

MURPHY PLANNING AND ZONING COMMISSION AGENDA  
REGULAR PLANNING AND ZONING COMMISSION MEETING  
AUGUST 27, 2012 AT 6:00 PM  
CITY 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 August 24, 2012 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

John McKay  
Chairman

ROLL CALL & CERTIFICATION OF A QUORUM

Steve Levy  
Vice-Chairman

PUBLIC COMMENTS

Jon King  
Secretary

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.

Ty Holcomb  
Commissioner

A. Approval of the Minutes from the regular meeting of July 23, 2012.

Jane Jan  
Commissioner

INDIVIDUAL CONSIDERATION

Camille Hooper  
Commissioner

1. Cancellation notice of public hearing requesting approval of a SUP (Specific Use Permit) to allow a drive-thru window for a Braum's Ice Cream Store on property zoned PD (Planned Development) District No. 09-12-823 for Retail and Office Uses on property located on FM 544 between Brand Road and Murphy Road. **This item has been rescheduled for September 24, 2012, and a new public notice will be published, mailed and posted.**

Stephanie Merrifield  
Commissioner

Anthony Turuso  
Alternate

2. Consider and/or act on the application of the City of Murphy requesting approval of a construction plat for a re-plat of the Murphy Municipal Complex.

John Johnson  
Alternate

3. Continue a public hearing and consider and/or act on amendment(s) to PD (Planned Development) District (Ordinance No. 09-02-784) for Retail Uses, including revising the development conditions, plans and specific regulations for the district, including, without limitation, permitted land uses for the district comprised of 74.33 acres, more or less, in the James Maxwell Survey, Abstract No. 582, in the City of Murphy and located at the northeast corner of East FM 544 and North Murphy Road.

Kristen Roberts  
Director of Economic  
and Community  
Development

EXECUTIVE SESSION

In accordance with Texas Government Code, Section 551.001, *et seq.*, the Planning & Zoning Commission of the City of Murphy will recess into Executive Session (closed meeting) in accordance with the authority contained in:

MURPHY PLANNING AND ZONING COMMISSION AGENDA  
REGULAR PLANNING AND ZONING COMMISSION MEETING  
AUGUST 27, 2012 AT 6:00 PM  
CITY COUNCIL CHAMBERS, 206 NORTH MURPHY ROAD  
MURPHY, TEXAS 75094

- A. § 551.071. CONSULTATION WITH 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: to receive legal advice regarding planning and zoning issues regarding city development regulations, standards and conditions, and/or city zoning regulations and related issues.

RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, *et seq.*, the Planning & Zoning Commission of the City of Murphy will reconvene into Regular Session to take any action necessary regarding the following:

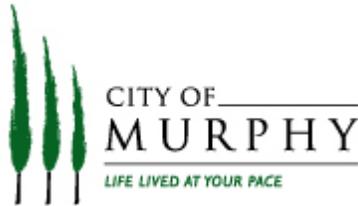
- A. § 551.071. CONSULTATION WITH ATTORNEY; on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act: to receive legal advice regarding planning and zoning issues regarding city development regulations, standards and conditions, and/or city zoning regulations and related issues.

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 on August 24, 2012 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 Economic and 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 [anemer@murphytx.org](mailto:anemer@murphytx.org).



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

July 23, 2012

**CALL TO ORDER**

Chairman McKay called the meeting to order at 6:03 p.m.

**ROLL CALL & CERTIFICATION OF A QUORUM**

**Commissioners Present:** John McKay, Steve Levy, Jon King, Camille Hooper, Ty Holcomb and Stephanie Merrifield

**Commissioners Absent:** Jane Jan

**Alternates Present:** John Johnson

**Alternates Absent:** Anthony Turuso

**City Staff Present:** Kristen Roberts, Director of Economic and Community Dev.  
Andy Messer, City Attorney  
Ben Wyse, Assistant City Attorney  
Lori C. Knight, Administrative Assistant

Lori C. Knight certified a quorum with all Commissioners present except Jane Jan.

**PUBLIC COMMENTS**

There were no public comments received.

**EXECUTIVE SESSION**

In accordance with Texas Government Code, Section 551.001, *et seq.*, the Planning & Zoning Commission of the City of Murphy will recess into Executive Session (closed meeting) in accordance with the authority contained in:

A. § 551.071. CONSULTATION WITH 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: to receive legal advice regarding planning and zoning issues regarding city development regulations, standards and conditions, or city zoning regulations and related issues.

The Planning and Zoning Commission convened into executive session at 6:05 pm.

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### RECONVENE INTO REGULAR SESSION

In accordance with Texas Government Code, Section 551.001, *et seq.*, the Planning & Zoning Commission of the City of Murphy will reconvene into Regular Session to take any action necessary regarding the following:

A. § 551.071. CONSULTATION WITH 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: to receive legal advice regarding planning and zoning issues regarding city development regulations, standards and conditions, or city zoning regulations and related issues.

The Planning and Zoning Commission reconvened into regular session at 6:35 P.M. No action was taken.

### 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 regular meeting of June 25, 2012.
- B. Approval of the Minutes from the Special meeting of July 10, 2012.

### Commission Action

Commissioner King made a request to remove Consent Agenda Item A from the Consent Agenda to Individual Consideration.

Commissioner Merrifield made a motion to approve the Minutes from the Special Meeting of July 10, 2012. Commissioner Hooper seconded motion. Motion passed unanimously.

### INDIVIDUAL CONSIDERATION

1. Approval of the Minutes from the regular meeting of June 25, 2012.

### Commission Discussion

Chairman McKay stated that the Board had been provided an augmentation or variation to the June 25<sup>th</sup> Minutes by the City Attorneys for some explanation on some items that took place. It was requested that they become public record as part of the official minutes.

Andy Messer, City Attorney, briefly went over the items that had been added to the Minutes. A hard copy was provided for the record.

Commissioner Holcomb motioned to approve the revised minutes. Commissioner King seconded the motion. Motion passed 6-0. Commissioner Merrifield abstained from voting on the motion since she was not present at the June 25, 2012 meeting.

2. Hold a public hearing and consider and/or act on the application of **ALLEN AND LOUCKS VENTURE, L.P.** requesting approval to re-plat Lot 7R - Block A – Murphy Marketplace – West Addition being a re-plat of Lots 7 & 8, Block A Murphy Marketplace – West Addition, Volume 2009, Page 195, P.R.C.C.T., Murphy, Texas, applicant being Adams Engineering, on behalf of the property owner, Allen and Loucks Venture, L.L.P.

#### **Staff Comments**

Kristen Roberts stated that the purpose of the re-plat for Lot 7 and Lot 8 in Murphy Marketplace West Addition is to combine the two lots into one. The proposed development would have one building of approximately 9, 524 sq. ft. with multiple tenants and retail. Ms. Roberts stated that staff had reviewed and approved the re-plat.

#### **PUBLIC HEARING OPENED AT 6:42 P.M.**

#### **PUBLIC HEARING CLOSED AT 6:43 P.M.**

#### **Commission Action**

Vice-Chairman Levy made a motion to approve the application of Allen and Loucks Venture, L.P. requesting approval to re-plat Lot 7R – Block A – Murphy Marketplace – West Addition. Commissioner Merrifield seconded the motion. Motion passed unanimously.

3. Consider and/or act on the application of **ALLEN AND LOUCKS VENTURE, L.P. requesting** approval of an SUP (Specific Use Permit) to allow a Drive-thru window for a Del Taco on property zoned PD (Planned Development) District No. 09-02-784 for Retail Uses on property located at 102 N. Murphy Road, NE corner of FM 544. **(ZF 2012-02)**

#### **Staff Comments**

Kristen Roberts stated that due to the issues involving the June 25, 2012 Planning and Zoning Commission meeting for this item which resulted in a tie vote, this item will be readdressed tonight by the Planning and Zoning Commission for a final report before any City Council consideration and action.

#### **Public Comments**

Eric Langford with Murphy Marketplace

Mr. Langford stated that he had one central point that he wanted to make. He stated that he and his partners have a position in Murphy Marketplace that they would like to stay in for some time. Mr. Langford knows that the Board is somewhat divided on Del Taco but he strongly believes that in doing Del Taco it would help the center help raise the taxes needed for their incentives, it will help with the traffic in the center and it will help everyone financially.

Bill Dahlstrom – 901 Main Street, Dallas

Mr. Dahlstrom wanted to address a few comments from the last meeting especially the design and quality issues. Mr. Dahlstrom stated that there isn't a standard in the 380 Agreement or the PD Ordinance with regard to quality. The only standard that there is in the agreement is that quality is subject to interpretation. Mr. Dahlstrom stated that Del Taco is a strong restaurant, a quality restaurant that has satisfied the requirements set in the PD Ordinance. He stated that the Agreement does not limit the drive thru to just one drive thru restaurant. Mr. Dahlstrom also stated that at the last meeting he spoke with many of the citizens who were under the impression that the restaurant was going to go at another location and he reassured them that it was not going in the location that they believed it to be.

### **Commission Action**

Commissioner Holcomb made a motion to approve the application of Allen and Loucks Venture, L.P. requesting approval of an SUP (Specific Use Permit) to allow a Drive-thru window for a Del Taco. Commissioner Merrifield seconded the motion.

Chairman McKay made a motion to amend the motion considered to include the conditions determined by City Staff in consultation with the applicant, so that the proposed restaurant be designed and constructed in conformance with the Planned Development District Conditions requirements and requirements of the 380 Agreement and the related performance agreements, between Allen & Loucks Venture, L.P., and the City of Murphy, the Murphy Economic Development Corporation and the Murphy Community Development Corporation, which require that the proposed restaurant be "**of such quality or higher quality, as approved by the City**" as described in the agreements. Commissioner Merrifield seconded the motion. Motion passed 5-2.

Chairman McKay made a motion to approve the SUP as amended with considerations stated. Motion passed 5-2.

4. Consider and/or act on the application of **ALLEN AND LOUCKS VENTURE, L.P.** requesting approval of a site plan for a Del Taco on property zoned PD (Planned Development) District No. 09-02-784 for Retail Uses on property located at 102 N. Murphy Road, NE corner of FM 544. **(ZF 2012-02)**

### **Staff Comments**

Kristen Roberts informed the Board that all requested revisions had been addressed and the outstanding landscape plan revisions would be addressed on the construction plans. Ms. Roberts stated that a piece of the property included in the site plan is owned by the City of Murphy. There is a Beautification Easement/Agreement with the City on this property and it is being worked on with the City and the applicant. The details of the agreement will be finalized prior to construction on this property. Ms. Roberts stated that staff recommends to approve the site plan with conditions as determined by City Staff in consultation with the applicant.

### **Commission Discussion**

Commissioner Holcomb asked the applicant if the color of the roof could be changed to a more neutral color or something that would stand the test of time. Mr. Holcomb's concern is that as brands change, the roof would be one of the things that would be hard to change.

Allan Perez, with GHA Architecture, presented the Board with a new exterior plan showing a Del Taco with a copper like roof. Commissioner Merrifield expressed that this was an excellent request and approved of the change.

### **Commission Action**

Commissioner Merrifield made a motion to approve the site plan for a Del Taco with recommendations to change the roof to copper or other similar materials with recommendations and conditions determined by City Staff in consultation with the applicant so that the proposed restaurant be designed and constructed in conformance with the Planned Development District Conditions requirements and the requirements of the 380 Agreement and the related performance agreements, between Allen & Loucks Venture, L.P. and the City of Murphy, the Murphy Economic Development Corporation and the Murphy Community Development Corporation, which require that the proposed restaurant be **"of such quality or higher quality, as approved by the CITY"** for clarification purposes. Commissioner King seconded the motion. Motion passed 6-1.

5. Hold a public hearing and consider and/or act on amendment(s) to PD (Planned Development) District (Ordinance No. 09-02-784) for Retail Uses, including revising the development conditions, plans and specific regulations for the district, including, without limitation, permitted land uses for the district comprised of 74.33 acres, more or less, in the James Maxwell Survey, Abstract No. 582, in the City of Murphy and located at the northeast corner of East FM 544 and North Murphy Road.

### **Staff Discussion**

Kristen Roberts stated that for this submittal that the applicant was the City of Murphy. Ms. Roberts said that City Staff is updating the Ordinance primarily looking at the *permitted uses* that are in Exhibit B and asked the Board to look at those for discussion so that City Staff can forward those to City Council for consideration. Ms. Roberts said that staff is recommending approval of the Ordinance and also to allow City Staff to continue working on the exhibits as it moves forward with City Council for consideration.

### **PUBLIC HEARING OPENED AT 7:19 P.M.**

**Public Comments**

Eric Langford – Murphy Marketplace

Mr. Langford stated that so far he had not been a part of the process in regards to change and what not to change. Mr. Langford asked to be included in that and stated that he would be open to any discussion. He stated that he wanted to be careful on how they go about it but that he did not want to limit his development rights. He stated that he would be sensitive to what the city would like which is tax revenue, sales taxes which is a valid concern but Mr. Langford does not want to give up rights they have negotiated through this arrangement. They, he and his partners, want to be included before any decisions are made.

**PUBLIC HEARING CLOSED AT 7:22 P.M.**

**Commission Action**

Commissioner Merrifield made a motion to postpone agenda item to the August 27, 2012, P & Z meeting regarding the Ordinance No. 09-02-784 for Retail Use so there can be more discussion on the revising of the development conditions, plans and specific regulations for the district, including, without limitation, permitted land uses for the district comprised of 74.33 acres, more or less on property located at the northeast corner of East FM 544 and North Murphy Road. Commissioner Holcomb seconded the motion. Motion passed 7-0.

**AGENDA REQUESTS/STAFF UPDATES**

- The election of officers will be held at the next meeting.

**ADJOURNMENT**

With no other business before the Commission, Chairman McKay adjourned the meeting at 7:27 P.M.

**APPROVED:**

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John McKay, Chairman

Attest:

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Secretary

**Issue**

Consider and/or act on the application of the City of Murphy requesting approval of a construction plat for a re-plat of the Murphy Municipal Complex.

**Background**

City Council recently awarded a bid for the construction of Murphy Central Park and the Maxwell Creek Trail Extension project.

**Considerations**

Approval of this Construction Plat of a re-plat will provide the means for the City to move forward with construction of the Central Park improvements; allow Oncor to begin work on relocating the overhead power lines underground and documents the City's approval of the Open Space as required by the park grant for this project.

**Staff Recommendation**

Staff recommends approval of the proposed Construction Plat of a re-plat.

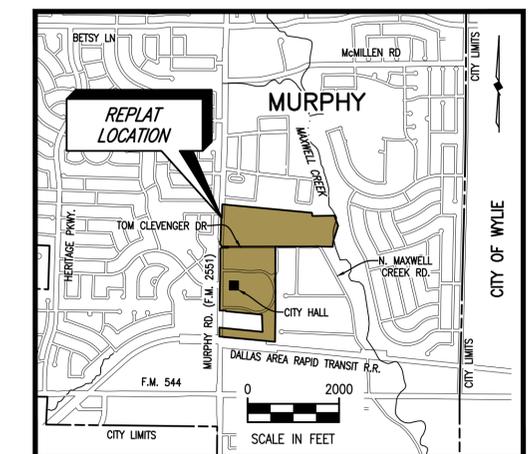
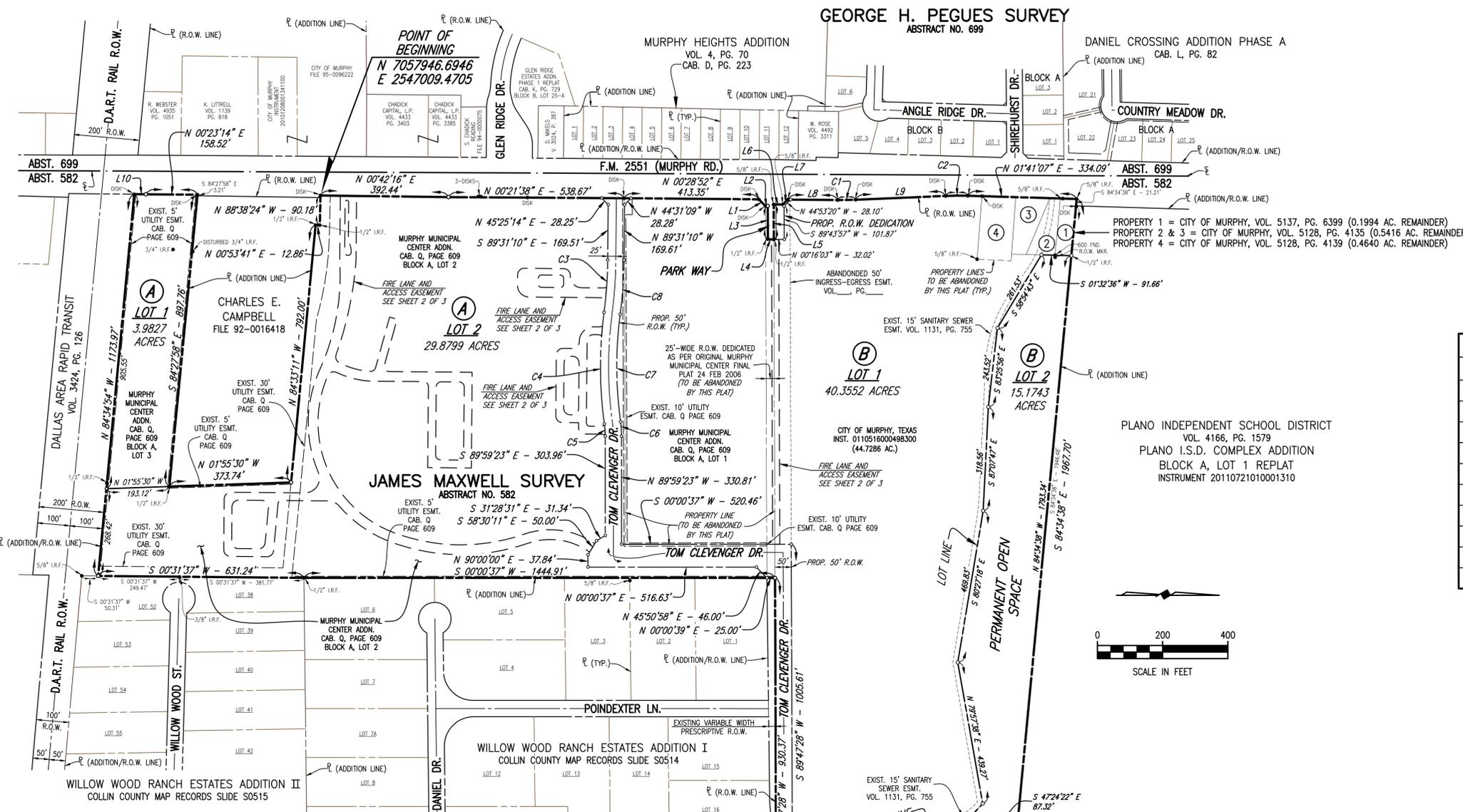
**Attachments**

Construction Plat

*Kristen Roberts, Director of Economic and Community Development*

**Submitted By**

These plans and related specifications were prepared for construction of this specific project only. Reuse of these documents is not permitted without written authorization of Birkhoff, Hendricks & Carter, L.L.P.



**LOCATION MAP**  
COLLIN COUNTY MAPSCO PAGE 116

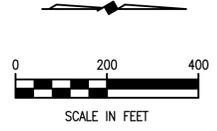
**GEORGE H. PEGUES SURVEY**  
ABSTRACT NO. 699

*Parcel Line Table*

Line #	Length	Direction
L1	28.63	N 45°07'25" E
L2	7.21	N 00°33'33" E
L3	101.57	N 89°43'57" E
L4	18.01	N 02°53'59" E
L5	107.34	S 89°47'28" W
L6	28.05	N 00°33'33" E
L7	21.20	N 44°28'32" W
L8	153.40	N 00°29'23" E
L9	277.14	N 02°26'44" W
L10	35.56	N 00°35'36" E

*Curve Table*

Curve #	Delta	Radius	Length	Chord Direction	Chord Length
C1	2.94	1060.00	54.30	N 00°58'40" W	54.30
C2	4.13	940.00	67.76	N 00°22'49" W	67.75
C3	7.08	1301.00	160.70	S 85°58'51" E	160.59
C4	15.49	1268.50	342.88	N 89°48'51" E	341.84
C5	7.94	270.50	37.48	N 86°02'25" E	37.45
C6	7.94	320.50	44.41	S 86°02'25" W	44.38
C7	15.49	1218.50	329.37	N 89°48'51" E	328.36
C8	7.08	1351.00	166.87	N 85°58'51" W	166.77



**CONSTRUCTION PLAT FOR RE-PLAT MURPHY MUNICIPAL CENTER**

91.86 ACRES IN THE JAS. W. MAXWELL SURVEY ABSTRACT 582  
BEING A RE-PLAT OF THE 46.39 ACRE REMAINDER OF THE MURPHY MUNICIPAL CENTER LOTS 1, 2 AND 3  
AND INCLUDING THE FOLLOWING UN-PLATTED TRACTS OF LAND:  
44.73 ACRE TRACT 4, JAS W. MAXWELL SURVEY ABSTRACT. 582  
0.1994 ACRE REMAINDER TRACT 2, JAS. W. MAXWELL SURVEY ABSTRACT 582  
0.5416 ACRE REMAINDER, TRACTS 30 AND 31, JAS. W. MAXWELL SURVEY ABSTRACT 582  
0.4640 ACRE REMAINDER, TRACT 3, JAS W. MAXWELL SURVEY ABSTRACT 582  
**CITY OF MURPHY, COLLIN COUNTY, TEXAS**

OWNER:  
CITY OF MURPHY, TEXAS  
206 N. Murphy Road  
Murphy, Texas 75094  
Tel. No.: (972) 424-6021

SURVEYOR:  
BIRKHOFF, HENDRICKS & CARTER, L.L.P.  
TxBPLS Firm No. 10031800  
11910 Greenville Ave., Suite 600  
Dallas, Texas 75243  
Tel. No. (214) 361-7900  
Fax No. (214) 461-8390

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN, TEXAS §

BEING a 91.8619 acre tract of land located in the James W. Maxwell Survey, Abstract No. 582, Collin County, Texas, and being all of a 46.3926 acre remainder tract of land conveyed to the City of Murphy by a deed recorded in Volume 4909, Page 5297 (April 30, 2001) and also in Volume 4933, Page 4137 (June 5, 2001) of the Deed Records of Collin County, Texas (DRCCCT), said 46.3926 acre remainder tract also being platted as the Murphy Municipal Complex Addition, an addition to the City of Murphy recorded in Cabinet Q, Page 609 (August 12, 2005) of the Plat Records of Collin County, Texas (PRCCT), and being all of a 44.2643 acre remainder tract of land conveyed to the City of Murphy by a deed recorded in Instrument 20110516000498300 (May 6, 2011) of the Deed Records of Collin County, Texas (DRCCCT), and being all of a 0.1994 acre remainder tract of land conveyed to the City of Murphy by a deed recorded in Volume 5137, Page 6399 (April 1, 2002) of the Deed Records of Collin County, Texas (DRCCCT), and being all of a 0.5416 acre remainder tract of land conveyed to the City of Murphy by a deed recorded in Volume 5128, Page 4135 (March 18, 2002) of the Deed Records of Collin County, Texas (DRCCCT), and being all of a 0.4640 acre remainder tract of land conveyed to the City of Murphy by a deed recorded in Volume 5128, Page 4139 (March 18, 2002) of the Deed Records of Collin County, Texas (DRCCCT), said 91.8619 acre tract of land being more particularly described as follows:

BEGINNING at a Texas Department of Transportation (TxDOT) aluminum disk at the most northerly southwest corner of said 91.8619 acre City of Murphy tract, said disk also being in the existing east right-of-way of F.M. 2551 (also known as Murphy Road), said disk also being a southwest corner of an existing utility easement (a 30-foot wide easement) dedicated by plat and recorded in said in Cabinet Q, Page 609, of the Plat Records of Collin County, Texas (PRCCT);

THENCE, N 00°42'16" E, along the west line of said 91.8619-acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, also being the west line of said existing 30-foot wide utility easement a distance of 392.44 feet to a point for a corner;

THENCE, N 00°21'38" E, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, a distance of 538.67 feet to a TxDOT aluminum disk at a point for a corner;

THENCE, N 00°28'52" E, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, a distance of 413.35 feet to a TxDOT aluminum disk at a point for a corner, said disk also being at the most southwesterly right-of-way corner clip corner of said F.M. 2551 and Tom Clevenger Road;

THENCE, N 45°07'25" E, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551/Tom Clevenger Road existing south right-of-way line corner clip, a distance of 28.63 feet to a TxDOT aluminum disk at a point for a corner;

THENCE, N 00°33'33" E, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551/Tom Clevenger Road existing south right-of-way line corner clip, a distance of 7.21 feet to a point for a corner in said Tom Clevenger Road existing south right-of-way line (a variable-width existing right-of-way);

THENCE, N 89°43'57" E, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said Tom Clevenger Road existing south right-of-way line, a distance of 101.57 feet to a 1/8" iron rod found at a point for a corner at the southeast corner of said Tom Clevenger Road existing right-of-way line;

THENCE, N 02°53'59" E, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said Tom Clevenger Road existing east right-of-way line, a distance of 18.01 feet to a 1/8" iron rod at a point for a corner at the northeast corner of said Tom Clevenger Road existing right-of-way line, said iron rod also being in the south line of an existing ingress-egress easement (an existing 50-foot wide easement) recorded in Volume 4242, Page 1390, Exhibit 00 of the Deed Records of Collin County, Texas (DRCCCT), said existing ingress-egress easement also being abandoned by this instrument;

THENCE, S 89°47'28" W, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said Tom Clevenger Road existing north right-of-way line, also being said existing ingress-egress easement south line, a distance of 107.34 feet to a 5/8" iron rod found at the northwest corner of said Tom Clevenger Road existing right-of-way line, said iron rod also being at the southwest corner of said existing ingress-egress easement;

THENCE, N 00°33'33" E, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, also being said ingress-egress easement west line, a distance of 28.05 feet to a 5/8" iron rod found at a point for a corner, said iron rod also being at the most southerly north right-of-way corner clip corner of said F.M. 2551 and Tom Clevenger Road;

THENCE, N 44°28'32" W, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551/Tom Clevenger Road existing north right-of-way line corner clip, also being said existing ingress-egress easement west line, a distance of 21.20 feet to a TxDOT aluminum disk at a point for a corner at the most northerly north right-of-way corner clip corner of said F.M. 2551 and Tom Clevenger Road;

THENCE, N 00°29'23" E, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, also being said existing ingress-egress easement west line, a distance of 153.40 feet to a TxDOT aluminum disk at a point for a corner, said disk also being the beginning of a tangential curve to the left having a radius of 1060.00 feet, a central angle of 02°56'07", and a chord bearing of N 00°58'40" W;

THENCE, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, along the said curve to the left, an arc distance of 54.30 feet to a TxDOT aluminum disk at a point for a corner, said point being the point of tangency of said curve;

THENCE, N 02°26'44" W, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, a distance of 277.14 feet to a TxDOT aluminum disk at a point for a corner, said disk also being the beginning of a tangential curve to the right having a radius of 940.00 feet, a central angle of 04°07'49", and a chord bearing of N 00°22'49" W;

THENCE, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, along the said curve to the right, an arc distance of 67.76 feet to a TxDOT aluminum disk at a point for corner, said point being the point of tangency of said curve;

THENCE, N 01°41'07" E, continuing along the west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, a distance of 334.09 feet to a 5/8" iron rod found at a point for a corner at the northwest corner of said 91.8619 acre City of Murphy tract, said iron rod also being a corner of said F.M. 2551 existing variable-width east right-of-way line;

THENCE, S 84°34'38" E, along the north line of said 91.8619 acre City of Murphy tract, passing a TxDOT aluminum disk at a distance of 21.21 feet, said disk also being at the southwest corner of a called 103.294 acre tract of land, located in said James W. Maxwell Survey, Abstract No. 582, and also in the C. A. McMillan Survey, Abstract No. 588, Collin County, Texas conveyed to Plano Independent School District by a deed recorded in Volume 4166, Page 1579 of the Deed Records of Collin, County (DRCCCT), said called 103.294 acre Plano Independent School District tract also being originally platted as Block A, Lot 1 of the Plano Independent School District (I.S.D.) Complex Addition, an addition to the City of Murphy recorded in Cabinet P, Page 458 (January 27, 2004) of the Plat Records of Collin County, Texas (PRCCT), said called 103.294 acre Plano Independent School District (I.S.D.) Complex Addition, Block A, Lot 1 also being replatted as recorded in Instrument 20110721010001310 (July 21, 2011) of the Plat Records of Collin County, Texas (PRCCT), in all, for a total leg distance of 1,967.70 feet to a 1/8" iron rod found at a point for a corner at the most northwesterly northeast corner of said 91.8619 acre City of Murphy tract, said iron rod also being at the most southerly southeast corner of said called 103.294 acre Plano Independent School District (I.S.D.) Complex Addition, Block A, Lot 1 tract, said point also being in the west line of a 2.6471 acre tract of land, located in said James W. Maxwell Survey, Abstract No. 582, conveyed to Decatur Maxwell Cemetery by a deed recorded in Volume 28, Page 529 of the Deed Records of Collin County, Texas (DRCCCT);

THENCE, S 08°35'42" E, along the most northerly east line of said 91.8619 acre City of Murphy tract, also being the west line of said Decatur Maxwell Cemetery tract, a distance of 69.63 feet to a 1/8" iron rod found at a point for a corner at the southwest corner of said Decatur Maxwell Cemetery tract;

THENCE, N 89°04'34" E, along the most easterly north line of said 91.8619 acre City of Murphy tract, also being the south line of said Decatur Maxwell Cemetery tract, a distance of 483.86 feet to a point for a corner at the most northeasterly northeast corner of said 91.8619 acre City of Murphy tract, said point also being at the southeast corner of said Decatur Maxwell Cemetery tract, said point also being in a west line of a called 31.757 acre tract of land, located in said James W. Maxwell Survey, Abstract No. 582, and also in said C. A. McMillan Survey, Abstract No. 588, conveyed to the City of Murphy by a deed recorded in Instrument 20061221001797030 (December 21, 2006) of the Deed Records of Collin County, Texas (DRCCCT), said point also being near the center of Maxwell Creek;

THENCE, S 19°49'38" E, along an east line of said 91.8619 acre City of Murphy tract, said 91.8619 acre City of Murphy tract east line also being described by deed as being the downstream meanders and middle of Maxwell Creek, said 91.8619 acre City of Murphy tract east line also being a west line of said 31.757 acre City of Murphy tract, a distance of 235.21 feet to a point for a corner;

THENCE, S 17°41'32" W, continuing along an east line of said 91.8619 acre City of Murphy tract, said 91.8619 acre City of Murphy tract east line also being described by deed as being the downstream meanders and middle of Maxwell Creek, said 91.8619 acre City of Murphy tract east line also being a west line of said 31.757 acre City of Murphy tract, a distance of 350.00 feet to a point for a corner;

