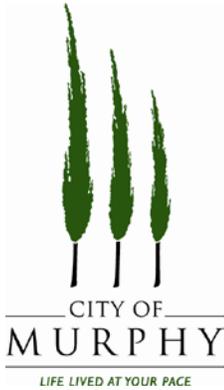


MURPHY PLANNING AND ZONING COMMISSION AGENDA
REGULAR PLANNING AND ZONING COMMISSION MEETING
JANUARY 28, 2013 AT 6:00 PM
CITY HALL, COUNCIL CHAMBERS
206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094



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 January 28, 2013 at Murphy City Hall for the purpose of considering the following items. The Planning and Zoning Commission of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

Chairman

SEAT ALTERNATES AS NEEDED

Steve Levy
Vice-Chairman

ROLL CALL & CERTIFICATION OF A QUORUM

Jon King
Secretary

PUBLIC COMMENTS

Ty Holcomb
Commissioner

CONSENT AGENDA

Camille Hooper
Commissioner

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.

John Johnson
Commissioner

- A. Approval of the Minutes from November 26, 2012.
- B. Approval of the Minutes from the regular meeting of December 17, 2012.

Eric Hemphill
Commissioner

INDIVIDUAL CONSIDERATION

Matthew Thekkil
Commissioner

1. Consider and/or act on the application of Winkelmann and Associates, Inc. representing D.R. Horton, requesting approval of the Final Plat for **The Gables at North Hill (Park Lots)** on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 03-10-590). This property is located at the intersection of North Hill Lane and Gene Autrey Lane. It extends to the Amenity Center at North Hill and all lots abut to North Hill Park, City of Murphy.

Jennifer Berthiaume
Alternate

Greg Mersch
Alternate

2. Consider and/or act on the application of Winkelmann and Associates, Inc. representing D.R. Horton, requesting approval of the Final Plat for **the Gables at North Hill, Phase 2B** on property zoned PD (Planned Development) District for Single Family Uses. This property is located southwest of McCreary Road and McWhirter Road.

Kristen Roberts
Director of Community
and Economic
Development

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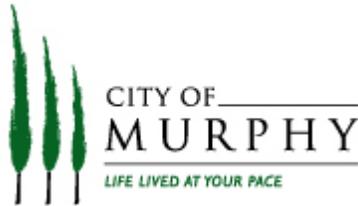
3. Hold a public hearing and consider and/or act on the application of McBirney-544 Joint Venture, on behalf of the property owner, Mike Horn, to re-plat Lot 2R - Block A – Murphy Village Addition Lots 6, 7 & 8 on property zoned PD (Planned Development) District No. 09-12-823 and No. 09-12-824 for Retail and Office Uses. This property is located at the southeast quadrant of West FM 544 and Brand Road.
4. Consider and/or act on the application of Wal-Mart Real Estate Business trust requesting approval of a site plan and related items for **Wendy's** on property zoned PD (Planned Development) District No. 12-02-905 located at 117 West FM 544.

ADJOURNMENT

I certify that this is a true and correct copy of the Murphy Planning and Zoning Commission Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on January 25, 2013 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

Kristen Roberts
Director of Community and Economic Development

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



Murphy Planning and Zoning Commission Regular Meeting Minutes
206 North Murphy Road
Murphy, Texas 75094
November 26, 2012

CALL TO ORDER

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

ROLL CALL & CERTIFICATION OF A QUORUM

Commissioners Present: John McKay, Jon King, Ty Holcomb, Camille Hooper and John Johnson

Commissioners Absent: Steve Levy and Jane Jan

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

Lori C. Knight certified a quorum with all Commissioners present except Steve Levy and Jane Jan. Ty Holcomb arrived at 6:03 p.m.

PUBLIC COMMENTS

There were no public comments received.

CONSENT AGENDA

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

A. Approval of the Minutes from the regular meeting of October 29, 2012.

Commission Action

Commissioner King made a motion to approve the Minutes from the regular meeting of October 29, 2012. Commissioner Hooper seconded the motion. Motion passed unanimously.

INDIVIDUAL CONSIDERATION

1. Hold a public hearing and consider and/or act on the proposed amendments to the Comprehensive Zoning Ordinance text.

Staff Comments

Kristen Roberts stated that City staff realized that in the Spring of 2012, there were inconsistencies between the text within the Zoning Ordinances and the labels on the Zoning Map. Ms. Roberts stated that staff hired urban planning consultant, Heather Sims, to research and address these inconsistencies. She said that upon review of the Zoning Ordinance

adopted in 2004, it was determined that there were three specific zoning districts that should be amended into the 2004 Zoning Ordinance text. These were Public/Semi Public (P/SP) District, Parks/Open Space (PK) District and the Private Recreation (PPK) District. Ms. Roberts stated that they are just creating definitions for these zoning districts. This will not result in any properties being rezoned. Ms. Roberts stated that City staff recommended approval of these changes.

PUBLIC HEARING OPENED AT 6:08 P.M.

PUBLIC HEARING CLOSED AT 6:13 P.M.

Heather Sims, Sims Planning Consultant, clarified that these are actual zoning districts and not definitions that will be amended into the Zoning Ordinance text.

Commission Action

Commissioner King made a motion to approve the proposed amendments to the Comprehensive Zoning Ordinance text. Commissioner Holcomb seconded the motion. Motion passes unanimously.

2. Hold a public hearing and consider and/or act on the proposed clarifications to the Zoning Map, as shown on the proposed Zoning Map #2 for adoption. Specifically:
 - 1) Amending the Zoning Map legend/labels as outlined within this item.
 - 2) Amending various Planned Development ordinance numbers so that these are accurately shown on the Zoning Map.
 - 3) Amending the colors on the Zoning Map to clarify current zoning in various areas of the City.

Staff Comments

Kristen Roberts stated that she would be going over each of the items listed in this agenda.

For item #1, Ms. Roberts stated that upon review of the Zoning Ordinance adopted in 2004 and the Zoning Map, it was determined that the zoning districts shown on the Zoning Map were a combination of a) districts that were in place prior to the adoption of the 2004 Zoning Ordinance and b) districts from the 2004 Zoning Ordinance. Several zoning district areas were not referred correctly or not found. Those districts were outlined and shown how they would now read. Ms. Roberts stated that the clarification of these districts would not change the current zoning of any property within the City.

For item #2, Ms Roberts stated that the 2004 Zoning Ordinance and the Zoning Map had incorrect PD numbers shown and there were no boundaries specified. Ms. Roberts showed the Commission a chart where the Planned Developments are listed with the numbers that they had and showing what the correct PD numbers are. With this editing, it does not alter the ordinances in any way.

For item #3, Ms. Roberts stated that it was determined that in several areas on the Zoning Ordinance and Zoning Map, the zoning on a property had been changed by the City but the zoning change was not reflected on the map. The zoning on the City's Zoning Map needs to be up-to-date and it should accurately reflect current zoning.

Ms. Roberts stated that staff recommended adoption of the Zoning Map #2 in order to clarify and address issues addressed in this agenda item.

Heather Sims, Sims Planning

Mrs. Sims did want to state that this amendment did not change the zoning on any of the properties. All Mrs. Sims wanted to show was that she took the PD ordinances that the City had and updated them with correct numbers and updated the map to show what it should be and not what it used to be.

PUBLIC HEARING OPENED AT 6:24 P.M.

PUBLIC HEARING CLOSED AT 6:25 P.M.

Commission Action

Commissioner Holcomb made a motion to adopt Zoning Map #2 as stated in Agenda Item #2. Commissioner Hooper seconded motion. Motion passed unanimously.

3. Hold a Public Hearing and consider and/or act on the zoning category change of **415 Oriole Drive, Hunt Elementary**, from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP)

Staff Comments

Kristen Roberts stated that in the process of reviewing all of this and updating the City's Official Zoning Map, it was determined that there were several inconsistencies and that the best course of action was to update the Official Zoning Map to reflect as accurately as possible the current developed conditions within the City. Ms. Roberts stated that the zoning category for this particular address is currently shown as Single Family Residential. If approved, the zoning category for it will be changed to Public/Semi-Public. This zoning category actually conforms to the property's use as an existing public school. This change would correctly state what is already reflected on the map.

PUBLIC HEARING OPENED AT 6:29 P.M.

PUBLIC HEARING CLOSED AT 6:34 P.M.

Commission Action

Commissioner Hooper made a motion to approve the zoning category change of 415 Oriole Drive, Hunt Elementary from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public. Commissioner King seconded the motion. Motion passed unanimously.

4. Hold a Public Hearing and consider and/or act on the zoning category change of **621 Waters Edge Way, Tibbals Elementary** – from Single-Family Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP)

Staff Comments

Kristen Roberts stated that as in the previous items, the zoning category for this property is currently showing as Single-Family Residential PD SF9, 11 and 20. If approved, the zoning category for this property will be changed to Public/Semi-Public which conforms to the property's use as an existing public school.

PUBLIC HEARING OPENED AT 6:38 P.M

PUBLIC HEARING CLOSED AT 6:39 P.M

Commission Action

Commissioner Hooper made a motion to approve the zoning category change for 621 Waters Edge Way, Tibbals Elementary from Single Family Planned Development to Public/Semi-Public. Commissioner Johnson seconded motion. Motion passed unanimously.

5. Hold a Public Hearing and consider and/or act on the zoning category change of the **1302 Rodeo Drive properties** to include: a) **North Hill Park** from Single-Family Residential Planned Development SF-9/SF-11 to Parks/Open Space (PK); b) **Murphy City Water Tower** from Single-Family Residential Planned Development SF-9/SF-11 to Public/Semi-Public (P/SP); and c) **North Hill Amenity Center and pool** from Single-Family Residential Planned Development SF-9/SF-11 to Private Recreation (PPK)

Staff Comments

Kristen Roberts stated these three parcels or properties that make up this address are all zoned Single-Family Residential. If approved, the zoning category for these properties would be changed to reflect what these properties currently are.

PUBLIC HEARING OPENED AT 6:42 P.M.

PUBLIC HEARING CLOSED AT 6:43 P.M.

Commission Action

Commissioner Hooper made a motion to change the zoning category on these properties to as follows:

North Hill Park from Single Family Residential to Parks/Open Space (PK)

Murphy City Water Tower from Single-Family Residential to Public/Semi-Public (P/SP)

North Hill Amenity Center and Pool from Single-Family Residential to Private Recreation (PPK)

Commissioner King seconded the motion. Motion passed unanimously.

6. Hold a Public Hearing and consider and/or act on the zoning category change of **121 Heritage Parkway (Oakbrook School)** from Public/Semi Public (P/SP) to Neighborhood Service (NS).

Staff Comments

Kristen Roberts stated that the zoning category for this address did not match this property which is Public/Semi-Public. If approved, the zoning category would be changed to Neighborhood Services which conforms to the property's use as an existing child day care, which it would fall under.

Commissioner Holcomb stated that he felt that this property could potentially change or allow for more future uses. Mr. Holcomb asked if there was any possibility of allowing the existing use to continue with the existing zoning. Mr. Holcomb was concerned that if the land were later sold at a future date, then the land could potentially be used for something like another WalMart.

Andy Messer, City Attorney

Mr. Messer stated that the property could not stay in the zoning category it was in since it was not compatible. However, he did state that what Commissioner Holcomb was saying was accurate.

Kristen Roberts stated that staff had looked at the surrounding uses and noticed they were all Neighborhood Services. Ms. Roberts said that staff proposed to change it to Neighborhood Services to make it more compatible especially since there was another school across the street as well.

Commissioner Holcomb asked if the property owner had been notified of the zoning change and Commissioner King asked if the correct letter had been mailed especially since the address on the reply form was incorrect. Ms. Roberts said that the owner had been notified along with other property owners and that the letter notification did indeed have the correct address of the property being affected.

PUBLIC HEARING OPENED AT 6:50 P.M

Dorothy Isernia, 309 Ambrose Drive, Murphy

Mrs. Isernia wanted to know the zoning for the property across the street from the school. She felt that since there were schools nearby, she didn't want any businesses coming in that close to the schools. Mrs. Isernia also wanted the definition of Public/Semi-Public and how it relates to the water tower.

Kristen Roberts explained to Mrs. Isernia that Emerus Emergency Hospital will be going in the vacant lot that Mrs. Isernia was concerned about.

Chairman McKay read off the definition to Mrs. Isernia.

Ernest Barnett, 613 John Close, Murphy

Mr. Barnett asked if someone would explain to him what the Neighborhood Services would allow. Mr. Barnett was also concerned about the traffic at the intersection of FM 544 and Heritage Pkwy especially since there are schools on both sides of the road.

Kristen Roberts read off the definition of Neighborhood Services

Keith Patton, 451 Pointdexter, Murphy

Mr. Patton pointed out that the property to the east of Heritage Pkwy and 544 was wrong because that was already zoned and approved for medical uses and it did not fall into the Neighborhood Services category.

Kristen Roberts did state that the Planning and Zoning Commission and City Council approved a special use permit for the medical offices that are there.

PUBLIC HEARING CLOSED AT 6:59 P.M.

Commissioner Holcomb suggested using a non conforming use instead.

Commission Action

Commissioner Johnson made a motion to deny the zoning category change of 121 Heritage Parkway (Oakbrook School) from Public/Semi Public to Neighborhood Services. Commissioner Holcomb seconded the motion. Motion denied with Commissioners McKay, Hooper and King opposing.

Chairman McKay made a motion to approve the zoning change of 121 Heritage Parkway from Public/Semi Public to Neighborhood Services. Commissioner King seconded the motion.

At John's motion, Mr. Patton objected from the audience stating John McKay wasn't following Roberts Rules of Order by making that motion. Attorney Messer stated he didn't have reference in front of him and to be certain for Mr. McKay to rescind his motion and someone else make a motion.

Chairman McKay rescinded his motion.

Commissioner King made a motion to approve the zoning change of 121 Heritage Parkway from Public/Semi Public to Neighborhood Services. Commissioner Hooper seconded the motion. Motion passed 3-2 with Commissioners Holcomb and Johnson opposing motion.

7. Hold a Public Hearing and consider and/or act on the zoning category change of **725 FM 544** from Single Family Residential 15 (SF-15) to Public/Semi Public (P/SP).

Staff Comments

Kristen Roberts stated that the zoning category for this property is currently Single Family Residential. If approved, the zoning category will be changed to Public/Semi Public. This category conforms to the property's use as an existing City of Murphy Lift Station.

PUBLIC HEARING OPENED AT 7:08 P.M.

Chris Bouressa, 121 Collin Court, Murphy

Mr. Bouressa wanted clarification of its current uses and if there is any future development plans for this piece of property. Mr. Bouressa stated that it's listed in the county district appraisal as Single Family and he wondered whether the property could be leased

Kristen Roberts stated that she was not aware of any developments but that that is where the City's lift station is and it would be there permanently.

PUBLIC HEARING CLOSED AT 7:11 P.M.

Commission Action

Commissioner Holcomb made a motion to approve the zoning category change of 725 FM 544 from Single Family Residential to Public/Semi Public. Commissioner Hooper seconded the motion. Motion passed unanimously.

8. Hold a Public Hearing and consider and/or act on the zoning category change of City of Murphy public maintenance yard along the railroad south of municipal complex and adjacent to Murphy Road (**Murphy Municipal Center (CMR), BLK A, Lot 3, 3.982 Acres**) from Town Center (TC) to Public/Semi Public (P/SP)

Staff Comments

Kristen Roberts stated that the zoning category for this property was currently Town Center. If approved, the zoning category will be changed to Public/Semi Public which conforms to the property's use as an existing City of Murphy Public Maintenance Yard.

Chairman McKay asked if the City currently owned the property. Ms. Roberts verified that it did.

PUBLIC HEARING OPENED AT 7:15 P.M.

PUBLIC HEARING CLOSED AT 7:15 P.M.

COMMISSION ACTION

Commissioner Johnson made a motion to approve the zoning category change of City of Murphy Public Maintenance Yard along the railroad south of Municipal Complex and adjacent to Murphy Road from Town Center to Public/Semi Public. Commissioner King seconded the motion. Motion passed unanimously.

9. Hold a Public Hearing and consider and/or act on the zoning category change of **Kinney Drive, ABS A0579 Henry Maxwell Survey, Tract 24, 16.249 acres** from Parks/Open Space (PK) to Public/Semi Public (P/SP)

Staff Comments

Kristen Roberts stated that the current zoning map identifies this area as a park. However after extensive research, staff has found no action ever taken by the City or City Council to dedicate this property as a park. Ms. Roberts stated that following a land purchase agreement with PISD many years ago, no action was ever found that this property was dedicated as a park. Staff recommends the property zoning to change from Parks/Open Space to Public/Semi Public to reflect what it is, city owned property.

PUBLIC HEARING OPENED AT 7:19 P.M.

Luminda Marshall, 420 Hickory Drive, Murphy

Mrs. Marshall stated that she had three things that she was primarily concerned about. First, being the noise, since it's pretty quiet right now. Second, depending on what the future holds for this property is traffic. Third being, does this affect the property values on the surrounding properties. Mrs. Marshall stated that she has resided there for eight years and that the area is quiet, no traffic issues and she would like the area to continue.

Morris Howard, 300 Ambrose Drive, Murphy

Mr. Howard stated that it seemed to him that the process that the City was using is to update their record keeping for something that is being used in its current manner. Mr. Howard asked why is it being changed?

Chairman McKay stated that it was being updated to its current standard.

Kristen Roberts reiterated that although it is identified as a park, it has never been on a Park's Master Plan nor used or maintained by the City's Parks Department. It has been identified as city property.

Keith Patton, 451 Pointdexter Lane

Mr. Patton stated that this property made him a bit nervous especially with all the talk about parkland during City Council. Mr. Patton asked if this property was not included in all the parks acreage that the City had to get for the bonds for Central Park. Mr. Patton stated that changing this could have a lot of ramifications if it was included.

Kris Mraz, 470 Kinney Drive

Mr. Mraz asked the Commission to read the definition of Public/Semi-Public. Mr. Mraz believes that the property does not fit into that category being that it is surrounded by residential homes and a country like setting. He would like to request that the Commission deny this change and keep it as a park and retain the current zoning.

PUBLIC HEARING CLOSED AT 7:27 P.M.

Kristen Roberts explained the process of the dedication of a park. Commissioner King stated that for all the talk that the City has for parks, here was 16 acres of land that the City was taking back and not designating it as a park.

Andy Messer, City Attorney, explained that it was important for cities to dedicate land for parks because that dedication or it is done by the deeding to the city that has like a covenant, that if it is not used as a park then it reverts to its original owner. Mr. Messer stated that once it is dedicated as a park, it is very difficult not to use it as a park. Mr. Messer stated he was not involved in the research but that staff has said it was never dedicated as such. It was zoned incorrectly.

Following the closing of the Public Hearing, Commission allowed the following comments.

Dorothy Isernia, 309 Ambrose Drive

Mrs. Isernia stated that if she had been looking for a house to buy and a builder told her that that particular piece of property was a park or zoned for a park, she would feel like she had been misled. If the builders had been told that that piece of property was to be a park

Jennifer Berthiaume, 416 Woodcrest Circle,

Ms. Berthiaume wanted the definition of Parks/Open Space because it seemed to her that the land is vacant, nothing is on it, no improvements. Ms. Bertiaume doesn't care that it wasn't designated a park, doesn't it still fit in the Parks/Open Space designation? She would rather have that than have city equipment be parked on it.

Chairman McKay read the definition again of Parks/Open Space.

Commission Action

Commissioner Johnson made a motion to **deny** the zoning category change of Kinney Drive from Parks/Open Space to Public/Semi Public. Commissioner Holcomb seconded the motion.

Motion to deny the zoning change passes unanimously.

Kristen Roberts wanted to go on record and let the residents know that this item would go before City Council again on December 11, 2012. She encouraged those to attend.

10. Hold a Public Hearing and consider and/or act on the zoning category change of **Murphy Central Park properties** to include: a) **Murphy Central Park** from Public/Semi Public (P/SP) to Parks/Open Space (PK); b) **Murphy Central Park** from Single-Family Residential 15 (SF-15) to Parks/Open Space (PK); and c) **Murphy Central Park** from Single-Family Estate (SF-E) to Parks/Open Space (PK)

Staff Comments

Kristen Roberts stated that that the three properties within Murphy Central Park were all differently. The zoning category for these properties, if approved, would be changed to Parks/Open Space which conforms to the properties' current use as parks.

Commissioner Johnson asked if the City owns these properties. Ms. Roberts stated that the City does own the properties.

PUBLIC HEARING OPENED AT 7:51 P.M.

Greg Singleton, 372 Willow Wood

Mr. Singleton started to briefly give a history background on his neighborhood believing that we were on a different agenda item.

Keith Patton, 451 Poindexter Lane

Mr. Patton stated that there were some inconsistencies with this because the City was putting in a PSA and that was not a park. It is zoned now Public/Semi Public and what you have going in is a park so that's a conflict. Also, as Mr. Singleton was pointing out, if you drive down North Maxwell Creek road, there is a cemetery back there and does a cemetery fall into a park? Mr. Patton stated that a building by a nonprofit is not a park, it's Public/Semi Public.

Heather Sims, Sims Planning

Mrs. Sims stated that what she understood about PSA is that it is being headed by the Parks Department, it is being pursued by the Parks Department, it will be maintained by the Parks Department.

PUBLIC HEARING CLOSED AT 7:59 P.M.

Commission Action

Commissioner Holcomb made a motion to approve the zoning category change. Commissioner Johnson seconded the motion. Motion passed 4-1 with Commission King opposing.

11. Hold a Public Hearing and consider and/or act on the zoning category change of a) **Murphy Community Center, 205 N. Murphy Road** from Town Center (TC) to Parks/Open Space (PK); b) **Murphy Activity Center, 201 N. Murphy Road** from Town Center (TC) to Parks/Open Space (PK).

Staff Comments

Kristen Roberts stated that both buildings, Murphy Community Center and Murphy Action Center, are both being actively used as recreation centers for the City of Murphy which falls into the Parks/Open Space category. Staff is asking approval of the zoning category change to reflect its current use as parks and recreation facilities.

PUBLIC HEARING OPENED AT 8:04 P.M.

Floyd Rose, 137 N. Murphy Road

Mr. Rose stated that they have been residents of Murphy for a very very long time and would like their property to continue to be zoned as residential. Mr. Rose also wanted to state that the work and noise going on outside his bedroom window from Wal-Mart is very annoying at 3:00 a.m. Mr. Rose stated that the residents who live on the corner house and next to the railroad tracks were able to get the train to stop blowing its whistle when it passed by. Mr. Rose stated that work at 3:00 a.m is kind of early.

Kristen Roberts stated that the complaint had been noted and would forward it to Code Enforcement.

John Isernia, 309 Ambrose Drive

Mr. Isernia stated that he had a question on the voting process and wanted to know what was Town Center.

Heather Sims, Sims Planning

Mrs. Sims read the definition of Town Center as defined in our district.

Keith Patton, 451 Pointdexter

Mr. Patton asked if the Animal Shelter that is behind the Murphy Community Center would fall into the new zoning category.

PUBLIC HEARING CLOSED AT 8:18 P.M.

Commission Action

Commissioner Holcomb made a motion to approve the zoning category change. Commissioner King seconded the motion. Motion passed unanimously.

12. Hold a Public Hearing and consider and/or act on the zoning category change of **Timbers Nature Preserve Park, 324 Pine Top Drive** from Single Family Residential - 20 (SF-20) to Parks/Open Space (PK).

Staff Comments

Kristen Roberts stated that the current zoning category for this is Residential however it is a city park. If approved, the zoning category would change to conform to the property's current use as parks.

PUBLIC HEARING OPENED AT 8:22 P.M.

PUBLIC HEARING CLOSED AT 8:22 P.M.

Commission Action

Commissioner Hooper made a motion to approve the zoning category change. Commissioner Holcomb seconded the motion. Motion passes unanimously.

13. Hold a Public Hearing and consider and/or act on the zoning category change of **Willow Wood Ranch Estates #1, Lot 1 and 2** from Single Family Estate (SF-E) to Public/Semi Public (P/SP).

Staff Comments

Kristen Roberts stated that the current zoning category is Single Family Estate and if approved, the zoning category would change to Public/Semi Public which would conform to the property's current use as City of Murphy easement/property.

PUBLIC HEARING OPENED AT 8:25 P.M.

Greg Singleton, 372 Willow Wood

Mr. Singleton stated that this is a perfect time to clean up this particular lot. Mr. Singleton stated that this is close to his property and he does not want this to be categorized as open space or public. He has had to deal with vagrants or kids and he has to pick up the beer bottles that are left behind there. People have to trespass his property in order to get access to this small piece of property. Mr. Singleton suggested how the City could replat the land in order to get taxes from it. Mr. Singleton asked the City for its due diligence in obtaining the necessary papers it needs and replatting this land and using it for something good and alleviate a problem that's existed for many years. Mr. Singleton wanted his remarks to be used for Agenda Item #14. He believed that he was commenting on the agenda item he came to speak about and was told it was the next one.

PUBLIC HEARING CLOSED AT 8:36 P.M.

Commission Action

Commissioner King made a motion to approve the zoning category change. Commissioner Holcomb seconded the motion. Motion passed unanimously.

14. Hold a Public Hearing and consider and/or act on the zoning category change of **A0582 JAS W Maxwell Survey, Tracts 43 and 60** from Single Family Estate (SF-E) to Parks/Open Space (PK) and **ABS A0588 C A McMillan Survey, Tract 57** from Private Recreation (PPK) to Parks/Open Space (PK).

Staff Comments

Kristen Roberts stated that the current zoning category is Single Family Estate and if approved, the zoning category would change to Parks/Open Space which would conform to the property's current use as parks.

