

MURPHY PLANNING AND ZONING COMMISSION AGENDA
REGULAR PLANNING AND ZONING COMMISSION MEETING
November 28, 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 November 28, 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.

1. CALL TO ORDER

Steve Levy
Chairman

2. ROLL CALL & CERTIFICATION OF A QUORUM

Camille Hooper
Vice Chair

3. PUBLIC COMMENTS

Lloyd Jones
Secretary

4. CONSENT AGENDA

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.

Christine Johnson
Commissioner

A. Approval of the Minutes from the September 26, 2016 regular meeting.

John Johnson
Commissioner

5. INDIVIDUAL CONSIDERATION

Julie Kamm
Commissioner

A. Hold a public hearing and consider and/or act on the application of Mary Pat Elledge to request approval of a zoning change from SF-20 (Single Family Residential-20) to NS (Neighborhood Services) located on 1.258 acres, having the legal description of Abstract A0588 C. A McMillan Survey Tract 1. This property is located on the southeast corner of North Murphy Road and Betsy Lane.

Greg Mersch
Commissioner

Christopher George
Alternate

6. ADJOURNMENT

James Holley
Alternate

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 November 23, 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.

Bailey Ragsdale
Bailey Ragsdale
Administrative Assistant

Kelly Carpenter AICP
Interim Director of
Economic and
Community
Development

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.

Tina Stelnicki
Community
Development
Coordinator



Murphy Planning and Zoning Commission Regular Meeting Minutes
206 North Murphy Road
Murphy, Texas 75094
September 26, 2016

1. CALL TO ORDER

Meeting called to order at 6:00 p.m.

2. ROLL CALL & CERTIFICATION OF A QUORUM

Planning and Zoning Commissioners Present: Lloyd Jones, Christine Johnson, John Johnson, Julie Kamm, Greg Mersch, Camille Hooper arrived at 6:10 pm

Planning and Zoning Alternates Seated: James Holley

Planning and Zoning Commissioner Absent: Steve Levy
Alternate: Christopher George

City Staff Present: Kelly Carpenter, Tina Stelnicki

Tina Stelnicki certified a quorum.

3. PUBLIC COMMENTS

There were no public comments.

4. CONSENT AGENDA

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.

- A. Approval of the Minutes from the August 22, 2016 regular meeting.
- B. Approval of the Minutes from the September 12, 2016 special meeting.

COMMISSION ACTION (4. A)

APPROVED

Commissioner Mersch moved to approve the minutes as presented. Commissioner C. Johnson seconded. All in favor. The motion was approved.

COMMISSION ACTION (4.B)

APPROVED

Commissioner Mersch moved to approve the minutes as presented. Commissioner J. Johnson seconded. All in favor. The motion was approved.

5. INDIVIDUAL CONSIDERATION

- A. Hold a public hearing and consider and/or act on the application of Dowdey, Anderson & Associates, Inc. requesting approval of a residential re-plat. The property is located on .478 acres, having the legal description of Windy Hill Farms #3 (CMR), BLK I, Lot 1. This property is located on Shelby Trace.

Kelly Carpenter explained the map and diagram to the commission and audience, emphasizing this item is joined with the next item (5B) and one cannot be approved without the other.

Public Hearing opened: 6:03 pm
There were no public comments for this item.
Public Hearing closed: 6:04 pm

COMMISSION ACTION (5.A)

APPROVED

Commissioner Mersch moved to approve the application of Dowdey, Anderson & Associates, Inc. requesting approval of a residential re-plat. The property is located on .478 acres, having the legal description of Windy Hill Farms #3 (CMR), BLK I, Lot 1. This property is located on Shelby Trace and is contingent on the approval of 5B. Commissioner Kamm seconded. All in favor. The motion was approved.

- B. Consider and/ or act on the application of Dowdey, Anderson & Associates, Inc. requesting approval of a commercial re-plat. The property is located on 3.549 acres, having the legal description of Lot 2 Block A of the Heritage Addition. This property is located just east of Heritage parkway on FM 544.

