

**ORDINANCE NO. 11-05-881**

**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 A 24.032 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 HERETO 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 amend a Planned Development District for Retail Uses for the property described as a 24.032 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 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 he 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 24th day of May, 2011.

  
Bret M. Baldwin, Mayor  
City of Murphy

ATTEST:

  
Aimee Nemer, City Secretary  
City of Murphy



## Exhibit A

EXHIBIT A

The following three tracts of land, containing approximately 22.257 acres:

**Tract 1**

SITUATED in the State of Texas, County of Collin and City of Murphy, being part of the George H. Pegues Survey, Abstract No. 699, being part of a 32.388 acre tract of land recorded in Volume 1017, Page 589 of the Collin County Deed Records with herein described premises being more particularly described as follows:

BEGINNING at a Roome capped 1/2-inch iron rod set in the curving south right-of-way line of a D.A.R.T. Railway marking the northwest corner of said premises from which a Votex capped iron rod found marking the northeast corner of a 8.0400 acre tract bears South 02 degrees 12 minutes 34 seconds West, 4.94 feet;

THENCE with the south right-of-way line of said D.A.R.T. Railway as follows:

Northeasterly along a curve to the right having a central angle of 10 degrees 26 minutes 44 seconds with a radius of 1835.00 feet, for an arc distance of 334.54 feet (chord = North 82 degrees 34 minutes 25 seconds East, 334.07 feet) to a 1-inch iron rod found;

South 01 degree 52 minutes 08 seconds East, 50.00 feet to a 5/8-inch iron rod found;

Southeasterly along a curve to the right having a central angle of 08 degrees 07 minute 42 seconds with a radius of 1785.00 feet, for an arc distance of 253.23 feet (chord = South 87 degrees 47 minutes 19 seconds East, 253.02 feet) to a Roome 1/2-inch capped iron rod set marking the end of said curve;

South 83 degrees 55 minutes 45 seconds East, 428.93 feet to a 1/2-inch iron rod found marking the northeast corner of said premises;

THENCE with an east line of said premises, South 01 degree 17 minutes 35 seconds West, 363.04 feet to a 5/8-inch iron rod found for corner;

THENCE with a south line of said premises, North 87 degrees 31 minutes 49 seconds West, 31.81 feet to a Roome capped 1/2-inch iron rod set for corner;

THENCE with an east line of said premises as follows:

South 02 degree 02 minutes 37 seconds West, 201.38 feet to a 5/8-inch iron rod found for corner;  
South 01 degree 50 minutes 24 seconds West, 60.81 feet to a Roome 1/2 inch capped iron rod set marking the northeast corner of Walgreens-FM 544 Addition, an addition to the City of Murphy recorded in Volume M, Page 172 of the Collin County Plat Records;

THENCE with a south line of said premises and the north line of said Walgreens-FM 544 Addition, North 88 degrees 34 minutes 15 seconds West, 221.68 feet to a Nathan Meier capped

iron rod found marking the northwest corner of said addition and an interior corner of said premises;

THENCE with the west line of said addition and an east line of said premises, South 01 degree 25 minutes 45 seconds West, 13.73 feet to a Roome capped 1/2-inch iron rod set marking the northeast corner of a 4.00 acre tract recorded in Volume 484, Page 11 of the Collin County Deed Records;

THENCE with the north line of said 4.00 acre tract and a south line of said premises, North 89 degrees 31 minutes 18 seconds West, 417.42 feet to a Roome capped 1/2-inch iron rod set marking the northwest corner of said 4.00 acre tract;

THENCE with an east line of said premises and the west line of said 4.00 acre tract, South 01 degree 26 minutes 09 seconds West, 371.60 feet to a Roome capped 1/2-inch iron rod set for corner in the curving north right-of-way line of F.M. 544 (variable width right-of-way);

THENCE southwesterly along a curve to the right having a central angle of 02 degrees 22 minutes 31 seconds with a radius of 8591.75 feet, for an arc distance of 356.19 feet (chord = South 87 degrees 56 minutes 09 seconds West, 356.17 feet) to a Votex capped iron rod found marking the most westerly southwest corner of the herein described premises and the southeast corner of a 5.6770 acre tract recorded under County Clerk No. 99-0070254 of the Collin County Land Records;

THENCE with the most westerly west line of said premises, the east line of said 5.6770 acre tract and 8.0400 acre tract, North 02 degree 12 minutes 34 seconds East, passing 1070.40 feet said Votex capped iron rod and continuing for a total distance of 1075.34 feet to the point of beginning and containing 18.764 acres of land.

#### **Tract 2**

Non-exclusive easement for access, benefitting Tract I, created pursuant to that certain Easement Agreement dated October 12, 1999, executed by LSI 544, L.P. and Murphy Joint Venture, recorded in Volume 4524, Page 0711, as re-recorded in Volume 4583, Page 0678, Land Records, Collin County, Texas.

#### **Tract 3**

SITUATED in the State of Texas, County of Collin and City of Murphy, being part of the George H. Pegues Survey, Abstract No. 699, being part of a 43.83 acre tract of land recorded in Volume 484, Page 11 of the Collin County Deed Records with herein described premises being more particularly described as follows:

BEGINNING at a Nathan Meier capped iron rod found in the north right-of-way line of F.M. 544 (variable width right-of-way) marking the southwest corner of Walgreen-FM 544 Addition, an addition to the City of Murphy recorded in Volume M, Page 172 of the Collin County Plat Records;

THENCE with the north right-of-way line of F.M. 544 and the south line of said premises as follows:

South 88°13'55" West, 356.75 feet to a Roome capped ½ inch iron rod set marking the beginning of a curve to the right;

Southwesterly along said curve to the right having a central angle of 00°06'07" with a radius of 9614.00 feet, for an arc distance of 17.13 feet (chord = South 87°31'55" West, 17.13 feet) to a Roome capped 1/2-inch iron rod set marking a point of reverse curve;

Southwesterly along a curve to the left having a central angle of 00°16'01" with a radius of 9489.00 feet, for an arc distance of 44.21 feet (chord = South 87°36'58" West, 44.21 feet) to a Roome capped 1/2-inch iron rod set marking the southwest corner of said premises;

THENCE with the west line of said premises, North 01°26'09" East, passing at 1.75 feet a Roome capped 1/2-inch iron rod set marking a right-of-way corner and an east line of an 18.764 acre tract and continuing for a total distance of 373.35 feet to a Roome capped 1/2-inch iron rod set marking the northwest corner of said premises and an interior corner of said 18.764 acre tract;

THENCE with the north line of said premises and a south line of said 18.764 acre tract, South 89°31'18" East, 417.42 feet to a Roome capped 1/2-inch iron rod set marking the northeast corner of said premises a southeast corner of said 18.764 acre tract and being in the west line of the aforementioned Walgreen-FM 544 Addition from which its northwest corner bears North 01°25'45" East, 13.73 feet;

THENCE with the east line of said premises and the west line of said addition, South 01°25'45" West, 356.27 feet to the point of beginning and containing 3.493 acres of land.

