



MURPHY CITY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING
DECEMBER 11, 2012 AT 6:00 P.M.
206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094

NOTICE is hereby given of a meeting of the City Council of the City of Murphy, Collin County, State of Texas, to be held on December 11, 2012 at Murphy City Hall for the purpose of considering the following items. The City Council of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. CALL TO ORDER

2. INVOCATION & PLEDGE OF ALLEGIANCE

3. ROLL CALL & CERTIFICATION OF A QUORUM

4. PUBLIC COMMENTS

5. PRESENTATION ITEMS

- A. Presentation of Certificates of Appreciation:
Murphy Messenger - Monthly Media Award;
Windy Hills Homeowners Association – Civic Award; and,
Joe Wetzel – Litter Law Enforcement Award

- B. Exchange Club Presentation

- C. Murphy Chamber of Commerce Presentation

6. CONSENT AGENDA

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

- A. Consider and/or act upon the approval of the November 27, 2012 meeting minutes.
- B. Consider and/or act upon awarding bid to the low bidder, Barbosa A. Construction, Inc. for constructing the sanitary sewer line extension for Kinney Road Addition.

7. INDIVIDUAL CONSIDERATION

- A. Consider and/or act upon the recommendations from the Council Interview Panel regarding appointing board members to the Planning and Zoning Commission, Board of Adjustments, Murphy Municipal Development District, Murphy Community Development District (4B), the Animal Shelter Advisory Committee, the Ethics Review Commission, the Parks and Recreation Board and the Building and Fire Code Board of Appeals.

Bret Baldwin
Mayor

John Daugherty
Mayor Pro Tem

Colleen Halbert
Deputy Mayor Pro Tem

Dennis Richmond
Councilmember

Scott Bradley
Councilmember

Bernard Grant
Councilmember

Dave Brandon
Councilmember

James Fisher
City Manager

- B. Hold a public hearing and consider and/or act on the proposed amendments to the Comprehensive Zoning Ordinance text.
- C. 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 ("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.
- D. 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).
- E. 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).
- F. 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).
- G. 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).
- H. 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).
- I. 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).
- J. 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).
- K. 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).

- L. 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).
- M. 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).
- N. Hold a Public Hearing and consider and/or act on the zoning category change of a) **Willow Wood Ranch Estates #1, Lot 1 and 2** from Single Family Estate (SF-E) to Public/Semi Public (P/SP); b) **A0582 JAS W Maxwell Survey, Tracts 43 and 60** from Single Family Estate (SF-E) to Parks/Open Space (PK)
- O. Hold a Public Hearing and consider and/or act on the zoning category change of **ABS A0588 C A McMillan Survey, Tract 57** from Private Recreation (PPK) to Parks/Open Space (PK).
- P. 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.**
- Q. 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.

8. CITY MANAGER/STAFF REPORTS

North Murphy Road Construction Update
McCreary Road Construction Update
Oncor Electrical Outages
Upcoming Council Meetings – Wednesday, January 2 and Tuesday, January 15
City Holidays – December 24, 25 and 31 and January 1

9. EXECUTIVE SESSION

The City Council will hold a closed Executive Session pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, in accordance with the authority contained in:

§551.071 Consultation with City Attorney regarding advice from City Attorney involving:

- a) Susan Kinder-Alessio v. City of Murphy, et. al., Civil Action No. 4:12-CV-000493-RC-ALM
- b) Michael Cantrell v. City of Murphy, et. al, Cause No. 6:09-cv-225.
- c) Nathan Burgess Complaint

§551.072 Deliberation regarding real property; to deliberate the purchase, exchange, lease, or value of real property.

§551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City of Murphy Planning and Zoning Commissioners, Board of Adjustment Board Members, Murphy Municipal Development District Members, the Murphy Community Development Members, the Ethics Review Commission Members and the Building and Fire Code Board of Appeals Members.

§551.087 Deliberation regarding economic development negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development regulations; (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

10. RECONVENE INTO REGULAR SESSION

The City Council will reconvene into Regular Session, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

§551.071 Consultation with City Attorney regarding advice from City Attorney involving:

- a) Susan Kinder-Alessio v. City of Murphy, et. al., Civil Action No. 4:12-CV-000493-RC-ALM
- b) Michael Cantrell v. City of Murphy, et. al, Cause No. 6:09-cv-225.
- c) Nathan Burgess Complaint

§551.072 Deliberation regarding real property; to deliberate the purchase, exchange, lease, or value of real property.

§551.074 Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of the City of Murphy Planning and Zoning Commissioners, Board of Adjustment Board Members, Murphy Municipal Development District Members, the Murphy Community Development Members, the Ethics Review Commission Members and the Building and Fire Code Board of Appeals Members.

§551.087 Deliberation regarding economic development negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development regulations; (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

11. ADJOURNMENT

I certify that this is a true and correct copy of the Murphy City Council 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 December 7, 2012 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.



Kristi Gilbert, TRMC, CMC, CPM
City Secretary

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 kgilbert@murphytx.org.

PROCLAMATION/AWARD INFORMATION SHEET

What is it?

☐ Proclamation

☒ Award

☐ Other:

What is it for?

Keep Murphy Beautiful - Media Award (Monthly Print) - Murphy Messenger

Event:

☒ Council Meeting

☐ Other Event

☐ Delivered by Mail

Mailing Address or
other event details:

Date/Time:

Tuesday, December 11, 2012 - 6:00 PM

If presented at meeting/event,
who will be accepting it?

Marcia Jowers

Other Details:

Special thanks for outstanding work in publicizing the KMB programs - education, clean-up, beautification, water conservation, community effort

Staff Sponsor:

Green Team - Kim Lenoir - Co-chair

Submit by email to [Kristi Gilbert](#) no later than **10 days prior** to the meeting/event.
Make sure to include a copy of the award or proclamation.

PROCLAMATION/AWARD INFORMATION SHEET

What is it?

☐ Proclamation

☒ Award

☐ Other:

What is it for?

Keep Murphy Beautiful - Civic Award - Windy Hills Farms HOA

Event:

☒ Council Meeting

☐ Other Event

☐ Delivered by Mail

Mailing Address or
other event details:

Date/Time:

Tuesday, December 11, 2012 - 6:00 PM

If presented at meeting/event,
who will be accepting it?

Representatives of WHF HOA

Other Details:

First Civic Award for the dedication, landscaping, maintenance, beautification, Adopt-a-Street and collaboration with the City on streetscape programs

Staff Sponsor:

Green Team - Kim Lenoir - Co-chair

Submit by email to [Kristi Gilbert](#) no later than **10 days prior** to the meeting/event.
Make sure to include a copy of the award or proclamation.

PROCLAMATION/AWARD INFORMATION SHEET

What is it?

☐ Proclamation

☒ Award

☐ Other:

What is it for?

Keep Murphy Beautiful - First Litter Law Enforcement Award - Officer Joe Wetzel

Event:

☒ Council Meeting

☐ Other Event

☐ Delivered by Mail

Mailing Address or
other event details:

Date/Time:

Tuesday, December 11, 2012 - 6:00 PM

If presented at meeting/event,
who will be accepting it?

MPD Officer Joe Wetzel

Other Details:

Since 2006, gone above and beyond his approach to enforcement of environmental laws and regulations. This year discovered 1000 lbs illegal dumping.

Staff Sponsor:

Green Team - Adana Barber, MPD representative

Submit by email to [Kristi Gilbert](#) no later than **10 days prior** to the meeting/event.
Make sure to include a copy of the award or proclamation.

CITY COUNCIL MINUTES
NOVEMBER 27, 2012 REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER

Mayor Baldwin called the meeting to order at 6:00 p.m.

2. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Baldwin gave the invocation and led the recitation of the Pledge of Allegiance.

3. ROLL CALL & CERTIFICATION OF A QUORUM

Kim McCranie certified a quorum with the following Councilmembers present:

Mayor Brett Baldwin
Mayor Pro Tem John Daugherty
Deputy Mayor Pro Tem Colleen Halbert
Councilmember Dennis Richmond
Councilmember Scott Bradley
Councilmember Bernard Grant
Councilmember Dave Brandon

Councilmembers absent: None

4. PUBLIC COMMENTS

None signed in to speak.

5. PRESENTATION ITEMS

Mayor Baldwin presented a Certificate of Appreciation to the Murphy Monitor for their consistent support of the City of Murphy's efforts to maintain an active, productive and widespread program of the Keep Murphy Beautiful campaign.

Mr. Bill Wadley with the Plano Sports Authority presented the Council with a copy of the rendering of the building design incorporating ideas from the Park Board. Mr. Wadley stated that construction was scheduled to begin on January 7, 2013.

6. CONSENT AGENDA

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

- A. Consider and/or act upon the approval of the November 13, 2012 meeting minutes.
- B. Consider and take action, if any, on a resolution to the State of Texas to utilize the dedicated ½ cent sporting goods sales tax to fund the Local Park Grants by Texas Parks and Wildlife Department.
- C. Consider and take action, if any, on the approval of a Memorandum of Agreement (MOA) with the North Central Texas Trauma Regional Advisory Council (NCTTRAC) for participation in the Emergency Medical Task Force (ETMF).

COUNCIL ACTION:

APPROVED

Deputy Mayor Pro Tem Halbert moved to approve the consent agenda as presented. Councilmember Bradley seconded the motion. For: Unanimous. Against: None. The motion carried by a vote of 7 to 0.

7. INDIVIDUAL CONSIDERATION

- A. Consider and take action, if any, on the approval of the Request for Proposal (RFP) for Solid Waste Collection and Disposal and Recycling Collection and Processing Services.

The Council held discussions regarding recycling rebates, bulky waste, bonds, complaint procedures and household hazardous waste disposal.

COUNCIL ACTION:

APPROVED

Deputy Mayor Pro Tem Halbert moved to approve the proposed Request for Proposal (RFP) for Solid Waste Collection and Disposal and Recycling Collection and Processing Services with corrected typos, the amendment of Section 20 to require participation without a specific dollar amount and the inclusion of household hazardous waste as an alternate bid. Councilmember Richmond seconded the motion. For: Unanimous. Against: None. The motion carried by a vote of 7 to 0.

- B. Consider and take action, if any, on approval of the bid package for towing services within the City of Murphy, in accordance with Chapter 78.133, of the Murphy City Code and authorize the Chief of Police to solicit bids for the delivery of wrecker and impound services for the City of Murphy.

COUNCIL ACTION:

APPROVED

Deputy Mayor Pro Tem Halbert moved to authorize the Chief of Police of the Murphy Police Department to go out for bids, utilizing the approved bid documents, for Wrecker and Impound Services. Mayor Pro Tem Daugherty seconded the motion. For: Unanimous. Against: None. The motion carried by a vote of 7 to 0.

- C. Consider and take action, if any, on a recommendation to install stop signs and street lights on Betsy, Oriole and Heritage to provide for vehicle access and smooth movement of vehicles through these areas of congestion.

The Council expressed concerns regarding the proposed number of additional stop signs on Heritage and the impact that the North Murphy Road construction will have on surrounding roadways. Discussion was held regarding adding a traffic light at the intersection of Betsy and Oriole, as well as the installation of street lights along Betsy.

COUNCIL ACTION:

REVISIT

Deputy Mayor Pro Tem Halbert moved to direct staff to bring back options and costs associated with the intersection of Betsy and Oriole including the use of officers, officer overtime, stop signs, stop lights and any other methods deemed appropriate by staff; revisit the installation of stop signs on Heritage no later than six months from now, earlier if necessary; and, provide a cost estimate for residential street lights along heritage to match the residential

neighborhoods. Councilmember Bradley seconded the motion. For: Unanimous. Against: None. The motion carried by a vote of 7 to 0.

- D. Consider and take action, if any, regarding neighborhood traffic control issues and providing staff guidance to develop a City of Murphy Traffic Calming Policy.

Discussion was held with regard to obtaining a consolidated view of areas with the most complaints and which streets needed the most attention. The Council discussed surrounding Town policies.

Public Comments:

Linda Martin – 142 Moonlight Drive, Ms. Martin stated that on Moonlight there had been the counters, the police presence and the signs indicating the drivers speed. She stated the traffic is constant, the speeding is constant. Ms. Martin stated that the data is there and it is time for action.

Greg Matocha – 151 Moonlight Drive, Mr. Matocha stated that the cut through escalated the problem. He stated that he requested the data many times and has not received an adequate response.

Pam Johnson, 147 Moonlight Drive, Ms. Johnson stated that cut through traffic on Moonlight is a problem, especially during peak hours.

COUNCIL ACTION:

REVISIT

Deputy Mayor Pro Tem Halbert move to direct staff to rework the traffic calming policy to address speed reduction and volume reduction and to include the Community Development Department in the development of the policy and bring back to Council no later than January 31, 2013. Mayor Pro Tem Daugherty seconded the motion. For: Unanimous. Against: None. The motion carried by a vote of 7 to 0.

- E. Consider and take action, if any, on the approval of an ordinance amending the Code of Ordinances reducing the speed limit of Tom Clevenger Drive due to new road alignment south of Murphy Central Park and the PSA-Murphy facility.

COUNCIL ACTION:

APPROVED

Deputy Mayor Pro Tem Halbert move to approve the proposed ordinance, changing the posted speed limit for Tom Clevenger Drive to 20 miles per hour. Councilmember Bradley seconded the motion. For: Baldwin, Daugherty, Richmond, Bradley and Grant. Against: Halbert and Brandon. The motion carried by a vote of 5 to 2.

- F. Consider and take action, if any, on the proposed Animal Shelter project, including the design process and status report.

Public Comments:

Dr. Lorraine Chalkley, 1101 N. Murphy Road – Dr. Chalkley, Chair of the Animal Shelter Advisory Board, stated that she felt the work session was quite productive. Dr. Chalkley gave examples of cost savings now that the location has been moved across the street.

COUNCIL ACTION:

NO ACTION

The Council discussed the costs and bid process for the proposed animal shelter. Discussion was held with regard to holding a joint work session with the Animal Control Advisory Committee upon receipt of the revised study prepared by Quorum. No action was taken.

- G. Consider and take action, if any, on a resolution establishing the Rules and Procedures for the City of Murphy Ethics Commission.

Public Comments:

Ryan Sullentrup, 416 Woodcrest Circle – Mr. Sullentrup stated that he was up for appointment to the Ethics Commission. Mr. Sullentrup stated that he wanted to know the reasoning behind removing the employees from the policy.

COUNCIL ACTION:

NO ACTION

Discussion was held with regard to sending the proposed changes to the Ethics Review Commission.

- H. Consider and take action, if any, on an ordinance amending Chapter 2, Article IX of the Code of Ordinances entitled Code of Ethics.

COUNCIL ACTION:

NO ACTION

Discussion was held with regard to prohibiting Ethics Review Committee members from serving on additional boards to avoid a conflict of interest.

- I. Discuss Board and Commission appointments and review interview process.

COUNCIL ACTION:

DISCUSSION ITEM – NO ACTION

Mayor Pro Tem Daugherty advised the Council that the Interview Panel would be meeting on December 4, 2012 to come up with the final candidates to present to Council at the December 11, 2012 meeting.

8. CITY MANAGER/STAFF REPORTS

City Manager, James Fisher provided the Council with a report on the following:

- Plano Sports Association will have their ground breaking the week of December 17th
- Oncor will be cutting off power to the City Complex for six to eight hours, the scheduling is to be determined
- North Murphy Road Construction Update
- McCreary Road Construction Update
- Christmas in the Park – December 6
- Upcoming Council Meetings – December 11, January 2, January 15
- City Holidays – December 24, 25 and 31

9. EXECUTIVE SESSION

Mr. Fisher advised that an Executive Session was not necessary.

10. RECONVENE INTO REGULAR SESSION

COUNCIL ACTION:

NO EXECUTIVE SESSION HELD

11. ADJOURNMENT

With no further business, the meeting was adjourned at 8:47 p.m.

APPROVED BY:

Bret M. Baldwin, Mayor

ATTEST:

Kristi Gilbert, City Secretary

**City Council Meeting
December 11, 2012**

Consider and/or act upon awarding bid to the low bidder, Barbosa A. Construction, Inc. for constructing the sanitary sewer line extension for Kinney Road Addition.

Staff Resource / Department

James Fisher, City Manager
Gary Hendricks, City Engineer
Linda Truitt, Director of Finance
Kim Lenoir, Director of Parks and Public Works

Key Focus Area

Infrastructure – Wastewater Improvements on Kinney Drive.

Summary

Public bids were opened November 29, 2012. Four bids were received. Low bid of \$61,250 was from Barbosa A. Construction, Inc.

Background/History

On June 19, 2012, City Council directed staff to design and bid the construction of a sewer service line connection to 602 Kinney Drive.

On August 17, 2009, City Council approved a final plat for the Kinney Ranch Addition that subdivided and established two 2 acre lots, zoned SF-20, fronting Kinney Drive, without sewer service. The owner of Lot 2, at 602 Kinney Drive, Mark Miller, was present and requested a city sewer service connection. The city engineer had evaluated the project and provided an estimated cost of \$83,000 for design and construction.

Financial Considerations

This project will be funded from the reserves of the Utility Fund.

Action Requested / Staff Recommendation

Motion to award the construction bid to Barbosa A. Construction, Inc. for \$ 61,250 and to authorize the City Manager to sign the contract.

Attachments

Bid tabulation
Engineer's Letter of recommendation

CITY OF MURPHY, TEXAS
Kinney Ranch Sanitary Sewer Extension

BID SUMMARY

Bids Received at 2:00 p.m., Thursday, November 29, 2012

<u>Contractor</u>	<u>Total Amount Bid</u>
1. Barbosa A. Construction, Inc. 5905 Independence Ct. Rockwall, Texas 75089	<u>\$ 61,250.00</u>
2. Gin-Spen, Inc. 1317 CR 920-A Crowley, Texas 76036	<u>\$ 64,545.90</u>
3. R. D. Moorman, Inc. 4741 Parkwood Dr. Rockwall, Texas 75032	<u>\$ 67,924.50</u>
4. Dickerson Construction Co., Inc. P. O. Box 181 Celina, Texas 75009	<u>\$ 77,737.00</u>

TABULATION OF BIDS				BID OF		BID OF		BID OF		BID OF	
Date: November 29, 2012											
Project: CITY OF MURPHY, TEXAS Kinney Ranch Sanitary Sewer Extension				BIRKHOFF, HENDRICKS & CARTER, L.L.P. PROFESSIONAL ENGINEERS Dallas, Texas		Barbosa A. Construction, Inc. 5905 Independence Ct. Rockwall, Texas 75089		Gin-Spen, Inc. 1317 CR 920-A Crowley, Texas 76036		R. D. Moorman, Inc. 4741 Parkwood Dr. Rockwall, Texas 75032	
Item No.	Approximate Quantities	Unit	Description	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension	Unit Bid Price	Extension
1	38	L.F.	Furnish & Install 8-Inch SDR 35 Sanitary Sewer Pipe with Class 'H' Embedment By Open Cut	\$59.00	\$ 2,242.00	\$57.00	\$ 2,166.00	\$40.00	\$ 1,520.00	\$63.00	\$ 2,394.00
2	40	L.F.	Furnish & Install 8-Inch SDR 35 Sanitary Sewer Pipe with 18-Inch Steel Encasement (1/4" Thick Wall) by Other Than Open Cut	\$265.00	\$ 10,600.00	\$190.00	\$ 7,600.00	\$270.00	\$ 10,800.00	\$200.00	\$ 8,000.00
3	426	L.F.	Furnish & Install 6-Inch SDR 35 Sanitary Sewer Pipe with Class 'H' Embedment by Open Cut	\$46.00	\$ 19,596.00	\$55.00	\$ 23,430.00	\$38.00	\$ 16,188.00	\$63.00	\$ 26,838.00
4	35	L.F.	Furnish & Install 6-Inch SDR 35 Sanitary Sewer Pipe with Class 'G' Embedment by Open Cut	\$90.00	\$ 3,150.00	\$72.00	\$ 2,520.00	\$60.00	\$ 2,100.00	\$146.00	\$ 5,110.00
5	10	L.F.	Furnish & Install 4-Inch SDR 35 Sanitary Sewer Service Line with Class 'H' Embedment by Open Cut	\$43.00	\$ 430.00	\$51.00	\$ 510.00	\$25.00	\$ 250.00	\$65.00	\$ 650.00
6	1	Ea.	Furnish & Install 4-Inch Sanitary Sewer Plug	\$225.00	\$ 225.00	\$900.00	\$ 900.00	\$200.00	\$ 200.00	\$50.00	\$ 50.00
7	2	Ea.	Furnish & Install 6-Inch by 4-Inch Service Saddle	\$220.00	\$ 440.00	\$200.00	\$ 400.00	\$500.00	\$ 1,000.00	\$125.00	\$ 250.00
8	2	Ea.	Furnish & Install Sanitary Sewer 2-Way Cleanout	\$515.00	\$ 1,030.00	\$570.00	\$ 1,140.00	\$500.00	\$ 1,000.00	\$500.00	\$ 1,000.00
9	1	Ea.	Connecting to Existing Sewer Manhole	\$735.00	\$ 735.00	\$1,500.00	\$ 1,500.00	\$3,500.00	\$ 3,500.00	\$750.00	\$ 750.00
10	2	Ea.	Furnish & Install 4-Foot Diameter Type 'S' Pressure Manhole	\$2,620.00	\$ 5,240.00	\$4,200.00	\$ 8,400.00	\$3,500.00	\$ 7,000.00	\$3,000.00	\$ 6,000.00
11	2	Ea.	Furnish & Install 4-Foot Diameter Standard Manhole	\$2,515.00	\$ 5,030.00	\$4,100.00	\$ 8,200.00	\$3,500.00	\$ 7,000.00	\$2,700.00	\$ 5,400.00
12	46	C.Y.	Furnishing and Installing Cement Stabilized Backfill	\$115.00	\$ 5,290.00	\$50.00	\$ 2,300.00	\$85.00	\$ 3,910.00	\$150.00	\$ 6,900.00
13	14	S.Y.	Remove & Replace 3-Inch H.M.A.C.	\$83.00	\$ 1,162.00	\$75.00	\$ 1,050.00	\$100.00	\$ 1,400.00	\$100.00	\$ 1,400.00
14	13	S.Y.	Removing & Replacing 6-Inch Reinforced Concrete Pavement	\$85.00	\$ 1,105.00	\$85.00	\$ 1,105.00	\$100.00	\$ 1,300.00	\$150.00	\$ 1,950.00
15	18	L.F.	Removing & Replacing 18-Inch R.C.P.	\$35.00	\$ 630.00	\$50.00	\$ 900.00	\$65.00	\$ 1,170.00	\$100.00	\$ 1,800.00
16	625	S.Y.	Furnish, Placing and Establishing Solid Sod	\$4.50	\$ 2,812.50	\$3.00	\$ 1,875.00	\$13.50	\$ 8,437.50	\$10.00	\$ 6,250.00
17	1	L.S.	Trench Safety System Design	\$285.00	\$ 285.00	\$500.00	\$ 500.00	\$650.00	\$ 650.00	\$500.00	\$ 500.00
18	499	L.F.	Trench Safety System Implementation	\$2.50	\$ 1,247.50	\$0.10	\$ 49.90	\$1.00	\$ 499.00	\$5.00	\$ 2,495.00
			TOTAL AMOUNT BID (Items 1 Through 18)		\$ 61,250.00		\$ 64,545.90		\$ 67,924.50		\$ 77,737.00

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
PAUL A. CARLINE, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.

December 5, 2012

Delivered via Electronic Mail

Mr. James Fisher
City Manager
City of Murphy
206 North Murphy Road
Murphy, Texas 75094

Re: F.M. 2551 Utility Relocations
Bid Award Recommendation

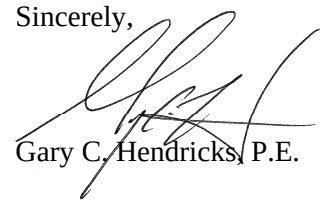
Dear Mr. Fisher:

We have checked the bids received Thursday, November 29, 2012 at 2:00 p.m. for the Kinney Ranch Sanitary Sewer Extension project. Four (4) contractors submitted bids on this project. We are enclosing six (6) copies of the Bid Tabulation and Bid Summary for your review and use.

Barbosa A. Construction, Inc. of Rowlett, Texas submitted the low bid in the amount of \$61,250.00. Their bid contained no irregularities, no bid exceptions and no errors. Barbosa A. Construction, Inc. meets the qualification requirements of the bid documents. They have a record of satisfactorily completing similar projects throughout North Texas, including projects for the Cities of Wylie, Rockwall, Prosper and Howe. It is our opinion they have adequate equipment; and financial resources to properly pursue this project.

Therefore, we recommend the City accept the bid of Barbosa A. Construction, Inc. for the Kinney Ranch Sanitary Sewer Extension project and award them a contact amount of \$61,500. We are available to discuss this project and our recommendation further at your convenience.

Sincerely,


Gary C. Hendricks, P.E.