Carpenter explained both property owners are in agreement for this re plat, and the exchange of land. The city, having not been involved in the property owners' discussions, only know what is in front of us. Carpenter confirmed the piece of land being exchanged is the only change to these two plats at this time.

COMMISSION ACTION (5.B)

APPROVED

Commissioner Mersch moved to approve the application of Dowdey, Anderson & Associates, Inc. requesting approval of a commercial re-plat. The property is located on 3.549 acres, having the legal description of Lot 2 Block A of the Heritage Addition. This property is located just east of Heritage parkway on FM 544. Commissioner C. Johnson seconded. All in favor. The motion was approved.

- C. Reconvene the public hearing of item 4A from the September 12, 2016 Planning and Zoning meeting and consider and/or act on the application of Pogue Engineering, a division of Westwood to request approval of a Variance from the drainage design standards of the City of Murphy to allow an alternative design for applicant's required off-site drainage facilities. Located on 1.33 acres, having the legal description of Abstract A0859 Mary Scott Survey, Tract 85. This property is located on West FM 544, just west of Heritage Parkway.

Public hearing reconvened at 6:12 pm
There were no public comments for this item.
Public hearing closed at 6:12 pm.

Carpenter explained a variance for this item is no longer needed because the engineer has found a solution to the design issue that required approval of the variance request.

COMMISSION ACTION (5.C)

NO ACTION NEEDED

- D. Consider and/ or act on the application of Pogue Engineering, a division of Westwood, requesting approval of a site plan, landscape plan, building elevations and construction plat for Smiles at

Murphy on a property located on West FM 544, just west of Heritage Parkway to build a 7,820 square foot building for medical offices uses.

Carpenter gave a brief history of this item. She also clarified there will not be a building permit issued until easement approval for lot 3 has been satisfied and is in place. Carpenter explained all the standards have been met, and the landscape variance is no longer needed because of the larger caliper trees being planted on the north side of the property.

Drainage easements were discussed and it was confirmed the solution reached is to allow a wide flat drainage easement that mirrors the floodplain on lot 3 so it allows the water to drain naturally so as to not require a point source discharge onto the property and waterway located west of lot 3.

Concerns with the east elevation were discussed regarding it being very plain aesthetically. It was suggested to change the percentages of stone/stucco and brick. Arlyn Samuelson, the project engineer, explained there will be visual breaks along the property line such as trees, and a retaining wall so a large amount of that elevation will be covered by those items.

COMMISSION ACTION (5.D)

APPROVED

Commissioner Mersch moved to approve the application of Pogue Engineering, a division of Westwood, requesting approval of a site plan, landscape plan, building elevations and construction plat for Smiles at Murphy on a property located on West FM 544, just west of Heritage Parkway to build a 7,820 square foot building for medical offices uses. Commissioner Jones seconded. All in favor. The motion was approved.

- E. Consider and/or act on the application of Claymoore Engineering, requesting approval of a site plan, landscape plan, building elevations and construction plat for Murphy Professional Centre on a property located on approximately 1.5 acres on Brand Road just south of FM 544 to build a 10,500 square foot medical office building.

Carpenter explained this is one of two buildings to be built on this property (Planned Development 09-12-823). Medical offices are an approved use, set by the Planned Development. Signs will be reviewed by the Customer Service Department prior to a permit being issued.

Matt Moore, Claymoore Engineering let the Commission know he is here for any questions that may arise.

Building elevations were discussed specifically regarding the 100' setback from the neighborhood to the south, Fairfield of Plano. Moore confirmed it would be roughly 75', making it compliant to the regulations set by the Planned Development. Signs were also discussed regarding the "pole sign" listed on the site plan. Moore confirmed it was a typographical error and all signs will be compliant with the sign regulations set by the Planned Development, and all signs will be reviewed by the Customer Service Department prior to a permit being issued.

