas

NOW WHEREFORE KNOWN ALL MEN BY THESE PRESENTS

That we, the City of Sherman, do hereby accept this plat designating the heretofore property as the WEST HILL CEMETERY ADDITION, ANNEX D, SECTIONS 1-5, as shown in the City of Sherman, Texas, and do hereby dedicate to the public use of streets and alleys and easements shown on this plat, and do hereby certify that we have the right to remove and have removed all or part of any buildings, fences, trees, vines or other improvements or structures which in any way interfere or hinder with the construction, maintenance, or enjoyment of its respective portions in any of these easements, alleys and streets, and public utility poles, or to place, have a right of appurtenance and easements, including easements, including and using in or removing all or part of its respective portions within the portions of this plat approved subject to all easements, rights, regulations and restrictions of the City of Sherman, Texas.

WITNESS MY HAND this _____ day of _____, 2018.

Kathy Horton
City Manager, City of Sherman, Texas

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Kathy Horton, known to me to be the person whose name is subscribed in the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2018.

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

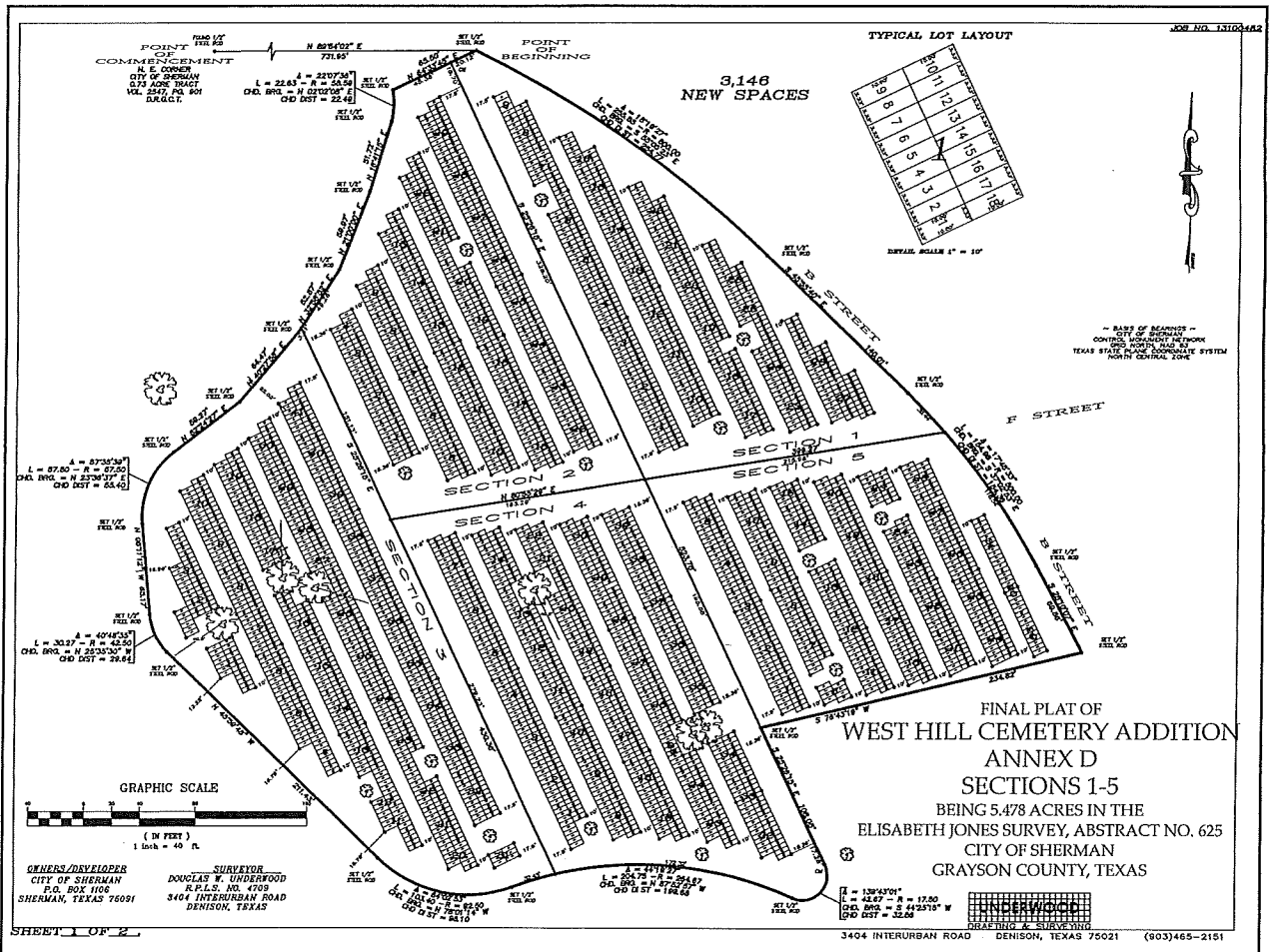
Approved this _____ day of _____, 2018, by the City Planning Commission to the City of Sherman, Texas.

Chairman _____ Secretary _____

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas _____ Date _____

FINAL PLAT OF
WEST HILL CEMETERY ADDITION
ANNEX D
SECTIONS 1-5
BEING 5.478 ACRES IN THE
ELISABETH JONES SURVEY, ABSTRACT NO. 625
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS



SHEET 1 OF 2

OWNERS/DEVELOPER
CITY OF SHERMAN
P.O. BOX 1106
SHERMAN, TEXAS 76601

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

3404 INTERURBAN ROAD DENISON, TEXAS 76021 (903)465-2151



STAFF REVIEW LETTER

January 11, 2019

City of Sherman
Attn: Engineering Dept.
P.O. Box 1106
Sherman, TX 75091

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of West Hill Cemetery Addition, Annex D, Sections 1-5 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2019 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. Original tax certificates with \$0.00 balance shall be furnished for the purpose of recording the plat.
2. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
3. Remove inner border line on drawing.
4. Metes and bounds description must match drawing.
5. City Clerk signature block should be moved to below Mayor's signature block.
6. Signature block with City Council Approval blurb should show signor as City Clerk, not Robby Hefton, City Manager.
7. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
8. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



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

Agenda Item No. 14.

Meeting Date: 01/22/2019

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

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 1304 WEST LAMAR STREET**

The request of The City of Sherman (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 1304 West Lamar Street, being 5.478 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

Planning and Zoning Commission

Final Plat approval of West Hill Cemetery Addition, Annex D, Sections 1-5.

Background:

The property is located at 1304 West Lamar Street, the southwest corner of Lamar and Woods Streets; West Hill Cemetery. The owners would like to plat the property into 3,146 cemetery lots.

Adjacent Zoning:

R-1 (One Family Residential) District

R-2 (Multi-Family Residential) District

C-1 (Retail Business) District

C-2 (General Commercial) District

Origination:

City of Sherman (Owners)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Final Plat - West Hill Cemetery Addn Annex D Sections 1-5

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.4.

Meeting Date: 02/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

OTHER BUSINESS

Final Plat Approval of Old Cemetery Added Lots and Memorial Park, being 8,000 square feet in the Elizabeth Jones Survey, Abstract No. 625; City of Sherman, Owners; and Underwood Drafting and Surveying, Surveyor (1304 West Lamar Street)

Issue:

To consider Final Plat approval of Old Cemetery Added Lots and Memorial Park, being 8,000 square feet in the Elizabeth Jones Survey, Abstract No. 625; City of Sherman, Owners; and Underwood Drafting and Surveying, Surveyor; located at 1304 West Lamar Street

Background:

The property is located at 1304 West Lamar Street; the southwest corner of Lamar and Woods Streets; West Hill Cemetery. The City would like to plat the property into sixty (60) cemetery lots and one hundred-twenty (120) memorial park lots.

Origination:

City of Sherman (Owners)

Underwood Drafting and Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the January 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map

Zoning Map

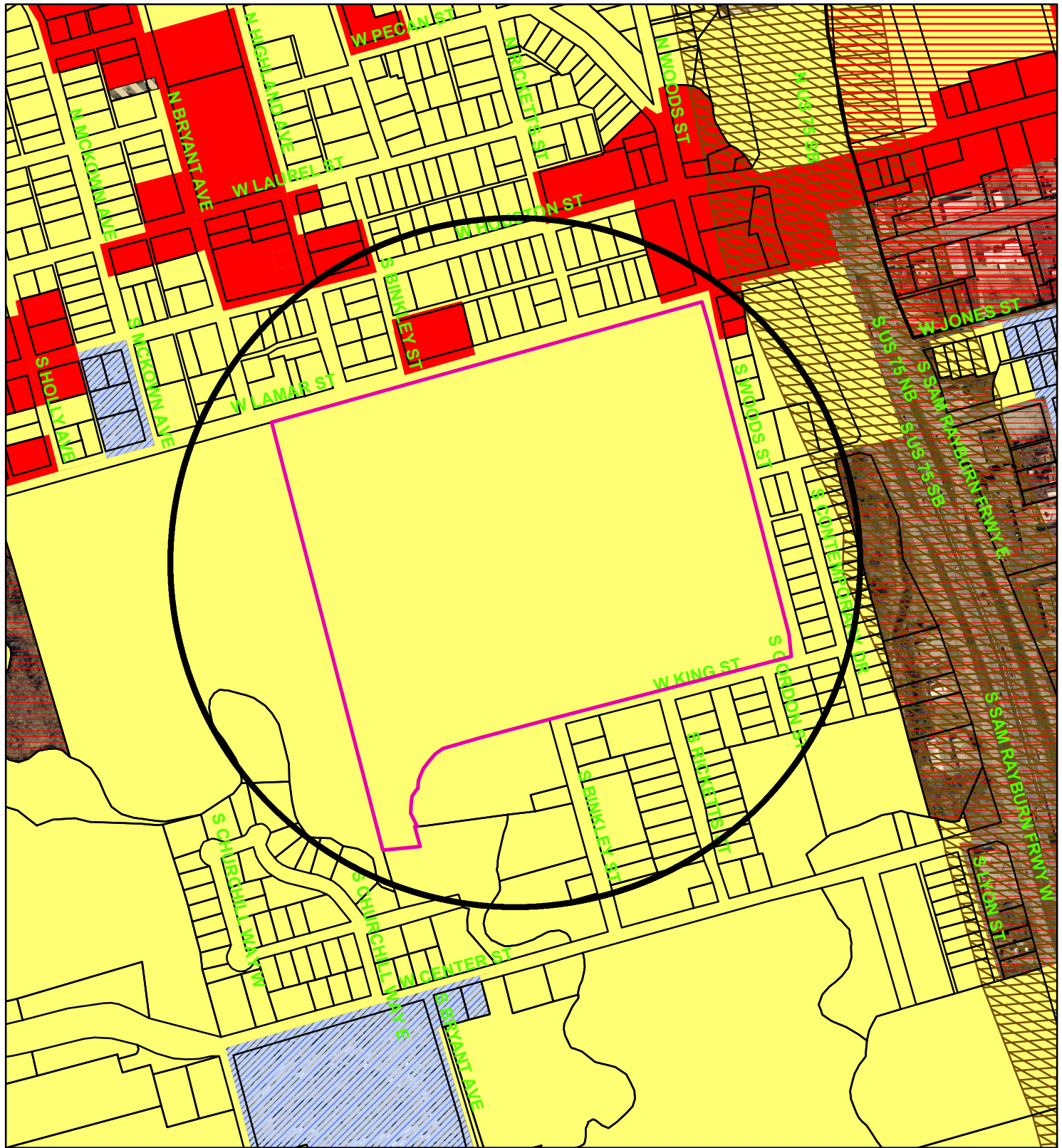
Final Plat - Old Cemetery Added Lots and Memorial Park

Staff Review Letter

P&Z Communication

Old Cemetery Added Lots and Memorial Park


$$1 \text{ in} = 800 \text{ ft}$$



Zoning - Old Cemetery Added Lots and Memorial Park



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

- 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

Legend

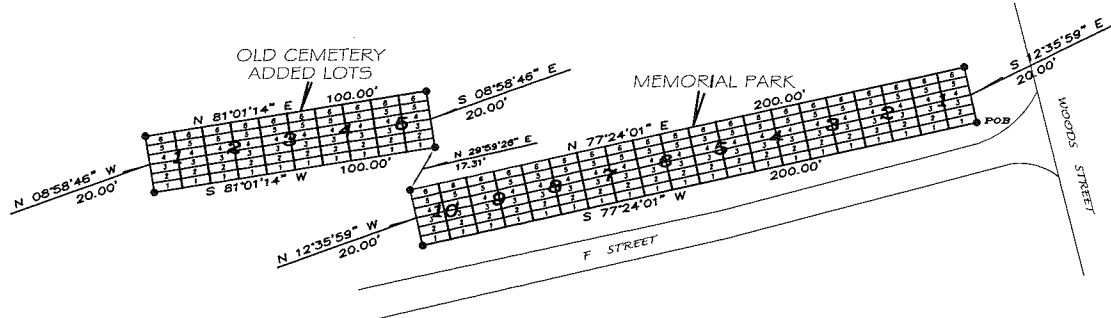
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



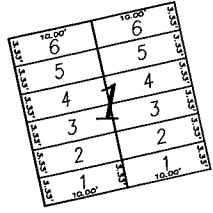
NOT TO SCALE

1 in = 500 ft

WEST HILL CEMETERY



TYPICAL LOT LAYOUT



DETAIL SCALE 1" = 10'

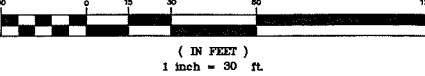


FINAL PLAT OF
OLD CEMETERY
ADDED LOTS
AND MEMORIAL PARK
BEING 8,000 SQUARE FEET IN THE
ELISABETH JONES SURVEY, ABSTRACT NO. 625
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

12-14-18

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

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

OWNERS/DEVELOPER
CITY OF SHERMAN
P.O. BOX 1106
SHERMAN, TEXAS 75091

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



DRAFTING & SURVEYING

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

LEGAL DESCRIPTION

Situated in the City of Sherman, Grayson County, Texas, being a part of the Elisabeth Jones Survey, Abstract No. 625, and being an Easterly portion of the West Hill Cemetery land, and being more particularly described by metes and bounds as follows:

MEMORIAL PARK

BLOCKS 1-10

Beginning at a 1/2" steel rod set for the Southeast corner of MEMORIAL PARK Block 1 at the intersection of the West line of Woods Street with the North line of a cemetery access roadway known as "F" Street;

Thence South 77°24'01" West with said North line of "F" Street a distance of 200.00 feet to a 1/2" steel rod set for the Southwest corner of MEMORIAL PARK Block 10;

Thence North 12°35'59" West a distance of 20.00 feet to a 1/2" steel rod set for the Northwest corner of said MEMORIAL PARK Block 10;

Thence North 77°24'01" West a distance of 200.00 feet to a 1/2" steel rod set for the Northeast corner of said MEMORIAL PARK Block 1 in the said West line of Woods Street;

Thence South 12°35'59" East a distance of 20.00 feet to the Point-of-Beginning and containing 4,000 square feet of land.

