

*****AMENDED AGENDA*****

Planning and Zoning Commission Meeting
Decatur City Hall – 201 E. Walnut St., Decatur, TX
Tuesday, July 1, 2025
REGULAR MEETING 5:30 p.m.

IN PERSON AND VIA VIDEOCONFERENCE/TELECONFERENCE

General Agenda Comments

This is an in-person and videoconference meeting. Videoconferencing is being used to allow staff and members of the public to join the meeting in the following manner:

Anyone may join the meeting via videoconference at www.zoom.us/join or via telephone by calling 1-346-248-7799; meeting ID 988 5813 2625; and Password 069758.

If you join the meeting via videoconferencing and want to address the Commission on an agenda item, you will need to have your camera on and hold up your hand when the Chairman calls for public comment and you will be recognized by the Chairman to address the Commission. Virtual and in-person non-applicant speakers will be allowed a total of three (3) minutes to provide comments regarding the posted agenda item for which the request to speak was submitted and may speak during this item or during the Commission's consideration of individual items in accordance with City Council Rules of Procedure. The three (3) minute time period will be extended to six (6) minutes if a translator is required for a speaker to communicate his/her comments regarding the posted agenda item for which the request to speak was filed. You may also email your comments to be read at the meeting to: planning@decaturtx.org before and during the meeting. Please provide your name, address, and the agenda item number.

CALL TO ORDER AND ANNOUNCE A QUORUM

ITEM 1: Consider and take appropriate action regarding the approval of the Planning and Zoning Commission Meeting Minutes from June 3, 2025.

PUBLIC HEARING ITEMS:

ITEM 2: RP-25-0007. Consider an extension request regarding a request to replat approximately 0.590 acres, Lot 1R, Block 9, revised Plat of Lipsey, an Addition to Wise County, Texas, being a portion of Lots 1 and 2, Block 9, revised Plat of Lipsey, as recorded in Cabinet A, Slides 81-82, Plat Records, Wise County, Texas, also known as 3301 S Murvil Street, Decatur, Texas. **(Extension Request for Replat – Davie Ray Murphy)**

Open Public Hearing at: _____ Close Public Hearing at: _____

ITEM 3: ***Discussion of front yard fences and permitted materials.

For Your Information Items:

ITEM 4: Discussion of future agenda, new business items, staff requests, and potential special-called meeting and/or workshop requests:

- a. As of the agenda posting, the August 5, 2025, meeting currently has three (3) Planning applications. The submittal deadline is July 7, 2025, at 5:00 p.m. (If there is a meeting, the meeting will be an in-person meeting with potential virtual attendance of staff and members of the public unless otherwise determined.)

Prepared and posted this on the 23rd day of June 2025, in accordance with Chapter 551, Texas Government Code.



Lisa Hannon
Planning Director

PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COMMISSIONERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC AT THE ADDRESS POSTED ABOVE AS THE LOCATION OF THE MEETING.

***NOTE: THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING AT ANY TIME REGARDING ANY ITEM ON THE AGENDA FOR WHICH IT IS LEGALLY PERMISSIBLE UNDER THE TEXAS OPEN MEETINGS ACT PURSUANT TO LGC 551.071.**

MINUTES
PLANNING AND ZONING COMMISSION REGULAR MEETING
Tuesday, June 3, 2025, at 5:30 P.M.
REGULAR MEETING and VIA - VIDEOCONFERENCING

A regular meeting of the City of Decatur Planning and Zoning Commission was held at 5:30 p.m., Tuesday, June 3, 2025, via in-person and videoconferencing with the following participating:

MEMBERS PRESENT:

Cecil LeMond, Chairman
Will Klose, Vice-Chairman
Mason Woodruff
John Lanier
Terry Berube
Eileen Cross
Shelby Hicks (arrived at 5:33 p.m.)

MEMBERS ABSENT:

OTHERS PRESENT: Planning Director Lisa Hannon, Development Services Director Wayne Smith, City Manager Nate Mara, City Attorney Pam Liston (Virtual), Assistant Planner Cheryl Fuss and Information Technology Technician Herandi Martinez representing the staff.

Chairman LeMond called the meeting to order at 5:30 p.m.

ITEM 1: Consider and take appropriate action regarding approval of the Planning and Zoning Commission Special Meeting Minutes from May 6, 2025.

Vice-Chairman Klose made a motion to approve May 6, 2025, Planning and Zoning Commission Special Meeting Minutes. Commissioner Cross seconded the motion. The motion carries 5-0, Commissioner Hicks absent.

