



MURPHY PLANNING AND ZONING COMMISSION AGENDA  
REGULAR PLANNING AND ZONING COMMISSION MEETING  
AUGUST 25, 2014 AT 6:00 PM, CITY HALL, COUNCIL CHAMBERS  
206 NORTH MURPHY ROAD  
MURPHY, TEXAS 75094

NOTICE is hereby given of a meeting of the Planning and Zoning Commission of the City of Murphy, Collin County, State of Texas, to be held on August 25, 2014 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

SEAT ALTERNATES AS NEEDED

PUBLIC COMMENTS

INDIVIDUAL CONSIDERATION

1. Approval of the Minutes from May 19, 2014 regular meeting.
2. Consider and/or act on the application of McBirney 544 Joint Venture requesting approval of a site plan, landscape plan, building elevations, signage and construction plat for The Learning Experience on property zoned PD 09-12-823.
3. Hold a public hearing and consider and/or act on the application of Allen Tari requesting a variance to sign requirements as stated in the Code of Ordinances Section 28-22, Monument Signs-Business Districts, for a sign at the business known as Tari Car Lot, located at 729 W. FM 544.

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 August 22, 2014 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 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 Interim City Secretary at (972) 468-4011 or [tjohnson@murphytx.org](mailto:tjohnson@murphytx.org).

Steve Levy  
Chair

Jon King  
Vice Chair

Ty Holcomb  
Secretary

Camille Hooper  
Commissioner

John Johnson  
Commissioner

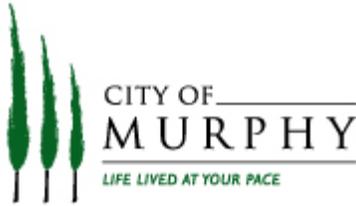
Eric Hemphill  
Commissioner

Matthew Thekkil  
Commissioner

Greg Mersch  
Alternate

Lloyd Jones  
Alternate

Kristen Roberts  
Director of Community  
Development



Murphy Planning and Zoning Commission Regular Meeting Minutes  
206 North Murphy Road  
Murphy, Texas 75094  
May 19, 2014

**CALL TO ORDER**

Chairman Levy called the meeting to order at 6:02 p.m.

**ROLL CALL & CERTIFICATION OF A QUORUM**

Commissioners Present: Steve Levy, Jon King, Ty Holcomb, Eric Hemphill, Camille Hooper and Lloyd Jones

Commissioners Absent: Matthew Thekkil and John Johnson

City Staff Present: James Fisher, City Manager  
Lori C. Knight, Administrative Assistant

Lori C. Knight certified a quorum.

**SEAT ALTERNATE**

Alternate Lloyd Jones was seated as a Commissioner.

**INDIVIDUAL CONSIDERATION**

1. Approval of the Minutes from the March 24, 2014 and April 22, 2014 meetings.

**Commission Action**

Commissioner Hooper stated that the minutes for April 22, 2014 were incorrect in which Commissioners were present and absent from the meeting. Commissioner Hooper made a motion to approve the minutes from both meetings with the exception that attendees were corrected for the April 22<sup>nd</sup> meeting. Vice Chair King seconded the motion. Motion passes.

2. Hold a public hearing and consider and/or act on the application of Allen & Loucks Venture, LP requesting to amend Ordinance No. 08-10-767 for approval of revising the existing SUP (Specific Use Permit) to allow for a Smoothie King drive-thru on property located at 277 E. FM 544.

**Staff Discussion**

James Fisher, City Manager, stated that in 2008, Planning and Zoning and City Council approved a Special Use Permit for a drive thru for a Saxby's Coffee.

**PUBLIC HEARING OPENED AT 6:08 P.M.**

**PUBLIC HEARING CLOSED AT 6:08 P.M.**

**Commission Action**

Commissioner Hemphill made a motion to approve the application of Allen & Loucks Venture, LP requesting to amend Ordinance No. 08-10-767 for approval of revising the existing SUP (Specific Use Permit) to allow for a Smoothie King drive-thru. Secretary Holcomb seconded the motion. Motion passes unanimously.

**ADJOURNMENT**

With no other business before the Commission, Chairman Levy adjourned the meeting at 6:08 P.M.

**APPROVED:**

\_\_\_\_\_  
Ty Holcomb, Secretary

Attest:

\_\_\_\_\_  
Secretary

**Issue**

Consider and/or act on the application of McBirney 544 Joint Venture requesting approval of a site plan, landscape plan, building elevations, signage and construction plat for The Learning Experience on property zoned PD 09-12-823.

**Summary**

The applicant submitted a site plan, building elevation plans, landscape plans, and construction plat for approval that would allow for development of The Learning Experience. The Learning Experience is a daycare facility for children six weeks to six years old, and is intended to provide high quality daycare facility for children, where children can learn while playing.

- The facility would be approximately 10,000 square feet with an additional area for the playground of approximately 5,100 square feet.
- The property is zoned PD 09-12-823.
- The proposed daycare facility is a permitted use as noted in the Planned Development District section VI. Specific Regulations, A. Permitted Uses, 17. Child Care Center, Kindergarten, or Pre-School.

**Considerations**

**Site Plan**

The proposed site plan has been reviewed by staff and meets the requirements as set forth by the Planned Development District and the Code of Ordinances including:

*Parking* – The parking ratio as specified in Section 86-706(17) of the City of Murphy Code of Ordinances is one space per ten pupils, plus one space per teacher, plus one space for each bus or van stored on the property. At this ratio, 40 parking spaces are required and 40 parking spaces are provided. This factors 19 spaces for 195 students and 20 spaces for 20 teachers and 1 space for a bus.

*Setbacks* – All building setbacks as detailed within the Planned Development District have been met on this site; including building setbacks from Brand and Village Roads (40' minimum), side property lines (10' minimum) and the abutting residential district (50' minimum).

*Sidewalks* – Sidewalks along Brand Road and Village Road shall be 6 feet in width. There is an existing 6 foot sidewalk along Brand Road adjacent to this development. The current sidewalk along Village Road is five feet wide and with this development will be widened to the required 6 feet and is shown on the site plan. This Planned Development District requirement has been met.

*Height regulations* - Maximum height regulations are as follows: three stories or 45 feet for the main building, except maximum height shall be 25 feet for any portion of a building that is located within 100 feet of a residential zoning district. This site plan shows a building height of 24'6" and is within the allowed height requirements.

### **Building Elevations**

The proposed building elevation and materials meet requirements as set forth by the Planned Development District including:

- The use of at least two masonry materials in addition to glass is required and provided and the materials used are acceptable based on the City of Murphy Code of Ordinances exterior construction and design material standards and within the Planned Development District Ordinance.
- As stated above, the maximum height shall be 25 feet for any portion of a building that is located within 100 feet of a residential zoning district. This building elevation as presented shows a building height of 24'6" and is within the allowed height requirements.

### **Landscape Plan**

The proposed landscape and materials used have met requirement standards including landscape setbacks as detailed within the Planned Development District.

The development is in general conformance with the approved Concept Plan for this Planned Development District. All additional comments and necessary revisions as required by Fire Department staff and development staff have been addressed as it relates to the site plan.

### **Construction Plat**

The construction plat meets requirements (see notations below).

### **Additional Considerations for Notation**

After public improvements have been completed and accepted by the City of Murphy, a re-plat of a final plat will be submitted for approval to allow for two separate tracts on record; this property to be developed by way of this consideration item and the property to the west.

Prior to any signage installation, the sign plans for the building and on the site will be submitted to Customer Service, go through standard staff review to ensure compliance with the Sign Ordinance and will be permitted separately after staff approved.

Copies of the SWPPP, NOI and trench safety plan shall be on file at the City prior to construction.

### **Staff Recommendation**

Staff recommends approval of the site plan, landscape plan, building elevations, and construction plat as submitted with the considerations as noted in this agenda item.

**Attachments**

Site Plan

Building Elevations

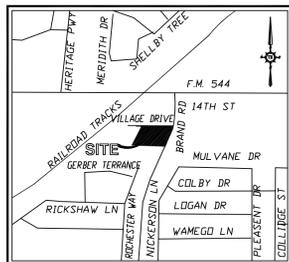
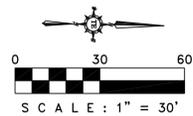
Landscape Plan

