

ORDINANCE NO. 12-02-905

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES BY AMENDING AN EXISTING PLANNED DEVELOPMENT DISTRICT FOR RETAIL USES ON AN APPROXIMATELY 24.09 ACRE TRACT OF LAND SITUATED IN THE GEORGE H. PEGUES SURVEY, ABSTRACT NO 699, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR ALL PURPOSES, APPROVING PLANNED DEVELOPMENT STANDARDS ATTACHED HERETO AS EXHIBIT "B", APPROVING A CONCEPT PLAN ATTACHED HERETO AS EXHIBIT "C", APPROVING A LANDSCAPE PLAN ATTACHED HERETO AS EXHIBIT "D", AND APPROVING A SIGNAGE PLAN ATTACHED HERETO AS EXHIBIT "E"; PROVIDING A SEVERABILITY CLAUSE, A CUMULATIVE/ REPEALER CLAUSE, A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

Section 1. That all the above premises are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

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

Section 3. That the development standards for this Planned Development District are attached hereto as Exhibit "B", and the same are hereby approved for said Planned Development District as required by Section 86-603, of the City of Murphy, Texas, Code of Ordinances.

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

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

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

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

Section 7. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance or the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 8. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

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

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

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

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

on this 7th day of February, 2012.



Bret M. Baldwin, Mayor
City of Murphy

ATTEST:



Aimee Nemer, City Secretary
City of Murphy



APPROVED AS TO FORM:

Wm. Andrew Messer, City Attorney
City of Murphy

Exhibit A
Legal Description

LEGAL DESCRIPTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Exhibit B
Development Conditions

ZONING FILE NO. 2011-02

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

PLANNED DEVELOPMENT CONDITIONS

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

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

- E. Site Plan: Before development can begin, a site plan shall be submitted in accordance with the requirements set forth in Chapter 86, Article II, Division 7 of the City of Murphy Code of Ordinances. The site plan may be for all or any part of the land within the Planned Development District.

VI. Specific Regulations:

- A. Permitted Uses: The following uses shall be permitted.

1. Amusement Services (Indoors) (SUP)
2. Antique Shop
3. Art Dealer/Gallery
4. Artist Studio
5. Automotive Driving School (SUP)
6. Bakery (Retail)
7. Bank or Credit Union (one free standing only) (SUP)
8. Barber/Beauty Shop
9. Barber/Beauty Shop College (SUP)
10. Book Store
11. Cafeteria
12. Church/Place of Worship
13. Civic Club
14. Clinic (Medical)
15. Computer Sales
16. Confectionery Store (Retail)
17. Department Store
18. Dinner Theatre (SUP Only)
19. Electronics (Retail)
20. Financial Services (Advice/Invest)
21. Florist
22. Food or Grocery Store (SUP)
23. Furniture Sales (Indoor)
24. Governmental Building (Municipal, State or Federal)
25. Hardware Store
26. Health Club (Indoors)) (SUP Only)
27. Home Improvement Center (SUP)
28. Insurance Agency Offices
29. Laundry/Dry Cleaning (Drop Off/Pick Up Only)
30. Library (Public)

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

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

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

B. Area Regulations:

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

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

C. Parking, Driveways and Sidewalks:

1. Parking areas shall not be permitted within any landscape buffer strip.
2. Fire lanes, driveway, loading areas and access easements shall be paved in accordance with the minimum design standards of the City of Murphy codes and ordinances.
3. The number of required parking spaces for a Retail Store with a floor area greater than 100,000 square feet located on Lot 1 shall be as shown on Exhibit C. The number of required parking spaces for all other uses and lots shall be dependent upon the use and shall meet the requirements of the City of Murphy Comprehensive Zoning Ordinance.
4. No required parking space may be occupied by signs, merchandise, or display items at any time except by specific 30 day permit.
5. A special "signature" paving treatment shall be established as shown on the approved concept plan (Exhibit C). Appropriate locations for the special paving treatment shall include street intersections, pedestrian crosswalks and driveway openings.
6. Sidewalks along FM 544 and Murphy Road (FM 2551) shall be 8 feet in width.
7. Parking spaces for Lot 1 Block A shall be no less than 800 spaces, to allow additional ingress/egress on the pedestrian walkways.

D. Loading and Unloading

1. Truck loading berths and apron space shall only be required for space that totals 30,000 square feet or more and shall not be located on the street side of any building.
2. Truck loading berths shall not be located within any required setback or landscape buffer strip.

- ### E. Minimum Exterior Construction Standards, Building Materials and Design.
- Exterior Construction and Design Requirements shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

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1. All structures, including all building elevations, shall be constructed utilizing a unified design that is substantially consistent with the approved Exterior Elevation Plan.
 2. All exterior elevations shall utilize a unified design. The following masonry materials shall be allowed:
 - a. Brick
 - b. Cast Stone
 - c. Scored & Textured concrete tilt wall
 - d. EIFS and Stucco (limited to no more than 12% total)
 - e. Integral-color split-face CMU
 - f. Stone/simulated stone
 3. The use of primary or garish colors shall not be predominately used on the exterior façade of any structure. Corporate identities shall be allowed with owner review and approval.
 4. Stand fans, skylights, cooling towers, communication towers, satellite dishes, vents, and any other structures or equipment, whether located on the roof or elsewhere, shall be architecturally compatible or effectively shielded from view from any immediately adjacent public dedicated street by an architecturally sound method.
 5. Each commercial building, complex of buildings or separate commercial business enterprise shall have a trash bin on the premises adequate to handle the trash and waste items generated, manufactured, or acquired thereon by such commercial activities. The sorting, handling, moving, storing, removing and disposing of all waste materials must be housed or screened from view.
 6. In all cases, mechanical equipment on roofs and outcroppings shall be clad by a like building material or painted with a color scheme similar to the principal structure walls or roof.
 7. The maximum height of buildings on the project is 40 feet.
 8. Stone must be incorporated at a minimum of 15% in the exterior elevation on the front and both sides (east and west) of the proposed store. Also, stone shall incorporate the base of the proposed Lot 1 monument sign.
- F. Landscape Standards. Landscaping shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

