

**ORDINANCE 09-02-785**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES BY CHANGING THE ZONING CLASSIFICATION ON APPROXIMATELY 6.43 ACRES OUT OF THE MARY SCOTT SURVEY, ABSTRACT NO. 859, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR ALL PURPOSES, FROM SF-20 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO PD (PLANNED DEVELOPMENT) DISTRICT FOR OFFICE USES WITH CONDITIONS HERETO DESCRIBED AS EXHIBIT "B"; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.**

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

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

**Section 1.** That the Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby, amended so as to grant a Planned Development District for Office Uses for the property described as 6.43 acres, more or less, in the Mary Scott Survey, Abstract No. 859, in the City of Murphy, Collin County, Texas, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes.

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

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

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

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

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

**PASSED, APPROVED AND ADOPTED** this the 16th day of February 2009.

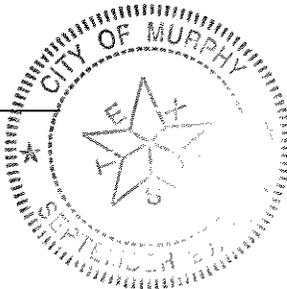


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Bret M. Baldwin, Mayor  
City of Murphy

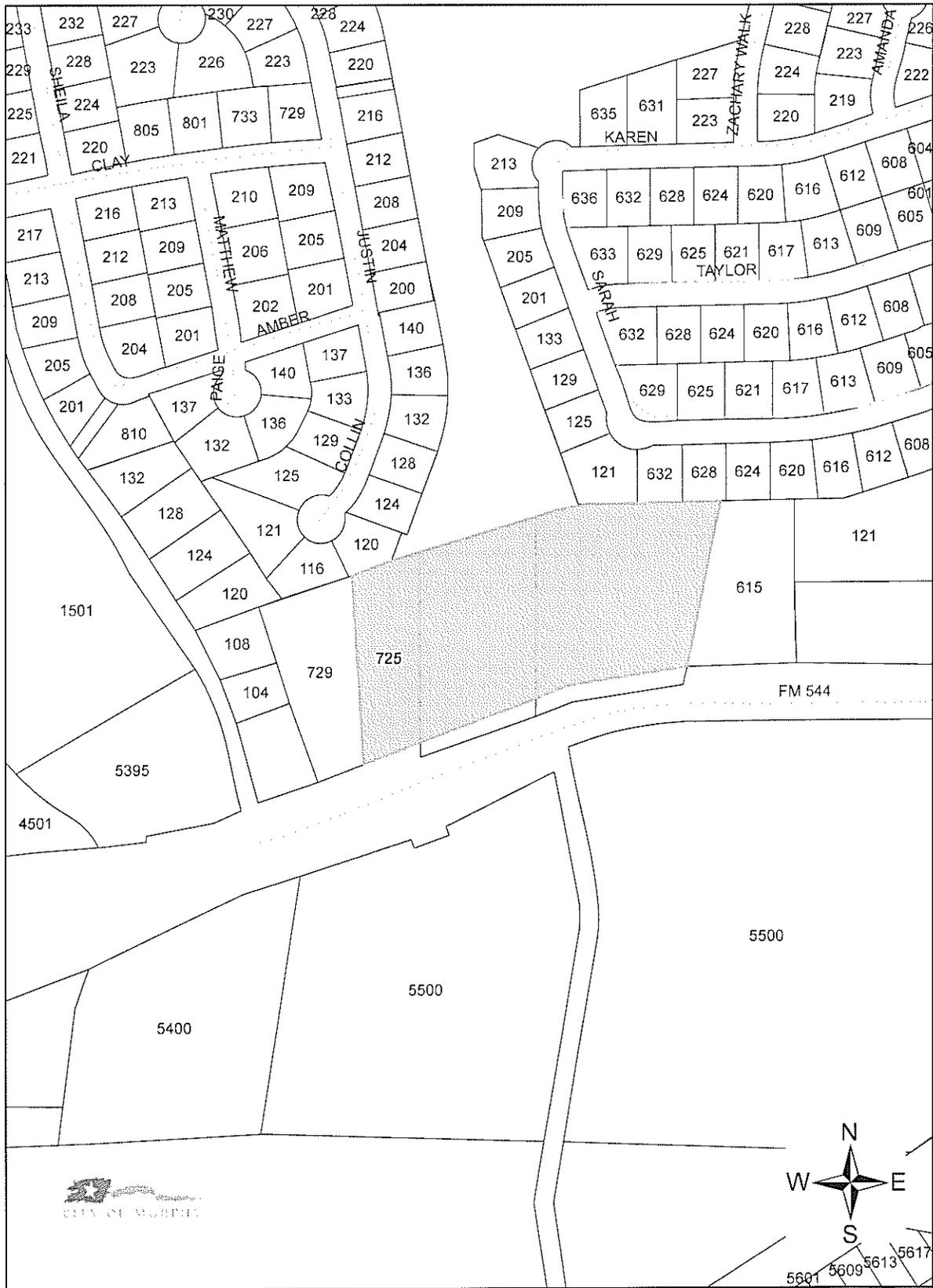
ATTEST:



