



## *Memorandum*

### *September 9, 2021*

---

TO: Planning and Zoning Commission  
Julie Couch, Town Manager

FROM: Israel Roberts, AICP  
Planning Manager

SUBJECT: **REGULATING PLAN WITH A MAJOR WARRANT FOR A TOWNHOME DEVELOPMENT**

**BACKGROUND:** This is a request for approval of a major warrant on a regulating plan (concept plan) for the potential development of a townhome project. The 15.2-acre sites are generally located on both sides of Fairview Parkway, north of the Fairview Village Road/Latham Drive intersection and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village Sub-district. Applicant: Justin Cooley, Range Water Development LLC representing Travis Parker Associates, LTD.

The purpose of this application is to request a major warrant regarding the built-to-zone (BTZ) requirements of the Urban Village sub-district as outlined by the (CPDD) Commercial Planned Development District along Fairview Parkway. Within the Urban Village sub-district, the built-to-zones are measured from the back-of-curb. Per code, the Townhome 2 design standards require that the front facade of each townhome be within 18-26 feet of the back-of-curb of Fairview Parkway.

**STATUS OF ISSUE:** In this case, Fairview Parkway was designed and constructed by the town, before the adoption of this version of the CPDD. Within the CPDD, each street has an adopted street section. The adopted cross section for Fairview Parkway features 117 feet of right-of-way (ROW) with four (4) travel lanes and a center median. Due to this design, the section reflects approximately 26-27.5 feet of parkway area (portion of the street located from the back of curb to the edge of the ROW). Additionally, the existing ROW width for this portion of Fairview Park is 120 feet wide, three (3) more feet than what is prescribed by the code. The compounded effect of the wider ROW width and the expanded designed parkway area directly conflicts with the BTZ requirements of the Urban Village Sub-district. Therefore, the proposed townhomes cannot meet the BTZ requirements of the code.

To accommodate for this conflict within the code and the existing design of Fairview Parkway, the Regulating Plan requests a revised BTZ of 0-15.5 feet along Fairview Parkway only. The geometry of the requested maximum 15.5' Build-to-line aligns with the code, if the BTZ were measured from the front property line. The requested minimum zero minimum built-to-line gives the design flexibility on the placement of the front facades of the townhome buildings, especially along this portion of Fairview Parkway that is curved (exclusive of any easements and/or infrastructure conflicts).

Consistent with the requirements of the updated CPDD code, the applicant has submitted a regulating plan (concept) for the proposed development. With this 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 a deviation from the 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 and are specifically identified in the code – are reviewed administratively by the Staff and 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 Warrant to the BTZ is outline below:

	Item	Requirements	Proposed	Comments
	BTZ along Fairview Parkway	18-26 feet back from back-of-curb	0-15.5' feet from front property line	<p><b>Applicant:</b> The Town of Fairview evaluates the build to zone from the back of curb. The existing condition of Fairview Parkway create a condition in which it is impossible to achieve the required build to zone for townhome 2. In order to remedy this, we propose converting the BTZ to a front yard setback for these lots. Dimension has been adjusted to maintain similar lot geometry based on an adjusted baseline.</p> <p><b>Staff:</b> As noted, Fairview Parkway was constructed by the town without the design standards associated with the CPDD code. The current design (expanded ROW and street section) makes it impossible for any development along this section of Fairview Parkway to meet the BTZ requirements as outlined by the code.</p>

### Public Input

Staff notified 94 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 subject to the following conditions:

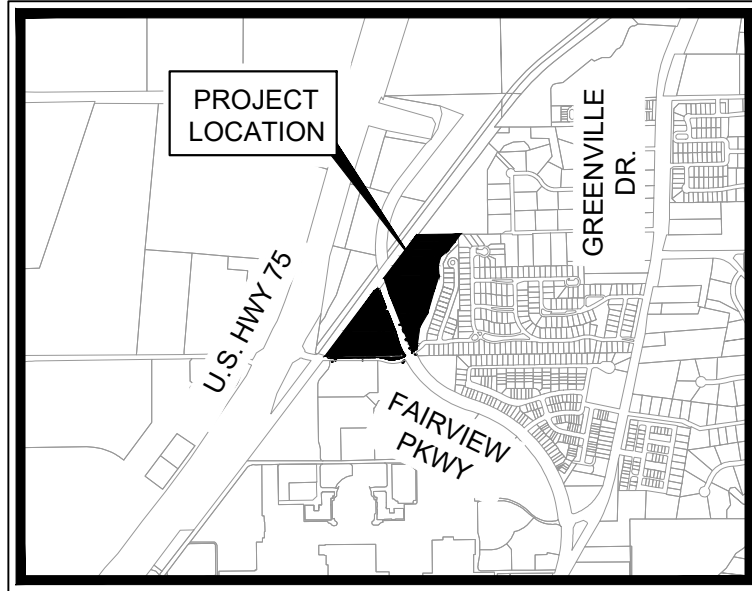
1. Site shall be development generally in accordance with the attached regulating plan exhibits

### **ATTACHMENTS:**

- Locator
- Exhibits
  - Regulating Plan

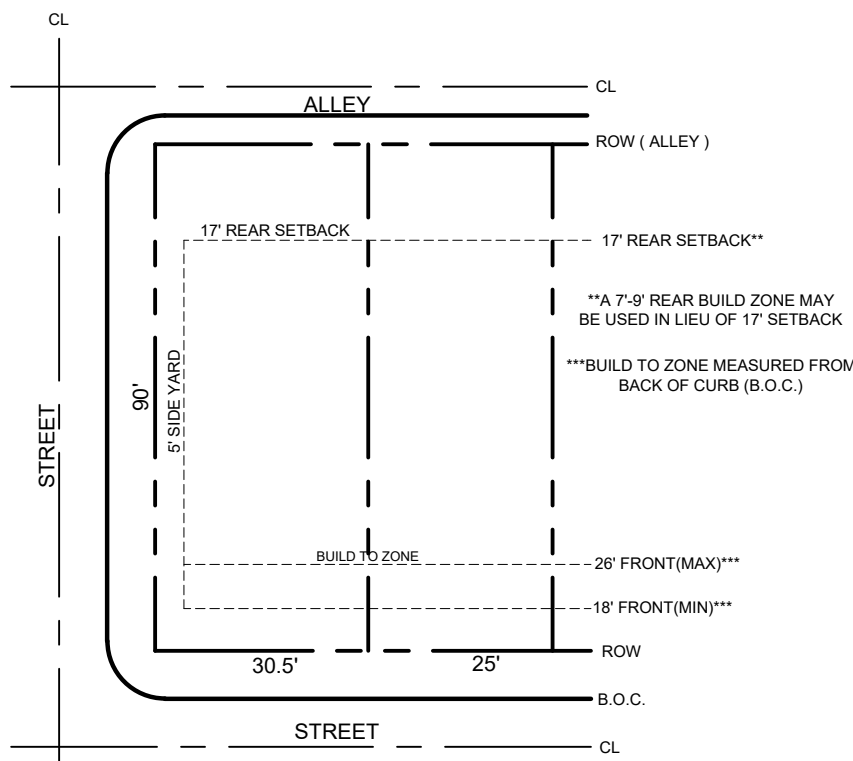






### VICINITY MAP

SCALE: 1" = 2000'

