

MURPHY PLANNING AND ZONING COMMISSION AGENDA  
REGULAR PLANNING AND ZONING COMMISSION MEETING  
September 26, 2016 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 September 26, 2016 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.

1. CALL TO ORDER

2. ROLL CALL & CERTIFICATION OF A QUORUM

3. PUBLIC COMMENTS

4. CONSENT AGENDA

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

- A. Approval of the Minutes from the August 22, 2016 regular meeting.
- B. Approval of the Minutes from the September 12, 2016 special meeting.

5. INDIVIDUAL CONSIDERATION

- A. Hold a public hearing and consider and/or act on the application of Dowdey, Anderson & Associates, Inc. requesting approval of a residential re-plat. The property is located on .478 acres, having the legal description of Windy Hill Farms #3 (CMR), BLK I, Lot 1. This property is located on Shelby Trace.
- B. Consider and/ or act on the application of Dowdey, Anderson & Associates, Inc. requesting approval of a commercial re-plat. The property is located on 3.549 acres, having the legal description of Lot 2 Block A of the Heritage Addition. This property is located just east of Heritage Parkway on FM 544.
- C. Reconvene the public hearing of item 4A from the September 12, 2016 Planning and Zoning meeting and consider and/or act on the application of Pogue Engineering, a division of Westwood to request approval of a Variance from the drainage design standards of the City of Murphy to allow an alternative design for applicant's required off-site drainage facilities. Located on 1.33 acres, having the legal description of Abstract A0859 Mary Scott Survey, Tract 85. This property is located on West FM 544, just west of Heritage Parkway.
- D. Consider and/ or act on the application of Pogue Engineering, a division of Westwood, requesting approval of a site plan, landscape plan, building elevations and construction plat for Smiles at Murphy on a property located on West FM 544, just west of Heritage Parkway to build a 7,820 square foot building for medical offices uses.

Steve Levy  
Chairman

Camille Hooper  
Vice Chair

Lloyd Jones  
Secretary

Christine Johnson  
Commissioner

John Johnson  
Commissioner

Julie Kamm  
Commissioner

Greg Mersch  
Commissioner

Christopher George  
Alternate

James Holley  
Alternate

Kelly Carpenter AICP  
Interim Director of  
Economic and  
Community  
Development

Tina Stelnicki  
Community  
Development  
Coordinator

MURPHY PLANNING AND ZONING COMMISSION AGENDA  
REGULAR PLANNING AND ZONING COMMISSION MEETING  
September 26, 2016 AT 6:00 PM, CITY HALL, COUNCIL CHAMBERS  
206 NORTH MURPHY ROAD  
MURPHY, TEXAS 75094

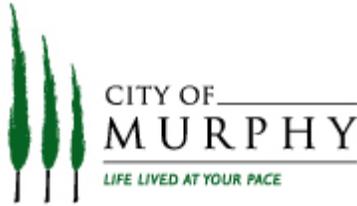
- E. Consider and/or act on the application of Claymoore Engineering, requesting approval of a site plan, landscape plan, building elevations and construction plat for Murphy Professional Centre on a property located on approximately 1.5 acres on Brand Road just south of FM 544 to build a 10,500 square foot medical office building.
- F. Hold a public hearing and consider and/ or act on the application of First Crescent Enterprises LLC, to request approval of a zoning change from SF-20 (Single Family Residential-20) to SF-9 (Single Family Residential-9) located on 10.351 acres, having the legal description of Murphy Manors (CMR), Lot 2. This property is located north of McMillen at N Murphy Road.
- G. Hold a public hearing and consider and/ or act on the application of First Crescent Enterprises LLC, to request approval of a zoning change from SF9 to a Planned Development located on 10.351 acres, having the legal description of Murphy Manors (CMR), Lot 2. This property is located north of McMillen at N Murphy Road.

6. 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 September 23, 2016 by 5:30 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

  
Bailey Ragsdale  
Administrative Assistant

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at (972) 468-4011 or [squinn@murphytx.org](mailto:squinn@murphytx.org).



Murphy Planning and Zoning Commission Regular Meeting Minutes  
206 North Murphy Road  
Murphy, Texas 75094  
August 22, 2016

**1. CALL TO ORDER**

Meeting called to order at 6:10 p.m.

**2. ROLL CALL & CERTIFICATION OF A QUORUM**

Planning and Zoning Commissioners Present: Chairman Steve Levy,  
Commissioners: Christine Johnson, Julie Kamm,  
Greg Mersch,  
Alternate seated: (Jimmy) James Holley

Planning and Zoning Commissioners Absent: Vice Chairman Camille Hooper,  
Commissioners Lloyd Jones, John Johnson,  
Alternate: Christopher George,

City Staff Present: Kelly Carpenter, Tina Stelnicki  
Tina Stelnicki certified a quorum.

**3. PUBLIC COMMENTS**

Opened at 6:12 p.m.  
Closed at 6:13 p.m.

There were no public comments

**4. CONSENT AGENDA**

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

- A. Approval of the Minutes from the July 25, 2016 work session.
- B. Approval of the Minutes from the July 25, 2016 regular meeting.

Greg Mersch motioned to approve the minutes as presented. Julie Kamm seconded. The motion passed unanimously.

**5. INDIVIDUAL CONSIDERATION**

A. Hold a public hearing and consider and/or act on the application of First Crescent Enterprises, LLC to request approval of a zoning change from Murphy Manors Planned Development to Oasis Springs Manors Planned Development.

**This item is removed from the agenda.**

B. Hold a public hearing and consider and/or act on the application of StreetLevel

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Investments to request approval of a zoning change from SF-20 (Single Family Residential-20) to a Planned Development located on 4.6579 acres, having the legal description of Abstract A0579, Henry Maxwell Survey Tract 75.

Community Development Coordinator Tina Stelnicki gave a brief description of the proposed uses for this property. The uses would feature retail shops, boutiques, restaurants, medical facilities and service businesses. The list of approved uses contained in the PD are all approved within Neighborhood Services zoning.

The applicant, Jana Bean of StreetLevel Investments, spoke to the commissioners regarding this item. She explained this is all within the current Planned Development as of the 2008 comprehensive plan. There were questions from the Commissioners regarding how deep the property is. Bean confirmed it has a narrowest point of 236 but varies throughout the property. Other questions were regarding the definition for outdoor patio. This definition needs to be updated in the PD. There are no tenants confirmed at this time, and it was confirmed there are drive-thru businesses interested but that will require a Special Use Permit. Volume was discussed regarding how many visitors are projected to be visiting daily. Turn lanes were discussed and Bean confirmed they are working on options for a hooded left turn on westbound FM544. Ms. Carpenter pointed out that per the PD a traffic impact analysis report is required.

Public Hearing opened at 6:27 p.m.

Margaret Smith, in favor  
Jim Smith, in favor  
Chris Kolver, opposed  
Jeffery Zarit, opposed (not in attendance)  
Jason Hill, opposed (not in attendance)  
Kevin Elwood, opposed

Ms. Carpenter pointed out the Comprehensive Plan Future land use plan designates this property as Neighborhood Services.

Public Hearing closed at 6:42 p.m.

There were questions regarding the current allowed uses for this Planned Development, such as a motion picture theater, fire stations, police stations etc. Ms. Carpenter pointed out that approved uses listed in the PD are all approved within the Neighborhood Services zoning. It was also discussed to look closer at the allowed uses for this Planned Development. There was discussion about the status of updating the comprehensive plan. Ms. Bean commented that the original approved uses list in the PD included all approved uses within Neighborhood Services zoning in order to have a broad selection of uses available for the project.

Julie Kamm motioned to deny the application. Jimmy (James) Holley seconded. All in favor, Julie Kamm, Christine Johnson, Jimmy (James) Holley. Against Greg Mersch and Steve Levy. Motion approved. With a vote of 3 in favor of denying the application, 2 were against the motion to deny the application.

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## 5. INDIVIDUAL CONSIDERATION

A. Resource Binder

Kelly Carpenter explained the contents of the binder includes Local Government Code Chapters 211, 212, and 213. Also includes the City's Land use Map, Transportation Plan, By Laws for the Planning and Zoning Commission, and the Zoning Code for Murphy. Carpenter explained this is for the commissioners to use as reference material and also to learn more about specifics regarding Planning and Zoning in Murphy.

**6. ADJOURNMENT**

Chairman Levy adjourned the meeting seeing no more comments or discussion.

APPROVED:

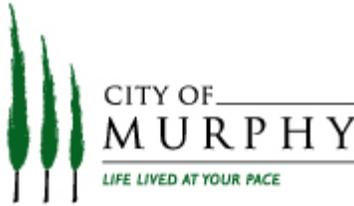
DATE:

\_\_\_\_\_

\_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary



Murphy Planning and Zoning Commission Regular Meeting Minutes  
206 North Murphy Road  
Murphy, Texas 75094  
September 12, 2016

1. CALL TO ORDER

Meeting called to order at 6:00 p.m.

2. ROLL CALL & CERTIFICATION OF A QUORUM

Planning and Zoning Commissioners Present: Chairman Steve Levy, Vice Chairman Camille Hooper, Commissioners: Lloyd Jones, John Johnson, Julie Kamm, Greg Mersch, Alternate Seated: Jimmy (James) Holley

Planning and Zoning Commissioner Absent: Christine Johnson  
Alternate: Christopher George

City Staff Present: Kelly Carpenter, Tina Stelnicki

Tina Stelnicki certified a quorum.

3. PUBLIC COMMENTS

Opened at 6:02 p.m.

Closed at 6:03 p.m.

There were no public comments

4. INDIVIDUAL CONSIDERATION

***Per Chairman Levy, Item B will be considered before Item A because the consulting City Engineer is not present at this time.***

- B. Hold a public hearing and consider and/ or act on the application of Pogue Engineering, a division of Westwood to request approval of a Variance for the landscape design standards in Chapter 26 of the Murphy Code of Ordinances, to allow the placement of 14 trees off-site instead of on the project site. Located on 1.33 acres, having the legal description of Abstract A0859 Mary Scott Survey, Tract 85. This property is located on West FM 544, just west of Heritage Parkway.

Kelly Carpenter, Interim Director of Community and Economic Development explained the applicant is requesting this variance to place the 14 (fourteen) mitigation trees off site (on the property directly west of the project property) instead of on the project site. The city recommends one of the following suggestions to place the trees either on public property to be properly maintained or plant on private property easement(s) preferring to plant on the property to the West of their property. Maintenance of the trees were discussed, as well as possible other mitigation options such as planting a larger caliper of tree on the property to be maintained by the applicant, not the city.

The applicant and engineer for this property explained their desire to place the mitigated trees on the property to the west. There was discussion from the commission on increasing the caliper for the

trees being placed on site and not to place the mitigated trees on the adjacent property to ensure if the property develops those trees will be kept safe.

Greg Mersch motioned to amend the application by Pogue Engineering a division of Westwood for the request for the approval of a Variance for the landscape design standards in Chapter 26 of the Murphy Code of Ordinances, to replace the 15 red cedar trees at the north end of the site from 3 inch to 5 in caliper and change the 5 southern live oak on the north side of the parking lot from 3 inch caliper to 5 inch caliper. James Holley seconded, all in favor. Passed with a vote of 7-0.

- A. Hold a public hearing and consider and/or act on the application of Pogue Engineering, a division of Westwood to request approval of a Variance from the drainage design standards of the City of Murphy to allow an alternative design for applicant's required off-site drainage facilities. Located on 1.33 acres, having the legal description of Abstract A0859 Mary Scott Survey, Tract 85. This property is located on West FM 544, just west of Heritage Parkway.

This item was postponed due to the city's consulting engineer not being present at the time.

Kelly Carpenter explained the applicant is requesting an alternate design for the drainage of this project that is not allowed by the City of Murphy code. The issue is the treatment of off-site flows in the floodplain. The design drainage channel and easements shall extend from the site to the receiving waters not just the 100 foot setback line. The channel shall be graded out to provide the appropriate freeboard contours for both easements extended to the channel and shall be shown on the construction plat.

- B. After beginning to discuss item A, Chairman Steve Levy explained this is a public hearing and we are going back to this item for this public hearing.

Public hearing opened at 6:30pm  
Public hearing closed at 6:31pm  
There were no public comments.

Chairman Levy announced the previous stated motion by Greg Mersch as on record is to be voted on again. James Holley seconded, all in favor. Passed with a vote of 7-0.

***Continue discussing Item A***

- A. City of Murphy Engineer Gary Hendricks explained the City of Murphy has a drainage easement with the property to the north, which is the Windy Hill Farms HOA property, and is suggesting getting a drainage easement for the adjoining lot located to the west of lot 3 (the applicant lot is lot 2). The adjoining property is almost 100% in the floodplain whom is not an applicant of this plat. The owner of lot 3 was discussed in regards to their support of this plat and involvement. Mr. Hendricks is recommending the applicant to get a drainage easement for point discharge to the adjoining property in order to protect the public interest of the conveyance of the water and to protect the property owner's interest to ensure they know about the conveyance of the water. There was additional discussion concerning the conveyance of water, floodplain limits.

Commissioner Mersch requested to table this item until the regularly scheduled Planning and Zoning meeting and to have legal counsel present along with the owner of lot 3; however, it was confirmed that the owner of lot 3 is named on the construction plat. It was also confirmed the City has received a letter from the property owner of lot 3 documenting approval of easements conveyed to the applicant relative to the project on lot 2. Further clarification was that the owner of the adjacent property should be made aware of the situation and a letter from that property owner should be obtained or the owner of that property should be in attendance at the next P&Z meeting.

Motion was made to table the consideration of the application of Pogue Engineering, a division of Westwood to request approval of a Variance from the drainage design standards of the City of Murphy to allow an alternative design for applicant's required off-site drainage facilities. Located on 1.33 acres, having the legal description of Abstract A0859 Mary Scott Survey, Tract 85. This property is located on West FM 544, just west of Heritage Parkway, until the regularly scheduled September meeting and at which point we should hear from the owners of the adjoining property to the west of lot 3 and the letter from the property owner of lot 3 and the city's legal counsel made by Greg Mersch.

Public Hearing opened at 7:03 PM

Arlyn Samuelson, wanted to voice his opinion on this condition was already existing and this issue should not be the developer's concern at this time.

The Public Hearing will be left open until the next Planning and Zoning meeting.  
Motion withdrawn.

- C. Consider and/ or act on the application of Pogue Engineering, a division of Westwood, requesting approval of a site plan, landscape plan, building elevations and construction plat for Smiles at Murphy on a property located on West FM 544, just west of Heritage Parkway to build a 7,820 square foot building for medical offices uses.

Commissioner Levy suggested postponing this item along with item 4A to be discussed at the next regularly scheduled Planning and Zoning meeting.

## 5. ADJOURNMENT

Chairman Levy adjourned at 7:07 PM.

APPROVED:

DATE:

\_\_\_\_\_

\_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary

**Issue**

Hold a public hearing and consider and/or act on the application of Dowdey, Anderson & Associates, Inc. requesting approval of a residential re-plat. The property is located on .478 acres, having the legal description of Windy Hill Farms #3 (CMR), BLK I, Lot 1. This property is located on Shelby Trace.

**Staff Resource/Department**

Kelly Carpenter, AICP, Interim Director of Economic and Community Development  
Tina Stelnicki, Community Development Coordinator

**Summary**

State Law requires that when property lines are changed or lot sizes changed in a residential subdivision, then a public hearing must be held for owners of lots in the residential subdivision within 200 feet of this project. In this case, property is being added to a residential lot located at 430 Shelby Trace.

This item is directly related to the re-plat of the Baylor Emergency Medical Center, Item 5B. One cannot be approved without approval of the other.

A public hearing notification for this zoning change request was published in the newspaper and notification was mailed to the property owners within the required 200 feet notification radius. To date (9/22/2016) no reply forms have been received.

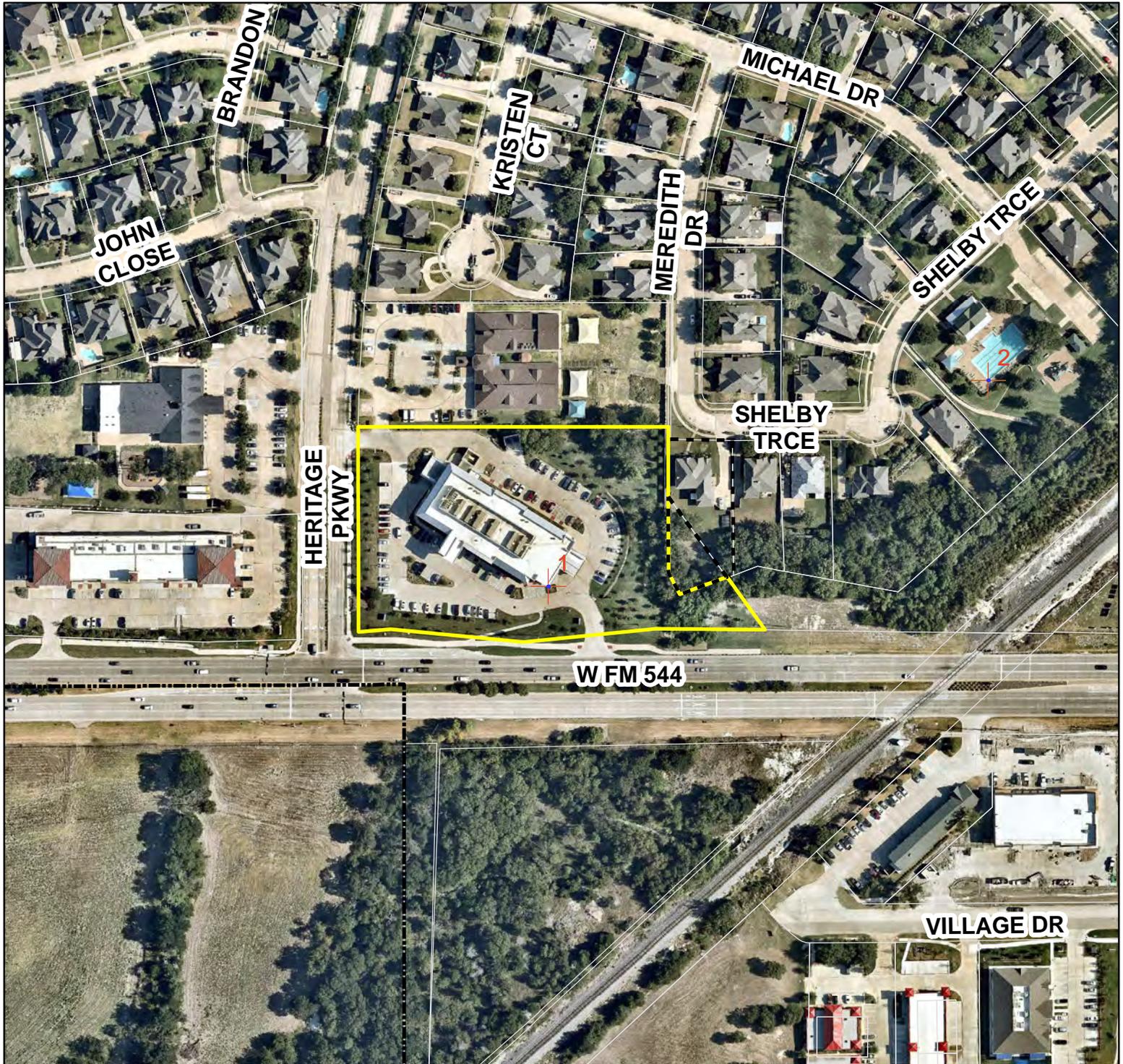
**Staff Recommendation**

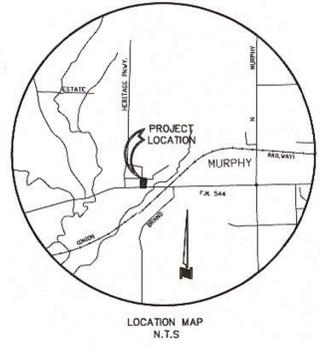
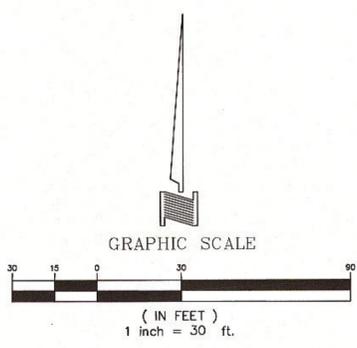
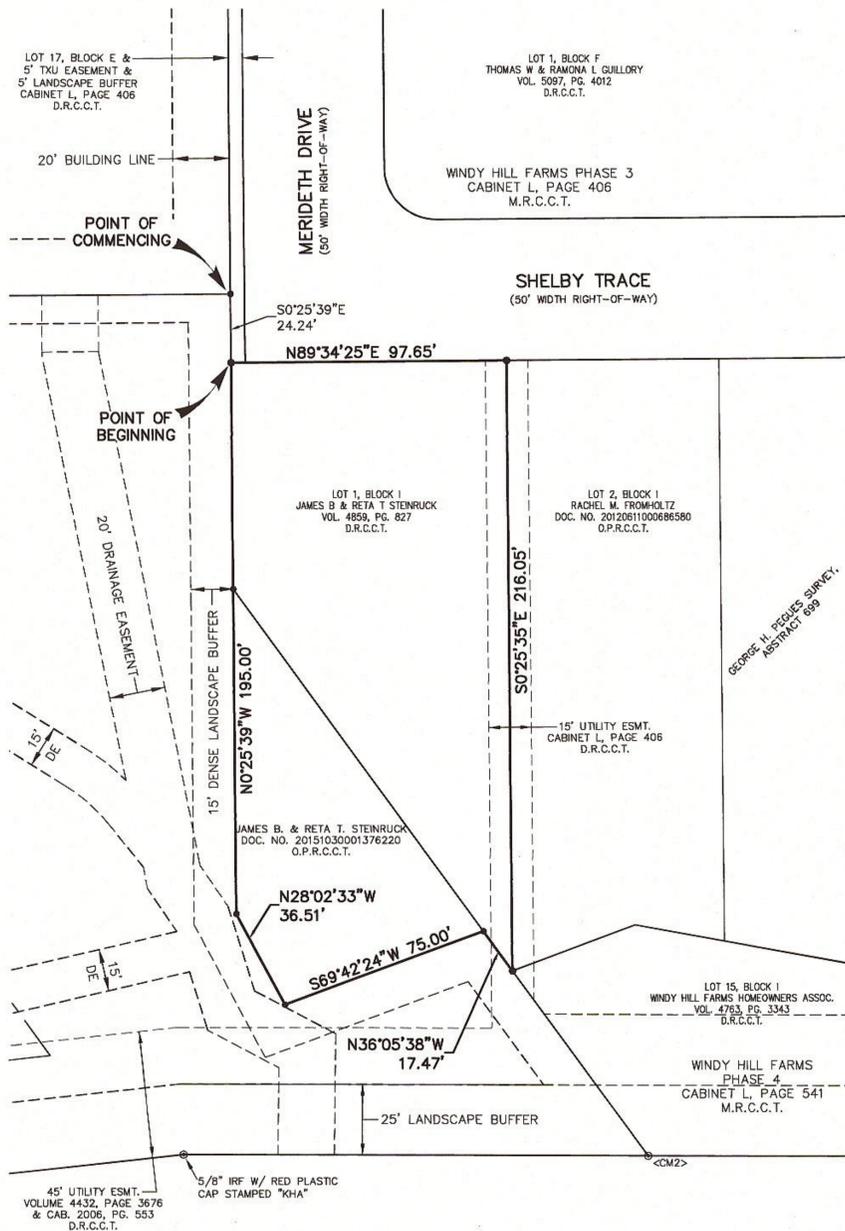
Recommend approval as long as Item 5B has been approved.

**Attachments**

Aerial site map  
Re-plat document

# 430 Shelby Trace Property





**OWNER'S CERTIFICATE**

STATE OF TEXAS §  
 COUNTY OF COLLIN §

WHEREAS, JAMES B. STEINRUCK AND RETA T. STEINRUCK, husband and wife, being the owners of a tract of land situated in the GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699 City of Murphy, Collin County, Texas and being all of Lot 1, Block 1, Windy Hill Farms, Phase 3, an Addition to the City of Murphy, Collin County, Texas according to the Plat thereof recorded in Cabinet L, Page 406, Map Records, Collin County, Texas, a portion of Lot 2, Block A of Heritage Addition, an addition to the City of Murphy according to the plat field of record in Book 2006, Page 553, Map Records of Collin County, Texas, said tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "DAA" set for the northwest corner of said Lot 1, in the east line of said Lot 2, from which a 1/2" iron rod with yellow plastic cap stamped "DAA" found for the northeast corner of said Lot 2, same being the southeast corner of Lot 1, Block A of said Heritage Addition bears N 0° 25' 39" W, a distance of 24.24 feet;

THENCE N 89° 34' 25" E, with the north line of Lot 1 of the above mentioned Windy Hill Farms Phase 3, same being the south line of Shelby Trace (a 50-foot right-of-way), a distance of 97.65 feet to a 1/2" iron rod with yellow plastic cap stamped "DAA" set for the northeast corner of said Lot 1, same being the northwest corner of Lot 2 of said addition for the northeast corner of this tract;

THENCE S 0° 25' 35" E, with the common line of said Lot 1 and 2, a distance of 216.05 feet to a 1/2" iron rod with yellow plastic cap stamped "DAA" set in the most easterly east line of Lot 2 of the above mentioned Heritage Addition, for the common corner of Lot 1 and 2 of said Windy Hill Farms Phase 3, for the most easterly southeast corner of this tract;

THENCE N 36° 05' 38" W, with said east line and being common with a portion of the south line of said Lot 1, a distance of 17.47 feet to a 1/2" iron rod with yellow plastic cap stamped "DAA" set for a corner in said common line, for an interior "ell" corner of this tract;

THENCE leaving said common line, over and across Lot 2 of the above mentioned Heritage Addition, the following three (3) courses and distances as follows:

S 69° 42' 24" W, a distance of 75.00 feet to a 1/2" iron rod with yellow plastic cap stamped "DAA" set for a corner;

N 28° 02' 33" W, a distance of 36.51 feet to a 1/2" iron rod with yellow plastic cap stamped "DAA" set for a corner;

N 0° 25' 39" W, passing at a distance of 115.00 feet the southwest corner of Lot 1 of the above mentioned Windy Hill Farms Phase 3 and continuing for a total distance of 195.00 feet to the POINT OF BEGINNING and containing 0.478 acres of land, more or less.

**DEDICATION STATEMENT**

STATE OF TEXAS §  
 COUNTY OF COLLIN §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That JAMES B. STEINRUCK AND RETA T. STEINRUCK, do hereby adopt this plat designating the herein above-described property as STEINRUCK WINDY HILLS FARMS, an addition to the City of Murphy, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown hereon and do hereby dedicate the easements shown on the plat for the purposes indicated to the public use forever, said dedications being free and clear of all liens and encumbrances, except as shown herein. No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon, over, or across the easements on said plat. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to the public's and City of Murphy's use thereof. The City of Murphy and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements and the City of Murphy or any public utility shall at all times have the right of ingress and egress to and from any upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone. JAMES B. STEINRUCK AND RETA T. STEINRUCK, do hereby bind themselves, their successor and assigns to forever warrant and defend, all and singular, the above-described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

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

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
 James B. Steinruck

By: \_\_\_\_\_  
 Reta T. Steinruck

**NOTARY CERTIFICATE**

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

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Signature \_\_\_\_\_

**NOTARY CERTIFICATE**

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

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Signature \_\_\_\_\_

**SURVEYOR CERTIFICATE**

STATE OF TEXAS

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

Sean Patton  
 Registered Professional Land Surveyor  
 No. 5660

**NOTARY CERTIFICATE**

STATE OF TEXAS §  
 COUNTY OF COLLIN §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Signature \_\_\_\_\_

**CITY SIGNATURE BLOCK**

On the \_\_\_\_ day of \_\_\_\_\_, 2016, this plat was duly approved by the Planning and Zoning Commission of the City of Murphy.