THENCE, S 03°39'00" W, continuing along an east line of said 91.8619 acre City of Murphy tract, said 91.8619 acre City of Murphy tract east line also being described by deed as being the downstream meanders and middle of Maxwell Creek, said 91.8619 acre City of Murphy tract east line also being a west line of said 31.757 acre City of Murphy tract, a distance of 126.00 feet to a point for a corner at the most southeasterly northeast corner of said 91.8619 acre City of Murphy tract, said point also being at the southeast corner said existing ingress-egress easement, said point also being at the northeast corner of a tract of land, located in said James W. Maxwell Survey, Abstract No. 582, platted as Lot 24 of the Willow Wood Ranch Estates Addition I, an addition to the City of Murphy recorded in Collin County Map Records Slide S0514 of the Plat Records of Collin County, Texas (PRCCT);

THENCE, N 89°01'30" W, along the most northeasterly south line of said 91.8619 acre City of Murphy tract, also being the south line of said existing 50-foot wide ingress-egress easement, also being the north line of said Willow Wood Ranch Estates Addition I, Lot 24 tract, a distance of 328.00 feet to a point for a corner, said point also being in the north line of said Willow Wood Ranch Estates Addition I, said point also being in the existing north right-of-way line of Maxwell Creek Road (an existing 50-foot wide right-of-way), said point also being at the termination point of the existing centerline of said Maxwell Creek Road, said point also being at the northeast corner of the existing north prescriptive right-of-way of Tom Clevenger Drive (an existing variable-width prescriptive right-of-way);

THENCE, S 89°47'28" W, continuing the along the most northeasterly south line of said 91.8619 acre City of Murphy tract, also being the south line of said 50-foot wide ingress-egress easement, also being said Tom Clevenger Drive existing north prescriptive right-of-way line, a distance of 930.37 feet to a point for a corner at a northeast corner of said 91.8619 acre City of Murphy tract, said point also being the northwest corner of said Willow Wood Ranch Estates Addition I, said point also being the northwest corner of said Tom Clevenger Drive existing north prescriptive right-of-way line, said point also being the northeast corner of an existing utility easement (a 5-foot wide easement) dedicated by plat and recorded in said in Cabinet Q, Page 609, of the Plat Records of Collin County, Texas (PRCCT);

THENCE, S 00°00'37" W, along the most southerly east line of said 91.8619 acre City of Murphy tract, also being the west line of said Willow Wood Ranch Estates Addition I, also being the east line of said existing 5-foot wide utility easement, a distance of 1,444.91 feet to an iron rod found at a point for a corner, said iron rod also being at the southwest corner of said Willow Wood Ranch Estates Addition I, said iron rod also being at the northwest corner of a tract of land, located in said James W. Maxwell Survey, Abstract No. 582, platted as Lot 38 of the Willow Wood Ranch Estates Addition II, an addition to the City of Murphy recorded in Collin County Map Records Slide S0515 of the Plat Records of Collin County, Texas (PRCCT);

THENCE, S 00°31'37" W, continuing along the most southerly east line of said 91.8619 acre City of Murphy tract, also being the west line of said Willow Wood Ranch Estates Addition II, also being the east line of an existing utility easement (a 30-foot wide easement) dedicated by plat and recorded in said in Cabinet Q, Page 609, of the Plat Records of Collin County, Texas (PRCCT), a distance of 631.24 feet to a point for a corner at the most southerly southeast corner of said 91.8619 acre City of Murphy tract, said point also being the southeast corner of said existing 30-foot wide utility easement, said point also being the southeast corner of an existing utility easement (a 5-foot wide easement) dedicated by plat and recorded in said in Cabinet Q, Page 609, of the Plat Records of Collin County, Texas (PRCCT), said point also being at a north corner of a tract of land conveyed to Dallas Area Rapid Transit by a deed recorded in Volume 3424, Page 126 of the Deed Records of Collin County, Texas (DRCCCT), said Dallas Area Rapid Transit tract also being an existing railway right-of-way (an existing 100-foot wide railway right-of-way east of said point and being an existing 200-foot wide railway right-of-way west of said point);

THENCE, N 84°34'54" W, along the south line of said 91.8619 acre City of Murphy tract, also being said Dallas Area Rapid Transit tract north line, also being said existing 200-foot wide railway right-of-way north line, also being the south line of said existing 5-foot wide utility easement, a distance of 1,173.97 feet to a TxDOT aluminum disk at a point for a corner at the most southerly southwest corner of said 91.8619 acre City of Murphy tract, said disk also being at the northwest corner of said Dallas Area Rapid Transit tract, said disk also being at the southwest corner of said existing 5-foot wide utility easement, said disk also being in said F.M. 2551 existing variable-width east right-of-way line;

THENCE, N 00°35'36" E, along the most southerly west line of said 91.8619-acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, also being the west line of said existing 5-foot wide utility easement a distance of 35.56 feet to a point for a corner;

THENCE, N 00°23'14" E, continuing along the most southerly west line of said 91.8619 acre City of Murphy tract, also being said F.M. 2551 existing east right-of-way line, a distance of 158.52 feet to a TxDOT aluminum disk at a point for a corner at a northwest corner of said 91.8619 acre City of Murphy tract, said disk also being a northwest corner of an existing utility easement (a 5-foot wide easement) dedicated by plat and recorded in said in Cabinet Q, Page 609, of the Plat Records of Collin County, Texas (PRCCT), said disk also being at a corner of said F.M. 2551 existing east right-of-way line;

THENCE, S 84°27'58" E, along an interior north line of said 91.8619 acre City of Murphy tract, also being the north line of said existing 5-foot wide utility easement, passing at a distance of 3.21 feet, a corner of said F.M. 2551 existing east right-of-way line, said corner also being the southwest corner of a 7.5373 remainder tract of land, located in said James W. Maxwell Survey, Abstract No. 582, conveyed to Charles E. Campbell by a deed recorded in File 92-0016418 (March 13, 1992) of the Deed Records of Collin County, Texas (DRCCCT), in all, for a total leg distance of 897.76 feet to a 1/8" iron rod found at a point for a corner, said iron rod also being at an interior northeast corner of said 91.8619 acre City of Murphy tract, said iron rod also being at a northwest corner of said existing 5-foot wide utility easement, said iron rod also being at the southeast corner of said Charles E. Campbell tract;

THENCE, N 01°55'30" W, along an interior west line of said 91.8619 acre City of Murphy tract, also being the west line of said existing 5-foot wide utility easement, also being the east line of said Charles E. Campbell tract, a distance of 373.74 feet to a point for a corner, said point also being at an interior northeast corner of said 91.8619 acre City of Murphy tract, said iron rod also being at the most northerly northwest corner of said existing 5-foot wide utility easement, said iron rod also being at the northeast corner of said Charles E. Campbell tract, said point also being in the south line of an existing utility easement (a 30-foot wide easement) dedicated by plat and recorded in said in Cabinet Q, Page 609, of the Plat Records of Collin County, Texas (PRCCT);

THENCE, N 84°33'11" W, along an interior south line of said 91.8619 acre City of Murphy tract, also being the south line of said existing 30-foot wide utility easement, also being the most southerly north line of said Charles E. Campbell tract, a distance of 792.00 feet to a 1/8" iron rod found at a point for a corner, said iron rod also being at an interior southwest corner of said 91.8619 acre City of Murphy tract, said iron rod also being at a southwest corner of said existing 30-foot wide utility easement (a variable-width easement at said iron rod), said iron rod also being at the most southeasterly northwest corner of said Charles E. Campbell tract;

THENCE, N 00°53'41" E, along an interior west line of said 91.8619 acre City of Murphy tract, also being the west line of said existing variable-width utility easement, also being the most westerly east line of said Charles E. Campbell tract, a distance of 12.86 feet to a 1/8" iron rod found at a point for a corner, said iron rod also being at an interior southwest corner of said 91.8619 acre City of Murphy tract, said iron rod also being at a southwest corner of said existing variable-width utility easement (a 30-foot wide easement at said iron rod), said iron rod also being at the most northeasterly northwest corner of said Charles E. Campbell tract;

THENCE, N 88°38'24" W, along an interior south line of said 91.8619 acre City of Murphy tract, also being the south line of said existing 30-foot wide utility easement, also being the most northerly north line of said Charles E. Campbell tract, a distance of 90.18 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds, 91.8619 acres (4,001,504.30 square feet), more or less in the James W. Maxwell Survey, Abstract No. 582.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That The Murphy City Manager, acting herein by and through his(ts) duly authorized officer(s), does hereby adopt this plat designating the herein above described property as Replat of Murphy Municipal Center, an addition to the City of Murphy, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the city council of the city. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and city's use thereof. The city and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The city and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Murphy, Texas.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Murphy, Texas.

WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_
Mr. James Fisher
City of Murphy City Manager

STATE OF TEXAS §
COUNTY OF \_\_\_\_\_ §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the State of Texas

My Commission Expires On \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS:

That I, Gary C. Hendricks, R.P.L.S. do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as "set" were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Murphy.

Gary C. Hendricks, R.P.L.S.
Registration No. 5073

STATE OF TEXAS §
COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Gary C. Hendricks, Registered Public Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the State of Texas

Commission Expires On: \_\_\_\_\_

FINAL RE-PLAT

Approved by the City of Murphy for filing at the office of the County Clerk of Collin County, Texas.

RECOMMENDED BY: Planning and Zoning Commission
City of Murphy, Texas

Signature of Chairperson Date of Recommendation

APPROVED BY: City Council
City of Murphy, Texas

Signature of Mayor Date of Approval

ATTEST:

City Secretary Date

This property is located in the corporate limits of the City of Murphy, Collin County, Texas.

Mayor, City of Murphy Date

ATTEST: City Secretary, City of Murphy Date

PLAT NOTES

- 1. NOTICE: Selling a portion of this addition by metes and bounds is a violation of city ordinance and State law, and is subject to fines and withholding of utilities and building permits.
2. Fire lanes: That the undersigned does hereby covenant and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface in accordance with the City of Murphy's paving standards for fire lanes, and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats or other impediments to the accessibility of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking or Standing." The local law enforcement agency(s) is hereby authorized to enforce parking regulations within the fire lanes, and to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.
3. Bearings and distances cited in this field note description are based on the Texas State Plane Coordinate System, NAD-83, Texas North Central Zone 4202.
4. Existing monumentation is based upon field surveys conducted from May 13, 2010 to February 7, 2011.

CONSTRUCTION PLAT FOR RE-PLAT MURPHY MUNICIPAL CENTER

91.86 ACRES IN THE JAS. W. MAXWELL SURVEY ABSTRACT 582

BEING A RE-PLAT OF THE 46.39 ACRE REMAINDER OF THE MURPHY MUNICIPAL CENTER LOTS 1, 2 AND 3

AND INCLUDING THE FOLLOWING UN-PLATTED TRACTS OF LAND:

- 44.73 ACRE TRACT 4, JAS W. MAXWELL SURVEY ABSTRACT. 582
0.1994 ACRE REMAINDER TRACT 2, JAS. W. MAXWELL SURVEY ABSTRACT 582
0.5416 ACRE REMAINDER, TRACTS 30 AND 31, JAS. W. MAXWELL SURVEY ABSTRACT 582
0.4640 ACRE REMAINDER, TRACT 3, JAS W. MAXWELL SURVEY ABSTRACT 582

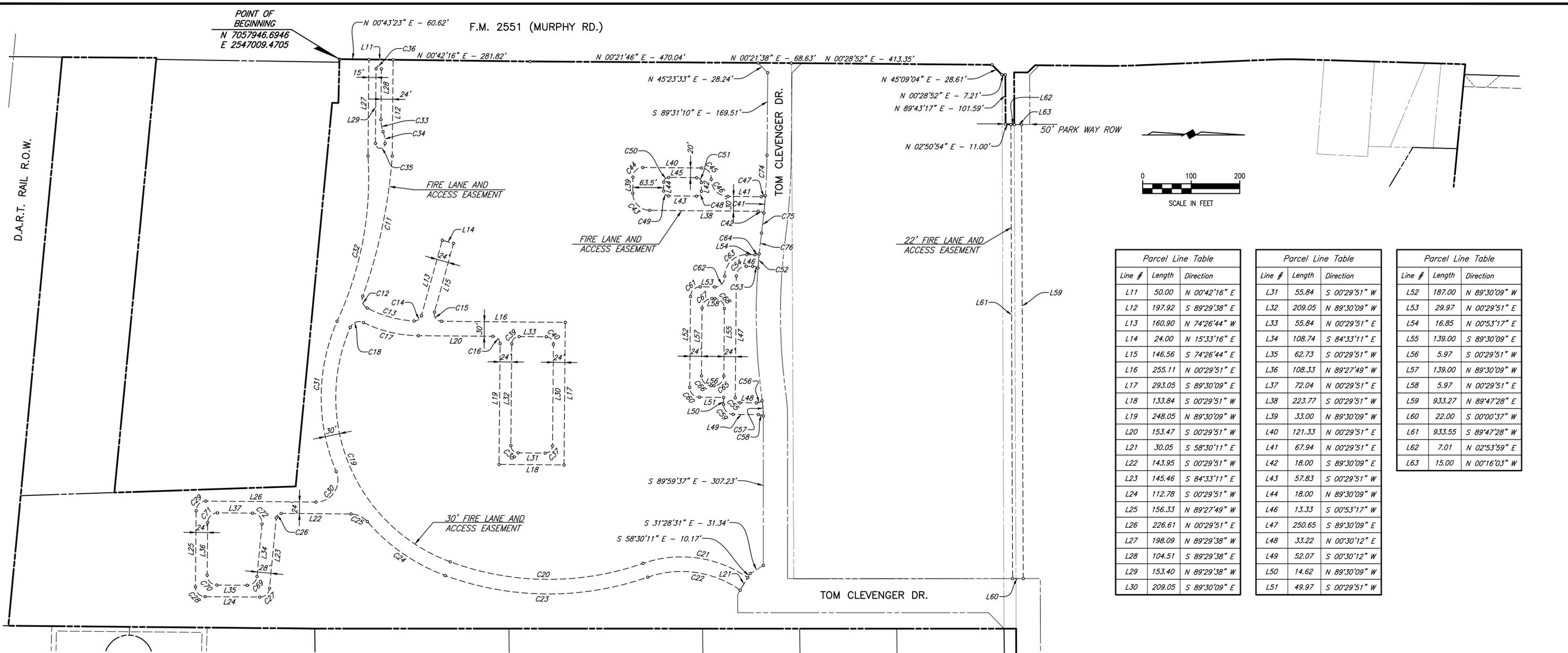
CITY OF MURPHY, COLLIN COUNTY, TEXAS

OWNER: CITY OF MURPHY, TEXAS
206 N. Murphy Road
Murphy, Texas 75094
Tel. No.: (972) 424-6021

SURVEYOR: BIRKHOFF, HENDRICKS & CARTER, L.L.P.
TxBPLS Firm No. 10031800
11910 Greenville Ave., Suite 600
Dallas, Texas 75243
Tel. No. (214) 361-7900
Fax No. (214) 461-8390

These plans and related specifications were prepared for construction of this specific project only. Reuse of these documents is not permitted without written authorization of Birkhoff, Hendricks & Carter, L.L.P.

These plans and related specifications were prepared for construction of this specific project only. Reuse of these documents is not permitted without written authorization of Birkhoff, Hendricks & Carter, L.L.P.



Parcel Line Table		
Line #	Length	Direction
L11	50.00	N 00°42'16" E
L12	197.92	S 89°29'38" E
L13	160.90	N 74°26'44" W
L14	24.00	N 15°33'16" E
L15	146.56	S 74°26'44" E
L16	255.11	N 00°29'51" E
L17	293.05	S 89°30'09" E
L18	133.84	S 00°29'51" W
L19	248.05	N 89°30'09" W
L20	153.47	S 00°29'51" W
L21	30.05	S 58°30'11" E
L22	143.95	S 00°29'51" W
L23	145.46	S 84°33'11" E
L24	112.78	S 00°29'51" W
L25	156.33	N 89°27'49" W
L26	226.61	N 00°29'51" E
L27	198.09	N 89°29'38" W
L28	104.51	S 89°29'38" E
L29	153.40	N 89°29'38" W
L30	209.05	S 89°30'09" E

Parcel Line Table		
Line #	Length	Direction
L31	55.84	S 00°29'51" W
L32	209.05	N 89°30'09" W
L33	55.84	N 00°29'51" E
L34	108.74	S 84°33'11" E
L35	62.73	S 00°29'51" W
L36	108.33	N 89°27'49" W
L37	72.04	N 00°29'51" E
L38	223.77	S 00°29'51" W
L39	33.00	N 89°30'09" W
L40	121.33	N 00°29'51" E
L41	67.94	N 00°29'51" E
L42	18.00	S 89°30'09" E
L43	57.83	S 00°29'51" W
L44	18.00	N 89°30'09" W
L46	13.33	S 00°53'17" W
L47	250.65	S 89°30'09" E
L48	33.22	N 00°30'12" E
L49	52.07	S 00°30'12" W
L50	14.62	N 89°30'09" W
L51	49.97	S 00°29'51" W

Parcel Line Table		
Line #	Length	Direction
L52	187.00	N 89°30'09" W
L53	29.97	N 00°29'51" E
L54	16.85	N 00°53'17" E
L55	139.00	S 89°30'09" E
L56	5.97	S 00°29'51" W
L57	139.00	N 89°30'09" W
L58	5.97	N 00°29'51" E
L59	933.27	N 89°47'28" E
L60	22.00	S 00°00'37" W
L61	933.55	S 89°47'28" W
L62	7.01	N 02°53'59" E
L63	15.00	N 00°16'03" W

Curve Table				
Curve #	Delta	Radius	Length	Chord Length
C11	15°40'11"	1080.00	295.37	294.45
C12	81°54'21"	20.00	28.59	26.22
C13	25°05'19"	230.00	100.71	99.91
C14	77°15'14"	15.00	20.23	18.73
C15	105°03'25"	15.00	27.50	23.81
C16	90°00'00"	15.00	23.56	21.21
C17	25°50'08"	260.00	117.24	116.25
C18	92°45'48"	20.00	32.38	28.96
C19	93°24'16"	360.00	586.88	524.02
C20	39°24'21"	589.00	405.09	397.15
C21	53°58'33"	240.00	226.09	217.82
C22	54°26'16"	210.00	199.52	192.10
C23	39°24'21"	619.00	425.73	417.39
C24	28°57'50"	390.00	197.15	195.06
C25	48°37'54"	45.00	38.20	37.06
C26	85°03'02"	10.00	14.84	13.52

Curve Table				
Curve #	Delta	Radius	Length	Chord Length
C27	85°03'02"	20.00	29.69	27.04
C28	90°02'20"	20.00	31.43	28.29
C29	89°57'40"	20.00	31.40	28.27
C30	113°30'18"	45.00	89.15	75.27
C31	46°40'18"	390.00	317.68	308.97
C32	28°41'51"	698.00	349.60	345.96
C33	20°51'41"	68.65	24.99	24.86
C34	20°51'41"	68.65	24.99	24.86
C35	180°00'00"	10.00	31.42	20.00
C36	181°50'25"	5.50	17.46	11.00
C37	90°00'00"	15.00	23.56	21.21
C38	90°00'00"	15.00	23.56	21.21
C39	90°00'00"	15.00	23.56	21.21
C40	90°00'00"	15.00	23.56	21.21
C41	1°35'00"	1301.00	35.95	35.95
C42	35°36'36"	20.00	12.43	12.23

Curve Table				
Curve #	Delta	Radius	Length	Chord Length
C43	90°00'00"	35.00	54.98	49.50
C44	90°00'00"	20.00	31.42	28.28
C45	90°00'00"	20.00	31.42	28.28
C46	90°00'00"	35.00	54.98	49.50
C47	26°30'31"	20.00	9.25	9.17
C48	90°00'00"	10.00	15.71	14.14
C49	90°00'00"	10.00	15.71	14.14
C50	90°00'00"	10.00	15.71	14.14
C51	90°00'00"	10.00	15.71	14.14
C52	1°19'14"	1268.50	29.23	29.23
C53	33°12'42"	20.00	11.59	11.43
C54	90°23'26"	20.00	31.55	28.38
C55	89°59'39"	10.00	15.71	14.14
C56	38°40'39"	20.00	13.50	13.25
C57	6°36'58"	270.50	31.24	31.22
C58	30°19'15"	20.00	10.58	10.46

Curve Table				
Curve #	Delta	Radius	Length	Chord Length
C59	89°59'39"	20.00	31.41	28.28
C60	90°00'00"	20.00	31.42	28.28
C61	90°00'00"	20.00	31.42	28.28
C62	90°00'00"	20.00	31.42	28.28
C63	90°23'26"	45.00	70.99	63.86
C64	25°07'51"	20.00	8.77	8.70
C65	90°00'00"	20.00	31.42	28.28
C66	90°00'00"	20.00	31.42	28.28
C67	90°00'00"	20.00	31.42	28.28
C68	90°00'00"	20.00	31.42	28.28
C69	85°03'02"	20.00	29.69	27.04
C70	90°02'20"	20.00	31.43	28.29
C71	89°57'40"	20.00	31.40	28.27
C72	94°56'58"	20.00	33.14	29.48

**CONSTRUCTION PLAT  
FOR RE-PLAT  
MURPHY MUNICIPAL CENTER**

**91.86 ACRES IN THE JAS. W. MAXWELL SURVEY ABSTRACT 582**

**BEING A RE-PLAT OF THE 46.39 ACRE REMAINDER OF THE MURPHY MUNICIPAL CENTER  
LOTS 1, 2 AND 3**

**AND INCLUDING THE FOLLOWING UN-PLATTED TRACTS OF LAND:**

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**0.1994 ACRE REMAINDER TRACT 2, JAS. W. MAXWELL SURVEY ABSTRACT 582**

**0.5416 ACRE REMAINDER, TRACTS 30 AND 31, JAS. W. MAXWELL SURVEY ABSTRACT 582**

**0.4640 ACRE REMAINDER, TRACT 3, JAS W. MAXWELL SURVEY ABSTRACT 582**

**CITY OF MURPHY, COLLIN COUNTY, TEXAS**

**OWNER:**  
CITY OF MURPHY, TEXAS  
206 N. Murphy Road  
Murphy, Texas 75094  
Tel. No.: (972) 424-6021

**SURVEYOR:**  
BIRKHOFF, HENDRICKS & CARTER, L.L.P.  
TxBPLS Firm No. 10031800  
11910 Greenville Ave., Suite 600  
Dallas, Texas 75243  
Tel. No. (214) 361-7900  
Fax No. (214) 461-8390

**Issue**

Continue a public hearing and consider and/or act on amendment(s) to PD (Planned Development) District (Ordinance No. 09-02-784) for Retail Uses, including revising the development conditions, plans and specific regulations for the district, including, without limitation, permitted land uses for the district comprised of 74.33 acres, more or less, in the James Maxwell Survey, Abstract No. 582, in the City of Murphy and located at the northeast corner of East FM 544 and North Murphy Road.

**Background**

On October 16, 2000, Ordinance Nos. 00-10-504, 00-10-505 and 00-10-506 were adopted and changed the zoning for the property described in this ordinance from LC/R (Light Commercial/Retail) District, AG (Agricultural) District, SF-1 (Single Family) District, PD/LC (Planned Development Light Commercial) District to Planned Development-Central Business District otherwise known as the TC (Town Center) District.

On November 4, 2006, Ordinance No. 06-11-707 was adopted and changed the zoning for approximately 48.18 acres of the property described in this ordinance from TC (Town Center) District to PD (Planned Development) District for Retail Uses for a development known then as the Murphy Marketplace and now known as the Murphy Marketplace and The Crossing at Murphy Marketplace.

On January 11, 2007, Allen & Loucks Venture, L.P. (the "Developer") entered into three separate but related economic development incentive agreements with the City of Murphy, Texas, the City of Murphy Economic Development Corporation, and the City of Murphy Community Development Corporation, respectively, for Developer to receive financial assistance to establish a quality retail shopping center and lifestyle development within this PD (Planned Development) District by being provided with incentives to develop the property with quality sit down dining restaurants and similar quality retail establishments with the purpose of providing significant increases in the City's sales tax revenues.

On August 18, 2008, Ordinance No. 08-08-758 was adopted which amended the PD (Planned Development) District for Retail Uses for approximately 13.795 acres of the property described in this ordinance by revising certain development conditions.

On October 20, 2008, Ordinance No. 08-10-766 was adopted which amended the PD (Planned Development) District for Retail Uses for approximately 48.18 acres of the property described in this ordinance by revising certain development conditions.

On February 16, 2009, Ordinance No. 09-02-784 was adopted which amended the PD (Planned Development) District for Retail Uses by extending the district to an additional 26.15 acres known as the Park Tract (in part where the RaceTrac business is located) for a total of approximately 74.33 acres, revising the concept plan and certain development conditions.

**Considerations**

1. A public hearing notification for this proposed zoning change was published in the newspaper as well as notification being mailed to the property owners included in the required 200 feet notification radius.
2. For ease of reference, clean and redline versions of the proposed amended Ordinance, with exhibits A – H, are attached.
3. This ordinance amends the PD (Planned Development) District for Retail Uses for the property at the Murphy Marketplace, The Crossing at Murphy Marketplace and the Park Tract, approximately 74.33 acres, by amending the City zoning map, and amending the development conditions, plans and regulations within the District.
4. Staff has met with Mr. Langford at length numerous times on various components of the proposed changes and his response to the most recent discussion is attached for your review.
5. It specifically amends the list of land uses within the District by right or SUP.
6. It will also improve the exhibits to the prior ordinances, which will apply as the property develops.
7. This item is going on September 18, 2012 for City Council consideration.

**Staff Recommendation**

Staff is recommending approval of this Ordinance. **Planning & Zoning Commission action is required to forward consideration to City Council on September 18, 2012.**

**Attachments**

Proposed Amended Ordinance (clean version)(with exhibits)  
Proposed Amended Ordinance (redline version)(with prior exhibits)  
Reply Forms – Eric Langford

*Kristen Roberts, Director of Economic and Community Development*  
**Submitted By**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, CODIFIED IN CHAPTER 86 OF THE CODE OF ORDINANCES OF THE CITY OF MURPHY, BY AMENDING AN EXISTING PLANNED DEVELOPMENT DISTRICT FOR RETAIL USES COMMONLY KNOWN AS THE MURPHY MARKETPLACE, THE CROSSING AT MURPHY MARKETPLACE AND THE PARK TRACT, ON APPROXIMATELY 74.33 ACRES OUT OF THE JAMES MAXWELL SURVEY, ABSTRACT NO. 582, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR ALL PURPOSES, AMENDING AND APPROVING THE PLANNED DEVELOPMENT CONDITIONS, PLANS AND SPECIFIC REGULATIONS FOR THE DISTRICT, INCLUDING WITHOUT LIMITATION, PERMITTED LAND USES FOR THE DISTRICT ATTACHED HERETO AS EXHIBIT "B", APPROVING A CONCEPT PLAN ATTACHED HERETO AS EXHIBIT "C", APPROVING A LANDSCAPE PLAN ATTACHED HERETO AS EXHIBIT "D", APPROVING AN EXTERIOR ELEVATION PLAN ATTACHED HERETO AS EXHIBIT "E", APPROVING A SIGNAGE PLAN ATTACHED HERETO AS EXHIBIT "F", APPROVING AN AMENITIES PLAN ATTACHED HERETO AS EXHIBIT "G" AND APPROVING A NORTH MAXWELL CREEK ROAD PLAN ATTACHED HERETO AS EXHIBIT "H"; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A CUMULATIVE/REPEALER CLAUSE, PROVIDING A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Ordinance Nos. 00-10-504, 00-10-505 and 00-10-506, adopted on October 16, 2000, changed the zoning for the property described in this ordinance from LC/R (Light Commercial/Retail) District, AG (Agricultural) District, SF-1 (Single Family) District, PD/LC (Planned Development Light Commercial) District to Planned Development-Central Business District otherwise known as the TC (Town Center) District; and

**WHEREAS**, Ordinance No. 06-11-707, adopted on November 4, 2006, changed the zoning for approximately 48.18 acres of the property described in this ordinance from TC (Town Center) District to PD (Planned Development) District for Retail Uses for a development known

then as the Murphy Marketplace and now known as the Murphy Marketplace and The Crossing at Murphy Marketplace; and

**WHEREAS**, on January 11, 2007, Allen & Loucks Venture, L.P. (“Developer”) entered into three separate but related economic development incentive agreements with the City of Murphy, Texas, the City of Murphy Economic Development Corporation, and the City of Murphy Community Development Corporation, respectively, for Developer to receive financial assistance to establish a quality retail shopping center and lifestyle development within this PD (Planned Development) District by being provided with incentives to develop the property with quality sit down dining restaurants and similar quality retail establishments with the purpose of providing significant increases in the City’s sales tax revenues; and

**WHEREAS**, Ordinance No. 08-08-758, adopted on August 18, 2008, amended the PD (Planned Development) District for Retail Uses for approximately 13.795 acres of the property described in this ordinance by revising certain development conditions; and

**WHEREAS**, Ordinance No. 08-10-766, adopted on October 20, 2008, amended the PD (Planned Development) District for Retail Uses for approximately 48.18 acres of the property described in this ordinance by revising certain development conditions; and

**WHEREAS**, Ordinance No. 09-02-784, adopted on February 16, 2009, amended the PD (Planned Development) District for Retail Uses by extending the district to an additional 26.15 acres known as the Park Tract for a total of approximately 74.33 acres, revising the concept plan and certain development conditions; and

**WHEREAS**, this ordinance shall amend the PD (Planned Development) District for Retail Uses for the property described hereinbelow by in part revising the development conditions, plans and specific regulations for the PD (Planned Development) District as set forth

hereinbelow; and

**WHEREAS**, the Planning and Zoning Commission of the City of Murphy, Texas, and the City Council of the City of Murphy, Texas, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Murphy is of the opinion and finds that said amendments, should be passed, approved and adopted and that the Comprehensive Zoning Ordinance should be amended as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, THAT:**

**Section 1.** All the above premises above are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

**Section 2.** The Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby amended so as to amend a PD (Planned Development) District for Retail Uses for the property described as 74.33 acres, more or less, in the James Maxwell Survey, Abstract No. 582, in the City of Murphy, Collin County, Texas, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes.

**Section 3.** The development conditions, plans and regulations for this Planned Development District are attached hereto as Exhibit "B", and the same are hereby approved for said PD (Planned Development) District as required by Section 86-603, of the City of Murphy, Texas, Code of Ordinances.

**Section 4.** The concept plan, landscape plan, exterior elevation plan, signage plan, amenities plan and North Maxwell Creek Road plan for this PD (Planned Development) District

are attached hereto as Exhibits “C”, “D”, “E”, “F”, “G” and “H”, respectively, and the same are hereby approved for said PD (Planned Development) District as required by Sections 86-603 and 86-604, of the City of Murphy, Texas, Code of Ordinances.

**Section 5.** Chapter 86 of the City of Murphy Code of Ordinances, as amended, shall be and remain in full force and effect save and except as amended by this ordinance.

**Section 6.** This ordinance shall amend the PD (Planned Development) District for Retail Uses for the property described herein as set forth in this ordinance and shall amend, repeal and supersede all prior amendments to the PD (Planned Development) District for Retail Uses for the property described herein to the extent of the amendments in this ordinance.

**Section 7. Severability Clause.** If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy, Texas, Code of Ordinances, and the remaining portions shall remain in full force and effect.

