



## *Memorandum*

### *November 8, 2017*

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TO: Town Council  
Julie Couch, Town Manager

FROM: Israel Roberts, AICP  
Planning Manager

SUBJECT: **CONDITIONAL USE PERMIT FOR A SPORT COURT (TENNIS)**  
**(CASE #CUP2017-2)**

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**BACKGROUND:** This is a request or approval of a conditional use permit (CUP) for the construction of a sports court (tennis). The 1.0-acre site is located at 761 Stallion Drive and is zoned for the (RE-1) One-Acre Ranch Estate District.

**STATUS OF ISSUE:** The applicant is proposing to construct a 78'x28' tennis court (full size) in the backyard of a homesite that is currently being built. The court will be partially enclosed by a 10' tall vinyl coated chain link fence and surrounded by a hedge row of 6' tall red fury photinia shrubs to aid in the visual screen from the adjacent properties. The proposed court will be lighted with an LED, full-cutoff light fixture, that has been approved with previous sport court applications.

#### Public Input

The town has notified 30 adjacent property owners within 500 feet of the subject property, and to date, have received one (1) letter in support.

### Staff Analysis

In the (RE-1) One-acre Ranch Estate District:

- Setback for an accessory structure is 30.’ *The proposed tennis court is offset from all adjacent property lines by at least 30’ feet. However, the ball containment fencing extends into the required accessory use setback by about 5 feet.*
- Maximum lot coverage is 35%. *Including the proposed multi-use sport court, the lot coverage is 34.8%, meeting the lot coverage requirement.*
- Lighting:
  - The applicant proposes to install a LED light fixture on a 20-feet tall pole. According to the lighting specifications and photometric plan provided, the light will produce a maximum of 6.8 foot-candles of light. As shown on the photometric plan, a negligible amount of light reaches the adjoining property lines. To provide for additional screening, the plan reflects additional screening trees along the adjoining property lines.
- Screening:
  - The provided site/landscape plan reflects the installation of Red Fury Photinia along each side of the proposed tennis court planted 6-feet on center and a minimum of 6-feet tall at the time of planting. These shrubs have a moderate growth rate and will provide visual and additional light glare screening, that is not reflected in the attached photometric plans.

### History

Since the adoption of the sport court ordinance in 2012, there have been four (3) requests for CUPs for sports court. Of the three that were approved, two had lighting. Most recently, in 2016, the Town Council approved a CUP for a multi-use sports court at 761 Stallion Drive. In that case, maximum light level output was between 5-6 foot-candles.

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the proposed conditional use permit with the following conditions:

1. Use, location and design of the proposed multi-use sport court generally conforms with the submitted site/landscape plan.
2. Light fixture shall be mounted parallel to the ground.

P&Z ACTION: At the October 19, 2017 meeting, the Planning and Zoning Commission recommended **APPROVAL** of the request (4-1; Cox opposed).

### ATTACHMENTS:

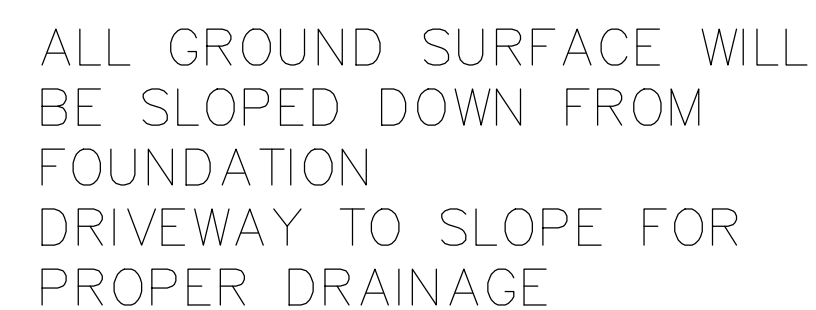
- Locator
- Site/landscape Plans
- Photometric/Lighting information
- Red Fury Photinia information
- Proposed Ordinance