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1. Landscaping shall generally be as shown on the approved Landscape Plan (Exhibit D). Landscaping shall be required on all developments within the Planned Development District and shall be complete prior to the issuance of any certificate of occupancy for the specific development. An automatic underground irrigation system shall be installed and maintained for all required landscaping and shall be in place and operable at time of planting.
2. A landscape buffer shall be provided a minimum of 20 feet in depth, with an average depth of 25 feet adjacent to the right-of-way of FM 544 and a minimum 25 feet in depth adjacent to Murphy Road (FM 2551). No parking may be placed within any landscape buffer. Pedestrian easements and sidewalks may be located within a landscape buffer.
3. A landscape buffer shall be provided for an average of fifteen (15) feet in depth adjacent to the Southern Pacific /DART Railroad right-of-way.
4. **Parking Lots**
 - a. A minimum percentage of the parking area shall be landscaped according to the following requirements. Such landscaping shall be distributed within the parking area, occurring within medians, islands, or peninsulas. All such landscape areas shall be protected by concrete curbing or other acceptable devices which prohibit vehicular access to landscaped areas. Bumper overhang shall not be included as part of required landscaping. A permeable area no less than six (6) feet by six (6) feet shall be provided surrounding each tree located in a surface parking area.
 1. A total of five (5) percent of the interior of the entire parking lot regardless of location, shall be landscaped. One large tree or three (3) ornamental trees from the Plant List, shall be provided for each twelve (12) parking spaces, and planted within the five (5) percent area. Trees shall be distributed so that bays of parking spaces shall not exceed twenty (20) spaces in length.
 2. An additional 7% open space shall be provided. This 7% will be for the entire development and not necessarily on a lot by lot basis. The 7% area will consist of two or more of the following amenities:
 - a. Pedestrian walkways
 - b. Benches
 - c. Gazebo

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

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

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

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

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

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

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

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

1. All screening at the rear (north) of the property will be a live screen where required. Plant materials shall conform to the standards of the approved plant list in Section 50 and the current edition of the "American Standard for Nursery Stock" (as amended), published by the American Association of Nurserymen.

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

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

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

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

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

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1. Site lighting fixtures used along entrance driveways and parking areas shall be uniform and a consistent design within the development. Lighting standards for illuminating these areas shall be no taller than 30 ft. high. However, the height of all light standards shall be subject to review of the lighting plan during the Site Plan review.

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

1. General

- a. Monument signs All signage for Lot 1 the Planned Development District shall be allowed as shown on the approved Signage Plan (Exhibit E).
- b. Single Tenant Monument Signs-One (1) monument sign shall be allowed on each pad site and shall be limited to a maximum sign area of 40 square feet and a maximum structure area of 80 square feet.
- ~~c. Shopping center signs-Two (2) shopping center signs shall be permitted as shown on the approved Signage Plan (Exhibit E). Each shopping center sign shall be limited to a maximum sign area of 300 square feet and a maximum structure area of 500 square feet.~~

2. Single Tenant Monument Signs

- a. Monument signs shall identify individual tenants or uses within a pad site. Monument signs shall be a maximum of seven (7) feet tall.
- b. All single tenant monument signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Single tenant monument signage may also be lit by ground mounted flood lighting or internal letter illumination either face lit or reverse channel lit.
- c. Monument signs shall be located at a set back distance of not less than eight (8) feet from the right-of-way line of any adjacent street and maybe incorporated within the landscaping area or buffer.
- d. Construction of monument signs shall include a base of material similar to the material used for buildings.

3. ~~Shopping Center Signs~~

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

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~~distance of not less than eight (8) feet from the right of way line of any adjacent street and may be incorporated within the landscaping area or buffer.~~

- ~~c. All shopping center signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Pylon signs may also be lit by ground mounted flood lighting or internal letter illumination either face lit or reverse channel lit.~~
- ~~d. Construction of shopping center signs shall include a base of material similar to the material used for buildings.~~

4. Temporary Marketing Signage

- a. One (1) quality temporary marketing sign shall be permitted on the development on FM 2551 (Murphy Road) and on FM 544. These signs shall for a term of twelve (12) months from the date of installation.
- b. The maximum signage area will be 64 square feet. The maximum height shall be 8 feet.
- c. All other temporary signage specifically referred to in the Signage Criteria package or in this section shall comply with the City of Murphy standards.
- d. Temporary signs are not required to be constructed of the material used for buildings.

J. Open Space

- 1. All open space amenities shall use a unified design as shown on the approved Amenities Plan. Development with the Planned Development District should make a positive impact to the City by providing defined public spaces and activity centers so that varied activities are encouraged within these areas. This can be accomplished through the incorporation of open spaces that become public amenities and that provide interest within the Tract at the pedestrian level.
 - a. Outdoor Seating. Any establishment serving food for consumption on-premises is encouraged to provide an outdoor seating area and shall be approved with the site plan. The outdoor seating area may be included as a portion of the 7% open space requirement as stated in (b.) below.
 - b. An additional 7% of open space is required in addition to the landscape, setback, and parking lot island requirements. The additional 7% may be located adjacent to the required setbacks or landscaping at the ROW and property lines or in front or in some cases to the side of the structure. The additional open space percentage may not include the building footprint or vehicular

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parking lot. This area and associated amenities shall be approved on the site plan. At least one of the following amenities shall be located within the additional 5% open space area and count towards the required percentage.