Construction Plat

PD 09-12-783

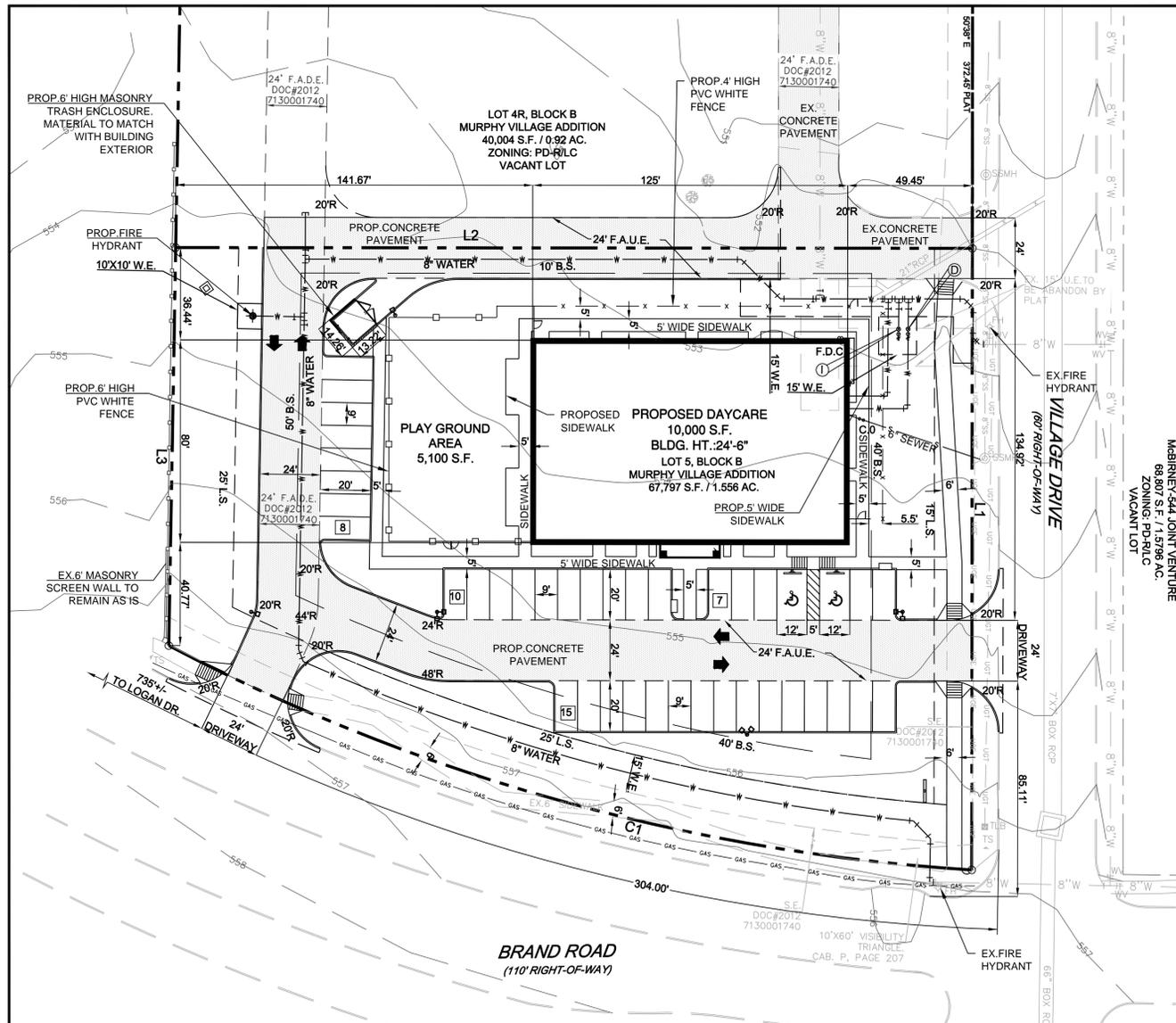
# THE LEARNING EXPERIENCE SITE DEVELOPMENT PLANS

LOT 5, BLOCK "B", MURPHY VILLAGE ADDITION  
CITY OF MURPHY  
COLLIN COUNTY, TEXAS



### LEGEND

EX. BOUNDARY	---
EX. CURB	---
EX. WATER MAIN	W
EX. SANITARY SEWER	8"SS
EX. SEWER MANHOLE	SSMH
EX. CLEAN OUT	C.O.
EX. UNDER GROUND ELECTRIC	UGE
EX. POWER POLE	PP
EX. STORM SEWER	24" RCP
EX. FIRE HYDRANT	FH
EX. STORM INLET	HW
EX. FENCE	X
EX. WATER METER	WM
EX. TREE	TR
EX. TELEPHONE	TLB
EX. TELEPHONE PEDESTAL	TLB
EX. FIBER OPTIC RISER	FO
EX. GAS LINE	GAS
EX. CROSS GAS METER	GM
EX. TRAFFIC SIGNS	SIGN
EX. TRAFFIC SIGN POLE	TP
EX. UNDER GROUND TELEPHONE	UGT
EX. POWER POLE	PP
EX. GUY WIRE	GUY
BOUNDARY LINE	---
PROP. CURB	---
PROP. SAW-CUT	---
PROP. AREA LIGHT	AL
PROP. HANDICAP SIGN	HS
PROP. HANDICAP LOGO	HL
PROP. CONCRETE WHEEL STOP	CS
PROP. MONUMENT/POLE SIGN	MS
PIPE BOLLARD	BP
PROP. WATER METER	WM
PROP. STORM INLET	SI
PROP. SEWER CLEAN OUT	C.O.
PROP. BACK FLOW PREVENTER	BFP
PROP. WATER LINE	W
PROP. SEWER LINE	S
PROP. FIRE HYDRANT	FH
PROP. FIRE HYDRANT	FH



### GENERAL NOTES

- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE STANDARDS OF THE CITY OF MURPHY.
  - A PERMIT IS REQUIRED TO CUT A CITY STREET OR WORK WITHIN THE RIGHT-OF-WAY. THIS PERMIT IS ISSUED BY THE CITY OF MURPHY.
  - THE LOCATION OF UNDERGROUND UTILITIES INDICATED ON THE PLANS IS TAKEN FROM PUBLIC RECORDS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAKE ARRANGEMENTS WITH THE OWNERS OF SUCH UNDERGROUND UTILITIES PRIOR TO WORKING IN THE AREA TO CONFIRM THEIR EXACT LOCATION AND TO DETERMINE WHETHER ANY ADDITIONAL UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UNDERGROUND UTILITIES. IF EXISTING UNDERGROUND UTILITIES ARE DAMAGED, THE CONTRACTOR WILL BE RESPONSIBLE FOR THE COST OF REPAIRING THE UTILITY.
- | UNDERGROUND FACILITY OWNER      | TELEPHONE NUMBER |
|---------------------------------|------------------|
| CITY OF MURPHY WATER DEPARTMENT | 972-468-4024     |
| AT&T                            | 800-362-9689     |
| DIGTASS (LINE LOCATES)          | 800-344-8377     |
- WHERE EXISTING UTILITIES OR SERVICE LINES ARE CUT, BROKEN OR DAMAGED, THE CONTRACTOR SHALL REPLACE OR REPAIR THE UTILITIES OR SERVICE LINES WITH THE SAME TYPE OF ORIGINAL MATERIAL AND CONSTRUCTION OR BETTER, UNLESS OTHERWISE SHOWN OR NOTED ON THE PLANS, AT HIS OWN COST AND EXPENSE. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER AT ONCE OF ANY CONFLICTS IN GRADES AND ALIGNMENT.
  - ALL EXCAVATIONS, TRENCHING AND SHORING OPERATIONS SHALL COMPLY WITH THE REQUIREMENTS OF THE U. S. DEPARTMENT OF LABOR, OSHA, "CONST. SAFETY AND HEALTH REGULATIONS.", VOL. 29, SUBPART P, PG. 128 - 137, AND ANY AMENDMENTS THERETO.
  - ADEQUATE MEASURES SHALL BE TAKEN TO PREVENT EROSION. IN THE EVENT THAT SIGNIFICANT EROSION OCCURS AS A RESULT OF CONSTRUCTION THE CONTRACTOR SHALL RESTORE THE ERODED AREA TO ORIGINAL CONDITION OR BETTER.
  - THE CONTRACTOR SHALL RESTORE ALL AREAS DISTURBED BY CONSTRUCTION TO ORIGINAL CONDITION OR BETTER. RESTORED AREAS INCLUDE, BUT ARE NOT LIMITED TO TRENCH BACKFILL, SIDE SLOPES, FENCES, CULVERT PIPES, DRAINAGE DITCHES, DRIVEWAYS, PRIVATE YARDS AND ROADWAYS.
  - ANY CHANGES NEEDED AFTER CONSTRUCTION PLANS HAVE BEEN RELEASED, SHALL BE APPROVED BY THE CITY ENGINEER. THESE CHANGES MUST BE RECEIVED IN WRITING FROM THE FROM THE DESIGN ENGINEER. THE CITY STAFF SHALL APPROVE ANY DEVIATIONS FROM STATE REGULATIONS.
  - THE CONTRACTOR SHALL PROVIDE "RED LINED" MARKED PRINTS TO THE ENGINEER PRIOR TO FINAL INSPECTION INDICATING ALL CONSTRUCTION WHICH DEVIATED FROM THE PLANS OR WAS CONSTRUCTED IN ADDITION TO THAT INDICATED ON THE PLANS.

### SITE DATA SUMMARY CHART

NUMBER OF LOTS	1
EXISTING ZONING	PD-R/LC
PROPOSED ZONING	PD-R/LC
PROPOSED USE	DAY CARE
GROSS ACREAGE	1.556 ACRES OR 67,797 SQ.FT
PROPOSED BLDG. AREAS	10,000 SQ.FT.
PROPOSED BLDG. HEIGHT	24'-6"
REQUIRED PARKING SPACES (1 SPACE PER 10 STUDENT + 1 SPACE PER TEACHER + 1 SPACE FOR BUS)	40
PROVIDED PARKING SPACES (19 SPACES FOR 195 STUDENT + 20 SPACES FOR 20 TEACHERS + 1 SPACE FOR BUS)	40
PERCENTAGE OF SITE COVERAGE	14.75%
IMPERVIOUS COVERAGE	37,614 S.F. OR 55.48%
OPEN SPACE/LANDSCAPE AREA	30,183 S.F. OR 44.52%

OWNER McBIRNEY-544 JOINT VENTURE 6059 LEBANON ROAD SUITE 212 FRISCO, TEXAS 75034 CONTACT: MICHAEL HORN TEL: (214) 618-9900	SURVEYOR PSA ENGINEERING T.B.P.L.S. FIRM # 100433 17819 DEVENPORT ROAD DALLAS, TX 75252 CONTACT: PENN TEL: (972) 248-9681
ENGINEER TRIANGLE ENGINEERING LLC T.B.P.E. FIRM # 11525 1503 ASTORIA DRIVE ALLEN, TEXAS 75013 CONTACT: KARTAVYA PATEL,P.E. TEL: (214) 618-9900	ARCHITECT LIMA ARCHITECTS,LLC 4855 TECHNOLOGY WAY SUITE 700 BOCA RATON, FL 33431 CONTACT: OCTAVIO S.LIMA TEL: (954) 778-3250

#### BOUNDARY LINE DATA

LINE NO.	BEARING	DISTANCE
L1	N 88°50'38" E	245.48'
L2	N 01°09'22" W	316.12'
L3	S 89°47'18" W	157.24'

#### WATER METER & SANITARY SEWER SCHEDULE

ID	TYPE	SIZE	NO.	SAN. SEW.
D	DOM.	2"	1	6"
I	IRR.	1"	N/A	N/A

#### CURVE DATA

CURVE NO.	CHORD BEARING	S 14°19'22" W
C1	CHORD DISTANCE	N 01°09'22" W
	DELTA	24°00'35"
	RADIUS	795.00'
	LENGTH	333.14'

### LEGEND

UTILITY EASEMENT	U.E.
SANITARY SEWER EASEMENT	S.S.E.
DRAINAGE EASEMENT	D.E.
WATERLINE EASEMENT	W.E.
FIRE LANE, ACCESS & DRAINAGE ESMT.	F.A.D.E.
FIRE LANE, ACCESS & UTILITY ESMT.	F.A.U.E.
SIDEWALK EASEMENT	S.E.
CLEAN OUT	C.O.
GAS METER	GM
ELECTRICAL TRANSFORMER	ET
FIRE HYDRANT	FH
SANITARY SEWER MANHOLE	SSMH
STORM SEWER MANHOLE	STMMH
BUILDING SET BACK	B.S.
LANDSCAPE SETBACK	L.S.
FIRE DEPARTMENT CONNECTION	F.D.C.
TELEPHONE BOX	TLB
WATER VALVE	WV
TRAFFIC SIGN	TS

**TRIANGLE ENGINEERING,LLC.**  
TX PE FIRM # 11525  
1503 ASTORIA DRIVE, ALLEN, TX 75013  
PHONE: 214-605-9271

No.	DATE	DESCRIPTION
1	06/18/2014	1ST CITY SUBMITTAL
2	07/11/2014	2ND CITY SUBMITTAL
3	08/11/2014	3RD CITY SUBMITTAL



THE LEARNING EXPERIENCE  
SWC OF VILLAGE DRIVE &  
BRAND ROAD  
CITY OF MURPHY, TEXAS

SHEET #	3
REVISION #	

**SITE PLAN**  
**MURPHY VILLAGE ADDITION,**  
**BLOCK B, LOT 5**  
1.556 ACRES OUT OF  
JAMES MAXWELL SURVEY, ABSTRACT NO.580  
CITY OF MURPHY, COLLIN COUNTY, TEXAS  
DATE:07/24/2014