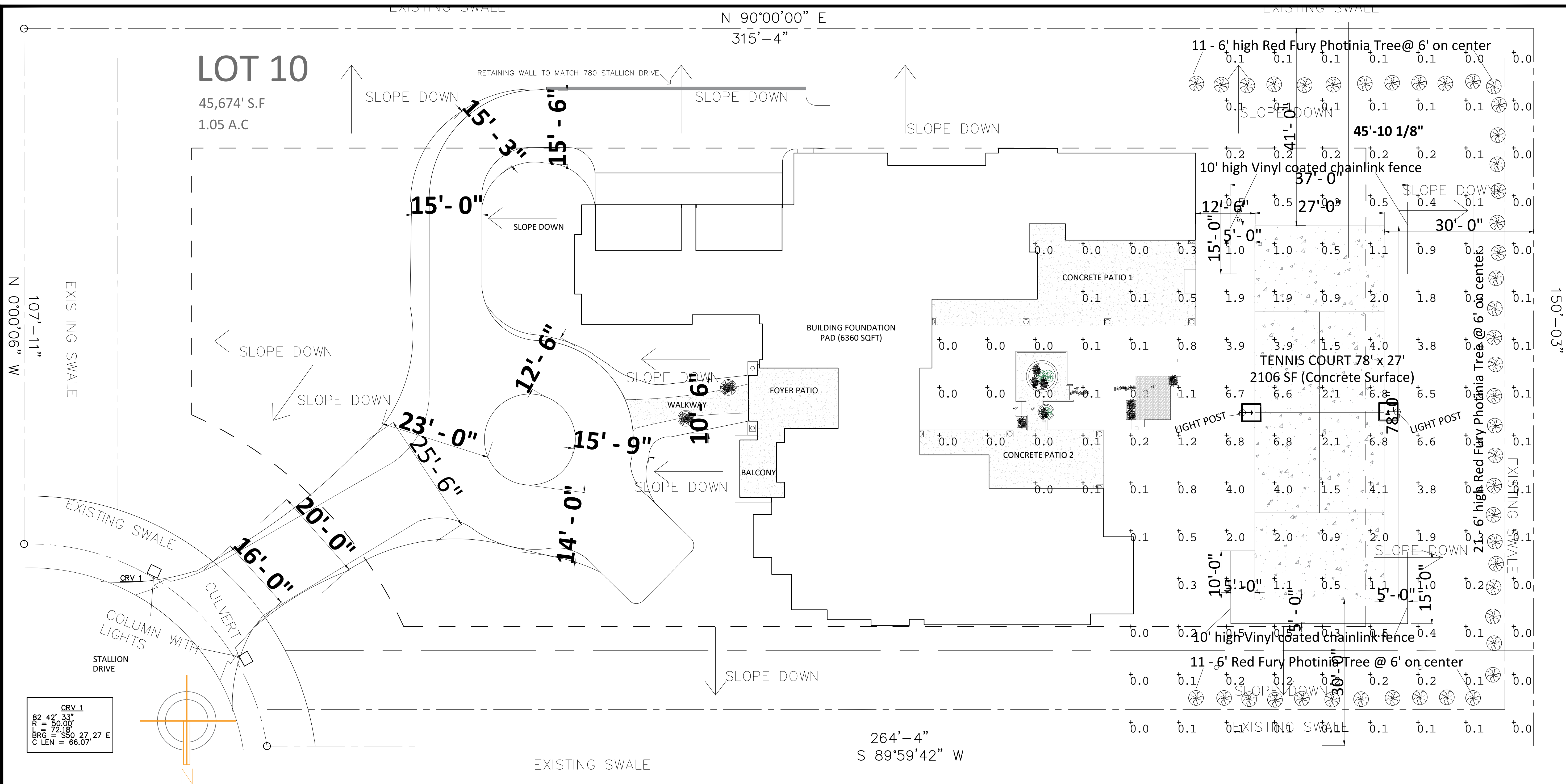
**CUP2017-02**  
**Sport Court - Tennis**





