



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 Fencecrete 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