**1 REAR ELEVATION (WEST)**  
3/16"=1'-0"

ELEVATION MATERIALS		
MATERIAL	AREA	%
STUCCO	425	11.5%
BRICK	2,266	61.9%
STONE	970	26.6%
TOTAL	3,661	100 %



**2 LEFT ELEVATION (SOUTH)**  
3/16"=1'-0"

**ELEVATION KEYNOTES**

NOTE	DESCRIPTION	COLOR FINISH / REMARKS	NOTE	DESCRIPTION	COLOR FINISH / REMARKS	NOTE	DESCRIPTION	COLOR FINISH / REMARKS	NOTE	DESCRIPTION	COLOR FINISH / REMARKS	NOTE	DESCRIPTION	COLOR FINISH / REMARKS
1	BRICK VENEER	COLOR: WIRE-CUT RED (4-212) STYLE: FACEBRICK PATTERN: RUNNING BOND MANUFAC: LAWRENCEVILLE BRICK Thickness: 3" min.	6	VINYL FASCIA	COLOR: WHITE MANUFAC: PLASTICLAD	12	EXTERIOR LIGHT FIXTURE	COLOR: WHITE NO. LAREDO SERIES MANUFAC: HUBBELL	18	6' HIGH PVC FENCE	REFER TO SHEET C-1			
1a	STONE VENEER	Thickness: 3 5/8" min.	7	ASPHALT SHINGLES	COLOR: BISCAYNE BLUE STYLE: GAF - TIMBERLINE HD- LIFETIME MANUFAC: GAF	13	FIXED ALUM. FRAME WINDOW	MANUFAC: SILVERLINE WINDOWS VINYL CLAD REFER TO SHEET A-12.2	19	FABRIC AWNING W/ALUM. FRAME	COLOR: BLUE MANUFAC: HUDSON AWNING & SIGN CO. SEE REQUIRED VENDOR			
2	BRICK VENEER (ACCENT)	COLOR: OXFORD ROSE (4-328) STYLE: FACEBRICK PATTERN: SOLDIER MANUFAC: LAWRENCEVILLE BRICK	8	RIDGE VENT		14	METAL FRAME DOORS	WITH GLASS WITH INTERNAL MINI-BLINDS WHERE NOTED REFER TO SHEET A-12.1	20	T.L.E. SIGNAGE (ILLUMINATED)	REFER TO SHEET C-2 SEE REQUIRED VENDOR			
3	STUCCO VENEER	COLOR: SANDSTONE BIEGE TEXTURE: SMOOTH MANUFAC: BENJAMIN MOORE	9	GUTTER	6" TYPE K ALUMINUM GUTTER WITH LEAF SCREEN	15	STOREFRONT ALUM. FRAME DOORS	MANUFAC: KAWNEER REFER TO SHEET A-12.1	21	T.L.E. SIGNAGE (ALPHABET BLOCKS)	REFER TO SHEET A-14.1 SEE REQUIRED VENDOR			
4	VINYL FREEZE BOARD	COLOR: WHITE SIZE: 6" MANUFAC: PLASTICLAD	10	DOWNSPOUT	CONNECT TO UNDERGROUND DRAINAGE	16	METAL FRAME DOORS	REFER TO SHEET A-12.1	22	COLUMN	8 1/2" COL. WRAPPED W/ SQUARE VINYL PVC TUBE NON-TAPERED ECONOMY PLAN TO MATCH FENCE. REFER TO SHEET C-1 SEE REQUIRED AWNING VENDOR			
5	N/A		11	DECORATIVE LOUVER W/FLAT TRIM	COLOR: WHITE PRODUCT: RLV24X4F 24" DIA. - 3-1/2" TRIM MANUFAC: PYPON	17	4' HIGH FENCE	REFER TO SHEET C-1	23	EXTERIOR WATER FOUNTAIN	REFER TO SPECS			

NOTE:  
"THE LEARNING EXPERIENCE" LOGO SIGN AND "MAKE BELIEVE BOULEVARD" NEON SIGN ARE TO BE BY REQUIRED VENDOR. NO SUBSTITUTIONS ALLOWED.  
A&F SIGN COMPANY  
28 East Railway Ave., Paterson, NJ 07503  
Attn: Frank Ferucci Jr. Ph. (973) 278-3707 Fax: (973) 278-8337  
PLAYGROUND AWNINGS TO BE PROVIDED AND INSTALLED BY REQUIRED VENDOR. NO SUBSTITUTIONS ALLOWED.  
HUDSON AWNINGS & SIGN CO.  
27 Cottage St., Bayonne, NJ 07002  
Attn: Ed Burak  
Ph. (800) 624-1012



**1 FRONT ELEVATION (WEST)**  
3/16"=1'-0"



**2 RIGHT ELEVATION (SOUTH)**  
3/16"=1'-0"

ELEVATION MATERIALS		
MATERIAL	AREA	%
STUCCO	425	11.5%
BRICK	2,266	61.9%
STONE	970	26.6%
TOTAL	3,661	100 %

ELEVATION KEYNOTES														
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5	N/A		11	DECORATIVE LOUVER W/ FLAT TRIM	COLOR: WHITE PRODUCT: RL24X4F 24" DIA. - 3-1/2" TRIM MANUFAC: PYPON	17	4' HIGH FENCE	REFER TO SHEET C-1	23	EXTERIOR WATER FOUNTAIN	REFER TO SPECS			

**LIMA ARCHITECTS**  
RAFFAELLE F. GRECO  
LICENSE NO. 15661  
4855 TECHNOLOGY WAY  
SUITE 100  
BOCA RATON, FL 33431  
PHONE: 561-856-6400  
FAX: 561-491-6800

PROPOSED DAYCARE:  
**THE LEARNING EXPERIENCE**  
SW CORNER OF VILLAGE DRIVE & BRAND ROAD  
MURPHY, TEXAS

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SEAL  
PRELIMINARY 06-17-14

REVISIONS  
JOB NO.:

DATE: 07-10-14  
DRAWN BY: STAFF  
CHECKED BY: OSL  
APPROVED BY: OSL

BUILDING ELEVATIONS  
SHEET NO.

**A-5.1**

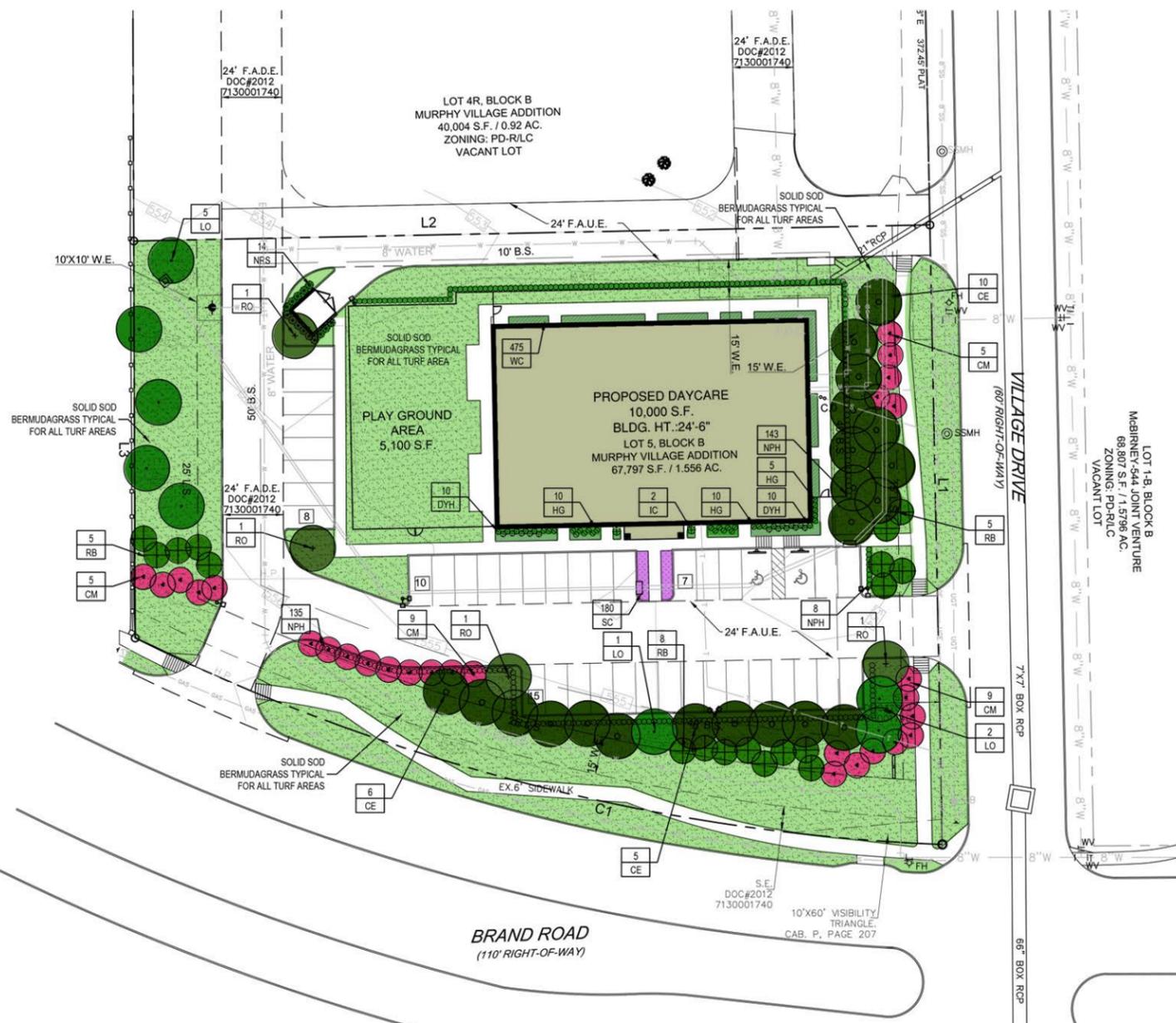
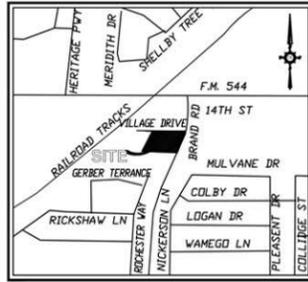
# **ELEVATION MATERIALS**

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BRICK	2,266	61.9%
STONE	970	26.6%
TOTAL	3,661	100 %

# THE LEARNING EXPERIENCE SITE DEVELOPMENT PLANS

LOT 5, BLOCK "B", MURPHY VILLAGE ADDITION

CITY OF MURPHY  
COLLIN COUNTY, TEXAS



LINE NO.	BEARING	DISTANCE
L1	N 88°50'38" E	245.48'
L2	N 01°09'22" W	316.12'
L3	S 89°47'18" W	157.24'

CURVE NO.	CHORD BEARING	CHORD DISTANCE	DELTA	RADIUS	LENGTH
C1	S 14°19'22" W	N 01°09'22" W	24°00'58"	795.00'	333.14'

ID	TYPE	SIZE	NO.	SAN. SEW.
(D)	DOM.	2"	1	6"
(I)	IRR.	1"	N/A	N/A

**LANDSCAPE TABULATIONS**  
 LOT AREA (67,797 s.f.)  
 Requirements: 20% of lot to be landscape area  
 Required: 13,559 s.f. Provided: 26,972 s.f.  
**FRONT BUFFER LANDSCAPE:**  
 Requirements: (2) large shade trees and (4) ornamentals, 2' cal. or 7' ht. per 50' of street frontage  
 Village Dr - (245' ft.)  
 Required: (10) trees, 3" cal. (20) ornamental trees.  
 Provided: (10) new trees, 3" cal. (10) ornamental trees, 7' ht. (5) ornamental trees, 7' ht. along Brand Rd.  
**FRONT BUFFER SCREENING (SOUTH AND WEST)**  
 Requirements: 24' ht. evergreen hedge, berm or wall  
 Provided:  
**FRONT BUFFER SCREENING (EAST)**  
 Requirements: 24' ht. evergreen hedge, berm or wall  
 Provided:  
**RESIDENTIAL ADJACENTLY (NORTH 157' ft.)**  
 Requirements: (1) large tree per 30' ft.  
 Required:  
**INTERIOR PARKING LOT LANDSCAPE (100' ft. x 100' ft.)**  
 Requirement: (1) tree, 3" cal. 10 spaces. All parking spaces to be within 50' of a large tree  
 Required:  
**TOTAL TREES REQUIRED:**  
 (3) large trees (47) ornamentals  
**TOTAL TREES PROVIDED:**  
 (3) large trees (47) ornamentals