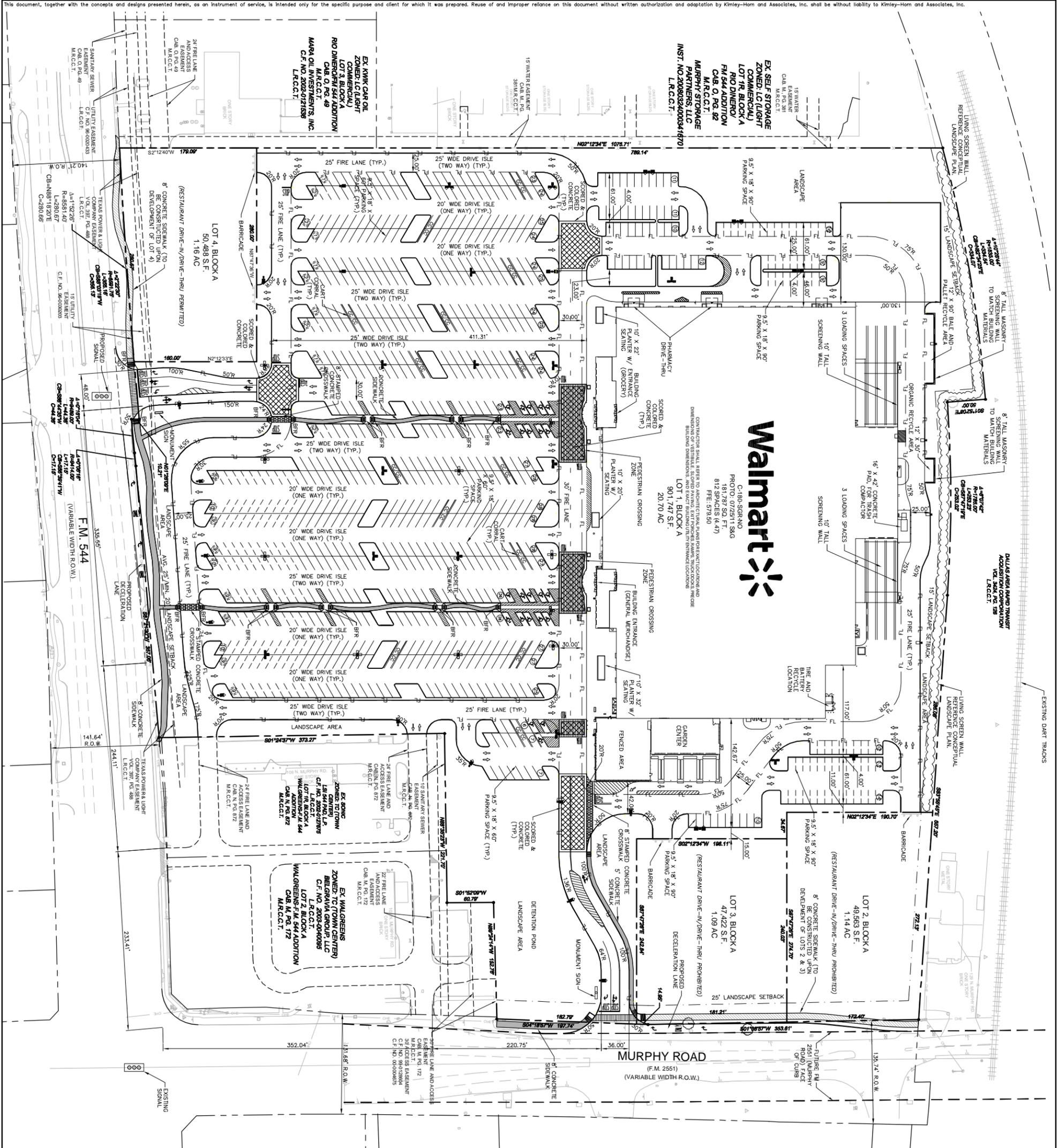
1. Water feature, such as a fountain or detention pond with constant water level.
 2. Plaza or courtyard with art sculpture piece.
 3. Outdoor patio or gazebo with seating area.
 4. Other areas for pedestrian congregation, as may be approved on the site plan.
2. Outside seasonal displays shall be permitted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

VII. Special Regulations:

- A. Right Turn Deceleration Lanes: A right turn deceleration lane shall be required for the median divided driveway on FM 544 at the time construction begins on any pad site along FM 544. A right turn deceleration lane shall be required for the south driveway on FM 2551 (North Murphy Road) at the time construction begins on any pad site along FM 2551 (North Murphy Road).
- B. Utility Power Lines: New utility distribution and service lines for individual business establishments, buildings, signs and for any other site development features shall be placed underground.
- C. Cross-Access Requirement: A joint access (i.e.-ingress, egress) easement shall be provided to minimize the number of driveway openings along FM 544 and FM 2551 (Murphy Road). The location(s) of access easement(s) shall be shown on the site plan and shall comply with the Texas Department of Transportation (TxDOT) Access Management Standards.
- D. ~~The divided median in the entrance off FM 544 is eliminated. The Lot 1, Block A ingress/egress at FM 544 shall be as shown on Exhibit C.~~
- E. Stained concrete shall be used for pedestrian entrances and walks that intersect driveways and roads.

Exhibit C
Concept Plan





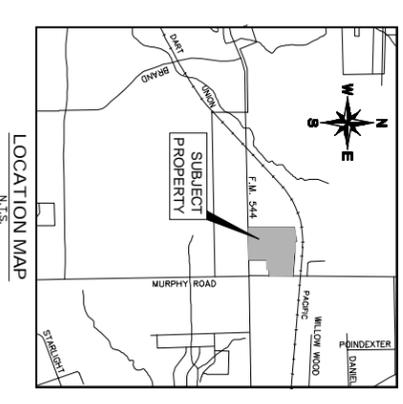
EX SELF STORAGE ZONED LC (LIGHT COMMERCIAL)
LOT 1R, BLOCK A
RIO DINEROV/ FM 544 ADDITION
CAB. O. PG. 82
M.R.C.C.T.
MURPHY STORAGE PARTNERS, LLC
INST. NO. 200902400034/1870
L.R.C.C.T.

