



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

April 25, 2011

CALL TO ORDER

Vice Chair Jones called the meeting of the Planning and Zoning Commission to order at 6:35 p.m.

ROLL CALL & CERTIFICATION OF A QUORUM

Commissioners Present: Julie Jones, Jon King, Ty Holcomb, Stephanie Merrifield

Commissioners Absent: John McKay, Jane Jan, Steve Levy

Alternates Present: Ken Steubing

Alternates Absent: Gus Delaloye

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 John McKay, Jane Jan, Steve Levy, Gus Delaloye

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 February 28, 2011.

Commission Action

Secretary King moved to approve the Consent Agenda as presented. Commissioner Holcomb seconded the motion. Motion passed 5-0.

INDIVIDUAL CONSIDERATION

1. Hold a public hearing and consider and/or act on the application of **Murphy Plaza, L.L.C. (aka Walmart Real Estate Business Trust)** requesting to amend PD (Planned Development) District No. 10-05-841 for Retail Uses by revising the approved concept plan with conditions on property located at the northwest quadrant of FM 544 and North Murphy Road. **Zoning File 2011-02**

Commissioner Ty Holcomb recused himself from the meeting due to a conflict of interest (Affidavit on file with the City Secretary's Office).

Staff Comments

Jeff Bickerstaff said on May, 17, 2010 the City Council adopted Ordinance No. 10-05-841, which amended Planned Development District No. 05-07-664 (adopted on July 25, 2005) by approving a concept plan and amending the development conditions regarding landscaping and signage. He said the applicant would like to construct a Walmart store on the subject property. He said the applicant has submitted a concept plan, concept landscape plan, building elevations and a signage plan for review with the Planned Development application. He said the concept plan approved in 2010 does not allow the site layout proposed by Walmart, therefore, the applicant has submitted a zoning application to amend the approved concept plan and to modify certain development conditions.

Mr. Bickerstaff said the 2008 Future Land Use Plan recommends High Intensity Retail for the subject property. He said the areas appropriate for this type of land use type are intended to provide for a variety of more regional-serving retail trade and personal/business services. He said generally, businesses within this use would have large single-use buildings, commonly referred to as "big-box" stores. He said the proposed Planned Development District is consistent with the recommendations of the 2008 Future Land Use Plan.

Mr. Bickerstaff said based on the current zoning and the requested amendment to the Planned Development District, a Traffic Impact Analysis (TIA) was required as the requested amendment will increase traffic to the site and the surrounding area. He said a TIA was submitted and all suggested improvements have been incorporated into the concept plan. He said access to the development will be provided from both FM 544 and North Murphy Road (FM 2551).

Mr. Bickerstaff said the site plan indicates that the proposed Walmart store would contain 181,787 square feet, with 909 parking spaces required and 856 parking spaces provided. He said the applicant has requested to reduce the required number of parking spaces in order to provide a wider landscape buffer along FM 544 and to increase the overall amount of landscaping in the parking lot. He said staff has reviewed this request and offers no objection as the reduction in parking spaces will not adversely affect parking capacity or traffic circulation.

Mr. Bickerstaff said the maximum height allowed in the R (Retail) District (the Planned Development District is based in the R District) is 35 feet. He said the proposed building at its highest point is 37 feet. He said the applicant is requesting to increase the maximum allowed height to 40 feet. He said due to the fact that only a small portion of the building will exceed the current maximum height of 35 feet, staff offers no objection to the requested height increase.