Enclosures

cc: Ms. Kim Lenoir

Barbosa A. Construction

(214) 872-0893 Utility Contractor Fax (972) 463-7755
5905 Independence Ct. Rowlett, Texas 75089

List of References:

Frank Jaromin, Director of Public Works
Town of Prosper
(972) 347-9969
frank_jaromin@prospertx.gov

Joe Tidwell, Inspector
City of Wylie
(469) 734-8174
Joe.tidwell@wylietexas.gov

John Cranson, Inspector
City of Rockwall
(214) 543-3952
jcranson@rockwall.com

Joe Shepard, Public Works
City of Howe
(903) 532-5571

List of Jobs:

2012 - Sanitary Sewer Line Repair - Town of Proper \$9,790.00
2012 - Fisher Road - Tin Horn Pipe Repair - Town of Prosper \$10,500.00

2012 - Kreymer Estates - City of Wylie - \$79,234.00

2012 - SH-66 Sanitary Sewer Replacement, East of Clark - City of Rockwall \$35,075.50
2011 - FM 740 Parkway Drainage Improvements - City of Rockwall \$41,415.70

2010 - Western Hills Drainage Improvements - City of Howe \$39,574.00
2011 - Sanitary Sewer Line Repair - City of Howe \$4,800.00

Issue

Consider and/or act upon the recommendations from the Council Interview Panel regarding appointing board members to the Planning and Zoning Commission, Board of Adjustments, Murphy Municipal Development District, Murphy 4B Community Development District, the Animal Shelter Advisory Committee, the Ethics Review Commission, the Parks and Recreation Board and the Building and Fire Code Board of Appeals.

Staff Resource / Department

Kristi Gilbert, City Secretary

Summary

The Interview Committee comprised of Mayor Pro Tem Daugherty and Councilmembers Bradley and Brandon will present their recommendations for appointments at the meeting.

The following Boards, Commissions and Committees have positions open for appointment:

4B Community Development District: Three full term positions

Animal Shelter Advisory Committee: Three full term positions

Board of Adjustments: Four full term positions; possibly one unexpired*, alternate position. It is suggested that the current alternate terms be staggered.

Building and Fire Code Appeals Board: Two full term positions.

Ethics Review Commission: Three full term positions; possibly one unexpired term*.

Murphy Municipal Development District: Two full term positions.

Park & Recreation Board: Four full term positions.

Planning & Zoning Commission: Four full term positions; two unexpired, alternate positions.

*Note, there is one commissioner whose term expires December 31, 2013 and also serves on the Board of Adjustments.

Attachments

Summary of Applicants

First Name	Last Name	4B	Ethics	BOA	ASAC	Parks	P&Z	MDD	BFCAB
Thad	Ayers		1			2			
Julia	Baldwin					1			
Shawn	Balusek	3				2		1	
Jennifer	Berthiaume	2			3		1		
Martin	Brenner	1	2					3	
Lorraine	Chalkley				1				
Andrew	Chase	2	1			3			
Donald	Decker					3	2		1
Alain	Dermarkar			3			2	1	
Beverly	Gaither	3	1	2					
Eric	Hemphill	2	3				1		
Trevor	Holcomb					3	1		2
Scott	Holden			1					
Stephen	Janiga	2				1		3	
Christine	Johnson			1			3		2
Sharon	Kindall		1	2			3		
Jon	King			2			1		3
Joseph	Mani	2					3	1	
Scott	Marin				2			3	1
Thomas	McDade		2				1		
John	McKay	2				3	1		
Greg	Mersch						2	3	1
Chris	Morrow	2				1			
Arthur	Moseley		2				1	3	
Jamie	Nicholson		2	3				1	
Sherry	Pace					1			
Angelia	Pinaga					1			
Clint	Pingleton	3					1	2	
Mark	Reed			3		1	2		
Donald	Rhea			2			1	3	
Buddy	Russell				1				
Owais	Siddiqui	2					3	1	
Betty	Spraggins	2	3	3	3	3	3	1	3
Ryan	Sullentrup	3	1	2					
Howard	Swanfeldt	3	2					1	
Joan	Tepfer	2			1	3			
Mathew	Thekkil	2		3			1		
Robert	Thomas		2			3	1		
James	Tuskan	1					1	1	
Margaret	Whitt		2		1	3			

CURRENT BOARD:

4B BOARD

		Current Appt Date	Term #	Term	Status
1	Betty Spraggins	1/31/2012	1	2012	A*
2	Cary Walker	6/21/2007	3	2012-2013	
3	Katie Westhora	7/7/2008	2.5	2012-2013	
4	Sherry Pace	1/31/2012	1	2012	N*
5	Eric Hemphill	7/7/2008	2	2010-2012	A
6	Brian Epstein	7/6/2010	1	2010-2012	N
7	Eric Lopez	1/31/2012	1	2012-2013	

Highlight indicates expiring terms

A – Applied

N – Did not apply

APPLICANTS:

First Name	Last Name	4B	Ethics	BOA	ASAC	Parks	P&Z	MDD	BFCAB
Martin	Brenner		1 2					3	
James	Tuskan		1				1 1		
Jennifer	Berthiaum		2		3		1		
Andrew	Chase		2 1			3			
Eric	Hemphill		2 3				1		
Stephen	Janiga		2			1		3	
Joseph	Mani		2				3 1		
John	McKay		2			3 1			
Chris	Morrow		2			1			
Owais	Siddiqui		2				3 1		
Betty	Spraggins		2 3 3 3 3 3 1 3						
Joan	Tepfer		2		1 3				
Mathew	Thekkil		2	3			1		
Shawn	Balusek		3			2		1	
Beverly	Gaither		3 1 2						
Clint	Pingleton		3				1 2		
Ryan	Sullentru		3 1 2						
Howard	Swanfeldt		3 2					1	

STAFF NOTES:

Ms. Spraggins has indicated that her primary choice would be to switch to the MDD board. Ms. Pace has submitted an application; however, she has applied only for the Parks board.

CURRENT BOARD:

ANIMAL SHELTER ADVISORY COMMITTEE

		Current Appt Date	Term #	Term	Status
1	Tammy Drake, ACO	7/6/2010	1		
2	Dave Brandon	7/6/2010	1	2010-2012	
3	Lorraine Chalkley	7/6/2010	1	2010-2012	A
4	Buddy Russell	7/6/2010	1	2010-2012	A
5	Stephanie Pennington	7/6/2010	1	2010-2013	
6	Beverly Mueller	7/6/2010	1	2010-2013	

Highlight indicates expiring terms

A – Applied

N – Did not apply

APPLICANTS:

First Name	Last Name	4B	Ethics	BOA	ASAC	Parks	P&Z	MDD	BFCAB
Lorraine	Chalkley				 1				
Buddy	Russell				 1				
Joan	Tepfer	 2			 1	 3			
Margaret	Whitt		 2		 1	 3			
Scott	Marin				 2			 3	 1
Jennifer	Berthiaume	 2			 3		 1		
Betty	Spraggins	 2	 3	 3	 3	 3	 3	 1	 3

STAFF NOTES:

One of the appointments must be a Councilmember and one must be a licensed veterinarian. Dr. Lorraine Chalkley is the only veterinarian that applied.

CURRENT BOARD:

BOARD OF ADJUSTMENT

		Current Appt Date	Term #	Term	Status
1	Andrew Chase	6/6/2006	3	2010-2012	A*
2	Scott Holden	6/6/2006	3	2010-2012	A
3	Christine Johnson	6/20/2005	4	2010-2012	A
4	Jory Denny	7/6/2009	1.5	2010-2012	N
5	Frank Steckler	7/7/2008	2	2012-2013	
6	David Grice	1/31/2012	1	2012-2013	
7	Lindy Martin	1/31/2012	1	2012-2013	
8	Mathew Thekkil, Alt.	3/20/2012	3	2012-2013	
9	Owais Siddiqui, Alt.	1/31/2012	1	2012-2013	
10	Mahendra Parikh, Alt.	1/31/2012	1	2012-2013	
11	Kenneth Tatsch, Alt.	1/31/2012	1	2012-2013	

Highlight indicates expiring terms

A – Applied

N – Did not apply

APPLICANTS:

First Name	Last Name	4B	Ethics	BOA	ASAC	Parks	P&Z	MDD	BFCAB
Scott	Holden			1					
Christine	Johnson			1			3		2
Beverly	Gaither	3	1	2					
Sharon	Kindall		1	2			3		
Jon	King			2			1		3
Donald	Rhea			2			1	3	
Ryan	Sullentrup	3	1	2					
Alain	Dermarkar			3			2	1	
Jamie	Nicholson		2	3				1	
Mark	Reed			3		1	2		
Betty	Spraggins	2	3	3	3	3	3	1	3
Mathew	Thekkil	2		3			1		

STAFF NOTES:

Mr. Chase has indicated his desire to serve on a different board. Ms. Johnson has applied to serve a 5th term on the Board, however, some of the terms have been partial terms or as alternates so she has not hit the term limit to date. Ms. Johnson is currently serving on the Building and Fire Code Appeals Board. Mr. Holden indicated that the Board of Adjustments is his only choice. Staff would recommend moving at least two individuals up to regular terms and replace them with alternates who are appointed for a one year term to provide for staggered alternate positions.

CURRENT BOARD:

ETHICS REVIEW COMMISSION

		Current Appt Date	Term #	Term	Status
1	Angela Eisenzopf	1/31/2012	1	2012	N
2	Kenneth Tatsch	1/31/2012	1	2012	N
3	Owais Siddiqui	3/20/2012	1	2012-2013	
4	Vacant	1/31/2012	1	2012-2013	
5	Barbara Harless	1/31/2012	1	2012-2013	

Highlight indicates expiring terms

A – Applied

N – Did not apply

APPLICANTS:

First Name	Last Name	4B	Ethics	BOA	ASAC	Parks	P&Z	MDD
Thad	Ayers		1			2		
Andrew	Chase		2	1		3		
Beverly	Gaither	3	1	2				
Sharon	Kindall		1	2			3	
Ryan	Sullentrup	3	1	2				
Martin	Brenner	1	2					3
Thomas	McDade		2				1	
Arthur	Moseley		2				1	3
Jamie	Nicholson		2	3				1
Howard	Swanfeldt	3	2					1
Robert	Thomas		2			3	1	
Margaret	Whitt		2		1	3		
Eric	Hemphill	2	3				1	
Betty	Spraggins	2	3	3	3	3	3	1

STAFF NOTES:

Neither Ms. Eisenzopf nor Mr. Tatsch reapplied for any position this year. Additionally, there is a vacant space to fill. Three new appointments will be required.

CURRENT BOARD:

BUILDING AND FIRE CODE APPEALS BOARD

		Current Appt Date	Term #	Term	Status
1	Christine Johnson	7/2/2007	3	2012-2013	
2	Donald Decker	7/6/2010	1	2010-2012	A
3	Ty Holcomb	7/6/2010	1	2010-2012	A
4	John Hardy	1/31/2012	1	2012-2013	
5	Mahendra Parikh	1/31/2012	1	2012-2013	

Highlight indicates expiring terms

A – Applied

N – Did not apply

APPLICANTS:

First Name	Last Name	4B	Ethics	BOA	ASAC	Parks	P&Z	MDD	BFCAB
Donald	Decker					 3	 2		 1
Scott	Marin				 2			 3	 1
Greg	Mersch						 2	 3	 1
Trevor	Holcomb					 3	 1		 2
Christine	Johnson			 1			 3		 2
Jon	King			 2			 1		 3
Betty	Spraggins	 2	 3	 3	 3	 3	 3	 1	 3

STAFF NOTES:

Mr. Holcomb has indicated his preferred position is to be appointed to the Planning & Zoning Commission. According to Fire Chief Lee, this board has never heard a case.

The ordinance specifies preferred backgrounds for board members. They are as follows:

1. Registered design professional with architectural experience or a builder/superintendent of building construction; **Mr. Holcomb is a licensed architect.**
2. Registered design professional with structural engineering experience or a builder/superintendent; **Current Boardmember Johnson meets this requirement. Mr. Mersch has experience in construction management.**
3. Registered design professional with mechanical/plumbing engineering experience or a mechanical/plumber contractor;
4. Registered design professional with electrical engineering experience or an electrical contractor; **Mr. Decker, Mr. Marin and Mr. King have backgrounds in electrical engineering.**
5. Registered design professional with fire protection engineering experience or a fire protection contractor

CURRENT BOARD:

MURPHY MUNICIPAL DEVELOPMENT DISTRICT

		Current Appt Date	Term #	Term	Status
1	John Daugherty	1/31/2012	1	2012-2013	
2	Dennis Richmond	1/31/2012	1	2012-2013	
3	Bernard Grant	1/31/2012	1	2012-2013	
4	David Cooper	1/31/2012	1	2012	N
5	Charles Buescher	1/31/2012	1	2012	N

Highlight indicates expiring terms

A – Applied

N – Did not apply

APPLICANTS:

First Name	Last Name	4B	Ethics	BOA	ASAC	Parks	P&Z	MDD
Shawn	Balusek	3				2		1
Alain	Dermarkar			3			2	1
Joseph	Mani	2					3	1
Jamie	Nicholson		2	3				1
Owais	Siddiqui	2					3	1
Howard	Swanfeldt	3	2					1
James	Tuskan	1					1	1
Betty	Spraggins	2	3	3	3	3	3	1
Clint	Pingleton	3					1	2
Scott	Marin				2			3
Stephen	Janiga	2				1		3
Greg	Mersch						2	3
Martin	Brenner	1	2					3
Arthur	Moseley		2				1	3
Donald	Rhea			2			1	3

STAFF NOTES:

Neither Mr. Cooper, nor Mr. Buescher reapplied for any position this year. Mr. Siddiqui is currently serving on the Ethics Review Commission.

CURRENT BOARD:

PARK & RECREATION BOARD

		Current Appt Date	Term #	Term	Status
1	Cary Walker	7/7/2008	2	2010-2012	N
2	Julia Baldwin	6/6/2006	3	2010-2012	A
3	Paula Harper	12/7/2009	1	2010-2012	N
4	Angelia Pinaga	1/31/2012	1	2012	A
5	Amy Lawrence	1/31/2012	1	2012-2013	
6	Katie Westhora	1/31/2012	1	2012-2013	
7	Kenneth Oltmann	1/31/2012	1	2012-2013	

Highlight indicates expiring terms

A – Applied

N – Did not apply

APPLICANTS:

First Name	Last Name	4B	Ethics	BOA	ASAC	Parks	P&Z	MDD	BFCAB
Mark	Reed			3		1	2		
Julia	Baldwin					1			
Chris	Morrow	2				1			
Sherry	Pace					1			
Angelia	Pinaga					1			
Stephen	Janiga	2				1		3	
Thad	Ayers		1			2			
Shawn	Balusek	3				2		1	
Trevor	Holcomb					3	1		2
John	McKay	2				3	1		
Robert	Thomas		2			3	1		
Donald	Decker					3	2		1
Betty	Spraggins	2	3	3	3	3	3	1	3
Andrew	Chase	2	1			3			
Margaret	Whitt		2		1	3			
Joan	Tepfer	2			1	3			

STAFF NOTES:

Ms. Harper and Mr. Walker have decided not to reapply this year. There are several individuals that have listed the Parks and Recreation Board as their only choice. These include Ms. Baldwin, Ms. Pace and Ms. Pinaga.

CURRENT BOARD:

PLANNING & ZONING COMMISSION

		Current Appt Date	Term #	Term	Status
1	Steve Levy	7/6/2009	2	2012-2013	
2	Jane Jan	7/6/2010	1	2010-2012	N
3	John McKay	11/19/2007	2	2010-2012	A
4	Ty Holcomb	7/6/2010	1	2010-2012	A
5	John Johnson	1/31/2012	1	2011-2013	
6	Jon King	7/19/2010	1	2010-2012	A
7	Camille Hooper	1/31/2012	1	2012-2013	
8	Vacant, alternate	1/31/2012	1	2012-2013	
9	Vacant, alternate	1/0/1900	0	2012-2013	

Highlight indicates expiring terms

A – Applied

N – Did not apply

APPLICANTS:

First Name	Last Name	4B	Ethics	BOA	ASAC	Parks	P&Z	MDD	BFCAB
Jennifer	Berthiaume	2			3		1		
James	Tuskan	1					1	1	
Thomas	McDade		2				1		
Jon	King			2			1		3
Clint	Pingleton	3					1	2	
Trevor	Holcomb					3	1		2
John	McKay	2				3	1		
Robert	Thomas		2			3	1		
Mathew	Thekkil	2		3			1		
Eric	Hemphill	2	3				1		
Arthur	Moseley		2				1	3	
Donald	Rhea			2			1	3	
Mark	Reed			3		1	2		
Alain	Dermarkar			3			2	1	
Donald	Decker					3	2		1
Greg	Mersch						2	3	1
Sharon	Kindall		1	2			3		
Joseph	Mani	2					3	1	
Owais	Siddiqui	2					3	1	
Christine	Johnson			1			3		2
Betty	Spraggins	2	3	3	3	3	3	1	3

STAFF NOTES:

Ms. Jan has not submitted an application for reappointment. Additionally, there are two vacant alternate positions. Staff would suggest filling one vacant position for a one year term and the other for a two year term to provide for staggered terms.

Issue

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

Staff Resource / Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – Consultant, Sims Planning

Background

City staff realized in the Spring of 2012 that there was a question as to the zoning of a particular parcel of land within the City. As research was conducted to answer this question, it was determined that there were inconsistencies between the text within the Zoning Ordinance and the labels on the Zoning Map.

Staff hired an urban planning consultant, Sims Planning (Heather Sims), to further research and address these inconsistencies. Upon review of the Zoning Ordinance adopted in 2004, the previously adopted Zoning Ordinance, and the Zoning Map, it was determined that there were three specific zoning districts that should be amended into the 2004 Zoning Ordinance text. These are the Public/Semi-Public (P/SP) District, the Parks/Open Space (PK) District, and the Private Recreation (PPK) District.

The addition of these districts will allow the Zoning Map to have increased consistency with the Zoning Ordinance text.

Considerations

1. The proposed zoning districts are as follows:

P/SP – Public/Semi-Public

The P/SP, Public/Semi-Public, district is intended to provide for a range of public and institutional development, including public agency buildings, shops, yards, or facilities, hospitals, educational facilities, cultural and institutional facilities, and other similar and supporting uses. This district also applies to City, State, and federal lands. All development is subject to development review in accordance with the City's applications and procedures.

PK – Parks/Open Space

The PK, Parks/Open Space, district is intended to identify existing publicly owned and operated parks, recreation areas, playgrounds, playfields or stadiums, swimming pools and open spaces that are available for use by the general public without membership or affiliation. Such lands include undeveloped open space, drainage ways, and utility easements. All development is subject to development review in accordance with the City's applications and procedures.

PPK – Private Recreation

The PPK, Private Recreation, district is intended to identify existing private recreation facilities (such as golf courses), parks, or playgrounds which are not owned by a public agency such as the City or School District, and which are operated for the exclusive use of private residents or neighborhood groups and their guests and not for use by the general public. All development is subject to development review in accordance with the City's applications and procedures.

1. A public hearing notification for this proposed zoning change was published in the newspaper.

Board Discussion/Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There were no speakers during the public hearing regarding this item.

Staff Recommendation

Staff has reviewed these proposed districts and recommends that they be amended into the Zoning Ordinance text.

Attachments

Ordinance amending Zoning Ordinance text

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING CHAPTER 86 OF THE CODE OF ORDINANCES OF THE CITY OF MURPHY, TEXAS, BY AMENDING ARTICLE III, ENTITLED “ZONING DISTRICTS,” TO INCLUDE ZONING CLASSIFICATIONS FOR A PUBLIC/SEMI-PUBLIC DISTRICT (P/PS), PARKS/OPEN SPACE DISTRICT (PK), AND PRIVATE RECREATION DISTRICT (PPK); PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 86-142 of the Code of Ordinances of the City of Murphy requires proposed changes to the text of the Zoning Ordinance that notice of the Planning and Zoning Commission hearing shall be accomplished by publishing the purpose, time, and place of the public hearing in the official newspaper of the City before the fifteenth (15th) calendar day prior to the date of the public hearing; 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 Chapter 86 of the Code of Ordinances should be amended;

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. That Section 86, Article III “Zoning Districts” of the City of Murphy Code of Ordinances is hereby amended to include the following zoning districts:

1. P/SP – Public/Semi-Public

The P/SP, Public/Semi-Public, district is intended to provide for a range of public and institutional development, including public agency buildings, shops, yards, or facilities, hospitals, educational facilities, cultural and institutional facilities, and other similar and supporting uses. This district also applies to City, State, and federal lands. All development is subject to development review in accordance with the City’s applications and procedures.

2. PK – Parks/Open Space

The PK, Parks/Open Space, district is intended to identify existing publicly owned and operated parks, recreation areas, playgrounds, playfields or stadiums, swimming pools and open spaces that are available for use by the general public without membership or affiliation. Such lands include undeveloped open space, drainage ways, and utility easements. All development is subject to development review in accordance with the City's applications and procedures.

3. PPK – Private Recreation

The PPK, Private Recreation, district is intended to identify existing private recreation facilities (such as golf courses), parks, or playgrounds which are not owned by a public agency such as the City or School District, and which are operated for the exclusive use of private residents or neighborhood groups and their guests and not for use by the general public. All development is subject to development review in accordance with the City's applications and procedures.

Section 3. That Chapter 86, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

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

Section 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED AND ADOPTED this the 11th day of December 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Issue

Hold a public hearing and consider and/or act on the proposed clarifications to the Zoning Map, as shown on the proposed official Zoning Map #2 ("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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

City staff realized in the Spring of 2012 that there was a question as to the zoning of a particular parcel of land within the City. As research was conducted to answer this question, it was determined that there were inconsistencies between the text within the Zoning Ordinance and the labels on the Zoning Map. Staff hired an urban planning consultant, Sims Planning (Heather Sims), to further research and addresses these inconsistencies.

Issues and Considerations:

Each issue has been detailed below (#1, 2, and 3) and considerations of these issues are identified as well.

Issue #1:

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 1) districts that were in place prior to the adoption of the 2004 Zoning Ordinance, and 2) districts from the 2004 Zoning Ordinance.

Several zoning district areas (on Zoning Map #1) are not referred to correctly or are not found in the current Zoning Ordinance text. These are outlined below, with the first list (to the left) reflecting how districts are now related to the Zoning Map legend, and the second list (to the right) reflecting how those districts should be shown to properly correlate with current Zoning Ordinance text. The clarified legend, detailed below, is shown on Zoning Map #2:

Zoning Districts as designated on Map #1/Legend

Re-Designated Zoning Districts on Map #2/Legend

AG – Agriculture/Open Space-----	AG – Agricultural/Open Space
ETJ-----	ETJ
ER – Estate Residential (ED)-----	SF-E – Single-Family Estate
LC – Light Commercial-----	{No Change}
LR – Low Density Residential (SF-1)-----	SF-20 - Single-Family Residential-20
MR – Medium Density Residential (SF-2)-----	SF-9/SF-11/SF-15 or SF-15
NS – Neighborhood Service (Light Retail)-----	NS – Neighborhood Service
O – Office-----	{No Change}
P/SP – Public/Semi-Public-----	In Legend/No District in Text
PD-R/LC – Planned Development-Retail/Light Commercial-----	Adding PD #'s
PD-Retail-----	Pd-R Planned Development Retail / Adding PD #'s

PDR – Planned Density Residential-----SF-Res. By type
 PK – Parks/Open Space-----In Legend/No District in Text
 PPK – Private Recreation-----In Legend/No District in Text
 R-Retail-----{No Change}
 R/LC-Retail/Light Commercial-----Retail
 SF-1 – Single-Family Residential (1)-----SF-20 - Single-Family Residential-20
 SF-1 – Single-Family Residential (1)-----SF-15 - Single-Family Residential-15
 SF-PH-Single-Family Residential Patio Home-----{No Change}
 TC – Town Center-----{No Change}
 PD-TC-----Planned Development Town Center
 Not on Legend-----Business Park
 Not on Legend-----SF-9/SF-11
 Not on Legend-----SF-9
 Not on Legend-----SF-9/SF-11/SF-20
 Not on Legend-----SF-9/SF-11/SF-15
 Not on Legend-----MH-Manufactured Housing (PD Only)
 Not on Legend-----PD-O-Planned Development Office
 Not on Legend-----MF-12-Multiple Family
 Not on Legend-----SF-11- Single Family Residential-11
 Not on Legend-----PD-R – Planned Development Retail
 Outside City Limits in 2003-----Recently Annexed Areas

Consideration re: Issue #1:

The proposed clarification of the zoning districts on the proposed Zoning Map #2 does not change current zoning of any property within the City. This clarification is simply the application of the City's 2004 Zoning Ordinance text onto the proposed Zoning Map #2.

Issue #2:

Upon review of the Zoning Ordinance adopted in 2004 and the Zoning Map, it was determined that the numbers shown in relation to various Planned Developments throughout the City were a) incorrect, and b) not shown with any boundary specificity.