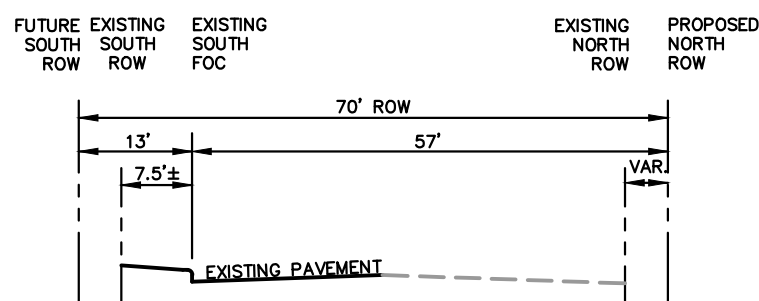


### TH LOT - REAR ENTRY

25' X 90' TYP.  
NTS

#	ITEM	REQUIREMENT	PROPOSED	JUSTIFICATION
1	TOWNHOME II BUILD TO ZONE (BTZ)	18'-26" BUILD TO ZONE (MEASURED FROM BACK OF CURB)	0'-15' LOT FRONT SETBACK ALONG FAIRVIEW PARKWAY (MEASURED FROM FRONT PROPERTY LINE)	THE TOWN OF FAIRVIEW EVALUATES THE BUILD TO ZONE FROM THE BACK OF CURB. THE EXISTING CONDITION OF FAIRVIEW PARKWAY CREATES A CONDITION IN WHICH IT IS IMPOSSIBLE TO ACHIEVE THE REQUIRED BUILD TO ZONE FOR TOWNHOME II. IN ORDER TO REMEDY THIS WE PROPOSE CONVERTING THE BTZ TO A FRONT YARD SETBACK FOR THESE LOTS. DIMENSION HAS BEEN ADJUSTED TO MAINTAIN SIMILAR LOT GEOMETRY BASED ON AN ADJUSTED BASELINE.

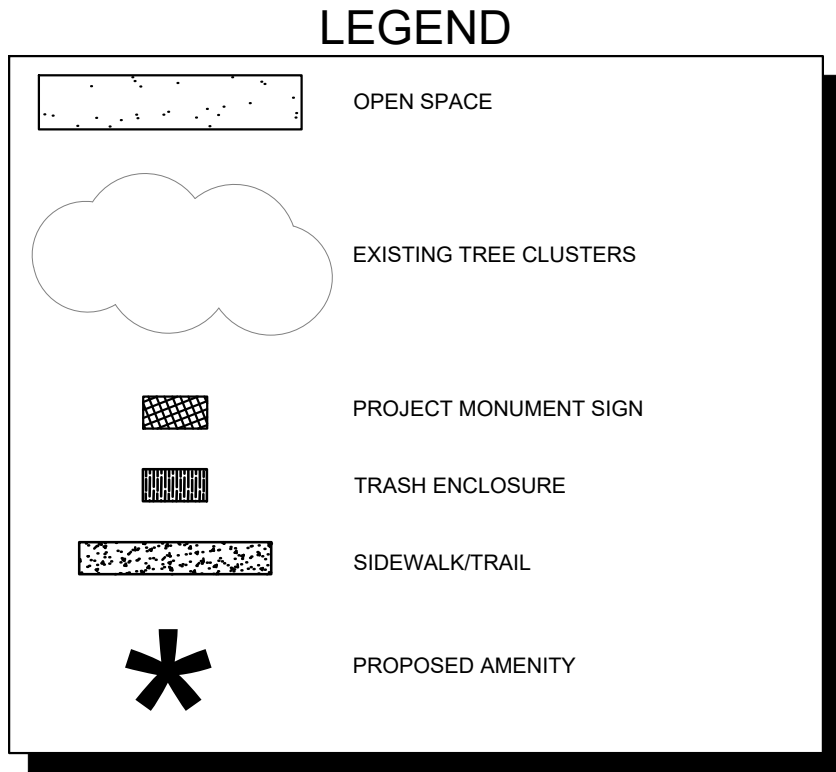
CALLLED 5.12 ACRES  
GEORGE PHILLIPS SURVEY  
ABSTRACT A0701  
ZONED: CPDD URBAN VILLAGE