Signed: \_\_\_\_\_  
 Chairman  
 Planning and Zoning Commission

Attest: \_\_\_\_\_  
 City Secretary

Signed: \_\_\_\_\_  
 Planning Department

0.478 ACRES  
 BEING A REPLAT OF  
 LOT 1, BLOCK 1 OF WINDY HILLS FARMS PHASE 3  
 LOT 1R, BLOCK 1  
 STEINRUCK WINDY HILLS FARMS

AN ADDITION TO THE CITY OF MURPHY  
 GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699  
 COLLIN COUNTY, TEXAS

AUGUST 08, 2016 SCALE: 1" = 30'

OWNER  
 JAMES B. STEINRUCK AND RETA T. STEINRUCK  
 430 SHELBY TRACT  
 MURPHY, TEXAS 75094

ENGINEER  
**DOWDEY, ANDERSON & ASSOCIATES, INC.**  
 5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694  
 STATE REGISTRATION NUMBER: F-399  
 SURVEY FIRM REGISTRATION NUMBER: 10077800

- LEGEND**
- FADUE = FIRELANE, PUBLIC ACCESS, DRAINAGE & UTILITY EASEMENT
  - SSE = SANITARY SEWER EASEMENT
  - DE = DRAINAGE EASEMENT
  - WE = WATER EASEMENT
  - O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS
  - D.R.C.C.T. = DEED RECORDS, COLLIN COUNTY, TEXAS
  - M.R.C.C.T. = MAP RECORDS, COLLIN COUNTY, TEXAS
  - DOC NO. = DOCUMENT NUMBER
  - IRF = IRON ROD FOUND
  - IPF = IRON PIPE FOUND
  - = 1/2" IRON ROD FOUND W/ RED PLASTIC CAP STAMPED "WAI" (UNLESS NOTED OTHERWISE)
  - = 1/2" IRON ROD FOUND W/ YELLOW CAP STAMPED "DAA" (UNLESS NOTED OTHERWISE)

**FLOOD NOTE**

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 48085C 0395 & 0415 J, DATED JUNE 2, 2009 THE PROPERTY IS WITHIN FLOOD ZONE X.

ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS, GREATER FLOOD CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

- NOTES:**
1. BEARINGS SHOWN HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM 1983.
  2. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS DESCRIPTION, WITHOUT A REPLAT BEING APPROVED BY THE CITY OF MURPHY, IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

**Issue**

Hold a public hearing and consider and/or act on the application of Dowdey, Anderson & Associates, Inc. requesting approval of a commercial re-plat. The property is located on 3.549 acres, having the legal description of Lot 2 Block A of the Heritage Addition. This property is located on W. FM544 adjacent to the property located on Shelby Trace.

**Staff Resource/Department**

Kelly Carpenter, AICP, Interim Director of Economic and Community Development  
Tina Stelnicki, Community Development Coordinator

**Summary**

This property is being re-platted because as part of the agreement to develop this property, Baylor Emergency Medical Center made an agreement with the adjacent property owner. The city was not part of this agreement. This item is directly related to the re-plat of the residential property located on Shelby Trace Item 5A. One cannot be approved without approval of the other.

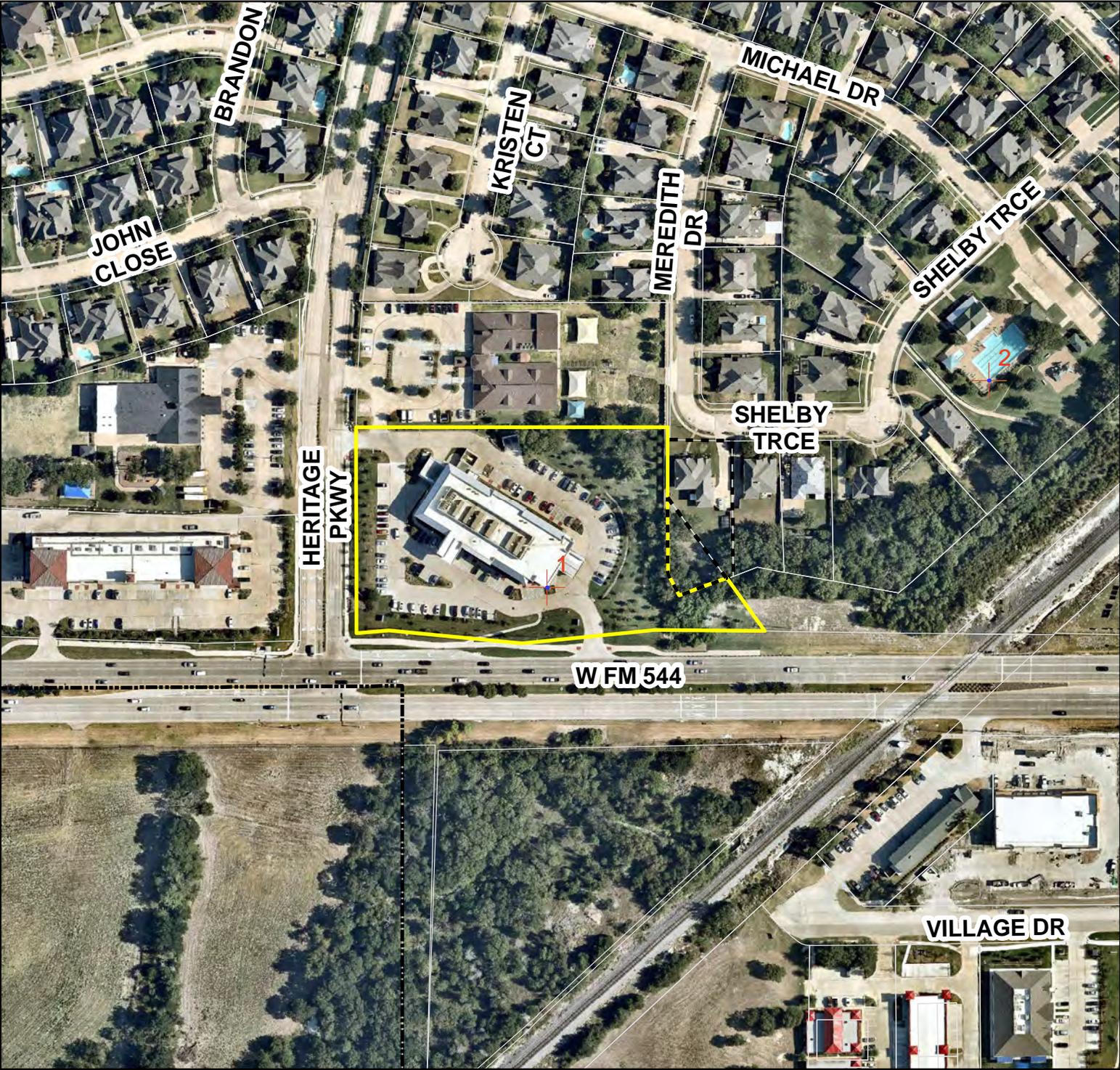
**Staff Recommendation**

Recommend approval as long as Item 5A has been approved.

**Attachments**

Aerial site map  
Re-plat document

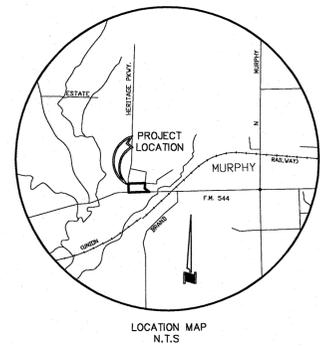
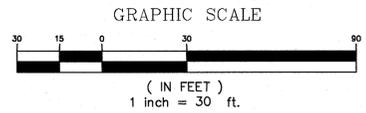
# Baylor Emergency Medical Center Property



Data Sources:  
Parcels - Collin County Appraisal District  
Aerial Photography - August 2016



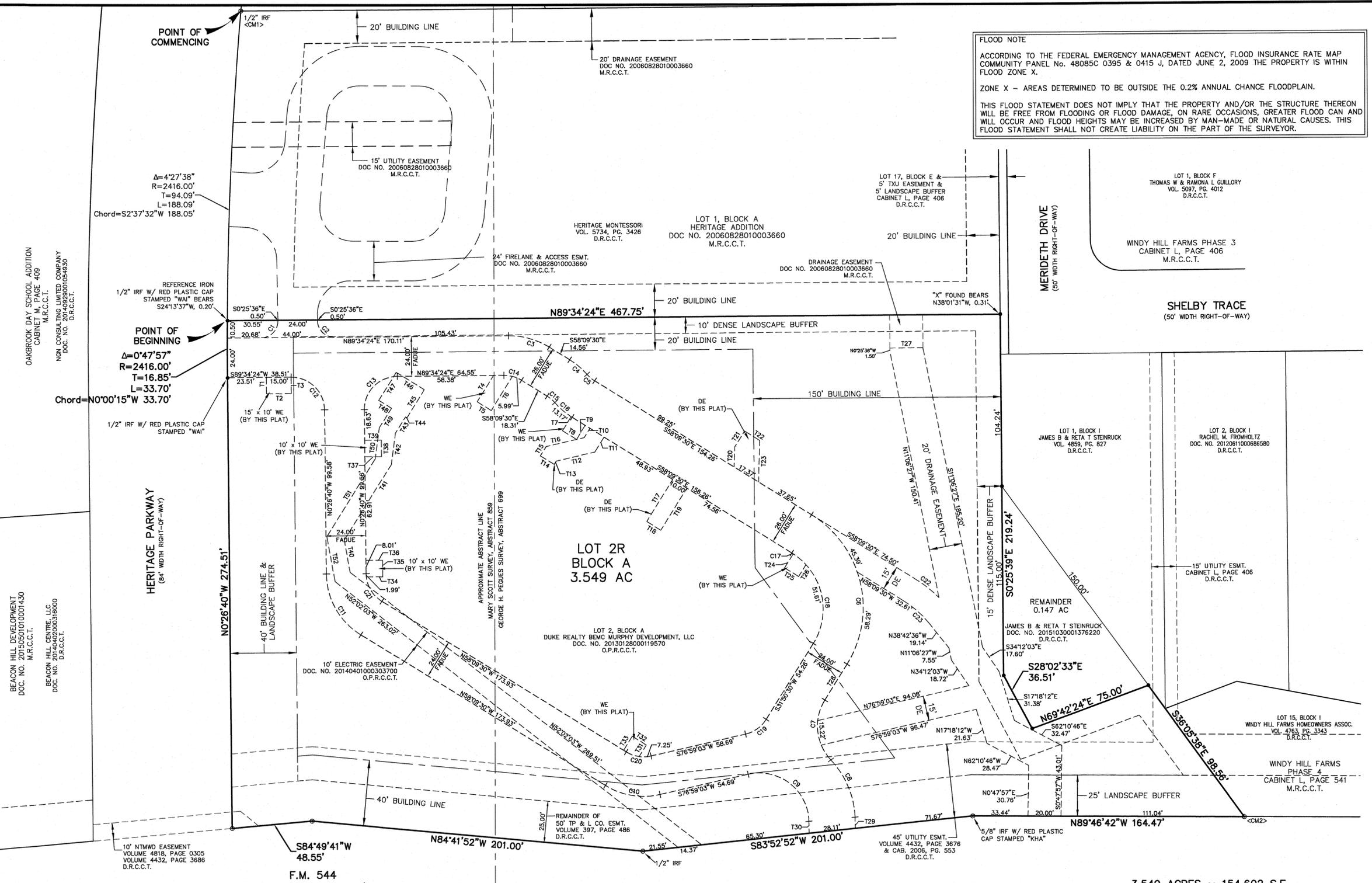
**FLOOD NOTE**  
 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48085C 0395 & 0415 J, DATED JUNE 2, 2009 THE PROPERTY IS WITHIN FLOOD ZONE X.  
 ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.  
 THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS, GREATER FLOOD CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.



**NOTES:**  
 1. BEARINGS SHOWN HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM 1983.  
 2. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS DESCRIPTION, WITHOUT A REPLAT BEING APPROVED BY THE CITY OF MURPHY, IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

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

**FIRE LANES**  
 THAT THE UNDERSIGNED DOES HERBY COVENANT AND AGREE THAT HE (THEY) SHALL CONSTRUCT UPON THE FIRE LANE EASEMENTS, AS DEDICATED AND SHOWN HEREON, A HARD SURFACE IN ACCORDANCE WITH THE CITY OF MURPHY'S PAVING STANDARDS FOR FIRE LANES, AND THAT HE (THEY) SHALL MAINTAIN THE SAME IN A STATE OF GOOD REPAIR AT ALL TIMES AND KEEP THE SAME FREE AND CLEAR OF ANY STRUCTURES, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR OBSTRUCTION, INCLUDING BUT NOT LIMITED TO THE PARKING OF MOTOR VEHICLES, TRAILERS, BOATS OR OTHER IMPEDIMENTS TO THE ACCESSIBILITY OF FIRE APPARATUS. THE MAINTENANCE OF PAVING ON THE FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE OWNER AND THE OWNER SHALL POST AND MAINTAIN APPROPRIATE SIGNS IN CONSPICUOUS PLACES ALONG EACH FIRE LANES, STATING "FIRE LANE, NO PARKING OR STANDING." THE LOCAL LAW ENFORCEMENT AGENCY(S) IS HEREBY AUTHORIZED TO ENFORCE PARKING REGULATIONS WITHIN THE FIRE LANES AND TO CAUSE SUCH FIRE LANES AND UTILITY EASEMENTS TO BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENTS AND EMERGENCY USE.



LINE	BEARING	LENGTH
T1	S0°25'36"E	10.00'
T2	N89°34'24"E	15.00'
T3	S0°25'36"E	10.00'
T4	S31°50'30"W	18.88'
T5	S58°09'30"E	10.00'
T6	N31°50'30"E	24.38'
T7	S31°50'30"W	10.00'
T8	S58°09'30"E	10.00'
T9	N31°50'30"E	10.00'
T10	N31°50'30"E	6.56'
T11	N31°50'30"E	10.71'
T12	N76°50'30"E	23.99'
T13	N31°50'21"E	2.33'
T14	N58°09'30"W	9.87'
T15	N31°50'30"E	6.61'

LINE	BEARING	LENGTH
T16	N76°50'30"E	23.80'
T17	N31°49'46"E	30.00'
T18	N58°09'30"W	10.00'
T19	N31°49'46"E	30.00'
T20	N1°34'59"E	12.08'
T21	N31°50'30"E	11.37'
T22	S58°09'30"E	10.73'
T23	S1°34'59"W	25.24'
T24	S31°50'30"W	10.00'
T25	S58°09'30"E	10.00'
T26	N31°50'30"E	8.45'
T27	N89°34'24"E	20.00'
T28	S31°50'30"W	25.52'
T29	S1°04'45"E	6.85'
T30	N0°57'29"W	7.27'

LINE	BEARING	LENGTH
T31	N31°50'30"E	8.26'
T32	N58°09'30"W	10.00'
T33	S31°50'30"W	10.00'
T34	N89°33'20"E	9.90'
T35	N0°26'40"W	10.00'
T36	S89°33'20"W	10.00'
T37	N89°33'20"E	10.00'
T38	N0°26'40"W	10.00'
T39	S89°33'20"W	10.00'
T40	S1°05'46"E	20.05'
T41	S31°50'30"E	53.99'
T42	S7°26'48"W	19.00'
T43	S31°50'30"W	11.75'
T44	N58°09'30"W	1.00'
T45	S31°50'30"W	20.00'

LINE	BEARING	LENGTH
T46	S58°09'30"E	20.00'
T47	N31°50'30"E	20.00'
T48	N58°09'30"W	9.00'
T49	N31°50'30"E	13.91'
T50	N7°26'48"E	19.00'
T51	N31°50'30"E	55.66'
T52	N10°05'46"W	27.72'

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C1	90°00'00"	10.00'	10.00'	15.71'	N44°34'24"E 14.14'
C2	90°00'00"	10.00'	10.00'	15.71'	S45°25'36"E 14.14'
C3	32°16'06"	46.00'	13.31'	25.91'	S74°17'33"E 25.57'
C4	17°14'35"	46.00'	6.97'	13.84'	S49°32'13"E 13.79'
C5	17°14'35"	20.00'	3.03'	6.02'	S49°32'13"E 6.00'
C6	90°00'00"	66.00'	66.00'	103.67'	S13°09'30"E 93.34'
C7	75°00'02"	30.00'	23.02'	39.27'	S5°39'31"E 36.53'
C8	40°52'28"	54.00'	20.12'	38.52'	S22°43'18"E 37.71'
C9	102°03'28"	30.00'	37.09'	53.44'	N51°59'13"W 46.65'
C10	44°51'27"	44.00'	18.16'	34.45'	N80°35'14"W 33.57'
C11	57°42'50"	44.00'	24.25'	44.32'	N29°18'05"W 42.47'
C12	89°58'57"	20.00'	19.99'	31.41'	N45°26'08"W 28.28'
C13	90°01'03"	20.00'	20.01'	31.42'	N44°33'52"E 28.29'
C14	32°16'06"	20.00'	5.79'	11.26'	S74°17'33"E 11.12'
C15	17°14'35"	20.00'	3.03'	6.02'	S49°32'13"E 6.00'

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C16	17°14'35"	46.00'	6.97'	13.84'	S49°32'13"E 13.79'
C17	1°32'08"	40.00'	0.54'	1.07'	S57°23'26"E 1.07'
C18	90°00'00"	40.00'	40.00'	62.83'	S13°09'30"E 56.57'
C19	45°08'33"	20.00'	8.31'	15.78'	S54°24'46"W 15.35'
C20	44°51'27"	20.00'	8.26'	15.66'	N80°35'14"W 15.26'
C21	57°42'50"	20.00'	11.02'	20.15'	N29°18'05"W 19.30'
C22	13°03'30"	77.50'	8.87'	17.66'	S51°37'45"E 17.62'
C23	19°26'54"	62.50'	10.71'	21.21'	N48°26'03"W 21.11'

**LEGEND**  
 FADUE = FIRELANE, PUBLIC ACCESS, DRAINAGE & UTILITY EASEMENT  
 SSE = SANITARY SEWER EASEMENT  
 DE = DRAINAGE EASEMENT  
 WE = WATER EASEMENT  
 O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS  
 D.R.C.C.T. = DEED RECORDS, COLLIN COUNTY, TEXAS  
 M.R.C.C.T. = MAP RECORDS, COLLIN COUNTY, TEXAS  
 DOC NO. = DOCUMENT NUMBER  
 IRF = IRON ROD FOUND  
 IPF = IRON PIPE FOUND  
 ● = 1/2" IRON ROD FOUND W/ RED PLASTIC CAP STAMPED "WAI" (UNLESS NOTED OTHERWISE)  
 ● = 1/2" IRON ROD FOUND W/ YELLOW CAP STAMPED "DAA" (UNLESS NOTED OTHERWISE)

3.549 ACRES ~ 154,602 S.F.  
 BEING A REPLAT OF  
 LOT 2, BLOCK A OF THE HERITAGE ADDITION INTO  
 LOT 2R, BLOCK A

**BAYLOR EMERGENCY MEDICAL CENTER**  
 AN ADDITION TO THE CITY OF MURPHY  
 GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699  
 MARY SCOTT SURVEY, ABSTRACT NO. 859  
 COLLIN COUNTY, TEXAS

FEBRUARY 08, 2016 SCALE: 1" = 30'  
 OWNER  
**DUKE REALTY BEMC MURPHY DEVELOPMENT, LLC**  
 14241 DALLAS PARKWAY, SUITE 1000  
 DALLAS, TEXAS 75254  
 ENGINEER  
**DOWDEY, ANDERSON & ASSOCIATES, INC.**  
 5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694  
 STATE REGISTRATION NUMBER: F-399  
 SURVEY FIRM REGISTRATION NUMBER: 10077800

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS, DUKE REALTY BEMC MURPHY DEVELOPMENT, LLC, AN INDIANA LIMITED LIABILITY COMPANY, being the owner of a tract of land situated in the GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699 and the MARY SCOTT SURVEY, ABSTRACT NO. 859, City of Murphy, Collin County, Texas and being part of Lot 2, Block A of HERITAGE ADDITION, an Addition to the City of Murphy, Collin County, Texas according to the Plat thereof recorded in Book 2006, Page 553 (Document No. 20060828010003660), Map Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set in the east line of Heritage Parkway, an 84 foot right-of-way, being the southwest corner of Lot 1, Block A of said Addition, being common with the northwest corner of said Lot 2, from which a 1/2 inch iron rod with red plastic cap stamped "WAI" found bears South 24 degrees 13 minutes 37 seconds West, 0.20 feet;

THENCE North 89 degrees 34 minutes 24 seconds East, leaving said east line and said common corner, a distance of 467.75 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set in the west line of Lot 17, Block E of WINDY HILL FARMS PHASE 3, an Addition to the City of Murphy, Collin County, Texas, according to the Plat filed of record in Cabinet L, Page 406, Map Records, Collin County, Texas, being the southeast corner of said Lot 1, being common with the northeast corner of said Lot 2, from which an "X" found in concrete bears North 38 degrees 01 minutes 31 seconds West, 0.31 feet;

THENCE South 00 degrees 25 minutes 39 seconds East, leaving said common corner, a distance of 219.24 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for the southwest corner of that tract of land conveyed to James B. and Reta T. Steirnuck, according to the document filed of record in Document Number 20151030001376220, Deed Records, Collin County, Texas, being common with an interior ell corner of said Lot 2;

THENCE South 28 degrees 02 minutes 33 seconds East, leaving said common corner, a distance of 36.51 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for the south corner of said Steirnuck tract, being common with an interior ell corner of said Lot 2;

THENCE North 69 degrees 42 minutes 24 seconds East, leaving said common corner, a distance of 75.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set in the southwest line of that tract of land conveyed to James B. and Reta T. Steirnuck, according to the document filed of record in Volume 4859, Page 827, Deed Records, Collin County, Texas, being the southeast corner of said Steirnuck tract recorded in Document Number 20151030001376220, being common with the most easterly northeast corner of said Lot 2;

THENCE South 36 degrees 05 minutes 38 seconds East, leaving said common corner, a distance of 98.56 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" found in the north line of Farm to Market Road No. 544, a variable width right-of-way, being the southwest corner of Lot 15, Block I of WINDY HILLS FARMS PHASE 4, an Addition to the City of Murphy, Collin County, Texas, according to the Plat filed of record in Cabinet L, Page 541, Map Records, Collin County, Texas, being common with the southeast corner of said Lot 2;

THENCE Leaving said common corner, with said north line, the following four (4) courses and distances:

North 89 degrees 46 minutes 42 seconds West, a distance of 164.47 feet to a 5/8 inch iron rod with a red plastic cap stamped "KHA" found for corner;

South 83 degrees 52 minutes 52 seconds West, a distance of 201.00 feet to a 1/2 inch iron rod found for corner;

North 84 degrees 41 minutes 52 seconds West, a distance of 201.00 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" found for corner;

South 84 degrees 49 minutes 41 seconds West, a distance of 48.55 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" found for the intersection of said north line with the above mentioned east line of Heritage Parkway;

THENCE North 00 degrees 26 minutes 40 seconds West, leaving said north line and with said east line, a distance of 274.51 feet to a 1/2 inch iron rod with a red plastic cap stamped "WAI" found for corner at the beginning of a curve to the right having a central angle of 00 degrees 47 minutes 57 seconds, a radius of 2,416.00 feet and a chord bearing and distance of North 00 degrees 00 minutes 15 seconds West;

THENCE With said east line and said curve to the right, an arc distance of 33.70 feet to the POINT OF BEGINNING and containing 3.549 acres of land, more or less.

DEDICATION STATEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

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

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

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

DUKE REALTY BEMC MURPHY DEVELOPMENT, LLC
An Indiana limited liability company

By: Duke Realty Limited partnership
an Indiana limited partnership, its sole member

By: Duke Realty Corporation
an Indiana corporation, its general partner

By: Richard J Couturier, SVP

NOTARY CERTIFICATE

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

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Richard J Couturier, the duly authorized Senior Vice President, of Duke Realty Corporation, an Indiana corporation, the general partner of Duke Realty Limited Partnership, an Indiana limited partnership, the sole member of DUKE REALTY BEMC MURPHY DEVELOPMENT LLC, an Indiana limited liability company. Known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Signature

SURVEYOR CERTIFICATE

STATE OF TEXAS

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

Sean Patton
Registered Professional Land Surveyor
No. 5660

NOTARY CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Signature

CITY SIGNATURE BLOCK

On the \_\_\_\_ day of \_\_\_\_\_, 2016, this plat was duly approved by the Planning and Zoning Commission of the City of Murphy.

Signed: \_\_\_\_\_
Chairman
Planning and Zoning Commission

Attest: \_\_\_\_\_
City Secretary

Signed: \_\_\_\_\_
Planning Department

ACCESS EASEMENTS

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

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3,549 ACRES ~ 154,602 S.F.
BEING A REPLAT OF
LOT 2, BLOCK A OF THE HERITAGE ADDITION INTO
LOT 2R, BLOCK A
BAYLOR EMERGENCY MEDICAL CENTER
AN ADDITION TO THE CITY OF MURPHY
GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699
MARY SCOTT SURVEY, ABSTRACT NO. 859
COLLIN COUNTY, TEXAS

FEBRUARY 08, 2016 SCALE: 1" = 30'

OWNER
DUKE REALTY BEMC MURPHY DEVELOPMENT, LLC
14241 DALLAS PARKWAY, SUITE 1000
DALLAS, TEXAS 75254

ENGINEER
DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694
STATE REGISTRATION NUMBER: F-399
SURVEY FIRM REGISTRATION NUMBER: 10077800

**Issue**

Reconvene the public hearing of item 4A from the September 12, 2016 Planning and Zoning meeting and consider and/or act on the application of Pogue Engineering, a division of Westwood to request approval of a Variance from the drainage design standards of the City of Murphy to allow an alternative design for applicant's required off-site drainage facilities. Located on 1.33 acres, having the legal description of Abstract A0859 Mary Scott Survey, Tract 85. This property is located on West FM 544, just west of Heritage Parkway.

**Staff Resource/Department**

Kelly Carpenter, AICP, Interim Director of Economic and Community Development  
Tina Stelnicki, Community Development Coordinator

**Summary**

Since the September 12 Special Planning and Zoning Commission meeting, the issue of a drainage design variance has been resolved through other approved drainage plan measures. This variance is no longer required and as such, this Public Hearing can be closed with no further action required.

**Staff Recommendation**

Close the Public Hearing.

**Issue**

Consider and/ or act on the application of Pogue Engineering, a division of Westwood, requesting approval of a site plan, landscape plan, building elevations and construction plat for Smiles at Murphy on property located on West FM 544, just west of Heritage Parkway to build a 7,820 square foot building for medical offices uses.

**Staff Resource/Department**

Kelly Carpenter, AICP, Interim Director of Economic and Community Development  
Tina Stelnicki, Community Development Coordinator

**Summary**

This is a request for approval of a site plan, landscape plan, building elevations and construction plat for Smiles at Murphy on property located on West FM 544, just west of Heritage Parkway to build a 7,820 square foot building for medical offices uses. The property is located within PD-08-11-771 (Planned Development). The medical office use is an approved use within this Planned Development.

***Site Plan***

The proposed site plan has been reviewed by staff and meets the requirements as set forth by the Planned Development guidelines.

***Building Elevations***

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

Height regulation is one story or 25 feet. "The definition of a story does not include parapets, gables and other normal roof structures" pursuant to Section 30.01.006 Definitions of the City of Murphy Code of Ordinances.

This building will be 27 feet in height including parapets. This is in compliance with the height regulations for the Planned Development district.

***Landscape Plan***

The proposed landscape and materials used meet requirement standards as set forth by the Planned Development guidelines.

A tree variance, initially required because applicant could not place all required trees on the project site, is no longer needed. Applicant will plant larger caliper trees so that all mitigation trees are onsite.

***Construction Plat***

The construction plat meets requirements as set forth by the Planned Development guidelines. Easement approval will be required to be secured prior to Pre-Construction meeting being scheduled.

The drainage issue was resolved by providing the easements and engineering solutions that meet engineering standards. Thus the variance is no longer needed.

***Additional Considerations for Notation***

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

**Action Requested**

Approve the Construction Plat, site plan, landscape plan and building elevations.

