



MURPHY PLANNING AND ZONING COMMISSION AGENDA
REGULAR PLANNING AND ZONING COMMISSION MEETING
JANUARY 26, 2015 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 January 26, 2015 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.

CALL TO ORDER

ROLL CALL & CERTIFICATION OF A QUORUM

SEAT ALTERNATES AS NEEDED

Election of officers this evening

PUBLIC COMMENTS

INDIVIDUAL CONSIDERATION

1. Consider and/or act on the minutes from the regular December 29, 2014 Planning & Zoning Commission meeting.

2. Hold a public hearing and consider and/or act on the application of the City of Murphy to replat the existing subdivision known as Windy Hill Farms – Phase 1, generally located west of Heritage Parkway and north of FM 544; to remove platted building lines and establish the front building setback in accordance with the City’s Ordinance No. 14-10-988, adopted by the City of Murphy on October 7, 2014.

In addition, as a part of the replat, the City is requesting a waiver of Section 70-132(a) of the Murphy Code of Ordinances requiring that monuments be set at the corner of each block within the Windy Hill Farms subdivision.

3. Hold a public hearing and consider and/or act on the application of Ryan Betz requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

ADJOURNMENT

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 January 23, 2015 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.

Kristen Roberts
Director of 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.

Steve Levy
Commissioner

Jon King
Commissioner

Camille Hooper
Commissioner

John Johnson
Commissioner

Lloyd Jones
Commissioner

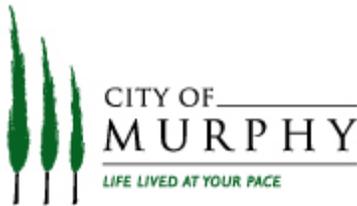
Greg Mersch
Commissioner

Don Reilly
Commissioner

Gary Maxon
Alternate

Mahendra Parikh
Alternate

Kristen Roberts
Director of Community
Development



Murphy Planning and Zoning Commission Regular Meeting Minutes
206 North Murphy Road
Murphy, Texas 75094
December 29, 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, Camille Hooper, John Johnson, Lloyd Jones, Greg Mersch and Don Reilly

Commissioners Absent:

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

Lori C. Knight certified a quorum.

INTRODUCTION OF NEW MEMBERS

New members were introduced to the Board.

PUBLIC COMMENTS

INDIVIDUAL CONSIDERATION

1. Approval of the Minutes from the November 24, 2014 regular meeting.

Commission Action

Commission Hooper made a motion to approve the minutes from November 24, 2014. Commissioner Johnson seconded the motion. Motion passed.

2. Consider and/or act on the application of Eric Langford, on behalf of the property owner, Champion Langford Partners, for approval of a site plan, building elevations, landscape plan and construction plat, on Lot 3 - Block C – Murphy Marketplace East Addition on property zoned PD (Planned Development) District No. 12-10-923 Retail Uses for. This property is located at the 313 E FM 544.

Staff Discussion

Kristen Roberts stated that the applicant had submitted a site plan, building elevations and landscape plans that would allow for development of a two tenant building with Nothing Bundt Cakes and Dunkin Donuts as the tenants. Ms. Roberts stated that on October 7, 2014, Council approved a SUP for a drive thru specifically for Dunkin Donuts on this site. Written release from existing easement owners must be submitted to the City prior to any permits issued. Ms. Roberts stated that staff recommended approval of the submittal.

Commission Action

Commissioner Johnson made a motion to approve the site plan, building elevations, landscape plan and construction plat for property on Murphy Marketplace East Addition. Vice Chair King seconded motion. Motion passed 7-0

3. Consider and/or act on the application of property owner David Howard requesting approval of a site plan, landscape plan, building elevations and construction plat for an Assured Self Storage at the southwest corner of Murphy Road and Betsy Lane.

Staff Discussion

Kristen Roberts stated that on December 18, 2006, the City Council adopted Ordinance NO. 06-12-709 creating a Planned Development District for Retail Uses on this property. On August 18, 2008, the City Council approved an amendment to the ordinance and created Ordinance No. 08-08-756 to allow mini warehouses/self-storage units on the site. Ms. Roberts stated that staff has been working with the developer for about two years regarding this site. She stated that the intent of the owner is to develop the property by creating three lots. The developer is choosing not to run a sewer line to the property that will remain currently undeveloped. Ms. Roberts stated that a Developer's Agreement specific to the property will include verbiage stating sewer connection is not the responsibility of the City but rather the developer/owner at the time of development. The developer proposes underground detention for the site. Ms. Roberts stated that the City had no objections to this detention as long as it is stated in the Developer's Agreement that specific to this property, it will include verbiage stating maintenance of this underground detention is not the responsibility of the City but rather the developer/owner.

As stated in the PD, the screening between the south property line and the single family subdivision to the south shall be accomplished via an 8 ft. high masonry screening wall that matches the building elevations. Ms. Roberts stated that it is the responsibility of the developer to work in conjunction with the residential property owners whose back fence is affected prior to any fence installation. Ms. Roberts stated that the Developer's Agreement shall be executed prior to any construction.

Shawn Valk – Assured Self Storage

Mr. Valk stated that a 8 ft. masonry wall will be built and landscaped and answered questions from the Commission regarding setbacks, the walk-thru gate, and the horizontal stone feature/accents per the PD.

Commission Action

Commissioner Mersch made a motion to approve the site plan, landscape plan, building elevations and construction plat for an Assured Self Storage with the following requirements:

- include brick masonry on exterior buildings,
- Developer's Agreement be completed to include verbiage regarding developer's responsibility for the sewer connection to flag lot and the underground detention maintenance,
- Add some type of horizontal stone accent to exterior of interior buildings in accordance with PD

Commissioner Johnson seconded the motion. Motion passed 7-0.

4. Hold a public hearing and consider and/or act on the application of Saritha Yeddula, Charlotte Dye, Kelly Smith/Orange-Birmingham, LLC requesting to amend PD Ordinance No. 12-06-914 including a change in zoning of approximately 6.3 acres from SFR (Single Family Residential) to PD (Planned Development) District for Retail Uses and amending the Concept Plan, Landscape Plan and Planned Development Conditions. This property is located at SWC FM 544 and McCreary Road.

Staff Discussion

Kristen Roberts stated that in June 2012, the City Council approved a Planned Development District Ordinance which included some conditions and a concept plan depicting three retail buildings on approximately 11 acres at the SWC corner of McCreary and FM 544. During that time, there were no immediate plans to develop the property as such with the exception of FM 544 frontage/northeast corner which is now a CVS. The proposed use for the property is Retail. The applicants are requesting to amend the PD Ordinance No. 12-06-914 to include an additional 6.3 acres into the PD District, rezone the 6.3 acres from SFR and incorporate into the PD.

Ms. Roberts stated that the applicant is requesting to amend the Concept Plan exhibit to include the additional approximately 6.3 and identify an amended site layout, amend the landscape plan exhibit and the PD conditions and uses. The Concept Plan also includes a fuel station and car wash on the north lot.

PUBLIC HEARING OPENED AT 7:21 P.M.

1. Don Loftice, 610 E. FM 544, Murphy, Neighbor
Mr. Loftice was concerned if the change in zoning would affect the flood zoning on his property.
2. Kelly Smith, 704 E. FM 544, Owner
Mr. Smith stated that at the time that Murphy Marketplace was being developed, there was not a Planned Development in place. Mr. Smith stated he believes that this new Planned Development falls in line with the Future Land Use Plan of Murphy and is in favor.
3. Arlyn Samuelson, Pogue Engineering, Civil Engineer
Mr. Samuelson stated that one of the caveats with the request for the extension of time period the site plan is approved was due to the extensive work that would need to be done with the flood plain.

PUBLIC HEARING CLOSED AT 7:36 P.M.

Board Discussion

Commission Hooper asked what the motivation was behind adding another drive through. She stated that she has had many residents complain to her about all the drive-thrus in the city. Commissioner Hooper asked if there was a possibility for a sit down restaurant. There was lengthy discussion among the commissioners regarding uses, planned development conditions and site layout.

Board Action

Ms. Roberts read the following amendments including changing the zoning of approximately 6.3 acres from single family residential to be included in the PD, approving the amended concept and landscape plan as presented, striking Exhibit E from the PD and the following PD conditions as follows:

○ **V. Development Plans:**

C. Exterior Elevation Plan: Development shall conform to city code requirements and plan development requirement as noted herein and subject to site plan approval

D. Signage Plan: (include this sentence to verbiage already in the PD) The signage plan may be amended and altered to include additional signage at the time of site plan approval to accommodate the anchor and pad sites.

E. Concept Plan, Landscape Plan, Exterior Elevation Plan, and Signage Plan: (include this sentence to verbiage already in the PD) This period shall be extended for a maximum of two additional one year periods with a request in writing to the City Manager subject to his approval.

○ **VI. Specific Regulations:**

A. Permitted Uses

14. Food or Grocery Store with Fuel Center as accessory use (removing SUP requirement)
23. Restaurant with drive-thru (SUP) drive thru not allowed to face residential properties
29. Car Wash as accessory use to Fuel Center
30. Dry Cleaners (SUP)

B. Area and Yard Regulations

2. Minimum Lot/Tract Width: Minimum frontage requirements for lots adjacent to either FM 544 or McCreary Road shall be 90'
4. Pad Sites: The maximum number of pad sites allowed along FM 544 shall be three.

F. Minimum Exterior Construction Standards, Building Materials and Design

1. All structures, including all building elevations shall be constructed utilizing a design that is consistent with city code and requirements of plan development as noted herein. Striking the approved Exterior Elevation Plan (Exhibit E)
2. All exterior elevations shall utilize at least two masonry materials to be used in addition to glass on any single exterior building elevations in accordance with city code ordinance.

H. Screening

2. (add verbiage) A masonry look precast concrete fence and wall system such as Fenccrete or approved, may be utilized provided it matches building exterior finishes. There should be a 12-foot masonry screening wall along the southern boundary with a 10-foot living screen landscape buffer. Additionally, there shall be an 8-foot masonry screening wall along the western boundary with a 10 foot living screen landscape buffer.

J. Signage and Graphics

1. General

- (b) Shared Tenant Monument Signs- Two (2) monument signs on FM 544 shall be allowed located on Lot 2 and shall be limited to a maximum sign area of 40 square feet per sign. One monument sign on McCreary shall be allowed with a maximum height of seven (7) feet and maximum size of forty (40) square feet per sign.

2. Shared Tenant Monument Signs

(a) Monument signs shall identify individual tenants or uses within the shopping center. Monument Signs shall be a maximum of seven (7) feet tall.

K. Open Space

1. Remove the line "All open space amenities shall use a unified design as shown on the approved Amenities Plan."

COMMISSION ACTION

Vice Chair King made a motion to approve the requested amendment to Planned Development District Ordinance No. 12-06-914 as follows: to include the additional 6.3 acres from SFR to PD District for Retail Uses, amending the Concept Plan Exhibit to include the 6.3 acres and identifying the amended Site Plan, amending the Landscape exhibit as shown, striking Exhibit E from the PD as shown, amending the PD District conditions referenced in Exhibit B with amendments read by Ms. Roberts. Commissioner Hooper seconded the motion. Motion passed 6-1 with Commission Johnson opposing.

STAFF UPDATES

Next meeting is January 26, 2015 and electing officers.

ADJOURNMENT

With no other business before the Commission, Chair Levy adjourned the meeting at 9:49 P.M.

APPROVED:

Jon King, Vice-Chair

Attest:

Secretary

Planning & Zoning

January 26, 2015

Issue

Hold a public hearing and consider and/or act on the application of the City of Murphy to replat the existing subdivision known as Windy Hill Farms – Phase 1, generally located west of Heritage Parkway and north of FM 544; to remove platted building lines and establish the front building setback in accordance with the City’s Ordinance No. 14-10-988, adopted by the City of Murphy on October 7, 2014.

In addition, as a part of the replat, the City is requesting a waiver of Section 70-132(a) of the Murphy Code of Ordinances (provided below in pertinent part) requiring that monuments be set at the corner of each block within the Windy Hill Farms subdivision.

Background and Summary

On September 22, 2014, the Planning & Zoning Commission, and subsequently City Council, approved an ordinance zoning the subdivision known as Windy Hill Farms – Phase 1. This zoning corrected the errors that occurred in years past dating back to the year 2000 and now reflects the actual constructed conditions within the neighborhood.

The purpose of the zoning change was also to correct confusion in the required front building setback for over 80 homes in Phase 1. Some residences were constructed with a 25 foot front setback while others were constructed with a 30 foot front setback. This situation has created problems with the issuance of title insurance on the properties with the 25 foot front setback and has made it difficult for some owners to be able to sell their home.