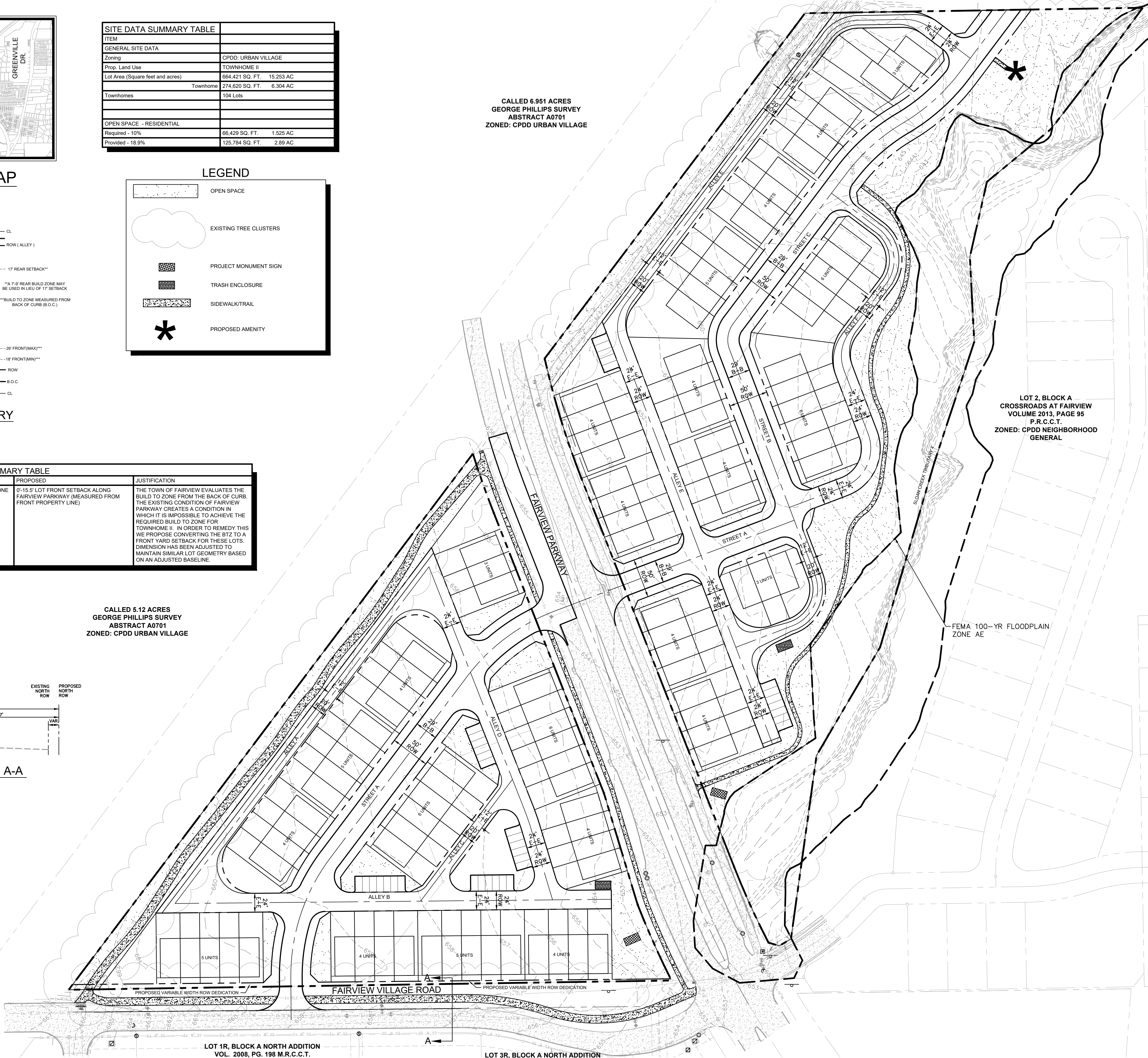
### SECTION A-A

NTS

SITE DATA SUMMARY TABLE	
ITEM	
GENERAL SITE DATA	
Zoning	CPDD: URBAN VILLAGE
Prop. Land Use	TOWNHOME II
Lot Area (Square feet and acres)	664,421 SQ. FT. 15.253 AC
	274,620 SQ. FT. 6.304 AC
Townhomes	104 Lots
OPEN SPACE - RESIDENTIAL	
Required - 10%	66,429 SQ. FT. 1.525 AC
Provided - 18.9%	125,784 SQ. FT. 2.89 AC