General Agenda Comments:

This videoconferencing meeting is being used to allow Commissioners, staff and public participants to join the meeting in the following manner:

Anyone may join the meeting via videoconference at www.zoom.us/join or via telephone by calling 1-346-248-7799; meeting ID 98 5813 2625; and Password 069758.

If you join the meeting via Videoconferencing and want to address the Commission on an agenda item, you will need to have your camera on and hold up your hand when the Chairman calls for public comment and you will be recognized by the Chairman to address the Commission and will be allowed a total of three (3) minutes to provide comments regarding the posted agenda item for which the request to speak was submitted and you may speak during this item or during the Commission's consideration of individual items in accordance with City Council Rules of Procedure. The three (3) minute time period will be extended to six (6) minutes if a translator is required for a non-English speaker to communicate his/her comments regarding the posted agenda item for which the request to speak was filed. You may also email your comments to be read at the meeting to: planning@decaturtx.org before and during the meeting. Please provide your name, address and the agenda item number.

Chairman LeMond asked if there is anyone participating in the videoconference that has not signed in and wishes to speak on any of the posted agenda items. There was no one who wished to speak.

Public Hearing Items:

ITEM 2: RP-25-0007/3301 S. Murvil St. Public hearing, discussion, and make a recommendation to the City Council regarding a request to replat approximately 0.590 acres, Lot 1R, Block 9, revised

Plat of Lipsey, an Addition to Wise County, Texas, being a portion of Lots 1 and 2, Block 9, revised Plat of Lipsey, as recorded in Cabinet A, Slides 81-82, Plat Records, Wise County, Texas, also known as 3301 S Murvil Street, Decatur, Texas. **(Replat – Davie Ray Murphy)**

Chairman LeMond opened the public hearing on RP-25-0007 at 5:31 p.m.

Planning Director Hannon stated the applicant has requested a thirty (30) day extension request. She said the application is not in order and does not meet the minimum requirements.

Staff recommend approval of the 30-day extension request for Replat 25-0007. She said if the requested extension is granted by P&Z, it will be back on the July 1st agenda.

Chairman LeMond asked if there is anyone in the audience wishing to speak. There was none. The public hearing was closed at 5:32 p.m.

Chairman LeMond asked if there are any other questions or comments. There were none, Chairman LeMond asked for a motion for RP-25-0007.

Vice-Chairman Klose made a motion to grant a 30-day extension of time for Replat 25-0007. Commissioner Woodruff seconded the motion. The motion carries 5-0, Commissioner Hicks absent.

ITEM 3: RP-25-0008/1400 Deer Park Rd. Public hearing, discussion, and make a recommendation to the City Council regarding a request to replat approximately 13.799 acres, Lot 1R, Block 1, Crossroads Church Addition, a tract in the David Moses Survey, Abstract No. 537, J.C. Bullock Survey, Abstract No. 79, City of Decatur, Wise County, Texas, also known as 1400 Deer Park Road, Decatur, Texas. **(Replat – Crossroads Church)**

Chairman LeMond opened the public hearing on RP-25-0008 at 5:33 p.m.

Planning Director Hannon presented the staff report for RP-25-0008. She stated that nine (9) property owners were notified. Staff received no (0) responses in favor of, opposed to or neutral to the request.

Staff recommends approval of RP-25-0008.

Chairman LeMond asked if there is anyone in the audience wishing to speak. There was none. The public hearing was closed at 5:34 p.m.

Chairman LeMond asked if there are any other questions or comments. There were none, Chairman LeMond asked for a motion for RP-25-0008.

Commissioner Berube made a motion to recommend approval of Replat Application 25-0008. Commissioner Cross seconded the motion. The motion carries 6-0.

Non-Public Hearing Items:

ITEM 4: CONSENT AGENDA – All consent agenda items listed are considered to be routine by the Planning and Zoning Commission and will be recommended in one motion. There will be no separate discussion of these items unless a P&Z Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. PP-25-0007/1205 N. US Highway 81-287 Business Consider and make a recommendation to the City Council to approve a request to preliminary plat Howard's Way, Lots 1 – 3, Block 1, a 3.415 acre tract of land in the G.M. Vigil Survey, Abstract Number 857, in the City of Decatur, Wise County, Texas, also known as 1205 N US Highway 81-287 Business. **(Robert Jacob Luman)**

B. PP-25-0007/1205 N. US Highway 81-287 Business Consider and make a recommendation to the City Council to approve a request to final plat Howard's Way, Lots 1 – 3, Block 1, a 3.415 acre tract of land in the G.M. Vigil Survey, Abstract Number 857, in the City of

Decatur, Wise County, Texas, also known as 1205 N US Highway 81-287 Business.
(Robert Jacob Luman)

Planning Director Hannon stated staff is recommending approval of Consent Agenda.