OLD CEMETERY

ADDED LOTS

BLOCKS 1-5

COMMENCING at a 1/2" steel rod set marking the Northwest corner of the above mentioned Block 10;

Thence North 29°59'26" East a distance of 17.31 feet to a 1/2" steel rod set for the Southeast corner of ADDED LOTS Block 5, being the TRUE POINT-OF-BEGINNING of the herein described tract;

Thence South 81°01'14" West a distance of 100.00 feet to a 1/2" steel rod set for the Southwest corner of ADDED LOTS Block 1;

Thence North 08°58'46" West a distance of 20.00 feet to a 1/2" steel rod set for the Northwest corner of said ADDED LOTS Block 1;

Thence North 81°01'14" East a distance of 100.00 feet to a 1/2" steel rod set for the Northeast corner of said ADDED LOTS Block 5;

Thence South 08°58'46" East a distance of 20.00 feet to the Point-of-Beginning and containing 2,000 square feet of land.

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing OLD CEMETERY ADDED LOTS AND MEMORIAL PARK, on addition to the City of Sherman, Texas, was submitted to the City Council on the day of 2018, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this day of 2018.

Clerk, City of Sherman, Texas

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, The City of Sherman, do hereby adopt this plat designating the hereinabove property as the OLD CEMETERY ADDED LOTS AND MEMORIAL PARK, on addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purposes 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 2018.

City of Sherman

STATE OF TEXAS

COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this day of 2018.

Notary Public in and for

the State of Texas

Commission Expires:

Approved this day of 2018, by the City Planning

Commission to the City of Sherman, Texas.

Chairman

Secretary

Accepted by the City Council of the City Sherman

Mayor, City of Sherman, Texas

Date

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

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

Date

FINAL PLAT OF
OLD CEMETERY
ADDED LOTS
AND MEMORIAL PARK
BEING 8,000 SQUARE FEET IN THE
ELISABETH JONES SURVEY, ABSTRACT NO. 625
CITY OF SHERMAN
GRAYSON COUNTY, TEXAS

12-14-18

OWNERS/DEVELOPER
CITY OF SHERMAN
P.O. BOX 1106
SHERMAN, TEXAS 75091

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



DRAFTING & SURVEYING

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



STAFF REVIEW LETTER

January 11, 2019

City of Sherman
Attn: Engineering Dept.
P.O. Box 1106
Sherman, TX 75091

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Final Plat of Old Cemetery Added Lots and Memorial Park has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2019 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. Original tax certificates with \$0.00 balance shall be furnished for recording the plat.
2. Drive approaches and sidewalks must conform to City of Sherman standards and a permit is required from City of Sherman Engineering Department.
3. Metes and bounds description must match drawing.
4. City Clerk signature block should be moved to below Mayor's signature block.
5. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
6. 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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



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

Agenda Item No. 15.

Meeting Date: 01/22/2019

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

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 1304 WEST LAMAR STREET**

The request of The City of Sherman (Owners) and Underwood Drafting and Surveying (Surveyor) concerning the property located at 1304 West Lamar Street, being 8,000 square feet in the Elizabeth Jones Survey, Abstract No. 625, as follows:

Planning and Zoning Commission

Final Plat approval of Old Cemetery Added Lots and Memorial Park.

Background:

The property is located at 1304 West Lamar Street, the southwest corner of Lamar and Woods Streets; West Hill Cemetery. The owners would like to plat the property into sixty (60) cemetery lots and one hundred-twenty (120) memorial park lots.

Adjacent Zoning:

R-1 (One Family Residential) District

C-1 (Retail Business) District

Origination:

GCity of Sherman (Owners)

Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Final Plat - Old Cemetery Added Lots & Memorial Park

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.5.

Meeting Date: 02/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Hill Smith Estates, Block 3, Lot 3R, 0.380 acres in the G.W. McGlothin Survey, Abstract No. 827, also being part of Lots 3 and 4, Block 3, Hill Smith Estates; Bridgestone Construction, LLC, Owners; and Preston Trail Land Surveying, Surveyor (2211 East Alma Avenue)

Issue:

To consider Replat approval of Hill Smith Estates, Block 3, Lot 3R, being 0.380 acres in the G.W. McGlothin Survey, Abstract No. 827, also being part of Lots 3 and 4, Block 3, Hill Smith Estates located at 2211 East Alma Avenue

Background:

The property is located at 2211 East Alma Avenue; east of Duke Drive. The property is zoned an R-1 (One Family Residential) District. The owners are requesting to replat the property into one lot for residential construction.

Origination:

Bridgestone Construction, LLC (Owners)
Preston Trail Land Surveying (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the January 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map

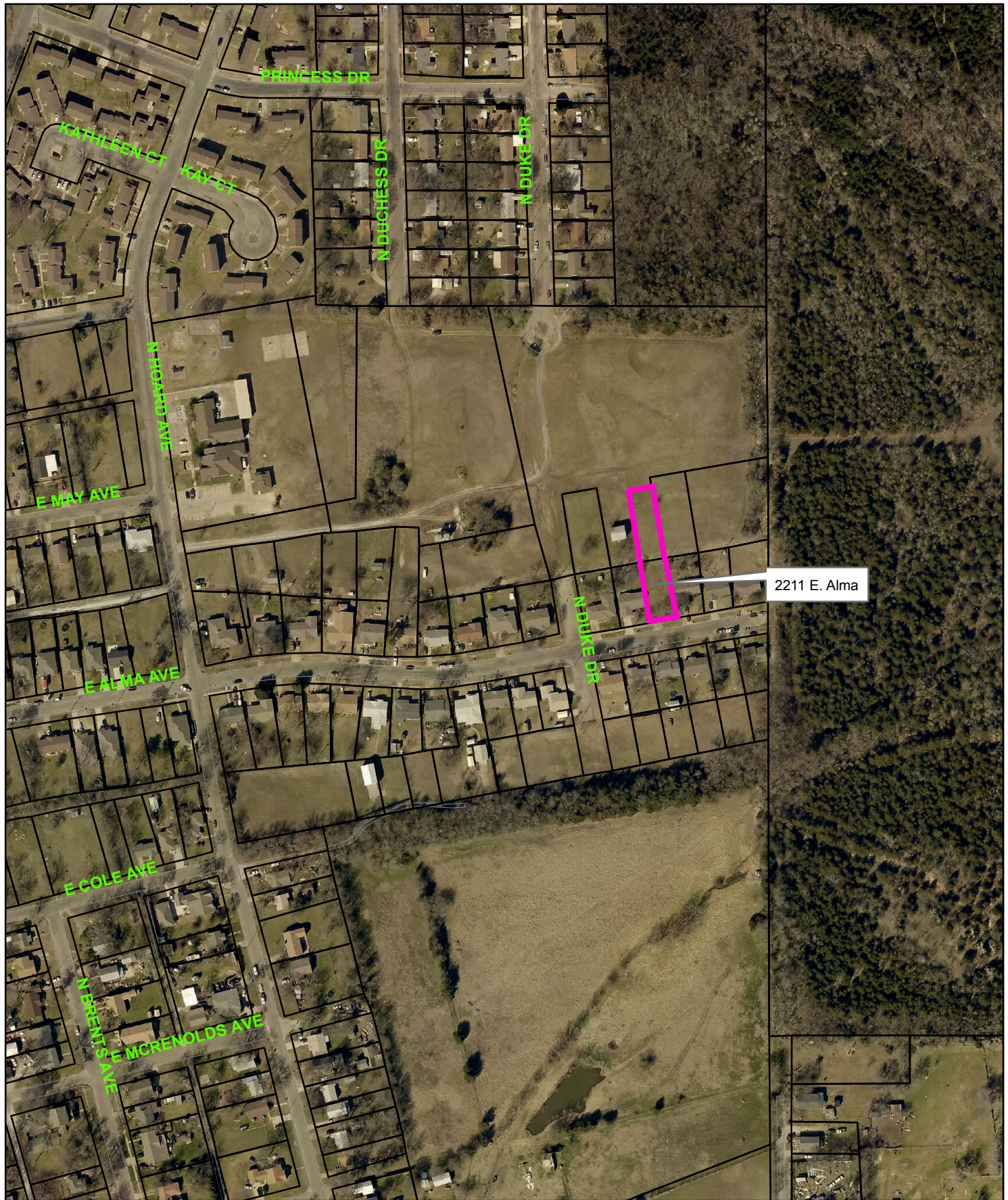
Zoning Map

Zoning Sign Photo

Replat - Hill Smith Estates

Staff Review Letter

P&Z Communication



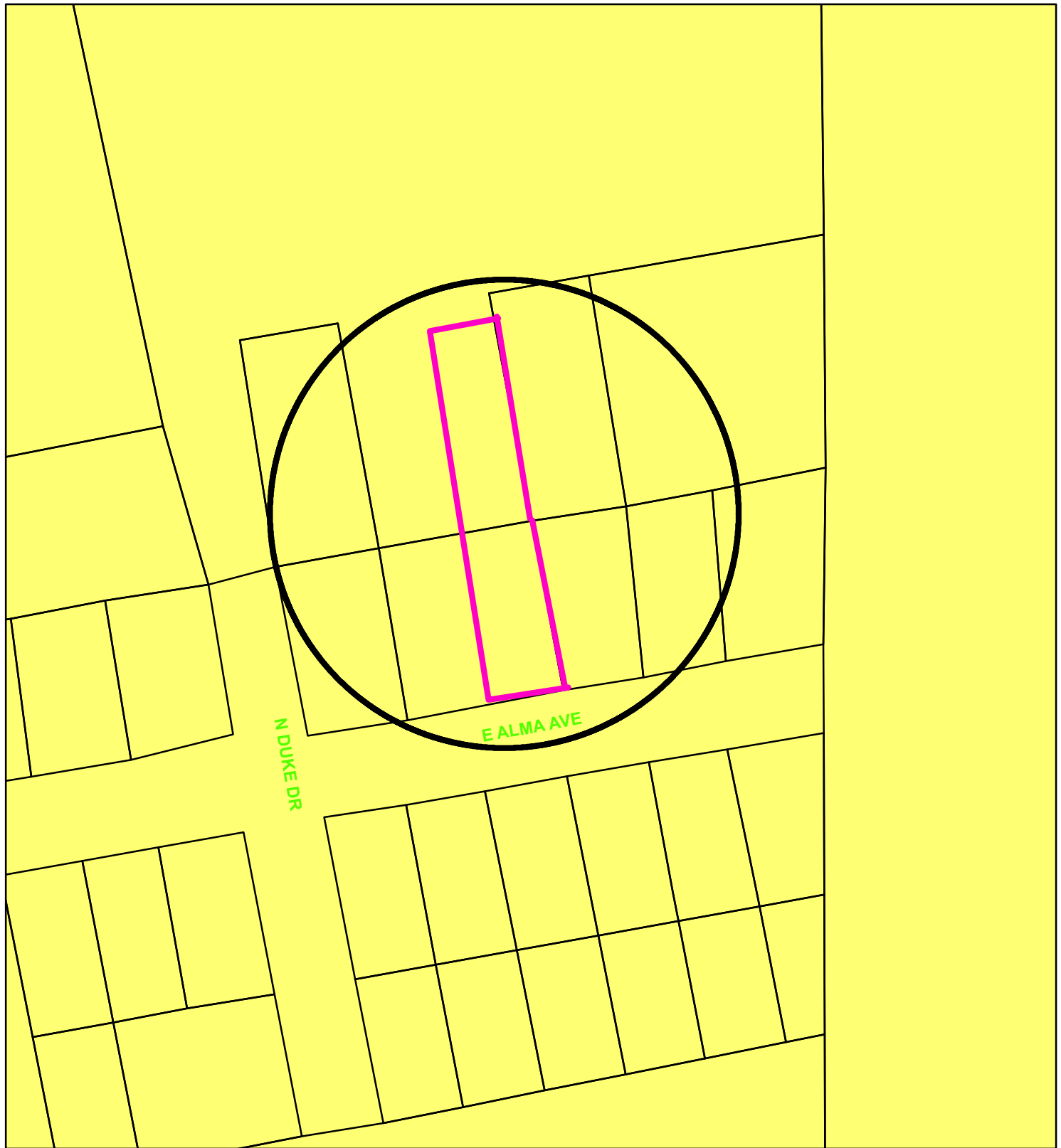
2211 E. Alma



NOT TO SCALE

1 in = 269 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 2211 E. Alma

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

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District



NOT TO SCALE

1 in = 100 ft

2211 East Alma





STAFF REVIEW LETTER

January 11, 2019

Bridgestone Construction, LLC
1361 Winn Road
Collinsville, TX 76233

Preston Trail Land Surveying
83493 N. State Hwy. 289, Ste. 5
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Replat of Hill Smith Estates has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2019 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. No structures will be permitted within any existing easements.
6. Indicate signor's name and title for Bridgestone Construction on signature page.
7. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
8. 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. CAD file must be submitted digitally at time of final approval.

