



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

February 28, 2011

CALL TO ORDER

Chairman McKay called the meeting of the Planning and Zoning Commission to order at 6:33 p.m.

ROLL CALL & CERTIFICATION OF A QUORUM

Commissioners Present: John McKay, Jon King, Ty Holcomb, Jane Jan, Steve Levy,
Commissioners Absent: Julie Jones, Stephanie Merrifield

Alternates Present: Gus Delaloye, Kenneth Steubing
Alternates Absent: None

City Staff Present: Jeff Bickerstaff, Assistant City Manager
David Young, Building Official
Kim McCranie, Executive Administrative Assistant

Kim McCranie certified a quorum with all Commissioners present except for Julie Jones and Stephanie Merrifield.

PUBLIC COMMENTS

There were no public comments received.

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 regular meeting of January 24, 2011.

Commission Action

Commissioner Levy moved to approve the Consent Agenda as presented. Secretary King seconded the motion. Motion passed 7-0.

INDIVIDUAL CONSIDERATION

1. Hold a public hearing and consider and/or act on the application of **Murphy Equity Management, Ltd.** requesting approval a SUP (Specific Use Permit) on property zoned PD (Planned Development) District No. 11-01-871 for Retail and Office Uses on property located on East FM 544, west of McCreary Road.

Staff Comments

Jeff Bickerstaff said on December 7, 2009 the City Council adopted Ordinance No. 09-12-825, which changed the zoning on the subject property from R (Retail) District to PD (Planned Development) District for Retail and Office Uses with conditions. He said subsequently on January 4, 2011 at the request of the applicant, the City Council adopted Ordinance No. 11-01-871, which amended the Planned Development District to allow an auto supply store for new and rebuilt parts by SUP only and allows more than one (1) pad site adjacent to FM 544. He said the applicant would like to construct an O'Reilly's Auto Parts store on the subject property. He said the applicant has submitted a site plan, landscape plan, building elevations and signage plan for review with the SUP application.

Mr. Bickerstaff said staff recommends approval of the application for an SUP (Specific Use Permit) tied to O'Reilly's Auto Parts contingent upon the following:

- Adding at least a 5 foot articulation in the height of the roofline and a 5 foot offset in the south and west elevations; and
- Encasing the sign face in brick, matching the base and the store.

Public Comments

Nick Heatherly, O'Reilly's, Springfield, MO:

Mr. Heatherly stated that he was available for questions from the Commission. He stated that O'Reilly's was willing to comply with the Staff's recommendation.

Commission Discussion

The Commission had a brief discussion regarding the aesthetics of the sign and the building. They also expressed concerns with the lack of lighting on the sides and back of the building.

PUBLIC HEARING OPENED AT 7:06 P.M.

Public Comments

Don Kiertschner, 614 Skyline Drive:

Mr. Kiertschner approached the Commission in favor of the application of Murphy Equity Management, Ltd. requesting approval a SUP (Specific Use Permit) on property zoned PD (Planned Development) District No. 11-01-871 for Retail and Office Uses on property located on East FM 544, west of McCreary Road.

Written Responses: 0 In Favor 2 Opposed

PUBLIC HEARING CLOSED AT 7:09 P.M.

Commission Action

Commissioner Delaloye moved to approve the application of Murphy Equity Management, Ltd. requesting approval a SUP (Specific Use Permit) on property zoned PD (Planned Development) District No. 11-01-871 for Retail and Office Uses on property located on East FM 544, west of McCreary Road contingent upon the Architect working with Staff to modify the front elevation with a variable height of 20" on either side of the canopy and forward the application to City Council. With no second, the motion died.

Commissioner Holcomb moved to approve the application of Murphy Equity Management, Ltd. requesting approval a SUP (Specific Use Permit) on property zoned PD (Planned Development) District No. 11-01-871 for Retail and Office Uses on property located on East FM 544, west of McCreary Road as presented. Commissioner Delaloye seconded the motion. Motion failed 2-5 (Chairman McKay, Secretary King, Commissioner Jan, Commissioner Levy, and Commissioner Steubing opposed).