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



# Location Map - Zoning File 2009-02



## **EXHIBIT A**

### **Legal Description**

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

## EXHIBIT B

### ZONING FILE NO. 2009-02

#### FM 544

#### Between Dublin Road and Heritage Parkway

### PLANNED DEVELOPMENT CONDITIONS

- I. **Statement of Purpose:** The purpose and intent of this Planned Development District is to permit the development of medical and office uses.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the City of Murphy Code of Ordinances, Ordinance No. 06-12-708, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the O (Office) District set forth in Article III, Division 12 of the City of Murphy Code of Ordinances (Ordinance No. 06-12-708), as amended, are included by reference, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
  - A. A Concept Plan shall be approved as outlined in Article II, Division 5 of the Code of Ordinances prior to the acceptance of a site plan for any part or all of this Planned Development District. The concept plan shall include proposed landscape areas and proposed building elevations and design elements. Approval of the Concept Plan shall be based on general conformance with the approved Planned Development District conditions and regulations set forth in this ordinance. Approval of a Concept Plan through the zoning public hearing process (as outlined in Article II, Division 5) is required. In addition, the Concept Plan shall have the following elements.
    - Traffic circulation;
    - Cross access;
    - Driveway location;
    - Conceptual design elevations;
    - Development construction schedule;
    - Elements used to buffer nonresidential and residential development;
    - Pedestrian circulation;
    - Landscape buffer areas;
    - Building orientation.
  - B. Concept Plan approval shall be for a period of one year from the date of City Council action on the plan. If within that one-year period a site plan has been submitted for a portion of the development, then the Concept Plan shall be deemed to have no expiration date. Site plans shall be valid for a period of six (6) months from the date of City Council action on the plan.
- V. **Specific Regulations:**
  - A. Permitted Uses: Only the following uses shall be permitted.
    1. Credit Agency
    2. Insurance Agency Offices
    3. Offices (Brokerage Services)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Section 6. Penalty Clause.**

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

**Section 7. Savings Clause.**

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

**Section 8. Effective Date.**

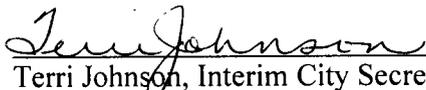
This ordinance shall become effective immediately upon its passage and publication as required by law.

