



Memorandum

January 10, 2019

TO: Planning and Zoning Commission
Julie Couch, Town Manager

FROM: Israel Roberts, AICP
Planning Manager

SUBJECT: **REGULATING PLAN WITH BUILDING WITH MAJOR WARRANTS FOR
A CONVENIENCE STORE WITH GAS SALES**

BACKGROUND: This is a request for approval of a regulating plan (concept plan) with major warrants for a convenience store with gas sales. The site is generally located at the northwest corner of HWY 5 and Stacy Road and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village sub-district. Applicant: David Bond, Spiars Engineering representing Racetrac Petroleum, Inc. and owners Village FV, LTD.

The purpose of this application is to request approval of Major Warrants pertaining to site configuration, architectural standards and signage standards to accommodate the development of a 5,411 square foot convenience store with eight (8) double-sided gas pumps. The site will be accessed by a new driveway onto Stacy Road, and internally by a mutual access easement (Southwind) that already connects to HWY 5. The proposed canopy features masonry columns with a pitched roof design.

Although, the current version of the CPDD code requires a major warrant for a convenience store with gas pumps, in this case, the site has vested rights to the previous version of the CPDD code, which permitted a gas station by-right. Therefore, the proposed use is permitted and does not require major warrant approval. At the September 2018 meeting, the Town Council outlined the vested right status of the land and in coordination with the Fairview EDC and Village FV, LTD, approved a revision to the economic development agreement surrounding the mall area. This revision, which expires on February 15, 2019, removed the subject parcel from the agreement, allowing Fairview to collect 100% of sales tax revenue, from this parcel. This revision was unanimously approved by the Town Council in September 2018.

STATUS OF ISSUE: Consistent with the requirements of the updated CPDD code, the applicant has submitted a regulating plan (concept) for the proposed structure. 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 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, building standard and signage 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 50' ROW with street trees and parallel parking	As shown: Approx. 183' to building, 107' to canopy, no frontage, utilize existing ROW and easement network	<p>Applicant: The site is cornered by several large utility easements and structures that prevent it from meeting the build-to requirements. Primarily: a 50-foot wide ATMOS gas easement, high-pressure gas lines and transition structures, as well as a water tower with associated auxiliary structures.</p> <p>Moreover, the proposed convenience use for this site is not conducive to the intent behind the build-to requirements. Placing the building closer to the right-of-way would shield visibility to the fuel canopy. From both internal and external perspectives, canopy and site visibility is critical to the safe and efficient operation of the proposed use.</p> <p>Staff: 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, since the use is permitted "by-right" as a vested use under the old CPDD code, the applicant has strived to meet the intent of the new code for building design.</p>

2	Window Percentage (Sec. 3.7.6.c.2.iv)	60%-80%	North/West: 0% East: 9% South: 17%	<p>Applicant: East: This elevation contains a patio and exterior seating for guests. Transparent windows on this elevation would grant visibility into the bathrooms and storage rooms of the building. In order to prevent these less-than-desirable views, but also in an effort to provide some glazing on this elevation, small amounts of faux-windows have been provided.</p> <p>West: This elevation will not be facing a public roadway. Additionally, this elevation will be screened by proposed trees, shrubs, and large brick dumpster enclosure.</p> <p>North: Heavy landscaping is being provided to screen views to the north elevation.</p> <p>South: In an effort to try and meet the intent of the requirement, additional glazing has been provided above what is prototypically provided on RaceTrac's building.</p> <p>Staff: To mitigate the reduction in window glazing, the application was provided extensive landscaping on the north and west sides of the side. In a typical urban form-based code setting, these buildings area would be anchored by a pedestrian activity. The north side will only be used by employees and service personnel. The design focuses the decorative architectural features along the south and east sides that correspond with customer access.</p>
3	Canopy	Min 75%	North: 24% South 56% West: 0%	<p>Applicant: East: RaceTrac's proposed outdoor patio and seating are on this elevation. RaceTrac has provided a roofed-patio.</p> <p>West: While no awnings are provided on this elevation, additional façade rhythm elements above what are present on RaceTrac's prototypical building have been provided.</p> <p>North: While few awnings are provided on this elevation, additional façade rhythm elements above what are present on RaceTrac's prototypical building have been provided.</p> <p>South: The awnings that are provided on this elevation fit in with the aesthetic design of the building. Additional awnings would look out-of-place and, in RaceTrac's opinion, become detrimental to the overall look of the building.</p> <p>Staff: The intent of the canopy regulation is to provide covered walkway for pedestrians in an urban style setting. In this case, the north elevation corresponds with the utility, coolers, and kitchen area of the interior, and with no parking on this side of the building, no</p>

				customers will be present. There is a sidewalk on the west side of the building, therefore, canopies should be present.
4	Signage (Sec. 6.4.10)	Electronic box sign, 9 feet tall 75 square feet	Internally lit 20 feet tall 100 square feet	<p>Applicant: A proposed Fairview Town Center (FTC) sign is being located at the intersection of Stacy and Greenville – by the request of the Town. The proposed location of this FTC sign was the preferred location for RaceTrac’s original proposed monument sign (8’ tall).</p> <p>In order to mitigate the visibility concerns resulting from this FTC sign, water tower, gas line infrastructure, and miscellaneous fencing, RaceTrac is proposing a 20’ tall monument sign.</p> <p>The sign will be composed of a large brick base with a sign cabinet on top. In order to screen the large expanse of brick base, additional landscaping is being provided around the sign.</p> <p>Finally, the proposed location of RaceTrac’s monument sign is setback approximately 180’ from the visible roadway.</p> <p>Staff: As a condition of approval of the revision of the agreement with the center, the Project and Town identity sign must be installed before a Certificate of Occupancy can be issued for this gas station. The Project and Town Identity Sign was approved as part of the Master Sign Plan by the new owners of the mall area, in 2017</p>

