



MURPHY PLANNING AND ZONING COMMISSION AGENDA  
REGULAR PLANNING AND ZONING COMMISSION MEETING  
MAY 23, 2016 AT 6:00 PM, CITY HALL, COUNCIL CHAMBERS  
206 NORTH MURPHY ROAD  
MURPHY, TEXAS 75094

NOTICE is hereby given of a meeting of the Planning and Zoning Commission of the City of Murphy, Collin County, State of Texas, to be held on May 23, 2016, at Murphy City Hall for the purpose of considering the following items. The Planning and Zoning Commission of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

ROLL CALL & CERTIFICATION OF A QUORUM

Jon King  
Chairman

PUBLIC COMMENTS

Steve Levy  
Vice Chair

CONSENT AGENDA

Camille Hooper  
Secretary

All consent agenda items are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

John Johnson  
Commissioner

- A. Approval of the Minutes from the April 25, 2016 regular meeting.

Lloyd Jones  
Commissioner

INDIVIDUAL CONSIDERATION

Julie Kamm  
Commissioner

1. Hold a public hearing and consider and/or act on the application of James Permenter to change current zoning of SF-20 (Single Family Residential-20) to Neighborhood Services (Non Residential Zoning District, low intensity retail and service facilities) of property located on 1.9589 acres, having the legal description of Abstract A0588, C A McMillan Survey, Tract 16.
2. Staff Updates
  - a. Development Update
  - b. Work sessions

Greg Mersch  
Commissioner

ADJOURNMENT

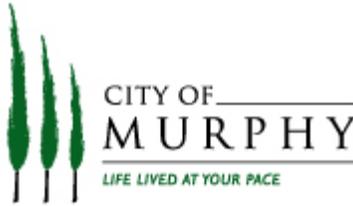
I certify that this is a true and correct copy of the Murphy Planning and Zoning Commission Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted May 20, 2016 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

Lee Elliott  
Interim Director of  
Community and Economic  
Development

\_\_\_\_\_  
Tina Stelnicki  
Community Development Coordinator

Tina Stelnicki  
Community Development  
Coordinator

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at (972) 468-4011 or [squinn@murphytx.org](mailto:squinn@murphytx.org).



Murphy Planning and Zoning Commission Regular Meeting Minutes  
206 North Murphy Road  
Murphy, Texas 75094  
April 25, 2016

**CALL TO ORDER**

Vice Chair Levy called the meeting to order at 6:02 p.m.

**ROLL CALL & CERTIFICATION OF A QUORUM**

Commissioners Present: Steve Levy, Camille Hooper, Don Reilly, Greg Mersch, Julie Kamm

Commissioners Absent: Jon King, John Johnson, Lloyd Jones

City Staff Present: Lee Elliott, Interim Director of Community and Economic Development  
Tina Stelnicki, Community Development Coordinator

Tina Stelnicki certified a quorum.

**SEAT ALTERNATES AS NEEDED**

Alternate Julie Kamm was seated as a Commissioner.

**PUBLIC COMMENTS**

Jennifer Berthiaume, 416 Woodcrest Circle

I encourage you to think about the broader issues facing our city. We as residents need your help as our Planning and Zoning Commission to show Council that you don't intend to tackle individual items until they provide holistic guidance and an updated vision for the City. I ask City Council to consider these 3 items back on March 15 and I encourage you to do the same. 1. Recommend to City Council that we begin the process for a new comprehensive land use plan, so we can determine what our updated vision for Murphy looks like. 2. Recommend that City Council places a moratorium on passing zoning amendments and specific use permits until a new City Manager and Community and Economic Development Director are in place and require that both positions bring a strong city planning background to the table. And, finally encourage and recommend that City Council encourages our Murphy Development District to investigate economic incentives for businesses that residents want and look at ways that we can help make properties more suitable or desirable through either trail connectivity or open space.

William Scott Wood, 301 Brookmere Lane, Maxwell Creek

I have a serious concern about the railroad crossing at Maxwell Creek Road. Bicyclists and pedestrians are forced to get into the road to cross the road at Maxwell Creek Road. We have safe crossings behind Maxwell Creek behind the 7-eleven, there is a pedestrian sidewalk crossing there. There is another sidewalk crossing over by Wal-Mart. I just request that Council look into putting funding aside to make a proper crossing. I would like for you to look into the extreme safety issue.

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### **COMMISSION ACTION**

Vice Chair Levy requested Lee Elliott to make a note that the Maxwell Creek Road safety issue be presented to City Council members.