Mr. Bickerstaff said the building elevations submitted indicate that the proposed Walmart will have three primary building materials, synthetic brick, split-face CMU and EIFS with alternating grey, tan and brown colors. He said the south elevation (the front of the store facing FM 544) will have the following breakdown of materials: split-face CMU, EIFS, and synthetic brick. He said the remaining elevations are primarily split-face CMU with alternating tan/brown colors. He said during the work session held on April 12, 2011, banding features along the top half of the building were discussed. He said the architect has submitted plans that do not include these banding features. He said the Planned Development District requires at least two masonry materials be used; split face CMU and synthetic brick are proposed to be used on the front elevation, among other materials. He said the remaining elevations are primarily composed of split face CMU (only one masonry material). He said in order to allow the proposed materials to be used, the Planned Development conditions would need to be modified. He said the applicant has requested that smooth-face CMU be allowed as a masonry material in order to satisfy the masonry requirement. He said the overall architecture of the proposed Walmart complies with the requirement of a unified design as specified in the Planned Development District; therefore, staff offers no objection to the masonry materials requested.

Mr. Bickerstaff said the applicant is proposing to erect a monument sign adjacent to FM 544 and North Murphy Road. He said the proposed area of the sign would be 40 square feet (per face) with a two (2) foot high base to match the color of brick of the store, for a total height of six (6) feet. He said the sign face would be "encased" from the base.

Mr. Bickerstaff said staff has met with representatives of Walmart several times to discuss concerns associated with the inclusion of a surface detention pond adjacent to North Murphy Road. He said the following highlights issues that have been addressed.

- Landscaping – The proposed detention pond would be landscaped with Bald Cypress trees. Landscape islands in the parking lot would contain Bald Cypress, oaks and Cedar Elm trees.
- Drainage – A majority of the site is designed to drain to the proposed detention pond adjacent to North Murphy Road. The western third of the site is proposed to drain to the KCS/DART railroad.
- Detention Pond – The proposed development cannot increase the amount of water runoff that occurs today in its natural state. Because the site will greatly increase the amount of impervious surface, the amount of runoff will increase. Therefore, increased water flow must be detained in order to release water in a controlled manner.
- The design of the detention pond is such that during dry periods, no water will be present and will function as open space. Capacity downstream is such that detention is unavoidable.

Mr. Bickerstaff said the existing Walmart Neighborhood Market will close if the proposed Walmart is approved and once the store is open for business. He said Walmart Real Estate Business Trust will market the property to other potential tenants. He said the gasoline operation (Murphy Oil) in front of Walmart Neighborhood Market will stay at its current location. Walmart sold its interest in Murphy Oil several years ago.

Mr. Bickerstaff said the subject property is located on a prominent corner, the last major corner at the intersection of FM 544 and North Murphy Road not yet developed. He said this corner is appropriate for high intensity retail uses as recommended by the Comprehensive Plan, which is intended to provide for a variety of more regional-serving retail trade and personal/business services. He said the proposed Walmart store is consistent with the recommendations of the Comprehensive Plan. He said staff recommends a motion to approve the application to amend the Planned Development District No. 10-05-841 contingent upon the following.

- Revising the concept plan as submitted,
- Increasing the maximum height of buildings from 35 feet to 40 feet,
- Decreasing the required parking from 909 parking spaces to 856 parking spaces
- Allowing only one masonry material on the rear elevation.

Public Comments

Dan Milner, Kimley-Horn Associates, Frisco, TX:

Mr. Milner stated that Walmart has been in Murphy for years and would like to grow with the City. He stated that they made most of the changes per the City Council / P&Z Work Session.

He stated the changes that were not made were due to aesthetic planning but they had no problem making the changes if the City wanted them after seeing the proposed plans.

Commission Discussion

The Commissioners discussed items that were discussed in the work session that they did not see in the proposed plans that they thought were important details that should have been incorporated.

PUBLIC HEARING OPENED AT 7:15 P.M.

Public Comments

The following public comments were **opposed** to the application of Murphy Plaza, L.L.C. (aka Walmart Real Estate Business Trust) requesting to amend PD (Planned Development) District No. 10-05-841 for Retail Uses by revising the approved concept plan with conditions on property located at the northwest quadrant of FM 544 and North Murphy Road. Zoning File 2011-02. Many concerns expressed were regarding Murphy losing its small town feel, forcing local business' to close, increased crime, public safety, increased traffic and depreciating residential property values.

