

MURPHY PLANNING AND ZONING COMMISSION AGENDA
REGULAR PLANNING AND ZONING COMMISSION MEETING
SEPTEMBER 24, 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 September 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

ROLL CALL & CERTIFICATION OF A QUORUM

John McKay
Chairman

PUBLIC COMMENTS

Steve Levy
Vice-Chairman

CONSENT AGENDA

Jon King
Secretary

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 August 27, 2012.

Jane Jan
Commissioner

INDIVIDUAL CONSIDERATION

Camille Hooper
Commissioner

1. Consider and/or act on the application of **Forestar (USA) Real Estate Group, Inc.** requesting approval of a site plan for Emerus Emergency Hospital on property zoned PD (Planned Development) District No. 12-07-917 located at the northeast corner of FM 544 and Heritage Parkway.

John Johnson
Commissioner

2. Consider and/or act on the application of **Forestar (USA) Real Estate Group, Inc.** requesting approval of a construction plat for Emerus Emergency Hospital on property zoned PD (Planned Development) District No. 12-07-917 located at the northeast corner of FM 544 and Heritage Parkway.

Vacant
Alternate

3. Consider and/or act on the Final Plat for **Murphy Village Addition, Lot 2R, 4 and 5, Block A** on property zoned PD (Planned Development) District No. 09-12-823 and No. 09-12-824 for Retail and Office Uses. This property is located at the southeast quadrant of West FM 544 and Brand Road.

Vacant
Alternate

4. Hold a public hearing and consider and/or act on the application of **Mike Horn**, property owner, 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. ZF 2012-07

Kristen Roberts
Director of Economic
and Community
Development

MURPHY PLANNING AND ZONING COMMISSION AGENDA
REGULAR PLANNING AND ZONING COMMISSION MEETING
SEPTEMBER 24, 2012 AT 6:00 PM
CITY COUNCIL CHAMBERS, 206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094

5. Consider and/or act on the application of **Mike Horn** requesting approval of a site plan for 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.
6. Consider and/or act on the application of **Mike Horn** requesting approval of a construction plat for 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.
7. Consider and/or act on the application of **Gary Hadley, developer**, requesting approval of a site plan for IShine Express Car Wash 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.
8. Consider and/or act on the application of **Gary Hadley, developer**, requesting approval of a construction plat for IShine Express Car Wash 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.

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, 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.

MURPHY PLANNING AND ZONING COMMISSION AGENDA
REGULAR PLANNING AND ZONING COMMISSION MEETING
SEPTEMBER 24, 2012 AT 6:00 PM
CITY COUNCIL CHAMBERS, 206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094

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 September 21, 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 Community and Economic 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.



Murphy Planning and Zoning Commission Regular Meeting Minutes
206 North Murphy Road
Murphy, Texas 75094
August 27, 2012

CALL TO ORDER

Chairman McKay called the meeting to order at 6:01 p.m.

ROLL CALL & CERTIFICATION OF A QUORUM

Commissioners Present: John McKay, Steve Levy, Jon King, Camille Hooper, Ty Holcomb and Jane Jan

Commissioners Absent:

Alternates Present: John Johnson

Alternates Absent:

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

Lori C. Knight certified a quorum with all Commissioners present.

PUBLIC COMMENTS

There were no public comments received.

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 July 23, 2012.

Commission Action

Commissioner King made a motion to approve the Minutes from the regular meeting of July 23, 2012. Vice-Chairman Levy seconded the motion. Motion passed unanimously.

INDIVIDUAL CONSIDERATION

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.**
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.

Staff Comments

Kristen Roberts stated that City Council recently awarded a bid for the construction of Murphy Central Park and the Maxwell Creek Trail Extension project and that approval of this Construction Plat of a re-plat would allow the City to begin the construction. Ms. Roberts stated that Staff recommended approval of the proposed Construction Plat of a re-plat.

Commission Action

Vice-Chairman Levy made a motion to approve the Construction Plat of a re-plat of the Murphy Municipal Complex. Commissioner Jan seconded the motion. Motion passes unanimously.

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.

Staff Comments

Kristen Roberts reminded the Commission that they had asked to have this item brought back again for this meeting so that it would give them time to meet with the developer and so that it would not be in conjunction with another item in the same development. Ms. Roberts said that Council has asked staff to review this Ordinance specifically the permitted use section. This Ordinance has not been updated since 2009. Ms. Roberts stated that recommendations primarily focused on permitted uses of the Ordinance. She also said that this item would be going on the September 18, 2012 City Council agenda for consideration after the Commissioners have taken action on item. Ms. Roberts said that staff is recommending approval of this Ordinance.

Public Comments

Eric Langford, on behalf of Allen & Loucks Venture, Murphy for Venture and Champion Langford Partners, Primary Owners of Murphy Marketplace

Mr. Langford stated that he was generally in favor of updating the PD. He said that a lot of it was generally a 'clean up' of the Ordinance, clarifications and correcting misspellings. Mr. Langford said that he did have an opportunity to meet with staff and he suggested to the Commission that they talk to the other landowners such as Lowes or Whataburger. However Mr. Langford said that he was not in favor of the limitations of their rights of what they negotiated with the City over the course of time even prior to buying any properties. They would prefer not to have an SUP requirement and they don't want to remove certain items like the allowable uses in the PD but they are in favor of clarifying items and updating things to current city codes but not where it would diminish their rights in any way.

PUBLIC HEARING OPENED AT 6:10 PM

PUBLIC HEARING CLOSED AT 6:11 PM

Staff Discussion

Ben Wyse, City Assistant Attorney, clarified some items for the Commission about redundancy. Commissioner Hooper asked if the Uses were being eliminated from the PD and if there were definitions anywhere in the agreement to define/describe items. Commissioner Levy stated he was disappointed that the ambiguity that had gotten them in trouble before, was still there. Mr. Levy noted that City staff and Mr. Langford have been wrestling with these definitions for 3 to 4 months. He had hoped that this would have been worked out already.

Mr. Langford suggested to the Commission that they spend more time on this item so that it would allow City Staff and himself some time to define some items like "high quality".

The Commission was concerned that they did not have enough time to discuss the changes in the PD before it goes to City Council. There was much discussion about the definitions of drive through and what defines high quality.

Commissioner Hooper made the statement as to why the Commission had to make a decision tonight. Why couldn't they push this back another month like they have done with other items.

Commission Action

Chairman McKay moved to approve and recommend the staff's recommended changes with the note that if high quality is to be included in the zoning definition then it has to be further

defined by the City Council. Commission Holcomb seconded the motion. Motion passed unanimously.

ADJOURNMENT

With no other business before the Commission, Chairman McKay adjourned the meeting at 6:38 P.M.

APPROVED:

John McKay, Chairman

Attest:

Secretary

Issue

Consider and/or act on the application of **Forestar (USA) Real Estate Group, Inc.** requesting approval of a site plan for Emerus Emergency Hospital on property zoned PD (Planned Development) District No. 12-07-917 located at the northeast corner of FM 544 and Heritage Parkway.

Background

On July 17, 2012, the City Council approved a Specific Use Permit for a Hospital Facility on this property. The property is zoned NS (Neighborhood Services) District.

The applicant has submitted a site plan, building elevation plans and landscape plans for approval that would allow for development of an Emerus Emergency Hospital on this site. The subject property is currently undeveloped has an area of 3.69 acres, is bordered by single family to the east, a child care facility to the north, Heritage Parkway to the west and FM 544 to the south.

Considerations

1. Windy Hills Farms HOA voted to allow Emerus to remove the white fence along the front of 544/Heritage on the northeast corner during their construction.
2. Throughout this process the applicant worked to address concerns expressed by City staff, surrounding homeowners, Planning & Zoning Commission and City Council. This included, but was not limited to: exterior materials increased landscaping, parking, height requirements.
3. After thorough staff review and submittal revisions by the applicant, all site plan, building elevation plans and landscape plan requirements have been met.

Staff Recommendation

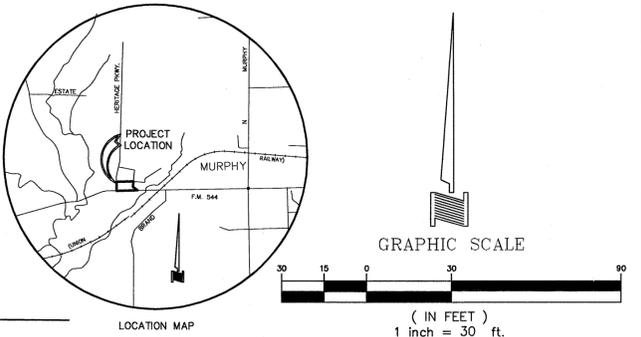
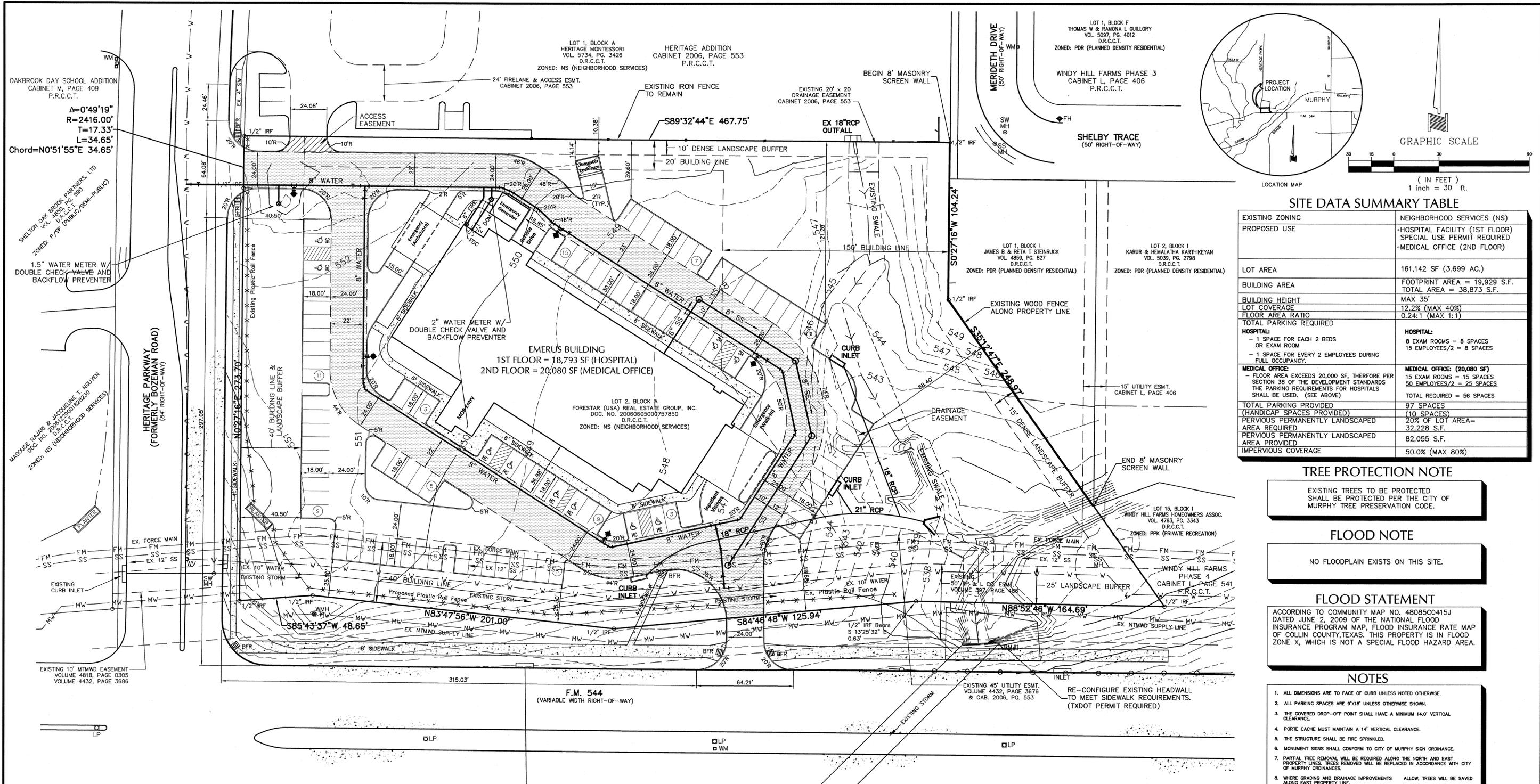
Staff recommends approval of the proposed Site Plan, Landscape Plans and Building Elevation Plans as submitted.

Attachments

Site Plan
Landscape Plans
Building Elevation Plans

Kristen Roberts, Director of Economic and Community Development

Submitted By



SITE DATA SUMMARY TABLE

EXISTING ZONING	NEIGHBORHOOD SERVICES (NS)
PROPOSED USE	+HOSPITAL FACILITY (1ST FLOOR) +SPECIAL USE PERMIT REQUIRED +MEDICAL OFFICE (2ND FLOOR)
LOT AREA	161,142 SF (3.699 AC.)
BUILDING AREA	FOOTPRINT AREA = 19,929 S.F. TOTAL AREA = 38,873 S.F.
BUILDING HEIGHT	MAX 35'
FLOOR AREA RATIO	12.2% (MAX 40%)
TOTAL PARKING REQUIRED	0.24:1 (MAX 1:1)
HOSPITAL:	HOSPITAL:
- 1 SPACE FOR EACH 2 BEDS OR EXAM ROOM	8 EXAM ROOMS = 8 SPACES 15 EMPLOYEES/2 = 8 SPACES
- 1 SPACE FOR EVERY 2 EMPLOYEES DURING FULL OCCUPANCY.	
MEDICAL OFFICE:	MEDICAL OFFICE: (20,080 SF)
- FLOOR AREA EXCEEDS 20,000 SF, THEREFORE PER SECTION 38 OF THE DEVELOPMENT STANDARDS THE PARKING REQUIREMENTS FOR HOSPITALS SHALL BE USED. (SEE ABOVE)	15 EXAM ROOMS = 15 SPACES 50 EMPLOYEES/2 = 25 SPACES
TOTAL PARKING PROVIDED	97 SPACES
(HANDICAP SPACES PROVIDED)	10 SPACES
PERVIOUS PERMANENTLY LANDSCAPED AREA REQUIRED	20% OF LOT AREA = 32,228 S.F.
PERVIOUS PERMANENTLY LANDSCAPED AREA PROVIDED	82,055 S.F.
IMPERVIOUS COVERAGE	50.0% (MAX 80%)

TREE PROTECTION NOTE

EXISTING TREES TO BE PROTECTED SHALL BE PROTECTED PER THE CITY OF MURPHY TREE PRESERVATION CODE.

FLOOD NOTE

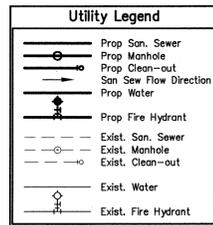
NO FLOODPLAIN EXISTS ON THIS SITE.

FLOOD STATEMENT

ACCORDING TO COMMUNITY MAP NO. 48085C0415J DATED JUNE 2, 2009 OF THE NATIONAL FLOOD INSURANCE PROGRAM MAP, FLOOD INSURANCE RATE MAP OF COLLIN COUNTY, TEXAS. THIS PROPERTY IS IN FLOOD ZONE X, WHICH IS NOT A SPECIAL FLOOD HAZARD AREA.

- NOTES**
- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.
 - ALL PARKING SPACES ARE 9'x18' UNLESS OTHERWISE SHOWN.
 - THE COVERED DROP-OFF POINT SHALL HAVE A MINIMUM 14.0' VERTICAL CLEARANCE.
 - PORTE CACHE MUST MAINTAIN A 14" VERTICAL CLEARANCE.
 - THE STRUCTURE SHALL BE FIRE SPRINKLED.
 - MONUMENT SIGNS SHALL CONFORM TO CITY OF MURPHY SIGN ORDINANCE.
 - PARTIAL TREE REMOVAL WILL BE REQUIRED ALONG THE NORTH AND EAST PROPERTY LINES. TREES REMOVED WILL BE REPLACED IN ACCORDANCE WITH CITY OF MURPHY ORDINANCES.
 - WHERE GRADING AND DRAINAGE IMPROVEMENTS ALLOW, TREES WILL BE SAVED ALONG EAST PROPERTY LINE.
 - NO MEDIAN OPENINGS PROPOSED ALONG F.M. 544 OR HERITAGE PKWY. ALL TRAFFIC MOVEMENT IN AND OUT OF THIS FACILITY WILL BE RIGHT IN & RIGHT OUT ONLY.
 - FIRE LANES SHALL MAINTAIN A 14' VERTICAL CLEARANCE AT ALL TIMES.
 - FIRE LANES MUST BE INSTALLED AND STRIPED BEFORE VERTICAL CONSTRUCTION CAN BEGIN AND FIRE LANES MUST BE MAINTAINED AT ALL TIMES.
 - AN AUTOMATIC SPRINKLER SYSTEM IS REQUIRED OR THIS STRUCTURE AND MUST BE DESIGNED, INSTALLED & MAINTAINED PER NFPA 13. PLANS ARE REQUIRED TO BE SUBMITTED DIRECTLY TO THE MURPHY FIRE MARSHAL OFFICE FOR REVIEW. A PERMIT WILL BE PROVIDED AFTER APPROVAL OF SUCH PLANS AND BEFORE SYSTEM INSTALLATION MAY BEGIN.
 - THE UNDERGROUND WATER SUPPLY PLANS FOR THE SPRINKLER SYSTEM IS REQUIRED TO BE DESIGNED, INSTALLED & MAINTAINED PER NFPA 24 AND SUBMITTED DIRECTLY TO MURPHY FIRE MARSHAL OFFICE FOR REVIEW. A PERMIT WILL BE PROVIDED AFTER APPROVAL OF SUCH PLANS AND BEFORE SYSTEM INSTALLATION MAY BEGIN.