The Board will not consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 5.

Meeting Date: 01/22/2019

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

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

2211 EAST ALMA AVENUE

The request of Bridgestone Construction, LLC (Owners) and Preston Trail Land Surveying (Surveyor) concerning the property located at 2211 East Alma Avenue, being 0.380 acres in the G.W. McGlothin Survey, Abstract No. 827, also being part of Lots 3 and 4, Block 3, Hill Smith Estates, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow a lot width of 59.89 feet in lieu of the required sixty (60) feet in an R-1 (One Family Residential) District on Lot 3R, Block 3 of the proposed Hill Smith Estates Replat.

Planning and Zoning Commission

Replat approval of Hill Smith Estates, Block 3, Lot 3R, a Replat of part of Lots 3 & 4, Block 3, Hill Smith Estates.

Background:

The property is located at 2211 East Alma Avenue; east of Duke Drive. The property is zoned an R-1 (One Family Residential) District. The owners are requesting to replat the property into one lot for residential development.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Bridgestone Construction, LLC (Owners)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

42

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Replat - Hill Smith Estates

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.6.

Meeting Date: 02/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Heritage Crossing, Phase 1, being 31.333 acres in the Bacon Fielding Survey, Abstract No. 120; Sapphire Group, LLC, Owners; Bluestone Partners, LLC, Developers; and Winkelmann & Associates, Inc., Civil Engineer/Surveyor (1600-1800 blocks of Norwood Street and 2700-3000 blocks of West McGee Street)

Issue:

To consider Final Plat approval of Heritage Crossing, Phase 1, being 31.333 acres in the Bacon Fielding Survey, Abstract No. 120, located in the 1600-1800 blocks of Norwood Street and the 2700-3000 blocks of West McGee Street.

Background:

The property is located in the 1600-1800 blocks of Norwood Street and the 2700-3000 blocks of West McGee Street in northwest Sherman. The owners would like to plat the property into forty-four (44) lots for residential development.

Origination:

Sapphire Group, LLC (Owners)
Bluestone Partners, LLC (Developers)
Winkelmann & Associates, Inc. (Civil Engineer/Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the January 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

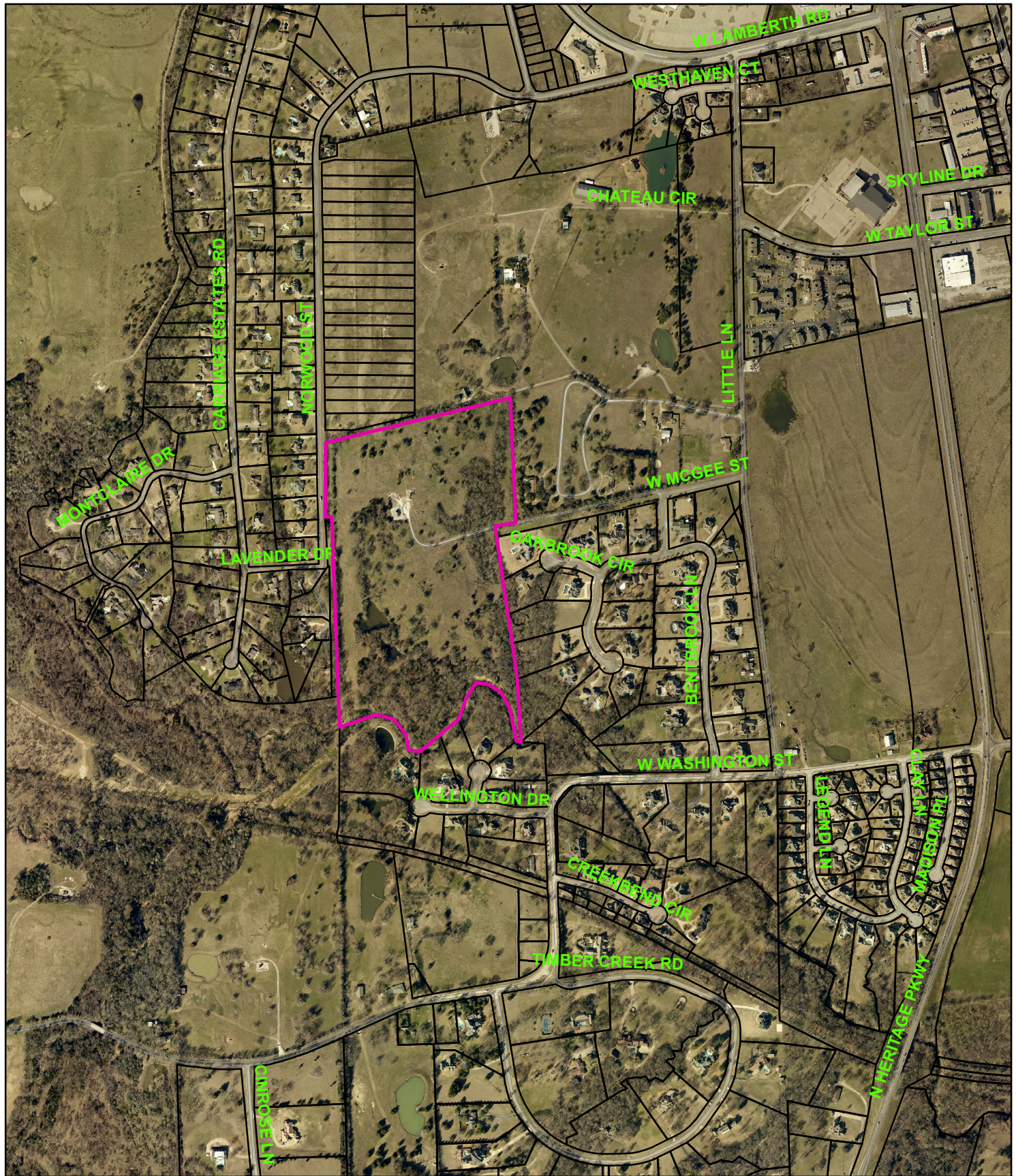
Location Map

Zoning Map

Final Plat - Heritage Crossing, Phase 1

Staff Review Letter

P&Z Communication

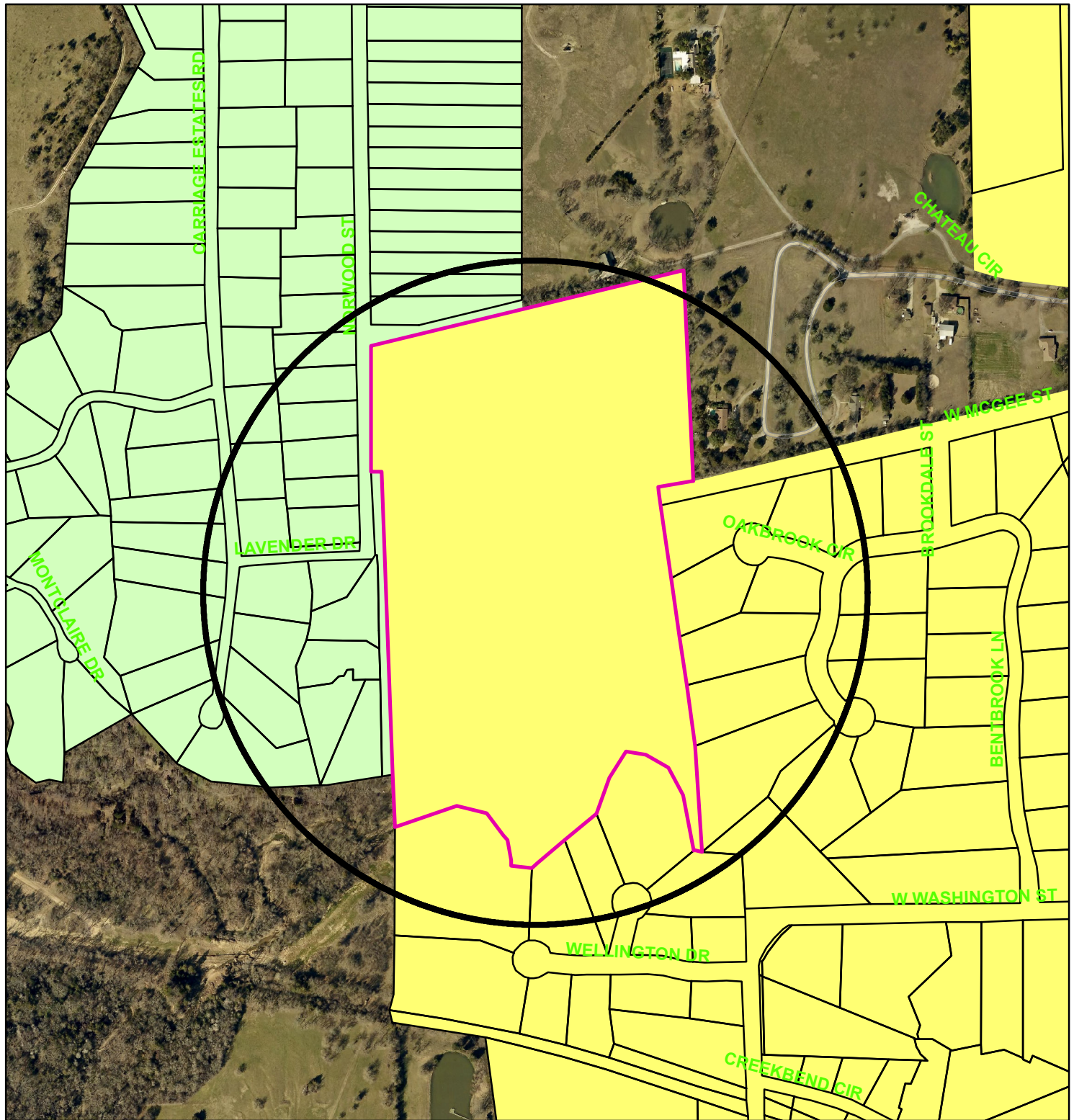


**1600-1800 Blocks Norwood Street &
2700-3000 Blocks West McGee Street**



1 in = 800 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 1600-1800 Blocks Norwood Street & 2700-3000 Blocks West McGee Street



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

- FM 1417
- Sam Rayburn Freeway
- US Hwy 62 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

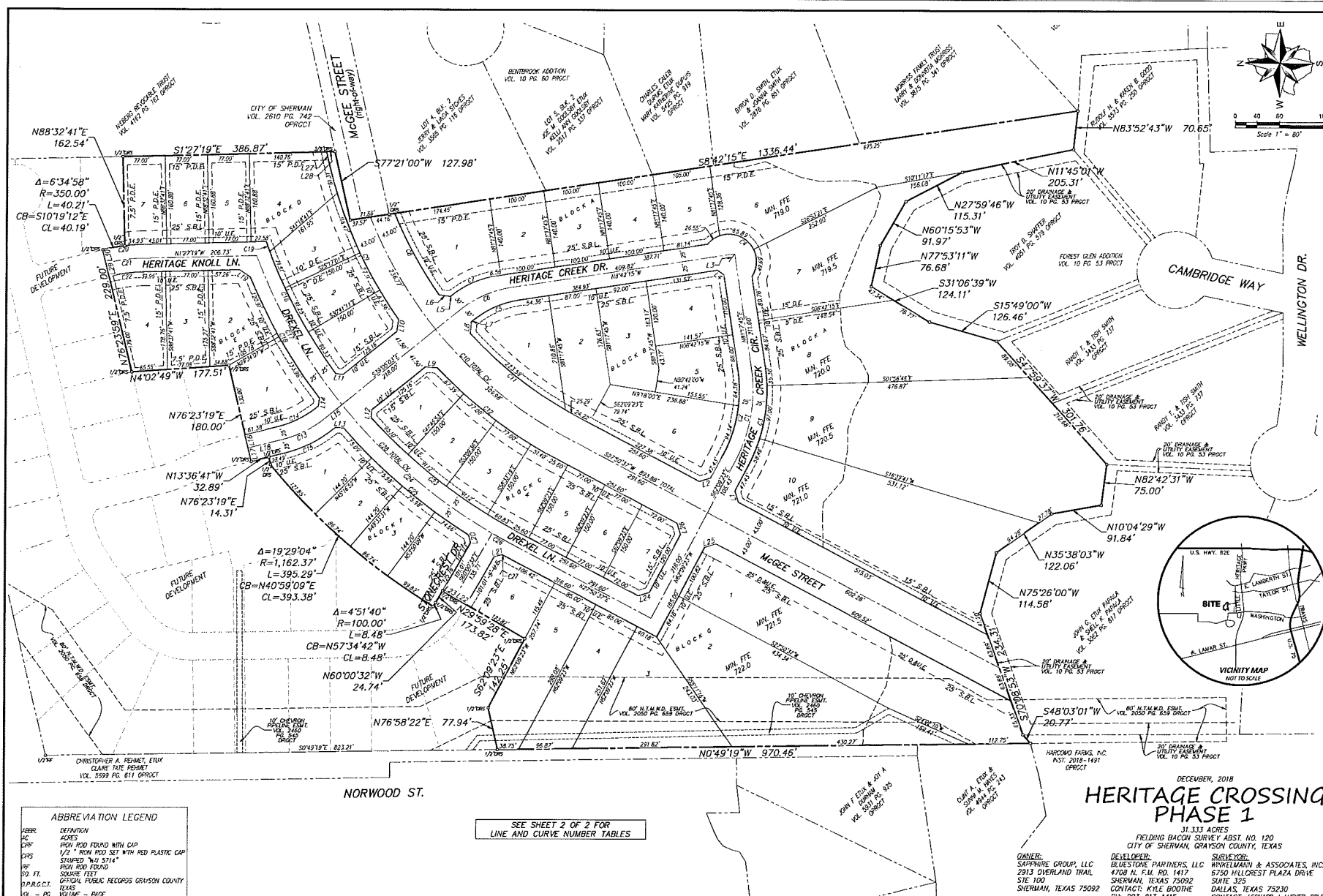
Legend

- 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



NOT TO SCALE

1 in = 500 ft



**Winkelmann
& Associates, Inc.**

PRE-FINAL PLAT
HERITAGE CROSSING ~ PHASE 1
BLUESTONE PARTNERS, LLC
SHERMAN, TEXAS

1 of 2

[illegible]

