

**ORDINANCE NUMBER 21-11-1238**

**AN ORDINANCE OF THE CITY OF MURPHY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP, CHAPTER 30, OF THE CITY OF MURPHY CODE OF ORDINANCES, AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION ON APPROXIMATELY 3.221 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF MURPHY ROAD AND BETSY LANE, IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, FROM NEIGHBORHOOD SERVICES (NS) TO PLANNED DEVELOPMENT (PD) DISTRICT OVERLAY SINGLE-FAMILY ATTACHED (SF-A) RESIDENTIAL AND PROVIDING DEVELOPMENT STANDARDS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS, DEVELOPMENT CONDITIONS AND STANDARDS, AND A CONCEPT PLAN; PROVIDING FOR APPLICABLE REGULATIONS, ZONING ORDINANCE AND ZONING MAP AMENDMENT; PROVIDING A CUMULATIVE/REPEALER CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE ESTABLISHING A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR A VIOLATION OF THE ORDINANCE FOR EACH DAY A VIOLATION EXISTS OR CONTINUES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the landowner of approximately 3.221 acres of land located on the southeast corner of Murphy Road and Betsy Lane, in the City of Murphy, Collin County, Texas, has requested a change in the zoning for the property described in this ordinance from Neighborhood Services (NS) District to Planned Development (PD) District overlay of Single-Family Attached (SF-A) Residential with additional development standards consistent with the Comprehensive Plan; and

**WHEREAS**, the Planning and Zoning Commission (the “Commission”), in compliance with the laws of the State of Texas, gave the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

**WHEREAS**, having reviewed the request for the change of zoning classification on an approximate 3.221 acre tract of land located on the southeast corner of Murphy Road and Betsy Lane, Murphy, Texas, as herein more particularly described in **Exhibit A** (Legal Description) attached hereto and made part hereof for all purposes (the “Property”), the Commission determined that the change in zoning was compatible with surrounding uses and the City’s Comprehensive Plan and recommended approval of the requested amendment to the City Council; and

**WHEREAS**, the City Council of the City of Murphy, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, having held public hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard, and having considered the recommendation of the Planning and Zoning Commission, has determined that the proposed amendment to change the zoning on the Property

to Planned Development (PD) District Overlay of Single-Family Attached (SF-A) Residential is appropriate and is compatible with surrounding uses and the Comprehensive Plan of the City, and the governing body in the exercise of its discretion has concluded that Chapter 30. Zoning of the City of Murphy Code of Ordinances and the Zoning Map of the City be amended as follows.

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

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

**Section 2. Amendments.** That the Zoning Ordinance and Zoning Map of the City of Murphy, Texas, are hereby amended so as to change the zoning (designation) on the Property described herein from Neighborhood Services (NS) District to Planned Development (PD) District overlay of Single-Family Attached (SF-A) Residential with additional development standards for the Property, being an approximately 3.221 acre tract of land located on the southeast corner of Murphy Road and Betsy Lane, in the City of Murphy, Collin County, Texas, and more particularly described in **Exhibit A** (Legal Description).

**Section 3. Development Conditions and Standards.** That the Development Conditions and Standards for the Planned Development District for the Property are attached hereto as **Exhibit B** (Planned Development District Standards) and incorporated herein, and the same are hereby approved by the City Council for the Property as required by the City of Murphy Code of Ordinances.

**Section 4. Concept Plan.** That the concept plan for the Planned Development District for the Property is attached hereto as **Exhibit C** (the "Concept Plan") and incorporated herein and sets forth the Planned Development Conditions and Standards for the Property in accordance with the City of Murphy Code of Ordinances.

**Section 5. Zoning Ordinance and Map Amended.** Chapter 30 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, and that said Property shall in all other respects be subject to all applicable regulations of the City of Murphy.

**Section 6. Cumulative/Repealer Clause.** This ordinance shall be cumulative of all provisions of state or federal law and all 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 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 30 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

**Section 8. 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 9. 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 16th day of November 2021.



  
\_\_\_\_\_  
Scott Bradley, Mayor  
City of Murphy

ATTEST:

  
\_\_\_\_\_  
Susie Quinn, City Secretary

APPROVED AS TO FORM:

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

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Oasis Plaza, Block A, Lots 1, 2, and 3, being 3.221 acres of land described in and shown on Collin County Plat Record #2017080201003720.