**Attachments**

- Property location aerial
- Site Plan
- Color Landscape Plan
- Detailed Landscape Planting Plan
- Building Elevations
- Construction Plat
- Planned Development



544th Rd

Gar Co (Tair Enterprises)

East Plano Murphy  
Pet Hospital

East Plano Murphy  
Animal Hospital

W Farm to Market Rd 544

14th St

14th St

544



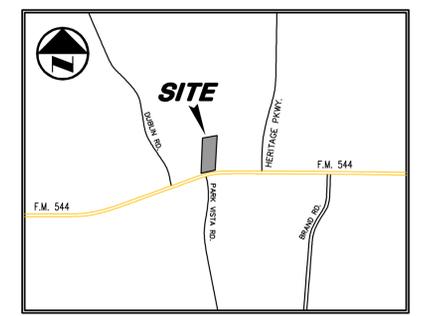
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 N:\0008645\00\DWG\01\000864501.DWG  
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BLOCK K  
 REPLAT. WINDY HILL FARMS, PHASE  
 (VOL. 2015, PG. 730)

BLOCK F  
 REPLAT. WINDY HILL FARMS, PHASE 1  
 (VOL. 2015, PG. 730)

LOT 8  
 ZONING:  
 PD 99-01-444

LOT 9



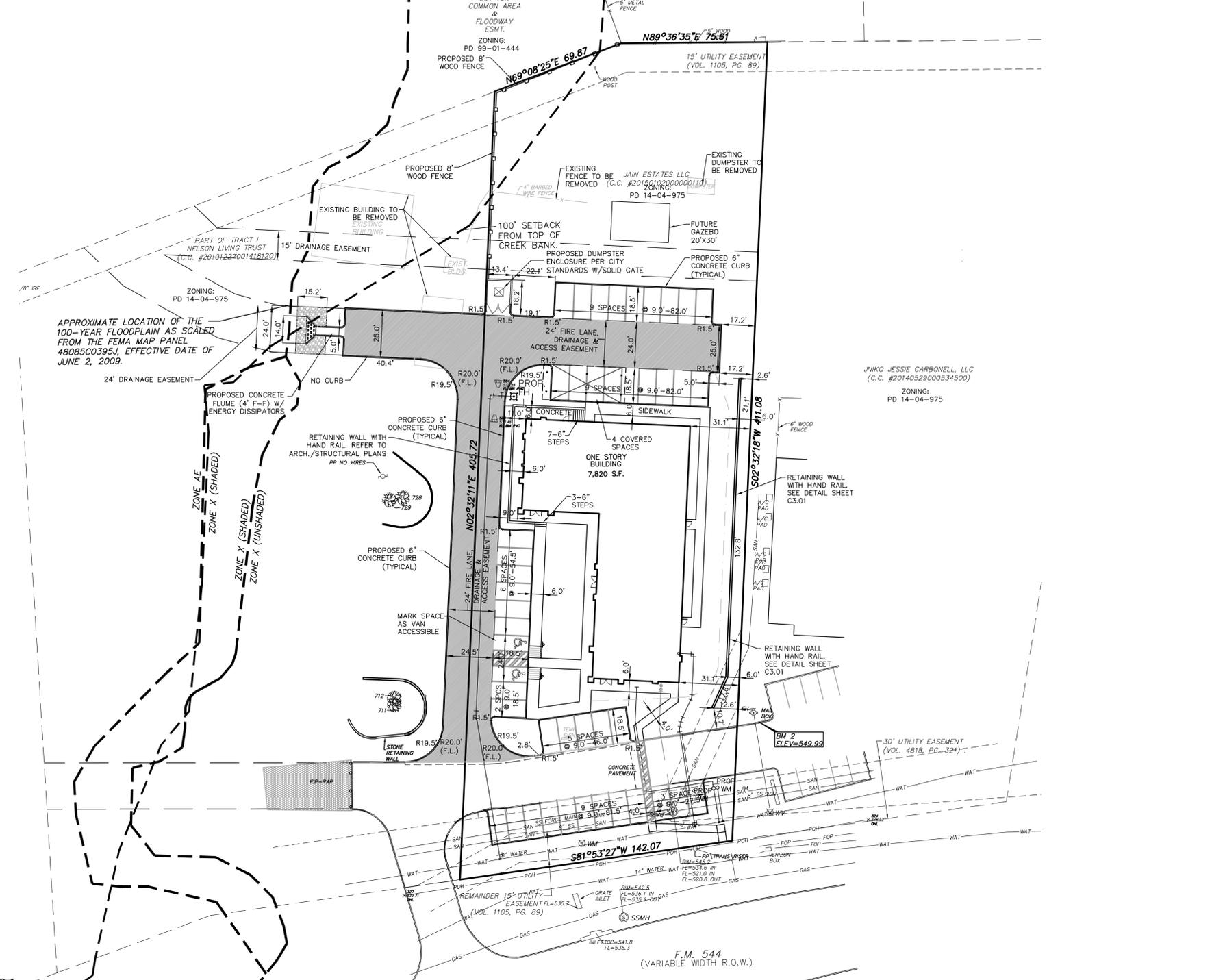
**VICINITY MAP**  
 NOT TO SCALE



GRAPHIC SCALE 1" = 30'  
 30 0 30 60

**LEGEND**

- B. BOLLARD
- EM. ELECTRIC METER
- PP. POWER POLE
- LS. LIGHT STANDARD
- WM. WATER METER
- WV. WATER VALVE
- ICV. IRRIGATION CONTROL VALVE
- FH. FIRE HYDRANT
- FDC. FIRE DEPARTMENT CONNECTION
- CO. CLEAN OUT
- MH. MANHOLE
- GM. GAS METER
- TSC. TRAFFIC SIGNAL CONTROL
- TSP. TRAFFIC SIGNAL POLE
- SIG. TRAFFIC SIGN
- TELE. TELEPHONE BOX
- TV. TV BOX
- FP. FLAG POLE
- L.A. LANDSCAPE AREA
- PROPERTY LINE
- O.H. O.H. POWER LINES
- U/G TELE. U/G TELEPHONE LINES
- U/G WATER. U/G WATER LINE
- U/G GAS. U/G GAS LINE
- FENCE
- (C.M.) CONTROLLING MONUMENT
- SIR 5/8-INCH IRON ROD WITH "FOGUE ENG & DEV" CAP SET
- FIRE LANE



APPROXIMATE LOCATION OF THE  
 100-YEAR FLOODPLAIN AS SCALED  
 FROM THE FEMA MAP PANEL  
 48085C0395J, EFFECTIVE DATE OF  
 JUNE 2, 2009.

JINIKO JESSIE CARBONELL, LLC  
 (C.C. #20140529000534500)  
 ZONING:  
 PD 14-04-975

SITE DATA SUMMARY	
ITEM	LOT 2
ZONING:	PD-14-04-975 (Office)
PROPOSED USE:	MEDICAL OFFICE
TOTAL LOT AREA:	1.33 AC.
TOTAL BUILDING AREA:	7,820 S.F.
BUILDING HEIGHT:	27'-0" (1-STORY)
LOT COVERAGE:	13.5%
PROPOSED FAR:	0.13
PARKING REQUIRED:	40 SPACES
GENERAL OFFICE	0 SPACES
MEDICAL OFFICE (1/200)	40 SPACES
PARKING PROVIDED:	45 SPACES
HANDICAP PARKING REQUIRED:	2 SPACES
HANDICAP PARKING PROVIDED:	2 SPACES

**NOTE:**  
 ALL DIMENSIONS ARE FROM BACK OF CURB TO  
 BACK OF CURB, UNLESS OTHERWISE NOTED.

**CAUTION!!! BEFORE YOU DIG...**  
 UNDERGROUND UTILITIES ARE LOCATED IN  
 THIS AREA. 48 HOURS PRIOR TO ANY  
 CONSTRUCTION ACTIVITIES, CONTACT LINE  
 LOCATES FOR FRANCHISE UTILITY INFO. CALL  
 BEFORE YOU DIG.  
 NATIONAL 811 DIGGING NUMBER  
 TEXAS EXCAVATION SAFETY SYSTEM (TESS) 1-800-344-8377  
 TEXAS ONE CALL SYSTEMS 1-800-245-4545  
 LONE STAR NOTIFICATION CENTER 1-800-669-8344 EXT. 5  
 NTHWD CONTACT LINE LOCATES 972-442-5405  
 (IT IS THE CONTRACTOR'S RESPONSIBILITY FOR VERIFYING  
 LOCATION & ELEVATION OF ALL EXISTING UTILITIES).  
 NOTE: IF UTILITY RELOCATIONS ARE SCHEDULED, IN-PROGRESS  
 OR COMPLETE, CONTRACTOR SHALL NOTIFY THE CONSTRUCTION  
 INSPECTOR & PROJECT MANAGER IMMEDIATELY IF FRANCHISE  
 UTILITIES ARE FOUND TO BE IN CONFLICT WITH PROPOSED  
 CONSTRUCTION.

**BENCH MARK LIST:**  
 BENCHMARK #1  
 TEXAS EXCAVATION SAFETY SYSTEM (TESS) POINT NO. 219 FOUND LOCATED IN THE  
 CITY OF PLANO GPS POINT NO. 219 FOUND LOCATED IN THE  
 CENTERLINE MEDIAN OF 14TH STREET 305± SOUTHWEST OF DUBLIN  
 ROAD ELEVATION = 529.49  
 BENCHMARK #2  
 SQUARE CUT SET ON TOP OF CURB OF NORTH SIDE OF DRIVEWAY 60±  
 NORTH OF SOUTHEAST CORNER OF THE SITE.  
 ELEVATION = 549.99

**FRANCHISE UTILITY NOTES:**  
 1. ONCOR ELECTRIC - (903) 868-8242 - MR. MARK BAILEY  
 2. ATMOS ENERGY (GAS) - (214) 733-5122 - MR. DAVID COKER  
 3. TIME WARNER CABLE - (972) 742-5892  
 4. AT&T TELEPHONE - (972) 569-4760 - MR. KEITH HELM

**NOTE:**  
 OFF-SITE PAVING, GRADING, DRAINAGE,  
 AND EROSION CONTROL IMPROVEMENTS TO  
 BE APPROVED BY ADJACENT PROPERTY  
 OWNER VIA A LETTER OF PERMISSION.

**ADA ROUTE**  
 NOTE:  
 MAXIMUM SLOPE FOR ALL  
 ADA PATHS 5% MAX. GROSS  
 FALL IS 2% FOR THE FIRST  
 FIVE FOOT FROM THE DOOR  
 A 2% SLOPE (MAX.) MUST BE  
 MAINTAINED

NO.	DATE	REVISION / DESCRIPTION
DESIGN	DRAWN	DATE
AWS	MJN	08-29-2016

**DEVELOPER**  
 JAIN ESTATES, LLC  
 1331 TWIN KNOLL DRIVE  
 MURPHY, TEXAS 75094  
 MR. PANKAJ JAIN  
 (201) 970-6273

**PROJECT INFORMATION**  
 SMILES AT MURPHY OFFICE BUILDING  
 A 1.3301 ACRE TRACT OF LAND IN  
 THE MARY SCOTT SURVEY, A-859  
 CITY OF MURPHY, TEXAS  
 EXISTING ZONING: PD-14-04-975 (OFFICE)

THIS DOCUMENT IS RELEASED FOR THE PURPOSE  
 OF INTERIM REVIEW UNDER THE AUTHORITY OF ARLYN W.  
 SAMUELSON, P.E. 95871 ON 08-29-2016. IT IS  
 NOT TO BE USED FOR CONSTRUCTION, BIDDING OR  
 PERMIT PURPOSES.

**PRELIMINARY**  
 FOR INTERIM REVIEW ONLY  
 NOT TO BE USED FOR:  
 CONSTRUCTION OR  
 BIDDING PURPOSES.  
 Engineer: ARLYN W. SAMUELSON, P.E.  
 P.E. No.: 95871  
 Date: 08-29-2016

**POGUE**  
 ENGINEERING & DEVELOPMENT COMPANY, INC.  
 a division of **Westwood**  
 1512 BRAY CENTRAL DRIVE  
 SUITE 100  
 MCKINNEY, TEXAS 75069  
 TX BOARD PROF. ENGINEERS, CERT. #11756; TX BOARD PROF. LAND SURVEYING, CERT. 1007430  
 (214) 437-4640 PHONE  
 (888) 937-5150 TOLL FREE  
 WWW.WESTWOODPS.COM

**SITE PLAN**  
 SMILES AT MURPHY OFFICE BUILDING  
 A 1.3301 ACRE TRACT IN  
 MARY SCOTT SURVEY, A-859  
 CITY OF MURPHY, TEXAS

**SHEET NO.**  
 C1.01

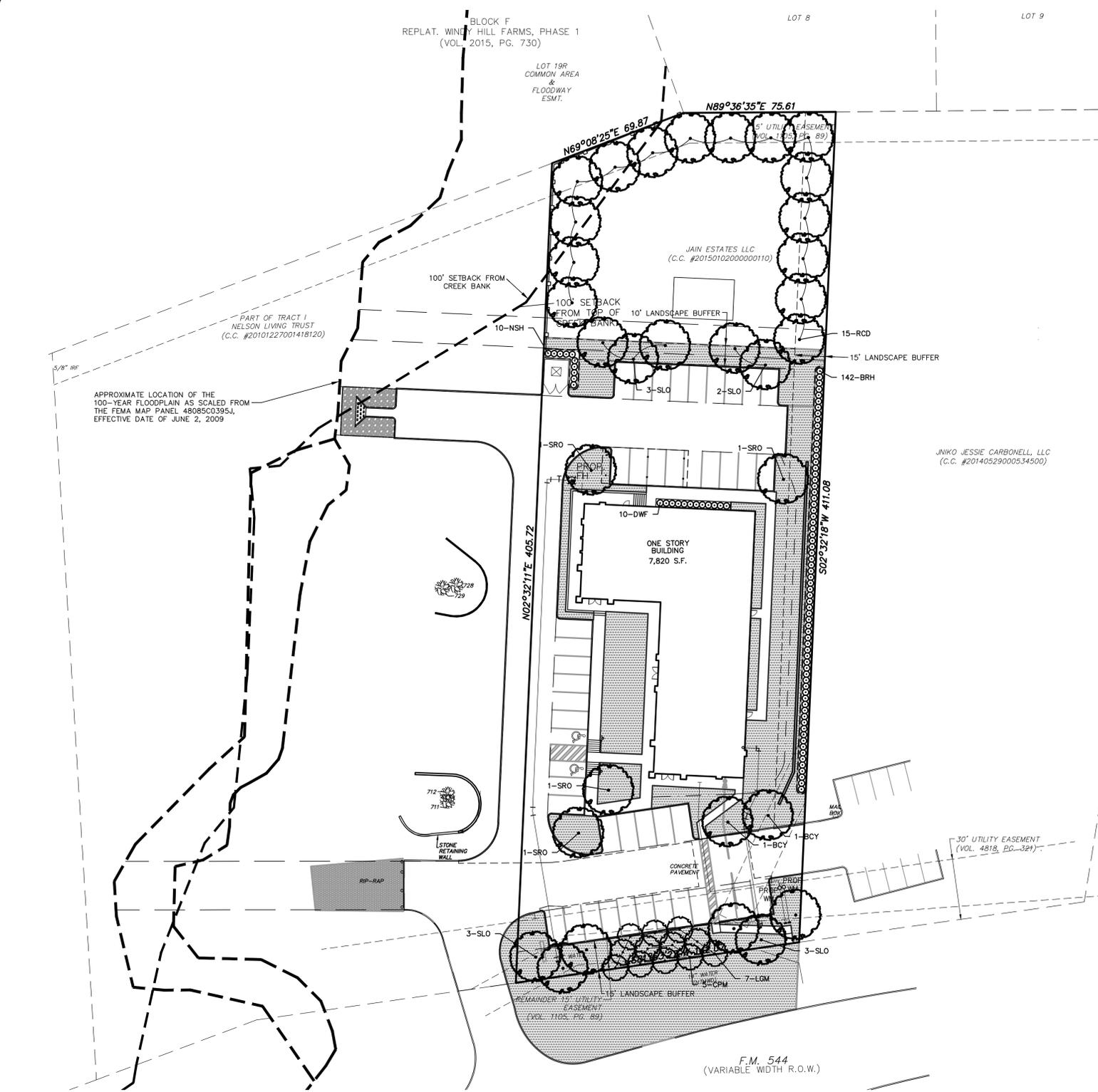
SMILES AT MURPHY OFFICE BUILDING

# SMILES AT MURPHY LANDSCAPING

MURPHY, TX

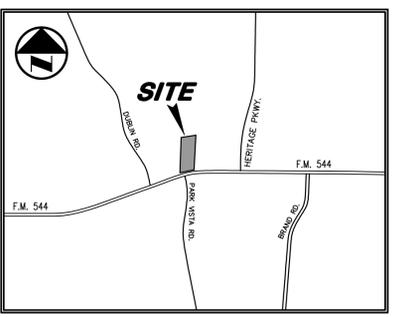


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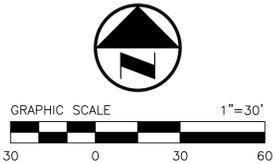


LANDSCAPE MAINTENANCE NOTE

THE PROPERTY OWNER, TENANT OR AGENT, SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL REQUIRED LANDSCAPING IN A HEALTHY, NEAT, ORDERLY AND LIVE-GROWING CONDITION AT ALL TIMES.



LEGEND table listing symbols for bollard, electric meter, power pole, light standard, water meter, water valve, irrigation control valve, fire hydrant, fire department connection, clean out, manhole, gas meter, traffic signal control, traffic signal pole, traffic sign, telephone box, TV box, flag pole, landscape area, property line, O.H. power lines, U/G telephone lines, U/G water line, U/G gas line, fence, controlling monument, and 5/8-inch iron rod with 'FOGUE ENG & DEV' CAP SET.



GENERAL LANDSCAPE NOTES

- (1) Provide sod outside of property line out to the curb line to blend into existing sod, especially along south ROW and north of the 10' landscape buffer
(2) Provide and install full irrigation system sized to provide appropriate watering schedule per planting needs

Plant Schedule

Table with columns: CODE, QTY., COMMON/BOTANICAL NAME, SIZE/ROOT, SPACING O.C., NOTES. Lists trees (SLO, SRO, BGY, RCD), ornamental trees (CPM, LGM), and shrubs (BRH, DWF, NSH).

NOTE: TOTAL TREES REQUIRED = 29 TOTAL TREES PROVIDED = 44 TOTAL SHRUBS REQUIRED = 152 TOTAL SHRUBS PROVIDED = 164

QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.

CITY OF MURPHY GENERAL LANDSCAPE NOTES

- (1) All nonpaved surfaces shall be completely covered with living plant material. Landscaping materials such as wood chips and gravel may be used under trees, shrubs and other plants, but shall not comprise a significant portion of the total pervious surface area.
(2) Plant materials shall conform to the standards of the approved plant list for the city...
(3) Trees shall have an average crown spread of greater than 15 feet at maturity...
(4) Shrubs not of a dwarf variety shall be a minimum of two feet in height when measured immediately after planting...
(5) Grass areas shall be sodded, plugged, sprigged, hydro-mulched and/or seeded, except that solid sod shall be used in swales, earthen berms or other areas subject to erosion.
(6) All landscaped areas shall be equipped with an automatic underground irrigation system with freeze and moisture sensors...

SUMMARY CHART - INTERIOR PARKING LOT LANDSCAPING table showing # of provided parking spaces, required internal trees, and total provided internal trees.

SUMMARY CHART - TOTAL LANDSCAPED AREA table showing total lot area, required % of lot landscaped, provided landscape area, and provided % of lot landscaped.

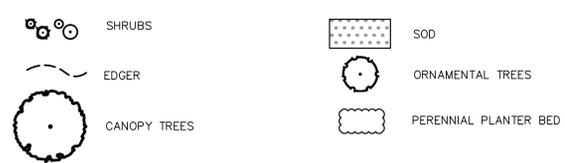
SUMMARY CHART - LANDSCAPE BUFFER table showing location, req/prov, width, shade trees, ornamental trees, and shrubs.

CAUTION!!! BEFORE YOU DIG... UNDERGROUND UTILITIES ARE LOCATED IN THIS AREA. 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, CONTACT LINE LOCATES FOR FRANCHISE UTILITY INFO. CALL BEFORE YOU DIG.

BENCH MARK LIST: BENCHMARK #1 CITY OF PLANO GPS POINT NO. 219 FOUND LOCATED IN THE CENTERLINE MEDIAN OF 14TH STREET 305'± SOUTHWEST OF DUBLIN ROAD ELEVATION = 529.49

FRANCHISE UTILITY NOTES: 1. ONCOR ELECTRIC - (903) 866-8242 - MR. MARK BAILEY 2. ATMOS ENERGY (GAS) - (214) 733-5122 - MR. DAVID COKER 3. TIME WARNER CABLE - (972) 742-5892 4. AT&T TELEPHONE - (972) 569-4760 - MR. KEITH HELM

Plant Legend



Revision table with columns: NO., DATE, REVISION / DESCRIPTION, W NUMBER. Shows design and PDS/TCC revisions.

DEVELOPER: JAIN ESTATES, LLC 1331 TWIN KNOLL DRIVE MURPHY, TEXAS 75094 MR. PANKAJ JAIN (201) 970-6273

PROJECT INFORMATION: SMILES AT MURPHY OFFICE BUILDING A 1.3301 ACRE TRACT OF LAND IN THE MARY SCOTT SURVEY, A-859 CITY OF MURPHY, TEXAS EXISTING ZONING: PD-14-04-975 (OFFICE)

THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW ON 09-19-16. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

PRELIMINARY FOR INTERIM REVIEW ONLY NOT TO BE USED FOR: CONSTRUCTION OR BIDDING PURPOSES. PLAN PREPARED BY: COLE CAPPEL WESTWOOD PS 2740 N. DALLAS PARKWAY #280 PLANO TX 75093

PPOGUE ENGINEERING & DEVELOPMENT COMPANY, INC. a division of Westwood (214) 437-4640 PHONE (888) 937-9150 TOLL FREE WWW.WESTWOODPS.COM

LANDSCAPE PLAN SMILES AT MURPHY OFFICE BUILDING A 1.3301 ACRE TRACT IN MARY SCOTT SURVEY, A-859 CITY OF MURPHY, TEXAS

SHEET NO. L1.02

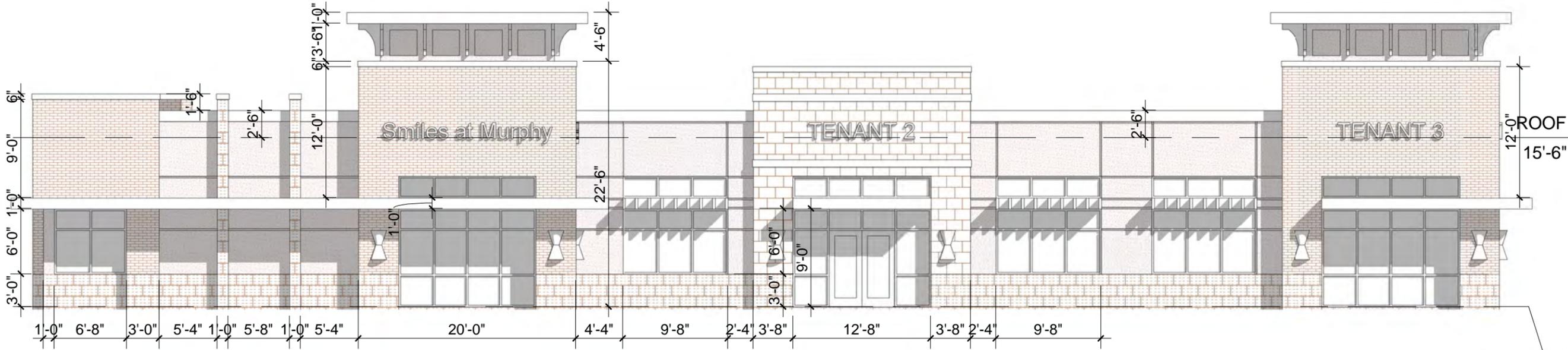


A. L. Post, Inc.  
 11301 Decimal Drive  
 Louisville, KY 40299  
 tel. 502.266.5060

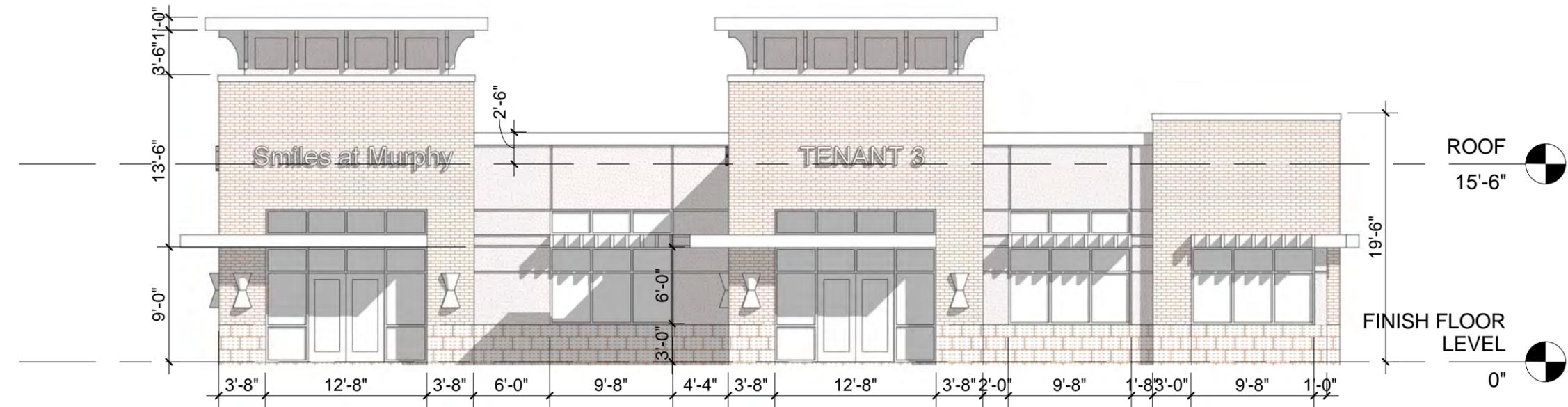
Date: 07-08-2016  
 Drawn by: **A.S.**  
 Checked by: **L.P.**

Smiles at Murphy  
 MURPHY, TX

**A2.1**



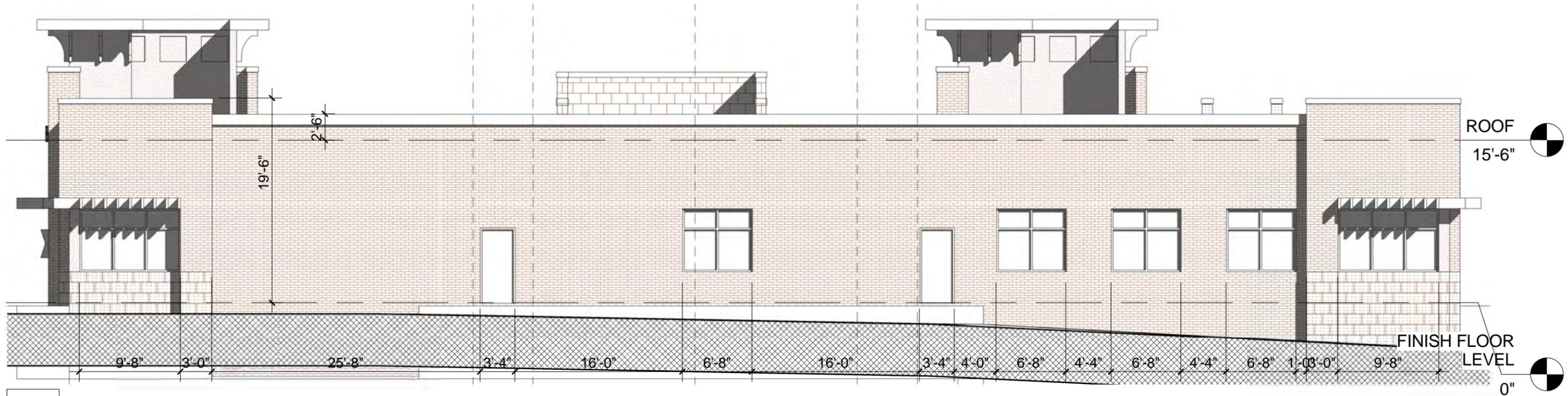
1 WEST ELEVATION  
 A2.1 1" = 10'-0"



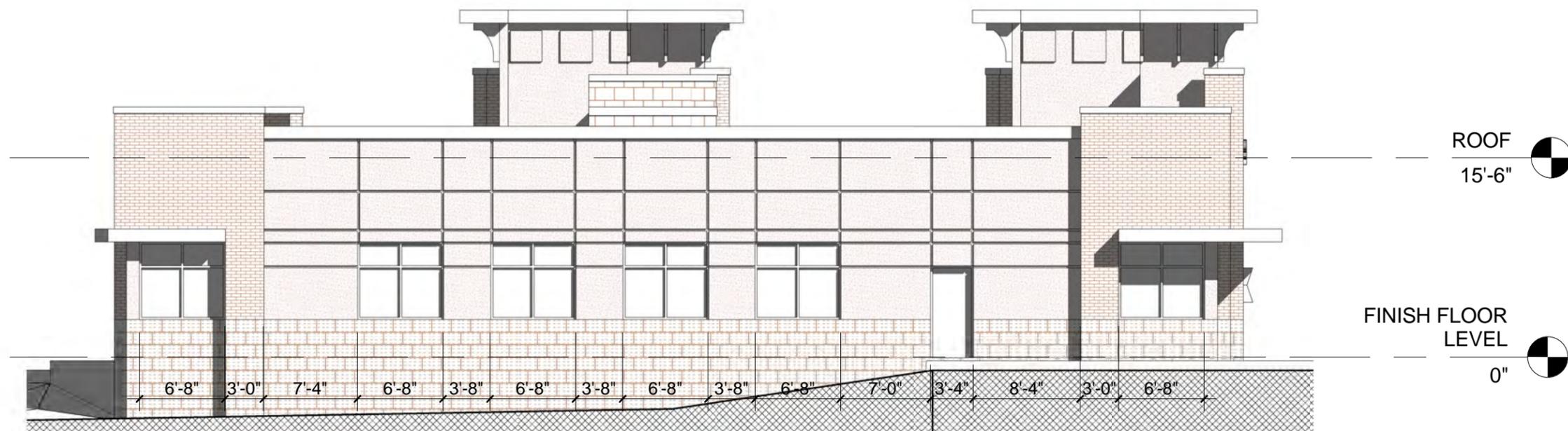
2 SOUTH ELEVATION  
 A2.1 1" = 10'-0"