			CAPRIOTTI & SONS, Millwrights & Association, Inc.	No.	DATE	REVISION	APPROV
7/9/01	(SHEET) 68 / 78	PP-69	7/9/01 AD				

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS Sapphire Group, LLC is the owner of a tract of land situated in the Fielding Bacon Survey, Abstract No. 783, City of Sherman, Grayson County, Texas, and being a portion of a tract described in deed to Sapphire Group, LLC, per deed recorded in Inst. 2018-6952 Official Public Records of Grayson County, Texas (OPRGCT) and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner on the west line of said Sapphire tract, said point also being on the east line of a called 20.00 acre tract described in deed to Christopher B. Rehmet and Claire Tote Rehmet as recorded in Volume 5699 Page 612 OPRGCT, said point being South 00 deg 49 min 19 sec East, a distance of 823.21 feet from a 1/2 inch iron rod found for the northwest corner of said Sapphire tract, said northwest corner also being an interior corner of said Rehmet tract;

THENCE departing said Sapphire west line and said Rehmet east line, over across said Sapphire tract the following courses and distances:

North 76 deg 58 min 22 sec East, for a distance of 77.94 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner;

South 62 deg 09 min 23 sec East, for a distance of 142.25 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner;

North 29 deg 59 min 28 sec East, for a distance of 173.82 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner;

North 60 deg 00 min 32 sec West, for a distance of 24.74 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner and for the beginning of a circular curve to the right having a central angle of 04 deg 51 min 40 sec, a radius of 100.00 feet, and chord which bears North 57 deg 34 min 42 Sec West for a distance of 8.48 feet;

And along said circular curve to the right for an arc distance of 8.48 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner and for the beginning of a circular curve to the right having a central angle of 19 deg 29 min 40 sec, a radius of 1,162.37 feet, and chord which bears North 40 deg 59 min 09 Sec East for a distance of 393.38 feet;

And along said circular curve to the right for an arc distance of 395.29 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner;

North 76 deg 23 min 19 sec East, for a distance of 14.31 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner;

North 13 deg 36 min 41 sec West, for a distance of 32.89 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner;

North 76 deg 23 min 19 sec East, for a distance of 180.00 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner;

North 04 deg 02 min 49 sec West, for a distance of 177.51 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner;

North 76 deg 23 min 59 sec East, for a distance of 229.00 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner and for the beginning of a circular curve to the right having a central angle of 06 deg 34 min 58 sec, a radius of 350.00 feet, and chord which bears South 10 deg 19 min 12 Sec East for a distance of 40.19 feet;

And along said circular curve to the right for an arc distance of 40.21 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner;

North 88 deg 32 min 41 sec East, for a distance of 162.54 feet to a 1/2 inch iron rod with red plastic cap stamped "WAF" set for corner on the east line of said Sapphire tract and on the west line of a 2.601 acre tract described in deed to the Kieberg Revocable Trust as recorded in Volume 4162 Page 762 OPRGCT;

THENCE South 01 deg 27 min 19 sec East, along the west line of said Kieberg tract, for a distance of 779.70 feet to a 3/8 inch iron rod found at the southwest corner of said Kieberg tract, said point being in the north right-of-way line of McGee Street as described in deed to the City of Sherman as recorded in Volume 2610 Page 742 OPRGCT;

THENCE South 77 deg 21 min 00 sec West, along the north right-of-way line of said McGee Street, for a distance of 127.98 feet to a point for corner at the northwest corner of said City of Sherman tract;

THENCE South 08 deg 42 min 15 sec East, along the west line of said City of Sherman tract, passing at 71.86 feet a 1/2 inch iron rod found at the northwest corner of Lot 4 Block 2 of the Bentbrook Addition, an addition to the City of Sherman per plat recorded in Volume 10, Page 60 Plat Records Grayson County, Texas (PRGCT), and continuing along the west line of said Bentbrook Addition, for a total distance of 1,336.44 feet to a point for corner on the north line of Forest Glen Addition, an addition to the City of Sherman per plat recorded in Volume 10 Page 53 PRGCT;

THENCE continuing westerly along the northerly lines of said Forest Glen Addition as follows:

North 83 deg 52 min 43 sec West, for a distance of 70.65 feet to a point for corner;

North 11 deg 45 min 01 sec West, for a distance of 205.31 feet to a point for corner;

North 27 deg 59 min 45 sec West, for a distance of 115.31 feet to a point for corner;

North 60 deg 15 min 53 sec West, for a distance of 91.97 feet to a point for corner;

North 77 deg 53 min 11 sec West, for a distance of 76.68 feet to a point for corner;

South 31 deg 06 min 39 sec West, for a distance of 124.11 feet to a point for corner;

South 15 deg 49 min 00 sec West, for a distance of 128.45 feet to a point for corner;

South 47 deg 59 min 37 sec West, for a distance of 301.76 feet to a point for corner;

North 82 deg 42 min 31 sec West, for a distance of 75.00 feet to a point for corner;

North 10 deg 04 min 29 sec West, for a distance of 91.84 feet to a point for corner;

North 35 deg 38 min 03 sec West, for a distance of 122.06 feet to a point for corner;

North 75 deg 26 min 00 sec West, for a distance of 114.58 feet to a point for corner;

South 70 deg 08 min 53 sec West, for a distance of 234.31 feet to a point for corner, said point being the northwest corner of said Forest Glen Addition and the northeast corner of a 5 acre Fourth tract of land conveyed to Harcoma Farms, Inc. by deed recorded in Instrument No. 2018-1491 OPRGCT;

THENCE South 48 deg 03 min 01 sec West, along the north line of said 5 acre tract, for a distance of 20.77 feet to a point for corner at the southeast corner of a 6.8 acre tract of land conveyed to Clint A. Hayes, etur and Sunni M. Hayes by deed recorded in Volume 4944 Page 243 OPRGCT;

THENCE North 00 deg 49 min 19 sec West along the east line of said Hayes tract, passing the northeast corner of said Hayes tract, and the southeast corner of said Rehmet 20.0 acre tract, and continuing along the east line of said Rehmet 20.0 acre tract, for a distance of 970.46 feet to the POINT OF BEGINNING and containing 31.333 acres or 1,364,857 s.f. of land.

OWNER'S DEDICATION

THAT SAPPHIRE GROUP, LLC acting herein by and thru their duly authorized officers, do hereby certify and adopt this plat designating the herein above property as HERITAGE CROSSING PHASE 1, an addition to the City of Sherman, and do hereby dedicate to the public use forever, the streets and alleys shown hereon. The above owner's do hereby certify to the following:

- The streets and alleys are dedicated for street and alley purposes as noted.
- All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
- The easements and public use areas, as shown, are dedicated for the public use forever and for the purposes indicated on this plat.
- No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements if approved by the City of Sherman.
- The City of Sherman is not responsible for replacing any improvements damaged in, under, or over any easements caused by maintenance or repair.
- Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using some unless the easement limits the use to particular utilities. Said use by public utilities being subordinate to the Public's and the City of Sherman's use thereof.
- The City of Sherman and public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems within the easements.
- The City of Sherman and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time or procuring permission from anyone.
- All modifications to this documents shall be by means of plat and must be approved by the City of Sherman.

THIS PLAT APPROVED SUBJECT TO ALL PLATING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF SHERMAN, TEXAS.

WITNESS, MY HAND, THIS THE ____ DAY OF _____, 201__.

SAPPHIRE GROUP, LLC

BY: _____

STATE OF TEXAS §
COUNTY OF §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY

APPEARED _____, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 201__.

NOTARY PUBLIC, STATE OF TEXAS
SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS

THAT I, Leonard J. Lueker, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

PRELIMINARY, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

_____, date: _____

Leonard J. Lueker, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration # 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas 75230
(972) 490-7090

Before me, the undersigned, a notary public in and for the State of Texas, on this day personally appeared Leonard J. Lueker, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations herein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2016.

Notary public, State of Texas

Certificate of approval by the City Planning and Zoning Commission:

Approved this ____ day of _____, 201__.

By the City Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

Certificate of Acceptance by the City Council:

Accepted by the City Council of the City of Sherman:

Mayor, City of Sherman, Texas Date _____

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final plat of HERITAGE CROSSING PHASE 1, an addition to the City of Sherman was submitted to the City Council on the ____ day of _____, 201__, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements, and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the mayor to note the acceptance thereof by signing his name as hereinabove

Subscribed

Witness my hand this ____ day of _____, A.D. 201__.

City Clerk, City of Sherman, Texas

Notice: selling a portion of this Addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permit.

CURVE TABLE					
No.	Delta	Radius	Length	Ch. B	Ch. L
C1	36°32'32"	275.00'	175.42'	58°25'49"E	172.46'
C2	36°32'32"	250.00'	159.47'	58°25'49"E	156.78'
C3	36°32'32"	300.00'	191.36'	58°25'49"E	188.14'
C4	172°49'09"	50.00'	150.81'	N35°17'43"E	99.80'
C5	30°22'48"	175.00'	92.79'	S23°53'39"E	91.71'
C6	30°22'48"	200.00'	106.05'	N23°53'39"E	104.81'
C7	30°22'48"	175.00'	92.79'	N23°53'39"E	91.71'
C8	1°17'03"	732.00'	169.71'	N81°04'51"E	169.35'
C9	2°17'03"	818.00'	318.16'	N86°01'02"E	316.16'
C10	4°38'45"	775.00'	543.79'	S48°09'59"W	538.33'
C11	1°15'28"	732.00'	249.76'	N37°37'06"E	248.55'
C12	1°10'49"	818.00'	272.88'	N37°24'01"E	271.62'
C13	2°28'22"	200.00'	68.99'	N26°20'52"W	68.16'
C14	2°28'22"	175.00'	77.85'	N26°20'52"W	77.16'
C15	2°28'22"	225.00'	100.63'	S26°20'52"E	99.21'
C16	1°09'40"	968.00'	273.04'	S62°02'44"E	272.13'
C17	1°10'01"	931.00'	314.65'	S59°59'59"W	313.53'
C18	14°21'15"	1018.00'	255.04'	S62°03'47"E	254.37'
C19	1°10'33"	968.00'	19.87'	N69°32'17"E	19.87'
C20	1°20'22"	350.00'	74.26'	N73°32'00"W	74.12'
C21	1°20'22"	325.00'	68.95'	N73°32'00"W	68.82'
C22	1°20'22"	300.00'	63.65'	N73°32'00"W	63.53'
C23	2°01'24"	968.00'	338.29'	S37°51'19"W	336.57'
C24	2°03'50"	933.00'	362.65'	N42°27'13"E	360.64'
C25	1°59'19"	1018.00'	301.78'	S42°27'13"W	300.67'
C26	2°08'51"	933.00'	37.22'	S38°55'02"W	37.22'
C27	0°10'39"	1018.00'	1.15'	S27°55'56"W	1.15'
C28	41°14'21"	933.00'	714.72'	N45°27'47"E	699.39'

Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length
L1	N72°30'37"E	21.21'	L16	S76°23'19"W	25.00'
L2	N17°09'23"W	21.21'	L17	S76°23'19"W	25.00'
L3	N33°42'15"W	17.68'	L18	N13°36'41"W	61.38'
L4	N38°17'43"E	14.14'	L19	N33°06'13"E	24.71'
L5	S39°05'03"E	1.19'	L20	S75°00'07"W	14.35'
L6	N72°30'37"E	20.66'	L21	S15°51'12"E	14.35'
L7	N39°05'03"W	4.67'	L22	S29°59'28"W	25.00'
L8	N39°33'00"W	20.66'	L23	S29°59'28"W	25.00'
L9	N41°15'17"E	21.84'	L24	N17°09'23"W	21.21'
L10	S82°22'03"E	21.84'	L25	S17°09'23"E	21.21'
L11	N71°17'33"E	13.80'	L26	S72°50'37"W	21.21'
L12	S85°27'38"E	13.80'	L27	N77°10'37"E	18.84'
L13	S50°18'00"W	14.35'	L28	N12°27'19"W	15.11'
L14	N83°14'23"W	14.35'	L29	S76°23'19"W	25.00'
L15	S39°05'03"E	40.55'	L30	S76°23'19"W	25.00'

DECEMBER, 2018

HERITAGE CROSSING
PHASE 1

31.333 ACRES
FIELDING BACON SURVEY ABST. NO. 120
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

OWNER:
SAPPHIRE GROUP, LLC
2913 OVERLAND TRAIL
STE 100
SHERMAN, TEXAS 75092

DEVELOPER:
BLUESTONE PARTNERS, LLC
4708 N. F.M. RD. 1417
SHERMAN, TEXAS 75092
CONTACT: KYLE BOOTHE
PH: 903-813-1415

SURVEYOR:
WINKELMANN & ASSOCIATES, INC.
6750 HILLCREST PLAZA DRIVE
SUITE 325
DALLAS, TEXAS 75230
CONTACT: LEONARD J. LUEKER, R.P.L.S.
PH: 972-490-7090 EXT. 211

PRE-FINAL PLAT
HERITAGE CROSSING ~ PHASE 1
BLUESTONE PARTNERS, LLC
SHERMAN, TEXAS

2 of 2

DATE: 12/18/2018
TIME: 11:00 AM

DATE: 12/18/2018
TIME: 11:00 AM

DATE: 12/18/2018
TIME: 11:00 AM

DATE: 12/18/2018
TIME: 11:00 AM

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TIME: 11:00 AM

DATE: 12/18/2018
TIME: 11:00 AM

DATE: 12/18/2018
TIME: 11:00 AM



STAFF REVIEW LETTER

January 11, 2019

Sapphire Group, LLC
2913 Overland Trail, Ste. 100
Sherman, TX 75092

Winkelmann & Associates, Inc.
Attn: Leonard Leuker
6750 Hillcrest Plaza Dr., Ste. 325
Dallas, TX 75230

Bluestone Partners, LLC
4708 N. F.M. Rd. 1417
Sherman, TX 75092

Dear Applicants,

The request for approval of the Final Plat of Heritage Crossing, Phase 1 has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2019 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. Drive approaches will not be permitted off of McGee Street.
5. The width of the right-of-way and pavement for streets shall be shown on the plat.
6. Remove building lines from plat.
7. Minimum lot size is 60' street frontage at the property line and 60,000 square feet area.
8. Privately owned and maintained detention in accordance with City criteria is required. Engineering plans shall be provided to the City of Engineering Department for review and approval.
9. All requirements of the Floodplain Ordinance should be followed.
10. Final site plans, utility, drainage, and grading plan shall be provided and approved by the City Engineering Department. A site development meeting is recommended.
11. Water and sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
12. All abbreviations should be noted in the Abbreviation Legend.
13. All Private Drainage Easements must be changed to Drainage Easements.
14. Utility Easement off of Stonecrest Drive must be properly indicated as a 10' Utility Easement on drawing.
15. Rename one of Heritage Creek Drives. A street name cannot intersect the same street more than once.
16. Ensure layout of McGee Street meets future city plans for Washington/Taylor Street Extension.
17. Development Agreement required for Public Infrastructures.