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



Eric Barna, Mayor  
City of Murphy

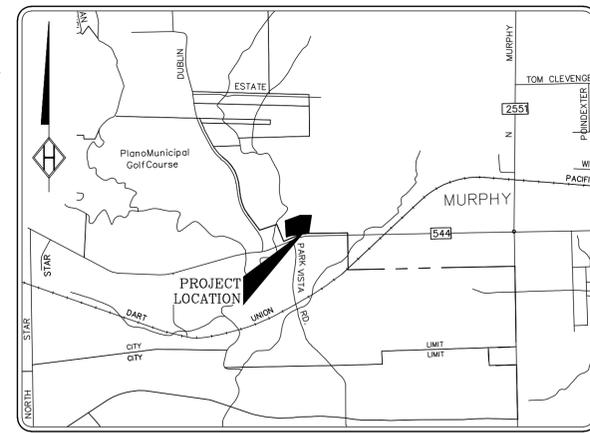
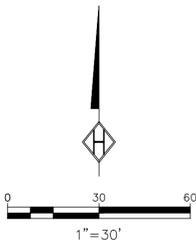
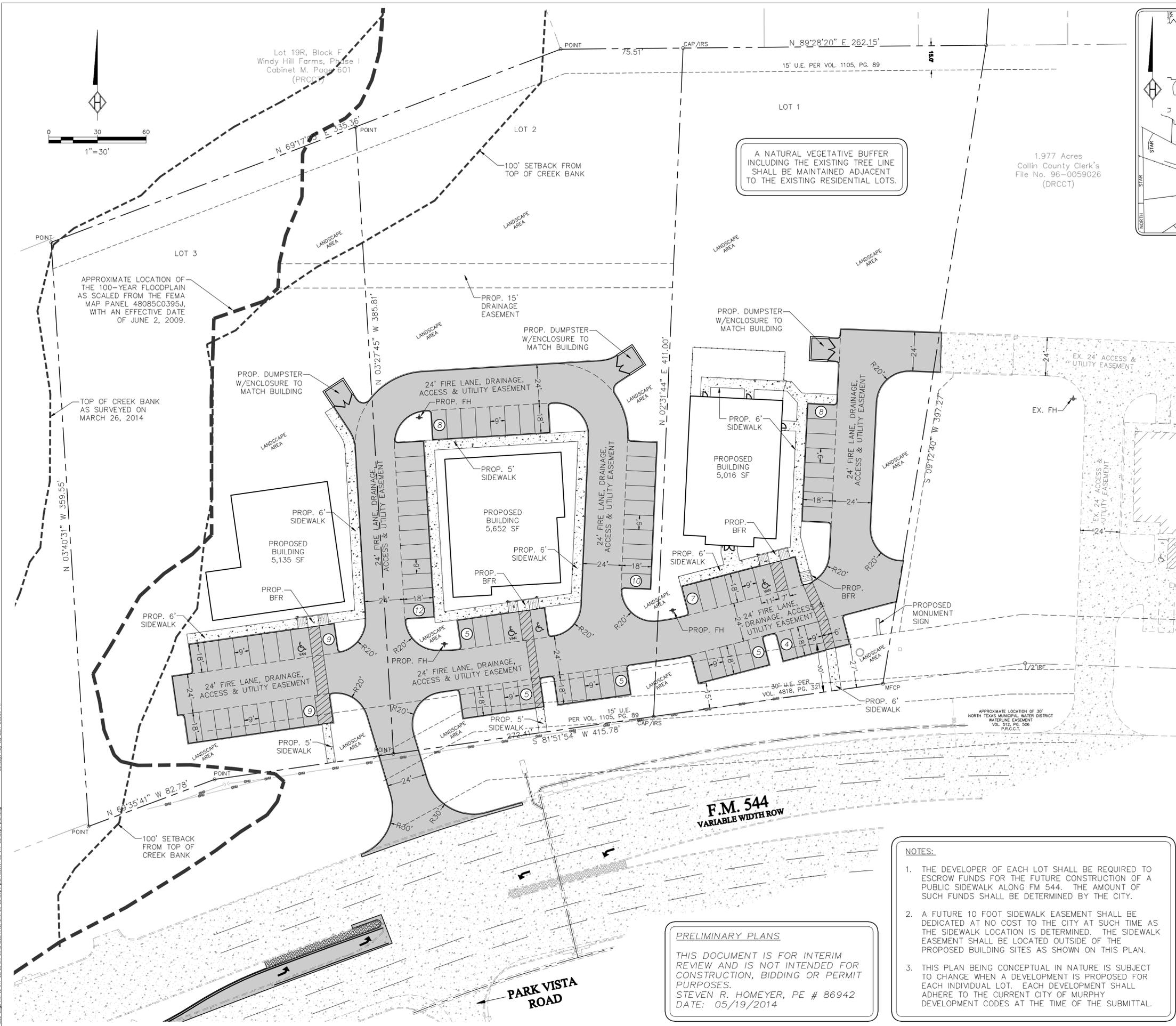
ATTEST:

  
Terri Johnson, Interim City Secretary  
City of Murphy

APPROVED AS TO FORM:

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





Vicinity Map 1"=2000'

A NATURAL VEGETATIVE BUFFER INCLUDING THE EXISTING TREE LINE SHALL BE MAINTAINED ADJACENT TO THE EXISTING RESIDENTIAL LOTS.