COMMISSION ACTION (5.E)

APPROVED

Commissioner Mersch moved to approve the application of Claymoore Engineering, requesting approval of a site plan, landscape plan, building elevations and construction plat for Murphy

Professional Centre on a property located on approximately 1.5 acres on Brand Road just south of FM 544 to build a 10,500 square foot medical office building making sure sign note #13 is a monument sign. Commissioner J. Johnson seconded. All in favor. The motion was approved.

- F. Hold a public hearing and consider and/ or act on the application of First Crescent Enterprises LLC, to request approval of a zoning change from SF-20 (Single Family Residential-20) to SF-9 (Single Family Residential-9) located on 10.351 acres, having the legal description of Murphy Manors (CMR), Lot 2. This property is located north of McMillen at N. Murphy Road.

Carpenter explained there were 3 (three) additional reply forms at the commissioners' seats that were received after the packet was published. Carpenter then described the overall proposed project/planned development, applicant report from the developer of Oasis Springs Manors and other items such as the surrounding residential categorization and the future land use being neighborhood services.

Syed Hussain, applicant introduced himself to the commission, and thanked city staff for their assistance. He then requested for the commission to consider discussing items G and H concurrently, and also open both public hearings together to save everyone some time. The commission was in favor of this suggestion, and it was confirmed by city attorney Mack Reinwand this is legal to do.

Vice Chair Hooper opened item F for discussion with item G.

Hussain provided detailed information regarding the layout of the concept plan and aesthetics of the subdivision. He further described the drainage and how it will flow through the development to Maxwell Creek per discussions with the city engineer. He also explained the siding options will be restricted to not allow any hardie board siding to keep the upscale look of the area. Garages will also have restrictions with placement on the properties and all must be wooden.

Combination of lots were briefly mentioned with Hussain suggesting allowing up to two lots to be combined to allow for larger homes to be built.

The commission asked city attorney Reinwand to clarify some zoning questions. Reinwand explained Hussain is wanting to have an average of 9,000 square feet, meaning there are minimum lot sizes with the smallest one being ~8,400 sq ft. Having the flexibility to combine lots will allow some homes to be built on large lots, but there are restrictions on how many can be combined. Lot size and home square feet were discussed at length.

Public hearing opened for items 5.F and 5.G: 7:03 pm

Mary Pat Elledge, resident: in favor

Jim Permenter, resident: in favor

Riaz Vodin, Plano resident: in favor

John Nohrenberg, and Joe Driggers: First Baptist Church in Murphy: concerned about drainage

Dennis Collins, resident: concerned about drainage

Charles Thorpe, resident: opposed

Dale and Melanie Bynum: concerned about drainage
John and Lisa Hutchinson, residents: opposed to zoning change from SF9 to a Planned Development. In favor of zoning change from SF20 to SF9

Public hearing closed for items 5.F and 5.G: 7:26 pm

Syed Hussain addressed drainage concerns explaining there will be grading, excavation and all the water will be moved underground into a drainage system to be directed into Maxwell Creek. He explained he has discussed drainage issues with the city engineer and also his engineer. The commission clarified there will be a storm drain system taking care of all the water from the development, draining water from the back of the properties to the street to flow into the storm water inlets. Ms. Carpenter clarified at this point all that is being requested for approval is the zoning change. More detailed drainage and landscape plans will be submitted at a future date for approval.

COMMISSION ACTION (5.F)

APPROVED

Commissioner Mersch moved to approve the application of Syed Hussain president of first crescent enterprises LLC, for owner Lisa Roberts for rezoning from SF20 (Single Family 20) to SF9 (Single Family 9) with a planned development PD which is next on the agenda. Commissioner Holley seconded. In favor: Greg Mersch, James Holley, John Johnson, and Camille Hooper. Opposed: Julie Kamm, Lloyd Jones, and Christine Johnson. 4 votes in favor of approval – 3 votes to deny approval. The motion was approved.