**Section 8. Cumulative/Repealer Clause.** This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

**Section 9. Penalty Clause.** Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Murphy, Texas, shall be punished by a fine not to exceed the sum of

two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**Section 10. Effective Date.** This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Bret M. Baldwin, Mayor  
City of Murphy

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, City Secretary  
City of Murphy

APPROVED AS TO FORM:

\_\_\_\_\_  
Wm. Andrew Messer, City Attorney  
City of Murphy

**EXHIBIT "A"**

PROPERTY

## **EXHIBIT A**

### **Legal Description**

Being all of Murphy Marketplace West Addition, Murphy Marketplace East Addition, The Crossing at Murphy Marketplace Addition, and the Park Tract, City of Murphy, Collin County, Texas, and more particularly described in the attachments that follow:

# Location Map - Zoning File 2009-01

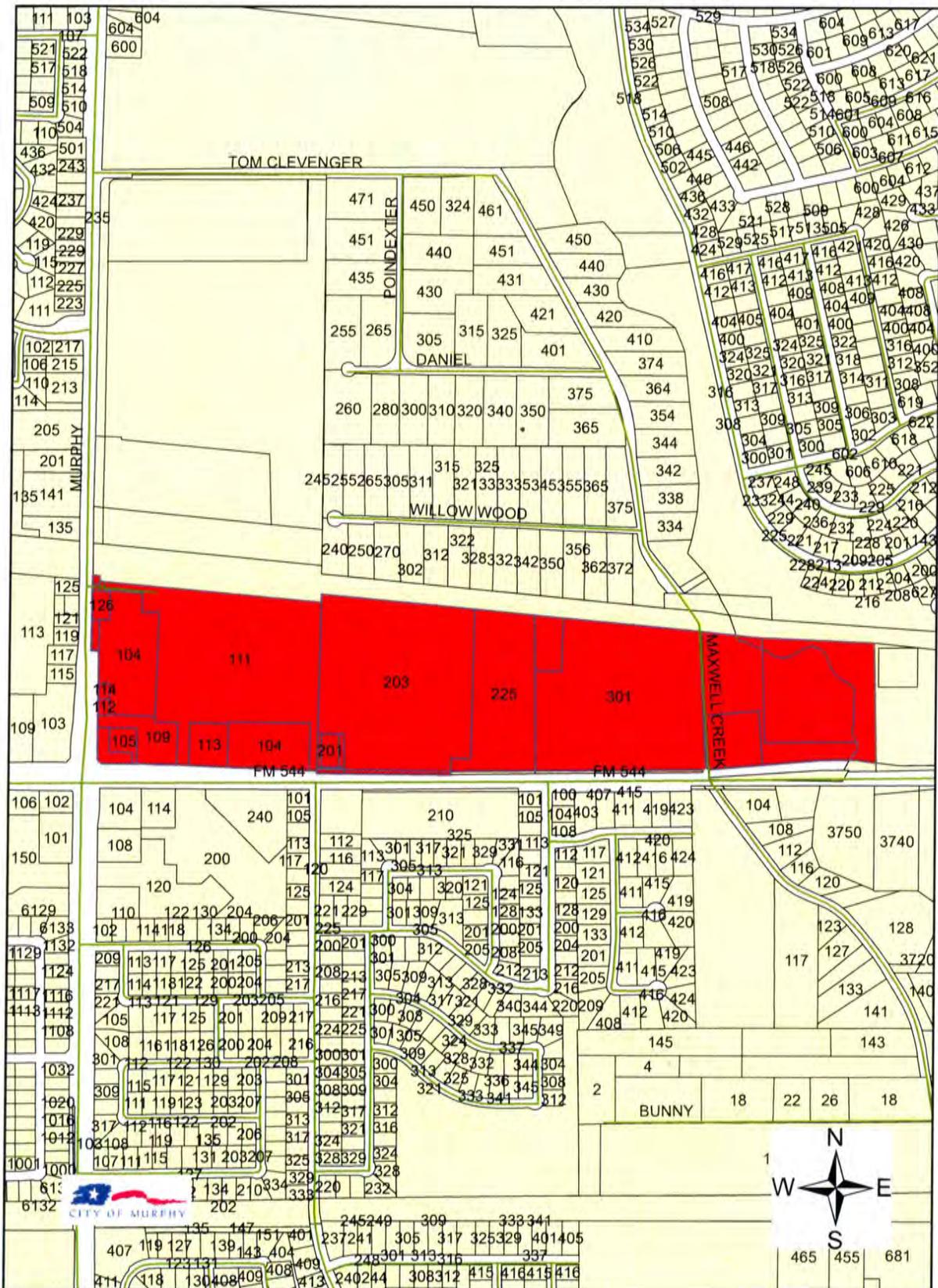






Table with columns: TRACT, AREA, ACRES, COMMENTS. Lists various tracts and their corresponding areas and acreages.

Table with columns: TRACT, AREA, ACRES, COMMENTS. Continuation of tract list from the previous table.

Table with columns: TRACT, AREA, ACRES, COMMENTS. Continuation of tract list from the previous table.

Table with columns: TRACT, AREA, ACRES, COMMENTS. Continuation of tract list from the previous table.

PROPERTY OWNERS CERTIFICATE
COUNTY OF DALLAS
COUNTY OF COLLIN
COUNTY OF TARRANT
COUNTY OF WISDOM

PROPERTY LOCATION STATEMENT
This plat is subject to the easements shown on the plat of the City of Murphy, Texas.

APPROVED BY:
City Council
City of Murphy, Texas

APPROVED BY:
City Council
City of Murphy, Texas



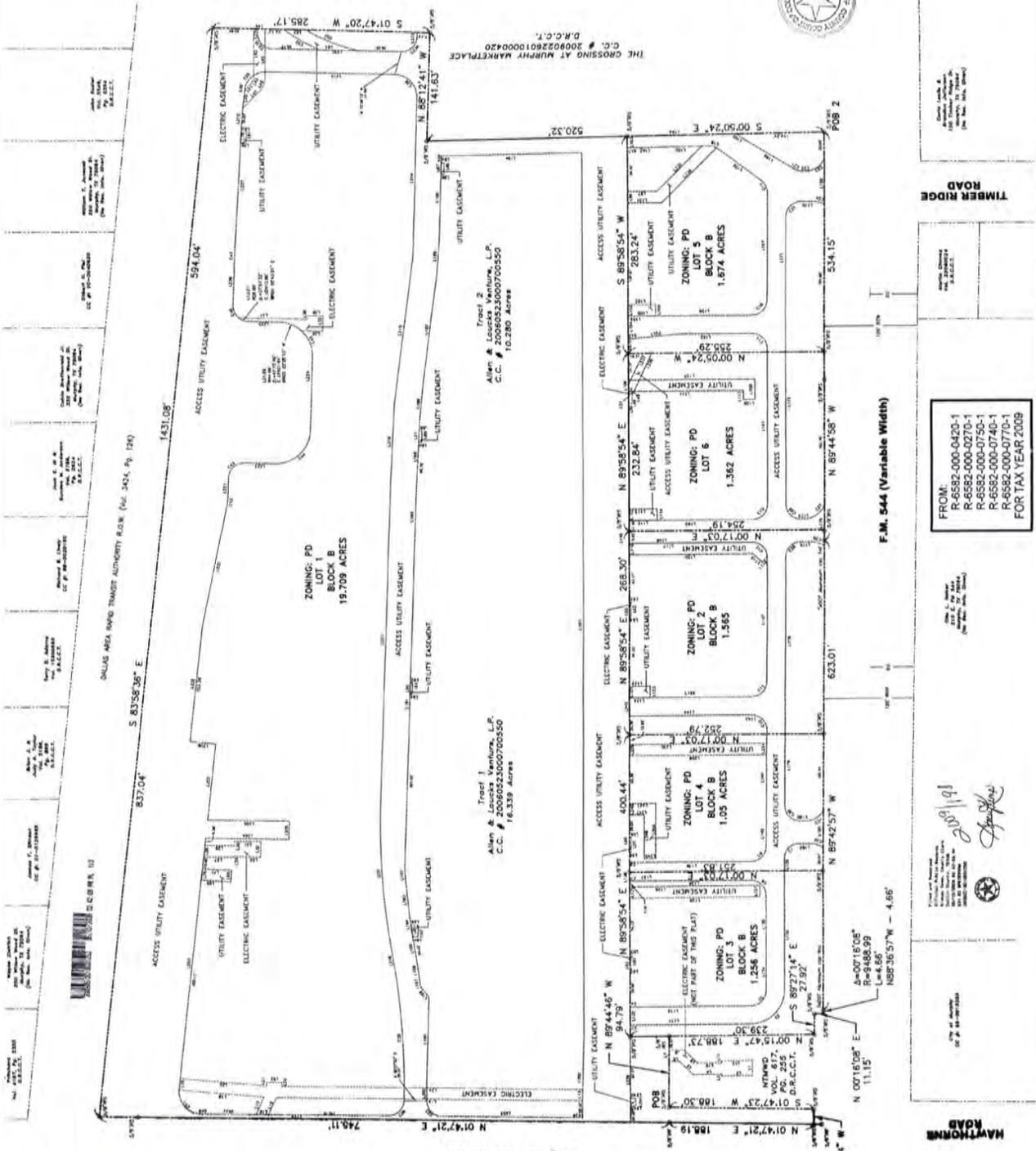
APPROVED BY:
City Council
City of Murphy, Texas

22.868 ACRES
OWNER/DEVELOPER: ALLEY 75248 U
DALLAS, TEXAS 75248
CONTACT: ERIC LANGFORD

BOHANNAN & HUSTON
210 EAST LEO
DALLAS, TEXAS 75201
PHONE: 972-258-8411

DECEMBER 2008
SHEET 3 OF 3

9726-1-1



**OWNER/DEVELOPER:** ALLEN & LOCKS VENTURE LP  
 5924 TRIN COVES  
 DALLAS, TEXAS 75246  
 CONTACT: ERIC LANFORD  
 972-282-2232

**SURVEYOR:**  
 Bohannon & Houston  
 310 East 130<sup>th</sup> Street, Suite 102, Dallas, TX 75240  
 (972) 282-2811  
**REGISTERED PROFESSIONAL SURVEYOR - SPECIAL DISTRICT - REGISTERED PROFESSIONAL ENGINEER**  
 THIS PLAT IS FILED IN CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_ OF THE  
 PLAT RECORDS FOR COLLIN COUNTY, TEXAS.  
 MAY, 2008

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 PLAT RECORDS FOR COLLIN COUNTY, TEXAS.  
 MAY, 2008

**S9726**  
 FINAL PLAT  
 BLOCK B, LOTS 1, 2, 3, 4, 5 AND 6  
**MURPHY MARKETPLACE - EAST ADDITION**  
 SITUATED IN THE  
 JAMES W. MAXWELL SURVEY, ABSTRACT NO. 582  
 CITY OF MURPHY, COLLIN COUNTY, TEXAS



**F.M. 544 (Variable Width)**

**FROM:**  
 R-6582-000-0420-1  
 R-6582-000-0270-1  
 R-6582-000-0750-1  
 R-6582-000-0740-1  
 R-6582-000-0770-1  
**FOR TAX YEAR 2008**

Eric Lanford  
 Surveyor



Eric Lanford  
 Surveyor

Eric Lanford  
 Surveyor







## EXHIBIT A

STATE OF TEXAS  
COUNTY OF COLLIN

BEING all that tract of land in the City of Murphy, Collin County, Texas out of the James W. Maxwell Survey, A-582, and being all of that called 22.762 acres described in a deed to MSW Murphy Road, LLC, a Texas Limited Liability Company, recorded in Volume 4391, Page 3105 of the Deed Records of Collin County, Texas and being Lots 1, 2 and 44, Block A of the Murphy Town Center Addition, an Addition to the City of Murphy, Texas as recorded in Volume P, Page 44 of the Plat Records of Collin County, Texas and being all of that called 25.419 acres described in a deed to TYF Partnership, recorded in County Clerks Number 2000-0105494 of said Deed Records and being further described as follows

BEGINNING at a 1/2 inch steel rod found in the South R.O.W. line of Dallas Area Rapid Transit Authority R.O.W. as recorded in Volume 3424, Page 126 of said Deed Records, said point being the northeast corner of this tract and the northwest corner of the TYF Partnership Tract as recorded in County Clerk's. file # 2000-0105494 of said Deed Records;

THENCE North 01 degrees 47 minutes 20 seconds East (Bearing basis), 50.06 feet along the east line of said TYF tract, to a 1/2" steel rod set for corner in the south line of said Dallas Area Rapid Transit Authority right-of-way;

THENCE South 83 degrees 58 minutes 36 seconds East, 1275.41 feet along said south line to a 1/2" steel set for corner at the northwest corner of that called 13.8031 acre tract described in a deed to Chia Yu Chen as recorded in Volume 2777, Page 672 of said Deed Records;

THENCE South 00 degrees 50 minutes 24 seconds East, 817.20 feet along the east line of said 13.8031 acre tract to a 1/2" steel set for corner on the north line of FM 544, a variable width right-of-way;

THENCE North 89 degrees 44 minutes 58 seconds West, 534.15 feet along said north line, to a TxDOT aluminum disk found for corner;

THENCE North 89 degrees 42 minutes 57 seconds West, 623.01 feet continuing along said north line, to a TxDOT aluminum disk found for corner at the beginning of a non-tangent curve to the left;

THENCE northwesterly, 4.66 feet, along said curve to the left having a radius of 9488.99 feet and a central angle of 0 degrees 01 minutes 41 seconds (chord bears North 88 degrees 36 minutes 57 seconds West, 4.66 feet) to a 1/2 inch steel rod set in said north line and at the southeast corner of that certain tract described in a deed to the North Texas Municipal Water District, (NTMWD) recorded in Volume 617, Page 255 of said Deed Records;

THENCE North 00 degrees 20 minutes 17 seconds East, 200.03 feet along the east line of said NTMWD tract, to a 1/2" steel rod set at the northeast corner of said NTMWD tract;

THENCE North 89 degrees 44 minutes 46 seconds West, 142.98 feet, along the north line of said NTMWD tract

THENCE South 01 degrees 47 minutes 20 seconds West, 198.62 feet along the West line of said TYF tract to a 5/8 inch steel rod found for corner and being on the North R.O.W. line of F.M.

EXHIBIT A

## EXHIBIT A

Highway 544 (variable width R.O.W.), said corner also being the beginning of a non-tangent curve to the right;

THENCE Northwesterly, 443.54 feet along said curve to the right having a radius of 9,489.00 feet, and a central angle of 02 degrees 40 minutes 42 seconds, (chord bears North 87 degrees 28 minutes 16 seconds West, 443.54 feet) to a TxDOT aluminum cap found for corner;

THENCE South 03 degrees 52 minutes 40 seconds West, 1.56 feet, continuing along said north R.O.W. line, to a ½ inch steel rod set for corner;

THENCE North 86 degrees 09 minutes 43 seconds West, 34.46 feet continuing along said north R.O.W. line, to a ½ inch steel rod found for corner at the southwest corner of Lot 3, Block A of said Murphy Town Center Addition and the Bank of America tract as recorded in Volume 5462, Page 2608 of said Deed Records;

THENCE North 01 degrees 47 minutes 20 seconds East, 233.32 feet along the west line of said Lot 3, to a ½ inch steel rod found for corner;

THENCE North 88 degrees 12 minutes 40 seconds West, 204.67 feet along the north line of said Lot 3, to a ½ inch steel rod found for corner;

THENCE South 01 degrees 47 minutes 20 seconds West, 226.00 feet along the west line of said Lot 3, to an "X" cut set for corner on said north R.O.W. line;

THENCE North 86 degrees 09 minutes 43 seconds West, 197.74 feet along said North R.O.W. line to a ½ inch steel rod found for a corner, said corner also being the beginning of a tangent curve to the right;

THENCE Northwesterly, 64.57 feet along said curve to the right having a radius of 9,614.00 feet and a central angle of 00 degrees 23 minutes 05 seconds (chord bears North 88 degrees 15 minutes 24 seconds West, 64.57), continuing along said north R.O.W. line, to a 5/8 inch steel rod found for corner;

THENCE North 83 degrees 07 minutes 19 seconds West, 16.55 feet, continuing along said north R.O.W. line to a ½ inch steel rod found at the southeast corner of the GTE tract as recorded in Volume 1441, Page 866 of said Deed Records;

THENCE North 02 degrees 14 minutes 54 seconds East, 189.22 feet along the east line of said GTE Tract, to a 1 inch steel rod found for corner;

THENCE North 89 degrees 12 minutes 07 seconds West, 147.88 feet, along the north line of said GTE Tract, to a ½ inch steel rod found for corner;

THENCE South 02 degrees 14 minutes 54 seconds West, 129.75 feet, along a west line of said GTE Tract to a ½ inch steel rod found for corner;

THENCE South 89 degrees 12 minutes 07 seconds East, 128.00 feet along the south line of said GTE Tract, to a ½ inch steel rod found for corner;

THENCE South 02 degrees 14 minutes 54 seconds West, 57.33 feet along a west line of said GTE Tract, to a ½ inch steel rod found for corner on said north R.O.W. line;

## EXHIBIT A

## EXHIBIT A

THENCE North 83 degrees 07 minutes 19 seconds West, 63.90 feet along said north R.O.W. line, to a ½ inch steel rod found for corner, said corner also being the beginning of a non-tangent curve to the right;

THENCE Northwesterly, 102.66 feet along said curve to the right having a radius of 9,624.00 feet and a central angle of 00 degrees 36 minutes 40 seconds (chord bears North 89 degrees 58 minutes 40 seconds West, 102.66 feet), continuing along said north R.O.W. line to a 1/2 inch steel rod found for corner;

THENCE North 44 degrees 30 minutes 05 seconds West, 28.16 feet to a ½ inch steel rod found for a corner, said corner also being the beginning of a non-tangent curve to the right and on the East R.O.W. line of Murphy Road (F.M. Highway 2551, a variable width R.O.W.);

THENCE Northeasterly, 235.97 feet along said curve to the right having a radius of 8315.00 feet and a central angle of 01 degrees 37 minutes 34 seconds (chord bears North 01 degrees 34 minutes 49 seconds East, 235.97 feet), along said east R.O.W. line to a ½ inch steel rod found at the southwest corner of the Ralph Dean Vail Tract as recorded in C.C. no. 92-0041249 of said Deed Records;

THENCE South 89 degrees 36 minutes 31 seconds East, 61.08 feet along the south line of said Vail Tract, to a 4 inch steel pipe found for corner;

THENCE North 02 degrees 24 minutes 40 seconds East, 157.42 feet along the east line of said Vail Tract to a 5/8 inch steel rod found for corner;

THENCE North 89 degrees 18 minutes 38 seconds West, 60.45 feet along the north line of said Vail Tract, to a ½ inch steel rod found for corner on said east R.O.W. line;

THENCE North 03 degrees 15 minutes 51 seconds East, 181.83 feet along said east R.O.W. line to a ½ inch steel rod found for corner;

THENCE North 02 degrees 30 minutes 13 seconds East, 157.23 feet continuing along said east R.O.W. line to a ½ inch steel rod found for corner;

THENCE South 84 degrees 58 minutes 05 seconds East, 57.13 feet to a ½ inch steel rod found for corner;

THENCE North 02 degrees 55 minutes 00 seconds East, 150.09 feet to a ½ inch steel rod found for corner;

THENCE North 84 degrees 00 minutes 00 seconds West, 58.94 feet to a ½ inch steel rod found for corner;

THENCE North 02 degrees 17 minutes 00 seconds East, 50.13 feet to a ½ inch steel rod set for corner;

THENCE South 84 degrees 00 minutes 00 seconds East, 1,160.59 feet along said South R.O.W. of the Dallas Area Rapid Transit Authority, to the POINT OF BEGINNING and containing 48.182 acres of land, more or less.

## EXHIBIT A

## EXHIBIT A

### The Park Tract

Being all of the following tracts of land situated in the James Maxwell Survey, Abstract No. 582, City of Murphy, Collin County Texas and containing approximately 13.182 acres of land:

1. Property ID: 2646073; Geo ID: R-6582-000-0290-1; Tract 29; 3.7438 acres
2. Property ID: 2656717; Geo ID: R-9792-00A-0010-1; Racetrac Addition (CMR), Block A, Lot 1, 1.908 acres
3. Property ID: 1129996; Geo ID: R-6582-000-0590-1; Tract 59; 0.14 acres
4. Property ID: 364377; Geo ID: R-6582-000-0260-1; Tract 26; 4.691 acres
5. Property ID: 2520495; Geo ID: R-6582-000-0560-1; Tract 56; 2.6992 acres
6. Property ID: 2520494; Geo ID: R-658-000-029R-1
7. Property ID: 2520496; Geo ID: R-6582-000-056R-1

**EXHIBIT "B"**

PLANNED DEVELOPMENT CONDITIONS

## EXHIBIT B

### ZONING FILE NO. 2009-01

Property Located North of FM 544  
Between North Murphy Road (FM 2551) and North Maxwell Creek Road

### PLANNED DEVELOPMENT DISTRICT CONDITIONS

- I. **Statement of Intent:** The intent of this Planned Development District is to provide high quality mixed-use, primarily retail, development that is consistent with the Comprehensive Plan and that is beneficial and complementary to the City of Murphy in terms of visual identity.
- II. **Statement of Purpose:** The purpose of this Planned Development District is to ensure that any development that occurs within the property designated by this Planned Development District encourages a mixed-use application including, but not limited to the following.
  - High Quality Restaurants
  - Upscale Retail Shops and Boutiques
- III. **Statement of Effect:** This Planned Development shall not affect any regulation in the Comprehensive Zoning Ordinance of the City of Murphy found in the City of Murphy, Texas, Code of Ordinances (Ordinance No. 06-12-708, as amended, and hereinafter referred to as the "Code of Ordinances"), except as specifically provided herein. The administration and interpretation of the plans and regulations of the Planned Development District, including Permitted Uses, shall be with the City Manager or his designee.
- IV. **General Regulations:** the base zoning districts for the Planned Development District shall be Office and Retail Districts. Therefore, regulations contained in the Code of Ordinances applicable to the following zoning districts shall be included by reference and shall apply for each of the specified areas of the concept plan listed below, except as otherwise specified by this ordinance.
  - A. Article III, Division 12 – Office District (O)
  - B. Article III, Division 14 – Retail District (R)
- V. **Development Plans:**
  - A. Concept Plan: Development shall be in general conformance with the approved concept plans and site plans set forth in Exhibit C; however, in the event of conflict between the concept plans and/or site plans and the conditions, the conditions shall prevail. A concept plan shall be required and approved in accordance with Article II, Division 5 of the Code of Ordinances (public hearing) for any area not governed by an approved concept plan.
  - B. Landscape Plan: Development shall be in general conformance with the approved landscape plan set forth in Exhibit D; however, in the event of conflict between the landscape plan and the conditions, the conditions shall prevail.
  - C. Exterior Elevation Plan: Development shall be in general conformance with the approved exterior elevations as set forth in Exhibit E; however, in the event of

- conflict between the exterior elevations and the conditions, the conditions shall prevail.
- D. Signage Plan: Development shall be in general conformance with the approved signage plan as set forth in Exhibit F; however, in the event of conflict between the signage plan and the conditions, the conditions shall prevail.
  - E. Amenities Plan: Development shall be in general conformance with the approved amenities plan as set forth in Exhibit G; however, in the event of conflict between the amenities plan and the conditions; the conditions shall prevail.
  - F. North Maxwell Creek Road Plan: North Maxwell Creek Road shall be upgraded in general conformance with the North Maxwell Creek Road plan as set forth in Exhibit H and in accordance with the City of Murphy construction requirements. However, in the event of conflict between the exhibits, the conditions, and/or the generally accepted construction standards, the standards and conditions (in this order) shall prevail.
  - G. The Concept Plan, Landscape Plan, Exterior Elevation Plan, Signage Plan and Amenities Plan approval shall be for a period of one year from the date of City Council action on each plan. If within that one-year period a site plan has been submitted for a portion of the development, then the concept plan shall be deemed to have no expiration date. Site plans shall be valid for a period of one year from the date of City Council action on the plan.
  - H. Site Plan – A Site Plan shall be submitted in accordance with the requirements set forth in Article II, Division 7 of the 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. The following land uses listed below are the only uses authorized by right or by SUP within the Planned Development District. All other land uses contained in Article VI. Use Regulation Sections 86-661 through 86-680 (See Appendix A-3 Use Regulations Chart) of the Code of Ordinances, as amended, for Retail and Office Districts not listed herein are expressly prohibited. Uses that must be authorized by SUP must be approved following the procedures set forth in Article V. Specific Use Permits, Sections 86-631 through 86-660 of the City of Murphy, Texas, Code of Ordinances, as amended.
  - 1. Amusement Services (Indoors)
  - 2. Antique Shop (household items only; no outside storage)
  - 3. Art Dealer/Gallery
  - 4. Artist Studio
  - 5. Bakery (Retail)
  - 6. Bank, Savings and Loan, or Credit Union (Stand Alone with drive-through)(limited to one)
  - 7. Barber/Beauty Shop (Non-college)
  - 8. Bed and Breakfast Inn (SUP)
  - 9. Book Store
  - 10. Civic Club

**EXHIBIT B**

11. Department Store
12. Dinner Theater
13. Financial Services (Advice/Invest)
14. Florist
15. Furniture Home Furnishings or Appliance Store (Indoor)
16. Hardware Store
17. Health Club (Physical Fitness)
18. Hotel/Motel (SUP)
19. Laundry/Dry Cleaning (Drop Off/Pickup Only)
20. Library (Public)
21. Motion Picture Theater (Indoors)
22. Museum (Indoors Only)
23. Offices
  - a. Insurance Agency Offices
  - b. Legal Services Offices
  - c. Medical Offices/Clinic (SUP)
  - d. Professional Offices
  - e. Real Estate Offices
  - f. Travel Agency
24. Park and/or Playground (SUP)
25. Pet Shop/Supplies
26. Pharmacy
27. Photo Studio
28. Photocopying/Duplicating
29. Restaurant or Cafeteria (with no drive-through/no drive-in service)
30. Restaurant or Cafeteria (with drive-through/drive-in service) (SUP)
31. Retail Store
32. Shoe Repair
33. Tailor Shop
34. Theater (Non-Motion Picture; Live Drama)
35. Any land use having more than sixteen (16)-hour operations per day (SUP)

B. 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:
    - i. Minimum 50 feet from FM 544 and FM 2551 (Murphy Road).
    - ii. Minimum 50 feet from North Maxwell Creek Road right-of-way.
    - iii. Minimum 50 feet from right-of-way of all other public streets, roads, etc.
  - b. Landscape Setbacks

**EXHIBIT B**

- i. Minimum 15 feet from FM 544 and FM 2551 (Murphy Road).
      - ii. Minimum 15 feet from North Maxwell Creek Road right-of-way.
    2. Setbacks From Property Lines Not Adjacent To Streets:
      - a. Building Setbacks – No building of any kind and no part thereof shall be placed within the following setback lines:
        - i. Minimum 15 feet from rear and side lines of the overall property and each tract or 0 feet with landscaping, except where buildings on adjacent lots abut each other. In the case of abutting buildings, the building setback shall be 0 feet.
        - ii. Minimum 50 feet abutting residential districts for single story buildings not exceeding an average of 35 feet in height. However, any proposed theaters shall have an average maximum height of 45 feet. All pad sites along FM 544 shall have a maximum average height of 25 feet.
        - iii. Maximum 50 feet along the DART right-of-way along the north property line.
    3. There is no maximum building size as long as fire standards and other site requirements, such as parking and landscaping, etc. are met.
- C. Parking, Driveways & Sidewalks:
  1. Parking areas shall not be permitted within any landscape buffer strip.
  2. Parking shall not be permitted in front of the building except that parking may be provided in front of the building at a ratio not greater than 15 percent. Retail and restaurant uses are exempt from this requirement.
  3. 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.
  4. 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. All pads (in-line or stand-alone with a footprint larger than 19,000 square feet shall be considered commercial in zoning and provide parking at a rate of 1 space for every 250 square feet. All pads smaller than 19,000 square feet shall be considered retail or restaurant and shall have parking according to the Code of Ordinances. Parking for any proposed theater shall be provided at a ratio of 1 space for every 5 seats.
  5. No required parking space may be occupied by signs, cart corrals, merchandise, or display items at any time.

## EXHIBIT B

6. Sidewalks along FM 544 and North Maxwell Creek Road shall be a minimum of 8 feet in width.

D. Loading and Unloading

1. 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.
2. Truck loading berths and apron space shall not be located within any required setback or landscape buffer strip.

E. Minimum Exterior Construction Standards, Building Materials and Design – Exterior Construction and Design Requirements shall be architecturally compatible with the approved elevation plans for Murphy Marketplace as shown in Exhibit E, except as provided below.

1. 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.
2. 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.
3. 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.
4. Building roofs shall be so designed and constructed as 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.
5. 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.
6. 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.

**EXHIBIT B**

- F. Landscape Standards. Landscaping shall be compatible with the approved landscape plan as shown in Exhibit D and comply with the standards set forth in Article VII, Division 3 of the Code of Ordinances, except as provided below.
1. All landscaping shall use a unified design for the entire property. 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.
  2. A landscape buffer shall be provided fifteen (15) feet in depth adjacent to the right-of-way of FM 544, fifteen (15) feet in depth adjacent to North 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 fifteen (15) foot buffers, but may not be included in the calculation of the buffer depth for ten (10) foot buffers.
  3. A landscape buffer shall be provided for an average of fifteen (15) feet in depth adjacent to the Southern Pacific/DART Railroad right-of-way.
  4. Parking Lots:
    - a. 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.
      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.
- G. Screening. Screening shall comply with the standards set forth in Article VII, Division 5 of the Code of Ordinances, except as provided below.
1. All screening at the rear of the property will be a live screen where required. Plant materials shall conform to the standards of the approved plant list in Section 50 and the current edition of the "American Standard

## EXHIBIT B

for Nursery Stock” (as amended), published by the American Association of Nurserymen. Bald Cyprus trees are excluded from the approved list. The existing railroad berm will also serve as a natural screen between the nonresidential and residential districts.

2. All truck docks/loading areas for anchor stores with a footprint greater than 100,000 square feet shall be screened from view through the use of 12-foot all masonry walls (which are the same colors and materials as main building). All other screening of the rear of the site shall be living screens (eight foot height and at least 75 percent capacity within four years of planting unless such areas are screened from public views by a building).
  3. Outside seasonal displays shall be permitted with the Planned Development District.
- H. Site Lighting. Lighting shall comply with the standards set forth in Article VII, Division 9 of the Code of Ordinances, except as provided below.
1. Lighting should be provided for vehicular, pedestrian, signage, architectural and site features.
  2. 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. However, the height of all light standards shall be subject to review of the lighting plan during the Site Plan review.
  3. 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 or of similar color. Yellow/orange source lights are prohibited from use. Incandescent source lighting should be considered for pedestrian areas and near buildings.
  4. 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.
  5. General illumination shall commence one half hour before sunset and last until the Building Site is closed for the evening. Parking structures and pedestrian walkways shall be illuminated during all hours of darkness and when poor weather conditions warrant.
- I. Signage and Graphics: On-site signage will be in accordance with the Signage Criteria package provided and included as Exhibit F. Signage shall comply with the standards set forth in Article VII, Division 11 of the Code of Ordinances, except as provided below or within the Signage Criteria package (Exhibit F).

