



Memorandum

June 13, 2024

TO: Planning and Zoning Commission
Julie Couch, Town Manager

FROM: Israel Roberts, AICP
Planning Manager

SUBJECT: FINAL PLAT FOR THE ORR ROAD ESTATES ADDITION (REVISED)

BACKGROUND: This is a request for approval of a Final Plat of the Orr Road Estates Addition. The 19.7-acre tract of land contains six (6) residential lots, is located at the southwest corner of Orr Road (FM 317) and Stacy Road, and is zoned for the (RE-2) Two-acre Ranch Estate District. Applicant: Michael Westfall, Westfall Engineering, representing owners Brian and Janna Jarvis.

STATUS OF ISSUE: The proposed Final plat reflects the development of six (6) single-family lots. All lots will have direct access to Orr Road (FM 317).

The (RE-2) Two-acre Ranch Estate District requires that each lot be a minimum of two-acres in area, have access to a street, and be a minimum of 200-foot width. All lots meet those criteria.

In the State of Texas, the plat application process is a ministerial process, meaning that if the plat application conforms to the zoning for the subject property, as well as the subdivision and development regulations, the municipal government must approve the plat.

Parks, Open Space and Trails

As part of the standard development process for a new single-family subdivision, the Comprehensive Subdivision Ordinance (CSO) requires the payment of a Parkland Dedication fee. The fee is a fixed amount of \$2,000 per lot. For a six (6) lot single-family subdivision, the fee would be \$12,000.

However, the code also allows the acceptance of land when strategically appropriate. In this case, due to the location of the development, and in accordance with the Park Master Plan, the plat reflects a 30-foot wide tract of land (Lot 1X) that will be dedicated to the Town of Fairview. The

land, matches the width of parkland that was dedicated from the Remington Park Addition to the west (shown as Lot 3X – Remington Park) and provides the accessibility to extend a trail from Beaver Run Park to Orr Road (and eventually to the Trinity Hiking and Equestrian Trail along Lake Lavon). The Plat also reflects the dedication of a 15' feet wide trail easement along Orr Road. This was accepted instead of the Parkland Dedication fee with the approval of the Preliminary plat by Town Council.

Under the new Subdivision Ordinance, a Park Development fee of \$2,000 will also be assessed with the issuance of a building permit each home.

Drainage

The owner has included language in both the Deed Restrictions and the Final Plat that requires the lot owners to accept upstream stormwater flows, to release the flows downstream where they are currently being released, and to remove any responsibility of the town for stormwater maintenance on the lots. This is acceptable to town staff and will provide the necessary responsibilities to the new lot owners.

RECOMMENDATION: Staff recommends **APPROVAL** as presented.

BUDGET: N/A

ATTACHMENTS:

- Locator
- Exhibits



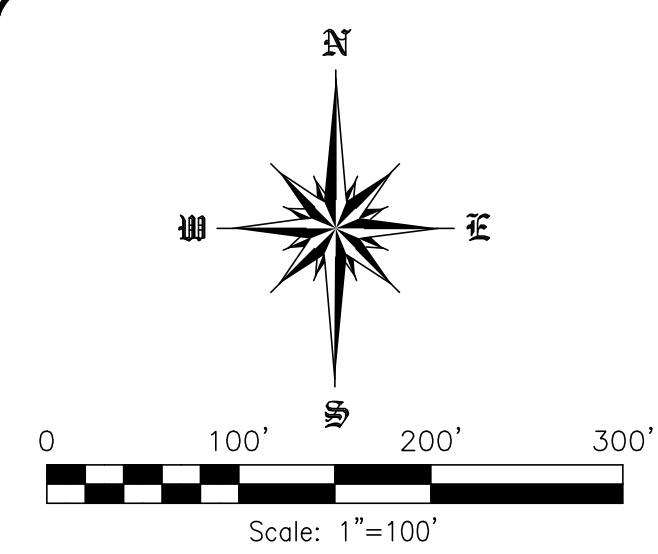
Stacy Rd

Bonham Blvd

Remington Park
Remington Ct

Orr Rd

Subject Site

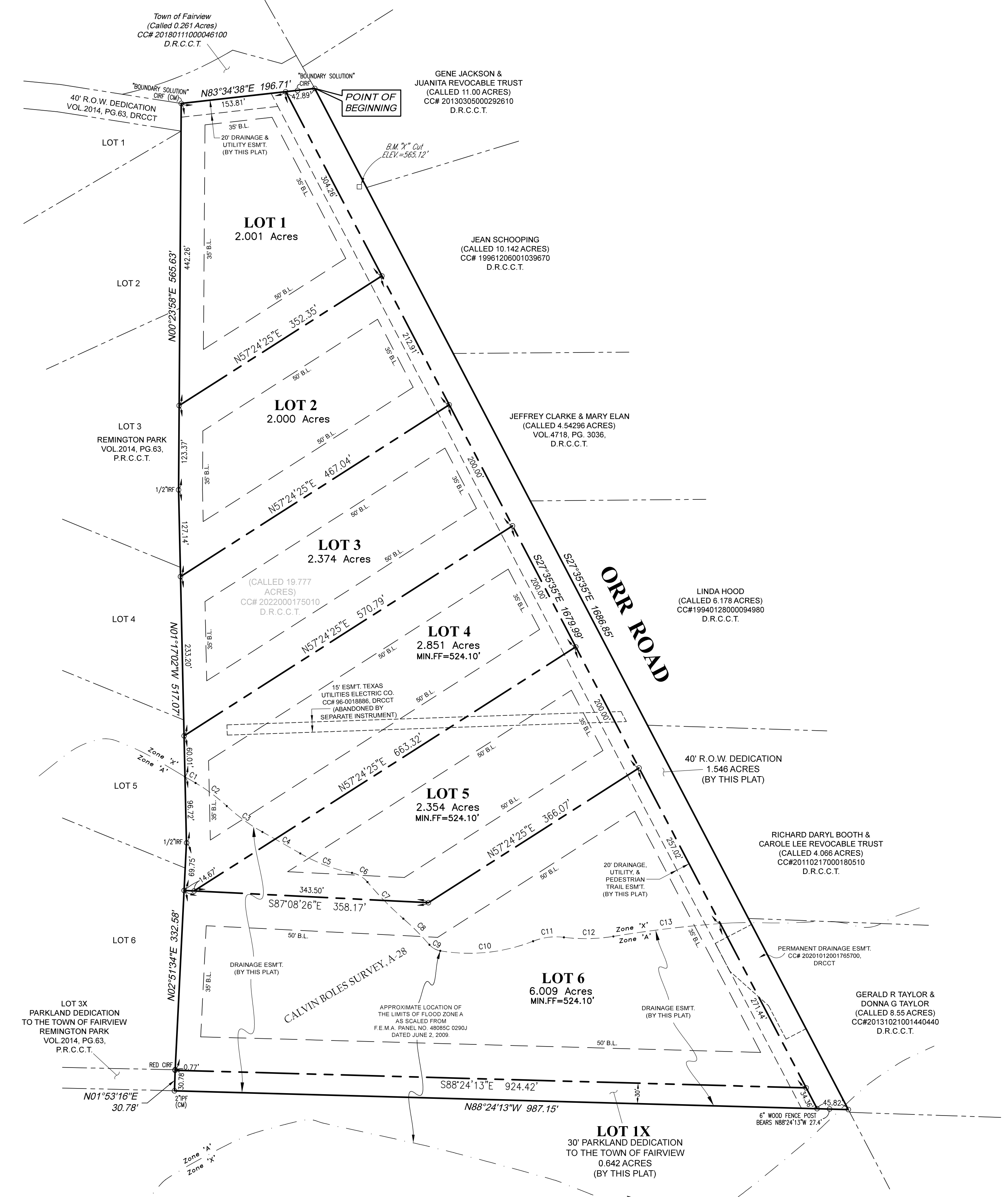
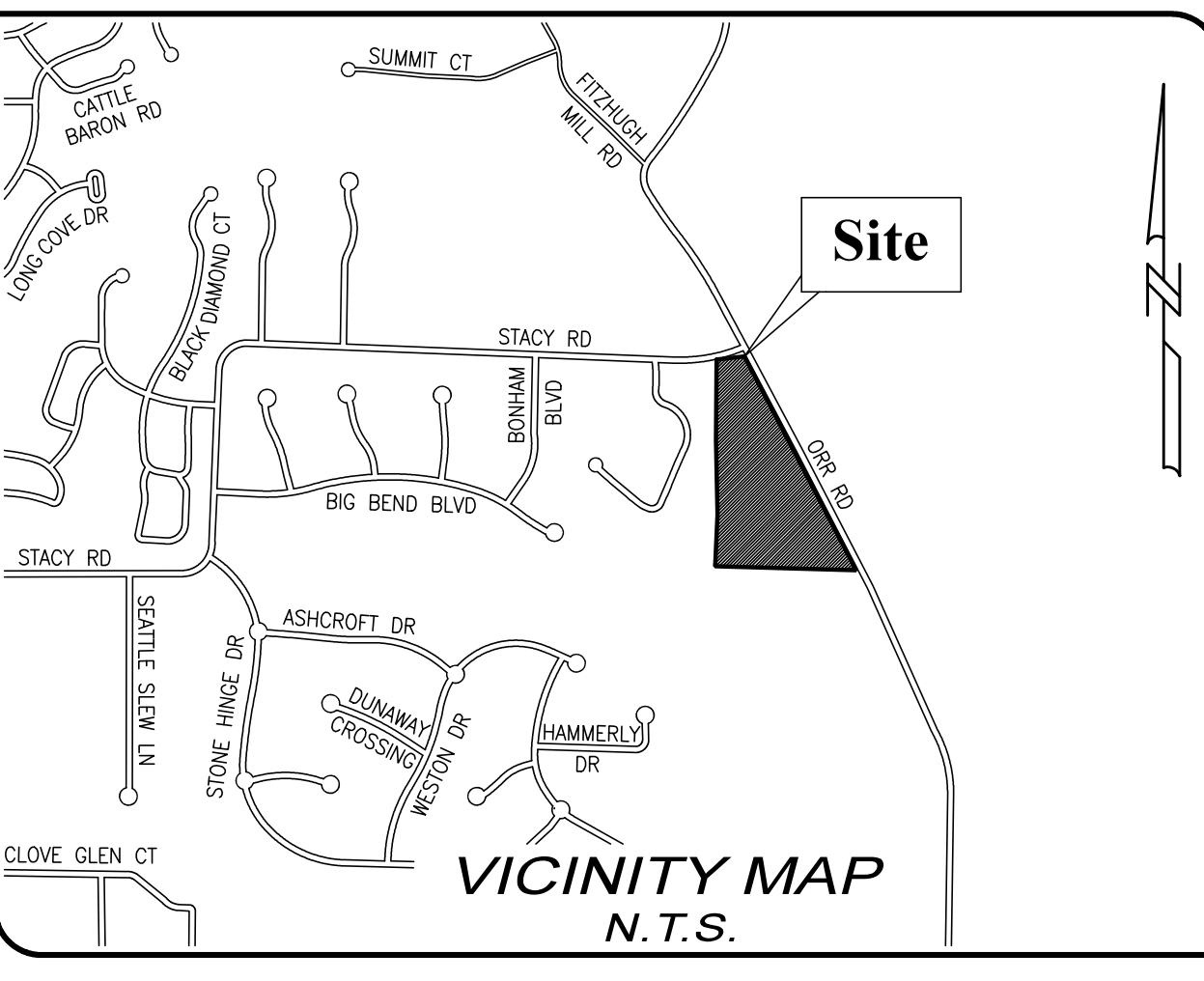