G. Hold a public hearing and consider and/ or act on the application of First Crescent Enterprises LLC, to request approval of a zoning change from SF9 to a Planned Development located on 10.351 acres, having the legal description of Murphy Manors (CMR), Lot 2. This property is located north of McMillen at N. Murphy Road.

COMMISSION ACTION (5.G)

APPROVED

Commissioner Mersch moved to approve the application of Syed Hussain president of first crescent enterprises LLC, for owner Lisa Roberts to request approval of a zoning change from SF9 to a Planned Development located on 10.351 acres, having the legal description of Murphy Manors (CMR), Lot 2. This property is located north of McMillen at N. Murphy Road. Commissioner J. Johnson seconded. In favor: Greg Mersch, John Johnson, James Holley, and Camille Hooper. Opposed: Julie Kamm, Lloyd Jones, and Christine Johnson. 4 votes in favor of approval – 3 votes to deny approval. The motion was approved.

6. ADJOURNMENT

Vice Chairman Hooper adjourned the meeting at 7:38 pm.

APPROVED:

DATE:

Attest:

Secretary

Planning and Zoning
November 28, 2016

Issue

This is the preliminary report of the Planning and Zoning Commission. Hold a public hearing and consider and/or act on the rezoning application by Mary Pat Elledge, agent for owner Mr. Baugh, for a 1.258 acre parcel at the southeast corner of North Murphy Road and Betsy Lane from Single Family Residential 20 (SF20) to Neighborhood Services (NS)

Staff Resource/Department

Kelly Carpenter, AICP, Interim Director of Economic and Community Development

Summary

This is the preliminary report of the Planning and Zoning Commission. This rezoning will result in the southeast corner of North Murphy Road and Betsy Lane having Neighborhood Services (NS) zoning. The following uses surround this parcel:

Location	Current Zoning	Comprehensive Plan Future Land Use Map designation
North – Betsy Road	Planned Development - Office	Neighborhood Services
South	Neighborhood Services	Neighborhood Services
East	Planned Development – Residential (SF9)	Neighborhood Services
West – Murphy Road (State Highway 2551)	Planned Development - Retail	Retail with Neighborhood Services

The current Comprehensive Plan Future Land Use Map designates this property as a Neighborhood Services land use.

