



MURPHY PLANNING AND ZONING COMMISSION AGENDA
 REGULAR PLANNING AND ZONING COMMISSION MEETING
 MONDAY, MARCH 27, 2017 AT 6:00 PM
 COUNCIL CHAMBERS
 206 NORTH MURPHY ROAD
 MURPHY, TEXAS 75094

Steve Levy
Chairman

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 Monday, March 27, 2017 at Murphy City Hall for the purpose of considering the following items. The Murphy Planning and Zoning Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Camille Hooper
Vice Chair

1. CALL TO ORDER

Lloyd Jones
Secretary

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. ROLL CALL & CERTIFICATION OF A QUORUM

Christine Johnson
Commissioner

4. PUBLIC COMMENTS

John Johnson
Commissioner

5. INDIVIDUAL CONSIDERATION

Julie Kamm
Commissioner

A. Approval of the minutes from the March 6, 2017 Special Meeting.

[3-6-2017 - Special Meeting Minutes](#)

Greg Mersch
Commissioner

B. Hold a public hearing and consider and/or act on amending Chapter 26, Sections 02.012, Political Signs and Section 02.024, Attached Signs in Business Districts, of the Murphy Code of Ordinances.

[Current Attached Signs & Political Signs ordinances](#)

Christopher George
Alternate

6. STAFF DEVELOPMENT PROJECT UPDATE

James Holley
Alternate

7. ADJOURNMENT

Jared Mayfield
Director of Economic
and Community
Development

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 on March 24, 2017 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.

Bailey Ragsdale

Bailey Ragsdale
Executive Administrative Assistant

Tina Stelnicki
Community
Development
Coordinator

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.

Notice of Possible Quorum: There may be a quorum of the Animal Shelter Advisory Committee, the Board of Adjustment, the Building and Fire Code Appeals Board, the Capital Projects Advisory Committee, the City Council, the Ethics Review Commission, the Murphy Community Development Corporation, the Murphy Municipal Development District Board and/or the Park and Recreation Board members who may be present at the meeting, but they will not deliberate on any city or board business.



Murphy Planning and Zoning Commission Regular Meeting Minutes
206 North Murphy Road
Murphy, Texas 75094
March 6, 2017

1. CALL TO ORDER

Meeting called to order at 6:01 p.m.

2. ROLL CALL & CERTIFICATION OF A QUORUM

Planning and Zoning Commissioners Present: Steve Levy, Camille Hooper, Lloyd Jones, Christine Johnson, John Johnson, Julie Kamm, Greg Mersch

City Staff Present:

Jared Mayfield, Tina Stelnicki, Bailey Ragsdale

Tina Stelnicki certified a quorum.

3. PUBLIC COMMENTS

Public comments opened at 6:01 p.m.

Public comments closed at 6:02 p.m.

There were no public comments.

4. CONSENT AGENDA

All consent agenda items are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

A. Approval of the Minutes from the February 13, 2017 special meeting

There was discussion regarding the motion of item 5B for hours of operation being incorrect and for the minutes to be updated to reflect the correct times.

Corrections; 5D motion made by Commissioner Greg Mersch.

COMMISSION ACTION (4A)

APPROVED

Vice Chair Camille Hooper moved to approve the minutes with the corrections as discussed. Commissioner Christine Johnson seconded. Motion passed unanimously.

The hours in the motion for 5B were confirmed to be correct using official video and audio recording of the February 13, 2017 Planning and Zoning meeting. Those requested changes were not made. The changes requested for item 5D were made.

5. INDIVIDUAL CONSIDERATION

A. Hold a public hearing and consider and/or act on the application of Sri Muralidharan Holdings LLC (DBA) Fort Child Activity Center requesting approval of an amendment to Planned Development (PD) 09-07-803 to add Gymnastics as an approved use. Property is located on 1.18 acres having the legal description of



ABS A0403 Isaac Herring Survey, Tract 30, located on the south west corner of North Murphy Road and Betsy Lane.

Director of Community and Economic Development, Jared Mayfield gave an overview of this item and confirmed the additional use will be for any property under this PD.

Public Hearing opened at 6:09 pm
 Public Hearing closed at 6:09 pm
 There were no public comments.

Commission Action (5A) **Approved**
Vice Chair Camille Hooper moved to approve item 5A as presented. Commissioner Christine Johnson seconded. Motion passed unanimously.

B. Consider and/or act on the application of Engineering Concepts for a zoning change from Single Family – 20 (SF20) to Single Family – 9 (SF9) with a Planned Development (PD).

1. Hold a public hearing and consider and/or act on the application of Engineering Concepts requesting approval of a zoning change from Single Family – 20 (SF-20) to Single Family – 9 (SF-9) located on 52.153 acres, having the legal description of Tract 87 in the Henry Maxwell Survey, Abstract A0579, and in the Daniel Herring Survey, Abstract A0402. This property is located on the west side of McCreary Rd., south of FM 544.