LEGEND

P.R.C.C.T.	= PLAT RECORDS COLLIN COUNTY TEXAS
D.R.C.C.T.	= DEED RECORDS COLLIN COUNTY TEXAS
ESMT	= EASEMENT
VOL.	= VOLUME
PG.	= PAGE
CM.	= CONTROLLING MONUMENT
CRIF.	= CAPPED IRON ROD FOUND
IRF.	= IRON ROD FOUND
IPF.	= IRON PIPE FOUND
RCIRS.	= ROOME CAPPED IRON ROD SET
R.O.W.	= RIGHT-OF-WAY

DRAINAGE EASEMENT

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	117.90	2261.91	127.12°	S59°50'54"E	17.90
C2	56.92	250.13	13°02'22"	S53°33'19"E	56.80
C3	64.66	267.18	13°52'00"	S53°58'08"E	64.51
C4	63.81	3851.43	0°56'51"	S67°24'40"E	63.81
C5	81.24	245.74	18°56'55"	S69°53'28"E	80.88
C6	26.81	39.32	39°03'52"	S59°21'49"E	26.29
C7	75.11	468.52	9°11'09"	S44°25'27"E	75.03
C8	54.15	386.20	18°02'02"	S45°02'01"E	54.11
C9	18.55	27.02	39°20'11"	S60°39'05"E	18.19
C10	138.34	253.97	31°12'35"	N84°04'32"E	136.64
C11	45.92	91.54	28°44'32"	N82°50'31"E	45.44
C12	72.70	291.34	16°34'19"	N89°55'31"E	72.44
C13	157.83	1799.02	5°01'36"	N83°09'07"E	157.78