**A. L. Post, Inc.**  
 11301 Decimal Drive  
 Louisville, KY 40299  
 tel. 502.266.5060



**3 EAST ELEVATION**  
 A2.2 1" = 10'-0"



**4 NORTH ELEVATION**  
 A2.2 1" = 10'-0"

Date: 07-08-2016  
 Drawn by: **A.S.**  
 Checked by: **L.P.**

Smiles at Murphy

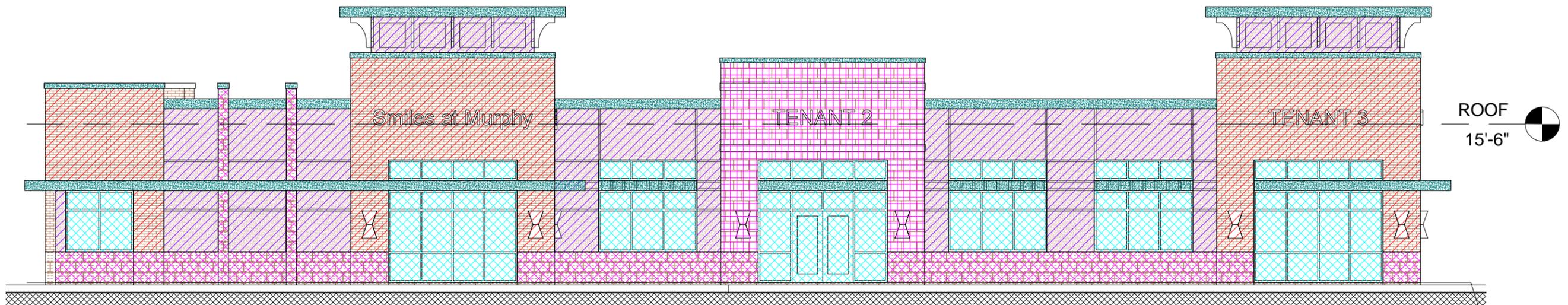
MURPHY, TX

**A2.2**

FINSHES		
BRICK	644 SF	22.47%
STONE	318 SF	11.10%
STONE SMOOTH	256 SF	8.93%
STUCCO	699 SF	24.39%
CONCRETE	259 SF	9.04%
GLASS	690 SF	24.08%
TOTAL	2866 SF	

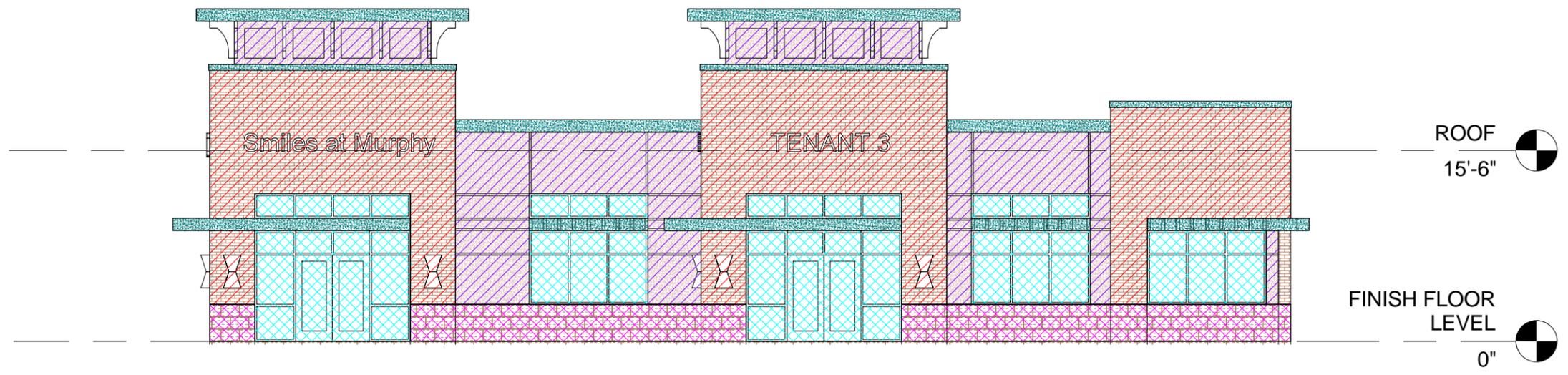


**A. L. Post, Inc.**  
 11301 Decimal Drive  
 Louisville, KY 40299  
 tel. 502.266.5060



**1 WEST ELEVATION**  
 A2.3 3/32" = 1'-0"

FINSHES		
BRICK	678 SF	34.95%
STONE	188 SF	9.69%
STUCCO	407 SF	20.98%
CONCRETE	176 SF	9.07%
GLASS	491 SF	25.31%
TOTAL	1940 SF	



**2 SOUTH ELEVATION**  
 A2.3 3/32" = 1'-0"

Date: 07-08-2016  
 Drawn by: **A.S.**  
 Checked by: **L.P.**

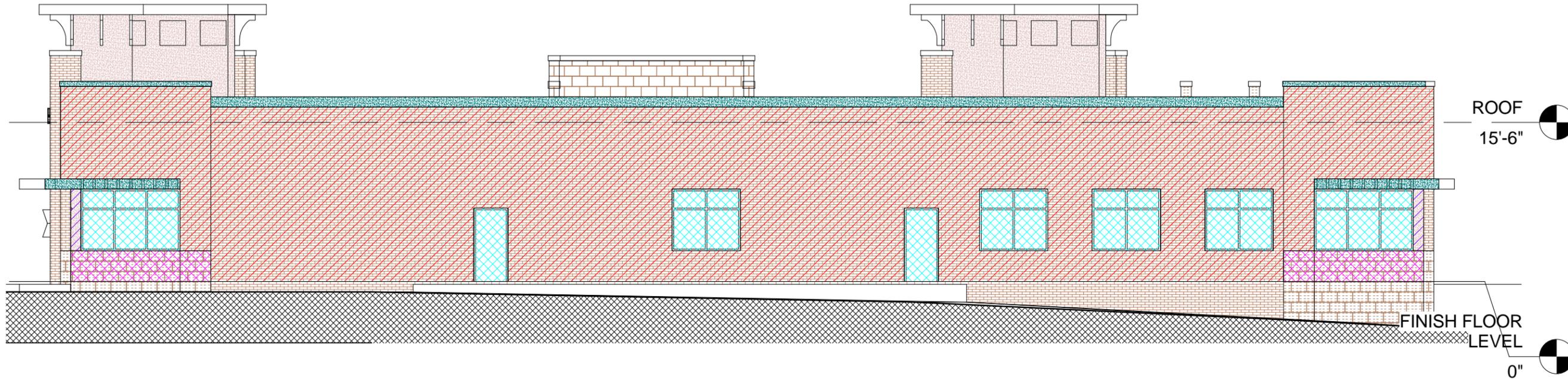
Smiles at Murphy  
 MURPHY, TX

**A2.3**

FINSHES		
BRICK	1877 SF	76.93%
STONE	82 SF	3.36%
STUCCO	12 SF	0.49%
CONCRETE	145 SF	5.94%
GLASS	324 SF	13.28%
TOTAL	2440 SF	

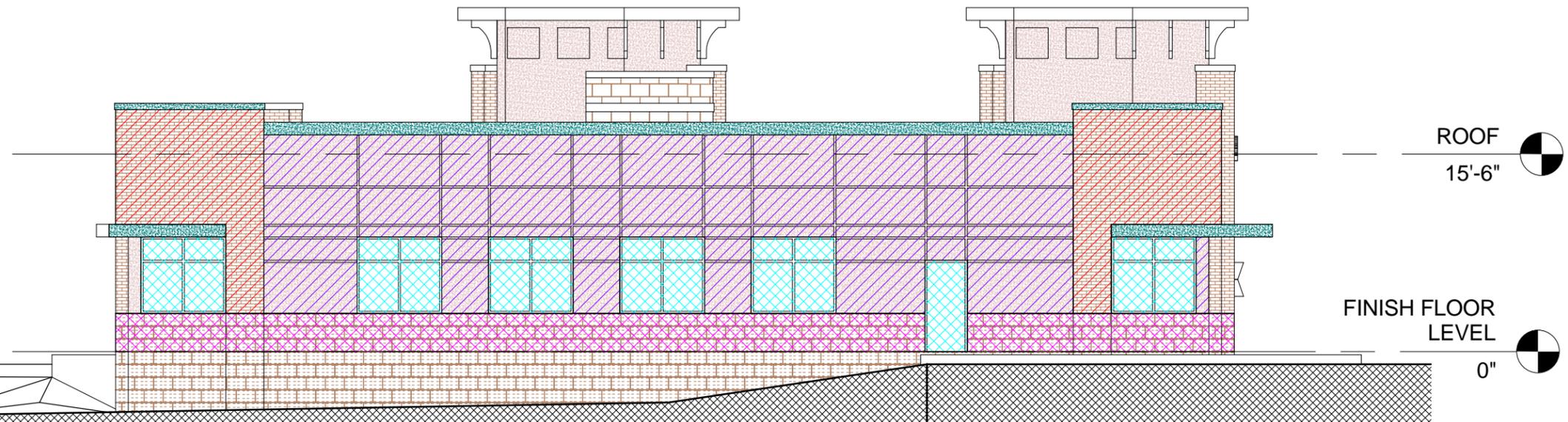


**A. L. Post, Inc.**  
 11301 Decimal Drive  
 Louisville, KY 40299  
 tel. 502.266.5060



**3 EAST ELEVATION**  
 A2.4 3/32" = 1'-0"

FINSHES		
BRICK	252 SF	15.85%
STONE	254 SF	15.97%
STUCCO	723 SF	45.47%
CONCRETE	97 SF	6.10%
GLASS	264 SF	16.60%
TOTAL	1590 SF	



**4 NORTH ELEVATION**  
 A2.4 3/32" = 1'-0"

Date: 07-08-2016  
 Drawn by: **A.S.**  
 Checked by: **L.P.**

Smiles at Murphy

MURPHY, TX

**A2.4**



**A. L. Post, Inc.**  
11301 Decimal Drive  
Louisville, KY 40299  
tel. 502.266.5060



1	WEST ELEVATION
C1.5	1" = 10'-0"



2	SOUTH ELEVATION
C1.5	1" = 10'-0"

Date:	07-08-2016
Drawn by:	A.S.
Checked by:	L.P.

Smiles at Murphy

MURPHY, TX

C1.5



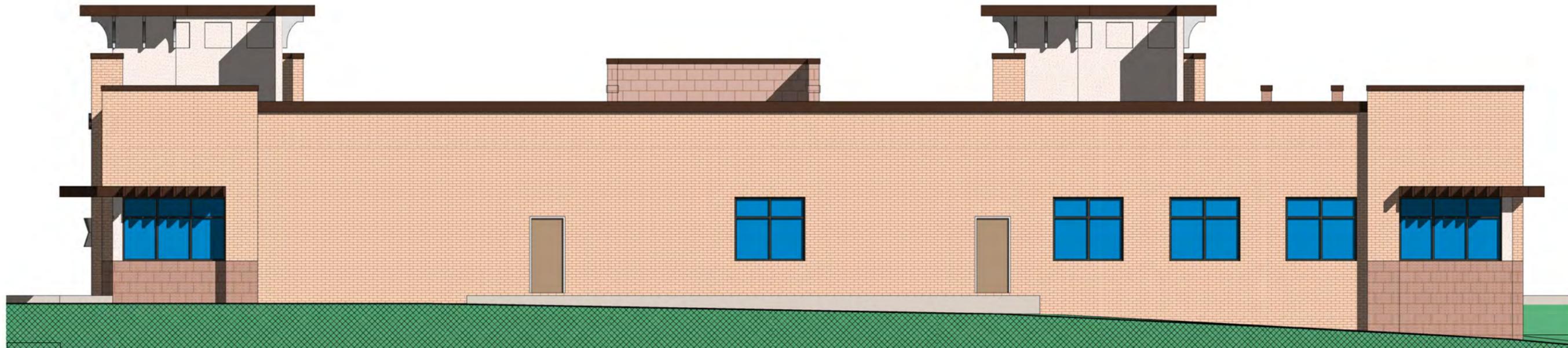
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11301 Decimal Drive  
Louisville, KY 40299  
tel. 502.266.5060

Date: 07-08-2016  
Drawn by: **A.S.**  
Checked by: **L.P.**

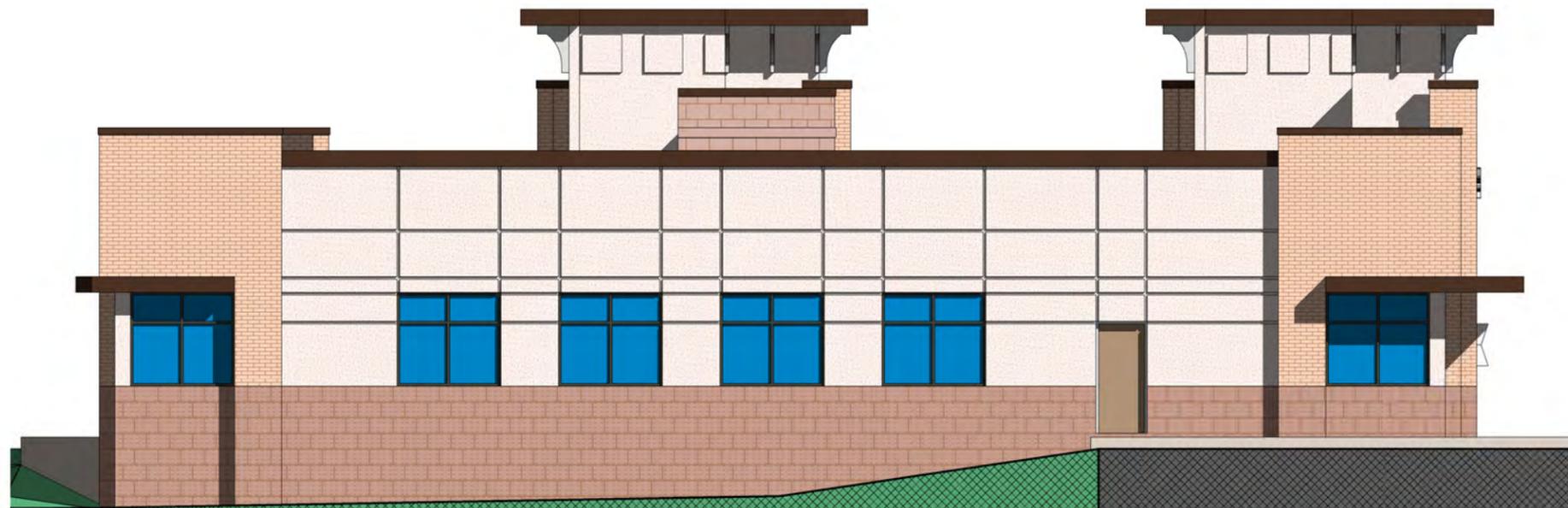
Smiles at Murphy

MURPHY, TX

**C1.6**

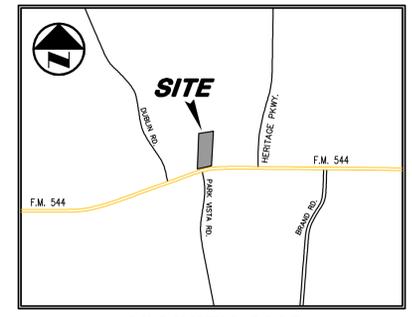
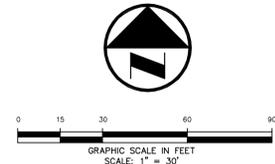
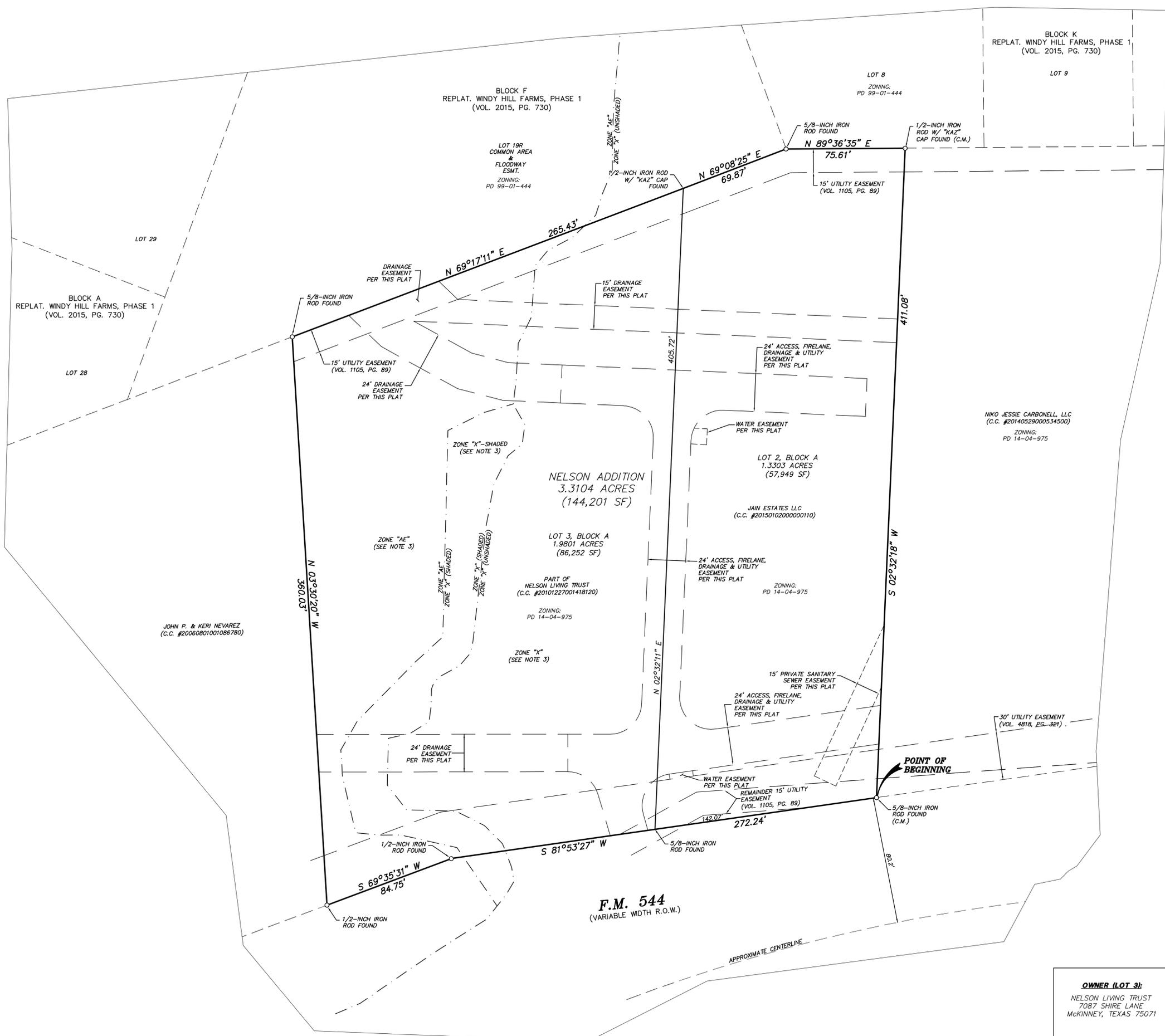


3	<b>EAST ELEVATION</b>
C1.6	1" = 10'-0"



4	<b>NORTH ELEVATION</b>
C1.6	1" = 10'-0"

ANNE MARIE LEE, 08/19/2016, 10:52AM  
 A:\0008645\00\DWG\SURVEY\0008645\FP.DWG  
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**VICINITY MAP**  
NOT TO SCALE

**NOTES:**

- Bearing system for this survey is based on grid North State Plane Coordinates of the Texas Coordinate System NAD83 (CORS96) Texas North Central Zone (4202), NAVD88.
- Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.
- The subject property is shown on the National Flood Insurance Program Flood Insurance Rate Map for Collin County, Texas and Incorporated Areas Community Panel Number 48085C0395J, Dated: June 2, 2009. All of the subject property is indicated to be in Zone "X" and Zone "AE" on said map. Relevant zones are defined on said map as follows:

- Zone "X" - Other Areas: Areas determined to be outside the 0.2% annual chance floodplain.
- Zone "X" (shaded) - Other Flood Areas: Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- Zone "AE" - Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% Annual Chance Flood: Base Flood Elevations determined.

This flood statement regarding flooding does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

- (C.M.) - Controlling Monument.

**CONSTRUCTION PLAT**  
**NELSON ADDITION**  
**LOT S 2 & 3, BLOCK A**  
 AN ADDITION TO THE CITY OF MURPHY, TEXAS  
 AND BEING OUT OF THE  
 M. SCOTT SURVEY, ABSTRACT No. 859  
 COLLIN COUNTY, TEXAS  
 SHEET 1 OF 2

**OWNER (LOT 3):**  
NELSON LIVING TRUST  
7087 SHIRE LANE  
MCKINNEY, TEXAS 75071

**OWNER (LOT 2):**  
JAIN ESTATES, LLC  
1331 Twin Knoll Drive  
Murphy, Texas 75094  
(201) 970-6273

  
 ENGINEERING & DEVELOPMENT COMPANY, INC.  
 a division of **Westwood**  
(214) 437-4640 PHONE  
1512 BRAY CENTRAL DRIVE SUITE 100 MCKINNEY, TEXAS 75069 WWW.WESTWOODPS.COM (888) 937-5150 TOLL FREE  
TX BOARD PROF. ENGINEERS, CERT. #11756; TX BOARD PROF. LAND SURVEYING, CERT. 1007430

<b>PREPARED</b>	05-04-2016
<b>SURVEYED</b>	04-20-2016
<b>SCALE:</b>	1" = 30'
<b>W NUMBER</b>	R0008645.00
<b>DRAWN BY:</b>	RLG
<b>CHECKED BY:</b>	AWS

ANS/MJL/CON\_08/29/2016\_10:52AM  
 A:\000864500\DWG\SURVEY\000864500.dwg  
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STATE OF TEXAS ~

COUNTY OF COLLIN ~

WHEREAS, Jain Estates LLC and Nelson Living Trust are the owners of a 3.3104 acre tract of land situated in the M. Scott Survey, Abstract No. 859, Collin County, Texas; said tract being all of that certain tract of land described in Warranty Deed to Jain Estates LLC recorded in County Clerk's File No. 20150102000000110 of the Deed Records of Collin County, Texas and part of that certain tract of land described in Warranty Deed to Nelson Living Trust recorded in County Clerk's File No. 20101227001418120 of the said Deed Records; said 3.3104 acre tract being more particularly described as follows:

BEGINNING, at a 5/8-inch iron rod found in the northerly right-of-way line of F. M. 544 (a variable width right-of-way); said point being the southeast corner of said Jain Estates tract and the southwest corner of that certain tract of land described in Warranty Deed with Vendor's Lien to Niko Jessie Carbonell, LLC recorded in County Clerk's File No. 20140529000534500 of the said Deed Records;

THENCE, along the said northerly line of F.M. 544, the following two (2) calls:

South 81 degrees, 53 minutes, 27 seconds West, at a distance of 142.07 feet passing a 5/8-inch iron rod found at the southwest corner of said Jain Estates tract, continuing in all a total distance of 272.24 feet to a 1/2-inch iron rod found at an angle point;

South 69 degrees, 35 minutes, 31 seconds West, a distance of 84.75 feet to a 1/2-inch iron rod found for corner in the east line of that certain tract of land described in Quitclaim Deed to John Paul and Kerri Nevarez recorded in County Clerk's File No. 20060801001086780 of the said Deed Records;

THENCE, North 03 degrees, 30 minutes, 20 seconds West, departing the said northerly line of F.M. 544, a distance of 360.03 feet to a 5/8-inch iron rod found for corner in the southeasterly line of Lot 19R, Block F, Replat, Windy Hill Farms, Phase 1, an addition to the City of Murphy, Texas according to the plat recorded in Volume 2015, Page 730 of the Plat Records of Collin County, Texas;

THENCE, North 69 degrees, 17 minutes, 11 seconds East, along the said southeasterly line of Lot 19R, Block F, a distance of 265.43 feet to a 1/2-inch iron rod with "KAZ" cap found at an angle point; said point also being the northwest corner of said Jain Estates tract;

THENCE, North 69 degrees, 08 minutes, 25 seconds East, continuing along the said southeasterly line of Lot 19R, Block F and along the northwest line of said Jain Estates tract, a distance of 69.87 feet to a 5/8-inch iron rod found for corner; said point also being the southeast corner of said Lot 19R, Block F and the southwest corner of Lot 8, Block K of said Replat, Windy Hill Farms, Phase 1;

THENCE, North 89 degrees, 36 minutes, 35 seconds East, along the north line of said Jain Estates tract and the south line of said Lot 8, Block K, a distance of 75.61 feet to a 1/2-inch iron rod with "KAZ" cap found for corner; said point also being the northeast of said Jain Estates tract and the northwest corner of said Niko Jessie Carbonell tract;

THENCE, South 02 degrees, 32 minutes, 18 seconds West, departing the said north line of Jain Estates tract and said south line of Lot 8, Block F and along the common line between said Jain Estates tract and said Niko Jessie Carbonell tract, a distance of 411.08 feet to the POINT OF BEGINNING;

CONTAINING, 144,201 square feet or 3.3104 acres of land, more or less.  
SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Roman L. Groysman, 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.

**PRELIMINARY**

RELEASED 08/29/16 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Roman L. Groysman,  
Registered Professional Land Surveyor  
No. 5864



STATE OF TEXAS ~

COUNTY OF COLLIN ~

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Roman L. Groysman, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

WITNESS MY HAND at Collin County, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public in and for the State of Texas.

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

\_\_\_\_\_  
Signature of Chairperson Date of Recommendation

APPROVED BY: City Council  
City of Murphy, Texas

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

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

STATE OF TEXAS ~

COUNTY OF COLLIN ~

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Jain Estates LLC, and Nelson Living Trust acting herein by and through their duly authorized officer(s), does hereby adopt this plat designating the herein above described property as JAIN ADDITION, BLOCK A, LOT 1, an addition to the City of Murphy, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City 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.

That Jain Estates LLC, and Nelson Living Trust does hereby covenant and agree that 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. That Jain Estates LLC, 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 and regress in, along, upon and across said premises

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

WITNESS, my hand, this the \_\_\_\_ day of \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
Printed name and title

\_\_\_\_\_  
Printed name and title

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_ owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed. Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My commission expires on: \_\_\_\_\_

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_ owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed. Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My commission expires on: \_\_\_\_\_

CONSTRUCTION PLAT  
**NELSON ADDITION**  
**LOT S 2 & 3, BLOCK A**  
AN ADDITION TO THE CITY OF MURPHY, TEXAS  
AND BEING OUT OF THE  
M. SCOTT SURVEY, ABSTRACT No. 859  
COLLIN COUNTY, TEXAS  
SHEET 2 OF 2

<b>OWNER (LOT 3):</b> NELSON LIVING TRUST 7087 SHIRE LANE MCKINNEY, TEXAS 75071	<b>OWNER (LOT 2):</b> JAIN ESTATES, LLC 1331 Twin Knoll Drive Murphy, Texas 75094 (201) 970-6273	 a division of <b>Westwood</b> ENGINEERING & DEVELOPMENT COMPANY, INC. 1512 BRAY CENTRAL DRIVE SUITE 100 MCKINNEY, TEXAS 75069 TX BOARD PROF. ENGINEERS, CERT. #11756; TX BOARD PROF. LAND SURVEYING, CERT. 1007430 (214) 437-4640 PHONE (888) 937-5150 TOLL FREE WWW.WESTWOODPS.COM	<b>PREPARED</b>	05-04-2016
			<b>SURVEYED</b>	04-20-2016
		<b>SCALE:</b>	1" = 30'	
		<b>W NUMBER</b>	R0008645.00	
		<b>DRAWN BY:</b>	RLG	
		<b>CHECKED BY:</b>	AWS	

**ORDINANCE 09-02-785**

**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 6.43 ACRES OUT OF THE MARY SCOTT SURVEY, ABSTRACT NO. 859, 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 SF-20 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO PD (PLANNED DEVELOPMENT) DISTRICT FOR 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 grant a Planned Development District for Office Uses for the property described as 6.43 acres, more or less, in the Mary Scott Survey, Abstract No. 859, 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 16th day of February 2009.