The correlation between the PD numbering shown on the current Zoning Map and the correct numbering is as follows:

Neighborhoods With PD Ordinances		
Name	Number on Zoning Maps	
	Current (Map #1)	Correct (Map #2)
Maxwell Creek North	48_7	00-06-486 00-06-487 04-10-623
Moonlight Estates	48_8	00-08-488
The Ranch & The Gables at North Hill	53_1	03-10-590
Rolling Ridge Estates	40_15_99	04-01-599 04-09-622
The Timbers	45_1 35_6	86-05-245 94-06-365

	35_5 37_0 14_2	
Windy Hill Farms	31_2	99-01-444
Stratford Crossing	50_1	279
Murphy Farms	45_2	99-03-452
The Aviary	99_74_58	99-07-458
Non-Residential Areas With PD Ordinances		
Name	Number on Zoning Maps	
	Current (Map #1)	Correct (Map #2)
Brand Road PD	51_4	00-12-514 03-09-585
Plano ISD Site	52_1	01-06-521
Town Center District	50_6	05-07-663
7-Eleven (Murphy Road)	27_9	06-12-709
Murphy Medical Addition	24_5	08-11-771
Murphy Marketplace Zoning	50_5	12-10-923
Fort Montessori School	27_9	09-07-803
Williams Property	27_9	09-09-814
Murphy Village	51_4	09-12-823
Canterra Office Park	44_3	09-12-825
McCreary Marketplace	44_3	12-06-915

The clarification of these correct Planned Development Ordinance numbers on the Zoning Map will allow the Zoning Map to have increased consistency with adopted Planned Development ordinances. The clarified numbers are shown on Zoning Map #2.

Consideration re: Issue #2

The editing of the Planned Development numbers on the proposed Zoning Map #2 does not alter the respective Planned Development ordinances in any way. It is a clarification of the correct numbering onto the proposed Zoning #2 Map, so that this Zoning Map #2 is a correct depiction of the Planned Development numbers. With this correction, both City staff and the public will be able to immediately recognize what the correct PD number is for a particular property, and the related PD ordinance will then be able to be quickly and efficiently found.

Issue #3:

Upon review of the Zoning Ordinance adopted in 2004 and the Zoning Map, it was determined that there are several areas where the zoning on a property has been changed by the City, but this zoning change is not reflected on the map.

These areas are as follows:

- 1) Murphy Marketplace, PD 12-10-923 – Shown as TC on Zoning Map #1
Should be PD-TC, as shown on Zoning Map #2

- 2) Canterra Office Park, PD 09-12-825 – Shown as PD-R/LC on Zoning Map #1
Boundaries are clarified, as shown on Zoning Map #2
Remaining area to the east is zoned Retail
- 3) McCreary Marketplace, PD 12-06-915 – Shown as LR (Low Density Residential - SF-1) on Zoning Map #1
Should be PD-R, as shown on Zoning Map #2
- 4) Murphy Medical Addition, PD 08-11-771 – Shown as MR (Medium Density Residential – SF-2) on Zoning Map #1
Should be PD-O, as shown on Zoning Map #2
- 5) Williams Property, PD 09-09-814 – Shown as LR (Low Density Residential - SF-1) on Zoning Map #1
Should be PD-O, as shown on Zoning Map #2

Consideration re: Issue #3

The proposed clarification of rezoned properties is a visual translation onto the proposed Zoning Map #2 of City zoning actions that have been taken in the past. The current Zoning Map needs to be clarified with the update of these zoning actions so that the City's Zoning Map is up-to-date and accurately reflects current zoning. The proposed clarification of rezoned properties does not alter the respective zoning of any of these properties in any way.

Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There were no speakers during the public hearing regarding this item. Staff and the consultant both reaffirmed that these amendments did not change the zoning on any of the properties.

Staff Recommendation

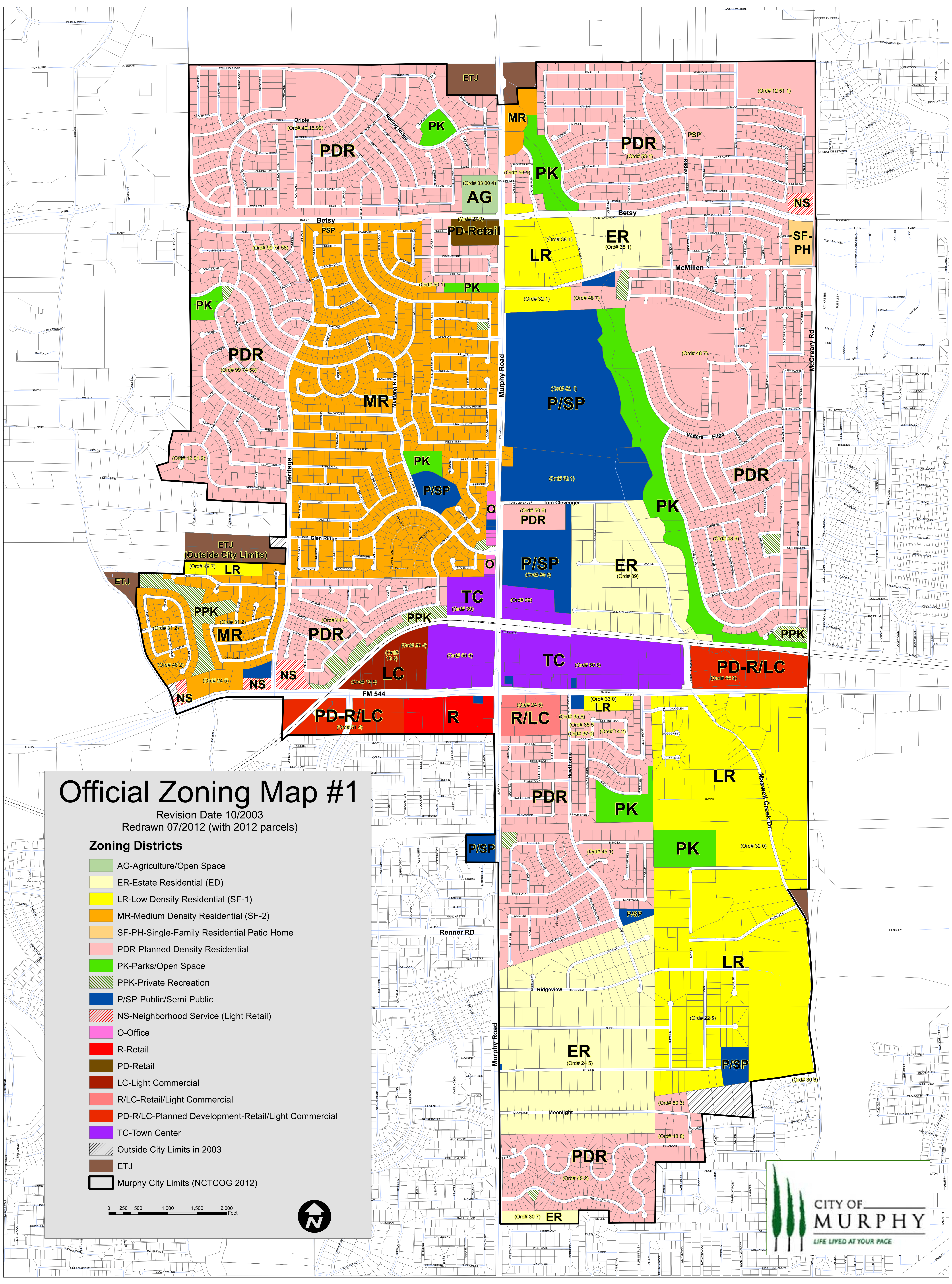
Staff recommends adoption of Zoning Map #2 in order to clarify and address issues discussed as part of this agenda item (map legend/labels, accurate Planned Development Ordinance numbers).

Attachments

Zoning Map #1 (*Current Map for reference*)

Zoning Map #2 (Proposed for adoption)

Ordinance - Clarification Items as reflected on Zoning Map #2



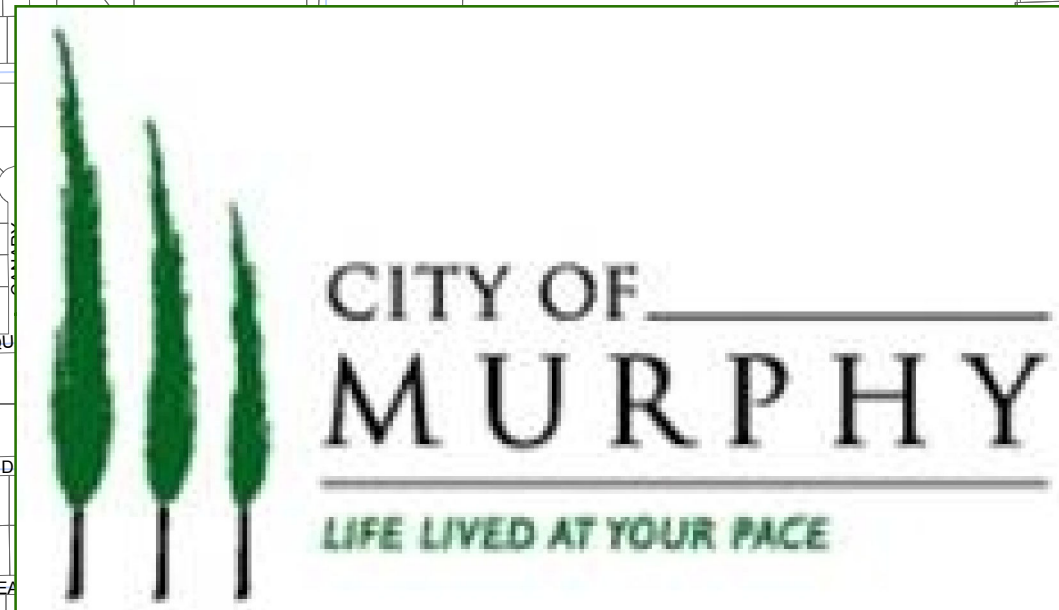
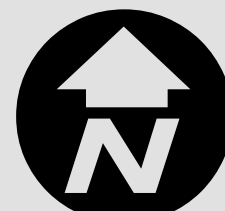
Official Zoning Map #1

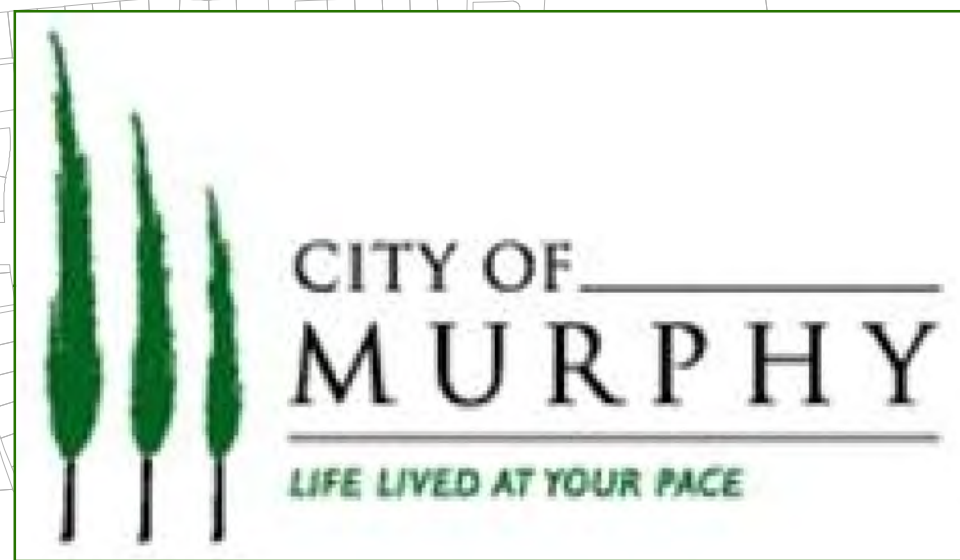
Revision Date 10/2003
Redrawn 07/2012 (with 2012 parcels)

Zoning Districts

- AG-Agriculture/Open Space
- ER-Estate Residential (ED)
- LR-Low Density Residential (SF-1)
- MR-Medium Density Residential (SF-2)
- SF-PH-Single-Family Residential Patio Home
- PDR-Planned Density Residential
- PK-Parks/Open Space
- PPK-Private Recreation
- P/SP-Public/Semi-Public
- NS-Neighborhood Service (Light Retail)
- O-Office
- R-Retail
- PD-Retail
- LC-Light Commercial
- R/LC-Retail/Light Commercial
- PD-R/LC-Planned Development-Retail/Light Commercial
- TC-Town Center
- Outside City Limits in 2003
- ETJ
- Murphy City Limits (NCTCOG 2012)

0 250 500 1,000 1,500 2,000 Feet





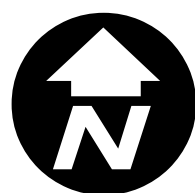
Official Zoning Map #2

Date November 2012

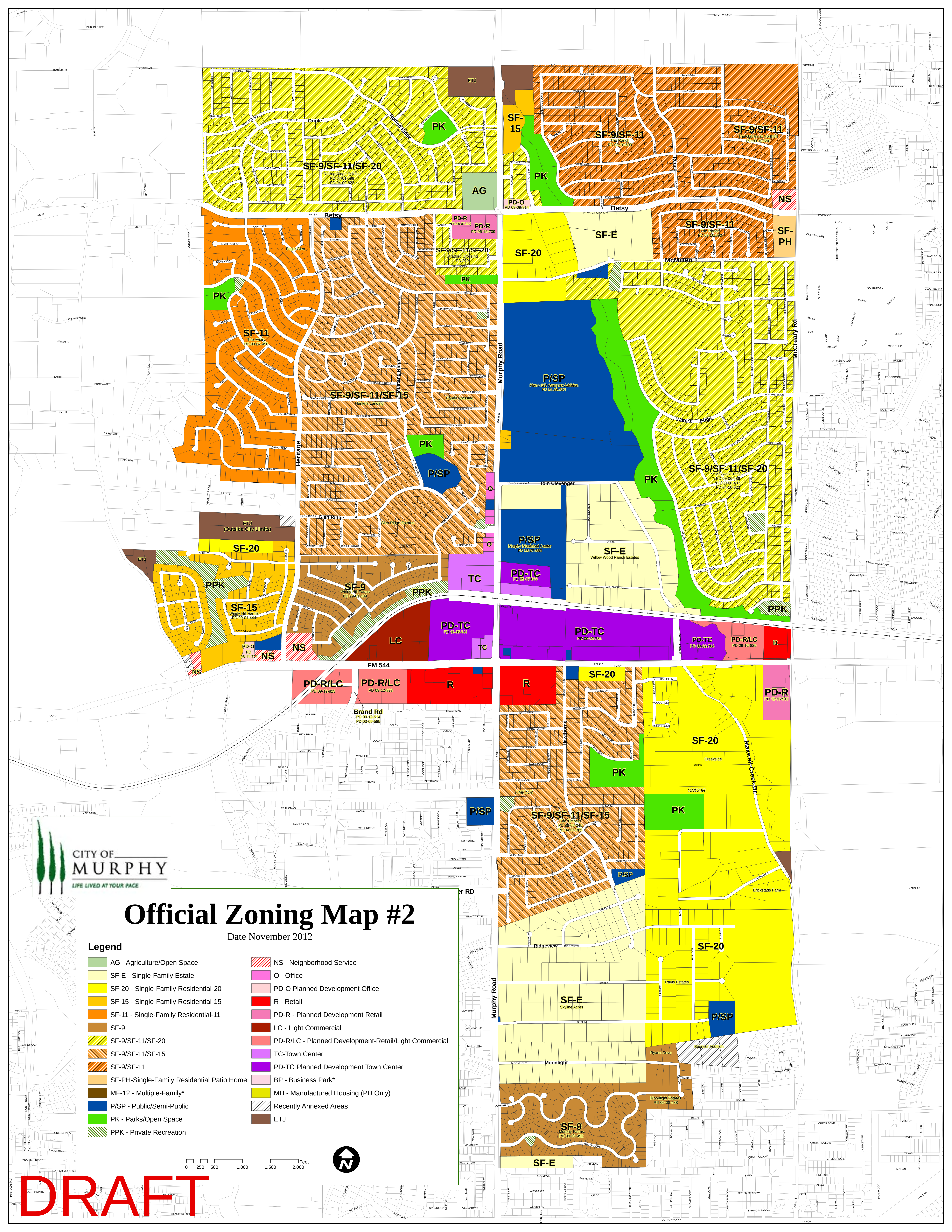
Legend

- | | |
|--|---|
| AG - Agriculture/Open Space | NS - Neighborhood Service |
| SF-E - Single-Family Estate | O - Office |
| SF-20 - Single-Family Residential-20 | PD-O Planned Development Office |
| SF-15 - Single-Family Residential-15 | R - Retail |
| SF-11 - Single-Family Residential-11 | PD-R - Planned Development Retail |
| SF-9 | LC - Light Commercial |
| SF-9/SF-11/SF-20 | PD-R/LC - Planned Development-Retail/Light Commercial |
| SF-9/SF-11/SF-15 | TC-Town Center |
| SF-9/SF-11 | PD-TC Planned Development Town Center |
| SF-PH-Single-Family Residential Patio Home | BP - Business Park* |
| MF-12 - Multiple-Family* | MH - Manufactured Housing (PD Only) |
| P/SP - Public/Semi-Public | Recently Annexed Areas |
| PK - Parks/Open Space | ETJ |
| PPK - Private Recreation | |

0 250 500 1,000 1,500 2,000 Feet



DRAFT



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING CHAPTER 86 OF THE CODE OF ORDINANCES OF THE CITY OF MURPHY, TEXAS, BY AMENDING ARTICLE I, SECTION 86.2, ENTITLED “ZONING DISTRICT MAP,” BY AMENDING AND REVISING THE LEGEND TO REFLECT THE CITY’S ZONING DISTRICTS; BY AMENDING AND REVISING THE COMPREHENSIVE ZONING MAP TO CORRECT THE PLANNED DEVELOPMENT DISTRICT ORDINANCE NUMBERS DEPICTED ON THE MAP; AND AMENDING THE COMPREHENSIVE ZONING MAP TO REFLECT ADOPTED ZONING CHANGES; DISTRICT; PROVIDING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, Section 86-142 of the Code of Ordinances of the City of Murphy requires proposed changes to the Zoning Map of the Zoning Ordinance that notice of the Planning and Zoning Commission hearing shall be accomplished by publishing the purpose, time, and place of the public hearing in the official newspaper of the City before the fifteenth (15th) calendar day prior to the date of the public hearing; 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 Chapter 86 of the Code of Ordinances should be amended;

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

Section 1. FINDINGS INCORPORATED

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. Section 86.2, “Zoning District Map” of the City of Murphy Code of Ordinances is hereby amended to revise and include the following in the Legend:

- a. Delete “AG-Agriculture/Open Space,” and replace with “AG—Agricultural/Open Space.”
- b. Delete “ER-Estate Residential (ED),” and replace with “SF-E—Single Family Estate.”
- c. Delete “LR--Low Density Residential (SF-1)” and replace with “SF-20—Single-Family Residential-20.”
- d. Delete “MR – Medium Density Residential (SF-2)” and replace with “SF-9/SF-11/SF-15 or SF-15.”

- e. Delete “NS – Neighborhood Service (Light Retail),” and replace with “NS – Neighborhood Service.”
- f. Delete “PDR – Planned Density Residential.”
- g. Delete “R/LC-Retail/Light Commercial,” and replace with “Retail.”
- h. Delete “SF-1 – Single-Family Residential (1),” and replace with “SF-20 - Single-Family Residential-20.”
- i. Delete “SF-1 – Single-Family Residential (1),” and replace with “SF-15 - Single-Family Residential-15.”
- j. Delete “PD-TC,” and replace with “Planned Development Town Center.”
- k. Add “Business Park.”
- l. Add “SF-9/SF-11.”
- m. Add “SF-9.”
- n. Add “SF-9/SF-11/SF-20.”
- o. Add “SF-/SF-11/SF-15.”
- p. Add “MH-Manufactured Housing (PD Only).”
- q. Add “PD-O-Planned Development Office.”
- r. Add “MF-12-Multiple Family.”
- s. Add “SF-11- Single Family Residential-11.”
- t. Add “PD-R – Planned Development Retail.”
- u. Add “Recently Annexed Areas.”

The following Districts shall remain unchanged on the Legend:

- ETJ
- LC—Light Commercial
- O—Office
- P/SP—Public/Semi-Public
- PK—Parks/Open Space
- PPK—Private Recreation
- R-Retail
- SF—PH-Single-Family Residential Patio Home
- TC—Town Center

Section 3. Section 86.2, “Zoning District Map” of the City of Murphy Code of Ordinances is hereby amended to revise and include the following on the Comprehensive Zoning Map:

Planned Development District Ordinance numbers amendments		
Name	Number on Zoning Maps	
	Delete from Current Map	Replace with following, as depicted on Exhibit "A."
Maxwell Creek North	48_7	00-06-486 00-06-487 04-10-623
Moonlight Estates	48_8	00-08-488
The Ranch & The Gables at North Hill	53_1	03-10-590
Rolling Ridge Estates	40_15_99	04-01-599 04-09-622
The Timbers	45_1 35_6 35_5 37_0 14_2	86-05-245 94-06-365
Windy Hill Farms	31_2	99-01-444
Stratford Crossing	50_1	279
Murphy Farms	45_2	99-03-452
The Aviary	99_74_58	99-07-458
Non-Residential Areas Planned Development District Ordinance numbers amendments		
Name	Number on Zoning Maps	
	Delete from Current Map	Replace with the following, as depicted on Exhibit "A"
Brand Road PD	51_4	00-12-514 03-09-585
Plano ISD Site	52_1	01-06-521
Town Center District	50_6	05-07-663
7-Eleven (Murphy Road)	27_9	06-12-709
Murphy Medical Addition	24_5	08-11-771
Murphy Marketplace Zoning	50_5	12-10-923
Fort Montessori School	27_9	09-07-803
Williams Property	27_9	09-09-814
Murphy Village	51_4	09-12-823
Canterra Office Park	44_3	09-12-825

Section 4. Section 86.2, “Zoning District Map” of the City of Murphy Code of Ordinances is hereby amended to revise and include the following on the Comprehensive Zoning Map:

- a. Revise Murphy Marketplace, PD 12-10-923 by deleting “TC” and replacing with “PD-TC,” as shown on Exhibit “A.”
- b. Revise Canterra Office Park, PD 09-12-825 by deleting “PD-R/LC” and replacing with Districts identified on Exhibit “A.”
- c. Revise McCreary Marketplace, PD 12-06-915 by deleting “LR (Low Density Residential - SF-1)” and replacing with “PD-R,” as shown on Exhibit “A.”
- d. Revise Murphy Medical Addition, PD 08-11-771 by deleting “MR (Medium Density Residential – SF-2)” and replacing with “PD-O,” as shown on Exhibit “A.”
- e. Revise Williams Property, PD 09-09-814 by deleting “LR (Low Density Residential - SF-1)” and replacing with “PD-O,” as shown on Exhibit “A.”

Section 5. That Chapter 86, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Code of Ordinances of the City of Murphy, and the remaining portions shall remain in full force and effect.

Section 7. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED AND ADOPTED this the 11th day of December 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-A shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The zoning category for this property is currently Single-Family Residential Planned Development SF-9/SF-11/SF-20.
2. If approved, the zoning category for this property will be changed to Public/Semi-Public (P/SP).
3. This zoning category conforms to the property's use as an existing *public school*.
4. A public hearing notification for this proposed zoning change was published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.
5. The public hearing notification as well as the property owner notification letter identified the correct address for this item as 415 Oriole Drive. However, the Reply form for this item inadvertently showed 815 Oriole Drive. After consultation with the City Attorney, public notification is deemed sufficient as both published notifications were reflected correctly.

6. The following maps show the location for the zoning category change for 415 Oriole Drive, Hunt Elementary – from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).



Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There were no speakers during the public hearing regarding this item.

Staff Recommendation

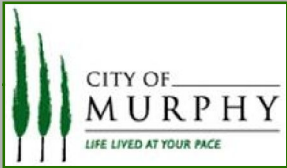
Staff recommends approval of the zoning category change of **415 Oriole Drive, Hunt Elementary**, from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).