**PLANT LIST**

TREES	QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
	21	CE	Cedar Elm	<i>Ulmus crassifolia</i>	3 cal.	88B, 13' ht., 5' spread min., 5' clear trunk
	28	CM	Crepe Myrtle	<i>Lagerstroemia indica</i>	7' ht.	container, 3-5 trunks, tree form, 4' spread
	8	LO	Live Oak	<i>Quercus virginiana</i>	3" cal.	container grown, 13' ht., 5' spread min., 5' clear trunk
	18	RB	Oklahoma Red Bud	<i>Cercis reniformis 'Oklahoma'</i>	7' ht.	container grown, 3' spread, full to base
	4	RO	Red Oak	<i>Quercus shumardii</i>	3" cal.	container grown, 13' ht., 5' spread min., 5' clear trunk
SHRUBS	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS	
	20	DYH	Dwarf Yaupon Holly	<i>Ilex vomitoria 'nana'</i>	3 gal.	container, full plant, 24" o.c.
	25	HG	Hameln Grass	<i>Pennisetum alopecuroides 'Hameln'</i>	3 gal.	container full
	2	IC	Italian Cypress	<i>Cupressus sempervirens</i>	5' ht.	container, staked to bamboo stake
	286	NPH	Needlepoint Holly	<i>Ilex cornuta 'needlepoint'</i>	5 gal.	container, 24" ht., 20" spread, 24" o.c.
	14	NRS	Nellie R. Stevens Holly	<i>Ilex sp. 'Nellie R. Stevens'</i>	4' ht.	container, full to base, 3' spread
GROUNDCOVERS	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS	
	475	WC	Purple Wintercreeper	<i>Euonymus fortunei 'Coloratus'</i>	4" pots	container, (3) 12" runners min. 12" o.c.
	180	SC	Seasonal Color		4" pots	selection by owner, 12" o.c.
			Common Bermudagrass	<i>Cynodon dactylon</i>		solid sod, refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

- LANDSCAPE NOTES**
- Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
  - Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
  - Contractor is responsible for obtaining all required landscape and irrigation permits.
  - Contractor to provide a minimum 2% slope away from all structures.
  - All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
  - All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
  - All lawn areas to be Solid Sod Bermudagrass, unless otherwise noted on the drawings.
- MAINTENANCE NOTES**
- The Owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscape.
  - All landscape shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding and other such activities common to landscape maintenance.
  - All landscape areas shall be kept free of trash, litter, weeds and other such material or plants not part of this plan.
  - All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
  - All plant material which dies shall be replaced with plant material of equal or better value.
  - Contractor shall provide separate bid proposal for one year's maintenance to begin after final acceptance.

- SOLID SOD NOTES**
- Fine grade areas to achieve final contours indicated. Leave areas to receive topsoil 3" below final desired grade in planting areas and 1" below final grade in turf areas.
  - Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
  - All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
  - Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
  - Plant sod by hand to cover indicated area completely. Inure edges of sod area touching. Top dress joints by hand with topsoil to fill voids.
  - Roll grass areas to achieve a smooth, even surface, free from unnatural undulations.
  - Water sod thoroughly as sod operation progresses.
  - Contractor shall maintain all lawn areas until final acceptance. This shall include, but not limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
  - Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
  - If installation occurs between September 1 and March 1, all sod areas to be over-seeded with Winter Rye grass, at a rate of (4) pounds per one thousand (1000) square feet.
- GENERAL LAWN NOTES**
- Fine grade areas to achieve final contours indicated on civil plans.
  - Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
  - All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
  - Imported topsoil shall be natural, friable soil from the region, known as bottom and soil, free from lumps, clay, toxic substances, roots, debris, vegetation, stones, containing no salt and black to brown in color.
  - All lawn areas to be fine graded, irrigation trenches completely settled, and finish grade approved by the Owner's Construction Manager or Architect prior to installation.
  - All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spoils, etc. shall be removed prior to placing topsoil and any lawn installation.
  - Contractor shall provide (1") one inch of imported topsoil on all areas to receive lawn.

SITE DATA SUMMARY CHART	
NUMBER OF LOTS	1
EXISTING ZONING	PD-R/LC
PROPOSED ZONING	PD-R/LC
PROPOSED USE	DAY CARE
GROSS ACREAGE	1.56 ACRES OR 67,797 SQ.FT
PROPOSED BLDG. AREAS	10,000 SQ.FT.
PROPOSED BLDG. HEIGHT	24'-6"
REQUIRED PARKING SPACES	40
(1 SPACE PER 10 STUDENT + 1 SPACE PER TEACHER + 1 SPACE FOR BUS)	
PROVIDED PARKING SPACES	40
(18 SPACES FOR 195 STUDENT + 19 SPACES FOR 20 TEACHERS + 1 SPACE FOR BUS)	
PERCENTAGE OF SITE COVERAGE	14.75%
IMPERVIOUS COVERAGE	34,558 S.F. OR 50.97%
OPEN SPACE/LANDSCAPE AREA	33,239 S.F. OR 49.03%

<b>OWNER</b> McBIRNEY-544 JOINT VENTURE 6059 LEBANON ROAD SUITE 212 FRISCO, TEXAS 75034 CONTACT: MICHAEL HORN TEL: (214) 618-9900	<b>SURVEYOR</b> PSA ENGINEERING 17819 DEVENPORT ROAD SUITE 215 DALLAS, TX 75252 CONTACT: PENN TEL: (972) 248-9681
<b>ENGINEER</b> TRIANGLE ENGINEERING LLC 1503 ASTORIA DRIVE ALLEN, TEXAS 75013 CONTACT: KARTIYAYA PATEL,P.E. TEL: (214) 618-9900	<b>ARCHITECT</b> LIMA ARCHITECTS,LLC 4855 TECHNOLOGY WAY SUITE 700 BOCA RATON, FL 33431 CONTACT: OCTAVIO S.LIMA TEL: (954) 778-3250

**SITE PLAN**  
 OF  
**MURPHY VILLAGE ADDITION, BLOCK B, LOT 5**  
 BEING A REPLAT OF LOT 4, BLOCK B  
 A SUBDIVISION OF 2.475 ACRES OF MURPHY VILLAGE ADDITION  
 AN ADDITION TO THE CITY OF MURPHY, TEXAS  
 AS RECORDED IN VOL.2012 PAGE 258  
 OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS  
 SITUATED IN THE JAMES MAXWELL SURVEY, ABSTRACT NO.580  
 DATE:06/18/2014

**TRIANGLE ENGINEERING,LLC.**  
 TX PE FIRM # 11525  
 1503 ASTORIA DRIVE, ALLEN, TX 75013  
 PHONE: 214-609-9271

NO.	DATE	DESCRIPTION
1	06/18/2014	1ST CITY SUBMITTAL
1	08/12/2014	2ND CITY SUBMITTAL

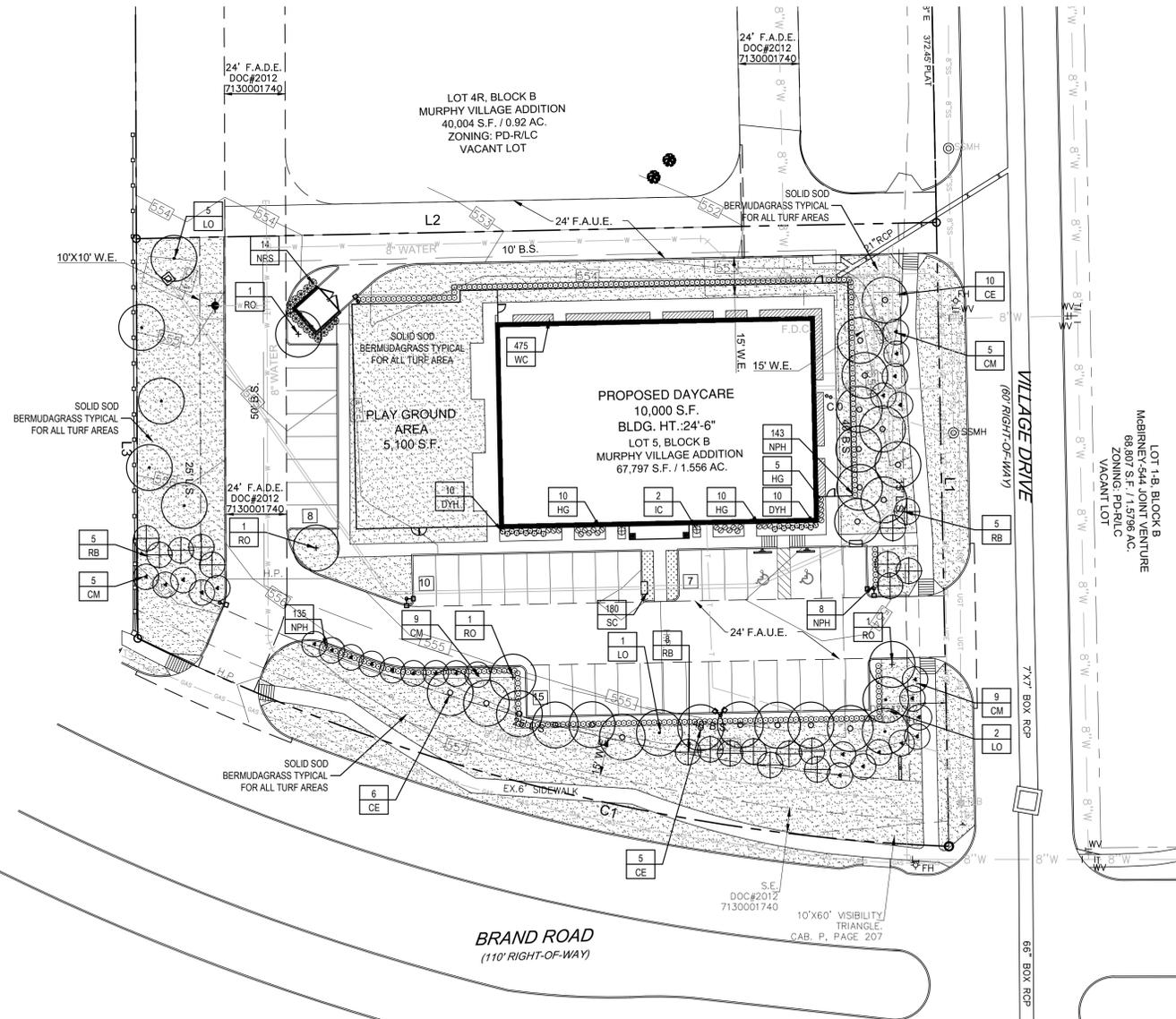
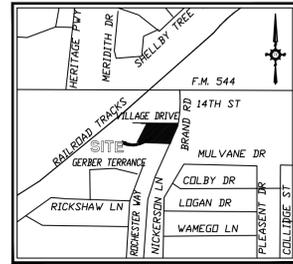


THE LEARNING EXPERIENCE  
 SWC OF VILLAGE DRIVE &  
 BRAND ROAD,  
 CITY OF MURPHY, TEXAS

LANDSCAPE PLAN	PROJECT NO:	DATE:	DRAWN BY:	CHECKED BY:
L.1	018-14	06/18/2014	CT	CT
SHEET #	REVISION #			
L.1	1			

# THE LEARNING EXPERIENCE SITE DEVELOPMENT PLANS

LOT 5, BLOCK "B", MURPHY VILLAGE ADDITION  
CITY OF MURPHY  
COLLIN COUNTY, TEXAS



### LANDSCAPE NOTES

- Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
- Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
- Contractor is responsible for obtaining all required landscape and irrigation permits.
- Contractor to provide a minimum 2% slope away from all structures.
- All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
- All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
- All lawn areas to be Solid Sod Bermudagrass, unless otherwise noted on the drawings.