- LEGEND**
- [Symbol] = FIRELANE, PUBLIC ACCESS, DRAINAGE & UTILITY EASEMENT
 - [Symbol] = ACCESS EASEMENT
 - SSE = SANITARY SEWER EASEMENT
 - DE = DRAINAGE EASEMENT
 - WE = WATER EASEMENT
 - UE = UTILITY EASEMENT
 - HC = HANDICAP PARKING SPACE
 - [Symbol] = TELEPHONE PEDESTAL
 - [Symbol] = LIGHT POLE
 - [Symbol] = POWER POLE
 - [Symbol] = 10' CURB INLET
 - [Symbol] = GRATE INLET
 - [Symbol] = WYE INLET
 - [Symbol] = OUTLET STRUCTURE
 - [Symbol] = FLOW DIRECTION



OWNER

FORESTAR (USA) REAL ESTATE GROUP, INC.
14755 PRESTON ROAD, SUITE 710
DALLAS, TEXAS 75254
TEL: 972-702-8699
FAX: 972-702-8372
CONTACT: CHRISTI BROWNLOW

DEVELOPER

EMERUS HOLDINGS, INC.
10077 GROGANS MILL ROAD
SUITE 100
THE WOODLANDS, TEXAS 77380
CONTACT: DUDLEY CARPENTER

ARCHITECT

PhioWilke PARTNERSHIP
11275 S. HOUSTON PARKWAY W.
SUITE 200
HOUSTON, TEXAS 77031
TEL: 832-554-1130
CONTACT: DAVID BALDACCHINO

LANDSCAPE ARCHITECT

STUDIO 13 DESIGN GROUP
519 BENNETT LANE
SUITE 203
LEWISVILLE, TEXAS 75057
TEL: 469-635-1900
CONTACT: LEONARD REEVES, RLA ASLA

ENGINEER/SURVEYOR

DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399
CONTACT: BRENT L. MURPHREE, P.E.
bmurphree@daa-civil.com

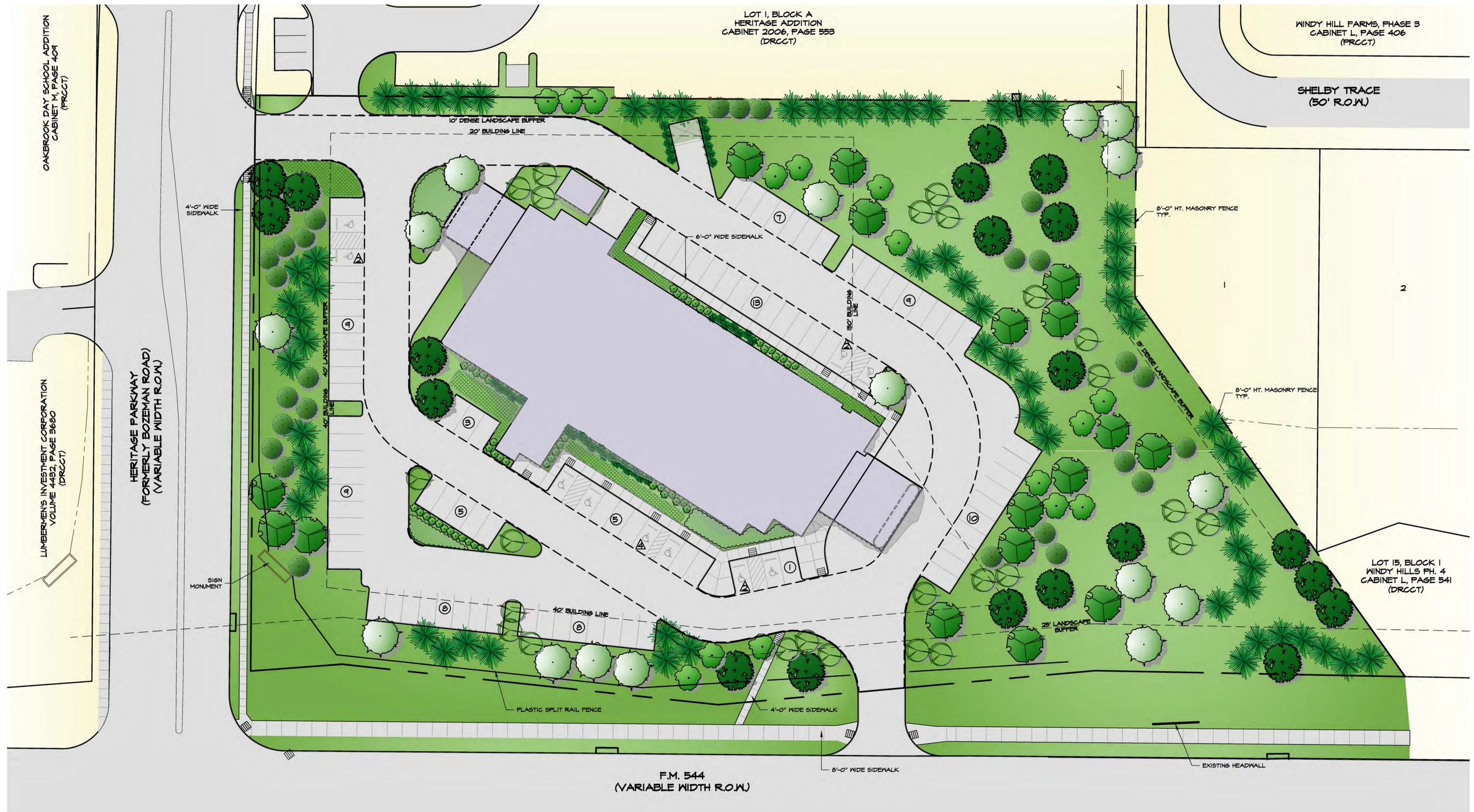
3.699 ACRES ~ 161,142 S.F.

SITE PLAN

EMERUS EMERGENCY HOSPITAL

LOT 2, BLOCK A, HERITAGE ADDITION
AN ADDITION TO THE CITY OF MURPHY
MARY SCOTT SURVEY, ABSTRACT NO. 859
GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699
COLLIN COUNTY, TEXAS

AUGUST 15, 2012 SCALE: 1"=30'



Emerus Emergency Hospital



DOWDEY, ANDERSON & ASSOCIATES, INC.



Issue

Consider and/or act on the application of **Forestar (USA) Real Estate Group, Inc.** requesting approval of a construction plat for Emerus Emergency Hospital on property zoned PD (Planned Development) District No. 12-07-917 located at the northeast corner of FM 544 and Heritage Parkway.

Background

The proposed Construction Plat would allow for the development process of an Emerus Emergency Hospital on this site to move forward. On July 17, 2012, the City Council approved a Specific Use Permit for a Hospital Facility on this property. The property is zoned NS (Neighborhood Services) District.

Considerations

1. After thorough staff review and submittal revisions by the applicant, all construction plat requirements have been met.

Staff Recommendation

Staff recommends approval of the proposed Construction Plat as submitted.

Attachments

Construction Plat

Kristen Roberts, Director of Economic and Community Development

Submitted By

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS, FORESTAR (USA) REAL ESTATE GROUP, INC., is the owner of a tract of land situated in the MARY SCOTT SURVEY, ABSTRACT No. 859 and the GEORGE H. PEGUES SURVEY, ABSTRACT No. 699, in the City of Murphy, Collin County, Texas, and being all of Lot 2, Block A, of Heritage Addition, an addition to the City of Murphy, Collin County, Texas, according to the Plat thereof recorded in Cabinet 2006, Page 553, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found with a red plastic cap stamped "WAI" at the intersection of the northerly Right-of-Way line of Farm to Market Highway 544, variable width right-of-way, and the easterly right-of-way line of Heritage Parkway, 84' right-of-way;

THENCE departing said northerly right-of-way line of Farm to Market Highway 544 and along said easterly right-of-way line of Heritage Parkway as follows:

North 00 deg 27 min 16 sec East, a distance of 273.70 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" found for corner, said point being the beginning of a curve to the right having a radius of 2,416.00 feet, having a central angle of 00 deg 49 min 19 sec, a chord bearing of North 00 deg 51 min 55 sec East, and a chord length of 34.65 feet;

Along said curve to the right, an arc distance of 34.65 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" found for corner, said point being the southwest corner of Lot 1, Block A, of said Heritage Addition;

THENCE South 89 deg 32 min 44 sec East, departing said easterly line of Heritage Parkway, along the North line of said Lot 2 and the South line of said Lot 1, a distance of 487.75 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" found for corner in the westerly line of Windy Hill Farms, Phase 3, an addition to the City of Murphy, Collin County, Texas, according to the Plat thereof recorded in Cabinet L, Page 406, Plat Records, Collin County, Texas;

THENCE South 00 deg 27 min 16 sec West, along the East line of said Lot 1, a distance of 104.24 feet to a 1/2-inch iron rod found for corner;

THENCE South 35 deg 12 min 47 sec East, continuing along the East line of said Lot 1, a distance of 248.97 feet to a 1/2-inch iron rod found with a red plastic cap stamped "WAI" found for corner in the northerly right-of-way line of said Farm to Market Highway 544, said point being Southwesterly corner of Lot 15, Block 1, of Windy Hill, Phase 4, an addition to the City of Murphy, Collin County, Texas, according to the Plat thereof recorded in Cabinet L, Page 541, Deed Records, Collin County, Texas;

THENCE along said northerly right-of-way line of Farm to Market Highway 544 and the South line of said Lot 2, the following courses and distances:

North 88 deg 52 min 46 sec West, a distance of 164.69 feet to a point for corner from which a 1/2-inch iron rod found bears South 13 deg 25 min 32 sec East, 0.63 feet;

South 84 deg 46 min 48 sec West, a distance of 125.94 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" found for corner;

North 83 deg 47 min 56 sec West, a distance of 201.00 feet to a 1/2-inch iron rod with a red plastic cap stamped "WAI" found for corner;

THENCE South 85 deg 43 min 37 sec West, continuing along said northerly right-of-way line of Farm to Market Highway 544 and the South line of said Lot 2, a distance of 48.65 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 3.699 acres or 161,142 square feet of land, more or less

DEDICATION STATEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

That FORESTAR (USA) REAL ESTATE GROUP, INC., acting herein by and through its duly-authorized officers, do hereby adopt this plat designating the herein above-described property as EMERUS EMERGENCY HOSPITAL, an addition to the City of Murphy, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown hereon and do hereby dedicate the easements shown on the plat for the purposes indicated to the public use forever, said dedications being free and clear of all liens and encumbrances, except as shown herein. No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon, over, or across the easements on said plat. 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 a particular utility or utilities, said use by public utilities being subordinate to the public's and City of Carrollton's use thereof. The City of Carrollton and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements and the City of Carrollton or any public utility shall at all times have the right of ingress and egress to and from any upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity of any time of procuring the permission of anyone. FORESTAR (USA) REAL ESTATE GROUP, INC. does hereby bind themselves, their successor and assigns to forever warrant and defend, all and singular, the above-described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

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

WITNESS MY HAND THIS _____ DAY OF _____, 2012.

FORESTAR (USA) REAL ESTATE GROUP, INC.

By: _____ By: _____

Name: _____ Name: _____

Title: _____ Title: _____
Lienholder

NOTARY CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared _____ of FORESTAR (USA) REAL ESTATE GROUP, INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2012.

Notary Signature

NOTARY CERTIFICATE

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared _____ of _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2012.

Notary Signature

SURVEYOR CERTIFICATE

STATE OF TEXAS

I, SEAN PATTON, a Registered Public Surveyor, hereby certify that I have prepared this plat from an actual on-the-ground survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Carrollton, Texas.

Sean Patton
Registered Professional Land Surveyor
No. 5660

NOTARY CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Sean Patton, 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 purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2012.

Notary Signature

NOTARY STAMP:

CITY SIGNATURE BLOCK

On the ____ day of _____, 2012, this plat was duly approved by the Planning and Zoning Commission of the City of Murphy.

Signed: _____ Attest: _____
Chairman City Secretary
Planning and Zoning Commission

Signed: _____
Planning Department

ACCESS EASEMENTS

THE UNDERSIGNED DOES COVENANT AND AGREE THAT THE ACCESS EASEMENTS MAY BE UTILIZED BY ANY PERSON OR THE GENERAL PUBLIC FOR INGRESS AND EGRESS TO OTHER REAL PROPERTY, AND FOR THE PURPOSE OF GENERAL PUBLIC VEHICULAR AND PEDESTRIAN USE AND ACCESS, AND FOR FIRE DEPARTMENT AND EMERGENCY USE IN, ALONG, UPON AND ACROSS SAID PREMISES, WITH THE RIGHT AND PRIVILEGE AT ALL TIMES TO THE CITY OF MURPHY, ITS AGENTS, EMPLOYEES, WORKMEN AND REPRESENTATIVES HAVING INGRESS, EGRESS IN, ALONG, UPON AND ACROSS SAID PREMISES.

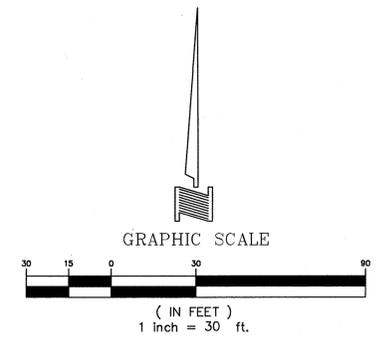
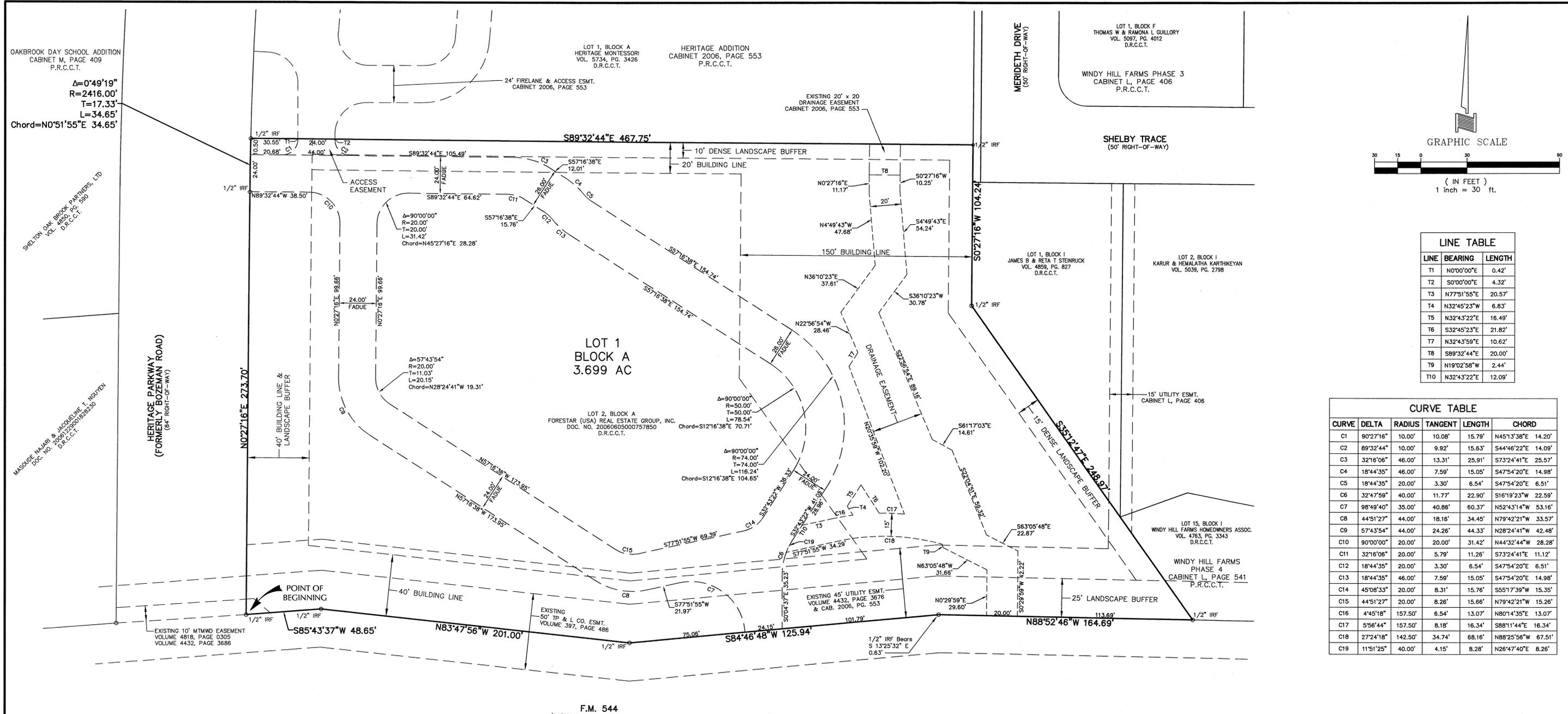
FIRE LANES

THAT THE UNDERSIGNED DOES HERBY 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 IN THE RESPONSIBILITY OF THE OWNER AND THE OWNER SHALL POST AND MAINTAIN APPROPRIATE SIGNS IN CONSPICUOUS PLACES ALONG EACH FIRE LANE, 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 DEPARTMENTS AND EMERGENCY USE.

1 LOT
3.699 ACRES ~ 161,142 S.F.
CONSTRUCTION PLAT
EMERUS EMERGENCY HOSPITAL
AN ADDITION TO THE CITY OF MURPHY
MARY SCOTT SURVEY, ABSTRACT NO. 859
GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699
COLLIN COUNTY, TEXAS
AUGUST 15, 2012 SCALE: 1" = 30'
OWNER
FORESTAR (USA) REAL ESTATE GROUP, INC.
14755 PRESTON ROAD, SUITE 710
DALLAS, TEXAS 75254



ENGINEER
DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399

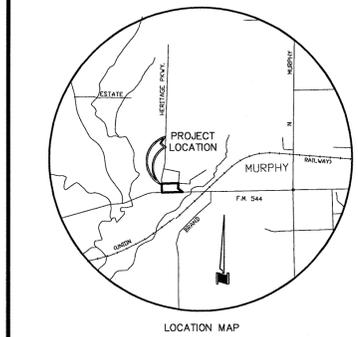


LINE TABLE

LINE	BEARING	LENGTH
T1	N0°00'00\"E	0.42'
T2	S0°00'00\"E	4.32'
T3	N77°51'55\"E	20.57'
T4	N32°45'23\"W	6.83'
T5	N32°43'22\"E	16.49'
T6	S32°45'23\"E	21.82'
T7	N32°43'59\"E	10.62'
T8	S89°32'44\"E	20.00'
T9	N19°02'58\"W	2.44'
T10	N32°43'22\"E	12.09'

CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C1	90°27'16\"	10.00'	10.08'	15.79'	N45°13'38\"E 14.20'
C2	89°32'44\"	10.00'	9.92'	15.63'	S44°46'22\"E 14.09'
C3	32°16'06\"	46.00'	13.31'	25.91'	S73°24'41\"E 25.57'
C4	18°44'35\"	46.00'	7.59'	15.05'	S47°54'20\"E 14.98'
C5	18°44'35\"	20.00'	3.30'	6.54'	S47°54'20\"E 6.51'
C6	32°47'59\"	40.00'	11.77'	22.90'	S16°19'23\"W 22.59'
C7	98°49'40\"	35.00'	40.86'	60.37'	N52°43'14\"W 53.16'
C8	44°51'27\"	44.00'	18.16'	34.45'	N79°42'21\"W 33.57'
C9	57°43'54\"	44.00'	24.26'	44.33'	N28°24'41\"W 42.48'
C10	90°00'00\"	20.00'	20.00'	31.42'	N44°32'44\"W 28.28'
C11	32°16'06\"	20.00'	5.79'	11.26'	S73°24'41\"E 11.12'
C12	18°44'35\"	20.00'	3.30'	6.54'	S47°54'20\"E 6.51'
C13	18°44'35\"	46.00'	7.59'	15.05'	S47°54'20\"E 14.98'
C14	45°08'33\"	20.00'	8.31'	15.76'	S55°17'39\"W 15.35'
C15	44°51'27\"	20.00'	8.26'	15.66'	N79°42'21\"W 15.26'
C16	4°45'18\"	157.50'	6.54'	13.07'	N80°14'35\"E 13.07'
C17	5°56'44\"	157.50'	8.18'	16.34'	S88°11'44\"E 16.34'
C18	27°24'18\"	142.50'	34.74'	68.16'	N88°25'56\"W 67.51'
C19	11°51'25\"	40.00'	4.15'	8.28'	N26°47'40\"E 8.26'



LEGEND

FADUE = FIRELANE, ACCESS, DRAINAGE & UTILITY EASEMENT
 SSE = SANITARY SEWER EASEMENT
 DE = DRAINAGE EASEMENT
 WME = WALL MAINTENANCE EASEMENT
 WE = WATER EASEMENT
 DRCC = DEED RECORDS, COLLIN COUNTY, TEXAS
 PRCC = PLAT RECORDS, COLLIN COUNTY, TEXAS
 DOC NO. = DOCUMENT NUMBER
 IRF = IRON ROD FOUND
 IPF = IRON PIPE FOUND

ACCESS EASEMENTS

THE UNDERSIGNED DOES COVENANT AND AGREE THAT THE ACCESS EASEMENTS MAY BE UTILIZED BY ANY PERSON OR THE GENERAL PUBLIC FOR INGRESS AND EGRESS TO OTHER REAL PROPERTY, AND FOR THE PURPOSE OF GENERAL PUBLIC VEHICULAR AND PEDESTRIAN USE AND ACCESS, AND FOR FIRE DEPARTMENT AND EMERGENCY USE IN, ALONG, UPON AND ACROSS SAID PREMISES, WITH THE RIGHT AND PRIVILEGE AT ALL TIMES TO THE CITY OF MURPHY, ITS AGENTS, EMPLOYEES, WORKMEN AND REPRESENTATIVES HAVING INGRESS, EGRESS IN, ALONG, UPON AND ACROSS SAID PREMISES.