## EXHIBIT B

### Pecan Meadows

#### PLANNED DEVELOPMENT DISTRICT STANDARDS

- I. **Statement of Purpose:** The purpose of this Planned Development District (PD) is to establish a Concept Plan and specific conditions for the development of the properties known as Pecan Meadows. The intent of this PD is to achieve a quality high quality single-family attached (townhome) development.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Murphy Code of Ordinances, Ordinance No. 15-09-1002, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Single-Family Attached Residential (SFA) District set forth in Article 30.03, Division 9 of the Murphy Code of Ordinances shall apply, except as otherwise specified by this ordinance.
- IV. **Development Plans:** Development shall be in general conformance with the Concept Plan set forth in Exhibit C; however, in the event of conflict between the Concept Plan and the conditions, the written conditions shall prevail. The Concept Plan shall also serve as the land use plan.
- V. **Specific Regulations:**

A. **Minimum Lot Standards:**

Minimum Lot Size	2,300 Square Feet
Minimum Floor Area	2,000 Square Feet
Minimum Lot Width	25'
Average Lot Depth	100'
Minimum Lot Depth	92'
Minimum Front Yard Setback	15'
Minimum Side Yard Setback (interior)	As shown in the Exhibit C - Concept Plan
Minimum Side Yard (Adjacent to Street)	As shown in the Exhibit C - Concept Plan
Minimum Rear Yard Setback	10'
Maximum Building Height	35'
Maximum Lot Coverage	80% (75% average)
Garage Orientation	Front Entry
Minimum Roof Pitch	8:12 (4:12 on Porch Roofs)
Minimum Driveway Distance (from Property Line)	18'
Maximum Connected Units	4 units or 125'
Maximum Number of Units	32
Minimum Guest Parking Spaces	8 spaces

EXHIBIT B

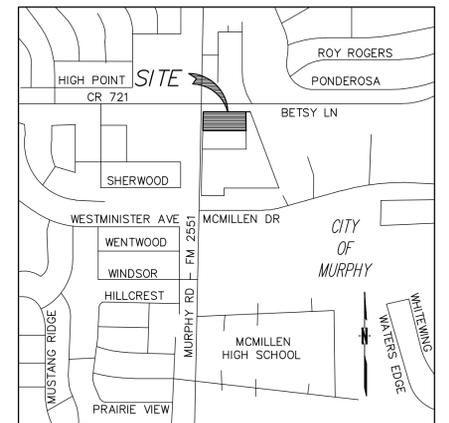
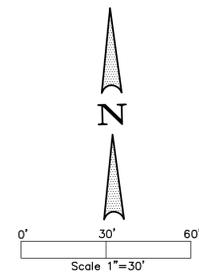
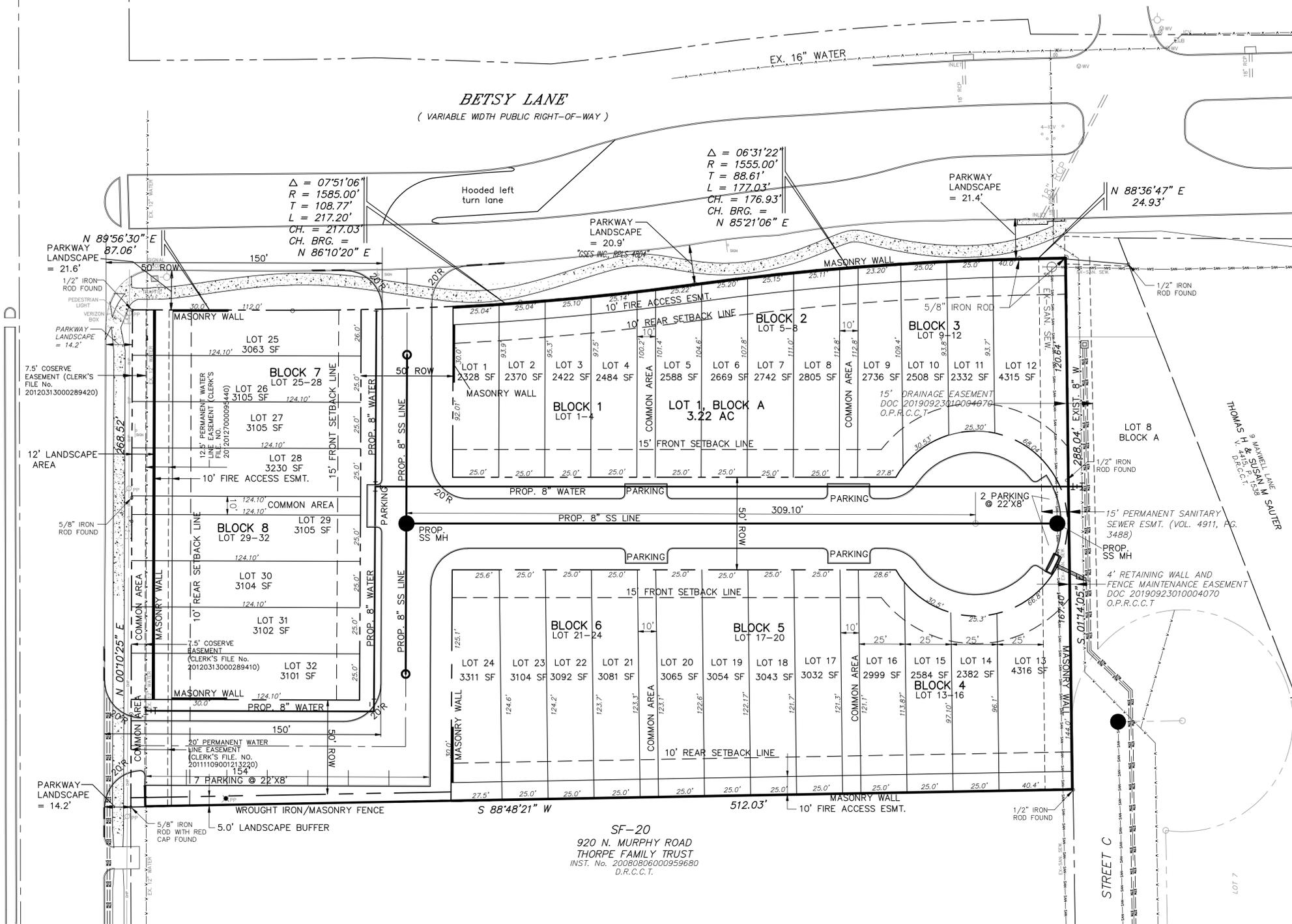
- B. Minimum Exterior Construction Standards, Building Materials and Design: Exterior Construction and Design Requirements shall comply with Chapter 26 of the City of Murphy Code of Ordinances, as amended. All structures shall be constructed utilizing a minimum of 80% masonry (brick or stone).
- C. Screening: A minimum six-foot masonry wall shall be placed along the north, south, west and eastern boundary lines of the townhome development. Wrought iron/ tubular steel fencing may be utilized along the north side of Lot 25 and along the landscape buffer on the southern property line.
- D. Landscaping: A five (5) foot landscape buffer area shall be provided along the southern property line, between N. Murphy Road and the first north facing townhouse. This landscape area shall include shade trees (one placed every 35 feet), shrubbery and grass in order to minimize any visual impact of the Property. Each townhome building shall have one shade tree placed in the front yard. In addition, a twelve (12) foot landscape buffer shall be provided along N. Murphy Road.
- E. Homeowner's Association (HOA): A Homeowners Association duly incorporated in the State of Texas shall be created and each lot/homeowner shall be a mandatory member. The Pecan Meadows HOA shall be responsible for maintaining the landscape buffer along N. Murphy Road and Betsy Lane, the masonry wall on the perimeter of the development, the off-street parking areas, and all common areas (HOA lots), irrigation and landscaping associated with this development. The bylaws of this association shall establish a system of payment of dues, a system of enforcement of its rules and regulations; a clear and distinct definition of the responsibility of each member, and such other provisions as are reasonably deemed appropriate to secure a sound and stable association. The Bylaws shall be submitted to the Director of Community Development for review and approval prior to construction.