### **CLOSING PUBLIC COMMENTS AT 6:07pm**

### **CONSENT AGENDA**

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- A. Approval of the Minutes from March 28, 2016 regular meeting and April 11, 2016 special meeting.

### **COMMISSION ACTION**

Commissioner Kamm requested a correction to the April 11, 2015 minutes; Commissioner Kamm was not present at the meeting.

Commissioner Hooper made a motion to approve consent agenda with correction. Commissioner Kamm seconded the motion. **Motion passed 5-0.**

### **INDIVIDUAL CONSIDERATION**

1. Hold a public hearing and consider and/or act on the application of Domain Horizons LTD requesting approval of a SUP (Specific Use Permit) to have 'used merchandise/furniture store' as an allowed use on property zoned Retail located on the northwest corner of McCreary Road and west FM 544.

### **Staff Discussion**

Lee Elliott stated that the applicant requested a SUP to have 'used merchandise/furniture store' as an allowed use per City of Murphy Code of Ordinances, Use Regulations, Section 30.06.002. The current zoning for this property is Retail. The applicant is proposing to construct an approximately 15,000 sq. ft. retail store and valet donation center on 2.864 acres of undeveloped land. There will be no furniture or large, major appliances sold at this location.

### **John Dickerson, Board Member of Goodwill Industries**

Mr. John Dickerson stated that applicant; Domain Horizons, LTD had identified Murphy, Texas as a location to build a Goodwill retail store and valet donation center. Mr. John Dickerson presented to the Commission a conceptual rendering for Cedar Hill, Texas that is on the drawing board that highlights the architecture of the building that is 100% masonry with decorative awnings and edging design elements.

### **Rod Ginther, President & CEO of Goodwill Industries**

Mr. Rod Ginther showed the Commission a PowerPoint presentation regarding Goodwill Industries retail stores and valet donation centers. Information detailed in the presentation included their current 16 stores, explained the donation product flow process, and the history and mission of Goodwill Industries.

David Key, owner of property

Mr. David Key addressed the commission and encouraged them to consider the application for Goodwill to build a retail store and valet donation center in Murphy.

Commissioner Reilly inquired how will traffic enter and exit since the City has two more parcels to the West of the current proposed site. Traffic easement along the back is available but will not allow you to enter McCreary.

Will Winkelmann, Civil Engineer

Mr. Will Winkelmann addressed the commission on the question of how the flow of traffic will enter and exit McCreary. The existing pavement and easement shaded darker on Exhibit A diagram is how the traffic flow will be addressed.

**PUBLIC HEARING OPENED AT 6:27pm**

PUBLIC COMMENTS:

1. Cindy Persinger – Oppose
2. Maggie Whitt – Oppose
3. Scott Puccinelli – Oppose
4. Dr. Jake Porsche – Oppose
5. Kelly White – Oppose
6. Kathleen Farquah – Oppose
7. Mitchell Persinger – Oppose
8. Daniel Lucas – Oppose

**PUBLIC HEARING CLOSED AT 6:40pm**

**COMMISSION ACTION**

Commissioner Reilly made a motion to deny application of Domain Horizons LTD requesting approval of a SUP (Specific Use Permit) to have ‘used merchandise/furniture store’ as an allowed use on property zoned Retail located on the northwest corner of McCreary Road and west FM 544.

Commissioner Hooper seconded the motion. **Motion to deny, all in favor.**

2. Hold a public hearing and consider and/or act on the application of Pete Ganis requesting approval of a zoning change from SF-20 (Single Family Residential-20) to a Mixed Use Development (single family lots and retail areas providing neighborhood services) with a concept plan for approximately 52.329 acres on property located in the Henry Maxwell Survey, Abstract No. 579 and the Daniel Herring Survey, Abstract No. 402.

**Staff Discussion**

Lee Elliott stated that the proposed planned development includes residential zoning of SF15, SF11, SF9 each using the development standards as prescribed by the City of Murphy current code of ordinances; additionally, the PD calls for Patio Homes with modified development standards rather than the City of Murphy current code of ordinances.

Retail is part of the PD, confined to along McCreary Road. The retail area uses are confined to Office Uses, Personal & Business Service Uses, Retail Uses. Institutional/Government Uses and Health Club (indoors only).

Commissioner Kamm inquired if all types of retail uses are allowable on Exhibit B, Planned Development Requirements. Commissioner Reilly stated there is not much of a restriction if all uses are allowable.

Commissioner Kamm inquired if there will be an increase in traffic.

Commissioners Reilly and Hooper requested a more detailed description of what is planned specifically on the concept plan diagram, Exhibit C.