1.977 Acres  
Collin County Clerk's  
File No. 96-0059026  
(DRCC)

LEGEND	
I.R.F.	IRON ROD FOUND
I.R.S.	IRON ROD SET
"x"	CUT X IN CONCRETE
F.C.P.	FENCE CORNER POST
///	ASPHALT
⊙	TELEPHONE MANHOLE
⊗	POWER POLE
⊙	LIGHT POLE
⊗	WATER VALVE
⊙ <sup>SSMH</sup>	SANITARY SEWER MANHOLE
⊙	FIRE HYDRANT
⊗	WATER METER

SITE INFORMATION	
<b>LOT 1</b>	PROPOSED BUILDING AREA = 5,016 S.F. PARKING REQUIRED: MEDICAL OFFICE 1 SPACE PER 300 S.F. = 17 SPACES PARKING PROVIDED: 24 SPACES HANDICAP PARKING REQUIRED: 1 SPACE HANDICAP PARKING PROVIDED: 1 SPACE
<b>LOT 2</b>	PROPOSED BUILDING AREA = 5,652 S.F. PARKING REQUIRED: MEDICAL OFFICE 1 SPACE PER 300 S.F. = 19 SPACES PARKING PROVIDED: 45 SPACES HANDICAP PARKING REQUIRED: 2 SPACES HANDICAP PARKING PROVIDED: 2 SPACES
<b>LOT 3</b>	PROPOSED BUILDING AREA = 5,135 S.F. PARKING REQUIRED: MEDICAL OFFICE 1 SPACE PER 300 S.F. = 18 SPACES PARKING PROVIDED: 18 SPACES HANDICAP PARKING REQUIRED: 1 SPACE HANDICAP PARKING PROVIDED: 1 SPACE

- NOTES:**
- THE DEVELOPER OF EACH LOT SHALL BE REQUIRED TO ESCROW FUNDS FOR THE FUTURE CONSTRUCTION OF A PUBLIC SIDEWALK ALONG FM 544. THE AMOUNT OF SUCH FUNDS SHALL BE DETERMINED BY THE CITY.
  - A FUTURE 10 FOOT SIDEWALK EASEMENT SHALL BE DEDICATED AT NO COST TO THE CITY AT SUCH TIME AS THE SIDEWALK LOCATION IS DETERMINED. THE SIDEWALK EASEMENT SHALL BE LOCATED OUTSIDE OF THE PROPOSED BUILDING SITES AS SHOWN ON THIS PLAN.
  - THIS PLAN BEING CONCEPTUAL IN NATURE IS SUBJECT TO CHANGE WHEN A DEVELOPMENT IS PROPOSED FOR EACH INDIVIDUAL LOT. EACH DEVELOPMENT SHALL ADHERE TO THE CURRENT CITY OF MURPHY DEVELOPMENT CODES AT THE TIME OF THE SUBMITTAL.

**PRELIMINARY PLANS**  
THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.  
STEVEN R. HOMEYER, PE # 86942  
DATE: 05/19/2014

**LOTS 1 - 3, BLOCK A  
NELSON ADDITION  
M. SCOTT SURVEY, ABSTRACT 859  
CITY OF MURPHY  
COLLIN COUNTY, TEXAS**

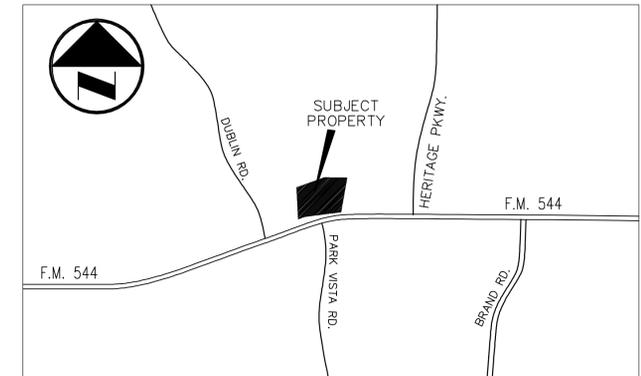
**HOMEYER ENGINEERING, INC.**  
T.B.P.E. FIRM REGISTRATION NO. F-8440  
P.O. BOX 294527 • LEWISVILLE, TEXAS • 75029  
972-906-9985 • PHONE • 972-906-9987 FAX  
WWW.HEI.US.GOV