Walmart
 C-180-SGR-NO
 PROTO: 072911 SAG
 181,787 SQ. FT.
 812 SPACES (4/47)
 PFE: 07/9/50
LOT 1, BLOCK A
 901,747 S.F.
 20.70 AC

LOT 2, BLOCK A
 49,563 S.F.
 1.14 AC

LOT 3, BLOCK A
 47,422 S.F.
 1.09 AC

LOT 4, BLOCK A
 50,488 S.F.
 1.16 AC



LOT 1, BLOCK A	
EXISTING ZONING	TC (TOWN CENTER)
PROPOSED USE	RETAIL
LOT AREA (SQ FT)	902,075
BUILDING AREA (SQ FT)	181,787
NUMBER OF STORES	1
HEIGHT OF BUILDING (FT)	37
FINISHED FLOOR ELEVATION (FT)	579.50
FOUNDATION TYPE	CONCRETE SLAB
TOTAL FLOOR AREA RATIO	0.20
TOTAL IMPERVIOUS COVER (SQ FT)	683,718
PERCENT IMPERVIOUS	77%
TOTAL BUILDING COVER (SQ FT)	200,534
OPEN SPACE (SQ FT)	800
MINIMUM PARKING REQUIRED	812
TOTAL PARKING PROVIDED	17
ADA PARKING REQUIRED	17
ADA PARKING PROVIDED	23

LOT 2, BLOCK A	
EXISTING ZONING	TC (TOWN CENTER)
LOT AREA (SQ FT)	49,563
FUTURE USE:	RETAIL/RESTAURANT

LOT 3, BLOCK A	
EXISTING ZONING	TC (TOWN CENTER)
LOT AREA (SQ FT)	47,422
FUTURE USE:	RETAIL/RESTAURANT

LOT 4, BLOCK A	
EXISTING ZONING	TC (TOWN CENTER)
LOT AREA (SQ FT)	50,488
FUTURE USE:	RETAIL/RESTAURANT

CONCEPT SITE PLAN

ENGINEER
Kimley-Horn and Associates, Inc.
 5750 GENESIS COURT, SUITE 200
 FORT WORTH, TEXAS 76134
 PHONE: 817-335-3550
 CONTACT: MARK HARRIS, P.E.

OWNER/DEVELOPER
 WAL-MART REAL ESTATE BUSINESS TRUST
 2001 ST. LOUIS STREET
 BENSONVILLE, MISSOURI 63015
 PHONE: 636-776-0550

WALMART ADDITION
 24.09 ACRES
 GEORGE PEQUES SURVEY
 ABSTRACT NO. 699
 CITY OF MURPHY, COLLIN COUNTY, TEXAS
 DATE PREPARED: JANUARY 19, 2012

Scale: AS SHOWN
 Designed by: MEH
 Drawn by: CBF
 Checked by: MEH
 Date: 01/13/2012

C-1
SHEET

Kimley-Horn and Associates, Inc.
 5750 Genesis Court, Suite 200
 Frisco, Texas 75034
 Tel. No. (972) 335-3550
 Fax No. (972) 335-3779

No.	Date	Revisions	Ap

Walmart
 STORE #2973-01
 C-180-SGR-NO
 NWC FM 544 AND MURPHY ROAD

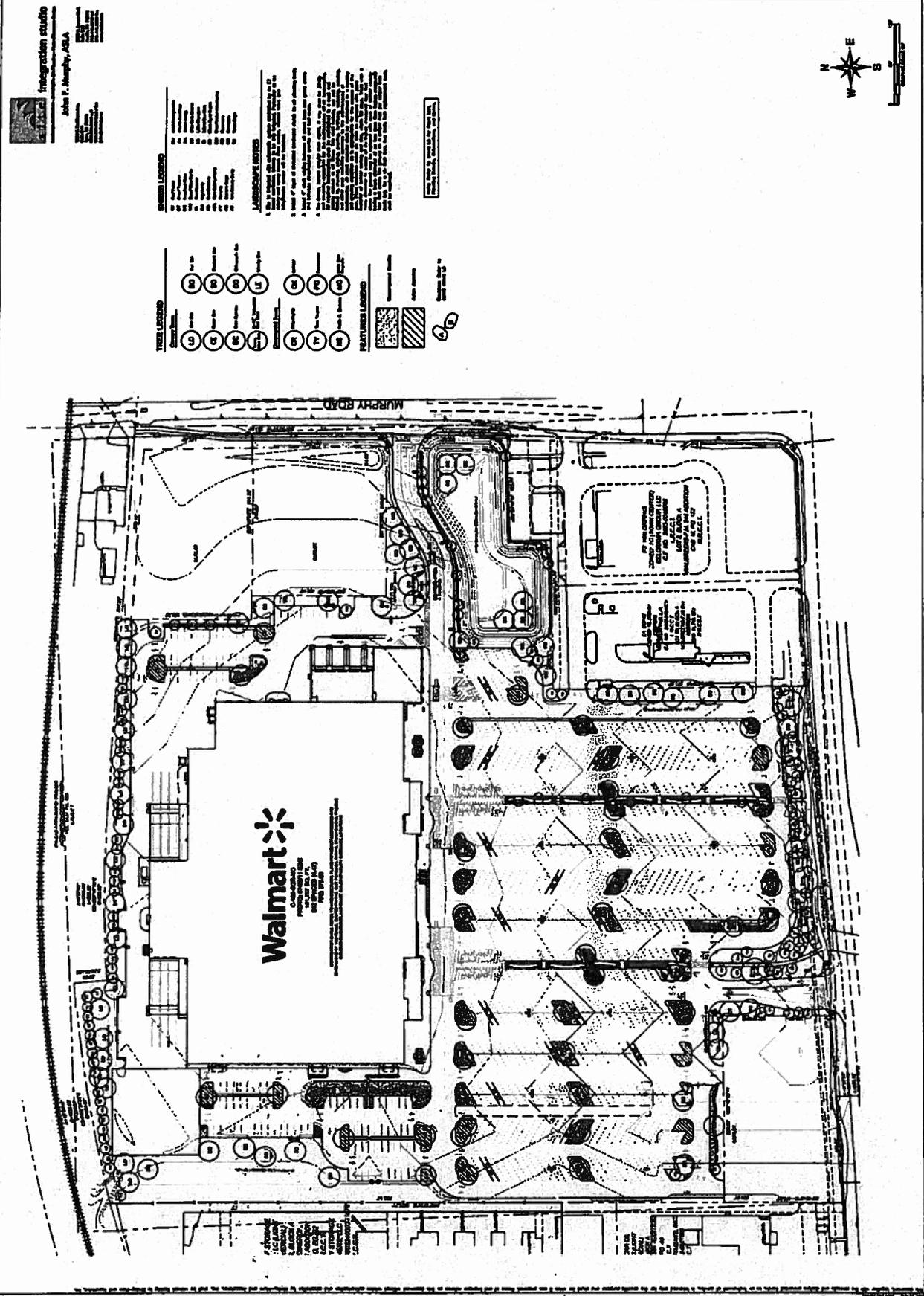
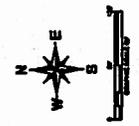
Exhibit D
Landscape Plan