PUBLIC HEARING OPENED AT 8:41 P.M.

Keith Patton, 451 Pointdexter

Mr. Patton stated that the tract 43 is used as a beer can dumping ground. He stated that it would be better if it were zoned Public Use.

PUBLIC HEARING CLOSED AT 8:43 P.M.

Commission Action

Commissioner Holcomb made a motion to approve the zoning category change. Commissioner Johnson seconded the motion. Motion passes unanimously.

15. Hold a Public Hearing and consider and/or act on the zoning category change of the following properties from Office (O) to Single-Family Residential-9 (SF-9):
 - 1) 213 N. Murphy Road; 2) 215 N. Murphy Road; 3) 217 N. Murphy Road;
 - 4) 223 N. Murphy Road; 5) 225 N. Murphy Road; 6) 227 N. Murphy Road;
 - 7) 231 N. Murphy Road; 8) 233 N. Murphy Road; 9) 235 N. Murphy Road;
 - 10) 237 N. Murphy Road; 11) 239 N. Murphy Road; 12) 241 N. Murphy Road; 13) 243 N. Murphy Road; and 14) 501 N. Murphy Road.

Staff Comments

Kristen Roberts stated that the current zoning category for these properties is Office. If approved, the zoning category for these would change to Single Family Residential 9 which conforms to the current use of the properties as residential.

PUBLIC HEARING OPENED AT 8:50 P.M.

Steve Chadick, 213 & 215 N. Murphy Road

Mr. Chadick, who represents several investment properties and some of those in Murphy, said that he had been through this back in 1998 when they went from Light Commercial zoning to Office. Mr. Chadick stated that he thinks these properties will never develop as residential. Mr. Chadick and his sister are asking the Commission to separate the zoning request for his two properties. He believes his properties serve more as a buffer for the properties in the back. Mr. Chadick stated that he had already suffered from a previous administration with property on 210. He had to file a suit against the City and won. He stated that they have already suffered from the road widening where they lost some property there.

Commissioner Hooper asked Mr. Chadick what his properties were being used for. Mr. Chadick stated that the property on 215 is rental property which has a small house and on 213, it is a vacant lot.

Susan Chadick, 217 N. Murphy Road

Ms. Chadick stated that her property at 217 is vacant and that she has talked to the City already about the house being leveled. She stated that the plan all along for this as Murphy has been developing, that this was going to be a non residential property. We always maintained it as non residential.

PUBLIC HEARING CLOSED AT 8:55 P.M.

Kristen Roberts stated that if indeed the Commission wanted to pull 213, 215 and 217 and deny the zone change and keep it as office, staff would move that on to City Council but they do recommend that the remainder of the properties be zoned for Residential.

Commission Action

The Commission had a brief discussion about the future of these residential properties and how they would develop in the future especially with all the development going on around them. Kristen Roberts did inform the Commission that the properties 223-501 they have deed restrictions that they all be used for church or residential.

Commissioner Hooper made a motion to approve the following properties to be changed from Office to Single Family Residential 9: 223,225, 227, 231, 233, 235, 237, 239, 241, 243 and 501 N. Murphy Road

In addition, Commissioner Hooper denied the zoning category change to address 213, 215 and 217 N. Murphy Road. Commissioner Holcomb seconded the motion. Motion passed unanimously.

16. Hold a public hearing and consider and/or act on the adoption of the Official City of Murphy Zoning Map 2012, as shown as proposed official Zoning Map #3.

Staff Comments

Kristen Roberts stated that Zoning Map #2 was adopted in Agenda Item 2 clarifying and addressing issues such as map legend/labels and accurate Planned Development Ordinance numbers. Zoning Map #3 reflects the change in zoning for all parcels as specified in agenda items 3-15. Staff recommends adoption of Zoning Map #3 with the following amendments:

- a. Kinney Property be reflected as Parks per Commissions recommendation
- b. 213, 215 and 217 N. Murphy Road be reflected as Office
- c. Lot 38 remain Town Center

With those two amendments, staff respectfully asked for the Commission's approval of Zoning Map #3

PUBLIC HEARING OPENED AT 9:12 P.M.

Keith Patton, 451 Pointdexter Lane

Mr. Patton stated that he applauded the Commission for going through all these corrections.

PUBLIC HEARING CLOSED AT 9:12 P.M.

Commission Action

Commissioner Holcomb made a motion to approve/adopt the official City of Murphy Zoning Map of 2012 as shown with the following conditions:
Agenda Item 9, Kinney Drive to remain Parks/Open Space and Agenda Item #15, 213, 215 and 217 N. Murphy Road to remain Office and Lot 38 to remain Town Center. Commissioner King seconded the motion. Motion passed unanimously.

AGENDA REQUESTS/STAFF UPDATES

Next P & Z Meeting will be held on December 17 in the Homer Adams Room in the Murphy Community Center.

ADJOURNMENT

With no other business before the Commission, Chairman McKay adjourned the meeting at 9:17 P.M.

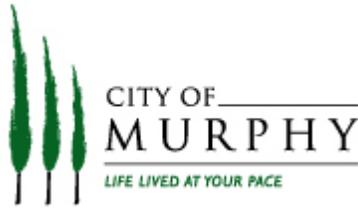
APPROVED:

Jon King, Secretary

Attest:

Secretary

DRAFT



Murphy Planning and Zoning Commission Regular Meeting Minutes
206 North Murphy Road
Murphy, Texas 75094
December 17, 2012

CALL TO ORDER

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

ROLL CALL & CERTIFICATION OF A QUORUM

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

Commissioners Absent:

City Staff Present: Kristen Roberts, Director of Community & Economic Dev.
Lori C. Knight, Administrative Assistant

Lori C. Knight certified a quorum with all Commissioners present except Ty Holcomb and Camille Hooper. Ty Holcomb arrived at 6:07 pm. Camille Hooper arrived at 6:07 pm.

PUBLIC COMMENTS

There were no public comments received.

CONSENT AGENDA

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

Kristen Roberts stated that since the minutes were not included in the P&Z packet, she requests that no action be taken at this time.

INDIVIDUAL CONSIDERATION

1. Consider and/or act on the application of **Plano Sports Authority** requesting approval of a site plan, landscape plan and building elevation plan for Plano Sports Authority – Murphy Center on property zoned PK (Parks/Open Space) located on property known as Murphy Central Park.

Vice Chairman Levy recused himself from the meeting.

Staff Comments

Kristen Roberts stated that Plano Sports Authority was requesting an approval of a site plan, landscape plan and building elevation plan for Plano Sports Authority – Murphy Center. It will be located on property known as Murphy Central Park. Ms. Roberts stated that staff reviewed

the proposed Site Plan, Landscape Plans and Building Elevation Plans as submitted and had some minor revisions made. Staff recommends approval of plans.

Bill Whatley, Plano Sports Authority

Mr. Whatley stated that they have been working very closely with staff since July. They are looking forward to a great partnership with the City and the residents of Murphy.

Commission Johnson asked if there was going to be a stop sign or a stop light at the intersection of Murphy Road and City Hall, where PSA will be. Ms. Roberts stated that she did not know for sure but would find out.

Commission Action

Commissioner Holcomb made a motion to approve the Plano Sports Authority Site Plan, Landscape Plan and Building Elevation plans. Commissioner Johnson seconded the motion. Motion passed unanimously.

AGENDA REQUESTS/STAFF UPDATES

Next P & Z Meeting will be held on January 28, 2013 with two items so far on the agenda:

- Wendy's
- Gables North Hill Phase 2B and Park Lots, Final Plat

The Commission was updated on the zoning project in regards to City Council motions. Ms. Roberts thanked the Commission for all their work on this project.

Status on the new appointments made by the City Council was discussed.

ADJOURNMENT

With no other business before the Commission, Chairman McKay adjourned the meeting at 6:21 P.M.

APPROVED:

Jon King, Secretary

Attest:

Secretary

Issue

Consider and/or act on the application of Winkelmann and Associates, Inc. representing D.R. Horton, requesting approval of the Final Plat for **The Gables at North Hill (Park Lots)** on property zoned PD (Planned Development) District for Single Family Uses (Ordinance No. 03-10-590). This property is located at the intersection of North Hill Lane and Gene Autrey Lane. It extends to the Amenity Center at North Hill and all lots abut to North Hill Park, City of Murphy.

Background

The proposed final plat would allow for the development of 6 residential lots (Park Lots) within the subdivision known as The Gables at North Hill. The zoning for the subject property was approved by City Council on October 20, 2003 (Ordinance No. 03-10-590). For this development, the required minimum lot size ranges from 9,000 square feet to 11,000 square feet. The required minimum dwelling unit size is 1,800 square feet.

Other Considerations

The six lots on the final plat back up to North Hill Park, a City park.

Upon approval of the construction plat for the development at the November 28, 2011 Planning & Zoning and January 3, 2012 City Council meeting, the applicant was required to and agreed to install back fencing adjacent to the City park as ornamental welded steel, open fencing, painted black and 6' in height.

Board/Staff Recommendation

Staff recommends approval of the final plat.

Attachments

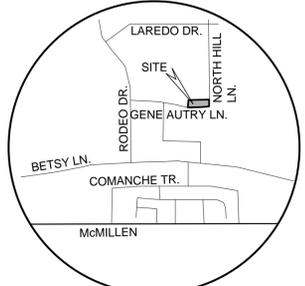
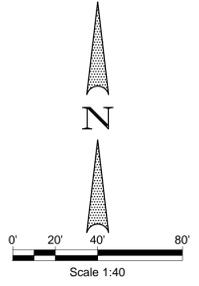
Final plat

Kristen Roberts, Director of Community and Economic Development

Submitted By

ABBREVIATION LEGEND

ABBR.	DEFINITION
IRF	IRON ROD FOUND
CIRS	IRON ROD SET w/CAP STAMPED "WAI"
CIRF	IRON ROD FOUND w/CAP
XCS	"X" CUT IN CONCRETE SET
XCF	"X" CUT IN CONCRETE FOUND
PKS	PK NAIL SET
PKF	PK NAIL FOUND
CG#	COUNTY CLERK'S INSTRUMENT No.
CM	CONTROLLING MONUMENT



CITY APPROVAL OF FINAL PLAT

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

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

Signature of Chairperson _____ Date of Recommendation _____

APPROVED BY: City Council
City of Murphy, Texas

Signature of Mayor _____ Date of Approval _____

ATTEST: _____

City Secretary _____ Date _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT D.R. HORTON-TEXAS, LTD., acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as THE GABLES-PARK LOTS, an addition to the City of Murphy, Texas, and does hereby dedicate to the public use forever, the streets, alleys, and public use areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Murphy and all public utilities desiring to use or using same. All and any public utility and the City of Murphy shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in any way, endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Murphy and all public utilities shall, at all times, have the full Right of Ingress and Egress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems, without the necessity, at any time, of procuring the permission of anyone. This plat approved subject to all planning ordinances, rules regulations, and resolutions of the City of Murphy, Texas.

WITNESS MY HAND AT _____, TEXAS, this ____ day of _____, 2012.

D.R. HORTON-TEXAS, LTD.

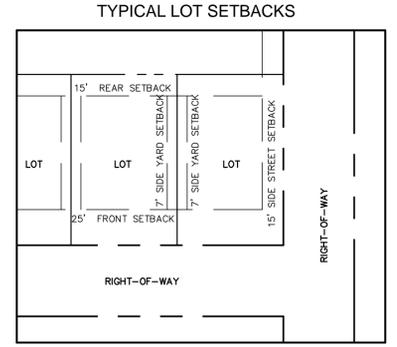
By: _____
David Booth
Land Acquisition/Development Manager

STATE OF TEXAS
COUNTY OF DALLAS

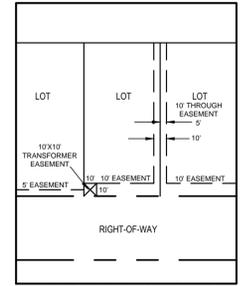
BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared David Booth, duly authorized Land Acquisition/Development Manager of D.R. Horton-Texas, Ltd., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said D.R. Horton-Texas, Ltd., and that he executed the same on behalf of said corporation for the purpose and consideration, and in the capacity therein stated.

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

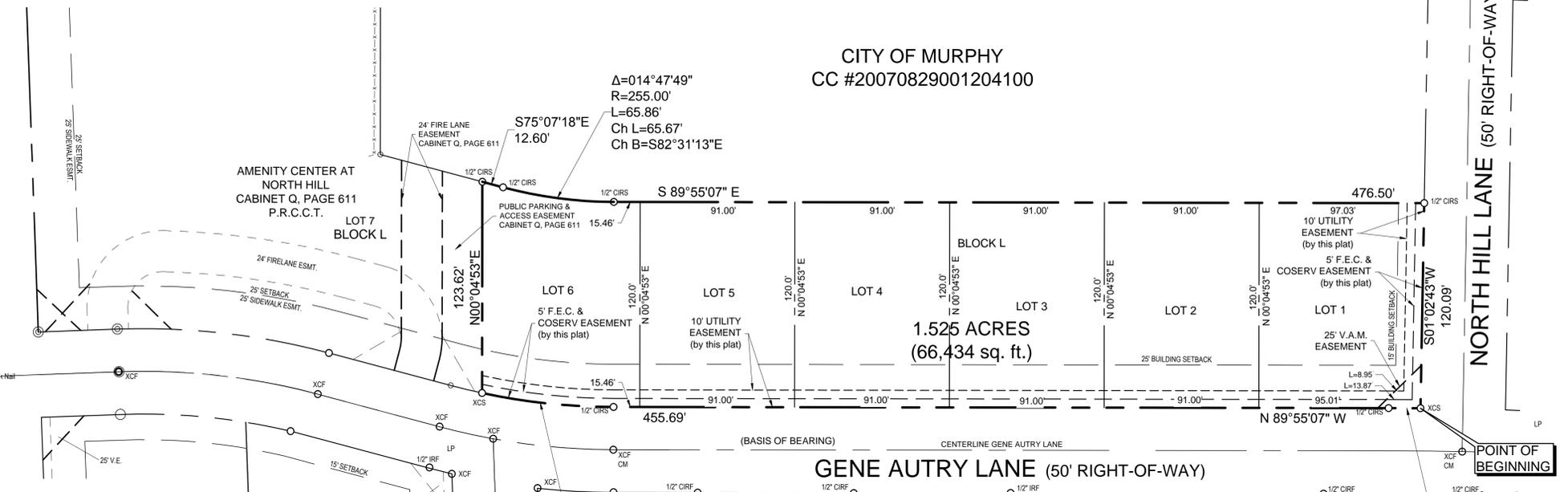
Notary public in and for the State of Texas
My Commission Expires _____



VICINITY MAP
NOT TO SCALE



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



CITY OF MURPHY
CC #20070829001204100

1.525 ACRES
(66,434 sq. ft.)

GENE AUTRY LANE (50' RIGHT-OF-WAY)

LOT AREA TABLE

BLOCK	LOT	SQ. FT.
L	1	11,231
	2	10,920
	3	10,920
	4	10,920
	5	10,920
	6	11,523

THE GABLES AT NORTH HILL
PHASE 1
CAB. Q, PGS. 9 & 10

SPECIAL NOTICE :

- Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.
- Unless otherwise noted all corners are a 1/2" iron rod set with red plastic cap stamped "WAI".

FLOOD NOTICE

According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 48085C0415J, dated June 2, 2009, this property is within Flood Zone X.

Zone X - Areas determined to be outside the 0.2% annual chance floodplain. (Areas determined to be outside the 500-year 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 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.

GENERAL NOTES:

- V.A.M. = VISIBILITY, ACCESS AND MAINTENANCE
- ALL EASEMENTS ARE TO BE CREATED WITH THE FILING OF THIS PLAT, UNLESS OTHERWISE DENOTED WITH COUNTY CLERK'S DOCUMENT RECORDING INFORMATION.

THIS PLAT FILED IN CABINET _____, PAGE _____

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, D.R. HORTON-TEXAS, LTD., is the owner of a tract of land situated in the C. A. McMILLAN Survey, Abstract No. 588, Collin County, Texas, and being a portion of a tract of land described in deed to Lumberman's Investment Corporation as recorded in County Clerk's File No. 20110915000983650, Land Records, Collin County, Texas (L.R.C.C.T.), and being more particularly described as follows:

BEGINNING at an "X" cut set for corner at the intersection of the west right-of-way line of North Hill Lane (50' right-of-way) and the north right-of-way line of Gene Autry Lane (50' right-of-way, said "X" cut also being the beginning of a curve to the left having a radius of 2310.00 feet, a central angle of 00 deg 27 min 57 sec, a chord bearing of North 89 deg 41 min 09 sec West, and a chord length of 18.78 feet;

THENCE along said curve to the left and continuing along the north right-of-way line of Gene Autry Lane, an arc distance of 18.78 feet to a 1/2 inch iron rod with plastic cap stamped "WAI" set for corner;

THENCE North 89 deg 55 min 07 sec West, continuing along said north right-of-way line, a distance of 455.69 feet to a 1/2 inch iron rod with plastic cap stamped "WAI" set for corner and the beginning of a curve to the right having a radius of 375.00 feet, a central angle of 11 deg 53 min 50 sec, a chord bearing of North 83 deg 58 min 13 sec West, and a chord length of 77.73 feet;

THENCE along said curve to the right and continuing along said north right-of-way line, an arc distance of 77.87 feet to an "X" cut in concrete set for corner, said "X" cut being the most southeast corner of Lot 7, Block L of the Amenity Center at North Hill, as recorded in Cabinet Q, Page 611, Plat Records, Collin County, Texas (P.R.C.C.T.);

THENCE North 00 deg 04 min 53 sec East, departing said north right-of-way line and along the easterly line of said Lot 7, Block L, a distance of 123.62 feet to a 1/2 inch iron rod with plastic cap stamped "WAI" set for corner, said 1/2 inch iron rod being set in the southerly line of a tract of land conveyed to the City of Murphy, Texas, as recorded in CC #20070829001204100, Land Records, Collin County, Texas (L.R.C.C.T.);

THENCE South 75 deg 07 min 18 sec East, departing the easterly line of said Lot 7, Block L and along the southerly line of said City of Murphy tract, a distance of 12.60 feet to a 1/2 inch iron rod with plastic cap stamped "WAI" set for corner and the beginning of a curve to the left having a radius of 255.00 feet, a central angle of 14 deg 47 min 49 sec, a chord bearing of South 82 deg 31 min 13 sec East, and a chord length of 65.67 feet;

THENCE along said curve to the left and the southerly line of said City of Murphy tract, an arc distance of 65.86 feet to a 1/2 inch iron rod with plastic cap stamped "WAI" set for corner;

THENCE South 89 deg 55 min 07 sec East, continuing along said southerly line, a distance of 476.50 feet to a 1/2 inch iron rod with plastic cap stamped "WAI" set for corner, said iron rod being situated in the west right-of-way line of aforementioned North Hill Lane and being the most southeasterly corner of said City of Murphy tract;

THENCE South 01 deg 02 min 43 sec West, along the west right-of-way line of said North Hill Lane, a distance of 120.09 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 1.525 Acres or 66,434 square feet of land, more or less.

Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 24th day of May, 2010, updated on the 9th day of August, 2011 using the centerline bearing of Gene Autry Lane (South 89 deg 55 min 07 sec East), as recorded in Cabinet 2006, Page 366, P.R.C.C.T.

SURVEYOR'S CERTIFICATION

I, Leonard J. Lueker, hereby certify that I have prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown hereon were properly placed, under my personal supervision, in accordance with the platting rules and regulations of the City of Murphy, Texas.

Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration No. 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas 75230
(972) 490-7090
l.lueker@winkelmann.com



Please note that the use of the word "CERTIFY" or "CERTIFICATE" used hereon constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Leonard J. Lueker, a Registered Professional Surveyor for Winkelmann & Associates, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Winkelmann & Associates, Inc., and that he executed the same on behalf of as the act of such joint venture for the purpose and consideration, and in the capacity therein stated.

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

Notary public in and for the State of Texas
My Commission Expires _____

FINAL PLAT
THE GABLES-PARK LOTS
6 RESIDENTIAL LOTS, 1.525 ACRES
ZONED PD 03-10-590

JAMES MAXWELL SURVEY, ABSTRACT NO. 582
CITY OF MURPHY
COLLIN COUNTY, TEXAS

OWNER: D.R. HORTON-DPW EAST DIVISION 4306 Miller Road, Suite A Rowlett, TX 75088 214-607-4244	CONSULTING ENGINEERS: WINKELMANN & ASSOCIATES INC. 6750 HILLCREST PLAZA DR., ST. 325 DALLAS, TEXAS 75230 972-490-7090
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G:\1467500P-The Gables Park Lots\SURVEY\Plats\14675-CONS-PLT.dwg

Issue

Consider and/or act on the application of Winkelmann and Associates, Inc. representing D.R. Horton, requesting approval of the Final Plat for **the Gables at North Hill, Phase 2B** on property zoned PD (Planned Development) District for Single Family Uses. This property is located southwest of McCreary Road and McWhirter Road.

Background

The proposed final plat would allow for the development of an additional phase of the subdivision known as The Gables at North Hill, Phase 2B. The zoning for the subject property was approved by City Council on October 20, 2003 (Ordinance No. 03-10-590). For this development, the required minimum lot size ranges from 9,000 square feet to 11,000 square feet. The required minimum dwelling unit size is 1,800 square feet.

Considerations

Engineering comments were addressed.
Public Works had no comments.
Fire Department had no comments.
Building Inspections Department had no comments.

Staff Recommendation

Staff recommends approval of the final plat as submitted.

Attachments

Final Plat

Kristen Roberts, Director of Community and Economic Development

Submitted By

LOT AREA TABLE			
LOT #	BLOCK	ACRES	SQ. FT.
1	F	0.239	10,401
2	F	0.231	10,077
3	F	0.231	10,075
4	F	0.231	10,074
5	F	0.231	10,073
6	F	0.231	10,071
7	F	0.231	10,070
8	F	0.231	10,069
9	F	0.231	10,067
10	F	0.231	10,066
11	F	0.231	10,065
12	F	0.231	10,063
13	F	0.231	10,062
14	F	0.231	10,061
15	F	0.389	16,961
16	F	0.337	14,699
17	F	0.209	9,118
18	F	0.209	9,110
19	F	0.209	9,101
20	F	0.209	9,093
21	F	0.209	9,084
22	F	0.208	9,076
23	F	0.208	9,067
24	F	0.208	9,059
25	F	0.208	9,050

LOT AREA TABLE			
LOT #	BLOCK	ACRES	SQ. FT.
26	F	0.208	9,041
27	F	0.207	9,033
28	F	0.207	9,024
29	F	0.207	9,016
30	F	0.207	9,007
1	H	0.222	9,658
2	H	0.220	9,600
3	H	0.220	9,600
4	H	0.219	9,525
5	H	0.217	9,469
6	H	0.218	9,491
7	H	0.218	9,491
8	H	0.218	9,491
9	H	0.218	9,491
10	H	0.218	9,491
11	H	0.218	9,491
12	H	0.218	9,491
13	H	0.218	9,491
14	H	0.245	10,688
1	G	0.213	9,298
2	G	0.207	9,000
3	G	0.207	9,000
4	G	0.207	9,000
5	G	0.207	9,000
6	G	0.207	9,000

LOT AREA TABLE			
LOT #	BLOCK	ACRES	SQ. FT.
7	G	0.207	9,000
8	G	0.217	9,431
9	G	0.236	10,294
10	G	0.256	11,156
11	G	0.276	12,019
12	G	0.296	12,881
13	G	0.327	14,255
14	G	0.261	11,360
15	G	0.262	11,400
16	G	0.262	11,400
17	G	0.309	13,472
18	G	0.322	14,040
19	G	0.298	12,966
20	G	0.283	12,342
21	G	0.272	11,850
22	G	0.264	11,491
23	G	0.258	11,260
24	G	0.246	10,726
25	G	0.227	9,888
26	G	0.213	9,261
27	G	0.207	9,015
28	G	0.207	9,000
29	G	0.207	9,000
30	G	0.216	9,415

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS, D.R. HORTON-TEXAS, LTD., is the owner of a tract of land situated in the C.A. MCMILLAN SURVEY, ABSTRACT No. 588, in the City of Murphy, Collin County, Texas, being all of the same tract of land described in deed to D.R. HORTON-TEXAS, LTD., recorded in Instrument No. 20110915000983650, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut in concrete set for the most Northeasterly corner of said Lumbermen's tract, said iron rod also being at the intersection of the centerline of McCreary Road, a 92-foot right-of-way, and the centerline of McWhirter Road, a 30-foot right-of-way;

THENCE South 00 degrees 59 minutes 09 seconds West, along said centerline of McCreary Road, a distance of 1,285.11 feet to a 1/2-inch iron rod with a plastic cap stamped "WAI" set for the most Easterly Northeast corner of The Gables at North Hill, Phase 1, an addition to the City of Murphy, Collin County, Texas, according to the Plat thereof recorded in Cabinet Q, Pages 9 & 10, Map Records, Collin County, Texas;

THENCE departing said centerline of McCreary Road, along the Northerly line of said The Gables at North Hill, Phase 1, the following courses and distances:

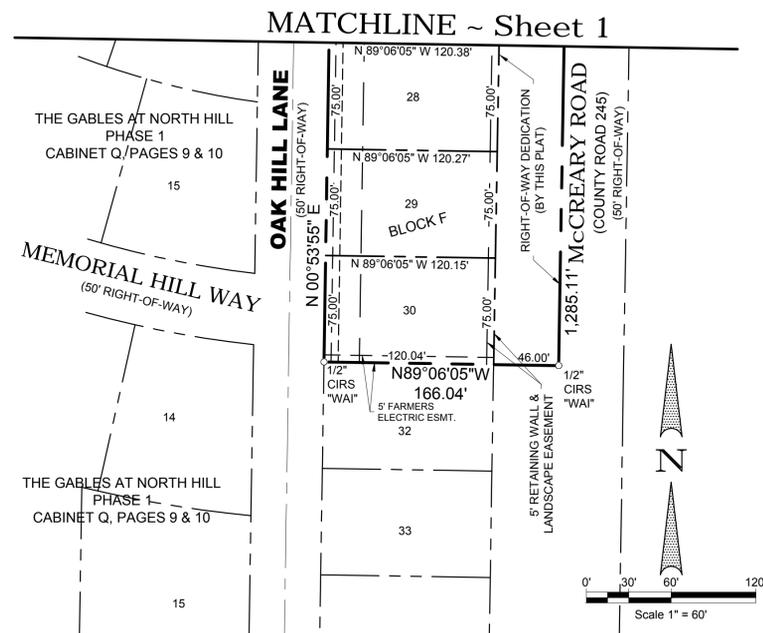
- North 89 degrees 06 minutes 05 seconds West, a distance of 166.04 feet to a 1/2-inch iron rod with a plastic cap stamped "WAI" set for corner;
- North 00 degrees 53 minutes 55 seconds East, a distance of 364.31 feet to a 1/2-inch iron rod with a plastic cap stamped "WAI" set for corner;
- North 89 degrees 06 minutes 05 seconds West, a distance of 50.00 feet to a 1/2-inch iron rod with a plastic cap stamped "WAI" set for corner;
- North 00 degrees 53 minutes 55 seconds East, a distance of 125.46 feet to a 1/2-inch iron rod with a plastic cap stamped "WAI" set for corner, said point being the beginning of a non-tangent curve to the right having a radius of 420.00 feet, a central angle of 14 degrees 02 minutes 18 seconds, a chord bearing North 77 degrees 46 minutes 12 seconds West, and a chord length of 102.65 feet;
- Along said non-tangent curve to the right, an arc distance of 102.91 feet to a 1/2-inch iron rod with a plastic cap stamped "WAI" set for corner, said point being the beginning of a curve to the left having a radius of 3300.00 feet, a central angle of 11 degrees 08 minutes 56 seconds, a chord bearing North 76 degrees 19 minutes 31 seconds West, and a chord length of 641.12 feet;
- Along said curve to the left, an arc distance of 642.14 feet to a 1/2-inch iron rod with a plastic cap stamped "WAI" set for corner, said point being the beginning of a curve to the left having a radius of 880.00 feet, a central angle of 07 degrees 31 minutes 06 seconds, a chord bearing North 85 degrees 39 minutes 32 seconds West, and a chord length of 115.39 feet;
- Along said curve to the left, an arc distance of 115.48 feet to a 1/2-inch iron rod with a plastic cap stamped "WAI" set for corner;
- North 89 degrees 25 minutes 06 seconds West, a distance of 260.18 feet to a 1/2-inch iron rod with a plastic cap stamped "WAI" set for corner in the Easterly right-of-way line of North Hill Lane, a 50-foot right-of-way;

THENCE North 01 degrees 02 minutes 44 seconds East, along said Easterly right-of-way line of North Hill Lane, a distance of 620.91 feet to a PK nail set in the centerline of said McWhirter Road, said point being the Northeast corner of The Ranch, Phase 5 at North Hill, an addition to the City of Murphy, Collin County, Texas, according to the Plat thereof recorded in Cabinet P, Pages 898-899, Map Records, Collin County, Texas;

THENCE South 89 degrees 24 minutes 20 seconds East, along said centerline of McWhirter Road, a distance of 1,317.68 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 23.051 acres or 1,004,083 square feet of land more or less. The bearings shown hereon are based upon the centerline of North Hill Lane (North 01 deg 02 min 44 sec East) as recorded in Cabinet P, Page 898-899 Plat Records, Collin County, Texas.

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	0°56'55"	1,050.00'	17.38'	17.38'	N82°22'27"W
C2	1°04'28"	385.00'	7.22'	7.22'	N88°52'06"W
C3	11°37'52"	385.00'	78.16'	78.02'	N82°30'56"W
C4	11°35'14"	445.00'	90.00'	89.84'	S82°29'37"E
C5	66°16'32"	31.50'	36.44'	34.44'	N56°16'50"W
C6	24°02'29"	31.50'	13.22'	13.12'	N11°07'19"W
C7	90°19'01"	31.50'	49.65'	44.67'	N44°15'35"W
C8	0°16'05"	3,420.00'	16.00'	16.00'	N81°45'57"W
C9	0°05'31"	3,420.00'	5.49'	5.49'	N70°47'48"W
C10	12°18'29"	300.00'	64.45'	64.32'	S76°54'18"E
C11	11°05'37"	250.00'	48.41'	48.33'	S76°17'52"E
C12	12°42'20"	385.00'	85.37'	85.20'	N83°03'10"W
C13	0°05'31"	3,300.00'	5.29'	5.29'	N70°47'48"W
C14	0°16'05"	3,300.00'	15.44'	15.44'	N81°45'57"W
C15	11°08'56"	3,420.00'	665.49'	664.44'	N76°19'31"W
C16	7°31'06"	1,000.00'	131.22'	131.13'	N85°39'32"W
C17	11°08'56"	3,470.00'	675.21'	674.15'	N76°19'31"W
C18	7°31'06"	1,050.00'	137.78'	137.68'	N85°39'32"W
C19	90°19'01"	25.00'	39.41'	35.45'	N44°15'35"W
C20	16°58'47"	275.00'	81.50'	81.20'	S79°14'26"E
C21	11°08'56"	3,445.00'	670.35'	669.29'	S76°19'31"E
C22	7°31'06"	1,025.00'	134.50'	134.41'	S85°39'32"E



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT D.R. Horton-Texas, Ltd., acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as THE GABLES AT NORTH HILL, an addition to the City of Murphy, Texas, and does hereby dedicate to the public use forever, the streets, alleys, and public use areas shown thereon. The easements, as shown, are hereby dedicated for the purposes as indicated. The Utility and Drainage Easements being hereby dedicated for the mutual use and accommodation of the City of Murphy and all public utilities desiring to use or using same. All and any public utility and the City of Murphy shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees, or other improvements or growths, which in any way, endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of Murphy and all public utilities shall, at all times, have the full Right of Ingress and Egress to or from and upon said Easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems, without the necessity, at any time, of procuring the permission of anyone.

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

WITNESS MY HAND AT _____, TEXAS, this ____ day of _____, 2012.

D.R. Horton-Texas, Ltd.

By: _____
David Booth
Land Acquisition/Development Manager

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared David Booth, duly authorized Land Acquisition/Development Manager of D.R. Horton-Texas, Ltd., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said D.R. Horton-Texas, Ltd., and that he executed the same on behalf of said corporation for the purpose and consideration, and in the capacity therein stated.

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

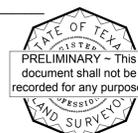
Notary public in and for the State of Texas

My Commission Expires _____

SURVEYOR'S CERTIFICATION

I, Leonard J. Lueker, hereby certify that I have prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown hereon were properly placed, under my personal supervision, in accordance with the platting rules and regulations of the City of Murphy, Texas.

Leonard J. Lueker
Registered Professional Land Surveyor
Texas Registration No. 5714
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive, Suite 325
Dallas, Texas 75230
(972) 490-7090
l.lueker@winkelmann.com



Please note that the use of the word "CERTIFY" or "CERTIFICATE" used hereon constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Leonard J. Lueker, a Registered Professional Surveyor for Winkelmann & Associates, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Winkelmann & Associates, Inc. and that he executed the same on behalf of as the act of such joint venture for the purpose and consideration, and in the capacity therein stated.

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

Notary public in and for the State of Texas
My Commission Expires _____

FINAL PLAT

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

RECOMMENDED BY: Commission Planning and Zoning City of Murphy

Signature of Chairperson _____ Date of recommendation _____

APPROVED BY: City Council City of Murphy, Texas

Signature of Mayor _____ Date of approval _____

ATTEST:

City Secretary _____ Date _____

FINAL PLAT
THE GABLES AT NORTH HILL, PHASE 2B
ZONED PD03-10-590
23.051 ACRES
C.A. MCMILLAN SURVEY, ABSTRACT No. 588
CITY OF MURPHY, COLLIN COUNTY, TEXAS

APPLICANT: D.R. HORTON-TEXAS, LTD. 4306 MILLER ROAD, SUITE A ROWLETT, TX 75086 214-467-4244

SURVEYOR: WINKELMANN & ASSOCIATES 6750 HILLCREST PLAZA DRIVE SUITE 325 DALLAS, TEXAS 75243 972-490-7090

THIS PLAT FILED IN CABINET _____, PAGE _____.

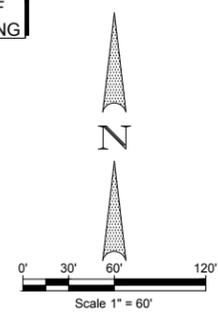
No.	DATE	REVISION	APPROV	 Winkelmann & Associates, Inc. REGISTERED PROFESSIONAL LAND SURVEYORS 6750 HILLCREST PLAZA, SUITE 325, DALLAS, TEXAS 75243 (972) 490-7090 FAX (972) 490-7099 Texas Surveyor No. 100866-00 Expires 12/31/2011 C.S. #000000174 2/11/11 WINKELMANN & ASSOCIATES, INC.
FINAL PLAT THE GABLES AT NORTH HILL PHASE 2B <input type="checkbox"/> ILL PHASE 1 <input checked="" type="checkbox"/> 23.051 ACRES				Date : 01.03.11 Scale : N/A File : 14675.0N-CPLT Project No. : 14675.0N
SHEET 2 OF 2				G:\14675\0N-Gables 2B DR Horton\SURVEY\Plats\14675.0N-CPLT.dwg

HOLLAND HELEN GERMAN
ZONED AG

McWHIRTER ROAD COUNTY ROAD NO. 0000

(30' RIGHT-OF-WAY)

POINT OF BEGINNING



APPROVAL	
REVISION	
DATE	
No.	

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS & SURVEYORS
1500 MILLER ROAD, SUITE 205
DALLAS, TEXAS 75244
TEL: 972-442-7000
FAX: 972-442-7009

C.A. McMILLAN SURVEY, ABSTRACT No. 588
CITY OF MURPHY
COLLIN COUNTY, TEXAS
DR. HORTON TEXAS, LTD.
4306 MILLER ROAD, SUITE A
ROWLETT, TX 75088
214-607-4244

FINAL PLAT
T E GABLES AT NORT
ILL P ASE B
23.051 ACRES

Date : 08.22.11
Scale : 1" = 60'
File : 14675.0N-CPLT
Project : 14675.0N

SHEET
1
OF
2

CREEKSIDE ESTATES PHASE 1 CABINET N, PAGES 893-895 ZONED SF-1

According to the Federal Emergency Management Agency, Flood Insurance Rate Map Community Panel No. 48085C 0415 J, dated June 2, 2009, this property is within Flood Zone X.

Zone X - Areas determined to be outside the 500-year 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 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.

- NOTE:
- UNLESS OTHERWISE NOTED, ALL CORNERS ARE A 1/2" IRON ROD SET WITH A RED PLASTIC CAP STAMPED "WAI"
 - THE 5' RETAINING WALL & LANDSCAPE EASEMENT IS DEDICATED TO THE HOME OWNERS ASSOCIATION FOR RETAINING WALL MAINTENANCE. THE CITY OF MURPHY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE, OR OTHERWISE, FOR THE RETAINING WALL.
 - ALL EASEMENTS ARE TO BE DEDICATE WITH THE FILING OF THIS PLAT UNLESS OTHERWISE NOTED WITH COUNTY CLERK'S RECORDING INFORMATION.

FINAL PLAT THE GABLES AT NORTH HILL, PHASE 2B

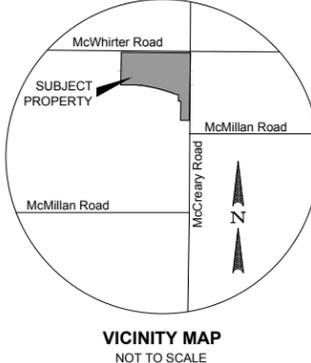
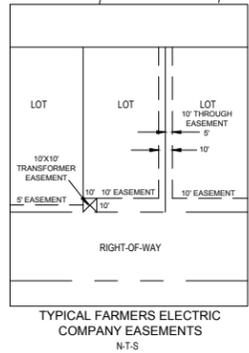
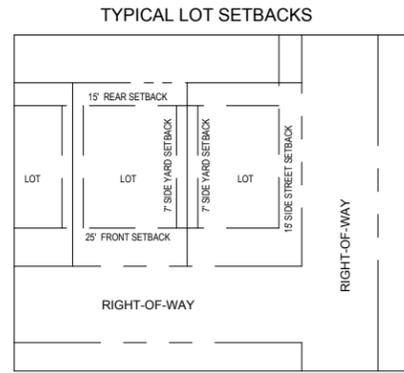
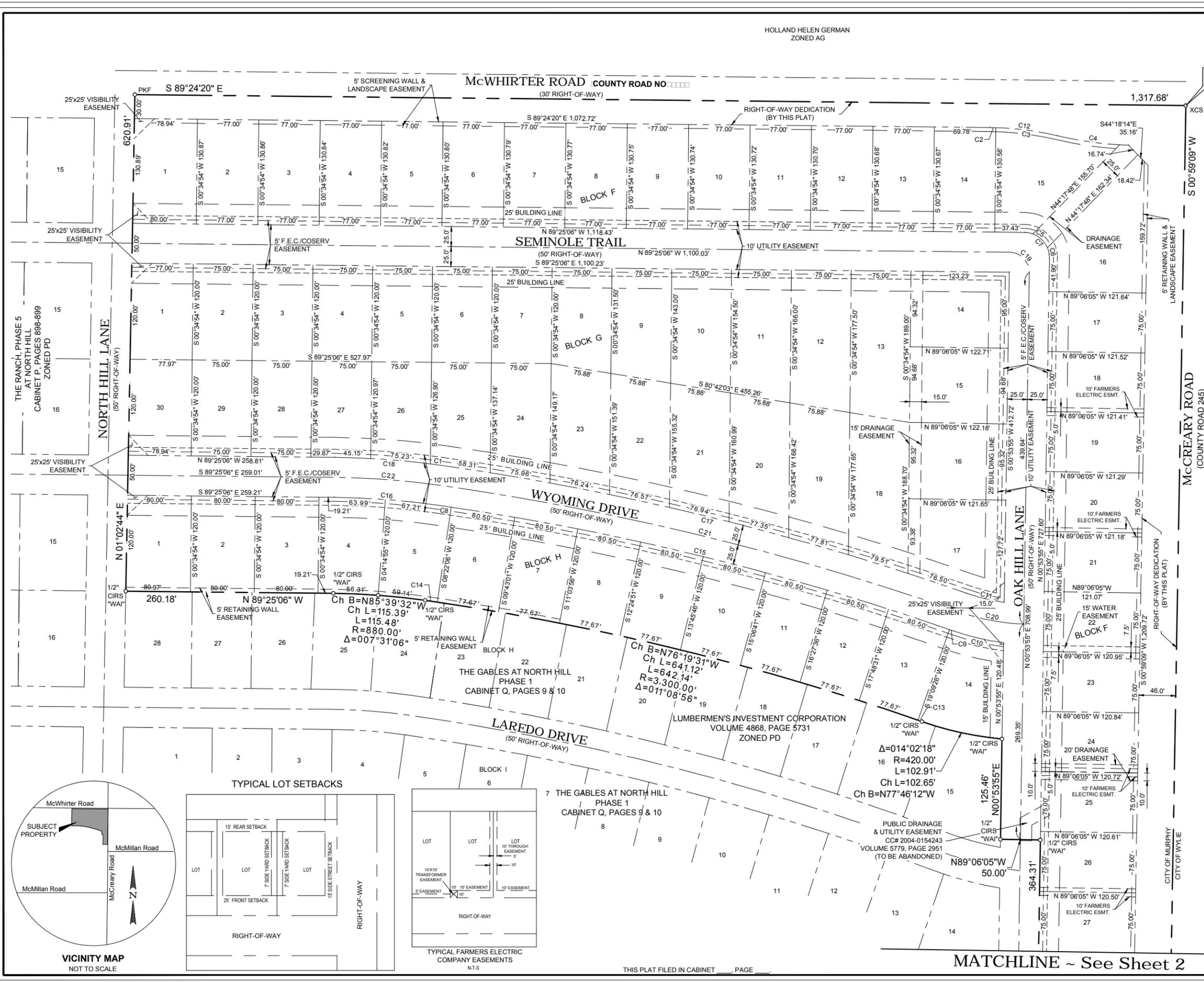
ZONED PD03-10-590
23.051 ACRES
C.A. McMILLAN SURVEY, ABSTRACT No. 588
CITY OF MURPHY, COLLIN COUNTY, TEXAS

APPLICANT
DR. HORTON TEXAS, LTD.
4306 MILLER ROAD, SUITE A
ROWLETT, TX 75088
214-607-4244

SURVEYOR
WINKELMANN & ASSOCIATES
6750 HILLCREST PLAZA DRIVE
SUITE 325
DALLAS, TEXAS 75243
972-490-7090

MATCHLINE ~ See Sheet 2

THIS PLAT FILED IN CABINET _____ PAGE _____



TYPICAL LOT SETBACKS

TYPICAL FARMERS ELECTRIC COMPANY EASEMENTS
N.T.S.

VICINITY MAP
NOT TO SCALE

C:\14675\0N-Gables 2B DR. Horton\SURVEY\Plats\14675.0N-CPLT.dwg

Issue

Hold a public hearing and consider and/or act on the application of McBirney-544 Joint Venture, on behalf of the property owner, Mike Horn, to re-plat Lot 2R - Block A – Murphy Village Addition Lots 6, 7 & 8 on property zoned PD (Planned Development) District No. 09-12-823 and No. 09-12-824 for Retail and Office Uses. This property is located at the southeast quadrant of West FM 544 and Brand Road.

Considerations

1. The purpose of the re-plat for Lot 2R – Block A – Murphy Village Addition is to make one lot into three lots (Lots 6, 7 and 8) fronting FM 544.
2. Following the approval of the proposed re-plat and the approval of the respective engineering construction plans, the following development will begin:
 - a. Lot 6 – Ishine Car Wash
 - b. Lot 7 – Braum’s
 - c. Lot 8 – tenant to be determined
3. A public hearing notification for this proposed re-plat was published in the newspaper as well as notification being mailed to the property owners included in the required 200 foot notification radius. No responses have been received to date.

Staff Recommendation

Motion to approve the re-plat as submitted.

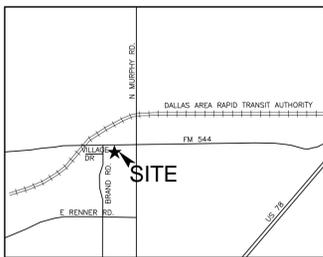
Attachments

Re-plat

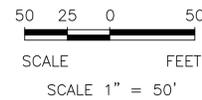
Location Map

Kristen Roberts, Director of Community and Economic Development

Submitted By



LOCATION MAP
NTS



STATE OF TEXAS,
COUNTY OF COLLIN,

BEING a tract of land situated in the J. Maxwell Survey, Abstract No. 580, City of Murphy, Collin County, Texas, and being part of Lot 2R called 4.252 acre tract described in a deed to McBirney-544 Joint Venture, recorded in Document number 2013-1, Deed records of Collin County, Texas and being more particularly described by mete and bounds as follows;

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

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

THENCE N 89°53'46" E, along the south R.O.W. of F.M. 544 (variable width R.O.W.), a distance of 542.04 feet to a "X" cut for a corner;

THENCE S 00°12'42" E, a distance of 255.00 feet to a "X" cut for a corner;

THENCE S 89°53'46" W, a distance of 460.60 feet to a 5/8 inch iron found with yellow PSA cap for a corner;

THENCE S 89°49'22" W, a distance of 110.87 feet to a 5/8 inch iron found with yellow PSA cap for a corner;

THENCE S 89°37'34" W, a distance of 154.47 feet to a 5/8 inch iron found with yellow PSA cap for a corner;

THENCE N 00°22'26" W, a distance of 255.00 feet to POINT OF BEGINNING and containing 185,210 square feet or 4.252 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That _____ and _____ acting herein by and through their duly authorized officers, does hereby adopt this plat designating the herein above described property as Lot 6, 7, and 8 Block A of MURPHY VILLAGE Addition, an addition to the City of Murphy, Texas, and does hereby dedicate, in a fee simple, to the public use forever, the streets, rights-of-way and other public improvements shown thereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Murphy. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Murphy's use thereof. The City of Murphy and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Murphy and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

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 _____, 2013.

By: _____

WITNESS, my hand, this the _____ day of _____, 2013.

By: _____

STATE OF TEXAS,

COUNTY OF COLLIN,

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

Given upon my hand and seal of office, this _____ day of _____, 2013.

Notary Public in and for the State of Texas

My Commission Expire on _____

STATE OF TEXAS,

COUNTY OF COLLIN,

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

Given upon my hand and seal of office, this _____ day of _____, 2013.

Notary Public in and for the State of Texas

My Commission Expire on _____

LEGEND

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

KNOW ALL MEN BY THESE PRESENTS:

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

Pansak Sribhen
Registered Professional Land Surveyor No. 3576

STATE OF TEXAS

COUNTY OF COLLIN

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

Given upon my hand and seal of office, this _____ day of _____, 2013.

Notary Public in and for the State of Texas

My Commission Expire on _____

NOTES:

1. Basis of Bearings:
All bearings are on the Texas State Plane Coordinate System NAD 83 (1993ad) derived from the monuments as found along the South Right Of Way of F.M. 544 on North line Murphy Village Addition.
The monuments for reference:
a.) 1/2" IRF on northwest corner of Lot 3, Block A, Western Bank & Trust Doc. number 2001-0069379, M.R.C.C.T.
b.) "X" cut found on northeast corner Lot 8, Block A, McBirney-544 Joint Venture, Murphy Village Addition
c.) 1/2" IRF on northeast corner Lot 1, Block B, McBirney-544 Joint Venture, Murphy Village Addition, Doc. number 2003-0207485, M.R.C.C.T.

2. Selling a portion of this addition by metes and bounds is a violation of City ordinance and State-law, and is subject to fines and withholding of utilities and building permits.

3. Subject property is shown on the National Flood Insurance Program Flood Insurance Rate Map for Collin County, Texas, Map No. 48086C0415J, Panel 415 of 600, effective date: June 2, 2009. All of the subject property is not shown to be located in the flood plain area.

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

RETAIL
ALBERT C. TAFELSKI
4.8462 ACRES
VOL. 96, PAGE 88975

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

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

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

POINT OF BEGINNING

JAMES MAXWELL SURVEY
ABSTRACT NO. 580

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

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

BLOCK "A"
LOT 7
1.063 AC. OR 46,313 SF.
ZONED: PD

BLOCK "A"
LOT 8
1.457 AC. OR 63,479 SF.
ZONED: PD

BLOCK "A", LOT 5
MURPHY VILLAGE ADDITION
DOC#2013-1

BLOCK "A", LOT 4
MURPHY VILLAGE ADDITION
DOC#2013-1

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

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

REPLAT OF A FINAL PLAT

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

RECOMMENDED BY:

Planning and Zoning Commission
City of Murphy, Texas

Signature of Chairperson

Date of Recommendation

APPROVED BY:

City Council
City of Murphy, Texas

Signature of Mayor

Date of Approval

ATTEST:

City Secretary

Date

FIRE LANES:

"That the undersigned does hereby covenant and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface in accordance with the City of Murphy's paving standards for fire lanes, and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats or other impediments to the accessibility of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking or Standing." The local law enforcement agency(s) is hereby authorized to enforce parking regulations within the fire lanes, and to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use."