18. 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.
19. 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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



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

Agenda Item No. 9.

Meeting Date: 01/22/2019

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

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 1600-1800 BLOCKS NORWOOD STREET & 2700-3000 BLOCKS WEST MCGEE STREET**

The request of Sapphire Group, LLC (Owners), Bluestone Partners, LLC (Developers) and Winkelmann & Associates, Inc. (Civil Engineer/Surveyor) concerning the property located in the 1600-1800 Blocks Norwood Street and the 2700-3000 Blocks of West McGee Street, being 31.333 acres in the Bacon Fielding Survey, Abstract No. 120, as follows:

Planning and Zoning Commission

Final Plat approval of Heritage Crossing, Phase 1

Background:

The property is located in the 1600-1800 blocks of Norwood Street and the 2700-3000 blocks of West McGee Street in northwest Sherman. The owners would like to plat the property into forty-four (44) lots for residential development.

Adjacent Zoning:

R-A (Single Family Agricultural) District

R-1 (One Family Residential) District

Origination:

Sapphire Group, LLC (Owners)

Bluestone Partners, LLC (Developers)

Winkelmann & Associates, Inc. (Civil Engineer/Surveyor)

Master Plan Designation:

Countryside – Countryside residential development is a land use category that captures the transition between agricultural land and estate development. Countryside lots are large (5+ ac.) and are not part of a traditional subdivision. The lots maintain open space and greater building setbacks.

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Final Plat - Heritage Crossing, Phase 1

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.7.

Meeting Date: 02/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of a part of Lots 1, 4 & 5, Block 1, G.W. Bond's Second Addition, being part of Lots 1, 4 & 5, Block 1, G.W. Bond's 2nd Addition, containing 0.259 acres in the J.B. McAnair Survey, Abstract No. 763; Hambrick Triple H Investment Group, LLC, Owners; and Helvey-Wagner Surveying, Inc., Surveyor (521 East Brockett Street and 520 East Carter Street)

Issue:

To consider Replat approval of a part of Lots 1, 4 & 5, Block 1, G.W. Bond's Second Addition, being part of Lots 1, 4 & 5, Block 1, G.W. Bond's 2nd Addition, containing 0.259 acres in the J.B. McAnair Survey, Abstract No. 763, located at 521 East Brockett Street and 520 East Carter Street

Background:

The property is located at 521 East Brockett Street and 520 East Carter Street, between East Street and Broughton Street. The property is zoned an R-1 (One Family Residential) District and is also located in the College Park Overlay District. The owners are requesting to replat the property into two lots to sell one of the lots.

Origination:

Hambrick Triple H Investment Group, LLC (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the January 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map

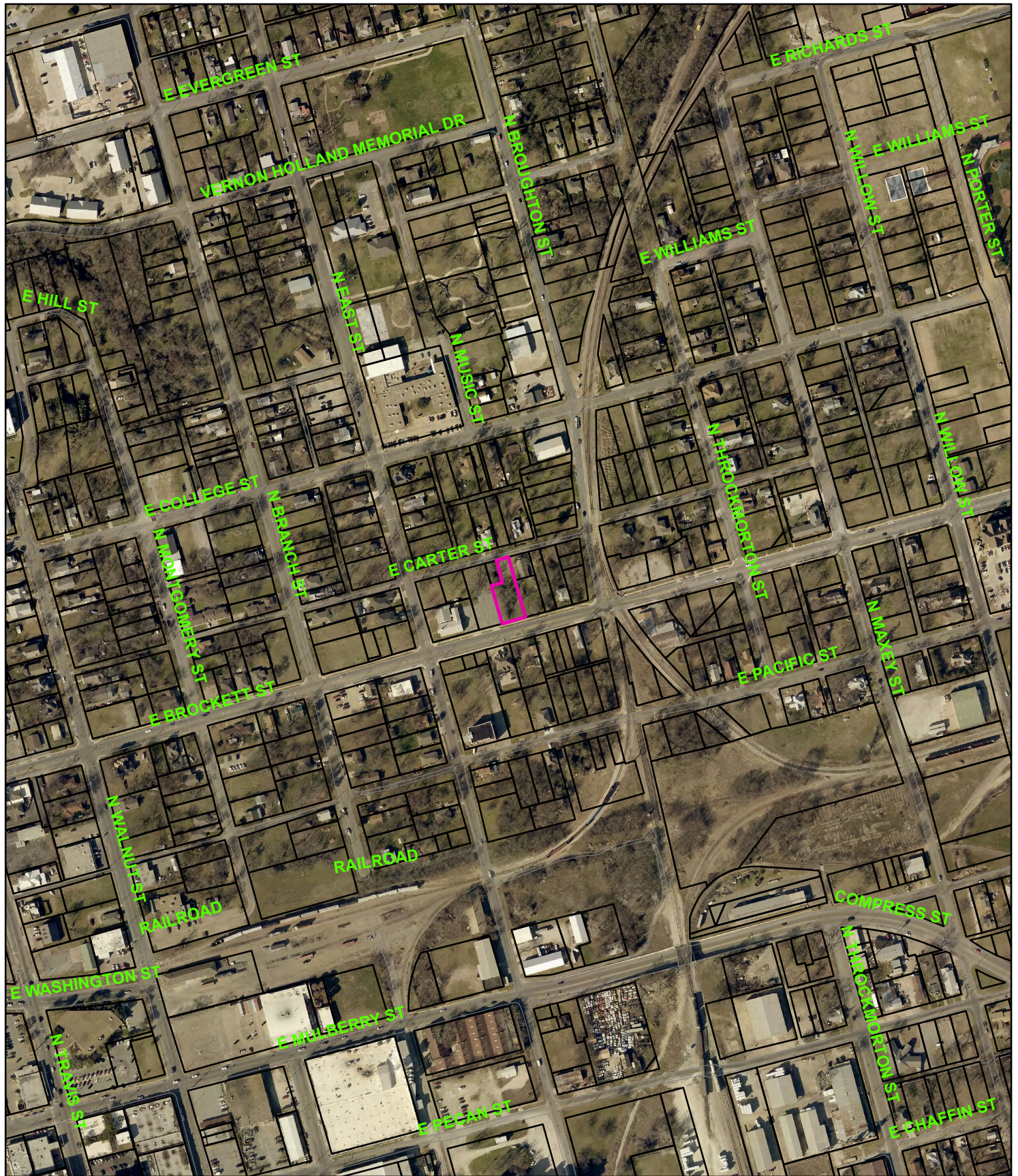
Zoning Map

Zoning Sign Photo

Replat - G.W. Bond's Second Addition

Staff Review Letter

P&Z Communication

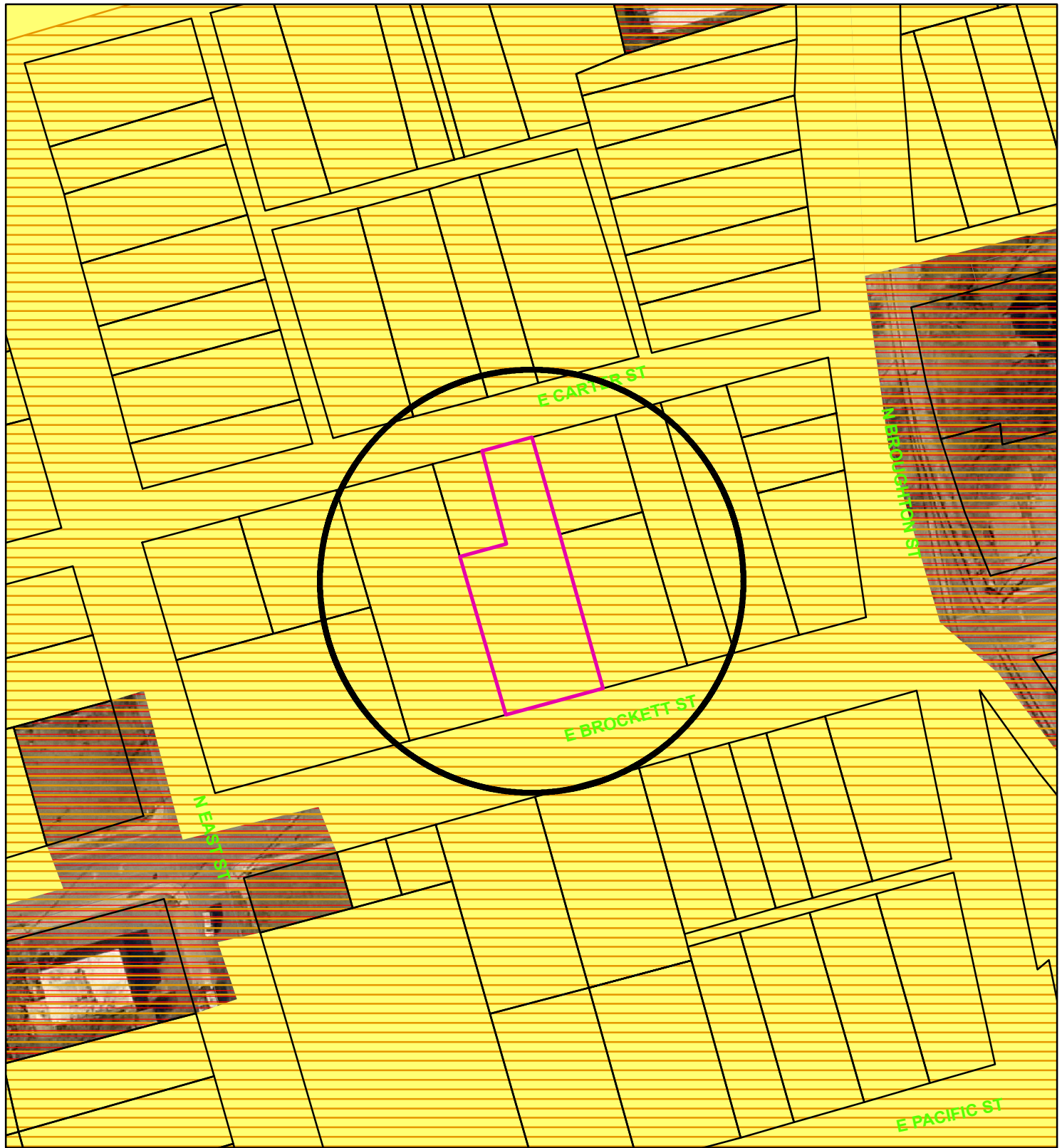


521 East Brockett Street & 520 East Carter Street



1 in = 400 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 521 East Brockett Street & 520 East Carter Street



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

- 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

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- 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

Legend



NOT TO SCALE

1 in = 100 ft

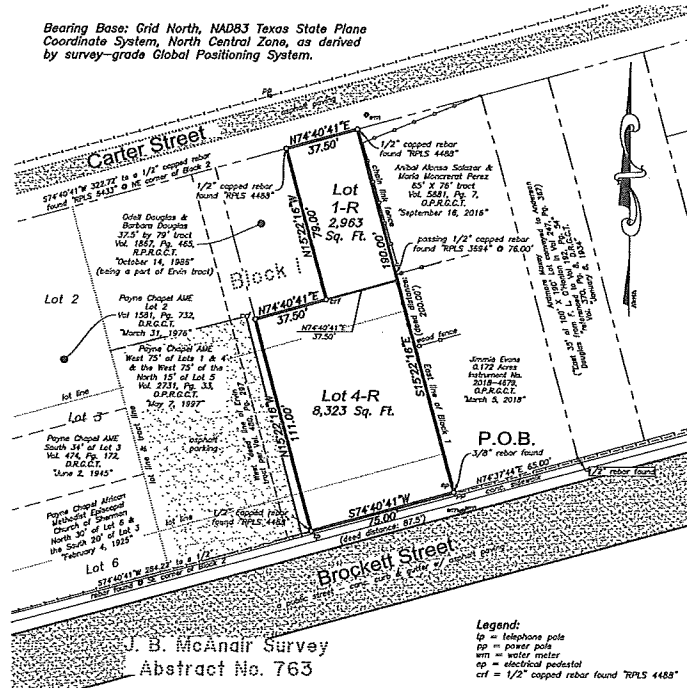
521 East Brockett



520 East Carter



Bearing Base: Grid North, NAD83 Texas State Plane
Coordinate System, North Central Zone, as derived
by survey-grade Global Positioning System.