Ordinance No. 14-10-988, adopted by the City of Murphy on October 7, 2014, provides for SF-15 uses with the following conditions:

Minimum Lot Size: 9,500 square feet

Minimum Lot Width: 85 feet (average within a lot)

Minimum Front Yard: 25 feet

Extensive engineering work was required to prepare the replat. In the process, the City’s Engineer advised that any attempt to set or reset original lot and block monuments would likely result in necessary adjustments in the lot and block lines; and that any lot and block line adjustments would likely cause a hardship and possibly adversely affect the now current lot owners within and adjoining the Windy Hill Farms, Phase I Addition. Thus, the City is requesting a waiver of the requirement of Section 70-132(a) to set monuments at the corner of each block in this existing subdivision. The City Council favorably considered the City Engineer’s recommendation at its January 6, 2015, meeting and will finally approve it as a part of the replat on February 3rd.

Considerations

With the above zoning process completed, city staff is now in the process of completing the second (of two) parts to this correction.

For this last piece of the process, the City of Murphy is replatting the existing subdivision known as Windy Hill Farms – Phase 1, generally located west of Heritage Parkway and north of FM 544. The replat removes platted building lines and establish the front building setback in accordance with the City’s Ordinance No. 14-10-988, adopted by the City of Murphy on October 7, 2014 (as mentioned above).

Public notices regarding the replat and waiver request were mailed out as required by code. The City also included a memo in regards to signatures needed.

Planning & Zoning
January 26, 2015

- State and City law requires property owners to sign and notarize the replat if they wish participate and clarify the front building setback on their property.
- If the property owner wishes to participate and have their property included in the replat, a notary is available the times noted on the attached memo or by appointment.
- By signing the replat, the City will be able mitigate potential title company objections regarding conflicting setback requirements on your property.
- As such, the City is seeking property owner cooperation and participation in this important matter.

Staff Recommendation

Staff recommends approval of the replat and request for a waiver from Section 70-132(a) as submitted.

Attachments

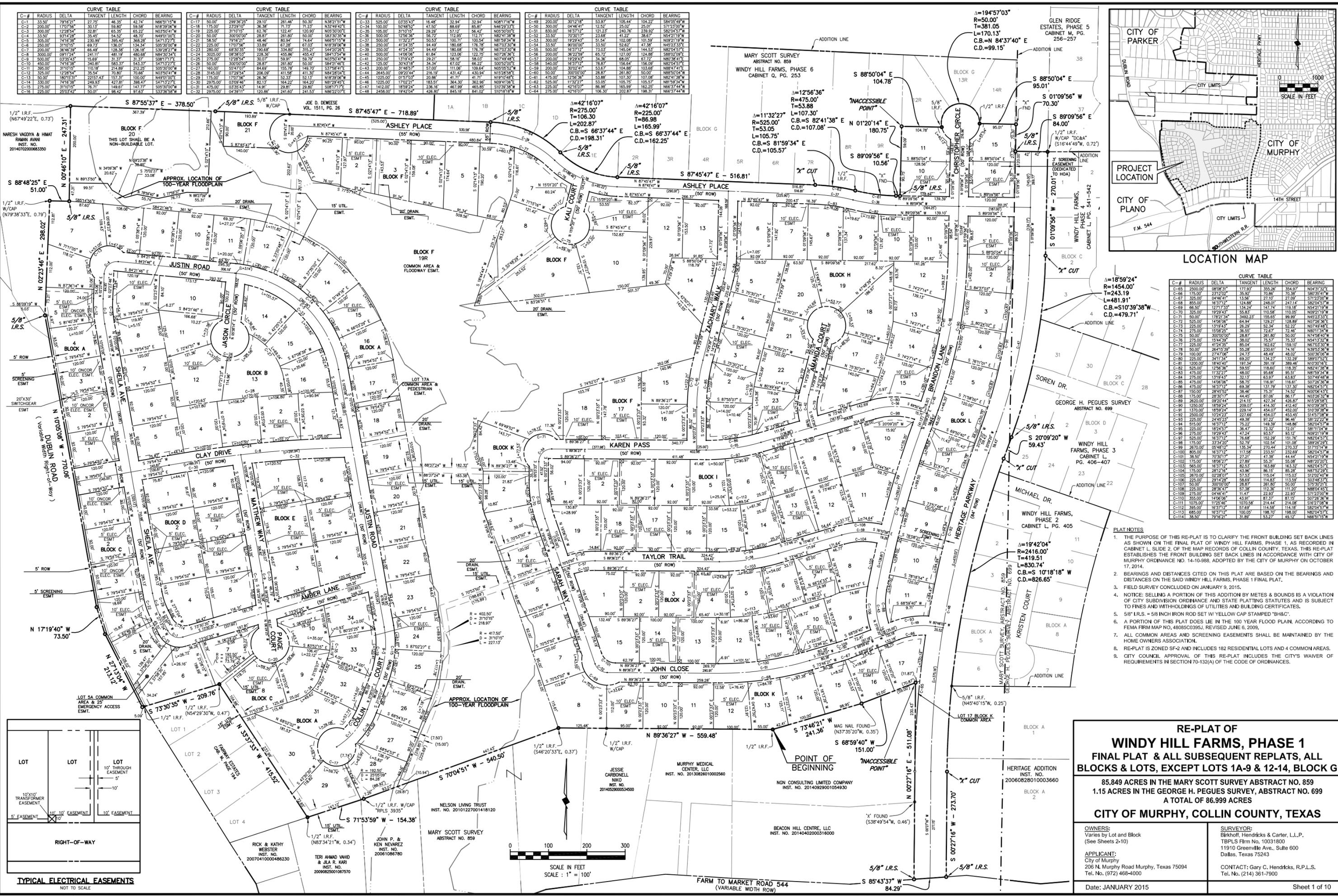
Replat

Waiver request

Memo regarding signatures needed

Boundary Map

Reply Forms



CURVE TABLE

C-#	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C-1	33.50	79.61°	27.75	46.35	42.74	N68°51'15" W
C-2	200.00	17.00°	58.80	59.58	58.98	N17°00'00" W
C-3	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-4	33.50	79.61°	27.75	46.35	42.74	N68°51'15" W
C-5	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-6	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-7	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-8	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-9	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-10	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-11	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-12	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-13	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-14	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-15	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-16	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W

CURVE TABLE

C-#	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C-17	50.00	289.36°	29.10	261.46	50.30	N89°21'51" W
C-18	175.00	23.90°	36.38	71.73	71.23	N82°49'42" E
C-19	225.00	31.01°	62.76	122.41	120.80	N05°20'00" E
C-20	50.00	309.00°	28.80	281.80	50.00	N09°00'00" W
C-21	58.50	79.16°	48.44	80.94	74.64	N68°51'15" W
C-22	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-23	280.00	10.80°	68.20	109.68	109.68	N03°00'00" W
C-24	302.00	10.80°	68.20	110.68	110.68	N03°00'00" W
C-25	275.00	11.50°	68.20	111.68	111.68	N03°00'00" W
C-26	50.00	307.00°	28.80	281.80	50.00	N09°00'00" W
C-27	160.00	55.47°	84.89	155.78	149.70	S37°54'41" E
C-28	345.00	4.13°	411.30	431.42	430.24	N03°00'00" W
C-29	175.00	23.90°	36.38	71.73	71.23	N82°49'42" E
C-30	297.00	10.30°	68.20	116.22	116.22	N03°00'00" W
C-31	470.00	4.77°	139.24	236.16	236.16	N03°00'00" W
C-32	297.00	10.30°	68.20	116.22	116.22	N03°00'00" W
C-33	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-34	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-35	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-36	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-37	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-38	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-39	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-40	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-41	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-42	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-43	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-44	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-45	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-46	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-47	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W
C-48	225.00	17.07°	58.80	65.72	65.72	N03°00'00" W

CURVE TABLE

C-#	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C-49	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-50	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-51	830.00	16.37°	121.23	240.76	239.92	S82°04'57" W
C-52	33.50	79.61°	27.75	46.35	42.74	N68°51'15" W
C-53	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-54	33.50	79.61°	27.75	46.35	42.74	N68°51'15" W
C-55	300.00	12.29°	58.80	65.72	65.72	N03°00'00" W
C-56	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-57	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-58	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-59	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-60	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-61	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-62	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-63	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-64	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W

CURVE TABLE

C-#	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C-65	250.00	10.30°	68.20	116.22	116.22	N03°00'00" W
C-66	175.00	23.90°	36.38	71.73	71.23	N82°49'42" E
C-67	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-68	65.00	12.71°	11.33	14.74	14.74	N18°18'18" W
C-69	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-70	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-71	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-72	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-73	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-74	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-75	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-76	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-77	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-78	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-79	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-80	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-81	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-82	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-83	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-84	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-85	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-86	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-87	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-88	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-89	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-90	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-91	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-92	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-93	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-94	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-95	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-96	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-97	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-98	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-99	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-100	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-101	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-102	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-103	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-104	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-105	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-106	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-107	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-108	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-109	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-110	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-111	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-112	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-113	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W
C-114	325.00	6.46°	113.27	226.39	226.39	N03°00'00" W

CURVE TABLE

C-#	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C-115	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-116	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-117	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-118	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-119	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-120	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-121	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-122	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-123	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-124	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-125	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-126	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-127	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-128	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-129	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-130	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-131	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-132	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-133	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-134	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-135	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-136	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-137	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-138	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-139	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-140	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W

CURVE TABLE

C-#	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C-141	200.00	30.72°	53.97	105.44	104.22	S84°05'49" W
C-142	200.00	30.72°	53.97			

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600 Dallas, Texas 75243 Phone (214) 361-7900 www.bhellp.com

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.
CRAIG M. KERKHOFF, P.E.

December 22, 2014

Mr. James Fisher
City Manager
City of Murphy
206 N. Murphy Road
Murphy, Texas 75094

Re: Windy Hill Farms Phase I Replat
Code of Ordinances Section 70-132(a) Monuments - Variance Request

Dear Mr. Fisher:

We are working to complete the various task items associated with our efforts on behalf of the City of Murphy in preparation of the Windy Hill Farms Phase I Replat. The purpose of this replat is to establish the building front setback line shown on the plat in accordance with the City's Ordinance No. 14-10-988, adopted by the City of Murphy on October 7, 2014. No modification to existing lot boundaries; or creation of any new lots or blocks will occur with this replat.

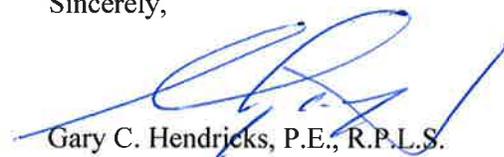
On behalf of the City of Murphy, please accept this request for a waiver from Section 70-132(a) of the Murphy Code of Ordinances (provided below in pertinent part) requiring that monuments be set at the corner of each lot and block within the Windy Hill Farms subdivision.

Section 70-132. Monuments, paragraph (a) of the City's Code of Ordinances requires that "In all subdivisions and additions, monuments shall be established at the corner of each block..." and that "Lot corner monuments shall be placed at all lot corners..."

Due to the purpose of this replat; and given that the streets, lots and homes within the addition have been in place since the original Windy Hill Farm Final Plat was filed for record in Cabinet L, Side 2 of the Plat Records of Collin County on March 16, 1999; and that any attempt to set or reset original lot and block monuments would likely result in necessary adjustments in the lot and block lines; and that any lot and block line adjustments would likely cause a hardship and possibly adversity amongst the current lot owners within and adjoining Windy Hill Farms, Phase I Addition; we recommend the provisions and requirements of City of Murphy's Code of Ordinances Section 70-132(a) Monuments be waived by the City

We respectfully request you forward this waiver recommendation to City Council for consideration at the next available council meeting. We are available to discuss this recommendation and waiver request further at your convenience.

