



## *Memorandum*

### *April 12, 2018*

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TO: Planning and Zoning Commission  
Julie Couch, Town Manager

FROM: Israel Roberts, AICP  
Planning Manager

SUBJECT: **RETAIL BUILDING WITH MAJOR WARRANTS (MW2018-01)**

**BACKGROUND:** This is a request for approval of a development plan with major warrants to accommodate the construction of a 20,191 square foot multi-tenant retail building. The site is located at 101 Whistlestop Way and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village Sub-district. Owner/Applicant: Tim Smith, Lincoln Property Company representing Village FV LTD.

The purpose of this application is to request approval of Major Warrants pertaining to site configuration and architectural standards to accommodate the development of a 20,191 square foot multi-tenant retail building. The proposed one-story structure will be located on the eastern side of the Whole Foods building and adds 26 parking spaces to the site. The requested major warrants are reflective of the proposed building only.

**STATUS OF ISSUE:** Consistent with the requirements of the updated CPDD code, the applicant has submitted a development plan for the proposed structure. With this development plan application, the applicant is entitled to administrative review for components of the application that conform to the pre-approved standards that were adopted with the CPDD.

In instances where the applicant wishes to request to deviate from said pre-approved standards the applicant may do so through the warrant process. The warrant process allows applicants to request Minor Warrants and Major Warrants for deviations from the CPDD standards. Minor Warrants – which are deviations that are deemed to still meet the CPDD vision/intent – are reviewed administratively by the Town Manager. Major Warrants – which are deviations that may be perceived as not meeting the CPDD vision/intent – are considered in a similar manner as a zoning change, and as such, public hearings are required before the Planning & Zoning Commission and Town Council.

### Major Warrant Requests and Staff Analysis

The applicant's Major Warrants to site configuration, block and building standard requests include the following:

	Item	Requirements	Proposed	Applicant Justification	Staff Comments
1	Site, Block and Building Type standards (Sec. 3.6 & 3.7)	BTZ 18'-26' with 80% frontage	As shown: 36' setback along Whistlestop Way; 38' along Southern Sky Trail, no frontage	Conflict with existing easements and development patterns established under different CPDD regulations. Proposed design with head-in parking is similar to existing parking lot while providing for some tree locations.	Since the entirety of the Fairview Town Center was developed under a different version of the CPDD, the design standards for access, building form, placement, and design were different than what the current CPDD code requires. In this case, the applicant has made great effort to try and design this project within the parameters of the new code, while accommodating many existing non-conforming features.
		50' ROW with street trees and parallel parking	30' access easement (existing) with head-in parking and recessed trees with grates where possible		
2	Window Percentage (Sec. 3.7.6.c.2.iv)	60%-80%	North Elev: 48%	The north elevation is adjacent to the dumpster area and is the location of various interior utilities and service areas, where windows are unnecessary	The north elevation is the service and utility portion of the building that is adjacent to the loading dock of Whole Foods. Awnings and windows have been provided in the public portion of the façade.
			East Elev: 85%	5% increase is reflective of interior design	This small increase is reflective of the interior design and the required façade rhythm in the new version of the CPDD code.

### Public Input

Staff notified eleven adjacent property owners within 500' of the subject properties in accordance with town and state requirements and, thus far, have not received any written feedback.

**RECOMMENDATION:** Staff recommends **APPROVAL** of the subject major warrants and the preliminary plat subject to the following conditions:

1. Site shall be development generally in accordance with the attached development plan exhibits.

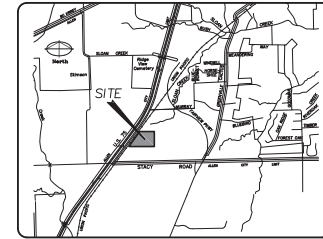
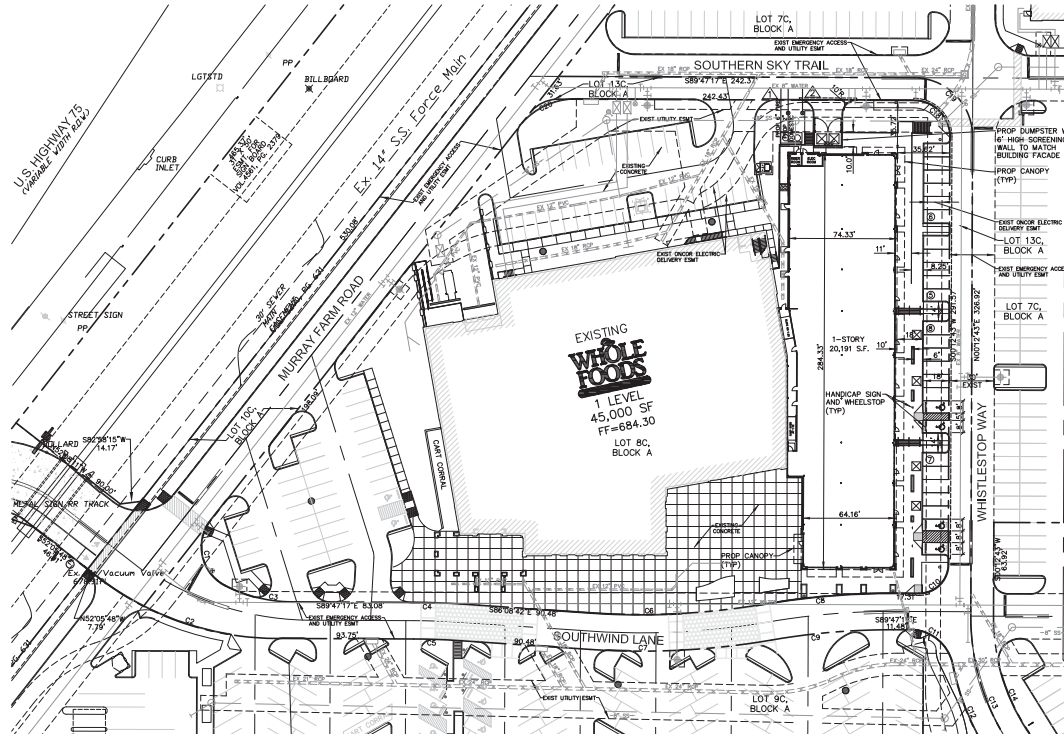
### **ATTACHMENTS:**

- Development Plans
  - Site Plan
  - Landscape Plan
  - Building Elevations

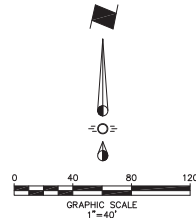








**Fairview**  
LOCATION MAP  
N.T.S.



SITE DATA SUMMARY TABLE	
LOT	8C
EXISTING ZONING	CPDD
PROPOSED ZONING	CPDD
PROPOSED USE	COMMERCIAL
LOT AREA (ACRES)	3.4157
LOT AREA (SQUARE FEET)	148,757
BUILDING FOOTPRINT AREA (SQUARE FEET)	
WHOLE FOODS	45,000
PROPOSED	20,191
TOTAL	65,191
BUILDING HEIGHT (# STORIES)	
BUILDING HEIGHT (TOP OF PARAPET)	31'-8"
BUILDING HEIGHT (TOP OF BLDG TOWER ELEMENT)	39'-2"
LOT COVERAGE (PERCENT-X.XX%)	43.8%
FLOOR AREA (SQUARE FEET)	20,191
FLOOR RATIO (RATIO-X.XX:1) (ENTIRE LOT)	0.44:1
REQUIRED PARKING (1/300 SF) (65,191/300)	217
PROVIDED PARKING (# SPACES)	27
EXISTING	63
PROPOSED	26
TOTAL	89 *
TOTAL PROPOSED PAVED AREA (PARKING & FIRELANE)	4,600

NOTE: HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS.

\* TOTAL PROVIDED ON SITE THROUGH AGREEMENTS

**NOTE:**

1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. ALL ON-SITE ELECTRICAL CONDUCTORS ASSOCIATED WITH NEW CONSTRUCTION SHALL BE LOCATED UNDERGROUND.
3. ALL THE REQUIREMENTS OF THE FAIRVIEW SOIL EROSION CONTROL SHALL BE MET DURING THE PERIOD OF CONSTRUCTION.
4. ALL CURB RADI ARE 2.0' UNLESS OTHERWISE NOTED.
5. ALL ISLANDS ARE 9.0' WIDE UNLESS OTHERWISE NOTED.
6. NO FLOOD PLAIN EXIST ON SITE.
7. NO PLANNED ROADWAY IMPROVEMENTS WITH THIS PROJECT.

