



Mr. Montano appeared to represent the request and answer any questions. The property is located at 2701 Silverado Trail, the northeast corner of Silverado and Butterfield Trails. Mr. Montano explained he would like to erect a 6' privacy fence on the property line along Butterfield Trail for privacy and security. He currently has a 4' wrought iron fence that ends at the back of the house; he would like to extend the privacy fence along the side of the house because a door is located on side of the house. He had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the variance.

**ACTION TAKEN.**

Motion by Commission Member Jacobs to approve the variance subject to the Staff Review Letter. Second by Commission Member Davis.

**VOTING AYE: DAVIS, PLYLER, SOFEY, JACOBS AND MORGAN**

**VOTING NAY: NONE**

**MOTION CARRIED**

**THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.**

**EXCEPTION**

**THE REQUEST OF SHERMAN BIBLE CHURCH (OWNERS) AND LESTER TERRELL (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 2515 WEST LAMBERTH ROAD, BEING LOT 10, BLOCK 3, O'HANLON RANCH ADDITION, PHASE 2, AS FOLLOWS;**

***BOARD OF ADJUSTMENTS***

**EXCEPTION UNDER ORDINANCE NO. 2280, SECTION 6.2, SUBSECTION (4) TO ALLOW A 102 SQUARE FOOT FACE AREA, 14' IN HEIGHT FREESTANDING SIGN IN LIEU OF THE PERMITTED 20 SQUARE FOOT FACE AREA AND 6' IN HEIGHT SIGN IN AN R-1 (ONE FAMILY RESIDENTIAL) DISTRICT WITH A SPECIFIC USE PERMIT TO ALLOW A CHURCH.**

**EXCEPTION – SIGN  
2515 W. LAMBERTH  
(SHERMAN BIBLE  
CHURCH)**

**Lester Terrell, 1820 W. Terrell Rd., Sherman, Texas**

Mr. Terrell appeared to represent the request and answer any questions. The property is located at 2515 West Lamberth Road; Sherman Bible Church is constructing a new church at this site. They would like to erect a sign for their church along Lamberth Road. He explained the sign would be located at the northeast corner of the detention pond, 50 foot from the property line. Mr. Terrell explained the tract the church is located on is approximately 19 acres. This will be the primary sign for the new church. The sign will be illuminated from the ground shining towards the church. The sign face is 6'x17'; it is an engineered slab of concrete with weld plates inside mounted to side beams.

James Fry, 74 Shady Oaks Circle, Sherman, Texas

Mr. Fry did not understand why they needed such a large sign, there is another church (Faith Church) located a couple of blocks away that has a much smaller sign, it is not illuminated. This illuminated sign will be right across the street from quite a few residential homes. “They already have a new street going through there that is going to take away their property, so quite a few of them are upset. It is a big church; he did not understand why they needed such a large sign.”

Mr. Terrell explained he measured Faith Church’s sign, it has a 25’ setback. “We thought we would do twice as much as that since we are a little larger; their sign is 6’.6”x 16’.6” long. Sherman Bible Church’s sign overall is 20’x14’. The illumination for the sign will go towards the sign; it will not go towards the street; it is a one sided sign.”

John Dixon, 2838 W. Lamberth Rd., Sherman, Texas

Mr. Dixon explained the sign will be right in front of his property. “Right now we have a couple of mega churches in the neighborhood, Faith Church, which has a very small sign, he understood it is closer to F.M. 1417 (Heritage Parkway) it is easier to see the sign from the street, Sherman Bible Church is going to be much farther away from Heritage Parkway, but in the future, the ten acres that is vacant right now, I’m sure it will be utilized for something, what happens when there is a big building in front of the sign, are they going to want to jack up the sign. I don’t know about you, but most people when they go to a church or look for a church, I don’t know if they drive around and look for a church or the sign like they do for a grocery store or commercial entity, people know their church, someone recommends a church, the size of the sign, I really don’t see the relationship. West Lamberth is going to turn into Lamberth Boulevard with a 16’ median, why don’t we put Las Vegas type signs all across the neighborhood, it is getting pretty ridiculous. I have nothing against churches but where is it going to stop, is it really going to help Sherman, is it really going to make people come to Sherman. I know you are planning for the future but wishing it doesn’t make it so, you can wish all you want for the City of Sherman, but you have to look at economics, you have to look what is really important and I don’t see that happening. The sign is going to be five times bigger than a normal sign and over twice as high.”

Mr. Terrell explained he would be happy to talk to Mr. Dixon and felt he would be pleased after seeing the sign.

No other citizens appeared before the Planning and Zoning Commission to discuss the exception.