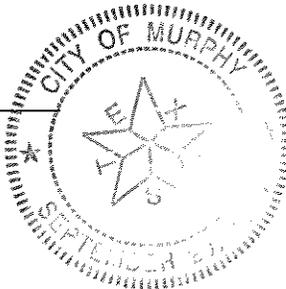


\_\_\_\_\_  
Bret M. Baldwin, Mayor  
City of Murphy

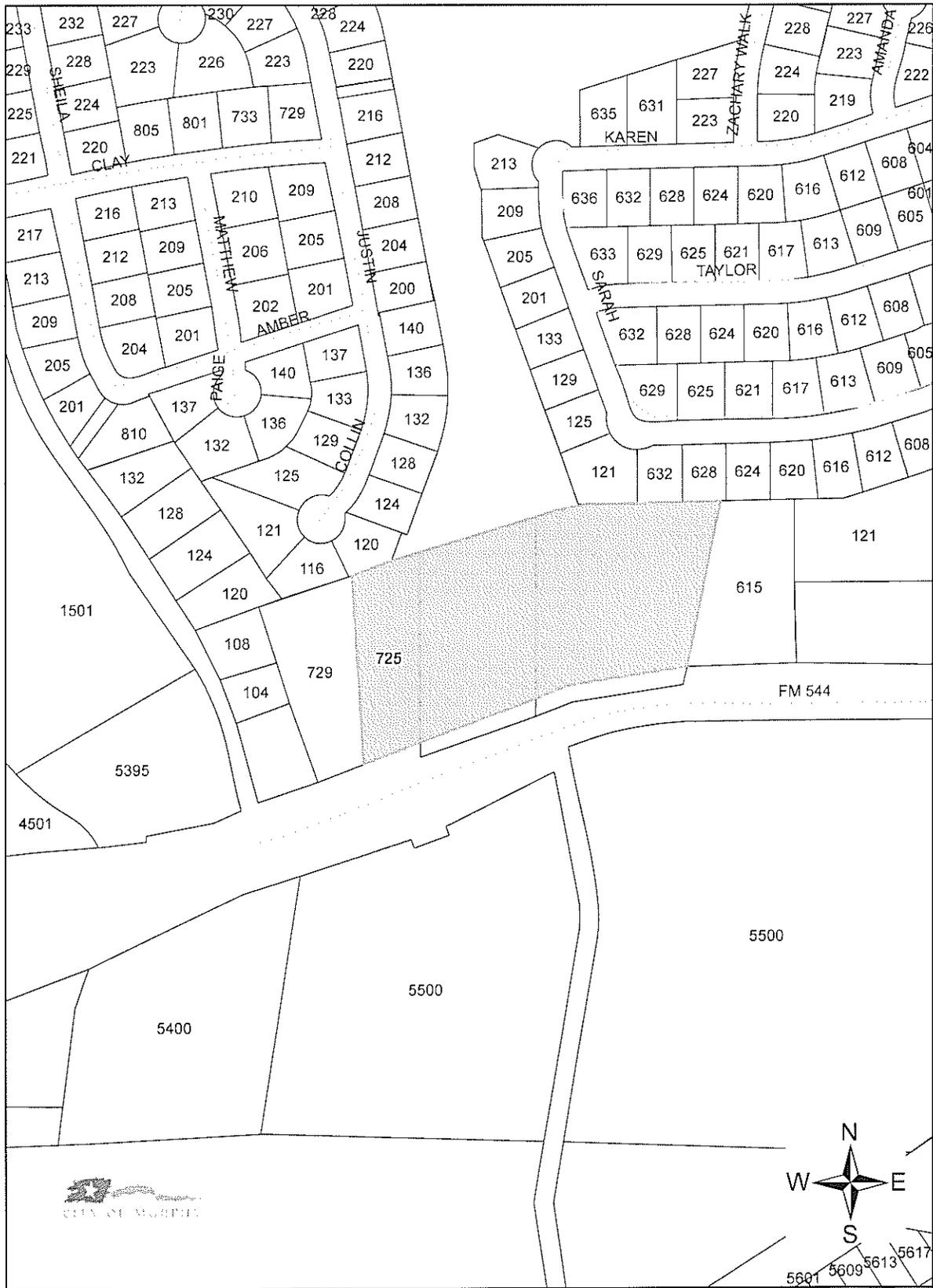
ATTEST:



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



# Location Map - Zoning File 2009-02



## **EXHIBIT A**

### **Legal Description**

Being a acre tract of land situated in the Mary Scott Survey, Abstract No. 859, City of Murphy, Collin County, Texas and containing 6.43 acres of land.

## EXHIBIT B

### ZONING FILE NO. 2009-02

#### FM 544

#### Between Dublin Road and Heritage Parkway

### PLANNED DEVELOPMENT CONDITIONS

- I. **Statement of Purpose:** The purpose and intent of this Planned Development District is to permit the development of medical and office uses.
- II. **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.
- III. **General Regulations:** All regulations of the O (Office) District set forth in Article III, Division 12 of the City of Murphy Code of Ordinances (Ordinance No. 06-12-708), as amended, are included by reference, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
  - A. A Concept Plan shall be approved as outlined in Article II, Division 5 of the Code of Ordinances prior to the acceptance of a site plan for any part or all of this Planned Development District. The concept plan shall include proposed landscape areas and proposed building elevations and design elements. Approval of the Concept Plan shall be based on general conformance with the approved Planned Development District conditions and regulations set forth in this ordinance. Approval of a Concept Plan through the zoning public hearing process (as outlined in Article II, Division 5) is required. In addition, the Concept Plan shall have the following elements.
    - Traffic circulation;
    - Cross access;
    - Driveway location;
    - Conceptual design elevations;
    - Development construction schedule;
    - Elements used to buffer nonresidential and residential development;
    - Pedestrian circulation;
    - Landscape buffer areas;
    - Building orientation.
  - B. Concept Plan approval shall be for a period of one year from the date of City Council action on the plan. If within that one-year period a site plan has been submitted for a portion of the development, then the Concept Plan shall be deemed to have no expiration date. Site plans shall be valid for a period of six (6) months from the date of City Council action on the plan.
- V. **Specific Regulations:**
  - A. Permitted Uses: Only the following uses shall be permitted.
    1. Credit Agency
    2. Insurance Agency Offices
    3. Offices (Brokerage Services)

4. Offices (Health Services)
  5. Offices (Legal Services)
  6. Offices (Medical Office)
  7. Offices (Professional)
  8. Real Estate Offices
- B. Height Regulations: The maximum height shall be one (1) story or twenty-five (25) feet.
- C. Tree Preservation/Mitigation: All existing trees on the subject property shall comply with Section 86-740 of the Code of Ordinances. In addition, a tree preservation/mitigation plan shall be required to be submitted at the time of application. For any tree removed between 15.1 caliper inches and 24 caliper inches, a negative credit of (-6) shall be applied. For any tree removed larger than 24 caliper inches, a negative credit of (-8) shall be applied.
- D. Landscaping: All landscaping shall comply with Section 86-736 of the Code of Ordinances. In addition, a landscape plan shall be required to be submitted at the time of application.
- E. Screening: Screening between the north property line and the single family subdivision to the north shall be accomplished via the construction of an eight (8) foot high board-on-board fence at grade. This fence shall be required behind 120 Collin Court; 121 Sarah Drive; 628 John Close Drive and 632 John Close Drive.
- F. Exterior Building Materials: All exterior building materials shall comply with Section 86-802(3) of the Code of Ordinances. In addition, building elevations (indicating percentage of material per elevation) shall be required to be submitted at the time of application. A minimum of two masonry materials shall be required.
- G. Lighting: No exterior lighting shall be allowed to be placed on the outside perimeter on office buildings facing adjacent residential properties to the north. No light standards shall be placed in parking areas adjacent to residentially zoned property that are higher than four (4) feet. All light standards shall have shielding to prevent light pollution.
- H. Rooftop Mechanical Equipment: Rooftop mechanical equipment shall not be permitted.
- I. Outside Storage: No outside/outdoor storage shall be permitted.

**ORDINANCE NO. 14-04-975**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, AMENDING ORDINANCE NO. 09-02-785 TO ADD VETERINARY CLINIC (NO OUTSIDE KENNELS) AS A PERMITTED USE, TO REMOVE A REQUIREMENT FOR WOOD SCREENING FENCE ON THE NORTH PROPERTY LINE, TO ALLOW A WOOD FENCE BEHIND A VETERINARY CLINIC AND TO ADD A BUILDING SETBACK REQUIREMENT; PROVIDING FOR SAVINGS, SEVERABILITY, CUMULATIVE EFFECT, PENALTY AND AN EFFECTIVE DATE.**

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

**Section 1.** That Section V(A) "Permitted Uses" contained in Exhibit B to Ordinance No. 09-02-785 shall be and is hereby amended to read in its entirety as follows:

A. Permitted Uses: Only the following uses shall be permitted:

1. Credit Agency
2. Insurance Agency Offices
3. Offices (Brokerage Services)
4. Offices (Health Services)
5. Offices (Legal Services)
6. Offices (Medical Services)
7. Offices (Professional)
8. Real Estate Offices
9. Veterinary Clinic (no outside kennels)

**Section 2.** That Section V (E) "Screening" contained in Exhibit B to Ordinance No. 09-02-785 shall be and is hereby amended to read in its entirety as follows:

E. Screening. A wood screening fence shall be permitted at the rear of a veterinary clinic use.

**Section 3.** That Section V "Specific Regulations" contained in Exhibit B to Ordinance No. 09-02-785 shall be and is hereby amended to add Subsection H "Building Setback" which shall read in its entirety as follows:

H. Building Setback. The minimum building setback from the top of the creek bank shall be 100 feet.

**Section 4.** **Severability Clause.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect

any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 5. Cumulative/Repealer Clause.**

This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Murphy, Texas, whether codified or uncodified, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

**Section 6. Penalty Clause.**

Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to a fine in any sum not to exceed five hundred dollars (\$500.00) and each day of violation shall be deemed a separate offense.

**Section 7. Savings Clause.**

Ordinance No. 09-02-785 shall remain in full force and effect save and except as amended by this ordinance.

**Section 8. Effective Date.**

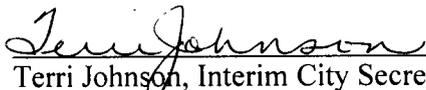
This ordinance shall become effective immediately upon its passage and publication as required by law.

**DULY PASSED, APPROVED AND ADOPTED** by the City Council of the City of Murphy, Texas, on this the 22nd day of April, 2014.



Eric Barna, Mayor  
City of Murphy

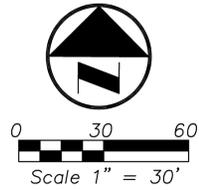
ATTEST:

  
Terri Johnson, Interim City Secretary  
City of Murphy

APPROVED AS TO FORM:

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





WIND HILL FARMS #1  
(CAB. M. PG. 601)  
BLOCK F  
LOT 19R

WIND HILL FARMS #1  
(CAB. L. PG. 002)  
BLOCK K

LOT 8

LOT 9

LOT 10

S.89°36'27"E. 75.47'

EX. 15' UTIL. ESMT. (VOL. 1105, PG. 89)

N.70°04'51"E. 265.43'

335.16'

69.73'

100' SETBACK FROM TOP OF CREEK BANK.  
PROP. DUMPSTER ENCLOSURE TO MATECH BUILDING MATERIALS

PROP. 24" FIRELANE, ACCESS, UTILITY & DRAINAGE EASEMENT

PROP. 24" FIRELANE, ACCESS, UTILITY & DRAINAGE EASEMENT

PROP. 24" FIRELANE, ACCESS, UTILITY & DRAINAGE EASEMENT

NIKO JESSIE CARBONELL, LLC  
(CC # 20140529000534500)  
EAST PLANO ANIMAL HOSPITAL

411.15'

S.03°24'21"W.

S.03°24'39"W. 405.79'

S.03°24'21"W.

APPROXIMATE LOCATION OF THE 100-YEAR FLOODPLAIN AS SCALED FROM THE FEMA MAP PANEL 48085C0395J, EFFECTIVE DATE OF JUNE 2, 2009.

NELSON LIVING TRUST  
(CC # 20101227001418120)  
VACANT LAND

N.02°47'06"W. 359.55'

100' SETBACK FROM TOP OF CREEK BANK.

LOT 3  
7,000 S.F. FUTURE BUILDING  
1,000 S.F. GENERAL OFFICE  
7,000 S.F. MEDICAL OFFICE

LOT 2  
7,820 S.F. PROPOSED BUILDING

LOT 1  
EXISTING BUILDING

PROP. 24" FIRELANE, ACCESS, UTILITY & DRAINAGE EASEMENT

EX. 24" FIRELANE, ACCESS, UTILITY & DRAINAGE EASEMENT

EXISTING 24" FIRELANE

EX. 24" FIRELANE, ACCESS, UTILITY & DRAINAGE EASEMENT

EX. 15' UTIL. ESMT. (VOL. 1105, PG. 89)

EX. 30' N.T.M.W.D. ESMT. (VOL. 512, PG. 566)

131.06'

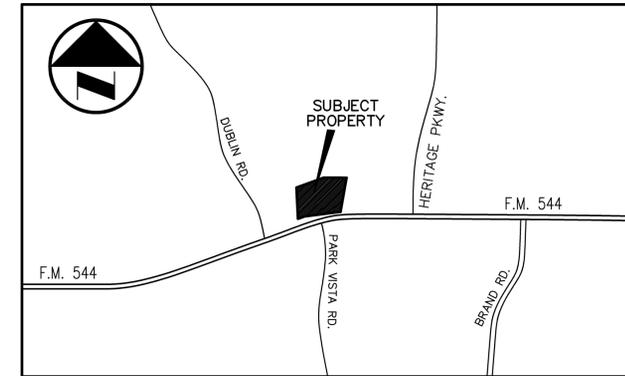
S.82°44'26"W. 273.13'

142.07'

S.70°17'08"W. 82.78'

F.M. HIGHWAY NO. 544  
(VARIABLE WIDTH R.O.W.)

PARK VISTA RD.



VICINITY MAP  
(NTS)

SITE DATA SUMMARY

ITEM	LOT 2	LOT 3
ZONING:	PD-14-04-975 (Office)	PD-14-04-975 (Office)
PROPOSED USE:	MEDICAL OFFICE	MEDICAL OFFICE
TOTAL LOT AREA:	1.33 AC.	1.60 AC.
TOTAL BUILDING AREA:	7,820 S.F.	7,000 S.F.
BUILDING HEIGHT:	28'-0" (1-STORY)	28'-0" (1-STORY)
LOT COVERAGE:	13.5%	10.0%
PROPOSED FAR:	0.13	0.10
PARKING REQUIRED:	53 SPACES	44 SPACES
GENERAL OFFICE:	0 SPACES	4 SPACES
MEDICAL OFFICE:	53 SPACES	40 SPACES
PARKING PROVIDED:	53 SPACES	45 SPACES
HANDICAP PARKING REQUIRED:	3 SPACES	2 SPACES
HANDICAP PARKING PROVIDED:	3 SPACES	2 SPACES

ENGINEER:  
**ROLAND FOERSTER**  
CIVIL ENGINEER  
5110 C.R. 424  
ANNA, TEXAS 75409  
(214) 544-8888  
email: rfoe@ash.net  
Firm No. F-506

A ZONING DOCUMENT FOR PLANNING REVIEW  
NOT INTENDED FOR CONSTRUCTION PURPOSES

REVISED CONCEPT PLAN

LOTS 2 & 3 BLOCK A  
NELSON ADDITION

SMILES at MURPHY OFFICE BUILDING

CITY OF MURPHY, COLLIN COUNTY, TEXAS

Date: November, 2015 Scale: 1" = 30' Sheet: CP-1

APPROVED  
April 19, 2016

Revisions:  
PROJ. # 6259

**Issue**

Consider and/or act on the application of Claymoore Engineering, requesting approval of a site plan, landscape plan, building elevations and construction plat for Murphy Professional Centre on a property located on approximately 1.5 acres on Brand Road just south of FM 544 to build a 10,500 square foot medical office building.

**Staff Resource/Department**

Kelly Carpenter AICP, Interim Director of Economic and Community Development  
Tina Stelnicki, Community Development Coordinator

**Summary**

Claymoore Engineering, requesting approval of a site plan, landscape plan, building elevations and construction plat for Murphy Professional Centre on a property located on approximately 1.5 acres on Brand Road just south of FM 544 to build a 10,500 square foot medical office building. This building will face Brand Road. This is the first of two buildings that will be built on this property. The property is part of PD 09-12-823 (Planned Development). The proposed use of medical offices is an approved use of the PD.

***Site Plan***

The proposed site plan has been reviewed by staff and meets the requirements as set forth by the Planned Development guidelines.

***Building Elevations***

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

- Height regulations (City Ordinance: Sec. 30.03.403)

Maximum height regulations in the Retail district shall be 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. The building height is 32'-6" to highest point, both at roof ridge and tower. This is in compliance with the height regulations for the district.

***Landscape Plan***

The proposed landscape and materials used meet requirement standards as set forth by the Planned Development guidelines.

***Construction Plat***

The construction plat meets requirements as set forth by the Planned Development guidelines.

***Additional Considerations for Notation***

Prior to any signage installation, the sign plans for the building and site will be submitted to Customer Service, be reviewed by standard staff procedures to ensure compliance with the Sign Ordinance and will be permitted separately after staff approval.

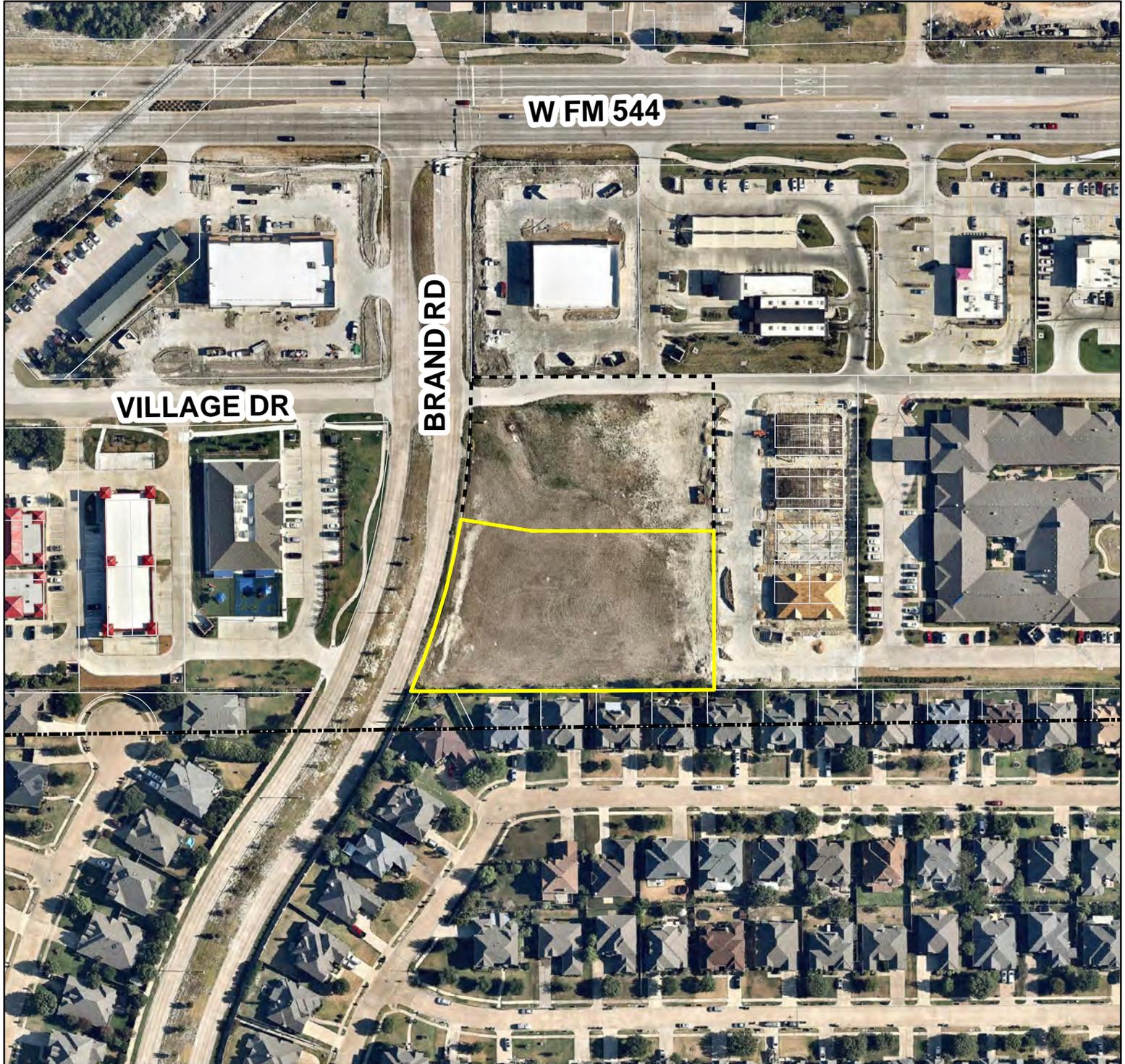
**Action Requested**

Approve the Construction Plat, site plan, landscape plan and building elevations.

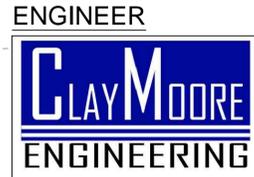
**Attachments**

Property location map  
Site Plan  
Color Landscape Plan  
Building Elevations  
Construction Plat  
Planned Development

# Village Drive and W FM 544 Property



- NOTES:**
1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
  2. REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND EXACT DOOR LOCATIONS.
  3. REFER TO ARCHITECTURAL PLANS FOR FENCE AND GATE DETAILS.
  4. ALL PARKING RADII ARE 3' UNLESS OTHERWISE SPECIFIED.



1903 CENTRAL DR.  
SUITE #406  
BEDFORD, TX 76021  
PH. 817.281.0572  
FAX 817.281.0574  
CONTACT: MATT MOORE, PE  
EMAIL: MATT@CLAYMOOREENG.COM

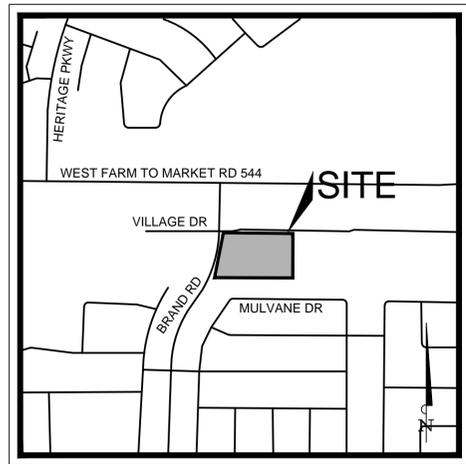
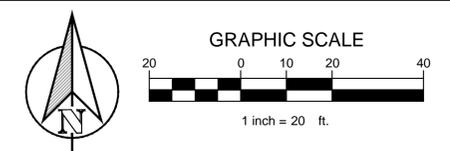
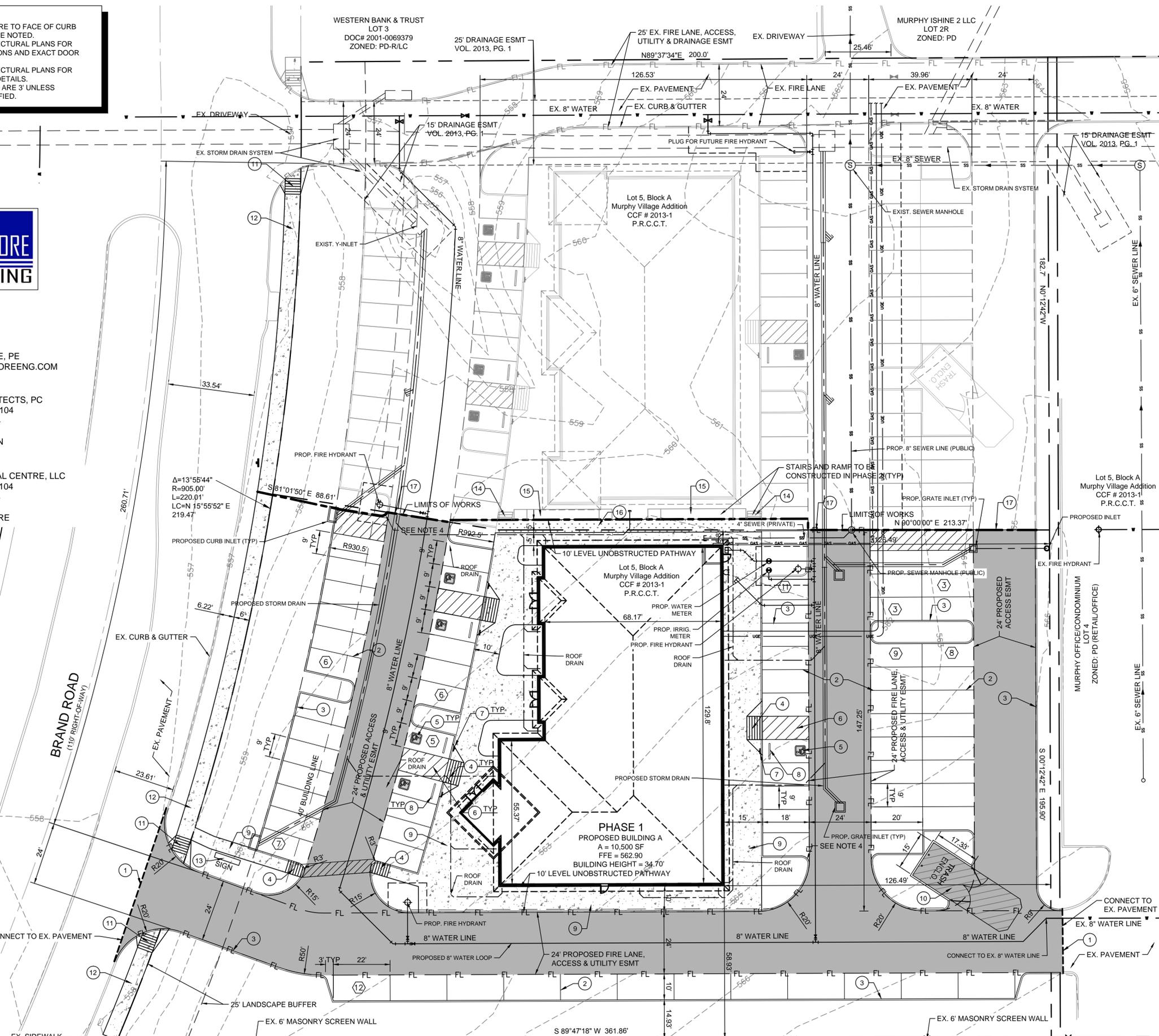
**ARCHITECT**  
URBAN BOBCAT ARCHITECTS, PC  
916 BRYAN AVE. SUITE 104  
FORT WORTH, TX 76104  
TEL: (817) 602-9129  
CONTACT: MATT GREEN

**OWNER**  
MURPHY PROFESSIONAL CENTRE, LLC  
916 BRYAN AVE. SUITE 104  
FORT WORTH, TX 76104  
TEL: (817) 288-3035  
CONTACT: RIAN MAGUIRE

PLOTTED BY: DEAN TORRES  
 PLOT DATE: 9/16/2016 12:59 PM  
 LOCATION: Z:\PROJECTS\PROJECTS\2016-104 MURPHY PROFESSIONAL CENTER\CADD\SHEETS\SP-1 SITE PLAN.DWG  
 LAST SAVED: 9/12/2016 2:11 PM

McBIRNEY-544 JOINT VENTURE  
 LOT 3, BLOCK B  
 DOC# 2003-0207485  
 ZONED: PD-R/LC

FAIRFIELD OF PLANO PHASE 1B  
 VOL. M, PG. 258  
 M.R.C.C.T.  
 ZONED: SF (SINGLE FAMILY)