**LOTS 1 - 3, BLOCK A  
NELSON ADDITION  
M. SCOTT SURVEY, ABSTRACT 859  
CITY OF MURPHY  
COLLIN COUNTY, TEXAS**

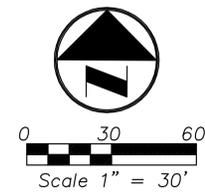
**OVERALL  
CONCEPT PLAN**

**DRAWN: SRH  
DATE: 06/20/13  
HEI #: 13-147 CP  
SHEET NO:  
C1**

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VICINITY MAP  
(NTS)



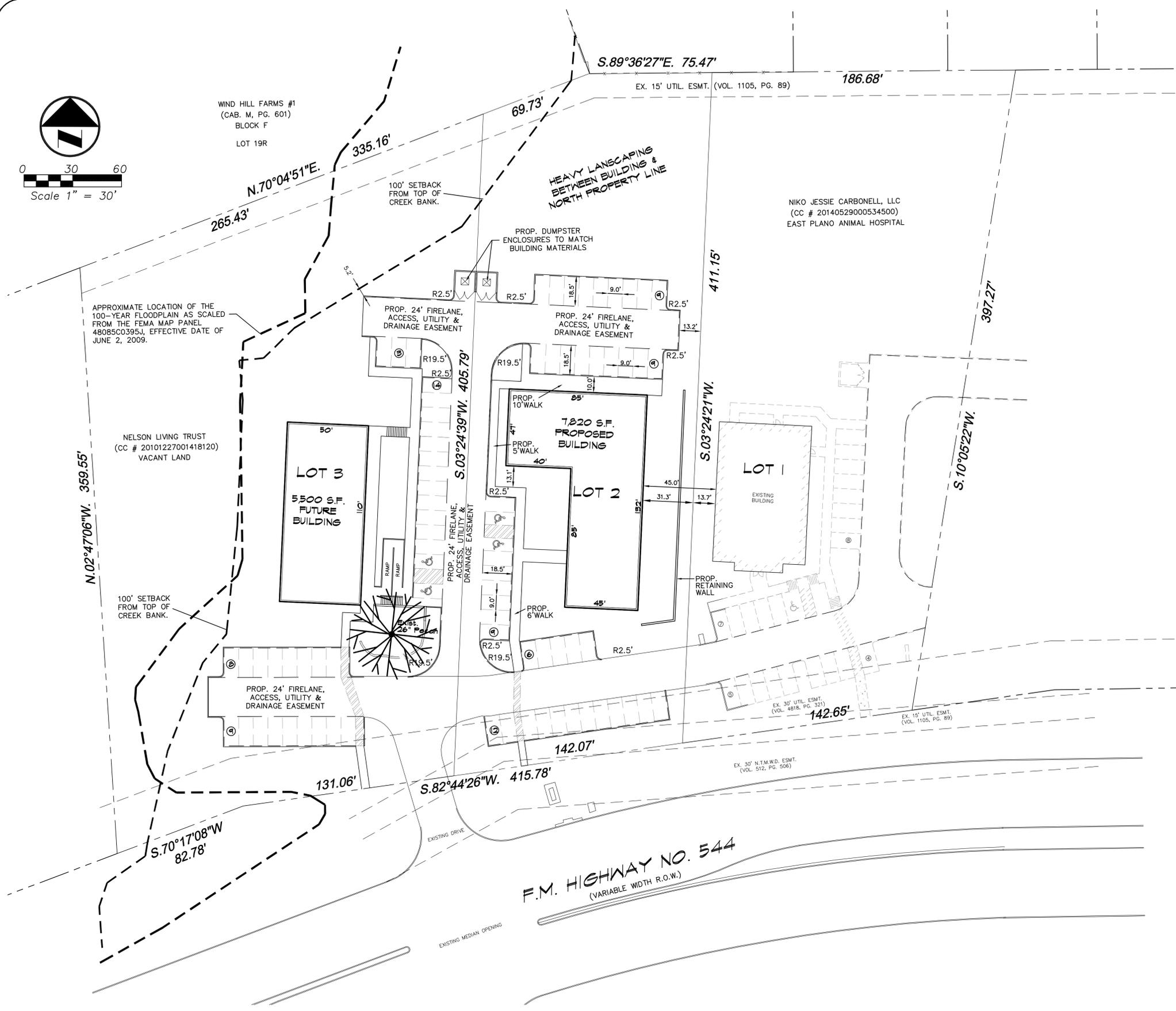
WIND HILL FARMS #1  
(CAB. M. PG. 601)  
BLOCK F  
LOT 19R

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

NELSON LIVING TRUST  
(CC # 20101227001418120)  
VACANT LAND

HEAVY LANDSCAPING  
BETWEEN BUILDING &  
NORTH PROPERTY LINE

SITE DATA SUMMARY		
ITEM	LOT 2	LOT 3
ZONING:	PD-14-04-975 (Office)	PD-14-04-975 (Office)
PROPOSED USE:	MEDICAL OFFICE	MEDICAL OFFICE
TOTAL LOT AREA:	1.33 AC.	1.60 AC.
TOTAL BUILDING AREA:	7,820 S.F.	5,500 S.F.
BUILDING HEIGHT:	28'-0" (1-STORY)	28'-0" (1-STORY)
LOT COVERAGE:	13.5%	7.9%
PROPOSED FAR:	0.13	0.08
PARKING REQUIRED:	40 SPACES	28 SPACES
GENERAL OFFICE:	0 SPACES	0 SPACES
MEDICAL OFFICE (1/200):	40 SPACES	28 SPACES
PARKING PROVIDED:	44 SPACES	34 SPACES
HANDICAP PARKING REQUIRED:	2 SPACES	2 SPACES
HANDICAP PARKING PROVIDED:	2 SPACES	2 SPACES