Sincerely,



Gary C. Hendricks, P.E., R.P.L.S.

cc: Ms. Kristen Roberts
Mr. Andy Messer

PLEASE NOTE

OWNER'S SIGNATURE NEEDED TO PARTICIPATE

January 26, 2015 (5:30pm – 7:30pm, City Hall)

February 3, 2015 (5:30pm – 6:00pm and then following the Council meeting, City Hall)

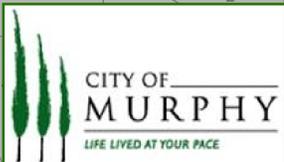
Call 972-468-4011 or email squinn@murphytx.org to schedule an appointment



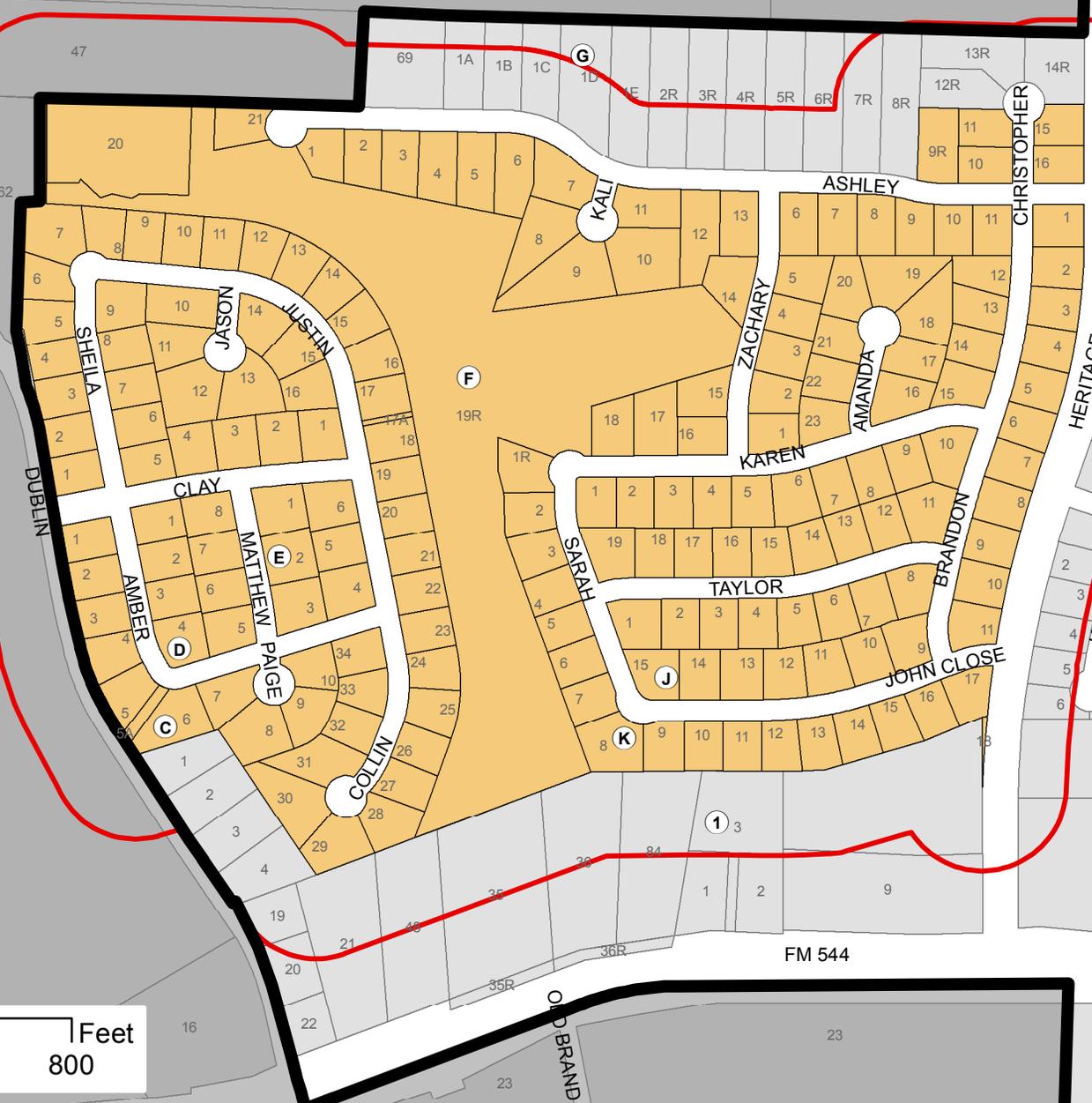
You have received this notice of the City of Murphy's request to replat the Windy Hill Farms Phase 1 subdivision as a property owner in the subdivision. The City is seeking a replat to remove certain platted building lines and establish the front building setback of 25 feet of all lots, in accordance with the City's Ordinance No. 14-10-988 adopted by the City of Murphy on October 7, 2014.

State and City law require property owners to sign and notarize the replat to participate. If you wish to participate, we will have a notary available the times noted above or by appointment.

We do apologize for any inconvenience, however, by signing and the City completing the replat, we are able to eliminate potential title company objections regarding conflicting setback requirements on your property if you ever wish to sell your property. We encourage you to participate.



Windy Hills Phase 1 (200-foot Buffer)



Reply Form

Planning & Zoning Commission /City Council
206 North Murphy Road
Murphy, Texas 75094



The application of the City of Murphy is to replat the existing subdivision known as Windy Hill Farms, Phase 1. This replat will remove platted building lines and establish the front building setback in accordance with the City's Ordinance No. 14-10-988, adopted by the City of Murphy on October 7, 2014.

PLEASE NOTE:

Windy Hill Farms Phase 1 is an existing, built-out single family subdivision with residential lots ranging from 9,500 square feet to over 15,000 square feet in size. This process will allow the existing residential uses and structures to continue within the neighborhood, but with correct front building setbacks as identified in the City's Ordinance referenced above.

I (we) am **IN FAVOR** of the replat that will remove platted building lines and establish the front building setback in accordance with the City's Ordinance No. 14-10-988, adopted by the City of Murphy on October 7, 2014 in the existing subdivision known as Windy Hill Farms Phase 1.

I (we) am **OPPOSED** to the replat that will remove platted building lines and establish the front building setback in accordance with the City's Ordinance No. 14-10-988, adopted by the City of Murphy on October 7, 2014 in the existing subdivision known as Windy Hill Farms Phase 1.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by the Planning and Zoning Commission on Monday, January 26, 2015 at 6:00 p.m. and by City Council on Tuesday, February 3, 2015 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy Texas.

Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Gary Siegel
Name (Please Print)

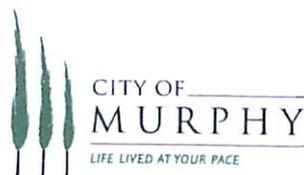
Gary Siegel
Signature

621 Taylor Trail
Address

1/20/15
Date

Reply Form

Planning & Zoning Commission /City Council
206 North Murphy Road
Murphy, Texas 75094



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Please provide your written comments below. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

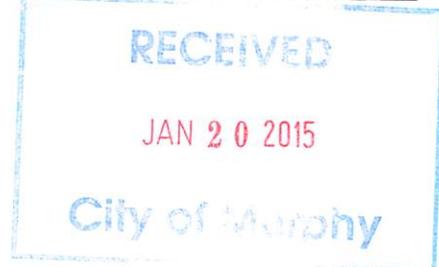
By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

 APRIL MONIK
Name (Please Print)

 April Monik
Signature

 449 Ashley Pl
Address

 1/17/15
Date



Issue

Hold a public hearing and consider and/or act on the application of Ryan Betz requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

Background

For approximately six years, staff has worked closely with the former and current property owners on numerous potential developments for this site.

- In summer 2013, Staff had also worked with single family residential developers for this site for approximately eight months prior to a zoning change request brought to Planning & Zoning Commission and City Council. Both staff and the developer had worked at length to take into consideration various concerns of both residents and the Commission; including lot size, lot depth and street design.
- The application was for single family residential zoning ranging from SF-9 in size to above and beyond SF-20 in size, however, was subsequently withdrawn from the applicant given the lack of support received by the Commission and Council including neighboring residents concerns.

Since that time last year, staff has been working closely with the new owner of this property on possible site layouts.

- Prior to application, the property owner/developer presented a draft site layout and rezoning proposal to City Council for general discussion only.
- Based on comments from that discussion, the property owner/developer submitted a development application for a rezoning of the property and creation of a Planned Development District.

Following the Council presentation, prior to any submittal to the City, the property owner/developer has been in communication with various neighbors in the residential neighborhood directly west of this site.

- Additionally, he has met one on one and with neighborhood groups to discuss his proposed site and offer to work together on various concerns.
- Based on those discussions as well as staff revisions required, additional modifications were made to the initial request and are included in the Planned Development District Conditions and Concept Plan.

Considerations

Planned Development District Conditions (Exhibit B) and Concept Plan (Exhibit C)

The intent of this Planned Development District is to provide high quality mixed-use, primarily age restricted residential with a medical office component. The project will likely be developed in two distinct phases- the age restricted residential at one time and the medical office component as a separate phase. It is anticipated that the age restricted residential component will develop prior to the medical office component. Below are bulleted items as included within the overall Planned Development District Conditions and as agreed upon by the neighboring residents, developer and staff.

Permitted Uses for Tract 1:

- Include all uses as allowed in Office (O) District as well as the uses noted in the Planned Development District.
- It should also be noted that the non-medical uses will be limited to no more than twenty five percent (25%) of the overall office building. No use which operates on a 24 hour basis is allowed.

Permitted Uses for Tract 2:

- Independent Senior (Residents aged 55 plus) Living
- Senior Housing including Assisted Living, Rehab Hospital and/or Memory Care
- It should be noted that the section of units on the west side of this development, and as shown on the Concept Plan is limited to one story in height.

Sidewalks:

- A meandering sidewalk will be constructed to connect Oak Glen to FM 544 on the west side of Maxwell Creek and is noted on the Concept Plan (Exhibit C).
- A sidewalk will be built connecting this property to the adjoining neighborhood and is noted on the Concept Plan (Exhibit C).

Maintenance of all sidewalks and streets of this proposed development is at the property owner's expense.

Landscaping

A solid living screen will be constructed along the east and west side of the Property. The screening will be designed by a landscape architect and subject to approval at the time of Site Plan.

Parking Lot

Head in parking that faces existing residential structures adjacent to Lot 2 is not allowed.

Site Lighting

All lighting shall be designed as full cut off or similar fixtures that prevent lighting from projecting upward or towards adjacent property.

Existing Lots facing Maxwell Creek, east of development

Site plan approval is contingent on developer coordination with the City of Murphy and affected residents to ensure frontage of existing east lots maintain public frontage and are in compliance with City Code at the developer's expense.

Additional Considerations

Construction of Planned Development Conditions and proposed development is contingent on site plan and engineering approval including but not limited to drainage, utility relocation, etc...

A public hearing notification for this proposed zoning change and Concept Plan was published in the newspaper as well as notification mailed to the property owners included in the required 200 feet notification radius prior to the January 26, 2015 Public Hearing on this item.

Action

Staff recommends approval of the change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

Attachments

Exhibit B – Proposed Planned Development District conditions

Exhibit C – Concept Plan

Exhibit D - Reply Forms received at the time of packet (in favor and opposed)

Email correspondence with neighboring homeowners

* Reply forms received after packet completion will be distributed to Commission at time of meeting

Exhibit B

Maxwell Creek Senior Living
and Medical Offices
Planned Development
District Conditions
1/26/2015

EXHIBIT B

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE NO. 2015- FM 544 and South Maxwell Creek Road

- I. **Statement of Intent:** The intent of this Planned Development District is to provide high quality mixed-use, primarily age restricted residential with a medical office component, development that is consistent with the Comprehensive Plan and that is beneficial and complementary to the City of Murphy in terms of visual identity. The project will likely be developed in two distinct phases- the age restricted residential at one time and the medical office component as a separate phase. It is anticipated that the age restricted residential component will develop prior to the medical office component.
- II. **Statement of Purpose:** The purpose of this Planned Development District is to ensure that any development that occurs within the area designated by this Planned Development encourage a mixed-use application including, but not limited to the following.
 - Independent Senior (Residents aged 55 plus) Living;
 - Senior Housing including Assisted Living, Rehab Hospital and/or Memory Care;
 - Medical Facilities;
 - Service Businesses that support and cater to Senior Residents
- III. **Statement of Effect:** This Planned Development shall not affect any regulation found in the City of Murphy Code of Ordinances, Ordinance No. 06-12-708, as amended, except as specifically provided herein.
- IV. **General Regulations:** All regulations of the O (Office) District set forth in Article III, Division 14 of the Code of Ordinances are included by reference; and shall apply to Tract 1, and regulations of the MF-12 (Multi Family) District set forth in Article III, Division 14 of the Code of Ordinances are included by reference and shall apply to Tract 2, except as otherwise specified by this ordinance.
- V. **Development Plans:**
 - A. Concept Plan: Development shall be in general conformance with the approved concept plan set forth in Exhibit C; however, in the event of conflict between the concept plan and the conditions, the conditions shall prevail.
 - B. Site Plan: A site plan shall be submitted in accordance with the requirements set forth in Article II, Division 5 of the City of Murphy

Code of Ordinances. The site plan may be for all or any part of the land within the Planned Development District.

VI. Specific Regulations:

- A. Permitted Uses (TRACT 1). All uses listed as permitted in the Office (O) category in Appendix A-3, Section 86-662 of the Murphy Code of ordinances, plus the following uses shall be permitted on Tract 1:
1. Antique Shop (household items only)
 2. Bakery (Retail)
 3. Bank/Credit Union (SUP)
 4. Barber/Beauty Shop
 5. Book Store
 6. Church/Place of Worship
 7. Clinic (Medical)
 8. Financial Services (Advice/Invest)
 9. Florist
 10. Governmental Building (Municipal, State or Federal)
 11. Hospital (Acute Care)
 12. Hospital (Chronic Care)
 13. Insurance Agency Offices
 14. Laundry/Dry Cleaning (Drop Off/Pickup Only)
 15. Offices (as allowed in Office zoning districts)
 16. Park and/or Playground (Public)
 17. Pharmacy
 18. Real Estate Offices
 19. School, K through 12 (Public)
 20. Shoe Repair
 21. Tailor Shop
 22. Travel Agency

Note: The non-medical uses will be limited to no more than twenty five percent (25%) of the overall office building. No use which operates on a 24 hour basis is allowed.