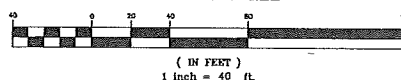
Replat of a Part of Lots 1, 4, & 5, Block 1, G. W. Bond's Second Addition to the City of Sherman, Texas 0.259 Acres

in the
J. B. McAnair Survey
Abstract No. 763

Owner
Hambrick Triple H Investment Group, LLC
1920 Timberline Lane
Sherman, Texas

Job No. CGS541218

GRAPHIC SCALE

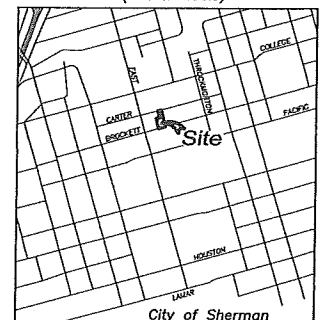


General Notes:

1. Water Supply to be provided by the City of Sherman.
2. Sewer services to be provided by the City of Sherman.
3. Electrical service is provided by Onco Electric Delivery Co-op.
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. 48181C0290 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: helveysurveying@comcast.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100

Vicinity Map (not to scale)





STAFF REVIEW LETTER

January 11, 2019

Hambrick Triple H Investment Group, LLC
1920 Timberline Lane
Sherman, TX 75090

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

Dear Applicants,

The request for approval of the Replat of a Part of Lots 1, 4, & 5, Block 1, G.W. Bond's Second Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2019 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. Private Sanitary Sewer Easement must be filed in the Official Public Records of Grayson County, Texas as a separate instrument to provide sewer service to Lot 4-R.
6. Private utility easement must be filed in the Official Public Records of Grayson County, Texas as a separate instrument to provide water to Lot 1-R.
7. Show Addition name and ownership block on both pages of plat.
8. Items 6 & 8 in General Notes should say City of Sherman rather than 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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 12.

Meeting Date: 01/22/2019

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

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

521 EAST BROCKETT STREET & 520 EAST CARTER STREET

The request of Hambrick Triple H Investment Group, LLC (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 521 East Brockett Street and 520 East Carter Street, being part of Lots 1, 4 & 5, Block 1, G.W. Bond's 2nd Addition, containing 0.259 acres in the J.B. McAnair Survey, Abstract No. 763, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow Lot 1-R of the proposed Replat of a part of Lots 1, 4 & 5, Block 1, G.W. Bond's Second Addition to be 37.5' wide with 2,963 square foot lot area in lieu of the required sixty (60) feet and 6,000 square foot in an R-1 (One Family Residential) District.

Planning and Zoning Commission

Replat approval of a part of Lots 1, 4 & 5, Block 1, G.W. Bond's Second Addition.

Background:

The property is located at 521 East Brockett Street and 520 East Carter Street between East Street and Broughton Street. The property is zoned an R-1 (One Family Residential) District and also located in the College Park Overlay District. The owners are requesting to replat the property into two lots to sell one of the lots.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:

Hambrick Triple H Investment Group, LLC (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

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

Number of notices mailed:

68

Objections Received:

0

Attachments

Location Map

Zoning Map

Zoning Sign Photo

Replat GW Bonds Second Addition

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.8.

Meeting Date: 02/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Replat Approval of Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No 10, being Lot 2, Block A, Country Ridge Estates No. 10, containing 26.106 acres in the Elizabeth Jones Survey, Abstract No. 625; Wyldewood Homes, LLC, Owners; Vilbig & Associates, Civil Engineer; and Helvey-Wagner Surveying, Inc., Surveyor [1100-1300 blocks of South F.M. 1417 (Heritage Parkway)]

Issue:

To consider Replat approval of Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No 10, being Lot 2, Block A, Country Ridge Estates No. 10, containing 26.106 acres in the Elizabeth Jones Survey, Abstract No. 625 located in the 1100-1300 blocks of South F.M. 1417 (Heritage Parkway)

Background:

The property is located in the 1100-1300 blocks of South F.M. 1417 (Heritage Parkway); the southwest corner of Quail Run Road and F.M. 1417 (Heritage Parkway). The property is zoned an R-1 (One Family Residential) District. The owners are requesting to replat the property into ninety-three (93) residential lots and six (6) commercial lots.

Origination:

Wyldewood Homes, LLC (Owners)
Vilbig & Associates (Civil Engineers)
Helvey-Wagner Surveying, Inc. (Surveyor)

Financial Consideration:

None

Staff Recommendation:

At the January 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Replat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map

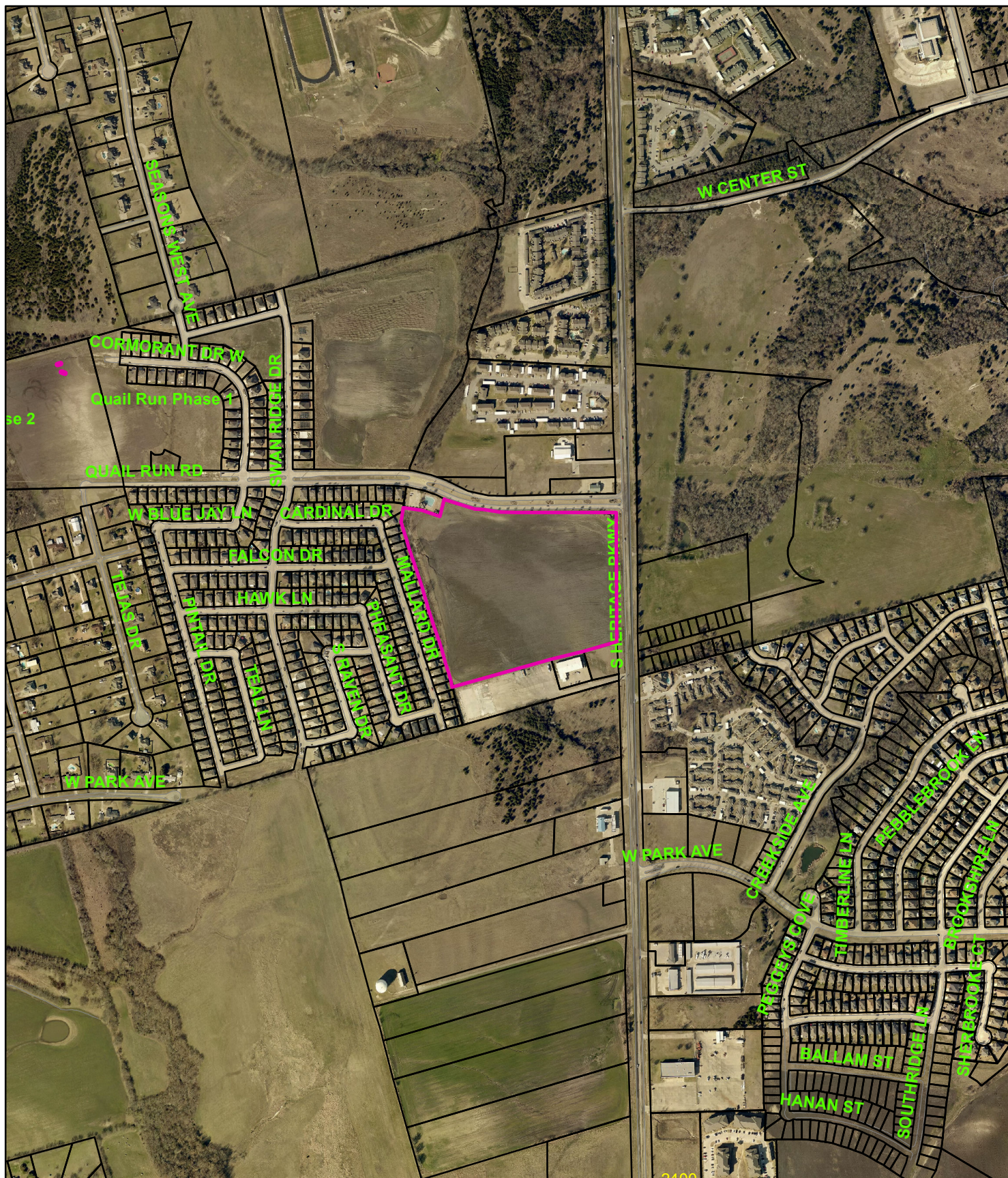
Zoning Map

Zoning Sign Photo

Replat - Heritage Farms Estates

Staff Review Letter

P&Z Communication

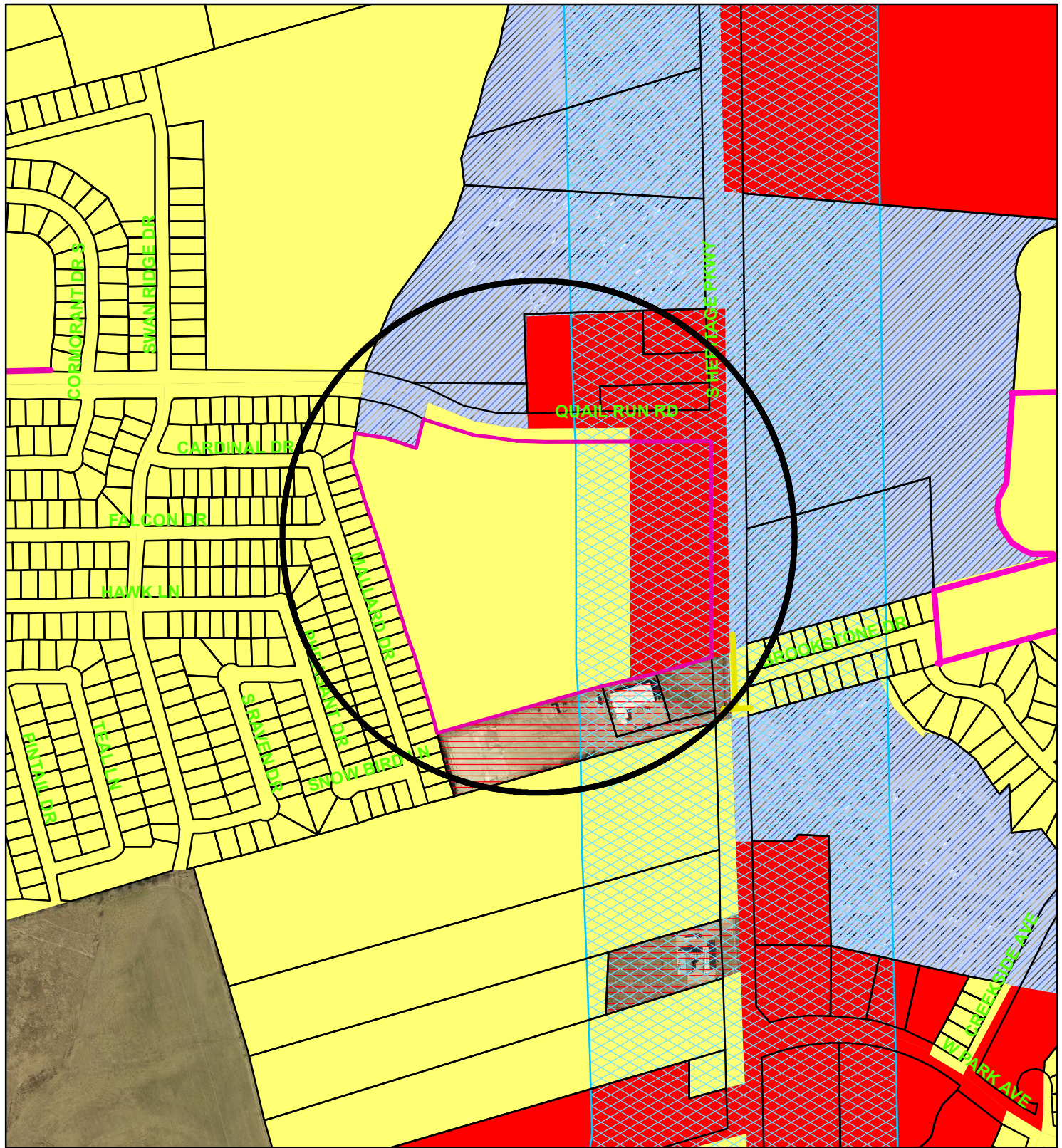


1100-1300 Blocks South FM 1417 (Heritage Parkway)



1 in = 800 ft

City of Sherman, Texas
Developmental Services Department



Zoning - 1100-1300 Blocks South FM 1417 (Heritage Parkway)