FIRE LANES

THAT THE UNDERSIGNED DOES HERBY 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 IN THE RESPONSIBILITY OF THE OWNER AND THE OWNER SHALL POST AND MAINTAIN APPROPRIATE SIGNS IN CONSPICUOUS PLACES ALONG EACH 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 DEPARTMENTS AND EMERGENCY USE.

1 LOT
 3.699 ACRES ~ 161,142 S.F.
CONSTRUCTION PLAT
EMERUS EMERGENCY HOSPITAL
 AN ADDITION TO THE CITY OF MURPHY
 MARY SCOTT SURVEY, ABSTRACT NO. 859
 GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699
 COLLIN COUNTY, TEXAS
 AUGUST 15, 2012 SCALE: 1" = 30'
 OWNER
FORESTAR (USA) REAL ESTATE GROUP, INC.
 14755 PRESTON ROAD, SUITE 710
 DALLAS, TEXAS 75254
 ENGINEER
DOWDEY, ANDERSON & ASSOCIATES, INC.
 5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
 STATE REGISTRATION NUMBER: F-399

Issue

Consider and/or act on the Final Plat for **Murphy Village Addition, Lot 2R, 4 and 5, Block A** on property zoned PD (Planned Development) District No. 09-12-823 and No. 09-12-824 for Retail and Office Uses. This property is located at the southeast quadrant of West FM 544 and Brand Road.

Background

At their November 22, 2010 meeting, the Planning and Zoning Commission approved the construction plat for this property.

On January 4, 2011, the City Council approved the construction plat for this property. The construction plat allowed for the development of the assisted living facility known as Orchard Park Senior Living.

Considerations

1. This project is complete and once approved, the final plat can be filed with the County.
2. Submission of the plat mylars, filing fees and other materials necessary to file the plat at the county shall be submitted to the City within 30 calendar days of the final plat approval by the City Council.

Staff Recommendation

Staff recommends approval of the final plat as submitted.

Attachments

Final Plat

Kristen Roberts, Director of Economic and Community Development

Submitted By

Issue

Hold a public hearing and consider and/or act on the application of **Mike Horn**, property owner, 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.
ZF 2012-07

Background

The applicant is proposing to build a Braum's Ice Cream Store on the subject property. The property is currently zoned PD (Planned Development) District No. 09-12-823 for Retail and Office Uses. The PD (Planned Development) District was subsequently amended in 2003 to allow Private School as a permitted use. The PD (Planned Development) District was additionally amended in 2011 to allow an assisted living facility as a permitted use.

Considerations

1. The PD (Planned Development) District No. 09-12-823 allows for a Restaurant (Drive-in) by SUP (Specific Use Permit).
2. 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. No responses were received.

Staff Recommendation

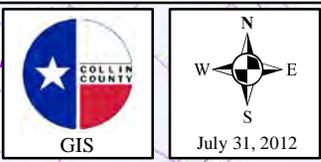
Staff recommends approval of a SUP (Specific Use Permit) to allow a drive-thru window for a Braum's Ice Cream Store on property zoned PD (Planned Development) District No. 09-12-823 for Retail and Office Uses on property located on FM 544 between Brand Road and Murphy Road.

Attachments

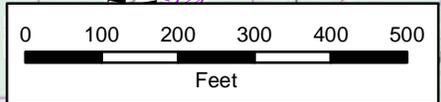
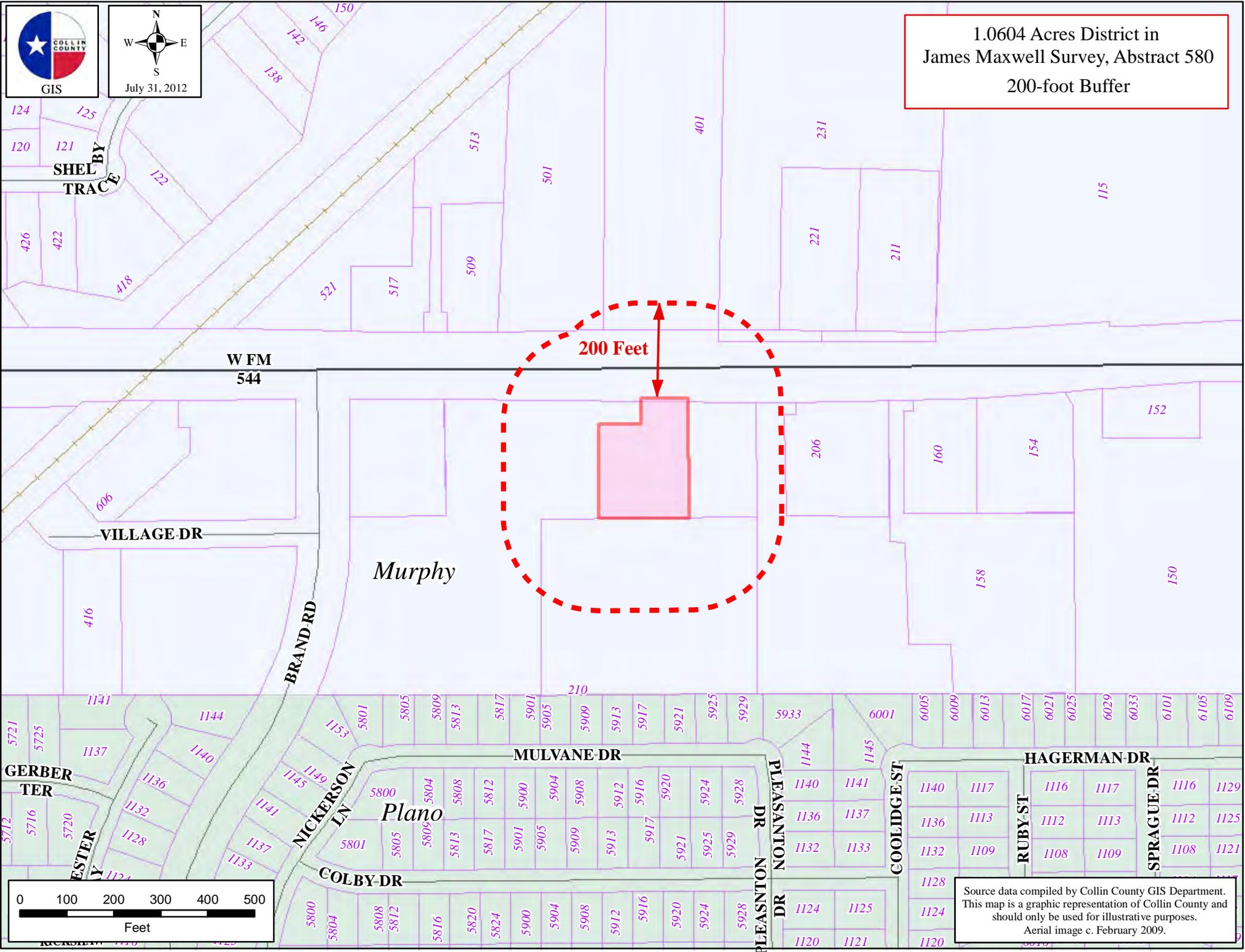
- Location Map
- Proposed Site Plan (considered for action on Item 5)
- Proposed Landscape Plan (considered for action on Item 5)
- Proposed Elevations (considered for action on Item 5)
- Planned Development District Conditions

Kristen Roberts, Director of Economic and Community Development

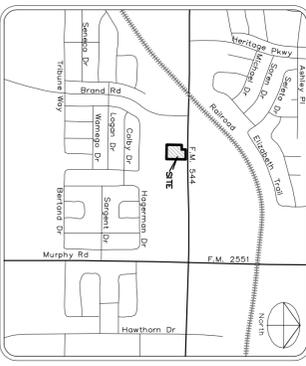
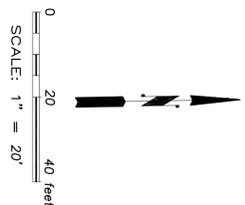
Submitted By



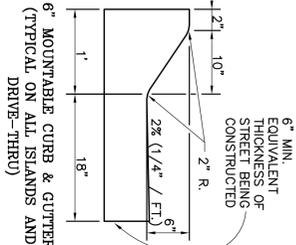
1.0604 Acres District in
James Maxwell Survey, Abstract 580
200-foot Buffer



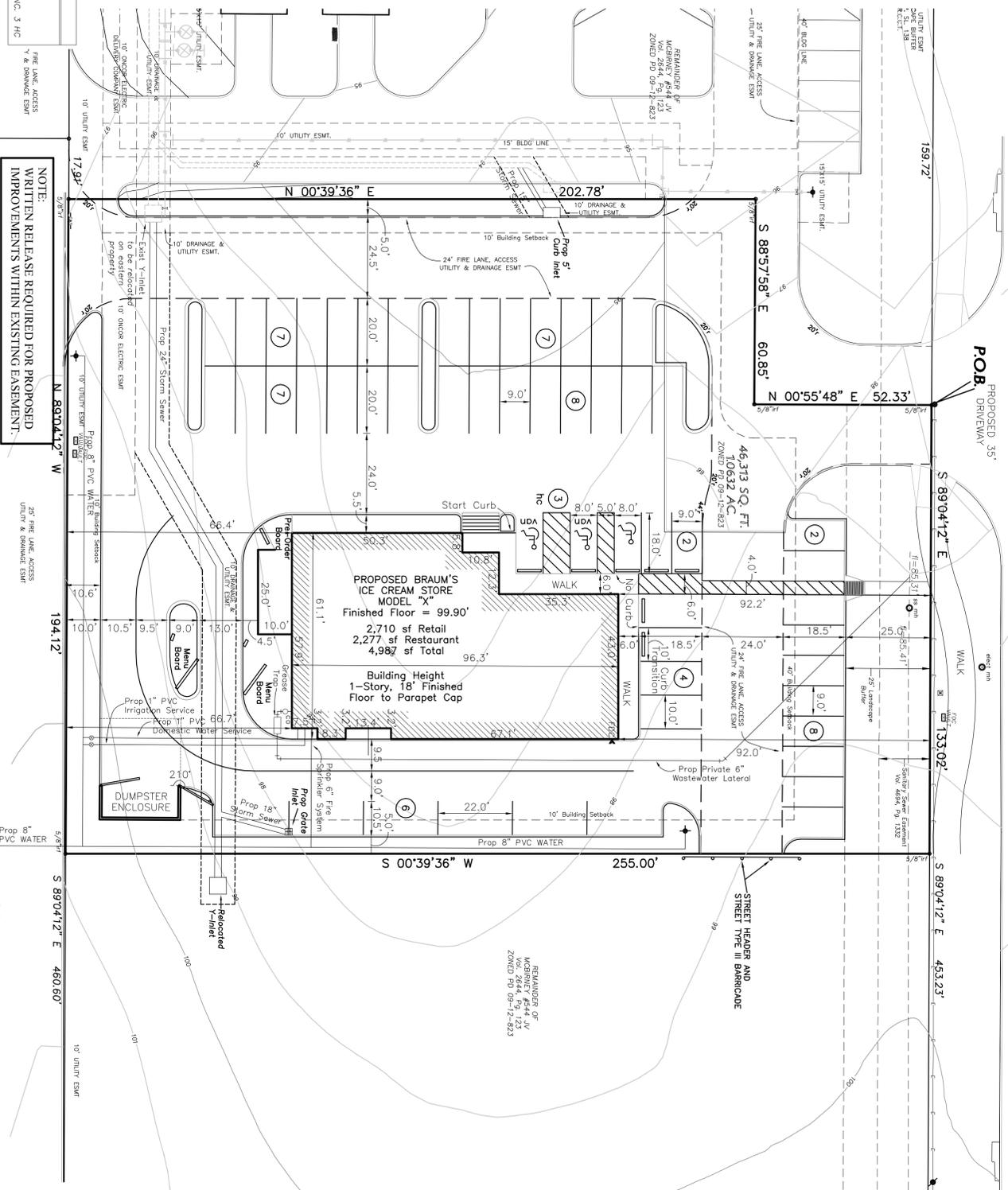
Source data compiled by Collin County GIS Department.
This map is a graphic representation of Collin County and
should only be used for illustrative purposes.
Aerial image c. February 2009.



USE	REQUIRED	PROPOSED
RESTAURANT (2,277 SF)	1 SPACE/100 SF = 23	54 SPACES INC. 3 HC
GROCERY/RETAIL (2,710 SF)	1 SPACE/200 SF = 14	54 SPACES INC. 3 HC
TOTAL 4,987 SF		



- LEGEND**
- property corner
 - handicap parking
 - manhole
 - water meter
 - water valve
 - fire hydrant
 - power pole
 - guy wire
 - aerial power line
 - water line
 - sanitary sewer line
 - storm sewer line



NOTE:
WRITTEN RELEASE REQUIRED FOR PROPOSED IMPROVEMENTS WITHIN EXISTING EASEMENT.

NOTES

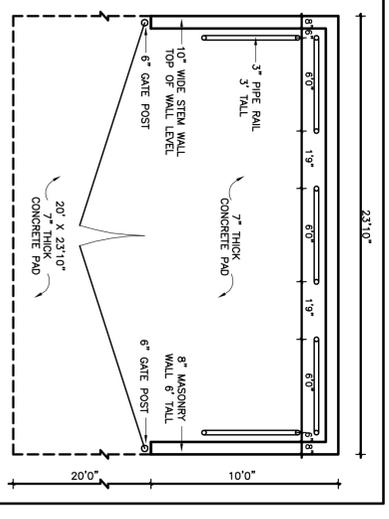
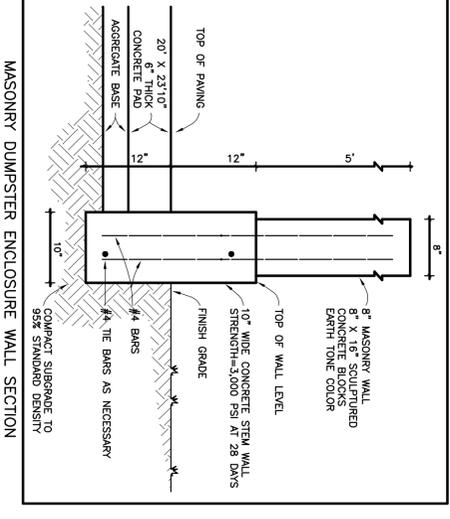
- = 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner
- = iron pipe found for corner
- = iron rod found for corner
- = x cut in concrete found for corner
- = 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner
- = controlling monument

NOTE:
ALL WORK IN FM 544 BY OTHERS.

811
Know what's below.
Call before you dig.

CAUTION!!!
UNDERGROUND UTILITIES IN AREA TO ALL STRUCK TOOLS LOCATIONS AND ELEVATIONS.

- Site Plan Notes**
- All dimensions shown hereon are back of curb and face of building.
 - Sign dimensions, details and electrical service shall be coordinated by the developer.
 - The contractor shall coordinate with the developer for site lighting, pole heights and fixture types.
 - Accessible routes shall be constructed in accordance with the current regulations, IAS Manual, and all other applicable City, State & Federal regulations.
 - All building dimensions to be verified with approved Foundation Plan.
 - Fire lanes shall maintain a minimum of 14' overhead clearance at all times.
 - Fire lanes shall not exceed a 6% grade.
 - Fire lanes must be installed and striped before vertical construction can begin and fire lanes must be maintained at all times (301.4).
 - Knox box (Secured key system) is required at the front entry door and rear room door (if not located on the same side of structure).
 - Ordinance 34--32, Section 511.1 states:
In all new and existing buildings in which the type of construction or distance from an operation emergency services antenna or dispatch site does not provide adequate frequency or signal strength as determined by the code official, the building owner shall be responsible for providing the equipment, installation and maintenance, code compliance, and testing of the emergency radio system's antenna. The signal shall meet the minimum input/output strengths according to the emergency radio system's provider and system manager.
 - All work to be to City of Murphy Standards and Specifications.
 - All construction to be in accordance with Braum's Ice Cream and Dairy Operation and Maintenance Manual.