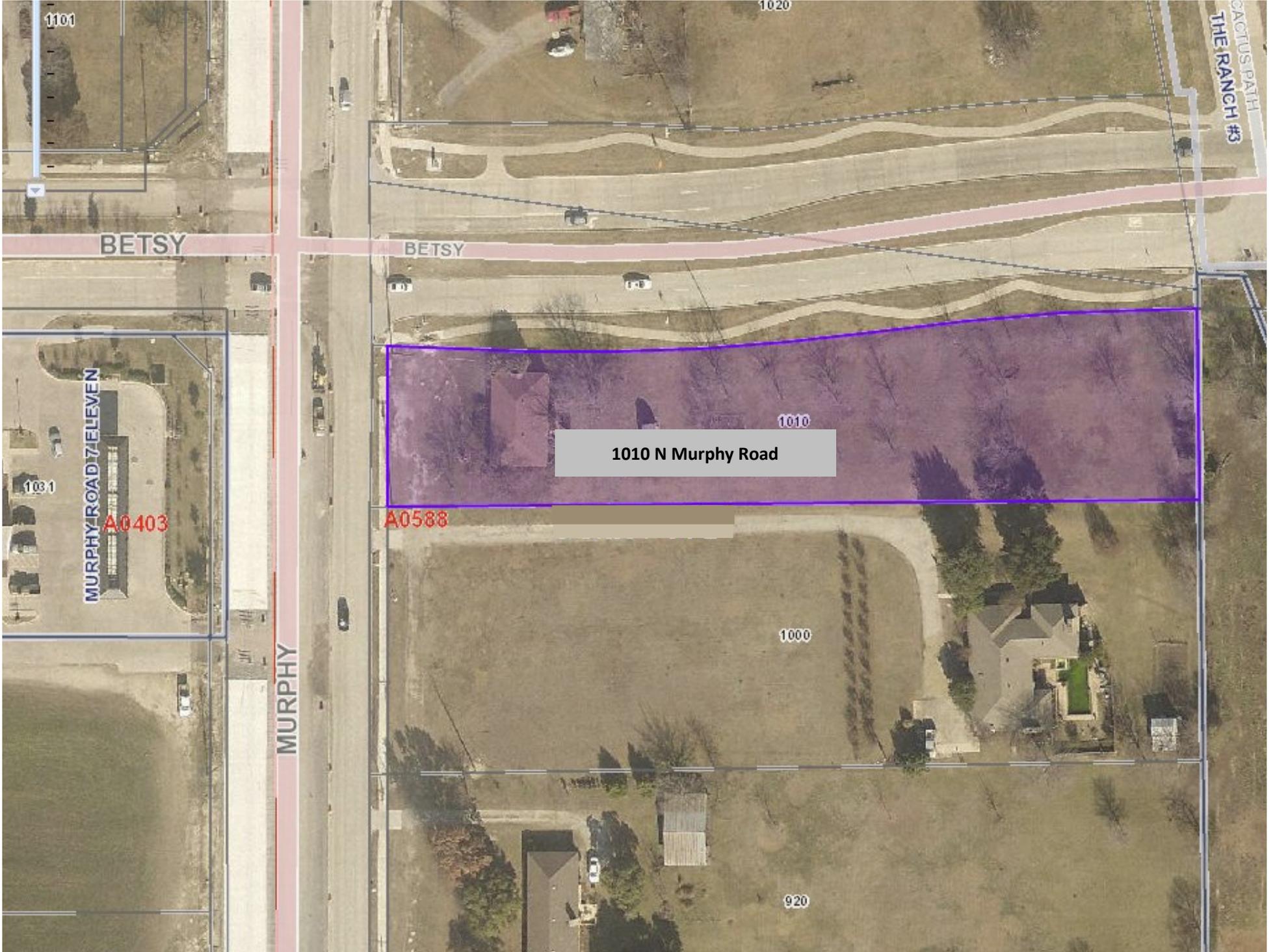
A public hearing notification for this zoning change request was published in the newspaper and notification was mailed to the property owners within the required 200 feet notification radius. To date two reply forms: one in objection and one in favor of the zoning change request were received in reference to this application.

Staff Recommendation

Staff recommends the rezoning from Single Family Residential 20 (SF20) to Neighborhood Services (NS).

Attachments

Aerial Photo of Proposed Project Site
Comprehensive Plan Future Land Use Map
Property Survey