## EXHIBIT B

1. General
  - a. Monument signs - One (1) monument sign shall be allowed on each lot and shall be limited to a maximum area of 50 square feet.
2. Anchor Signs
  - a. Anchor signs will only be allowed for tenants with a total building footprint of 10,000 square feet or above.
  - b. Anchor signs shall be internally illuminated aluminum channel letters with 1/8" Plexiglass front. The maximum letter height shall be 5'6".
  - c. All anchor signs shall be illuminated until 10:00 pm regardless of store hours.
  - d. Ancillary signs shall not exceed the size of the primary signs. The length of the sign shall not exceed 80% of the tenant width or the width of the architectural element.
3. Retail Signage
  - a. Retail signage requirements will apply to tenants with a total building footprint of 9,999 square feet or less.
  - b. Retail signs shall be individually backlit aluminum channel letters over 1/8" aluminum "outline" panel to be offset 2".
  - c. Typefaces, logos, and colors are subject to the landlord's approval and subject to the City of Murphy requirements.
  - d. The length of the retail sign shall not exceed 80% of the tenant width or the width of the architectural element.
  - e. The letter height shall range between a minimum of 1' to a maximum of 2'-6".
  - f. For corner tenants and freestanding buildings, secondary signage shall not exceed the size of the primary signage.
4. Monument Signs
  - a. Multi-tenant monument signs shall identify multiple tenants or uses within a given area. Single-tenant monument signs shall identify a single tenant and one shall be allowed on each lot. Locations of the monuments signs are as shown within the Signage Criteria package.
  - b. Multi-tenant monument signs shall be a maximum of 10 feet tall. Single-tenant monument signs shall be a maximum of 7 feet tall.
  - c. All monument signs shall be double-sided, internally illuminated Plexiglass sign panels contained within a masonry structure. 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.

**EXHIBIT B**

- d. Monument signs shall be located at a set-back 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.
- e. Multi-tenant monument signs: The maximum structure area for the multi-tenant monument sign shall be 184 square feet. The maximum signage area will be 94 square feet. Signage shall be similar to detail shown within the Signage Criteria package.
- f. Single-tenant monument signs: The maximum structure area for the single-tenant monument sign shall be 80 square feet. The maximum signage area will be 25 square feet. Signage shall be similar to detail shown within the Signage Criteria package.
- g. Construction of monument signs shall include a base of material compatible with the material used for buildings.

5. Temporary Marketing Signage

- a. One (1) quality temporary marketing signs shall be permitted on the development on FM 544. These signs shall be allowed for a term of twelve (12) months from the date of installation. Temporary marketing signs may be permitted for a longer period of time upon approval by the City.
- b. The maximum signage area will be 64 square feet. The maximum height shall be 8 feet. Signage shall be similar to detail shown within the Signage Criteria package.
- c. 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.
- d. Construction of temporary signs are not required to be constructed of the material used for buildings.

J. Open Space

- 1. Development within the property shall 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 property at the pedestrian level.
- 2. Outdoor Seating. Any establishment serving food for consumption on-premises is encouraged to provide an outdoor seating area and need to 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 the following subsection 3..
- 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 are allowed within the Planned Development District. Outside storage is not allowed.

## **VII. Special Regulations:**

North Maxwell Creek Road: As a part of this development, the existing asphalt North Maxwell Creek Road shall be upgraded to a concrete curb and gutter street. Public right-of-way with a width of 60 feet shall be dedicated by plat and centered on the existing roadbed in accordance with the City of Murphy Thoroughfare Plan. As shown in Exhibit H, North Maxwell Creek Road will be widened to a three-lane undivided roadway with the middle lane serving as a turn lane. The proposed roadway will then taper from three lanes to two lanes prior to the existing railroad tracks along the north side of the site. The developer is only responsible for half of the roadway construction costs; however, it is understood that the cost of the eastern half of the roadway would overburden the property east of North Maxwell Creek Road. Therefore, roadway construction costs will be shared between the developer of the site and the City of Murphy as detailed/negotiated under separate cover.

Traffic Impact Analysis Recommendations: As recommended by the TIA dated September 2007, the following traffic control measures shall be instituted: a traffic signal shall be installed at FM 544 and North Maxwell Creek Road, a shared thru and right turn lane and dedicated left turn lane southbound on North Maxwell Creek Road at FM 544 and dedicated left and right turn lanes for the driveways leading to North Maxwell Creek Road from the subject property shall be installed.

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.

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.

Cross-Access Requirement: A joint access (i.e. – ingress, egress) easement shall be required to minimize the number of driveway openings along FM 544. 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.

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 façade facing such right-of-way that is in keeping with the character of the building's main façade.

**EXHIBIT “C”**

CONCEPT PLAN

**TABLATIONS**

DESCRIPTION	SITE AREA (SQ. ACRES)	BLDG AREA (SQ. FT)	COVERAGE	PKG. RATIO	SEC.	EXTRA.	SF/1000 SF
<b>LOT 1</b>							
ROAD IMPROVEMENT	14.36	138,000	22.07%	1.600	345	268	4.58
MULTITENANT	137,728	24,500	20.38%		153	0	0.25
Retail (75%)	18,375			1.200	92		
Retail (25%)	61,353			1.100	61		
<b>LOT 2</b>							
MULTITENANT	14.03	55,200	20.38%		660	0	0.28
Retail (75%)	10,523			1.200	415		
Retail (25%)	35,677			1.200	116		
<b>LOT 3</b>							
MULTITENANT	7.38	67,800	21.47%		437	0	0.43
Retail (75%)	5,535			1.150	263		
Retail (25%)	18,265			1.250	74		
<b>TOTAL</b>	<b>5,690.828</b>	<b>28,81</b>	<b>13.63%</b>		<b>1,595</b>	<b>268</b>	<b>0.17</b>
PADS	10.75						
TOTAL	48.56						

-- SPECIAL APPROVAL IS REQUIRED IN ORDER TO EXCEED 4 SPACES PER 1000-SQUARE FEET.



A DEVELOPMENT BY:  
LANGFORD PROPERTY COMPANY

THE CROSSING AT MURPHY MARKETPLACE  
A JOINT DEVELOPMENT BY:  
LANGFORD PROPERTY COMPANY  
& CHAMPION PARTNERS



**O'BRIEN & ASSOCIATES, INC.**  
ARCHITECTURE • INTERIORS • PLANNING  
5370 HARVEST HILL ROAD • SUITE 508 • DALLAS, TEXAS 75250 • (972) 748-5000 • FAX (972) 748-8828  
WWW.OBRIEN-AND-ASSOCIATES.COM

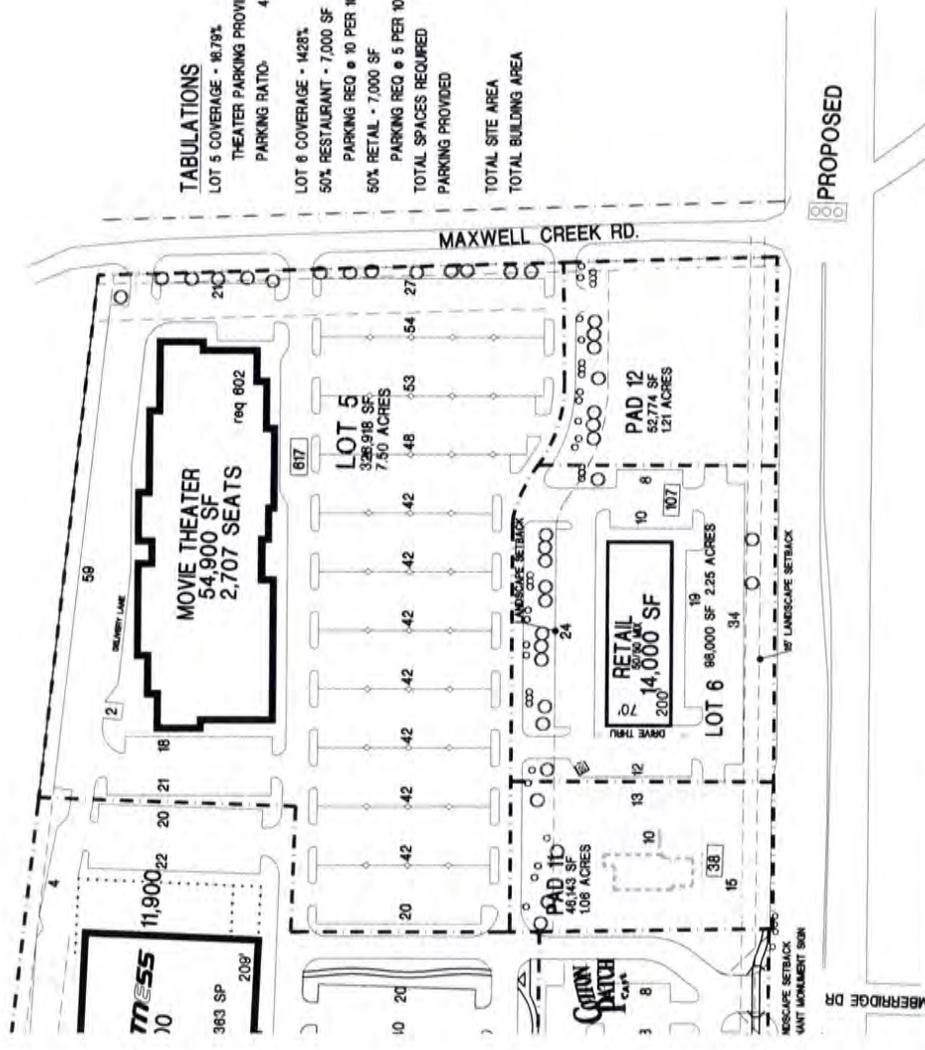
**MURPHY, TEXAS**

**SP-041**

APPROVED BY: **SP-041**  
SCALE: 1" = 100' • JOB# 38883 • ISSUE DATE: 05/17/07  
APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



Langford Property Company, Inc. is a subsidiary of Langford Properties, Inc.  
Champion Partners, Inc. is a subsidiary of Champion Properties, Inc.



**TABLATIONS**

LOT 5 COVERAGE - 18.79%  
 THEATER PARKING PROVIDED 617 SPACES  
 PARKING RATIO- 4.38 SEATS/PKG SPACE

LOT 6 COVERAGE - 14.28%  
 50% RESTAURANT - 7,000 SF  
 PARKING REQ @ 10 PER 1000 SF. 70 SPACES  
 50% RETAIL - 7,000 SF  
 PARKING REQ @ 5 PER 1000 SF. 35 SPACES  
 TOTAL SPACES REQUIRED 105 SPACES  
 PARKING PROVIDED 107 SPACES

TOTAL SITE AREA 12.02 ACRES  
 TOTAL BUILDING AREA 68,900 SF

**O'BRIEN & ASSOCIATES, INC.**  
 ARCHITECTURE • INTERIORS • PLANNING  
 1510 HARVEST HILL ROAD • SUITE 108 • DALLAS, TEXAS 75230 • 8721 736 000 • FAX 972 736 4228  
 www.obrien.com

**SP-046**

SCALE 1" = 60' • JOB# 27036 • ISSUE DATE: 07/18/07  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

NORTH

**THE CROSSING AT MURPHY MARKETPLACE**  
 MURPHY, TEXAS  
 A JOINT DEVELOPMENT BY:  
**LANGFORD & CHAMPION PARTNERS**

**EXHIBIT "D"**

LANDSCAPE PLAN





**EXHIBIT "E"**

EXTERIOR ELEVATION PLAN





**KEY NOTES**

- 1) MODULAR FACE BRICK VENEER
- 2) SHIMLAD SLATE ROOF SYSTEM (REF. 91626)
- 3) ALUMINUM SIDING SYSTEM
- 4) EPS AGENT BAND AND GORNGE
- 5) MODULAR FACE BRICK VENEER
- 6) SHIMLAD SLATE ROOF SYSTEM
- 7) PAINTED CONCRETE TILT-WALL PANEL AND CONCRETE BASE W/ TORSION PAINT
- 8) 2" MIN. R. 3/4" REBAR IN CONCRETE TILT-WALL AND CONCRETE BASE W/ TORSION PAINT
- 9) BRASS CORNERPOST KAZZLE (REF. 91626)

**BUILDING MATERIALS - EAST**

- 22K ALUMINUM SIDING SYSTEM
- 12K EPS AGENT BAND AND GORNGE
- 10K MODULAR FACE BRICK VENEER
- 15K SHIMLAD SLATE ROOF SYSTEM
- 18K PAINTED CONCRETE TILT-WALL PANEL AND CONCRETE BASE W/ TORSION PAINT
- 19K SHIMLAD SLATE ROOF SYSTEM

**BUILDING MATERIALS - NORTH**

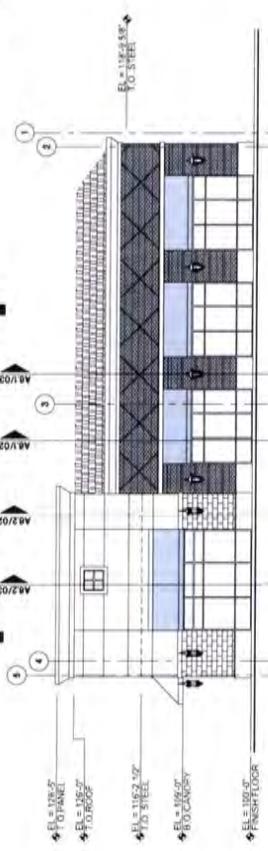
- 10K ALUMINUM SIDING SYSTEM
- 12K EPS AGENT BAND AND GORNGE
- 15K MODULAR FACE BRICK VENEER
- 18K SHIMLAD SLATE ROOF SYSTEM
- 19K PAINTED CONCRETE TILT-WALL PANEL AND CONCRETE BASE W/ TORSION PAINT
- 20K SHIMLAD SLATE ROOF SYSTEM

**BUILDING MATERIALS - WEST**

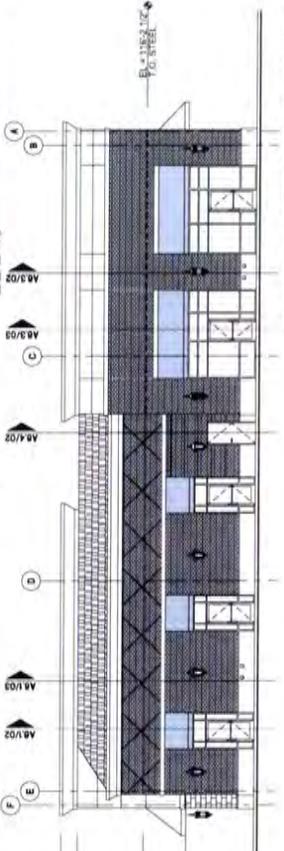
- 22K ALUMINUM SIDING SYSTEM
- 12K EPS AGENT BAND AND GORNGE
- 10K MODULAR FACE BRICK VENEER
- 15K SHIMLAD SLATE ROOF SYSTEM
- 18K PAINTED CONCRETE TILT-WALL PANEL AND CONCRETE BASE W/ TORSION PAINT
- 19K SHIMLAD SLATE ROOF SYSTEM

**BUILDING MATERIALS - SOUTH**

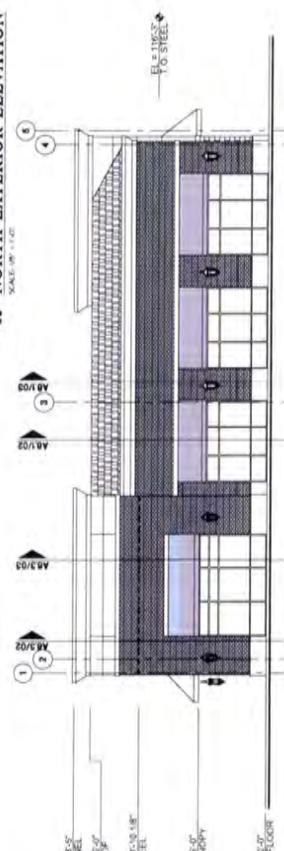
- 22K ALUMINUM SIDING SYSTEM
- 12K EPS AGENT BAND AND GORNGE
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- 15K SHIMLAD SLATE ROOF SYSTEM
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- 19K SHIMLAD SLATE ROOF SYSTEM



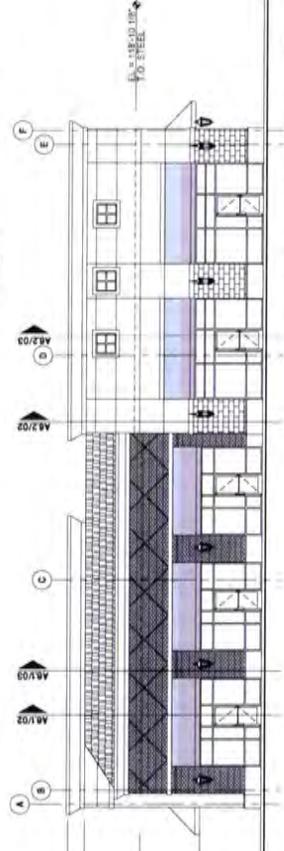
**04 EAST EXTERIOR ELEVATION**  
SCALE: 1/8" = 1'-0"



**03 NORTH EXTERIOR ELEVATION**  
SCALE: 1/8" = 1'-0"



**02 WEST EXTERIOR ELEVATION**  
SCALE: 1/8" = 1'-0"



**01 SOUTH EXTERIOR ELEVATION**  
SCALE: 1/8" = 1'-0"



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**MURPHY MARKETPLACE**  
HIGHWAY 544  
MURPHY, TEXAS  
A DEVELOPMENT OF  
LANGFORD PROPERTY COMPANY

**ISSUE LOG**

NO.	DESCRIPTION	DATE
1	PROGRESS PERMITS	04/20/20



DATE: 04/20/2020  
JOB NO.: 20000  
SCALE: 1/8" = 1'-0"  
SHEET NO.:  
**A5.1**  
BLOCK: EXTERIOR ELEVATION



**EXHIBIT "F"**

SIGNAGE PLAN

# **SIGNAGE CRITERIA**

## **MURPHY MARKETPLACE**

**HIGHWAY 544 + MURPHY RD.  
MURPHY, TEXAS**

**A DEVELOPMENT OF:  
LANGFORD PROPERTY COMPANY**

**September, 2006  
Revised September 19, 2006**

# **SIGN CRITERA - MURPHY MARKETPLACE**

## **Murphy, Texas**

### **INTRODUCTION (3)**

- Intent (3)
- Submission Requirements (3)
- Responsibilities, Limitations, Liabilities (4)
- Illumination & Lettering (4)
- Installation (4)

### **TENANT SIGNS (5)**

#### **Anchor Signage (5)**

- Description (5)
- Elevations (5)

#### **Tenant Retail Signage (6)**

- Description (6)
- Elevations (6)

### **DEVELOPMENT SIGNS (7)**

#### **MULTI-TENANT MONUMENT SIGNS (7)**

- Description (7)
- Elevations (8)

#### **SINGLE-TENANT MONUMENT SIGNS (9)**

- Description (9)
- Elevations (10)

#### **PYLON SIGNS (11)**

- Description (11)
- Elevations (12)

### **TEMPORARY SIGNS (13)**

- Description (13)
- Elevation (14)

## **INTRODUCTION**

### **INTENT**

The purpose of these criteria is to establish the standards for the configuration, fabrication, installation, and operation of tenant signage at MURPHY MARKETPLACE.

Compliance with these regulations insures the tenant of a sign that meets industry standards of materials, and fabrication. It insures the center's owners of properly installed signage and in addition, a center free of poorly designed, fabricated and installed signs.

### **SUBMISSION REQUIREMENTS**

This booklet should be given to the sign contractor to serve as a guide in preparing his design and cost estimates for you. Your contractor must have this booklet in order to give you a price, which reflects a sign that complies with the standards as outlined in this booklet.

All signage must be in compliance with the City of Murphy Sign Ordinance (as applicable) including any amendments in force at the time the sign is permitted.

## **RESPONSIBILITIES, LIMITATIONS, LIABILITIES**

All tenants must have a sign that conforms to this sign criterion.

The tenant shall be responsible for the sign and its erection, unless provided for otherwise in the lease agreement.

No sign may be erected on the buildings or property without permitting with the City of Murphy (as applicable).

All permits as required by local building, or sign codes, shall be obtained by the tenant or his sign contractor, unless provided for otherwise in the lease agreement.

All costs for permitting, fabrication, and installation of signs shall be borne by the tenant, unless provided for otherwise in the lease agreement.

Sign message shall consist of business name only. Descriptions of services, product names, or merchandise trade names, are prohibited.

Box signs are prohibited.

Flashing signs are prohibited.

Exposed neon signs are prohibited.

Portable, trailer, changeable copy signs are prohibited.

Visible sign company names on tenant signage are prohibited.

"COMING SOON" signs must be coordinated with and approved by the landlord and City of Murphy (as applicable).

The tenant and his sign contractor will be held liable for all costs required to remove and/or correct signs, sign installations and damage to buildings caused by signs or installations which do not conform to this criteria.

Any signs prohibited by this criteria, will be removed at tenant's expense.

## **ILLUMINATION & LETTERS**

Neon shall be 6500 white, internally illuminated.

LED illumination can also be used instead of Neon.

All text shall be individual letters mounted on a raceway.

## **INSTALLATION**

A licensed electrician shall perform final electrical hookup.

All penetrations through the masonry shall be through the mortar joints. All signage installation shall be in accordance with the City of Murphy (as applicable) Codes and Ordinances and the current Electrical Code.

No secondary wiring running between letters shall occur on the front face of the raceway.

The tenant shall provide the J box, rigid conduit to the panel and wiring. The plenum may be accessible through the tenant ceiling.

## **Anchor Signage**

### **DESCRIPTION**

Tenants that have a total square footage of 10,000 sf. or above.

### **TYPE OF SIGN**

- Internally illuminated aluminum channel letters with 1/8" Plexiglas front.
- All Signs must be lit until 10:00pm regardless of store operating hours.

### **LETTER STYLE**

- Per City of Murphy sign criteria and as approved by Langford Property Company.

### **SIZE AND LOCATION**

- Maximum Letter Height: .....5'-6"
- Ancillary signs allowed not to exceed size of primary sign
- Maximum sign length: length of sign shall not exceed 80% of tenant width or architecture feature, whichever is less.

## **Retail Signage**

### **DESCRIPTION**

Tenants that have a total square footage of 9,999 sf. or less.

### **TYPE OF SIGN**

Individually back-lit aluminum channel letters over 1/8" aluminum "outline" panel to be offset with 2" as approved by City of Murphy (as applicable).

### **LETTER STYLE**

Typefaces, logos and colors are subject to landlord's approval and as approved by City of Murphy (as applicable).

### **SIZE AND LOCATION**

#### **Front Façade:**

- Maximum sign length: not to exceed 80% of lease width or architectural element.
- Maximum letter height: 2'-6"
- Minimum letter height: 1'-0"

#### **Side Façade:**

For corner tenants with 2 front Facades and freestanding buildings:

- Second sign allowed not to exceed size of primary sign.

## **Multi-Tenant Monument Signs**

(section revised 09-19-06)

### **TYPE OF SIGN**

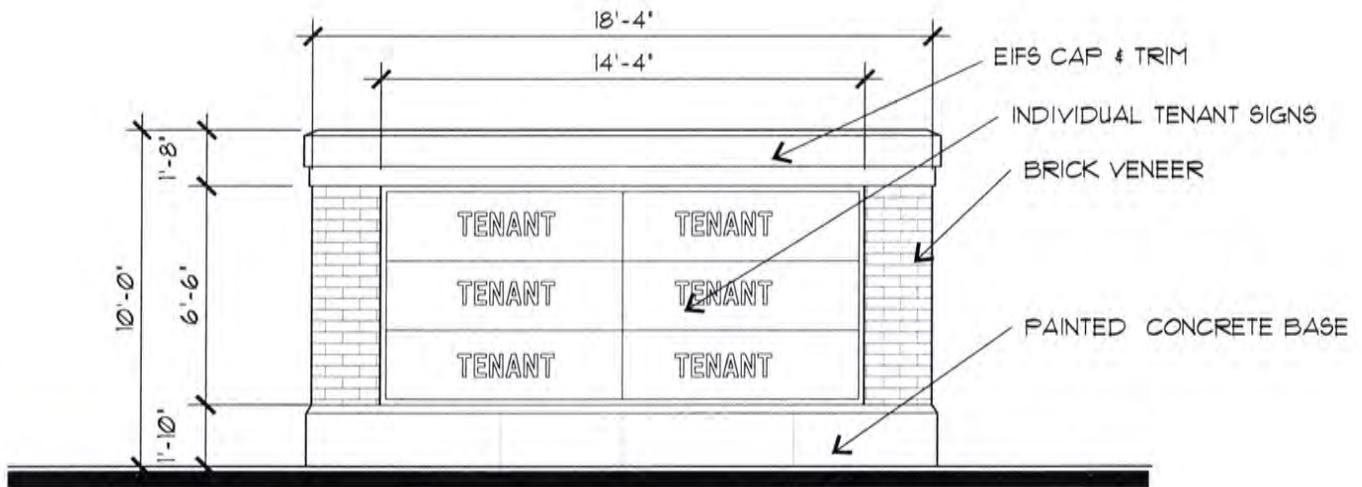
Double sided, internally illuminated Plexiglas sign panels contained within masonry structure.

### **NUMBER AND LOCATION**

As noted on signage key plan.

Monument signage shall be located at a set back distance of not less than 8'-0" from the right-of-way line and may be incorporated within the landscaping area or buffer.

Maximum structure area:	184 sf
Maximum signage area:	94 sf
Maximum height:	10'-0"



# 01 MULTI-TENANT MOMUMENT SIGN ELEV.

NTS

183.33 TOTAL SF  
93.17 SIGNAGE SF

## **Single-Tenant Monument Signs**

(section revised 09-19-06)

### **TYPE OF SIGN**

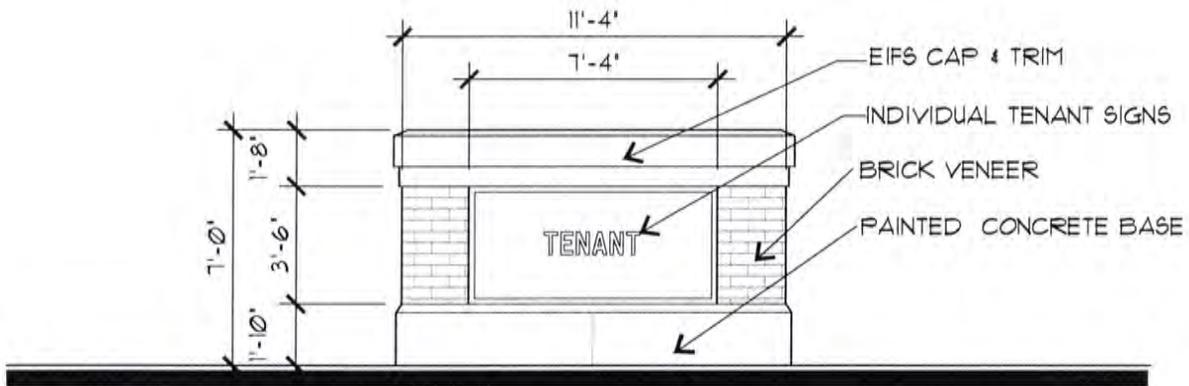
Double sided, internally illuminated Plexiglas sign panels contained within masonry structure.

### **NUMBER AND LOCATION**

As noted on signage key plan. One sign per lot.

Monument signage shall be located at a set back distance of not less than 8'-0" from the right-of-way line and may be incorporated within the landscaping area or buffer.

Maximum structure area:	80 sf
Maximum signage area:	25 sf
Maximum height:	7'-0"



02

## SINGLE-TENANT MOMUMENT SIGN ELEV.

NTS

79.33 TOTAL SQ. FT.  
25.67 SIGNAGE SQ. FT.

## **Pylon Signs**

(section revised 09-19-06)

### **TYPE OF SIGN**

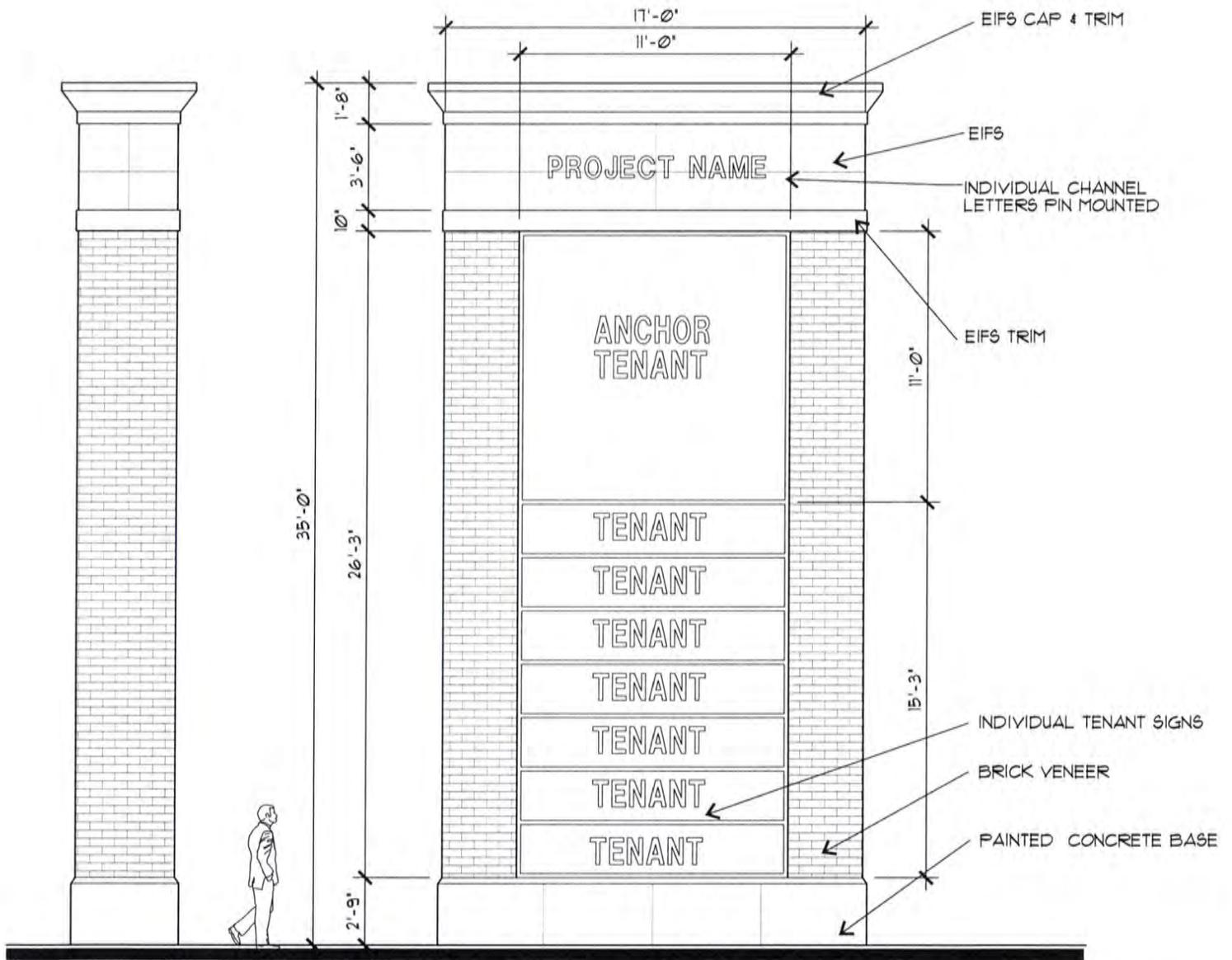
Double sided, internally illuminated Plexiglas sign panels contained within masonry structure.