Site Plan
Braum's Model "X"
Lot 7, Block A, Murphy Village Addition
City of Murphy, Collin County, Texas



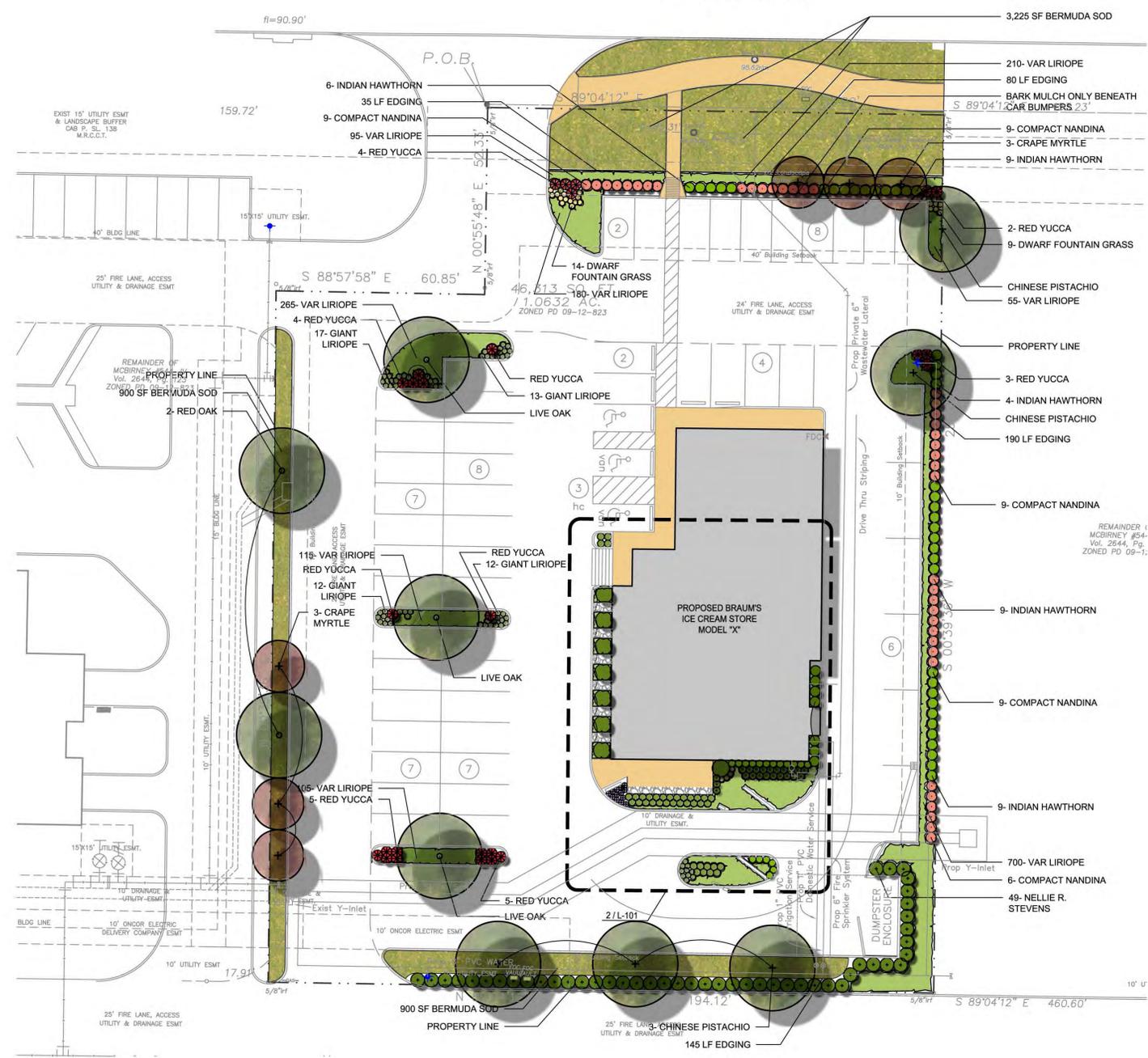
Piburn & Carson, LLC
9535 Forest Ln. - Suite 229
Dallas, Texas 75243
Ph: (214) 328-3500 Fax: (214) 328-3512
www.piburncarson.com email@piburncarson.com
Surveying Firm #100871-00 Engineering Firm #F-12324

Scale: 1" = 20'
Date: September 16, 2012
Field Tech: J.H.
Office Tech: M.P.
Project Manager: Davison
Project No.: 12092

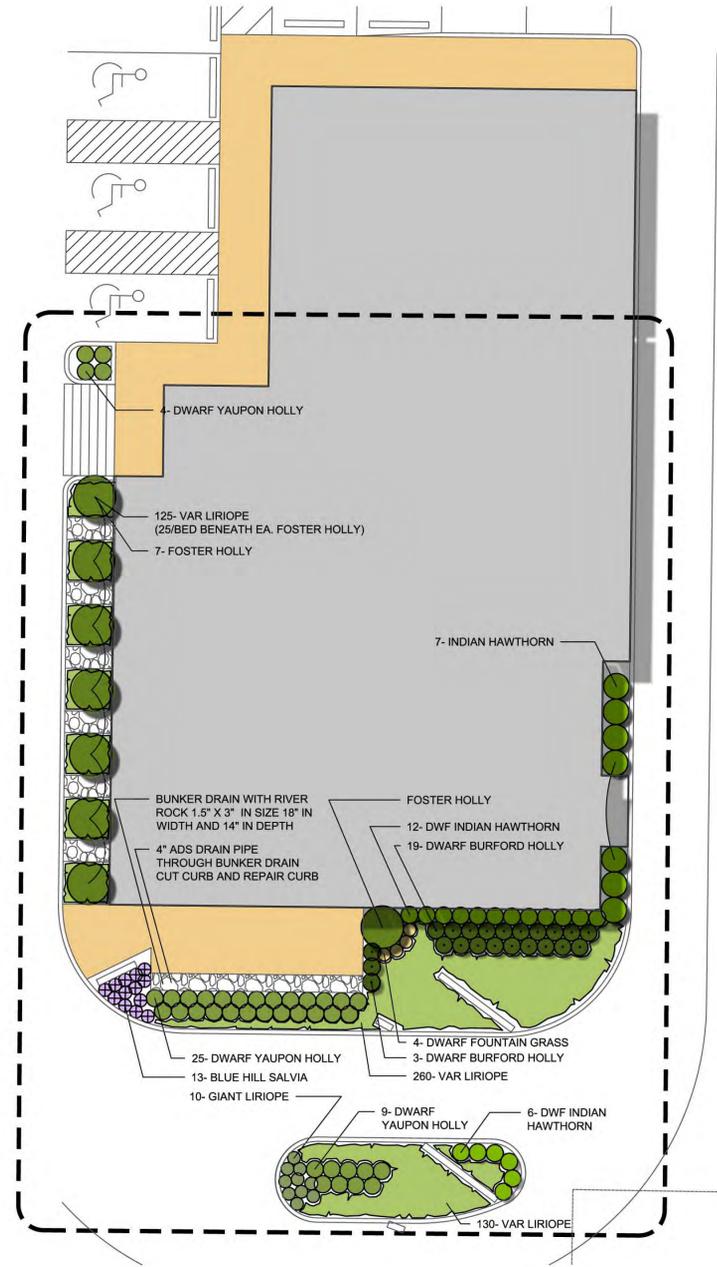
Richard Carson, P.E.
Professional Engineer
No. 40854
September 16, 2012

West FM 544
vertical with public R.O.W.

FARM TO MARKET ROAD 544



Landscape Plan 0 20' 40'



Enlargement Plan 0 10' 20'



BENNETT ■ BENNER ■ PETTIT
ARCHITECTS + PLANNERS

Braum's Murphy
HWY NO. 544 & BRAND ROAD

12 SEPTEMBER 2012



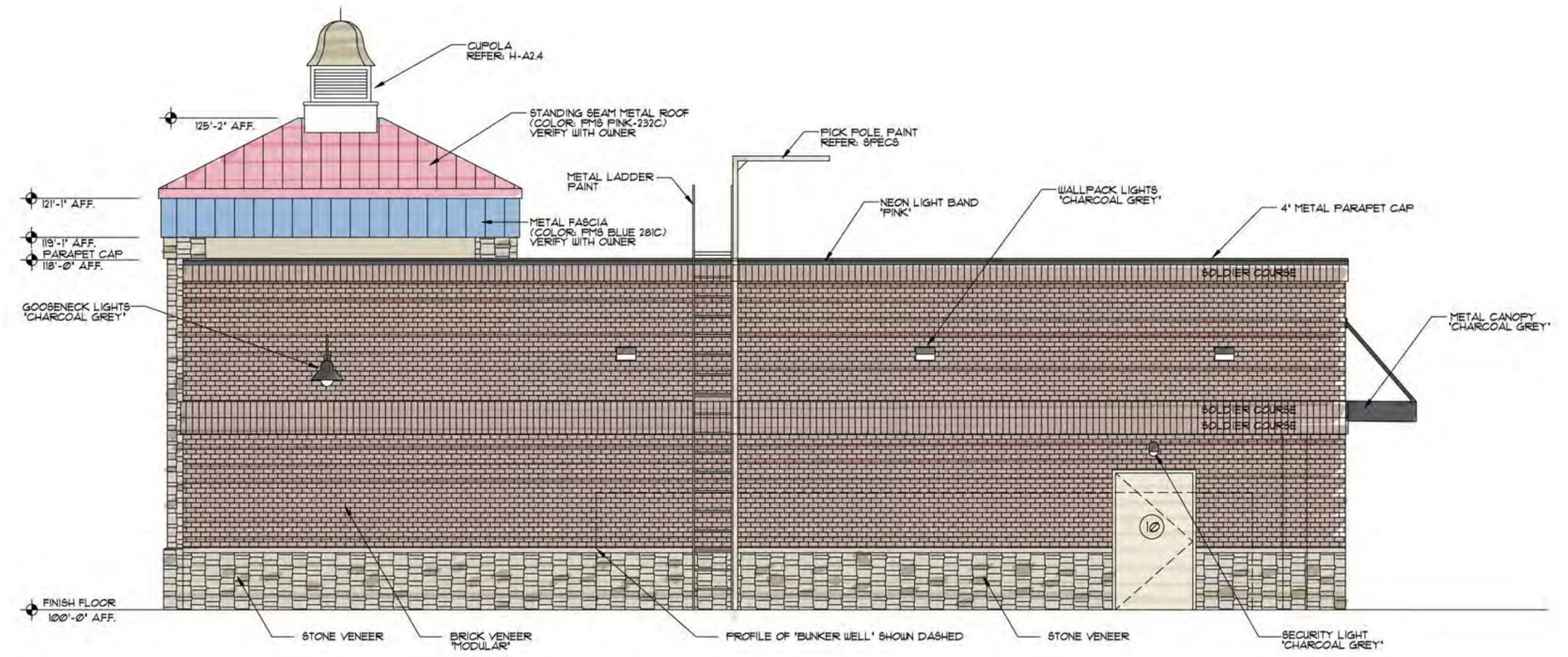
CONSULTANTS

CONSULTANT	DISCIPLINE
WYNNE ENGINEERING	CIVIL
WYNNE ENGINEERING	ELECTRICAL
WYNNE ENGINEERING	MECHANICAL
WYNNE ENGINEERING	STRUCTURAL

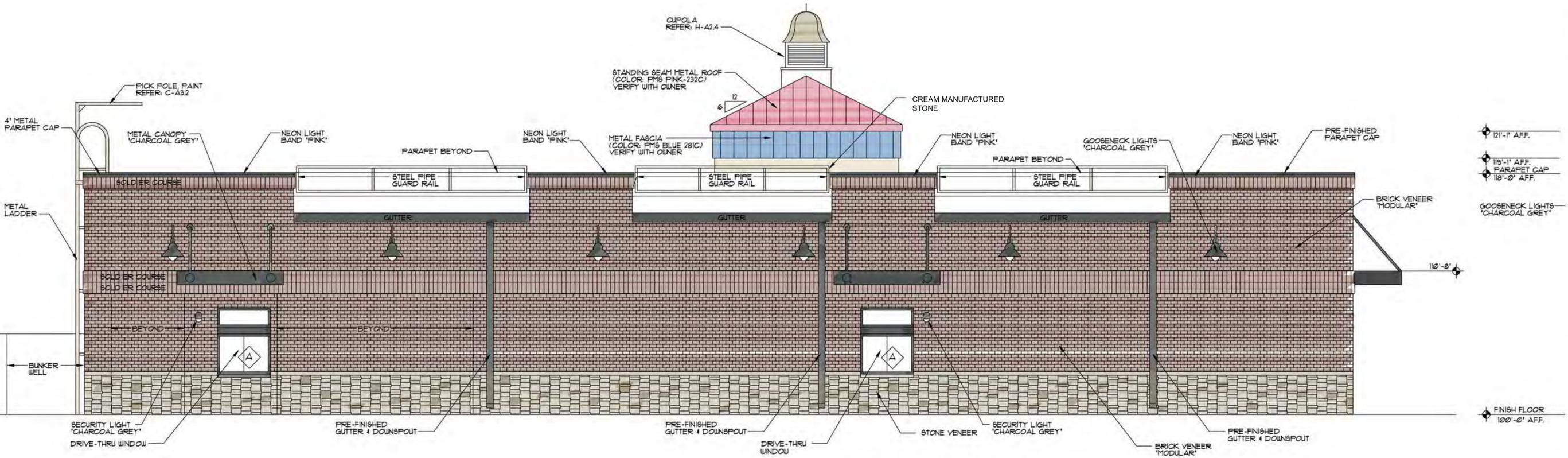
CONTRACTOR	PROJECT NO.	MODEL
BRAUM'S ICE CREAM AND DAIRY STORES	20233	X - 4981 SGT

DATE	REVISION
JULY 12, 2022	1
	2
	3
	4
	5

REVISION DATE	DESCRIPTION
	EXTERIOR ELEVATIONS



B EXTERIOR ELEVATION
 1/4" = 1'-0"



A EXTERIOR ELEVATION
 1/4" = 1'-0"

ORDINANCE NO. 09-12-823

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES BY CHANGING THE ZONING CLASSIFICATION ON APPROXIMATELY 25.33 ACRES OUT OF THE JAMES MAXWELL SURVEY, ABSTRACT NO. 580, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR ALL PURPOSES, FROM PD (PLANNED DEVELOPMENT) DISTRICT FOR MIXED USE RETAIL, COMMERCIAL, AND OFFICE USES TO PD (PLANNED DEVELOPMENT) DISTRICT FOR RETAIL AND OFFICE USES WITH CONDITIONS HERETO DESCRIBED AS EXHIBIT "B"; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Murphy and the City Council of the City of Murphy, 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 changes should be granted and that the Comprehensive Zoning Ordinance should be amended;

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

Section 1. That the Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby, amended so as to change the zoning classification from PD (Planned Development) District for Mixed Use Retail, Commercial and Office Uses to PD (Planned Development) District for Retail and Office Uses with conditions for the property described as 25.33 acres, more or less, in the James Maxwell Survey, Abstract No. 580, 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 2. That the development standards for this Planned Development District are attached hereto as Exhibit “B”, and the same are hereby approved for said Planned Development District as required by Section 86-603, of the City of Murphy, Texas Code of Ordinances.

Section 3. 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 Ordinance.

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 Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 5. 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 6. 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 this the 7th day of December, 2009.

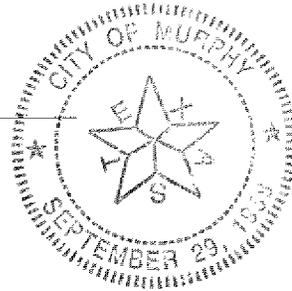


Bret M. Baldwin, Mayor
City of Murphy

ATTEST:



Aimee Nemer, City Secretary
City of Murphy



METES AND BOUNDS DESCRIPTION
for
LOT 2, BLOCK A
A 12.488 Acres Tract of Land
MURPHY VILLAGE ADDITION
James W. Maxwell Survey, Abstract No. 580
City of Murphy
Collin County, Texas

WHEREAS McBRINEY -544 JOINT VENTURE, is the owner of a tract situated in the James Maxwell Survey, Abstract No. 580, in the City of Murphy, Collin County, Texas, being Lot 2, Block A of MURPHY VILLAGE ADDITION an addition to the City of Murphy, Collin, County, Texas, according to the deed thereof recorded in volume 2644, page 123 of the Map Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found in the northwesterly corner of Lot 4R, Block D, MURPHY VILLAGE ADDITION an addition to the City of Murphy, Collin, County, Texas, according to the plat thereof recorded in Cabinet B, Slide 442 of the Map Records of Collin County, Texas, same being the northeasterly corner of beforementioned Lot 2, Block A;

THENCE South 00 degree 49 minute 20 second West, a distance of 632.85 feet to a ½ iron rod found for a corner;

THENCE North 89 degree 10 minute 40 second West, a distance of 998.50 feet to a ½ iron rod found for a corner;

THENCE continuing along the centerline of curve to the right having a central angle of 23 degree 16 minute 21 second, a radius of 905.00 feet, and a tangent of 186.37 feet, on a chord bearing and distance of North 12 degree 17 minute 47 second East 365.07 feet, along the East Right-of-way line of Brand Road, a distance of 367.60 feet to a ½" iron rod found for a corner;

THENCE North 00 degree 39 minute 36 second East, along East line of Brand Road, a distance of 20.00 feet to a ½" iron rod found for a corner;

THENCE South 89 degree 20 minute 24 second East, a distance of 200.00 feet to a ½" iron rod found for a corner;

THENCE North 00 degree 39 minute 36 second East, a distance of 255.00 feet to a ½" iron rod found for a corner;

THENCE South 89 degree 20 minute 24 second East, along F.M. Highway 544 Road, a distance of 184.62 feet to a ½" iron rod found for a corner;

THENCE South 89 degree 04 minute 12 second East, along Southerly line of F.M. Highway 544 Road, a distance of 542.04 feet to the **POINT OF BEGINNING** and containing 12.488 acres or 543,959 square feet of land more or less.

METES AND BOUNDS DESCRIPTION
for
Block "B"
A 9.046 Acers Tract of Land
MURPHY VILLAGE ADDITION
James W. Maxwell Survey, Abstract No. 580
City of Murphy
Collin County, Texas

WHEREAS McBRINEY -544 JOINT VENTURE, is the owner of a tract situated in the James Maxwell Survey, Abstract No. 580, in the City of Murphy, Collin County, Texas, being Lot 1-6, Block B of MURPHY VILLAGE ADDITION an addition to the City of Murphy, Collin County, Texas, according to the deed thereof recorded in volume 2003, page 207 of the Map Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at the ½" iron rod found at the corner of the southeast corner of this tract, and also being northeast of a Woodlands of Plano Tract also being in the south line of Brand Road 110 feet right-of-way (R.O.W);

THENCE North 89 degree 10 minute 40 second West with said city Limit line of Plano and Murphy, Texas as described in City of Plano Ordinance Number 73-4-1, recorded in Volume 861, Page 537, Deed Records of Collin County, Texas, for a distant of 903.88 feet to iron found for a corner;

THENCE along the curve to the left having a central angle of 02 degree 14 minute 28 second, a radius of 5,679.97 feet, and a tangent distant of 99.74 feet, a chord bearing of North 49 degree 14 minute 02 second East and a chord distance of 199.45 feet, for a curve length of 199.46 feet to ½" iron rod found for a corner of the said DART tract;

THENCE North 48 degree 14 minute 43 second East, along the northeast line of said DART tract, for a distant of 747.88 feet to ½" iron rod found for a corner;

THENCE South 89 degree 20 minute 24 second East, along the southeast line of F.M. 544 Road, for a distant of 294.32 feet to ½" iron rod found for a corner of the said Brand Road;

THENCE North 00 degree 39 minute 36 second West, along the southwest line of said Brand Road for a distant of 275.00 feet to ½" iron rod found for a corner;

THENCE along the curve to the right having a central angle of 00 degree 09 minute 53 second, a radius of 795.00 feet, and a tangent distant of 14.90 feet, a chord bearing of South 01 degree 45 minute 02 second W and a chord distance of 30.03 feet, for a curve length of 30.04 feet to ½" iron rod set for a corner;

THENCE along the curve to the right having a central angle of 24 degree 31 minute 46 second, a radius of 795.00 feet, and a tangent distant of 172.84 feet, a chord bearing of South 15 degree 05 minute 52 second West and a chord distance of 337.76 feet, for a curve length of 340.36 feet to the **POINT OF BEGINNING** and containing 394,037 or 9.046 acres;

METES AND BOUNDS DESCRIPTION
for
Block "C"
A 3.799 Acres Tract of Land
MURPHY VILLAGE ADDITION
James W. Maxwell Survey, Abstract No. 580
City of Murphy
Collin County, Texas

WHEREAS McBRINEY -544 JOINT VENTURE, is the owner of a tract situated in the James Maxwell Survey, Abstract No. 580, in the City of Murphy, Collin County, Texas, being Lot 1, Block C of MURPHY VILLAGE ADDITION an addition to the City of Murphy, Collin, County, Texas, according to the deed thereof recorded in volume 2644, page 123 of the Map Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a highway monument find for a corner at the intersection of the east line of a 100-foot right-of-way dedicated to Dallas Area Rapid Transit by deed recorded in Volume 3424, Page 126, Deed Records of Collin County, Texas with the south line of F.M. 544 (variable width right-of-way);

THENCE South 48 degree 14 minute 43 second West for a distance of 613.63 feet to a ½" iron found for a corner;

THENCE continuing along the centerline of curve to the right having a central angle of 2 degree 18 minute 41 second, a radius of 5,679.97 feet, and a tangent of 114.58 feet, on a chord bearing and distance of of South 49 degree 24 minute 03 second West 229.11 feet, along the East Right-of-way line of Brand Road, a distance of 229.13 feet to a ½" iron rod found for a corner;

THENCE North 03 degree 04 minute 40 second E for a distance of 545.45 feet to a ½" iron found for a corner;

THENCE North 88 degree 45 minute 22 second East, along Southerly line of F.M. Highway 544 Road, a distance of 602.59 feet to the **POINT OF BEGINNING** and containing 3.799 acres or 165,468 square feet of land more or less.