- Jerry Davidson, 336 Shady Oaks Drive
- Kelly Taylor, 501 Waters Edge Way
- Michael Boyd, 723 Mockingbird Drive
- Ty Holmes, 342 N. Maxwell Creek Road
- Ketan Patel, 806 Mustang Ridge Drive
- Kerry Gain, 438 Waters Edge Way
- Karen Twitty, 504 Buffalo Bend Court
- Allen Rupard, 839 Mustang Ridge Drive
- Becky Ayres, 437 Waters Edge Way
- Kristy Bennis, 324 Lakefield Drive
- Cathy Schaefer, 183 Moonlight Drive
- Brian Jones, 806 Shadybrook Drive
- Robert Doyle, 151 Skyline Drive
- Michelle A. Morgan, 724 Mustang Ridge Drive
- Terri Van Vliet, 428 Quail Creek Drive
- Michael Dawson, 806 Driftwood Drive
- Bishop John Sims, 800 Mallard Trail
- Christy Meenan, 412 Quail Creek Drive

PUBLIC HEARING CLOSED AT 8:07 P.M.

Commission Action

Commissioner Merrifield moved to approve the application of Murphy Plaza, L.L.C. (aka Walmart Real Estate Business Trust) requesting to amend PD (Planned Development) District No. 10-05-841 for Retail Uses by revising the approved concept plan with conditions on property located at the northwest quadrant of FM 544 and North Murphy Road (Zoning File 2011-02) contingent upon the following:

- Eliminate the “S” drive on either side of the main entrance adjacent to FM 544
- Provide additional trees between the proposed store and Lot 2 to better screen the east truck dock
- Encase the sign face in brick (matching the store)
- Include masonry banding features on all four elevations
- Include a minimum of 15% brick or other masonry material on the east and west elevations

Secretary King seconded the motion. Motion passed 4-0.

2. Consider and/or act on the application of **Murphy Plaza, L.L.C. (aka Walmart Real Estate Business Trust)** requesting approval of a site plan on property zoned PD (Planned Development) District No. 10-05-841 for Retail Uses located at the northwest quadrant of FM 544 and North Murphy Road.

Staff Comments

Jeff Bickerstaff said the applicant would like to construct a Walmart store on the subject property. He said the applicant has submitted a zoning application that includes a concept plan, concept landscape plan, building elevations and a signage plan for review. He said if the zoning application is approved, the site plan submitted will be in compliance with the amended Planned Development District and the Code of Ordinances. He said staff recommends a motion to approve the site plan as submitted contingent upon approval of the zoning application (Zoning File 2011-02).

Commission Action

Secretary King moved to approve the application of Murphy Plaza, L.L.C. (aka Walmart Real Estate Business Trust) requesting approval of a site plan on property zoned PD (Planned Development) District No. 10-05-841 for Retail Uses located at the northwest quadrant of FM 544 and North Murphy Road contingent upon:

- Eliminate the “S” drive on either side of the main entrance adjacent to FM 544
 - Provide additional trees between the proposed store and Lot 2 to better screen the east truck dock
 - Encase the sign face in brick (matching the store)
 - Include masonry banding features on all four elevations
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- Include a minimum of 15% brick or other masonry material on the east and west elevations

Commissioner Merrifield seconded the motion. Motion passed 4-0.

AGENDA REQUESTS/STAFF UPDATES

- **Agenda Requests from Commissioners**
There were no agenda requests from the Commission.
- **City Council Update**
Mr. Bickerstaff had no City Council updates. He reminded the Commission about the Boards and Commissions Appreciation Dinner on Thursday, April 28, 2011.

ADJOURNMENT

With no other business before the Commission, Vice Chair Jones adjourned the meeting at 8:36 p.m.

APPROVED:

Julie Jones, Vice Chair

Attest:

Secretary