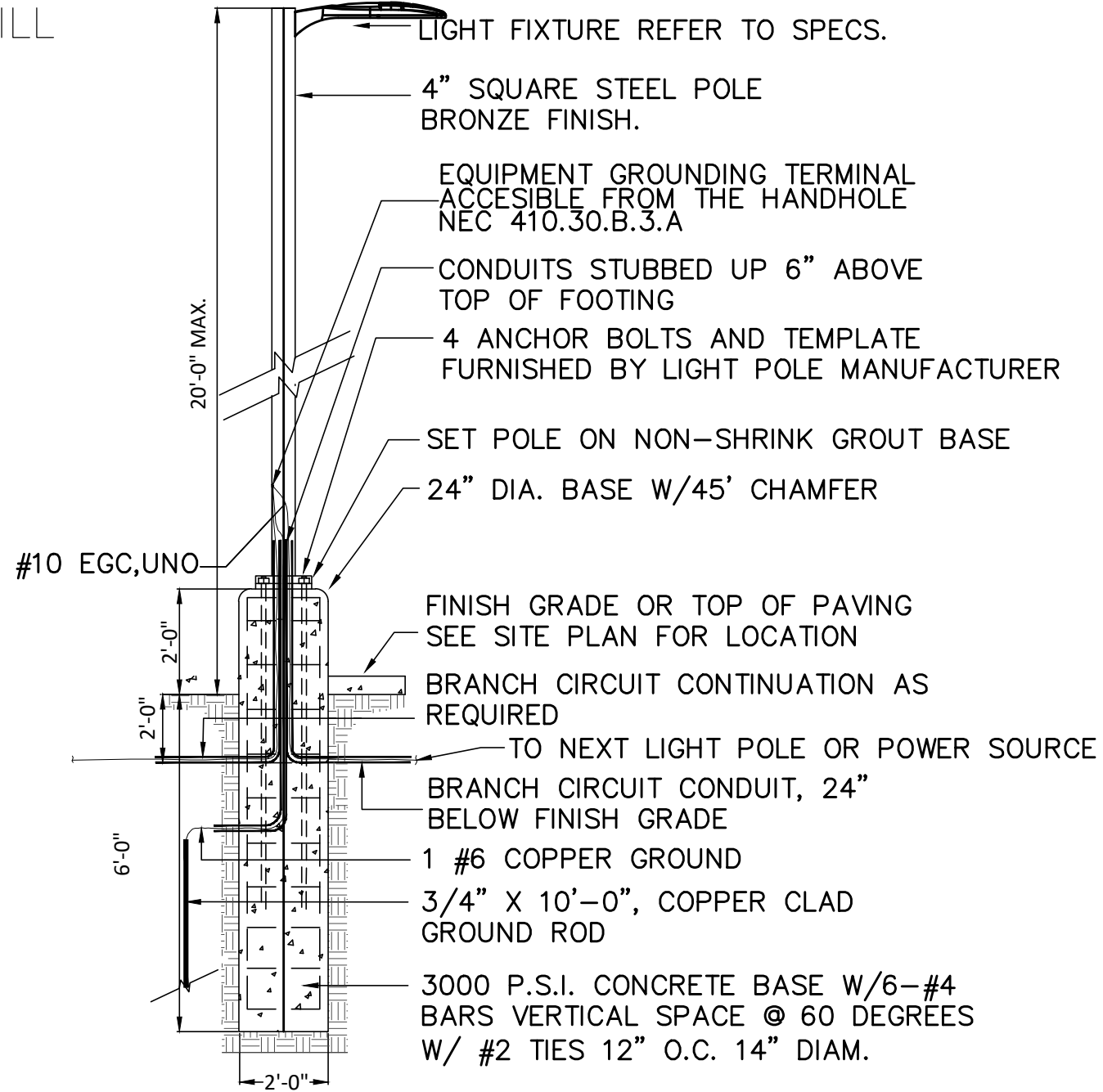
**PROPOSED TENNIS COURT**  
**ABDALLA HOUSE, 781 STALLION DR.,**  
**FAIRVIEW, TX**