NOTES

- A PART OF THE SUBJECT PROPERTY IS SHOWN TO LIE WITHIN A SPECIAL FLOOD HAZARD AREA INUNDATED BY 100-YEAR FLOOD PER MAP NO. 48085C0290J OF THE F.E.M.A. FLOOD INSURANCE RATE MAPS FOR COLLIN COUNTY, TEXAS AND INCORPORATED AREAS, DATED JUNE 2, 2009 (ZONE A);
- SOURCE BEARING PER DEED AS RECORDED UNDER INST. NO. 2022000175010 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS.
- EASEMENTS SHOWN ARE FROM A TITLE COMMITMENT ISSUED BY FIDELITY NATIONAL TITLE AGENCY, INC., GF NO. FTDL-26-9000262400206N, EFFECTIVE FEBRUARY 22, 2024.
- SELLING OFF A PORTION OF THIS ADDITION BY METES AND BOUNDS DESCRIPTION WITHOUT A REPLAT BEING APPROVED BY THE TOWN OF FAIRVIEW IS A VIOLATION OF TOWN ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- IT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER TO PROVIDE A GRADING PLAN TO THE TOWN OF FAIRVIEW AT THE TIME OF BUILDING PERMIT SUBMITTAL.
- THE INTENT FOR ALL LOTS IS TO KEEP NATURAL DRAINAGE PATTERNS, EACH LOT OWNER ACKNOWLEDGES OFFSITE WATER COMING ON TO THEIR PROPERTY, AND WILL ACCEPT THIS WATER AND DISCHARGE IT IN THE SAME DOWNSTREAM LOCATION.
- EACH LOT OWNER IS RESPONSIBLE FOR CONVEYANCE OF OFFSITE STORM WATER THROUGH THEIR PROPERTY, AND IS RESPONSIBLE FOR MAINTENANCE OF THE CONVEYANCE SYSTEM (PIPE, DITCH, ETC.).
- THE TOWN OF FAIRVIEW WILL NOT BE RESPONSIBLE FOR ANY STORM WATER MAINTENANCE.

DEDICATION STATEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

That Brian S. Jarvis and Janna L. Jarvis, acting herein by and through its duly-authorized officers, do hereby adopt this plat designating the herein above-described property as **Orr Road Estates Lots 1-6 & Lot 1X, Block A**, an addition to the Town of Fairview, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys, and public use areas shown hereon and does hereby dedicate the easements shown on the plat for the purposes indicated to the public use forever, said dedications being free and clear of all liens and encumbrances, except as shown herein.

No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon, over, or across the right-of-ways or easements on said plat without Town of Fairview permission. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to the public's and Town of Fairview's use thereof.

The Town of Fairview and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements. The Town of Fairview or any public utility shall at all times have the right of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

Brian S. Jarvis and Janna L. Jarvis, does hereby bind itself, its successors and assigns to forever warrant and defend, all and singular, the above-described streets, alleys, easements and rights unto the public, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This plat approved subject to all plotting ordinances, rules, regulations and resolutions of the Town of Fairview.

WITNESS MY HAND THIS _____ DAY OF _____, 2024.

Brian S. Jarvis (Owner) _____ Janna L. Jarvis (Owner) _____

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared **Brian S. Jarvis**, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that the same was executed for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2024.

Notary Public in and for
The State of Texas

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared **Janna L. Jarvis**, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that the same was executed for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2024.

Notary Public in and for
The State of Texas

APPROVAL CERTIFICATE

APPROVED _____ 2024.
Planning & Zoning Commission

By: _____
Chairperson, Planning and Zoning Commission
Town of Fairview, Texas

APPROVED _____ 2024.
Town Council, Town of Fairview, Texas

By: _____
Mayor, Town of Fairview, Texas

The undersigned, the Town Secretary of the Town of Fairview, Texas, hereby certifies that the foregoing plat of **Orr Road Estates Lots 1-6 & Lot 1X, Block A**, was submitted to the Town Council on the _____ day of _____, 2024, and the Council, by formal action, then and there approved the plat and authorized the Mayor to note such approval by signing his/her name as hereinabove subscribed to which I hereby attest.

Witness my hand this the _____ day of _____, 2024.