ACCESS EASEMENTS:

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

REPLAT OF A FINAL PLAT
MURPHY VILLAGE ADDITION
LOT 6, 7, AND 8, BLOCK "A"
4.252 ACRES TRACT

BEING A REPLAT OF BLOCK A, LOT 2R- MURPHY VILLAGE ADDITION
AN ADDITION TO THE CITY OF MURPHY, TEXAS
AS RECORDED IN DOCUMENT NUMBER 2013-1
OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS

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

JANUARY 9, 2013
VOL. _____, PAGE _____

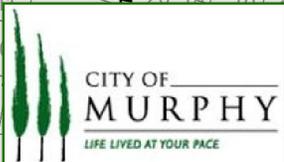
OWNER:

LOT 6, AND 8, BLOCK A
McBIRNEY-544 JOINT VENTURE
6801 GAYLORD PKWY
SUITE 200
FRISCO, TX 75034
(214) 618-9900

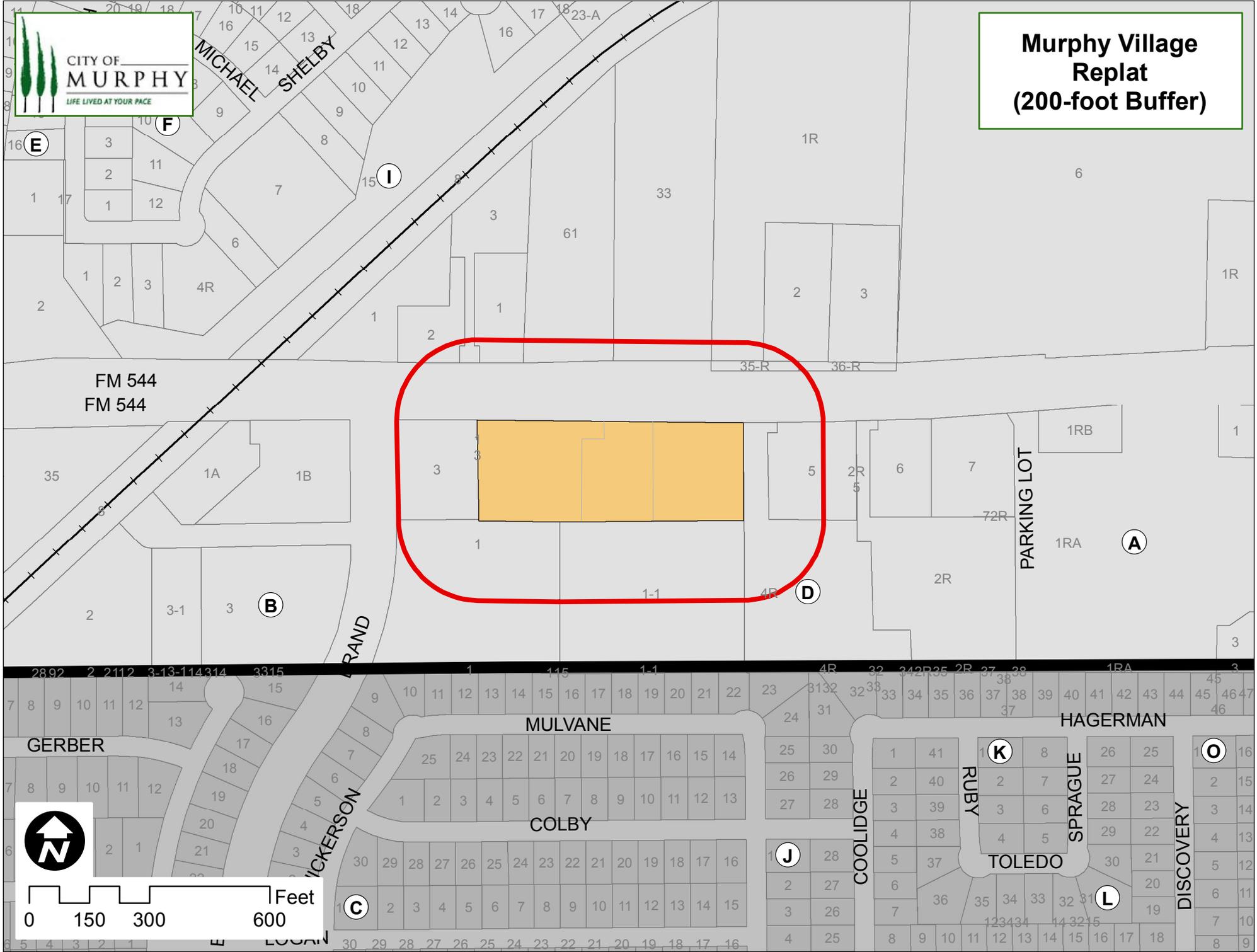
LOT 7, BLOCK A
BRAUM'S
16135 PRESTON RD
SUITE 107
DALLAS, TX 75248
(972) 991-3763

PREPARED BY:

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

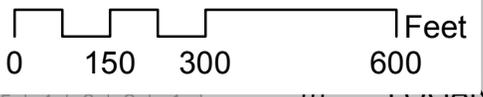


Murphy Village Replat (200-foot Buffer)



FM 544
FM 544

PARKING LOT



Issue

Consider and/or act on the application of Wal-Mart Real Estate Business trust requesting approval of a site plan and related items for **Wendy's** on property zoned PD (Planned Development) District No. 12-02-905 located at 117 West FM 544.

Background

On February 7, 2012, the City Council approved the final Planned Development (PD) District No. 12-02-905 for this property.

The applicant has submitted a site plan, building elevation plans, landscape plans and signage for approval that would allow for development of Wendy's on 117 West FM 544. The subject property is located on FM 544 at the southwest frontage of the overall Wal Mart development.

Considerations

1. Within the approved Planned Development District Ordinance for this property, Permitted Uses include Restaurant (Drive-In/Drive Thru) Lot 4 only; as approved by City Council and limited to the lot along FM 544.
2. This proposed development is specific to Lot 4, as noted in the Concept Plan, and is an allowed use, including a drive in/drive thru.
3. The construction plat filed for the overall development of this approximately 24 acre property suffices as the construction plat for this lot. When the final plat for the overall development is filed, this lot will be included in that filing. This should be filed in approximately two months, according to the property owner and will reflect the necessary easement modifications.
4. All site plan, building elevation plans, landscape plan and signage requirements have been met.

Staff Recommendation

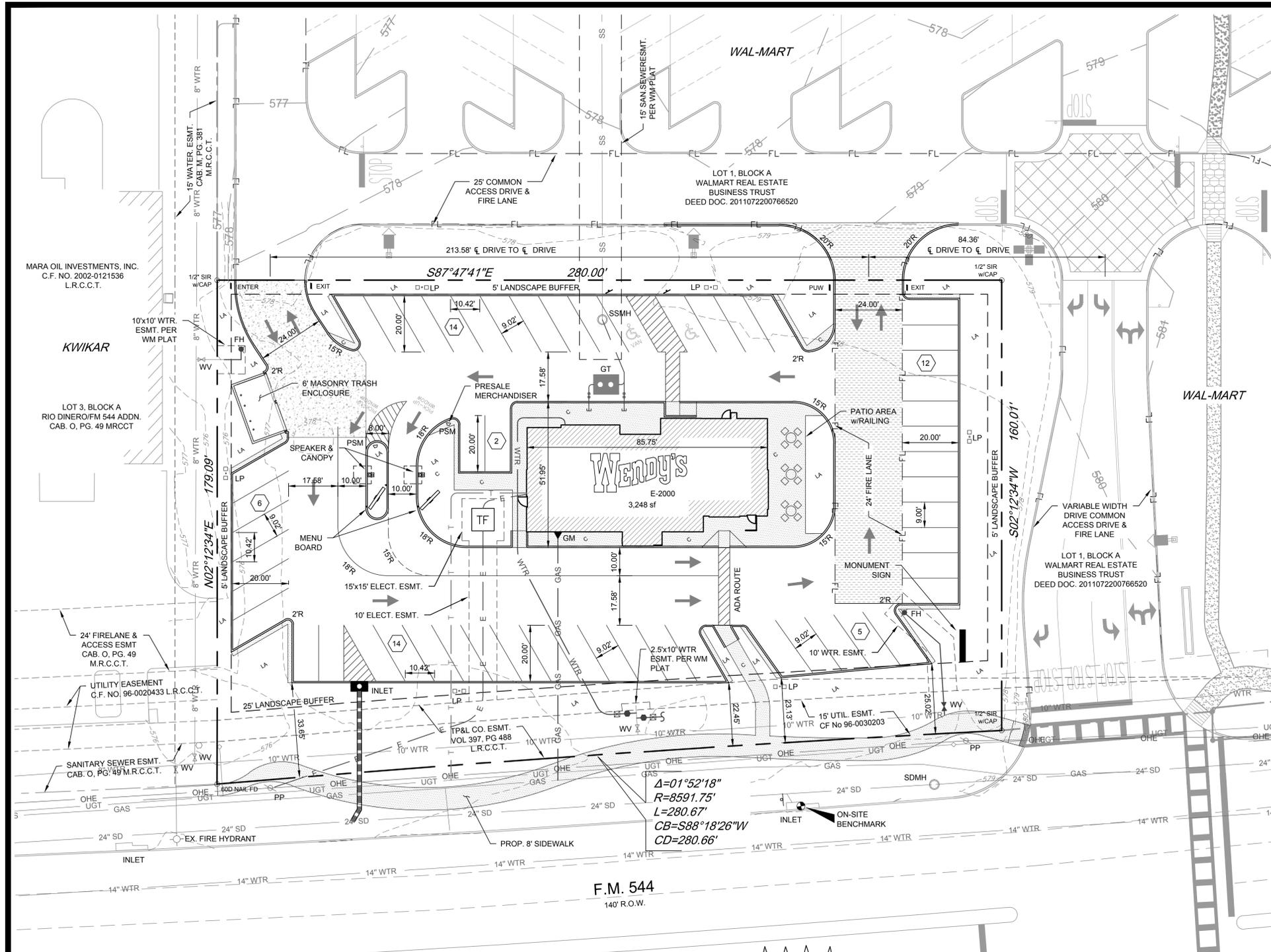
Staff recommends approval of the Wendy's Site Plan, Landscape Plans, Building Elevation Plans and signage as submitted.

Attachments

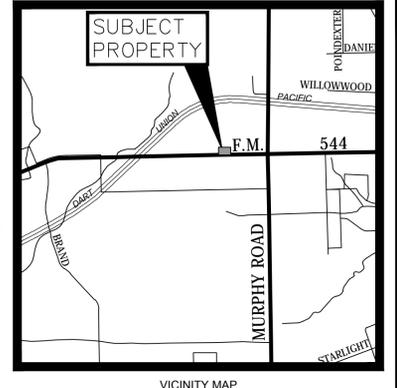
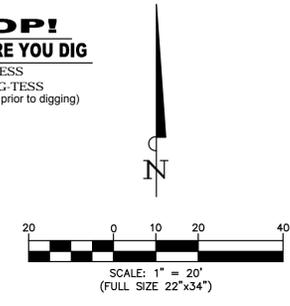
Planned Development District Ordinance No. 12-02-905
Site Plan
Landscape Plans
Building Elevation Plans
Site signage

Kristen Roberts, Director of Community and Economic Development

Submitted By



STOP!
CALL BEFORE YOU DIG
 DIG TESS
 1-800-DIG-TESS
 (@ least 72 hours prior to digging)



SITE DATA SUMMARY TABLE			
UNDERLYING ZONING "TC" TOWN CENTER CURRENTLY ZONED 12-02-905 PD DISTRICT MURPHY PLAZA-WAL MART LOT 2, BLOCK A, WAL MART ADDITION 117 W. FM 544 MURPHY, COLLIN COUNTY, TEXAS			
LOT NO.	BUILDING SF	PROPOSED USE	BUILDING HT
LOT 2, BLK A	3,248	RESTAURANT	24'-0" ONE STORY
LOT NO.	LOT S.F./AC.	LOT COVERAGE	FAR
LOT 2, BLK A	47,698/1.095	14.69%	0.14685
PARKING SUMMARY FOR LOT 2, BLK A			
		REQD.	PROVIDED
CITY OF MURPHY:	1 PARK/100 S.F. OR 3 PARK/SEAT	3738 S.F. (IN) 490 S.F. (PATIO) 72 SEATS (IN) 12 SEATS (PATIO)	38 28 53 53

LEGEND	
EXIST. ITEMS	PROP. ITEMS
PP ⊕	□ LP PROP. LIGHTING
LP ⊕	▼ GM PROP. GAS VALVE
WV ⊕	⊕ GT PROP. GREASE TRAP
SSMH ⊕	— CO PROP. SAN. SEWER CLEANOUT
SSMH ⊕	WV PROP. WATER VALVE
SSMH ⊕	⊕ FH PROP. FIRE HYDRANT
SSMH ⊕	⊕ WM PROP. WATER METER
SSMH ⊕	⊕ BP PROP. BACKFLOW PREVENTOR
SSMH ⊕	B • PROP. BOLLARD
SSMH ⊕	DS ⊕ PROP. DOWNSPOUT
SSMH ⊕	C PROP. CONCRETE
SSMH ⊕	∩ PROP. LANDSCAPE
SSMH ⊕	PUW ⊕ PROP. PICK UP WINDOW
SSMH ⊕	⊕ DIR PROP. DIRECTIONAL SIGN
SSMH ⊕	EXIT ⊕ PROP. EXIT DIRECTIONAL SIGN
SSMH ⊕	ENTER ⊕ PROP. ENTER DIRECTIONAL SIGN
SSMH ⊕	— W PROP. COLD WATER LINE
SSMH ⊕	— SS PROP. SANITARY SEWER LINE
SSMH ⊕	— GAS PROP. GAS LINE
SSMH ⊕	— E PROP. UNDERGROUND ELECT. LINE
SSMH ⊕	— T PROP. TELEPHONE CABLE
SSMH ⊕	12 NO. OF PARKING SPACES
SSMH ⊕	□ PROP. LIGHT DUTY CONCRETE
SSMH ⊕	▨ PROP. MEDIUM DUTY NTCOG CLASS 'C' CONCRETE (PUBLIC PAVEMENT)
SSMH ⊕	■ PROP. HEAVY DUTY CONCRETE
SSMH ⊕	— 708 PROP. CONTOURS

- GENERAL SITE NOTES:**
- ALL DIMENSIONS ARE TO FACE OF CURB OR EDGE OF BUILDING FOUNDATION UNLESS OTHERWISE NOTED.
 - ALL PROPOSED SITE IMPROVEMENTS ARE ORTHOGONAL TO THE WEST, NORTH, EAST AND SOUTH PROPERTY LINES.
 - ALL CURB RADII ARE 2.5' UNLESS OTHERWISE NOTED.
 - HANDICAPPED PARKING AREAS SHALL BE DESIGNED AND PROVIDED PER CITY STANDARDS AND SHALL COMPLY WITH REQUIREMENTS OF THE CURRENT, ADOPTED BUILDING CODE AND TEXAS ACCESSIBILITY STANDARDS.
 - MECHANICAL UNITS, DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE CITY ZONING ORDINANCE.
 - ALL ELECTRICAL TRANSMISSION, DISTRIBUTION, AND SERVICE LINES MUST BE UNDERGROUND.
 - OUTDOOR LIGHTING SHALL COMPLY WITH ILLUMINATION PER CITY STANDARDS.
 - ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH CITY STANDARD SPECIFICATIONS.



PROPERTY OWNER
 WAL-MART REAL ESTATE BUSINESS TRUST
 2001 SE 10th STREET SWCC
 BENTONVILLE, AR 72116
 (479) 273-4000

APPLICANT
 THE WENDY'S COMPANY
 8600 FREEPORT PKWY.
 SUITE 100
 IRVING, TX 75063
 ATTN: WALTER BOYD
 (972) 541-5516

SURVEYOR
 LANE'S SOUTHWEST SURVEYING, INC.
 2717 MOTLEY DRIVE, SUITE B,
 MESQUITE, TX 75150
 ATTN: JIMMY LANE
 (972) 681-4442
 (972) 681-4829 FAX

ENGINEER
 MULTATECH
 2821 W. 7th ST. SUITE 400
 FT. WORTH, TX
 76107-2219
 ATTN: PAUL PADILLA, P.E.
 (817) 289-2060
 (817) 877-4245 FAX

ARCHITECT
 PM DESIGN GROUP, INC.
 101 E. PARK BLVD. SUITE 600
 PLANO, TX 75074
 ATTN: DARREN SUMRALL
 (972) 499-8084
 (972) 499-7730 FAX

BENCHMARK:
 ON SITE BM'S X CUT TOP INLET NORTH SIDE FM 544
 ELEV. 578.51, SHOWN ON SURVEY

BASIS OF BEARING:
 THE WEST LINE OF WALMART DEED BETWEEN 60D NAIL
 FOUND AND 1/2" IRON ROD AT NWC OF WALMART
 TRACT N 02°12'34"W PER DEED DOC. 2011072200766520

WENDY'S RESTAURANT
 NWC FM 544 AND MURPHY ROAD
 LOT 2, BLOCK A, WALMART ADDITION, BEING A 1.095 ACRE TRACT
 IN THE GEORGE H. PEGUES SURVEY, ABSTRACT NO. 699, CITY OF
 MURPHY, COLLIN COUNTY, TEXAS

SITE PLAN

MULTATECH ARCHITECTS & ENGINEERS
 TBPE REG. # F351
 2821 WEST 7th STREET
 SUITE 400
 FORT WORTH, TX 76107
 817-289-1871 DIRECT
 817-545-1503 FAX

DESIGNED BY: PAUL PADILLA, P.E.	FILE	DATE	SHEET NO.
CHECKED BY:	12191.00	1/9/13	C-100
DRAWN BY: J.D.S.			

SHRUBS					
QUANTITY	SYMBOL	CALLOUT	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
74	(1)	HAWTHORN	Spring Rapture Hawthorn	Rhaplolepis indica 'Spring Rapture'	5 gallon, 20"-24" Ht./18"-20" spread, full, bushy specimen
150	(2)	N.P. HOLLY	Needle Point Holly	Ilex cornuta 'Needle Point'	7 gallon, 32" Ht./24" spread, full, bushy specimen
7	(3)	ROSE	Knockout Rose	Rosa hybrida 'Radtko'	3 gallon, 24" Ht./12"-14" spread, bushy, full to ground
52	(4)	NANDINA	Compact Nandina	Nandina domestica 'Compacta'	3 gallon, 24" Ht./12"-14" spread, bushy, full to ground
21	(5)	HAMELN GRASS	Hamelin Grass	Fernisetum alopecuroides 'Hamelin'	1 gallon, 15" Ht./15" spread, full, bushy to ground
103	(6)	FEATHER GRASS	Feather Grass	Stipa tenuissima	1 gallon, 15" Ht./15" spread, full, bushy to ground
9	(7)	BARBERRY	Rose Glow Barberrry	Berberis thunbergii 'Rose Glow'	1 gallon, 15" Ht./15" spread, full, bushy to ground
7	(8)	RED YUCCA	Red Yucca	Hesperaloe parviflora	3 gallon, 24" Ht./12"-14" spread, bushy, full to ground
12	(9)	TEXAS SAGE	Texas Sage	Leucophyllum frutescens	5 gallon, 20"-24" Ht./18"-20" spread, full, bushy specimen
26	(10)	MUHLY GRASS	Muhly Grass	Muhlenbergia capillaris	3 gallon, 24" Ht./12"-14" spread, bushy, full to ground
TURF GRASS					
13,780	(11)	S.F. GRASS	Bermuda Grass	Cynodon dactylon	Solid sod
GROUNDCOVER / MISCELLANEOUS					
90	(12)	EUONYMUS	Wintercreeper Euonymus	Euonymus fortunei 'Coloratus'	4" pots (Quantity as shown on plan)
735	(13)	LIRIOPE	Liriope	Liriope muscari 'Big Blue'	4" pots (Quantity as shown on plan)
1,031 L.F.	(14)		Ryerson steel edge		

ALL LANDSCAPE BEDS SHALL BE EXCAVATED 2" IN DEPTH AND SOIL REMOVED, THEN FILLED WITH 2" OF "PROFESSIONAL BEDDING SOIL" FROM LIVING EARTH TECHNOLOGY AND TILLED TO THE DEPTH OF 4".

ALL LANDSCAPE BEDS AND TREE WELLS SHALL RECEIVE A TOP DRESSING OF 2" DEEP "FINE SHREDDED HARDWOOD MULCH" FROM LIVING EARTH TECHNOLOGY.

LARGE TREES					
QUANTITY	SYMBOL	CALLOUT	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION
4	(15)	BUR OAK	Bur Oak	Quercus macrocarpa	8" caliper, 10'-12" Ht./ 5'-6" spread, B&B, straight trunk
2	(16)	CHINKAPIN OAK	Chinkapin Oak	Quercus muhlenbergii	8" caliper, 10'-12" Ht./ 5'-6" spread, B&B, straight trunk
4	(17)	LIVE OAK	Live Oak	Quercus virginiana	8" caliper, 10'-12" Ht./ 5'-6" spread, B&B, straight trunk

ORNAMENTAL TREES					
QUANTITY	SYMBOL	CALLOUT	COMMON NAME	SCIENTIFIC NAME	SIZE AND CONDITION
6	(18)	GRAPE MYRTLE CHEROKEE	Cherokee Grape Myrtle	Lagerstroemia indica 'Cherokee'	1" caliper per trunk, 3 trunk minimum, 8" Ht./5" spread, 30 gallon container, specimen
8	(19)	GRAPE MYRTLE MUSKOGEE	Muskogee Grape Myrtle	Lagerstroemia indica 'Muskogee'	1" caliper per trunk, 3 trunk minimum, 8" Ht./5" spread, 30 gallon container, specimen
17	(20)	MEXICAN PLUM	Mexican Plum	Prunus mexicana	1 1/2" caliper, 7' Ht./4' spread, 30 gallon container, specimen.
7	(21)	OKLAHOMA RED BUD	Oklahoma Red Bud	Cercis canadensis 'Oklahoma'	1 1/2" caliper, 7' Ht./4' spread, 30 gallon container, specimen.

MURPHY LANDSCAPE TABULATIONS	
REQUIRED LANDSCAPE AREA	
A MINIMUM 20% OF THE TOTAL AREA OF THE LOT SHALL BE LANDSCAPED.	
TOTAL LOT AREA = 47,689 S.F.	
20% LANDSCAPE AREA REQUIRED (47,689 x 20%) =	9,538 S.F.
LANDSCAPE AREA PROVIDED	19,250 S.F.
LANDSCAPE BUFFERS	
FRONT PROPERTY ADJACENT TO FM 544 - 25' STREET BUFFER REQUIRED WITH 1 LARGE SHADE TREE AND 4 ORNAMENTAL TREES SHALL BE REQUIRED PER 50' LINEAR FEET.	
25' STREET BUFFER REQUIRED - LENGTH 280.67'	
25' STREET BUFFER PROVIDED	
LARGE SHADE TREES REQUIRED (280.67 / 50 = 5.6)	6 TREES
LARGE SHADE TREES PROVIDED	6 TREES
ORNAMENTAL TREES REQUIRED (280.67 / 50 = 5.6 OR 6 x 4 =)	24 TREES
ORNAMENTAL TREES PROVIDED	24 TREES
SIDE & BACK PROPERTY LINE - 5' BUFFER REQUIRED WITH 4' TALL EVERGREEN LANDSCAPE SCREEN	
5' LANDSCAPE BUFFER PROVIDED	
4' TALL EVERGREEN SCREEN SHRUB REQUIRED	
4' TALL EVERGREEN SCREEN SHRUB PROVIDED	
PARKING LOT LANDSCAPE	
A TOTAL OF 5 PERCENT OF THE INTERIOR OF THE ENTIRE PARKING LOT SHALL BE LANDSCAPED. ONE LARGE TREE OR THREE ORNAMENTAL TREES SHALL BE PROVIDED PER EACH 10 PARKING SPACES. THERE SHALL BE NO PARKING SPACES MORE THAN 60' OF EVERY PARKING SPACE.	
TOTAL PARKING LOT AREA = 26,508 S.F.	
5% LANDSCAPE AREA REQUIRED (26,508 x 5% =)	1,325 S.F.
PARKING LANDSCAPE AREA PROVIDED	+2,253 S.F.
PARKING SHADE TREES REQUIRED (53 SPACES / 10 = 5.3)	6 TREES
PARKING SHADE TREES PROVIDED	6 TREES

SIGN NOTE
ALL SIGNAGE MUST BE APPROVED BY BUILDING INSPECTION. LOCATIONS SHOWN ON THIS PLAN DO NOT INDICATE APPROVAL.