Attachments

Location Map

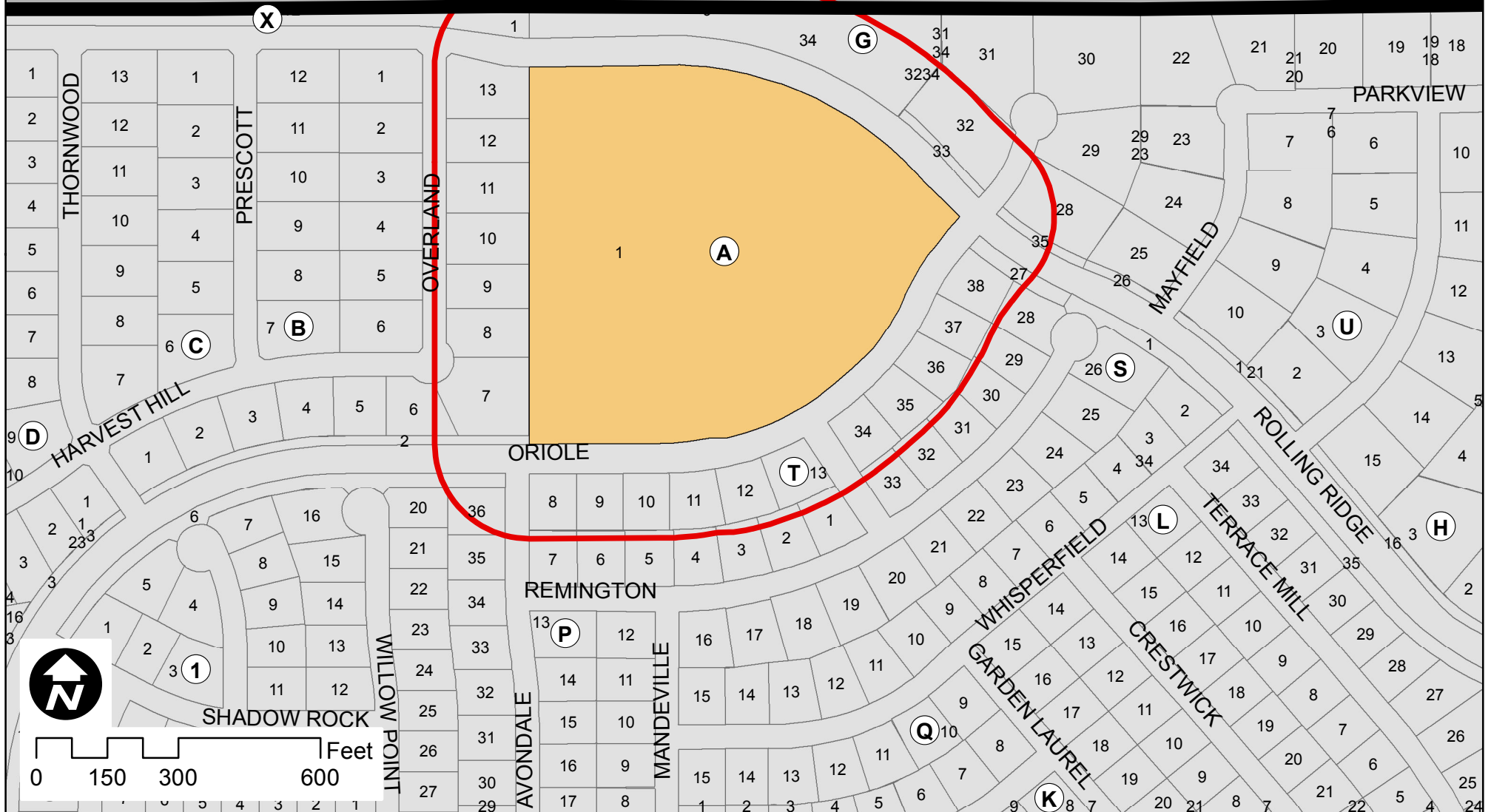
Ordinance – 415 Oriole Drive

Reply Forms



**415 Oriole Drive
Hunt Elementary
(200-foot Buffer)**

200 Feet



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT (SF-9/SF-11/SF-20) TO PUBLIC/SEMI-PUBLIC (P/SP) FOR THE 13.042 ACRES OF PROPERTY LEGALLY DESCRIBED AS MARTHA HUNT ELEMENTARY SCHOOL, BLK A, LOT 1, AND MORE COMMONLY KNOWN AS 415 ORIOLE DRIVE IN MURPHY, TEXAS; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the 13.042 acres of property legally described as Martha Hunt Elementary School, Blk A, Lot 1, and more commonly known as 415 Oriole Drive in Murphy, Texas ("Property") is currently zoned as Single-Family Residential Planned Development (SF-9/SF-11/SF-20); and

WHEREAS, the Plano Independent School District developed Martha Hunt Elementary on the Property: and

WHEREAS, based on development, the appropriate Zoning Classification for the Property is Public/Semi-Public (P/SP);

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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the 13.042 acres of property legally described as Martha Hunt Elementary School, Blk A, Lot 1, and more commonly known as 415 Oriole Drive in Murphy, Texas, is hereby changed from Single-Family Residential Planned Development (SF-9/SF-11/SF-20) to Public/Semi-Public (P/SP).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

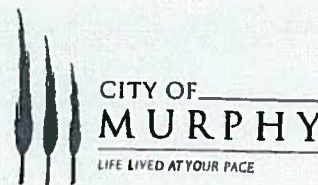
Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning change request on the property 815 Oriole Drive, Hunt Elementary. This request is to consider the application of the **City of Murphy**, requesting approval of a zoning change on the property 815 Oriole Drive, Hunt Elementary from Single Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi Public.

_____ I am **IN FAVOR** of the requested zoning change on the property 815 Oriole Drive, Hunt Elementary from Single Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi Public.

☒ I am **OPPOSED** to the requested zoning change on the property 815 Oriole Drive, Hunt Elementary from Single Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi Public.

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning clarification. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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

Zahere Aziz

Name (Please Print)

433 Remington Dr Murphy 75094

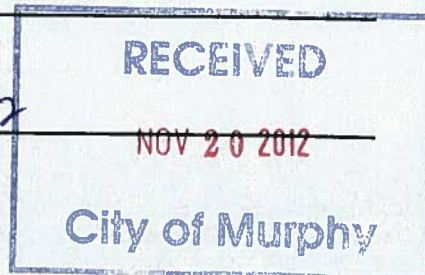
Address

Zahere Aziz

Signature

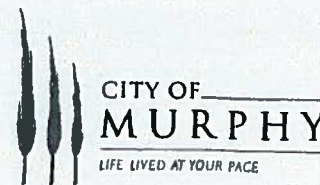
11/16/12

Date



Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning change request on the property 815 Oriole Drive, Hunt Elementary. This request is to consider the application of the **City of Murphy**, requesting approval of a zoning change on the property 815 Oriole Drive, Hunt Elementary from Single Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi Public.

 I am **IN FAVOR** of the requested zoning change on the property 815 Oriole Drive, Hunt Elementary from Single Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi Public.

I am **OPPOSED** to the requested zoning change on the property 815 Oriole Drive, Hunt Elementary from Single Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi Public.

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning clarification. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

Not any info on what Public/Semi Public would be
used for. Already enough parking in front of my house w/o
adding to it.

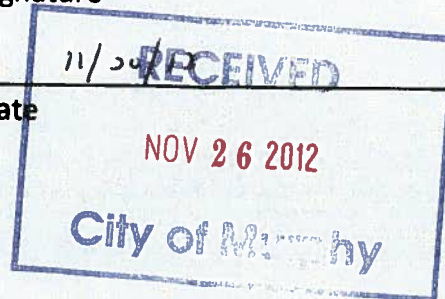
By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

ED PERALES
Name (Please Print)

432 Oriole Dr.
Address

Ed Peralas
Signature

11/26/12
Date



Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The zoning category for this property is currently Single-Family Residential Planned Development SF-9/SF-11/SF-20.
2. If approved, the zoning category for this property will be changed to Public/Semi-Public (P/SP).
3. This zoning category conforms to the property's use as an existing *public school*.
4. A public hearing notification for this proposed zoning change was published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.

5. The following maps show the location for the zoning category change for 621 Waters Edge Way, Tibbals Elementary – from Single-Family Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP)



Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There were no speakers during the public hearing regarding this item.

Staff Recommendation

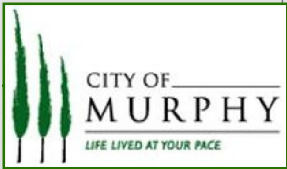
Staff recommends approval of the zoning category change of **621 Waters Edge Way, Tibbals Elementary** – from Single-Family Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).

Attachments

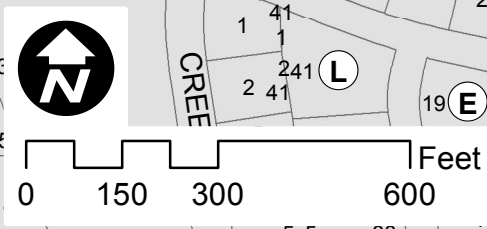
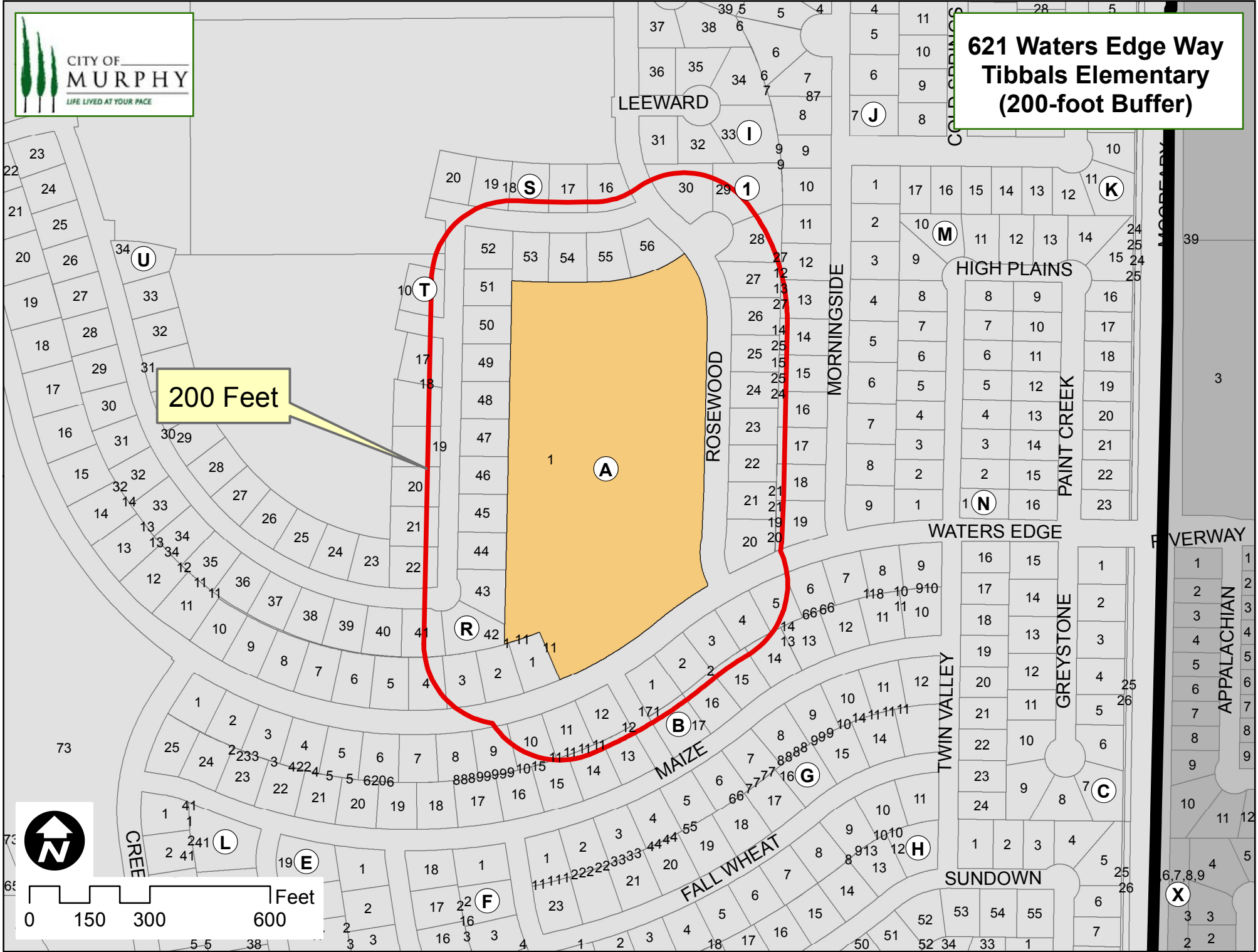
Location Map

Ordinance – 621 Waters Edge Way

Reply Forms



**621 Waters Edge Way
Tibbals Elementary
(200-foot Buffer)**



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT (SF-9/SF-11/SF-20) TO PUBLIC/SEMI-PUBLIC (P/SP) FOR THE PROPERTY COMMONLY KNOWN AS 621 WATERS EDGE WAY, TIBBALS ELEMENTARY, IN MURPHY, TEXAS; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the property commonly known as 621 Waters Edge Way in Murphy, Texas (the "Property") is currently zoned as Single-Family Residential Planned Development (SF-9/SF-11/SF-20); and

WHEREAS, the Wylie Independent School District developed Tibbals Elementary on the Property; and

WHEREAS, based on development, the appropriate Zoning Classification for the Property is Public/Semi-Public (P/SP);

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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the property commonly known as 621 Waters Edge Way, Tibbals Elementary, in Murphy, Texas, is hereby changed from Single-Family Residential Planned Development (SF-9/SF-11/SF-20) to Public/Semi-Public (P/SP).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

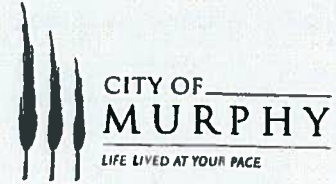
Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning category change request on the property 621 Waters Edge Way, Tibbals Elementary. This request is to consider the application of the City of Murphy, requesting approval of a zoning category change on the property 621 Waters Edge Way, Tibbals Elementary from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).

☒ I am **IN FAVOR** of the requested zoning category change on the property 621 Waters Edge Way, Tibbals Elementary from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).

☐ I am **OPPOSED** to the requested zoning category change on the property 621 Waters Edge Way, Tibbals Elementary from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning category change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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

John W. Daugherty
Name (Please Print)

738 Rosewood Dr., Murphy, TX 75094
Address

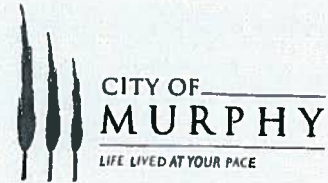
[Signature]
Signature

11/15/12
Date



Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning category change request on the property 621 Waters Edge Way, Tibbals Elementary. This request is to consider the application of the **City of Murphy**, requesting approval of a zoning category change on the property 621 Waters Edge Way, Tibbals Elementary from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).

✓ I am **IN FAVOR** of the requested zoning category change on the property 621 Waters Edge Way, Tibbals Elementary from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).

 I am **OPPOSED** to the requested zoning category change on the property 621 Waters Edge Way, Tibbals Elementary from Single-Family Residential Planned Development SF-9/SF-11/SF-20 to Public/Semi-Public (P/SP).

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning category change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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

Rebecca Spell
Name (Please Print)

[Signature]
Signature

706 Rosewood Dr
Address

11/19/12
Date



Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The current zoning categories for these properties are:
 - a. North Hill Park: Single-Family Residential Planned Development SF-9/SF-11
 - b. Murphy City Water Tower: Single-Family Residential Planned Development SF-9/SF-11
 - c. North Hill Amenity Center and pool: Single-Family Residential Planned Development SF-9/SF-11
2. After approval of this zoning category change, the property will be Public/Semi-Public (P/SP).
 - a. North Hill Park: Parks/Open Space (PK)
 - b. Murphy City Water Tower: Public/Semi Public (P/SP)
 - c. North Hill Amenity Center and pool: Private Recreation (PPK)
3. Public hearing notifications for these proposed zoning changes were published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.

4. The following maps show the location for zoning category change for 1302 Rodeo Drive, **North Hill Park** – from Single-Family Residential Planned Development SF-9/SF-11 to Parks/Open Space (PK)

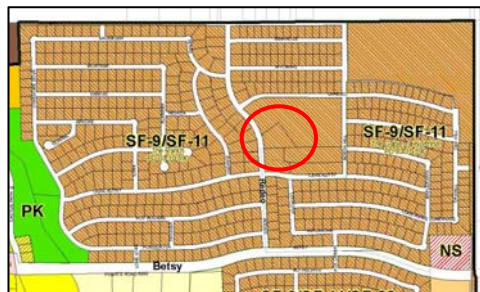


CURRENT ZONING



PROPOSED ZONING

5. The following maps show the location for zoning category change for 1302 Rodeo Drive **City Water Tower** – from Single-Family Residential Planned Development SF-9/SF-11 to Public/Semi-Public (P/SP)



CURRENT ZONING



PROPOSED ZONING

6. The following map show the location for zoning category change for 1302 Rodeo Drive, **North Hill Amenity Center and Pool** – from Single-Family Residential Planned Development SF-9/SF-11 to Private Recreation (PPK)



CURRENT ZONING



PROPOSED ZONING

Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There were no speakers during the public hearing regarding this item.

Staff Recommendation

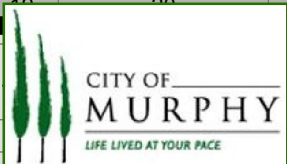
Staff recommends approval of the zoning category change of the **1302 Rodeo Drive properties** to include: a) **North Hill Park** from Single-Family Residential Planned Development SF-9/SF-11 to Parks/Open Space (PK); b) **Murphy City Water Tower** from Single-Family Residential Planned Development SF-9/SF-11 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).

Attachments

Location Map

Exhibit A1, A2, A3

Ordinance – 1302 Rodeo Drive



**1302 Rodeo Drive
North Hill Park/
Water Tower
(200-foot Buffer)**

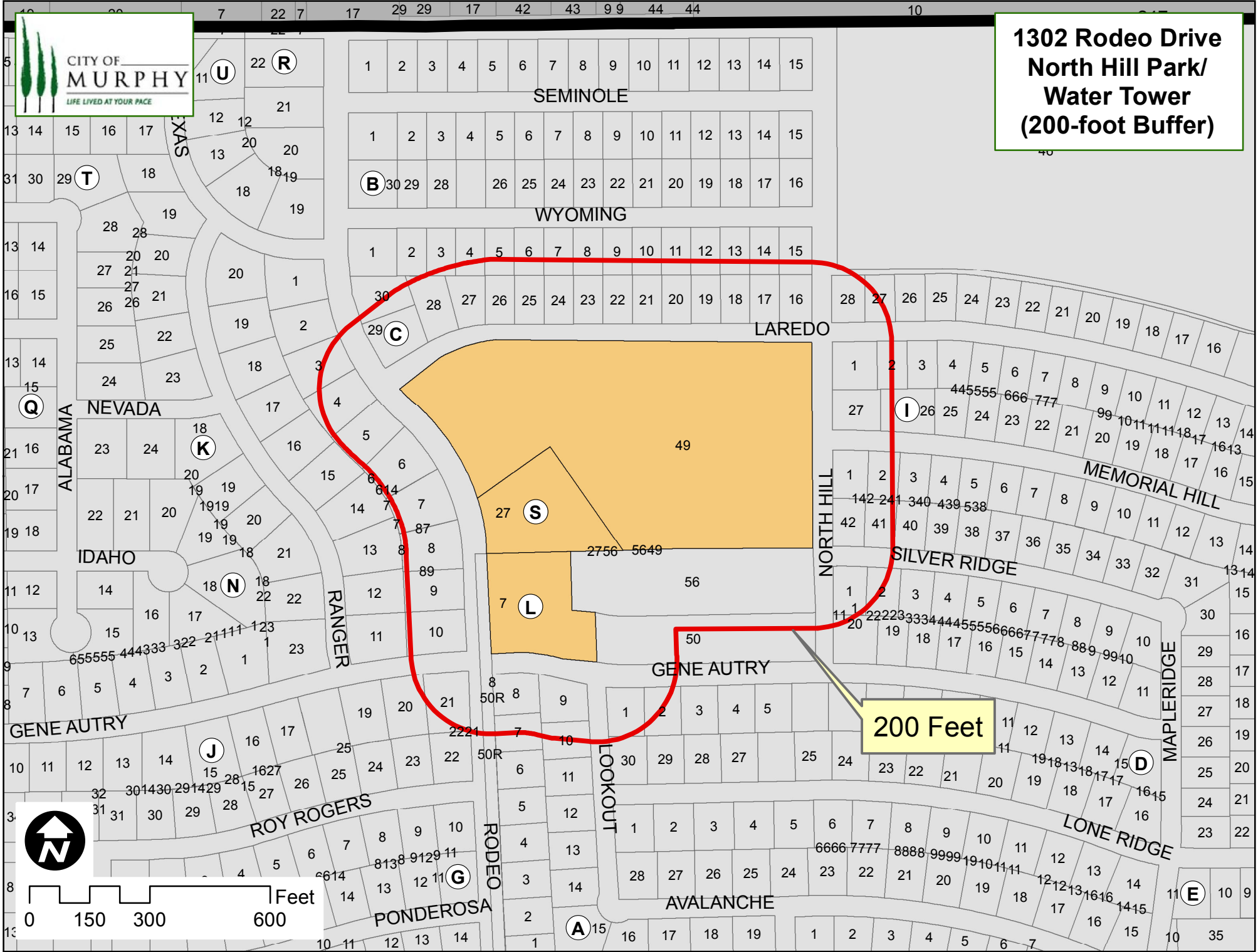
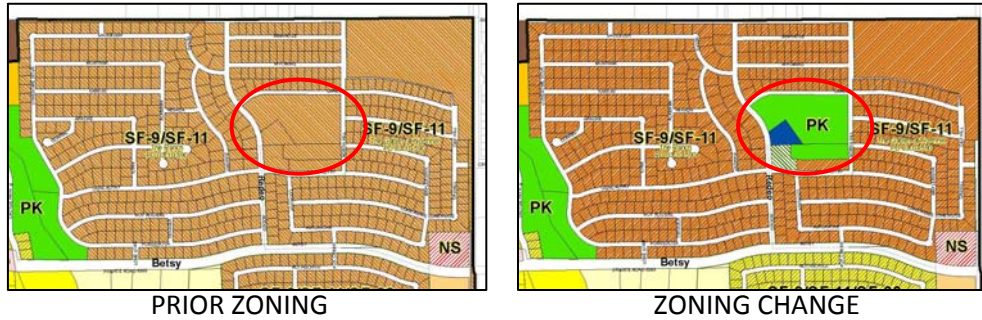
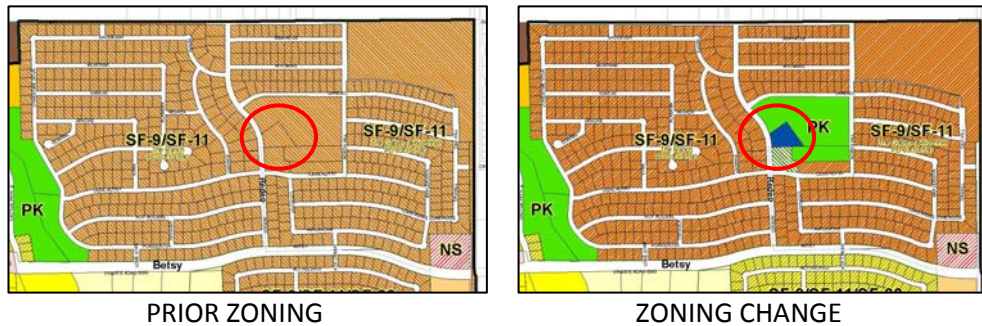


EXHIBIT “A”

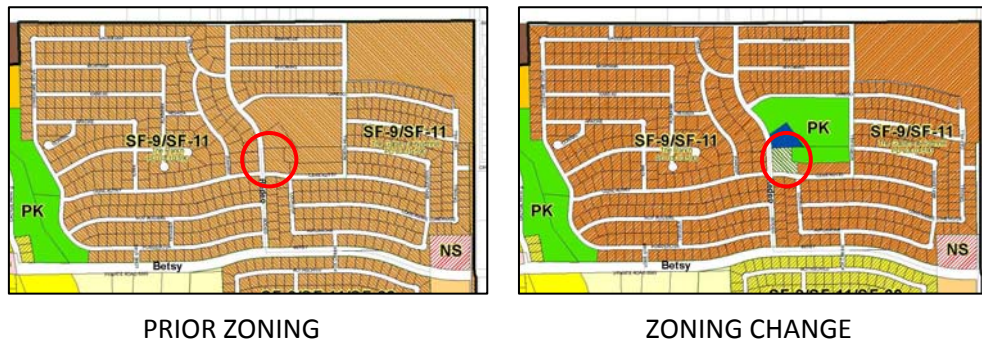
- A-1 The following maps show the location for zoning category change for 1302 Rodeo Drive, **North Hill Park** – from Single-Family Residential Planned Development SF-9/SF-11 to Parks/Open Space (PK)



- A-2 The following maps show the location for zoning category change for 1302 Rodeo Drive **City Water Tower** – from Single-Family Residential Planned Development SF-9/SF-11 to Public/Semi-Public (P/SP)



- A-3 The following map show the location for zoning category change for 1302 Rodeo Drive, **North Hill Amenity Center and Pool** – from Single-Family Residential Planned Development SF-9/SF-11 to Private Recreation (PPK)



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT SF-9/SF-11 TO PARKS/OPEN SPACE (PK) FOR THE PORTION OF THE 1302 RODEO DRIVE PROPERTY COMMONLY KNOWN AS NORTH HILL PARK, THE BOUNDARIES OF WHICH ARE DEPICTED IN EXHIBIT “A,” PART A-1; BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT SF-9/SF-11 TO PUBLIC/SEMI-PUBLIC (P/PS) FOR THE PORTION OF THE 1302 RODEO DRIVE PROPERTY COMMONLY KNOWN AS MURPHY CITY WATER TOWER, THE BOUNDARIES OF WHICH ARE DEPICTED IN EXHIBIT “A,” PART A-2; BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT SF-9/SF-11 TO PRIVATE RECREATION (PPK) FOR THE PORTION OF THE 1302 RODEO DRIVE PROPERTY COMMONLY KNOWN AS NORTH HILL AMENITY CENTER AND POOL, THE BOUNDARIES OF WHICH ARE DEPICTED IN EXHIBIT “A,” PART A-3; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the Comprehensive Zoning Map of the City of Murphy (“City”), City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the 1302 Rodeo Drive Property depicted in Exhibit “A,” Parts A-1, A-2 and A-3 are currently zoned as Single-Family Residential Planned Development SF-9/SF-11; and

WHEREAS, the portion of the 1302 Rodeo Drive Property commonly known as North Hill Park, the boundaries of which are depicted in Exhibit “A,” Part A-1 is currently used for park purposes; and

WHEREAS, a City water tower is currently developed on the portion of the 1302 Rodeo Drive Property commonly known as Murphy City Water Tower, the boundaries of which are depicted in Exhibit “A,” Part A-2; and

WHEREAS, a private recreational facility is currently developed on the portion of the 1302 Rodeo Drive Property commonly known as North Hill Amenity Center, the boundaries of which are depicted in Exhibit “A,” Part A-3; 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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the portion of the 1302 Rodeo Drive Property commonly known as North Hill Park, the boundaries of which are shown in Exhibit “A,” Part A-1 is hereby changed from Single-Family Residential Planned Development SF-9/SF-11 to Parks/Open Space (PK).