BETSY

BETSY

CACTUS PATH #3
THE RANCH #3

MURPHY ROAD SEVEN
MURPHY ROAD ELEVEN

MURPHY

1010 N Murphy Road

A0588

1010

1000

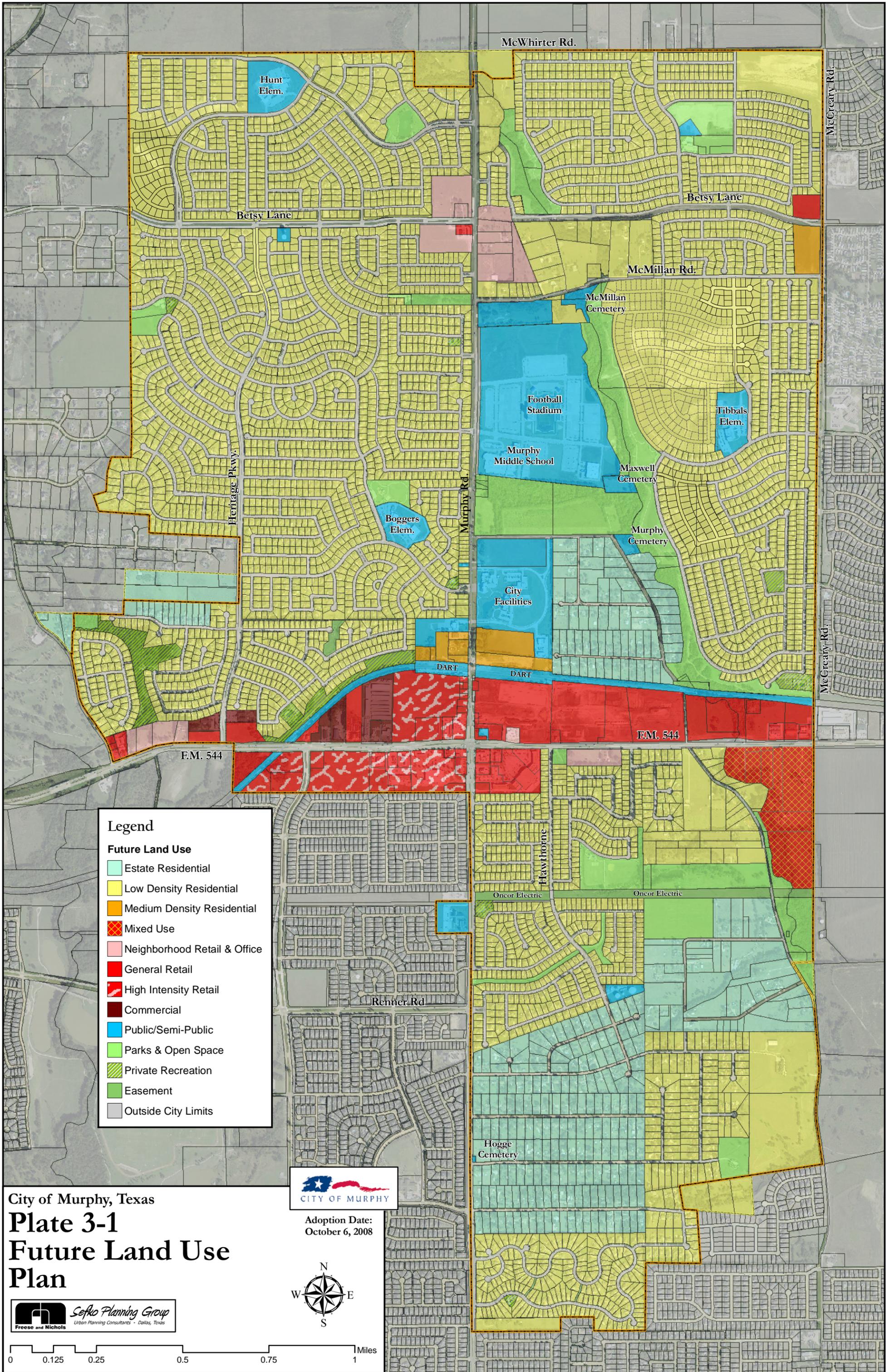
920

1101

1020

1031

A0403



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

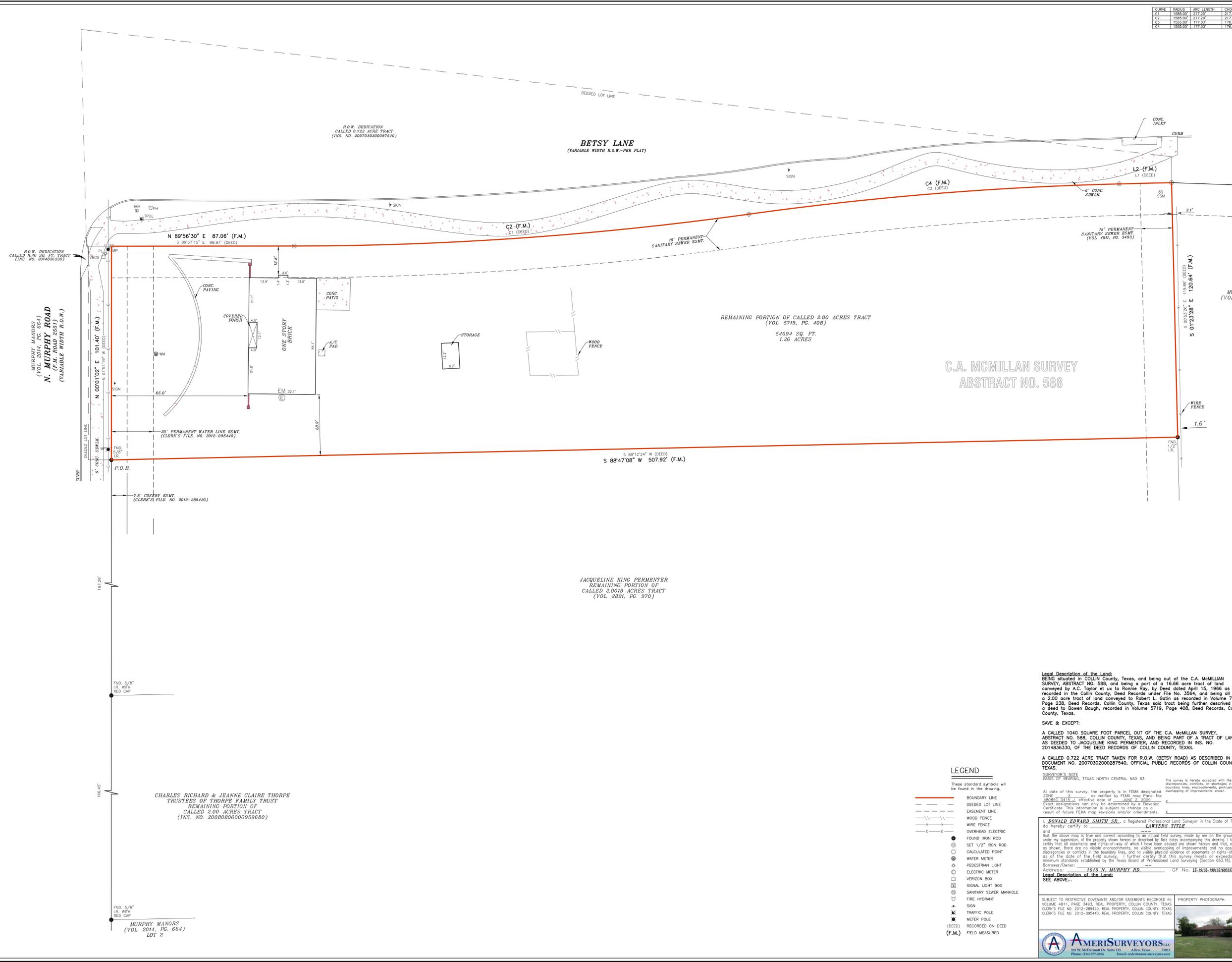


Adoption Date:
 October 6, 2008



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1585.00	217.30	217.03	N 89°27'14" E	0°45'05"
C2	1585.00	217.30	217.03	N 89°27'14" E	0°45'05"
C3	1585.00	177.03	176.93	N 89°27'14" E	0°45'05"
C4	1555.00	177.03	176.93	N 89°21'56" E	0°45'22"

LINE	BEARING	DISTANCE
L1	N 89°03'00" E	24.93
L2	N 89°21'56" E	24.93



C.A. McMILLAN SURVEY
ABSTRACT NO. 588

Legal Description of the Land:
BEING situated in COLLIN County, Texas, and being out of the C.A. McMILLAN SURVEY, ABSTRACT NO. 588, and being a part of a 16.66 acre tract of land conveyed by A.C. Taylor et ux to Ronnie Roy, by Deed dated April 15, 1966 as recorded in the Collin County, Deed Records under File No. 3564, and being all of a 2.00 acre tract of land conveyed to Robert L. Gatin as recorded in Volume 730, Page 238, Deed Records, Collin County, Texas said tract being further described in a deed to Bowen Baugh, recorded in Volume 5719, Page 408, Deed Records, Collin County, Texas.