SITE PLAN

ALL GROUND SURFACE WILL BE SLOPED DOWN FROM FOUNDATION DRIVEWAY TO SLOPE FOR PROPER DRAINAGE



TYPICAL SITE LIGHT POLE

SCALE: NONE

PROPOSED TENNIS COURT  
ABDALLA HOUSE, 781 STALLION DR.,  
FAIRVIEW, TX

| Luminaire Schedule |     |                |             |                   |       |                |
|--------------------|-----|----------------|-------------|-------------------|-------|----------------|
| Symbol             | Qty | Label          | Arrangement | Total Lamp Lumens | LLF   | Description    |
|                    | 2   | D816-LED-80-T2 | SINGLE      | N.A.              | 1.000 | D816-LED-80-T2 |

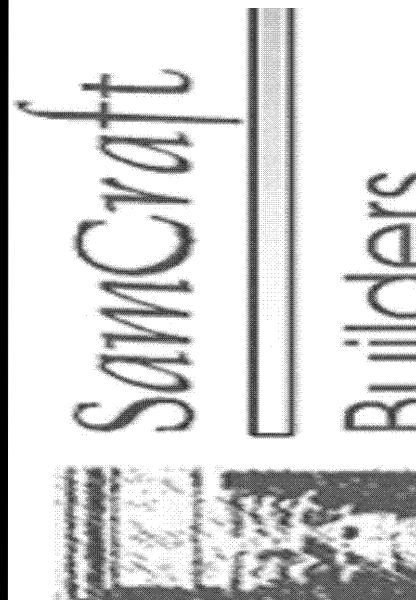
| Calculation Summary |             |       |      |     |     |         |         |  |
|---------------------|-------------|-------|------|-----|-----|---------|---------|--|
| Label               | CalcType    | Units | Avg  | Max | Min | Avg/Min | Max/Min |  |
| CalcPts_1           | Illuminance | Fc    | 0.97 | 6.8 | 0.0 | N.A.    | N.A.    |  |

Revision:  
Revised and Updated  
05-16-2017

General Notes:  
All Drawings/Designs are  
property of SamCraft Builders.  
Can not be copied, used  
or utilized otherwise without  
written permission from  
SamCraft Builders

Seal:

Project Name:  
ABDULLA HOUSE  
781 STALLION DR.  
FAIRVIEW  
TEXAS  
CONSULTANT:  
WAHEED CONSULTING  
FIRM #: F-6336  
420 PARKSIDE COURT MURPHY, TEXAS 75094  
PH: 817-793-2010



Drawing:  
ELECTRICAL  
SITE PLAN  
Drawn by:  
SAMCRAFT  
BUILDERS LTD  
Checked  
by:  
Date:  
09/04/2017  
Scale:  
3/32"=1'-0"  
Sheet:  
ESP

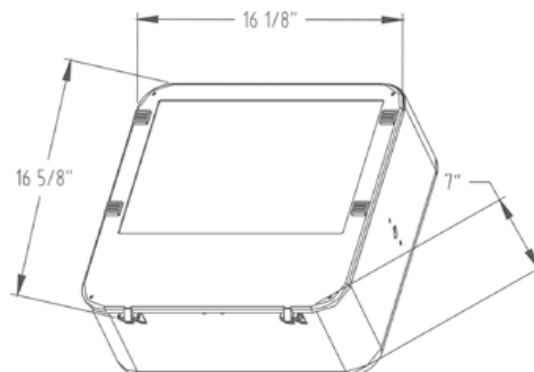
# D816-LED

## 16" Area Light



### Job Information

|              |  |
|--------------|--|
| Type:        |  |
| Catalog #:   |  |
| Project:     |  |
| Comments:    |  |
| Prepared by: |  |



### Description

The D816-LED utilizes a soft-cornered aerodynamic design to provide excellent light distribution and an aesthetically appealing appearance. Ideal for storage areas, rail yards, loading docks, and building perimeters. One piece die cast aluminum door has two captive stainless steel fasteners and can be removed from the die cast aluminum housing for easy maintenance. Attractive dark bronze, polyester powder coated finish for excellent impact, corrosion and UV resistance.