Section 2. The Zoning Classification for and the Comprehensive Zoning Map depicting the portion of the 1302 Rodeo Drive Property commonly known as Murphy City Water Tower, the boundaries of which are shown in Exhibit “A,” Part A-2 is hereby changed from Single-Family Residential Planned Development SF-9/SF-11 to Public/Semi-Public (P/SP).

Section 3. The Zoning Classification for and the Comprehensive Zoning Map depicting the portion of the 1302 Rodeo Drive Properties commonly known as North Hill Amenity Center, the boundaries of which are shown in Exhibit “A,” Part A-3 is hereby changed from Single-Family Residential Planned Development SF-9/SF-11 to Private Recreational Park (PPK).

Section 4. 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 5. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 6. 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 7. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

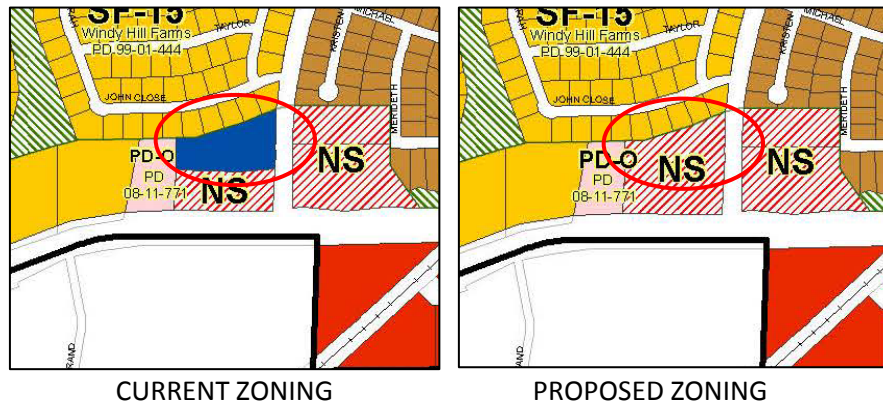
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The zoning category for this property is currently Public/Semi Public (P/SP).
2. If approved, the zoning category for this property will be changed Neighborhood Service (NS).
3. This zoning category conforms to the property's use as an existing *child day care (business)*.
4. A public hearing notification for this proposed zoning change was published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.
5. Staff has also spoken the property owner who has no opposition.

6. The following maps show the location for the zoning category change for Oakbrook School (121 Heritage Parkway) - from Public/Semi-Public (P/SP) to Neighborhood Services (NS).



Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing on this item. Staff discussed how the property's current use did not match its current zoning and changing the zoning of this property to Neighborhood Services would make the zoning category appropriate to the property's use of an existing child day care. Commissioner Holcomb discussed leaving the zoning as it is for any potential future use and the existing school be allowed as a non-conforming use.

Three persons spoke at this public hearing requesting clarification of the current zoning, to discuss traffic concerns at the nearby intersection and to question the zoning of the property to the southeast of this property. A motion was made to deny this zoning request. The motion failed 2-3. A motion was made to approve this zoning request. The motion passed 3-2.

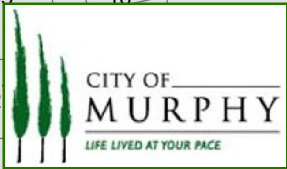
Staff Recommendation

Staff recommends approval of the zoning category change of **121 Heritage Parkway (Oakbrook School)** from Public/Semi Public (P/SP) to Neighborhood Service (NS).

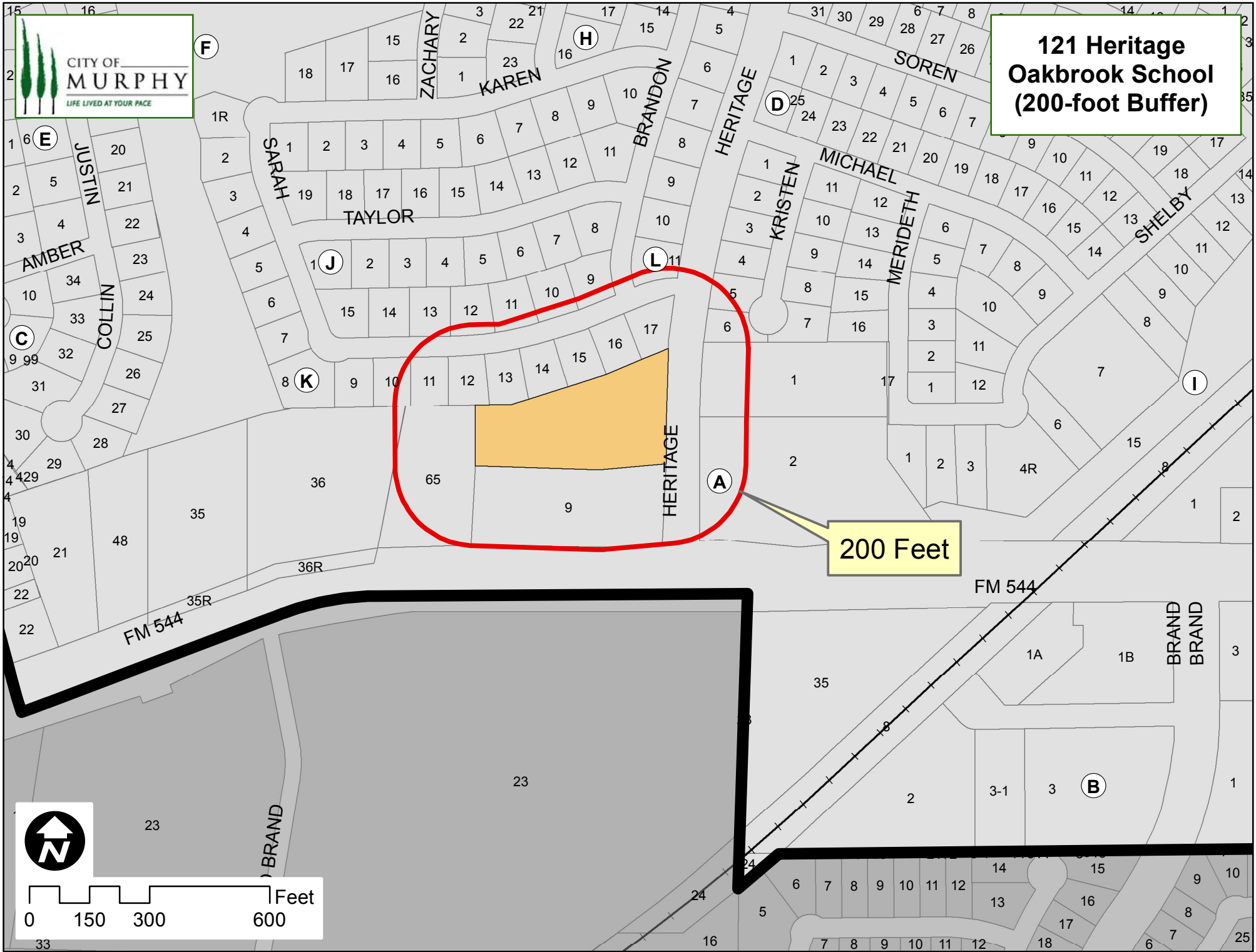
Attachments

Location Map

Ordinance – 121 Heritage Parkway



**121 Heritage
Oakbrook School
(200-foot Buffer)**



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM PUBLIC/SEMI-PUBLIC (P/SP) TO NEIGHBORHOOD SERVICE (NS) FOR THE 2.612 ACRES OF PROPERTY COMMONLY KNOWN AS 121 HERITAGE PARKWAY, OAKBROOK SCHOOL, IN MURPHY, TEXAS; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the 2.612 acres of property commonly known as 121 Heritage Parkway in Murphy, Texas (the "Property") is currently zoned as Public/Semi-Public (P/SP); and

WHEREAS, Oakbrook School, a child daycare facility, was developed on the Property; and

WHEREAS, based on development, the appropriate Zoning Classification for the Property is Neighborhood Services (NS); 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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the 2.612 acres of property commonly known as 121 Heritage Parkway. Oakbrook School, in Murphy, Texas, is hereby changed from Public/Semi-Public (P/SP) to Neighborhood Services (NS).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

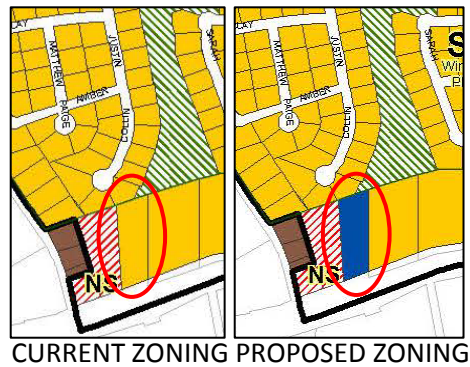
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The zoning category for this property is currently Single Family Residential 15 (SF-15).
2. If approved, the zoning category for this property will be changed to Public/Semi Public (P/SP).
3. This zoning category conforms to the property's use as an existing *City of Murphy lift station*.
4. A public hearing notification for this proposed zoning change was published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.

5. The following maps show the location for the zoning category change for 725 FM 544 – from Single-Family Residential 15 (SF-15) to Public/Semi-Public (P/SP)



Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There was one speaker during the public hearing regarding this item. Staff clarified for the resident that this property was a permanent city owned lift station and it had no other future intended use.

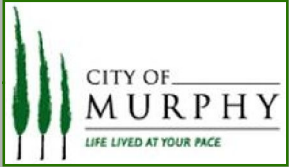
Staff Recommendation

Staff recommends approval of the zoning category change of **725 FM 544** from Single Family Residential 15 (SF-15) to Public/Semi Public (P/SP).

Attachments

Location Map

Ordinance – 725 FM 544

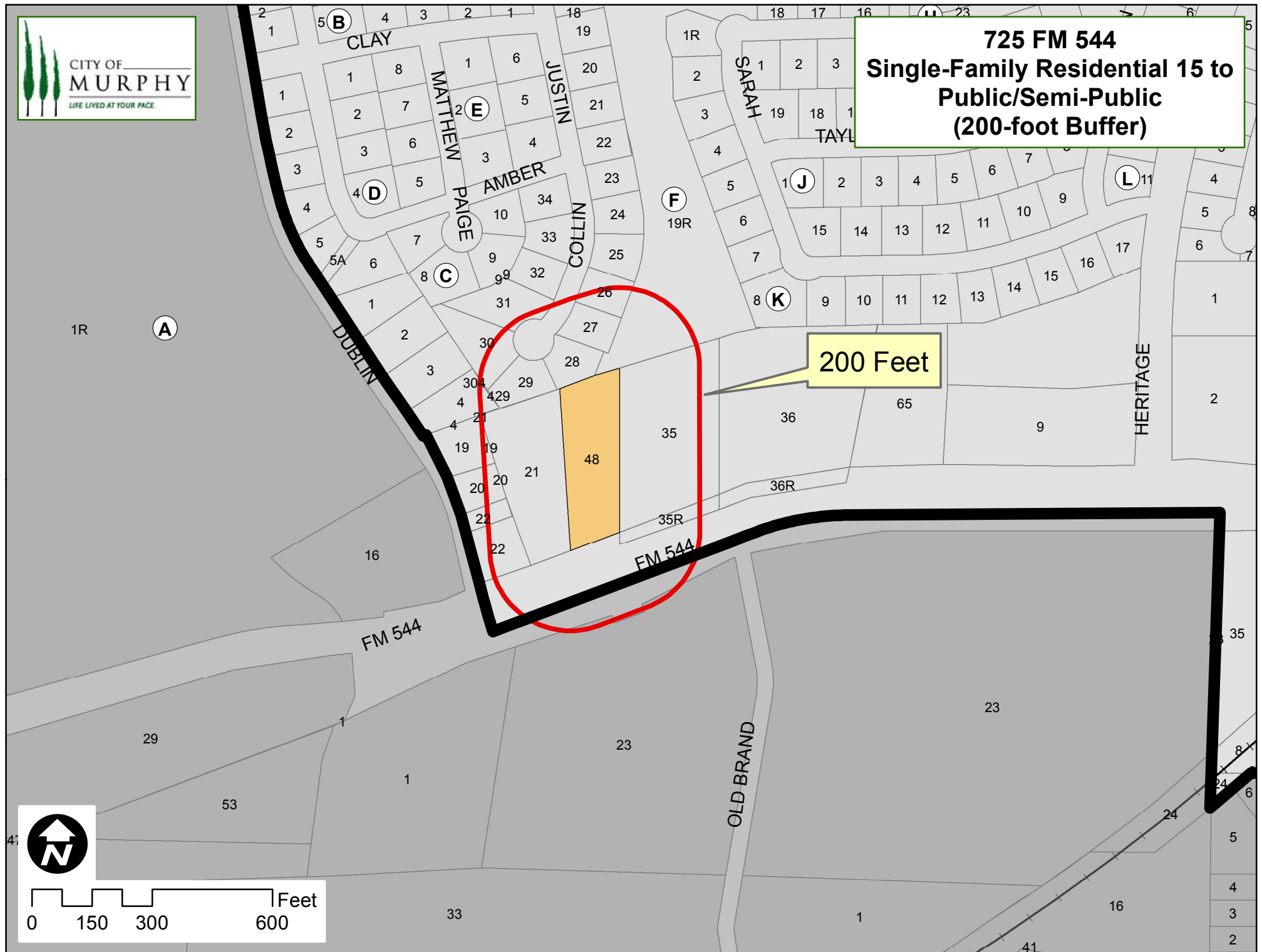


725 FM 544
Single-Family Residential 15 to
Public/Semi-Public
(200-foot Buffer)

200 Feet



0 150 300 600 Feet



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL (SF-15) TO PUBLIC/SEMI-PUBLIC (P/SP) FOR THE PROPERTY COMMONLY KNOWN AS 725 FM 544 IN MURPHY, TEXAS; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the property commonly known as 725 FM 544 in Murphy, Texas (the "Property") is currently zoned as Single-Family Residential (SF-15); and

WHEREAS, a City of Murphy lift station exists on the Property; and

WHEREAS, based on development, the appropriate Zoning Classification for the Property is Public/Semi-Public (P/SP); 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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the property commonly known as 725 FM 544 in Murphy, Texas, is hereby changed from Single-Family Residential (SF-15) to Public/Semi-Public (P/SP).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86

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

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

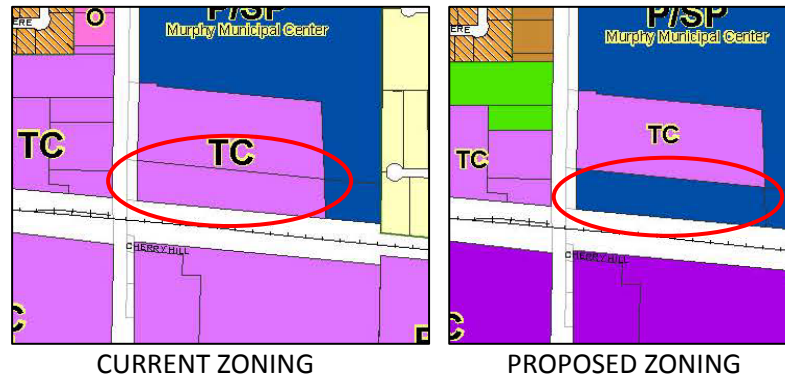
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The zoning category for this property is currently Town Center (TC).
2. If approved, the zoning category for this property will be changed to Public/Semi Public (P/SP).
3. This zoning category conforms to the property's use as an existing *City of Murphy public maintenance yard*.
4. A public hearing notification for this proposed zoning change was published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.

5. The following maps show the location for the zoning category change for 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 (P/SP).



Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There were no speakers during the public hearing regarding this item.

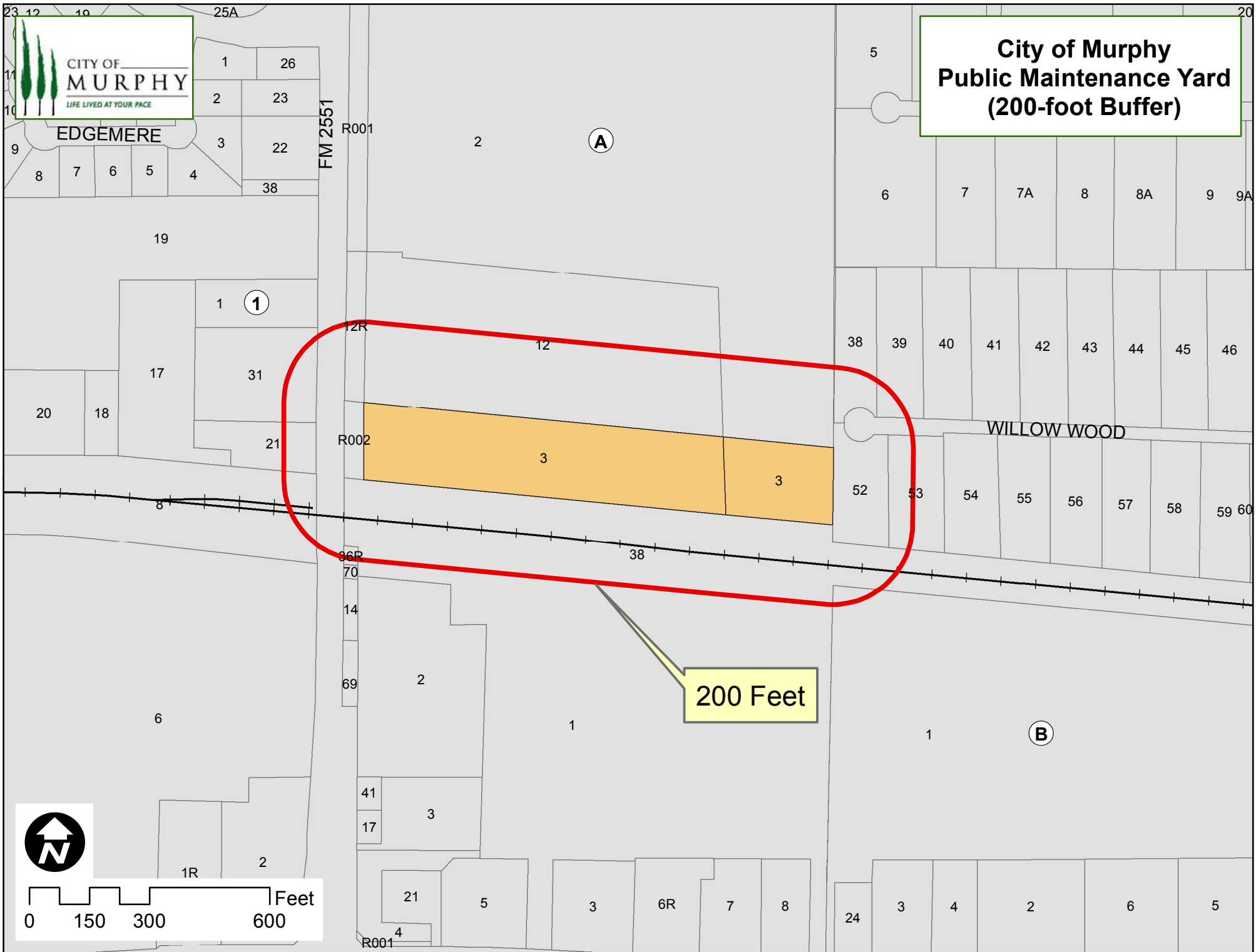
Staff Recommendation

Staff recommends approval of 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).

Attachments

Location Map

Ordinance – City maintenance yard



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM TOWN CENTER (TC) TO PUBLIC/SEMI-PUBLIC (P/SP) FOR THE 3.982 ACRES OF PROPERTY LEGALLY DESCRIBED AS MURPHY MUNICIPAL CENTER (CMR), BLK A, LOT 3; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the property legally described as Murphy Municipal Center (CMR), BLK A, LOT 3 (the "Property") is currently zoned as Town Center (TC); and

WHEREAS, the City of Murphy public maintenance yard is located on the Property; and

WHEREAS, based on development, the appropriate Zoning Classification for the Property is Public/Semi-Public (P/SP); 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 and Map should be amended.

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the 3.982 acres of property legally described as Murphy Municipal Center (CMR), BLK A, LOT 3, is hereby changed from Town Center (TC) to Public/Semi-Public (P/SP).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining

portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

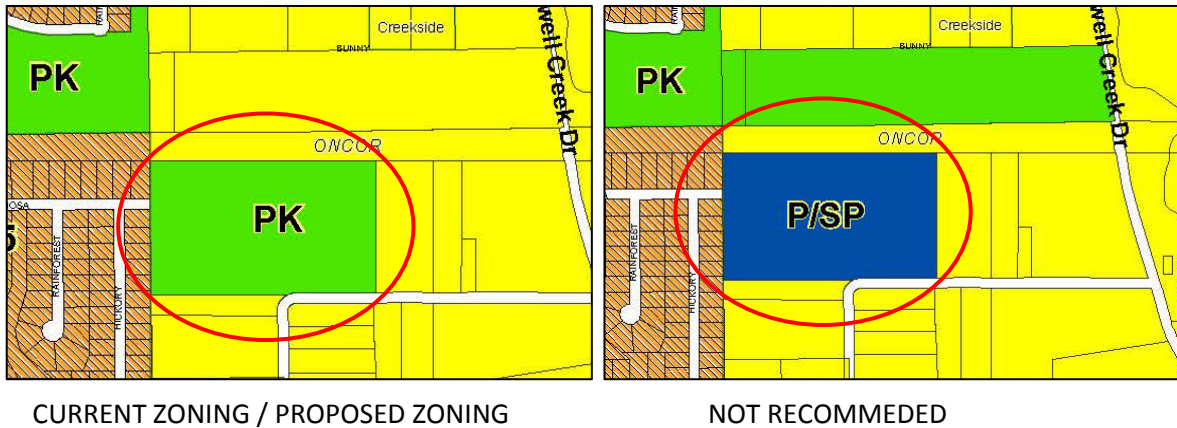
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The zoning category for this property is currently Parks/Open Space (PK).
2. If approved, the zoning category for this property will be changed to Public/Semi-Public (P/SP).
3. This proposed zoning category conforms to the property's use as an existing *city owned property*.
4. A public hearing notification for this proposed zoning change was published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.
5. Staff has researched at length for information and details on the history of this property. The property was deeded to the City of Murphy from PISD in 2001. No additional information or Council action can be located. However, since 2001, the property has been identified on the City Zoning Map as Parks/Open Space zoning. No action dedicating this property as a park has been located. The City's Comprehensive Plan 2008 identifies this property as Parks/Open Space as well.

6. The following maps show the location of the Kinney Drive property, currently Parks/Open Space (PK).



Board / Discussion Action

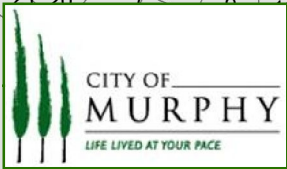
On November 26, 2012, the Planning & Zoning Commission held a public hearing on this item. There were four speakers during the public hearing regarding this item in opposition of the zoning category change from Parks/Open Space. The Planning & Zoning Commission voted unanimously to deny the zoning request therefore leaving the property zoned as Parks/Open Space.