SAVE & EXCEPT:
A CALLED 1040 SQUARE FOOT PARCEL OUT OF THE C.A. McMILLAN SURVEY, ABSTRACT NO. 588, COLLIN COUNTY, TEXAS, AND BEING PART OF A TRACT OF LAND AS DECIDED TO JACQUELINE KING PERMENTER, AND RECORDED IN INS. NO. 2014836330, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS.

A CALLED 0.722 ACRE TRACT TAKEN FOR R.O.W. (BETSY ROAD) AS DESCRIBED IN DOCUMENT NO. 2007030200287540, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS.

SURVEYOR'S NOTE
BASIS OF BEARING, TEXAS NORTH CENTRAL NAD 83.

At date of this survey, the property is in FEMA designated ZONE _____ as verified by FEMA map Folio No. 4828SC-0415-J, effective date of JUNE 2, 2009. Exact designations can only be determined by a Elevation Certificate. This information is subject to change as a result of future FEMA map revisions and/or amendments. X

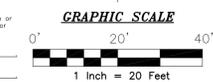
I, **DONALD EDWARD SMITH SR.**, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to _____ **LAWYER'S TITLE** and that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.15).

Borrower/Owner: **TOTO, N. MURPHY RD.** GF No. **12-1038-1803180037-01**
Address: **SEE ABOVE...**

Legal Description of the Land:
SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN VOLUME 4911, PAGE 3493, REAL PROPERTY, COLLIN COUNTY, TEXAS; CLERK'S FILE NO. 2012-289420, REAL PROPERTY, COLLIN COUNTY, TEXAS; CLERK'S FILE NO. 2012-095440, REAL PROPERTY, COLLIN COUNTY, TEXAS



AMERISURVEYORS
101 W. McDermott Dr. Suite 115 Allen, Texas 75013
Phone: 214-877-2966 Email: info@amerisurveyors.com



LEGEND

- These standard symbols will be found in the drawing.
- BOUNDARY LINE
 - - - DEEDED LOT LINE
 - - - EASEMENT LINE
 - - - WOOD FENCE
 - - - WIRE FENCE
 - - - OVERHEAD ELECTRIC
 - FOUND IRON ROD
 - SET 1/2" IRON ROD
 - CALCULATED POINT
 - ⊙ WATER METER
 - ⊙ WATER METER
 - ⊙ PEDESTAL LIGHT
 - ⊙ ELECTRIC METER
 - ⊙ VERIZON BOX
 - ⊙ SIGNAL LIGHT BOX
 - ⊙ SANITARY SEWER MANHOLE
 - ⊙ FIRE HYDRANT
 - ▲ SIGN
 - ▲ TRAFFIC POLE
 - ▲ METER POLE
 - (DEED) RECORDED ON DEED
 - (F.M.) FIELD MEASURED

CHARLES RICHARD & JEANNE CLAIRE THORPE
TRUSTEES OF THORPE FAMILY TRUST
REMAINING PORTION OF
CALLED 2.00 ACRES TRACT
(INS. NO. 20080806000959680)

MURPHY MANORS
(VOL. 2014, PG. 664)
LOT 2

JACQUELINE KING PERMENTER
REMAINING PORTION OF
CALLED 2.0019 ACRES TRACT
(VOL. 2821, PG. 970)

REMAINING PORTION OF CALLED 2.00 ACRES TRACT
(VOL. 5719, PG. 408)
54694 SQ. FT.
1.26 ACRES

MURPHY MANORS
(VOL. 2014, PG. 664)
LOT 2