Commissioner Holcomb moved to approve the application of Murphy Equity Management, Ltd. requesting approval a SUP (Specific Use Permit) on property zoned PD (Planned Development) District No. 11-01-871 for Retail and Office Uses on property located on East FM 544, west of McCreary Road contingent upon the following:

- Encase the sign face in brick (matching the store)
- Provide vertical offsets of 24 inches on the south, west and east elevations with a minimum separation of 20 feet
- Provide horizontal offsets at a minimum of 8 inches in depth

Commissioner Jan seconded the motion. Motion passed 5-2 (Secretary King and Commissioner Levy opposed).

2. Consider and/or act on the application of **Murphy Equity Management, Ltd.** requesting approval of a construction plat (O'Reilly Addition) on property zoned PD (Planned Development) District No. 11-01-871 for Retail and Office Uses on property located on East FM 544, west of McCreary Road.

Staff Comments

Jeff Bickerstaff said the subject property is zoned PD (Planned Development) District No. 11-01-871 for Retail and Office Uses. He said the applicant would like to construct an O'Reilly's Auto Parts store on the subject property. He said the Planned Development Conditions only allow an auto supply store for new and rebuilt parts with the approval of a SUP (Specific Use Permit), the use classification of the proposed O'Reilly's Auto Parts store. He said the applicant has submitted a site plan, landscape plan, building elevations and signage plan for review with the SUP application. He said the construction plat would contain one (1) lot for development, totaling 0.831 acres. He said if the SUP application is approved, the construction plat submitted will be in compliance with the SUP application and the Code of Ordinances.

Mr. Bickerstaff said staff recommends approval of the construction plat, to be known as the O'Reilly Addition.

Commission Action

Commissioner Levy moved to approve application of Murphy Equity Management, Ltd. requesting approval of a construction plat (O'Reilly Addition) on property zoned PD (Planned Development) District No. 11-01-871 for Retail and Office Uses on property located on East FM 544, west of McCreary Road. Secretary King seconded the motion. Motion passed 7-0.

3. Consider and/or act on the application of the **City of Murphy** requesting approval of a construction plat (Murphy School Addition) on property zoned PD (Planned Development) District No. 05-07-663 for Town Center Uses on property located on FM 2551 (North Murphy Road), north of FM 544.

Staff Comments

Jeff Bickerstaff said the subject property is zoned PD (Planned Development) District No. 05-07-663 for Town Center Uses. He said the City has begun the process to renovate the Old School/City Hall to a community center. He said the proposed community center is an allowed use. He said in order to continue with the construction process, the property needs to be subdivided to reflect the purchase of the property that formerly housed the Murphy Fitness Center that is now known as the Murphy Activity Center (MAC). He said the construction plat would contain two (2) lots reflecting the current development, totaling 6.39 acres. He said the construction plat submitted will be in compliance with the Planned Development District and

the Code of Ordinances, therefore, staff recommends approval of the application of the City of Murphy requesting approval of a construction plat, to be known as Murphy School Addition on property zoned PD (Planned Development) District No. 05-07-663 for Town Center Uses on property located on FM 2551 (North Murphy Road), north of FM 544.

Commission Action

Secretary King moved to approve the application of the City of Murphy requesting approval of a construction plat (Murphy School Addition) on property zoned PD (Planned Development) District No. 05-07-663 for Town Center Uses on property located on FM 2551 (North Murphy Road), north of FM 544 as presented. Commissioner Levy seconded the motion. Motion passed 7-0.

AGENDA REQUESTS/STAFF UPDATES

- Agenda Requests from Commissioners – There were no agenda requests from the Commission.
- City Council Update – The City Council will review the recommended changes to the Development Standards from the Planning and Zoning Commission at their March 15, 2011 meeting.
- Mr. Bickerstaff announced the birth of Vice Chair Julie Jones daughter.

ADJOURNMENT

With no other business before the Commission, Chairman McKay adjourned the meeting at 7:40 p.m.

APPROVED:

John McKay, Chairman

Attest:

Secretary