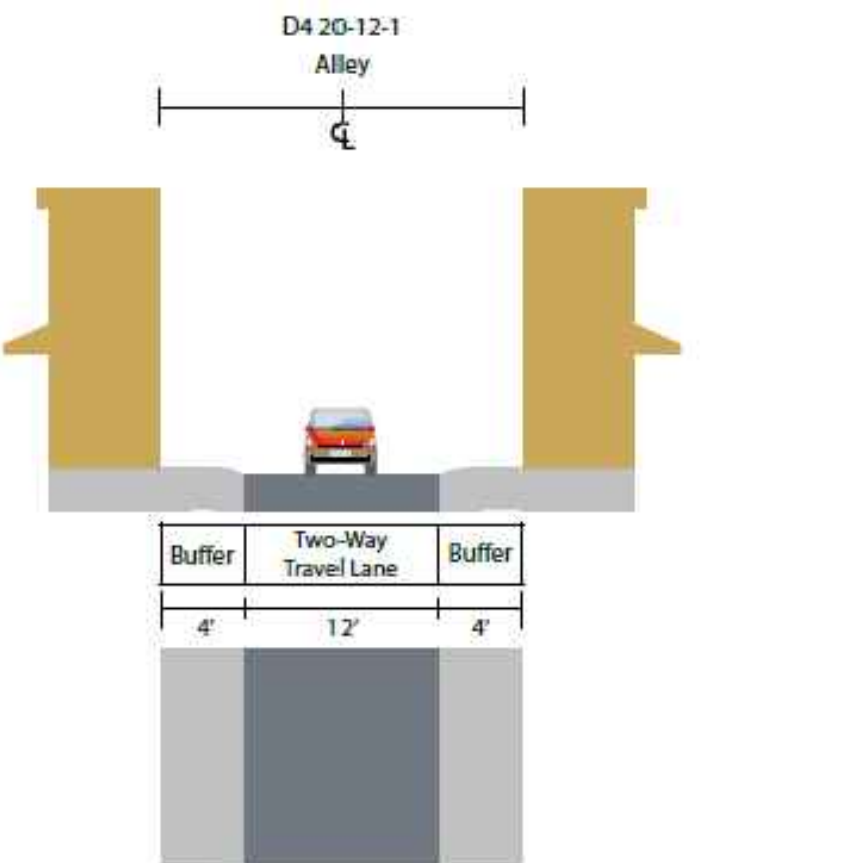
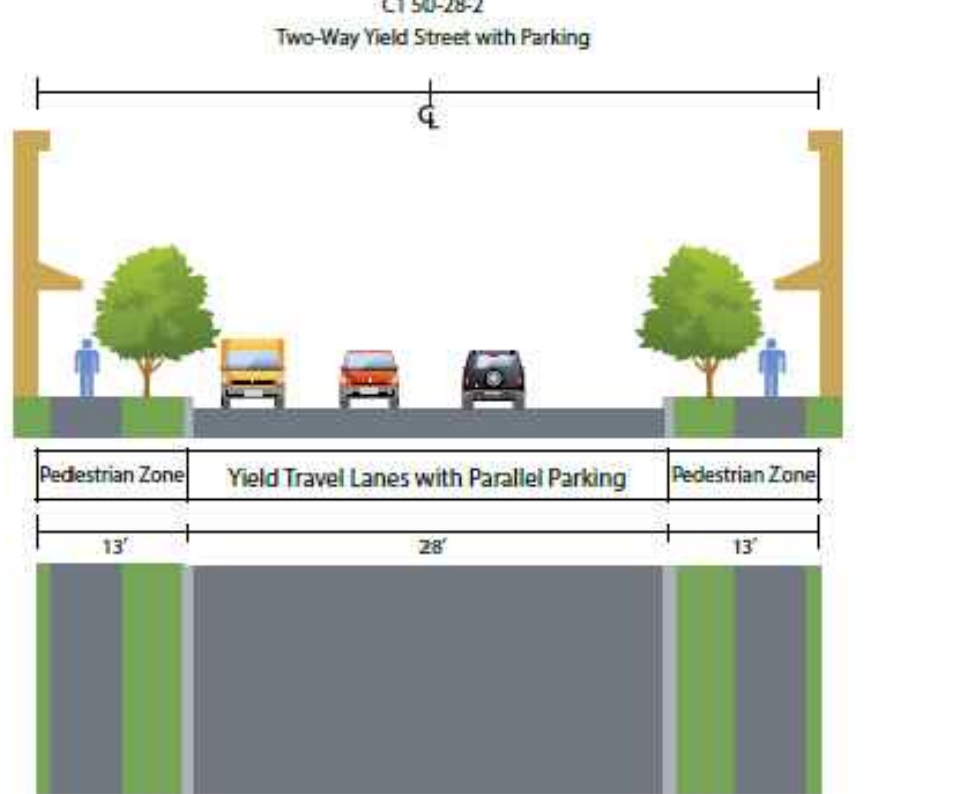
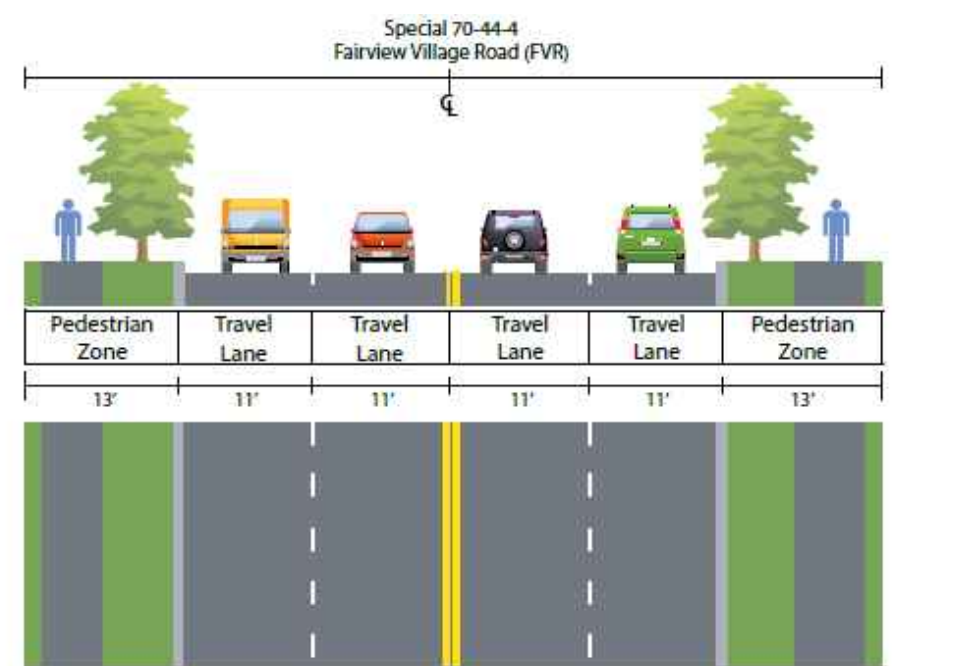