### MAINTENANCE NOTES

- The Owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscape.
- All landscape shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding and other such activities common to landscape maintenance.
- All landscape areas shall be kept free of trash, litter, weeds and other such material or plants not part of this plan.
- All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
- All plant material which dies shall be replaced with plant material of equal or better value.
- Contractor shall provide separate bid proposal for one year's maintenance to begin after final acceptance.

### SOLID SOD NOTES

- Fine grade areas to achieve final contours indicated. Leave areas to receive topsoil 3" below final desired grade in planting areas and 1" below final grade in turf areas.
- Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
- All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
- Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
- Plant sod by hand to cover indicated area completely. Insure edges of sod are touching. Top dress joints by hand with topsoil to fill voids.
- Roll grass areas to achieve a smooth, even surface, free from unnatural undulations.
- Water sod thoroughly as sod operation progresses.
- Contractor shall maintain all lawn areas until final acceptance. This shall include, but not limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
- Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
- If installation occurs between September 1 and March 1, all sod areas to be over-seeded with Winter Ryegrass, at a rate of (4) pounds per one thousand (1000) square feet.

### GENERAL LAWN NOTES

- Fine grade areas to achieve final contours indicated on civil plans.
- Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
- All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
- Imported topsoil shall be natural, friable soil from the region, known as bottom and soil, free from lumps, clay, toxic substances, roots, debris, vegetation, stones, containing no salt and black to brown in color.
- All lawn areas to be fine graded, irrigation trenches completely settled, and finish grade approved by the Owner's Construction Manager or Architect prior to installation.
- All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spoils, etc. shall be removed prior to placing topsoil and any lawn installation.
- Contractor shall provide (1) one inch of imported topsoil on all areas to receive lawn.

BOUNDARY LINE DATA		
LINE NO.	BEARING	DISTANCE
L1	N 88°50'38" E	245.48'
L2	N 01°09'22" W	316.12'
L3	S 89°47'18" W	157.24'

CURVE DATA		
CURVE NO.	CHORD BEARING	S 14°19'22" W
C1	CHORD DISTANCE	N 01°09'22" W
	DELTA	24°00'58"
	RADIUS	795.00'
	LENGTH	333.14'

WATER METER & SANITARY SEWER SCHEDULE				
ID	TYPE	SIZE	NO.	SAN. SEW.
(D)	DOM.	2"	1	6"
(I)	IRR.	1"	N/A	N/A

### LANDSCAPE TABULATIONS

**LOT AREA (67,797 s.f.)**  
Requirements: 20% of lot to be landscape area  
Required: 13,559 s.f. Provided: 20,072 s.f.

**FRONT BUFFER LANDSCAPE**  
Requirements: (2) large shade trees and (4) ornamentals, 2" cal. or 7" ht. per 50 ft. of street frontage  
Village Dr. - (245 ft.)  
Required: (10) trees, 3" cal. (20) ornamental trees, 7" ht. (5) ornamental trees, 7" ht. along Brand Rd.  
Village Dr. - (245 ft.)  
Required: (14) trees, 3" cal. (27) ornamental trees, 7" ht.

**FRONT BUFFER SCREENING (SOUTH AND WEST)**  
Requirements: 24" ht. evergreen hedge, berm or wall  
Provided:

**SIDE BUFFER SCREENING (EAST)**  
Requirements: 24" ht. evergreen hedge, berm or wall  
Provided:

**RESIDENTIAL ADJACENTLY (NORTH 157' L.I.)**  
Requirements: (1) large tree per 30 ft.  
Required: (5) trees Provided: (14) trees, 3" cal.

**INTERIOR PARKING LOT LANDSCAPE (100 spaces)**  
Requirements: (1) tree, 3" cal. 10 spaces. All parking spaces to be within 60' of a large tree  
Required: (9) trees Provided: (16) trees.

**TOTAL TREES REQUIRED:**  
(33) large trees (47) ornamentals

**TOTAL TREE PROVIDED:**  
(33) large trees (47) ornamentals

### PLANT LIST

TREES					
QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
21	CE	Cedar Elm	<i>Ulmus crassifolia</i>	3 cal.	B&B, 13' ht., 5' spread min., 5' clear trunk
28	CM	Crape Myrtle	<i>Lagerstroemia indica</i>	7" ht.	container, 3-5 trunks, tree form, 4' spread
8	LO	Live Oak	<i>Quercus virginiana</i>	3" cal.	container grown, 13' ht., 5' spread min., 5' clear trunk
18	RB	Oklahoma Red Bud	<i>Cercis reniformis 'Oklahoma'</i>	7" ht.	container grown, 3' spread, full to base
4	RO	Red Oak	<i>Quercus shumardii</i>	3" cal.	container grown, 13' ht., 5' spread min., 5' clear trunk
SHRUBS					
QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
20	DWH	Dwarf Yaupon Holly	<i>Ilex vomitoria 'nana'</i>	3 gal.	container, full plant, 24" o.c.
25	HG	Hamel Grass	<i>Pennisetum alopecuroides 'Hamel'</i>	3 gal.	container, full
2	IC	Italian Cypress	<i>Cupressus sempervirens</i>	5" ht.	container, staked to bamboo stake
286	NPH	Needlepoint Holly	<i>Ilex cornuta 'needlepoint'</i>	5 gal.	container, 24" ht., 20" spread, 24" o.c.
14	NRS	Nellie R. Stevens Holly	<i>Ilex sp. 'Nellie R. Stevens'</i>	4" ht.	container, full to base, 3' spread
GROUNDCOVERS					
QTY	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
475	WC	Purple Wintercreeper	<i>Euonymus fortunei 'Coloratus'</i>	4" pots	container, (3) 12" runners min. 12" o.c.
180	SC	Seasonal Color	<i>Cynodon dactylon</i>	4" pots	selection by owner, 12" o.c. solid sod, refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

SITE DATA SUMMARY CHART	
NUMBER OF LOTS	1
EXISTING ZONING	PD-R/LC
PROPOSED ZONING	PD-R/LC
PROPOSED USE	DAY CARE
GROSS ACREAGE	1.56 ACRES OR 67,797 SQ.FT.
PROPOSED BLDG. AREAS	10,000 SQ.FT.
PROPOSED BLDG. HEIGHT	24'-6"
REQUIRED PARKING SPACES	40
(1 SPACE PER 10 STUDENT + 1 SPACE PER TEACHER + 1 SPACE FOR BUS)	
PROVIDED PARKING SPACES	40
(18 SPACES FOR 195 STUDENT + 19 SPACES FOR 20 TEACHERS + 1 SPACE FOR BUS)	
PERCENTAGE OF SITE COVERAGE	14.75%
IMPERVIOUS COVERAGE	34,558 S.F. OR 50.97%
OPEN SPACE/LANDSCAPE AREA	33,239 S.F. OR 49.03%

<b>OWNER</b> McBIRNEY-544 JOINT VENTURE 6059 LEBANON ROAD SUITE 212 FRISCO, TEXAS 75034 CONTACT: MICHAEL HORN TEL: (214) 618-9900	<b>SURVEYOR</b> PSA ENGINEERING 17819 DEVENPORT ROAD SUITE 215 DALLAS, TX 75252 CONTACT: PENN TEL: (972) 248-9681
<b>ENGINEER</b> TRIANGLE ENGINEERING LLC 1503 ASTORIA DRIVE ALLEN, TEXAS 75013 CONTACT: KARTAVYA PATEL,P.E. TEL: (214) 618-9900	<b>ARCHITECT</b> LIMA ARCHITECTS,LLC 4855 TECHNOLOGY WAY SUITE 700 BOCA RATON, FL 33431 CONTACT: OCTAVIO S.LIMA TEL: (954) 778-3250

**smr**  
landscape architects, inc.  
1708 N. Griffin Street  
Dallas, Texas 75202  
Tel: 214.871.0383  
Fax: 214.871.0545  
Email: smr@smr-la.com

**SITE PLAN**  
OF  
**MURPHY VILLAGE ADDITION, BLOCK B, LOT 5**  
BEING A REPLAT OF LOT 4, BLOCK B  
A SUBDIVISION OF 2.475 ACRES OF MURPHY VILLAGE ADDITION  
AN ADDITION TO THE CITY OF MURPHY, TEXAS  
AS RECORDED IN VOL.2012 PAGE 258  
OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS  
SITUATED IN THE JAMES MAXWELL SURVEY, ABSTRACT NO.580  
DATE:06/18/2014

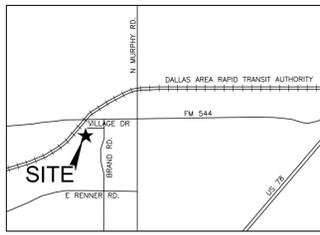
**TRIANGLE ENGINEERING, L.L.C.**  
TX PE FIRM # 11525  
1509 ASTORIA DRIVE, ALLEN, TX 75013  
PHONE: 214-609-9271

