

ORDINANCE 09-02-785

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

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

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

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

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

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

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

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

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

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



Bret M. Baldwin, Mayor
City of Murphy

ATTEST:



Aimee Nemer, City Secretary
City of Murphy

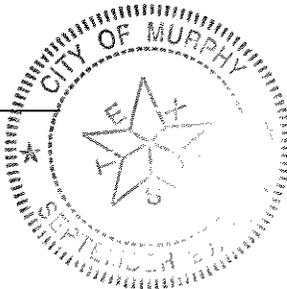


EXHIBIT A

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.