Sheet No.	E-1
Project No.	
Scale	
Date	
Author	
Checker	
Appr.	

OVERALL LANDSCAPE PLAN

Walmart
 STORE #2272-91
 C-190-62940
 NMC FM 544 AND MURPHY ROAD
 MURPHY, TEXAS

Kimley-Horn and Associates, Inc.
 2200 Ross Street
 Houston, Texas 77001
 Phone: 713-865-1100
 Fax: 713-865-1101
 www.kimley-horn.com



LANDSCAPE NOTES

1. ALL PLANTINGS TO BE INSTALLED BY THE END OF THE PROJECT.
2. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
3. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
4. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
5. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
6. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
7. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
8. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
9. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
10. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
11. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
12. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
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14. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
15. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
16. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
17. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
18. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
19. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.
20. ALL PLANTINGS TO BE INSTALLED AT THE END OF THE PROJECT.

PLANTING LEGEND

Symbol	Plant Name
Circle with 'A'	Plant A
Circle with 'B'	Plant B
Circle with 'C'	Plant C
Circle with 'D'	Plant D
Circle with 'E'	Plant E
Circle with 'F'	Plant F
Circle with 'G'	Plant G
Circle with 'H'	Plant H
Circle with 'I'	Plant I
Circle with 'J'	Plant J
Circle with 'K'	Plant K
Circle with 'L'	Plant L
Circle with 'M'	Plant M
Circle with 'N'	Plant N
Circle with 'O'	Plant O
Circle with 'P'	Plant P
Circle with 'Q'	Plant Q
Circle with 'R'	Plant R
Circle with 'S'	Plant S
Circle with 'T'	Plant T
Circle with 'U'	Plant U
Circle with 'V'	Plant V
Circle with 'W'	Plant W
Circle with 'X'	Plant X
Circle with 'Y'	Plant Y
Circle with 'Z'	Plant Z

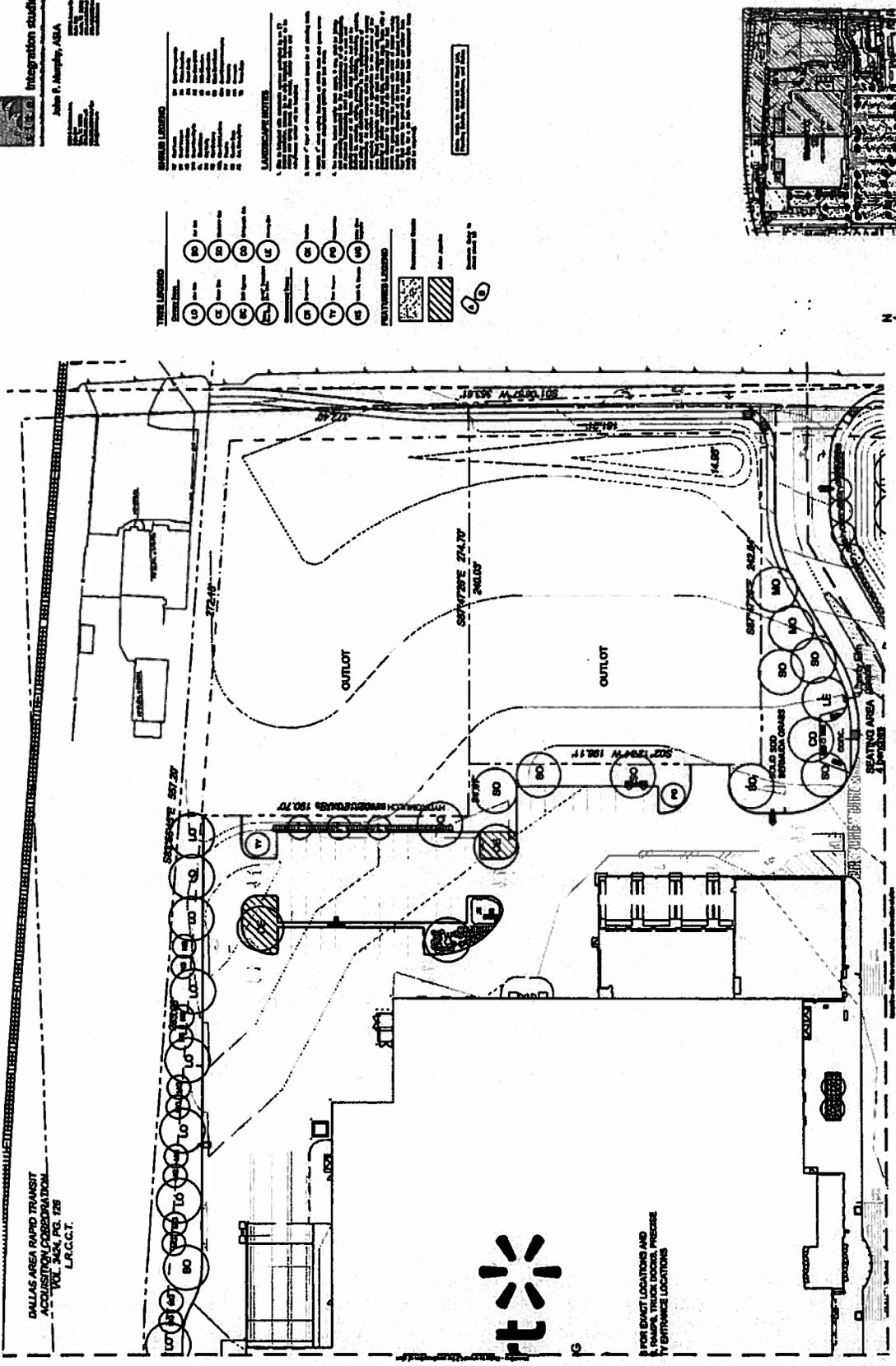
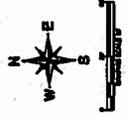
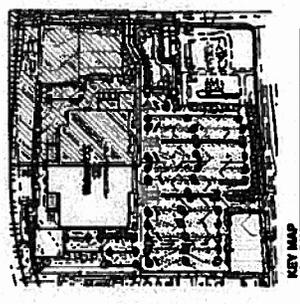
Integration with
 John R. Murphy, AIA
 10000 Katy Road, Suite 100
 Houston, Texas 77024
 Phone: 713-865-1100
 Fax: 713-865-1101
 www.kimley-horn.com