Chairman LeMond asked for a motion to recommend approval of the Consent Agenda.

**Commissioner Woodruff made a motion to recommend approval of the Consent Agenda.
Commissioner Hicks seconded the motion. The motion carries 6-0.**

For Your Information Items:

ITEM 13: Discussion of future agenda new business items, staff requests and potential special called meeting and/or workshop requests:

- a. As of agenda posting, the July 1, 2025, meeting currently has one (1) new Planning application. Submittal deadline is was June 3 2025, at 5:00 p.m. (The meeting will be an in-person meeting with potential virtual attendance of staff and members of the public unless otherwise determined.)

Planning Director Hannon said there is one (1) planning applications for the July 1, 2025, P&Z meeting.

The meeting adjourned at 5:36 p.m.

Cecil LeMond, Chairman

ATTEST:

Minutes Prepared by:

Lisa Hannon, Planning Director

Cheryl Fuss, Assistant Planner



REPLAT STAFF REPORT

TO: Planning and Zoning Commission
FROM: Lisa Hannon, Planning Director
PUBLIC HEARING DATE: July 1, 2025
RE: RP-25-0006 – 3301 S Murvil Street

Applicant Request:

RP-25-0007 – Consider an extension request regarding a request to replat approximately 0.590 acres, Lot 1R, Block 9, revised Plat of Lipsey, an Addition to Wise County, Texas, being a portion of Lots 1 and 2, Block 9, revised Plat of Lipsey, as recorded in Cabinet A, Slides 81-82, Plat Records, Wise County, Texas, also known as 3301 S Murvil Street, Decatur, Texas. (**Extension request for Replat – Davie Ray Murphy, Property Owner**)

Summary of Applicant's Request:

Tiffany Jarrett, on behalf of Davie Ray Murphy, property owner, has submitted an extension request for a replat application for the property located at 3301 S Murvil Street, Decatur, Texas.

Findings:

- Finding #1.** According to the Texas Local Government Code (TLGC), Section 212, the property can be legally platted.
- Finding #2.** The replat **does not** meet the minimum requirements of the City of Decatur's Zoning Ordinance, Subdivision Regulations, and the Design Standards.
- Finding #3.** The approval process for the replat is **ministerial**, meaning the decision to approve, approve with conditions, or deny the request cannot be arbitrary.

Conclusion(s):

- Conclusion #1:** The application is **not** in order, and statutory requirements have **not** been met.

Staff Recommendations - based on the aforementioned findings & conclusions:

Development Services staff recommends approval of a 30-day extension for Replat Application 25-0007. If the requested extension is granted by the Planning and Zoning Commission, the replat application will be on the August 5, 2025, agenda.

Attachments:

1. Location/Aerial Map
2. Replat Exhibit
3. Property Owner Notification Map
4. Property Owner Notification Responses

Exhibit "1"

Location/Aerial Map



Exhibit "2" Plat Exhibit

STATE OF TEXAS **OWNER'S ACKNOWLEDGEMENT AND DEDICATION**
COUNTY OF WISE

Being a portion of Lots 1 and 2, Block 9, Revised Plat of Lipsey, an addition to Wise County, Texas, according to the plat thereof recorded in Cabinet A, Shida 83-42, Plat Records, Wise County, Texas, being all that certain tract of land conveyed in deed to DAVE RAY MURPHY, as recorded in Instrument No. 202400099, Official Records, Wise County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2-inch iron rod found at the northwest corner of said Lot 1 and said Murphy tract, said iron rod being the intersection of the east line of S. Murvil Street and the south line of W. David Avenue (50 foot right-of-way);

Thence South 79° 39' 00" East, a distance of 144.19 feet along said south line to a 1/2-inch iron rod found at the northeast corner of said Murphy tract and the most northerly north-south corner of that certain tract of land described in deed to Johnny G. Robertson and Dallas Robertson, as recorded in Instrument No. 200511185, aforesaid Official Records;

Thence South 12° 20' 41" West, a distance of 211.44 feet along the common line of said Murphy and Robertson tracts to a 1/2-inch iron rod found at the southeast corner of said Murphy tract;

Thence North 76° 28' 52" West, a distance of 93.42 feet along said common line to a 1/2-inch iron rod found at the southeast corner of said Murphy tract and the most westerly north-south corner of said Robertson tract, said iron rod being on the aforesaid East line of S. Murvil Street;

Thence North 07° 07' 00" East, a distance of 232.77 feet along said east line to the point of beginning and containing 25,705 square feet or 0.590 of one acre of land.