## Exhibit B

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 shall be in general conformance with the approved signage plan as set forth in Exhibit E; however, in the event of conflict between the signage plan and the conditions, the conditions shall prevail.
- D. Concept Plan, Landscape Plan, and Signage Plan approval shall be for a period of one year from the date of City Council action on the plan. If within that one-year period a site plan has been submitted for a portion of the development, then the Concept Plan shall be deemed to have no expiration date. However, if no site

## EXHIBIT B

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

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

### VI. Specific Regulations:

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

## EXHIBIT B

31. Motion Picture Theatre
32. Museum (Indoors Only)
33. Non-Profit Activities By Church
34. Offices (Brokerage Services)
35. Offices (Health Services)
36. Offices (Legal Services)
37. Offices (Medical Office)
38. Offices (Professional)
39. Pet Shop/Supplies
40. Pharmacy **(SUP)**
41. Photo Studio
42. Photocopying /Duplicating
43. Real Estate Offices
44. Restaurant
45. Restaurant (Drive-In/Drive Thru) (SUP)
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
2. Automatic Teller Machines (ATMs)
3. Bike Sales and/or Repair
4. Garden Shop
5. Handicraft Shop
6. Lawnmower Sales and/or Repair
7. Needlework Shop
8. Plant Nursery (Retail Sales/Outdoor Storage)
9. Video Rental/Sales
10. Temporary Outdoor Retail Sales/Commercial Promotion

### B. Area Regulations:

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

## EXHIBIT B

3. Pad Sites: The maximum number of pad sites allowed along FM 544 shall be two (2). The maximum number of pad sites allowed along North Murphy Road (FM 2551) shall be three (3).
- C. Parking, Driveways and Sidewalks:
1. Parking areas shall not be permitted within any landscape buffer strip.
  2. Fire lanes, driveway, loading areas and access easements shall be paved in accordance with the minimum design standards of the City of Murphy codes and ordinances.
  3. The number of required parking spaces for a Retail Store with a floor area greater than 100,000 square feet located on Lot 1 shall be as shown on Exhibit C. The number of required parking spaces for all other uses and lots shall be dependent upon the use and shall meet the requirements of the City of Murphy Comprehensive Zoning Ordinance.
  4. No required parking space may be occupied by signs, merchandise, or display items at any time except by specific 30 day permit.
  5. A special "signature" paving treatment shall be established as shown on the approved concept plan (Exhibit C). Appropriate locations for the special paving treatment shall include street intersections, pedestrian crosswalks and driveway openings.
  6. Sidewalks along FM 544 and Murphy Road (FM 2551) shall be 8 feet in width.
  7. Parking spaces for Lot 1, Block A shall be no less than 800 spaces, to allow additional ingress/egress on the pedestrian walkways.
- D. Loading and Unloading
1. Truck loading berths and apron space shall only be required for space that totals 30,000 square feet or more and shall not be located on the street side of any building.
  2. Truck loading berths shall not be located within any required setback or landscape buffer strip.
- E. Minimum Exterior Construction Standards, Building Materials and Design. Exterior Construction and Design Requirements shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

## EXHIBIT B

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

## EXHIBIT B

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

## EXHIBIT B

- d. Constant level pool
  - e. Landscape material
  - f. Hardscape
  - g. Pedestrian lighting
5. More trees in the landscape area by Sonic and in the landscape area behind Lots 2, 3, and 4, Block A.
  6. No Bermuda grass under trees, use mulch and/or groundcover.
  7. Detention pond shall have easy maintainable grass.
- 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 northwest corner of Lot 1, Block A shall be screened with evergreen type trees, preferably live oaks and magnolias, and additional number of trees.
  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.
1. Site lighting fixtures used along entrance driveways and parking areas shall be uniform and a consistent design within the development.

## EXHIBIT B

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. All signage for 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 distance of not less than eight (8) feet from the right-of-way line

## EXHIBIT B

of any adjacent street and may be incorporated within the landscaping area or buffer.