ALL LANDSCAPE AREAS TO RECEIVE UNDERGROUND AUTOMATIC IRRIGATION

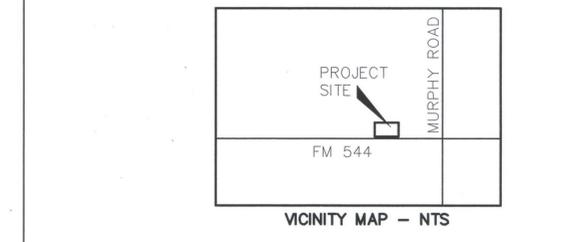
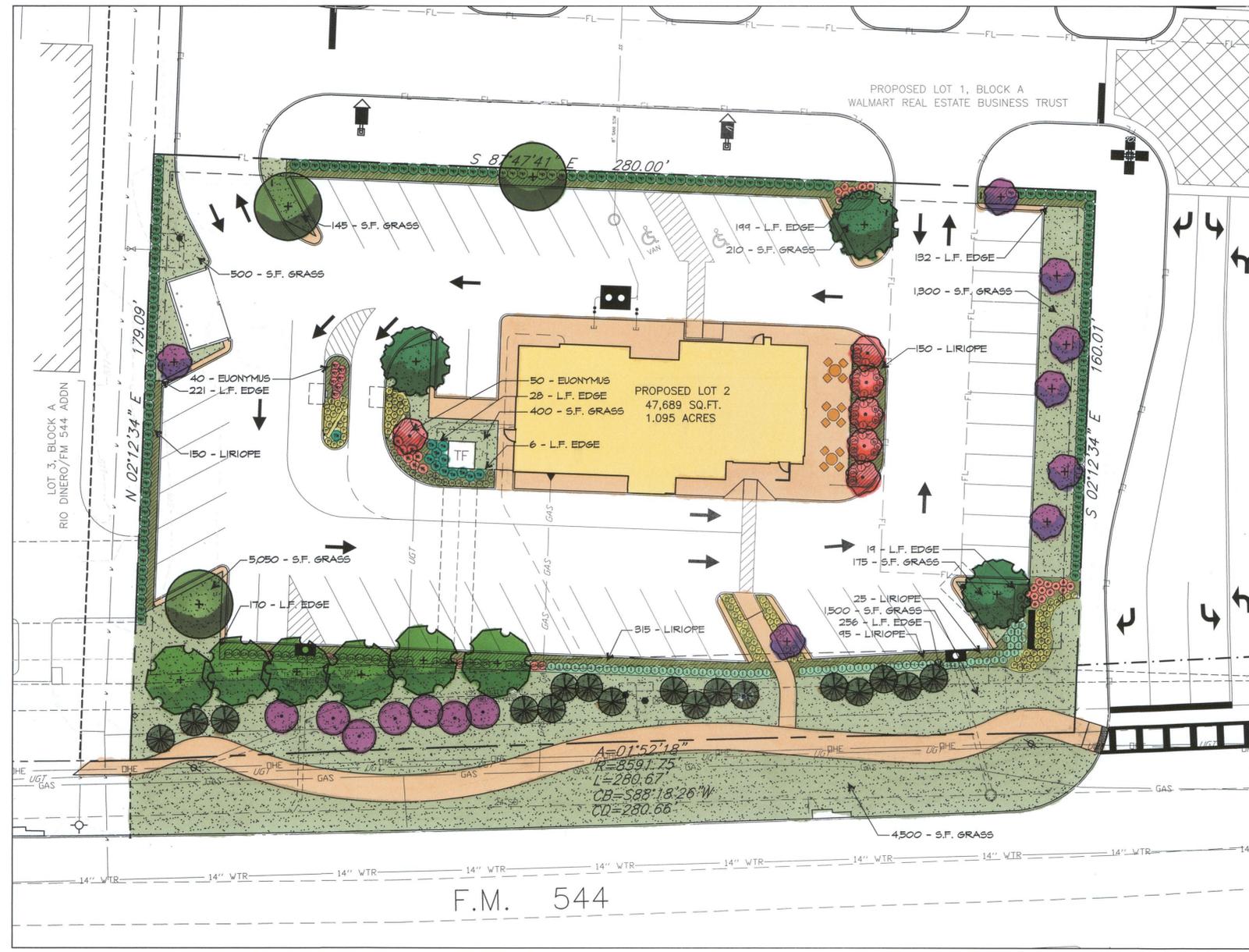
STANDARD CITY OF LAKE WORTH NOTES

INSTALLATION AND MAINTENANCE

1. THE OWNER, TENANT AND / OR THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE, BUT NOT LIMITED TO, MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS, AND OTHER SUCH MATERIAL OR PLANTS NOT A PART OF THE LANDSCAPING. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE WITHIN 90 DAYS. TREES WITH A TRUNK DIAMETER IN EXCESS OF SIX INCHES MEASURED FOUR FEET ABOVE THE GROUND MAY BE REPLACED WITH ONES OF SIMILAR VARIETY HAVING A TRUNK DIAMETER OF NO LESS THAN THREE INCHES MEASURED FOUR FEET ABOVE THE GROUND ON A CALIPER-INCH BASIS. (E.G., FOR A SIX-INCH TREE, TWO THREE-INCH REPLACEMENT TREES SHALL BE REQUIRED). A TIME EXTENSION MAY BE GRANTED BY THE CITY MANAGER OR HIS DESIGNEE, IF SUBSTANTIAL EVIDENCE IS PRESENTED TO INDICATE ABNORMAL CIRCUMSTANCES BEYOND THE CONTROL OF THE OWNER OR HIS AGENT.

2. IT SHALL BE THE DUTY OF ANY PERSON OR PERSONS OWNING OR OCCUPYING REAL PROPERTY BORDERING ON ANY STREET TO PRUNE TREES NEXT TO THE STREET IN SUCH MANNER THAT THEY WILL NOT OBSTRUCT OR SHADE THE STREET LIGHTS, OBSTRUCT THE PASSAGE OF PEDESTRIANS ON SIDEWALKS, OBSTRUCT VISION OF TRAFFIC SIGNS, OR OBSTRUCT THE VIEW FROM ANY STREET OR ALLEY INTERSECTION (SEE VISIBILITY REQUIREMENTS IN DIVISION 5 OF THIS ARTICLE). THE MINIMUM CLEARANCE OF ANY PORTION OF A TREE OVERHANGING PUBLIC STREET RIGHT-OF-WAY SHALL BE 14 FEET, AND OVERHANGING A PUBLIC SIDEWALK SHALL BE EIGHT FEET.

3. FAILURE TO MAINTAIN ANY LANDSCAPE AREA IN COMPLIANCE WITH THIS SECTION IS CONSIDERED A VIOLATION OF THIS DIVISION AND MAY BE SUBJECT TO PENALTIES.



SCALE: 1" = 20'-0"

#	Revisions:	Date:

Grubbs Design Group
Landscape Architecture - Construction Management

STATE OF TEXAS
JOE D. GRUBBS
1713
REGISTERED
LANDSCAPE ARCHITECT

WENDY'S INTERNATIONAL, INC.
117 WEST FM 544
Murphy, Texas

Issued For:
CONSTRUCTION
Job No.
12128.00
Scale
1" = 20'-0"
Drawn By:
JDS
Date
12-21-2012

Sheet Title:
Landscape Plan
Sheet Number:
L1
of L1 Sheets



Wendy's®

PM design
group
Architects
 710 E. PARK BOULEVARD
 SUITE 108
 PLANO, TEXAS 75074

**LOT 2, BLOCK A, WALMART ADDITION
 NWC FM 544 and MURPHY ROAD**

OWNER: WENDY'S INTERNATIONAL 8000 FREEPORT FERRYWAY IRVING, TX 75063 CONTACT: WALTER BOYD (972) 941-8818	CIVIL ENGINEER: MALSAFEE ENGINEERING, INC. 2821 WEST 7TH STREET SUITE 400 FORT WORTH, TX 76107 CONTACT: PAUL PAGLIA (817) 265-2080	ARCHITECT: PM DESIGN GROUP, INC. 101 EAST PARK BOULEVARD SUITE 108 PLANO, TX 75074 CONTACT: DEREK LAWFORD (972) 488-0084
--	---	---

DATE: DECEMBER 27, 2012



PM design
group
 Architects
 710 E. PARK BOULEVARD
 SUITE 100
 PLANO, TEXAS 75074

Wendy's®

**LOT 2, BLOCK A, WALMART ADDITION
 NWC FM 544 and MURPHY ROAD**

OWNER:

WENDY'S INTERNATIONAL
 8600 FREEPORT PARKWAY
 IRVING, TX 75063
 CONTACT: WALTER BOYD
 (972) 541-5516

CIVIL ENGINEER:

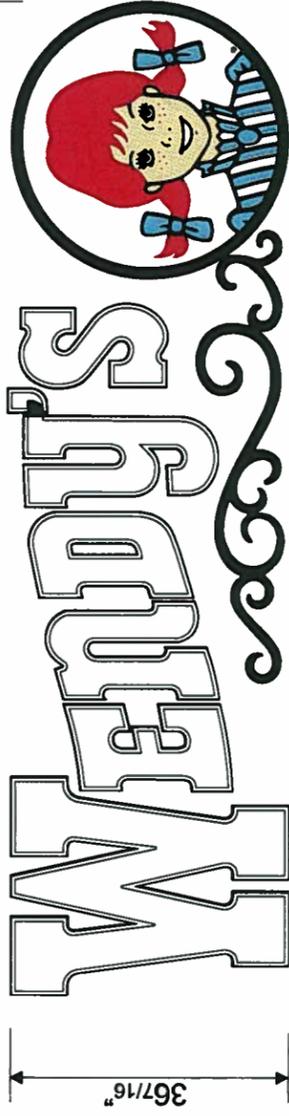
MULTITECH ENGINEERING, INC.
 2821 WEST 7TH STREET
 SUITE 400
 FORT WORTH, TX 76107
 CONTACT: PAUL PADILLA
 (817) 289-2060

ARCHITECT:

PM DESIGN GROUP, INC.
 101 EAST PARK BOULEVARD
 SUITE 100
 PLANO, TX 75074
 CONTACT: DEREK LANGFORD
 (972) 499-8064

DATE: DECEMBER 27, 2012

10'-10 1/4"



36 7/16"

POWER SUPPLY 1
"W.E.N." letters
60-12D-A
.65 Amp 120V AC

POWER SUPPLY 2
"D.Y.S." letters
60-12D-A
.65 Amp 120V AC

POWER SUPPLY 3
"CAMEO"
60-12D-A
.65 Amp 120V AC

ALL WIRING MEETS NEC2008 SPECIFICATIONS.
SIGN TO BE WIRED TO A STANDARD 120VOLT / 20AMP CIRCUIT.
COMPLETE SIGN PULLS A TOTAL OF (2.65)AMPS

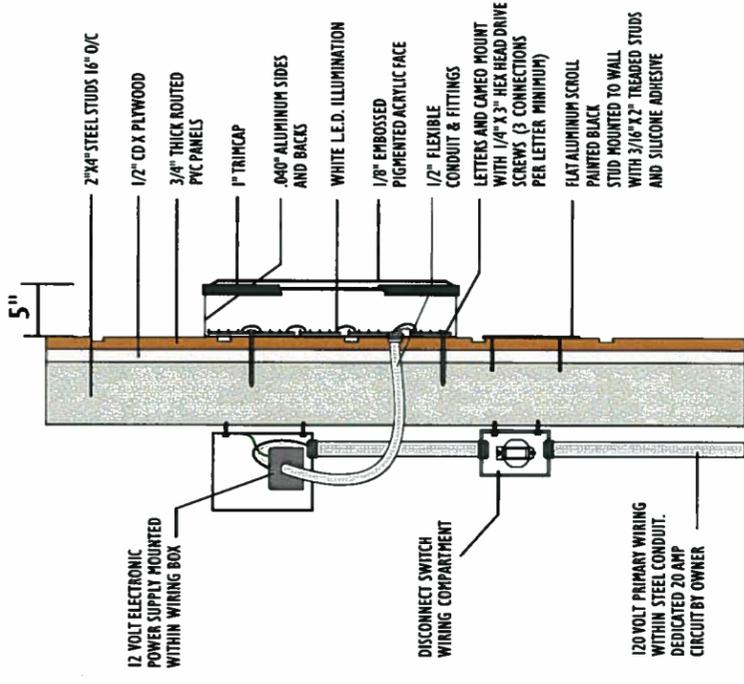
PLEX FACE CHANNEL LETTERS

(2) SETS REQUIRED.
* INSTALL ONLY

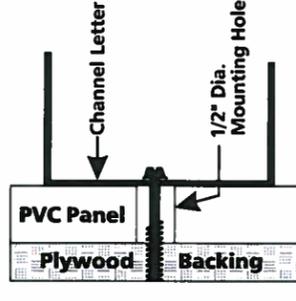
Scale: 1/2" = 1'-0"

CHANNEL LETTERS

MODEL U1201-36NR-WHT-RC
(TOTAL AMPERAGE: 2 AMPS)



LED CHANNEL LETTERS / FLUSH MOUNTED SECTION / MOUNTING DETAILS



When mounting Channel Letters to a PVC Panel surface, drill 1/2" diameter holes through the PVC panel for each mounting screw as indicated on the installation pattern. This oversized hole allows for expansion and contraction of the panel behind the raceway.

Backers = 24" or 36" long steel angle iron (1/2" x 1/2" min.)

SQUARE FOOTAGE	MOUNTING SURFACE									
	WOOD	SHEET METAL	BRICK	CONCRETE BLOCK	CONCRETE	DRYWIT / EIFS	STUCCO OVER WIRE MESH	DRYWIT / EIFS	CONCRETE BLOCK	CONCRETE
UNDER 10 SQ. FT.	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer
10 SQ. FT. TO 50 SQ. FT.	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer
50 SQ. FT. TO 100 SQ. FT.	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer
100 SQ. FT. TO 200 SQ. FT.	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer
OVER 200 SQ. FT.	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer	2" TRIM BOLTS w/ 2" depth hole backer

INSTALLATION REQUIREMENTS for all signs unless specified otherwise on individual sign specifications. Attention from this criteria without written approval from Accent Graphics is strictly forbidden. * All field-installed signs are to be engineered for local conditions by a licensed and registered engineer.

NOTE:
ACCESS REQUIRED FOR ELECTRICAL & INSTALLATION

DATE	REVISIONS	NAME

DATE	AUTHORIZATION
	CLIENT
	ACCOUNT EXECUTIVE
	LANDLORD

This drawing is the exclusive property of Accent Graphics, Inc. and is the result of the original work of its employees. The plans are provided to your company for the sole purpose of considering the purchase of a sign manufactured by Accent Graphics, Inc. based on these plans. OR, the purchase of the plans and design concepts contained therein for manufacture elsewhere. Distribution or exhibition of the plans by others outside of your company or the use of the plans by others to manufacture or design a similar sign as displayed in the plans is expressly forbidden. In the event that such exhibition occurs, Accent Graphics will expect payment of a minimum \$2000 design fee in recompense for the time and effort entailed to produce the plans.

CLIENT: WENDY'S STORE # _____

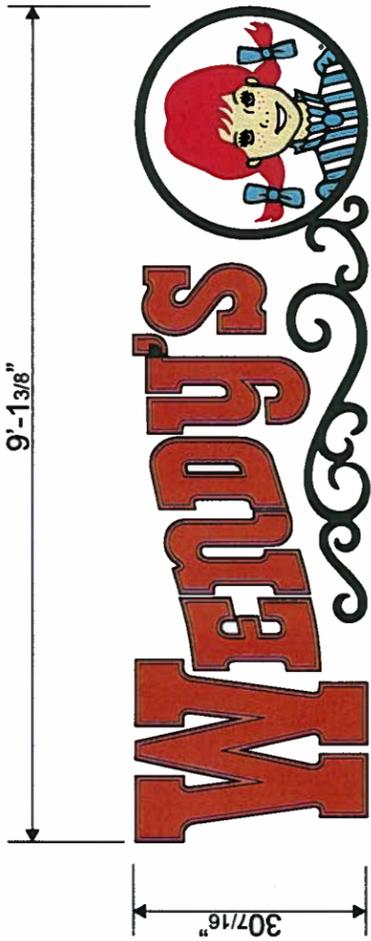
INSTALLATION ADDRESS: 117 W. FM 544 MURPHY, TX

DESIGNER: KN ACCOUNT EXECUTIVE: STEVEN MORRIS

DATE: 12-19-12 SHEET 1 OF 9 DESIGN # 12-438 6 1/2

Gerber FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Production\Jobs\ Corel FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Drawings\12-438 N/A

accent signs graphics
 COMPLETE SIGN SERVICE & FABRICATION
 TOLL FREE (800) 810-3044
 523 E. ROCK ISLAND METRO (972) 399-0333
 GRAND PRAIRIE, TX 75050 (972) 986-4456
 EMAIL: steven@accentgraphicsinc.com WEBSITE: www.accentgraphicsinc.com
 (800) 810-3045



POWERSUPPLY 1
"W.E.N.D.Y.'S" letters
60-12D-A
.65Amp 120V AC

256-348BALLAST
"Camtec"
1.35AMPS 120VAC

ALL WIRING MEETS NEC2008 SPECIFICATIONS.
SIGN TO BE WIRED TO A STANDARD 120VOLT/20AMP CIRCUIT.
COMPLETE SIGN PULLS A TOTAL OF (2)AMPS

PLEX FACE CHANNEL LETTERS

(2) SETS REQUIRED.
* INSTALL ONLY

Scale: 1/2" = 1'-0"

INSTALLATION REQUIREMENTS for all signs unless specified otherwise on individual sign specifications.
* Variation from this criteria without written approval from Accent Graphics is strictly forbidden.
* All measuring signs are to be engineered for local conditions by a licensed and registered engineer.

SQUARE FOOTAGE	MOUNTING SURFACE					
	WOOD	SHEET METAL	BRICK	CONCRETE BLOCK	DRYWIT / METAL	STUCCO OVER WIRE MESH
UNDER 10 SQ. FT.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.
10 SQ. FT. TO 50 SQ. FT.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.
50 SQ. FT. TO 100 SQ. FT.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.
100 SQ. FT. TO 200 SQ. FT.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.
OVER 200 SQ. FT.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.	2" THRU BOLTS w/ 2" angle iron hanger. Min. area of (1) 3" x 3" hole per sq. ft. to be drilled.

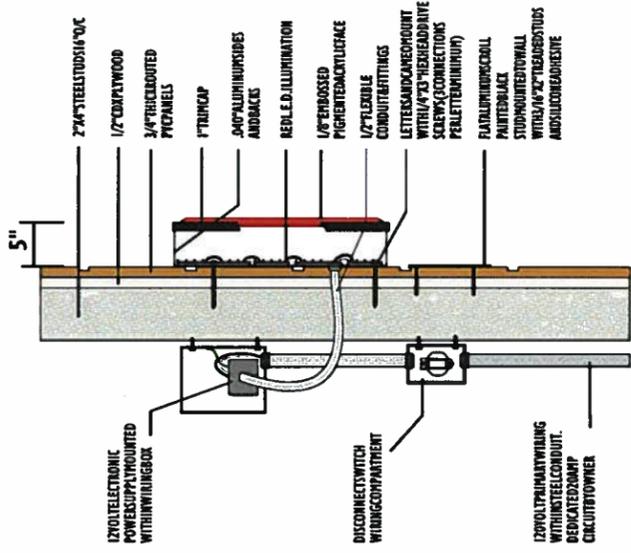
DATE	REVISIONS	NAME	AUTHORIZATION

CLIENT: WENDY'S
 INSTALLATION ADDRESS: 117 W. FM 544 MURPHY, TX
 DESIGNER: KN ACCOUNT EXECUTIVE: STEVEN MORRIS
 DATE: 12-19-12 SHEET 2 OF 9 DESIGN # 12-438
 Gerber FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Production\Jobs\ N/A
 Corel FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Drawings\12-438

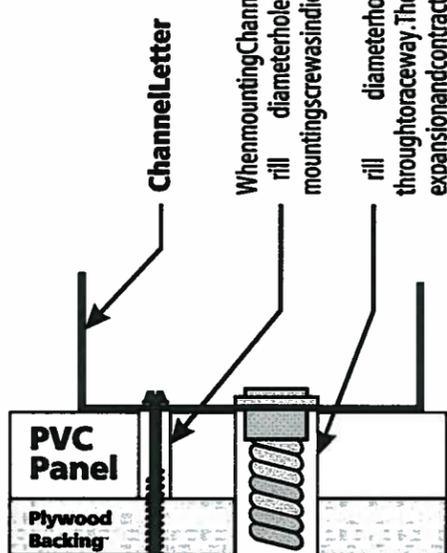
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Regulated by the Texas Department of Licensing and Regulation P. O. Box 12157, Austin, TX 78711 Tel: 512.463.6599 Online: http://www.license.state.tx.us/complaints State of Texas Contractor #18050

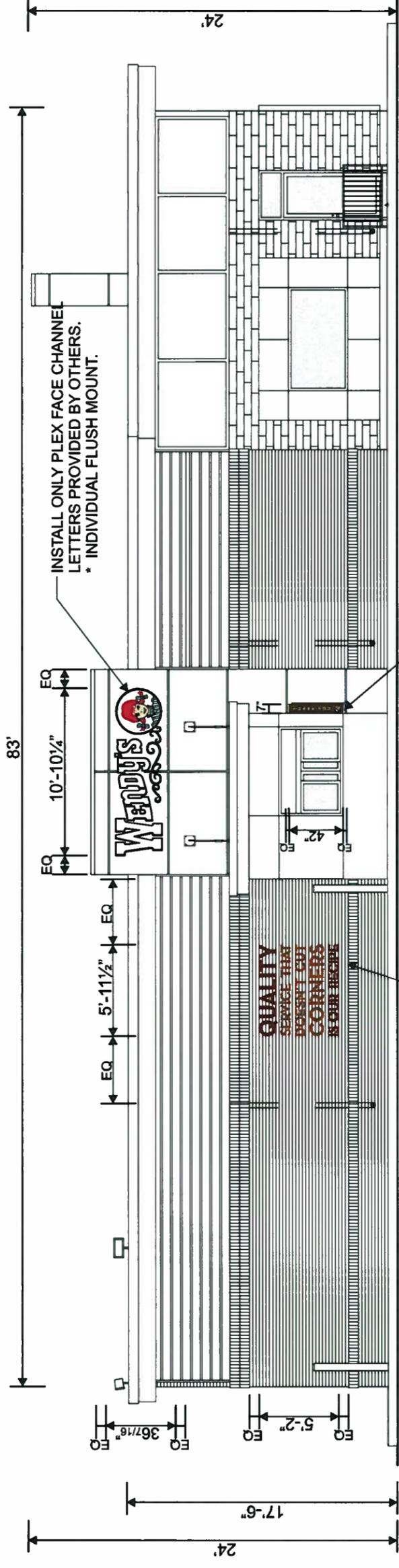
CHANNEL LETTERS
 MODEL U1201-30NR-RC
 (TOTAL AMPERAGE: 2AMPS)



LED CHANNEL LETTERS / FLUSH MOUNTED SECTION / MOUNTING DETAILS



When mounting Channel Letters to a PVC Panel surface: drill diameter holes through the PVC panel for each mounting screw as indicated on installation pattern.
 1/4" diameter holes for the electrical conduit to pass through or away. These oversized holes allow for expansion and contraction of the PVC panel.

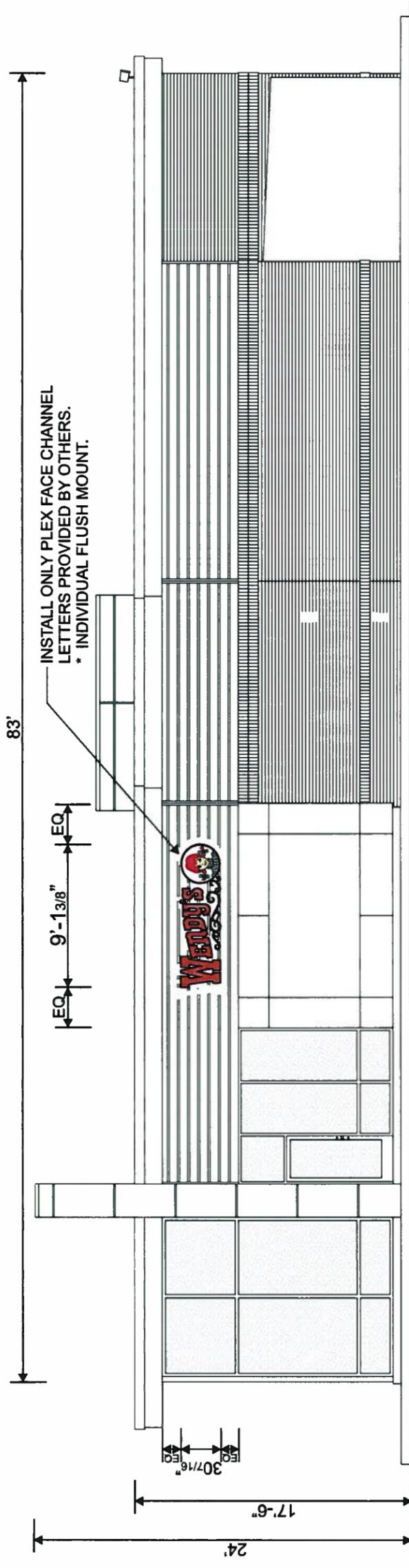


INSTALL ONLY FCO LETTERS PROVIDED BY OTHERS.
* INDIVIDUAL FLUSH MOUNTED WITH STUDS.

INSTALL ONLY PLEX FACE CHANNEL LETTERS PROVIDED BY OTHERS.
* INDIVIDUAL FLUSH MOUNT.

SOUTH ELEVATION - LEFT SIDE

Scale: 1/8" = 1'-0"



INSTALL ONLY PLEX FACE CHANNEL LETTERS PROVIDED BY OTHERS.
* INDIVIDUAL FLUSH MOUNT.

NORTH ELEVATION - RIGHT SIDE

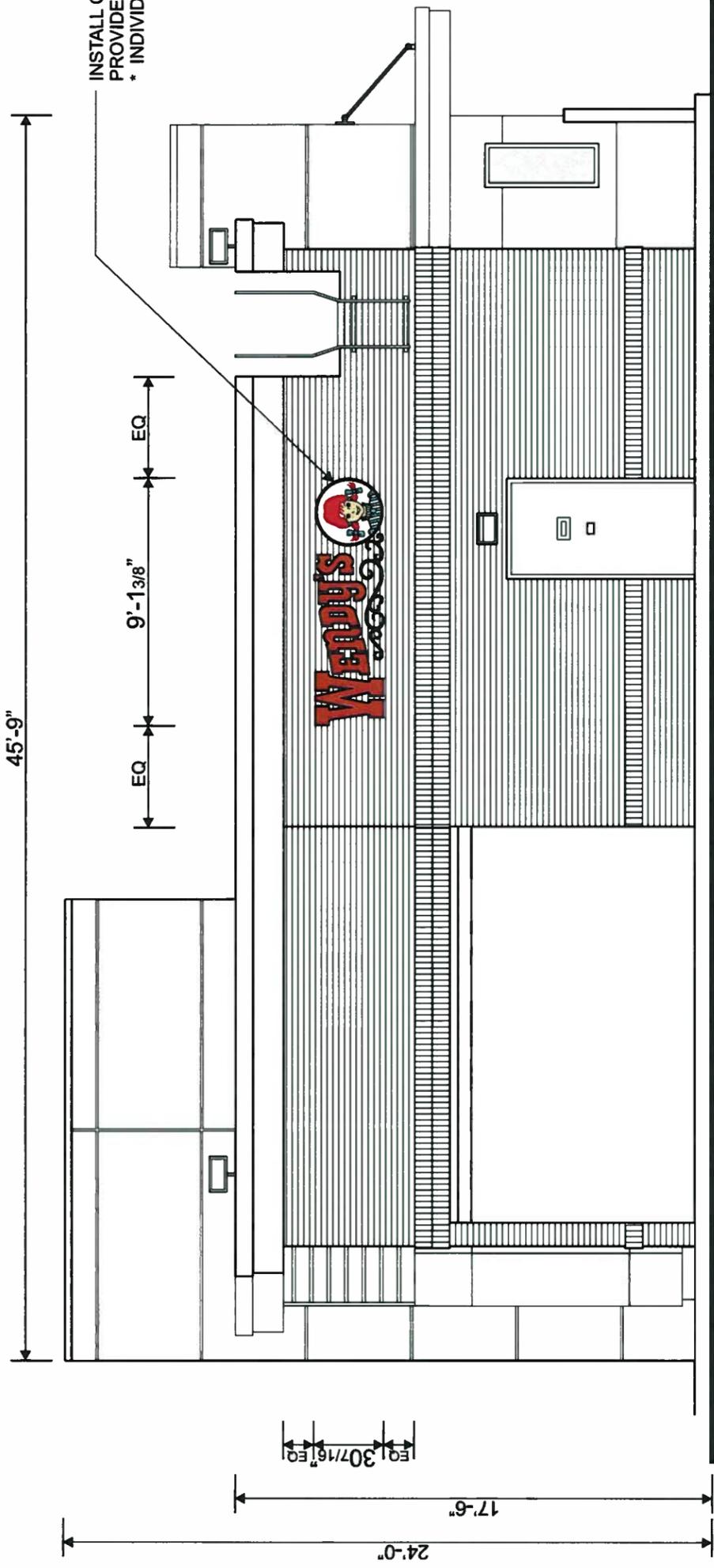
Scale: 1/8" = 1'-0"

DATE	REVISIONS	NAME	AUTHORIZATION
		CLIENT	DATE
		ACCOUNT EXECUTIVE	DATE
		TANLORD	DATE
		ALL CHANGES MUST BE INITIALED BY CLIENT AND ACCOUNT EXECUTIVE ON FINAL APPROVED PRINT.	