NO.	DATE	DESCRIPTION
1	06/18/2014	1ST CITY SUBMITTAL
1	08/12/2014	2ND CITY SUBMITTAL

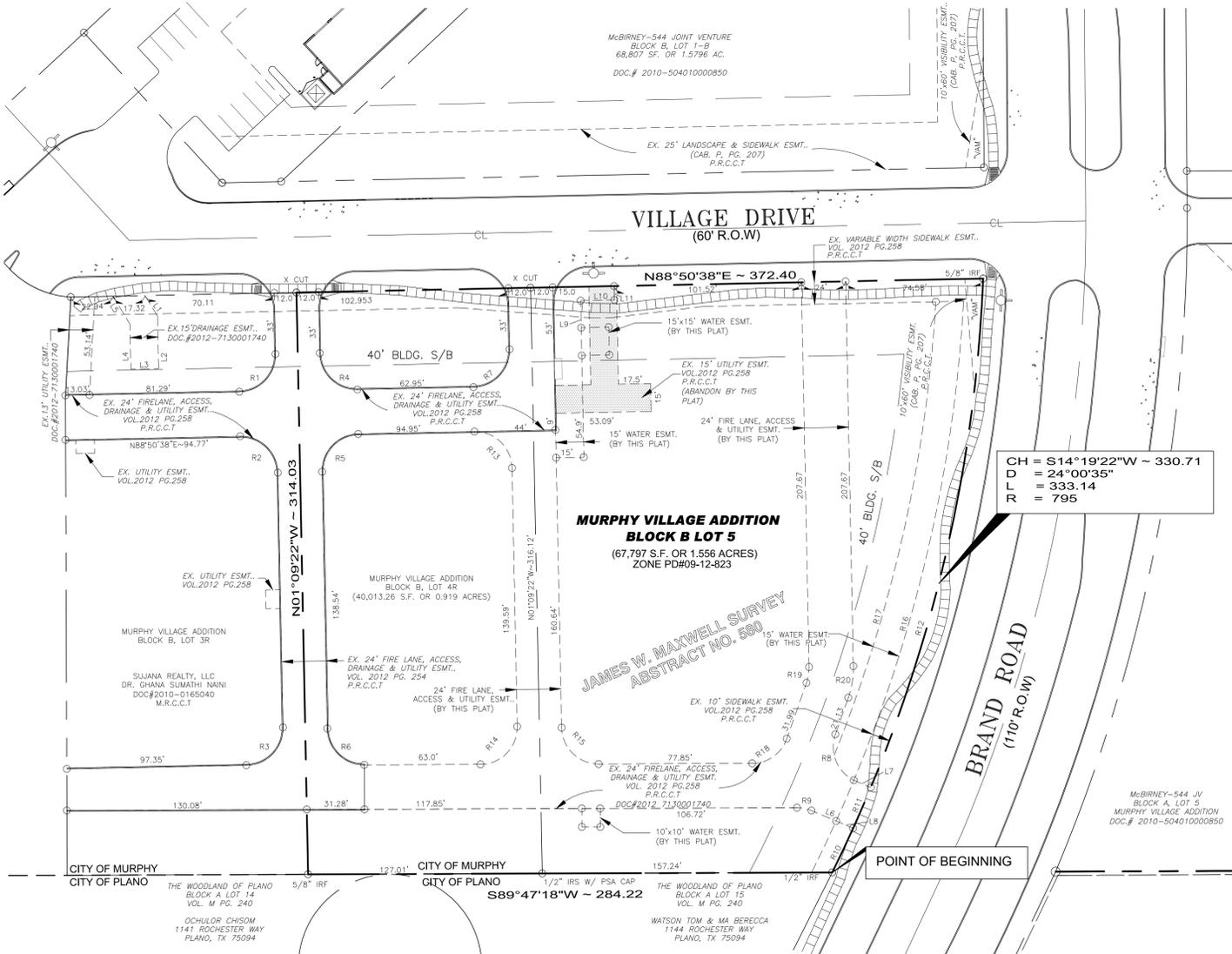


THE LEARNING EXPERIENCE  
SWC OF VILLAGE DRIVE &  
BRAND ROAD,  
CITY OF MURPHY, TEXAS

LANDSCAPE PLAN	
PROJECT No:	01B-14
DATE:	06/18/2014
DRAWN BY:	CT
CHECKED BY:	CT
SHEET #	REVISION #
<b>L.1</b>	



LOCATION MAP  
NTS



**MURPHY VILLAGE ADDITION  
BLOCK B LOT 5**  
(67,797 S.F. OR 1.556 ACRES)  
ZONE PD#09-12-823

CH = S14°19'22"W ~ 330.71  
DL = 24°00'35"  
L = 333.14  
R = 795

POINT OF BEGINNING

**PROPERTY OWNERS CERTIFICATION**  
McBirney-544 Joint Venture does own this property as described in Collin County Clerk file number 2003-0207485 except the portion owned by Sujani Realty, LLC, described in Collin County County Clerk number 2010-0165040

**LEGEND**  
IRS. = IRON ROD SET  
IRF. = IRON ROD FOUND  
M.R.C.C.T. = MAP RECORD OF COLLIN COUNTY, TEXAS  
P.R.C.C.T. = PLAT RECORD OF COLLIN COUNTY, TEXAS  
ESMT. = EASEMENT

CURVE TABLE							
CURVE	DELTA	RADIUS	T	L	CH	CHD	
R1	90°00'00"	20.00	20.00	31.42	N43°50'38"E	28.28	
R2	90°00'00"	20.00	20.00	31.42	N46°09'22"W	28.28	
R3	90°56'40"	20.00	20.33	31.75	N44°18'58"E	28.52	
R4	90°00'00"	20.00	20.00	31.42	S46°09'22"E	28.28	
R5	90°00'00"	20.00	20.00	31.42	S43°50'38"W	28.28	
R6	89°03'20"	20.00	19.67	31.09	S45°41'02"E	28.05	
R7	90°00'02"	20.00	20.00	31.42	N43°50'37"E	28.28	
R8	86°35'38"	20.00	18.85	30.23	S23°48'33"E	27.43	
R9	23°06'20"	20.00	4.09	8.07	N78°39'32"W	8.01	
R10	1°54'06"	795.00	13.20	26.39	N25°22'40"E	26.39	
R11	1°43'48"	795.00	12.00	24.00	N23°33'43"E	24.00	
R12	20°22'42"	795.00	142.89	282.76	N12°30'28"E	281.27	
R13	90°00'00"	20.00	20.00	31.42	N46°09'20"W	28.28	
R14	90°56'40"	20.00	20.33	30.23	N44°18'58"E	28.52	
R15	89°03'19"	20.00	19.67	31.09	S45°41'01"E	28.05	
R16	19°27'10"	785.00	134.56	266.52	S12°57'60"W	265.24	
R17	19°21'48"	770.00	137.36	260.22	N13°00'27"E	259.00	
R18	70°18'02"	20.00	14.08	24.54	N54°38'17"E	23.03	
R19	20°38'38"	24.00	4.37	8.65	N09°09'57"E	8.60	
R20	20°38'38"	48.00	8.74	17.30	S09°09'57"W	17.20	

LINE TABLE		
LINE	LENGTH	BEARING
L1	13.04	N31°09'22"W
L2	28.21	N01°09'22"W
L3	15.00	N88°50'38"E
L4	24.19	S01°09'22"E
L5	17.68	S31°09'22"E
L6	14.44	S67°06'22"E
L7	8.89	N67°06'22"E
L8	10.00	S67°06'22"E

PREPARED BY:  
**ASA ENGINEERING**  
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 REGISTRATIONS # 100433

OWNER:  
McBirney-544 JOINT VENTURE  
ATTN: MICHAEL HORN  
6059 LEBANON ROAD  
SUITE 212  
FRISCO, TX 75034  
(214) 618-9900  
LCD CAPITAL INVESTMENTS LLC  
JASON CLANTON, MANAGING MEMBER  
28 MORRIS LANE  
TEXARKANA, TX 75503  
(903) 223-8000

STATE OF TEXAS,  
COUNTY OF COLLIN,  
METES & BOUND DESCRIPTION  
WHEREAS MCBIRNEY 544 JOINT VENTURE is the owners of 2.475 acres tract of land situated in the J. Maxwell Survey, Abstract No. 580, City of Murphy, Collin County, Texas, said the tract being Lot 4 Block B, MURPHY VILLAGE ADDITION recorded in VOL. 2012 PG. 258 Plat Recorded in Collin County, Texas and being more particularly decied by mete and bounds as follows;  
BEGINNING at 1/2" Iron Rod Found at the Southeast corner of MURPHY VILLAGE ADDITION as described in document number 2003-0207485 of a Map, recorded at Collin County, Texas. Said the point also being on the west Right of Way line of Brand Road (110 ft ROW);  
THENCE S89°47'18"W for a distance of 284.22 feet to 5/8" Iron Rod Found for a corner;  
THENCE N01°09'22"W for a distance of 314.03 feet to an "X" Cut on the center of existing driveway for a corner, said a corner also being on the South Right of Way line of Village Drive (60 feet Right of Way);  
THENCE N88°50'38"E along the South Right of Way of Village Drive for a distance of 372.40 feet to 5/8" Iron Rod Found for a corner, said a corner also being the Southwest corner of the intersection between Brand Road and Village Drive, said a point also being on a curve tangent;  
THENCE along the curve to the right with a Chord Bearing of S14°19'22"W and a Chord distance of 330.71 feet with a delta of 24°00'35", a curve radius of 795 feet and a curve length of 333.14 feet to POINT OF BEGINNING and containing 107,810 S.F. or 2.475 Acres of land more or less.

NO OTHER, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:  
That Michael E. Horn and Jason Clanton acting herein by and through their duly authorized officers, does hereby adopt this plat designating the herein above described property as Lot 4R and 5 Block B 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.  
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 \_\_\_\_\_, 2014.  
By: Michael E. Horn, Esq  
WITNESS, my hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.  
By: Jason Clanton

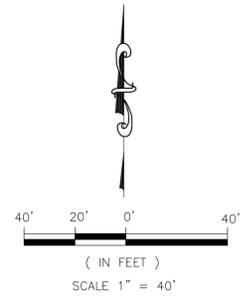
STATE OF TEXAS,  
COUNTY OF COLLIN,  
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, Owner, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and considerations therein expressed.  
Given upon my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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 \_\_\_\_\_, 2014.  
Notary Public in and for the State of Texas  
My Commission Expire on \_\_\_\_\_

NOTES:  
1. Basis of Bearings; Bearing are expressed as grid bearing (Texas Coordinate System of 1983, Zone 4202, NAD 83 Datum), as determined by GPS observations, resulting in a bearing of N 88°50'38"E, for the south right of way of Village Drive.  
2. According to F.E.M.A flood insurance rate map, community panel no.48085C0415 J dated June 2,2009, this property does not appear to lie within a 100-year flood plain.

SURVEYOR'S CERTIFICATE  
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.  
Pansak Sribhen  
Registered Professional Land Surveyor No. 3576  
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 Pansak Sribhen, Registered Public Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.  
Given upon my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.



Notary Public in and for the State of Texas  
My Commission Expire on \_\_\_\_\_  
NOTICE: Selling a portion of this addition by metes and bounds is a violation of city ordinance and State law, and is subject to fines and withholding of utilities and building permit.

Visibility, access and maintenance easements:  
The area or areas shown on the plats as "VAM" (visibility, access and maintenance) easements are hereby given and granted to the city, its successors and assigns, as an easement to provide visibility, right of access for maintenance upon and across said VAM easement. The city shall have the right but not the obligation to maintain any and all landscaping within the VAM easement. Should the city exercise this maintenance right, then it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover and fixtures. The city may withdraw maintenance of the VAM easement at anytime. The ultimate maintenance responsibility for the VAM easement shall rest with the owners. No Building, fence, shrub, tree or other improvements or growths, which in any way may endanger or interfere with the visibility, shall be constructed in, on, over or across the VAM easement. The city shall also have the right but not obligation to add any landscape improvement to the VAM easement, to erect any traffic control devices or signs on the VAM easement and to remove any obstruction thereon. The city, its successors, or agents shall have the right and privilege at all time to enter upon the VAM easement or any part thereof for the purposes and with all rights and privileges set forth herein.

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 covenant and agree that the access easement 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 of the City of Murphy, its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon and across said premises.