VI. **Additional Special Regulations:**

- A. Utility/ Power Lines: New utility service lines for individual buildings, signs and for any other site development features shall be placed underground.
- B. Sidewalks: Existing sidewalks along Betsy Lane and Murphy Road shall remain.
- C. Fire Access Easements: The Fire Access easements may not be blocked with solid fences or other permanent improvements, with the exception of gates that must allow Fire Department access.

**Exhibit C**  
**Concept Plan**

MURPHY ROAD  
( VARIABLE WIDTH PUBLIC RIGHT-OF-WAY )



OWNER/DEVELOPER:  
FIRST CRESCENT ENTERPRISE, LLC  
CONTACT: SYED HUSSAIN  
PH: 480 330 7864

## CONCEPT PLAN

**TOWNHOMES**

Date : 10/19/2021

**PECAN MEADOWS**

Scale : 1"=30'

C. A. McMILLAN SURVEY, ABSTRACT NUMBER 588  
CITY OF MURPHY, COLLIN COUNTY, TEXAS

Design/Draft : ND

**ND & Associates, LLC**

Checked : ND

603 Cherry Tree Lane  
Wylie, Texas 75098  
Contact: Naim Khan, P.E., CFM  
PH: (214) 533 7181  
EMAIL: naim1207@yahoo.com  
FIRM # F - 13340

ND PROJECT NO :  
2021-48

C1



Md. Naim Uddin Khan  
10-18-2021  
ENGINEER NO. 87776. THESE PLANS WERE PREPARED UNDER THE RESPONSIBLE SUPERVISION OF MD. NAIM UDDIN KHAN REGISTERED PROFESSIONAL ENGINEER. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MD. NAIM UDDIN KHAN P.E. #87776