**LEGEND**

[Symbol]	LIGHT DUTY CONCRETE PAVEMENT
[Symbol]	MODERATE DUTY CONCRETE PAVEMENT
[Symbol]	PROPOSED CONCRETE SIDEWALK
[Symbol]	PROPOSED CONCRETE CURB AND GUTTER
[Symbol]	PARKING COUNT
[Symbol]	FULL-DEPTH SAWCUT
[Symbol]	PROPOSED FIRE LANE STRIPPING

**CONSTRUCTION SCHEDULE**

1	SAW CUT FULL DEPTH EXISTING PAVEMENT
2	4" PARKING STALL STRIPING COLOR: WHITE (TYP)
3	CURB & GUTTER
4	PROPOSED HANDICAP RAMP
5	HANDICAP SYMBOL
6	PAVEMENT STRIPING
7	HANDICAP SIGN
8	CURB STOP
9	SIDEWALK
10	REFER TO ARCHITECTURAL PLANS FOR TRASH ENCLOSURE DETAILS
11	PROPOSED ADA RAMP PER CITY STANDARDS
12	PROPOSED 6" SIDEWALK PER CITY STANDARDS
13	PROPOSED POLE SIGN. REFER TO ARCH. PLANS FOR DETAILS
14	PROPOSED STAIRS (TO BE CONSTRUCTED IN PHASE 2)
15	PROPOSED RAMP (TO BE CONSTRUCTED IN PHASE 2)
16	5' FLAT SURFACE WITH GRASS
17	STREET HEADER

**SITE DATA TABLE**

OVERLAY DISTRICT	PD - PLANNED DEVELOPMENT
ZONING DISTRICT	P/SP - PUBLIC/SEMI-PUBLIC
EXISTING USE	VACANT LOT
PROPOSED USE	MEDICAL PLAZA
LOT AREA	1.50 AC (65,142.63 SF)
BUILDING (A) AREA	10,500 SF
BUILDING (B) AREA	8,825 SF
TOTAL BUILDING AREA	19,325 SF
REQUIRED PARKING	1 SPACE FOR EVERY 150 S.F. 19,325 SF REST. @ 1:150 = 129 (5)
PARKING PROVIDED	133 (10)



**PRELIMINARY**  
FOR REVIEW ONLY  
Not for construction purposes.  
CLAYMOORE ENGINEERING  
ENGINEERING AND PLANNING  
CONSULTANTS  
Engineer: MATT MOORE  
P.E. No. 95813 Date: 9/16/2016

**MURPHY PROFESSIONAL CENTER  
LOT 5, BLOCK A  
MURPHY VILLAGE ADDITION  
BRAND ROAD AND VILLAGE DR  
MURPHY TEXAS**

No.	DATE	REVISION	BY

**SITE PLAN**

DESIGN: MBT  
DRAWN: MBT  
CHECKED: MAM  
DATE: 9/16/2016

**SHEET**  
**SP-1**

File No. 2016-104





urban hobcat  
ARCHITECTS

1016 FORREST DRIVE  
ARLINGTON, TX 76012  
WWW.URBANBOBCAT.COM  
817.602.9263 | 817.602.9129



CHC DEVELOPMENT

608 8TH AVENUE  
FORT WORTH, TX 76104  
WWW.CHCDEV.COM  
817.288.3033 | 817.881.0373

MEDICAL OFFICE BUILDING  
SE CORNER OF FM 544 & BRAND RD.  
MURPHY, TX

JOB NUMBER: 15-105.02

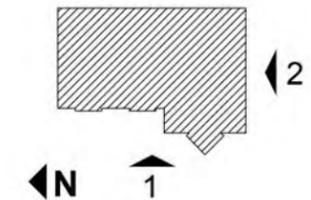
A3.0



1 ELEVATION - WEST  
scale: 3/32" = 1'-0"



2 ELEVATION - SOUTH  
scale: 3/32" = 1'-0"





urban hobcat ARCHITECTS

1016 FORREST DRIVE  
ARLINGTON, TX 76012  
WWW.URBANBOBCAT.COM  
817.602.9263 | 817.602.9129



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MEDICAL OFFICE BUILDING  
SE CORNER OF FM 544 & BRAND RD.  
MURPHY, TX

JOB NUMBER: 15-105.02

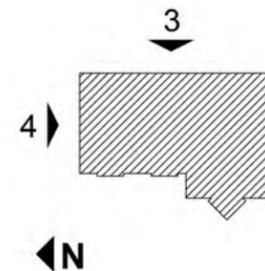
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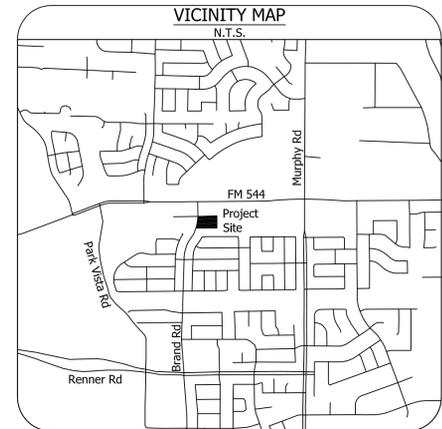
3 ELEVATION - EAST  
scale: 3/32" = 1'-0"



4 ELEVATION - NORTH  
scale: 3/32" = 1'-0"



- Notes**
1. Basis of Bearings is the Texas State Plane Coordinate System, North American Datum of 1983, Texas North Central Zone.
  2. Elevations shown are based on the City of Plano Vertical Control Network.
  3. Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.



**LEGAL DESCRIPTION**

STATE OF TEXAS  
COUNTY OF COLLIN

WHEREAS McBirney #544, JV, is the owner of a tract of land situated in the James Maxwell Survey, Abstract Number 580, City of Murphy, Collin County, Texas and being all of Lot 5, Block A, Murphy Village Addition, an addition to the City of Murphy according to the plat thereof recorded in County Clerk's File Number 2013-1, Plat Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped "PSA" found at the southeast corner of said Lot 5, said iron rod also being the southwest corner of Lot 4 of said Block A and being in the north line of Block A, Fairfield of Plano, Phase 1B, an addition to the City of Murphy according to the plat thereof recorded in Volume M, Page 258, Plat Records, Collin County, Texas;

THENCE South 89 degrees 47 minutes 18 seconds West, 537.90 feet along the south line of said Lot 5 and said north line of Fairfield of Plano to a 5/8 inch iron rod with cap stamped "REALSEARCH" set at the southwest corner of said Lot 5, said iron rod also being the northwest corner of said Fairfield of Plano and being in the east right-of-way line of Brand Road (110' Right-of-Way) and being the beginning of a non-tangent curve to the left;

THENCE 367.59 feet along the west line of said Lot 5 and said east right-of-way line of Brand Road and with said non-tangent curve to the left, having a radius of 905.00 feet, through a central angle of 23 degrees 16 minutes 20 seconds, whose long chord bears North 11 degrees 15 minutes 45 seconds East, 365.07 feet to a 5/8 inch iron rod with cap stamped "REALSEARCH" set;

THENCE North 00 degrees 22 minutes 26 seconds West, 20.00 feet, continuing along said west line of Lot 5 and said east right-of-way line of Brand Road to a 5/8 inch iron rod with cap stamped "REALSEARCH" set at the northwest corner of said Lot 5, said iron rod also being the southwest corner of Lot 3, Block A, Murphy Village Addition, an addition to the City of Murphy according to the plat thereof recorded in Cabinet N, Page 86, Plat Records, Collin County, Texas;

THENCE North 89 degrees 37 minutes 34 seconds East, 200.00 feet along the north line of said Lot 5 and the south line of said Lot 3 to an "X" cut found at the southeast corner of said Lot 3, said "X" cut also being the southwest corner of Lot 2R of said Block A;

THENCE North 89 degrees 37 minutes 34 seconds East, 154.47 feet along said north line of Lot 5 and the south line of said Lot 2R to a 5/8 inch iron rod with cap stamped "REALSEARCH" set;

THENCE North 89 degrees 49 minutes 22 seconds East, 110.87 feet, continuing along said north line of Lot 5 and said south line of Lot 2R to a 5/8 inch iron rod with cap stamped "REALSEARCH" found at the northeast corner of said Lot 5, said iron rod also being the northwest corner of said Lot 4;

THENCE South 00 degrees 12 minutes 42 seconds East, 378.71 feet along the east line of said Lot 5 and the west line of said Lot 4 to the POINT OF BEGINNING and containing 184,512 square feet or 4.236 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That McBirney #544, JV, acting herein by and through his (its) duly authorized officer(s), does hereby adopt the plat heretofore filed and herein above described property as MURPHY VILLAGE ADDITION, LOTS 5A, 5B AND 5C, BLOCK A, an addition to the City of Murphy, Texas and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown hereon. 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.

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 the 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 obstructions, 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 the fire department and emergency use.

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 their real property, and for the purpose of general public vehicular and pedestrian use and access, and for fire department and emergency use in, along, upon and across said premises, with the right and privilege at all times of the City of Murphy, its agents, employees, workmen and representatives having ingress, egress and regress in, along, upon and across said premises.

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

WITNESS, my hand, this \_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Printed Name and Title

STATE OF TEXAS  
COUNTY OF

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

Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public in and for the State of Texas

My Commission Expires On

**Surveyor's Certification**

KNOW ALL MEN BY THESE PRESENTS

That I, Jeremy Luke Deal, 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.

Executed this the \_\_\_\_ day of \_\_\_\_\_, in the year of our Lord 2016.

Jeremy Luke Deal  
Registered Professional Land Surveyor  
Texas Registration No. 5696

**PRELIMINARY**

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

STATE OF TEXAS  
COUNTY OF JOHNSON

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

Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public in and for the State of Texas

My Commission Expires On

LINE	BEARING	DISTANCE
L1	N 81°10'55" W	111.36
L2	N 08°49'05" E	5.03
L3	N 08°49'05" E	19.97
L4	S 01°10'55" E	111.37
L5	S 01°14'12" E	6.34
L6	S 00°12'45" E	15.00
L7	S 89°47'15" W	20.22
L8	N 00°12'45" W	15.00
L9	N 89°47'15" W	20.22
L10	S 00°12'45" E	17.49
L11	S 89°47'15" W	19.67
L12	N 00°00'00" W	71.77
L13	S 89°47'15" W	26.11
L14	N 00°00'00" W	10.23
L15	N 89°37'34" E	35.69
L16	S 01°51'29" W	3.97
L17	N 45°14'21" W	27.53
L18	N 89°37'34" E	4.39
L19	N 89°37'34" E	13.50
L20	N 74°31'00" E	18.07
L21	S 89°47'18" W	33.66
L22	N 70°08'10" W	18.31
L23	N 00°12'42" W	9.09
L24	N 89°47'18" W	15.00
L25	S 00°12'42" E	11.50
L26	S 89°47'18" W	8.49
L27	S 89°47'18" W	281.86
L28	N 70°08'10" W	40.60
L29	N 19°07'12" E	26.62
L30	S 70°08'10" E	41.87
L31	N 89°47'18" E	168.36
L32	N 00°12'45" W	129.22
L33	N 90°00'00" E	24.00
L34	S 00°12'45" E	128.14
L35	N 89°47'18" E	5.00
L36	N 89°55'30" E	44.51
L37	S 00°12'42" E	23.89
L38	N 00°12'45" W	145.99
L39	N 89°37'34" E	18.19
L40	N 88°45'49" E	17.55
L41	N 89°37'34" E	3.34
L42	S 00°12'45" E	147.27
L43	N 00°12'42" W	142.46
L44	N 89°37'34" E	44.55
L45	S 00°12'42" E	3.36
L46	S 00°12'42" E	142.70
L47	S 00°12'42" E	138.11
L48	S 00°12'42" E	0.89
L49	S 89°55'30" W	44.51
L50	N 00°12'42" W	132.10

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	119.85	950.42	7°13'48"	N 05°01'13" E	119.85
C2	24.12	15.00	92°06'45"	N 44°19'03" W	21.60
C3	19.65	74.50	15°06'35"	N 82°04'17" E	19.59
C4	19.20	15.00	73°20'40"	S 37°50'40" W	17.92
C5	269.39	974.60	15°50'19"	S 09°05'29" W	268.53
C6	26.73	15.00	101°05'54"	S 40°49'48" E	23.40
C7	9.11	26.00	20°04'32"	N 80°10'26" W	9.06
C8	21.93	15.00	83°38'18"	N 68°01'34" E	20.03
C9	143.44	950.42	8°38'51"	N 13°17'32" E	143.31
C10	17.52	50.00	20°04'32"	N 80°10'26" W	17.43
C11	7.75	20.00	22°12'49"	N 81°14'30" W	7.71
C12	6.76	20.00	19°11'56"	S 60°27'12" E	6.73
C13	9.11	26.00	20°04'32"	S 80°10'26" E	9.06
C14	29.53	20.00	83°46'43"	N 47°38'01" E	26.97
C15	30.51	20.00	87°14'47"	S 46°32'01" E	27.65
C16	15.74	10.00	90°09'41"	N 45°17'36" W	14.16
C17	3.45	69.00	2°51'54"	N 88°11'42" E	3.45
C18	1.50	30.00	2°51'54"	N 88°11'42" E	1.50
C19	13.68	10.00	89°50'19"	S 44°42'24" W	14.12
C20	23.60	15.00	90°09'44"	N 45°17'34" W	21.24
C21	13.28	15.00	50°44'22"	S 25°09'29" W	12.85
C22	10.55	9.00	66°48'50"	S 33°45'55" E	9.86
C23	23.55	15.00	89°57'14"	N 44°48'41" E	21.20



SCALE: 1" = 30'

Owner: Wal-Mart Real Estate Business Trust  
2001 SE 10th Street  
Bentonville, Arkansas 72716  
479-204-0258  
Contact: Christopher Obenshain

Engineer: HPCivil Engineering  
5339 Alpha Road  
Suite 300  
Dallas, Texas 75240  
972-701-9636  
Contact: Dylan Blackshear, PE

Project Number: 160071  
Revised Date:  
Revision Notes:

Date: August 07, 2016

Sheet 1 of 1

APPROVED BY: City Council, City of Murphy, Texas

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

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

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

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

Signature of Chairperson \_\_\_\_\_  
Date of Recommendation \_\_\_\_\_

**Flood Statement**

According to Community Panel Number 48085C04153, dated June 2, 2009, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property lies within Zone "X" which is not a Special Flood Hazard Area. If this site is not within a Special Flood Hazard Area, this statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man made or natural causes. This statement shall not create liability on the part of the Surveyor.

**REALSEARCH OF TEXAS, LLC**  
P.O. Box 1006, Godley, Texas 76044  
Ph. 817-937-2655, jdeal@realsearch.org, www.realsearch.org  
"Thou shalt not remove thy neighbor's landmark" Deut. 19:14  
© copyright 2016, Realsearch of Texas, LLC Firm Registration # 10158200



**ORDINANCE NO. 09-12-823**

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

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

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

**Section 1.** That the Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby, amended so as to change the zoning classification from PD (Planned Development) District for Mixed Use Retail, Commercial and Office Uses to PD (Planned Development) District for Retail and Office Uses with conditions for the property described as 25.33 acres, more or less, in the James Maxwell Survey, Abstract No. 580, in the City of Murphy, Collin County, Texas, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes.

**Section 2.** That the development standards for this Planned Development District are attached hereto as Exhibit “B”, and the same are hereby approved for said Planned Development District as required by Section 86-603, of the City of Murphy, Texas Code of Ordinances.

**Section 3.** That Chapter 86 of the City of Murphy Code of Ordinances, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

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

**Section 5.** Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Murphy, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**Section 6.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

**PASSED, APPROVED AND ADOPTED** this the 7th day of December, 2009.

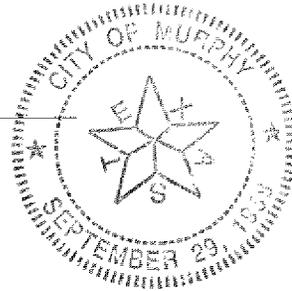


\_\_\_\_\_  
Bret M. Baldwin, Mayor  
City of Murphy

ATTEST:



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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## EXHIBIT B

ZONING FILE NO. 2009-10

FM 544 and Brand Road

### PLANNED DEVELOPMENT CONDITIONS

- I. **Statement of Intent:** The intent of this Planned Development District is to provide high quality mixed-use, primarily retail, development that is consistent with the Comprehensive Plan and that is beneficial and complementary to the City of Murphy in terms of visual identity.
- II. **Statement of Purpose:** The purpose of this Planned Development District is to ensure that any development that occurs within the area designated by this Planned Development encourage a mixed-use application including, but not limited to the following.
  - Restaurants;
  - Upscale retail shops and boutiques;
  - Assisted Living;
  - Medical Facilities;
  - Service Businesses
- III. **Statement of Effect:** This Planned Development shall not affect any regulation found in the City of Murphy Code of Ordinances, Ordinance No. 06-12-708, as amended, except as specifically provided herein.
- IV. **General Regulations:** All regulations of the R (Retail) District set forth in Article III, Division 14 of the Code of Ordinances are included by reference and shall apply, except as otherwise specified by this ordinance.
- V. **Development Plans:**
  - A. Concept Plan: Development shall be in general conformance with the approved concept plan set forth in Exhibit C; however, in the event of conflict between the concept plan and the conditions, the conditions shall prevail.
  - B. Site Plan: A site plan shall be submitted in accordance with the requirements set forth in Article II, Division 5 of the City of Murphy Code of Ordinances. The site plan may be for all or any part of the land within the Planned Development District.
- VI. **Specific Regulations:**
  - A. Permitted Uses. The following uses shall be permitted.
    1. Amusement Services (Indoor) (SUP)
    2. Antique Shop (household items only)
    3. Art Dealer/Gallery
    4. Artist Studio
    5. Assisted Living
      - a. Senior Living (SUP)
      - b. Assisted Living (SUP)
      - c. Nursing Convalescent Home (SUP)
    6. Automobile Driving School (SUP)

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

**EXHIBIT B**

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

B. Area and Yard Regulations:

- 1. Setbacks From Property Lines Adjacent To Streets:
  - a. Building Setbacks - No building of any kind and no part thereof shall be placed within the following setback lines:
    - i. Minimum 40 feet from FM 544, Brand Road and Village Drive.
    - ii. Minimum 15 feet from all other roadways/access roads.
  - b. Landscape Setbacks
    - i. Minimum 25 feet from FM 544 and Brand Road.
    - ii. Minimum 10 feet from all other roadways/access roads.
- 2. Setbacks From Property Lines Not Adjacent To Streets:
  - a. Building Setbacks – No building of any kind and no part thereof shall be placed within the following setback lines:
    - i. Minimum 10 feet from rear and side lines except where buildings on adjacent lots abut each other. In the case of abutting buildings, the building setback shall be 0 feet.
    - ii. Minimum 50 feet abutting residential districts for single story buildings not exceeding 45 feet in height. All pad sites along FM 544 shall have a maximum average height of 30 feet.
    - iii. Maximum 50 feet along the KCS/DART right-of-way along the west property line.
- 3. There is no maximum building size as long as fire standards and other site requirements, such as parking and landscaping, etc. are met.

C. Parking, Driveways & Sidewalks:

- 1. Parking areas shall not be permitted within any landscape buffer strip.
- 2. Fire lanes, driveway, loading areas and access easements shall be paved in accordance with the minimum design standards of the City of Murphy codes and ordinances.
- 3. The number of required parking spaces shall be dependent upon the use and shall meet the requirements of the City of Murphy Code of

Ordinances. No required parking space may be occupied by signs, cart corrals, merchandise, or display items at any time.

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

D. Loading and Unloading

1. Truck loading berths and apron space shall not be located on the street side of any building, however, and exceptions can be addressed during site plan approval. In those instances where 3 or more sides of the building face dedicated streets, the loading berth shall be screened from view.
2. Truck loading berths and apron space shall not be located within any required setback or landscape buffer strip.

E. Minimum Exterior Construction Standards, Building Materials and Design – Exterior Construction and Design Requirements shall be architecturally compatible and comply with the following.

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

3. Color schemes shall reflect a certain quality and expression consistent with the architectural character and design of the structure. Accent colors may be used to identify architectural features or highlight details. The use of primary or garish colors shall not be predominately used on the exterior facade of any structure.
  4. Stand fans, skylights, cooling towers, communication towers, satellite dishes, vents, and any other structures or equipment, whether located on the roof or elsewhere, shall be architecturally compatible or effectively shielded from view from any public or private dedicated street by an architecturally sound method.
  5. Each commercial building, complex of buildings, or separate commercial business enterprises shall have a trash bin on the premises adequate to handle the trash and waste items generated, manufactured, or acquired thereon by such commercial activities. The sorting, handling, moving, storing, removing and disposing of all waste materials must be housed or screened from view.
  6. Building roofs shall be so designed and constructed to prevent water ponding and to shed water in a reasonable amount of time. Built-up roofs and roof-top items which include equipment, piping, flashing, and other items shall be maintained for continuity of the roof appearance.
  7. Roof top equipment, piping, flashing, and other items on the roof shall be screened by a perimeter parapet wall so as not to be visible from roadways.
  8. In all cases, mechanical equipment on roofs and outcroppings should be clad by a like building material or painted with a color scheme similar to the principal structure walls or roof.
- F. Landscape Standards. Landscaping shall be compatible and comply with the standards set forth in the Code of Ordinances, except as provided below.
1. All landscaping shall use a unified design for the entire Tract. Landscaping shall be required on all developments within the Planned Development District and shall be complete prior to the issuance of any certificate of occupancy or final building inspection for the development. An automatic underground irrigation system shall be installed and maintained for all required landscaping and shall be in place and operable at time of planting.
  2. A landscape buffer shall be provided 25 feet in depth adjacent to the right-of-way of FM 544, 25 in depth adjacent to Brand Road and ten (10) feet in depth adjacent to all other roads (includes public streets and private access drives) as measured from the back of curb of the public or private street to the back of curb of any site paving. No parking may be placed within any landscape buffer. Pedestrian easements may be located within a landscape buffer. The width of the sidewalk may be included in the calculation of the buffer depth for 25 foot buffers, but may not be included in the calculation of the buffer depth for ten (10) foot buffers.

## EXHIBIT B

3. A landscape buffer shall be provided for an average of 15 25 feet in depth adjacent to the KCS/DART Railroad right-of-way.
  4. Parking Lots:
    - a. A minimum percentage of the parking area shall be landscaped according to the following requirements. Such landscaping shall be distributed within the parking area, occurring within medians, islands, or peninsulas. All such landscape areas shall be protected by concrete curbing or other acceptable devices which prohibit vehicular access to landscaped areas. Bumper overhang shall not be included as part of required landscaping. A permeable area no less than four (4) feet by four (4) feet shall be provided surrounding each tree located in a surface parking area.
      1. A total of five (5) percent of the interior of the entire parking lot regardless of location, shall be landscaped. One large tree or three (3) ornamental trees from the Plant List, shall be provided for each twelve (12) parking spaces, and planted within the five (5) percent area. Trees shall be distributed so that bays of parking spaces shall not exceed eighteen (18) spaces in length.
- G. Screening. Screening shall comply with the standards set forth in the Code of Ordinances, except as provided below.
1. All screening at the rear of the property will be a live screen where required. Plant materials shall conform to the standards of the approved plant list in Section 50 and the current edition of the "American Standard for Nursery Stock" (as amended), published by the American Association of Nurserymen. Bald Cyprus trees are excluded from the approved list. The existing railroad berm will also serve as a natural screen between the nonresidential and residential districts.
  2. All truck docks/loading areas for anchor stores with a footprint greater than 100,000 square feet shall be screened from view through the use of 12-foot all masonry walls (which are the same colors and materials as main building). All other screening of the rear of the site shall be living screens (eight foot height and at least 75 percent capacity within four years of planting unless such areas are screened from public views by a building).
  3. Outside seasonal displays shall be permitted with the Planned Development District.
- H. Site Lighting. Lighting shall comply with the standards set forth in the Code of Ordinances, except as provided below.
1. Lighting should be provided for vehicular, pedestrian, signage, architectural and site features.
  2. Site lighting fixtures used along entrance driveways and parking areas shall be uniform and a consistent design within the development. Lighting standards for illuminating these areas shall be no taller than 40 feet high.

However, the height of all light standards shall be subject to review of the lighting plan during the Site Plan review.

3. The pattern of light pooling from each fixture shall be carefully considered to provide smooth, even lighting of driveways and parking, while eliminating light intrusion into adjacent property outside of the planned development district. Parking areas shall have a minimum of 3-foot candles initial and a minimum average of 2-foot candle on a maintained basis. Light sources shall be metal halide, mercury vapor or of similar color. Yellow/orange source lights are prohibited from use. Incandescent source lighting should be considered for pedestrian areas and near buildings.
  4. Pedestrian walkways, courts, gardens and entrance areas shall be illuminated to enhance the pedestrian qualities of the development. Low level fixtures should complement the architectural design and focus on quality landscape lighting that will enhance the development.
  5. General illumination shall commence one half hour before sunset and last until the Building Site is closed for the evening. Parking structures and pedestrian walkways shall be illuminated during all hours of darkness and when poor weather conditions warrant.
- I. Signage and Graphics: Signage shall comply with the standards set forth in the Code of Ordinances, except as provided below.
1. General
    - a. Single Tenant Monument signs - One (1) monument sign shall be allowed on each pad site and shall be limited to a maximum sign area of 50 square feet and a maximum structure area of 80 square feet.
    - b. Multi Tenant Monument signs - One (1) multi tenant monument sign shall be allowed in Block C as shown on the concept plan and shall be limited to a maximum sign area of 100 square feet and a maximum structure area of 200 square feet.
    - c. Pylon signs – Two (2) pylon signs shall be permitted in Block A and one (1) pylon sign shall be permitted in Block B. Each pylon sign shall be limited to a maximum sign area of 350 square feet and a maximum structure area of 600 square feet.
  2. Single Tenant Monument Signs
    - a. Monument signs shall identify individual tenants or uses within a pad site. Monument signs shall be a maximum of seven (7) feet tall.
    - b. All single tenant monument signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Single tenant monument signage may also be lit by ground mounted flood lighting or internal letter illumination either face lit or reverse channel lit. Light fixtures should be screened from view in front of the sign.

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

- c. All other temporary signage not specifically referred to in the Signage Criteria package or in this section shall comply with the City of Murphy standards.
- d. Temporary signs are not required to be constructed of the material used for buildings.

J. Open Space

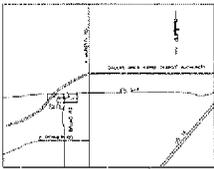
1. The proposed development should make a positive impact to the City by providing defined public spaces and activity centers so that varied activities are encouraged within these areas. This can be accomplished through the incorporation of open spaces that become public amenities and that provide interest within the Tract at the pedestrian level.
2. Outdoor Seating. Any establishment serving food for consumption on-premises is encouraged to provide an outdoor seating area and shall be approved with the site plan. The outdoor seating area may be included as a portion of the 5% open space requirement as stated in (b.) below.
3. An additional 5% of open space is required in addition to the landscape, setback, and parking lot island requirements. The additional 5% may be located adjacent to the required setbacks or landscaping at the ROW and property lines or in front or in some cases to the side of the structure. The additional open space percentage may not include the building footprint or vehicular parking lot. This area and associated amenities shall be approved on the site plan. At least one of the following amenities shall be located within the additional 5% open space area and count towards the required percentage.
  - a. Water feature, such as a fountain or detention pond with constant water level.
  - b. Plaza or courtyard with art sculpture piece.
  - c. Outdoor patio or gazebo with seating area.
  - d. Other areas for pedestrian congregation, as may be approved on the site plan.
4. Outside seasonal displays shall be permitted with the Planned Development District.

VII. **Special Regulations:**

1. Traffic Impact Analysis: A Traffic Impact Analysis (TIA) shall be performed prior to site plan approval for any portion of the subject property.
2. Utility/Power Lines: New utility distribution and service lines for individual business establishments, buildings, signs and for any other site development features shall be placed underground.
3. Pedestrian Streetscape: Pedestrian spaces throughout the Planned Development District shall be treated with amenities that are selected based upon their ability to unify the streetscape and shall be established on the overall

concept plan for each Tract. These features shall include, but are not limited to, benches, trash receptacles, bicycle racks, lighting poles, etc.