EXHIBIT B

ZONING FILE NO. 2009-10

FM 544 and Brand Road

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;
 - Assisted Living;
 - Medical Facilities;
 - Service Businesses
- 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:** All regulations of the R (Retail) District set forth in Article III, Division 14 of the Code of Ordinances are included by reference and shall apply, except as otherwise specified by this ordinance.
- 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.
 - B. Site Plan: A site plan shall be submitted in accordance with the requirements set forth in Article II, Division 5 of the City of Murphy 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) (SUP)
 2. Antique Shop (household items only)
 3. Art Dealer/Gallery
 4. Artist Studio
 5. Assisted Living
 - a. Senior Living (SUP)
 - b. Assisted Living (SUP)
 - c. Nursing Convalescent Home (SUP)
 6. Automobile Driving School (SUP)

7. Automotive Repair (Major) (SUP)
8. Automotive Repair (Minor)
9. Bakery (Retail)
10. Bank/Credit Union (SUP) (allowed by right at the SE corner of FM 544 and Brand Road)
11. Barber/Beauty Shop
12. Barber/Beauty Shop College (SUP)
13. Bed and Breakfast Inn (SUP)
14. Book Store
15. Cafeteria
16. Car Wash (Full Service)
17. Child Care Center, Kindergarten or Pre-School
18. Church/Place of Worship
19. Clinic (Medical)
20. Computer Sales
21. Confectionary Store (Retail)
22. Convenience Store with Gasoline (SUP)
23. Department Store
24. Dinner Theater
25. Electronics - Retail
26. Financial Services (Advice/Invest)
27. Florist
28. Furniture Sales (Indoor)
29. Governmental Building (Municipal, State or Federal)
30. Grocery Store (SUP)
31. Hardware Store
32. Health Club (SUP)
33. Hospital (Acute Care)
34. Hospital (Chronic Care)
35. Full Service Hotel/Motel (SUP)
36. Limited Service Hotel/Motel (SUP)
37. Insurance Agency Offices
38. Landscape Nursery
39. Laundry/Dry Cleaning (Drop Off/Pickup Only)
40. Motion Picture Theater
41. Needlework Shop
42. Offices (as allowed in Office zoning districts)
43. Park and/or Playground (Public)
44. Pet Shop/Supplies
45. Pharmacy (SUP) (allowed by right at the SE corner of FM 544 and Brand Road)
46. Photo Studio
47. Photocopying/Duplicating
48. Real Estate Offices
49. Restaurant
50. Restaurant (Drive-In) (SUP)
51. Retail Store
52. Retail Store (Drive-In) (SUP)
53. School, K through 12 (Public)

EXHIBIT B

- 54. Shoe Repair
- 55. Skating Rink (Ice) (SUP)
- 56. Tailor Shop
- 57. Theater (Live Drama)
- 58. Theater (Movie)
- 59. Tire Dealership
- 60. Travel Agency
- 61. Veterinarian Hospital

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 40 feet from FM 544, Brand Road and Village Drive.
 - ii. Minimum 15 feet from all other roadways/access roads.
 - b. Landscape Setbacks
 - i. Minimum 25 feet from FM 544 and Brand Road.
 - ii. Minimum 10 feet from all other roadways/access roads.
- 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 10 feet from rear and side lines 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 45 feet in height. All pad sites along FM 544 shall have a maximum average height of 30 feet.
 - iii. Maximum 50 feet along the KCS/DART right-of-way along the west 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. 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.
- 3. 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. No required parking space may be occupied by signs, cart corrals, merchandise, or display items at any time.

4. Sidewalks along FM 544 shall be a minimum of 8 feet in width. Sidewalks along Brand Road and Village Drive shall be 6 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 and comply with the following.

1. All structures, including all building elevations, shall be constructed utilizing a unified design that is substantially consistent with or contains architectural design elements including but not limited to the following.
 - a. Canopies and awnings.
 - b. Outdoor patios.
 - c. Display windows/decorative windows.
 - d. Architectural details (such as decorative tile or brick work) integrated into the building façade.
 - e. Integrated planters or wing walls that incorporate landscape and/or sitting areas
 - f. Articulated cornice line.
 - g. Peaked roof form.
 - h. Accent materials (minimum 15% of exterior facade)
 - i. Other architectural features as approved with the site plan.
2. At least two masonry materials shall be used in addition to glass on any single building. The following masonry materials shall be allowed.
 - a. Brick
 - b. Cast Stone
 - c. Decorative concrete tilt wall
 - d. EIFS and Stucco (limited to no more than 12% total)
 - e. Stone
 - f. Wrought Iron (for decorative overhangs)

3. 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.
 4. 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.
 5. 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.
 6. 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.
 7. 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.
 8. 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 and comply with the standards set forth in 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 25 feet in depth adjacent to the right-of-way of FM 544, 25 in depth adjacent to Brand 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 25 foot buffers, but may not be included in the calculation of the buffer depth for ten (10) foot buffers.

EXHIBIT B

3. A landscape buffer shall be provided for an average of 15 25 feet in depth adjacent to the KCS/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 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 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 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: Signage shall comply with the standards set forth in the Code of Ordinances, except as provided below.
1. General
 - a. Single Tenant Monument signs - One (1) monument sign shall be allowed on each pad site and shall be limited to a maximum sign area of 50 square feet and a maximum structure area of 80 square feet.
 - b. Multi Tenant Monument signs - One (1) multi tenant monument sign shall be allowed in Block C as shown on the concept plan and shall be limited to a maximum sign area of 100 square feet and a maximum structure area of 200 square feet.
 - c. Pylon signs – Two (2) pylon signs shall be permitted in Block A and one (1) pylon sign shall be permitted in Block B. Each pylon sign shall be limited to a maximum sign area of 350 square feet and a maximum structure area of 600 square feet.
 2. Single Tenant Monument Signs
 - a. Monument signs shall identify individual tenants or uses within a pad site. Monument signs shall be a maximum of seven (7) feet tall.
 - b. All single tenant monument signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Single tenant 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.

- c. Monument signs shall be located at a setback 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.
 - d. Construction of monument signs shall include a base of material compatible with the material used for buildings.
- 3. Multi Tenant Monument Sign
 - a. The multi tenant monument sign shall identify individual tenants or uses within the Planned Development District. The multi tenant monument sign shall be a maximum of ten (10) feet tall.
 - b. All multi tenant monument signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Multi tenant 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.
 - c. Monument signs shall be located at a setback 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.
 - d. Construction of monument signs shall include a base of material compatible with the material used for buildings.
- 4. Pylon Signs
 - a. Pylon signs shall be constructed at a height not to exceed twenty-five (35) feet.
 - b. The base of a pylon sign shall be located at a setback distance of not less than eight (8) feet from the right-of-way line of any adjacent street and may be incorporated within the landscaping area or buffer.
 - c. All pylon signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Pylon signs 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. Construction of pylon signs shall include a base of material compatible with the material used for buildings.
- 5. Temporary Marketing Signage
 - a. Four (4) quality temporary marketing signs shall be permitted for the proposed development. These signs shall for a term of twelve (12) months from the date of installation.
 - b. The maximum signage area will be 96 square feet. The maximum height shall be 10 8 feet.

- 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. Temporary signs are not required to be constructed of the material used for buildings.

J. Open Space

- 1. The proposed development 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:**

- 1. Traffic Impact Analysis: A Traffic Impact Analysis (TIA) shall be performed prior to site plan approval for any portion of the subject property.
- 2. 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.
- 3. 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.

4. 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.
5. 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.

Issue

Consider and/or act on the application of **Mike Horn** requesting approval of a site plan for 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.

Background

The applicant has submitted a site plan, building elevation plans and landscape plans for approval that would allow for development of Braum's Ice Cream Store on this site.

The subject property is currently undeveloped and is bordered by Orchard Park Assisted Living to the south, Brand Road to the west, FM 544 to the north and retail to the east.

Considerations

1. After thorough staff review and submittal revisions by the applicant, the proposed site plan has met required standards; including parking and a configuration and circulation pattern would allow a functional drive-thru window.
2. After thorough staff review and submittal revisions by the applicant, the proposed landscape plan has met requirement standards. Staff requested that the applicant increase the density of their landscaping and that it be strong and sustainable in addition to complimenting the overall development of Murphy Village.
 - a. The landscape architect added 2 redbuds and an Austrian pine.
 - b. Staff understands that the easements onsite can create an obstacle for a denser landscaping.
3. After thorough staff review and submittal revisions by the applicant, the proposed building elevation plan has met requirement standards. Staff requested that the applicant add more architectural relief accents on the elevations to break up the masonry.
 - a. The architect added various accent components.

Staff Recommendation

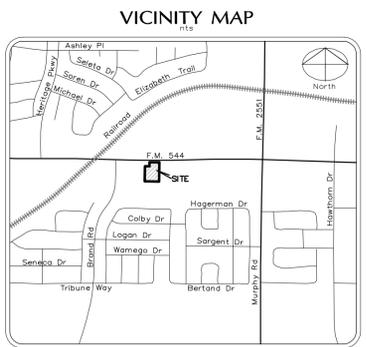
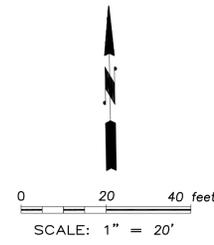
Staff recommends approval of the proposed Site Plan, Landscape Plans and Building Elevation Plans as submitted.

Attachments

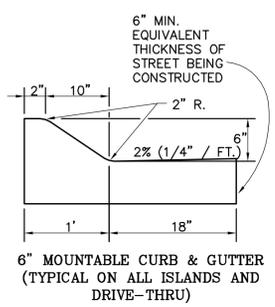
Site Plan
Landscape Plans
Building Elevation Plans

Kristen Roberts, Director of Economic and Community Development

Submitted By



- LEGEND**
- o property corner
 - handicap parking
 - manhole
 - water meter
 - water valve
 - fire hydrant
 - power pole
 - guy wire
 - aerial power line
 - water line
 - sanitary sewer line
 - storm sewer line



PARKING REQUIREMENTS

USE	REQUIRED	PROPOSED
RESTAURANT (2,277 SF)	1 SPACE/100 SF = 23	54 SPACES INC. 3 HC
GROCERY/RETAIL (2,710 SF)	1 SPACE/200 SF = 14	
TOTAL 4,987 SF	37 SPACES INC. 2 HC	

NOTES:

cirs = 1/2" iron rod with orange plastic cap stamped "PIBURN PARTNERS" set for corner

ipf = iron pipe found for corner

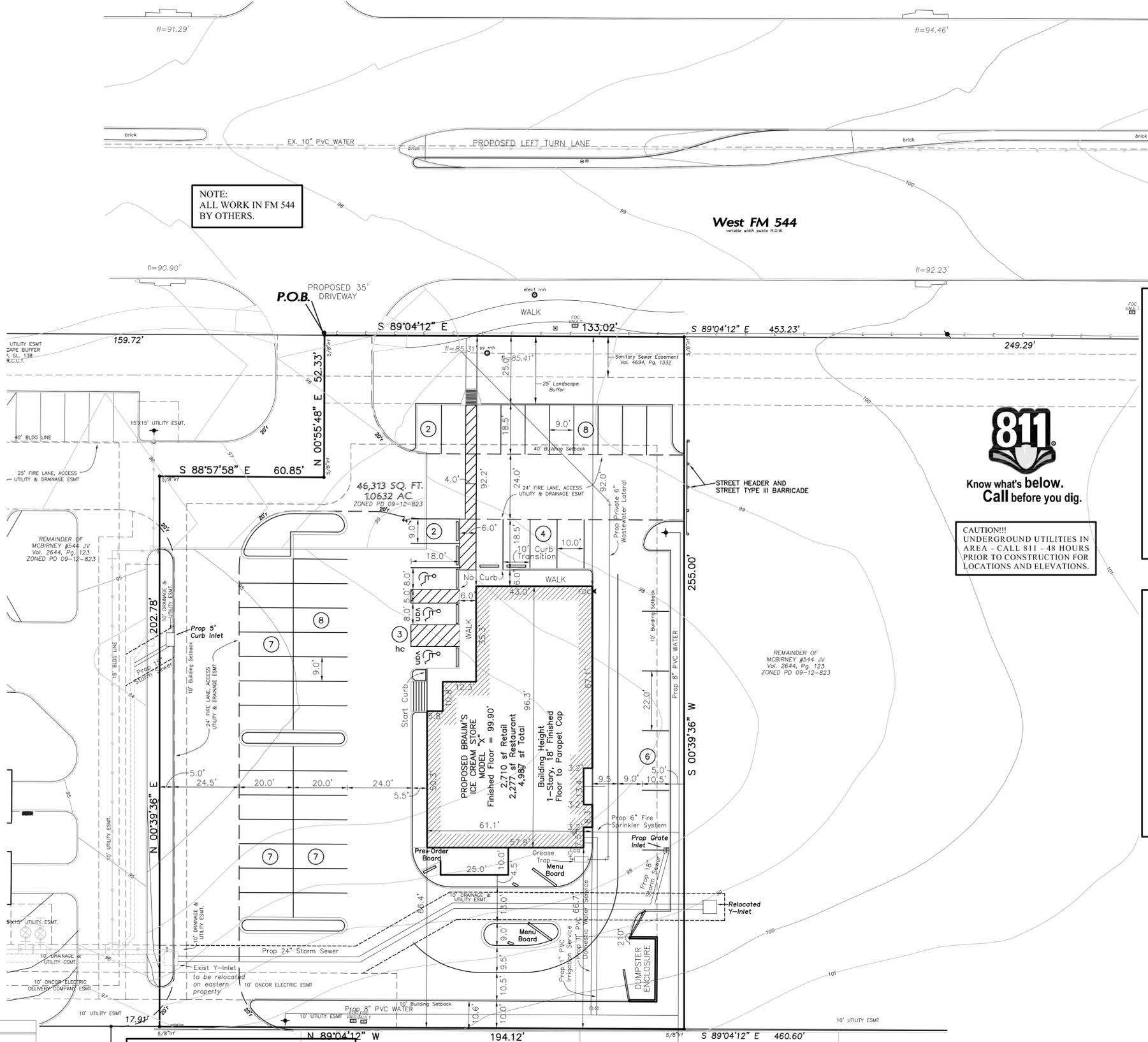
lrf = iron rod found for corner

x fnd = x cut in concrete found for corner

alum mon = TxDOT aluminum monument found for corner

cm = controlling monument

Copyright 2012 Piburn & Carson, LLC. All Rights Reserved. This drawing is the property of Piburn & Carson, LLC. Any modification or use of this drawing without the express written authorization of Piburn & Carson, LLC is prohibited. This drawing is only valid with a wet ink signature.



NOTE:
ALL WORK IN FM 544
BY OTHERS.

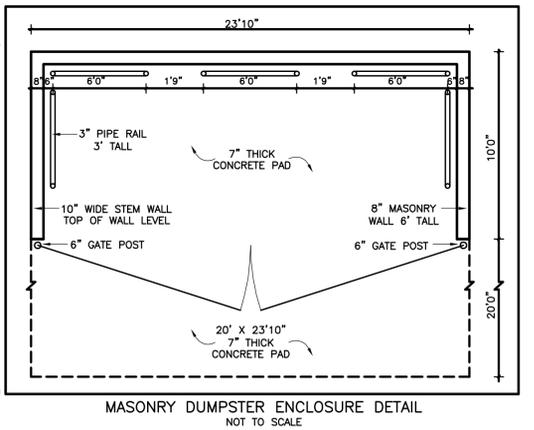
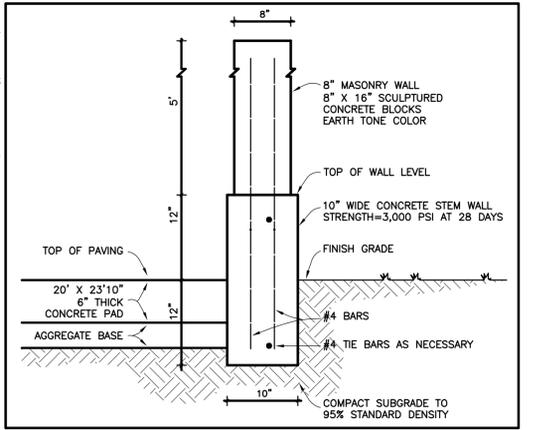
811
Know what's below.
Call before you dig.

CAUTION!!!
UNDERGROUND UTILITIES IN
AREA - CALL 811 - 48 HOURS
PRIOR TO CONSTRUCTION FOR
LOCATIONS AND ELEVATIONS.

NOTE:
WRITTEN RELEASE REQUIRED FOR PROPOSED
IMPROVEMENTS WITHIN EXISTING EASEMENT.

Site Plan Notes

- All dimensions shown hereon are back of curb and face of building.
- Sign dimensions, details and electrical service shall be coordinated by the developer.
- The contractor shall coordinate with the developer for site lighting, pole heights and fixture types.
- Accessible routes shall be constructed in accordance with the current approved TAS Manual and all other applicable City, State & Federal regulations.
- All building dimensions to be verified with approved Foundation Plan.
- Fire lanes shall maintain a minimum of 14' overhead clearance at all times.
- Fire lanes shall not exceed a 6% grade.
- Fire lanes must be installed and striped before vertical construction can begin and fire lanes must be maintained at all times (501.4).
- Knox box (Secured key system) is required at the front entry door and riser room door (if not located on the same side of structure).
- Radio communications must be adequate throughout all buildings. Ordinance 34-32, Section 511.1 states:
In all new and existing buildings in which the type of construction or distance from an operation emergency services antenna or dispatch site does not provide adequate frequency or signal strength as determined by the code official, the building owner shall be responsible for providing the equipment, installation and maintenance of said equipment in a manner to strengthen the radio signal. The radio signal shall meet the minimum input/output strengths according to the emergency radio system's provider and system manager.
- All work to be to City of Murphy Standards and Specifications.
- All construction to be in accordance with Braum's Ice Cream and Dairy Operation and Maintenance Manual.