### Ordering Information

Example: (D816-LED-80-50-UNV-T5-SF-BZ-MS)

| D816-LED       |                           |                           |    |                    |     |   |    |                     |      |                    |    |                     |                         |   |  |
|----------------|---------------------------|---------------------------|----|--------------------|-----|---|----|---------------------|------|--------------------|----|---------------------|-------------------------|---|--|
| Series         |                           | Wattage/Lumen             |    | Color Temp.        |     | Voltage                                       |    | Optics              |      | Mounting           |    | Finish              |                         | Option  |  |
| 16" Area Light | 20                        | 20W/2184 <sup>3</sup>     | 30 | 3000K              | UNV | 120-277V                                      | T2 | Type 2              | YM   | Yoke Mount         | BZ | Bronze <sup>1</sup> | SM                      | Smart Dim <sup>5*</sup>                                       |  |
|                | 30                        | 30W/3270 <sup>3</sup>     | 35 | 3500K              | 347 | 347V  | T3 | Type 3              | LYM  | Large Yoke Mount   | BL | Black               | PC                      | Photocell   |  |
|                | 40                        | 40W/4370 <sup>3</sup>     | 40 | 4000K              | 480 | 480V  | T5 | Type 5 <sup>1</sup> |      |                    | WH | White               | PT3                     | 3' Pre-wired Cord   |  |
|                | 60                        | 60W/6550 <sup>3</sup>     | 50 | 5000K <sup>4</sup> |     | (Step-Down Transformer used for 480V Divider) |    |                     | SF   | Slip Fitter        | CU | Custom <sup>2</sup> | PT6                     | 6' Pre-wired Cord   |  |
|                | 80                        | 80W/8740 <sup>3</sup>     |    |                    |     |   |    |                     | PM6  | Pole Mount 6       |    |                     | WSF                     | Wired Single Fuse   |  |
|                | 100                       | 100W/10920 <sup>3,7</sup> |    |                    |     |   |    |                     | PM10 | Pole Mount 10      |    |                     | WDF                     | Wired Double Fuse   |  |
|                | 120                       | 120W/13110 <sup>3,7</sup> |    |                    |     |   |    |                     | WB   | Wall Mount Bracket |    |                     | HK                      | Heavy Duty Adjustable Glare Shield                            |  |
|                | 140                       | 140W/15289 <sup>3,7</sup> |    |                    |     |   |    |                     | RPM  | Round Pole Mount   |    |                     | WG                      | Wire Guard  |  |
| 160            | 160W/17470 <sup>3,7</sup> |                           |    |                    |     |   |    |                     |      |                    |    | PIR                 | Passive Infrared Sensor |   |  |
|                |                           |                           |    |                    |     |   |    |                     |      |                    |    |                     | MS                      | Motion Sensor (with Dimming) <sup>6</sup>                     |  |
|                |                           |                           |    |                    |     |   |    |                     |      |                    |    |                     | SP                      | Surge Protection 10kVa  |  |
|                |                           |                           |    |                    |     |   |    |                     |      |                    |    |                     |                         | *Requires additional control device, see Page 4 for more info |  |

<sup>1</sup> Standard for fixture

<sup>2</sup> Contact factory for custom finish

<sup>3</sup> Delivered Lumens (5000K)

<sup>4</sup> Standard Color Temp.

<sup>5</sup> Only available in 100W and up

<sup>6</sup> 20 ft mounting height lens standard. Contact factory for higher mounting.

<sup>7</sup> Smart Dim Available

\*Requires additional control device, see Page 4 for more info





(<http://www.gardendebut.com>)

**Media (page/Media) | Retailer (Retailers) | Grower (Grower-Info)**

**Plant Search**



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(<https://twitter.com/gardendebut>)



(<https://www.facebook.com/gardendebut>)

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<< Previous Plant (<http://www.gardendebut.com/plant/Crystal-Falls-Mondo-Grass>) | Next Plant >> (<http://www.gardendebut.com/plant/Cinnamon-Stick-Ninebark>)

All Plants (<http://www.gardendebut.com/index.cfm/fuseaction/plants.main/index.htm>) :: All Broadleaves and Shrubs  
(<http://www.gardendebut.com/index.cfm/fuseaction/plants.main/typeID/130/index.htm>) :: All Photinia  
(<http://www.gardendebut.com/index.cfm/fuseaction/plants.kwsearchpost/variety/Photinia/index.htm>)