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

### 4. Temporary Marketing Signage

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

## J. Open Space

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

## EXHIBIT B

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

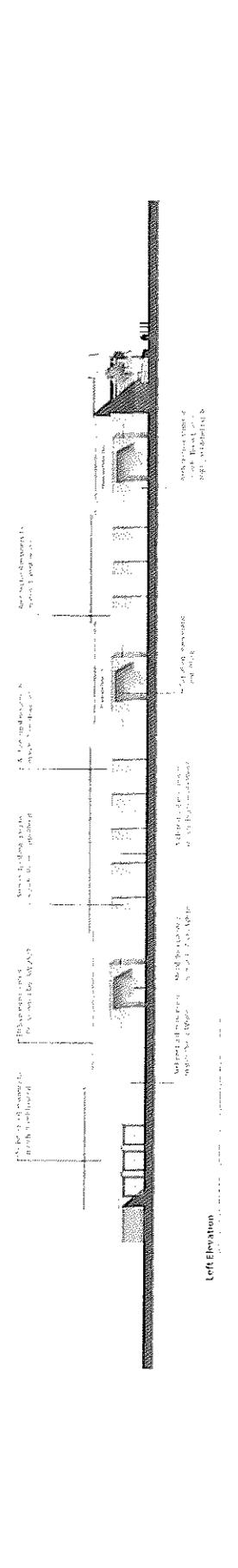
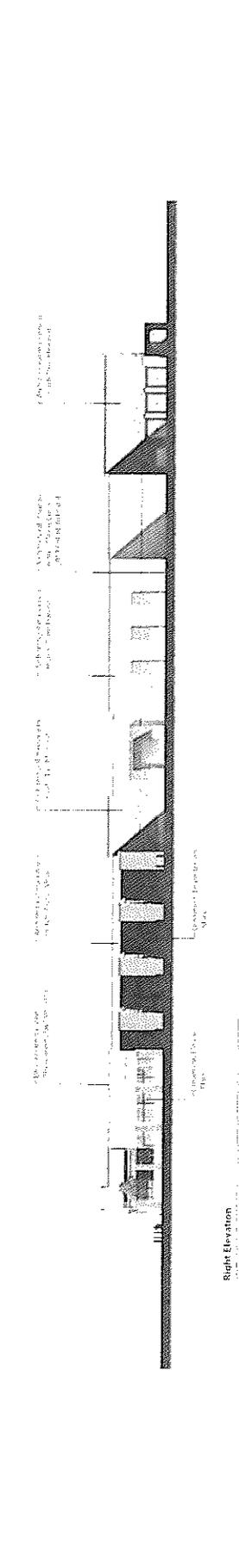
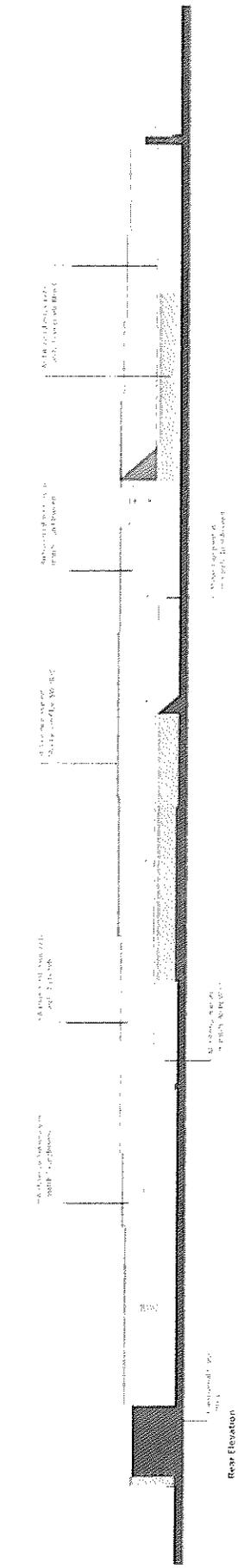
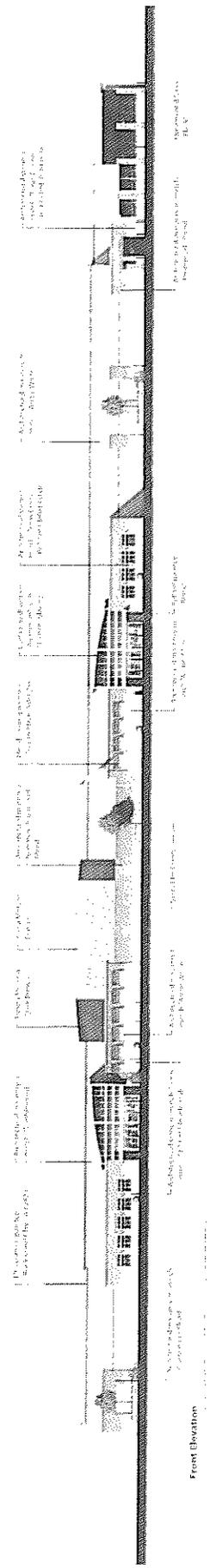
1. Water feature, such as a fountain or detention pond with constant water level.
  2. Plaza or courtyard with art sculpture piece.
  3. Outdoor patio or gazebo with seating area.
  4. Other areas for pedestrian congregation, as may be approved on the site plan.
2. Outside seasonal displays shall be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