Richard Carson, Jr.
STATE OF TEXAS
RICHARD CARSON, JR.
40854
LICENSED
PROFESSIONAL ENGINEER
9/16/12

Piburn & Carson, LLC
9535 Forest Ln., Suite 229
Dallas, Texas 75243
Ph: (214) 328-3500 Fax: (214) 328-3512
www.piburncarson.com email@piburncarson.com
Surveying Firm #100871-00 Engineering Firm #12324

PIBURN & CARSON

Site Plan
Braum's Model "X"
Lot 7, Block A, Murphy Village Addition
City of Murphy, Collin County, Texas

Scale: 1" = 20'
Date: September 16, 2012
Field Tech: J.H.
Office Tech: M.P.
Project Manager: Davison
Project No.: 12092

2
PIBURN & CARSON
OF 8

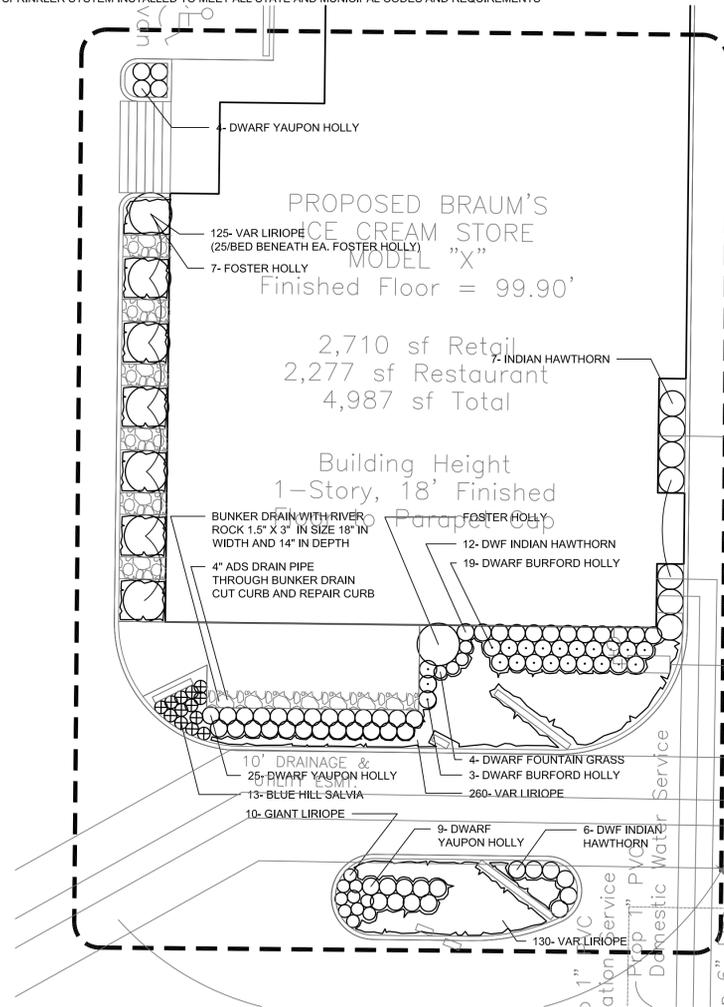
CITY LANDSCAPE TABULATIONS

PLANT LIST

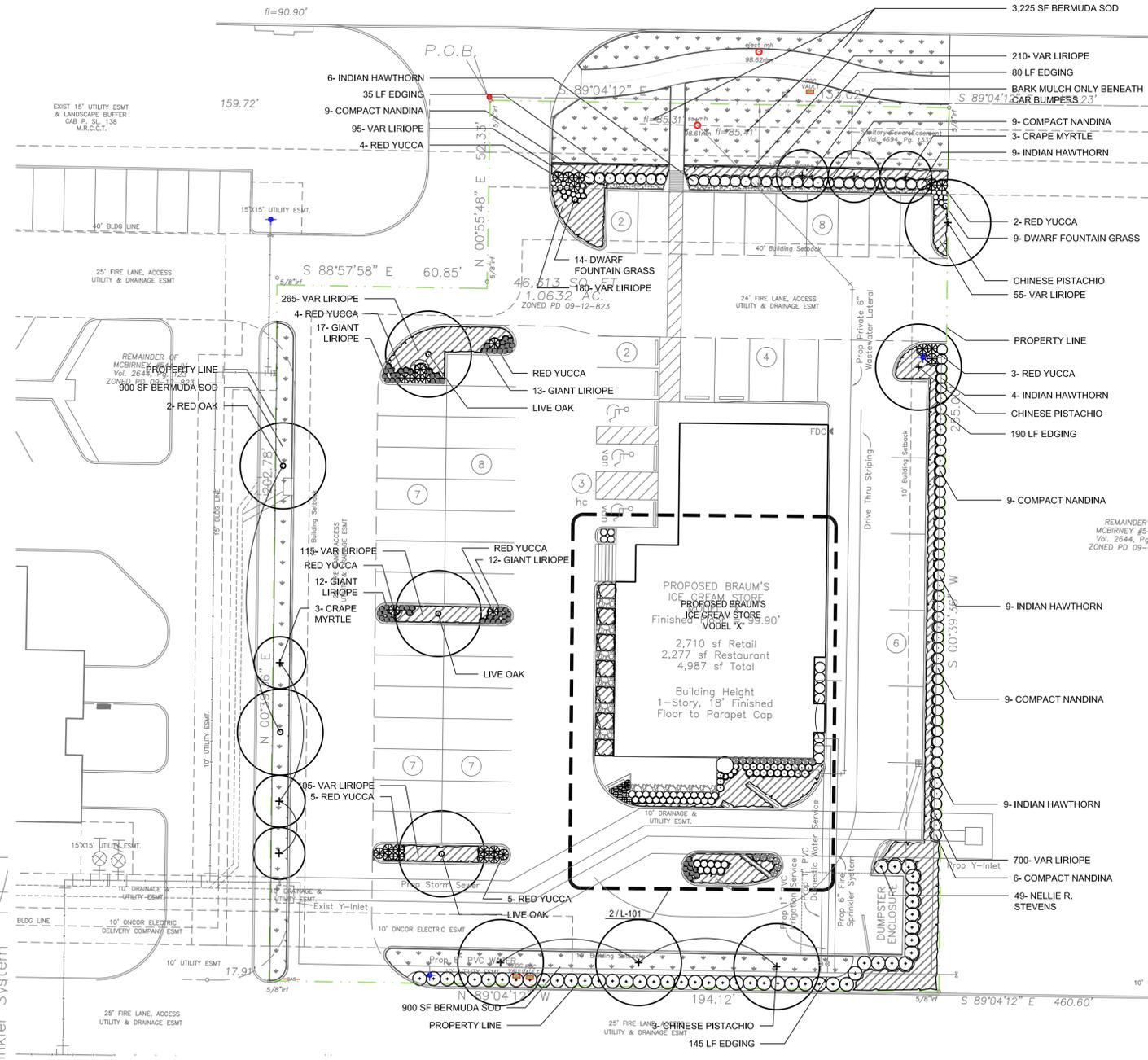
INTERIOR PARKING REQUIREMENTS	PROVIDED	QUANTITY	SYM	COMMON NAME / BOTANICAL NAME	SIZE	SPACING	MIN. HT. / SPRD.	COMMENTS
1) LANDSCAPING SHALL BE COMPATIBLE AND COMPLY WITH THE CITY CODE OF ORDINANCES.	YES	5	○	CHINESE PISTACHIO / PISTACIA CHINENSIS	3" CAL	25' OC	12' / 5'	CONTAINER GROWN
2) A 25 FT WIDE LANDSCAPE BUFFER IS NEEDED FOR FM 544. 10 FOOT BUFFER IS NEEDED FOR ALL OTHER ROADS ON SITE.	YES	3	○	LIVE OAK / QUERCUS VIRGINIANA	3" CAL	25' OC	12' / 5'	CONTAINER GROWN
3) A 15 FT WIDE LANDSCAPE BUFFER IS NEEDED FOR THE KDS/DART RAILROAD R.O.W.	YES	2	○	RED OAK / QUERCUS SHUMARDII	3" CAL	25' OC	12' / 5'	CONTAINER GROWN
3) 5% OF THE INTERIOR PARKING LOT AREA MUST BE LANDSCAPED (1,187 SF REQUIRED).	2,150 SF	6	○	CRAPE MYRTLE / LAGERSTROEMIA INDICA	8" - 10" HT	15' OC	8' / 4'	RED; 3- CANES MIN; CONTAINER GROWN
4) 1 TREE (1- CANOPY TREE / 3- ORNAMENTAL TREES) / 12 PARKING SPACES (56 SPACES = 5 TREES REQUIRED).	6 TREES	8	○	FOSTERS HOLLY / ILEX X ATTENUATA 'FOSTER'	15 GAL	60" OC	48" / 24"	BUSH FORM
5) NO MORE THAN 18 SPACES IN LENGTH BEFORE HAVING AN ISLAND.	16 SPACES MAX.	54	○	NELLIE R STEVENS HOLLY / ILEX X 'NELLIE R STEVENS'	5 GAL	48" OC	36" / 18"	-
6) 75% OF AN 8' LANDSCAPE SCREEN WITHIN 4 YEARS.	YES	41	○	COMPACT NANDINA / N DOMESTICA COMPACTA	5 GAL	36" OC	24" / 12"	-
		26	⊙	RED YUCCA / HESPERALOE PARVIFLORA	5 GAL	36" OC	24" / 12"	-
		44	○	INDIAN HAWTHORN / RHAPHIOLEPSIS INDICA	5 GAL	36" OC	24" / 15"	'SPRINGTIME' OR APRVD EQL
		22	⊙	DWARF BURFORD HOLLY / ILEX CORNUTA 'BURFORDII NANA'	5 GAL	30" OC	24" / 12"	-
		38	○	DWARF YAUPON HOLLY / ILEX VOMITORIA NANA	5 GAL	24" OC	12" / 12"	-
		18	⊙	DWF INDIAN HAWTHORN / RHAPHIOLEPSIS DELACOURII	1 GAL	18" OC	12" / 8"	'GEORGIA PETITE' OR APRVD EQL
		13	⊙	BLUE HILL SALVIA / SALVIA NEMOROSA 'BLAUHUGEL'	1 GAL	18" OC	12" / 8"	-
		27	○	DWARF FOUNTAIN GRASS / PENNISETUM ALOPECUROIDES 'HAMELN'	2 GAL	18" OC	12" / 8"	-
		65	⊙	GIANT LIRIOPE / LIRIOPE GIGANTEA	1 GAL	16" OC	FULL	-
		2,050	-	VARIEGATED LIRIOPE / LIRIOPE MUSCARI VARIEGATA	4" POTS	12" OC	FULL	'SILVER DRAGON' OR APRVD EQL
		5,015 SF	-	BERMUDA GRASS / CYNODON DACTYLON	SOLID SOD	-	-	SOLID SOD
		4,000 SF	-	BED PREPARATION	-	-	-	-
		450 LF	-	BED EDGING	1/8" X 4"	-	-	-

GENERAL LANDSCAPE NOTES

- VERIFY ALL QUANTITIES SHOWN TO BE AS REQUIRED ON SITE. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ACTUAL NUMBERS NEEDED TO IMPLEMENT PLAN ELEMENTS AS SHOWN.
- ALL MATERIALS ARE SUBJECT TO APPROVAL BY OWNER OR LANDSCAPE ARCHITECT. NO SUBSTITUTIONS ALLOWED WITHOUT PRIOR APPROVAL OF OWNER OR LANDSCAPE ARCHITECT.
- BED PREPARATION - TILL SHRUB AND GROUND COVER BEDS 6" - 8" DEEP TO BREAK UP SOIL AND REMOVE ALL EXISTING PLANT ROOTS AND DEBRIS. SPREAD 3"± OF SOIL AMENDMENTS OVER BED. APPLY 5-2-4 FORMULA ORGANIC FERTILIZER ("SUSTANE" OR APRVD. EQL.) AT THE RATE OF 2 LBS. PER 100 SQ.FT. UNIFORMLY OVER BED. TILL SOIL AMENDMENTS 8"± INTO EXISTING SOIL AND RAKE SMOOTH PRIOR TO PLANTING.
- SOIL AMENDMENTS - COMBINATION OF 50% PROFESSIONAL COMPOST AND 50% NATIVE SOIL AND SAND MIX WITH A pH OF APPROXIMATELY 8. ("SOIL BUILDING SYSTEMS" 50/50 LANDSCAPER'S BLEND 972-831-8181 OR APRVD EQL).
- PLANTING BACKFILL - ALL PLANTS ARE TO BE BACKFILLED WITH SOIL AMENDMENT DESCRIBED ABOVE. MULCH FINISH BEDS 2" DEEP.
- GRASS AREAS - REMOVE EXISTING VEGETATION AND LARGE DEBRIS. CONDITION SOIL TO RECEIVE GRASS BY DISKING, HARROWING, OR DRAGGING WITH A FLOAT SO THAT SOIL IS LOOSE AND FINELY PULVERIZED TO A DEPTH OF 2" AND WET PRIOR TO SODDING.
- VERIFY LOCATIONS OF ALL UNDERGROUND UTILITY LINES AND VAULTS PRIOR TO DIGGING.
- ALL WORK AND MATERIALS TO COMPLY WITH ALL APPLICABLE CODES AND LAWS, AND SHALL MEET OR EXCEED ACCEPTED LOCAL HORTICULTURAL STANDARDS.
- PROJECT TO BE IRRIGATED VIA UNDERGROUND AUTOMATIC SPRINKLER SYSTEM INSTALLED TO MEET ALL STATE AND MUNICIPAL CODES AND REQUIREMENTS



PLANTING ENLARGEMENT
1" = 10'-1_XREF



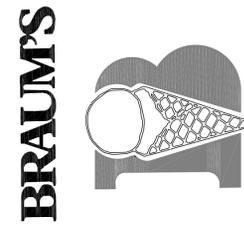
PLANTING PLAN
1" = 20'-1_XREF

West FM 544
variable width public R.O.W.

FARM TO MARKET ROAD 544

3,225 SF BERMUDA SOD

Braum's Murphy
HWY NO. 544 & BRAND ROAD
MURPHY, TEXAS, 75094



04 September 2012

BENNETT-BENNER-PETTIT
ARCHITECTS + PLANNERS

500 West Seventh Street Suite 1400
Fort Worth, Texas 76102
Tel 817.335.4991 Fax 817.877.1861
www.bbptx.com

Project No: 12142.00
Issue Date: 04 September 2012

Rev. Description Date

plotted by: Sam Himmelhaver
date-time: 9/12/2012 10:31 AM

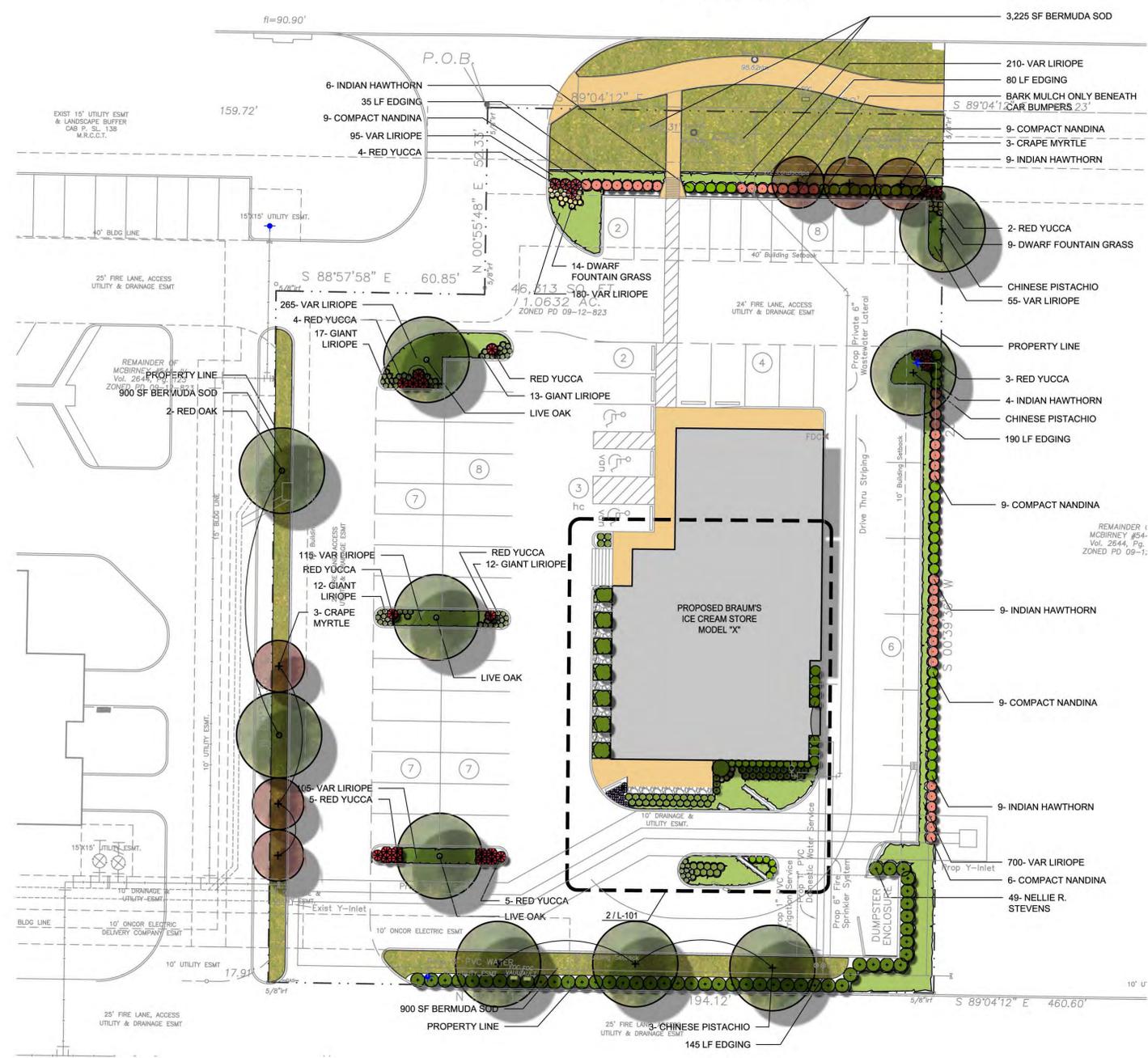
PLANTING PLAN

L-101

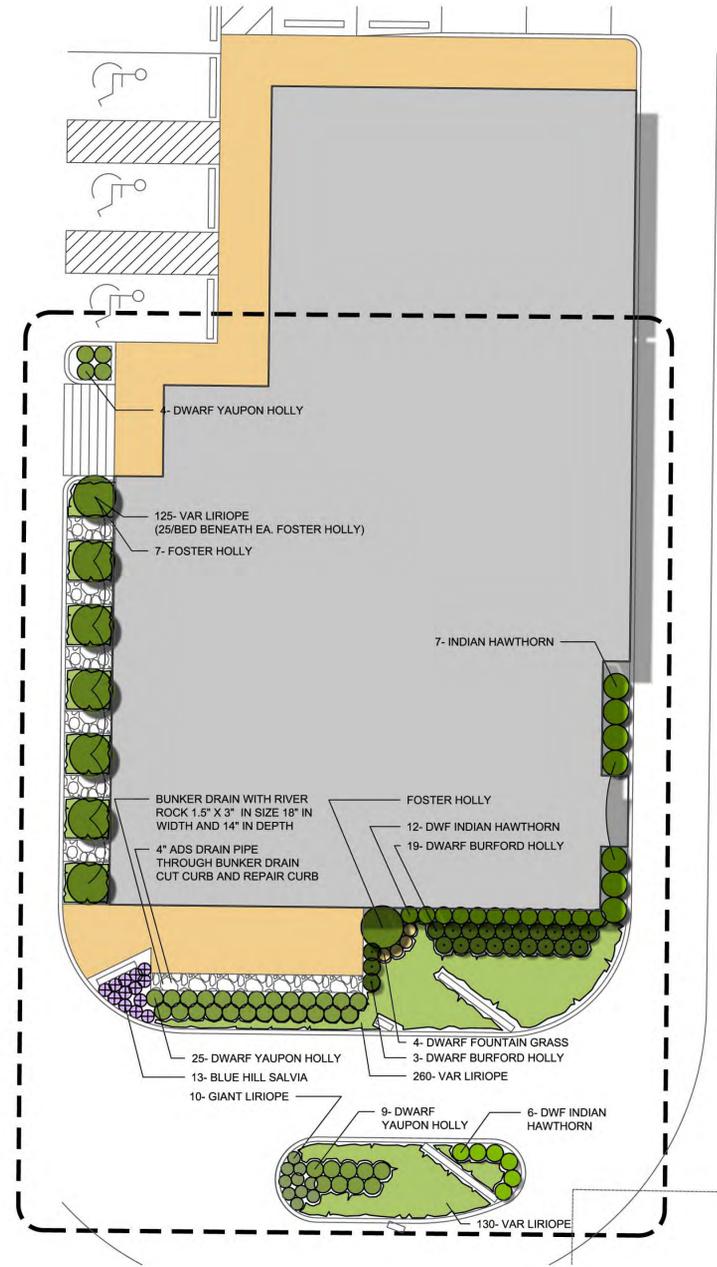
Plot: Sep 12, 2012 - 10:31am shimmlhaver
Last Save: Sep 04, 2012 - 2:33pm
File: E:\1012142.00 braum's murphy\10 CD\10-02 cad\braum's murphy\101 Planting Plan.dwg

West FM 544
vertical with public R.O.W.