ANSAMUELSON 04/05/2016 - 4:17PM N:\0008645\00\DWG\CIVIL\0008645 CONCEPT PLAN.DWG © WESTWOOD MULTI-DISCIPLINED SURVEYING & ENGINEERING 2016. ALL RIGHTS RESERVED. THE ENGINEERING DESIGN, DETAIL AND ENGINEERING DRAWINGS FOR THIS PROJECT AND/OR OVERALL PROJECT ARE THE LEGAL PROPERTY OF WESTWOOD MULTI-DISCIPLINED SURVEYING & ENGINEERING. THEIR USE FOR REPRODUCTION, CONSTRUCTION, OR DISTRIBUTION IS PROHIBITED UNLESS AUTHORIZED IN WRITING BY WESTWOOD MULTI-DISCIPLINED SURVEYING & ENGINEERING.

NO.	DATE	REVISION / DESCRIPTION
DESIGN	DRAWN	DATE
AWS	MJN	04-05-2016

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

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

THIS DOCUMENT IS RELEASED FOR THE PURPOSE  
OF INTERIM REVIEW UNDER THE AUTHORITY OF ARLYN W.  
SAMUELSON, P.E. 95871 ON 04-05-2016 IT IS  
NOT TO BE USED FOR CONSTRUCTION, BIDDING OR  
PERMIT PURPOSES.

**PRELIMINARY**  
FOR INTERIM REVIEW ONLY  
NOT TO BE USED FOR  
CONSTRUCTION OR  
BIDDING PURPOSES.  
Engineer: ARLYN W. SAMUELSON, P.E.  
P.E. No.: 95871  
Date: 04-05-2016

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

REVISED CONCEPT PLAN  
SMILES AT MURPHY OFFICE BUILDING  
LOTS 1, 2 & 3 BLOCK A  
NELSON ADDITION  
CITY OF MURPHY, TEXAS

SHEET  
NO.  
CP-1