- B. Permitted Uses (TRACT 2). The following uses shall be permitted on Tract 2:
1. Independent Senior (Residents aged 55 plus) Living
 2. Senior Housing including Assisted Living, Rehab Hospital and/or Memory Care

The maximum number of independent residential units is limited to 130 residential units that contain individual kitchens. All residential units that contain individual kitchens must be age restricted to only allow seniors (aged 55 plus). There is no limit on the number of rooms or beds that are allowed for residential units that do not contain individual kitchens. The building height for the buildings outside the hatched area of Tract 2 (as shown on the Concept Plan) is limited to one story in height.

C. Area and Yard Regulations:

1. Setbacks From Property Lines Adjacent To Streets:

- a. Building Setbacks - No building of any kind and no part thereof shall be placed within the following setback lines:

Minimum 40 feet from FM 544 and Maxwell Creek Road.

Minimum 10 feet from all other roadways/access roads.

- b. Landscape Setbacks

Minimum 25 feet from FM 544 and Maxwell Creek Road.

Minimum 10 feet from all other roadways/access roads.

2. Setbacks From Property Lines Not Adjacent To Streets:

3. Building Setbacks – No building of any kind and no part thereof shall be placed within the following setback lines:

i. Minimum 10 feet from rear and side lines except where buildings on adjacent lots abut each other. In the case of abutting buildings, the building setback shall be 0 feet. For example, if the medical office component is separated into separate buildings, the buildings may share a common fire wall.

ii. Minimum 35 feet abutting residential districts for single story buildings not exceeding 35 feet in height. All buildings on Tract 1 are limited to one story in height.

- D. There is no maximum building size as long as fire standards and other site requirements, such as parking and landscaping, etc. are met. However, all west buildings of Lot 2 as noted on the Concept Plan, shall be single story structures. Buildings east buildings of Lot 2 as noted on the Concept Plan shall be limited to two stories, not exceeding 40 feet in height.

VII. Parking, Driveways & Sidewalks:

- A. Parking areas shall not be permitted within any landscape buffer strip.

- B. Fire lanes, driveway, loading areas and access easements shall be paved in accordance with the minimum design standards of the City of Murphy codes and ordinances.

- C. The number of required parking spaces shall be dependent upon the use and shall meet the requirements of the City of Murphy Code of Ordinances. No required parking space may be occupied by signs, cart corrals, merchandise or display items at any time.
- D. Sidewalks along FM 544 shall be a minimum of 8 feet in width. Sidewalks along Maxwell Creek Road shall be 6 feet in width. Interior sidewalks shall be a minimum of 4 feet in width.
- E. A meandering trail will be constructed to connect Oak Glen to FM 544 on the west side of Maxwell Creek.
- F. A sidewalk will be built to connect this property to the adjoining neighborhood.
- G. Maintenance of all sidewalks and streets of this development will be at the property owner's expense.

VIII. Loading and Unloading

- A. Truck loading berths and apron space shall not be located on the street side of any building, however, and exceptions can be addressed during site plan approval. In those instances where 3 or more sides of the building face dedicated streets, the loading berth shall be screened from view.
- B. Truck loading berths and apron space shall not be located within any required setback or landscape buffer strip, and shall not occur adjacent to existing residential structures.

IX. Minimum Exterior Construction Standards, Building Materials and Design – Exterior Construction and Design Requirements shall be architecturally compatible and comply with the following.

- A. All structures, including all building elevations, shall be constructed utilizing a unified design that is substantially consistent with or contains architectural design elements including but not limited to the following.
 1. Canopies and awnings.
 2. Outdoor patios.
 3. Display windows/decorative windows.
 4. Architectural details (such as decorative tile or brick work) integrated into the building facade.
 5. Integrated planters or wing walls that incorporate

landscape and/or sitting areas

6. Articulated cornice line.
 7. Peaked roof form.
 8. Accent materials (minimum 15% of exterior facade)
 9. Other architectural features as approved with the site plan.
- B. Development shall conform to City of Murphy code and Planned Development District requirements as noted herein subject to site plan approval.
- C. Color schemes shall reflect a certain quality and expression consistent with the architectural character and design of the structure. Accent colors may be used to identify architectural features or highlight details. The use of primary or garish colors shall not be predominately used on the exterior facade of any structure.
- D. Stand fans, skylights, cooling towers, communication towers, satellite dishes, vents, and any other structures or equipment, whether located on the roof or elsewhere, shall be architecturally compatible or effectively shielded from view from any public or private dedicated street by an architecturally sound method.
- E. Each commercial building, complex of buildings, or separate commercial business enterprises shall have a trash bin on the premises adequate to handle the trash and waste items generated, manufactured, or acquired thereon by such commercial activities. The sorting, handling, moving, storing, removing and disposing of all waste materials must be housed or screened from view.
- F. Building roofs shall be so designed and constructed to prevent water ponding and to shed water in a reasonable amount of time. Built-up roofs and roof-top items which include equipment, piping, flashing, and other items shall be maintained for continuity of the roof appearance.
- G. Roof top equipment, piping, flashing, and other items on the roof shall be screened by a perimeter parapet wall so as not to be visible from roadways.
- H. In all cases, mechanical equipment on roofs and outcroppings should be clad by a like building material or painted with a color scheme similar to the principal structure walls or roof.

- X. Landscape Standards. Landscaping shall be compatible and comply with the standards set forth in the Code of Ordinances, except as provided below.
- A. All landscaping shall use a unified design for the entire Tract. Landscaping shall be required on all developments within the Planned Development District and shall be complete prior to the issuance of any certificate of occupancy or final building inspection for the development. An automatic underground irrigation system shall be installed and maintained for all required landscaping and shall be in place and operable at time of planting.
 - B. A landscape buffer shall be provided 25 feet in depth adjacent to the right-of-way of FM 544, 25 in depth adjacent to Maxwell Creek Road and ten (10) feet in depth adjacent to all other roads (includes public streets and private access drives) as measured from the back of curb of the public or private street to the back of curb of any site paving. No parking may be placed within any landscape buffer. Pedestrian easements may be located within a landscape buffer. The width of the sidewalk may be included in the calculation of the buffer depth for 25 foot buffers, but may not be included in the calculation of the buffer depth for ten (10) foot buffers.
 - C. A solid living screen will be constructed along the east and west side of the Property. The screening will be designed by a landscape architect and subject to approval at the time of Site Plan.
 - D. Parking Lots:
 - 1. A minimum percentage of the parking area shall be landscaped according to the following requirements. Such landscaping shall be distributed within the parking area, occurring within medians, islands, or peninsulas. All such landscape areas shall be protected by concrete curbing or other acceptable devices which prohibit vehicular access to landscaped areas. Bumper overhang shall not be included as part of required landscaping. A permeable area no less than four (4) feet by four (4) feet shall be provided surrounding each tree located in a surface parking area. Head in parking that faces existing residential structures adjacent to Lot 2 are not allowed.
 - 1. A total of five (5) percent of the interior of the entire parking lot regardless of location, shall be landscaped. One large tree or three (3) ornamental trees from the

Plant List, shall be provided for each twelve (12) parking spaces, and planted within the five (5) percent area. Trees shall be distributed so that bays of parking spaces shall not exceed eighteen (18) spaces in length.

XI. Screening. Screening shall comply with the standards set forth in the Code of Ordinances, except as provided below.

A. All screening at the east and west edge of the property will be a live screen. Plant materials shall conform to the standards of the approved plant list in Section 50 and the current edition of the "American Standard for Nursery Stock" (as amended), published by the American Association of Nurserymen. Bald Cyprus trees are excluded from the approved list. The existing tree line will also remain to serve as a natural screen between the development and the existing residential neighborhood.

B. Outside seasonal displays shall be permitted with the Planned Development District.

XII. Site Lighting. Lighting shall comply with the standards set forth in the Code of Ordinances, except as provided below.

A. Lighting should be provided for vehicular, pedestrian, signage, architectural and site features.

B. Site lighting fixtures used along entrance driveways and parking areas shall be uniform and a consistent design within the development. Lighting standards for illuminating these areas shall be no taller than 40 feet high.

C. All lighting shall be designed as full cut off or similar fixtures that prevent lighting from projecting upward or towards adjacent property.

However, the height of all light standards shall be subject to review of the lighting plan during the Site Plan review.

D. The pattern of light pooling from each fixture shall be carefully considered to provide smooth, even lighting of driveways and parking, while eliminating light intrusion into adjacent property outside of the planned development district. Parking areas shall have a minimum of 3-foot candles initial and a minimum average of 2-foot candle on a maintained basis. Light sources shall be metal halide, mercury vapor, LED or of similar color. Yellow/orange source lights are prohibited from use. Incandescent source lighting should be considered for pedestrian areas and near buildings.

- E. Pedestrian walkways, courts, gardens and entrance areas shall be illuminated to enhance the pedestrian qualities of the development. Low level fixtures should complement the architectural design and focus on quality landscape lighting that will enhance the development.
- F. General illumination shall commence one half hour before sunset and last until one half hour after sunrise. Parking structures and pedestrian walkways shall be illuminated during all hours of darkness and when poor weather conditions warrant.

XIII. Signage and Graphics: Signage shall comply with the standards set forth in the Code of Ordinances, except as provided below.

A. General

- 1. Single Tenant Monument signs - One (1) monument sign shall be allowed on each Tract and shall be limited to a maximum sign area of 50 square feet and a maximum structure area of 80 square feet. On the Concept Plan, more than one location is shown to provide flexibility at the time of construction. Only one such monument sign will be allowed on each Lot, and the exact location will be determined and shown on the Site Plan.
- 2. Multi Tenant Monument signs - One (1) multi tenant monument sign shall be allowed on Tract 1 as shown on the concept plan and shall be limited to a maximum sign area of 100 square feet and a maximum structure area of 200 square feet.

B. Single Tenant Monument Signs

- 1. Monument signs shall identify individual tenants or uses within a Tract. Monument signs shall be a maximum of seven (7) feet tall.
- 2. All single tenant monument signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Single tenant monument signage may also be lit by ground mounted flood lighting or internal letter illumination either face lit or reverse channel lit. Light fixtures should be screened from view in front of the sign.
- 3. Monument signs shall be located at a setback distance of not less than eight (8) feet from the right-of-way line of any adjacent street and incorporated within the landscaping area or buffer.
- 4. Construction of monument signs shall include a base of material compatible with the material used for buildings.

C. Multi-Tenant Monument Sign

1. The multi-tenant monument sign shall identify individual tenants or uses within the Planned Development District. The multi-tenant monument sign shall be a maximum of ten (10) feet tall.
2. All multi-tenant monument signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Multi-tenant monument signage may also be lit by ground mounted flood lighting or internal letter illumination either face lit or reverse channel lit. Light fixtures should be screened from view in front of the sign.
3. Monument signs shall be located at a setback distance of not less than eight (8) feet from the right-of-way line of any adjacent street and incorporated within the landscaping area or buffer.
4. Construction of monument signs shall include a base of material compatible with the material used for buildings.

D. Pylon Signs There are no pylon signs allowed on the proposed development.

E. Temporary Marketing Signage

1. Four (4) quality temporary marketing signs shall be permitted for the proposed development. These signs shall be for a term of twelve (12) months from the date of installation.
2. The maximum signage area will be 96 square feet. The maximum height shall be 10 feet.
3. All other temporary signage not specifically referred to in the Signage Criteria package or in this section shall comply with the City of Murphy standards.
4. Temporary signs are not required to be constructed of the material used for buildings.

J. Open Space

1. The proposed development should make a positive impact to the City by providing defined public spaces and activity centers so that varied activities are encouraged within these areas. This can be accomplished through the incorporation of open spaces that become public amenities and that provide interest within the Tract at the pedestrian level.

2. Outdoor Seating. Any establishment serving food for consumption on- premises is encouraged to provide an outdoor seating area and shall be approved with the site plan. The outdoor seating area may be included as a portion of the 5% open space requirement as stated in (b.) below.
3. An additional 5% of open space is required in addition to the landscape, setback, and parking lot island requirements. The additional 5% may be located adjacent to the required setbacks or landscaping at the ROW and property lines or in front or in some cases to the side of the structure. The additional open space percentage may not include the building footprint or vehicular parking lot. This area and associated amenities shall be approved on the site plan. At least one of the following amenities shall be located within the additional 5% open space area and count towards the required percentage.
 - a. Water feature, such as a fountain or detention pond with constant water level.
 - b. Plaza or courtyard with art sculpture piece.
 - c. Outdoor patio or gazebo with seating area.
 - d. Other areas for pedestrian congregation, as may be approved on the site plan.
4. Outside seasonal displays shall be permitted with the Planned Development District.