FARM TO MARKET ROAD 544



Landscape Plan 0 20' 40'



Enlargement Plan 0 10' 20'



BENNETT ■ BENNER ■ PETTIT
ARCHITECTS + PLANNERS

Braum's Murphy
HWY NO. 544 & BRAND ROAD

12 SEPTEMBER 2012



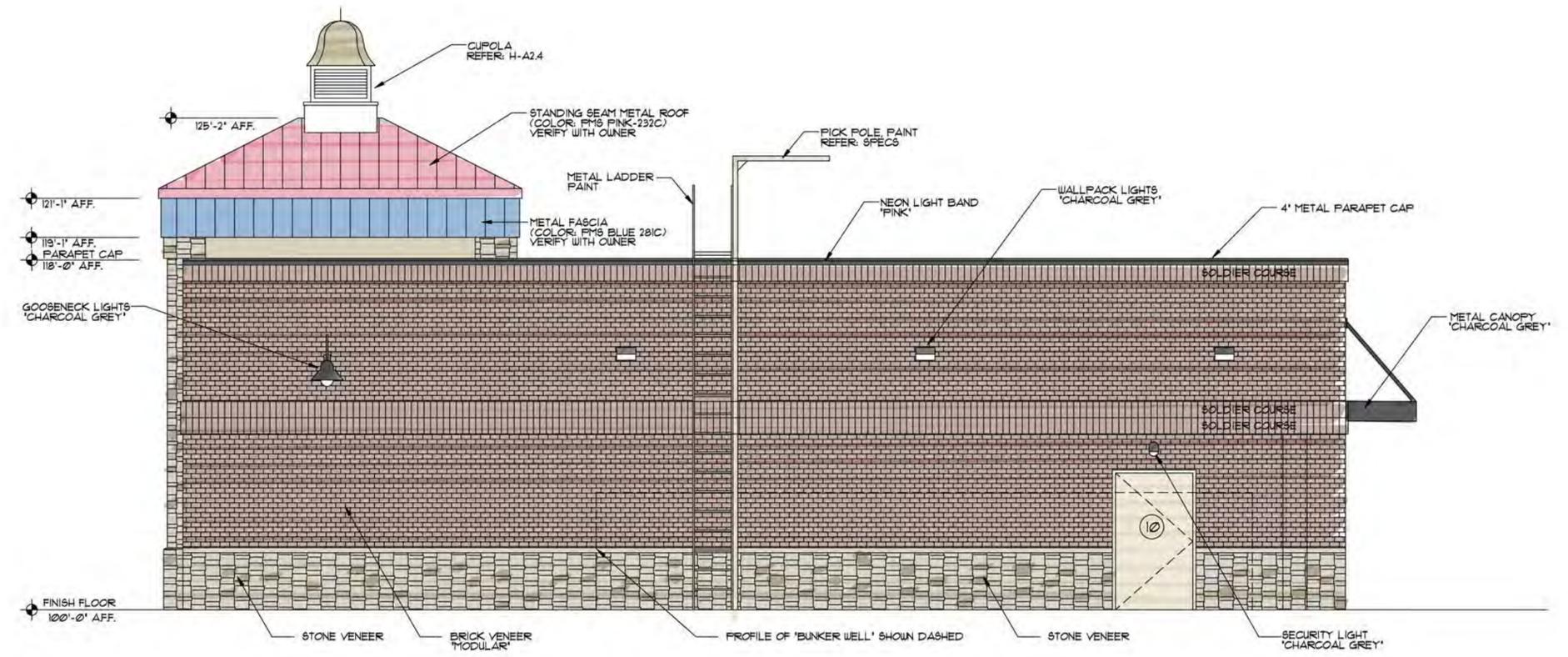
CONSULTANTS

CONSULTANT	DISCIPLINE
WYNNE ENGINEERING	CIVIL
WYNNE ENGINEERING	ELECTRICAL
WYNNE ENGINEERING	MECHANICAL
WYNNE ENGINEERING	STRUCTURAL

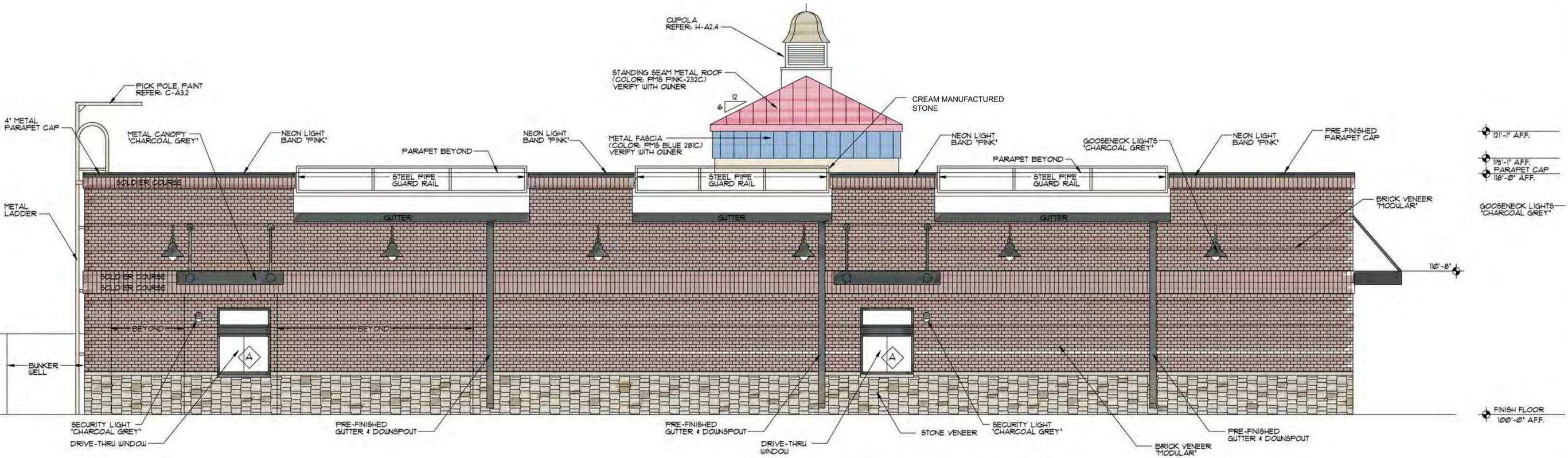
CONTRACTOR	PROJECT NO.	MODEL 'X'
BRAUM'S ICE CREAM AND DAIRY STORES	20233	4981 SGT

DATE	REVISION
JULY 12, 2023	1

REVISION DATE	DESCRIPTION



B EXTERIOR ELEVATION
 1/4" = 1'-0"



A EXTERIOR ELEVATION
 1/4" = 1'-0"

Issue

Consider and/or act on the application of **Mike Horn** requesting approval of a construction plat for 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.

Background

The proposed Construction Plat would allow for the development process of Braum's Ice Cream Store on this site to move forward.

Considerations

1. After thorough staff review and submittal revisions by the applicant, all construction plat requirements have been met.

Staff Recommendation

Staff recommends approval of the proposed Construction Plat as submitted.

Attachments

Construction Plat

Kristen Roberts, Director of Economic and Community Development

Submitted By

Issue

Consider and/or act on the application of **Gary Hadley, developer**, requesting approval of a site plan for IShine Express Car Wash 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.

Background

The applicant has submitted a site plan, building elevation plans and landscape plans for approval that would allow for development of an IShine Express Car Wash on this site.

The subject property is currently undeveloped and is bordered by Orchard Park Assisted Living to the southeast, Brand Road to the west, FM 544 to the north and retail to the east.

The applicant is proposing to build an IShine Express Car Wash on the subject property. The property is currently zoned PD (Planned Development) District No. 09-12-823 for Retail and Office Uses. The PD (Planned Development) District was subsequently amended in 2003 to allow Private School as a permitted use. The PD (Planned Development) District was additionally amended in 2011 to allow an assisted living facility as a permitted use.

Considerations

1. The PD (Planned Development) District No. 09-12-823 allows for a Car Wash (Full Service).
 - a. The Zoning Ordinance does not clearly define full service versus express car wash and individual interpretation varies.
 - b. The Land Use Chart references Full Service Car Wash (Detail Shop) as stated in the Permitted Uses of the Planned Development District. Approximately 60% of IShine revenue is from detailing and in addition to the other full service related options the car wash offers, staff interprets this business to fit within this use category.
2. After thorough staff review and submittal revisions by the applicant, the proposed site plan has met required standards.
3. After thorough staff review and submittal revisions by the applicant, the proposed landscape plan has met requirement standards. Staff requested that the applicant increase the density of their landscaping and that it be strong and sustainable in addition to complimenting the overall development of Murphy Village.
 - a. The landscape architect added materials including 4 trees along north perimeter, 3 trees and 2 shrubs groupings on the east perimeter, and 3 trees south & west of the building.

4. After thorough staff review and submittal revisions by the applicant, the proposed building elevation plan has met requirement standards.

Staff Recommendation

Staff recommends approval of the proposed Site Plan, Landscape Plans and Building Elevation Plans as submitted.

Attachments

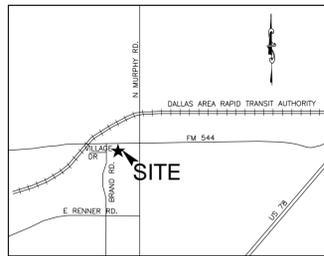
Site Plan

Landscape Plans

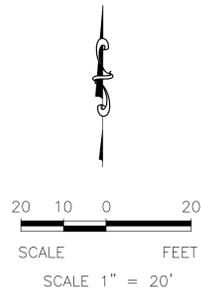
Building Elevation Plans

Kristen Roberts, Director of Economic and Community Development

Submitted By

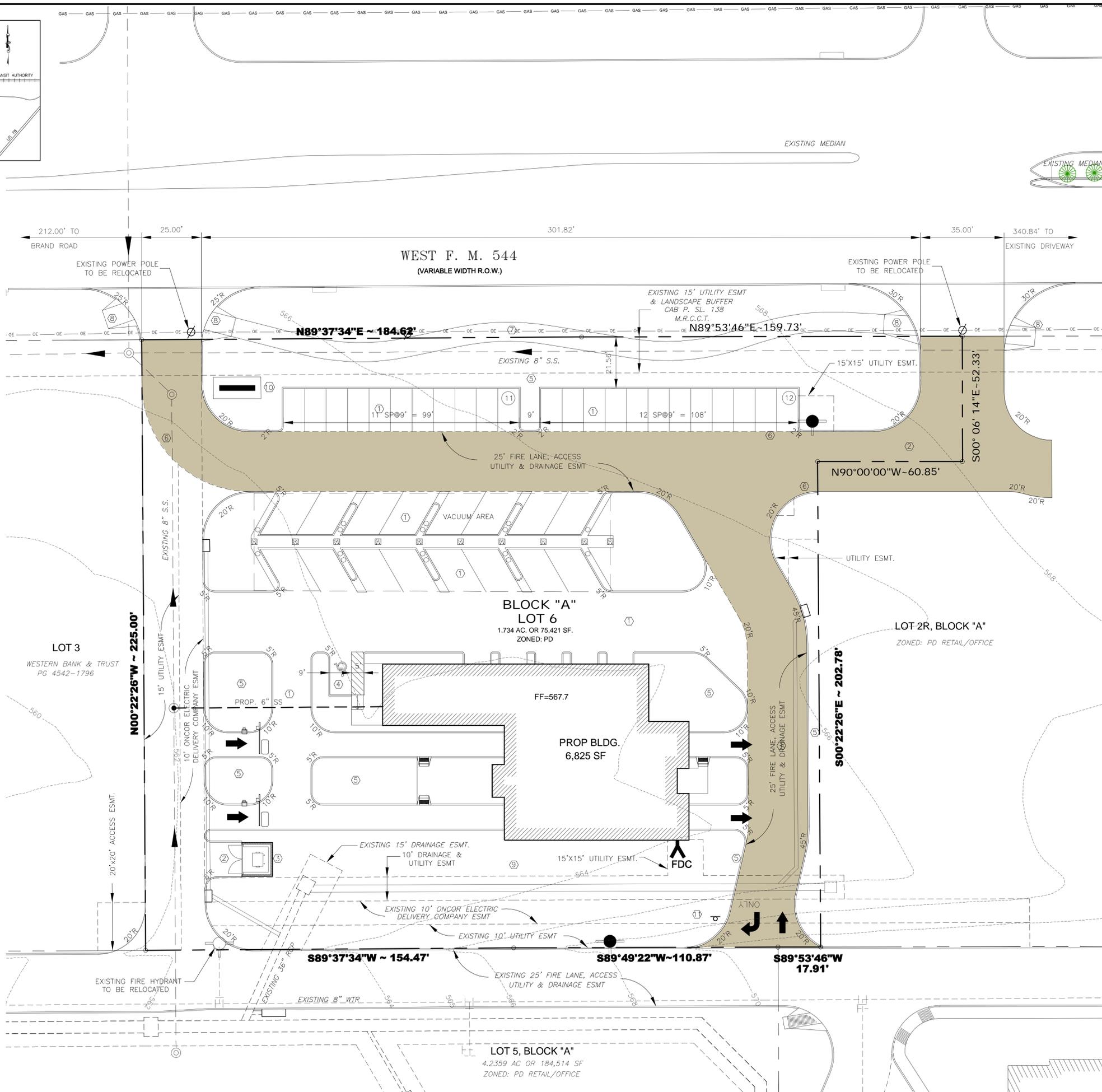


LOCATION MAP
NTS



LEGENDS:

- EXISTING MH
- PROP. MH
- EXISTING FIRE HYDRANT
- PROP. FIRE HYDRANT
- PARKING COUNT
- PROP. FDC



SITE SUMMARY

ZONING	PD-RETAIL/OFFICE
LAND AREA	1.734 S.F. OR 75,421 AC.
BUILDING INFORMATION	
AREA	6,825 SF.
STORY	1
MAX. HEIGHT	26'-2" FT
LOT COVERAGE	9.04%

PARKING ANALYSIS

PARKING SPACES REQUIRED	
1 SP PER BAY	2 SP
PARKING SPACES PROVIDED	
STANDARD PARKING	23 SP
HANDICAPPED PARKING	1 SP
TOTAL PARKING	24 SP

CONSTRUCTION LEGEND & NOTES

- ① 6" - 3,600 PSI. REINFORCE CONCRETE PAVEMENT.
- ② 8" - 3,600 PSI. REINFORCE CONCRETE PAVEMENT.
- ③ CONSTRUCT A SINGLE TRASH ENCL. ON 10" P.C.C. PAD WITH BLOCK WALL TO MATCH BUILDING PER CITY STD.
- ④ PAINT HANDICAP SYMBOL-WHITE ON BLUE BACKGROUND.
- ⑤ LANDSCAPE AREA WITH IRRIGATION SYSTEM. (SEE LANDSCAPE PLAN FOR DETAILS)
- ⑥ PAINT 4" WIDE SOLID STRIPE(RED) WITH "NO PARKING FIRE LANE"(WHITE).
- ⑦ CONSTRUCT 8' SIDEWALK PER CITY STD.
- ⑧ CONSTRUCT P.C.C. RAMP - MAX. SLOPE 8.33% (2% CROSSSLOPE) PER ADA STD. AND TAS STD.
- ⑨ INSTALL FDC PER CITY STANDARD
- ⑩ INSTALL MONUMENT SIGN (BY OTHER, SEPARATE PERMIT)
- ⑪ INSTALL RIGHT TURN ONLY SIGN

NOTES:

1. NO EXISTING TREE ON SITE
2. ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48085C0415J DATE JUNE 2, 2009. THIS PROPERTY LIES IN ZONE X. THIS PROPERTY DOES NOT APPEAR TO LIE WITHIN A 100-YEAR FLOOD PLAIN.

BENCH MARK #1

PK nail found in concrete pavement about 4 foot south of north median nose of Brand Road at intersection with Village Drive.

ELEVATION IN FEET 557.72



PSA ENGINEERING
F-6974

SITE PLAN

LOT 6, BLOCK A
MURPHY VILLAGE ADDITION
CITY OF MURPHY, COLLIN COUNTY, TEXAS

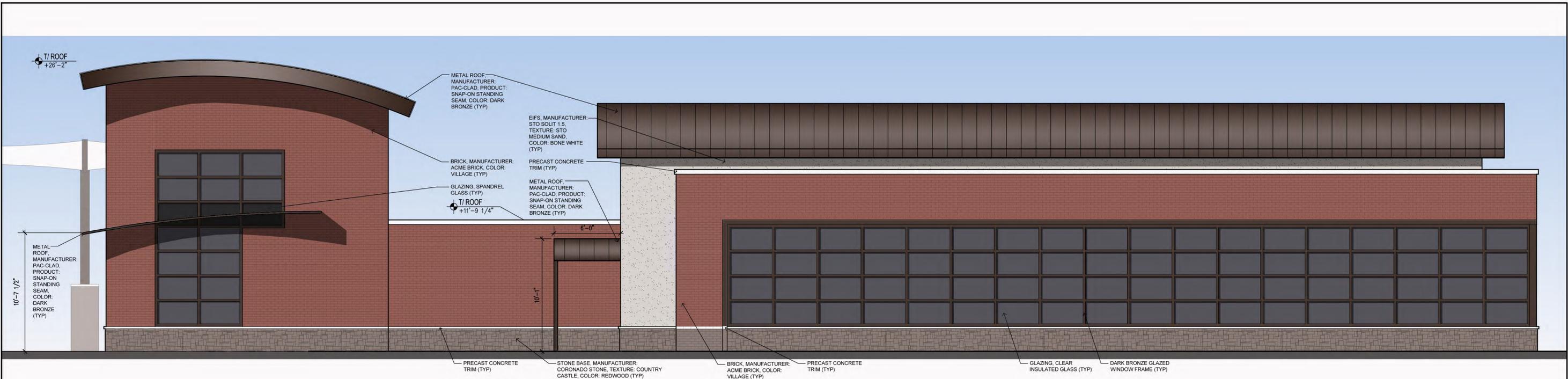
I SHINE CAR WASH

PSA ENGINEERING

17819 DAVENPORT ROAD, SUITE 215 DALLAS, TX 75252 PH (972) 248-9651, FAX (972) 248-9681
T.B.P.E. REGISTRATION # F-6974, T.B.P.L.S. FIRM REGISTRATION # 100433