*Board of Adjustments*

**ACTION TAKEN.**

Motion by Commission Member Jacobs to approve the

exception. Second by Commission Member Davis.

VOTING AYE: DAVIS, PLYLER, SOFEY, JACOBS AND MORGAN

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

**FINAL PLAT**

THE REQUEST OF SCOTT AND ABBIE GREGG (OWNERS) AND RINGLEY & ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 1901 WEST SHEPHERD ROAD, BEING 2 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765 AND THE MCKINNEY AND WILLIAMS SURVEY, ABSTRACT NO. 866, AS FOLLOWS:

*PLANNING AND ZONING COMMISSION*  
FINAL PLAT APPROVAL OF GREGG ADDITION

FINAL PLAT – GREGG  
ADDITION  
1901 W. SHEPHERD  
(SCOTT & ABBIE  
GREGG)

Lawrence Ringley, Ringley & Associates, 410 N. Tennessee, McKinney, Texas

Mr. Ringley appeared to represent the request and answer any questions. The property is located at 1901 West Shepherd Road between Highway 75 and Farmington Road. Mr. Ringley explained the owners own two acres and would like to plat the property into two lots for residential development. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the Final Plat.

*Board of Adjustments*

ACTION TAKEN.

Motion by Commission Member Davis to approve the Final Plat subject to the Staff Review Letter. Second by Commission Member Morgan.

VOTING AYE: DAVIS, SOFEY, BARTON, HICKS, TANKERSLEY, JACOBS, PLYLER, MORGAN AND ATHERTON.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

**SITE PLAN**

THE REQUEST OF SHERMAN ECONOMIC DEVELOPMENT CORPORATION (SEDCO) (OWNER), RICHARD EVANS, PANDA ENERGY, INC. (TENANT) AND TITAN ENGINEERING, INC. (ENGINEERS) CONCERNING THE PROPERTY LOCATED AT 510 PROGRESS DRIVE, BEING 103.124 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, AS FOLLOWS:

*PLANNING AND ZONING COMMISSION*

SITE PLAN – POWER  
GENERATING  
FACILITY  
510 PROGRESS DR.  
(SEDCO & PANDA  
ENERGY)

**SITE PLAN APPROVAL FOR A POWER GENERATING FACILITY**

**John Boswell, SEDCO, 307 W. Washington, Sherman, TX**

Mr. Boswell appeared to represent the request and answer any questions. Mr. Boswell explained they are very excited about this project, it will be a great addition to the Industrial Park on Progress Drive and Progress Park III. They have been working with Panda Energy for a couple of years, two weeks ago the City Council approved a property tax abatement and a 380 agreement to provide an incentive along with the incentive that we are providing from a direct cash grant, pending is the Grayson County Commissioners approval of a tax abatement for them as well.

**Richard Evans, Panda Energy, 4100 Spring Valley, Suite 1001, Dallas, TX**

Mr. Evans explained they are very pleased to be in Sherman. The property is located at 510 Progress Drive, which is located off Howe Drive behind Tyson Foods and across from Progress Rail. The property consists of 209 acres of land, which has been split into four tracts. The tract the plant will be built on is outside the Blalock Industrial Park. They would like to construct a natural gas fired combined cycle facility consisting of two combustion turbines and one steam turbine. Due to its location in an industrial park containing various manufacturing facilities, the Panda facility is not expected to create any regulatory problems due to noise. A company out of Houston, ATCO Noise Management, LLC did a noise background check, the levels were within 65 decibels, the plant is extremely quiet and does not emit a great deal of noise.

**Mike Delcambre, Panda Energy, 4100 Spring Valley, Suite 1001, Dallas, TX**

Mr. Delcambre explained the power plant is a power generating plant, firing natural gas in an enclosed combustion turbine enclosure and generating electricity from transferring the mechanical energy. The noise emitted will be more of a hum if you hear anything at all. Emissions will be from two stacks on the end of the boilers, which are non-fired which are called (HRSG) Heat Recovery Steam Generators and the Cooling Tower; there will be no visible emissions from either one of the two stacks. The plant will be in compliance with TCEQ. Expected construction should start in the first quarter of 2010 and should take 24-27 months. They will obtain (PPA's) Purchase Power Agreements with many municipalities. They anticipate 550 megawatts nominal and employ additional duct firing capabilities to boost the maximum output to 650 megawatts, which is electricity approximately for 450,000 homes on a residential basis. They will have approximately 27 employees with the majority on the day shift. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

John Boswell

Mr. Boswell explained he has spoken to all the industries in the Blalock Industrial Park, they are excited about this project. Everyone has been made aware of the project and they all support it.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan.