## Red Fury™ Photinia

**Photinia 'Parsur' PP19390**

New foliage is reddish brown at the tip. A vigorous grower reaching 8 to 10 feet tall and 5 to 6 feet wide. This variety is heat tolerant. Excellent choice for hedges and barrier plantings.

|                  |                |                |                   |
|------------------|----------------|----------------|-------------------|
| <b>Exposure:</b> | <b>Height:</b> | <b>Spread:</b> | <b>USDA Zone:</b> |
| Sun              | 8-10 ft        | 5-6 ft         | 7                 |

### Characteristics:

|                                   |                       |                  |                      |
|-----------------------------------|-----------------------|------------------|----------------------|
| <b>Key Features:</b>              | <b>Growth Rate:</b>   | <b>Habit:</b>    | <b>Flower Color:</b> |
| Heat Tolerant<br>Drought Tolerant | Moderate              | Upright          | White                |
| <b>Blooms:</b>                    | <b>Foliage Color:</b> | <b>Interest:</b> | <b>Uses:</b>         |
| Spring<br>Summer                  | Red                   | Year-Round       | Border<br>Specimen   |

### Homeowner Growing and Maintenance Tips:

For new plantings, dig a hole one and a half times wider than the plant's container; place plant in hole, keeping the top of the root ball ground level; and back fill with dirt. Water thoroughly and then mulch around the base to conserve moisture and reduce weeds. New plantings require more frequent watering than established plants. Wind, temperature and soil are factors to consider in watering. Feed plants in early spring and again in early fall with an all-purpose fertilizer, following label instructions.



(<https://guid=k>)  
Up-



Tweet

### More Information

- Meet the Breeder (<http://www.gardendebut.com>)
- Download a Benchcard ([\\_ccLib/image/plants/BEN6561.pdf](http://www.gardendebut.com/_ccLib/image/plants/BEN6561.pdf))
- Download a Catalog (<http://issuu.com/gardendebut/online/1>)
- What's My Zone (Whats-My-Zone)
- Find a Retailer (Find-A-Retailer)

### Companion Plants:





September 29, 2017

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Planning and Zoning Commission for the Town of Fairview, Texas, will convene for a public hearing on Thursday, October 12, 2017 at 7:00 p.m. at Town Hall, 372 Town Place, Fairview, Texas. At such time and place the Commission will hold a public hearing and take appropriate action regarding the following:

- a. Conduct a public hearing, consider and take action on a request for approval of a conditional use permit (CUP) for a sports court (tennis). The 1.0-acre site is located at 781 Stallion Drive and is zoned for the (RE-1) One-Acre Ranch Estate District. Applicant: Shamin Choudhury representing Susan and Abdalla Hussain (Case #CUP2017-02)

All interested citizens and property owners are invited to attend and participate in this meeting. For questions and/or comments please contact Israel Roberts, Planning Manager, at 972-562-0522, extension 5094; or via email: [iroberts@fairviewtexas.org](mailto:iroberts@fairviewtexas.org). Citizens may also visit Town Hall, Monday-Friday from 8:30-4:30 PM to obtain more information on this matter prior to the public hearing.

If you wish to communicate your support or opposition for this proposed CUP to the Planning and Zoning Commission and town staff, please respond to the queries below and return it to Mr. Roberts via mail, email, fax or hand delivery.

Name: Jeff & Gail Hibbard Address: 761 Stallion Dr.

☒ Support

Signature: Gail Hibbard

☐ Oppose

Date: 10/16/17

Comments:



**TOWN OF FAIRVIEW, TEXAS**

**ORDINANCE NO. 2017-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 14 (ZONING), AND THE ZONING MAP OF THE TOWN OF FAIRVIEW, TEXAS; GRANTING A CONDITIONAL USE PERMIT (CUP) FOR A SPORTS COURT LOCATED AT 781 STALLION DRIVE; BEING A 1.05-ACRE TRACT OF LAND LOCATED AT LOT 10 OF THE WILLOW POINT ESTATES ADDITION, TOWN OF FAIRVIEW, COLLIN COUNTY TEXAS; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, notice of a public hearing before the Town of Fairview Planning and Zoning Commission was sent to real property owners within 500 feet of the property herein described at least ten (10) days before such hearing; and