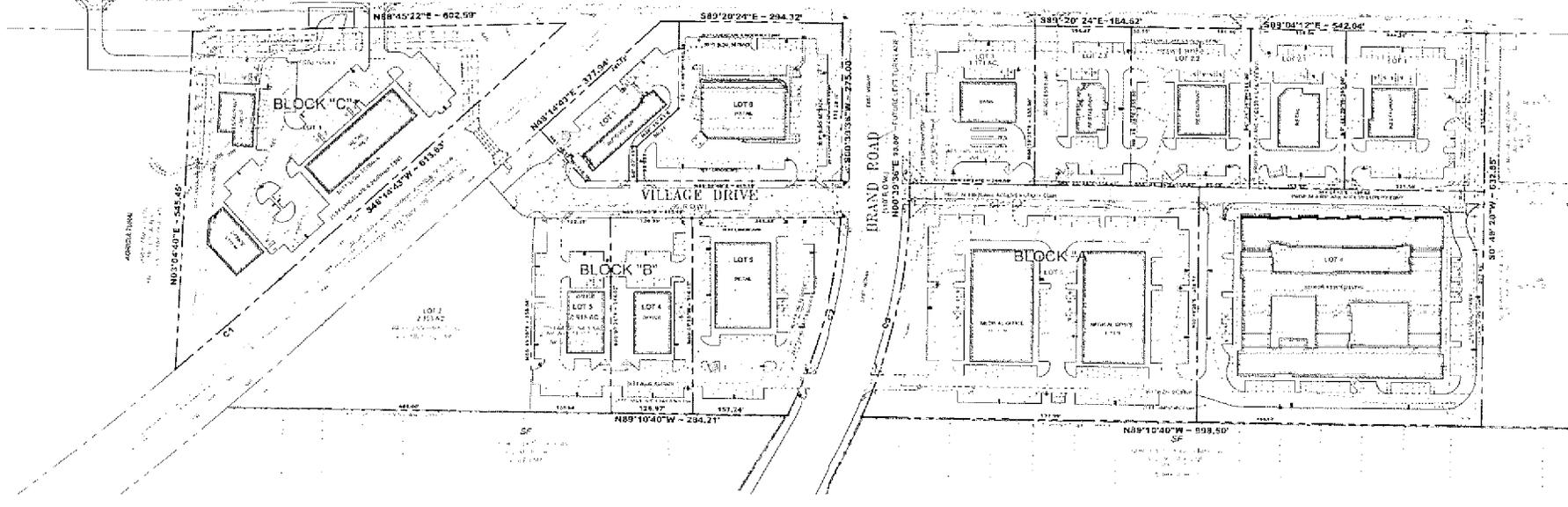
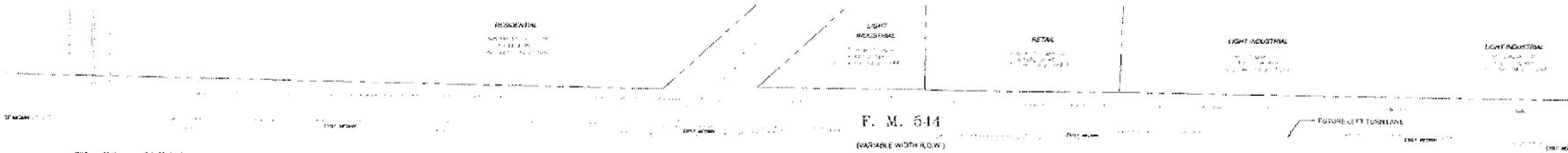
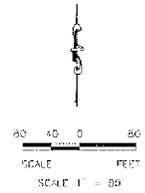
4. Cross-Access Requirement: A joint access (i.e. – ingress, egress) easement shall be required to minimize the number of driveway openings along FM 544. The location(s) of access easement(s) shall be shown on the site plan and shall comply with the Texas Department of Transportation (TxDOT) Access Management Standards.
5. Building Placement/Orientation: Buildings shall be placed in a manner that is conducive to a pedestrian-oriented atmosphere, wherever possible. Any building within 200 feet of FM 544 shall either face such right-of-way or shall have a façade facing such right-of-way that is in keeping with the character of the building's main façade.



LOCATION MAP

LEGEND

- PROPOSED FH 20'x20' VLM
- EXISTING FH 15'x15' VLM
- PROPOSED 24' GEN. LANE 20'x20' VLM
- EXISTING 6' SCREENING WALL (DASH)
- PROPOSED LIGHTING POLE



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD
C1	229.13	6679.07	218.41	114.58	508.14
C2	333.45	7950.07	224.91	148.50	579.21
C3	367.63	855.08	23.85	158.37	112.37

SUMMARY TABLE

BLOCK	LOT	SF	AREA	REPS AREA	BLDG	USE	REPS	USE	PERIOD	ZONING
A	1	10,492	4,120	4,767	20	RESTAURANT	1,700	20	10	RES
	2	24,676	11,719	6,272	20	RESTAURANT	5,200	20	10	RES
	3	10,483	3,810	4,432	20	RESTAURANT	1,400	20	10	RES
	4	21,161	9,854	1,555	20	RESTAURANT	1,500	20	10	RES
	5	11,520	4,114	5,190	20	RESTAURANT	1,500	20	10	RES
B	1	148,215	4,202	28,174	35	SENIOR ASSISTED LIVING	1,500	45	10	RES
	2	113,102	1,973	38,800	25	MEDICAL OFFICE	1,500	10	10	RES
C	1	17,455	7,367	9,200	15	RETAIL	1,400	15	10	RES
	2	19,104	2,848	4,007	25	OFFICE	1,400	25	10	RES
	3	48,619	2,948	4,209	20	OFFICE	1,400	20	10	RES
	4	47,717	5,515	12,020	20	RETAIL	1,400	20	10	RES
	5	15,304	5,512	13,151	25	RETAIL	1,400	25	10	RES
6	101,795	1,713	21,100	25	OFFICE/RESTAURANT	1,400	25	10	RES	

PROPERTY OWNER  
 MCBIRNEY-544 JOINT VENTURE  
 5300 TOWN & COUNTRY BLVD  
 SUITE 200  
 FRISCO, TEXAS 75034  
 (214) 615-9500

ENGINEER  
 PAS ENGINEERING  
 17819 DAVENPORT RD. STE 219  
 DALLAS, TEXAS 75252  
 (972) 248-9651  
 11815 E. IRVING AVE. SUITE 1100  
 FORT WORTH, TEXAS 76116  
 ATTN: MARK WEBER

PROPOSED CONCEPTUAL PLAN  
 20.33 ACRES  
 BLOCK A, B AND C  
 MURPHY VILLAGE ADDITION  
 CITY OF MURPHY  
 COLLIN COUNTY, TEXAS

PROPOSED CONCEPTUAL PLAN  
 FOR THE  
 MURPHY VILLAGE ADDITION  
 BLOCK "A", "B" AND "C"  
 JAMES W. MAXWELL SURVEY, ABSTRACT NO. 890  
 CITY OF MURPHY, COLLIN COUNTY, TEXAS

MCBIRNEY-544 JOINT VENTURE  
 5300 TOWN & COUNTRY BLVD  
 SUITE 200  
 FRISCO, TEXAS 75034  
 (214) 615-9500

PAS ENGINEERING  
 11815 E. IRVING AVE. SUITE 1100  
 FORT WORTH, TEXAS 76116  
 ATTN: MARK WEBER

DATE: 10/20/10  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO.: 1010-00

SHEET  
 CP-1

OCTOBER 20, 2009

**Issue**

Hold a public hearing and consider and/or act on the application by Syed Hussain, President of First Crescent Enterprises, LLC, for owner Lisa Roberts, for a rezoning from Single Family 20 (SF-20) to Single Family 9 (SF-9) with a Planned Development (PD), which is next on the agenda.

**Staff Resource/Department**

Kelly Carpenter, AICP, Interim Director of Economic and Community Development  
Tina Stelnicki, Community Development Coordinator

**Summary**

The intent of this rezoning is to develop 24 to 33 lots in sizes ranging from 8,401 square feet to over 12,524 square feet with an average lot size of 9,249 square feet. The surrounding uses include the following:

North – residential (SF-20)

South – residential (SF-20)

East – residential (SF-20)

West – Murphy Road (State Highway 2551)

The current Comprehensive Plan Future Land Use Map designates this property as a Neighborhood Services land use.

A public hearing notification for this zoning change request was published in the newspaper and notification was mailed to the property owners within the required 200 feet notification radius. To date two reply forms: one in objection and one in favor of the zoning change request were received in reference to this application.

This item is directly related to Item 5G, which requests approval of a zoning change from SF-9 to Planned Development, cannot be approved if this item is not approved.

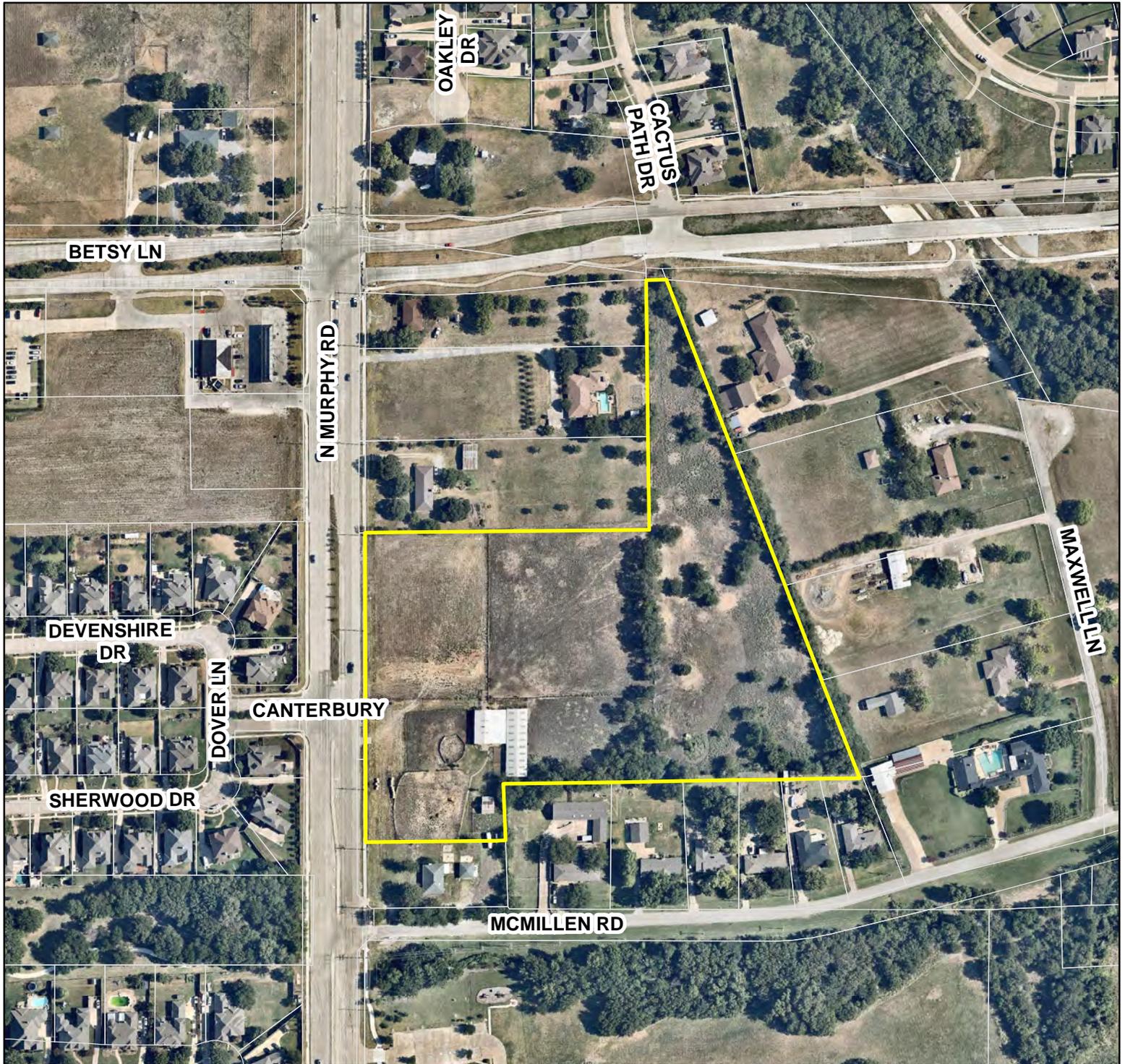
**Staff Recommendation**

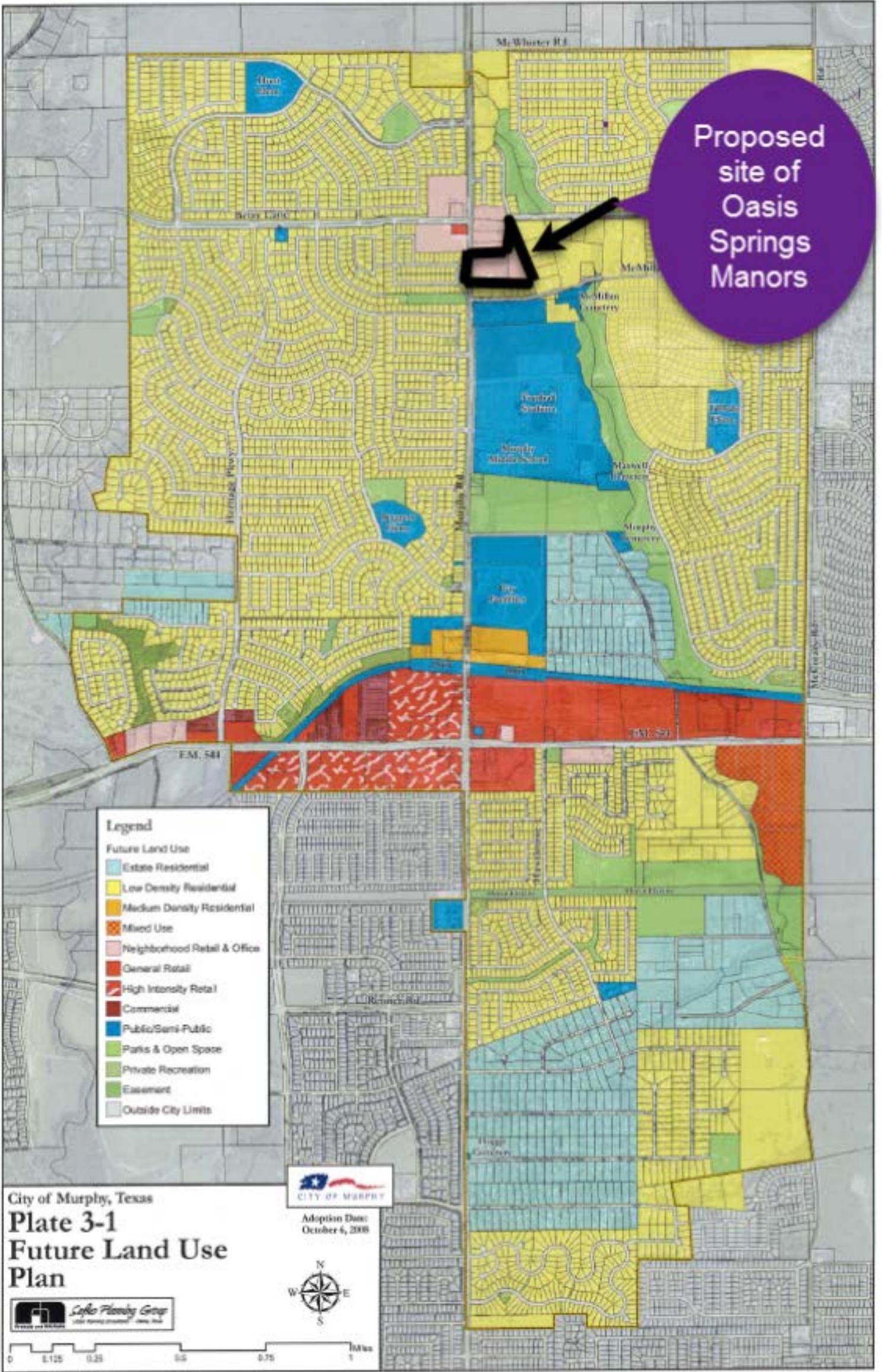
Staff recommends the rezoning from SF-20 to SF9 with a PD

**Attachments**

Aerial Photo of Proposed Project Site  
Comprehensive Plan Future Land Use Map  
Reply Forms

# Southeast Corner of Betsy Lane and N Murphy Road Property





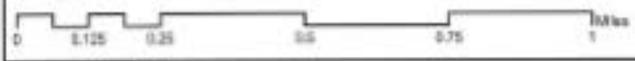
Proposed site of Oasis Springs Manors

- Legend**
- Future Land Use
- Estate Residential
  - Low Density Residential
  - Medium Density Residential
  - Mixed Use
  - Neighborhood Retail & Office
  - General Retail
  - High Intensity Retail
  - Commercial
  - Public/Semi-Public
  - Parks & Open Space
  - Private Recreation
  - Easement
  - Outside City Limits

City of Murphy, Texas  
**Plate 3-1**  
**Future Land Use**  
**Plan**

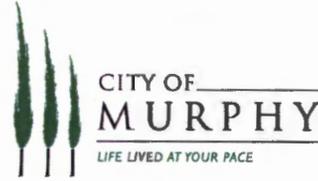


Adoption Date:  
 October 4, 2008



Reply Form  
2016-011 – Zoning Change (1 of 2)

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



This letter is regarding the request of First Crescent Enterprises LLC, for approval of a zoning change from SF-20 (Single Family Residential-20) to SF-9 (Single Family Residential-9) located on 10.351 acres, having the legal description of Murphy Manors (CMR), Lot 2. This property is located north of McMillen at N Murphy Road.

X I am **IN FAVOR** of the request for approval of a zoning change.

\_\_\_\_\_ I am **OPPOSED** to the request for approval of a zoning change.

This item will be heard at the **Planning & Zoning Commission on Monday, September 26, 2016 at 6:00 p.m.** and by **City Council on Tuesday, October 4, at 6:00 p.m.** at Murphy City Hall, in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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

Darwin W. Easley  
Name (Please Print)

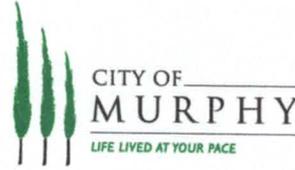
Darwin W. Easley  
Signature

17 Maxwell Ln., Murphy Tx  
Address

9-19-2016  
Date

**Reply Form**  
**2016-011 – Zoning Change (1 of 2)**

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



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Opposed due to the 15' drain easement, that will cause our property and several others to flood - drainage needs to be re-engineered.

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

Dennis Courns  
Name (Please Print)

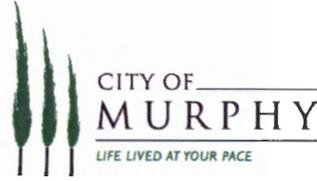
19 Maxwell Lane  
Address

[Signature]  
Signature

9-20-16  
Date

**Reply Form**  
**2016-011 – Zoning Change (1 of 2)**

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



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\_\_\_\_\_  
*(see attached sheet)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Charles Thorpe  
Name (Please Print)

CHARLES THORPE  
Signature

920 N. MURPHY RD  
Address

09/22/2016  
Date

## Requests Regarding the Oasis Springs Manors Development

Charles Thorpe @ 920 N Murphy Rd

1. For the proposed HOA maintained fence bordering the south and east sides of the property at 920 N Murphy Rd we would prefer that the fence be no higher than the 6 feet minimum (the developer has informally told me this would be acceptable). The lower height will be less offensive and less expensive to build; in addition to being more stable in terms of leaning caused by wet ground and/or wind. We assume that this fence will require the removing of several trees growing on the east side of our property line.

2. Experience shows that wood fences weather and become unsightly after a few years. In order to slow down this process, we request that the bottom of the wood be kept 3 inches above the ground. This will allow weed eating maintenance to be performed without scaring the wood; and will allow the bottom of the fence to dry faster after a rain. In order to insure that the fence maintains this 3 inch clearance, we request that the metal supporting posts be buried in concrete fill to a minimum depth of 30 inches. We request that these specifications be included in the ordinance.

3. In addition, the concept plan indicates a landscaping area between the fence and the road way. How wide is this landscaping area? We feel that careful consideration and thought should be given to what types of plants will be used in this area. We suggest using smaller plants that will not grow up and scrap the wood on the fence, or at least use plants that can be easily trimmed to prevent them from scraping or stressing the wood on the fence. Adding this recommendation to the ordinance should help the fence to last longer.

4. The paragraph (2.06) dealing with fences seems to leave some unanswered questions. Most of the paragraphs seem to deal primarily with fences on the lots where houses are built; but then ends with a requirement that a masonry column be installed in the fence line every 200 ft. Since some of the lots back up to existing properties that already have fences (especially in block C), is the developer going to negotiate with the existing property owners to allow all existing fences to be placed with one common wood fence, so that the masonry columns can be appropriately installed by the developer? Will each property owner be required to pay for his portion of the fence, or will he only be required to maintain it? Regardless of the answer to these questions, we strongly request that the recommendations made in paragraphs 1. thru 3. above be incorporated into ordinance paragraph 2.06 for all the fencing bordering the 920 N Murphy property, and suggest it also be applied to all peripheral wooden fencing.

**Issue**

Hold a public hearing and consider and/or act on the application by Syed Hussain, President of First Crescent Enterprises, LLC, for owner Lisa Roberts, to request approval of a zoning change from SF9 to a Planned Development located on 10.351 acres, having the legal description of Murphy Manors (CMR), Lot 2. This property is located north of McMillen at N Murphy Road.

**Staff Resource/Department**

Kelly Carpenter AICP, Interim Director of Economic and Community Development  
Tina Stelnicki, Community Development Coordinator

**Summary**

The intent of this rezoning is to develop 24 to 33 lots in sizes ranging from 8,401 square feet to over 12,524 square feet with an average lot size of 9,249 square feet. The surrounding uses include the following:

North – residential (SF-20)

South – residential (SF-20)

East – residential (SF-20)

West – Murphy Road (State Highway 2551)

A public hearing notification for this zoning change request was published in the newspaper and notification was mailed to the property owners within the required 200 feet notification radius. To date four reply forms: two in objection and two in favor of the zoning change request were received in reference to this application.

This item is directly related to Item 5F. This item cannot be approved if Item 5F was not approved that requested zoning change from SF-20 (Single Family – 20) to SF-9 (Single Family 9).

The current Comprehensive Plan Future Land Use Map designates this property as a Neighborhood Services land use. A residential PD for Murphy Manors on this property was approved by council in 2014.

**Staff Recommendation**

Staff recommends approval of this Planned Development.

**Attachments**

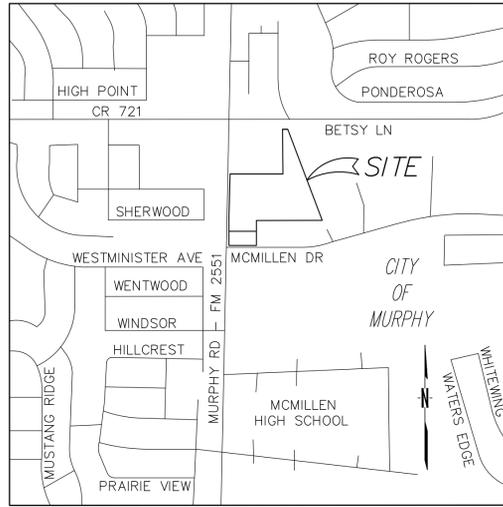
Aerial Photo of Proposed Project Site

Concept Plan

Planned Development

Comprehensive Plan Future Land Use Map

Reply Forms



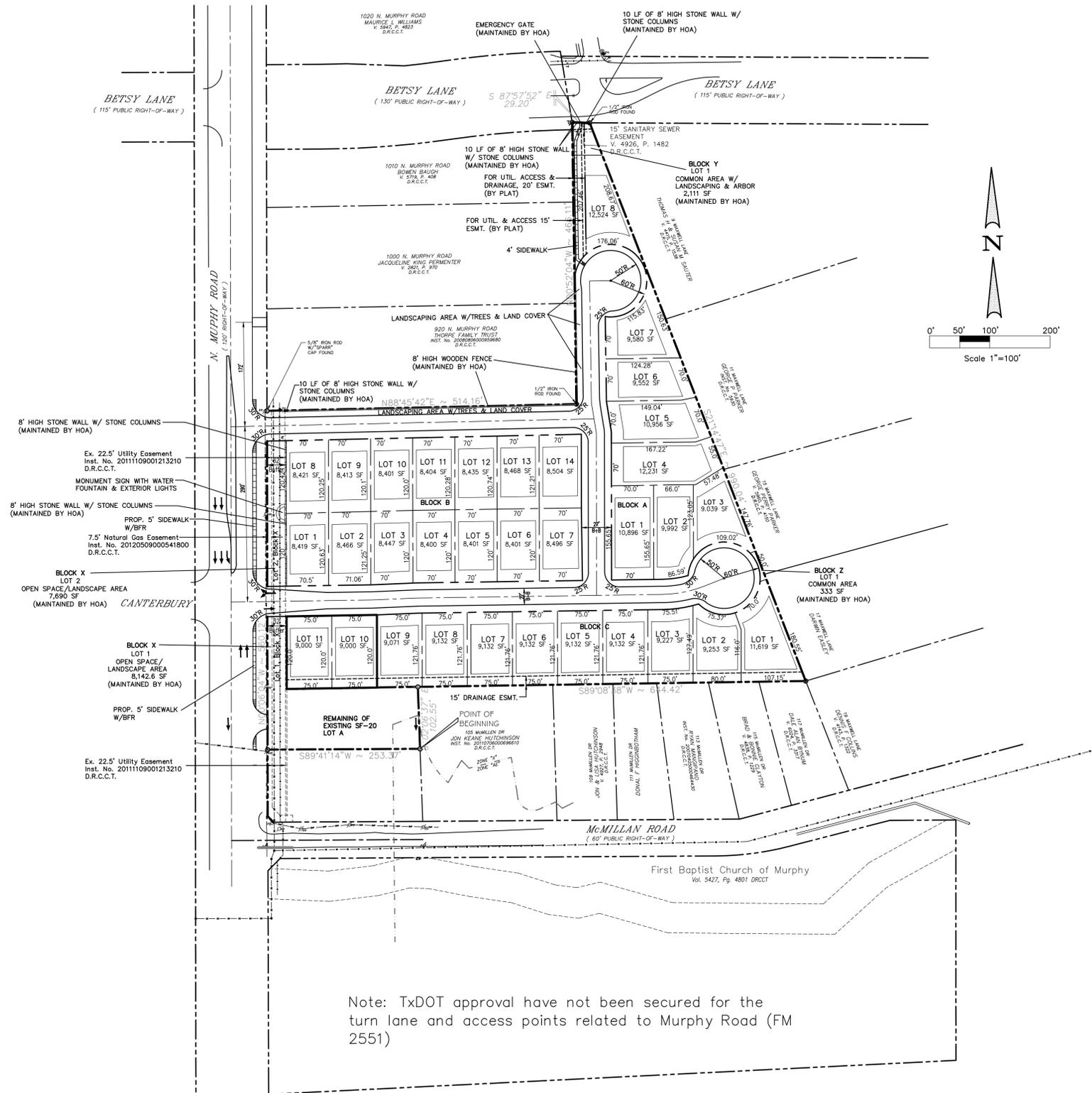
VICINITY MAP  
NTS

**BUILDING SETBACKS:**

FRONT: 20'  
REAR: 20'  
SIDE: 6'

**LEGEND**

- EXISTING LIGHT
- EXISTING POWER POLE
- EXISTING WATER METER
- EXISTING WATER VALVE
- EXISTING LIGHT STANDARD
- EXISTING TRANSFORMER
- EXISTING FIRE HYDRANT
- EXISTING CLEANOUT
- EXISTING JUNCTION BOX
- EXISTING WATER VAULT
- EXISTING GAS METER
- EXISTING GAS VALVE
- EXISTING METAL SIGN
- EXISTING POWER POLE ANCHOR
- EXISTING SANITARY SEWER MANHOLE
- EXISTING OVERHEAD POWER LINE
- EXISTING FENCE
- EXISTING ELECTRIC METER
- EXISTING WATER LINE
- EXISTING SANITARY SEWER LINE



Note: TxDOT approval have not been secured for the turn lane and access points related to Murphy Road (FM 2551)

TABLE

Block No.	Lot No.	Area (SF)	Area (AC)
A	1	10,896	0.250
	2	9,992	0.229
	3	9,039	0.208
	4	12,231	0.281
	5	10,956	0.252
	6	9,552	0.219
	7	9,580	0.220
	8	12,524	0.288
B	1	8,419	0.193
	2	8,466	0.194
	3	8,447	0.194
	4	8,400	0.193
	5	8,401	0.193
	6	8,401	0.193
	7	8,496	0.195
	8	8,421	0.193
	9	8,413	0.193
	10	8,401	0.193
	11	8,404	0.193
	12	8,435	0.194
	13	8,468	0.194
	14	8,504	0.195
C	1	11,619	0.267
	2	9,253	0.212
	3	9,227	0.212
	4	9,132	0.210
	5	9,132	0.210
	6	9,132	0.210
	7	9,132	0.210
	8	9,132	0.210
	9	9,071	0.208
	10	9,000	0.207
	11	9,000	0.207
X	1	8,143	0.187
	2	7,690	0.177
Y	1	2,111	0.048
Z	1	333	0.008

**OASIS SPRINGS MANORS**  
(LOT 2 OF MURPHY MANORS)  
NORTH MURPHY ROAD, MURPHY, TEXAS 75094  
COLLIN COUNTY, TEXAS  
451,317.54 SF / 10.36 ACRES  
DEVELOPER/OWNER: FIRST CRESCENT ENTERPRISES, LLC  
CONTACT: SYED HUSSAIN, PRESIDENT  
PH: 480.330.7864  
E-MAIL: syed\_soh@yahoo.com

**ND & Associates, LLC**  
2105 Canyon Creek Drive  
Garland, Texas 75042  
PH: (214) 533 7181  
EMAIL: naim1207@yahoo.com  
FIRM # F - 13340

No.	DATE	REVISION/REVISION
4		
3	8/5/16	SUBMITTAL
1	7/4/16	SUBMITTAL

*Md. Naim Uddin Khan* 8-20-2016  
Md. Naim Uddin Khan  
REGISTERED PROFESSIONAL ENGINEER  
PREPARED UNDER THE RESPONSIBLE SUPERVISION  
OF MD. NAIM UDDIN KHAN REGISTERED  
PROFESSIONAL ENGINEER  
THE SEAL APPEARING ON THIS DOCUMENT WAS  
AUTHORIZED BY MD. NAIM UDDIN KHAN P.E.  
#6776

**CONCEPT PLAN**

DATE: 8/22/16 SCALE: 1"=100'

DRAWN: NDA CHECKED BY: NDA

PROJECT # 808-MUR-16

SHEET NO: 1

**EXHIBIT B**  
**Planned Development Requirements**  
**OASIS SPRINGS MANORS**

**1.0 PLANNED DEVELOPMENT DISTRICT-SINGLE FAMILY RESIDENTIAL**

1.01 General Description: This Planned Development District (PD) is intended to accommodate a low density single family residential use. Development standards for this district are outlined within this text.