Mayfield gave an overview of this project with a location description of this property, and pointed out features such as the large 4.79 acre open space, 8 foot sidewalks for pedestrian use, and explained the use on the current future land use plan is low density residential. Mayfield confirmed there is a distinction between SF20 and SF9 properties being listed on the plat and in order for this to be changed it would need to be approved by both Planning and Zoning and Council. Infrastructure was discussed, specifically regarding the water line being tied into the existing lines.

Pat Atkins, representative for this project, presented a short video to the commission and meeting attendees. He then went into further detail regarding the concept plan configuration and how it is situated to include most of the input he has received from the nearby Murphy residents. Atkins requested to be allowed time after the public comments to address any concerns or questions presented. Fencing was discussed with regards to height and materials. Atkins confirmed fencing will be an 8 foot maximum, board on board fence with metal posts. McCreary Road was discussed, and Atkins explained it is not required for them to improve McCreary Road but are doing so at a great expense to the developer because they feel it is their responsibility. Atkins also mentioned there are other significant expenses that are being covered by the developer to improve the area for the benefit of anyone who lives and or travels in that area. Lot sizes were mentioned several times and Atkins explained the project would not be monetarily beneficial for the developer if they were to create only SF20 lots.

Public Hearing opened at 6:51 pm

Barbara Harless, resident - opposed
 Mark Harless, resident - opposed



- David Brandon, resident – opposed
- Brent and Julie Delozier, residents – in favor
- Larry Lee, resident – opposed
- Ray Norris, resident – opposed
- Kevin Elwood, resident – opposed
- Brad Mayner, resident – opposed
- Linda Mayner, resident – opposed
- Ray Cross, resident – opposed
- Heidi Gardner, resident – opposed
- John Gardner, resident – opposed
- David Rogers, resident – opposed
- Robert Sandifer, resident – opposed
- William Michael Jobe, resident – opposed
- Nancy Zentner, resident – opposed
- Margaret Dasch, resident – opposed
- Karol Ratliff, resident – opposed
- Robert Mortonson, resident – opposed
- Maggie Whitt, resident – opposed
- Lisa James, resident – opposed

Public Comments closed at 7:23pm

Atkins addressed some of the concerns brought up during the public hearing such as construction traffic on Ridgeview. Atkins requested to have this item tabled until the next regularly scheduled Planning and Zoning meeting in order to further revise the project plans to better address the concerns of the commission and residents.

Public hearing re-opened at 7:27 pm.

Commission Action (5B) *Approved*
Vice Chairman Camille Hooper moved to continue the public hearing and the consideration for item 5B until the next regularly scheduled Planning and Zoning meeting on March 27, 2017. Commissioner Greg Mersch seconded. Motion was passed unanimously.

- 2. Hold a public hearing and consider and/ or act on the application of Engineering Concepts requesting approval of a zoning change from Single Family – 9 (SF-9) to a Planned Development District (PD) located on 52.153 acres, having the legal description of Tract 87 in the Henry Maxwell Survey, Abstract A0579, and in the Daniel Herring Survey, Abstract A0402. This property is located on the west side of McCreary Rd., south of FM 544.

This item was combined with the motion for item 5B 1.

- C. Consider and/or act on the application of First Crescent Enterprises, LLC requesting approval of a construction plat and landscape plans for Planned Development District Ordinance (PD) No. 16-10-1023 on property located north of McMillen Road adjacent to Murphy Road, having the legal description of Murphy Manors (CMR), Lot 2.



Director Mayfield gave a brief overview of this project and corrected the lot number error in the staff report to be 31 lots total. City Engineer Gary Hendricks addressed the commission regarding the outstanding issues still needing to be resolved before he is comfortable with recommending approval of this item. Hendricks confirmed the fatal flaw with drainage has been addressed as of Friday, March 3, 2017.

Commission Action (5C) **Approved**
Commissioner Lloyd Jones motioned to approve application of First Crescent Enterprises, LLC requesting approval of a construction plat and landscape plans for Planned Development District (PD) No. 16-10-1023 on property located north of McMillen Road adjacent to Murphy Road, having the legal description of Murphy Manors (CMR), Lot 2. Provided the outstanding items identified by engineering: an emergency overflow and a complete detail of the waterline connection to Betsy Lane. Commissioner Christine Johnson seconded. Motion passed unanimously.

D. Hold a public hearing and consider and/or act on the adoption of a temporary moratorium on property development within the area bounded on the north by FM 544, on the west by Murphy Road, on the south by Timbers No. 5, Phase 1 and on the east by The Timbers No. 4-A (Murphy Road/FM 544 Zone) in accordance with Texas Local Government Chapter 212.

Director Mayfield respectfully requested for this item to be discussed in executive session.

Chairman Levy convened into executive session at 7:45 pm

6. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the Planning and Zoning Commission will now recess into Executive Session (closed meeting) to discuss the following:

A. §551.071: Consultation with City’s Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding zoning, land use, and moratoriums.

7. RECONVENE INTO REGULAR SESSION

The Planning and Zoning Commission will reconvene into Regular Session, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding.

Chairman Levy reconvened into regular session at 7:55 pm.