Project No.	100-000000
Sheet No.	L-3
Date	10/10/00
Scale	AS SHOWN
Author	
Checker	
Designer	
Engineer	

LANDSCAPE PLAN

Walmart
 STORE #2873-01
 C-100-000000
 NWC FM 64 AND MURPHY ROAD
 MURPHY, TEXAS

Kimley-Horn and Associates, Inc.
 1000 North Loop West
 Suite 100
 Dallas, Texas 75208
 Telephone: 972-443-2000
 Fax: 972-443-2001
 www.kimley-horn.com



PLANTING SCHEDULE

Planting	Quantity
1. 12" DB PALM TREE	10
2. 12" DB SPREADER PALM TREE	10
3. 12" DB SPREADER PALM TREE	10
4. 12" DB SPREADER PALM TREE	10
5. 12" DB SPREADER PALM TREE	10
6. 12" DB SPREADER PALM TREE	10
7. 12" DB SPREADER PALM TREE	10
8. 12" DB SPREADER PALM TREE	10
9. 12" DB SPREADER PALM TREE	10
10. 12" DB SPREADER PALM TREE	10
11. 12" DB SPREADER PALM TREE	10
12. 12" DB SPREADER PALM TREE	10
13. 12" DB SPREADER PALM TREE	10
14. 12" DB SPREADER PALM TREE	10
15. 12" DB SPREADER PALM TREE	10
16. 12" DB SPREADER PALM TREE	10
17. 12" DB SPREADER PALM TREE	10
18. 12" DB SPREADER PALM TREE	10
19. 12" DB SPREADER PALM TREE	10
20. 12" DB SPREADER PALM TREE	10
21. 12" DB SPREADER PALM TREE	10
22. 12" DB SPREADER PALM TREE	10
23. 12" DB SPREADER PALM TREE	10
24. 12" DB SPREADER PALM TREE	10
25. 12" DB SPREADER PALM TREE	10
26. 12" DB SPREADER PALM TREE	10
27. 12" DB SPREADER PALM TREE	10
28. 12" DB SPREADER PALM TREE	10
29. 12" DB SPREADER PALM TREE	10
30. 12" DB SPREADER PALM TREE	10
31. 12" DB SPREADER PALM TREE	10
32. 12" DB SPREADER PALM TREE	10
33. 12" DB SPREADER PALM TREE	10
34. 12" DB SPREADER PALM TREE	10
35. 12" DB SPREADER PALM TREE	10
36. 12" DB SPREADER PALM TREE	10
37. 12" DB SPREADER PALM TREE	10
38. 12" DB SPREADER PALM TREE	10
39. 12" DB SPREADER PALM TREE	10
40. 12" DB SPREADER PALM TREE	10
41. 12" DB SPREADER PALM TREE	10
42. 12" DB SPREADER PALM TREE	10
43. 12" DB SPREADER PALM TREE	10
44. 12" DB SPREADER PALM TREE	10
45. 12" DB SPREADER PALM TREE	10
46. 12" DB SPREADER PALM TREE	10
47. 12" DB SPREADER PALM TREE	10
48. 12" DB SPREADER PALM TREE	10
49. 12" DB SPREADER PALM TREE	10
50. 12" DB SPREADER PALM TREE	10

DALLAS AREA RAPID TRANSIT
 ACQUISITION CORPORATION
 VOL. 3454, PG. 178
 L.R.C.C.T.

FOR EXACT LOCATIONS AND
 QUANTITIES, REFER TO THE
 SURVEY LOCATIONS

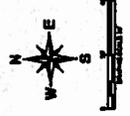
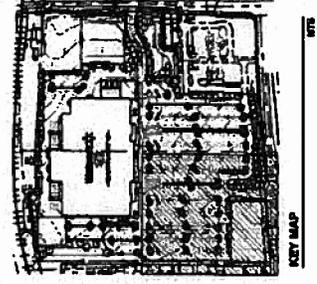


DATE	1/11/11
PROJECT	WALMART STORE #223101
LOCATION	17127 S. WILSON BLVD., DALLAS, TX 75241
SCALE	AS SHOWN
DRAWN BY	WALMART
CHECKED BY	WALMART
APPROVED BY	WALMART