CITY APPROVAL OF CONSTRUCTION PLAT  
Approved for preparation on final plat following construction of all public improvements 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 Council  
City of Murphy, Texas

Signature of Mayor \_\_\_\_\_ Date of Approval \_\_\_\_\_

ATTEST:  
City Secretary \_\_\_\_\_ Date \_\_\_\_\_

**CONSTRUCTION PLAT**  
**BEING A REPLAT OF LOT 4 BLOCK B**  
**TO BE LOT 4R AND 5, MURPHY VILLAGE ADDITION**  
A SUBDIVISION OF 2.475 ACRES  
AN ADDITION TO THE CITY OF MURPHY, TEXAS  
AS RECORDED IN VOL. 2012 PAGE 258  
OF THE PLAT RECORDS IN COLLIN COUNTY, TEXAS  
SITUATED IN THE  
JAMES MAXWELL SURVEY, ABSTRACT NO. 580  
AUGUST 11, 2014

**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.

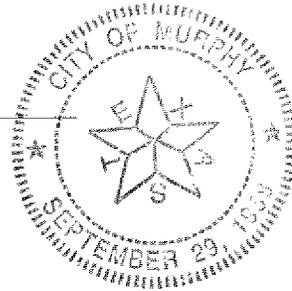


\_\_\_\_\_  
Bret M. Baldwin, Mayor  
City of Murphy

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 **POINTOF 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

**EXHIBIT B**

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)

**EXHIBIT B**

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.

**EXHIBIT B**

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.

## EXHIBIT B

- 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.

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- 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

**EXHIBIT B**

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**

Hold a public hearing and consider and/or act on the application of Allen Tari requesting a variance to sign requirements as stated in the Code of Ordinances Section 28-22, Monument Signs-Business Districts, for a sign at the business known as Tari Car Lot, located at 729 W. FM 544.

**Background**

Per Murphy Code of Ordinances, Section 28-22 - Monument Sign Business District, the maximum height for sign is seven feet and the maximum area a sign can be is fifty square feet.

In June 2013, the applicant requested and was denied a variance to the Sign Ordinance specific to the request for approval of an 11'-9" sign with an electronic sign component. This request was denied by Planning & Zoning, City Council and the denial was subsequently upheld by City Council in July 2013.

The applicant altered the sign application by removing the electronic sign component and lowering the sign height by 8 inches. The sign as now requested is not in compliance with the Code and the applicant is requesting a variance to allow construction of the sign as shown in the request.

**Considerations**

1. The information submitted by the applicant to support his variance request is included for your consideration.
2. The applicant desires to construct a 7'-1" sign face on top of the existing 4 foot stone base that was constructed without a permit.
3. Section 28-2 defines sign height and states that the height "shall be measured as the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and the average grade within five feet of any part of the sign." Thus, the sign height includes the base and is measured from the ground to the top of the sign.
4. Section 28-22 sets forth the regulations for monument signs and establishes a maximum sign height of seven feet. The ordinance allows for an additional six inches in height to accommodate a masonry cap but clearly states that if the masonry cap option is not chosen, the maximum height of the sign shall be limited to seven feet.
5. Section 28-33 provides guidance for the planning and zoning commission's consideration of sign variance requests.
  - a. To what extent, if any, the site for which the applicant seeks a variance differs from adjoining sites
  - b. The extent that the hardship or inequity claimed by the applicant is self-created or based upon financial need of the applicant
  - c. The adverse effects that the granting of a variance may or would create.

**Staff Recommendation**

Staff recommends denial of the variance request because the additional height requested is not comparable to other signs on adjoining sites and allowing an 11 foot sign would adversely affect the public and adjacent properties.

Staff further recommends that the sign be installed not to exceed seven feet in height, which would include the approximately four feet stone base already in place.

- If the applicant agrees to put in a six inch stone cap on the top of the sign, staff would recommend the sign to be no more than seven feet and six inches tall. However, the consideration is at the discretion of the Commission. No electronic variable message sign is allowed.
- If the applicant agrees to utilize one of the existing parking spaces in lieu of the current proposed location, which would build the sign to the same grade as the parking lot, staff would recommend following the Section 28-22 regulations for monument signs and which establishes a maximum sign height of seven feet.

**Attachments**

Location Map

Public Notice Reply Form (none to date)

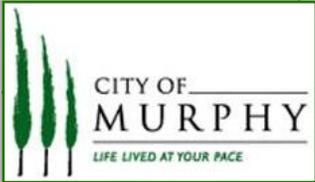
Proposed Sign dimensions

Proposed Sign rendering

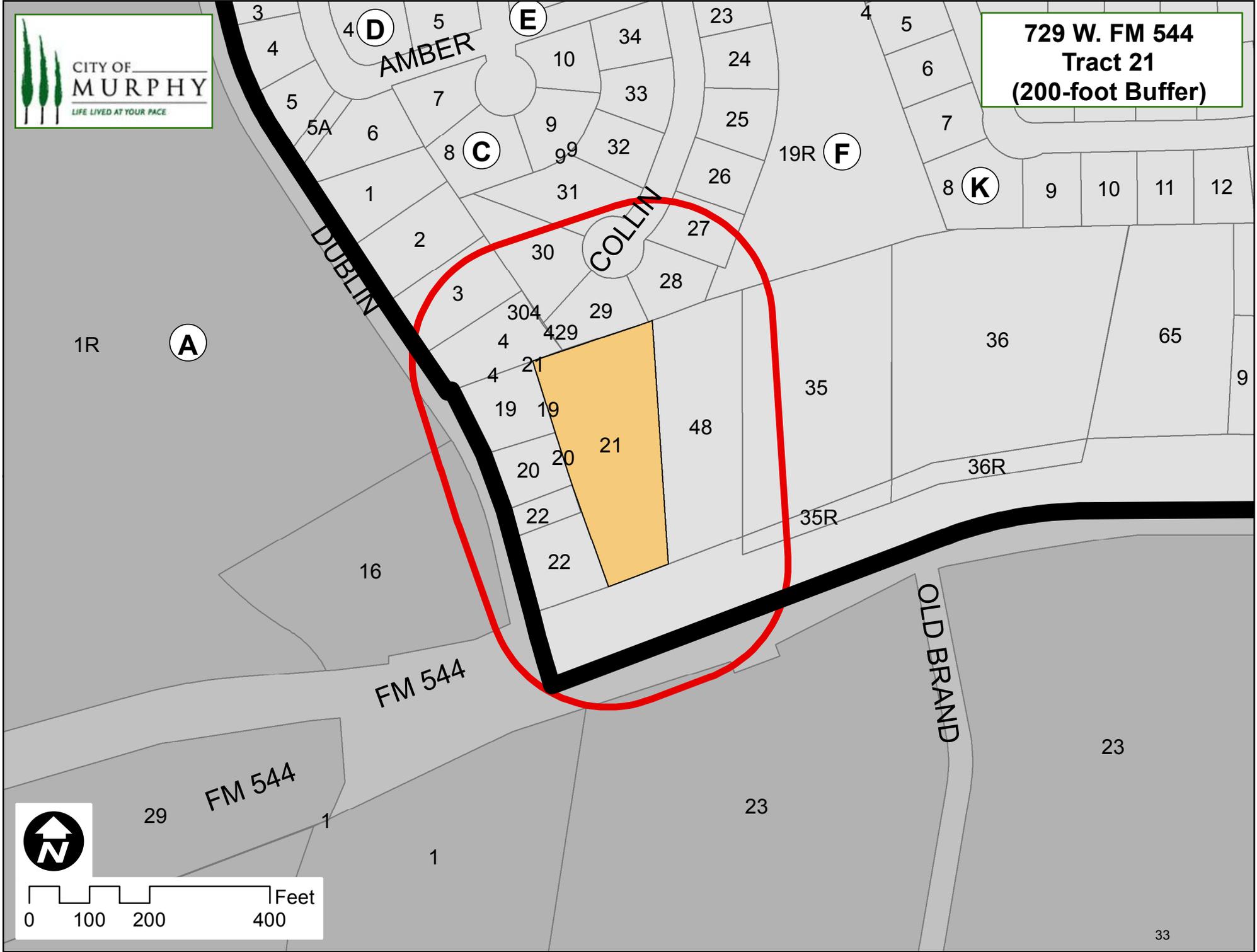
Section 28-22. Monument signs – Business District (Code of Ordinances)

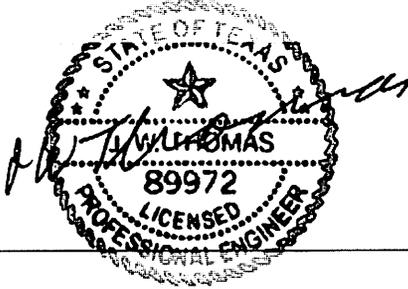
*Kristen Roberts, Director of Community and Economic Development*

**Submitted By**

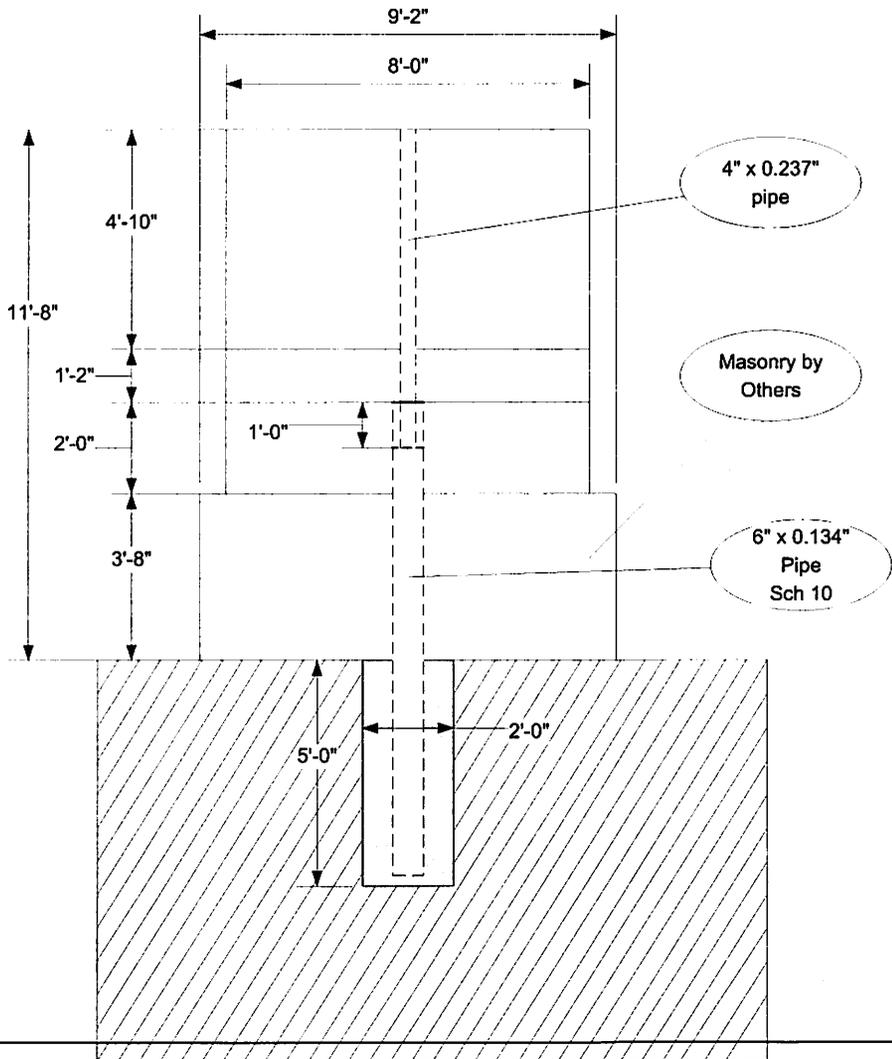


**729 W. FM 544**  
**Tract 21**  
**(200-foot Buffer)**





March 31, 2013



*APPLYING TO GO OVER 7' MAX*  
*7/13/14*

Foundation:

$$A = \frac{2.344 \times 1534.3055}{531 \times 2} = 3.3865$$

$$D = \frac{3.3865}{2} \left( 1 + \sqrt{1 + \frac{4.36 \times 2.7451}{3.3865}} \right)$$