XIV. Special Regulations:

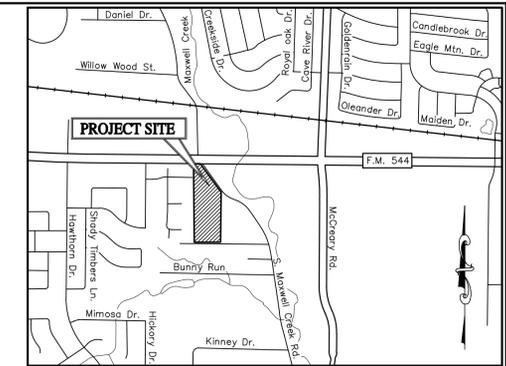
1. Traffic Impact Analysis: A Traffic Impact Analysis (TIA) shall be performed prior to site plan approval for any portion of the subject property.
2. Utility/Power Lines: New utility distribution and service lines for individual business establishments, buildings, signs and for any other site development features shall be placed underground.
3. Pedestrian Streetscape: Pedestrian spaces throughout the Planned Development District shall be treated with amenities that are selected based upon their ability to unify the streetscape and shall be established on the overall concept plan for each Tract. These features shall include, but are not limited to, benches, trash receptacles, bicycle racks, lighting poles, etc.
4. Cross-Access Requirement: A joint access (i.e. – ingress, egress) easement shall be required to minimize the number of driveway openings along FM 544 and Maxwell Creek Road. The location(s) of access easement(s) shall be shown on the site plan and shall comply

with the Texas Department of Transportation (TxDOT) Access Management Standards.

5. A gate shall be provided to prevent vehicular access from Oak Glen Drive into Tract 1. The gate shall be equipped with an Opticom (or similar approved by the City) gate controller to allow emergency vehicle access.
6. Building Placement/Orientation: Buildings shall be placed in a manner that is conducive to a pedestrian-oriented atmosphere, wherever possible. Any building within 200 feet of FM 544 shall either face such right-of-way or shall have a facade facing such right-of-way that is in keeping with the character of the building's main facade.
7. Existing Lots facing Maxwell Creek, east of development – Site plan approval is contingent on developer coordination with the City of Murphy and affected residents to ensure frontage of existing east lots maintain public frontage and are in compliance with City Code at the developer's expense.

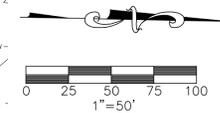
Exhibit C

Maxwell Creek Senior Living and Medical Offices Concept Plan 1/26/2015



LOCATION MAP

NOT TO SCALE

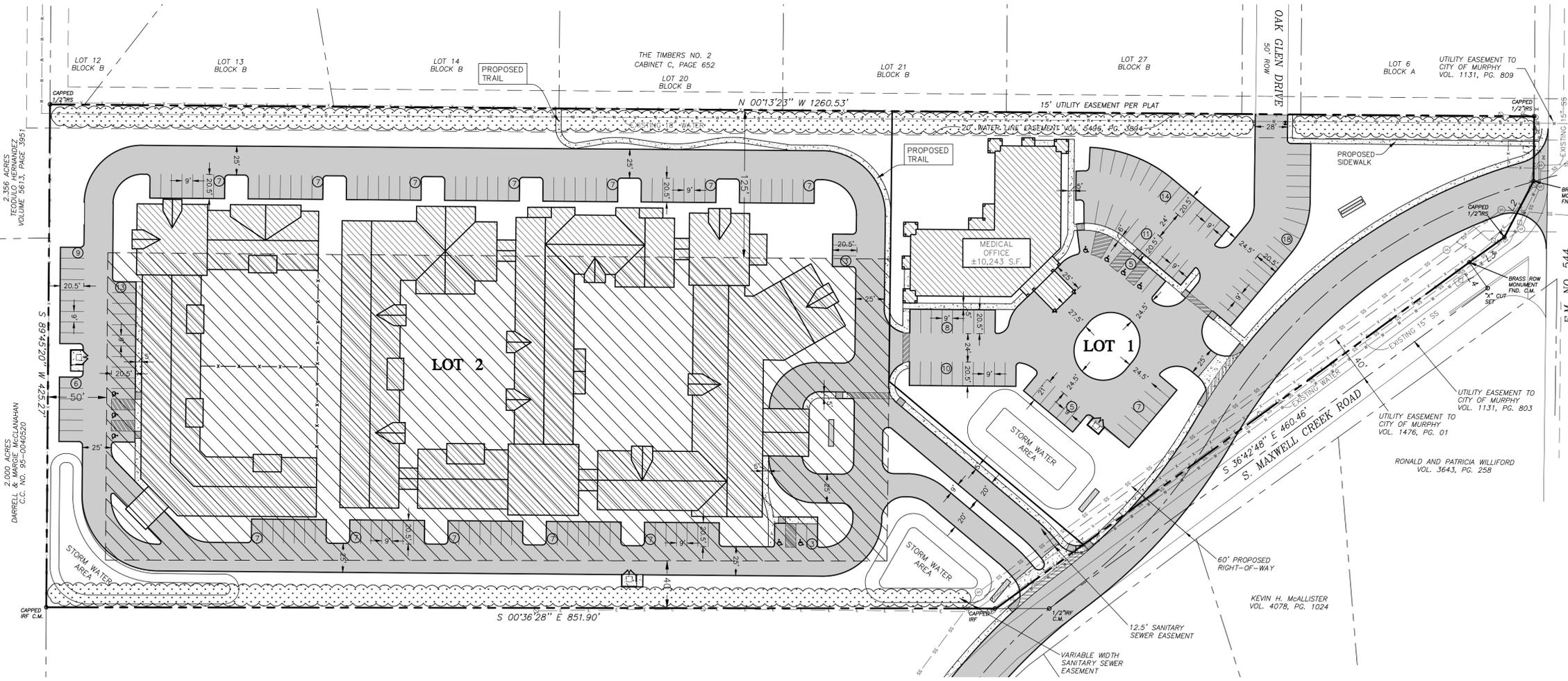


SUMMARY TABLE

LOT NO. 1	
LOT AREA	134,197 sq. ft. / 3.08 Ac.
PROPOSED BUILDINGS AREA	10,243 sq. ft. / 0.24 Ac.
PARKING SPACES REQUIRED (1 PER 150 sq. ft.)	68
PARKING SPACES PROVIDED	78
HANDICAP PARKING SPACES REQUIRED	4
HANDICAP PARKING SPACES PROVIDED	4
LOT NO. 2	
LOT AREA	320,608 sq. ft. / 7.36 Ac.

NOTES

- IT IS ANTICIPATED THAT LOT 2 WILL DEVELOP PRIOR TO LOT 1.
- NO PARKING SPACES ON LOT 2 WILL BE ALLOWED THAT FACE EXISTING RESIDENTIAL AREAS.
- ALL BUILDING LOCATIONS ARE ILLUSTRATIVE ONLY AND THE FINAL LOCATION SHALL BE SET FORTH ON THE SITE.
- EACH LOT WILL BE ALLOWED ONE MONUMENT SIGN. AN ADDITIONAL MULTI TENANT MONUMENT SIGN IS ALSO ALLOWED ON LOT 1.
- ALL FINAL DUMPSTER LOCATIONS SHALL BE SET FORTH ON THE SITE PLAN.
- EXTERNAL LIGHTING SHALL BE DOWN LIGHTING UTILIZING A FULL CUT OFF FIXTURE. FINAL LOCATION SHALL BE SET FORTH ON THE SITE PLAN.
- ALL OF LOT 1 WILL HAVE A MAXIMUM BUILDING HEIGHT OF ONE-STORY.
- ±3.43 ACRES OUT OF LOT 2 WILL HAVE A MAXIMUM BUILDING HEIGHT OF ONE-STORY.
- ±3.93 ACRES OUT OF LOT 2 HAS THE ABILITY TO HAVE A BUILDING HEIGHT OF TWO-STORIES (SEE SHADED AREA).



2.156 ACRES
 DARRELL & MARGIE CLAWHAN
 C.C. NO. 95-0040520

2.156 ACRES
 TEOFILO HERNANDEZ
 VOLUME 5613, PAGE 3951

LEGEND

EXISTING	PROPOSED
PROPERTY BOUNDARY	PROPOSED BUILDING
ADJACENT PROPERTY BOUNDARY	PROPOSED CONCRETE PAVING
EXISTING WATER LINE	PROPOSED ASPHALT PAVING
EXISTING SANITARY SEWER	PROPOSED PARKING STRIPE
EXISTING ELECTRIC LINE	PROPOSED LOT LINE
EXISTING EASEMENT	TWO-STORY AREA ALLOWED
EXISTING CONTOURS	PROPOSED SOLID LIVING SCREEN
EXISTING FENCE LINE	PROPOSED ROAD CENTERLINE
IRON ROD FOUND	PROPOSED FENCE LINE
EXISTING FIRE HYDRANT	PROPOSED CONCRETE CURB
EXISTING WATER VALVE	PROPOSED DUMPSTER
EXISTING MANHOLE	PROPOSED HANDICAP SPACE
EXISTING UTILITY POLE	PROPOSED NUMBER OF PARKING SPACES
EXISTING TELEPHONE PEDESTAL	POTENTIAL MULTI TENANT MONUMENT SIGN LOCATION (SUBJECT TO NOTE 4 AND P.D. RESTRICTIONS)
EXISTING GUY WIRE	POTENTIAL SINGLE PENNANT MONUMENT SIGN LOCATION (SUBJECT TO NOTE 4 AND P.D. RESTRICTIONS)

EXHIBIT "C" & "D"
CONCEPT PLAN
FOR

MAXWELL CREEK
MEDICAL OFFICE /
ASSISTED LIVING

±10.44 ACRES
 S. MAXWELL CREEK RD., MURPHY, COLLIN COUNTY, TEXAS.

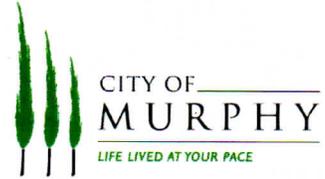
FILE NO: 14005
 DATE: 01/23/2015
 SHEET: EXC

Exhibit D

Reply Forms and Email Correspondence

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioner:

This request is to consider the application of **Ryan Betz** requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

I am **IN FAVOR** of a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

I am **OPPOSED** to a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

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On behalf of Murphy Four Ventures and
Champion Langford partners

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Eric Langford

Name (Please Print)

5924 Twin Coves

Address Dalton

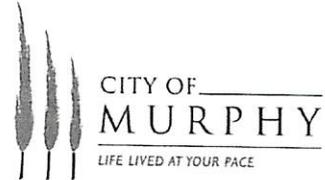
Signature

1/20/15

Date

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioner:

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(see wife's letter)

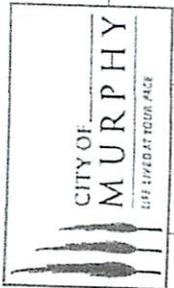
By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Warren Gallion
Name (Please Print)