**WHEREAS**, notice of a public hearing before the Town of Fairview Town Council (“Town Council”) was published in a newspaper of general circulation in the Town of Fairview at least sixteen (16) days before such hearing; and

**WHEREAS**, public hearings to adopt zoning on the property herein described were held before both the Planning and Zoning Commission and the Town Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zoning; and

**WHEREAS**, the Town Council finds that the zoning herein effectuated furthers the purpose of zoning in the town and that it is in the public interest to approve said zoning described herein; now, therefore,

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS:**

**Section 1.** That the Code of Ordinances, Town of Fairview, Texas (“Fairview Code”), Chapter 14 (Zoning), and the zoning map of the Town of Fairview, Texas are hereby amended by granting a Conditional Use Permit (CUP) for a sports court at 781 Stallion, being a 1.05-acre tract of land located at Lot 10 of the Willow Point Estates Addition, Town of Fairview, Collin County Texas, in accordance with the provisions of Chapter 14 (Zoning), Article 14.02, Division 1 (Generally), Section 14.02.024 and Chapter 14 (Zoning), Article 14.02, Division 11 (Conditional Use Permit District), Section 14.02.511 et seq., of the Fairview Code, as amended.

**Section 2.** Use and development of the subject property shall conform to the provisions found in Chapter 14 (Zoning), Article 14.02, Division 1 (Generally), Section 14.02.024 and Chapter 14 (Zoning), Article 14.02, Division 11 (Conditional Use Permit District), Section 14.02.511 et seq., of the Fairview Code, as amended, except as follows:

1. Use, location and design of the proposed sports court and plantings shall generally conform with the submitted site/landscape plan (Exhibit A).
2. Light fixtures shall be mounted parallel to the ground (Exhibit B).

**Section 3.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Fairview Code.

**Section 4.** That the sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this ordinance or application thereof to any person, firm or corporation, or to any circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the Town Council hereby declares that it would have adopted such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**Section 5.** That this ordinance shall take effect upon passage and publication, and it is accordingly so ordained.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, THIS 8th DAY OF NOVEMBER 8, 2017.**

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Darion Culbertson, Mayor  
Town of Fairview

ATTEST:

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Elizabeth Cappon, Town Secretary

APPROVED AS TO FORM:

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Clark McCoy, Town Attorney

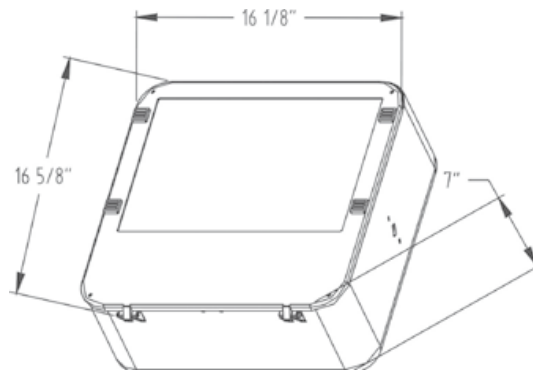




|              |  |
|--------------|--|
| Type:        |  |
| Catalog #:   |  |
| Project:     |  |
| Comments:    |  |
| Prepared by: |  |

# D816-LED

## 16" Area Light



### Description

The D816-LED utilizes a soft-cornered aerodynamic design to provide excellent light distribution and an aesthetically appealing appearance. Ideal for storage areas, rail yards, loading docks, and building perimeters. One piece die cast aluminum door has two captive stainless steel fasteners and can be removed from the die cast aluminum housing for easy maintenance. Attractive dark bronze, polyester powder coated finish for excellent impact, corrosion and UV resistance.