Pete Ganis-Applicant, 600 Ridgeview Drive

Mr. Pete Ganis addressed the Commission regarding the Concept Plan diagram detailing the proposed street layouts and lot sizes.

**PUBLIC HEARING OPENED AT 7:01pm**

**PUBLIC COMMENTS:**

1. Don Kiertscher – Oppose
2. Kevin Elwood – Oppose
3. Barbara Harless – Not Present
4. Richy Earle – Oppose
5. Mark Harless – Not Present
6. Daniel Lukas – Oppose
7. Mary Radosz – Oppose
8. Gary Crandall – No Comment
9. Debra Crandall – Oppose
10. Karen Marin – No Comment
11. Scott Marin – Oppose
12. Juliann Delozier – Oppose
13. Scott Puccinelli - Left
14. Mark Reed – Oppose
15. Maggie Whitt – Oppose
16. Ray Cross – Oppose
17. Jeremy Hiatt – Oppose
18. Melissa James – Oppose
19. Heidi Gardner – Oppose

**PUBLIC HEARING CLOSED AT 7:25pm**

Applicant, Mr. Pete Ganis has requested that item 2 be tabled until a time when he will have more time to present with adjustments.

**COMMISSION ACTION**

Commissioner Reilly made a motion to table the application of Pete Ganis requesting approval of a zoning change from SF-20 (Single Family Residential-20) to a Mixed Use Development (single family lots and retail areas providing neighborhood services) with a concept plan approximately 52.329 acres

on property located in the Henry Maxwell Survey, Abstract No. 579 and the Daniel Herring Survey, Abstract No. 402. Commissioner Hooper seconded the motion. **Motion to table, all in favor.**

#### ADJOURNMENT

With no other business before the Commission, Vice Chair Levy adjourned the meeting at 7:31 p.m.

#### APPROVED:

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Steve Levy, Vice Chair

Attest:

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Secretary

**Issue**

Hold a public hearing and consider and/or act on the application of James Permenter to change current zoning of SF-20 (Single Family Residential-20) to Neighborhood Services (Non Residential Zoning District, low intensity retail and service facilities) of property located on 1.9589 acres, having the legal description of Abstract A0588, C A McMillan Survey, Tract 16.

**Background**

The applicant is requesting a change in the current zoning of the property located on 1.9589 acres, having the legal description of Abstract A0588, C A McMillan Survey, Tract 16 (1000 N. Murphy Road)

The current zoning for this property is SF-20 (Single Family Residential-20).

The applicant does not have immediate plans for development.

The 2008 City of Murphy Future Land Use Plan that is a part of the city's Comprehensive Plan indicates this piece of property to have this land use classification (Neighborhood Services).

