



Murphy Planning and Zoning Commission Regular Meeting Minutes
206 North Murphy Road
Murphy, Texas 75094
February 24, 2014

CALL TO ORDER

Chairman Levy called the meeting to order at 6:00 p.m.

ROLL CALL & CERTIFICATION OF A QUORUM

Commissioners Present: Steve Levy, Jon King, Ty Holcomb, Eric Hemphill, John Johnson, Matthew Thekkil, Camille Hooper

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

Lori C. Knight certified a quorum.

PUBLIC COMMENTS

There were no public comments

CONSENT AGENDA

A. Approval of the Minutes from January 27, 2014.

COMMISSION ACTION

Vice Chair King made a motion to approve the minutes from January 27, 2014. Secretary Holcomb seconded the motion. Motion passed.

INDIVIDUAL CONSIDERATION

1. Consider and/or act on the application of **Lloyd M. Nelson** requesting approval of a site plan, landscape plan, and building elevations for Carbonell Veterinary Hospital on property zoned PD (Planned Development) District No. 09-02-785 on property located on the proposed Lot 1, Block 1, Nelson Addition, approximately 800' west of Heritage Parkway. *This item was tabled at the January 27, 2014 meeting.*

Staff Discussion

Kristen Roberts stated that under this PD (Planned Development) No. 09-02-785 a concept plan would need to be approved prior to the approval of a site plan. This item will be brought back to the Commission with a concept plan for approval and a public hearing will be required.

COMMISSION ACTION

Commissioner Hooper made a motion to take no action on this item. Commission Thekkil seconded motion. Motion passed.

2. Consider and/or act on the application of Lloyd M. Nelson requesting approval of a site plan, landscape plan, and building elevations for Carbonell Veterinary Hospital on property zoned PD (Planned Development) District No. 09-02-785 on property located on the proposed Lot 1, Block 1, Nelson Addition, approximately 800' west of Heritage Parkway. This item was tabled at the January 27, 2014 meeting.

Staff Discussion

Kristen Roberts requested that no action be taken on this item.

COMMISSION ACTION

Commission Hooper made a motion to take no action on this item. Vice Chair King seconded the motion. Motion passed.

3. Consider and/or act on the application of BV Murphy TFG, LLC requesting approval of a site plan, landscape plan, building elevations and construction plat for Raising Cane's on property zoned (R) Retail at 120 W FM 544.

Staff Discussion

Kristen Roberts stated that the proposed application had been reviewed by staff and met requirements except for a few items:

1. The parking ratio required for this site is 28 parking spaces and only 20 parking spaces are provided.
2. The off-street stacking for drive-through facilities requires 7 drive-through stacking spaces and the proposed site plan provides 12.

Kristen stated that staff is supporting this request since the applicant has a shared parking agreement with Hobby Lobby on file.

Ms. Roberts stated that the building elevations met requirements as well with the exception of the flags that are shown in their building plans at the top of the restaurants. *Per the city's ordinance, Section 28-5 states that no sign shall project above the roofline or be attached to a roof of a building.* Ms. Roberts did state that it was up to the Commission's discretion whether they would allow it or not.

There are some landscape set back requirements that are offset by the addition of trees and the landscape buffer of the fast food restaurant east of this site that encroaches approximately 15 feet. Ms. Roberts stated that staff is supporting the request given that the neighboring landscaping as well as the due diligence done by the applicant to ensure the landscaping requirements were met, despite the reduced buffer.

Ms. Roberts stated that cross access has been discussed as it relates to Jack in the Box and the other properties. Staff reviewed and if a cross access were to be constructed, it would be from the back of Jack in the Box going into Hobby Lobby parking lot. However, those discussions are still ongoing and have no bearing on this application.

Ms. Roberts stated that staff recommended approval of the application as submitted with the requested amendments as noted.

Robert Montgomery; developer for Raising Canes

Mr. Montgomery stated that Raising Canes was very excited to be coming to Murphy. Raising Canes believes that coming to Murphy is a good fit for them. They have upgraded all building materials for the Murphy location to bring in a higher quality building. They have been in front of Hobby Lobby before and it works well for them.

Commissioner Hemphill stated that losing landscape to get 3 parallel parking spaces when Raising Canes already has an agreement to get more parking spaces with Hobby Lobby just didn't sound like a good idea. Mr. Hemphill would prefer to lose the 3 parking spaces and get the landscaping back instead. He would also like to see the flags go especially since it is part of the City's ordinance.

COMMISSION ACTION

Commissioner Hemphill made a motion to approve the application as presented without the flags on the building. Secretary Holcomb seconded the motion. Motion passed 5-2 with Vice Chair King and Commissioner Hooper opposing.

ADJOURNMENT

With no other business before the Commission, Chairman Levy adjourned the meeting at 6:26 P.M.

APPROVED:

Ty Holcomb, Secretary

Attest:

Secretary