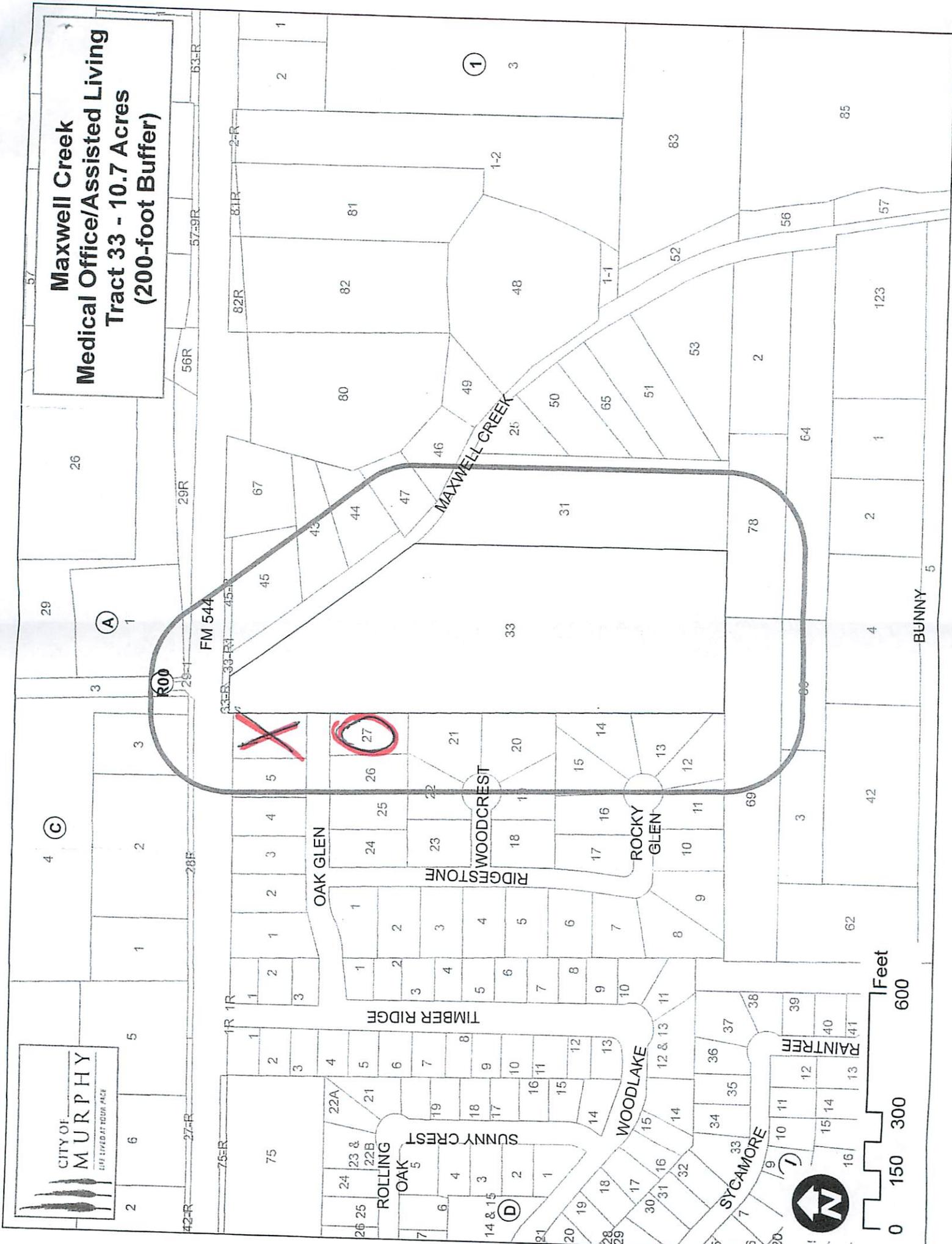
Warren Gallion
Signature

423 Oak Glen Dr
Address

1-21-2015
Date



**Maxwell Creek
Medical Office/Assisted Living
Tract 33 - 10.7 Acres
(200-foot Buffer)**



(A)

(C)

(1)

(D)

FM 544

MAXWELL CREEK

OAK GLEN

WOODCREST

RIDGESTONE

ROCKY GLEN

TIMBER RIDGE

SUNNY CREST

WOODLAKE

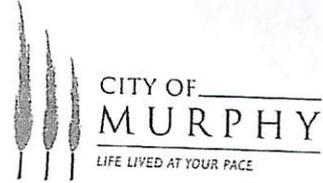
SYCAMORE

RAINTREE

BUNNY

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



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This request is to consider the application of **Ryan Betz** requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

_____ I am **IN FAVOR** of a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

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By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

H. RICHY EARLE

Name (Please Print)

129 RIDGESTONE DR

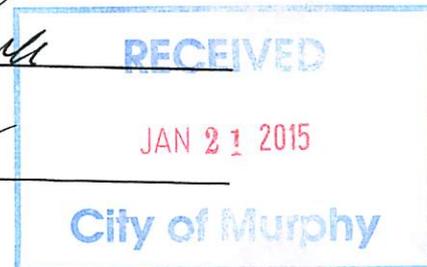
Address

[Signature]

Signature

1/21/15

Date



Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioner:

This request is to consider the application of **Ryan Betz** requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

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I'm in favor of the change in zoner - The Owner of YB+W has agreed to connect my driveway to the realigned Maxwell Creek.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Cherie McAllister
Name (Please Print)

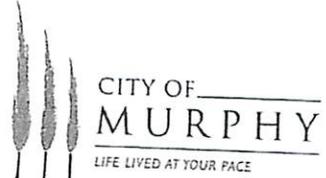
[Signature]
Signature

1085 Maxwell Rd
Address

1-22-15
Date

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioner:

This request is to consider the application of **Ryan Betz** requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

 I am **IN FAVOR** of a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

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Dear Commissioners,
My house is marked with an ~~X~~ (423 Oak Glen) on the attached map. My in-laws live across the street at 424 Oak Glen (marked with o).

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below. (continued)

Martha Gallion
Name (Please Print)

Martha Gallion
Signature

423 Oak Glen Dr.
Address

1-21-2015
Date

Now, imagine your home where mine is. Daily you live with the traffic noise of 6 lanes of traffic, several times per month (whenever there is a fender-bender on FM 544) numerous cars don't read the posted signs and your driveway is the turn-around spot for the cars attempting to avoid the back-up, daily multiple fire & police sirens from Wylie and Murphy are heard, and 24/7 your backyard is lit up from the blazing lights at Race Trac.

Now imagine your home in my spot after Mr. Betz makes his changes. Daily you will live with a greater increase in traffic noise with delivery trucks, visitors, health employees, trash collection, ambulance and fire truck visits, and the cars, people and deliveries to the "shops" he proposes close to FM 544. Would you be happy with the proposed changes, especially if you were here first and bought a ranch style home amid other ranch style homes in a quiet neighborhood with very little crime and lots of open space for children to run free (like we did when we were children)?

We are voting OPPOSED to the change in zoning for the following reasons:

1. **Protection of our neighborhood** The proposed gate would prevent through traffic but would only add to the noise and light pollution of our street. We are a child friendly neighborhood.

2. **Increase foot traffic** Currently we have foot traffic up the side of our house which is very disturbing. With a major new paved area conducive to lap walking, foot traffic would increase exponentially with the large paved area and connecting sidewalks. I'm ready to ask the City Council for 30 Barberry shrubs to plant on the side of my house to halt foot traffic up my driveway..

3. **Distrust the Zoning** I personally do not trust the property owner to follow through with the proposed plan after he acquires the zoning change. There are too many options available for retail and high traffic businesses very near my front door. His plan is too flexible. How many times do the people in our neighborhood have to tell the Planning & Zoning Commission we do not want townhomes, high density housing, or anything that destroys the ranch house look and feel of our neighborhood? I will agree most of the design for the south track

of land has taken into consideration parking and one story near housing, but the front track is too open. We do appreciate being listened for part of the plan.

4. **Light pollution** We moved to 'little town' Murphy and had hoped it would retain that feel but Race Trac ruined that. Any stars we could see in the night sky are hidden by light pollution. According to what I read, Mr. Betz wants high bright lighting. No!

5. **Screening** We have a pole fence separating our property from that of Mr. Betz. We expect something equally substantial. Shrubs will never be adequate to separate our property from the one proposed unless they are unusually closely grouped.

I ask you Commissioners to consider these points and act accordingly. We will be unable to attend the meeting due to work and travel.

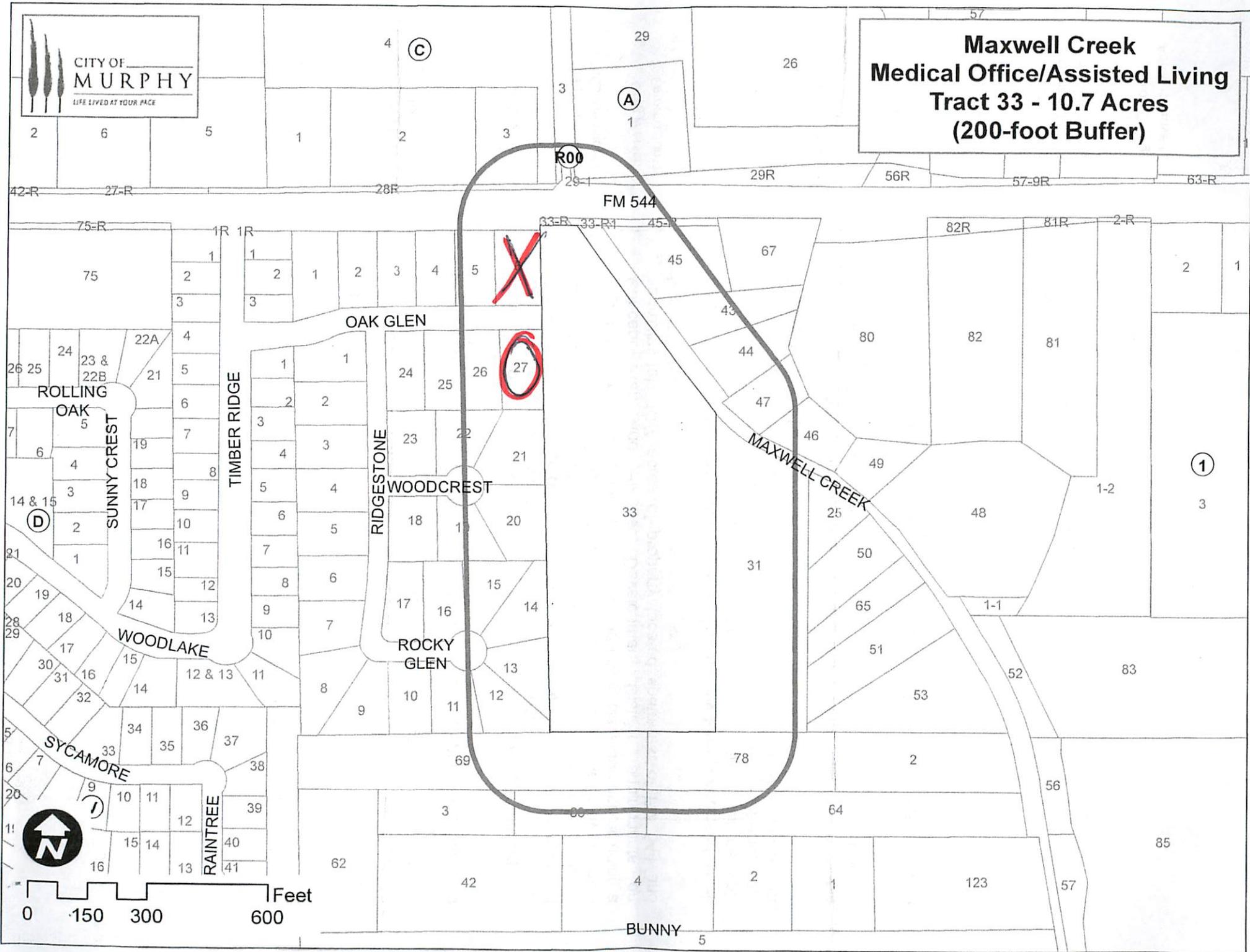
I leave you with this thought:

At what point do the rights of the home owners out-weigh the proposals of the potential developers? Are we just going to be worn down to the point we give up fighting? Is that how you intend to plan the future of Murphy?

*Sincerely,
The Bellions*



Maxwell Creek Medical Office/Assisted Living Tract 33 - 10.7 Acres (200-foot Buffer)



4 (C)

1 (A)

R00

FM 544

OAK GLEN

WOODCREST

ROCKY GLEN

MAXWELL CREEK

ROLLING OAK

SUNNY CREST

TIMBER RIDGE

RIDGESTONE

WOODLAKE

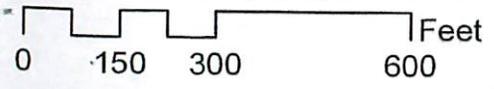
SYCAMORE

RAINTREE

BUNNY



1





January 14, 2015

RE: **Zoning Change Request for: Maxwell Creek Medical Office/Assisted Living**

Dear Property Owner:

Section 86-144. of the Murphy Texas Code of Ordinances requires that written notice of the public hearing be sent to all owners of property, as indicated by the most recently approved city tax roll, that is located within the area of the application, and within 200 feet of any property affected, said written notice.

~~This is to advise you that a public hearing will be held by the **Planning and Zoning Commission on Monday, January 26, 2015 at 6:00 p.m.** and by **City Council on Tuesday, February 3, 2015 at 6:00 p.m.** for the purpose of receiving comments on the application of Ryan Betz requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.~~

If you would like to inform us of your opinion, a reply form is enclosed which can be mailed to the Community Development Department. Mail the reply form to: City of Murphy, Attn: Lori Knight, Community Development Department, 206 North Murphy Road, Murphy, Texas 75094 or lknight@murphytx.org.

The Planning and Zoning Commission and City Council agenda is available 72 hours prior to the meeting at City Hall and on the City's website at www.murphytx.org.

If you have any questions or would like additional information, please feel free to contact this office at (972) 468-4006.