### **NUMBER AND LOCATION**

As noted on signage key plan.

Pylon signage shall be located at a set back distance of not less than 8'-0" from the right-of-way line and may be incorporated within the landscaping area or buffer.

Maximum structure area:	595 sf
Maximum signage area:	349 sf
Maximum height:	35'-0"



# DOUBLE-FACED 03 PYLON SIGN ELEV.

595 TOTAL SF  
348.5 SIGNAGE SF

NTS

## **Temporary Signage**

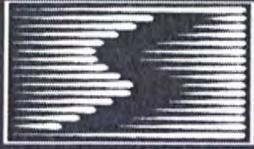
(section added 09-11-06)

### **DESCRIPTION**

Two (2)-quantity Temporary Marketing Signs to remain in place for a term up to 12 months from date of installation.

Maximum signage area for each sign:	64 sf
Maximum signage height each:	8'-0"

8' x 8' Retail Leasing Sign –  
Murphy, TX



**STAUBACH**

**RETAIL**

**MURPHY MARKETPLACE**

**Coming Soon  
500,000 SF Shopping Center  
Now Pre-leasing!**

(Leave room for Logos)

**972-361-5116**

**Max Miller**

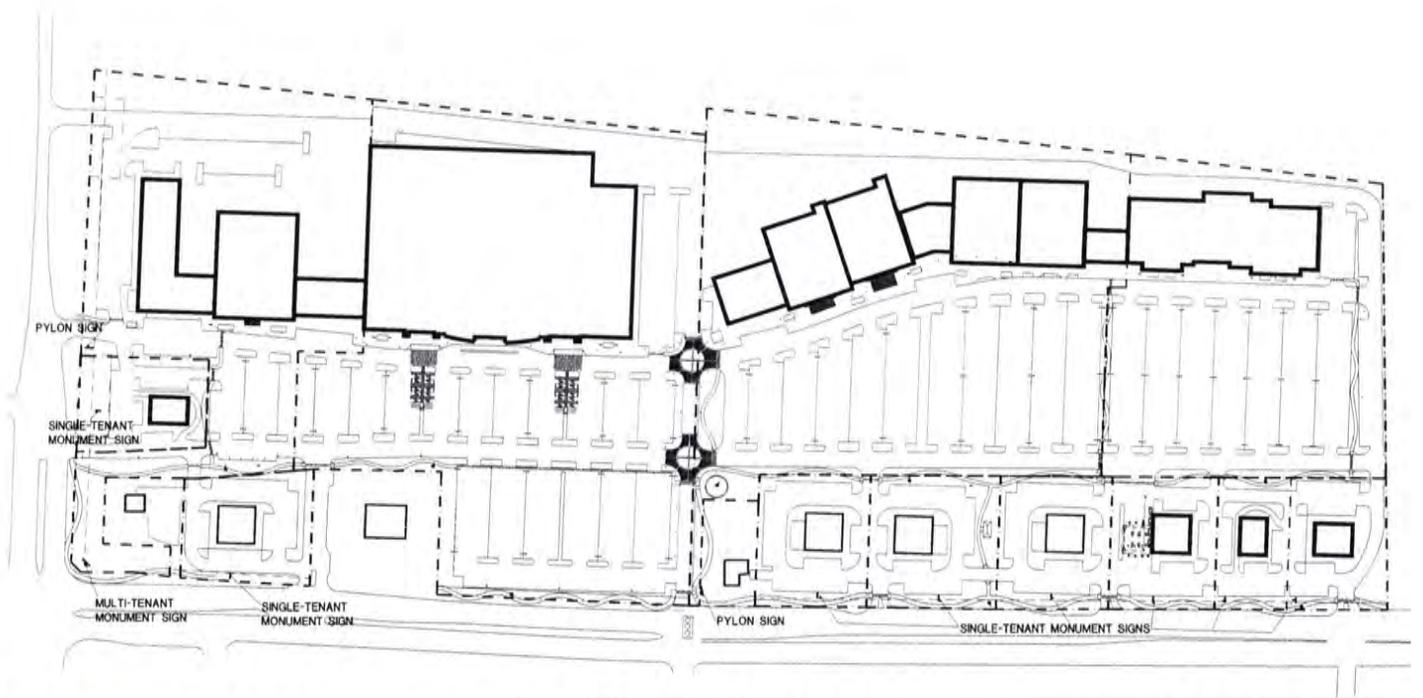
**972-361-5513**

**Steve Ewing**

**staubachretail.com**

Developed by:

**LANGFORD  
PROPERTY COMPANY**



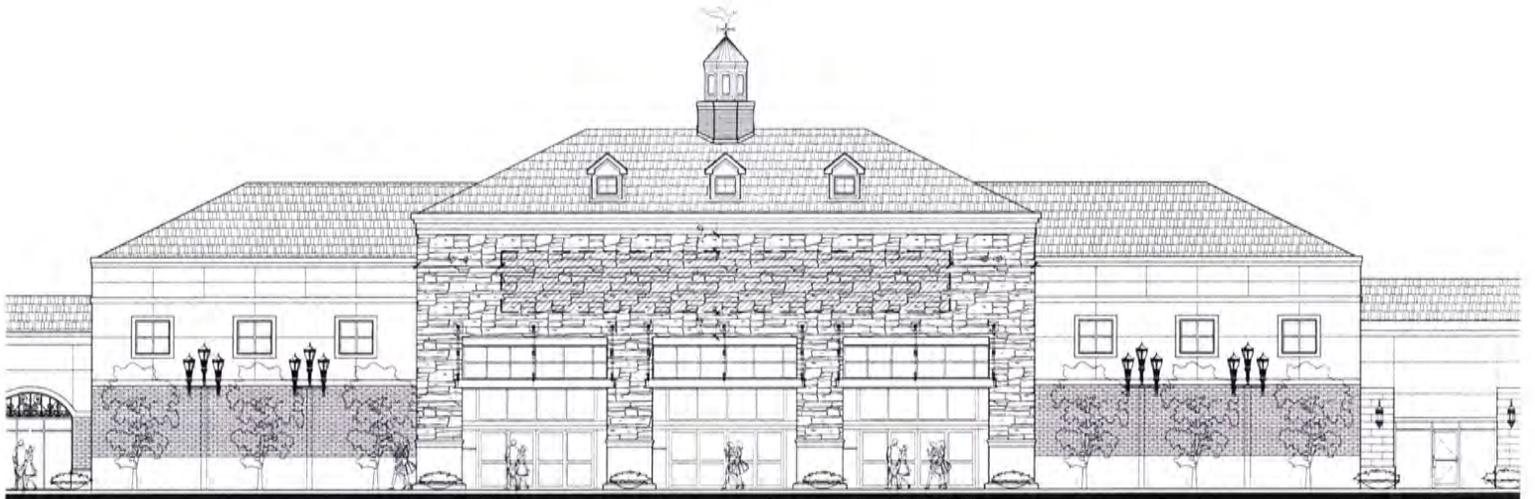
**O'BRIEN & ASSOCIATES, INC.**  
 ARCHITECTURE • INTERIORS • PLANNING  
 8100 HARVEST HILL ROAD • SUITE 100 • DALLAS, TEXAS 75230 • (972) 750-0200 • FAX (972) 750-4808  
www.obrienand.com

**MURPHY MARKETPLACE**  
 MURPHY, TEXAS  
**LANGFORD**

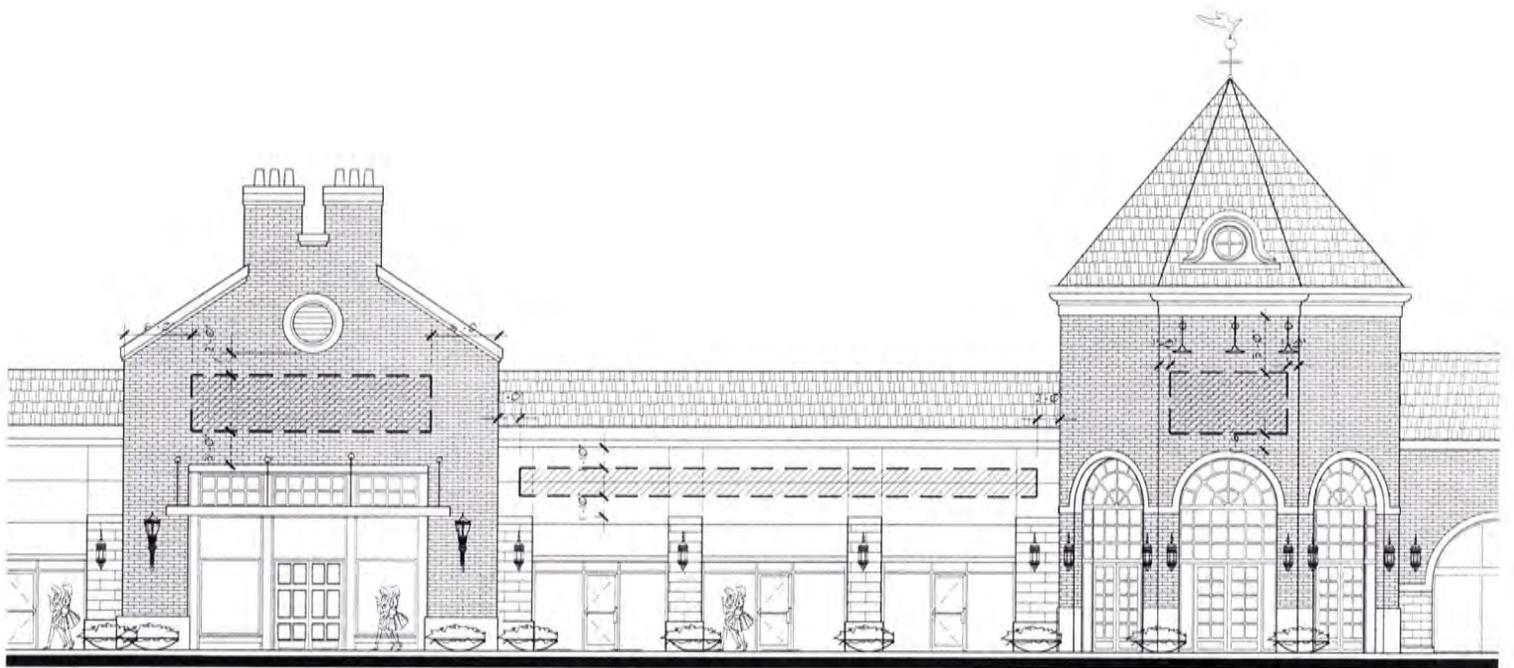


**SIGNAGE KEYPLAN**

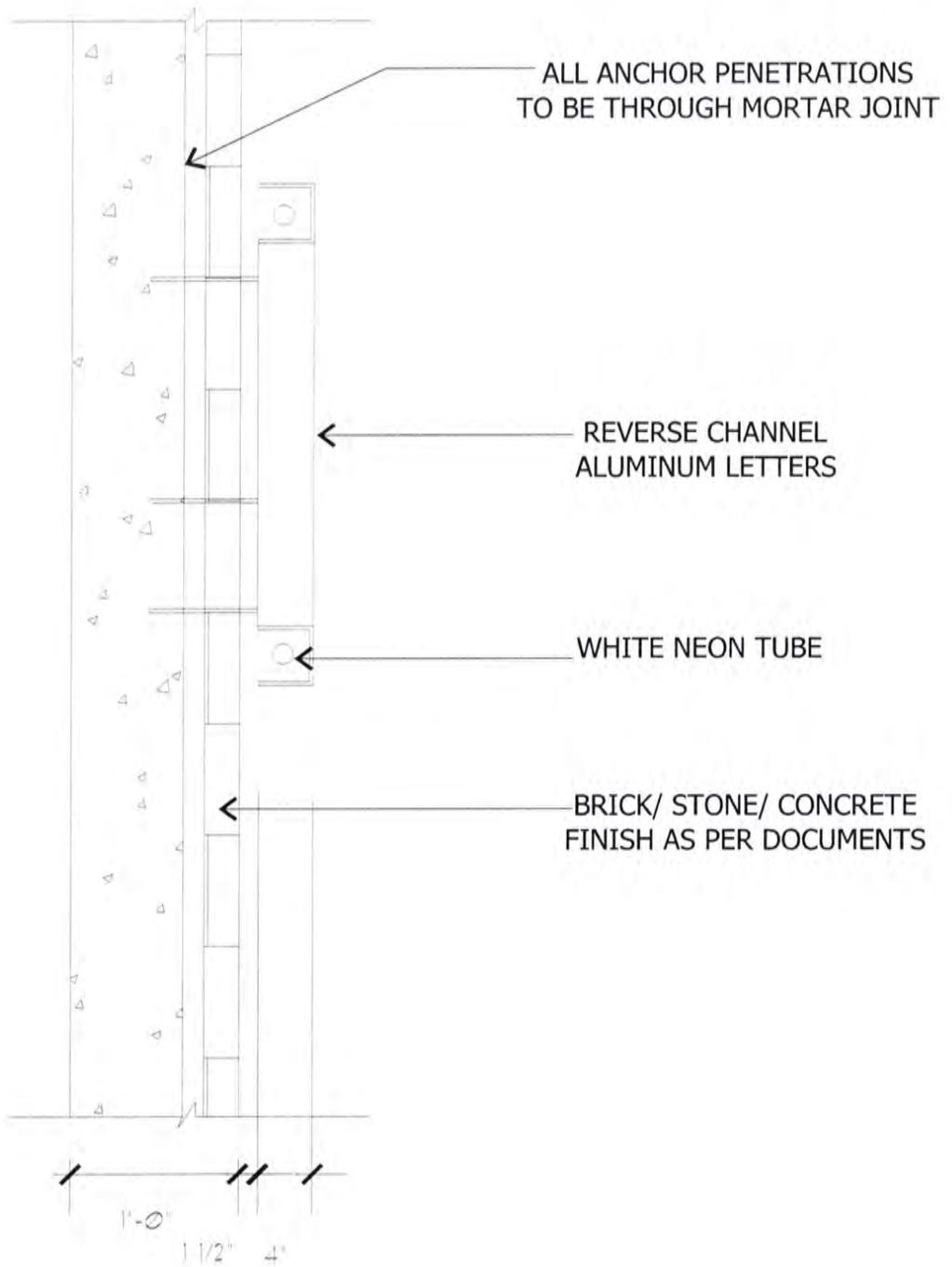
SCALE: NO SCALE; JOB#: 290014; ISSUE DATE: 09/19/08  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
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ANCHOR SIGNAGE

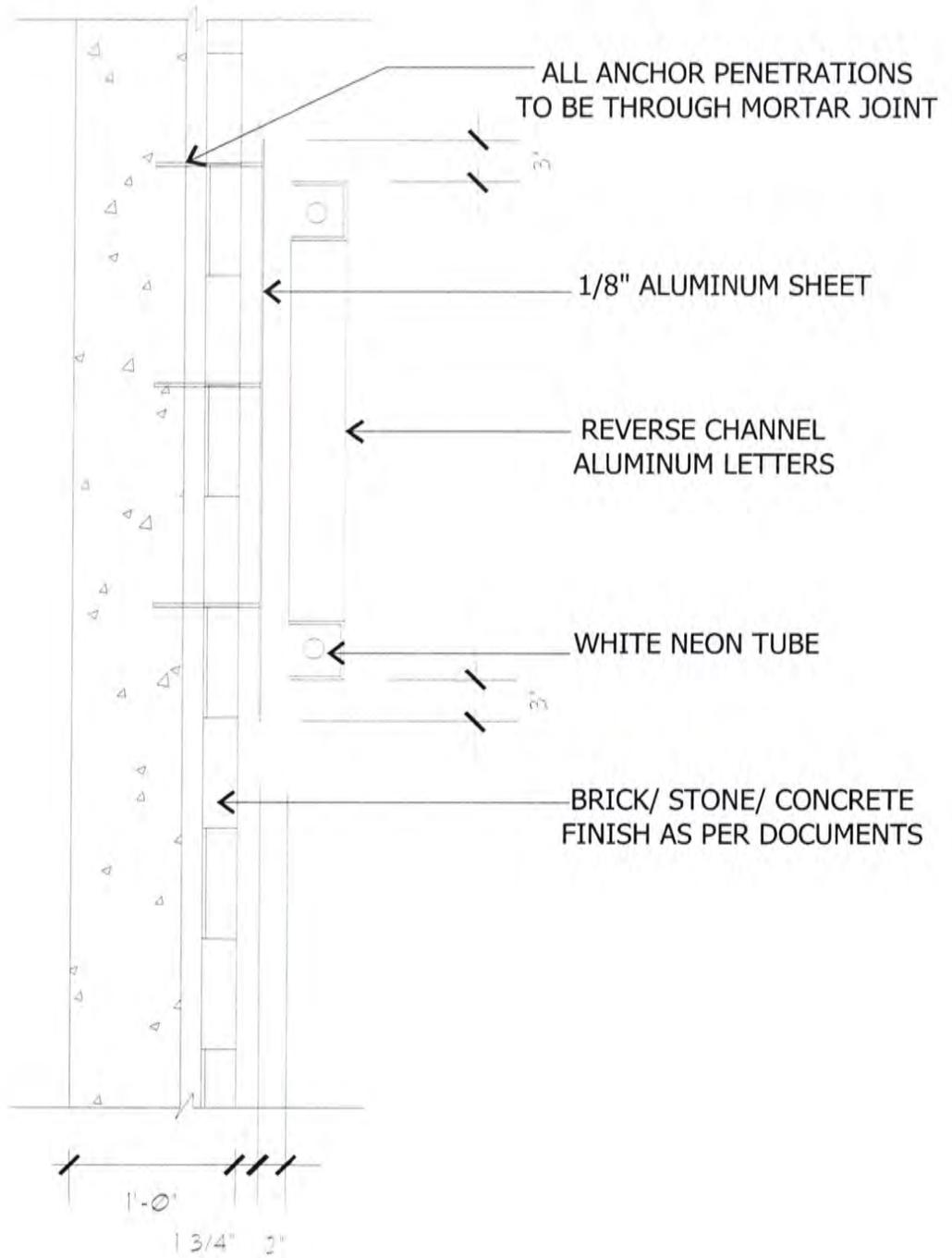


JR ANCHOR AND RETAIL SIGNAGE



**ANCHOR SIGN SECTION**

FIG. 3



**RETAIL SIGN SECTION**

FIG. 4

**EXHIBIT "G"**

AMENITIES PLAN



01 SIDEWALK LANDSCAPE



04 MEANDERING SIDEWALK



07 SIDEWALK PAVERS



02 WATER FEATURE



05 OUTDOOR DINING



03 LANDSCAPE AREA



06 DECORATIVE LIGHTING



08 BENCHES

DISCLAIMER: THESE IMAGES ARE REPRESENTATIVE EXAMPLES OF SITE FEATURES THAT MAY BE INCORPORATED INTO THIS PROJECT.



**O'BRIEN & ASSOCIATES, INC.**  
ARCHITECTURE • INTERIORS • PLANNING  
850 HARVEST HILL ROAD • SUITE 08 • DALLAS, TEXAS 75203 • (972) 738-0700 • FAX: (972) 738-4209

**MURPHY MARKETPLACE**  
MURPHY, TEXAS  
**LANGFORD**

**SITE AMENITIES**  
SCALE: NTS • JOB#: 28001 • ISSUE DATE: 08/08/08  
APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

DATE: 08/08/08

**EXHIBIT "H"**

NORTH MAXWELL CREEK ROAD PLAN



ORDINANCE NO. 09-02-784

AN ORDINANCE OF THE ~~CITY COUNCIL OF THE~~ CITY OF MURPHY, COLLIN COUNTY, TEXAS, ~~AMENDING THE ITS~~ COMPREHENSIVE ZONING ORDINANCE AND MAP, CODIFIED IN CHAPTER 86 OF THE CODE OF ORDINANCES OF THE CITY OF MURPHY, CODE OF ORDINANCES BY AMENDING AN EXISTING PLANNED ~~DEVELOPMENT~~ DISTRICT FOR RETAIL USES COMMONLY KNOWN AS THE MURPHY MARKETPLACE, THE CROSSING AT MURPHY MARKETPLACE AND THE PARK TRACT, ON APPROXIMATELY 74.33 ACRES ~~OUT OF THE JAMES MAXWELL SURVEY, ABSTRACT NO. 582, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, BEING AND~~ MORE PARTICULARLY DESCRIBED ON ~~EXHIBIT "A"~~ ATTACHED HERETO ~~AND INCORPORATED HEREIN BY REFERENCE FOR ALL PURPOSES, AMENDING AND APPROVING THE~~ PLANNED DEVELOPMENT CONDITIONS, PLANS AND SPECIFIC REGULATIONS FOR THE DISTRICT, INCLUDING WITHOUT LIMITATION, PERMITTED LAND USES FOR THE DISTRICT STANDARDS ATTACHED HERETO AS EXHIBIT "B", APPROVING A CONCEPT PLAN ATTACHED HERETO AS EXHIBIT "C", APPROVING A LANDSCAPE PLAN ATTACHED HERETO AS EXHIBIT "D", APPROVING AN EXTERIOR ELEVATION PLAN ATTACHED HERETO AS EXHIBIT "E", APPROVING A SIGNAGE PLAN ATTACHED HERETO AS EXHIBIT "F", APPROVING AN AMENITIES PLAN ATTACHED HERETO AS EXHIBIT "G" AND APPROVING A NORTH MAXWELL CREEK ROAD PLAN ~~EXHIBIT~~ ATTACHED HERETO AS EXHIBIT "H" ~~AS EXHIBIT "B"~~; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A CUMULATIVE/REPEALER CLAUSE, PROVIDING A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance Nos. 00-10-504, 00-10-505 and 00-10-506, adopted on October 16, 2000, changed the zoning for the property described in this ordinance from LC/R (Light Commercial/Retail) District, AG (Agricultural) District, SF-1 (Single Family) District, PD/LC (Planned Development Light Commercial) District to Planned Development-Central Business District otherwise known as the TC (Town Center) District; and

WHEREAS, Ordinance No. 06-11-707, adopted on November 4, 2006, changed the

zoning for approximately 48.18 acres of the property described in this ordinance from TC (Town Center) District to PD (Planned Development) District for Retail Uses for a development known then as the Murphy Marketplace and now known as the Murphy Marketplace and The Crossing at Murphy Marketplace; and

**WHEREAS**, on January 11, 2007, Allen & Loucks Venture, L.P. (“Developer”) entered into three separate but related economic development incentive agreements with the City of Murphy, Texas, the City of Murphy Economic Development Corporation, and the City of Murphy Community Development Corporation, respectively, for Developer to receive financial assistance to establish a quality retail shopping center and lifestyle development within this PD (Planned Development) District by being provided with incentives to develop the property with quality sit down dining restaurants and similar quality retail establishments with the purpose of providing significant increases in the City’s sales tax revenues; and

**WHEREAS**, Ordinance No. 08-08-758, adopted on August 18, 2008, amended the PD (Planned Development) District for Retail Uses for approximately 13.795 acres of the property described in this ordinance by revising certain development conditions; and

**WHEREAS**, Ordinance No. 08-10-766, adopted on October 20, 2008, amended the PD (Planned Development) District for Retail Uses for approximately 48.18 acres of the property described in this ordinance by revising certain development conditions; and

**WHEREAS**, Ordinance No. 09-02-784, adopted on February 16, 2009, amended the PD (Planned Development) District for Retail Uses by extending the district to an additional 26.15 acres known as the Park Tract ~~-for a total of approximately 74.33 acres-~~, revising the concept plan and certain development conditions; and

**WHEREAS**, this ordinance shall amend the PD (Planned Development) District for

Retail Uses for the property described hereinbelow by in part revising the development conditions, plans and specific regulations for the PD (Planned Development) District as set forth hereinbelow; and

**WHEREAS**, the Planning and Zoning Commission of the City of Murphy, Texas, and the City Council of the City of Murphy, Texas, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, ~~and~~ have held due hearings and afforded ~~a full and fair hearing~~ to all ~~property owners~~ ~~generally~~ and to all persons interested, ~~and~~ the City Council of the City of Murphy is of the opinion and finds that said ~~amendments~~~~changes~~, should be passed, approved and adopted~~granted~~ and that the Comprehensive Zoning Ordinance should be amended as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, THATAS FOLLOWS:**

**Section- 1.** ~~—~~ A~~That~~ all the above premises above are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

**Section 2.** ~~—~~ That ~~the~~ ~~Comprehensive~~ ~~Zoning~~ ~~Ordinance~~ ~~and~~ ~~Map~~ ~~of~~ ~~the~~ City ~~of~~ Murphy, Texas, ~~be~~, and the same are hereby; amended so as to amend a PD (Planned Development) District for Retail ~~Uses~~ for ~~the~~ property described ~~as~~ 74.33 ~~acres~~, ~~more~~ or less, in the James Maxwell Survey, Abstract No. 582, in the City of Murphy, Collin County, Texas, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes.

**Section ~~23.~~** ~~—~~ That ~~the~~ development conditions, plans and regulations~~standards~~ for this Planned Development District are attached hereto as Exhibit "B", and the same are hereby approved for said PD (Planned Development) District as required by Section 86-603, of the City

of Murphy, Texas, Code of Ordinances.

**Section 34.** ~~That~~ the concept plan, landscape plan, exterior elevation plan, signage plan, amenities plan and North Maxwell Creek Road plan exhibit for this PD (Planned Development) District are attached hereto as Exhibits "C", "D", "E", "F", "G" and "H", respectively, and the same are hereby approved for said PD (Planned Development) District as required by Sections 86-603 and 86-604, of the City of Murphy, Texas, Code of Ordinances.

**Section 5.** ~~That~~ Chapter 86 of the City of Murphy Code of Ordinances, as amended, shall be and remain in full force and effect save and except as amended by this ~~O~~rdinance.

**Section 6.** ~~That~~ this ordinance shall amend the PD (Planned Development) District for Retail Uses for the property described herein as set forth in this ordinance and shall amend, repeal and supersede all prior amendments to the PD (Planned Development) District for Retail Uses for the property described herein to the extent of the amendments in this ordinance; and.

**Section 7. Severability Clause.** ~~Section 4.~~ If any word, ~~section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy, Texas, Code of Ordinances, and the remaining portions shall remain in full force and effect.~~

**Section 8. Cumulative/Repealer Clause.** This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

**Section 59.— Penalty Clause.** Any ~~person, firm or corporation violating any~~ of ~~the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction;~~ in the municipal ~~court of the City of Murphy, Texas,~~ shall be punished ~~by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.~~

**Section 106.—Effective Date.** This ~~o~~Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

~~PASSED, APPROVED AND ADOPTED this the 16th day of February 2009.~~

PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy,  
Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2012.~~2.~~

\_\_\_\_\_  
Bret M. Baldwin, Mayor  
City of Murphy

ATTEST:

\_\_\_\_\_  
~~Aimee Nemer~~, City Secretary  
City of Murphy

APPROVED AS TO FORM:

---

Wm. Andrew Messer, City Attorney  
City of Murphy

EXHIBIT "A"

PROPERTY

**EXHIBIT "B"**

**PLANNED DEVELOPMENT CONDITIONS**

**EXHIBIT "C"**

**CONCEPT PLAN**

**EXHIBIT "D"**

**LANDSCAPE PLAN**

**EXHIBIT "E"**

**EXTERIOR ELEVATION PLAN**

**EXHIBIT "F"**

**SIGNAGE PLAN**

**EXHIBIT "G"**

**AMENITIES PLAN**

**EXHIBIT "H"**

**NORTH MAXWELL CREEK ROAD PLAN**

## EXHIBIT B

ZONING FILE NO. 2009-01

Property Located North of FM 544  
Between North Murphy Road (FM 2551) and North Maxwell Creek Road

### PLANNED DEVELOPMENT DISTRICT CONDITIONS

- I. **Statement of Intent:** ~~\_\_\_\_\_~~ The intent of this Planned Development District is to provide high quality mixed-use, primarily retail, development that is consistent with the Comprehensive Plan and that is beneficial and complementary to the City of Murphy in terms of visual identity.
- II. **Statement of Purpose:** ~~\_\_\_\_\_~~ The purpose of this Planned Development District is to ensure that any development that occurs within the property area designated by this Planned Development District encourages a mixed-use application including, but not limited to the following.
  - High Quality Restaurants;
  - Upscale Retail Sshops and Boutiques;
- III. **Statement of Effect:** ~~\_\_\_\_\_~~ This Planned Development shall not affect any regulation in the Comprehensive Zoning Ordinance of the City of Murphy found in the City of Murphy, Texas, Code of Ordinances ~~– (Ordinance No. 06-12-708, as amended, and hereinafter referred to as the “Code of Ordinances”), as amended,~~ except as specifically provided herein. The administration and interpretation of the plans and regulations of the Planned Development District, including Permitted Uses, shall be with the City Manager or his designee.
- IV. **General Regulations:** ~~\_\_\_\_\_~~ These base zoning districts for the Planned Development District shall be Office and Retail Districts. Therefore, regulations contained in the Code of Ordinances applicable to the following zoning districts shall be included by reference and shall apply for each of the specified areas of the concept plan listed below, except as otherwise specified by this ordinance.
  - A. Article III, Division 12 – Office District (O)
  - B. Article III, Division 14 – Retail District (R)
- V. **Development Plans:**
  - A. Concept Plan: Development shall be in general conformance with the approved concept plans and site plans set forth in Exhibit C; however, in the event of conflict between the concept plans and/or site plans and the conditions, the conditions shall prevail. A concept plan shall be required and approved in accordance with Article II, Division 5 of the Code of Ordinances (public hearing) for any area not governed by an approved concept plan.
  - B. Landscape Plan: Development shall be in general conformance with the approved landscape plan set forth in Exhibit D; however, in the event of conflict between the landscape plan and the conditions, the conditions shall prevail.
  - C. Exterior Elevation Plan: Development shall be in general conformance with the approved exterior elevations as set forth in Exhibit E; however, in the event of