## Exhibit C



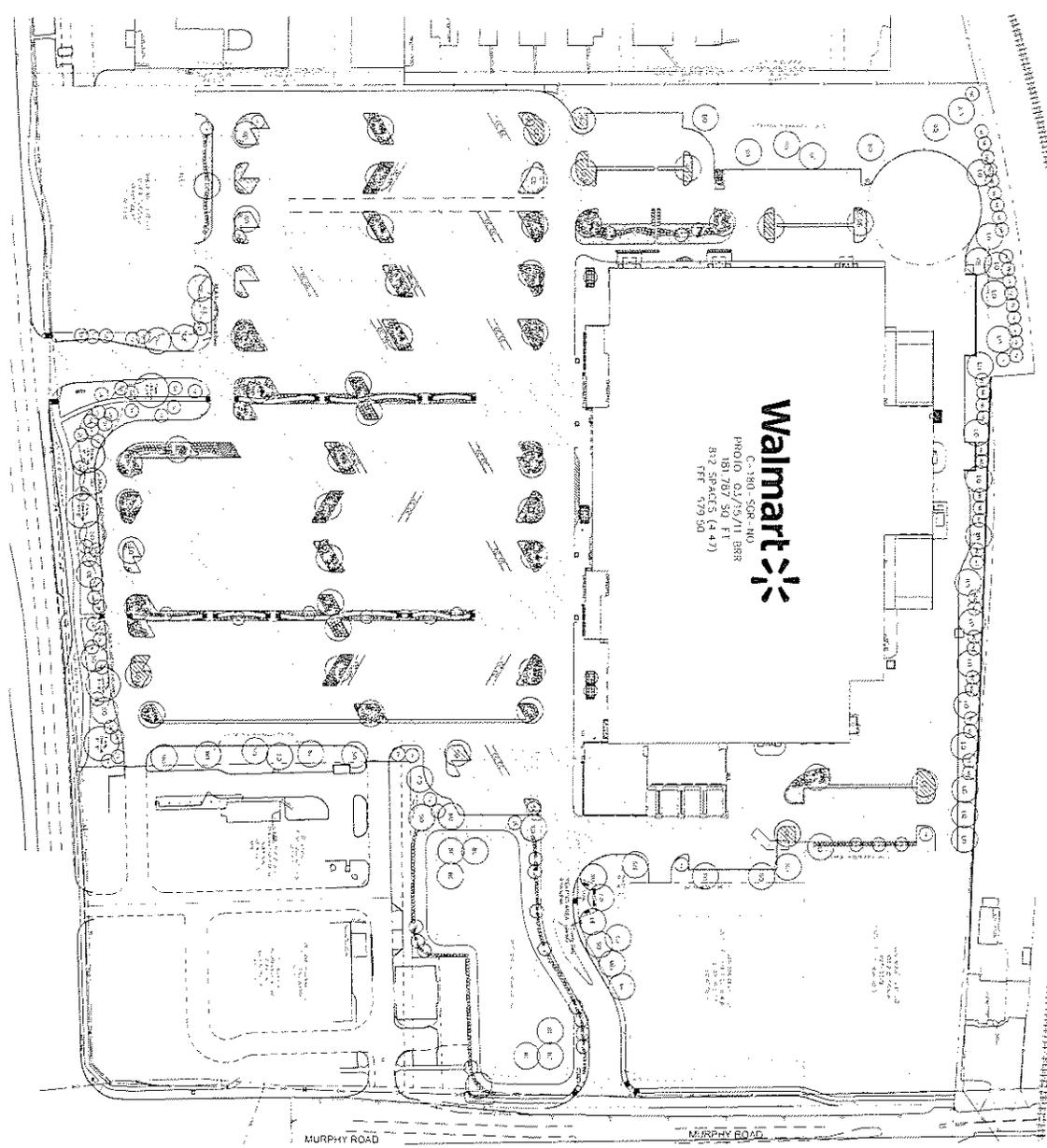


Walmart

1000  
Avenue

## Exhibit D

This document represents the design professional's best and true work, and is prepared for the specific project and client for which it was prepared. It is the property of the design professional and shall not be used for any other project without the written consent of the design professional. The design professional shall not be held responsible for any errors or omissions in this document, and shall not be held responsible for any consequences of any action taken in reliance on this document.



**Walmart**  
 C-180-SGR-NO  
 PHOTO: 03/25/11 BRB  
 817 SPACES (4-47)  
 FF: 579.50

MURPHY ROAD

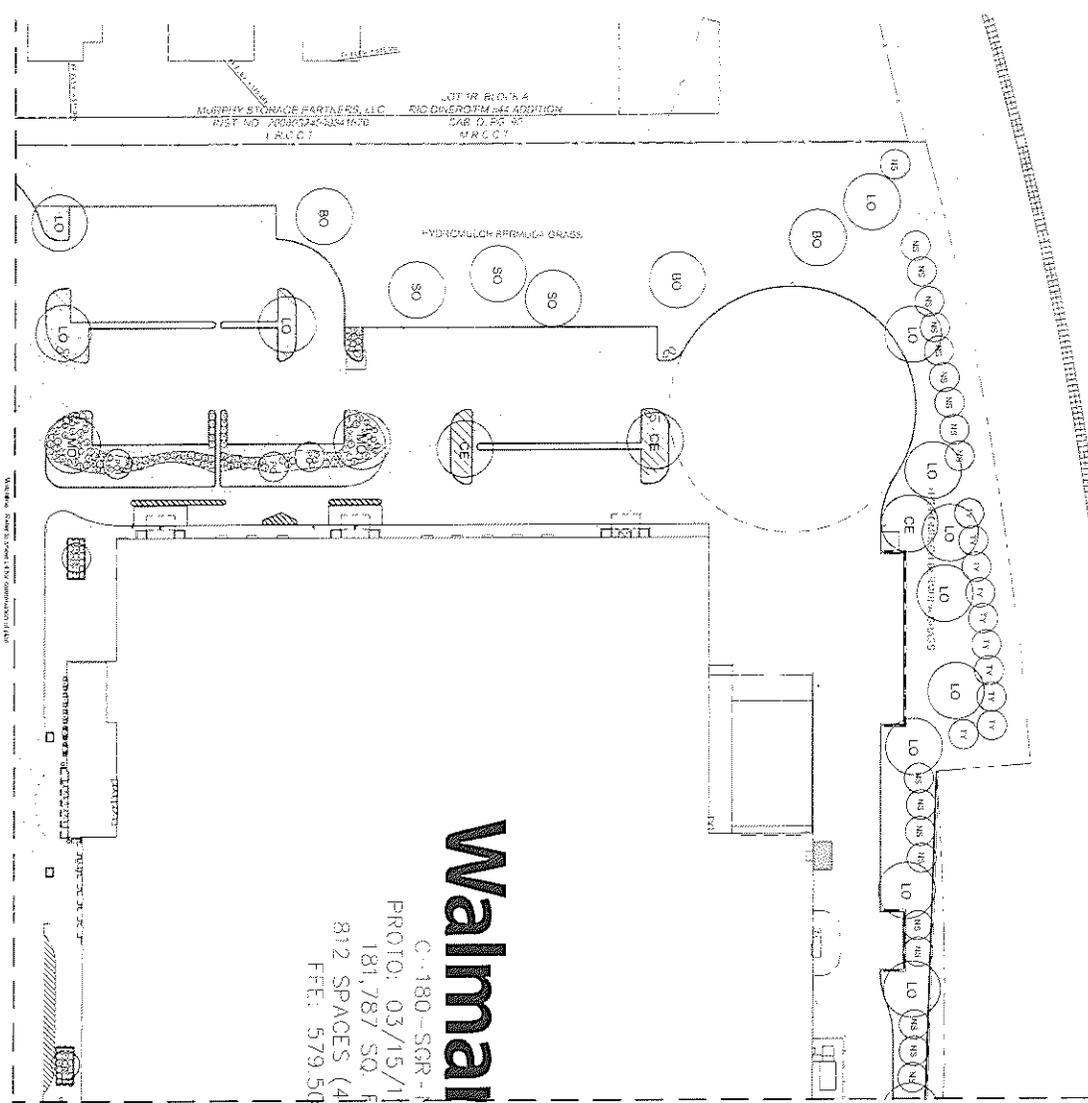
**TREE LEGEND**

10	10' Oak	88	8' Oak
11	11' Oak	89	9' Oak
12	12' Oak	90	10' Oak
13	13' Oak	91	11' Oak
14	14' Oak	92	12' Oak
15	15' Oak	93	13' Oak
16	16' Oak	94	14' Oak
17	17' Oak	95	15' Oak
18	18' Oak	96	16' Oak
19	19' Oak	97	17' Oak
20	20' Oak	98	18' Oak
21	21' Oak	99	19' Oak
22	22' Oak	100	20' Oak
23	23' Oak	101	21' Oak
24	24' Oak	102	22' Oak
25	25' Oak	103	23' Oak
26	26' Oak	104	24' Oak
27	27' Oak	105	25' Oak
28	28' Oak	106	26' Oak
29	29' Oak	107	27' Oak
30	30' Oak	108	28' Oak
31	31' Oak	109	29' Oak
32	32' Oak	110	30' Oak