**ACTION TAKEN.**

Motion by Commission Member Jacobs to approve the site subject to the Staff Review Letters. Second by Commission Member Morgan.

**VOTING AYE: DAVIS, SOFEY, BARTON, HICKS, TANKERSLEY, JACOBS, PLYLER, MORGAN AND ATHERTON.**

**VOTING NAY: NONE**

**MOTION CARRIED**

**THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.**

SITE PLAN

THE REQUEST OF MOZELE, INC (OWNER) AND DOUG MCKENZIE, BACKYARD LIVING POOLS AND SPAS (TENANT) CONCERNING THE PROPERTY LOCATED AT 1415 SOUTH SAM RAYBURN FREEWAY, SUITE 700, BEING LOT 2, BLOCK 1, NATA CROSSING REPLAT, AS FOLLOWS;

*PLANNING AND ZONING COMMISSION*

**SITE PLAN APPROVAL FOR A SWIMMING POOL AS A PERMANENT DISPLAY ATTACHED TO AN EXISTING STRUCTURE.**

**SITE PLAN –  
SWIMMING POOL AS  
DISPLAY  
1415 S. SAM  
RAYBURN, STE. 700  
(MOZELE, INC. &  
BACKYARD LIVING  
POOLS)**

Commission Member Hicks abstained from this request because of a conflict of interest.

Doug McKenzie, Backyard Living Pools and Spas, 1415 S. Sam Rayburn, Ste. 700, Sherman, Texas

Mr. McKenzie appeared to represent the request and answer any questions. The property is located at 1415 South Sam Rayburn Freeway, Suite 700; the northeast corner of South Sam Rayburn and Olive Street, Backyard Living Pools and Spas is the tenant. Mr. McKenzie explained the swimming pool will be attached to the main structure and will not have any advertising on the pool. He had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan.

**ACTION TAKEN.**

Motion by Commission Member Morgan to approve the site plan subject to the Staff Review Letter. Second by Commission Member Davis.

VOTING AYE: DAVIS, SOFEY, BARTON, TANKERSLEY, JACOBS, PLYLER, MORGAN AND ATHERTON.

VOTING NAY: NONE

ABSTAIN: HICKS

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

**SPECIFIC USE PERMIT & SITE PLAN**

THE REQUEST OF GRAYSON COUNTY PHYSICIAN'S PROPERTY, LLC (OWNERS) HERITAGE PARK SURGICAL HOSPITAL (TENANT) AND DAVID VILBIG, VILBIG & ASSOCIATES (ENGINEERS) CONCERNING THE PROPERTY AT 3603 NORTH CALAIS DRIVE, BEING LOT 6R, BLOCK 1 OF THE REPLAT OF LOTS 6 & 7, BLOCK 1, HERITAGE PARK ADDITION, PHASE 2, AS FOLLOWS:

***PLANNING AND ZONING COMMISSION***

SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8 (5)(A) TO ALLOW A HOSPITAL IN A C-1 (RETAIL BUSINESS) DISTRICT.

SUP & SITE PLAN –  
HOSPITAL  
3603 N. CALAIS  
(GRAYSON COUNTY  
PHYSICIAN'S  
PROPERTY &  
HERITAGE PARK  
SURGICAL HOSPITAL)

David Vilbig, Vilbig & Associates, 10132 Monroe Dr. Dallas, Texas

Mr. Vilbig appeared to represent the request and answer any questions. The property is located at 3603 North Calais Drive, the northeast corner of Calais and East Pecan Grove Road, Heritage Park Surgery Center is the tenant. The owners would like to add a 31,013 square foot surgical hospital to the existing 17,300 square foot surgery center. Exterior materials include face brick, smooth metal panels, cut stone and EIFS. The existing TXU easement will be rerouted to the south end of the building and they will abandon the existing easement. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the Specific Use Permit and site plan.

**ACTION TAKEN.**

Motion by Commission Member Morgan to approve the Specific Use Permit and site plan subject to the Staff Review Letter. Second by Commission Member Atherton.