Staff Recommendation

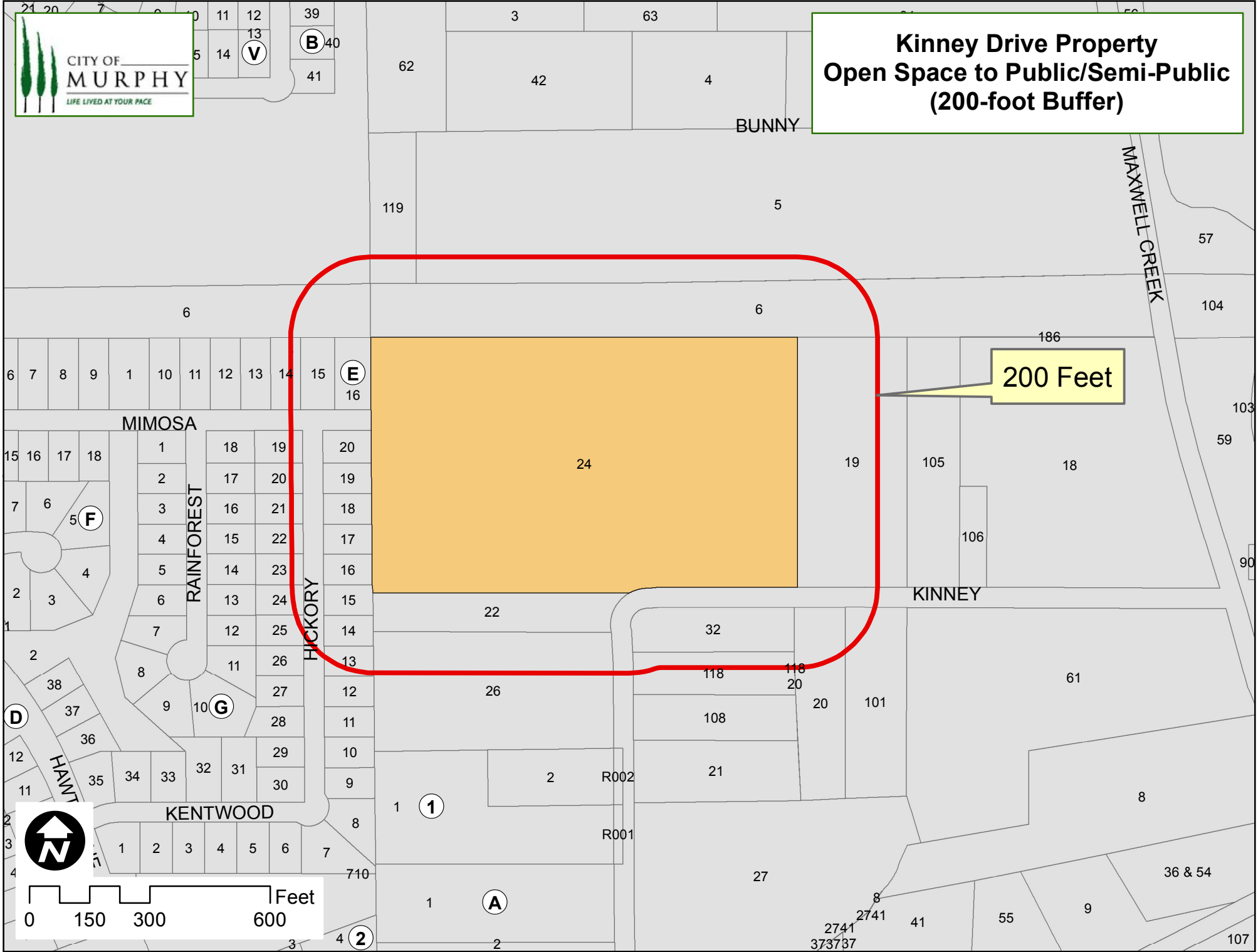
Staff recommends the zoning category of **Kinney Drive, ABS A0579 Henry Maxwell Survey, Tract 24, 16.249 acres** remain Parks/Open Space (PK) as noted on Zoning Map #2.

Attachments

Location Map
Ordinance – Kinney Drive Property
Reply and Speaker Forms



**Kinney Drive Property
Open Space to Public/Semi-Public
(200-foot Buffer)**



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM PARKS/OPEN SPACE (PK) TO PUBLIC/SEMI-PUBLIC (P/SP) FOR THE 16.249 ACRES OF PROPERTY LEGALLY DESCRIBED AS ABS A0579 HENRY MAXWELL SURVEY, TRACT 24; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the 16.249 acres of property legally described as ABS A0579 Henry Maxwell Survey, Tract 24 (the "Property") currently appears on the Comprehensive Zoning Map as Parks/Open Space (PK); and

WHEREAS, the City owns the Property, and the change in zoning classification would permit the City to use the space for public and institutional development; 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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the 16.249 acres of property legally described as ABS A0579 Henry Maxwell Survey, Tract 24, is hereby changed from Parks/Open Space (PK) to Public/Semi-Public (P/SP).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code

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

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

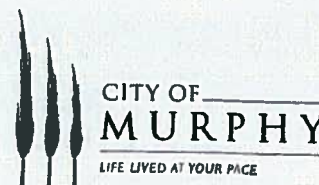
Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning category change request on the property Kinney Drive, ABS A0579 Henry Maxwell Survey, Tract 24, 16.249 acres. This request is to consider the application of the **City of Murphy**, requesting approval of a zoning category change on property Kinney Drive, ABS A0579 Henry Maxwell Survey, Tract 24, 16.249 acres from Parks/Open Space (PK) to Public/Semi Public (P/SP)

_____ I am **IN FAVOR** of the requested zoning category change on the property Kinney Drive, ABS A0579 Henry Maxwell Survey, Tract 24, 16.249 acres from Parks/Open Space (PK) to Public/Semi Public (P/SP).

☒ I am **OPPOSED** to the requested zoning category change on the property Kinney Drive, ABS A0579 Henry Maxwell Survey, Tract 24, 16.249 acres from Parks/Open Space (PK) to Public/Semi Public (P/SP).

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning category change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

I purchased my property thinking that I would not have to ever worry about this happening. It was touted as a plus so I am most definitely against the re-zoning.

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

Luminda Marshall
Name (Please Print)

Luminda Marshall
Signature

420 Hickory Drive, Murphy
Address
TX
75094

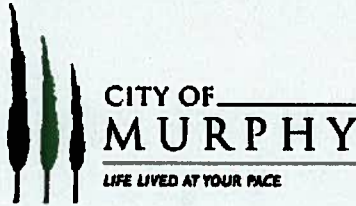
11/19/12
Date



Ms. Marshall spoke @ the meeting & opposed the zoning change.

11-26-12.

A-9



Public Comment Form

The public may address comments on any subject to the Council/Board during the Public Comment portion of the meeting. Please note that the Council/Board can receive your comments and information but may not be able to respond to you at this meeting. The Council/Board is prohibited by the Open Meetings Act to engage in a discussion of any item or issue that is not posted on the Agenda. Your request or comments will be duly noted and scheduled for a future agenda if necessary or referred to City Staff.

The Public Comment portion of the meeting will be opened and your name will be called if you have submitted this form to the City/Staff Secretary. If you have not submitted a form, please notify the Mayor/Chair that you would like to speak and submit your form promptly. Please state your name and address for the record and limit your comments to five minutes. The Council/Board expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

☐ Animal Shelter Advisory Board
☐ 4A (Economic Development Corporation)
☐ 4B (Community Development Corporation)
☐ Building & Fire Codes Appeal Board

☐ City Council
☐ Parks & Recreation Board
☒ Planning & Zoning Commission
☐ Zoning Board of Adjustments

Please submit this form and any handouts to the City/Staff Secretary prior to the meeting.

Name: Kris Mraz

Address: 470 Kinney Dr.

Representing an Organization? NE

Agenda Item No. 9 (☐ In Favor ☒ Opposed)

Comments: this has already been planned as a park.
Not for see document on ~~map~~ murphytx.org
web site. p/s is totally inappropriate for
a residential neighborhood

Signature: Kris Mraz

11-26-2012
Date

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

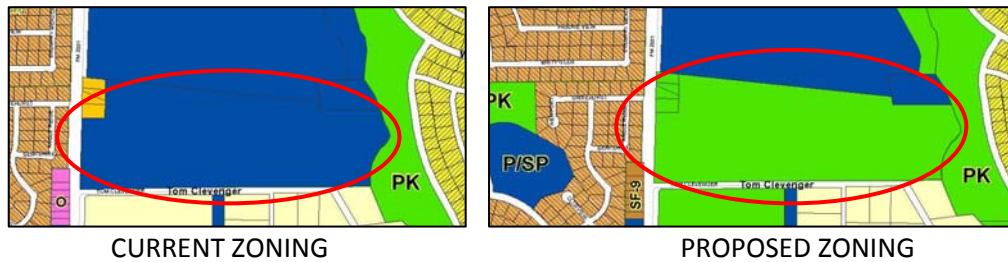
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The current zoning categories for these properties are:
 - a. Murphy Central Park - Public/Semi Public (P/SP);
 - b. Murphy Central Park - Single-Family Residential 15 (SF-15); and
 - c. Murphy Central Park - Single-Family Estate (SF-E).
2. If approved, the zoning category for these the properties will each be changed to Parks/Open Space (PK).
3. This zoning category conforms to the properties' current use as *parks*.
4. Public hearing notifications for these proposed zoning changes were published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.

5. The following maps show the location for zoning category change for Murphy Central Park – from Public/Semi-Public (P/SP) to Parks/Open Space (PK).



6. The following maps show the location for zoning category change for Murphy Central Park – from Single-Family Residential 15 (SF-15) to Parks/Open Space (PK).



7. The following maps show the location for zoning category change for Murphy Central Park – from Single-Family Estate (SF-E) to Parks/Open Space (PK).



Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing on this item. There was one speaker during the public hearing regarding this item. He stated that the PSA building that is being built within the property considered in the item should not be zoned Parks/Open Space but rather Public/Semi-Public. Staff discussed that the building and its infrastructure is in partnership with the city and it is considered a part of Murphy Central Park. The motion passed 4-1.

Staff Recommendation

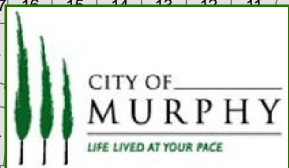
Staff recommends approval of the zoning category change of **Murphy Central Park properties** to include: a) **Murphy Central Park** from Public/Semi Public (P/SP) to Parks/Open Space (PK); b) **Murphy Central Park** from Single-Family Residential 15 (SF-15) to Parks/Open Space (PK); and c) **Murphy Central Park** from Single-Family Estate (SF-E) to Parks/Open Space (PK).

Attachments

Location Map

Exhibit A-1, A-2, A3

Ordinance



**Murphy
Central Park
(200-foot Buffer)**

200 Feet

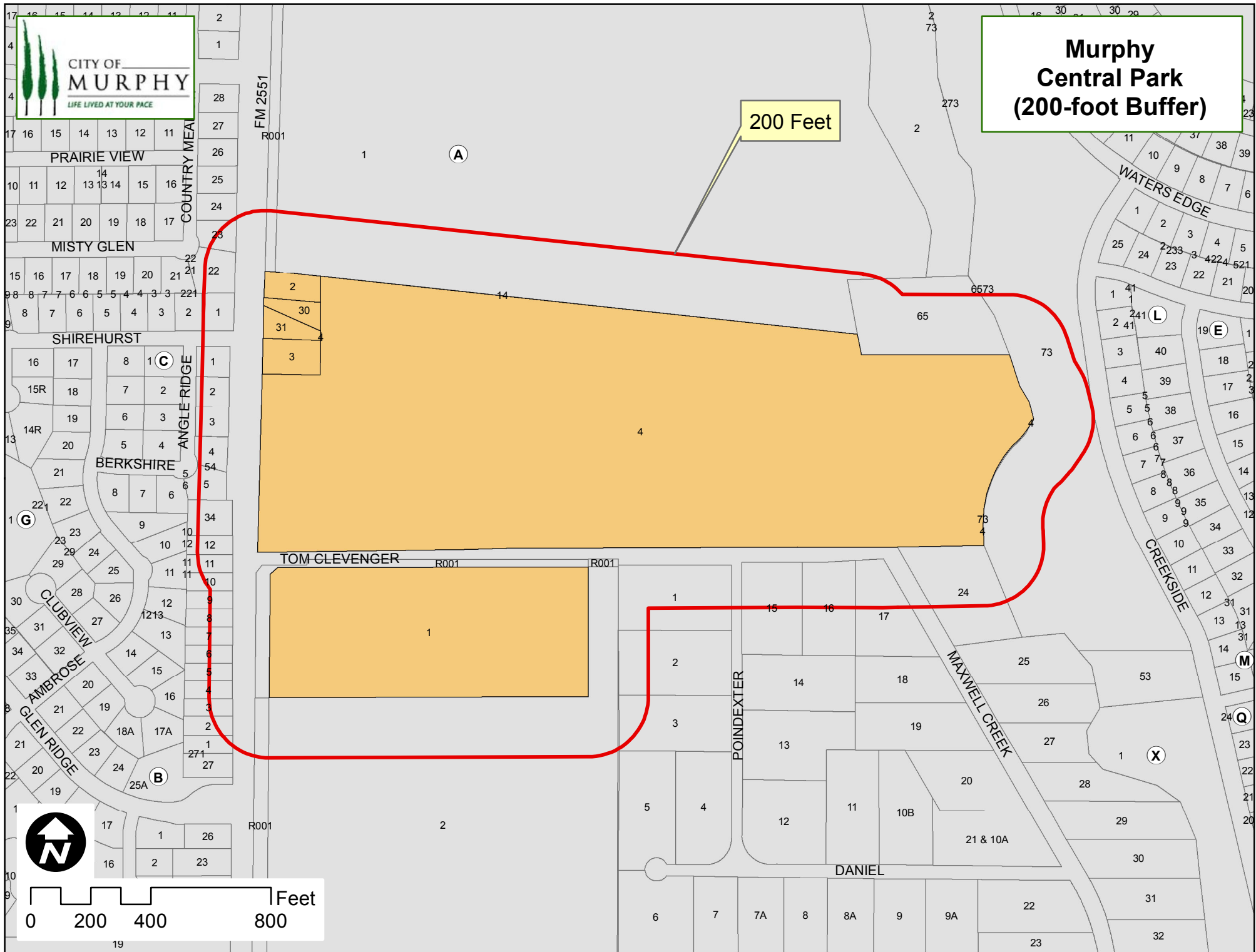
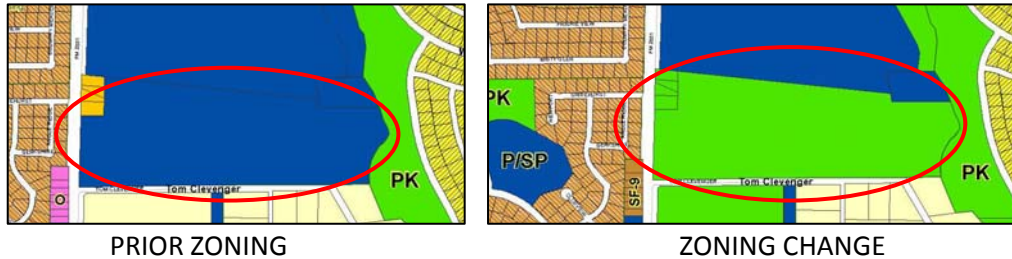


EXHIBIT “A”

- A-1 The following two maps show the location for zoning category change for Murphy Central Park – from Public/Semi-Public (P/SP) to Parks/Open Space (PK).



- A-2 The following two maps show the location for zoning category change for Murphy Central Park – from Single-Family Residential 15 (SF-15) to Parks/Open Space (PK).



- A-3 The following two maps show the location for zoning category change for Murphy Central Park – from Single-Family Estate (SF-E) to Parks/Open Space (PK).



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM PUBLIC/SEMI-PUBLIC (P/PS) TO PARKS/OPEN SPACE (PK) FOR THE PORTION OF THE MURPHY CENTRAL PARK PROPERTY DEPICTED IN EXHIBIT “A,” PART A-1; BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY RESIDENTIAL-15 (SF-15) TO PARKS/OPEN SPACE (PK) FOR THE PORTION OF THE MURPHY CENTRAL PARK PROPERTY DEPICTED IN EXHIBIT “A,” PART A-2; BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE-FAMILY ESTATE (SF-E) TO PARKS/OPEN SPACE (PK) FOR THE PORTION OF THE MURPHY CENTRAL PARK PROPERTY DEPICTED IN EXHIBIT “A,” PART A-3; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the Comprehensive Zoning Map of the City of Murphy (“City”), City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the portion of the Murphy Central Park property depicted in Exhibit “A,” Part A-1 is currently zoned as Public/Semi-Public (P/SP); and

WHEREAS, the portion of the Murphy Central Park property depicted in Exhibit “A,” Part A-2 is currently zoned as Single-Family Residential 15 (SF-15); and

WHEREAS, the portion of the Murphy Central Park property depicted in Exhibit “A,” Part A-3 is currently zoned as Single-Family Estate (SF-E); and

WHEREAS, the property depicted in Exhibit “A,” Parts A-1, A-2, and A-3 are currently used as park and open space property; 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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the portion of the Murphy Central Park property shown in Exhibit “A,” Part A-1 is hereby changed from Public/Semi-Public (P/SP) to Parks/Open Space (PK).

Section 2. The Zoning Classification for and the Comprehensive Zoning Map depicting the portion of the Murphy Central Park property shown in Exhibit “A,” Part A-2 is hereby changed from Single-Family Residential 15 (SF-15) to Parks/Open Space (PK).

Section 3. The Zoning Classification for and the Comprehensive Zoning Map depicting the portion of the Murphy Central Park property shown in Exhibit “A,” Part A-3 is hereby changed from Single-Family Estate (SF-E) to Parks/Open Space (PK).

Section 4. 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 5. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 6. 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 7. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

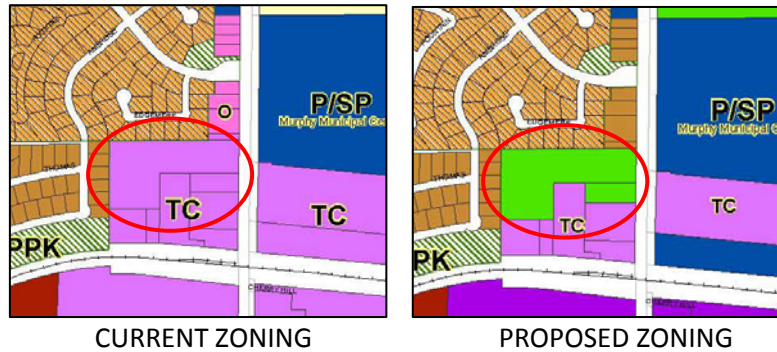
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The current zoning categories for these properties are:
 - a. Murphy Community Center, 205 N. Murphy Road – Town Center (TC); and
 - b. Murphy Activity Center, 201 N. Murphy Road – Town Center (TC).
2. If approved, the zoning category for these properties will each be changed to Parks/Open Space (PK).
3. This zoning category conforms to the properties' current use as *parks and recreation facilities*.
4. Public hearing notifications for these proposed zoning changes were published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.

5. The site of the current City Animal Shelter facility is included in the map below. If at such time the shelter is relocated, the property will remain as the proposed zoning change to Parks/Open Space. If at such time it is decided that the shelter is to remain on this site, it is recommended that staff come back and clarify the specific site's zoning as Public/Semi-Public.
6. The following maps show the location for zoning category change for Murphy Community Center (205 N. Murphy Road) and Murphy Activity Center (201 N. Murphy Road) - Town Center (TC) to Parks/Open Space (PK).



Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There were two speakers during the public hearing regarding this item. Staff clarified that no surrounding properties would be affected by this zoning category change.

Staff Recommendation

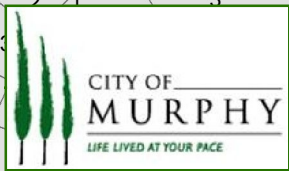
Staff recommends approval of the zoning category change of a) **Murphy Community Center, 205 N. Murphy Road** from Town Center (TC) to Parks/Open Space (PK); b) **Murphy Activity Center, 201 N. Murphy Road** from Town Center (TC) to Parks/Open Space (PK).

Attachments

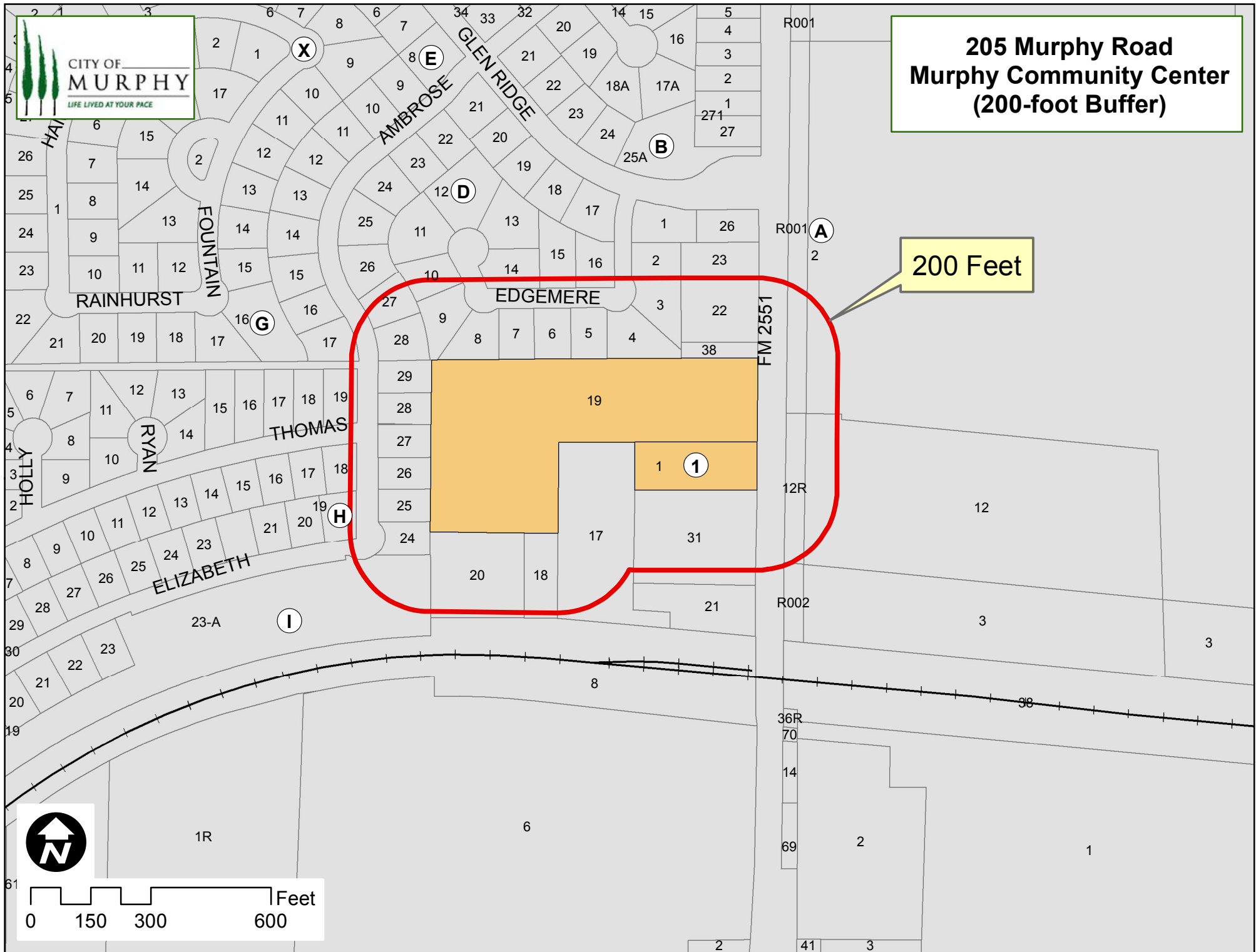
Location Map

Ordinance – Murphy Community Center and Murphy Activity Center

Reply and Speaker Forms



**205 Murphy Road
Murphy Community Center
(200-foot Buffer)**



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM TOWN CENTER (TC) TO PARKS/OPEN SPACE (PK) FOR THE PROPERTY COMMONLY KNOWN AS 201 N. MURPHY ROAD (MURPHY ACTIVITY CENTER) IN MURPHY, TEXAS, AND THE PROPERTY COMMONLY KNOWN AS 205 N. MURPHY ROAD (MURPHY COMMUNITY CENTER) IN MURPHY, TEXAS; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the properties commonly known 201 N. Murphy Road (Murphy Activity Center), and 205 N. Murphy Road (Murphy Community Center) in Murphy, Texas (referred to collectively as "Properties") are currently zoned as Town Center (TC); and

WHEREAS, the City of Murphy has developed an Activity Center and a Community Center on the Properties; and

WHEREAS, based on development, the appropriate Zoning Classification for the Property is Parks/Open Space (PK); 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 and Map should be amended.

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the property commonly known as 201 N. Murphy Road (Murphy Activity Center) in Murphy, Texas, and the property commonly known as 205 N. Murphy Road (Murphy Community Center) in Murphy, Texas are hereby changed from Town Center (TC) to Parks/Open Space (PK).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

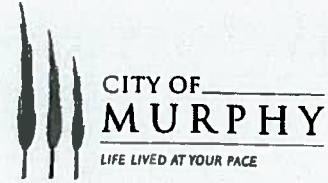
Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning category change request on the properties Murphy Community Center (205 N. Murphy Road) and Murphy Activity Center (201 N. Murphy Road). This request is to consider the application of the **City of Murphy**, requesting approval of a zoning category change on the properties Murphy Community Center (205 N. Murphy Road) and Murphy Activity Center (201 N. Murphy Road) from Town Center to Parks/Open Space (PK).

Neutral
____ I am **IN FAVOR** of the requested zoning category change on the properties Murphy Community Center (205 N. Murphy Road) and Murphy Activity Center (201 N. Murphy Road) from Town Center to Parks/Open Space (PK).