Town Secretary
Town of Fairview, Texas

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS Brian S. Jarvis and Janna L. Jarvis are the owners of a tract of land situated in the State of Texas, County of Collin and Town of Fairview, being a part of the Calvin Boles Survey, Abstract No. 28, being all of a called 19.777 acre tract of land as recorded under County Clerk's No. 2022000175010 of the Deed Records of Collin County, Texas, with said premises being more particularly described as follows:

BEGINNING at a point in the approximate center of Orr Road, same being in the west line of a called 11.00 acre tract of land as recorded under County Clerk's No. 20130305000292610 of the Deed Records of Collin County, Texas, marking the southeast corner of a called 0.261 acre tract of land to the Town of Fairview as recorded under County Clerk's No. 2018011000048100 of the Deed Records of Collin County, Texas, some being the northeast corner of said 19.777 acre tract and the herein described premises;

THENCE with the approximate center of Orr Road, the west line of said 11.00 acre tract, the west line of a called 10.142 acre tract of land as recorded under County Clerk No. 19961206001039670 of the Deed Records of Collin County, Texas, the west line of a called 4.54296 acre tract of land as recorded in Volume 4716, Page 3036 of the Deed Records of Collin County, Texas, the west line of a called 6.178 acre tract of land as recorded under County Clerk's No. 1994012800094980 of the Deed Records of Collin County, Texas, the west line of a called 4.066 acre tract of land as recorded under County Clerk's No. 20110217000180510 of the Deed Records of Collin County, Texas, the west line of a called 8.55 acre tract of land as recorded under County Clerk's No. 20131021001440440 of the Deed Records of Collin County, Texas, and the east line of said 19.777 acre tract, South 27°35'35" East, 1,686.85 feet to a point in the north line of a called 99.24 acre tract of land as recorded under County Clerk's No. 20121128001515930 of the Deed Records of Collin County, Texas, marking the southeast corner of said 19.777 acre tract and said premises;

THENCE with the north line of said 99.24 acre tract and the south line of said 19.777 acre tract, North 88°24'13" West, 987.15 feet to a 2" iron pipe found marking the southeast corner of Remington Park as recorded in Volume 2014, Page 63 of the Plat Records of Collin County, Texas, the southwest corner of said 19.777 and said premises;

THENCE with the east line of said Remington Park and the west line of said 19.777 acre tract as follows: North 01°53'16" East, 30.78 feet to a "Red" capped iron rod found for angle break; North 02°51'34" East, 332.58 feet to a 1/2" iron rod found for angle break; North 01°17'02" West, 517.07 feet to a 1/2" iron rod found for angle break; North 00°23'58" East, 565.63 feet to a "Boundary Solution" capped iron rod found in the south line of the aforementioned 0.261 acre tract, marking the northeast corner of a 40 foot right-of-way dedication as recorded in Volume 2014, Page 63 of the Deed Records of Collin County, Texas, the northwest corner of said 19.777 acre tract and said premises;

THENCE with the south line of said 0.261 acre tract and the north line of said 19.777 acre tract, North 83°34'38" East, 196.71 feet to the place of beginning and containing 19.777 gross acres of land, of which 1.546 acres is dedicated for right-of-way for Orr Road, leaving 18.231 net acres of land.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

THAT I, F. E. Bemenderfer Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the Town of Fairview, Texas.

NOT FOR RECORDING

F. E. Bemenderfer Jr.
Registered Professional Land
Surveyor No. 4051

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared F. E. Bemenderfer Jr., known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that the same was executed for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2024.

Notary Public in and for
The State of Texas

**Final Plat
Orr Road Estates
Lots 1-6 & Lot 1X, Block A
19.777 Gross Acres
18.231 Net Acres
Calvin Boles Survey, Abstract No. 28
Town of Fairview, Collin County, Texas
May 2024**

Submittal: May 13, 2024

Owner: Brian S. Jarvis & Janna L. Jarvis
701 Cimarron Ct
Argyle, Tx 76226
(469) 387-6548
Brian Jarvis
bj Jarvis@andrewslogistics.com

Engineer:
Westfall Engineering
1719 Angel Parkway
Tx, Allen 75002
(817) 657-4759
Attn: Heath Voyles
heath@westfallengineering.com

Surveyor:
Roome Land Surveying
2000 Ave G, Suite 810
Plano, Tx 75074
(972) 423-4372
Attn: Fred Bemenderfer
fredb@roomeinc.com

Roome Land Surveying
2000 Avenue G, Suite 810
Plano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roomesurveying.com / Firm No. 10013100