VOTING AYE: DAVIS, SOFEY, BARTON, HICKS, TANKERSLEY, JACOBS, PLYLER, MORGAN AND ATHERTON.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

**FINAL PLAT**

FINAL PLAT –

THE REQUEST OF MACK BROILES (OWNER) AND SARTIN & ASSOCIATES, INC. (SURVEYORS) CONCERNING THE PROPERTY LOCATED AT 214, 218 AND 222 WEST BROCKETT STREET, BEING PART OF LOT 1, BLOCK 1 OF THE REPLAT OF LOTS 19-21 OF L.C. CHAPMAN'S ADDITION AND ALL OF LOT 9 AND PART OF LOT 12, TOGETHER WITH THE ALLEY RUNNING SOUTHERLY FROM BROCKETT STREET AND LYING WEST OF AND ADJACENT TO THE WEST LINE OF LOTS 9-11 IN THE L.C. CHAPMAN'S ADDITION, CONTAINING 1.25 ACRES IN THE J.B. MCANAI SURVEY, ABSTRACT NO. 763, AS FOLLOWS:

BROILES ADDN.  
214, 218 & 222 W.  
BROCKETT  
(MACK BROILES)

*PLANNING AND ZONING COMMISSION*  
FINAL PLAT APPROVAL OF BROILES ADDITION

Mack Broiles, 261 Preston Rd. Sherman, Texas, Marshal Sartin, Sartin & Associates, 109 S. Travis, Sherman, Texas

Mr. Broiles and Mr. Sartin appeared to represent the request and answer any questions. The property is located at 214, 218 and 222 West Brockett Street. The owner would like to plat the property into six lots for commercial development. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the Final Plat

**ACTION TAKEN.**

Motion by Commission Member Jacobs to approve the Final Plat subject to the Staff Review Letter. Second by Commission Member Atherton.

VOTING AYE: DAVIS, SOFEY, BARTON, HICKS, TANKERSLEY, JACOBS, PLYLER, MORGAN AND ATHERTON.

VOTING NAY: NONE

MOTION CARRIED

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

**SITE PLAN**

THE REQUEST OF KAM CORNERS LP (OWNERS), WATERMILL EXPRESS (TENANT) AND RICK KELLY (REPRESENTATIVE) CONCERNING THE PROPERTY LOCATED AT 1002 NORTH TRAVIS STREET, BEING 4.3 ACRES IN THE J.B. MCANAI, ABSTRACT NO. 763, AS FOLLOWS:

SITE PLAN –  
WATERMILL EXPRESS  
1002 N. TRAVIS  
(KAM CORNERS &  
WATERMILL  
EXPRESS)

*PLANNING AND ZONING COMMISSION*

SITE PLAN APPROVAL FOR A WATERMILL EXPRESS WATER VENDING MACHINE.

Rick Kelly, 3616 Conflans Rd., Irving, Texas

Mr. Kelly appeared to represent the request and answer any questions. The property is located at 1002 North Travis Street; in the parking lot of KAM Corners. The applicant would like to construct a Watermill Express water vending

facility. Mr. Kelly explained Watermill Express was founded in 1984 with over 1200 locations nationwide, it is the leading drive-up water vendor. The facility is a 42 square foot unmanned retail structure that contains an 8 stage water treatment system that includes sediment and activated carbon filtration, ozone sterilization, ultra violet disinfection and reverse osmosis purification. Water is dispensed through two automated vending interfaces where customers can purchase water by filling their own containers ranging in size from one to five gallons. Each location is serviced and sanitized daily by trained technicians and computer monitored 24 hours a day. Watermill Express provides a great tasting product that typically meets or exceeds the purity of pre-packaged bottled at a significantly lower price point. The self serve concept promotes conservation by encouraging customers to use refillable containers instead of throw away plastic bottles (of which 80-90% are never recycled). In fact, by choosing to use refillable containers our customers prevent millions of plastic bottles from entering the nation’s landfills every year. Each Watermill Express location is licensed with the Foods Group of Texas Department of State Health Services and strictly monitored to comply with all State and local requirements. They had seen the Staff Review Letter and would abide by the Staff Review Recommendations.

No other citizens appeared before the Planning and Zoning Commission to discuss the site plan.

**ACTION TAKEN.**

Motion by Commission Member Tankersley to approve the site plan subject to the Staff Review Letter. Second by Commission Member Hicks.

**VOTING AYE: DAVIS, SOFEY, BARTON, HICKS, TANKERSLEY, JACOBS, PLYLER, MORGAN AND ATHERTON.**

**VOTING NAY: NONE**

**MOTION CARRIED**

**THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.**

**OTHER BUSINESS**

**APPOINT ZONING & DEVELOPMENT REVIEW SUBCOMMITTEE.**

Chairman Sofey appointed Commission Members PLYLER, DAVIS AND SOFEY to the Zoning & Development Review Subcommittee.

**ADJOURNMENT**

On Motion duly made and carried, the meeting adjourned at 6:00 p.m.

**APPOINT ZONING & DEVELOPMENT REVIEW COMMITTEE**

**ADJOURNMENT**

**CHAIRMAN** \_\_\_\_\_

**PLANNING & ZONING COMMISSION MINUTES – AUGUST 18, 2009**

**SECRETARY**