**SHRUB LEGEND**

101	10' Oak	102	11' Oak
103	12' Oak	104	13' Oak
105	14' Oak	106	15' Oak
107	16' Oak	108	17' Oak
109	18' Oak	110	19' Oak
111	20' Oak	112	21' Oak
113	22' Oak	114	23' Oak
115	24' Oak	116	25' Oak
117	26' Oak	118	27' Oak
119	28' Oak	120	29' Oak
121	30' Oak	122	31' Oak
123	32' Oak	124	33' Oak
125	34' Oak	126	35' Oak
127	36' Oak	128	37' Oak
129	38' Oak	130	39' Oak
131	40' Oak	132	41' Oak
133	42' Oak	134	43' Oak
135	44' Oak	136	45' Oak
137	46' Oak	138	47' Oak
139	48' Oak	140	49' Oak
141	50' Oak	142	51' Oak
143	52' Oak	144	53' Oak
145	54' Oak	146	55' Oak
147	56' Oak	148	57' Oak
149	58' Oak	150	59' Oak
151	60' Oak	152	61' Oak
153	62' Oak	154	63' Oak
155	64' Oak	156	65' Oak
157	66' Oak	158	67' Oak
159	68' Oak	160	69' Oak
161	70' Oak	162	71' Oak
163	72' Oak	164	73' Oak
165	74' Oak	166	75' Oak
167	76' Oak	168	77' Oak
169	78' Oak	170	79' Oak
171	80' Oak	172	81' Oak
173	82' Oak	174	83' Oak
175	84' Oak	176	85' Oak
177	86' Oak	178	87' Oak
179	88' Oak	180	89' Oak
181	90' Oak	182	91' Oak
183	92' Oak	184	93' Oak
185	94' Oak	186	95' Oak
187	96' Oak	188	97' Oak
189	98' Oak	190	99' Oak
191	100' Oak	192	101' Oak
193	102' Oak	194	103' Oak
195	104' Oak	196	105' Oak
197	106' Oak	198	107' Oak
199	108' Oak	200	109' Oak
201	110' Oak	202	111' Oak
203	112' Oak	204	113' Oak
205	114' Oak	206	115' Oak
207	116' Oak	208	117' Oak
209	118' Oak	210	119' Oak
211	120' Oak	212	121' Oak
213	122' Oak	214	123' Oak
215	124' Oak	216	125' Oak
217	126' Oak	218	127' Oak
219	128' Oak	220	129' Oak
221	130' Oak	222	131' Oak
223	132' Oak	224	133' Oak
225	134' Oak	226	135' Oak
227	136' Oak	228	137' Oak
229	138' Oak	230	139' Oak
231	140' Oak	232	141' Oak
233	142' Oak	234	143' Oak
235	144' Oak	236	145' Oak
237	146' Oak	238	147' Oak
239	148' Oak	240	149' Oak
241	150' Oak	242	151' Oak
243	152' Oak	244	153' Oak
245	154' Oak	246	155' Oak
247	156' Oak	248	157' Oak
249	158' Oak	250	159' Oak
251	160' Oak	252	161' Oak
253	162' Oak	254	163' Oak
255	164' Oak	256	165' Oak
257	166' Oak	258	167' Oak
259	168' Oak	260	169' Oak
261	170' Oak	262	171' Oak
263	172' Oak	264	173' Oak
265	174' Oak	266	175' Oak
267	176' Oak	268	177' Oak
269	178' Oak	270	179' Oak
271	180' Oak	272	181' Oak
273	182' Oak	274	183' Oak
275	184' Oak	276	185' Oak
277	186' Oak	278	187' Oak
279	188' Oak	280	189' Oak
281	190' Oak	282	191' Oak
283	192' Oak	284	193' Oak
285	194' Oak	286	195' Oak
287	196' Oak	288	197' Oak
289	198' Oak	290	199' Oak
291	200' Oak	292	201' Oak
293	202' Oak	294	203' Oak
295	204' Oak	296	205' Oak
297	206' Oak	298	207' Oak
299	208' Oak	300	209' Oak
301	210' Oak	302	211' Oak
303	212' Oak	304	213' Oak
305	214' Oak	306	215' Oak
307	216' Oak	308	217' Oak
309	218' Oak	310	219' Oak
311	220' Oak	312	221' Oak
313	222' Oak	314	223' Oak
315	224' Oak	316	225' Oak
317	226' Oak	318	227' Oak
319	228' Oak	320	229' Oak
321	230' Oak	322	231' Oak
323	232' Oak	324	233' Oak
325	234' Oak	326	235' Oak
327	236' Oak	328	237' Oak
329	238' Oak	330	239' Oak
331	240' Oak	332	241' Oak
333	242' Oak	334	243' Oak
335	244' Oak	336	245' Oak
337	246' Oak	338	247' Oak
339	248' Oak	340	249' Oak
341	250' Oak	342	251' Oak
343	252' Oak	344	253' Oak
345	254' Oak	346	255' Oak
347	256' Oak	348	257' Oak
349	258' Oak	350	259' Oak
351	260' Oak	352	261' Oak
353	262' Oak	354	263' Oak
355	264' Oak	356	265' Oak
357	266' Oak	358	267' Oak
359	268' Oak	360	269' Oak
361	270' Oak	362	271' Oak
363	272' Oak	364	273' Oak
365	274' Oak	366	275' Oak
367	276' Oak	368	277' Oak
369	278' Oak	370	279' Oak
371	280' Oak	372	281' Oak
373	282' Oak	374	283' Oak
375	284' Oak	376	285' Oak
377	286' Oak	378	287' Oak
379	288' Oak	380	289' Oak
381	290' Oak	382	291' Oak
383	292' Oak	384	293' Oak
385	294' Oak	386	295' Oak
387	296' Oak	388	297' Oak
389	298' Oak	390	299' Oak
391	300' Oak	392	301' Oak
393	302' Oak	394	303' Oak
395	304' Oak	396	305' Oak
397	306' Oak	398	307' Oak
399	308' Oak	400	309' Oak
401	310' Oak	402	311' Oak
403	312' Oak	404	313' Oak
405	314' Oak	406	315' Oak
407	316' Oak	408	317' Oak
409	318' Oak	410	319' Oak
411	320' Oak	412	321' Oak
413	322' Oak	414	323' Oak
415	324' Oak	416	325' Oak
417	326' Oak	418	327' Oak
419	328' Oak	420	329' Oak
421	330' Oak	422	331' Oak
423	332' Oak	424	333' Oak
425	334' Oak	426	335' Oak
427	336' Oak	428	337' Oak
429	338' Oak	430	339' Oak
431	340' Oak	432	341' Oak
433	342' Oak	434	343' Oak
435	344' Oak	436	345' Oak
437	346' Oak	438	347' Oak
439	348' Oak	440	349' Oak
441	350' Oak	442	351' Oak
443	352' Oak	444	353' Oak
445	354' Oak	446	355' Oak
447	356' Oak	448	357' Oak
449	358' Oak	450	359' Oak
451	360' Oak	452	361' Oak
453	362' Oak	454	363' Oak
455	364' Oak	456	365' Oak
457	366' Oak	458	367' Oak
459	368' Oak	460	369' Oak
461	370' Oak	462	371' Oak
463	372' Oak	464	373' Oak
465	374' Oak	466	375' Oak
467	376' Oak	468	377' Oak
469	378' Oak	470	379' Oak
471	380' Oak	472	381' Oak
473	382' Oak	474	383' Oak
475	384' Oak	476	385' Oak
477	386' Oak	478	387' Oak
479	388' Oak	480	389' Oak
481	390' Oak	482	391' Oak
483	392' Oak	484	393' Oak
485	394' Oak	486	395' Oak
487	396' Oak	488	397' Oak
489	398' Oak	490	399' Oak
491	400' Oak	492	401' Oak
493	402' Oak	494	403' Oak
495	404' Oak	496	405' Oak
497	406' Oak	498	407' Oak
499	408' Oak	500	409' Oak
501	410' Oak	502	411' Oak
503	412' Oak	504	413' Oak
505	414' Oak	506	415' Oak
507	416' Oak	508	417' Oak
509	418' Oak	510	419' Oak
511	420' Oak	512	421' Oak
513	422' Oak	514	423' Oak
515	424' Oak	516	425' Oak
517	426' Oak	518	427' Oak
519	428' Oak	520	429' Oak
521	430' Oak	522	431' Oak
523	432' Oak	524	433' Oak
525	434' Oak	526	435' Oak
527	436' Oak	528	437' Oak
529	438' Oak	530	439' Oak
531	440' Oak	532	441' Oak
533	442' Oak	534	443' Oak
535	444' Oak	536	445' Oak
537	446' Oak	538	447' Oak
539	448' Oak	540	449' Oak
541	450' Oak	542	451' Oak
543	452' Oak	544	453' Oak

THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN OR FOR THE RESULTS OF ANY DESIGN OR CONSTRUCTION BASED THEREON.

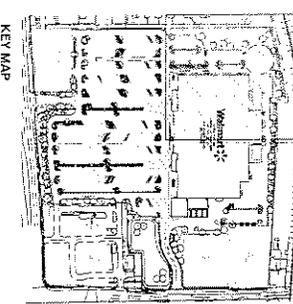
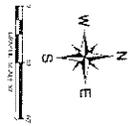


**THESE LEGEND**

BO	Blackberry
BR	Bur Oak
CE	Cast Iron Tree
CO	Concord Grape
CR	Crabapple
DR	Drumstick
FR	Flowering Quince
GR	Green Ginkgo
HA	Hawthorn
HO	Honeylocust
IR	Ironwood
LA	Lamb's Ear
LI	Lilac
LO	Lowbush Blueberry
MA	Maple
MO	Mopane
NO	Norfolk Island Pine
OR	Orange
PA	Panicle Hydrangea
PE	Peony
PI	Pink Dogwood
PL	Plum
PO	Pink Shrub
PR	Prickly Pear
PT	Prickly Pear
RA	Rose
RE	Redbud
RO	Rose
SO	Shrub
TR	Tree
UN	Unknown
VA	Virginia Creeper
VI	Viburnum
VO	Viburnum
WA	Wax Plant
WE	Wedge
WI	Wisteria
YO	Yucca

**LANDSCAPE NOTES**

1. THIS IS A CONCEPT LANDSCAPE PLAN. THE EXACT PLANTING AND PLACEMENT OF PLANTS IS TO BE DETERMINED BY THE LANDSCAPE ARCHITECT AND THE CLIENT.
2. ALL PLANTING IS TO BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS AND THE CLIENT'S REQUIREMENTS.
3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
4. THE CLIENT IS RESPONSIBLE FOR THE MAINTENANCE AND CARE OF THE LANDSCAPE AFTER COMPLETION OF THE PROJECT.



**Integration studio**  
 John F. Murphy, ASLA  
 10000 N. MURPHY ROAD  
 MURPHY, TEXAS 75640  
 TEL: 940.277.3165  
 FAX: 940.277.3165