LANDSCAPE PLAN

Walmart
 STORE #223101
 17127 S. WILSON BLVD.
 DALLAS, TEXAS

Kimley-Horn and Associates, Inc.
 17127 S. WILSON BLVD.
 DALLAS, TEXAS

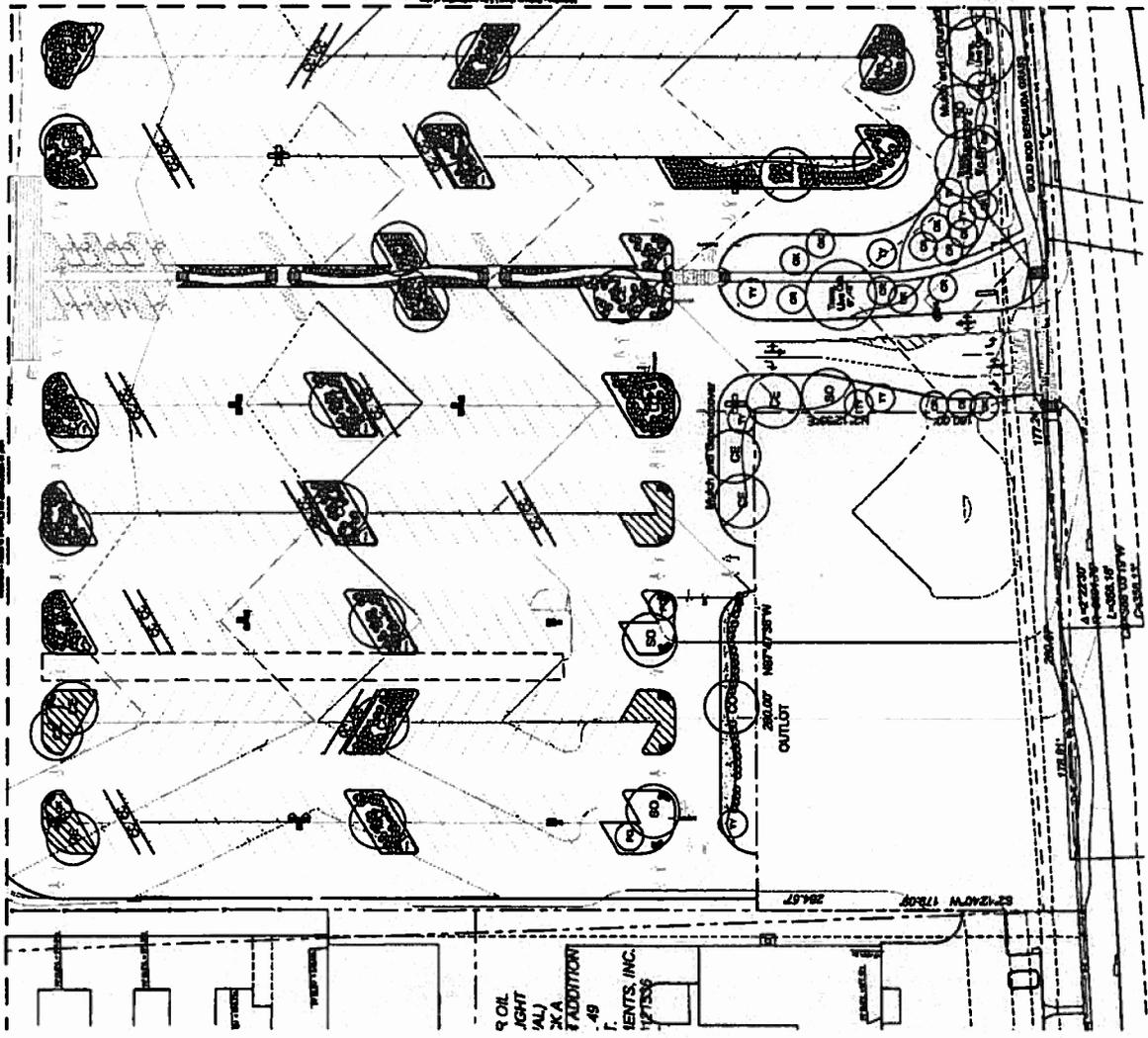


GENERAL NOTES:

1. ALL PLANTING SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE WILSON COUNTY PLANTING SPECIFICATIONS.
2. THE LANDSCAPE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS.
3. THE LANDSCAPE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS.
4. THE LANDSCAPE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS.

PLANTING SCHEDULE

PLANT	QUANTITY	INSTALLATION DATE
1. 12" DB PALM TREE	10	AS SHOWN
2. 12" DB SPREADER PALM TREE	10	AS SHOWN
3. 12" DB SPREADER PALM TREE	10	AS SHOWN
4. 12" DB SPREADER PALM TREE	10	AS SHOWN
5. 12" DB SPREADER PALM TREE	10	AS SHOWN
6. 12" DB SPREADER PALM TREE	10	AS SHOWN
7. 12" DB SPREADER PALM TREE	10	AS SHOWN
8. 12" DB SPREADER PALM TREE	10	AS SHOWN
9. 12" DB SPREADER PALM TREE	10	AS SHOWN
10. 12" DB SPREADER PALM TREE	10	AS SHOWN



Integration studio
 John F. Murphy, ASLA
 17127 S. WILSON BLVD.
 DALLAS, TEXAS

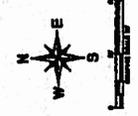
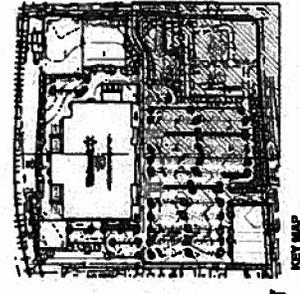
R OIL
 LIGHT
 VAL
 3/4
 3/4
 ADDITION
 48
 RENTS, INC.
 1/1/11

Project No.	1000000000
Project Name	WALMART STORE #2273-01
Project Location	MWC FM 544 AND MURPHY ROAD
Project Date	10/10/2008
Project Status	Final
Project Type	Site Plan
Project Scale	1" = 40'
Project Author	John P. Murphy, AIA
Project Designer	Kimly-Horn and Associates, Inc.

