



Murphy Planning and Zoning Commission Regular Meeting Minutes
206 North Murphy Road
Murphy, Texas 75094
July 22, 2013

CALL TO ORDER

Chair Levy called the meeting to order at 6:08 p.m.

ROLL CALL & CERTIFICATION OF A QUORUM

Commissioners Present: Steve Levy, Jon King, Ty Holcomb, John Johnson,

Commissioners Absent: Camille Hooper, Eric Hemphill, Matthew Thekkil

City Staff Present: Kristen Roberts, Director of Community & Economic Development
Lori C. Knight, Administrative Assistant
Brenda McDonald, Assistant City Attorney

Lori C. Knight certified a quorum.

PUBLIC COMMENTS

Robert Montgomery, 213 Crape Myrtle, Murphy

Mr. Montgomery stated that he has been attending a church that is using an antiquated sign that has been there for 40 years or so and he would like to look at the EMC, electronic message section of the code. He stated that he knows those are not permitted anymore. It is not sitting with him very well due to the fact that a few businesses have them especially City Hall. They would like to ask that this be brought back to the Commission to have approved. The pricing has come down on the EMC and the technology has gotten better. He stated if it's good for City Hall, why is this not available or ok for businesses?

CONSENT AGENDA

A. Approval of the Minutes from June 24, 2013.

Commission Action

Commissioner Holcomb made a motion to approve the minutes from June 24, 2013. Vice Chair King seconded the motion. Motion was approved.

INDIVIDUAL CONSIDERATION

1. Continue the public hearing and consider and/or act upon approval of recommendations regarding the following amendments to the Murphy Code of Ordinances: Chapter 28 Development Standards, Article II Fencing, Walls and Screening, Section 28-53 to amend general provisions regarding Fences in residential areas; Chapter 70 Subdivisions, Article II Procedures, Section 70-35 to amend the approval block requirements for final plat signatures; Chapter 78 Traffic and Vehicles, Article IV Stopping, Standing and Parking to create Section 78-164 Overnight Parking and Resting/Sleeping In All Vehicles Is Prohibited; Chapter 86 Zoning, Article III Zoning District, Division 14 R, Retail District, Section 86-495 to amend use of recreational vehicles, travel trailers, motor homes or temporary buildings; and Chapter 28 Development Standards, Article I Signs, Section 28.22 to amend masonry requirements on monument signage.

Staff Discussion

Kristen Roberts recommended that they continue with the Public Hearing until the next Planning and Zoning meeting, August 26, 2013.

Commission Action

Commissioner Holcomb made a motion to continue the public hearing until the next Planning and Zoning meeting, August 26, 2013. Vice Chair King seconded the motion. Motion to continue public hearing passed.

2. Consider and/or act on the application of **Masoud E. Najari and Jacquie Nguyen** requesting approval of a Site Plan, Landscape Plan and Building Elevations for Beacon Hill on property zoned NS (Neighborhood Services) located at the northwest corner of FM 544 and Heritage Parkway.

Staff Discussion

Kristen Roberts stated that there were a few consideration items though minimal but needed to be addressed on the plans. Staff has discussed parking issues with the applicant and they have come to an understanding with future potential uses. Ms. Roberts stated that in the staff recommendation, staff asks that these items be included along with the reading of the sewer sanitary easement line item. Staff is recommending approval.

Chairman Levy asked what the sewer easement agreement is. Ms. Roberts stated that staff would like the following read into the motion: *"The City of Murphy will have no responsibility to maintain, repair or replace the private sanitary sewer line within the limits of the applicant's property. Further, the City of Murphy will not enter onto the applicant's property to maintain, repair or replace the private sanitary sewer line."*

Commissioner Holcomb made a motion to approve the request of a Site Plan, Landscape Plan and building elevations for Beacon Hill and that the City of Murphy will have no responsibility to maintain, repair or replace the private sanitary sewer line within the limits

of the applicant's property. Further, the City of Murphy will not enter onto the applicant's property to maintain, repair or replace the private sanitary sewer line. Commissioner Johnson seconded the motion. **Motion passed subject to staff's recommendations.**

3. Consider and/or act on the application of **Masoud E. Najari and Jacquie Nguyen** requesting approval of a Construction Plat for Beacon Hill on property zoned NS (Neighborhood Services) located at the northwest corner of FM 544 and Heritage Parkway.

Staff Discussion

Kristen Roberts stated that there were a few items that needed to be addressed but that staff did recommend approval of the construction plat and stated that the sanitary sewer easement statement be included in the motion.

Commission Action

Commissioner Holcomb made a motion to approve the Construction Plat for Beacon Hill to include staff recommendations and stated that *The City of Murphy will have no responsibility to maintain, repair or replace the private sanitary sewer line within the limits of the applicant's property. Further, the City of Murphy will not enter onto the applicant's property to maintain, repair or replace the private sanitary sewer line.* Vice Chair King seconded the motion. Motion passed subject to staff's recommendations.

4. Hold a public hearing and consider and/or act on the application of the Wendy's Corporation, to re-plat Lot 2 - Block A – Walmart Addition on property zoned PD (Planned Development) District No. 12-02-905. This property is located at the northwest corner of FM 544 and Murphy Road.

Staff Discussion

Kristen Roberts stated that the purpose of the replat was to accommodate the location change of a driveway and the associated fire lanes that is not reflected on Wal-Mart's final plat. Ms. Roberts stated that staff had no comments and is recommending approval.

PUBLIC HEARING OPENED AT 6:34 PM

PUBLIC HEARING CLOSED AT 6:35 PM

Commission Action

Commission Holcomb made a motion to approve the application of the Wendy's Corporation to replat Lot 2, Block A - WalMart Addition. Vice Chair seconded motion. Motion passed.

5. Hold a public hearing and consider and/or act on the application of the Walmart, to re-plat Lot 1 - Block A – Walmart Addition on property zoned PD (Planned Development) District No. 12-02-905. This property is located at the northwest corner of FM 544 and Murphy Road

Staff Discussion

Kristen Roberts stated that the purpose of this replat is to accommodate the location change of the driveway and associated fire lanes connecting Lots 1 and Lots 2. This driveway location change is proposed by the Wendy's development on Lot 2.

PUBLIC HEARING OPENED AT 6:36 PM

PUBLIC HEARING CLOSED AT 6:37 PM

Commission Action

Commissioner Holcomb made a motion to approve the application of Walmart Real Estate Business Trust to replat of Lot 1, Block A - Walmart Addition. Vice Chair King seconded motion. Motion passed.

AGENDA REQUESTS/STAFF UPDATES

ADJOURNMENT

With no other business before the Commission, Chairman Levy adjourned the meeting at 6:38 P.M.

APPROVED:

Ty Holcomb, Secretary

Attest:

Secretary