✓ - Mr. Rose called on 11/28/12 @ 10:07 AM
____ I am **OPPOSED** to the requested zoning category change on the properties Murphy Community Center (205 N. Murphy Road) and Murphy Activity Center (201 N. Murphy Road) from Town Center to Parks/Open Space (PK). *to state that his father opposed, instead of being*

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning category change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

neutral

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

Floyd W Rose

Name (Please Print)

137 North Murphy Rd

Address

Floyd W Rose

Signature

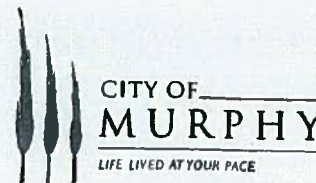
11-26-2012

Date

Agenda 11

Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning category change request on the properties Murphy Community Center (205 N. Murphy Road) and Murphy Activity Center (201 N. Murphy Road). This request is to consider the application of the **City of Murphy**, requesting approval of a zoning category change on the properties Murphy Community Center (205 N. Murphy Road) and Murphy Activity Center (201 N. Murphy Road) from Town Center to Parks/Open Space (PK).

_____ I am **IN FAVOR** of the requested zoning category change on the properties Murphy Community Center (205 N. Murphy Road) and Murphy Activity Center (201 N. Murphy Road) from Town Center to Parks/Open Space (PK).

✓ I am **OPPOSED** to the requested zoning category change on the properties Murphy Community Center (205 N. Murphy Road) and Murphy Activity Center (201 N. Murphy Road) from Town Center to Parks/Open Space (PK).

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning category change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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

CHADICK CAPITAL, L.P.

CHADICK CAPITAL Mgt., L.L.C.

Name (Please Print)

Halley R. Chadick, Pres./Gen. Mgt.

Signature

3201 LORDES LN. DALLAS, TX

Address

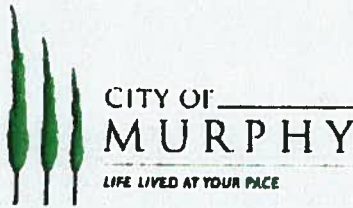
11-19-12

Date

CONTACT: Steven R. Chadick, Manager

214/8543-3717





Public Comment Form

The public may address comments on any subject to the Council/Board during the Public Comment portion of the meeting. Please note that the Council/Board can receive your comments and information but may not be able to respond to you at this meeting. The Council/Board is prohibited by the Open Meetings Act to engage in a discussion of any item or issue that is not posted on the Agenda. Your request or comments will be duly noted and scheduled for a future agenda if necessary or referred to City Staff.

The Public Comment portion of the meeting will be opened and your name will be called if you have submitted this form to the City/Staff Secretary. If you have not submitted a form, please notify the Mayor/Chair that you would like to speak and submit your form promptly. Please state your name and address for the record and limit your comments to five minutes. The Council/Board expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

☐ Animal Shelter Advisory Board

☐ 4A (Economic Development Corporation)

☐ 4B (Community Development Corporation)

☐ Building & Fire Codes Appeal Board

☐ City Council

☐ Parks & Recreation Board

☐ Planning & Zoning Commission

☐ Zoning Board of Adjustments

Please submit this form and any handouts to the City/Staff Secretary prior to the meeting.

Name: John Isernia & Dorothy.

Address: 309 Ambrose Dr

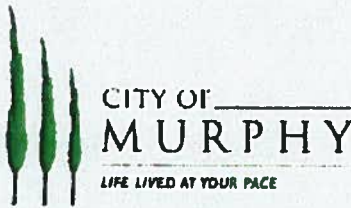
Representing an Organization? NA

Agenda Item No. 11 (☒ In Favor ☐ Opposed)

Comments: _____

Signature _____

Date _____



Public Comment Form

The public may address comments on any subject to the Council/Board during the Public Comment portion of the meeting. Please note that the Council/Board can receive your comments and information but may not be able to respond to you at this meeting. The Council/Board is prohibited by the Open Meetings Act to engage in a discussion of any item or issue that is not posted on the Agenda. Your request or comments will be duly noted and scheduled for a future agenda if necessary or referred to City Staff.

The Public Comment portion of the meeting will be opened and your name will be called if you have submitted this form to the City/Staff Secretary. If you have not submitted a form, please notify the Mayor/Chair that you would like to speak and submit your form promptly. Please state your name and address for the record and limit your comments to five minutes. The Council/Board expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

☐ Animal Shelter Advisory Board

☐ 4A (Economic Development Corporation)

☐ 4B (Community Development Corporation)

☐ Building & Fire Codes Appeal Board

☐ City Council

☐ Parks & Recreation Board

☐ Planning & Zoning Commission

☐ Zoning Board of Adjustments

Please submit this form and any handouts to the City/Staff Secretary prior to the meeting.

Name: Lloyd Rose

Address: 137 North Murphy Rd

Representing an Organization? home owner

Agenda Item No. 11

(☒ In Favor ☐ Opposed)

Comments: only concerned about my address

137 North Murphy Rd. Zoning Resed-


Signature

11-26-12
Date

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

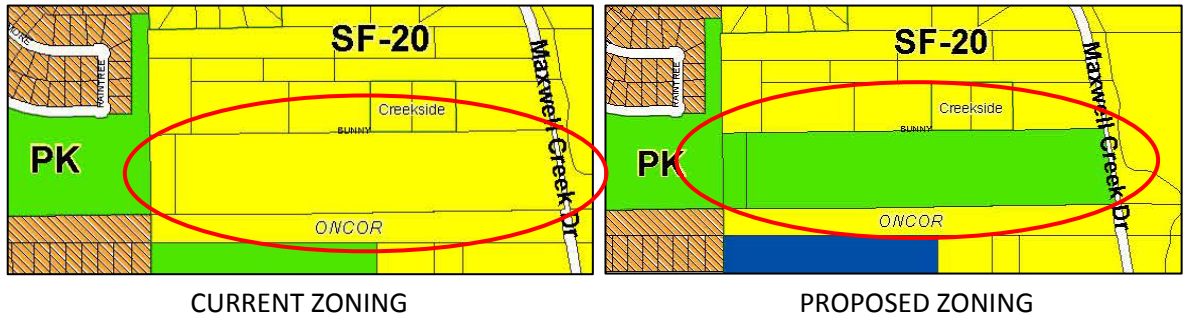
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The current zoning category for Timbers Nature Preserve Park, 324 Pine Top Drive is Single Family Residential - 20 (SF-20).
2. If approved, the zoning category for this property will be changed to Parks/Open Space (PK).
3. This zoning category conforms to the property's current use as *parks*.
4. Public hearing notifications for these proposed zoning changes were published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.

5. The following maps show the location for zoning category change for Timbers Nature Preserve Park, 324 Pine Top Drive – from Single-Family Residential – 20 (SF-20) to Parks/Open Space (PK).



Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There were no speakers during the public hearing regarding this item.

Staff Recommendation

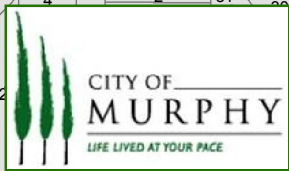
Staff recommends approval of the zoning category change of **Timbers Nature Preserve Park, 324 Pine Top Drive** from Single Family Residential - 20 (SF-20) to Parks/Open Space (PK).

Attachments

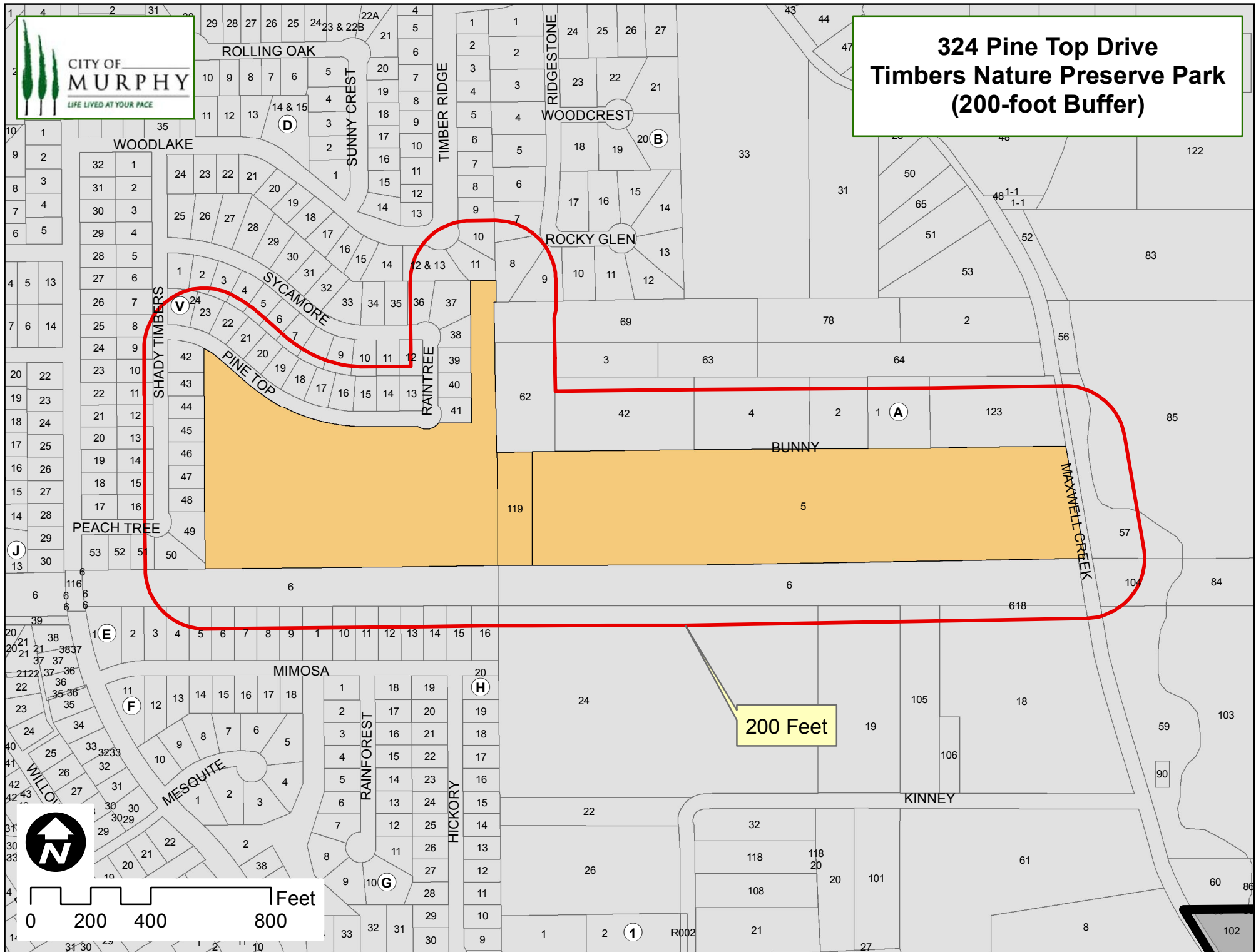
Location Map

Ordinance – 324 Pine Top Drive

Reply Forms



**324 Pine Top Drive
Timbers Nature Preserve Park
(200-foot Buffer)**



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL-20 (SF-20) TO PARKS/OPEN SPACE (PK) FOR THE PROPERTY COMMONLY KNOWN AS TIMBERS NATURE PRESERVE PARK, 324 PINE TOP DRIVE IN MURPHY, TEXAS; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the property commonly known as Timbers Nature Preserve Park, 324 Pine Top Drive in Murphy, Texas (the "Property") is currently zoned as Single-Family Residential-20 (SF-20); and

WHEREAS, the property currently operates as a nature preserve and park; and

WHEREAS, based on its development and use, the appropriate Zoning Classification for the Property is Parks/Open Space (PK); 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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the property commonly known as Timbers Nature Preserve Park, 324 Pine Top Drive in Murphy, Texas, is hereby changed from Single-Family Residential-20 (SF-20) to Parks/Open Space (PK).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

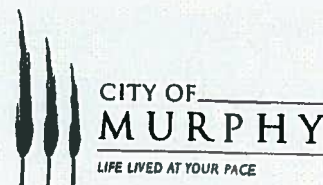
Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning category change request on the property Timbers Nature Preserve Park, 324 Pine Top Drive. This request is to consider the application of the City of Murphy, requesting approval of a zoning category change on the property Timbers Nature Preserve Park, 324 Pine Top Drive from Single Family Residential 20 to Parks/Open Space (PK).

X I am **IN FAVOR** of the requested zoning category change on the property Timbers Nature Preserve Park, 324 Pine Top Drive from Single Family Residential 20 to Parks/Open Space (PK).

_____ I am **OPPOSED** to the requested zoning category change on the property Timbers Nature Preserve Park, 324 Pine Top Drive from Single Family Residential 20 to Parks/Open Space (PK).

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning category change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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

Nikki Hampton
Name (Please Print)

Nikki Hampton
Signature

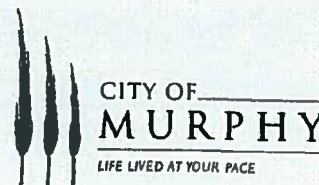
313 Mimosa Dr.
Address
Murphy TX 75094

11/21/2012
Date



Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning category change request on the property Timbers Nature Preserve Park, 324 Pine Top Drive. This request is to consider the application of the **City of Murphy**, requesting approval of a zoning category change on the property Timbers Nature Preserve Park, 324 Pine Top Drive from Single Family Residential 20 to Parks/Open Space (PK).

X I am **IN FAVOR** of the requested zoning category change on the property Timbers Nature Preserve Park, 324 Pine Top Drive from Single Family Residential 20 to Parks/Open Space (PK).

_____ I am **OPPOSED** to the requested zoning category change on the property Timbers Nature Preserve Park, 324 Pine Top Drive from Single Family Residential 20 to Parks/Open Space (PK).

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning category change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

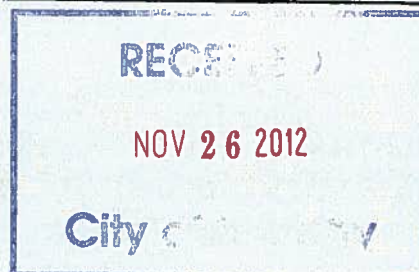
By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

HAROLD W. CRISWELL
Name (Please Print)

[Signature]
Signature

1905 DUBLIN ROAD, PLANO, TX 75094
Address

Nov. 20, 2012
Date



Issue

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) and **ABS A0582 JAS W Maxwell Survey, Tracts 43 and 60** from Single Family Estate (SF-E) to Parks/Open Space (PK).

Staff Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

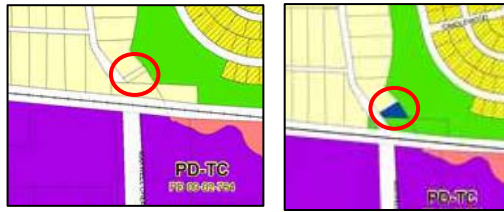
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

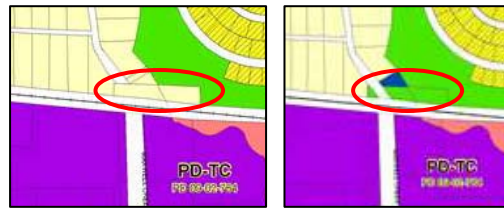
1. The current zoning category for Willow Wood Ranch Estates #1, Lot 1 and 2 - Single Family Estate (SF-E).
2. After approval of this zoning category change, the property will be Public/Semi Public (P/SP).
3. This zoning category conforms to the property's current use as *City of Murphy easement/property*.
4. If approved, the zoning category for this property will be changed to Parks/Open Space (PK).
5. The current zoning category for A0582 JAS W Maxwell Survey, Tracts 43 and 60 is Single Family Estate (SF-E).
6. This zoning category conforms to the property's current use as *parks*.
7. Public hearing notifications for these proposed zoning changes were published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.

8. The following maps show the location for zoning category change for Willow Wood Ranch Estates #1, Lot 1 and 2 from Single-Family Estate (SF-E) to Public/Semi-Public (P/SP).



CURRENT ZONING PROPOSED ZONING

9. The following maps show the location for zoning category change for ABS A0582 JAS W Maxwell Survey, Tract 43 and 60 from Single-Family Estate (SF-E) to Parks/Open Space (PK).



CURRENT ZONING PROPOSED ZONING

Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing. There were two public speakers during the public hearing regarding these properties. One speaker was opposed to the zoning change of the ABS A0582 JAS W Maxwell Survey, Tract 43 and 60 and asked that the City consider re-platting the property west of Maxwell Creek Road as part of the homeowner's property (speaker). One speaker was in favor of the zoning change. The Planning & Zoning Commission voted unanimously to approve these items.

Staff Recommendation

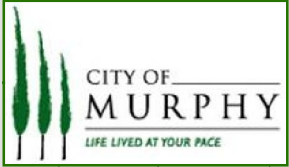
Staff recommends approval of the zoning category change of **Willow Wood Ranch Estates #1, Lot 1 and 2** from Single Family Estate (SF-E) to Public/Semi Public (P/SP) and **ABS A0582 JAS W Maxwell Survey, Tracts 43 and 60** from Single Family Estate (SF-E) to Parks/Open Space (PK).

Attachments

Location Maps

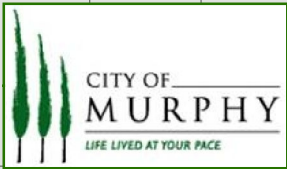
Ordinance – Willow Wood, Lot 1 and 2 & A0582

Speaker Forms

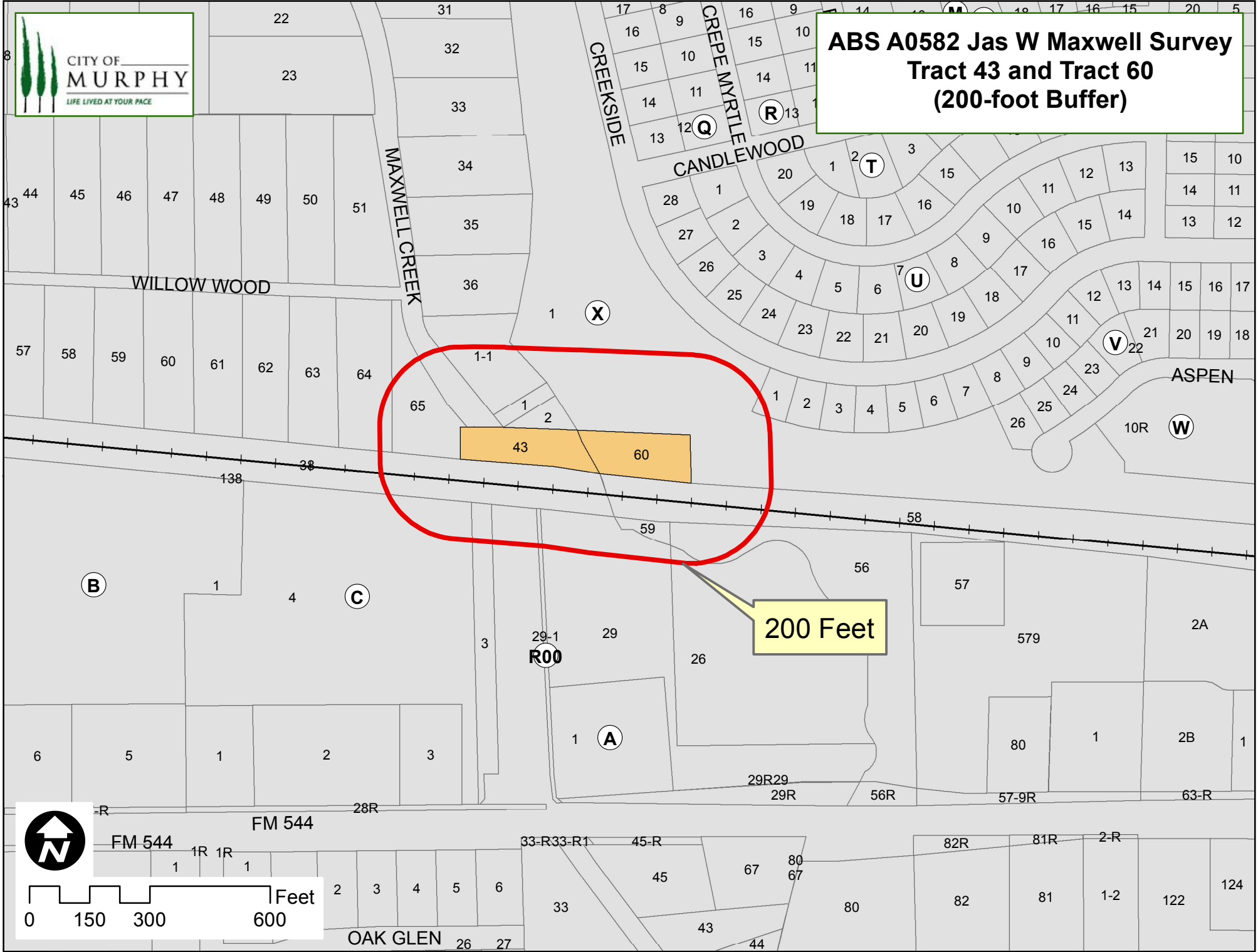


Willow Wood Ranch Estates to Public/Semi-Public (200-foot Buffer)

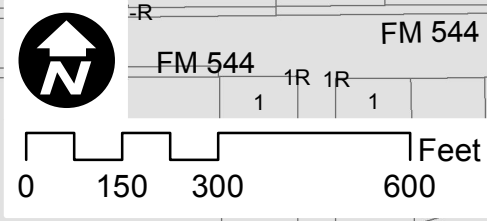




**ABS A0582 Jas W Maxwell Survey
Tract 43 and Tract 60
(200-foot Buffer)**



200 Feet



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE FAMILY ESTATE (SF-E) TO PUBLIC/SEMI-PUBLIC (P/SP) FOR THE PROPERTY LEGALLY DESCRIBED AS WILLOW WOOD RANCH ESTATES #1, LOT 1 AND 2, AND BY CHANGING THE ZONING CLASSIFICATION FROM SINGLE FAMILY ESTATE (SF-E) TO PARKS/OPEN SPACE (PK) FOR THE PROPERTY LEGALLY DESCRIBED AS A0582 JAS W. MAXWELL SURVEY, TRACTS 43 AND 60; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the property legally described as Willow Wood Ranch Estates #1, Lot 1 and 2, and the property legally described as A0582 JAS W. Maxwell Survey, Tracts 43 and 60 are currently zoned as Single-Family Estate (SF-E); and

WHEREAS, the City currently uses the property legally described as Willow Wood Ranch Estates #1, Lot 1 and 2 as easement property; and

WHEREAS, based on its use, the appropriate Zoning Classification for the property legally described as Willow Wood Ranch Estates #1, Lot 1 and 2 is Public/Semi-Public (P/PS); and

WHEREAS, the City currently uses the property legally described as A0582 JAS W. Maxwell Survey, Tracts 43 and 60 for park purposes; and

WHEREAS, based on its use, the appropriate Zoning Classification for the property legally described as A0582 JAS W. Maxwell Survey, Tracts 43 and 60 is Parks/Open Space (PK); 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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the property legally described as Willow Wood Ranch Estates #1, Lot 1 and 2, is hereby changed from Single-Family Estates (SF-E) to Public/Semi-Public (P/SP).

Section 2. The Zoning Classification for and the Comprehensive Zoning Map depicting the property legally described as A0582 JAS W. Maxwell Survey, Tracts 43 and 60, is hereby changed from Single-Family Estates (SF-E) to Parks/Open Space (PK).

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

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

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

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

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

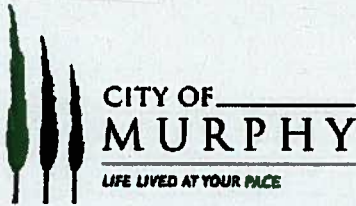
Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy



Public Comment Form

The public may address comments on any subject to the Council/Board during the Public Comment portion of the meeting. Please note that the Council/Board can receive your comments and information but may not be able to respond to you at this meeting. The Council/Board is prohibited by the Open Meetings Act to engage in a discussion of any item or issue that is not posted on the Agenda. Your request or comments will be duly noted and scheduled for a future agenda if necessary or referred to City Staff.

The Public Comment portion of the meeting will be opened and your name will be called if you have submitted this form to the City/Staff Secretary. If you have not submitted a form, please notify the Mayor/Chair that you would like to speak and submit your form promptly. Please state your name and address for the record and limit your comments to five minutes. The Council/Board expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

☐ Animal Shelter Advisory Board
☐ 4A (Economic Development Corporation)
☐ 4B (Community Development Corporation)
☐ Building & Fire Codes Appeal Board

☐ City Council
☐ Parks & Recreation Board
☒ Planning & Zoning Commission
☐ Zoning Board of Adjustments

Please submit this form and any handouts to the City/Staff Secretary prior to the meeting.