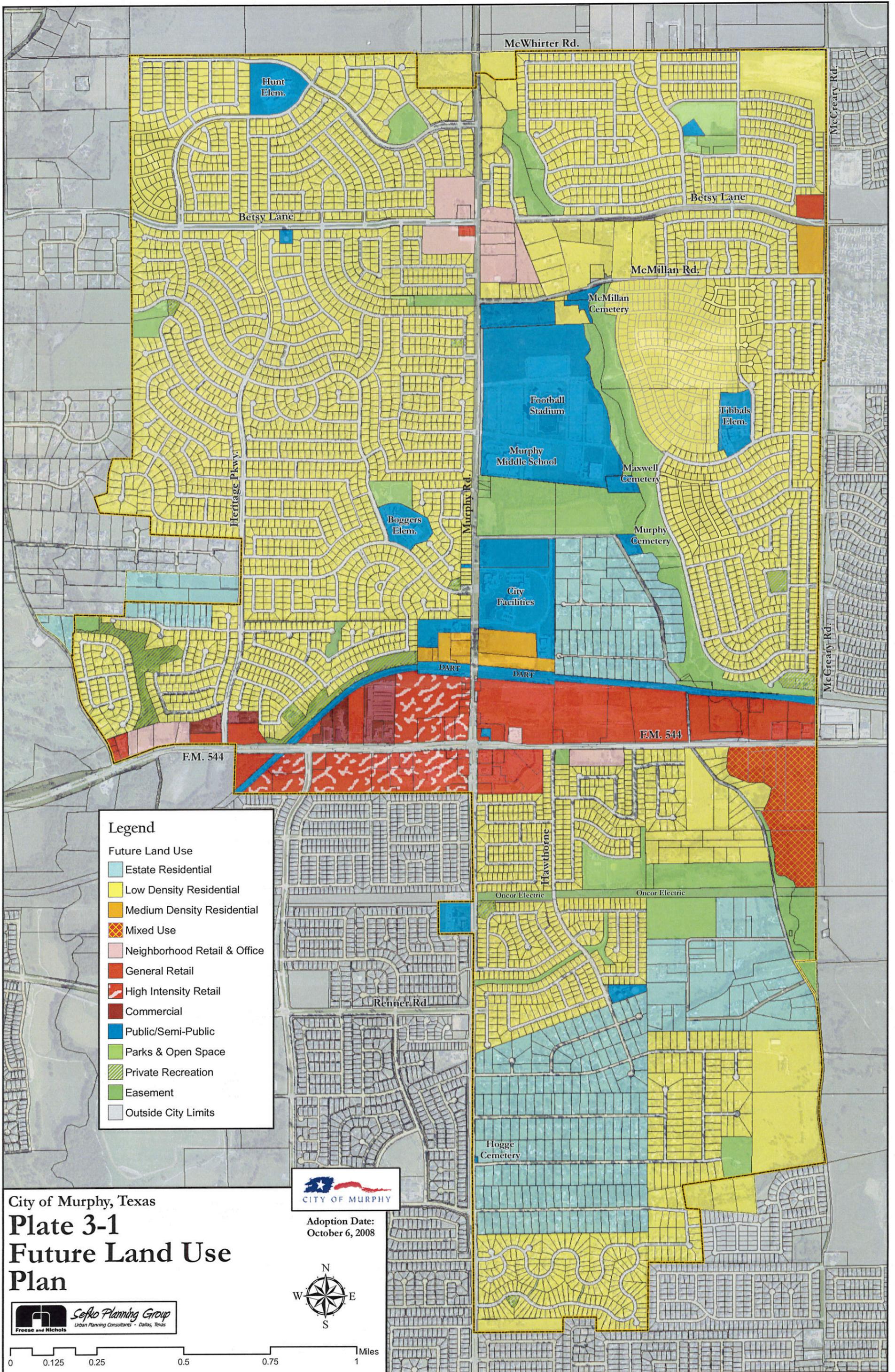
From the City of Murphy code of ordinances, Neighborhood Services general purpose is:  
Sec. 30.03.371 General purpose and description

The NS, neighborhood service, district is established to provide areas for limited local neighborhood, low intensity retail and service facilities for the retail sales of goods and services. These shopping areas should utilize established landscape and buffering requirements. The NS district should be located along or at the intersection of major collectors or thoroughfares to accommodate higher traffic volumes, but it can also act as a buffer against residential areas. (2006 Code, sec. 86-471; Ordinance 04-05-610, sec. 28.1, adopted 5/17/04)

A public hearing notification for this proposed zoning change was published in the newspaper as well as notification mailed to the property owners included in the required 200 feet notification radius. To date (Noon; Thursday, May 19, 2016) city staff has received no formal communication indicating objection.

**Attachments**

Exhibit A – 2008 Future Land Use Plan

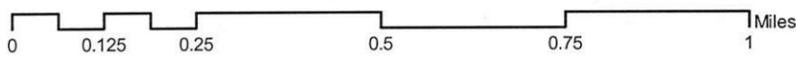


- Legend**
- Future Land Use
  - Estate Residential
  - Low Density Residential
  - Medium Density Residential
  - ▨ Mixed Use
  - Neighborhood Retail & Office
  - General Retail
  - ▨ High Intensity Retail
  - Commercial
  - Public/Semi-Public
  - Parks & Open Space
  - ▨ Private Recreation
  - Easement
  - Outside City Limits

City of Murphy, Texas  
**Plate 3-1**  
**Future Land Use**  
**Plan**



Adoption Date:  
 October 6, 2008



**Issue**

Staff will provide a general development update.

**Details**

West 544:

- Smiles at Murphy
  - Projected to submit the full project by June 2016 deadline
- Aqua Tots, located in Beacon Hill Centre now open

West 544/Brand Road

- West side of Brand Road
  - Office building constructed just behind The Learning Experience
  - New center being constructed that will be anchored by Sherwin Williams, plus Jimmy John's will be tenant
- East side of Brand Road
  - New center being constructed that will be anchored by Schlotzsky's.
  - Further south on Village Drive, just west of Lynridge (formerly Orchard Park), office building being constructed

Murphy Road, just north of FM544 on the west side (Walmart outparcels)

- Evans Crossing center, Building plans in for review at this time.

East FM544

- Just east of RaceTrac, as part of Murphy Marketplace, a center is being constructed.

SW corner of McCreary/Betsy

- Residential development that includes townhomes and patio homes
  - These are not rental properties
  - Will be constructed by Windsor Homes