NOW THEREFORE, I, KNOW ALL MEN BY THESE PRESENTS:
That DAVE MURPHY, owner, do hereby adopt this plat designating the hereinabove described property as

LOT 1R, BLOCK 9, LIPSEY ADDITION

an addition to Wise County, Texas, and does hereby dedicate to the public use and benefit forever the streets and alleys shown thereon for all public purposes including but not limited to all street and utility purposes.

Dave Murphy
Date: _____

STATE OF TEXAS **COUNTY OF WISE**

Refere me, the undersigned authority, a Notary Public in and for said County and State, on this date personally appeared DAVE MURPHY, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of DAVE MURPHY for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2025.

Notary Public in and for the State of Texas.
My commission expires _____

STATE OF TEXAS **SURVEYORS CERTIFICATION:**
COUNTY OF WISE

I, David Apple, a Registered Professional Land Surveyor of the State of Texas, having planned the above subdivision from an actual survey on the ground, and that all lot corners, and angle points, and point of curve shall be properly marked on the ground, and that this plat correctly represents that survey made by me or under my direct supervision.

David Apple, R.P.L.S.
Texas Registration No. 5392
Premier Surveying LLC
5700 W. Plano Parkway, Suite 1200
Plano, Texas 75093

ON THE _____ DAY OF _____, 2025, THIS PLAT WAS DULY
APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF
DECATUR, TEXAS.

BY: _____
CHAIRMAN

ATTEST: _____
PLANNING DIRECTOR

THE CITY COUNCIL OF DECATUR, TEXAS, ON THE _____ DAY OF _____, 2025, VOTED AFFIRMATIVELY TO ADOPT THIS PLAT
AND APPROVE IT FOR FILING OF RECORD.

BY: _____
MAYOR

ATTEST: _____
CITY SECRETARY

Plat Notes:

Utility Easements Restrictions (U.E.):
Any public utility, including the City of Decatur, Wise County, Texas, shall have the right to move and have moved or part of any building, fence, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on this plat and any public utility, including the City of Decatur, Wise County, Texas, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and assisting or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

Drainage Easement Restriction (D.E.):
No construction, or filling without the written approval of the City of Decatur, shall be allowed within a drainage easement, and then only after detailed engineering plans and studies, show that no flooding will result. That no construction or the natural flow of water will result, and subject to all owners of property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) feet above the 100-year flood elevation.

Floodway Easement Restriction:
No construction, without the written approval of the City of Decatur, shall be allowed within a floodway easement, and then only after detailed engineering plans and studies, show that no flooding will result. That no construction to the natural flow of water will result. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) feet above the 100-year flood elevation.

Public Open Space Easement Restriction:
No structure, object or plat of any type may obstruct vision from a height of thirty (30) inches to a height of ten (10) feet above the top of the curb, including, but not limited to, buildings, fences, walls, signs, trees, shrubs, cars, trucks, etc., in the public open space easement as shown on this plat.

Landscape Restriction:
Landscape areas are strictly reserved as landscaped, open green spaces only and shall never allow intrusions of any kind that are not landscape related or that in any way lessen the amount of area or landscape material within the expressed, written permission of the City of Decatur.

Buffer Restriction:
Buffer areas are strictly reserved as landscaped, open green spaces only and shall never allow intrusions of any kind that are not landscape related or that in any way lessen the amount of area or landscape material. Buffer walls shall be hereafter and forevermore retained until said nodes dissolve and expressed, written permission from the city is granted to do otherwise.

Green Space Restriction:
Green space areas are strictly reserved as landscaped, open green spaces only and shall never allow intrusions of any kind that are not landscape related or that in any way lessen the amount of area or landscape material without the expressed, written permission of the City of Decatur.

Control Source:
Declarations shown are based on the deed recorded in Instrument No. 201515285, Official Records, Wise County, Texas.

According to the Flood Insurance Rate Map for Wise County, Texas and incorporated Areas, Map Number 4848/20050 D, effective date December 18, 2011, no part of subject property appears to be in the 100-year flood zone, said property is in Zone "X".