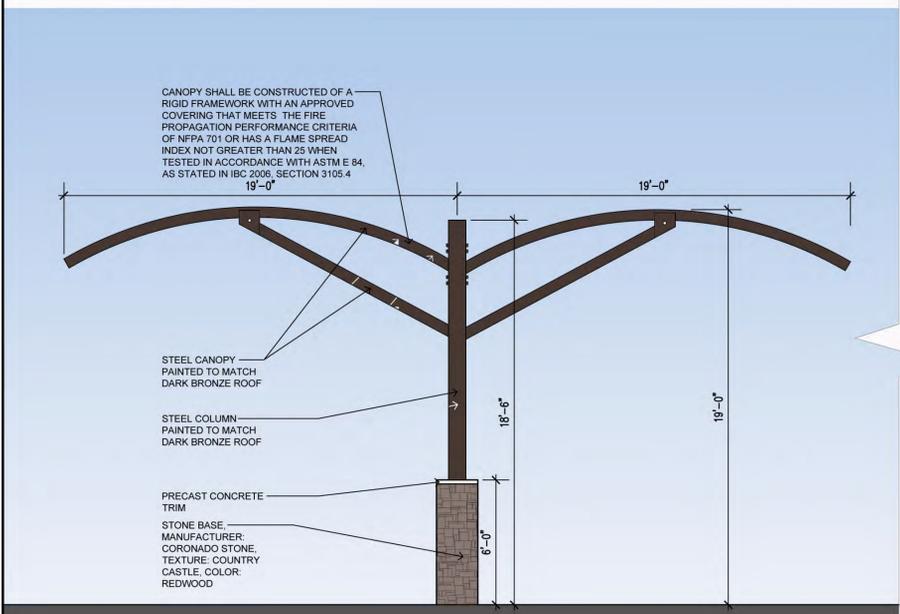
DESIGN	DRAWN	DATE	SCALE	CHECK	FILE	NO.
PSA	PSA	09/17/12	AS SHOWN	PSS	21219.ICM	C-1

Y:\2012\1219 ICM003 C-1 SITE PLAN.dwg



South Elevation

SOUTH ELEVATION BUILDING MATERIALS:
 SQUARE FOOTAGE & % OF BRICK = 910 SF & 34%
 SQUARE FOOTAGE & % OF STONE = 255 SF & 10%
 SQUARE FOOTAGE & % OF METAL = 475 SF & 17%
 SQUARE FOOTAGE & % OF EIFS = 180 SF & 7%
 SQUARE FOOTAGE & % OF PRECAST = 105 SF & 4%
 SQUARE FOOTAGE & % OF GLAZING = 750 SF & 28%
 TOTAL SURFACE AREA OF ELEVATION = 2675 SF



West/Front Elevation



WEST ELEVATION BUILDING MATERIALS:
 SQUARE FOOTAGE & % OF BRICK = 500 SF & 29%
 SQUARE FOOTAGE & % OF STONE = 100 SF & 6%
 SQUARE FOOTAGE & % OF METAL = 400 SF & 25%
 SQUARE FOOTAGE & % OF EIFS = 190 SF & 11%
 SQUARE FOOTAGE & % OF PRECAST = 115 SF & 6%
 SQUARE FOOTAGE & % OF GLAZING = 410 SF & 23%
 TOTAL SURFACE AREA OF ELEVATION = 1730 SF

- GENERAL NOTES:**
1. THIS FACADE PLAN IS FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL OF THE BUILDING INSPECTION DEPARTMENT.
 2. ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW.
 3. WHEN PERMITTED, EXPOSED UTILITY BOXES AND CONDUITS SHALL BE PAINTED TO MATCH THE BUILDING.
 4. ALL SIGNAGE AREA AND LOCATIONS ARE SUBJECT TO APPROVAL BY THE BUILDING INSPECTION DEPARTMENT.
 5. ROOF ACCESS SHALL BE PROVIDED INTERNALLY, UNLESS OTHERWISE PERMITTED BY THE BUILDING OFFICIAL.

NORR
 ARCHITECTS PLANNERS
 Architect:
 NORR Illinois Inc.
 325 N. LA SALLE #700
 CHICAGO, IL 60654
 312.424.2400

STONE
 DEVELOPMENT GROUP, INC.
 Developer:
 Stone Development Group
 1066 Marty Drive
 Hudson, WI 54016
 715.381.8447

Owner:
 Service Franchising, Inc.
 P.O. Box 2818
 Sugar Land, TX 77487-2818
 855.322.1111

Planner/Surveyor/Civil:
 PSA Engineering
 17819 Davenport Rd., Ste. 215
 Dallas, TX 75252
 972.248.9651

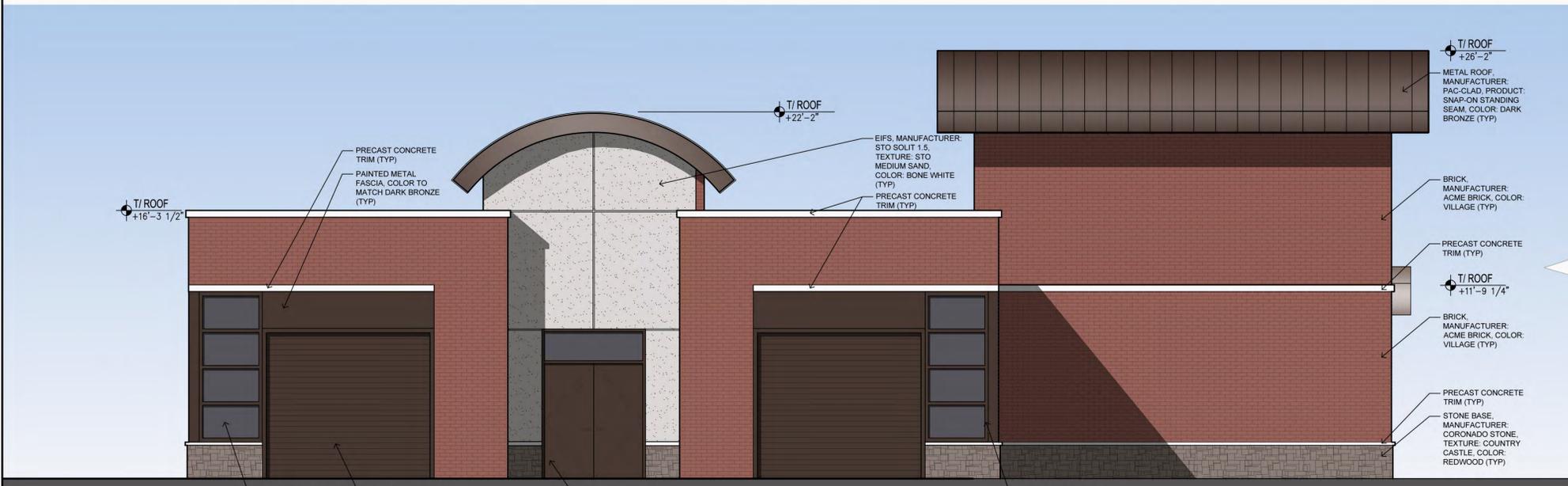
Revised Building Elevations

iShine Car Wash, Murphy, TX
 Block "A", Lot 6, 1.734 AC. or 75,522 SF, Zoned:PD
 Murphy Village Addition
 Scale: 1/4"=1'-0"
 2012.09.06



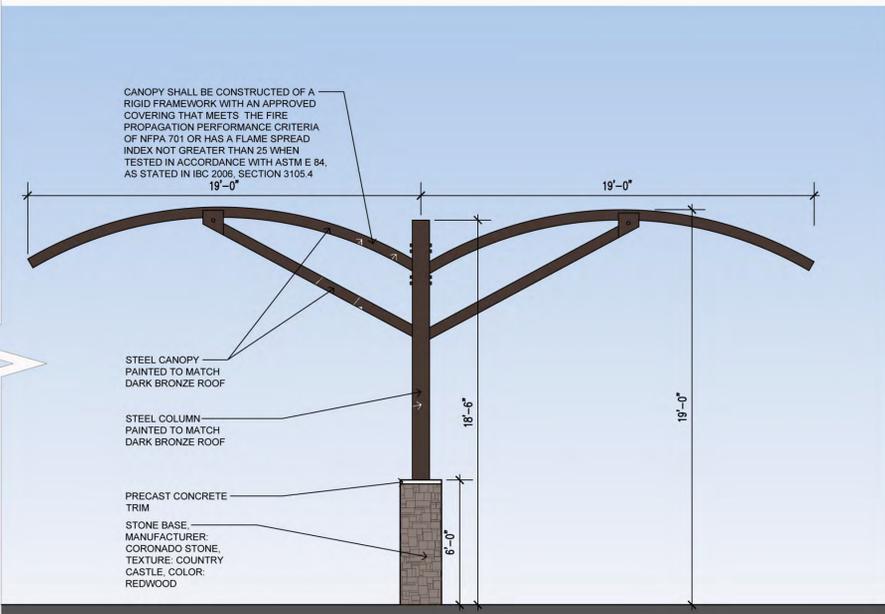
North Elevation

NORTH ELEVATION BUILDING MATERIALS:
 SQUARE FOOTAGE & % OF BRICK = 1220 SF & 45%
 SQUARE FOOTAGE & % OF STONE = 145 SF & 6%
 SQUARE FOOTAGE & % OF METAL = 520 SF & 34%
 SQUARE FOOTAGE & % OF PRECAST = 70 SF & 3%
 SQUARE FOOTAGE & % OF GLAZING = 320 SF & 12%
 TOTAL SURFACE AREA OF ELEVATION = 2675 SF



East Elevation

EAST ELEVATION BUILDING MATERIALS:
 SQUARE FOOTAGE & % OF BRICK = 780 SF & 45%
 SQUARE FOOTAGE & % OF STONE = 480 SF & 28%
 SQUARE FOOTAGE & % OF METAL = 195 SF & 11%
 SQUARE FOOTAGE & % OF EIFS = 170 SF & 10%
 SQUARE FOOTAGE & % OF PRECAST = 25 SF & 1%
 SQUARE FOOTAGE & % OF GLAZING = 70 SF & 5%
 TOTAL SURFACE AREA OF ELEVATION = 1730 SF



- GENERAL NOTES:**
1. THIS FACADE PLAN IS FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL OF THE BUILDING INSPECTION DEPARTMENT.
 2. ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW.
 3. WHEN PERMITTED, EXPOSED UTILITY BOXES AND CONDUITS SHALL BE PAINTED TO MATCH THE BUILDING.
 4. ALL SIGNAGE AREA AND LOCATIONS ARE SUBJECT TO APPROVAL BY THE BUILDING INSPECTION DEPARTMENT.
 5. ROOF ACCESS SHALL BE PROVIDED INTERNALLY, UNLESS OTHERWISE PERMITTED BY THE BUILDING OFFICIAL.

NORR ARCHITECTS PLANNERS
 Architect:
 NORR Illinois Inc.
 325 N. LA SALLE #700
 CHICAGO, IL 60654
 312.424.2400

STONE DEVELOPMENT GROUP, INC.
 Developer:
 Stone Development Group
 1066 Marty Drive
 Hudson, WI 54016
 715.381.8447

Owner:
 Service Franchising, Inc.
 P.O. Box 2818
 Sugar Land, TX 77487-2818
 855.322.1111

Planner/Surveyor/Civil:
 PSA Engineering
 17819 Davenport Rd., Ste. 215
 Dallas, TX 75252
 972.248.9651

Revised Building Elevations

iShine Car Wash, Murphy, TX
 Block "A", Lot 6, 1.734 AC. or 75,522 SF, Zoned:PD
 Murphy Village Addition

Scale: 1/4"=1'-0"
2012.09.06

Issue

Consider and/or act on the application of **Gary Hadley, developer**, requesting approval of a construction plat for IShine Express Car Wash 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.

Background

The proposed Construction Plat would allow for the development process of IShine Express Car Wash on this site to move forward.

Considerations

1. After thorough staff review and submittal revisions by the applicant, all construction plat requirements have been met.

Staff Recommendation

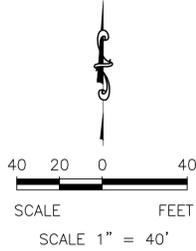
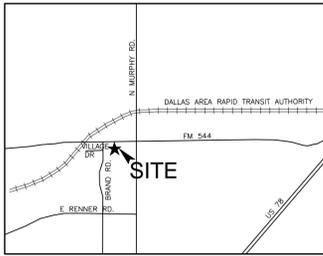
Staff recommends approval of the proposed Construction Plat as submitted.

Attachments

Construction Plat

Kristen Roberts, Director of Economic and Community Development

Submitted By



LIGHT INDUSTRIAL
 JOSH M. TURNER
 5.443 ACRES
 VOL. 4154, PAGE 2488

RETAIL
 ALBERT C. TAFELSKI
 4.9462 ACRES
 VOL. 96, PAGE 88975

LIGHT INDUSTRIAL
 RIO DINERO LTD
 4.6771 ACRES
 VOL. 96, PAGE 70254

WEST F. M. 544
 (VARIABLE WIDTH R.O.W.)

POINT OF BEGINNING

BRAND ROAD
 (110' R.O.W.)

JAMES MAXWELL SURVEY
ABSTRACT NO. 580

LOT 3
 ZONED: PD-R/LC
 WESTERN BANK & TRUST
 DOC#2001-0069379

BLOCK "A"
LOT 6
 1.7314 AC. OR 75,421 SF.
 ZONED: PD

BLOCK "A"
LOT 2R

BLOCK "A"
LOT 4
 ZONED: SUP

STATE OF TEXAS,
COUNTY OF COLLIN,

BEING a tract of land situated in the J. Maxwell Survey, Abstract No. 580, City of Murphy, Collin County, Texas, and being part of Lot 2R called 4.252 acre tract described in a deed to McBirney-544 Joint Venture, Deed records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at the 1/2 inch iron found at the corner of the Northwest corner of this tract, and also being northeast of Lot 3, Western Bank and Trust recorded in Document number 2001-0069379 Deed recorded of Collin County, Texas

THENCE N 89°37'34" E, along the south R.O.W. of F.M. 544 (variable width R.O.W.), a distance of 184.62 feet to a 1/2 inch iron found;

THENCE N 89°53'46" E, along the south R.O.W. of F.M. 544 (variable width R.O.W.), a distance of 159.73 feet to a 5/8 inch iron set;

THENCE S 00°06'14" E, a distance of 52.33 feet to a 5/8 inch iron set with yellow PSA cap for a corner;

THENCE N 90°00'00" W, a distance of 60.85 feet to a 5/8 inch iron set;

THENCE S 00°22'26" E, a distance of 202.78 feet to a 5/8 inch iron set;

THENCE S 89°53'46" W, a distance of 17.91 feet to a 5/8 inch iron found;

THENCE S 89°49'22" W, a distance of 110.87 feet to a 5/8 inch iron found;

THENCE S 89°37'34" W, a distance of 154.47 feet to a 1/2 inch iron found;

THENCE N 00°22'26" W, a distance of 255.00 feet to **POINT OF BEGINNING** and containing 75,421 square feet or 1.7314 acres of land, more or less.

LEGEND

IRS IRON ROD SET (WITH PSA CAP)
 IRF IRON ROD FOUND
 ESMT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That I, Pansak Sribhen, 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.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That _____, acting herein by and through his duly authorized officers, does hereby adopt this plat designating the herein above described property as Lot 6, Block A of MURPHY VILLAGE Addition, an addition to the City of Murphy, Texas, and does hereby dedicate, in a 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 of Murphy. 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 of Murphy's use thereof. The City of Murphy 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 of Murphy 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.

Pansak Sribhen
 Registered Professional Land Surveyor No. 3576

CITY APPROVAL OF CONSTRUCTION PLAT
 Approved for preparation of final plat following construction of all public improvements (or appropriate sureties thereof) necessary for the subdivision shown on this plat

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

Signature of Chairperson _____ Date of Recommendation _____

APPROVED BY: City of Murphy
 City of Murphy, Texas

Signature of Mayor _____ Date of Approval _____

ATTEST:

City Secretary _____ Date _____

LINE	LENGTH	BEARING
L1	17.50'	N89°53'46"E
L2	17.50'	N89°53'46"E

CURVE	DELTA	RADIUS	T	L	CH	CHD
C1	90°06'14"	20.00	20.04	31.45	N44°56'53"E	28.31
C2	89°59'59"	20.00	20.00	31.42	S45°06'14"E	28.28
C3	16°30'38"	44.00	6.38	12.68	N81°51'15"W	12.64
C4	16°24'04"	20.00	2.88	5.73	N81°47'58"W	5.71
C5	89°37'34"	20.00	19.87	31.29	S45°11'13"E	28.19
C6	89°37'34"	45.00	44.71	70.39	S45°11'13"E	63.43
C7	120°22'26"	20.00	34.90	42.02	S29°48'47"W	34.71
C8	59°37'34"	20.00	11.46	20.81	S60°11'13"E	19.89
C9	30°00'00"	45.00	12.06	23.56	S15°22'26"E	23.29
C10	30°00'00"	25.00	6.70	13.09	S15°22'26"E	12.94
C11	24°41'09"	45.00	9.85	19.39	S11°58'08"W	19.24
C12	30°00'00"	20.00	5.36	10.47	S14°37'34"W	10.35
C13	87°43'32"	20.00	19.22	30.62	S19°33'03"E	27.72
C14	47°12'29"	20.00	8.77	16.53	S53°18'18"W	16.06

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."

ACCESS EASEMENTS:

"The undersigned does hereby covenant and agree that the access easement may be utilized by any person or the general public for ingress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for fire department and emergency use in, along, upon and across said premises, with the right and privilege at all times of the City of Murphy, its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon and across said premises."

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: _____

Notary Public in and for the State of Texas

My Commission Expire on _____

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 _____ 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 upon my hand and seal of office, this _____ day of _____, 20__.

My Commission Expire on _____

NOTES:

1. Basis of Bearings:
 All bearings are on the Texas State Plane Coordinate System NAD 83 (1993ad) derived from the monuments as found along the South Right Of Way of F.M. 544 on North line Murphy Village Addition.
 The monuments for reference:
 a.) 1/2" IRF on northwest corner of Lot 3, Block A, Western Bank & Trust Doc. number 2001-0069379, M.R.C.C.T.
 b.) "X" cut found on northeast corner Lot 2, Block A, McBirney-544 Joint Venture, Murphy Village Addition, Doc. number 2003-0207485, M.R.C.C.T.
 c.) 1/2" IRF on northeast corner Lot 1, Block B, McBirney-544 Joint Venture, Murphy Village Addition, Doc. number 2003-0207485, M.R.C.C.T.

2. 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.

3. Subject property is shown on the National Flood Insurance Program Flood Insurance Rate Map for Collin County, Texas, Map No. 48085C0415J, Panel 415 of 600, effective date: June 2, 2009. All of the subject property is not shown to be located in the flood plain area.

CONSTRUCTION PLAT
MURPHY VILLAGE ADDITION
LOT 6, BLOCK "A"
1.7314 ACRES TRACT
 BEING A REPAT OF BLOCK A, LOT 2R- MURPHY VILLAGE ADDITION
 AN ADDITION TO THE CITY OF MURPHY, TEXAS
 AS RECORDED IN DOCUMENT NUMBER 2001-00069379
 OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS

SITUATED IN THE
JAMES MAXWELL SURVEY, ABSTRACT NO. 580
 CITY OF MURPHY, COLLIN COUNTY, TEXAS

SEPTEMBER 17, 2012
 VOL. _____, PAGE _____

OWNER:
 MCBIRNEY-544 JOINT VENTURE
 6801 GAYLORD PKWY
 SUITE 200
 FRISCO, TX 75034
 (214) 618-9900

PREPARED BY:

 17819 DAVENPORT ROAD, SUITE 215
 DALLAS, TEXAS 75252
 (972) 248-9651 FAX (972) 248-9681
 TX T.B.P.E. REGISTRATION # F-006974
 T.B.P.L.S. FIRM REGISTRATION # 100433

SCALE: 1" = 40'