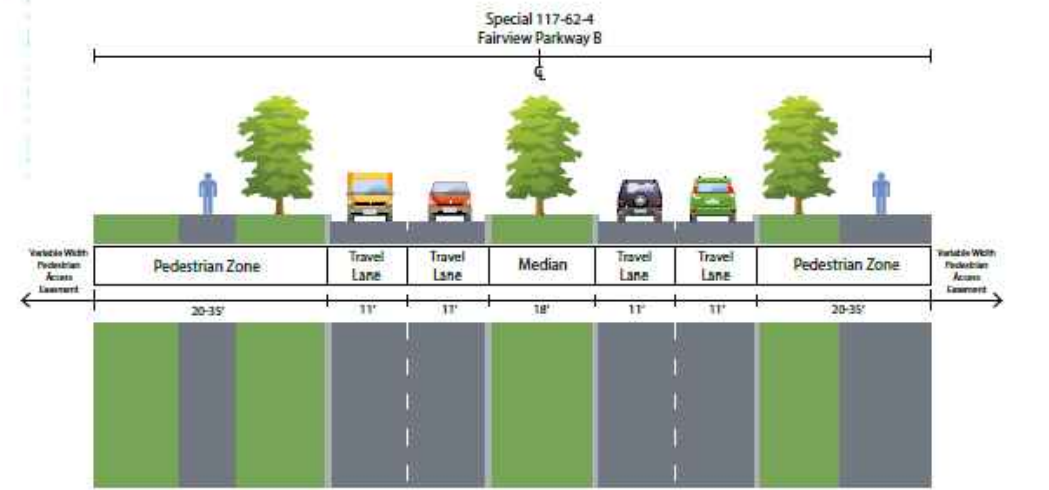
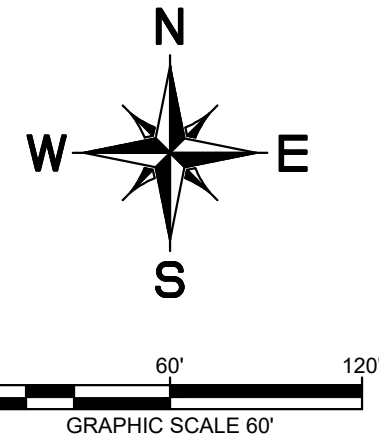