WATER METER SCHEDULE		
ID	TYPE	REMARKS
1	DOMESTIC 2"	PROPOSED 2"
2	IRRIGATION 1 1/2"	PROPOSED 1 1/2"

LOT LINE CURVE DATA					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	100°29'24"	29.50'	51.74'	S121°02'E	45.36'
C2	37°41'29"	200.50'	131.90'	N70°56'32"W	129.53'
C3	27°22'32"	99.50'	47.54'	S76°06'00"E	47.09'
C4	03°38'35"	500.50'	31.82'	S87°57'59"E	31.82'
C5	03°38'35"	475.50'	30.23'	N87°57'59"W	30.23'
C6	13°41'27"	494.50'	118.16'	N87°00'35"E	117.88'
C7	13°41'27"	519.50'	124.13'	S87°00'35"W	123.84'
C8	10°02'51"	500.50'	87.77'	N85°11'17"E	87.66'
C9	10°02'51"	475.50'	83.39'	S85°11'17"W	83.28'
C10	90°00'00"	19.85'	31.18'	N45°12'43"E	28.07'
C11	78°48'18"	29.50'	40.57'	S50°23'08"E	37.45'
C12	31°24'06"	171.38'	93.93'	S26°41'02"E	92.75'
C13	42°41'03"	155.88'	116.12'	N21°07'48"W	113.46'
C14	42°35'38"	140.38'	104.36'	N21°05'17"W	101.98'
C15	46°23'08"	82.88'	67.10'	N19°13'31"E	65.28'
C16	42°56'43"	98.00'	73.45'	S20°59'58"E	71.75'
C17	45°49'44"	113.88'	91.09'	N19°28'13"W	88.68'
C18	90°00'00"	24.50'	38.48'	N44°47'17"W	34.65'
C19	90°00'00"	40.00'	62.83'	S44°47'17"E	58.57'
C20	52°09'28"	24.50'	22.30'	S84°08'00"W	21.54'

LEGEND	
---	PROPERTY LINE
---	EXISTING WATER LINE
---	EXISTING SANITARY SEWER LINE
---	EXISTING STORM SEWER

SECTION		MAJOR WARRANTIES	
SECTION	REQUIREMENT	PROPOSED	JUSTIFICATION
3.6.2 & 3.7.5 Site & Block Configuration	Street Section/Design: 50' ROW	30' FL access easement	The original mall was constructed under a different version of the CPDD code that had different design standards, thus new developments must be designed to accommodate the existing features, including driveway design, access, and site layout. 30' FL access easement
	Build-to-zone: 18'-26'	36'-4" along Whistletop Way and Southern Sky	

**SITE PLAN**  
**LOT 8C, BLOCK A**  
**THE VILLAGE AT FAIRVIEW ADDITION**

3.4157 AC. (148,757 S.F.)  
A PORTION OF LOT 8C, BLOCK A  
J. DIXON SURVEY, ABSTRACT NO. 276  
TOWN OF FAIRVIEW, COLLIN COUNTY, TEXAS