DATE	03/15/11
DESIGNED BY	JFM
DRAWN BY	JFM
CHECKED BY	JFM
TITLE	CONCEPT LANDSCAPE PLAN
PROJECT NO.	03180-1

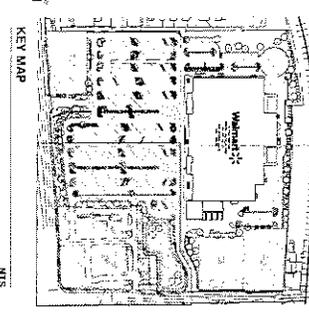
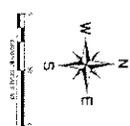
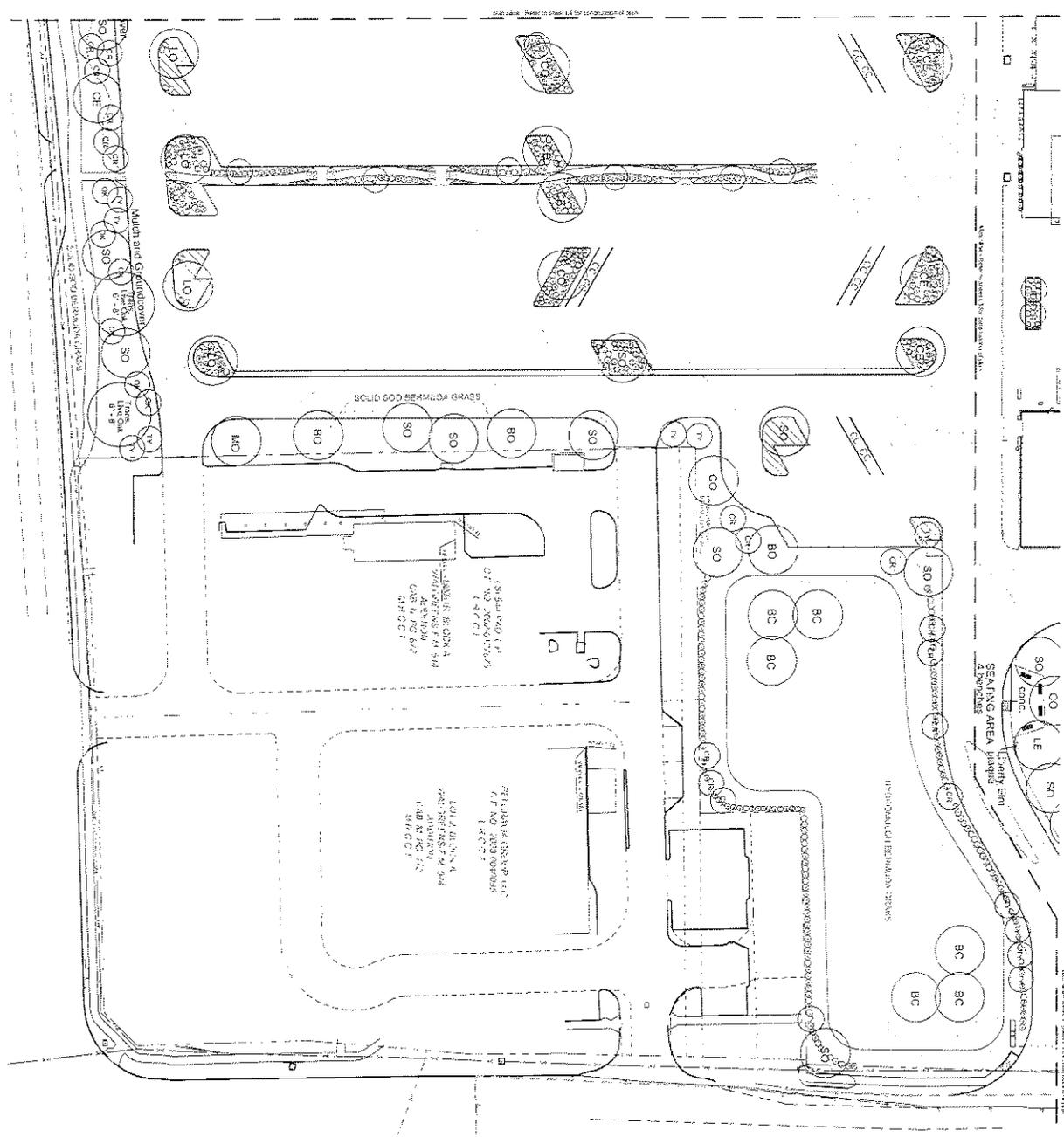
**CONCEPT LANDSCAPE PLAN**

**Walmart**  
 STORE #2973-01  
 C-180-SCRAND  
 NWC FM 544 AND MURPHY ROAD  
 MURPHY, TEXAS

**Kimley-Horn and Associates, Inc.**  
 1100 General East, Suite 200  
 Fort Worth, Texas 76104  
 TEL: 817.335.4200  
 FAX: 817.335.4200







**TREE LEGEND**

Symbol	Plant Name
(SO)	Small Tree
(BO)	Medium Tree
(BC)	Large Tree
(MO)	Medium Tree
(CO)	Large Tree
(LE)	Large Tree

**FEATURES LEGEND**

[Hatched Box]	Asphalt Paving
[Dotted Box]	Decorative Gravel
[Diagonal Lines]	Grass

**LANDSCAPE NOTES**

1. See attached site plan. Items identified by the 'L' are to be installed by the contractor. Items identified by the 'S' are to be installed by the landscape contractor.
2. See attached site plan for details of landscape features.
3. See attached site plan for details of landscape features.
4. See attached site plan for details of landscape features.
5. See attached site plan for details of landscape features.
6. See attached site plan for details of landscape features.
7. See attached site plan for details of landscape features.
8. See attached site plan for details of landscape features.
9. See attached site plan for details of landscape features.
10. See attached site plan for details of landscape features.

**Integration studio**  
 John F. Murphy, ASLA

1100 West 19th Street, Suite 100  
 Fort Worth, TX 76102  
 Phone: 817.339.2222  
 Fax: 817.339.2223  
 Email: jmurphy@integrationstudio.com

Client	Walmart
Designed by	JFM
Drawn by	JFM
Checked by	RMP
Date	04/12/11
Project No.	091362142

**CONCEPT LANDSCAPE PLAN**

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

**Kimley-Horn and Associates, Inc.**

7122 Glenwood Court, Suite 300  
 Fort Worth, Texas 76120  
 Phone: 817.339.2222  
 Fax: 817.339.2223  
 Email: khorne@kimley-horn.com

**PLANT LIST**

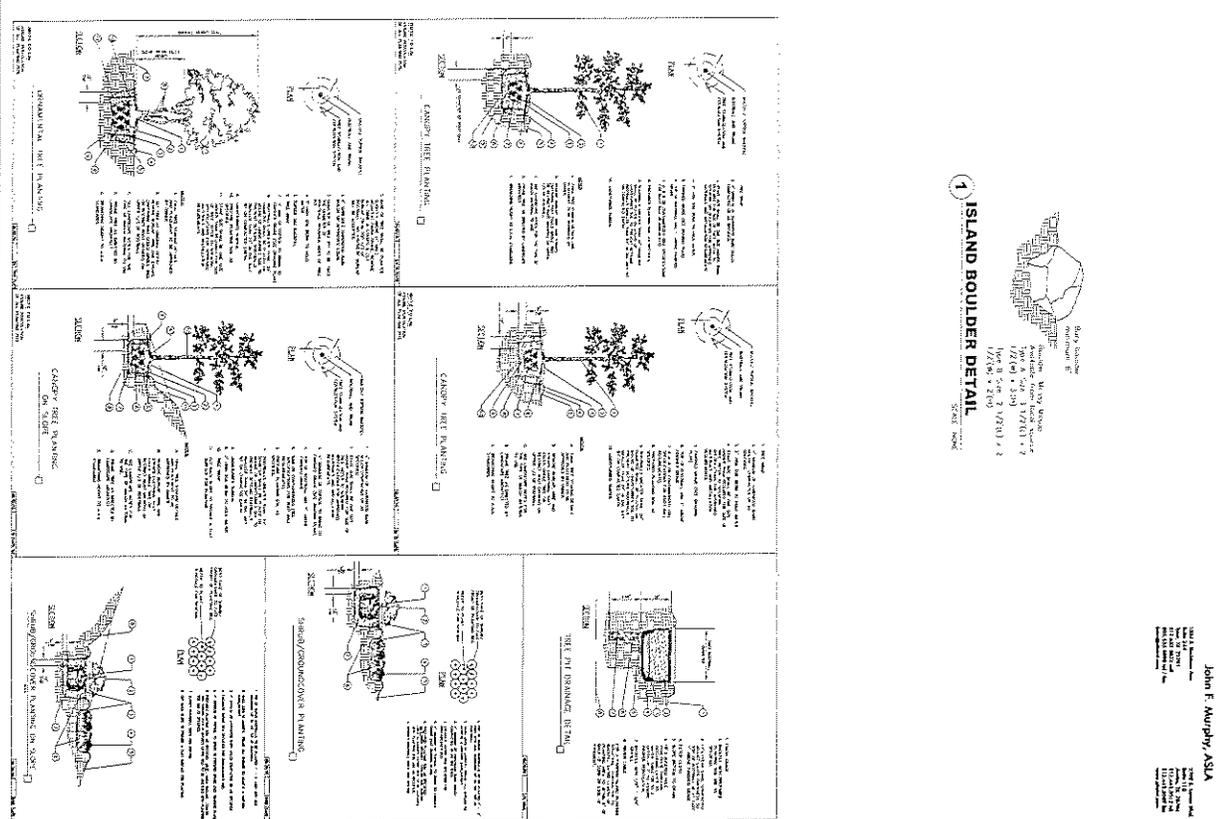
PLANT LIST	Quantity	Plant Name	Size	Notes
1	1	Large Tree	12" x 12" x 12"	...
2	2	Medium Tree	8" x 8" x 8"	...
3	3	Small Tree	6" x 6" x 6"	...
4	4	Shrub	4" x 4" x 4"	...
5	5	Flowering Shrub	3" x 3" x 3"	...
6	6	Groundcover	2" x 2" x 2"	...
7	7	Perennial	1" x 1" x 1"	...
8	8	Annual	1" x 1" x 1"	...
9	9	Grass	1" x 1" x 1"	...
10	10	Water Feature	1" x 1" x 1"	...
11	11	Lighting	1" x 1" x 1"	...
12	12	Path	1" x 1" x 1"	...
13	13	Wall	1" x 1" x 1"	...
14	14	Gate	1" x 1" x 1"	...
15	15	Other	1" x 1" x 1"	...