Public Hearing opened at 7:55 pm
 Public Hearing closed at 7:56 pm
 There were no public comments.

Commission Action (5D) **Approved**
Commissioner Lloyd Jones moved to approve the adoption of a temporary moratorium on property development within the area bounded on the north by FM 544, on the west by Murphy Road, on the south by Timbers No. 5, Phase 1 and on the east by The Timbers No. 4-A (Murphy Road/FM 544 Zone)



Commissioner Christine Johnson seconded. Motion passed unanimously.

8. ADJOURNMENT

Chairman Levy adjourned the meeting at 7:56 pm.

APPROVED:

DATE:

Attest:

Secretary

ISSUE:

Hold a public hearing and consider and/or act on amending Chapter 26, Sections 02.012, Political Signs and Section 02.024, Attached Signs in Business Districts, of the Murphy Code of Ordinances.

STAFF RESOURCE/DEPARTMENT:

Jared Mayfield, AICP, Director of Community & Economic Development

SUMMARY:

There are two sections of Murphy Code of Ordinances concerning signs that are in need of immediate change. The first deals with Political Signs that are placed on city-owned property. The election polling location has changed from City Hall to the Murphy Community Center. Therefore, the area that signs can be placed on city property needs to be revised to reflect that change.

The second area of the Sign Code concerns attached signs in business zoning districts. Currently, the code is silent on the number of attached signs (wall signs) that are allowed per tenant space. The proposed revisions will clarify that up to two attached signs are allowed per tenant space. In addition, the revisions will prohibit rear facing signs within 100 feet of a residential zoning district as well as illuminated signs from facing residential zoning districts.

ACTION REQUIRED:

Staff recommends approval of the code amendments.

ATTACHMENTS:

[Current Attached Signs & Political Signs ordinances](#)

Sec. 26.02.012 Political Signs

Political signs regarding an issue or candidate in an election may be erected on private property without limit as to number, provided that such signs comply with other applicable requirements of this article, and provided further that the owner or occupant of the property on which sign is displayed shall comply with the following regulations:

- (1) Political signs must comply with state law and are prohibited from:
 - (A) Having a surface area greater than 36 square feet.
 - (B) Being more than eight feet in height.
 - (C) Being illuminated.
 - (D) Having moving elements.
 - (E) Being located in center medians or within 15 feet of any stop sign/traffic light.
 - (F) Being placed on private property without the permission of the property owner.
 - (G) All candidate signs must be removed within two days after the conclusion of the election.
 - (H) Being placed on city-owned property except:
 - (i) Along the ~~south~~ north entrance of the ~~Municipal Complex~~ **Murphy Community Center**. Signs may be placed on the ~~south~~ north side of this driveway beginning ten days prior to early voting. The sign placement area shall be between the ~~customer service utility payment~~ drive area and the right-of-way at Murphy Road **on the north side of the driveway**.
 - (ii) The total sign area of a candidate on city-owned property may not exceed ~~16~~ 9 square feet.
 - (iii) On election day, candidates and/or supporters may place campaign signs in the east lawn across from the city hall south parking lot, as long as they are outside the mandated election boundary lines.
- (2) The city may remove any sign that is not in compliance with any of the above regulations.
- (3) Political signs must comply with all laws and regulations regulating the placement, location, and sight visibility triangle which relates to all signage.

Sec. 26.02.024 Attached signs in business districts

Attached signs are permitted in business districts in accordance with the following provisions:

(1) Sign area.

(A) The sign area of an attached sign shall have a maximum square footage of two times the width of the occupant space as measured along main entrance or frontage.

(B) The sign area for attached signs on multi-story buildings shall be two times the width of the main building frontage. The sign area for attached signs on tenant spaces within a multi-story building which has a public entrance shall be allowed per the attached sign requirements in subsection (A).

(2) Location and height design.

(A) Where an activity is located on the first story of a multi-story building, an attached sign may not project above the floor level of the second story.

(B) Where an activity is located above the first story of a multi-story building, an attached sign may not project above the floor immediately above.

(C) No attached sign shall project a distance greater than 18 inches from the architectural element to which it is affixed.

(D) No more than two attached signs shall be allowed per tenant space.

(E) No rear facing attached signs shall be within 100ft of a residential zoning district.

(F) Attached signs may be illuminated; however, illuminated attached signs on side and rear building facades shall not face a residential zoning district.

(2006 Code, sec. 28-23; Ordinance 09-05-797, sec. 2 (art. I, sec. 23), adopted 5/18/09)

City Comparisons

Allen – doesn't limit the number of signs, limited to a max allowed s.f. per business

Plano – doesn't limit the number of signs, limited to a max allowed s.f. per elevation. Illumination not allowed on signs facing residential zoning.

Richardson – limits the number of signs based on street frontage.

Rowlett – doesn't limit the number of signs, limited to a max allowed s.f. per business.

Sachse – doesn't limit the number of signs, limited to a max allowed s.f. per business.

Wylie – Wall signs may be installed on each face of a building, except for signs located on the side or rear wall of a building where the sign would face an adjacent residential zoning district.