LANDSCAPE PLAN

Walmart
STORE #2273-01
MWC FM 544 AND MURPHY ROAD
MURPHY, TEXAS

Kimly-Horn and Associates, Inc.
1000000000
1000000000
1000000000

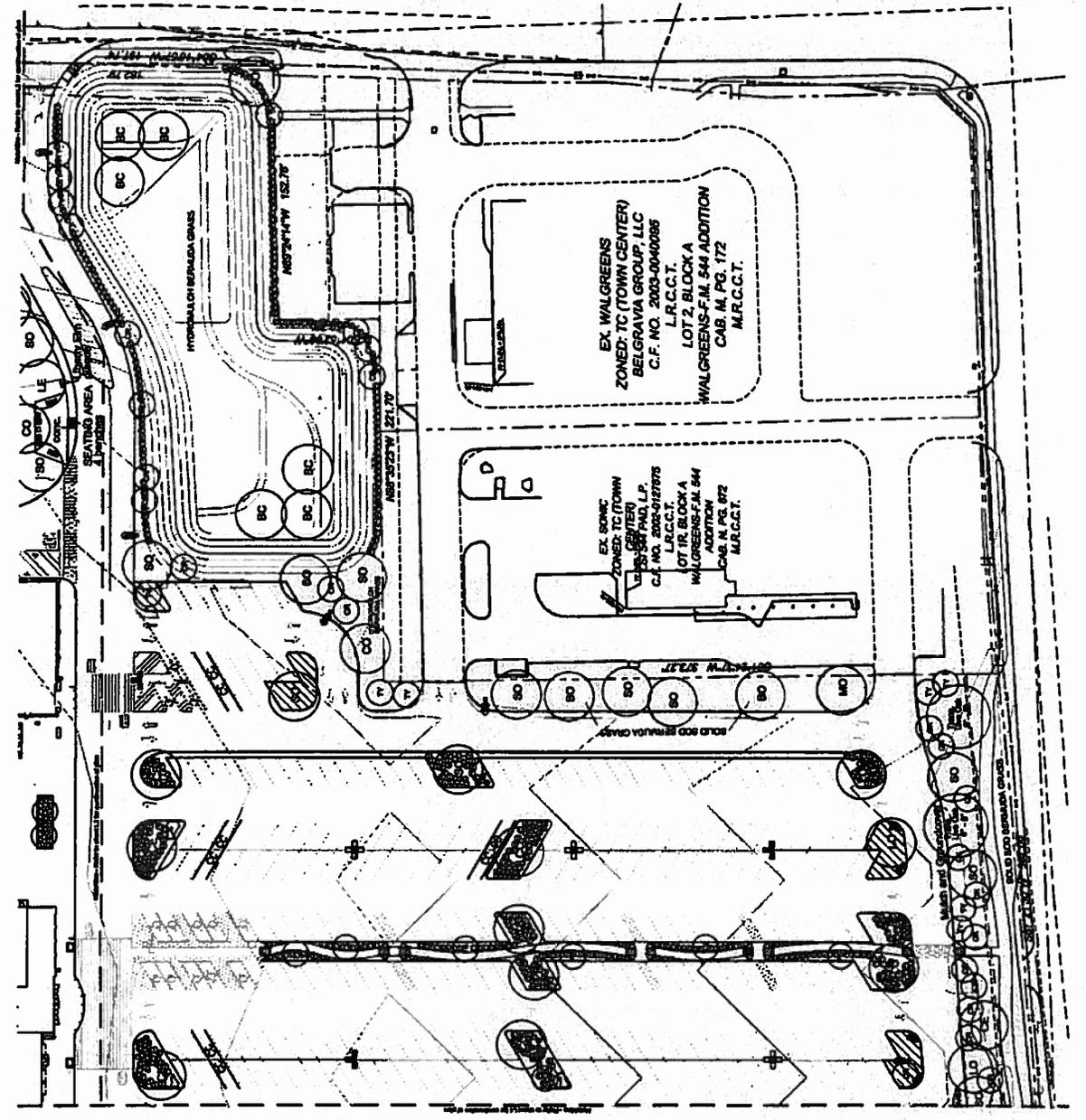


LANDSCAPE NOTES

1. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE LANDSCAPE MAINTENANCE MANUAL.
2. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE LANDSCAPE MAINTENANCE MANUAL.
3. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE LANDSCAPE MAINTENANCE MANUAL.
4. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE LANDSCAPE MAINTENANCE MANUAL.
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8. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE LANDSCAPE MAINTENANCE MANUAL.
9. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE LANDSCAPE MAINTENANCE MANUAL.
10. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LANDSCAPE PLAN AND THE LANDSCAPE MAINTENANCE MANUAL.

PLANT SCHEDULE

Symbol	Plant Name	Quantity
1	18" DB PALM	10
2	12" DB PALM	20
3	8" DB PALM	30
4	6" DB PALM	40
5	4" DB PALM	50
6	3" DB PALM	60
7	2" DB PALM	70
8	18" DB PALM	10
9	12" DB PALM	20
10	8" DB PALM	30
11	6" DB PALM	40
12	4" DB PALM	50
13	3" DB PALM	60
14	2" DB PALM	70
15	18" DB PALM	10
16	12" DB PALM	20
17	8" DB PALM	30
18	6" DB PALM	40
19	4" DB PALM	50
20	3" DB PALM	60
21	2" DB PALM	70



EX. WALGREENS
ZONED: TC (TOWN CENTER)
BELGRAVIA GROUP, LLC
C.F. NO. 2008-0040085
L.R.C.C.T.
LOT 2, BLOCK A
WALGREENS-FM 544 ADDITION
CAR. M. PG. 172
M.R.C.C.T.

EX. SONIC
ZONED: TC (TOWN CENTER)
BELGRAVIA GROUP, LLC
C.F. NO. 2008-0127875
L.R.C.C.T.
LOT 1R, BLOCK A
WALGREENS-FM 544
ADDITION
CAR. M. PG. 172
M.R.C.C.T.

Exhibit E
Signage Plan (Lot 1)