Sincerely,

K M Roberts

Kristen Roberts
Director of Economic and Community Development

Enclosures

Steve Levy
Chairman

Jon King
Vice-Chairman

Camille Hooper
Commissioner

John Johnson
Commissioner

Greg Mersch
Commissioner

Lloyd Jones
Commissioner

Don Reilly
Commissioner

Gary Maxon
Alternate

Mahendra Parikh
Alternate

Kristen Roberts
Director of Economic and
Community Development

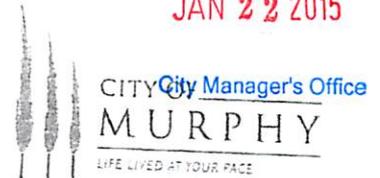
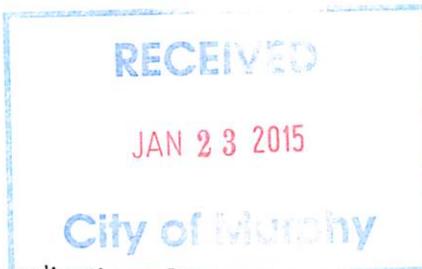
Lori C Knight
Administrative Assistant

RECEIVED

JAN 22 2015

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioner:

This request is to consider the application of **Ryan Betz** requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

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I am **OPPOSED** to a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

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- 1) We are in favor of the proposed zoning change
- 2) Request a connection through the proposed development, open from Oak Glen Dr. to Maxwell Crk. Rd. for public use & access to the traffic light on Fm 544 be considered as a requirement of the planned development
- 3) Request re-zoning for commercial development or similar be considered for the remaining residential properties on the South side of Fm 544 between Maxwell Crk & Timber Ridge for future benefit to the city and community.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Larry Hoffman
Name (Please Print)

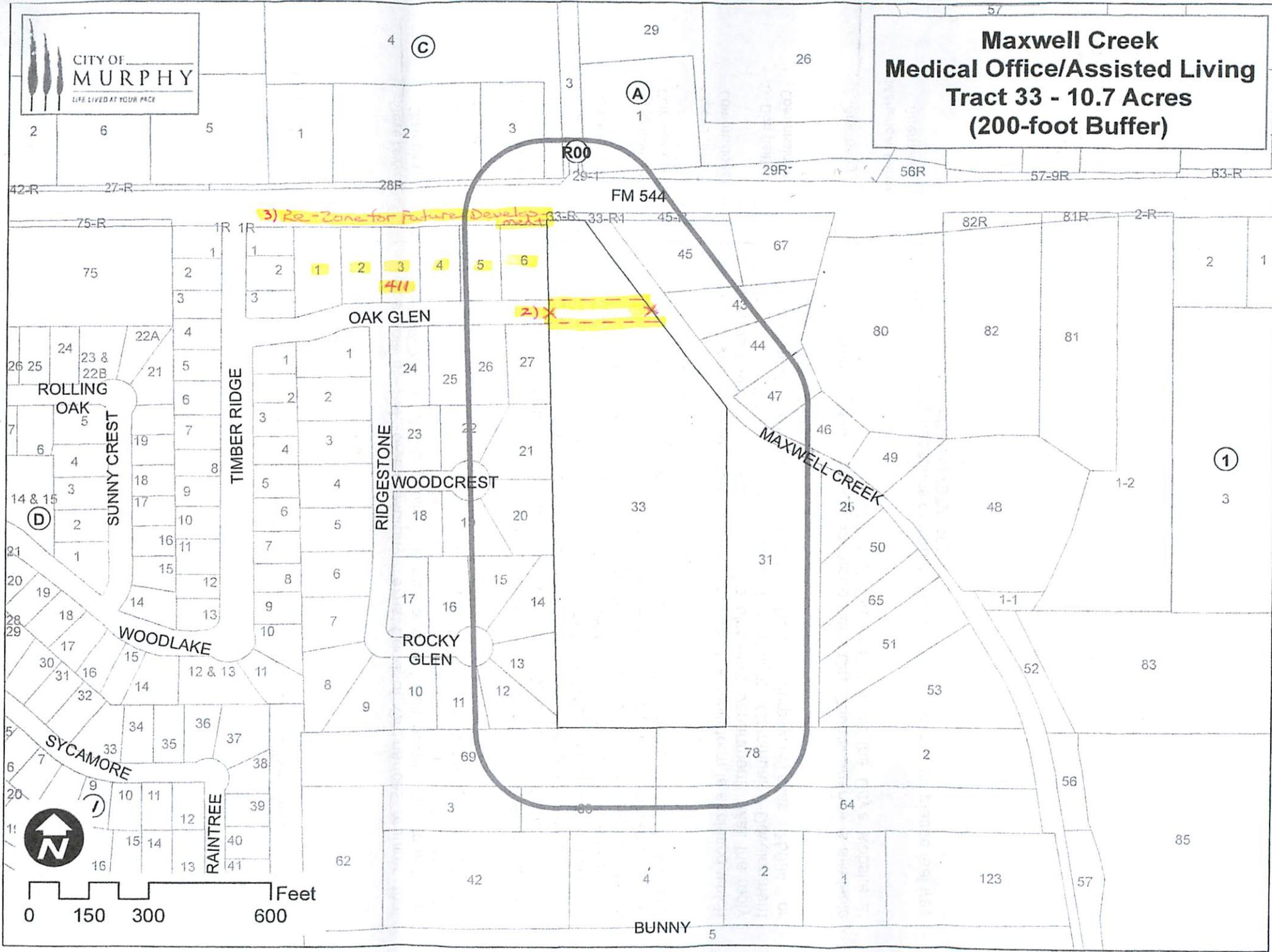
[Signature]
Signature

411 Oak Glen Dr., Murphy TX
Address
75094

January 19, 2015
Date



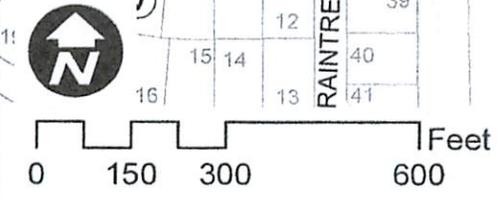
Maxwell Creek Medical Office/Assisted Living Tract 33 - 10.7 Acres (200-foot Buffer)



3) Re-Zone for future Development

1 2 3 4 5 6
411

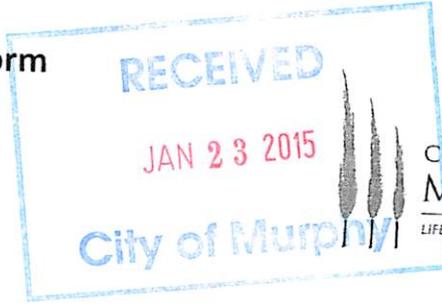
2) X X



BUNNY 5

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



CITY OF _____
MURPHY
LIFE LIVED AT YOUR PACE

Dear Commissioner:

This request is to consider the application of **Ryan Betz** requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

_____ I am **IN FAVOR** of a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

I am **OPPOSED** to a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

This item will be heard at the Planning & Zoning Commission on **Monday, January 26, 2015 at 6:00 p.m.** at Murphy City Hall, in the City Council Chambers and a public hearing will be held by the **City Council on Tuesday, February 3, 2015 at 6:00 p.m.** in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

For years developers have been trying to sneak in a way to change the zoning on this property. It was never intended to be anything other than Residential. We bought our home under the auspices that that property would never be commercially developed. We already have an assisted living center + plenty of medical offices!

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

John + Lyle Doyle

Name (Please Print)

[Signature]

Signature

411 Rockyglan Circle

Address Murphy, TX 75094

January 19, 2015

Date

Please listen to your citizens, not some developer!

Reply Form



CITY OF MURPHY
LIFE LIVED AT YOUR PACE

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094

Dear Commissioner:

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WHAT PART OF NO DON'T THESE PEOPLE UNDERSTAND.
IF WE WANTED TO LIVE IN HIGH DENSITY & COMMERCIAL PROPERTY,
WE WOULD HAVE SETTLED IN TOWN & LEASED APARTMENTS OR BOUGHT
COMBOS. JUST BECAUSE SOMEONE WANTS TO TURN A "FAST BUCK"
IS NO REASON TO PUT OUR HOMES & LIFE STYLE AT RISK.
LEAVE OUR SF-20 ZONING AS IT IS.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Jim DeMASTERS
Name (Please Print)

Jim DeMasters
Signature

416 ROCKY GLEN CIRCLE
Address

1/19/15
Date

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



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Diane Weyandt : *Diane Weyandt*
Name (Please Print)

Ray Weyandt : *Ray Weyandt*
Signature

412 Oak Glen
Address

1/22/15
Date

JAN 22 2015

Reply Form

City Manager's Office

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioner:

This request is to consider the application of **Ryan Betz** requesting a change in zoning from SF-20 (Single Family 20 Residential) to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and Planned Development District requirements on approximately 10.7 acres of property located southwest of FM 544 and Maxwell Creek.

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By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

David Cole
Name (Please Print)

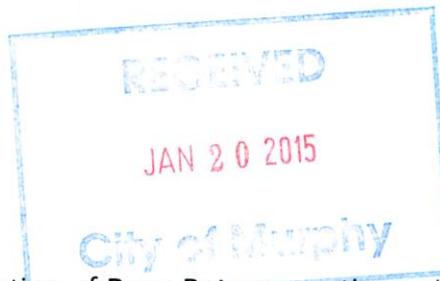
[Signature]
Signature

420 Oak Glen Dr.
Address

1/20/15
Date

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



CITY OF
MURPHY
LIFE LIVED AT YOUR PACE

Dear Commissioner:

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By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Clara Gallion

Name (Please Print)

424 Oak Glen

Address

Clara Gallion

Signature

1-21-15

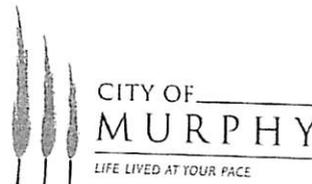
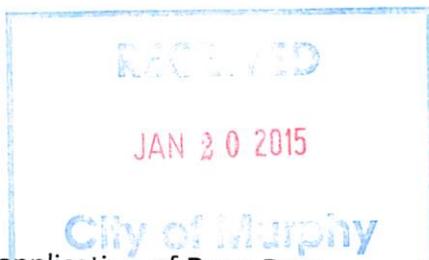
Date

currently out of the county

Form completed with verbal agreement by Clara Gallion to Martha Gallion. Clara is

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioner:

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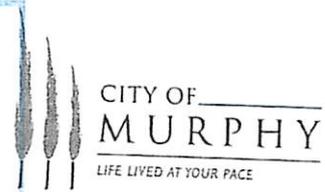
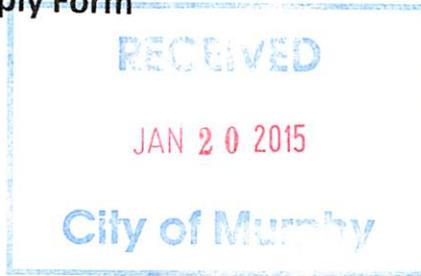
Charles Gallion Charles Gallion
Name (Please Print) Signature

424 Oak Glen 1-21-15
Address Date

Form completed by Martha Gallion with oral NOXER permission from Charles Gallion who is authorized to do this.

Reply Form

Planning & Zoning Commission
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioner:

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By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

BONITA MENARD
Name (Please Print)

Bonita Menard
Signature

128 S MAXWELL CREEK RD
Address
MURPHY, TX 75094

1-19-2015
Date



Reply Form

Planning & Zoning Commission /City Council
206 North Murphy Road
Murphy, Texas 75094



The application of the City of Murphy is to replat the existing subdivision known as Windy Phase 1. This replat will remove platted building lines and establish the front building accordance with the City's Ordinance No. 14-10-988, adopted by the City of Murphy on Octo

PLEASE NOTE:

Windy Hill Farnis Phase 1 is an existing, built-out single family subdivision with residential from 9,500 square feet to over 15,000 square feet in size. This process will allow the existing uses and structures to continue within the neighborhood, but with correct front building identified in the City's Ordinance referenced above.

I (we) am IN FAVOR of the replat that will remove platted building lines and e front building setback in accordance with the City's Ordinance No. 14-10-988, adopted by Murphy on October 7, 2014 in the existing subdivision known as Windy Hill Farms Phase 1.

I (we) am OPPOSED to the replat that will remove platted building lines and e front building setback in accordance with the City's Ordinance No. 14-10-988, adopted by Murphy on October 7, 2014 in the existing subdivision known as Windy Hill Farms Phase 1.

In accordance with Texas Local Government Code §211.006, a public hearing will be held by t and Zoning Commission on Monday, January 26, 2015 at 6:00 p.m. and by City Council c February 3, 2015 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy T

Please provide your written comments below. If additional space is required, you may conti on a separate sheet, one-sided for printing purposes.

Five horizontal lines for providing written comments.

By signing this letter, I declare I am the owner or authorized agent of the property at the add below.