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

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

Legend

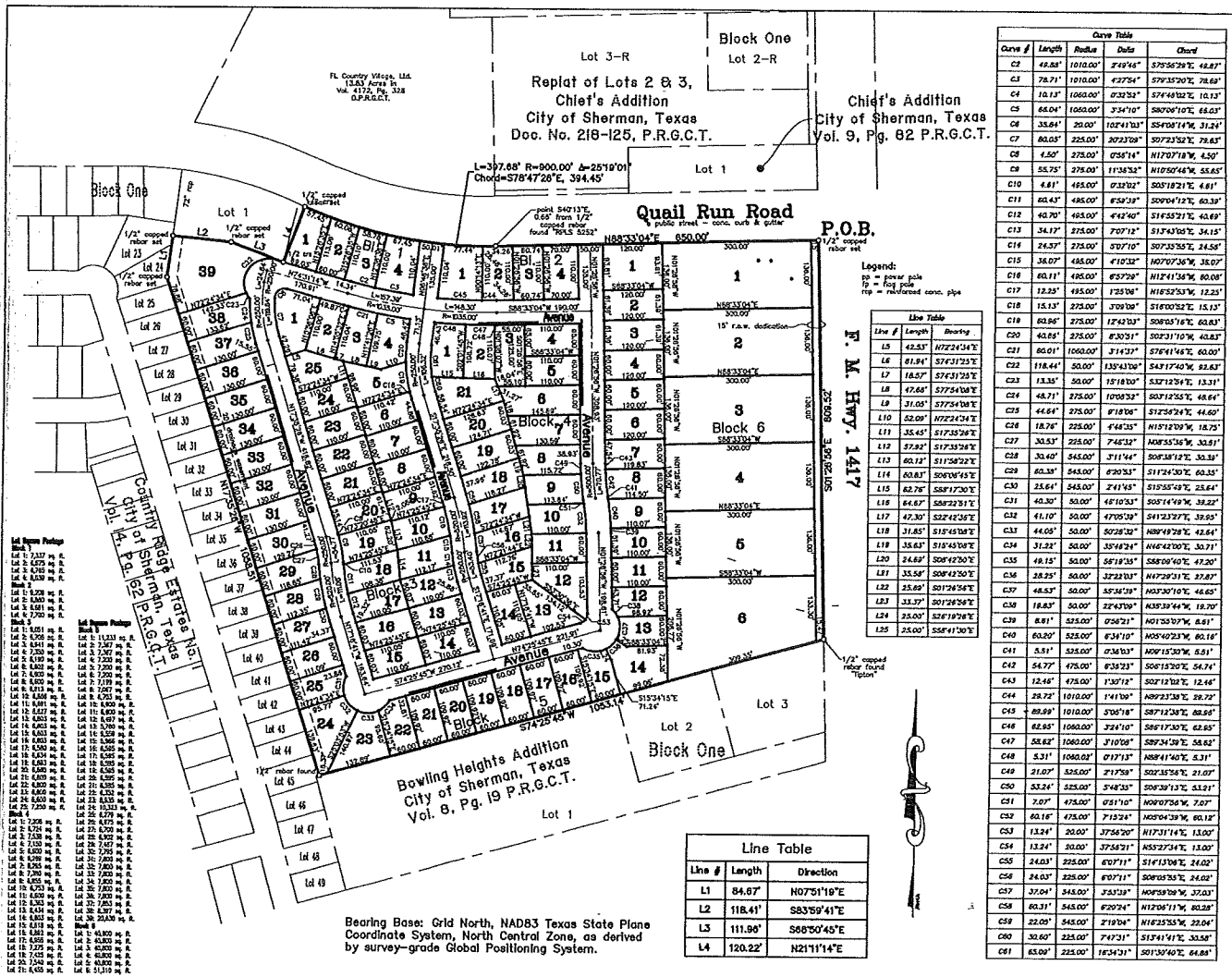


NOT TO SCALE

1 in = 500 ft

1100-1300 Blocks South FM 1417 (Heritage Parkway)





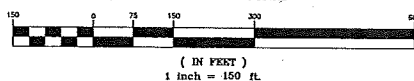
Heritage Farms Estates (being a Replat of Lot 2, Block A, Country Ridge Estates No. 10) to the City of Sherman, Texas

26.106 Acres

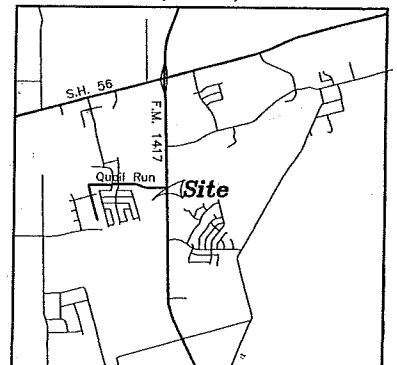
in the
**Elizabeth Jones Survey
Abstract No. 625**

Owner:
Wyldehood Homes, LLC.
P.O. Box 911688
Sherman, Texas 75091

Job No. CGS561218
GRAPHIC SCALE



Site Location
(not to scale)



General Notes:

1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Onco Electrical Delivery Company.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the roadway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat herein lies within a Zone "X" (area 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. "Flood map no.", Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owner 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: helveysurvey@comcast.net
Texas Board of Professional Land Surveying
Firm Registration No. 10088100



STAFF REVIEW LETTER

January 11, 2019

Wyldeewood Homes, LLC
P.O. Box 911688
Sherman, TX 75091

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

Dear Applicants,

The request for approval of the Final Plat of Heritage Farms Estates has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2019 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 use driveway on FM 1417 is required. Limited driveways on FM 1417 will be approved.
5. The width of the right-of-way and pavement for streets shall be shown on the plat.
6. Street names must be approved by Building & Zoning Department prior to filing of plat.
7. Dedicate a 10' Utility Easement along all street frontage.
8. Median cut and left turn into development on Quail Run Road is required. Coordinate with Engineering Department.
9. Privately owned and maintained detention in accordance to City criteria is required. Engineering plans shall be provided to the City of Sherman Engineering Department for review and approval.
10. Water and sewer shall be extended to serve the development. Sewer capacity shall be verified for proposed use.
11. Verify location of existing sewer line.
12. No structures will be permitted within any easements.
13. Items 6&8 in General Notes should say City of Sherman rather than Grayson County.
14. Item 7 in General Notes must state Flood Map No.
15. Show Addition and Ownership blocks on both pages of plat.
16. Remove contours and utility line locations from Final Plat.
17. Development Agreement required for Public Infrastructures.
18. Final site plans, utility, drainage, and grading plan shall be provided and approved by the City Engineering Department.
19. Entrances/Exits off of F.M. 1417 will be Right-in, Right-out only.

20. 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.
21. 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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



Planning & Zoning Commission and Board of Adjustments

Agenda Item No. 13.

Meeting Date: 01/22/2019

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

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

1100-1300 BLOCKS SOUTH FM 1417 (HERITAGE PARKWAY)

The request of Wyldewood Homes, LLC (Owners), Vilbig & Associates (Civil Engineers) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located in the 1100-1300 Blocks of South FM 1417 (Heritage Parkway), being Lot 2, Block A, Country Ridge Estates No. 10, containing 26.106 acres in the Elizabeth Jones Survey, Abstract No. 625, as follows:

Board of Adjustments

Variance under Ordinance No. 2280, Section 6.2, Subsection (1) to allow the following lots of the proposed Heritage Farms Estates Addition:

Lot 20, Block 3 – 59.64' lot width

Lot 2, Block 4 – 58.62' lot width

Lot 13, Block 5 – 48.53' lot width, 5,760 square foot lot area

Lot 14, Block 5 – 28.25' lot width

Lot 15, Block 5 – 59.45' lot width, 5,966 square foot lot area

Lot 23, Block 5 – 44.05' lot width

Lot 24, Block 5 – 41.10' lot width

in lieu of the required sixty (60) foot lot width and 6,000 square foot lot area in an R-1 (One Family Residential) District.

Planning and Zoning Commission

Replat approval of Heritage Farms Estates, a Replat of Lot 2, Block A, Country Ridge Estates No 10.

Background:

The property is located in the 1100-1300 Blocks of South FM 1417 (Heritage Parkway); the southwest corner of Quail Run Road and FM 1417 (Heritage Parkway). The property is zoned an R-1 (One Family Residential) District. The owners are requesting to replat the property into ninety-three (93) residential lots and six (6) commercial lots.

The are also requesting variances on seven of the lots for lot width and area:

Lot 20, Block 3 – 59.64' lot width

Lot 2, Block 4 – 58.62' lot width

Lot 13, Block 5 – 48.53' lot width, 5,760 square foot lot area

Lot 14, Block 5 – 28.25’ lot width
Lot 15, Block 5 – 59.45’ lot width, 5,966 square foot lot area
Lot 23, Block 5 – 44.05’ lot width
Lot 24, Block 5 – 41.10’ lot width

Adjacent Zoning:

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

Origination:

Wyldeewood Homes, LLC (Owners)
Vilbig & Associates (Civil Engineers)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Suburban Residential – Increased density and closer building setbacks separate Suburban Residential from Countryside and Estate, but more landscaping and open space distinguish Suburban Residential from Urban and Auto-Urban categories. New suburban subdivisions typically have curvilinear streets and sidewalks, as well as curb and gutter.

Number of notices mailed:

61

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat - Heritage Farms Estates
Site Plan for Variances
Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

E.9.

Meeting Date: 02/18/2019

Prepared By: Scott Shadden, Director of Developmental Services

Approved By: Robby Hefton, City Manager

Caption:

*** OTHER BUSINESS**

Final Plat Approval of Lot 1, Block A, Golden Owens Addition, being 5.161 acres in the Brown and Ricketts Survey, Abstract No. 1553; Go Properties 7, LLC, Owners; Paramount Healthcare, Developer; Keen Surveying, LLC, Surveyor; and JM Civil Engineering, Civil Engineer (5011 North U.S. Highway 75)

Issue:

To consider Final Plat Approval of Lot 1, Block A, Golden Owens Addition, being 5.161 acres in the Brown and Ricketts Survey, Abstract No. 1553; Go Properties 7, LLC, Owners; Paramount Healthcare, Developer; Keen Surveying, LLC, Surveyor; and JM Civil Engineering, Civil Engineer, located at 5011 North U.S. Highway 75

Background:

The property is located at 5011 North U.S. Highway 75; the northeast corner of Fallon Drive and U.S. Highway 75. The owners would like to plat the property into one lot for commercial development of a nursing home.

Origination:

Go Properties 7, LLC (Owners)
Paramount Healthcare (Developer)
Keen Surveying, LLC (Surveyor)
JM Civil Engineering (Civil Engineer)

Financial Consideration:

None

Staff Recommendation:

At the January 22, 2019 regular meeting, the Planning and Zoning Board voted unanimously to recommend to the City Council that the Final Plat be approved subject to the Staff Review Letter.

Alternatives:

None

Attachments

Location Map

Zoning Map

Final Plat - Golden Owens Addition

Staff Review Letter

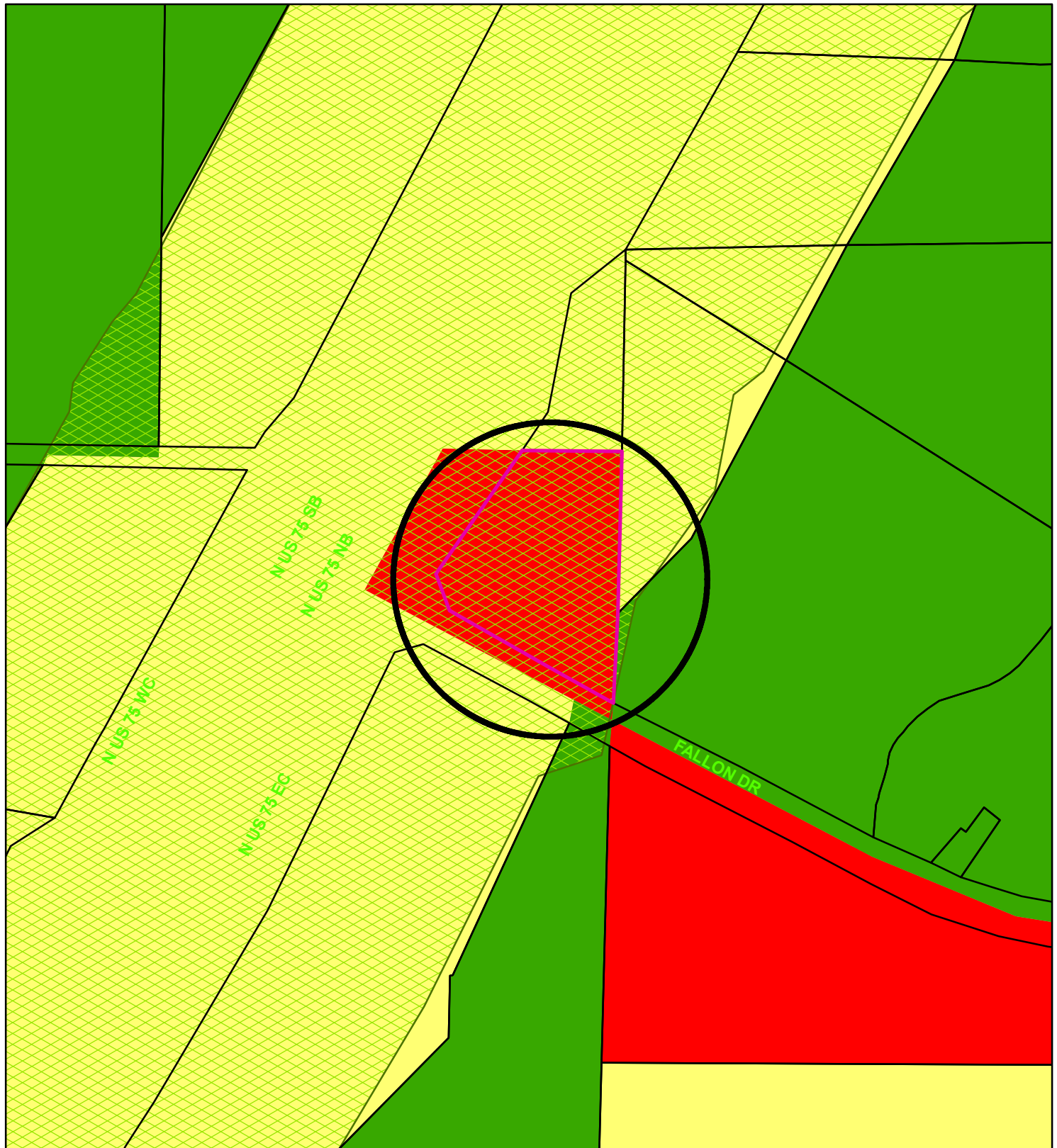
P&Z Communication



5011 North U.S. Highway 75



1 in = 1,200 ft



5011 North U.S. Highway 75

Legend

Special Districts Overlay

DISTRICT_NAME

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

Transportation Corridor

Representation: ShermGIS.DBO.TransportationCorridor_Rep

- FM 1417
- Sam Rayburn Freeway
- US Hwy 82 and 75
- SH 289
- FM 691

Zoning Districts

Representation: ShermGIS.DBO.ZoningDistrict_Rep

- Unknown
- BIP Blalock Industrial Park
- C-1 Retail Business District

- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing District
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District