SURVEYOR:
PREMIER SURVEYING, LLC
DAVID APPLE, R.P.L.S.
5700 W. PLANO PARKWAY, SUITE 1200
PLANO, TEXAS 75093
PHONE: 972.612.3601
FAX: 972.612.6458

OWNER:
DAVE MURPHY
5700 W. PLANO PARKWAY ST
PLANO, TEXAS 75093
PHONE: 972.612.3601
FAX: 972.612.6458

TOTAL PLAT
LOT 1R, BLOCK 9
LIPSEY ADDITION
AN ADDITION TO WISE COUNTY, TEXAS
11.07
PREPARED: 05/20/25

BEING A PORTION OF LOTS 1 AND 2, BLOCK 9, REVISED PLAT OF LIPSEY, AS RECORDED IN CABINET A, SLIDER 83-42, PLAT RECORDS, WISE COUNTY, TEXAS.

Exhibit "3"

Property Owner Notification

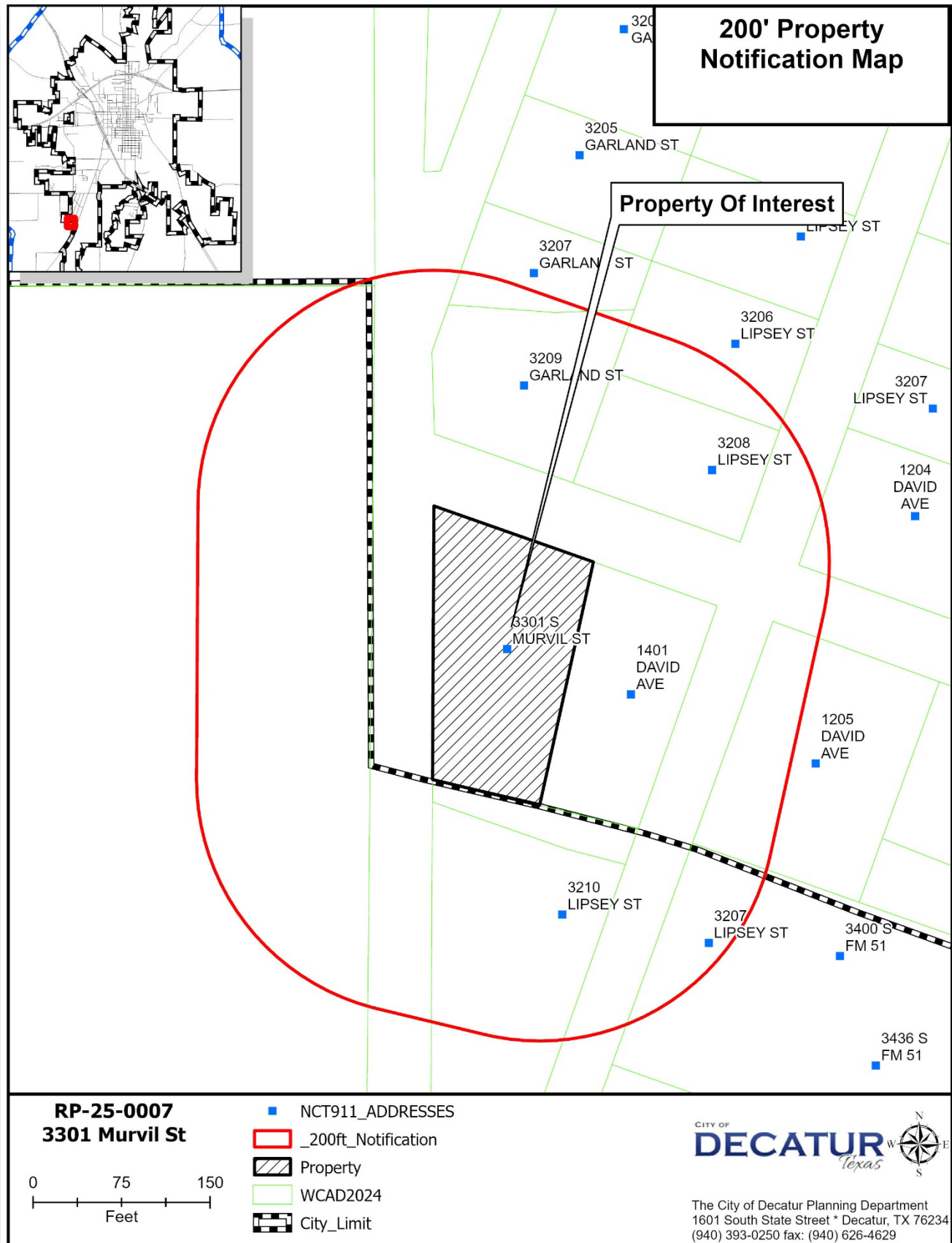


Exhibit “4”
Property Owner Responses

**NO RESPONSE RECEIVED AS OF
JUNE 23, 2025**