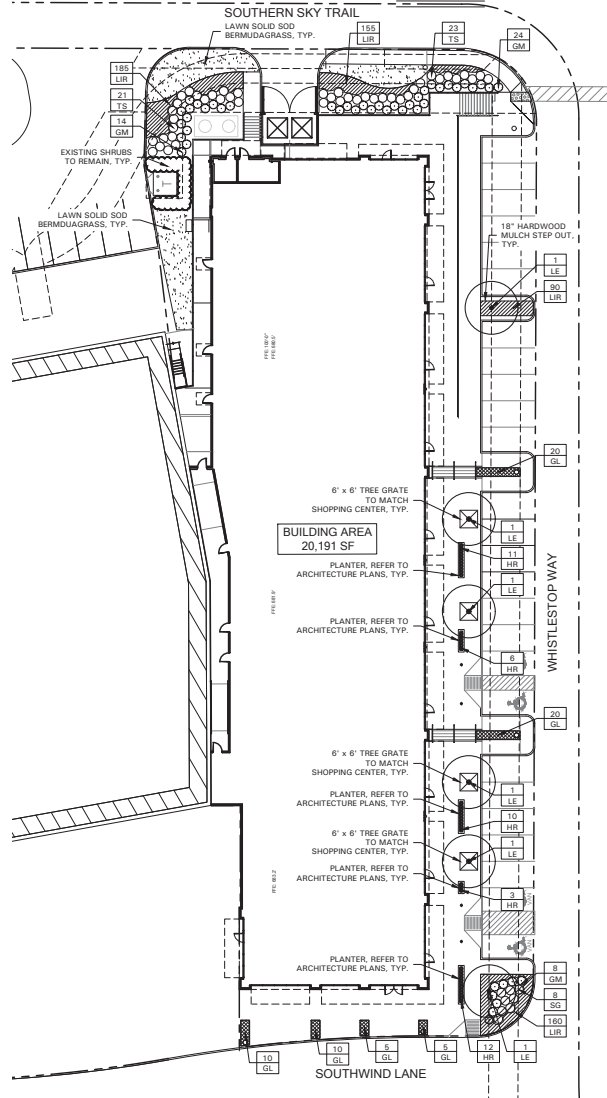


THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF JAMES A. RILEY, P.E. NO. 73231 ON 03/23/2018. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

**DEVELOPER**  
Lincoln Property  
2000 McKinney Avenue  
Suite 1000  
Dallas, Texas 75204

**ENGINEERS / SURVEYORS**  
Blackette Davis-Drake, Inc.  
Texas Registered Engineering Firm F-841  
4144 N. Central Expressway  
Suite 1100  
Dallas, Texas 75204  
(214) 824-3647

Scale: 1"=40' Date: 03/23/2018 Job No. C17005



# LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
- TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- ALL LAWN AREAS SHALL BE SOLID SOD BERMU DAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
- CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

# MAINTENANCE NOTES

- THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
- ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE MOWING, EDGING, TRIMMING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
- ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
- ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
- CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

# PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
LE	TREES				
LE	<i>Ulmus parvifolia</i> 'Sempervirens'	Leadleaf Elm	6	3" cal.	container grown, 12" H., 4" spread, 4" branching H., matching
GL	SHRUBS/GROUND COVER				
GL	<i>Liriodendron japonicum</i>	Giant Liriodendron	70	1 gal.	container full top of container, 18" o.c.
GM	<i>Muhlenbergia capillaris</i>	Gulf Muhlenbergia	46	5 gal.	container full, 36" o.c.
HR	<i>Equisetum hyemale</i>	Horseshoe Fern	42	1 gal.	container full, 12" o.c.
LIR	<i>Liriodendron japonicum</i>	Liriodendron	600	4" pots	container full top of container, 12" o.c.
SO	<i>Salvia greggii</i> 'Red'	Salvia Greggii	8	5 gal.	container full, 20" spread 36" o.c.
TS	<i>Leucophaea fascicularis</i> 'Green Cloud'	Texas Sage 'Green Cloud'	44	5 gal.	container full, 20" spread, 36" o.c.
	<i>Cynodon dactylon</i>	Common Bermudagrass			refer to notes

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES. PLANT LIST IS AN AID TO BIDDERS ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES ON PLAN. ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED.

# GENERAL LAWN NOTES

- CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
- CONTRACTOR SHALL LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
- ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
- CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPILLS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

# SOLID SOD NOTES

- PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
- ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
- WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVER-SEED BERMU DAGRASS SOD WITH WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.



4245 North Central Exp  
Suite 501  
Dallas, Texas 75205  
214.865.7182



# SPEC. RETAIL BUILDING

The Village at Fairview  
NE Corner US 75 and Stacy Road  
Fairview, Texas

Project Number: 18035  
Issue Date: 03.12.2018  
Drawn By: NAY  
Checked By: KAH

Revisions  
No: Date: Detail:

Sheet Title:

# LANDSCAPE PLAN

Sheet Number:

L2.01