This drawing is the exclusive property of Accent Graphics, Inc. and is the result of the original work of its employees. The plans are provided to your company for the sole purpose of considering the purchase of a sign manufactured by Accent Graphics, Inc. based on these plans. OR, the purchase of the plans and design concepts contained therein for manufacture elsewhere. Distribution or exhibition of the plans to anyone outside of your company or the use of the plans by others to manufacture or design a similar sign as displayed in the plans is expressly forbidden. In the event that such exhibition occurs, Accent Graphics will expect payment of a minimum \$2000 design fee in recompense for the time and effort entailed to produce the plans.

CLIENT	WENDY'S	STORE #	
INSTALLATION ADDRESS	117 W. FM 544		MURPHY, TX
DESIGNER	KN	ACCOUNT EXECUTIVE	STEVEN MORRIS
DATE	12-19-12	SHEET	4 OF 9 DESIGN # 12-438
Gerber FILE	= 1-2012-Jobs\Wendys\TX-Murphy-FM544\Production\Jobs\ N/A		
Corel FILE	= 1-2012-Jobs\Wendys\TX-Murphy-FM544\Drawings\12-438		

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 FAX (972) 986-4456
 EMAIL steven@accentgraphicsinc.com
 WEBSITE www.accentgraphicsinc.com



WEST ELEVATION - REAR

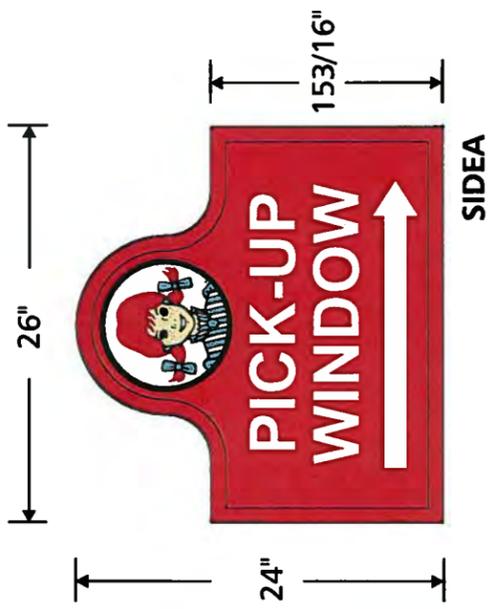
Scale: 3/16" = 1'-0"

DATE	REVISIONS	NAME	AUTHORIZATION
		CLIENT	DATE
		ACCOUNT EXECUTIVE	DATE
		LANDLORD	DATE
		ALL CHANGES MUST BE INITIALED BY CLIENT AND ACCOUNT EXECUTIVE ON FINAL APPROVED PRINT.	

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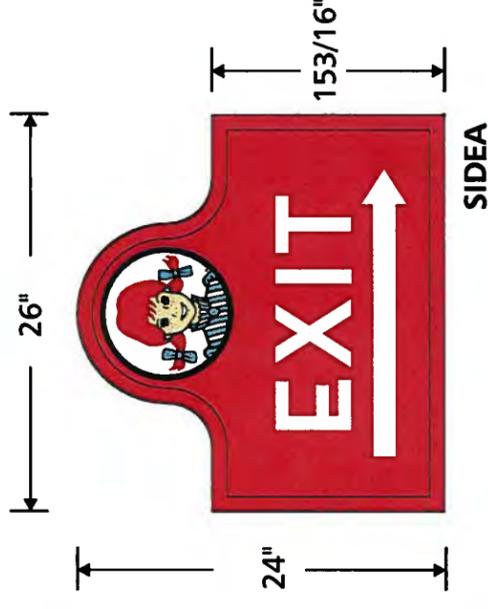
CLIENT WENDY'S STORE # _____
 INSTALLATION ADDRESS 117 W. FM 544 MURPHY, TX
 DESIGNER KN ACCOUNT EXECUTIVE STEVEN MORRIS
 DATE 12-19-12 SHEET 6 OF 9 DESIGN # 12-438
 Gerber FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Production\Jobs\ N/A
 Corel FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Drawings\12-438

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**DOUBLE FACE DIRECTIONAL SIGN
"PICK-UP WINDOW"**

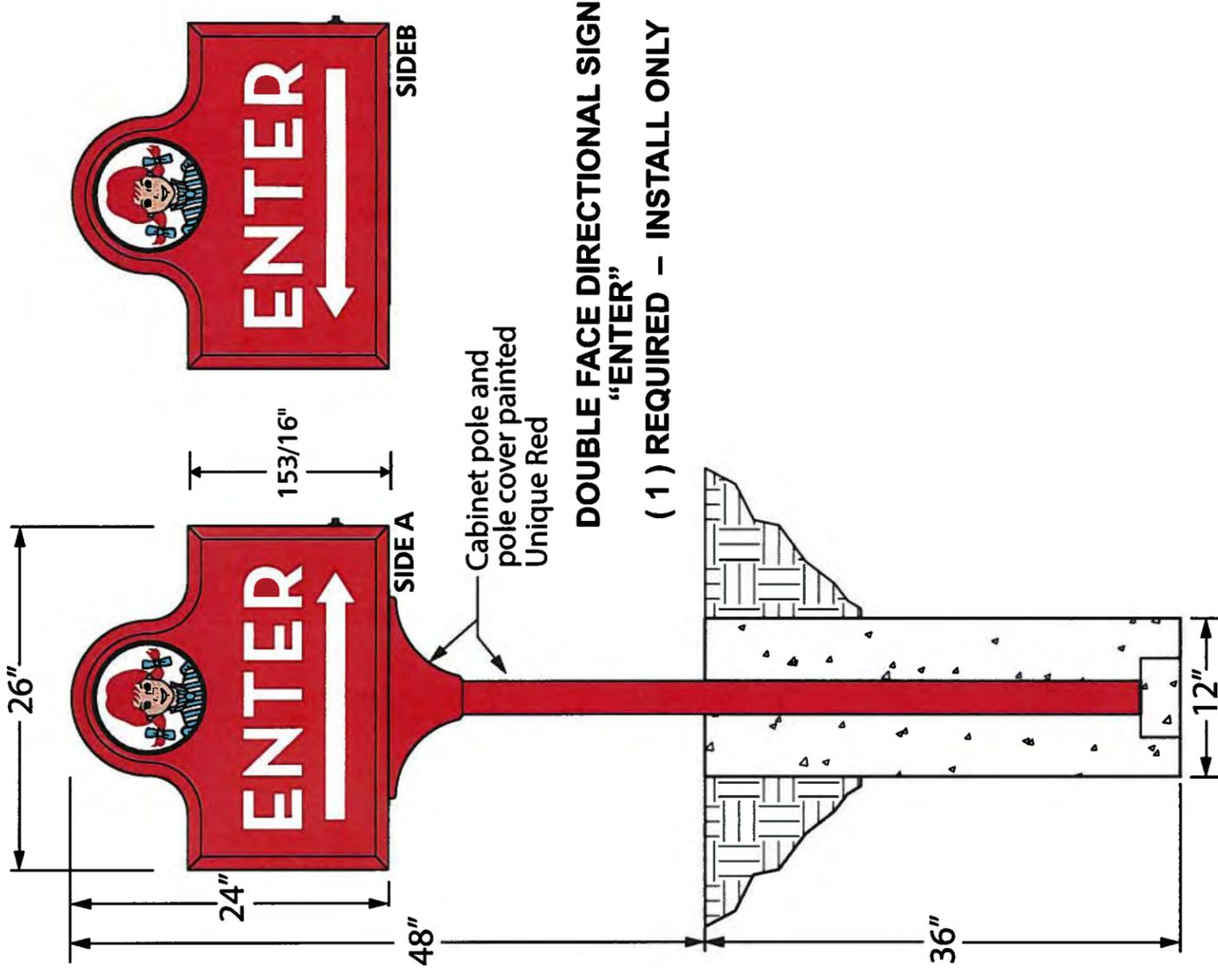
(1) REQUIRED – INSTALL ONLY



**DOUBLE FACE DIRECTIONAL SIGN
"EXIT"**

(2) REQUIRED – INSTALL ONLY

**ILLUMINATED DOUBLE FACE DIRECTIONAL SIGNS
(4) REQUIRED * INSTALL ONLY**



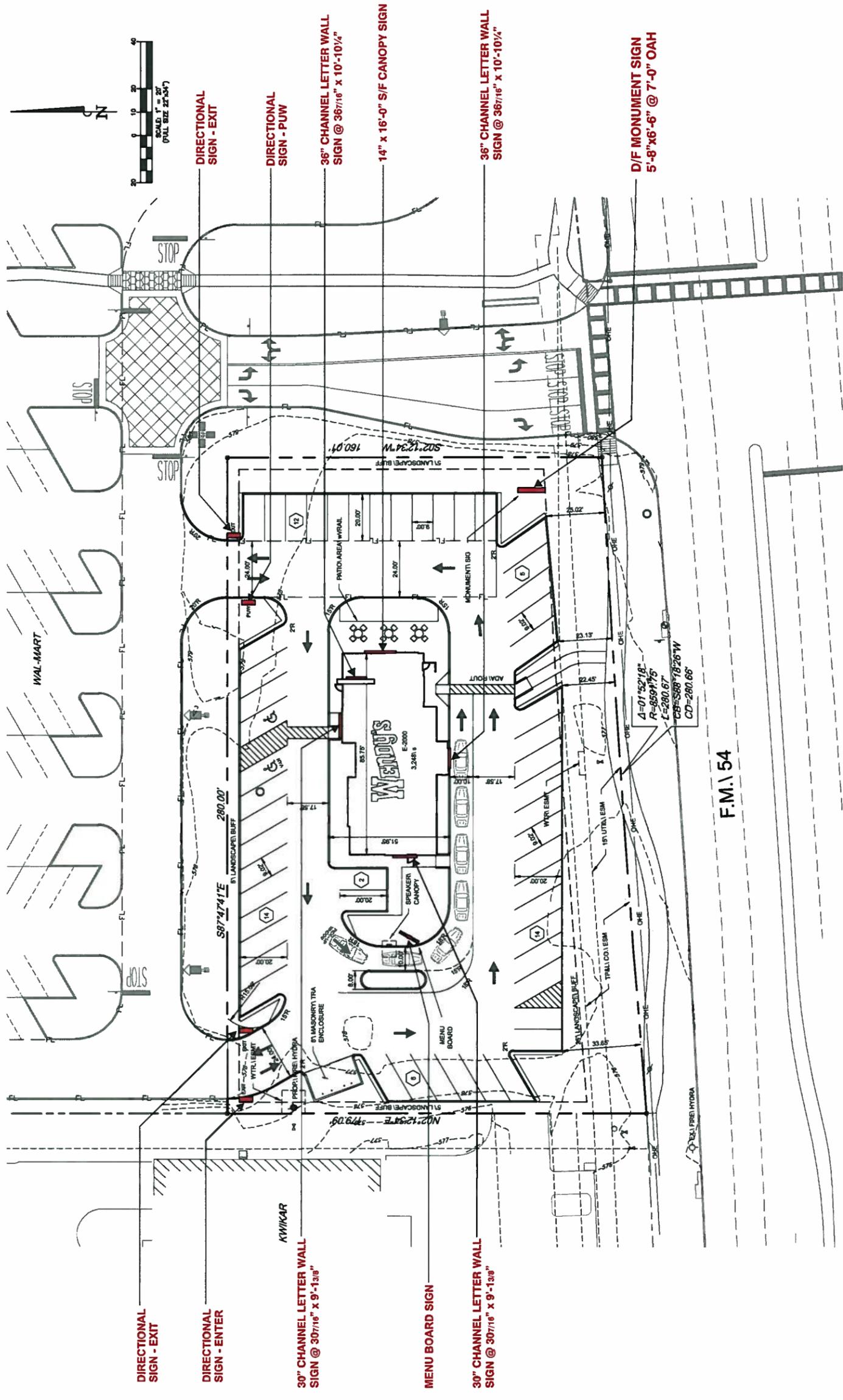
**DOUBLE FACE DIRECTIONAL SIGN
"ENTER"
(1) REQUIRED – INSTALL ONLY**

DATE	REVISIONS	NAME	AUTHORIZATION

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CLIENT: WENDY'S STORE # _____
 INSTALLATION ADDRESS: 117 W. FM 544 MURPHY, TX _____
 DESIGNER: KN ACCOUNT EXECUTIVE: STEVEN MORRIS
 DATE: 12-19-12 SHEET 7 OF 9 DESIGN # 12-438
 Gerber FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Production\Jobs\ N/A
 Corel FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Drawings\12-438

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SITE PLAN

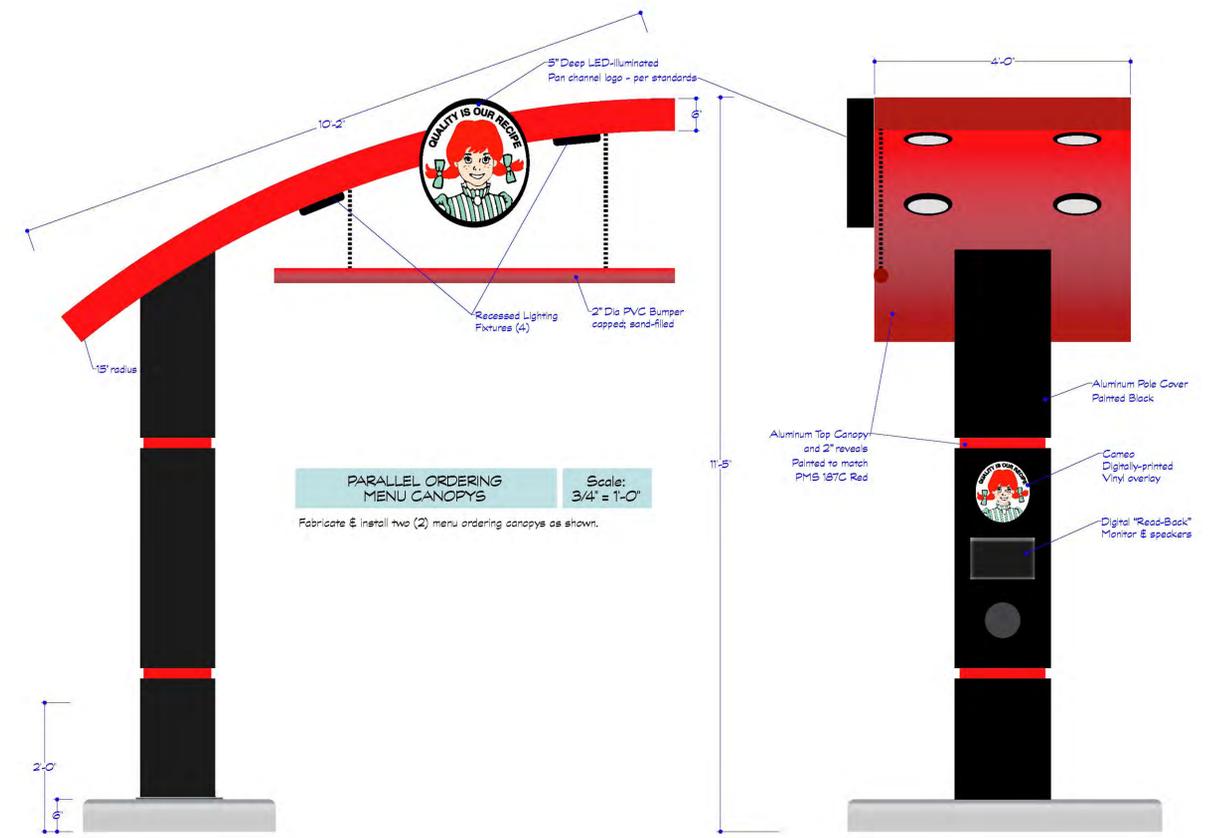
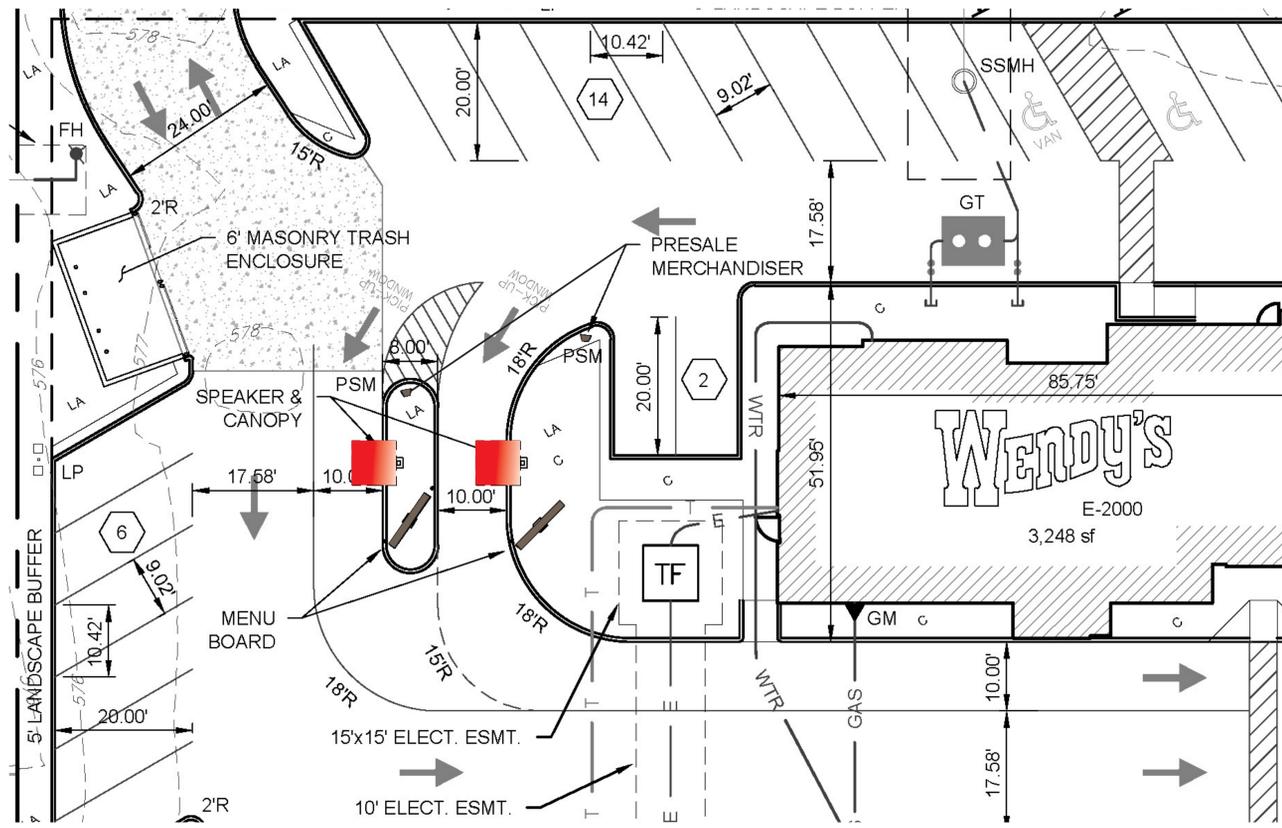
NTS

DATE	REVISIONS	NAME	AUTHORIZATION

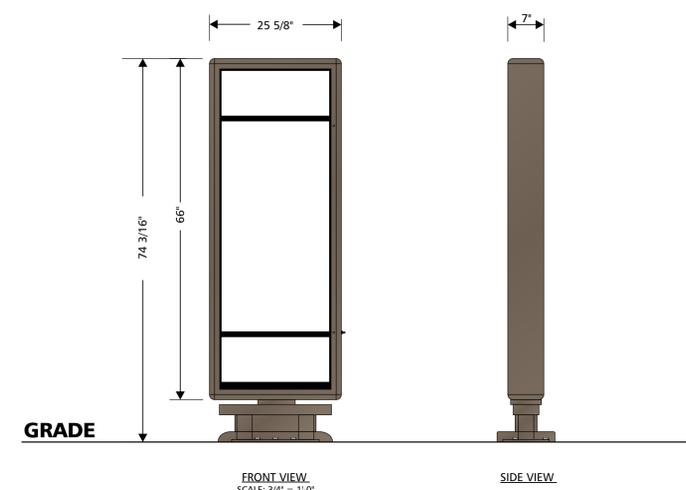
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CLIENT	WENDY'S	STORE #	
INSTALLATION ADDRESS	117 W. FM 544	MURPHY, TX	
DESIGNER	KN	ACCOUNT EXECUTIVE	STEVEN MORRIS
DATE	12-19-12	SHEET	9 OF 9 DESIGN # 12-438
Gerber FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Production\Jobs\			N/A
Corel FILE = 1-2012-Jobs\Wendys\TX-Murphy-FM544\Drawings\12-438			

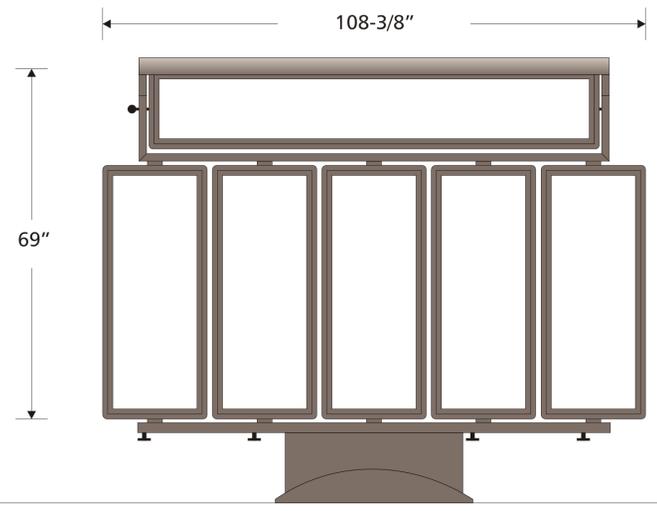
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 WEBSITE www.accentgraphicsinc.com



- EXTERIOR MATERIALS:**
- BRICK VENEER (B-1): BOWERSTON SHALE CO. "OLD ENGLISH" MODULAR GLEN-GERY "OLDE DETROIT" MODULAR OR BELDEN 560A "BELCREST" MODULAR
 - ALUMINUM COMPOSITE PANEL (ACM): ALCOA "REYNOLDBOND" PE CHW50 SYSTEM, 4MM COLOR: "BRITTE RED" OR ALUCOROND PVDF-3 COLOR: "RED FIRE COOL" OR APOLIC "WER" 4mm COLOR: WENDY'S RED/30 GLOSS.
 - PAINT (PEX-3): BENJAMIN MOORE "DEEP BRONZETONE" IRONCLAD ALKYD LOW LUSTRE ENAMEL (C163)
 - EXTERIOR TILE (T-1): CROSSVILLE SW-2, WOODGRAIN BLEND, 6"x26" BROWN. GROUT: MAPEI #42 "MOCHA"
 - EIFS (E-1): DRYIT OUTSULATION PLUS MD SYSTEM "LIMESTONE" FINISH. COLOR: 104 "DOVER SKY"
 - ALUMINUM STOREFRONT (F-1): KAWNEER "#40-DARK BRONZE" ANODIZED OR TUBELIGHT "DARK BRONZE" ANODIZED OR OLDECASTLE "DARK BRONZE" ANODIZED OR US ALUM. "#22-DARK BRONZE" ANODIZED
 - METAL TRIM / CAP (M-1): FACTORY FINISHED ALUMINUM COLOR: "DARK BRONZE"
 - 1" INSULATED GLASS (G-1): EXT. PANE: PPG "SOLARBAN 700L" 1/4" "SOLEDA" INT. PANE: 1/4" CLEAR w/ 54% LIGHT VISIBILITY
 - 1" SPANDREL GLASS (G-2): EXT. PANE: PPG "SOLARBAN 700L" 1/4" "SOLEDA" INT. PANE: 1/4" SOLAR BRONZE WITH BLACK FILM BACKING.
 - CORRUGATED METAL SIDING (M-2): 8" RB, 20 GAUGE CORRUGATED METAL PANELING FACTORY FINISH COLOR: "EXTRA DARK BRONZE" MANUFACTURED BY CORRUGATED METAL
 - WALK-IN COOLER (PEX-7): INTERNATIONAL COLD STORAGE COLOR: "CHOCOLATE BROWN"