- conflict between the exterior elevations and the conditions, the conditions shall prevail.
- D. Signage Plan: Development shall be in general conformance with the approved signage plan as set forth in Exhibit F; however, in the event of conflict between the signage plan and the conditions, the conditions shall prevail.
- E. Amenities Plan: Development shall be in general conformance with the approved amenities plan as set forth in Exhibit G; however, in the event of conflict between the amenities plan and the conditions; the conditions shall prevail.
- F. North Maxwell Creek Road Plan~~Exhibit~~: North Maxwell Creek Road shall be upgraded in general conformance with the North Maxwell Creek Road plan~~exhibit~~ as set forth in Exhibit H and in accordance with the City of Murphy construction requirements. However, in the event of conflict between the exhibits, the conditions, and/or the generally accepted construction standards, the standards and conditions (in this order) shall prevail.
- G. The Concept Plan, Landscape Plan, Exterior Elevation Plan, Signage Plan and Amenities Plan ~~and Signage Plan~~ approval shall be for a period of one year from the date of City Council action on ~~each~~the plan. If within that one-year period a site plan has been submitted for a portion of the development, then the ~~c~~Concept ~~p~~Plan shall be deemed to have no expiration date. Site plans shall be valid for a period of one year from the date of City Council action on the plan.
- H. Site Plan – A Site Plan shall be submitted in accordance with the requirements set forth in Article ~~II~~14, Division 7 of the 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. The following land uses listed below are the only uses authorized by right or by SUP within the Planned Development District. All other land uses contained in Article VI. Use Regulation Sections 86-661 through 86-6802 (See Appendix A-3 Use Regulations Chart) of the Code of Ordinances, as amended, for Retail and Office Districts not listed herein are expressly prohibited. Uses that must be authorized by SUP must be approved following the utilizing procedures set forth in Article V. Specific Use Permits, Sections 86-631 through 86-660 ~~131 thru 86-139~~ of the City of Murphy, Texas, Code of Ordinances, as amended.
1. Amusement Services (Indoors)
  2. Antique Shop (household items only; no outside storage)
  3. Art Dealer/Gallery
  - ~~4.~~ Artist Studio
  - ~~5-4.~~ Automobile Driving School (SUP)
  - ~~6-5.~~ Bakery (Retail)
  - ~~7-6.~~ Bank, Savings and Loan, or Credit Union ~~Credit Union~~ (Stand Alone with drive-through)-(limited to one)
  - ~~8.~~ Barber/Beauty Shop (Non-college)
  - ~~9-7.~~ Barber/Beauty Shop College (SUP)

## EXHIBIT B

- ~~10.8.~~ Bed and Breakfast Inn (SUP)
- ~~11.9.~~ Book Store
- ~~12.~~ ~~Cafeteria~~
- ~~13.~~ ~~Church/Place of Worship~~
- ~~14.10.~~ Civic Club
- ~~15.~~ ~~Clinic (Medical)~~
- ~~16.~~ ~~\_\_\_\_\_~~
- ~~17.~~ ~~Community Center (Municipal)~~
- ~~18.~~ ~~Computer Sales~~
- ~~19.~~ ~~Confectionary Store (Retail)~~
- ~~20.11.~~ Department Store
- ~~21.12.~~ Dinner Theater
- ~~22.~~ ~~Electronics — Retail~~
- ~~23.~~ ~~Hotel/Motel Extended Stay Hotels/Motels~~
- ~~24.13.~~ Financial Services (Advice/Invest)
- ~~25.14.~~ Florist
- ~~26.~~ ~~Furniture Sales (Indoor)~~ Furniture Home Furnishings or Appliance Store (Indoor)
- ~~27.15.~~ ~~Governmental Building (Municipal, State or Federal)~~
- ~~28.16.~~ Hardware Store
- ~~29.17.~~ Health Club (Physical Fitness Indoors)
- ~~18.~~ Hotel/Motel (SUP)
- ~~30.~~ ~~Insurance Agency Offices~~
- ~~31.19.~~ Laundry/Dry Cleaning (Drop Off/Pickup Only)
- ~~32.20.~~ Library (Public)
- ~~33.21.~~ Motion Picture Theater (Indoors)
- ~~34.~~ ~~Museum (Indoors Only)~~
- ~~35.22.~~ ~~Needlework Shop~~
- ~~36.~~ ~~Non-Profit Activities by Church~~
- ~~37.23.~~ Offices (as allowed in Office zoning districts)
  - a. Insurance Agency Offices
  - b. Legal Services Offices
  - c. Medical Offices/Clinic (SUP)
  - d. Professional Offices
  - e. Real Estate Offices
  - f. Travel Agency
- ~~24.~~ Park and/or Playground (Public) (SUP)
- ~~38.25.~~ Pet Shop/Supplies
- ~~39.26.~~ ~~Pharmacy (SUP)~~
- ~~40.27.~~ Photo Studio
- ~~41.28.~~ Photocopying/Duplicating
- ~~42.~~ ~~Public Garage/Parking Structure~~
- ~~43.~~ ~~Real Estate Offices~~
- ~~44.29.~~ Restaurant or Cafeteria (with no drive-through/no drive-in service)
- ~~45.30.~~ Restaurant or Cafeteria (with drive-through/drive-in service) (SUP)
- ~~31.~~ Retail Store
- ~~46.~~ ~~\_\_\_\_\_~~

**EXHIBIT B**

- ~~47.~~ ~~Retail Store (Drive-In) (SUP)~~
- ~~48.~~ ~~Savings and Loan (in-line only)~~
- ~~49.~~ ~~School, K through 12 (Public)~~
- ~~50.~~ ~~School, Vocational (SUP)~~
- ~~51.~~ 32. Shoe Repair
- ~~52.~~ ~~Skating Rink (Ice) (SUP)~~
- ~~53.~~ 33. Tailor Shop
- ~~54.~~ Theater (Non-Motion Picture; Live Drama)
- 34. ~~Travel Agency~~
- ~~55.~~ 35. Any land use having more than sixteen (16)-hour operations per day (SUP)

B. 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:
    - i. Minimum 50 feet from FM 544 and FM 2551 (Murphy Road).
    - ii. Minimum 50 feet from North Maxwell Creek Road right-of-way.
    - ~~ii.~~ iii. Minimum 50 feet from right-of-way of all other public streets, roads, etc.
  - b. Landscape Setbacks
    - i. Minimum 15 feet from FM 544 and FM 2551 (Murphy Road).
    - ii. Minimum 15 feet from ~~Maxwell~~ North Maxwell Creek Road right-of-way.
2. Setbacks From Property Lines Not Adjacent To Streets:
  - a. Building Setbacks – No building of any kind and no part thereof shall be placed within the following setback lines:
    - i. Minimum 15 feet from rear and side lines of the overall property and 13.8-acre each tract or 0 feet with landscaping, except where buildings on adjacent lots abut each other. In the case of abutting buildings, the building setback shall be 0 feet.
    - ii. Minimum 50 feet abutting residential districts for single story buildings not exceeding an average of 35 feet in height. However, any proposed theaters shall have an average maximum height of 45 feet. All pad sites along FM 544 shall have a maximum average height of 25 feet.

iii. Maximum 50 feet along the DART right-of-way along the north ~~side of the property~~ line.

3. There is no maximum building size as long as fire standards and other site requirements, such as parking and landscaping, etc. are met.

C. Parking, Driveways & Sidewalks:

1. Parking areas shall not be permitted within any landscape buffer strip.
2. Parking shall not be permitted in front of the building except that parking may be provided in front of the building at a ratio not greater than 15 percent. Retail and restaurant uses are exempt from this requirement.
3. 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.
4. 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. All pads (in-line or stand-alone with a footprint larger than 19,000 square feet shall be considered commercial in zoning and provide parking at a rate of 1 space for every 250 square feet. All pads smaller than 19,000 square feet shall be considered retail or restaurant and shall have parking according to the Code of Ordinances. Parking for any proposed theater shall be provided at a ratio of 1 space for every 5 seats.
5. No required parking space may be occupied by signs, cart corrals, merchandise, or display items at any time.
6. Sidewalks along FM 544 and North Maxwell Creek Road shall be a minimum of 8 feet in width.

D. Loading and Unloading

1. 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.
2. Truck loading berths and apron space shall not be located within any required setback or landscape buffer strip.

E. Minimum Exterior Construction Standards, Building Materials and Design – Exterior Construction and Design Requirements shall be architecturally compatible with the approved elevation plans for Murphy Marketplace as shown in Exhibit E, except as provided below.

1. 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.

2. 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.
  3. 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.
  4. Building roofs shall be so designed and constructed as 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.
  5. 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.
  6. 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.
- F. Landscape Standards. Landscaping shall be compatible with the approved landscape plan as shown in Exhibit D and comply with the standards set forth in Article VII, Division 3 of the Code of Ordinances, except as provided below.
1. All landscaping shall use a unified design for the entire property 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.
  2. A landscape buffer shall be provided fifteen (15) feet in depth adjacent to the right-of-way of FM 544, fifteen (15) feet in depth adjacent to North 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 fifteen (15) foot buffers, but may not be included in the calculation of the buffer depth for ten (10) foot buffers.
  3. A landscape buffer shall be provided for an average of fifteen (15) feet in depth adjacent to the Southern Pacific/DART Railroad right-of-way.

## EXHIBIT B

4. Parking Lots:

a. 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.

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.

G. Screening. Screening shall comply with the standards set forth in Article VII, Division 5 of the Code of Ordinances, except as provided below.

1. All screening at the rear of the property will be a live screen where required. 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 Cypress trees are excluded from the approved list. The existing railroad berm will also serve as a natural screen between the nonresidential and residential districts.
2. All truck docks/loading areas for anchor stores with a footprint greater than 100,000 square feet shall be screened from view through the use of 12-foot all masonry walls (which are the same colors and materials as main building). All other screening of the rear of the site shall be living screens (eight foot height and at least 75 percent capacity within four years of planting unless such areas are screened from public views by a building).
3. Outside seasonal displays shall be permitted with the Planned Development District.

H. Site Lighting. Lighting shall comply with the standards set forth in Article VII, Division 9 of the Code of Ordinances, except as provided below.

1. Lighting should be provided for vehicular, pedestrian, signage, architectural and site features.
2. 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. However, the height of all light standards shall be subject to review of the lighting plan during the Site Plan review.

3. 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 or of similar color. Yellow/orange source lights are prohibited from use. Incandescent source lighting should be considered for pedestrian areas and near buildings.
  4. 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.
  5. General illumination shall commence one half hour before sunset and last until the Building Site is closed for the evening. Parking structures and pedestrian walkways shall be illuminated during all hours of darkness and when poor weather conditions warrant.
- I. Signage and Graphics: On-site signage will be in accordance with the Signage Criteria package provided and included as Exhibit F. Signage shall comply with the standards set forth in Article VII, Division 11 of the Code of Ordinances, except as provided below or within the Signage Criteria package (Exhibit F).
1. General
    - a. Monument signs - One (1) monument sign shall be allowed on each lot and shall be limited to a maximum area of 50 square feet.
  2. Anchor Signs
    - a. Anchor signs will only be allowed for tenants with a total building footprint of 10,000 square feet or above.
    - b. Anchor signs shall be internally illuminated aluminum channel letters with 1/8" Plexiglass front. The maximum letter height shall be 5'6".
    - c. All anchor signs shall be illuminated until 10:00 pm regardless of store hours.
    - d. Ancillary signs shall not exceed the size of the primary signs. The length of the sign shall not exceed 80% of the tenant width or the width of the architectural element.
  3. Retail Signage
    - a. Retail signage requirements will apply to tenants with a total building footprint of 9,999 square feet or less.
    - b. Retail signs shall be individually backlit aluminum channel letters over 1/8" aluminum "outline" panel to be offset 2".

## EXHIBIT B

- c. Typefaces, logos, and colors are subject to the landlord's approval and subject to the City of Murphy requirements.
- d. The length of the retail sign shall not exceed 80% of the tenant width or the width of the architectural element.
- e. The letter height shall range between a minimum of 1' to a maximum of 2'-6".
- f. For corner tenants and freestanding buildings, secondary signage shall not exceed the size of the primary signage.

4. Monument Signs

- a. Multi-tenant monument signs shall identify multiple tenants or uses within a given area. Single-tenant monument signs shall identify a single tenant and one shall be allowed on each lot. Locations of the monuments signs are as shown within the Signage Criteria package.
- b. Multi-tenant monument signs shall be a maximum of 10 feet tall. Single-tenant monument signs shall be a maximum of 7 feet tall.
- c. All monument signs shall be double-sided, internally illuminated Plexiglass sign panels contained within a masonry structure. 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.
- d. Monument signs shall be located at a set-back 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.
- e. Multi-tenant monument signs: The maximum structure area for the multi-tenant monument sign shall be 184 square feet. The maximum signage area will be 94 square feet. Signage shall be similar to detail shown within the Signage Criteria package.
- f. Single-tenant monument signs: The maximum structure area for the single-tenant monument sign shall be 80 square feet. The maximum signage area will be 25 square feet. Signage shall be similar to detail shown within the Signage Criteria package.
- g. Construction of monument signs shall include a base of material compatible with the material used for buildings.

5. Temporary Marketing Signage

- a. One (1) quality temporary marketing signs shall be permitted on the development on FM 544. These signs shall be allowed for a term of twelve (12) months from the date of installation. Temporary marketing signs may be permitted for a longer period of time upon approval by the City.

- b. The maximum signage area will be 64 square feet. The maximum height shall be 8 feet. Signage shall be similar to detail shown within the Signage Criteria package.
- c. 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.
- d. Construction of temporary signs are not required to be constructed of the material used for buildings.

J. Open Space

1. Development within the property~~13.8-acre tract~~ shall~~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 property~~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 need to~~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 the following subsection 3. (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 are allowed within ~~shall be permitted with~~ the Planned Development District. Outside storage is not allowed.

VII. **Special Regulations:**

Maxwell~~North Maxwell~~ Creek Road: As a part of this development, the existing asphalt Maxwell~~North Maxwell~~ Creek Road shall be upgraded to a concrete curb and

gutter street. Public right-of-way with a width of 60 feet shall be dedicated by plat and centered on the existing roadbed in accordance with the City of Murphy Thoroughfare Plan. As shown in Exhibit H, **MaxwellNorth Maxwell** Creek Road will be widened to a three-lane undivided roadway with the middle lane serving as a turn lane. The proposed roadway will then taper from three lanes to two lanes prior to the existing railroad tracks along the north side of the site. The developer is only responsible for half of the roadway construction costs; however, it is understood that the cost of the eastern half of the roadway would overburden the property east of **MaxwellNorth Maxwell** Creek Road. Therefore, roadway construction costs will be shared between the developer of the site and the City of Murphy as detailed/negotiated under separate cover.

Traffic Impact Analysis Recommendations: As recommended by the TIA dated September 2007, the following traffic control measures shall be instituted: a traffic signal shall be installed at FM 544 and North Maxwell Creek Road, a shared thru and right turn lane and dedicated left turn lane southbound on **MaxwellNorth Maxwell** Creek Road at FM 544 and dedicated left and right turn lanes for the driveways leading to **MaxwellNorth Maxwell** Creek Road from the subject property shall be installed.

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.

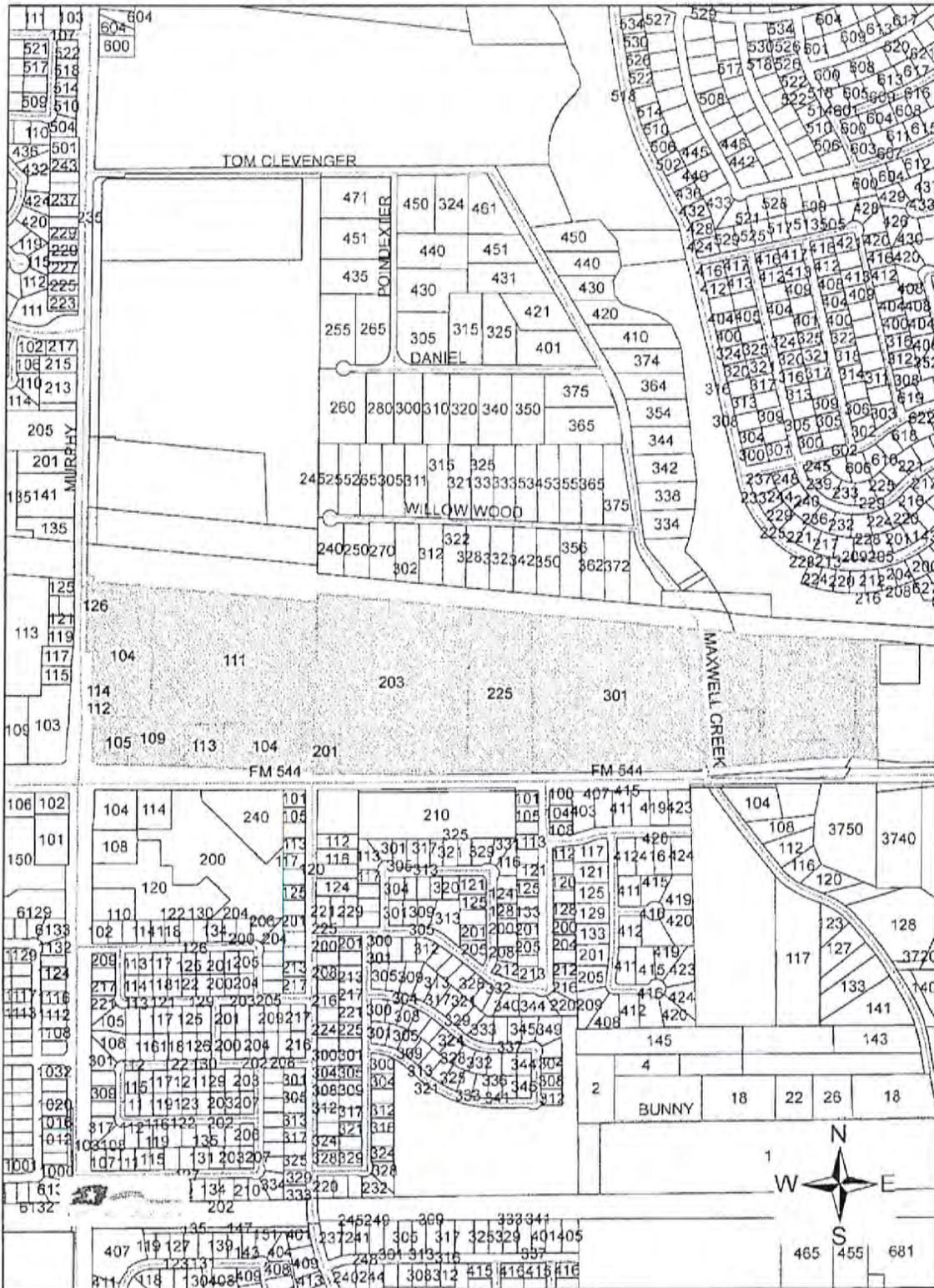
Pedestrian Streetscape: Pedestrian spaces throughout the Planned Development District shall be treated with amenities that are selected based upon their ability to unify the streetscape and shall be established on the overall concept plan for each **Tracttract**. These features shall include, but are not limited to, benches, trash receptacles, bicycle racks, lighting poles, etc.

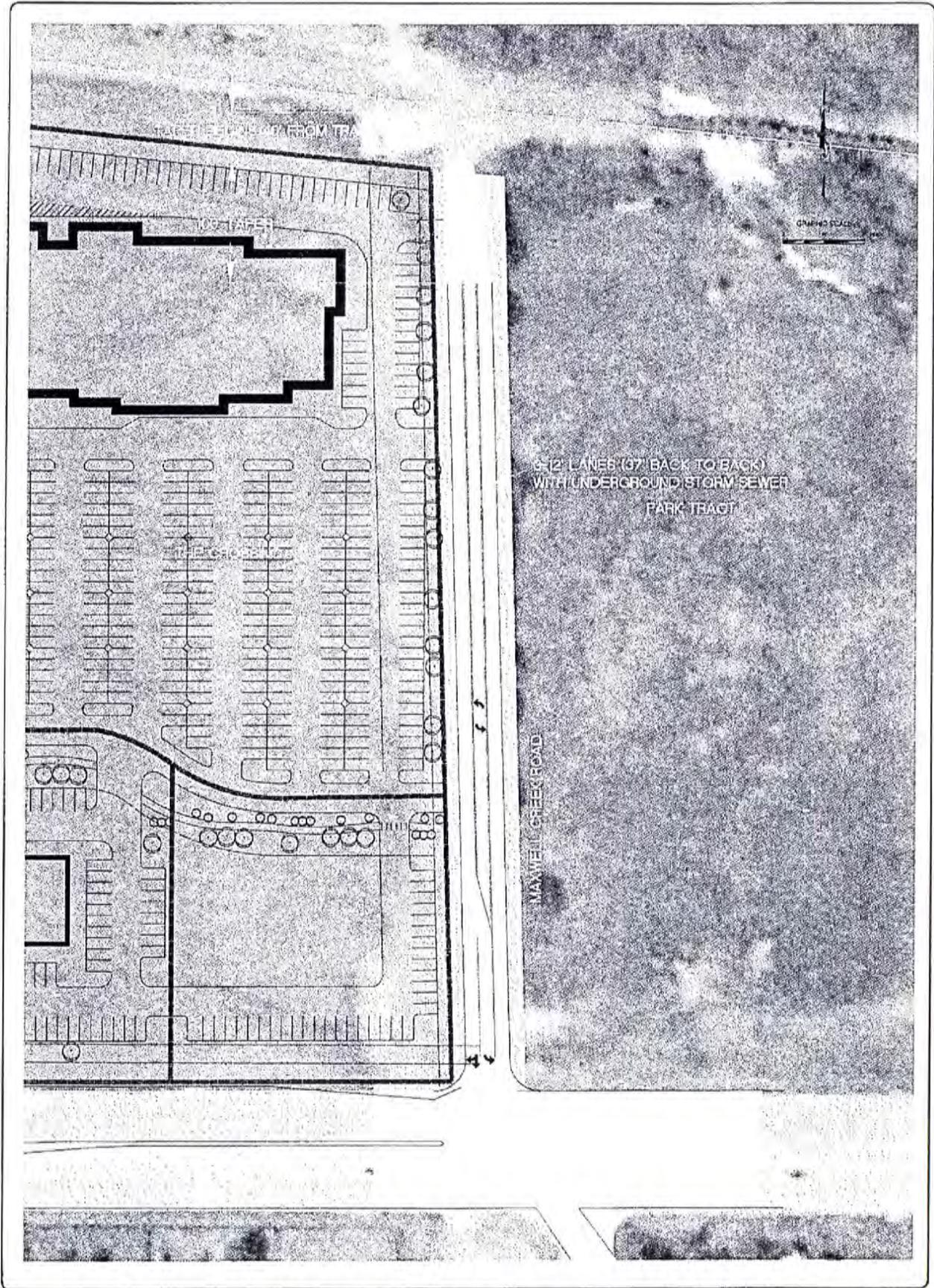
Cross-Access Requirement: A joint access (i.e. – ingress, egress) easement shall be required to minimize the number of driveway openings along FM 544. The location(s) of access easement(s) shall be shown on the site plan and shall comply with the Texas Department of Transportation (TxDOT) Access Management Standards.

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 façade facing such right-of-way that is in keeping with the character of the building's main façade.

## PRIOR EXHIBITS

# Location Map - Zoning File 2009-01





DATE	BY	CHKD	APP'D

MAXWELL CREEK ROAD EXHIBIT

MAXWELL CREEK ROAD EXHIBIT

**Adams**  
ENGINEERING

100 S. PULASKI AVE., SUITE 100, CHICAGO, ILLINOIS 60607

THE INFORMATION ON THESE PLANS IS THE PROPERTY OF ADAMS ENGINEERING. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ADAMS ENGINEERING.

NO.	DATE	BY	CHKD	APP'D

## EXHIBIT B

ZONING FILE NO. 2009-01

FM 544

Between North Murphy Road (FM 2551) and Maxwell Creek

### PLANNED DEVELOPMENT CONDITIONS

- I. **Statement of Intent:** The intent of this Planned Development District is to provide high quality mixed-use, primarily retail, development that is consistent with the Comprehensive Plan and that is beneficial and complementary to the City of Murphy in terms of visual identity.
- 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.
  - Restaurants;
  - Upscale retail shops and boutiques;
- 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:** The following regulations of the Code of Ordinances shall be included by reference and shall apply for each of the specified areas of the concept plan listed below, except as otherwise specified by this ordinance.
  - A. Article III, Division 12 – Office (O)
  - B. Article III, Division 14 – Retail (R)
- 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. A concept plan shall be required and approved in accordance with Article II, Division 5 of the Code of Ordinances (public hearing) for any area not governed by an approved concept plan.
  - B. Landscape Plan: Development shall be in general conformance with the approved landscape plan set forth in Exhibit D; however, in the event of conflict between the landscape plan and the conditions, the conditions shall prevail.
  - C. Exterior Elevation Plan: Development shall be in general conformance with the approved exterior elevations as set forth in Exhibit E; however, in the event of conflict between the exterior elevations and the conditions, the conditions shall prevail.
  - D. Signage Plan: Development shall be in general conformance with the approved signage plan as set forth in Exhibit F; however, in the event of conflict between the signage plan and the conditions, the conditions shall prevail.

## EXHIBIT B

- E. Amenities: Development shall be in general conformance with the approved amenities plan as set forth in Exhibit G; however, in the event of conflict between the amenities plan and the conditions; the conditions shall prevail.
- F. Maxwell Creek Road Exhibit: Maxwell Creek Road shall be upgraded in general conformance with the exhibit as set forth in Exhibit H and in accordance with the City of Murphy construction requirements. However, in the event of conflict between the exhibits, the conditions, and/or the generally accepted construction standards, the standards and conditions (in this order) shall prevail.
- G. Concept Plan, Landscape Plan, Exterior Elevation Plan, Amenities Plan and Signage Plan approval shall be for a period of one year from the date of City Council action on the plan. If within that one-year period a site plan has been submitted for a portion of the development, then the Concept Plan shall be deemed to have no expiration date. Site plans shall be valid for a period of one year from the date of City Council action on the plan.
- H. Site Plan – A Site Plan shall be submitted in accordance with the requirements set forth in Article 11, Division 7 of the 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. The following uses shall be permitted.
  - 1. Amusement Services (Indoor)
  - 2. Antique Shop (household items only)
  - 3. Art Dealer/Gallery
  - 4. Artist Studio
  - 5. Automobile Driving School (SUP)
  - 6. Bakery (Retail)
  - 7. Bank/Credit Union (limited to one)
  - 8. Barber/Beauty Shop
  - 9. Barber/Beauty Shop College (SUP)
  - 10. Bed and Breakfast Inn
  - 11. Book Store
  - 12. Cafeteria
  - 13. Church/Place of Worship
  - 14. Civic Club
  - 15. Clinic (Medical)
  - 16. Community Center (Municipal)
  - 17. Computer Sales
  - 18. Confectionary Store (Retail)
  - 19. Department Store
  - 20. Dinner Theater
  - 21. Electronics - Retail
  - 22. Extended Stay Hotels/Motels
  - 23. Financial Services (Advice/Invest)
  - 24. Florist
  - 25. Furniture Sales (Indoor)
  - 26. Governmental Building (Municipal, State or Federal)

**EXHIBIT B**

27. Hardware Store
28. Health Club (Indoors)
29. Hotel/Motel
30. Insurance Agency Offices
31. Laundry/Dry Cleaning (Drop Off/Pickup Only)
32. Library (Public)
33. Motion Picture Theater
34. Museum (Indoor)
35. Needlework Shop
36. Non-Profit Activities by Church
37. Offices (as allowed in Office zoning districts)
38. Park and/or Playground (Public)
39. Pet Shop/Supplies
40. Pharmacy (SUP)
41. Photo Studio
42. Photocopying/Duplicating
43. Public Garage/Parking Structure
44. Real Estate Offices
45. Restaurant
46. Restaurant (Drive-In) (SUP)
47. Retail Store
48. Retail Store (Drive-In) (SUP)
49. Savings and Loan (in-line only)
50. School, K through 12 (Public)
51. School, Vocational (SUP)
52. Shoe Repair
53. Skating Rink (Ice) (SUP)
54. Tailor Shop
55. Theater (Live Drama)
56. Travel Agency

B. 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:
    - i. Minimum 50 feet from FM 544.
    - ii. Minimum 50 feet from North Maxwell Creek Road right-of-way.
  - b. Landscape Setbacks
    - i. Minimum 15 feet from FM 544.
    - ii. Minimum 15 feet from Maxwell Creek Road right-of-way.
2. Setbacks From Property Lines Not Adjacent To Streets:
  - a. Building Setbacks – No building of any kind and no part thereof shall be placed within the following setback lines:

**EXHIBIT B**

- i. Minimum 15 feet from rear and side lines of the overall 13.8-acre tract or 0 feet with landscaping, except where buildings on adjacent lots abut each other. In the case of abutting buildings, the building setback shall be 0 feet.
  - ii. Minimum 50 feet abutting residential districts for single story buildings not exceeding an average of 35 feet in height. However, any proposed theaters shall have an average maximum height of 45 feet. All pad sites along FM 544 shall have a maximum average height of 25 feet.
  - iii. Maximum 50 feet along the DART right-of-way along the north side of the property.
3. There is no maximum building size as long as fire standards and other site requirements, such as parking and landscaping, etc. are met.

C. Parking, Driveways & Sidewalks:

1. Parking areas shall not be permitted within any landscape buffer strip.
2. Parking shall not be permitted in front of the building except that parking may be provided in front of the building at a ratio not greater than 15 percent. Retail and restaurant uses are exempt from this requirement.
3. 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.
4. 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. All pads (in-line or stand-alone with a footprint larger than 19,000 square feet shall be considered commercial in zoning and provide parking at a rate of 1 space for every 250 square feet. All pads smaller than 19,000 square feet shall be considered retail or restaurant and shall park according to the Code of Ordinances. Parking for any proposed theater shall be provided at a ratio of 1 space for every 5 seats.
5. No required parking space may be occupied by signs, cart corrals, merchandise, or display items at any time.
6. Sidewalks along FM 544 and North Maxwell Creek Road shall be a minimum of 8 feet in width.

D. Loading and Unloading

1. 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.
2. Truck loading berths and apron space shall not be located within any required setback or landscape buffer strip.

**EXHIBIT B**

- E. Minimum Exterior Construction Standards, Building Materials and Design – Exterior Construction and Design Requirements shall be architecturally compatible with the approved elevation plans for Murphy Marketplace as shown in Exhibit E, except as provided below.
1. 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.
  2. 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.
  3. 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.
  4. 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.
  5. 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.
  6. 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.
- F. Landscape Standards. Landscaping shall be compatible with the approved landscape plan as shown in Exhibit D and comply with the standards set forth in Article VII, Division 3 of the Code of Ordinances, except as provided below.
1. 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.
  2. A landscape buffer shall be provided fifteen (15) feet in depth adjacent to the right-of-way of FM 544, fifteen (15) feet in depth adjacent to North 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

## EXHIBIT B

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 fifteen (15) foot buffers, but may not be included in the calculation of the buffer depth for ten (10) foot buffers.

3. A landscape buffer shall be provided for an average of fifteen (15) feet in depth adjacent to the Southern Pacific/DART Railroad right-of-way.
4. Parking Lots:
  - a. 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.
    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.

- G. Screening. Screening shall comply with the standards set forth in Article VII, Division 5 of the Code of Ordinances, except as provided below.
  1. All screening at the rear of the property will be a live screen where required. 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 Cypress trees are excluded from the approved list. The existing railroad berm will also serve as a natural screen between the nonresidential and residential districts.
  2. All truck docks/loading areas for anchor stores with a footprint greater than 100,000 square feet shall be screened from view through the use of 12-foot all masonry walls (which are the same colors and materials as main building). All other screening of the rear of the site shall be living screens (eight foot height and at least 75 percent capacity within four years of planting unless such areas are screened from public views by a building).
  3. Outside seasonal displays shall be permitted with the Planned Development District.
- H. Site Lighting. Lighting shall comply with the standards set forth in Article VII, Division 9 of the Code of Ordinances, except as provided below.