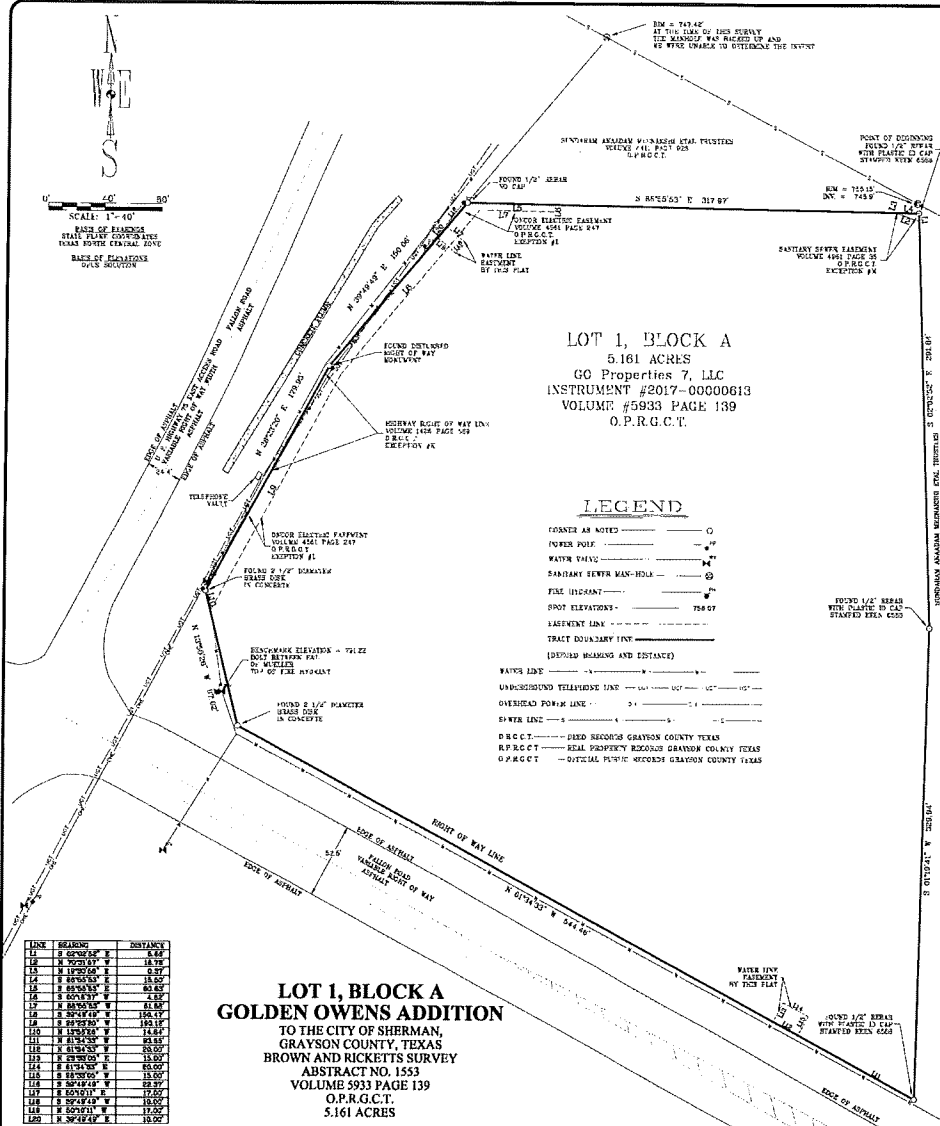


City of Sherman, Texas
Developmental Services Department



NOT TO SCALE

1 in = 370 ft



LINE	BEARING	DISTANCE
1	S 89°52'42" E	4.44
2	N 89°52'42" E	16.19
3	N 1°02'50" E	0.37
4	S 89°52'42" E	16.19
5	S 89°52'42" E	80.63
6	S 89°52'42" E	81.86
7	S 89°52'42" E	156.17
8	S 89°52'42" E	156.17
9	N 1°02'50" E	14.67
10	N 89°52'42" E	81.86
11	N 89°52'42" E	15.00
12	N 89°52'42" E	15.00
13	N 89°52'42" E	85.00
14	N 89°52'42" E	15.00
15	N 89°52'42" E	22.37
16	N 89°52'42" E	15.00
17	N 89°52'42" E	15.00
18	N 89°52'42" E	15.00
19	N 89°52'42" E	15.00
20	N 89°52'42" E	15.00

**LOT 1, BLOCK A
GOLDEN OWENS ADDITION**
TO THE CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS
BROWN AND RICKETTS SURVEY
ABSTRACT NO. 1553
VOLUME 5933 PAGE 139
O.P.R.G.C.T.
5.161 ACRES

DATE: 5/15/17
SCALE: 1"=40'
DRAWN BY: B.KEEN
CHECKED BY: B.KEEN
JOB #1278.147

KEEN SURVEYING, LLC
202 SOUTH MAIN STREET P.O. BOX 231
SALEM, ARKANSAS 72576
TEL: (870) 695-3600 FAX: (870) 695-3614
EMAIL: BROWN@KEENSURVEYING.COM
WWW.KEENSURVEYING.COM

MAP PREPARED FOR:
JOHN THOMAS ENGINEERING
PAGE 1 OF 2
FIRM #10194183

Survey Description
Being a 5.161 acre tract of land conveyed to GO Properties 7, LLC as recorded on Instrument 2017-00000613 in Volume 5933 Page 139, Official Public Records, Grayson County, Texas, situated in the Brown and Ricketts Survey, Abstract No. 1553 and being part of the Golden Owens Addition to the City of Sherman, Texas, 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 hereinbefore subscribed.

Beginning at a found 1/2" rebar with plastic in cap stamped KEEN 8588 at the Northwest corner of said 40.075 acre tract of land;
Thence South 01°04'41" East, along the East Line of said 40.075 acre tract, a distance of 281.84 feet to a found 1/2" rebar with plastic in cap stamped KEEN 8588;
Thence South 01°04'41" West, along said East Line of said 40.075 acre tract, a distance of 328.81 feet to a found 1/2" rebar with plastic in cap stamped KEEN 8588 on the North Right of Way Line of Federal Drive;
Thence North 81°24'30" West, along said North Right of Way Line, a distance of 544.46 feet to a found 2 1/2" brass cap in concrete on the East Right of Way Line of U.S. Highway 75;
Thence North 17°02'26" West, along said East Right of Way Line, a distance of 57.82 feet to a found 1/2" brass cap in concrete;
Thence North 89°22'00" East, along said East Right of Way Line, a distance of 179.55 feet to a found colored right of way monument;
Thence North 39°48'49" East, along said East Right of Way Line, a distance of 150.00 feet to a found 1/2" rebar with no cap on the North Line of said 40.075 acre tract;
Thence South 89°55'53" East, bearing said East Right of Way Line and along the North Line of said 40.075 acre tract, a distance of 317.97 feet to the point of beginning, containing 5.161 acres of land.

Owner and Developer
GO Properties 7, LLC
6601 Blanco Rd, Suite 150
San Antonio, TX 78216

Rodney Owens, Manager Date

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED

KNOW BY ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AT TEXAS,

this day of 2017.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Brian Keen, 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.

Signature

Date

Approved this day of 2017, by the City Planning and Zoning Commission of the City of Sherman, Texas.

Chairman Secretary

Accepted by the City Council of the City of Sherman:

Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing final plat of Golden Owens Subdivision or Addition to the City of Sherman was submitted to the City Council on the day of 2017, and the City Council by formal action thereon and thereupon 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 hereinbefore subscribed.

Witness my hand this day of A.D. 2017

City Clerk, City of Sherman, Texas

RECORDED & RETURNED AS PER THIS CERTIFICATE OF NO. 327981 BY FIRST AMERICAN TITLE GUARANTY COMPANY, DATED 05/22/18.

1. CERTAIN TO ITALY SURVEY & SERIAL SURVEY AND GENERAL TELEPHONE COMPANY OF THE SUBDIVISION OF SECOND IN VOLUME 1413, TABS 207 OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS, DOES NOT AFFECT PROPERTY

2. CERTAIN TO ITALY SURVEY & SERIAL SURVEY AND GENERAL TELEPHONE COMPANY OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS, DOES NOT AFFECT PROPERTY

3. CERTAIN TO ITALY SURVEY & SERIAL SURVEY AND GENERAL TELEPHONE COMPANY OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS, DOES NOT AFFECT PROPERTY

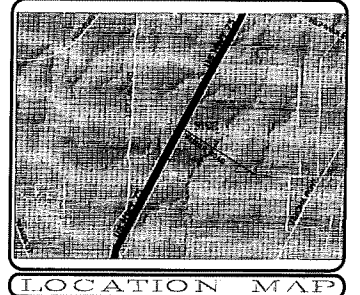
4. CERTAIN TO ITALY SURVEY & SERIAL SURVEY AND GENERAL TELEPHONE COMPANY OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS, DOES NOT AFFECT PROPERTY

5. CERTAIN TO ITALY SURVEY & SERIAL SURVEY AND GENERAL TELEPHONE COMPANY OF THE DEED RECORDS OF GRAYSON COUNTY, TEXAS, DOES NOT AFFECT PROPERTY

DATE: 5/15/17
SCALE: 1"=40'
DRAWN BY: B.KEEN
CHECKED BY: B.KEEN
JOB #1278.147

KEEN SURVEYING, LLC
202 SOUTH MAIN STREET P.O. BOX 231
SALEM, ARKANSAS 72576
TEL: (870) 695-3600 FAX: (870) 695-3614
EMAIL: BROWN@KEENSURVEYING.COM
WWW.KEENSURVEYING.COM

MAP PREPARED FOR:
JOHN THOMAS ENGINEERING
PAGE 2 OF 2
FIRM #10194183



1. Brian Keen, a Registered Public Surveyor, hereby certifies that I have 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.

Brian Keen, L.S. 1515



**LOT 1, BLOCK A
GOLDEN OWENS ADDITION**
TO THE CITY OF SHERMAN,
GRAYSON COUNTY, TEXAS
BROWN AND RICKETTS SURVEY
ABSTRACT NO. 1553
VOLUME 5933 PAGE 139
O.P.R.G.C.T.
5.161 ACRES



STAFF REVIEW LETTER

January 11, 2019

Go Properties 7, LLC
6601 Blanco Rd., Suite 150
San Antonio, TX 78216

Keen Surveying, LLC
203 S. Main Street
P.O. Box 234
Salem, AR 72576

Dear Applicants,

The request for approval of the Final Plat of Golden Owens Addition has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, January 22, 2019 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. Fallon Road must be changed to be Fallon Drive.
6. Correct existing ROW names – Fallon Drive is not on both rights-of-way.
7. Show sizes of easements on plat.
8. Remove Schedule B Exceptions List from plat.
9. Remove utility line locations from plat.
10. Dedicate a 10' Utility Easement along Fallon Drive.
11. Update dates to reflect current year on approval and signature blurbs.
12. Show Volume and Page of Private Sewer Easement on Northeast corner of site.
13. Drainage Agreement required. Coordinate with Engineering Department.
14. 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.
15. 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 Clint Philpott, at 903-892-7327 prior to the meeting.

Respectfully,



Clint A. Philpott, P.E.,
Director of Engineering

cc: Robby Hefton, City Manager
Brandon Shelby, City Attorney
Billy Hartsfield, Fire Marshal

Scott Shadden, Director of Development Services
Mark Gibson, Director of Utilities
Steve Ayers, Asst. City Manager



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

Agenda Item No. 7.

Meeting Date: 01/22/2019

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

Clay Mahone, Chairman

Eric Elliott, Vice Chairman

Shawn Davis, Commissioner

David Downtain, Commissioner

Trish Wood, Commissioner

Leigh Ann Sims, Commissioner

Paul Manley, Commissioner

Requested Action/Proposed Use:

*** 5011 NORTH U.S. HIGHWAY 75**

The request of Go Properties 7 LLC (Owners), Paramount Healthcare (Developer) Keen Surveying, LLC (Surveyor) and JM Civil Engineering (Civil Engineer) concerning the property located at 5011 North U.S. Highway 75, being 5.161 acres in the Brown and Ricketts Survey, Abstract No. 1553, as follows:

Planning and Zoning Commission

Final Plat approval of Lot 1, Block A, Golden Owens Addition.

Background:

This item was tabled at the July 17, 2018, Planning and Zoning Commission Meeting. The property is located at 5011 North U.S. Highway 75; the northeast corner of Fallon Drive and Highway 75. The owners would like to plat the property into one lot for commercial development of a nursing home.

Adjacent Zoning:

SF-1 (Single Family Residential) District

R-1 (One Family Residential) District

Origination:

Go Properties 7 LLC (Owners)

Paramount Healthcare (Developer)

Keen Surveying, LLC (Surveyor)

JM Civil Engineering (Civil Engineer)

Master Plan Designation:

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

Number of notices mailed:

Not required.

Objections Received:

0

Attachments

Location Map

Zoning Map

Final Plat - Golden Owens Addition

Staff Review Letter



SHERMAN CITY COUNCIL

Agenda Communication Form

City Council Regular Meeting

Meeting Date: 02/18/2019

Prepared By: Pamela Cloer, Assistant to the City Manager

Approved By: Robby Hefton, City Manager

Caption:

COUNCIL CALENDAR

Attachments

2019 Council Calendar

2019

JANUARY						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

FEBRUARY						
S	M	T	W	T	F	S
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

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
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28	29	30				

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

JUNE						
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						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						
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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				

1/21/2019	Martin Luther King, Jr. Day/Called City Council Meeting on 1/22/2019
2/27/2019	Called Council Meeting - Training Session for Council Members
9/2/2019	Labor Day/Called City Council Meeting on 9/03/2019

[illegible]