EXTERIOR MENU BOARD (PRE-SELL)
MODEL U0802 RM1700 PRE-SELL



EXTERIOR MENU BOARD
MODEL U0802-RM5200

- MATERIALS CALCULATIONS:**
- SOUTH (LEFT) SIDE ELEVATION:**
- TOTAL SF = 1,561
 - METAL TRIM/FASCIA = 156 = 10%
 - CORRUGATED METAL SIDING = 245 = 16%
 - ACM METAL SIDING = 174 = 11%
 - BRICK MASONRY = 523 = 33%
 - TILE = 120 = 8%
 - EIFS = 145 = 9%
 - GLAZING (D+W) = 198 = 13%
 - SIGNAGE = 63 SF
- NORTH (RIGHT) SIDE ELEVATION:**
- TOTAL SF = 1,525
 - METAL TRIM/FASCIA = 161 = 11%
 - CORRUGATED METAL SIDING = 303 = 20%
 - ACM METAL SIDING = 52 = 3%
 - BRICK MASONRY = 467 = 31%
 - EIFS = 157 = 10%
 - GLAZING (D+W) = 279 = 18%
 - COOLER = 106 = 7%
 - SIGNAGE = 32 SF
- WEST (REAR) ELEVATION:**
- TOTAL SF = 945
 - METAL TRIM/FASCIA/DOOR = 109 = 12%
 - CORRUGATED METAL SIDING = 11 = 1%
 - ACM METAL SIDING = 194 = 20%
 - BRICK MASONRY = 419 = 44%
 - EIFS = 64 = 7%
 - GLAZING (W) = 7 = 1%
 - COOLER = 141 = 15%
 - SIGNAGE = 0 SF
- EAST (FRONT) ELEVATION:**
- TOTAL SF = 958
 - METAL TRIM/FASCIA = 83 = 9%
 - CORRUGATED METAL SIDING = 28 = 3%
 - ACM METAL SIDING = 237 = 25%
 - BRICK MASONRY = 60 = 6%
 - TILE = 81 = 8%
 - EIFS = 81 = 8%
 - GLAZING (W) = 388 = 41%
 - SIGNAGE = 45 SF



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

OWNER: WENDY'S INTERNATIONAL, 8600 FREEPORT PARKWAY, IRVING, TX 75063, CONTACT: WALTER BOYD (972) 541-5516

CIVIL ENGINEER: MULTITECH ENGINEERING, INC., 2821 WEST 7TH STREET, SUITE 400, FORT WORTH, TX 76107, CONTACT: PAUL PADILLA (817) 289-2060

ARCHITECT: PM DESIGN GROUP, INC., 101 EAST PARK BOULEVARD, SUITE 108, PLANO, TX 75074, CONTACT: DEREK LANGFORD (972) 499-8084

SCALE: 1/4" = 1'-0"

DATE: JANUARY 16, 2013

ORDINANCE NO. 12-02-905

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 AMENDING AN EXISTING PLANNED DEVELOPMENT DISTRICT FOR RETAIL USES ON AN APPROXIMATELY 24.09 ACRE TRACT OF LAND SITUATED IN THE GEORGE H. PEGUES SURVEY, ABSTRACT NO 699, 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, APPROVING PLANNED DEVELOPMENT STANDARDS ATTACHED HERETO AS EXHIBIT "B", APPROVING A CONCEPT PLAN ATTACHED HERETO AS EXHIBIT "C", APPROVING A LANDSCAPE PLAN ATTACHED HERETO AS EXHIBIT "D", AND APPROVING A SIGNAGE PLAN ATTACHED HERETO AS EXHIBIT "E"; PROVIDING A SEVERABILITY CLAUSE, A CUMULATIVE/ REPEALER CLAUSE, A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 00-10-504, adopted on October 16, 2000, changed the zoning for the property described in this ordinance from LC/R (Light Commercial/Retail) District to TC (Town Center) District; and

WHEREAS, Ordinance No. 05-07-664, adopted on July 25, 2005, changed the zoning for the property described in this ordinance from TC (Town Center) District to PD (Planned Development) District for Retail Uses; and

WHEREAS, Ordinance No. 10-05-841, adopted on May 17, 2010, amended the PD (Planned Development) District for Retail Uses for the property described in this ordinance by revising the concept plan and certain development conditions; and

WHEREAS, Ordinance No. 11-05-881, adopted on May 24, 2011, amended the PD (Planned Development) District for Retail Uses for the property described in this ordinance by revising the concept plan and certain development conditions; and

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

Retail Uses for the property described hereinbelow by revising the concept plan and certain development conditions as set forth hereinbelow and this ordinance shall thereby amend, repeal and supercede the foregoing ordinances to the extent of such amendments in this ordinance; and

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

Section 2. That the Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby, amended so as to amend a Planned Development District for Retail Uses for the property described as an approximately 24.09 acre tract of land situated in the George H. Pegues Survey, Abstract No. 699, in the City of Murphy, Collin County, Texas, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes.

Section 3. 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 4. That the Concept Plan, Landscape Plan, and Signage Plan for this Planned Development District are attached hereto as Exhibits "C", "D", and "E" and the same are hereby

approved for said Planned Development District as required by Section 86-604, of the City of Murphy, Texas, Code of Ordinances.

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

Section 6. That this ordinance shall amend the Planned Development District for Retail Uses for the property described herein by revising the concept plan and certain development conditions as set forth herein and this ordinance shall amend, repeal and supercede all prior amendments to the Planned Development District for Retail Uses for the property described herein to the extent of the amendments in this ordinance.

Section 7. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance or 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 8. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

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

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

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy, Texas,

on this 7th day of February, 2012.



Bret M. Baldwin, Mayor
City of Murphy

ATTEST:



Aimee Nemer, City Secretary
City of Murphy



APPROVED AS TO FORM:

Wm. Andrew Messer, City Attorney
City of Murphy

Exhibit A
Legal Description

LEGAL DESCRIPTION

BEING a tract of land situated in the George Pegues Survey, Abstract No. 699, City of Murphy, Collin County, Texas and being all of a tract of land described in General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540150, Official Public Records of Collin County, Texas and all of a tract of land described in General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540160, Official Public Records of Collin County, Texas and all of a tract of land described in General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540170, Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a nail found in the north right-of-way line of F.M. 544 (a variable width right-of-way); said point being the southeast corner of Lot 3, Block A, Rio Dinero/FM 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet O, Page 49, Map Records of Collin County, Texas;

THENCE departing said north right-of-way line and with the east line of said Lot 3, North 02° 12' 34" East, at a distance of 335.69 feet, passing a 1/2" iron rod with "J.D.J.R." cap found at the northeast corner of said Lot 3 and being the southeast corner of Lot 1R, Block A, Rio Dinero/FM 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet O, Page 92, Map Records of Collin County, Texas, continuing, with the east line of said Lot 1R, in all a total distance of 1075.71 feet to a 1/2" iron rod with "ROOME" cap found for corner in the south line of a tract of land described in Deed to Dallas Area Rapid Transit Acquisition Corporation recorded in Volume 3424, Page 126, Land Records of Collin County, Texas; said point being the beginning of a non-tangent curve to the right having a central angle of 10° 26' 44", a radius of 1835.00 feet, a chord bearing and distance of North 82° 34' 25" East, 334.07 feet;

THENCE with the south line of said Dallas Area Rapid Transit Acquisition Corporation tract, the following courses and distances:

In an easterly direction, with said curve to the right, an arc distance of 334.54 feet to a 1" iron rod found at the end of said curve;

South 01° 52' 08" East, a distance of 50.00 feet to a "X" cut in concrete set for corner at the beginning of a non-tangent curve to the right having a central angle of 08° 07' 42", a radius of 1785.00 feet, a chord bearing and distance of South 87° 47' 19" East, 253.02 feet;

In an easterly direction, with said curve to the right, an arc distance of 253.23 feet to a 1/2" iron rod found at the end of said curve;

South 83° 55' 45" East, a distance of 557.20 feet to a 5/8" iron rod with "KHA" cap set for corner in the west right-of-way line of Murphy Road (F.M. 2251, a variable width right-of-way); said point being the northwest corner of a tract of land described in a deed to the State of Texas recorded in Volume 653, Page 612, Land Records of Collin County, Texas;

THENCE departing said south line and with said west right-of-way line, the following courses and distances:

South 01° 08' 57" West, a distance of 353.61 feet to a "X" cut in concrete found for corner;

South 04° 18' 57" West, a distance of 197.74 feet to a "X" cut in concrete found for corner;

THENCE with an offset in said west right-of-way line, North 89° 24' 14" West, at a distance of 2.82 feet, passing a 1/2" iron rod with "N.D.M." cap found at the northeast corner of Lot 2, Block A, Walgreens-F.M. 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet M, Page. 172, Map Records of Collin County, Texas, continuing, departing said west right-of-way line and with the north line of said Lot 2, in all a total distance of 152.76 feet to a 5/8" iron rod with "KHA" cap set for corner; said point being the northernmost northwest corner of said Lot 2;

THENCE with the west line of said Lot 2, South 01° 52' 09" West, a distance of 60.79 feet to a 1/2" iron rod with "N.D.M." cap found for corner; said point being an interior corner of said Lot 2;

THENCE with a north line of said Lot 2, North 88° 35' 23" West, at a distance of 68.34 feet, passing a 1/2" iron rod found at the westernmost northwest corner of said Lot 2 and the northeast corner of Lot 1R, Block A, Walgreens-F.M. 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet N, Page 872, Map Records of Collin County, Texas, continuing with the north line of said Lot 1R, Block A, in all a total distance of 221.70 feet to a 5/8" iron rod with "KHA" cap set for corner at the northwest corner of said Lot 1R; from said point, a 1/2" iron rod found bears South 35°20' East, a distance of 0.8 feet;

THENCE with the west line of said Lot 1R, South 01° 24' 37" West, at a distance of 370.00 feet, passing a 1/2" iron rod with "N.D.M." cap found, continuing in all a total distance of 373.27 feet to a 5/8" iron rod with "KHA" cap set for corner in the said north right-of-way line of F.M. 544; said point being the northeast corner of a tract of land described in Deed to the State of Texas recorded in Clerk's File No. 92-0048067, Land Records of Collin County, Texas and the northwest corner of a tract of land described in Deed to the State of Texas recorded in Clerk's File No. 92-0037385, Land Records of Collin County, Texas;

THENCE with said north right-of-way line, the following courses and distances:

South 87° 21' 30" West, a distance of 357.06 feet to a 5/8" iron rod with "KHA" cap set for corner at the beginning of a non-tangent curve to the left having a central angle of 00° 06' 16", a radius of 9414.00 feet, a chord bearing and distance of South 86° 39' 41" West, 17.15 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 17.15 feet to a 5/8" iron rod with "KHA" cap set at the beginning of a non-tangent curve to the right having a central angle of 00° 16' 04", a radius of 9489.00 feet, a chord bearing and distance of South 86° 44' 35" West, 44.36 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 44.36 feet to a 5/8" iron rod with "KHA" cap set at the end of said curve in the east line of a tract of land described in Deed to the State of Texas recorded in Clerk's File No. 95-0067686, Land Records of Collin County, Texas; said point being the northwest corner of said State of Texas tract recorded in Clerk's File No. 92-0048067;

North 01° 26' 09" East, a distance of 10.21 feet to a 5/8" iron rod with "KHA" cap set for corner at the beginning of a non-tangent curve to the right having a central angle of 02° 22' 30", a radius of 8591.75 feet, a chord bearing and distance of South 88° 03' 19" West, 356.13 feet; said point being the northeast corner of said State of Texas tract recorded in Clerk's File No. 95-0067686, Land Records of Collin County, Texas; from

said point a 1/2" iron rod found bears North 14° 32' West, a distance of 1.1 feet and a 1/2" iron rod found bears South 01°51' East, a distance of 0.6 feet;
In a Southerly direction with said curve to the right, an arc distance of 356.16 feet to the **POINT OF BEGINNING** and containing 24.094 acres or 1,049,554 square feet of land.

The bearings system for this survey is based on a bearing of North 02° 12' 34" East, according to General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540170, Official Public Records of Collin County, Texas.

Exhibit B
Development Conditions



ZONING FILE NO. 2011-02

Northwest Quadrant
FM 544 and North Murphy Road (FM 2551)

PLANNED DEVELOPMENT CONDITIONS

- I. **Statement of Intent:** The intent of this Planned Development District is to provide high quality retail development that is generally consistent with the Comprehensive Plan.
- 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 the following uses.
- Larger anchor uses
 - Grocery Store
 - Family, sit-down restaurants
 - Upscale retail shops
 - Individual pad site uses
- III. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 04-05-610, as amended, except as specifically provided herein.
- IV. **General Regulations:** All regulations of the R (Retail) District set forth in Section 29 of the Comprehensive Zoning Ordinance 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. Landscape Plan: Development shall be in general conformance with the approved landscape plan set forth in Exhibit D; however, in the event of conflict between the landscape plan and the conditions, the conditions shall prevail.
- C. Signage Plan: Development on Lot 1 shall be in general conformance with the approved signage plan as set forth in Exhibit E; however, in the event of conflict between the signage plan and the conditions, the conditions shall prevail.
- D. Concept Plan, Landscape Plan, and Signage Plan approval shall be for a period of one year from the date of City Council action on the plan. If within that one-year period a site plan has been submitted for a portion of the development, then the Concept Plan shall be deemed to have no expiration date. However, if no site

EXHIBIT B

plan has been submitted for at least of portion of the development, then the Concept Plan shall be valid for a period of one year from the date of adopting ordinance. Site plans shall be valid for a period of one year from the date of City Council action on the plan.

- E. Site Plan: Before development can begin, a site plan shall be submitted in accordance with the requirements set forth in Chapter 86, Article II, Division 7 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 (Indoors) (SUP)
2. Antique Shop
3. Art Dealer/Gallery
4. Artist Studio
5. Automotive Driving School (SUP)
6. Bakery (Retail)
7. Bank or Credit Union (one free standing only) (SUP)
8. Barber/Beauty Shop
9. Barber/Beauty Shop College (SUP)
10. Book Store
11. Cafeteria
12. Church/Place of Worship
13. Civic Club
14. Clinic (Medical)
15. Computer Sales
16. Confectionery Store (Retail)
17. Department Store
18. Dinner Theatre (SUP Only)
19. Electronics (Retail)
20. Financial Services (Advice/Invest)
21. Florist
22. Food or Grocery Store (SUP)
23. Furniture Sales (Indoor)
24. Governmental Building (Municipal, State or Federal)
25. Hardware Store
26. Health Club (Indoors)) (SUP Only)
27. Home Improvement Center (SUP)
28. Insurance Agency Offices
29. Laundry/Dry Cleaning (Drop Off/Pick Up Only)
30. Library (Public)

EXHIBIT B

31. Motion Picture Theatre
32. Museum (Indoors Only)
33. Non-Profit Activities By Church
34. Offices (Brokerage Services)
35. Offices (Health Services)
36. Offices (Legal Services)
37. Offices (Medical Office)
38. Offices (Professional)
39. Pet Shop/Supplies
40. Pharmacy (SUP)
41. Photo Studio
42. Photocopying /Duplicating
43. Real Estate Offices
44. Restaurant
45. Restaurant (Drive-In/Drive Thru) (SUP Lot 4 only, see Exhibit C)
46. Retail Store
47. School, (K-12) (Public)
48. School, Vocational
49. Skating Rink (Ice)
50. Tailor Shop
51. Theatre (Live Drama)
52. Travel Agency

The following uses shall be permitted as part of a Retail Store exceeding 100,000 square feet (along with other uses customarily included in such large scale Retail Stores):

1. Alcoholic Beverage Retail Sales (subject to the requirements of Chapter 10 of the City of Murphy, Texas Code of Ordinances)
2. Automatic Teller Machines (ATMs)
- 3 Bank or Credit Union
- 4 Bike Sales and/or Repair
5. Food or Grocery Sales
- 4-6. Garden Shop
- 5-7 Handicraft Shop
- 6-8 Lawnmower Sales and/or Repair
- 7-9 Needlework Shop
- 8-10 Plant Nursery (Retail Sales/Outdoor Storage)
- 9-11 Video Rental/Sales
- 10-12 Temporary Outdoor Retail Sales/Commercial Promotion

B. Area Regulations:

1. Minimum Size of Lot/Tract: There shall be no minimum lot/tract areas required.
Minimum Lot/Tract Width: 170 feet.
2. Minimum Lot/Tract Depth: There shall be no minimum lot/tract depth required.

EXHIBIT B

3. Pad Sites: The maximum number of pad sites allowed along FM 544 shall be ~~two (2)~~ one (1). The maximum number of pad sites allowed along North Murphy Road (FM 2551) shall be ~~three (3)~~ two (2).

C. Parking, Driveways and 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 for a Retail Store with a floor area greater than 100,000 square feet located on Lot 1 shall be as shown on Exhibit C. The number of required parking spaces for all other uses and lots shall be dependent upon the use and shall meet the requirements of the City of Murphy Comprehensive Zoning Ordinance.
4. No required parking space may be occupied by signs, merchandise, or display items at any time except by specific 30 day permit.
5. A special "signature" paving treatment shall be established as shown on the approved concept plan (Exhibit C). Appropriate locations for the special paving treatment shall include street intersections, pedestrian crosswalks and driveway openings.
6. Sidewalks along FM 544 and Murphy Road (FM 2551) shall be 8 feet in width.
7. Parking spaces for Lot 1 Block A shall be no less than 800 spaces, to allow additional ingress/egress on the pedestrian walkways.

D. Loading and Unloading

1. Truck loading berths and apron space shall only be required for space that totals 30,000 square feet or more and shall not be located on the street side of any building.
2. Truck loading berths 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 comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

EXHIBIT B

1. All structures, including all building elevations, shall be constructed utilizing a unified design that is substantially consistent with the approved Exterior Elevation Plan.
 2. All exterior elevations shall utilize a unified design. The following masonry materials shall be allowed:
 - a. Brick
 - b. Cast Stone
 - c. Scored & Textured concrete tilt wall
 - d. EIFS and Stucco (limited to no more than 12% total)
 - e. Integral-color split-face CMU
 - f. Stone/simulated stone
 3. The use of primary or garish colors shall not be predominately used on the exterior façade of any structure. Corporate identities shall be allowed with owner review and approval.
 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 immediately adjacent public dedicated street by an architecturally sound method.
 5. Each commercial building, complex of buildings or separate commercial business enterprise 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. In all cases, mechanical equipment on roofs and outcroppings shall be clad by a like building material or painted with a color scheme similar to the principal structure walls or roof.
 7. The maximum height of buildings on the project is 40 feet.
 8. Stone must be incorporated at a minimum of 15% in the exterior elevation on the front and both sides (east and west) of the proposed store. Also, stone shall incorporate the base of the proposed Lot 1 monument sign.
- F. Landscape Standards. Landscaping shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

EXHIBIT B

1. Landscaping shall generally be as shown on the approved Landscape Plan (Exhibit D). 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 for the specific 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 a minimum of 20 feet in depth, with an average depth of 25 feet adjacent to the right-of-way of FM 544 and a minimum 25 feet in depth adjacent to Murphy Road (FM 2551). No parking may be placed within any landscape buffer. Pedestrian easements and sidewalks may be located within a landscape buffer.
3. A landscape buffer shall be provided for an average of fifteen (15) feet in depth adjacent to the Southern Pacific /DART Railroad right-of-way.
4. **Parking Lots**
 - a. A minimum percentage of the parking area shall be landscaped according to the following requirements. Such landscaping shall be distributed within the parking area, occurring within medians, islands, or peninsulas. All such landscape areas shall be protected by concrete curbing or other acceptable devices which prohibit vehicular access to landscaped areas. Bumper overhang shall not be included as part of required landscaping. A permeable area no less than six (6) feet by six (6) 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 twenty (20) spaces in length.
 2. An additional 7% open space shall be provided. This 7% will be for the entire development and not necessarily on a lot by lot basis. The 7% area will consist of two or more of the following amenities:
 - a. Pedestrian walkways
 - b. Benches
 - c. Gazebo

EXHIBIT B

- d. Constant level pool
- e. Landscape material
- f. Hardscape
- g. Pedestrian lighting

~~5. More trees in the landscape area by Sonic and in the landscape area behind Lots 2, 3, and 4 of Block A.~~

3. Enhanced tree density shall be provided in landscape areas at the rear lot line of Lots 2, 3, and 4 of Block A and adjacent to the side lot line of Lot 1R, Block A Walgreens - FM 544 Addition as shown on Exhibit D.

~~6. No Bermuda grass under trees, use mulch and/or groundcover.~~

4. Areas beneath trees shall be mulched or planted with groundcovers other than Bermuda grass.

~~7. Detention pond shall have easy maintainable grass.~~

5. Low maintenance grasses shall be used for the detention pond.

G. Screening. Screening shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

1. All screening at the rear (north) 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.

2. All truck docks/loading areas for anchor stores shall be screened from view through the use of 8 foot high masonry walls (which are the same colors and materials as main building). All truck docks/loading areas for pad sites shall be screened from view through the use of 8 foot high masonry walls (which are the same colors and materials as the main building) and shall have living screens (eight foot height and at least 75 percent density within three years of planting).

3. Outside seasonal displays shall be permitted within the Planned Development District. Outside storage shall not be permitted with the Planned Development District.

4. The back northeast corner of Lot 1, Block A shall be screened with evergreen type trees, preferably live oaks and magnolias, ~~and additional number of trees as shown on Exhibit D.~~

5. The stacking racks at the rear of the Garden Center shall be screened with black ornamental fence.

H. Site Lighting: Lighting shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

EXHIBIT B

1. 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 30 ft. high. However, the height of all light standards shall be subject to review of the lighting plan during the Site Plan review.

I. Signage and Graphics. Signage will comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

1. General

- a. Monument signs All signage for Lot 1 the Planned Development District shall be allowed as shown on the approved Signage Plan (Exhibit E).
- b. 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 40 square feet and a maximum structure area of 80 square feet.
- ~~c. Shopping center signs Two (2) shopping center signs shall be permitted as shown on the approved Signage Plan (Exhibit E). Each shopping center sign shall be limited to a maximum sign area of 300 square feet and a maximum structure area of 500 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.
- c. Monument signs shall be located at a set back distance of not less than eight (8) feet from the right-of-way line of any adjacent street and maybe incorporated within the landscaping area or buffer.
- d. Construction of monument signs shall include a base of material similar to the material used for buildings.

3. Shopping Center Signs

- ~~a. Shopping center signs shall be constructed at a height not to exceed thirty five (35) feet.~~
- ~~b. The base of the shopping center sign shall be located at a set back~~

EXHIBIT B

~~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 shopping center 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.~~
- ~~d. Construction of shopping center signs shall include a base of material similar to the material used for buildings.~~

4. Temporary Marketing Signage

- a. One (1) quality temporary marketing sign shall be permitted on the development on FM 2551 (Murphy Road) and on FM 544. These signs shall for a term of twelve (12) months from the date of installation.
- b. The maximum signage area will be 64 square feet. The maximum height shall be 8 feet.
- c. All other temporary signage 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. All open space amenities shall use a unified design as shown on the approved Amenities Plan. Development with the Planned Development District 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.
 - a. 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 7% open space requirement as stated in (b.) below.
 - b. An additional 7% of open space is required in addition to the landscape, setback, and parking lot island requirements. The additional 7% 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

EXHIBIT B

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.

1. Water feature, such as a fountain or detention pond with constant water level.
 2. Plaza or courtyard with art sculpture piece.
 3. Outdoor patio or gazebo with seating area.
 4. Other areas for pedestrian congregation, as may be approved on the site plan.
2. Outside seasonal displays shall be permitted within the Planned Development District. Outside storage shall not be permitted within the Planned Development District.

VII. Special Regulations:

- A. Right Turn Deceleration Lanes: A right turn deceleration lane shall be required for the median divided driveway on FM 544 at the time construction begins on any pad site along FM 544. A right turn deceleration lane shall be required for the south driveway on FM 2551 (North Murphy Road) at the time construction begins on any pad site along FM 2551 (North Murphy Road).
- B. 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.
- C. Cross-Access Requirement: A joint access (i.e.-ingress, egress) easement shall be provided to minimize the number of driveway openings along FM 544 and FM 2551 (Murphy Road). 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.
- D. ~~The divided median in the entrance off FM 544 is eliminated. The Lot 1, Block A ingress/egress at FM 544 shall be as shown on Exhibit C.~~
- E. Stained concrete shall be used for pedestrian entrances and walks that intersect driveways and roads.