## EXHIBIT B

1. Lighting should be provided for vehicular, pedestrian, signage, architectural and site features.
  2. 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. However, the height of all light standards shall be subject to review of the lighting plan during the Site Plan review.
  3. 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 or of similar color. Yellow/orange source lights are prohibited from use. Incandescent source lighting should be considered for pedestrian areas and near buildings.
  4. 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.
  5. General illumination shall commence one half hour before sunset and last until the Building Site is closed for the evening. Parking structures and pedestrian walkways shall be illuminated during all hours of darkness and when poor weather conditions warrant.
- i. Signage and Graphics: On-site signage will be in accordance with the Signage Criteria package provided and included as Exhibit F. Signage shall comply with the standards set forth in Article VII, Division 11 of the Code of Ordinances, except as provided below or within the Signage Criteria package (Exhibit F).
1. General
    - a. Monument signs - One (1) monument sign shall be allowed on each lot and shall be limited to a maximum area of 50 square feet.
  2. Anchor Signs
    - a. Anchor signs will only be allowed for tenants with a total building footprint of 10,000 square feet or above.
    - b. Anchor signs shall be internally illuminated aluminum channel letters with 1/8" Plexiglass front. The maximum letter height shall be 5'6".
    - c. All anchor signs shall be illuminated until 10:00 pm regardless of store hours.
    - d. Ancillary signs shall not exceed the size of the primary signs. The length of the sign shall not exceed 80% of the tenant width or the width of the architectural element.
  3. Retail Signage

## EXHIBIT B

- a. Retail signage requirements will apply to tenants with a total building footprint of 9,999 square feet or less.
- b. Retail signs shall be individually backlit aluminum channel letters over 1/8" aluminum "outline" panel to be offset 2".
- c. Typefaces, logos, and colors are subject to the landlord's approval and subject to the City of Murphy requirements.
- d. The length of the retail sign shall not exceed 80% of the tenant width or the width of the architectural element.
- e. The letter height shall range between a minimum of 1' to a maximum of 2'-6".
- f. For corner tenants and freestanding buildings, secondary signage shall not exceed the size of the primary signage.

4. Monument Signs

- a. Multi-tenant monument signs shall identify multiple tenants or uses within a given area. Single-tenant monument signs shall identify a single tenant and one shall be allowed on each lot. Locations of the monuments signs are as shown within the Signage Criteria package.
- b. Multi-tenant monument signs shall be a maximum of 10 feet tall. Single-tenant monument signs shall be a maximum of 7 feet tall.
- c. All monument signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. 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.
- d. Monument signs shall be located at a set back 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.
- e. Multi-tenant monument signs: The maximum structure area for the multi-tenant monument sign shall be 184 square feet. The maximum signage area will be 94 square feet. Signage shall be similar to detail shown within the Signage Criteria package.
- f. Single-tenant monument signs: The maximum structure area for the single-tenant monument sign shall be 80 square feet. The maximum signage area will be 25 square feet. Signage shall be similar to detail shown within the Signage Criteria package.
- g. Construction of monument signs shall include a base of material compatible with the material used for buildings.

5. Temporary Marketing Signage

- a. One (1) quality temporary marketing signs shall be permitted on the development on FM 544. These signs shall be allowed for a term of twelve (12) months from the date of installation. Temporary marketing

**EXHIBIT B**

signs may be permitted for a longer period of time upon approval by the City.

- b. The maximum signage area will be 64 square feet. The maximum height shall be 8 feet. Signage shall be similar to detail shown within the Signage Criteria package.
- c. 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.
- d. Construction of temporary signs are not required to be constructed of the material used for buildings.

J. Open Space

1. Development within the 13.8 acre tract 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.

VII. **Special Regulations:**

Maxwell Creek Road: As a part of this development, the existing asphalt Maxwell Creek Road shall be upgraded to a concrete curb and gutter street. Public right-of-way

**EXHIBIT B**

with a width of 60 feet shall be dedicated by plat and centered on the existing roadbed in according to the City of Murphy Thoroughfare Plan. As shown in Exhibit H, Maxwell Creek Road will be widened to a three-lane undivided roadway with the middle lane serving as a turn lane. The proposed roadway will then taper from three lanes to two lanes prior to the existing railroad tracks along the north side of the site. The developer is only responsible for half of the roadway construction costs; however, it is understood that the cost of the eastern half of the roadway would overburden the property east of Maxwell Creek Road. Therefore, roadway construction costs will be shared between the developer of the site and the City of Murphy as detailed/negotiated under separate cover.

Traffic Impact Analysis Recommendations: As recommended by the TIA dated September 2007, the following traffic control measures shall be instituted: a traffic signal shall be installed at FM 544 and North Maxwell Creek Road, a shared thru and right turn lane and dedicated left turn lane southbound on Maxwell Creek Road at FM 544 and dedicated left and right turn lanes for the driveways leading to Maxwell Creek Road from the subject property shall be installed.

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.

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.

Cross-Access Requirement: A joint access (i.e. – ingress, egress) easement shall be required to minimize the number of driveway openings along FM 544. 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.

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 façade facing such right-of-way that is in keeping with the character of the building's main façade.



**TABLATIONS**  
 LOT 5 COVERAGE - 41.75%  
 THEATER PARKING PROVIDED - 87 SPACES  
 PARKING RATIO - 4.38 SEATS/PKG SPACE

LOT 6 COVERAGE - 41.83%  
 50% RESTAURANT - 7,000 SF  
 PARKING REQ @ 10 PER 1000 SF - 70 SPACES  
 50% RETAIL - 7,000 SF  
 PARKING REQ @ 5 PER 1000 SF - 35 SPACES  
 TOTAL SPACES REQUIRED - 105 SPACES  
 PARKING PROVIDED - 107 SPACES

TOTAL SITE AREA - 12.02 ACRES  
 TOTAL BUILDING AREA - 68,900 SF

**SP-046**  
 SCALE: 1" = 40'  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



**THE CROSSING AT MURPHY MARKETPLACE**  
 MURPHY, TEXAS  
 A JOINT DEVELOPMENT BY:  
**LANGFORD & CHAMPION PARTNERS**

**O'BRIEN & ASSOCIATES, INC.**  
 ARCHITECTURE • INTERIORS • PLANNING  
 410 W. MARKET - 14th FLOOR - SUITE 1400 - DALLAS, TEXAS 75202 • TEL: 214.761.7000

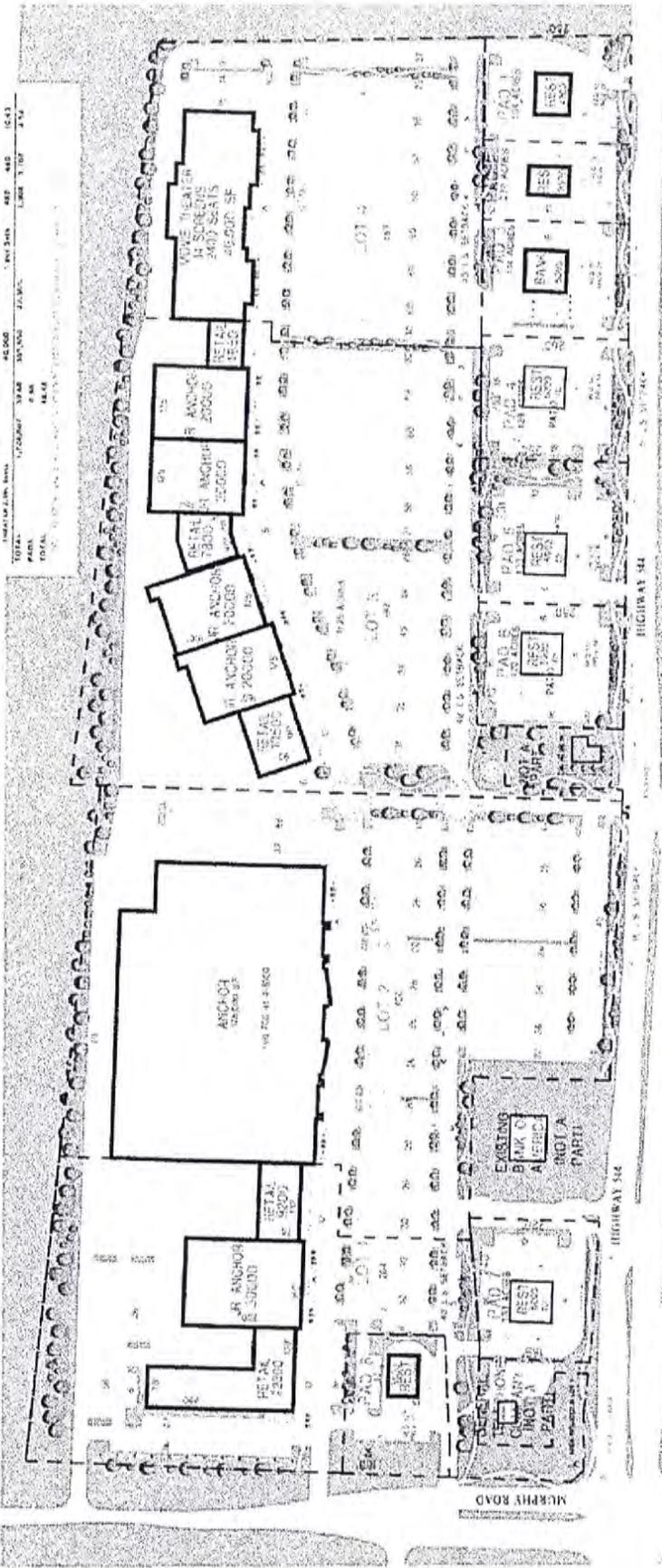


PROPOSED

**TABLATIONS**

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**MURPHY MARKETPLACE | MASTER SITEPLAN**  
 MURPHY, TEXAS  
**LANGFORD**

**O'BRIEN & ASSOCIATES, INC.**  
 ARCHITECTURE • INTERIORS • PLANNING

## EXHIBIT A

### Legal Description

Being all of Murphy Marketplace West Addition, Murphy Marketplace East Addition, The Crossing at Murphy Marketplace Addition and Racetrac Addition, City of Murphy, Collin County, Texas.

The remainder being a 11.44 acre tract of land situated in the James Maxwell Survey, Abstract No. 582, City of Murphy, Collin County, Texas and containing 74.33 acres of land.

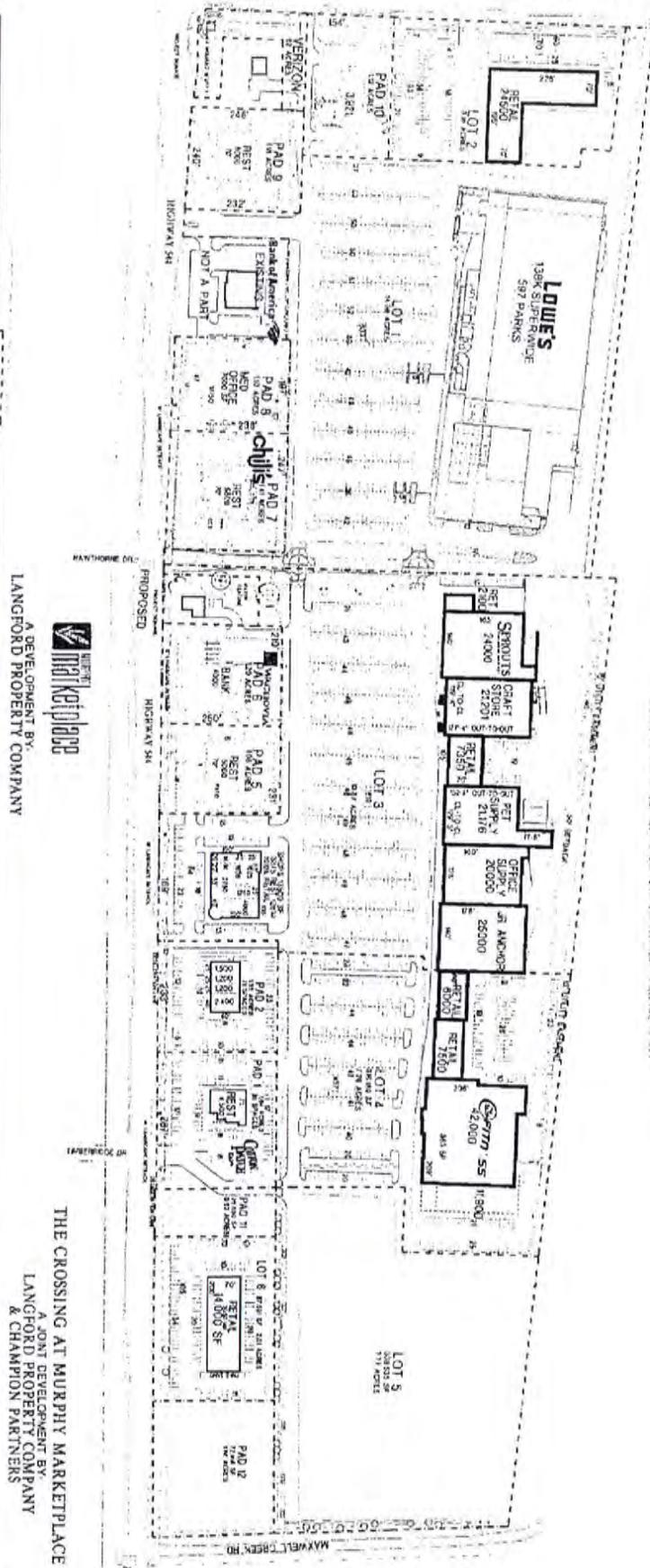


**O'BRIEN & ASSOCIATES, INC.**  
 ARCHITECTURE • INTERIORS • PLANNING

**MURPHY, TEXAS**



**SP-041**  
 SCALE: 1/8" = 1'-0"  
 DATE: 08/11/11

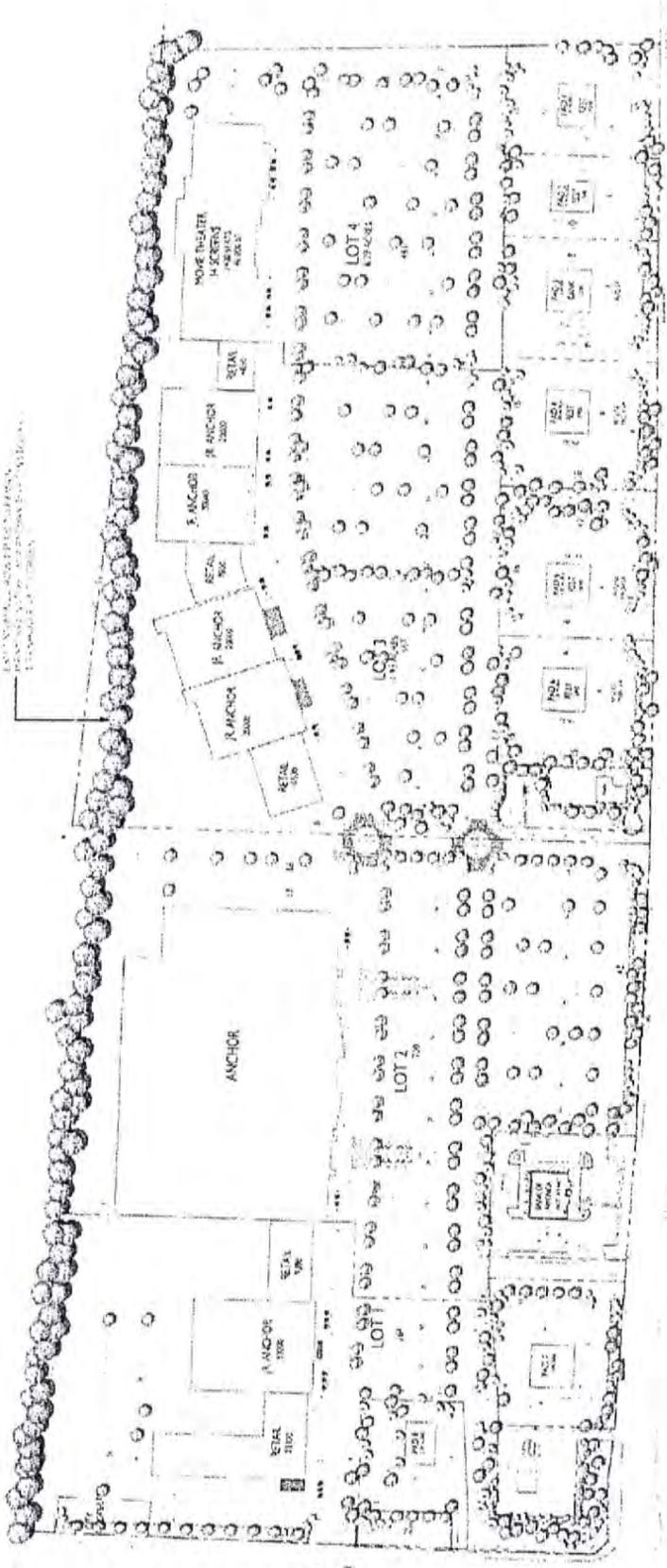


**TABLATIONS**

LOT #	AREA (SQ. FT.)	AREA (ACRES)	PERCENTAGE OF TOTAL				
LOT 1	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 2	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 3	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 4	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 5	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 6	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 7	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 8	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 9	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 10	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 11	138,000	3.12	27.07%	1.49%	245	281	4.28%
LOT 12	138,000	3.12	27.07%	1.49%	245	281	4.28%
<b>TOTAL</b>	<b>1,656,000</b>	<b>37.92</b>	<b>100.00%</b>	<b>100.00%</b>	<b>1,656</b>	<b>1,928</b>	<b>28.56%</b>

THE CROSSING AT MURPHY MARKETPLACE  
 A JOINT DEVELOPMENT BY  
 LANGFORD PROPERTY COMPANY  
 & CHAMPION PARTNERS

MARKETPLACE  
 A DEVELOPMENT BY  
 LANGFORD PROPERTY COMPANY



SEE NOTES ON SHEET CLP-2 FOR  
 EXPLANATION OF SYMBOLS



CLP-1

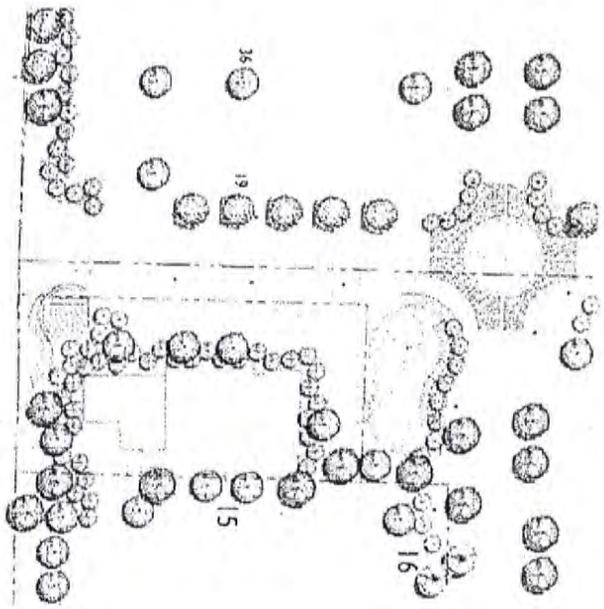
MURPHY MARKETPLACE  
 MURPHY, TEXAS  
 LANGFORD

O'BRIEN & ASSOCIATES, INC.  
 ARCHITECTURE • INTERIORS • PLANNING

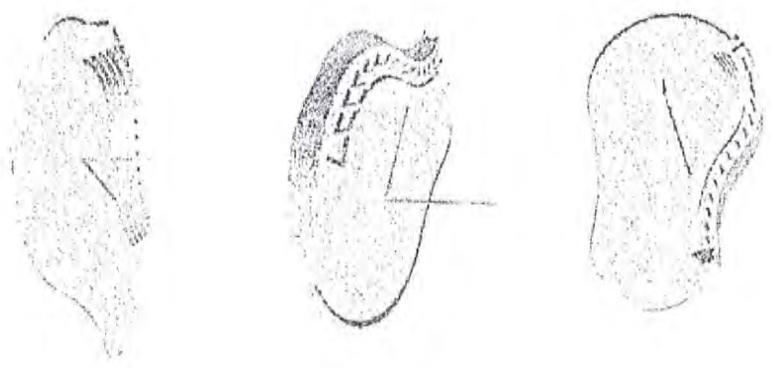
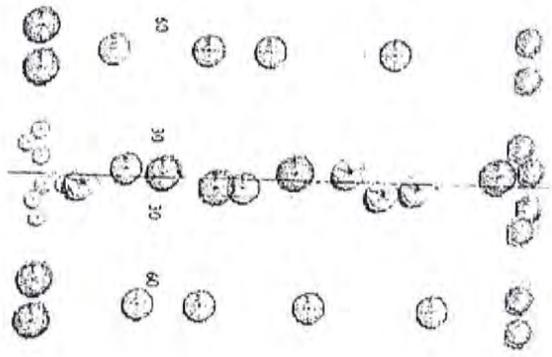
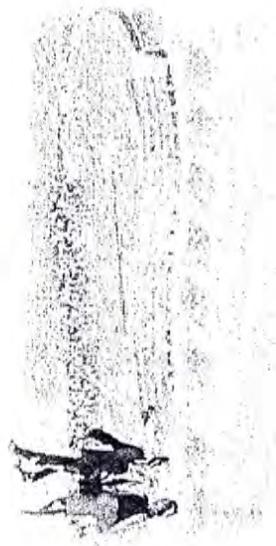


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DATE: 10/15/2010  
 DRAWN BY: J. BROWN  
 CHECKED BY: M. O'BRIEN



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**O'BRIEN & ASSOCIATES, INC.**  
 ARCHITECTURE • INTERIORS • PLANNING

**MURPHY MARKETPLACE**  
 SHERBID TOWN  
 LANGFORD

**CLP-2**  
 SCALE: 1" = 10'-0"



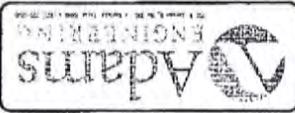
**SITE**  
 1. SITE PLAN  
 2. SITE PLAN  
 3. SITE PLAN





DATE	DESCRIPTION
11/11/08	PRELIMINARY DESIGN
11/11/08	FINAL DESIGN
11/11/08	CONSTRUCTION

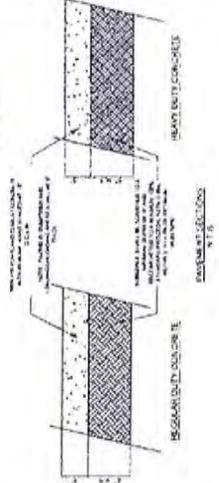
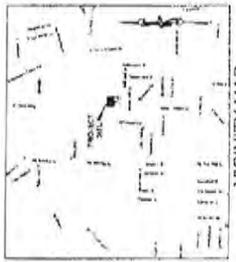
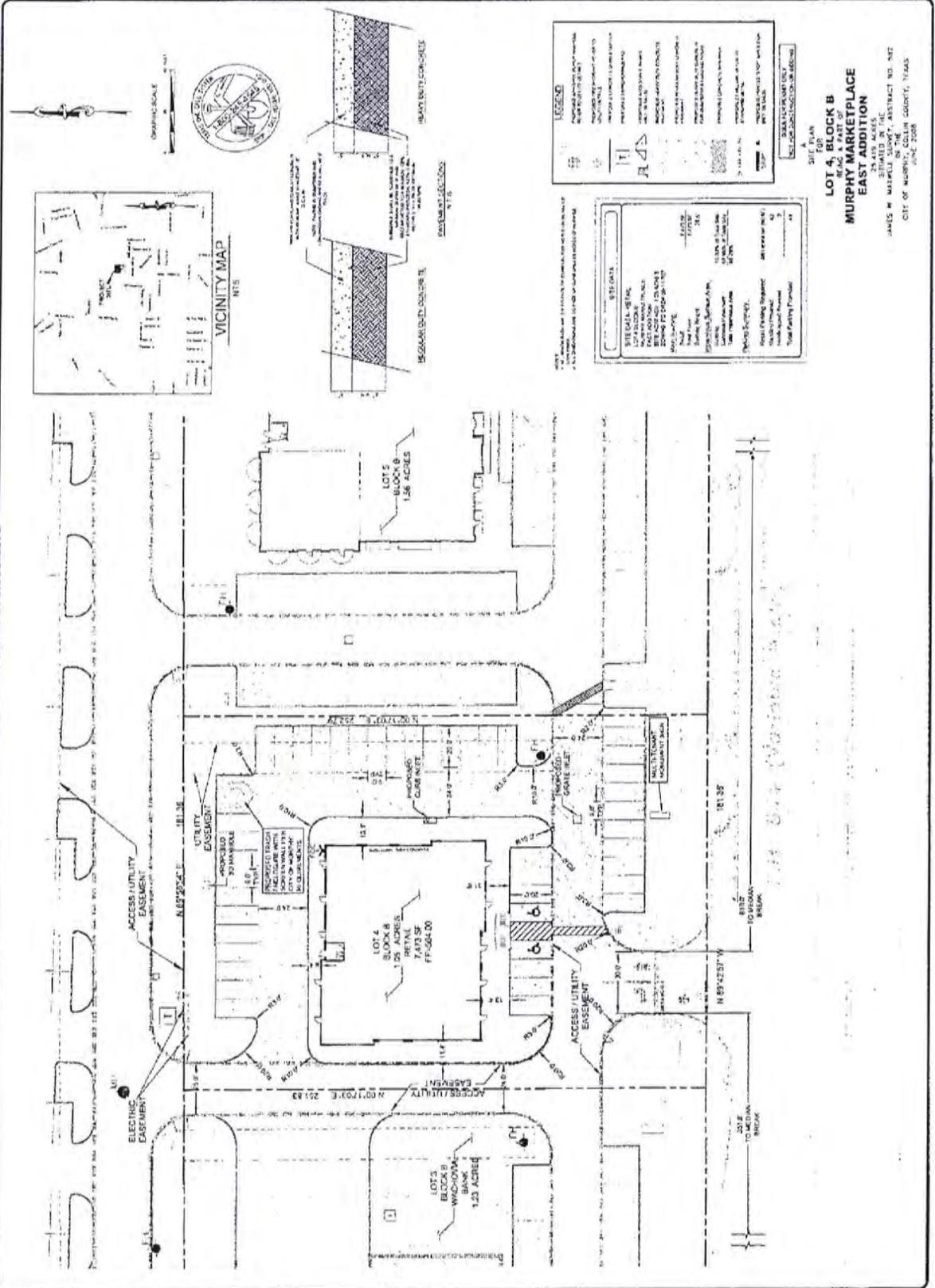
ADAMS ENGINEERING  
 1111 N. 10TH ST., SUITE 100  
 DENVER, CO 80202  
 (303) 733-1111  
 www.adamseng.com



**SITE PLAN**  
 RETAIL BUILDING  
 LOT 4, BLK B, MURPHY MARKETPLACE - EAST



PROJECT NO.	10000
DATE	11/11/08
SCALE	AS SHOWN
DRAWN BY	JWM
CHECKED BY	JWM
DATE	11/11/08



**LEGEND**

Symbol	Description
---	Proposed Building Footprint
---	Proposed Parking Spaces
---	Proposed Driveway
---	Proposed Access Easement
---	Proposed Utility Easement
---	Proposed Drive Thru
---	Proposed Drive Inlet
---	Proposed Utility Line
---	Proposed Access Point
---	Proposed Easement
---	Proposed Boundary
---	Proposed Right of Way
---	Proposed Street
---	Proposed Median
---	Proposed Break

**SITE DATA**

Site Area	7,473 SF
Lot Area	7,473 SF
Block Area	7,473 SF
Block B Area	7,473 SF
Block B Lot 4 Area	7,473 SF
Block B Lot 5 Area	1.23 Acres
Block B Lot 6 Area	1.56 Acres
Block B Total Area	1.56 Acres
Block B Lot 4 % of Block B	47.8%
Block B Lot 5 % of Block B	27.5%
Block B Lot 6 % of Block B	24.7%
Block B Lot 4 % of Block B	47.8%
Block B Lot 5 % of Block B	27.5%
Block B Lot 6 % of Block B	24.7%
Block B Lot 4 % of Block B	47.8%
Block B Lot 5 % of Block B	27.5%
Block B Lot 6 % of Block B	24.7%

**SITE PLAN**  
 OF  
**LOT 4, BLOCK B**  
 BEING A PART OF  
**MURPHY MARKETPLACE**  
**EAST ADDITION**  
 7,473 SQ. FEET  
 33,810 SQ. FEET  
 1.56 ACRES  
 IN THE CITY AND COUNTY OF DENVER, COLORADO  
 CITY OF DENVER, COLORADO, 1945  
 JUNE 2, 2008

SP

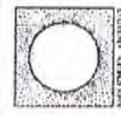




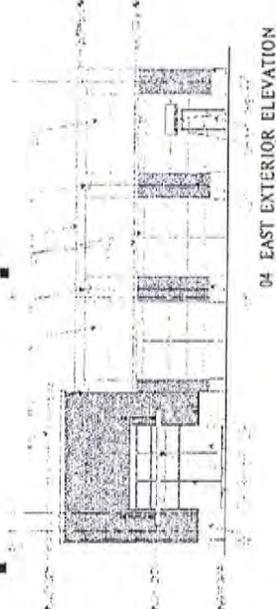
**O'BRIEN & ASSOCIATES**  
ARCHITECTS  
500 MARKET BULL ROAD  
SUITE 100  
DALLAS, TEXAS 75201  
TEL: 214.760.1234  
WWW.OBRIEN-ARCH.COM

**THE CROSSING AT  
MURPHY MARKETPLACE, PHASE 2**  
A DEVELOPMENT OF  
LANGFORD PROPERTY COMPANY

ISSUE LOG



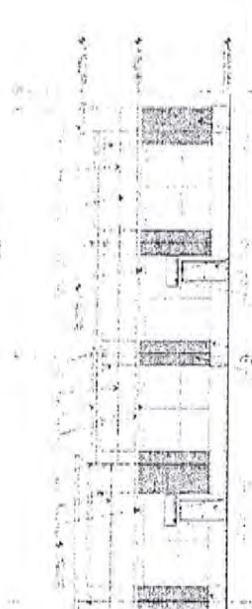
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SHEET NO. **A5.1**  
PROJECT: THE CROSSING AT  
MURPHY MARKETPLACE, PHASE 2



04 EAST EXTERIOR ELEVATION

KEY NOTES

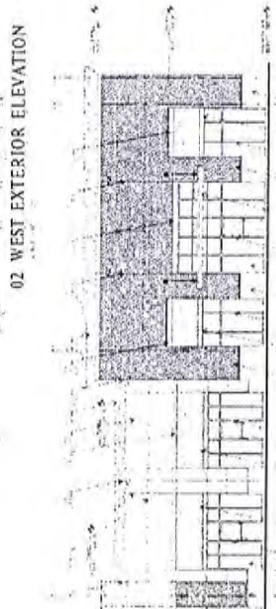
1. REFER TO SHEET A5.0 FOR GENERAL NOTES.
2. REFER TO SHEET A5.0 FOR MATERIAL SCHEDULE.
3. REFER TO SHEET A5.0 FOR FINISH SCHEDULE.
4. REFER TO SHEET A5.0 FOR WINDOW SCHEDULE.
5. REFER TO SHEET A5.0 FOR DOOR SCHEDULE.
6. REFER TO SHEET A5.0 FOR SIGNAGE SCHEDULE.
7. REFER TO SHEET A5.0 FOR LIGHTING SCHEDULE.
8. REFER TO SHEET A5.0 FOR LANDSCAPE SCHEDULE.
9. REFER TO SHEET A5.0 FOR UTILITY SCHEDULE.
10. REFER TO SHEET A5.0 FOR MECHANICAL SCHEDULE.
11. REFER TO SHEET A5.0 FOR ELECTRICAL SCHEDULE.
12. REFER TO SHEET A5.0 FOR PLUMBING SCHEDULE.
13. REFER TO SHEET A5.0 FOR HVAC SCHEDULE.
14. REFER TO SHEET A5.0 FOR FIRE PROTECTION SCHEDULE.
15. REFER TO SHEET A5.0 FOR SAFETY SCHEDULE.
16. REFER TO SHEET A5.0 FOR ACCESSIBILITY SCHEDULE.
17. REFER TO SHEET A5.0 FOR HISTORIC PRESERVATION SCHEDULE.
18. REFER TO SHEET A5.0 FOR ENVIRONMENTAL SCHEDULE.
19. REFER TO SHEET A5.0 FOR TRANSPORTATION SCHEDULE.
20. REFER TO SHEET A5.0 FOR TELECOMMUNICATIONS SCHEDULE.