1.02 Statement of Purpose: The purpose of this PD is to establish a concept plan and specific conditions for the development of the properties known as Oasis Springs Manors. The intent of this PD is to achieve a quality residential community while providing a variety of lot sizes, dwelling unit sizes and additional open space amenities.

1.03 Statement of Effect: This PD shall not affect any regulation found in the City of Murphy Comprehensive Zoning Ordinance, as amended, except as otherwise specified herein.

1.04 Development Plans: Development shall be in accord with the concept plan and exhibits as attached. However, in the event of conflict between the concept plan and the written conditions, the written conditions shall control. The concept plan shall also serve as the land use plan.

1.05 Development Regulations:

**A. Minimum Standards for Lot Size:**

1. The approximate square footage of each lot as shown below and on the attached concept plan:

**Block A:**

- a. Lot 1 = ~10,896 Square Feet
- b. Lot 2 = ~9,992 Square Feet
- c. Lot 3 = ~9,039 Square Feet
- d. Lot 4 = ~12,231 Square Feet
- e. Lot 5 = ~10,956 Square Feet
- f. Lot 6 = ~9,552 Square Feet
- g. Lot 7 = ~9,580 Square Feet
- h. Lot 8 = ~12,524 Square Feet

**Block B:**

- a. Lot 1 = ~8,419 Square Feet
- b. Lot 2 = ~8,466 Square Feet
- c. Lot 3 = ~8,447 Square Feet
- d. Lot 4 = ~8,400 Square Feet
- e. Lot 5 = ~8,401 Square Feet
- f. Lot 6 = ~8,401 Square Feet
- g. Lot 7 = ~8,496 Square Feet
- h. Lot 8 = ~8,421 Square Feet
- i. Lot 9 = ~8,413 Square Feet
- j. Lot 10 = ~8,401 Square Feet

- k. Lot 11 = ~8,404 Square Feet
- l. Lot 12 = ~8,435 Square Feet
- m. Lot 13 = ~8,468 Square Feet
- n. Lot 14 = ~8,504 Square Feet

**Block C:**

- a. Lot 1 = ~11,169 Square Feet
- b. Lot 2 = ~9,253 Square Feet
- c. Lot 3 = ~9,227 Square Feet
- d. Lots 4 through 8 = ~9,132 Square Feet
- f. Lot 9 = ~9,071 Square Feet
- g. Lots 10 through 11 = ~9,000 Square Feet

**Lot A and Highlighted Lots of Block “C”:** The Lot “A” of approximately 26,000 SQFT as shown in the concept plan shall remain Zoned as SF-20 for the uses permitted in the section 30.03.091, in articles 30.05 and 30.06 of the Murphy Code of Ordinance, and shall not be a part of the planned development of the Oasis Springs Manors plat.

- 1) Lots 10, and 11 of Block “C” may be combined with Lot “A” into a single re-platted lot of approximately 44,000 SQFT as shown in the concept plan marked by highlighted grid.
  - 2) The combined lots 10 and 11 of Block “C” and Lot “A” may be re-platted for the purpose of SF-20 authorized uses as specified above and shall not be a part of the planned development of the Oasis Springs Manors plat.
- 2. Lot Width: The minimum width of any lot, shall be seventy (70) feet as measured at the front building line.
  - 3. Lot Depth: The minimum depth of any lot, except lots 1 and 2 of Block “C” and lot 7 of Block “A” shall be One Hundred Twenty (120) feet. The one side of these lots 1 and 2 of Block “C shall be One Hundred Sixteen (116) feet as measured from the front building line and one side of lot 7 of Block “A” shall be One Hundred fifteen (115) feet as measured from the front building line.
  - 4. Front Yard Setback: The minimum setback shall be Twenty (20) feet.
  - 5. Side Yard Setback: The minimum setback shall be Six (6) feet.
  - 6. Rear Yard Setback: The minimum setback shall be Twenty (20) feet.
  - 7. Maximum residential building height shall be 2½ stories with a height not to exceed 35 ft.
  - 8. Lot coverage shall be not more than 40 percent.
  - 9. The main structure of any house must be within a building area between 20 feet from the front property line and no deeper than 100 feet from the front property line.

## **B. Dwelling Area:**

- 1) **Single Lot:** The minimum area of a residential dwelling constructed on a single lot for all lots shown on the Concept Plan shall be 2,500 square feet, exclusive of eaves, porches, garages, patios and breezeways.
- 2) **Combined Lot:**
  - a) **Minimum Dwelling Area:** The minimum area of a residential dwelling constructed on a combined lot ( for example lots 1 and 2 of Block "B") as shown on the Concept Plan shall be 3,500 square feet, exclusive of eaves, porches, garages and breezeways.
  - b) **Definition of Combined Lot:** No more than two (2) residential lots (excluding Lot A and Highlighted lots of Block "C" criteria specified above) as shown on the Concept Plan may be allowed to be combined into a single lot ("Combined Lot"), and only adjacent lots which both face the same street may be combined. Lots facing different streets may not be combined. By way of example only, Lots 1 and 8 of Block "B" may not be a Combined Lot, and Lots 1 and 2 of Block "B" may be a Combined Lot.

A maximum of fourteen (14) lots may be combined into seven (7) Combined Lots.  
The following are the only allowed combination of lots, or Combined Lots:

- i) **Block A:** Lots 1 and 2, Lots 2 and 3, Lots 4 and 5, Lots 5 and 6, Lots 6 and 7
- ii) **Block B:** Lots 1 and 2, Lots 2 and 3, Lots 3 and 4, Lots 4 and 5, Lots 5 and 6, Lots 6 and 7, Lots 8 and 9, Lots 9 and 10, Lots 10 and 11, Lots 11 and 12, Lots 12 and 13, Lots 13 and 14
- iii) **Block C:** Lots 1 and 2, Lots 2 and 3, Lots 3 and 4, Lots 4 and 5, Lots 5 and 6, Lots 6 and 7, Lots 7 and 8, Lots 8 and 9, Lots 9 and 10, Lots 10 and 11

Lot coverage for Combined Lot shall be not more than 40 percent.

The minimum lot size for the Combined Lot shall be 16800 Square Feet.

For homes exceeding 5,000 square feet in area (excluding eaves, porches, garages, patios & breezeways), a minimum of three (3) enclosed parking spaces must be provided.

Approval of Combined Lot shall be from Developer/Architectural Control Committee with final re-plat approval from the City.

## **C. Exterior Construction Standards:** City of Murphy standards for SF-9 residential zoning except below.

1. **Chimney & Exterior Walls:** Wooden framing (siding) on exterior wall is prohibited. Fireplace chimneys shall be of either 100% masonry construction or stucco cladding material. Hardy board or other similar material shall not be allowed.
2. **Stucco as exterior cladding material:** Up to fifteen (15) homes may use stucco as an exterior cladding material for up to 100% of total exterior.  
The remaining homes may use a combination of up to 50% stucco and the remaining exterior portion shall be of standard masonry construction (brick, native stone, cast stone and masonry material that complies with City's Code of Ordinances.). EIFS is not allowed
3. **Roofing Material:** Up to 100% of the residential dwellings may use tile roof as roof material. Roof materials shall be limited to tile or asphalt shingles or any good quality material that complies with City's Code of Ordinances.

#### **D. Landscape Requirements:**

1. Minimum Tree Requirements: Two, five (5) inch caliper trees spaced a minimum of thirty (30) feet apart, located in the front yard at least ten feet behind each lot property line. The species of the trees shall be Red Oak, Live Oak or Cedar Elm.
2. City of Murphy minimum landscape requirements, as amended shall apply to all lots. In addition all shrub beds shall install a dual system sprinkler system with both drip and spray connections. All lots shall have fully functional sprinkler systems that will accommodate any landscaping installed by the builder prior to the completion of construction of a residence on the lot. All sprinkler systems shall have freeze and rain sensors that shut the system off in such events.
3. The required trees and landscaping shall be installed prior to the issuance of a final inspection for the premises, and shall be maintained in a living and growing condition by the owner of the property. Any plant material that dies shall be replaced within 6 months unless a written extension is granted by the City of Murphy.

## **2.0 PLANNED DEVELOPMENT, GENERAL CONDITIONS:**

2.01 Procedure to be followed throughout the development of the Planned Development District:

- A. Zoning Exhibit:** A zoning plan is hereby attached and made part of the approval for this Planned Development District. This plan, indicated as **Exhibit C** sets forth: (1) the overall property boundary description; and (2) the designation of the Planned Development District, which corresponds to this **Exhibit B**.
- B. Conceptual Plan:** A conceptual plan is hereby attached made part of the approval for this Planned Development District. This plan indicated as **Exhibit C** is drawn to scale and illustrates: (1) land use; (2) proposed street layouts; (3) general layout of the development; and (4) other features which geographically explain the standards and conditions set forth in this **Exhibit B** and the proposed development.

2.02 Landscaped Open Space: Open space shall be provided as indicated on the concept plan and maintained by the Oasis Springs Manors Homeowner's Association ("HOA").

2.03 Screening: An Eight foot masonry wall shall be constructed adjacent to Murphy Road in an HOA lot area along the north-south lot lines of Lots 1 and 8 of Block B. The common area west of the screening wall along the Murphy Road will be a landscape area as shown in the concept plan.

2.04 Garages Access:

All garage door exterior façade finishes shall be constructed of treated wood product. Garages shall be swing entry garages, except for front entry garages subject to the following conditions:

- 1) For front facing garages, garage doors shall be set back a minimum of twenty (20) feet from the front façade of the home.
- 2) No more than three (3) garage spaces shall face the front property line.

2.05 Sidewalks: Sidewalks along Murphy Road shall conform to the Parks Master Plan or as approved by

City Council.

2.06 Fences:

- A. Fences may be constructed of wood, masonry, decorative metal (e.g., Wrought Iron or Aluminum) and other good quality materials that complies with City's Code of Ordinances are allowed.
- B. All fencing must be behind the front yard building set back line.
- C. No fence shall be lesser than six foot (6") and greater than eight foot (8') in height.
- D. Gates designed for vehicular access shall be set back from the property line a minimum of Thirty (30) feet except for the gates covering the front/swing entry garages which shall match the front facade of the dwelling.
- E. All fences require permits from the City of Murphy.
- F. Fences around swimming pools shall be in conformance with this Subsection and the City of Murphy Code of Ordinances.
- G. Any fencing that borders an existing property not included in the Oasis Springs Manors neighborhood must be cedar wood butt joint or board on board design with metal posts. The height shall be a minimum of 6 feet and maximum of 8 feet. Further, each property owner shall at all times maintain such fencing so that all sections are kept within 3/4" of vertical as shown on a four foot level. The fence stain shall be Manufacturer Ready Seal, color Pecan. No poles or hardware on the fence shall face existing adjacent property located outside of Oasis Springs Manors or roadway. A masonry column shall be installed in the fence line at a distance of every 200 feet.

### **3.0 Neighborhood Amenities:**

1.01 A Monument Sign shall be erected in the area known as Block X Lot 2 on the concept plan (**Exhibit C**). The sign shall be constructed out of masonry with a cast stone signage stating "Oasis Springs Manors".

1.02 An arbor constructed of wood shall be located on Block Y Lot 1 on the concept plan (**Exhibit C**). The arbor shall have a solid rock floor walkways leading to the area that the arbor is located.

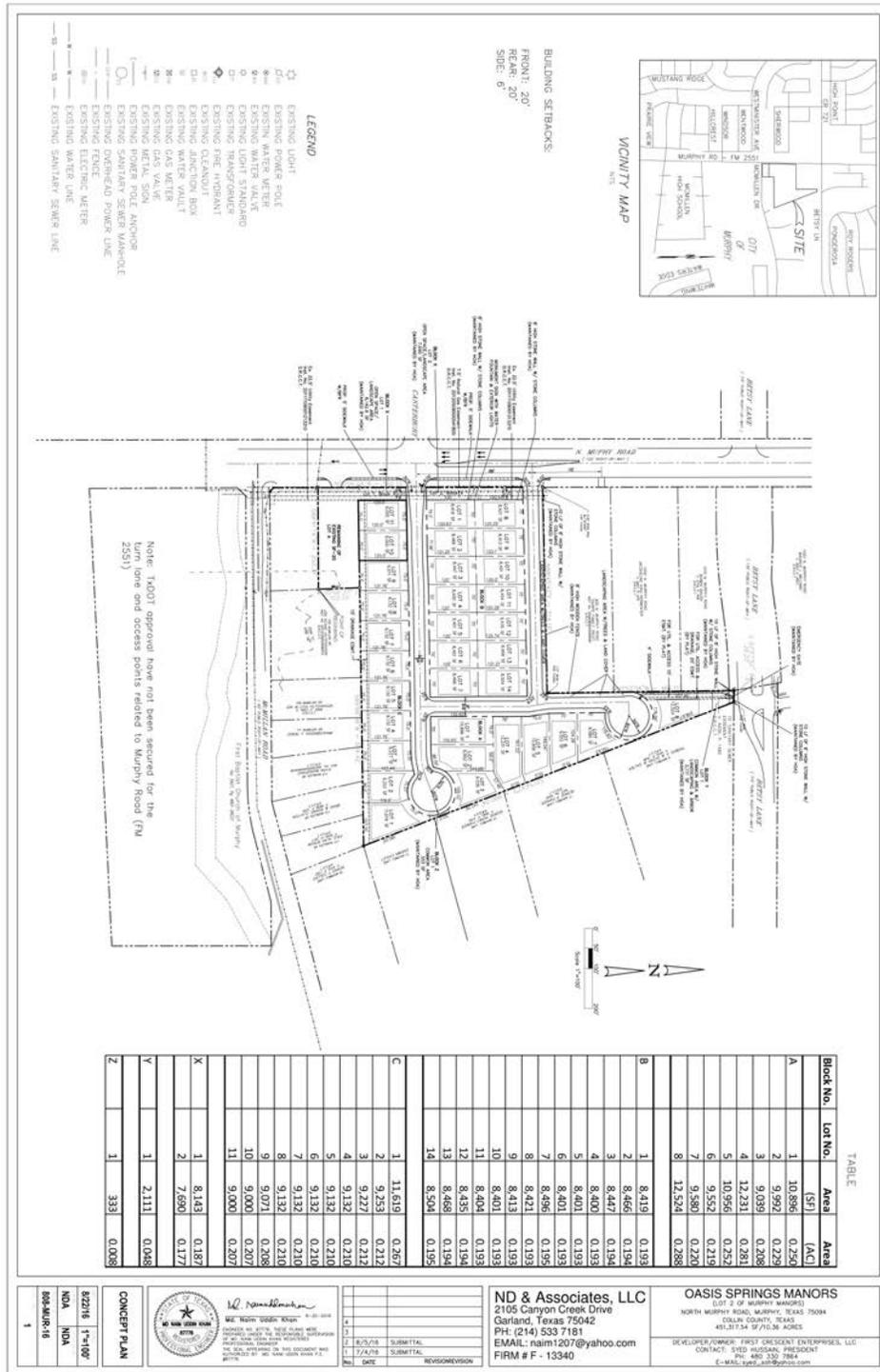
**4.0 Homeowners' Association:** The HOA shall be duly incorporated in the State of Texas and each lot/homeowner shall be a mandatory member. The HOA shall be established so as to ensure the proper maintenance of all common areas, either public or private, as desired, to be maintained by the association. The bylaws of the HOA shall establish a system of payment of dues, a system of enforcement of its rules and regulations; a clear and distinct definition of the responsibility of each member, and such other provisions as are reasonably deemed appropriate to secure a sound and stable association. The bylaws shall be submitted to the Director of Planning for review and approval prior to construction.

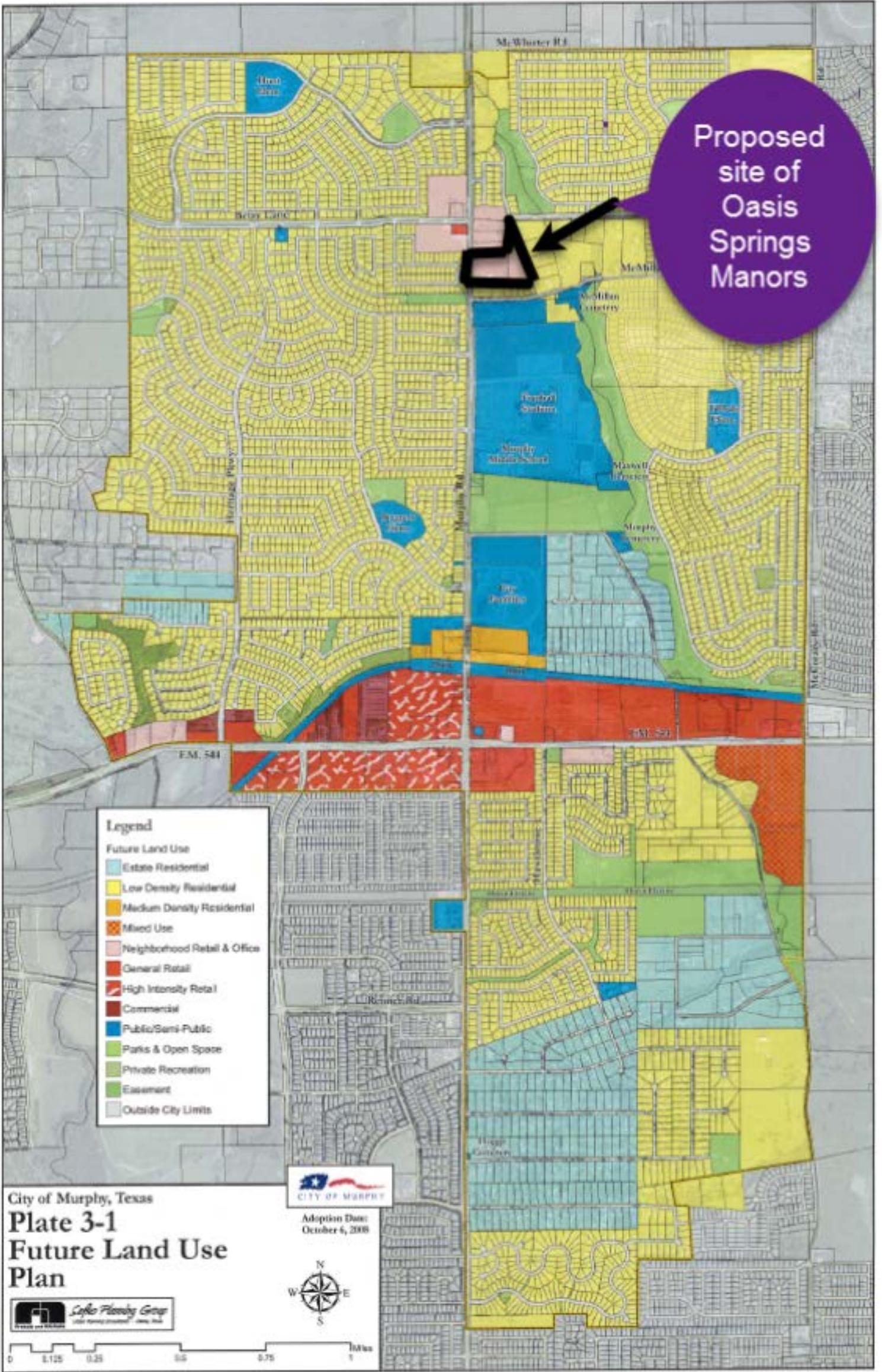
Ordinance No. \_\_\_\_\_

**EXHIBIT B**

**EXHIBIT C**

# (CONCEPT PLAN / ZONING EXHIBIT)





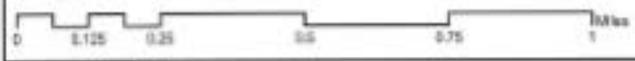
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City of Murphy, Texas  
**Plate 3-1**  
**Future Land Use Plan**



Adoption Date:  
 October 4, 2008



Reply Form  
2016-011 – Zoning Change (2 of 2)

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



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I am **OPPOSED** to the request for approval of a zoning change.

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*FBC Murphy is opposed to the zoning change pending our review of the proposed PD and specifically the drainage plan for the Oasis Springs Manor. We request time to speak at the P&Z meeting on September 26.*

*First Baptist Church Murphy.*

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

*John Nohrenberg*  
Name (Please Print)

*John Nohrenberg*  
Signature

*800 N. Murphy Rd.*  
Address *Murphy, TX 75094*

*09/20/16*  
Date

**Reply Form**  
**2016-011 – Zoning Change (2 of 2)**

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



This letter is regarding a request from First Crescent Enterprises LLC, for approval of a zoning change from SF9 to a Planned Development located on 10.351 acres, having the legal description of Murphy Manors (CMR), Lot 2. This property is located north of McMillen at N Murphy Road.

I am **IN FAVOR** of the request for approval of a zoning change.

I am **OPPOSED** to the request for approval of a zoning change.

This item will be heard at the **Planning & Zoning Commission on Monday, September 26, 2016 at 6:00 p.m.** and by **City Council on Tuesday, October 4, at 6:00 p.m.** at Murphy City Hall, in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

- opposed due to the 15' drain easement, that will cause our property and several others to flood

- drainage needs to be re-engineered

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

Dennis Collins  
Name (Please Print)

[Signature]  
Signature

19 Maxwell Lane  
Address

9-20-16  
Date

**From:** [Mary Pat Elledge](#)  
**To:** [Kelly Carpenter](#); [Tina Stelnicki](#)  
**Subject:** Support for the "Oasis Springs" Manors housing addition  
**Date:** Wednesday, September 21, 2016 4:29:25 PM

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Hi Kelly and Tina, I wanted to write a note to you to say that I have been consulting with Syed Hossain on his Luxury Home development, "Oasis Springs" Manors. I believe he is very serious to make this project a great addition to the Murphy community, and I wanted you to know that I support his efforts to move forward on bringing his development to fruition. As you know, he will be presenting his concept to the Planning and Zoning Commission this coming Monday and I hope that other residents of Murphy agree that his proposal has been given a lot of thought, time, and research, and that he is well prepared to present his concept with the hope of approval. Thank you, Mary Pat

*Mary Pat Elledge, Realtor*

214-923-3114

Keller Williams Realty

*Practicing the Golden Rule*

[www.marypat-homes.com](http://www.marypat-homes.com)

Note: Tx. law requires all real estate licensees to give the following info about brokerage services: Texas Law requires all license holders to provide the Information and [Link to Information About Brokerage Services](#) to all prospective clients

Mary Pat Elledge, ABR, GRI, ALHS, SFR, TRLP, IRES

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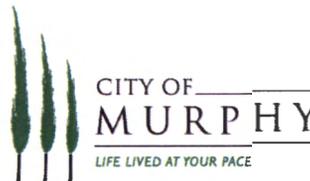
International Real Estate Specialist

"Emails sent or received do not create a binding contract until and unless a written contract is signed by the parties."

<http://www.savvycard.com/marypat/marypat-1savvy>

**Reply Form**  
**2016-011 – Zoning Change (2 of 2)**

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



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\_\_\_\_\_  
*(see attached sheet)*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

CHARLES THORPE  
Name (Please Print)

Charles Thorpe  
Signature

920 N. MURPHY RD  
Address

09/22/2016  
Date

## Requests Regarding the Oasis Springs Manors Development

Charles Thorpe @ 920 N Murphy Rd

1. For the proposed HOA maintained fence bordering the south and east sides of the property at 920 N Murphy Rd we would prefer that the fence be no higher than the 6 feet minimum (the developer has informally told me this would be acceptable). The lower height will be less offensive and less expensive to build; in addition to being more stable in terms of leaning caused by wet ground and/or wind. We assume that this fence will require the removing of several trees growing on the east side of our property line.

2. Experience shows that wood fences weather and become unsightly after a few years. In order to slow down this process, we request that the bottom of the wood be kept 3 inches above the ground. This will allow weed eating maintenance to be performed without scaring the wood; and will allow the bottom of the fence to dry faster after a rain. In order to insure that the fence maintains this 3 inch clearance, we request that the metal supporting posts be buried in concrete fill to a minimum depth of 30 inches. We request that these specifications be included in the ordinance.

3. In addition, the concept plan indicates a landscaping area between the fence and the road way. How wide is this landscaping area? We feel that careful consideration and thought should be given to what types of plants will be used in this area. We suggest using smaller plants that will not grow up and scrap the wood on the fence, or at least use plants that can be easily trimmed to prevent them from scraping or stressing the wood on the fence. Adding this recommendation to the ordinance should help the fence to last longer.

4. The paragraph (2.06) dealing with fences seems to leave some unanswered questions. Most of the paragraphs seem to deal primarily with fences on the lots where houses are built; but then ends with a requirement that a masonry column be installed in the fence line every 200 ft. Since some of the lots back up to existing properties that already have fences (especially in block C), is the developer going to negotiate with the existing property owners to allow all existing fences to be placed with one common wood fence, so that the masonry columns can be appropriately installed by the developer? Will each property owner be required to pay for his portion of the fence, or will he only be required to maintain it? Regardless of the answer to these questions, we strongly request that the recommendations made in paragraphs 1. thru 3. above be incorporated into ordinance paragraph 2.06 for all the fencing bordering the 920 N Murphy property, and suggest it also be applied to all peripheral wooden fencing.

**From:** [Lisa Roberts](#)  
**To:** [Kelly Carpenter](#); [Tina Stelnicki](#)  
**Subject:** In favor of zoning change for Oasis Springs Manors  
**Date:** Thursday, September 22, 2016 8:09:39 AM

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City staff , P&Z commissioners and City Council members:

My Name is: Lisa Roberts  
Address: 900 N Murphy Rd.  
Murphy, TX 75094

I have been informed of the public hearing on September 26th and the City Council meeting in October.

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<!--[endif]-->

I strongly support this zoning change and I believe that allowing Oasis Springs Manors to have an opportunity to have large luxury homes with specific details like stucco, wooden garages, no siding or hardy board material, the option to combine two residential lots into a single lot for larger homes, tile roofing, etc. is a good thing for our neighborhood and for the City of Murphy. It will increase property values of the surrounding neighborhood and increase tax revenue for the city of Murphy.

The residential sub-divisions near this property such as Rolling Ridge, Aviary, Stratford Crossing, Daniel Crossing, Maxwell Creek and others were either SF-E or SF-20 before the City took the positive action to convert these properties into residential neighborhoods with a base zoning of SF-9 and SF-11. I'm in favor of the City making the same zoning concessions for Oasis Springs Manors and approve the requested zoning change as it is presented for this approximately 10.5 acres land.

Best Regards,

Lisa Roberts