Name: GREG SINGLTON

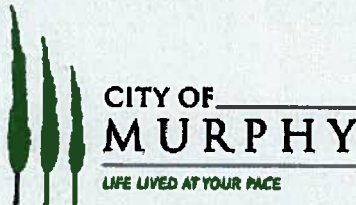
Address: 372 Willow Wood

Representing an Organization? No

Agenda Item No. 13/14 (☐ In Favor ☐ Opposed)

Comments: would appreciate it if the CHAIR would allow
my comments now (very brief) re: Estate to Park;
(N. MAXWELL Creek Rd at RR tracks)

Signature: [Signature] Date: 11-26-12
FORMER PLZ member (Murphy)
" City Council "
" Mayor "



Public Comment Form

The public may address comments on any subject to the Council/Board during the Public Comment portion of the meeting. Please note that the Council/Board can receive your comments and information but may not be able to respond to you at this meeting. The Council/Board is prohibited by the Open Meetings Act to engage in a discussion of any item or issue that is not posted on the Agenda. Your request or comments will be duly noted and scheduled for a future agenda if necessary or referred to City Staff.

The Public Comment portion of the meeting will be opened and your name will be called if you have submitted this form to the City/Staff Secretary. If you have not submitted a form, please notify the Mayor/Chair that you would like to speak and submit your form promptly. Please state your name and address for the record and limit your comments to five minutes. The Council/Board expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

☐ Animal Shelter Advisory Board
☐ 4A (Economic Development Corporation)
☐ 4B (Community Development Corporation)
☐ Building & Fire Codes Appeal Board

☐ City Council
☐ Parks & Recreation Board
☒ Planning & Zoning Commission
☐ Zoning Board of Adjustments

Please submit this form and any handouts to the City/Staff Secretary prior to the meeting.

Name: Keith Patton

Address: 451 Poindexter Ln

Representing an Organization? _____

Agenda Item No. 10 + (☐ In Favor ☐ Opposed)

Comments: _____

Keith Patton
Signature

11/26/12
Date

spoke on numerous items; pls see audio for exact ones

Issue

Hold a Public Hearing and consider and/or act on the zoning category change **ABS A0588 C A McMillan Survey, Tract 57** from Private Recreation (PPK) to Parks/Open Space (PK).

Staff Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

All such changes do not alter the rights of the respective property owners; such changes further clarify the actual development that has occurred within the City since the current Official Zoning Map was last updated.

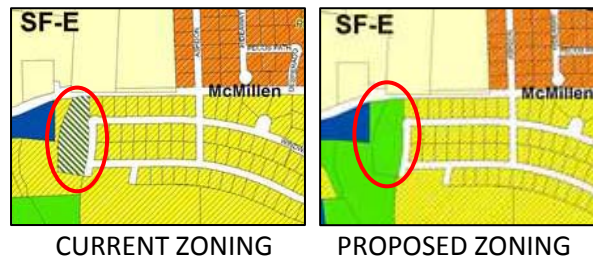
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The current zoning category for ABS A0588 C A McMillan Survey, Tract 57 is Private Recreation (PPK).
2. If approved, the zoning category for this property will be changed to Parks/Open Space (PK).
3. This zoning category conforms to the property's current use as *parks*.
4. Public hearing notifications for these proposed zoning changes were published in the newspaper and mailed to the property owners included in the required 200 feet notification radius.

5. The following maps show the location for zoning category change for ABS A0588 C A McMillan Survey, Tract 57 from Private Recreation (PPK) to Parks/Open Space (PK).



Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing and voted unanimously to approve this item. There were no speakers during the public hearing regarding this item.

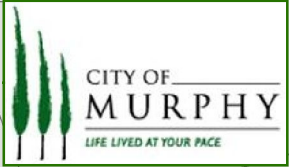
Staff Recommendation

Staff recommends approval of the zoning category change **ABS A0588 C A McMillan Survey, Tract 57** from Private Recreation (PPK) to Parks/Open Space (PK).

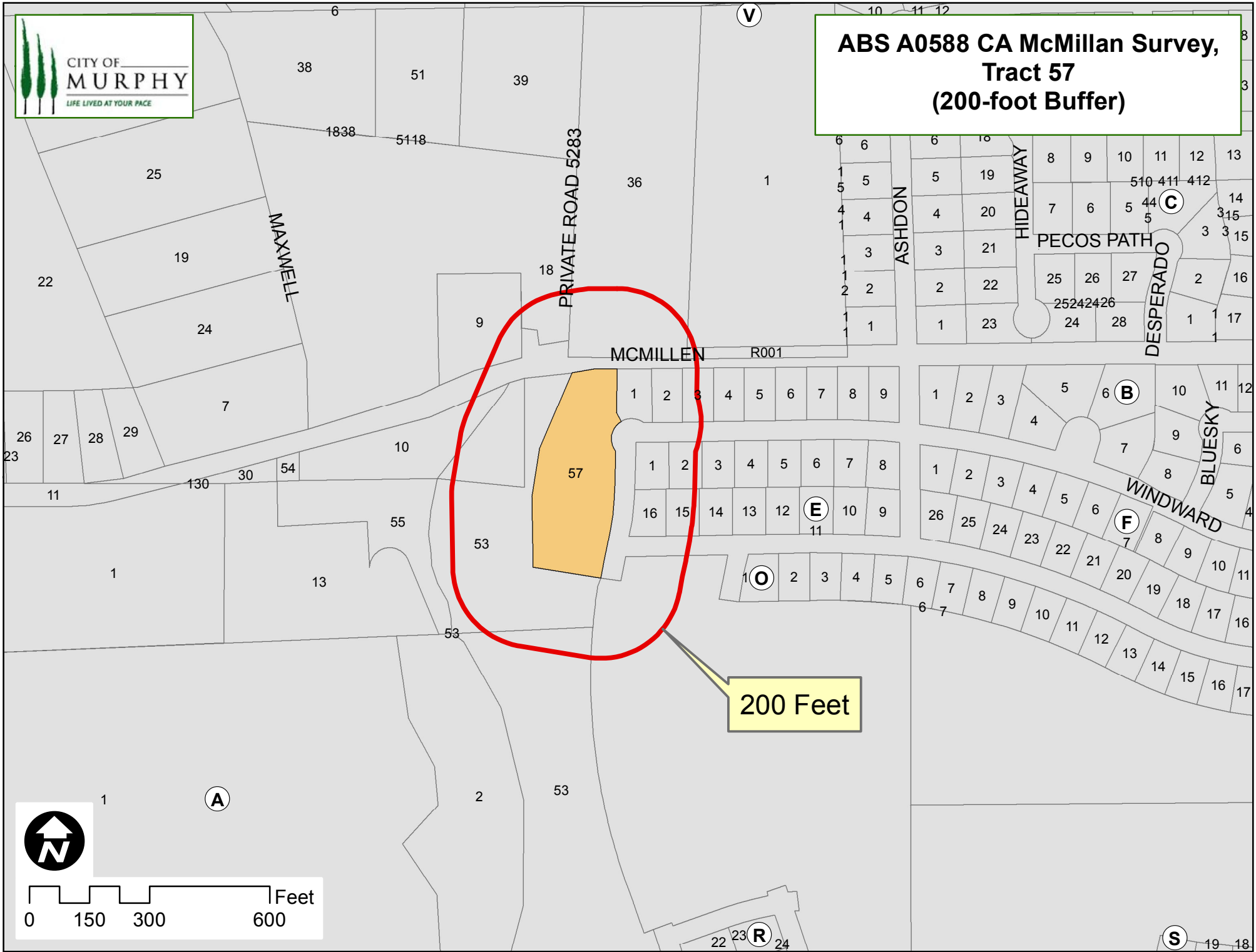
Attachments

Location Map

Ordinance – ABS A0588



**ABS A0588 CA McMillan Survey,
Tract 57
(200-foot Buffer)**



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM PRIVATE RECREATION (PPK) TO PARKS/OPEN SPACE (PK) FOR THE PROPERTY LEGALLY DESCRIBED AS ABS A0588 C A MCMILLAN SURVEY, TRACT 57; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the property legally described as ABS A0588 C A McMillan Survey, Tract 57, (the "Property") is currently zoned as Private Recreation (PPK); and

WHEREAS, the City currently uses the Property for park purposes; and

WHEREAS, based on its use, the appropriate Zoning Classification for the Property is Parks/Open Space (PK); 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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the property legally described as ABS A0588 C A McMillan Survey, Tract 57, is hereby changed from Private Recreation (PPK) to Parks/Open Space (PK).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity

of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

In the process of reviewing and updating the City of Murphy's Official Zoning Map, it was determined that several areas of the City which are depicted on the zoning map do not reflect the existing development of the property. As part of the Zoning Map Project, which has been undertaken to address inconsistencies on the City's Official Zoning Map, it was determined that the best course of action was to ensure that the amended Official Zoning Map be updated to reflect as accurately as possible the current developed conditions.

The current zoning category for the above-referenced properties is Office (O). The current use for these properties is Single-Family Residential. To reflect this reality, the City of Murphy has requested that the zoning for these properties be changed to Single Family Residential-9 (SF-9).

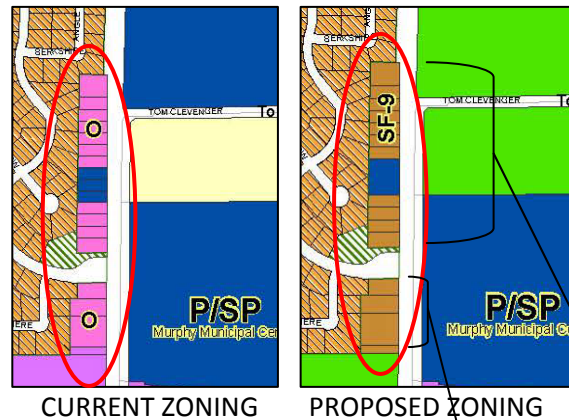
Official Zoning Map #2 (Date November 2012) submitted to the City Council in Agenda Item No. 7-B shows the City's current zoning for the above-referenced property. Official Zoning Map #2 does not reflect any change in zoning on any property in the City.

Official Zoning Map #3, to be considered in Agenda Item No. 7-P, relates to **all** of the properties that are proposed for a zoning category change.

Considerations

1. The current zoning category for these properties is Office (O).
2. If approved, the zoning category for this property would be Single Family Residential-9 (SF-9).
3. The proposed zoning category for these properties conforms to the current use of the properties as *residential*.
4. The public hearing notification as well as the property owner notification letter identified the correct North Murphy Road addresses for this item as noted above. However, the Reply form for this item inadvertently showed *121 Heritage Parkway* in the first section of the reply form. After consultation with the City Attorney, public notification is deemed sufficient as both published notifications were reflected correctly.

5. Following staff research, the covenants governing 223, 225, 227, 231, 233, 235, 237, 239, 241, 243 and 501 N. Murphy Road were located and confirmed details that no lot shall be used except for residential.
6. No such covenants or restrictions were identified for 213, 215 and 217 N. Murphy Road.
7. The following maps show the location for zoning category change for the above-referenced properties – from Office (O) to Single-Family Residential-9 (SF-9).



Staff recommends these properties identified change from Office (O) to Single-Family Residential-9(SF-9) (see Consideration no. 5)

Staff recommends these properties remain Office (O). (see Consideration no. 6)

Board / Discussion Action

On November 26, 2012, the Planning & Zoning Commission held a public hearing on this item. There were two speakers during the public hearing opposing the zoning change of 213, 215 and 217 N. Murphy Road. Given the location of these three properties in relation to the others for consideration, staff discussed research of the covenants governing 223, 225, 227, 231, 233, 235, 237, 239, 241, 243 and 501 N. Murphy Road and confirmed details that no lot shall be used except for residential. No such covenants or restrictions were identified for 213, 215 and 217 N. Murphy Road. Glen Ridge Drive separates the two portions as described above.

Staff Recommendation

Staff recommends denial of the zoning category change of 1) 213 N. Murphy Road; 2) 215 N. Murphy Road; 3) 217 N. Murphy Road from Office (O) to Single-Family Residential-9 (SF-9).

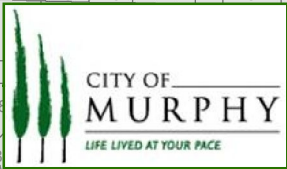
Staff recommends the approval of the zoning category change of 4) 223 N. Murphy Road; 5) 225 N. Murphy Road; 6) 227 N. Murphy Road; 7) 231 N. Murphy Road; 8) 233 N. Murphy Road; 9) 235 N. Murphy Road; 10) 237 N. Murphy Road; 11) 239 N. Murphy Road; 12) 241 N. Murphy Road; 13) 243 N. Murphy Road; and 14) 501 N. Murphy Road from Office (O) to Single-Family Residential-9 (SF-9).

Attachments

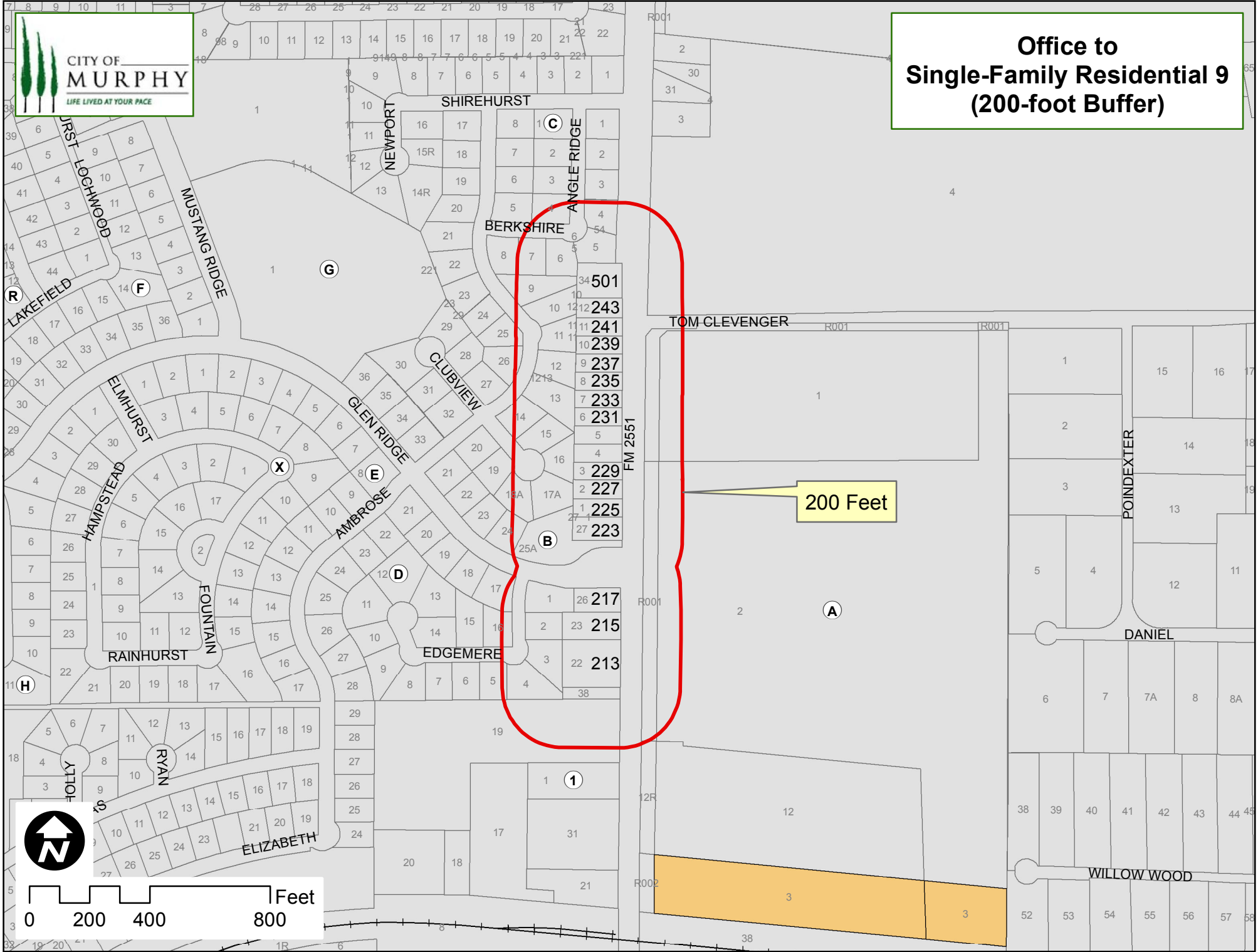
Location Map

Ordinance – Murphy Road properties (not including 213, 215, 217 N. Murphy Road)

Reply Form



**Office to
Single-Family Residential 9
(200-foot Buffer)**



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM OFFICE (O) TO SINGLE-FAMILY RESIDENTIAL-9 (SF-9) FOR THE PROPERTY COMMONLY KNOWN AS 223 N. MURPHY ROAD, THE PROPERTY COMMONLY KNOWN AS 225 N. MURPHY ROAD, THE PROPERTY COMMONLY KNOWN AS 227 N. MURPHY ROAD, THE PROPERTY COMMONLY KNOWN AS 231 N. MURPHY ROAD, THE PROPERTY COMMONLY KNOWN AS 233 N. MURPHY ROAD, THE PROPERTY COMMONLY KNOWN AS 235 N. MURPHY ROAD, THE PROPERTY COMMONLY KNOWN AS 237 N. MURPHY ROAD, THE PROPERTY COMMONLY KNOWN AS 239 N. MURPHY ROAD, THE PROPERTY COMMONLY KNOWN AS 241 N. MURPHY ROAD, THE PROPERTY COMMONLY KNOWN AS 243 N. MURPHY ROAD, AND THE PROPERTY COMMONLY KNOWN AS 501 N. MURPHY ROAD IN MURPHY, TEXAS; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, during the process of reviewing and updating the City of Murphy's Comprehensive Zoning Map, City staff determined that several areas of the City depicted on the map do not reflect the current development of the property; and

WHEREAS, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the current developed conditions; and

WHEREAS, the property commonly known as 223 N. Murphy Road, the property commonly known as 225 N. Murphy Road, the property commonly known as 227 N. Murphy Road, the property commonly known as 231 N. Murphy Road, the property commonly known as 233 N. Murphy Road, the property commonly known as 235 N. Murphy Road, the property commonly known as 237 N. Murphy Road, the property commonly known as 239 N. Murphy Road, the property commonly known as 241 N. Murphy Road, the property commonly known as 243 N. Murphy Road, and the property commonly known as 501 N. Murphy Road in Murphy, Texas (referred to collectively as the "Properties") are currently zoned as Office (O); and

WHEREAS, City staff recommends that the zoning classification for the Properties be changed to Single-Family Residential-9 (SF-9); 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 and Map should be amended;

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

Section 1. The Zoning Classification for and the Comprehensive Zoning Map depicting the property commonly known as 223 N. Murphy Road, the property commonly known as 225 N. Murphy Road, the property commonly known as 227 N. Murphy Road, the property commonly known as 231 N. Murphy Road, the property commonly known as 233 N. Murphy Road, the property commonly known as 235 N. Murphy Road, the property commonly known as 237 N. Murphy Road, the property commonly known as 239 N. Murphy Road, the property commonly known as 241 N. Murphy Road, the property commonly known as 243 N. Murphy Road, and the property commonly known as 501 N. Murphy Road in Murphy, Texas, are hereby changed from Office (O) to Single-Family Residential-9 (SF-9).

Section 2. 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 3. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

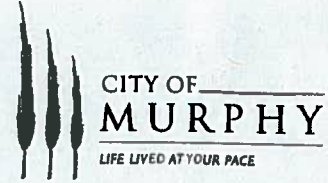
Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy

Reply Form

P&Z Commission / City Council
206 North Murphy Road
Murphy, Texas 75094



Dear Commissioners / Councilmembers:

This letter is regarding the zoning category change request on the property 121 Heritage Parkway, Oakbrook School. This request is to consider the application of the **City of Murphy**, requesting approval of a zoning category change on the properties 213 N. Murphy Road, 215 N. Murphy Road, 217 N. Murphy Road, 223 N. Murphy Road, 225 N. Murphy Road, 227 N. Murphy Road, 231 N. Murphy Road, 233 N. Murphy Road, 235 N. Murphy Road, 237 N. Murphy Road, 239 N. Murphy Road, 241 N. Murphy Road, 243 N. Murphy Road and 501 N. Murphy Road from Office to Single Family Residential SF-9.

_____ I am **IN FAVOR** of the requested zoning category change on the properties 213 N. Murphy Road, 215 N. Murphy Road, 217 N. Murphy Road, 223 N. Murphy Road, 225 N. Murphy Road, 227 N. Murphy Road, 231 N. Murphy Road, 233 N. Murphy Road, 235 N. Murphy Road, 237 N. Murphy Road, 239 N. Murphy Road, 241 N. Murphy Road, 243 N. Murphy Road and 501 N. Murphy Road from Office to Single Family Residential SF-9.

☒ I am **OPPOSED** to the requested zoning category change on the properties 213 N. Murphy Road, 215 N. Murphy Road, 217 N. Murphy Road, 223 N. Murphy Road, 225 N. Murphy Road, 227 N. Murphy Road, 231 N. Murphy Road, 233 N. Murphy Road, 235 N. Murphy Road, 237 N. Murphy Road, 239 N. Murphy Road, 241 N. Murphy Road, 243 N. Murphy Road and 501 N. Murphy Road from Office to Single Family Residential SF-9.

This item will be heard by the Planning and Zoning Commission on Monday, November 26, 2012 at 6:00 p.m. and the City Council on Tuesday, December 11, 2012 at 6:00 p.m. in the City Council Chambers at 206 N. Murphy Road, Murphy, Texas. Please provide your written comments below regarding the requested zoning category change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

The proximity of residential prop. to a major thoroughfare is not desirable, while the same for office or business is. Based upon the development of other properties along Murphy Rd, residential does not make sense.

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

Susan Reading
Name (Please Print)

517 N. Murphy Rd
Address

Susan Reading
Signature

11/25/12
Date

**She gave this to me personally that day 11/26*

Issue

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 Resource/Department

Kristen Roberts – Director of Community and Economic Development
Heather Sims – consultant, Sims Planning

Background

City staff realized in the Spring of 2012 that there was a question as to the zoning of a particular parcel of land within the City. As research was conducted to answer this question, it was determined that there were inconsistencies between the text within the Zoning Ordinance and the labels on the Zoning Map as well as individual parcels that required zoning category changes to reflect current use. Staff hired an urban planning consultant, Sims Planning (Heather Sims), to further research and addresses these inconsistencies.

Considerations

1. Zoning Map # 2 was adopted in Agenda Item 7-B clarifying and addressing issues (map legend/labels, accurate Planned Development Ordinance numbers).
2. As detailed and referenced in Agenda Items 7- C through O, Zoning Map #3 reflects the change in zoning for all parcels as specified in Agenda Items 7- C through O.
3. Considering if the following edits were made throughout the items for parcel zoning changes, they should be reflected on Zoning Map #3 as:
 - a. 213, 215 and 217 North Murphy Road should be shown as Office (O) on Zoning Map #3.
 - b. Kinney Drive property should be shown as Parks/Open Space (PK) on Zoning Map #3.
 - c. Parcel 38, directly south of 213 North Murphy Road was inadvertently colored as Single-Family Residential-9 (SF-9) and it should remain its current zoning color of Town Center (TC).

Staff Recommendation

Staff recommends adoption of Zoning Map #3 to be known as the City of Murphy Official Zoning Map with the following edits:

- a. 213, 215 and 217 North Murphy Road should be shown as Office (O) on Zoning Map #3.
- b. Kinney Drive property should be shown as Parks/Open Space (PK) on Zoning Map #3.
- c. Parcel 38, directly south of 213 North Murphy Road was inadvertently colored as Single-Family Residential-9 (SF-9) and it should remain its current zoning color of Town Center (TC).

Attachments

Exhibit A - Zoning Map #3 (to be known as City of Murphy Official Zoning Map 2012)
Ordinance – Zoning Map #3

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, ADOPTING THE AMENDED COMPREHENSIVE ZONING MAP ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “A,” AS THE OFFICIAL CITY OF MURPHY COMPREHENSIVE ZONING MAP; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in a review of the City of Murphy’s Comprehensive Zoning Map, City staff identified several inconsistencies between the text of the Zoning Ordinance and the Comprehensive Zoning Map; and

WHEREAS, the City hired an urban planning consultant to further research and address the inconsistencies between the City’s Zoning Ordinance and Comprehensive Zoning Map; and

WHEREAS, the consultant identified several inconsistencies, and made recommendations for changes; and

WHEREAS, City staff recommends the adoption of a Comprehensive Zoning Map that reflects the current zoning classifications for property located within the territorial jurisdiction of the City of Murphy; 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 and persons interested, and the City Council of the City of Murphy is of the opinion and finds that the amended Comprehensive Zoning Map attached hereto and incorporated herein as Exhibit “A” should be the Official City Of Murphy Comprehensive Zoning Map;

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

Section 1. The Amended Comprehensive Zoning Map attached hereto and incorporated herein as Exhibit “A” is hereby adopted as the Official City of Murphy Comprehensive Zoning Map.

Section 2. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 3. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 11th day of December, 2012.

APPROVED:

Bret M. Baldwin, Mayor
City of Murphy

ATTEST:

Kristi Gilbert, City Secretary
City of Murphy

APPROVED AS TO FORM:

Wm. Andrew Messer,
Attorney for the City of Murphy