### Ordering Information

Example: (D816-LED-80-50-UNV-T5-SF-BZ-MS)

| D816-LED  |                           |                           |             |                    |   |          |        |                     |          |                    |        |                     |            |   |  |  |  |  |  |  |  |  |  |  |
|---|---------------------------|---------------------------|-------------|--------------------|---|----------|--------|---------------------|----------|--------------------|--------|---------------------|------------|---|--|--|--|--|--|--|--|--|--|--|
| Series  | Wattage/Lumen             |                           | Color Temp. |                    | Voltage                                       |          | Optics |                     | Mounting |                    | Finish |                     | Option     |   |  |  |  |  |  |  |  |  |  |  |
| 16" Area Light  | 20                        | 20W/2184 <sup>3</sup>     | 30          | 3000K              | UNV   | 120-277V | T2     | Type 2              | YM       | Yoke Mount         | BZ     | Bronze <sup>1</sup> | SM         | Smart Dim <sup>5</sup> *                  |  |  |  |  |  |  |  |  |  |  |
|   | 30                        | 30W/3270 <sup>3</sup>     | 35          | 3500K              | 347   | 347V     | T3     | Type 3              | LYM      | Large Yoke Mount   | BL     | Black               | PC         | Photocell                                 |  |  |  |  |  |  |  |  |  |  |
|   | 40                        | 40W/4370 <sup>3</sup>     | 40          | 4000K              | 480   | 480V     | T5     | Type 5 <sup>1</sup> |          |                    | WH     | White               | PT3        | 3' Pre-wired Cord                         |  |  |  |  |  |  |  |  |  |  |
|   | 60                        | 60W/6550 <sup>3</sup>     | 50          | 5000K <sup>4</sup> | (Step-Down Transformer used for 480V Divider) |          |        |                     | SF       | Slip Fitter        | CU     | Custom <sup>2</sup> | PT6        | 6' Pre-wired Cord                         |  |  |  |  |  |  |  |  |  |  |
|   | 80                        | 80W/8740 <sup>3</sup>     |             |                    |   |          |        |                     | PM6      | Pole Mount 6       |        |                     | WSF        | Wired Single Fuse                         |  |  |  |  |  |  |  |  |  |  |
|   | 100                       | 100W/10920 <sup>3,7</sup> |             |                    |   |          |        |                     | PM10     | Pole Mount 10      |        |                     | WDF        | Wired Double Fuse                         |  |  |  |  |  |  |  |  |  |  |
|   | 120                       | 120W/13110 <sup>3,7</sup> |             |                    |   |          |        |                     | WB       | Wall Mount Bracket |        |                     | HK         | Heavy Duty Adjustable Glare Shield        |  |  |  |  |  |  |  |  |  |  |
|   | 140                       | 140W/15289 <sup>3,7</sup> |             |                    |   |          |        |                     | RPM      | Round Pole Mount   |        |                     | GS         | Glare Shield                              |  |  |  |  |  |  |  |  |  |  |
| 160   | 160W/17470 <sup>3,7</sup> |                           |             |                    |   |          |        |                     |          |                    |        | WG                  | Wire Guard |   |  |  |  |  |  |  |  |  |  |  |
|   |                           |                           |             |                    |   |          |        |                     |          |                    |        |                     | PIR        | Passive Infrared Sensor                   |  |  |  |  |  |  |  |  |  |  |
|   |                           |                           |             |                    |   |          |        |                     |          |                    |        |                     | MS         | Motion Sensor (with Dimming) <sup>6</sup> |  |  |  |  |  |  |  |  |  |  |
|   |                           |                           |             |                    |   |          |        |                     |          |                    |        |                     | SP         | Surge Protection 10kVa                    |  |  |  |  |  |  |  |  |  |  |
| *Requires additional control device, see Page 4 for more info |                           |                           |             |                    |   |          |        |                     |          |                    |        |                     |            |   |  |  |  |  |  |  |  |  |  |  |

<sup>1</sup> Standard for fixture

<sup>2</sup> Contact factory for custom finish

<sup>3</sup> Delivered Lumens (5000K)

<sup>4</sup> Standard Color Temp.

<sup>5</sup> Only available in 100W and up

<sup>6</sup> 20 ft mounting height lens standard. Contact factory for higher mounting.

<sup>7</sup> Smart Dim Available

\*Requires additional control device, see Page 4 for more info