Exhibit C
Concept Plan

Wal-Mart
 CONCEPT SITE PLAN
 24.00 ACRES
 GEORGE PROBERT SURVEY
 ABSTRACT NO. 6897
 CITY OF MARYHART, COLLIER COUNTY, FLORIDA
 DATE PREPARED: JANUARY 19, 2012

WALMART ADDITION
 24.00 ACRES
 GEORGE PROBERT SURVEY
 ABSTRACT NO. 6897
 CITY OF MARYHART, COLLIER COUNTY, FLORIDA
 DATE PREPARED: JANUARY 19, 2012

WALMART ADDITION
 24.00 ACRES
 GEORGE PROBERT SURVEY
 ABSTRACT NO. 6897
 CITY OF MARYHART, COLLIER COUNTY, FLORIDA
 DATE PREPARED: JANUARY 19, 2012

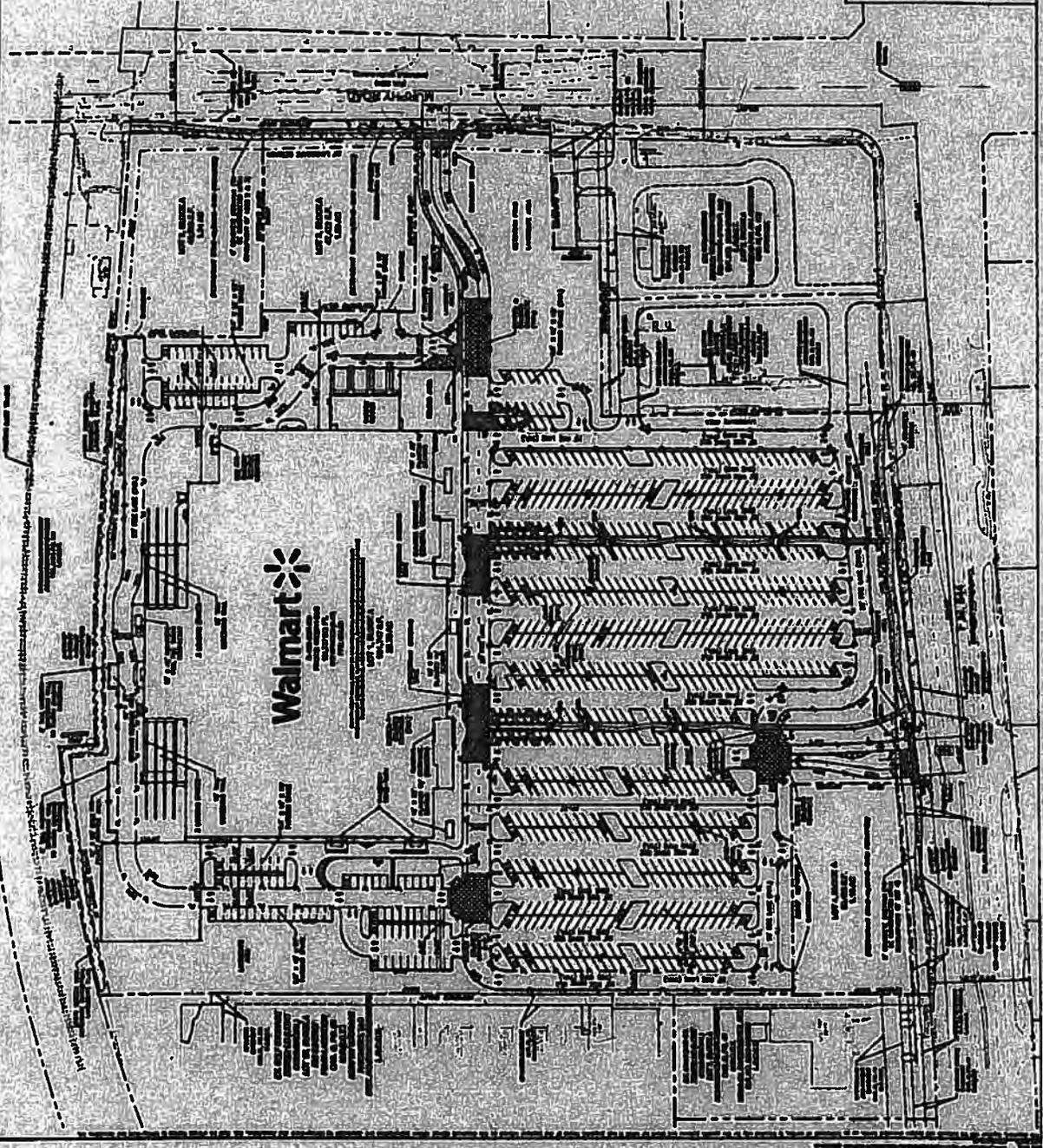


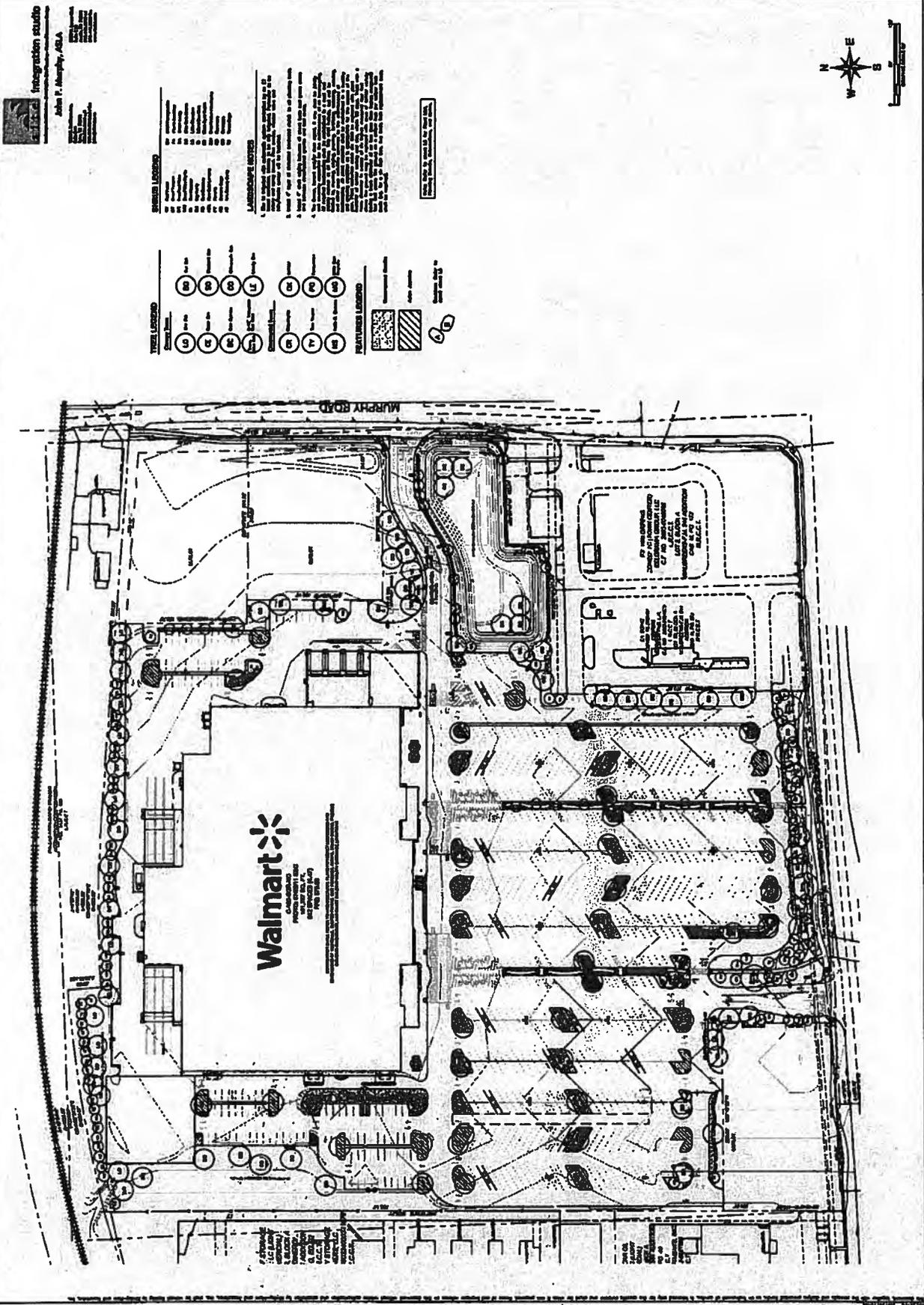
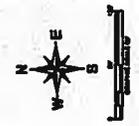
Exhibit D
Landscape Plan

Sheet No.	1-1
Project No.	
Scale	
Date	
Author	
Checker	
Designer	
Engineer	

OVERALL LANDSCAPE PLAN

Walmart
 STORE #2873-01
 C-180-69240
 NWC FM 544 AND MURPHY ROAD
 MURPHY, TEXAS

Kimley-Horn and Associates, Inc.
 1000 West Loop South
 Suite 100
 Houston, Texas 77027
 Phone: (713) 865-1100
 Fax: (713) 865-1101
 www.kimley-horn.com



LANDSCAPE NOTES

1. ALL PLANTINGS TO BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

2. ALL PLANTINGS TO BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

3. ALL PLANTINGS TO BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

4. ALL PLANTINGS TO BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

5. ALL PLANTINGS TO BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

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12. ALL PLANTINGS TO BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

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18. ALL PLANTINGS TO BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

19. ALL PLANTINGS TO BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

20. ALL PLANTINGS TO BE INSTALLED AND MAINTAINED FOR THE LIFE OF THE PROJECT.

PLANTING LEGEND

Symbol	Plant Name
Circle with 1	1. 10' TALL TREES
Circle with 2	2. 10' TALL TREES
Circle with 3	3. 10' TALL TREES
Circle with 4	4. 10' TALL TREES
Circle with 5	5. 10' TALL TREES
Circle with 6	6. 10' TALL TREES
Circle with 7	7. 10' TALL TREES
Circle with 8	8. 10' TALL TREES
Circle with 9	9. 10' TALL TREES
Circle with 10	10. 10' TALL TREES
Circle with 11	11. 10' TALL TREES
Circle with 12	12. 10' TALL TREES
Circle with 13	13. 10' TALL TREES
Circle with 14	14. 10' TALL TREES
Circle with 15	15. 10' TALL TREES
Circle with 16	16. 10' TALL TREES
Circle with 17	17. 10' TALL TREES
Circle with 18	18. 10' TALL TREES
Circle with 19	19. 10' TALL TREES
Circle with 20	20. 10' TALL TREES

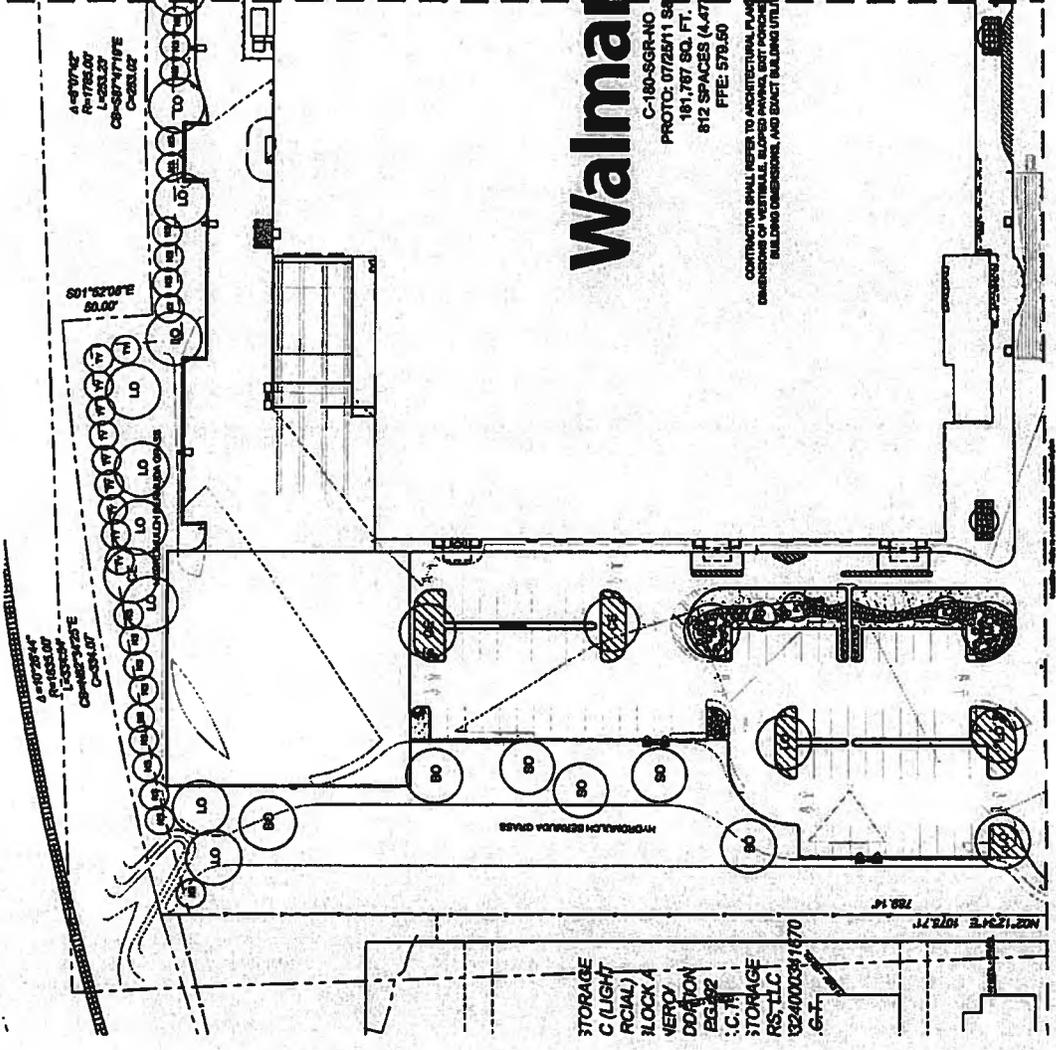
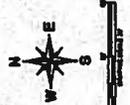
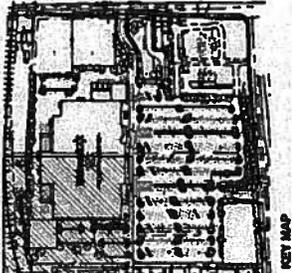
Integration Units
 John R. Murphy, AIA
 Kimley-Horn and Associates, Inc.

Integration and
 John P. Murphy, ASLA
 Director of Landscape Architecture
 Kimley-Horn and Associates, Inc.
 12000 Westchase Drive
 Houston, Texas 77040
 Telephone: (713) 961-6100
 Fax: (713) 961-6101
 www.kimley-horn.com

PLANTING NOTES:
 1. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS LANDSCAPE ARCHITECTURE BOARD'S (TLAB) PLANTING SPECIFICATIONS.
 2. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS LANDSCAPE ARCHITECTURE BOARD'S (TLAB) PLANTING SPECIFICATIONS.
 3. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS LANDSCAPE ARCHITECTURE BOARD'S (TLAB) PLANTING SPECIFICATIONS.
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 8. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS LANDSCAPE ARCHITECTURE BOARD'S (TLAB) PLANTING SPECIFICATIONS.
 9. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS LANDSCAPE ARCHITECTURE BOARD'S (TLAB) PLANTING SPECIFICATIONS.
 10. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS LANDSCAPE ARCHITECTURE BOARD'S (TLAB) PLANTING SPECIFICATIONS.

PLANTING LEGEND:

1. 10' DB	11. 10' DB	21. 10' DB	31. 10' DB
2. 10' DB	12. 10' DB	22. 10' DB	32. 10' DB
3. 10' DB	13. 10' DB	23. 10' DB	33. 10' DB
4. 10' DB	14. 10' DB	24. 10' DB	34. 10' DB
5. 10' DB	15. 10' DB	25. 10' DB	35. 10' DB
6. 10' DB	16. 10' DB	26. 10' DB	36. 10' DB
7. 10' DB	17. 10' DB	27. 10' DB	37. 10' DB
8. 10' DB	18. 10' DB	28. 10' DB	38. 10' DB
9. 10' DB	19. 10' DB	29. 10' DB	39. 10' DB
10. 10' DB	20. 10' DB	30. 10' DB	40. 10' DB

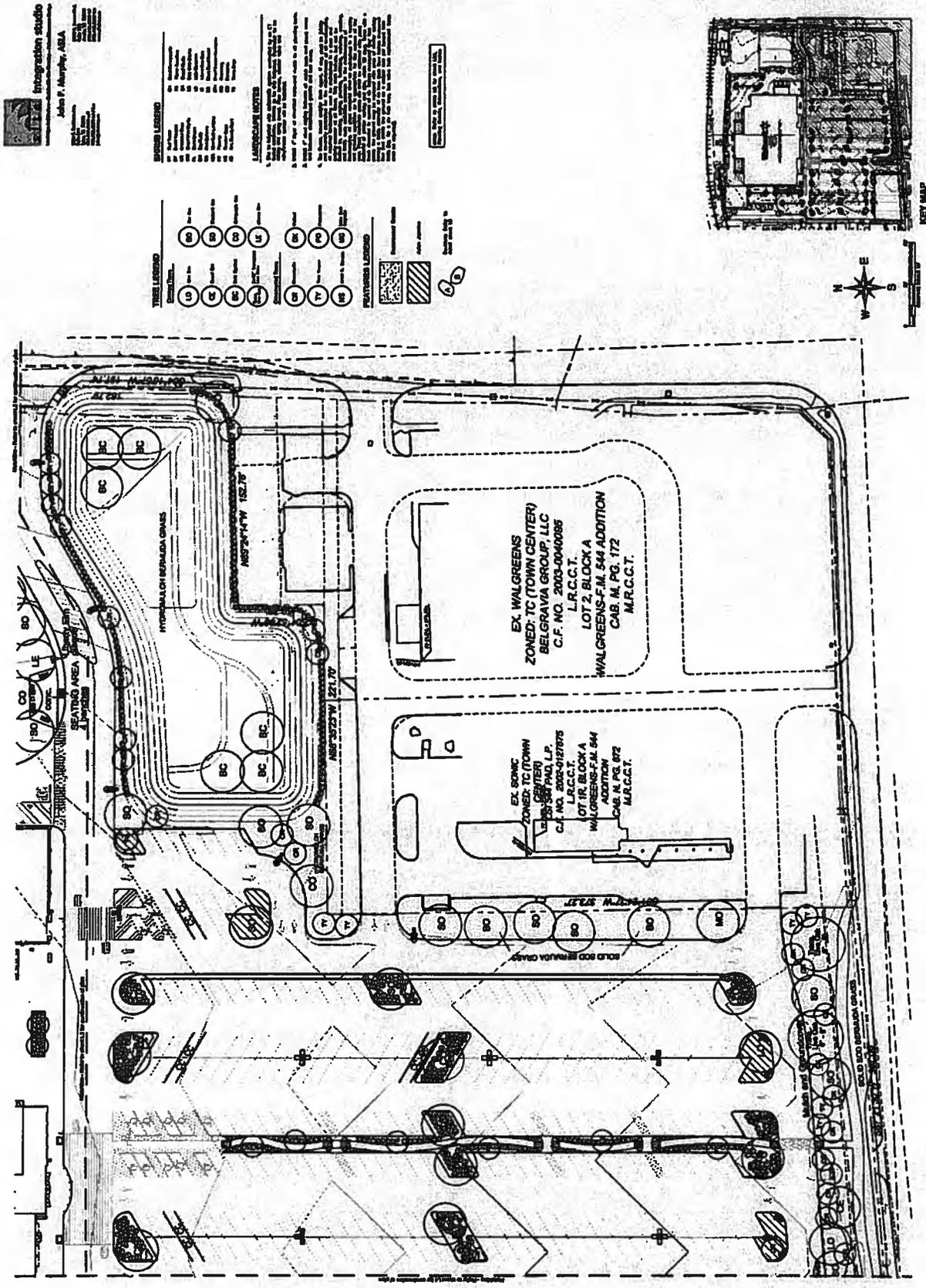
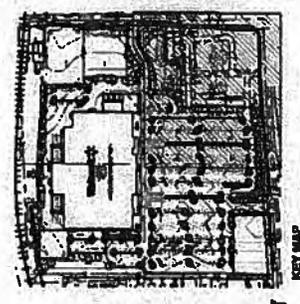


DATE	
PROJECT	
SCALE	
DESIGNER	
CHECKER	
APPROVER	

LANDSCAPE PLAN

Walmart
 STORE 5297-01
 1100 FM 544 AND MURPHY ROAD
 MURPHY, TEXAS

Kimley-Horn and Associates, Inc.
 1100 FM 544 AND MURPHY ROAD
 MURPHY, TEXAS



LANDSCAPE NOTES

1. ALL PLANTINGS TO BE INSTALLED BY THE CONTRACTOR.
2. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS LANDSCAPE ARCHITECTURE BOARD (T.L.A.B.) PRACTICE MANUAL AND THE TEXAS LANDSCAPE ARCHITECTURE BOARD (T.L.A.B.) PRACTICE MANUAL.
3. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS LANDSCAPE ARCHITECTURE BOARD (T.L.A.B.) PRACTICE MANUAL AND THE TEXAS LANDSCAPE ARCHITECTURE BOARD (T.L.A.B.) PRACTICE MANUAL.
4. ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS LANDSCAPE ARCHITECTURE BOARD (T.L.A.B.) PRACTICE MANUAL AND THE TEXAS LANDSCAPE ARCHITECTURE BOARD (T.L.A.B.) PRACTICE MANUAL.
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TREE LEGEND

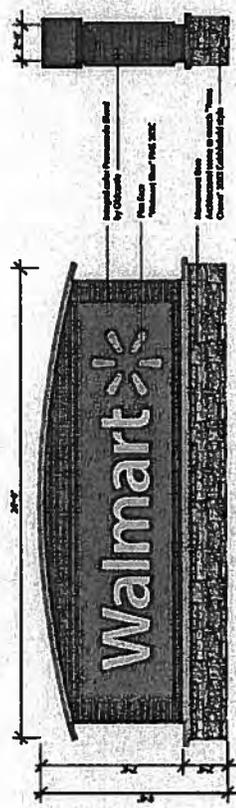
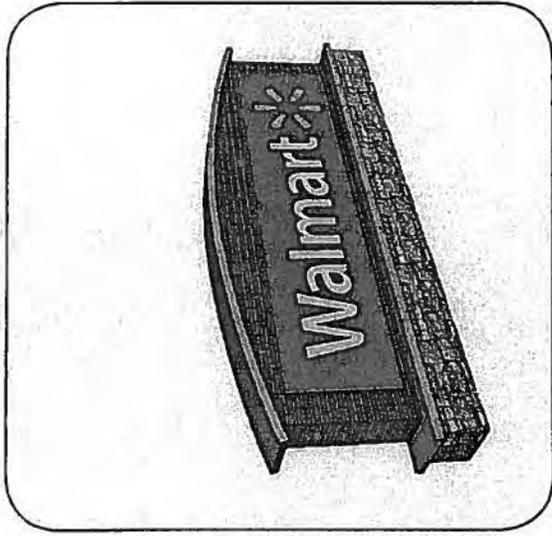
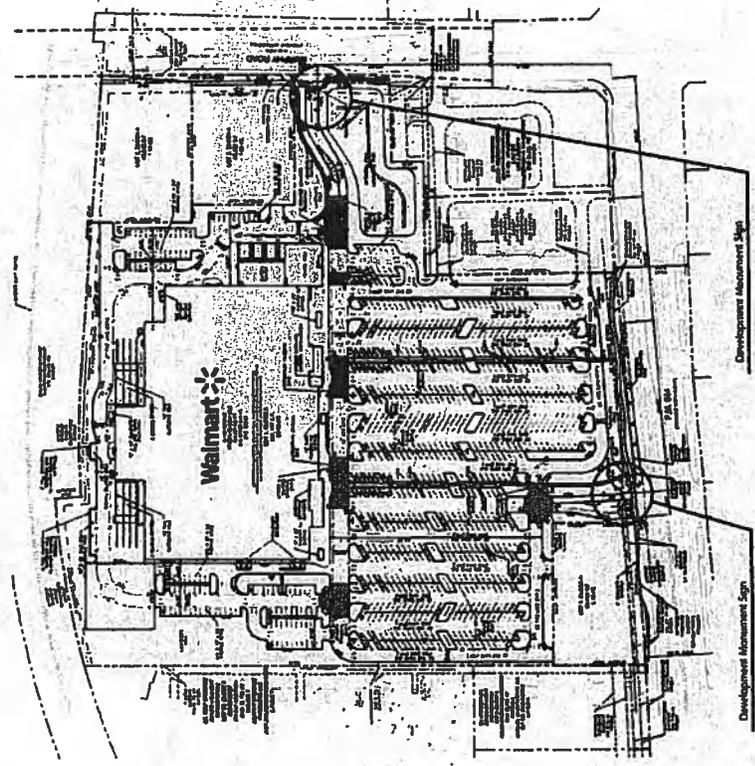
1	10' - 12' DBH
2	8' - 10' DBH
3	6' - 8' DBH
4	4' - 6' DBH
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97	1' - 2' DBH
98	1' - 2' DBH
99	1' - 2' DBH
100	1' - 2' DBH

INTEGRATED SERVICES AREA
 John P. Murphy, AIA
 1100 FM 544 AND MURPHY ROAD
 MURPHY, TEXAS

Exhibit E
Signage Plan (Lot 1)



Sign	Qty.	Type	Color	Height	Illumination	Area (S.F.)	Total S.F.
Walmart*	2	Identity	White/Yellow	4'-9"	Internal	95	190
Total Site Signage							190.00



Site Elevation

Measurement Sign Mount Elevation



Scott & Goble Architects, PC

DATE: 11/17/10
 SCALE: AS SHOWN UNLESS OTHERWISE NOTED
 PREPARED BY: SCOTT & GOBLE

December 15, 2011

Murphy, Texas - Store #2973 - New Store

Site Signage Calculations

OFFICIAL REPRESENTATION ONLY - NOT FOR CONSTRUCTION. The building project shown is a representation of the current design intent only. The building project is not under construction. The building project is not under construction. The building project is not under construction. PRELIMINARY - NOT FOR CONSTRUCTION.