CALLLED 6.951 ACRES  
GEORGE PHILLIPS SURVEY  
ABSTRACT A0701  
ZONED: CPDD URBAN VILLAGE



LOT 1R, BLOCK A NORTH ADDITION  
VOL. 2008, PG. 198 M.R.C.C.T.  
ZONED: CPDD URBAN VILLAGE

LOT 3R, BLOCK A NORTH ADDITION  
VOL. 2008, PG. 198 M.R.C.C.T.  
ZONED: CPDD URBAN VILLAGE



### REGULATING PLAN

#### FOR FAIRVIEW TOWNHOMES

104 RESIDENTIAL UNITS / 18 OPEN SPACES  
BEING 15.253 ACRES

OUT OF THE  
GEORGE PHILLIPS SURVEY, ABSTRACT NO. A0701 TRACT 6, &  
CROSSROADS AT FAIRVIEW BLOCK A LOTS 1 & 2 (COLLIN COUNTY)

TOWN OF FAIRVIEW, COLLIN COUNTY, TEXAS

#### OWNER/DEVELOPER:

Range Water Development, LLC  
3235 Douglas Avenue, Suite 1320  
Dallas, TX 75225  
Tel: (972) 619-9304  
Contact: Justin Cooley

#### ENGINEER/SURVEYOR:

**Kimley»Horn**  
6160 Warren Parkway, Suite 210  
Frisco, TX 75034  
Tel: (972) 335-3580  
Contact: MICHAEL R. MOLGE, P.E.

DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.
MRM	DDV	MRM	AS SHOWN	SEPT 2021	063256700