

Murphy Planning and Zoning Commission Regular Meeting Minutes
206 North Murphy Road
Murphy, Texas 75094
January 26, 2015

CALL TO ORDER

Commissioner Levy called the meeting to order at 6:03 p.m.

ROLL CALL & CERTIFICATION OF A QUORUM

Commissioners Present: Steve Levy, Jon King, Camille Hooper, John Johnson, Lloyd Jones, Greg Mersch and Gary Maxon

Commissioners Absent: Don Reilly

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

Lori C. Knight certified a quorum. Alternate Gary Maxon was seated at 6:11 after taking his oath.

ELECTION OF OFFICERS

Chairman: John Johnson nominated Jon King to serve as Chairman. With no other nominations, a vote was taken and passed 7-0.

Vice Chairman: Camille Hooper nominated Steve Levy to serve as Vice Chairman. With no other nominations, a vote was taken and passed 7-0.

Secretary: Jon King nominated Camille Hooper to serve as Secretary. With no other nominations, a vote was taken and passed 7-0.

PUBLIC COMMENTS

Jaqueline Hawkins, 605 Taylor Trail; Murphy

Mrs. Hawkins stated that when turning onto Heritage Pkwy, the plants and bushes by the trees in the median are dangerous to drivers. Mrs. Hawkins stated that when you make a turn, you cannot see oncoming traffic especially at night.

INDIVIDUAL CONSIDERATION

1. Approval of the Minutes from the December 29, 2014 regular meeting.

Commission Action

Vice Chair Levy made a motion to approve the minutes from December 29, 2014. Commissioner Jones seconded the motion. Motion passed.

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2. Hold a public hearing and consider and/or act on the application of the City of Murphy to re-plat 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 re-plat, 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 Hills Farm subdivision.

Staff Discussion

Kristen Roberts stated that on September 22, 2014, the Planning & Zoning Commission approved an ordinance zoning the subdivision known as Windy Hill Farms – Phase 1. This was done to correct the errors that occurred in the years past dating back to the year 2000. Now it reflects the actual constructed conditions within the neighborhood. 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 subdivision. The City Council favorable considered the City Engineer’s recommendation at its January 6, 2015 meeting.

Ms. Roberts stated that with this last piece of the process, the City is re-platting the existing subdivision known as Windy Hill Farms – Phase 1, located west of Heritage Parkway and north of FM 544. This removes platted building lines and establishes the front building setbacks in accordance with the City’s Ordinance No. 14-10-988. State and City law requires property owners to sign and notarize the re-plat if they wish.

Ms. Roberts stated that the City Engineer and the City’s Assistant Attorney were present if the Commission or residents had any questions.

PUBLIC HEARING OPENED AT 6:24 P.M.

Tonya Gray; 600 Karen Pass, Murphy

Mrs. Gray asked what did it mean by waiving the monuments and where is the 5 ft. difference in the setbacks?

Brenda McDonald, Assistant City Attorney, explained in detail what was included in this waiver request.

Chairman King read off the reply forms that were received in the mail:

- Bryan Patton- In Favor
- Alisa Allen – In Favor
- April Monk- In Favor
- Gary Siegel – In Favor
- Steve Shook – Opposed

PUBLIC HEARING CLOSED AT 6:27 P.M.

Commission Action

Commissioner Jones made a motion to approve the re-plat of Windy Hills Farms-Phase1, 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 and approve the City's request for 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. Vice Chair Levy seconded the motion. Motion passed 7-0.

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.

Staff Discussion

Kristen Roberts stated that for approximately six years, staff has worked closely with the former and current property owners on numerous potential developments for this particular site most recently being in the summer of 2013. Since that time, staff has been working closely with the new owner of this property on possible site layouts. The new property owner/developer submitted a development application for a rezoning of the property and creation of a Planned Development District. Ms. Roberts stated that the new property owner/developer has been in communication with various neighbors in the residential neighborhood directly west of the site.

Additionally, he has met one on one with neighborhood groups to discuss his proposed site and offered to work together on various concerns. The applicant is requesting going from SF 20 to a Planned Development with conditions.

PUBLIC HEARING OPENED AT 7:00 P.M.

- o Keith Yuck, 127 S Maxwell Creek – Opposed
- o Michael Goggins, 112 S. Maxwell Creek – Opposed
- o Diane Waller, 133 S. Maxwell Creek – Opposed
- o Jennifer Berthiaume, 416 Woodcrest Circle – In Favor
- o Richie Earle, 129 Ridgestone Drive – Opposed
- o Chris Koleber, 411 Woodcrest Circle – Opposed

Chairman King read off the rest of the reply forms that had come in the mail. They were:

IN FAVOR

- o Eric Langford
- o Larry Hoffman
- o Luis McAllister
- o Susan Baack
- o Allah Carmichael
- o Jennifer Berthiaume
- o Michael Bauer
- o Brian Padden
- o Alisa Allen

- Jiahuan Ding
- Bingzhi Yang

OPPOSED

- Diane Waller
- Gifford Jackson
- Renee Collins
- Stephanie Pennington
- Mary Koleber
- Brad Mounsey
- Margie McClanahan
- Richy Earle
- John & Lyle Doyle
- Keith Huyck
- Michael Goggins
- Jim DeMasters
- Diane Weyand
- Debbie Cole
- Benita Maynard
- Warren Gallion
- Martha Gallion
- Clara Gallion
- Charles Gallion
- Steve Shook
- Robert Cladue

PUBLIC HEARING CLOSED AT 7:25 P.M.

Commission Discussion

Vice Chair Levy asked about the proposed use, paving and screening standards.

Kristen Roberts discussed those items as noted in the proposed PD and concept plan.

Chairman King asked about communication efforts by the property owner with neighboring residents.

There was also discussion on building height, landscaping and access.

Commissioner Johnson commended Mr. Betz and his engineer for their efforts and for communicating with the residents. Mr. Johnson stated that he denied the previous submittal because of the fact that he did not understand why this piece of property cannot be left at its current zoning of SF-20 with single story homes. Commissioner Johnson did say he would vote against it again.

Commission Action

Commissioner Johnson made a motion to deny the application of Ryan Betz requesting a change in zoning from SF-20 to a Planned Development (PD) District for Medical Office and Assisted Living Development including a Concept Plan and PD District requirements on property located southwest of FM 544 and Maxwell Creek. Commissioner Jones seconded the motion. Motion to deny zoning change passes 4-2 with Commissioners Hooper and Levy opposing. Commissioner Gary Maxon abstained.

STAFF UPDATES

Next meeting is February 23, 2015.

ADJOURNMENT

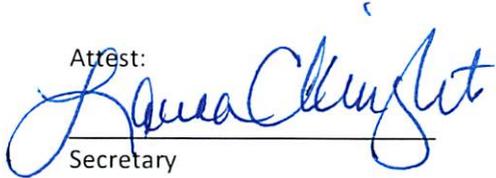
With no other business before the Commission, Chair King adjourned the meeting at 7:57 P.M.

APPROVED:



Steve Levy, Vice-Chair

Attest:



Secretary