D = 5

Notes:

1. Design wind load = 90 mph
2. Pipe: ASTM A53-72A Grade B
3. Concrete: 3000 psi min

Pole Sign for:

Car Co  
90 mph

GSI 0113

Erector:

General Sign Inc  
10737 Presidential Drive  
Dallas, Texas 75243

Date:  
3-31-13

Scale:  
1/4" = 1'

Sheet  
1 of 1

JWT Consulting Service  
Firm # 10975  
811 Blackchamp Rd  
Waxahachie, Tx 75167  
Phone/Fax 972 351 9808



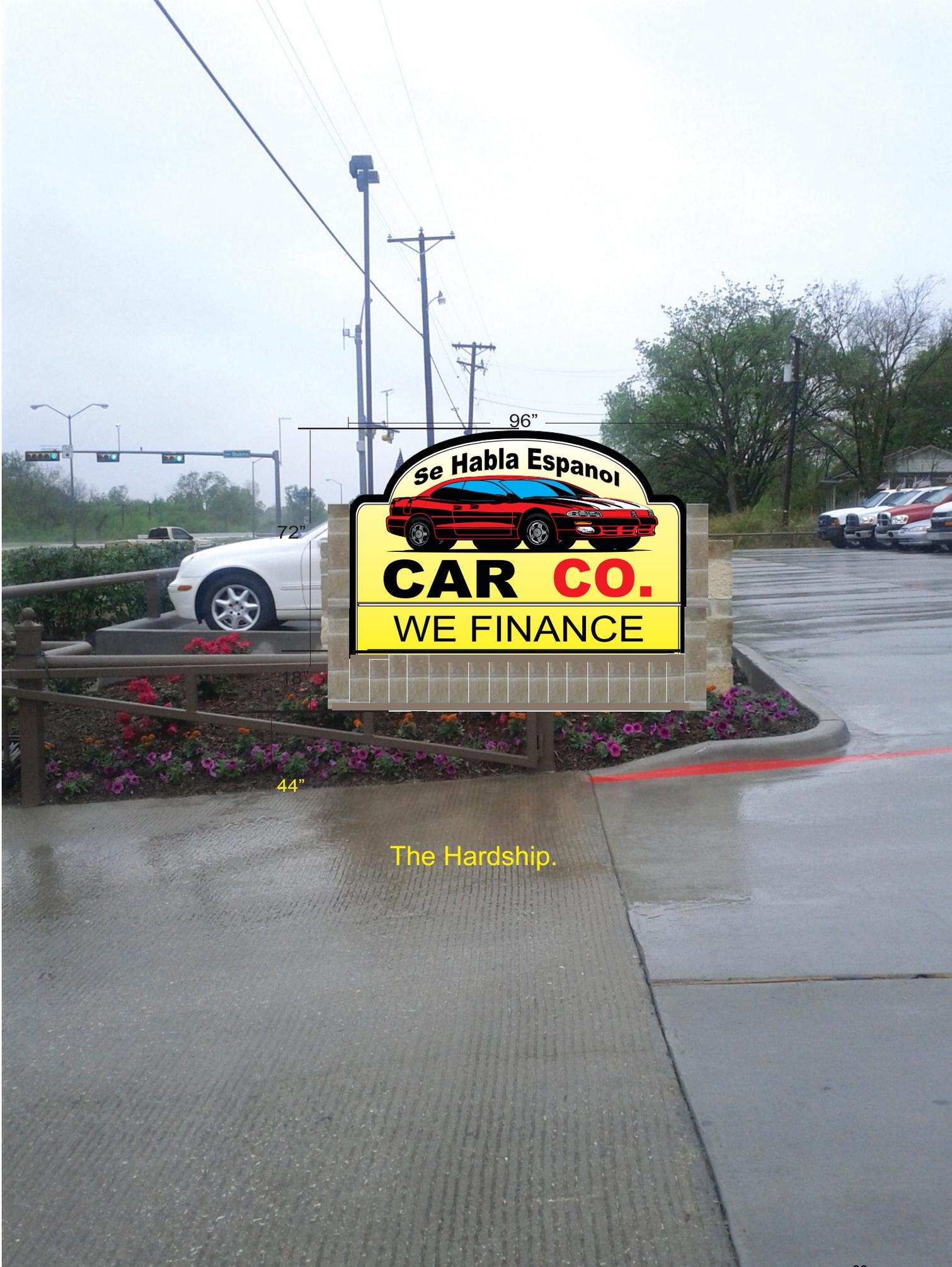
**Proposed sign 48 SF 11' 2" Tall**

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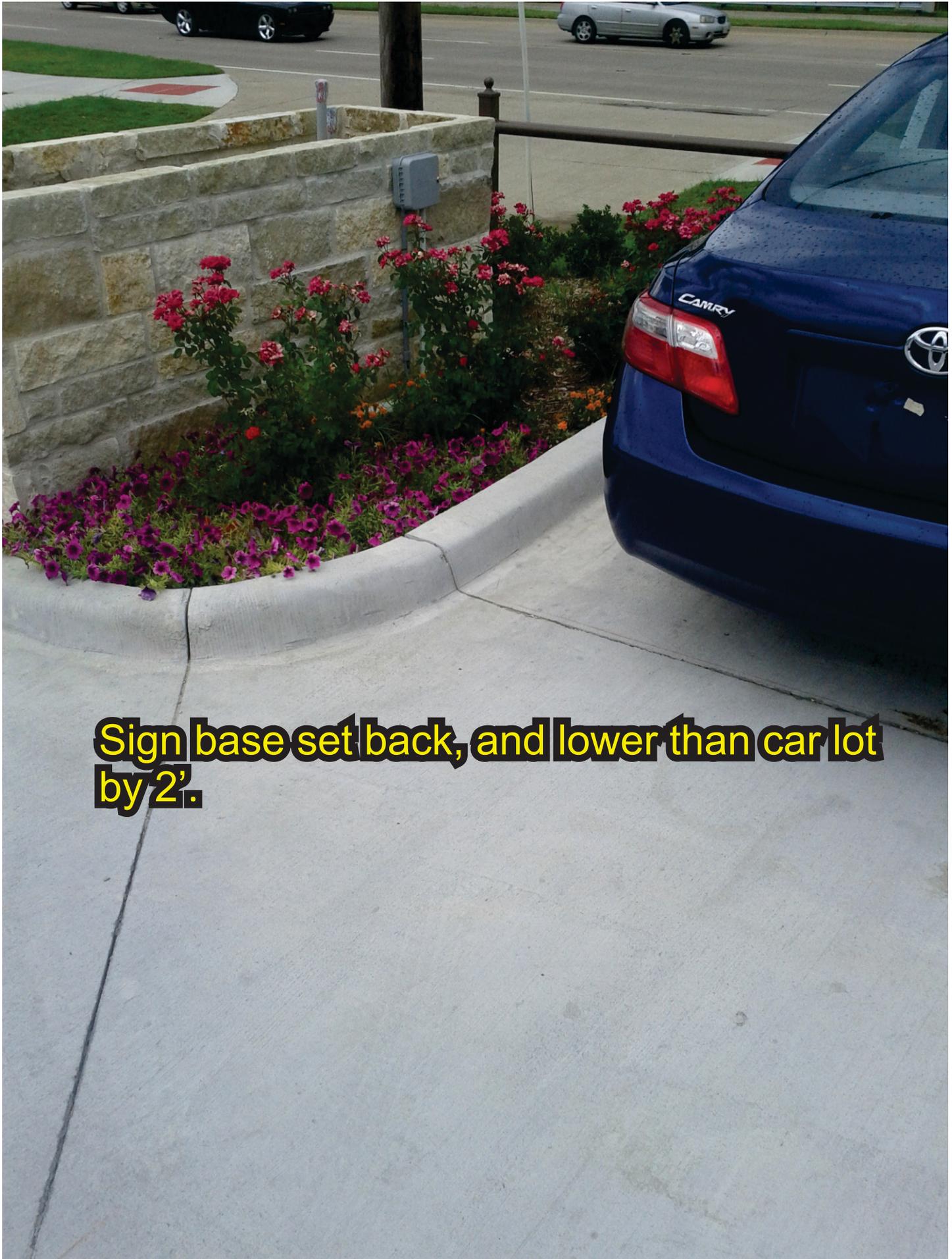
**SignExpress**

**7209 Duffield Dr. Dallas, TX 75248**

APPROVED BY: \_\_\_\_\_



The Hardship.



**Sign base set back, and lower than car lot by 2'.**



2'

**Tape at Car Co. parking lot base,**

## Sec. 28-22. Monument signs—Business districts.

Monument signs are permitted in business zoning districts as follows:

(a) *Number of monument signs:*

(1) Only one monument sign of any type may be erected on any site's thoroughfare frontage, not to exceed two signs per site.

(a) Signs not exceeding 16 square feet and not exceeding six feet in height are allowed for an activity providing engine fuel sales which advertise prices of fuel on premises. No activity shall have more than one such sign per street front. In no case shall such sign be monument.

(b) *Setback:*

(1) Freestanding signs of a sign area of 50 square feet or less may be located as near as five feet to the public right-of-way.

(2) No part of a freestanding sign shall be closer than 25 feet measured radially to another freestanding sign on an adjacent sign site, nor shall any part of a freestanding sign on the same site be closer than 100 feet radially to another freestanding sign on that same sign site.

(c) *Size, height and building materials:*

(1) No freestanding sign shall exceed 50 square feet in sign area or seven feet in height except as herein provided.

(2) Freestanding signs may incorporate embellishments or cut-outs; provided, that they shall not exceed 20 percent of the area of the sign face and that they shall not extend beyond the sign face a distance exceeding 18 inches as measured horizontally.

(3) Every monument sign shall be required to have a minimum one-half-foot masonry base, measured from grade level to the bottom of the sign area. Every monument sign shall be required to have a minimum six-inch masonry border on each side of the sign area. A minimum six-inch masonry cap is allowed above the sign area, however, it is not required. If the masonry cap option is not chosen, the maximum height of the sign structure shall be limited to seven feet. All monument signs will require engineer sealed drawings.

Building materials and colors utilized for construction of monument bases, side borders, caps, and sign frames shall be constructed of the same materials found on the main building on the lot, unless otherwise approved by the city council.

If the proposed sign is to be constructed on a lot with an existing building which does not contain a masonry façade, the materials used for the monument base, side borders and cap, must be stone or brick.

(d) *Off-premises signs.* Off-premises signs are prohibited.

(Ord. No. 09-05-797, § 2, 5-18-2009; Ord. No. 13-02-947, § 8, 2-19-2013)