Name (Please Print) Alla Karavias

Signature [Handwritten Signature]

Karavias Law, PLLC
101 E. Park Blvd., Suite 600
Plano, TX 75074
Tel. 214.380.4495
Fax 972.423.3140
georgekaraviaslaw@gmail.com
www.georgekaraviaslaw.com

From: [REDACTED]
Sent: Thursday, January 22, 2015 8:59 AM
To: Kristen Roberts
Subject: RE: January 26, 2015 - Planning & Zoning Commission

Mr. Betz approached my next door neighbor a couple of months ago about his plan and gave her a copy of the concept plan. The plan didn't specify the number of units, but I made rough calculations based on the parking and it was definitely too much! South Maxwell Creek is a very unique neighborhood and we do not want the look or feel of it to change. The proposed facility does not fit within our neighborhood at all. Mr. Betz knew what the zoning was whenever he purchased the property from Ms. Pierce and he knew the neighborhood would be opposed to anything other than SF 20 as we made that very clear back in 2008 and with the more recent requests by Ms. Pierce.

Have a great day!

[REDACTED]

> From: kroberts@murphytx.org
> To: [REDACTED]
> Subject: Re: January 26, 2015 - Planning & Zoning Commission
> Date: Wed, 21 Jan 2015 22:58:21 +0000
>
> I will send you the Concept Plan tomorrow when I get to work, not sure where someone got a copy as no one as requested one from our office that I am aware of. And no, not three stories.
> Thank you again for your emails. This really helps me understand what's out there. Unfortunately, I think it might be a little off. But it is indeed senior living units with a medical type office at the front of the property proposed.
>
> Sent from my iPad
>
> On Jan 21, 2015, at 4:50 PM, [REDACTED] wrote:
>
> Kristen,
>
> We did receive our notice late last week, but it did not really state what specifically he had in mind. I received a copy of a concept plan from a neighbor so I have an idea, but I want to educate myself before submitting my reply form. Should he be proposing a single story facility I might not be opposed. A three-story, however would not fit in our neighborhood. I also do not see why we need another assisted living facility in Murphy. It seems like a high saturation of such facilities in close proximity.
>
> I truly appreciate your replies to my questions!
>

> [REDACTED]
>
>> From: kroberts@murphytx.org<<mailto:kroberts@murphytx.org>>
>> [REDACTED]
>> Subject: RE: January 26, 2015 - Planning & Zoning Commission
>> Date: Wed, 21 Jan 2015 22:35:33 +0000
>>
>> Please accept my apologies. Seems a number of reply forms did come in today.
>>
>> I did not know.
>>
>> As soon as I have the packet to the Commission and posted, I will let you know.
>>
>> Thank you again for your emails.
>>
>> Kristen
>>
>> _____
>> From: Kristen Roberts
>> Sent: Wednesday, January 21, 2015 4:18 PM
>> [REDACTED]
>> Subject: RE: January 26, 2015 - Planning & Zoning Commission
>>
>>
>> Thank you. Quick question, did you receive the public notice in the mail? We mailed to all residents within the 200 foot required buffer and have received responses from no one other than Mr. Langford's (so I know they made it) and I watched them land in the mail box so I am not sure why we haven't heard from anyone.
>>
>> I am actually at home this afternoon however, my assistant is sending me the list for my review later.
>>
>> Just though I would ask as I have had two other inquiries today and this was all in the paper and sent out a little under two weeks ago.
>>
>> Thoughts?
>>
>> And if not, no worries!
>>
>> Thank you, kristen
>>
>> _____
>> From: [REDACTED]
>> Sent: Wednesday, January 21, 2015 1:08 PM

>> Kristen M. Roberts, Director of Community and Economic Development
>>
>> The City of Murphy is in Stage 3 Water Restrictions. Please make sure you know your watering day, time, and all Stage 3 watering restrictions. Stage 3 restrictions can be found at www.murphytx.org<<http://www.murphytx.org>><<http://www.murphytx.org/>> ***
>>
>> (972) 468-4006: direct
>>
>> kroberts@murphytx.org<<mailto:kroberts@murphytx.org>><<mailto:kroberts@murphytx.org>>
>>
>> 206 N Murphy Rd
>>
>> Murphy, TX 75094
>>
>> murphytx.org<<http://murphytx.org>><<http://murphytx.org>>
>>
>> The information contained in this email is considered CONFIDENTIAL according to the Texas Government Code, Sec. 552.131. EXCEPTION: ECONOMIC DEVELOPMENT INFORMATION. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copy, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for the return of the document.
>>
>>
>>
>>
>>
>>
>> From: [REDACTED]
>> Sent: Wednesday, January 21, 2015 9:56 AM
>> To: Kristen Roberts
[REDACTED]
>> Subject: January 26, 2015 - Planning & Zoning Commission
>>
>>
>>
>> Ms. Roberts,
>>
>> Would you please send me a copy of the Agenda for the January 26, 2015 P & Z meeting as it is not posted online. In addition I would like to obtain the packet documents pertaining to the Betz case, S Maxwell Creek & FM 544.
>>
>> Thank you in advance,

From: [REDACTED]
Sent: Thursday, January 22, 2015 10:07 AM
To: Kristen Roberts
Cc: [REDACTED] Lori C. Knight
Subject: RE: Zoning Change Request: Maxwell Creek Medical/Assisted Living

Kristen:

I apologize for appearing to be late regarding this Zoning Change Request.

I was not aware, nor have I been informed that a Public Meeting requesting Resident Input to the Proposed Zoning Change Request has already taken place. I am sure that the P & Z Commission would not proceed to vote without adequate notification of the Residents affected by such a Zoning Change. Notification was published in the newspaper and mailed to the property owners within the required 200 foot notification buffer per Code. If you were not within that 200 foot, you would not have received the mailer. I appreciate you reaching out.

Three additional questions have arisen already:

1. Does the Concept Design include a Screening Wall running North/South of the Western Boundary of this Zoning Change Request Property? If so, what is the height? Along the western boundary, there will be thick live screening, no wall construction other than board on board is allow given the city water line easement.
2. There are two "Detention Center Buildings" identified in the Concept Design. Who is envisioned occupying such Space/Buildings? These are drainage detention facilities and not structures. All engineering, drainage, etc...is approved at the next stage in this process. This is the zoning and Concept Plan phase with Planned Development conditions. But all the engineering, etc...is addressed in the next stage.
3. Has TX DOT been informed of and approved a right hand turn lane off of FM544? And has TX DOT or the City of Murphy examined the impact to Traffic onto and off of FM544 and Maxwell Creek Road into such Proposed Development? No right turn lane is being proposed. A traffic impact analysis is part of the next stage of the process. This type proposed development does not typically generate a large number of counts but again, it will be addressed in the next part of the process and not contingent on zoning.

Do not hesitate to pass my contact information onto Mr. Betz as well. I have given, with your permission, Mr. Betz your email and phone number. Thank you sir!

Thank you,

[REDACTED]

From: Kristen Roberts

Sent: Thursday, January 22, 2015 9:41 AM

To: [REDACTED]

Cc: [REDACTED] Lori C. Knight; Kristen Roberts

Subject: RE: Zoning Change Request: Maxwell Creek Medical/Assisted Living

[REDACTED]

This item is going for vote to Planning & Zoning on Monday as it has been published as such. The agenda packet will include many more details and once that is posted, I will also send a copy and reply all to this email. I believe the details that will be included will answer additional questions you many have.

I am meeting with Mr. Betz this morning and will confirm he is okay with me sending you his cell phone number, I am sure he will be. His email however, is ryan@betzcompany.com.

I look forward to meeting you Monday.
Kristen



Kristen M. Roberts, Director of Community and Economic Development

The City of Murphy is in Stage 3 Water Restrictions. Please make sure you know your watering day, time, and all Stage 3 watering restrictions. Stage 3 restrictions can be found at www.murphytx.org ***

(972) 468-4006: direct

kroberts@murphytx.org

206 N Murphy Rd

Murphy, TX 75094

murphytx.org

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From: [REDACTED]
Sent: Thursday, January 22, 2015 9:32 AM
To: Kristen Roberts
Cc: [REDACTED] Lori C. Knight
Subject: RE: Zoning Change Request: Maxwell Creek Medical/Assisted Living

Kristen:

I understand completely about needing to take care of family.

Thank you for this information . . . it does answer some of my questions, but not all and it raises more questions. I would hope that the Agenda for this coming Monday Meeting of the Planning and Zoning Commission does not call for a vote on this Zoning Change Request.

Please complete the questions unanswered by the Concept Design. I would anticipate even more questions by tomorrow morning.

Do you have Mr. Betz's email or phone number by chance. Mr. Betz might appreciate direct contact and an opportunity to respond to some of the concerns I have heard expressed.

Thanks again,

[REDACTED]

From: kroberts@murphytx.org
To: [REDACTED]
CC: [REDACTED] lknight@murphytx.org;
kroberts@murphytx.org
Subject: RE: Zoning Change Request: Maxwell Creek Medical/Assisted Living
Date: Thu, 22 Jan 2015 14:23:37 +0000

[REDACTED]

I am sorry to have missed you yesterday. I went home early expectantly. I am headed into an 8:30am meeting and then a 10:00am meeting but wanted to get you this information. See below.

I really appreciate your questions and the opportunity to get correct information out there.



Kristen M. Roberts, Director of Community and Economic Development

The City of Murphy is in Stage 3 Water Restrictions. Please make sure you know your watering day, time, and all Stage 3 watering restrictions. Stage 3 restrictions can be found at

www.murphytx.org ***

(972) 468-4006: direct

kroberts@murphytx.org

206 N Murphy Rd

Murphy, TX 75094

murphytx.org

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From: [REDACTED]

Sent: Thursday, January 22, 2015 7:25 AM

To: Kristen Roberts

Cc: [REDACTED]

Subject: Zoning Change Request: Maxwell Creek Medical/Assisted Living

Good Morning Kristen:

I have a few questions I need answers for regarding this Zoning Change Request for the 10.7 acres of property located southwest of FM 544 and Maxwell Creek:

1. Has any Zoning Changes been made to the property(s) directly East and up to McCreary Road? On Tuesday night of this week, City Council approved amendments to the Planned Development District already in place for the 10+/- acres behind and next to CVS. It now includes additional 6 acres pulled in from the west and is slated for a large grocer on the south of the property and a car wash/fuel center on 544 frontage as part of the grocer development.
2. Has Maxwell Creek Road South of FM544 been re-designed to accommodate traffic to and from/in and out of said Zoning Change Request? I have attached the Concept Plan that is proposed for P&Z and Council consideration. While it is indeed conceptual and

intended to be a guide as defined by City Code, he is showing a slight realignment although the final details of that are not engineered out until site plan and engineering plans approval down the road.

3. Has the Applicant provided evidence of commitment by any business or medical service organization to rent/lease/purchase such Development? They are requesting a zoning change for a use other than current allowed zoning. Zoning decision cannot be based on any one particular user or the other. I am not certain nor have I had those detailed discussions with Mr. Betz but rather focusing on the site use, surrounding impact, zoning details and conditions within the PD.
4. Will the City of Murphy provide water/sewer service to said Zoning Request Property? Is such service already in place and if not what is the cost to the City of Murphy to provide? The City does not typically provide water/sewer to any private development so to speak. However, the developer ties into our lines at their expense.
5. Has a the Applicant provided a rendering or Concept Design with this Zoning Change Request? As a requirement yes. All development staff has been in months and months of discussions with Mr. Betz and the Concept Plan has gone through many renditions. I understand there is a copy being distributed among neighbors, unfortunately from what I know of it, it is not what staff is presenting on Monday. What is attached is merely the Concept Plan. The packet will have all the details and Planned Development conditions that go with it.
6. Will the Concept Design be available for all residents to view and comment on before a final vote by the Planning and Zoning Commission and the City Council of Murphy? By way of the packet, once sent to the Commission and Council and posted for public viewing, all the details of this application and agenda item are included in the packet for anyone's review.

1. specific concerns:

1. multi-story? One story proposed on the east side, two story proposed on the west side no higher than 45 feet.
 2. screening wall? To the west yes, to the east, live screening because of city easement/water line. All these details will also be discussed and voted on by the Commission and Council.
 3. set back from Maxwell Creek Road and from Property of Homeowners to the West? Set back per Code
 4. Emergency Service of Fire, Medical and Police Access? Required per Code
 5. Right hand turn lane to alleviate Impact to Traffic on FM544? Not proposed
7. If this Zoning Change Request were to be denied by the Planning and Zoning Commission would not the Applicant have the right to present such a request to the City Council of Murphy? Yes, they can appeal the Commission's vote to Council and would need to have an affirmative vote/super majority if denied by P&Z. They are scheduled for 1/26 P&Z and 2/3 City Council.

8. Should the Applicant be granted this Zoning Change Request, could the Applicant change the Development Plan if Medical Office and/or Assisted Living business organizations be not willing to commit to rent/lease/purchase? They could not without coming back to the City, submitting an amendment request to their Planned Development District (zoning) and would have to go through this whole process again.

Thank you for your time and effort,

Thank you! I truly appreciate your questions and hope I was of some assistance. I look forward to your feedback and hopefully meeting you on Monday evening at the Commission meeting if you plan to attend.