03 SOUTH EXTERIOR ELEVATION

KEY NOTES

1. REFER TO SHEET A5.0 FOR GENERAL NOTES.
2. REFER TO SHEET A5.0 FOR MATERIAL SCHEDULE.
3. REFER TO SHEET A5.0 FOR FINISH SCHEDULE.
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12. REFER TO SHEET A5.0 FOR PLUMBING SCHEDULE.
13. REFER TO SHEET A5.0 FOR HVAC SCHEDULE.
14. REFER TO SHEET A5.0 FOR FIRE PROTECTION SCHEDULE.
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16. REFER TO SHEET A5.0 FOR ACCESSIBILITY SCHEDULE.
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18. REFER TO SHEET A5.0 FOR ENVIRONMENTAL SCHEDULE.
19. REFER TO SHEET A5.0 FOR TRANSPORTATION SCHEDULE.
20. REFER TO SHEET A5.0 FOR TELECOMMUNICATIONS SCHEDULE.



02 WEST EXTERIOR ELEVATION

KEY NOTES

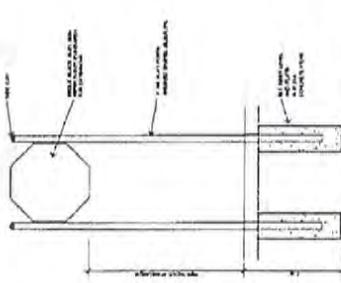
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18. REFER TO SHEET A5.0 FOR ENVIRONMENTAL SCHEDULE.
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20. REFER TO SHEET A5.0 FOR TELECOMMUNICATIONS SCHEDULE.



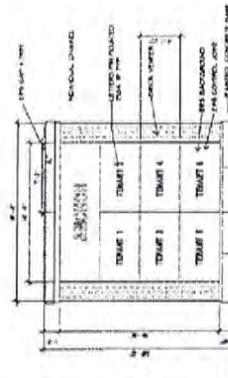
01 NORTH EXTERIOR ELEVATION

KEY NOTES

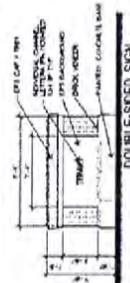
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19. REFER TO SHEET A5.0 FOR TRANSPORTATION SCHEDULE.
20. REFER TO SHEET A5.0 FOR TELECOMMUNICATIONS SCHEDULE.



**01 STOP SIGN DETAIL**  
 MURPHY MARKETPLACE  
 COLLEEN



**DOUBLE-SIDED SIGN**  
**MULTI-TENANT SIGN ELEV.**  
 18333 TOTAL SF  
 9377 SIGNAGE SF



**DOUBLE-SIDED SIGN**  
**SINGLE-TENANT SIGN ELEV.**  
 1533 TOTAL SF  
 7561 SIGNAGE SF

**SIGNAGE EXHIBIT**

**SP-046**



**THE CROSSING AT MURPHY MARKETPLACE**  
 MURPHY, TEXAS  
 A JOINT DEVELOPMENT BY  
**LANGFORD & CHAMPION PARTNERS**

**O'BRIEN & ASSOCIATES, INC.**  
 ARCHITECTURE • INTERIORS • PLANNING  
 1100 WINDYBELL AVE. SUITE 204 • DALLAS, TEXAS 75204 • 972.756.0000 • FAX 972.756.0008



SCALE: 1" = 8'-0"  
 APPROVED BY: [Signature]  
 DATE: 07/16/07





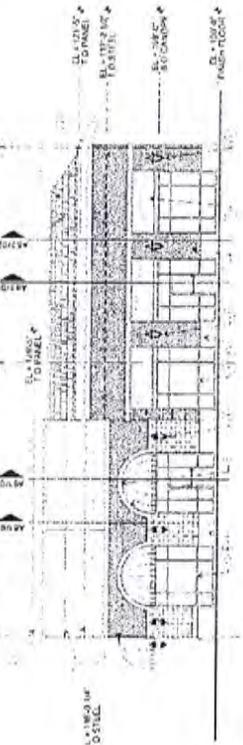


**O'BRIEN & ASSOCIATES**  
 ARCHITECTS  
 110 BAYVIEW DRIVE, SUITE 100  
 DALLAS, TEXAS 75208  
 (214) 750-0000  
 WWW.OBRIEN-ARCH.COM

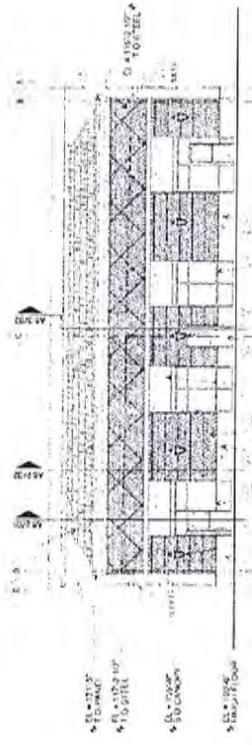
**MURPHY MARKETPLACE**  
 A DEVELOPMENT OF  
 LANGFORD PROPERTY COMPANY  
 MURPHY, TEXAS  
 HIGHWAY 54



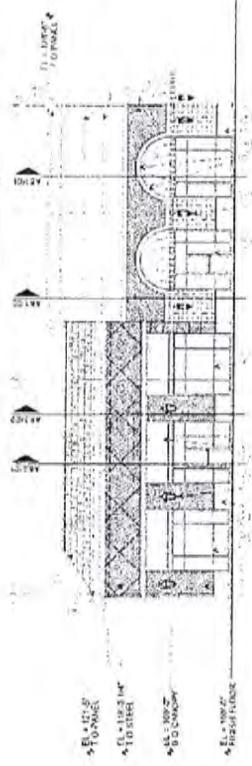
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**SHEET NO.**  
**A5.1**  
 001 - EXTERIOR ELEVATIONS



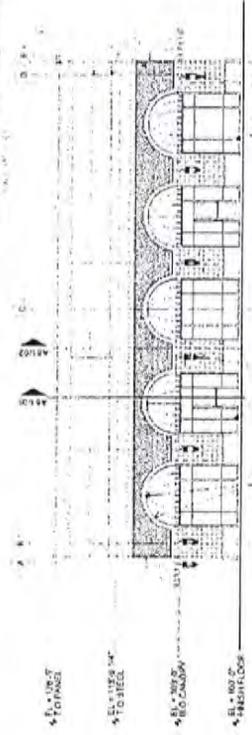
04 EAST EXTERIOR ELEVATION



03 NORTH EXTERIOR ELEVATION



02 WEST EXTERIOR ELEVATION



01 SOUTH EXTERIOR ELEVATION

**BUILDING MATERIALS - EAST**

- 1. EXTERIOR WALLS: CMU
- 2. EXTERIOR ROOF: BURR
- 3. INTERIOR WALLS: GYP
- 4. INTERIOR FLOOR: GYP
- 5. INTERIOR CEILING: GYP
- 6. INTERIOR DOORS: WOOD
- 7. INTERIOR WINDOWS: ALUM
- 8. INTERIOR PARTITIONS: GYP
- 9. INTERIOR STAIRS: GYP
- 10. INTERIOR ELEVATORS: GYP

**BUILDING MATERIALS - NORTH**

- 1. EXTERIOR WALLS: CMU
- 2. EXTERIOR ROOF: BURR
- 3. INTERIOR WALLS: GYP
- 4. INTERIOR FLOOR: GYP
- 5. INTERIOR CEILING: GYP
- 6. INTERIOR DOORS: WOOD
- 7. INTERIOR WINDOWS: ALUM
- 8. INTERIOR PARTITIONS: GYP
- 9. INTERIOR STAIRS: GYP
- 10. INTERIOR ELEVATORS: GYP

**BUILDING MATERIALS - WEST**

- 1. EXTERIOR WALLS: CMU
- 2. EXTERIOR ROOF: BURR
- 3. INTERIOR WALLS: GYP
- 4. INTERIOR FLOOR: GYP
- 5. INTERIOR CEILING: GYP
- 6. INTERIOR DOORS: WOOD
- 7. INTERIOR WINDOWS: ALUM
- 8. INTERIOR PARTITIONS: GYP
- 9. INTERIOR STAIRS: GYP
- 10. INTERIOR ELEVATORS: GYP

**BUILDING MATERIALS - SOUTH**

- 1. EXTERIOR WALLS: CMU
- 2. EXTERIOR ROOF: BURR
- 3. INTERIOR WALLS: GYP
- 4. INTERIOR FLOOR: GYP
- 5. INTERIOR CEILING: GYP
- 6. INTERIOR DOORS: WOOD
- 7. INTERIOR WINDOWS: ALUM
- 8. INTERIOR PARTITIONS: GYP
- 9. INTERIOR STAIRS: GYP
- 10. INTERIOR ELEVATORS: GYP

**KEY NOTES**

1. REFER TO ALL OTHER SHEETS FOR NOTES.
2. ALL DIMENSIONS ARE IN FEET AND INCHES.
3. UNLESS OTHERWISE NOTED, ALL MATERIALS SHALL BE AS SHOWN ON THESE DRAWINGS.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.
5. ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECT.
6. ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE ENGINEER.
7. ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE CITY.
8. ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE STATE.
9. ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE FEDERAL GOVERNMENT.
10. ALL WORK SHALL BE SUBJECT TO THE APPROVAL OF THE INTERNATIONAL TRADE UNION.



**KEY NOTES**

1. REFER TO ALL SHEETS FOR GENERAL NOTES.
2. ALL DIMENSIONS ARE IN FEET AND INCHES.
3. ALL MATERIALS ARE TO BE AS SHOWN UNLESS OTHERWISE NOTED.
4. ALL MATERIALS ARE TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
5. ALL MATERIALS ARE TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES.
6. ALL MATERIALS ARE TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES.
7. ALL MATERIALS ARE TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES.
8. ALL MATERIALS ARE TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES.

**BUILDING MATERIALS - EAST**

- 1. EXTERIOR WALLS - CONCRETE
- 2. EXTERIOR WALLS - CONCRETE
- 3. EXTERIOR WALLS - CONCRETE
- 4. EXTERIOR WALLS - CONCRETE
- 5. EXTERIOR WALLS - CONCRETE
- 6. EXTERIOR WALLS - CONCRETE
- 7. EXTERIOR WALLS - CONCRETE
- 8. EXTERIOR WALLS - CONCRETE

**BUILDING MATERIALS - NORTH**

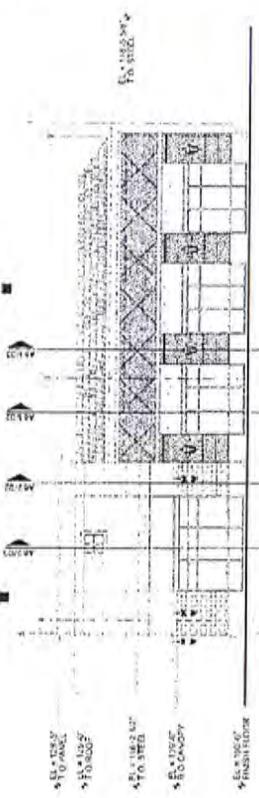
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- 2. EXTERIOR WALLS - CONCRETE
- 3. EXTERIOR WALLS - CONCRETE
- 4. EXTERIOR WALLS - CONCRETE
- 5. EXTERIOR WALLS - CONCRETE
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- 8. EXTERIOR WALLS - CONCRETE

**BUILDING MATERIALS - WEST**

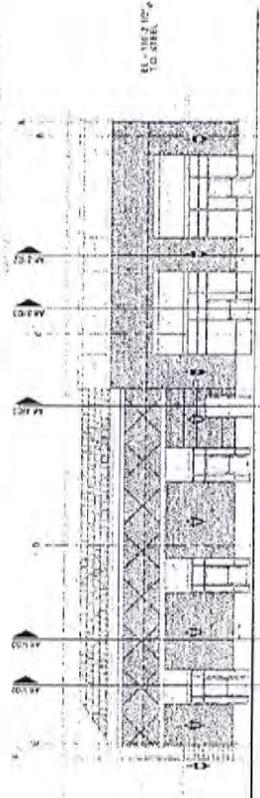
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- 5. EXTERIOR WALLS - CONCRETE
- 6. EXTERIOR WALLS - CONCRETE
- 7. EXTERIOR WALLS - CONCRETE
- 8. EXTERIOR WALLS - CONCRETE

**BUILDING MATERIALS - SOUTH**

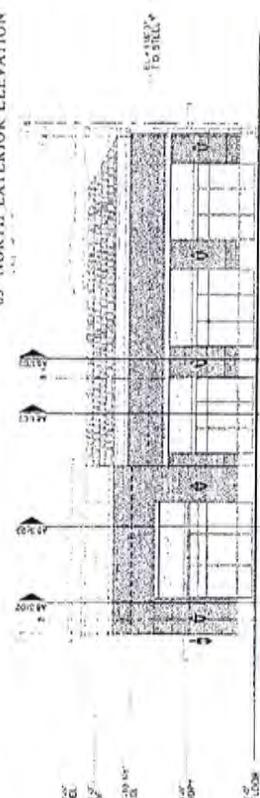
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- 4. EXTERIOR WALLS - CONCRETE
- 5. EXTERIOR WALLS - CONCRETE
- 6. EXTERIOR WALLS - CONCRETE
- 7. EXTERIOR WALLS - CONCRETE
- 8. EXTERIOR WALLS - CONCRETE



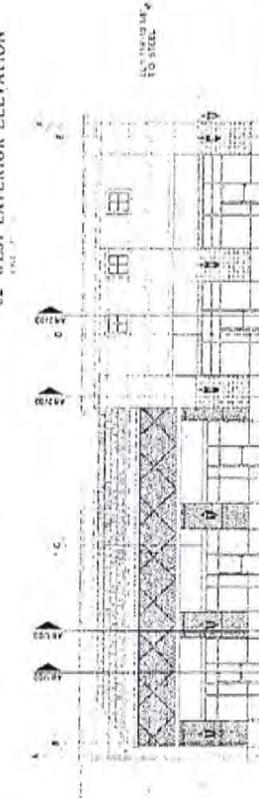
04 EAST EXTERIOR ELEVATION



03 NORTH EXTERIOR ELEVATION



02 WEST EXTERIOR ELEVATION



01 SOUTH EXTERIOR ELEVATION



**O'BRIEN & ASSOCIATES**  
ARCHITECTS  
PLANNERS  
ENGINEERS

509 BARBETT HILL ROAD  
DALLAS, TEXAS 75248  
214.343.1234  
WWW.OBRIENANDASSOCIATES.COM

**MURPHY MARKETPLACE**  
HIGHWAY 544  
MURPHY, TEXAS  
A DEVELOPMENT OF  
LANGFORD PROPERTY COMPANY

**ISSUE LOG**

NO.	DESCRIPTION	DATE



**SCOTT W. WALKER**  
REGISTERED PROFESSIONAL ENGINEER  
STATE OF TEXAS  
LICENSE NO. 10487

**SHEET NO. 7**  
**A5.1**  
RIGHT 1 - EXTERIOR ELEVATION



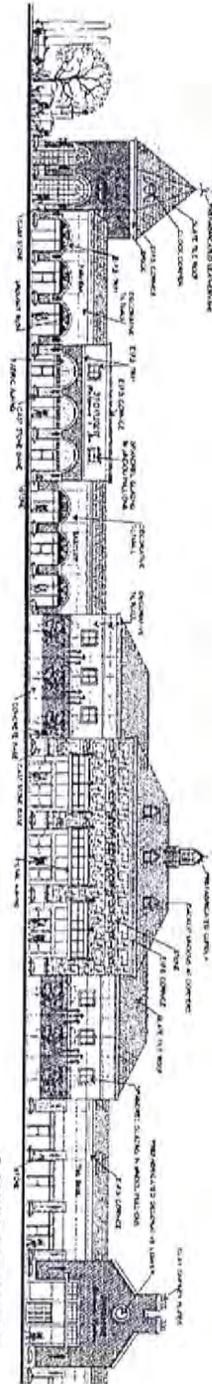


**O'BRIEN & ASSOCIATES, INC.**  
 ARCHITECTURE • INTERIORS • PLANNING  
 1000 WEST 10TH AVENUE, SUITE 1000, DENVER, CO 80202

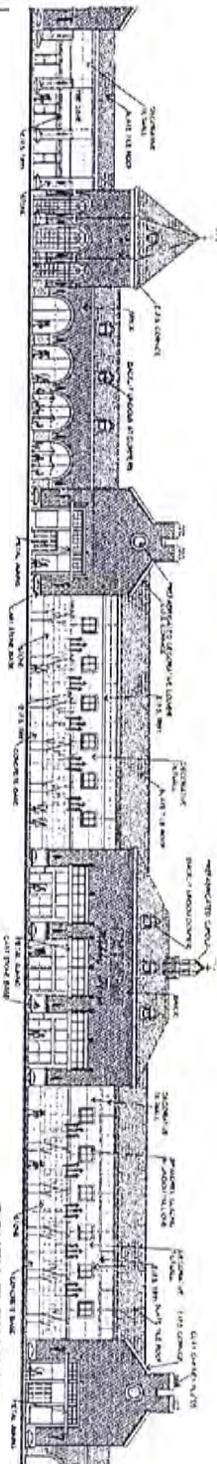
**MURPHY MARKETPLACE**  
 MURPHY, TEXAS  
 LANGFORD

**ELEVATION**

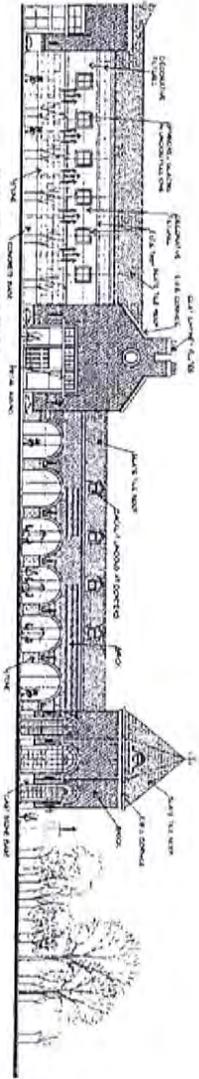
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SOUTH ELEVATION



SOUTH ELEVATION



SOUTH ELEVATION

MURPHY ROAD

EXISTING

MURPHY ROAD

EXISTING  
BANK OF AMERICA

NOT A PART

NOT A PART

HIGHWAY 54

HIGHWAY 54

HIGHWAY 54

HIGHWAY 54

SIGNAGE EXHIBIT



O'BRIEN & ASSOCIATES, INC.  
ARCHITECTURE • INTERIORS • PLANNING  
8320 MARKET HILL ROAD, SUITE 201 • DALLAS, TEXAS 75241 • 972.794.9800 • FAX 972.794.4222

MURPHY MARKETPLACE  
MURPHY, TEXAS

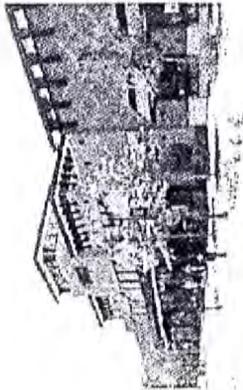


NORTH

SP-032

SCALE: 1" = 20'  
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DATE: 07/20/07

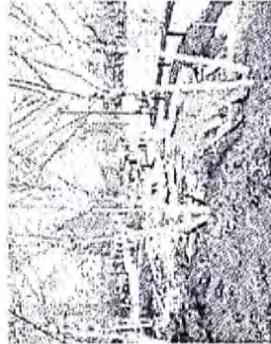
DATE: 07/20/07



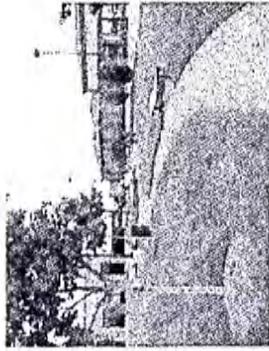
01 SIDEWALK LANDSCAPE



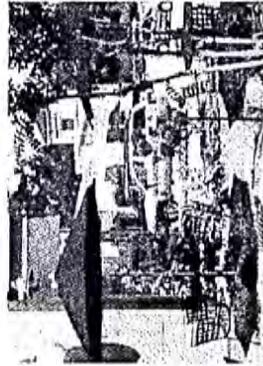
02 WATER FEATURE



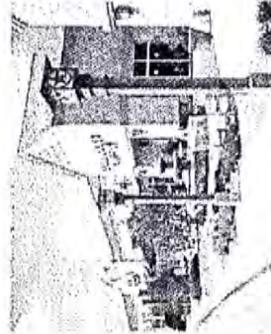
03 LANDSCAPE AREA



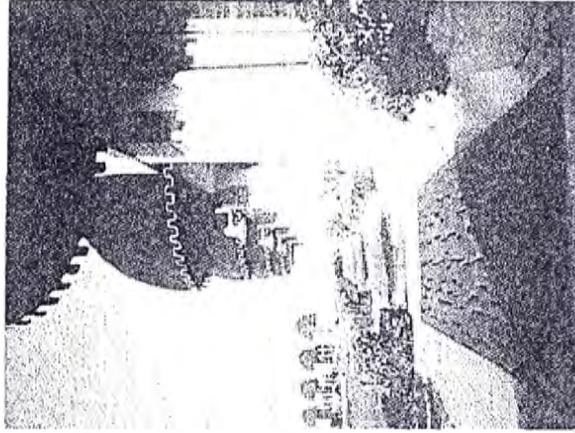
04 MEANDERING SIDEWALK



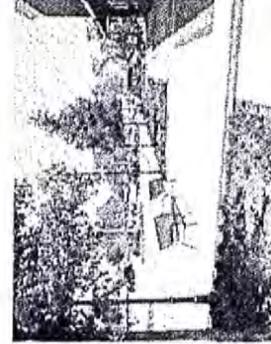
05 OUTDOOR DINING



06 DECORATIVE LIGHTING



07 SIDEWALK PAVERS



08 BENCHES

DISCLAIMER: THESE IMAGES ARE REPRESENTATIVE EXAMPLES OF SITE FEATURES THAT MAY BE INCORPORATED INTO THIS PROJECT.



O'BRIEN & ASSOCIATES, INC.  
ARCHITECTURE • INTERIORS • PLANNING  
1000 MARKET STREET, SUITE 1000, DALLAS, TEXAS 75201 • TEL: 214.760.4400

MURPHY MARKETPLACE  
MURPHY, TEXAS  
LANGFORD

SITE AMENITIES  
SCALE: NTS  
APPROVED BY: J. JOHN KROGER DATE: 08/16/09



John McKay  
Chairman

Steve Levy  
Vice-Chairman

Jon King  
Secretary

Ty Holcomb  
Commissioner

Jane Jan  
Commissioner

Camille Hooper  
Commissioner

Stephanie Merrifield  
Commissioner

John Johnson  
Alternate

Anthony Turuso  
Alternate

Kristen Roberts  
Director of Economic and  
Community Development

July 11, 2012

RE: Murphy Marketplace PD District Ordinance No. 09-02-784 Amendments

Dear Property Owner:

This is to advise you that a public hearing will be held by the Planning and Zoning Commission on Monday, **July 23, 2012** at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas, for the purpose of receiving comments on amendment(s) to PD (Planned Development) District (Ordinance No. 09-02-784) for Retail Uses, including revising the development conditions, plans and specific regulations for the district, including, without limitation, permitted land uses for the district comprised of 74.33 acres, more or less, in the James Maxwell Survey, Abstract No. 582, in the City of Murphy and located at the northeast corner of East FM 544 and North Murphy Road.

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 or scan/email the reply form to: City of Murphy, Attn: Lori Knight, Community Development Department, 206 North Murphy Road, Murphy, Texas 75094 or [lknight@murphytx.org](mailto:lknight@murphytx.org).

The Planning and Zoning Commission agenda is available 72 hours prior to the meeting at City Hall and on the City's website at [www.murphytx.org](http://www.murphytx.org).

If you have any questions, please feel free to contact this office at (972) 468-4006 or Lori Knight at (972) 468-4014.

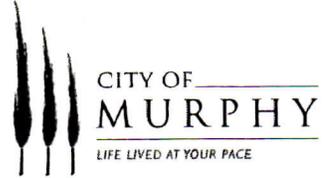
Sincerely,

*K M Roberts*

Kristen Roberts  
Director of Economic and Community Development

Reply Form

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



Dear Commissioners:

This letter is regarding amendment(s) to PD (Planned Development) District (Ordinance No. 09-02-784) for Retail Uses, including revising the development conditions, plans and regulations for the district including, without limitation, permitted land uses for the district comprised of 74.33 acres, more or less, in the James Maxwell Survey, Abstract No. 582, in the City of Murphy and located at the northeast corner of East FM 544 and North Murphy Road.

I am **IN FAVOR** of the requested amendment(s) as explained on the attached cover sheet for Murphy Marketplace PD District Ordinance No. 09-02-784

I am **OPPOSED** to the requested amendment(s) as explained on the attached cover sheet for Murphy Marketplace PD District Ordinance No. 09-02-784

This item will be heard on **Monday, July 23, 2012, at 6:00 p.m.** at Murphy City Hall, 206 North Murphy Road. Please provide your written comments below regarding the requested amendment(s). 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.

ALLEN & LOUCKS VENTURE  
ERIC LANGFORD

Name (Please Print)

5924 TWIN COVES  
DALLAS, TX 75248

Address

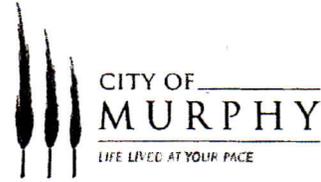
Signature

7/17/12

Date

Reply Form

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



Dear Commissioners:

This letter is regarding amendment(s) to PD (Planned Development) District (Ordinance No. 09-02-784) for Retail Uses, including revising the development conditions, plans and regulations for the district including, without limitation, permitted land uses for the district comprised of 74.33 acres, more or less, in the James Maxwell Survey, Abstract No. 582, in the City of Murphy and located at the northeast corner of East FM 544 and North Murphy Road.

I am **IN FAVOR** of the requested amendment(s) as explained on the attached cover sheet for Murphy Marketplace PD District Ordinance No. 09-02-784

I am **OPPOSED** to the requested amendment(s) as explained on the attached cover sheet for Murphy Marketplace PD District Ordinance No. 09-02-784

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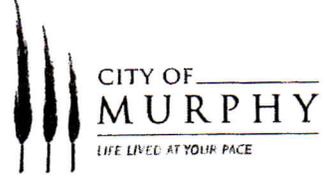
By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

MURPHY FOUR VENTURE  
ERIC LANGFORD

Name (Please Print)  
5924 TWIN COVES  
DALLAS, TX 75248  
Address

Signature  
7/17/12  
Date

Reply Form



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

Dear Commissioners:

This letter is regarding amendment(s) to PD (Planned Development) District (Ordinance No. 09-02-784) for Retail Uses, including revising the development conditions, plans and regulations for the district including, without limitation, permitted land uses for the district comprised of 74.33 acres, more or less, in the James Maxwell Survey, Abstract No. 582, in the City of Murphy and located at the northeast corner of East FM 544 and North Murphy Road.

I am IN FAVOR of the requested amendment(s) as explained on the attached cover sheet for Murphy Marketplace PD District Ordinance No. 09-02-784

[checked] I am OPPOSED to the requested amendment(s) as explained on the attached cover sheet for Murphy Marketplace PD District Ordinance No. 09-02-784

This item will be heard on Monday, July 23, 2012, at 6:00 p.m. at Murphy City Hall, 206 North Murphy Road. Please provide your written comments below regarding the requested amendment(s). If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

Three horizontal lines for handwritten comments.

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

CHAMPION LANGFORD PARTNERS
ERIC LANGFORD

Name (Please Print)
5424 TWIN COVES
DALLAS, TX 75248

Address

Handwritten signature of Eric Langford

Signature

7/17/12

Date

## Kristen Roberts

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**From:** eric.langfordco@gmail.com  
**Sent:** Wednesday, August 22, 2012 9:50 AM  
**To:** Kristen Roberts; James Fisher  
**Cc:** eric.langfordco@gmail.com; Devry Garrett  
**Subject:** Proposed Murphy Marketplace PD Modifications - Langford Comments

I have reviewed the proposed modifications to the Murphy Marketplace Planned Development documents and have the following comments:

A number of the items are purely "clean-up," updating the document to the current date, clarifications and correcting typos. I am not opposed to these. If any of these changes are substantive and I missed them, I would like to discuss; however, I saw none. Please let me know if there are any significant changes to the PD or Exhibits, outside of Exhibit "B."

I believe the other property owners within the Murphy Marketplace should be consulted prior to this issue being considered by P&Z: Lowe's, RaceTrac and the current owner of the Whataburger ground lease. I understand that B of A is outside the boundaries of this PD. Additionally, a number of Tenants have long-term leases, whose leasehold rights could be diminished if there should be substantive changes (to Exhibit "B" for example). We can discuss further, but it would be a good idea to obtain the consent of long-term lease tenants such as Sprouts or 24-hour fitness.

Exhibit "B"

Statement of Purpose: I request that "High Quality" be deleted before the word "Restaurants." This term is open to interpretation and causes problems at P&Z and City Council.

I request to refrain from adding an SUP requirement to any of the currently-allowed uses, and to the elimination of any currently-allowed uses. I would prefer not to limit the types of office uses that can be developed or leased. I understand that Allen & Loucks would still be allowed to have one stand-alone bank, since BofA is not part of the PD.

As a fiduciary to my lenders, tenants, partners, etc., I am obligated to object to any changes that would diminish the development rights that were negotiated between the partnerships and city, and which could reduce the development potential and value of the property, or possibly viewed as a "taking."

Thank you for the opportunity to discuss these items, and I look forward to our further progress.

**Eric Langford**  
**Langford Property Company**

On behalf of Allen & Loucks Venture, Murphy Four Venture and Champion Langford Partners

5924 Twin Coves

Dallas, TX 75248

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Cell - (214)668-5330

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[eric@langfordco.com](mailto:eric@langfordco.com)