**LANDSCAPE NOTES:**

1. All plants shall be installed by the contractor within 90 days of the start of construction.
2. All plants shall be installed in accordance with the manufacturer's instructions.
3. All plants shall be installed in accordance with the local codes and ordinances.
4. All plants shall be installed in accordance with the site plan.
5. All plants shall be installed in accordance with the landscape plan.
6. All plants shall be installed in accordance with the landscape plan.
7. All plants shall be installed in accordance with the landscape plan.
8. All plants shall be installed in accordance with the landscape plan.
9. All plants shall be installed in accordance with the landscape plan.
10. All plants shall be installed in accordance with the landscape plan.
11. All plants shall be installed in accordance with the landscape plan.
12. All plants shall be installed in accordance with the landscape plan.
13. All plants shall be installed in accordance with the landscape plan.
14. All plants shall be installed in accordance with the landscape plan.
15. All plants shall be installed in accordance with the landscape plan.

**CITY OF MURPHY, TEXAS  
LANDSCAPE CALCULATIONS**

Item	Quantity	Unit	Material	Notes
1	1	sq ft	Grass	...
2	2	sq ft	Grass	...
3	3	sq ft	Grass	...
4	4	sq ft	Grass	...
5	5	sq ft	Grass	...
6	6	sq ft	Grass	...
7	7	sq ft	Grass	...
8	8	sq ft	Grass	...
9	9	sq ft	Grass	...
10	10	sq ft	Grass	...
11	11	sq ft	Grass	...
12	12	sq ft	Grass	...
13	13	sq ft	Grass	...
14	14	sq ft	Grass	...
15	15	sq ft	Grass	...



**Site Integration studio**  
John F. Murphy, ASLA  
1901 W. Loop West, Suite 200  
Dallas, Texas 75241  
Phone: 214.760.1000  
Fax: 214.760.1001  
www.siteintegration.com

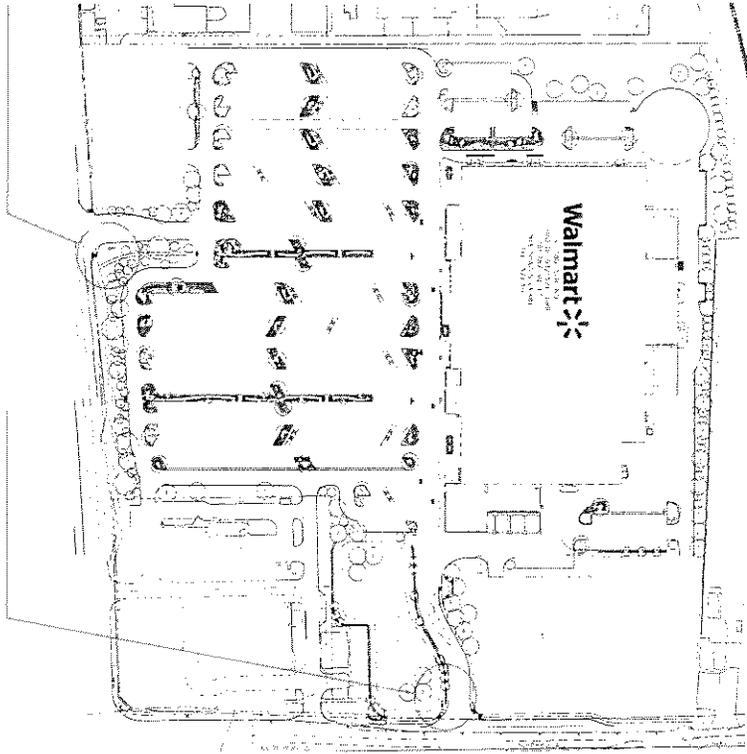
**Kimley-Horn and Associates, Inc.**  
1700 West Loop East, Suite 200  
Ft. Worth, Texas 76104  
Phone: 817.335.1100  
Fax: 817.335.1101  
www.kimley-horn.com

**Walmart**  
STORE #2973-01  
C-180-SGR-ND  
NWC FM 544 AND MURPHY ROAD  
MURPHY, TEXAS

**CONCEPT LANDSCAPE DETAILS**  
SHEET L-6  
Title: AS-100-000  
Designed by: JFM  
Checked by: JFM  
Drawn by: JFM  
Date: MAY 2011  
Project No: 050-000-01

## Exhibit E

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



**Walmart**  
 SIGNAGE  
 10/1/10