Public Input

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

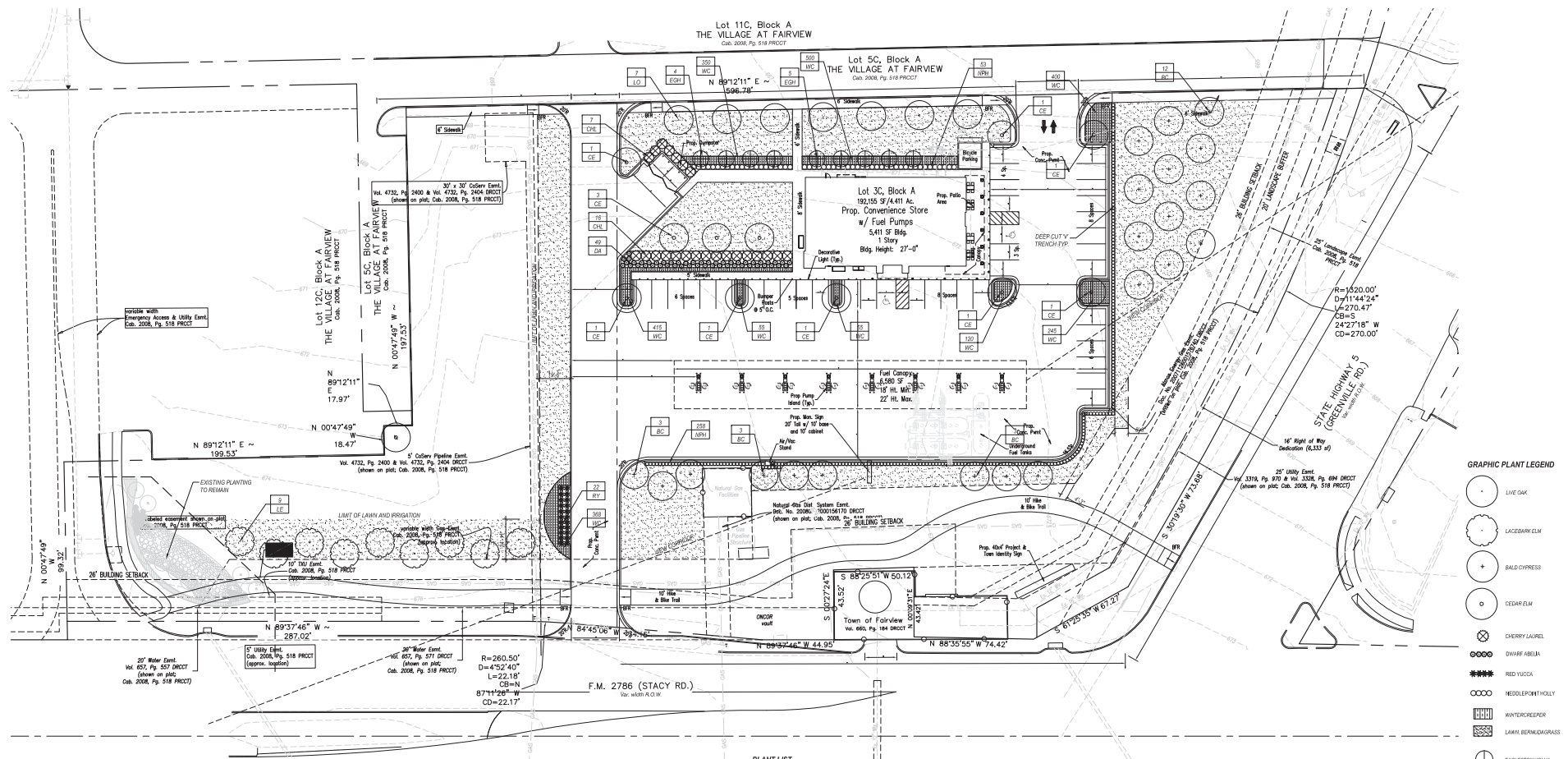
RECOMMENDATION: Staff recommends **APPROVAL** of the subject major warrants subject to the following conditions:

1. Site and canopy shall be development generally in accordance with the attached regulating plan exhibits including the following:
 - a. Covered seating area on the east side shall be extended to the front of the building around the southeast corner.
 - b. Faux or translucent (spandrel) windows with matching canopies shall be installed on the western façade.
 - c. Pump Canopy shall include:
 - i. Pitched roof design
 - ii. Masonry columns
 - iii. Recessed lighting
 - iv. Color pallet as presented
 - d. Outdoor storage and/or display of merchandise shall be prohibited.

ATTACHMENTS:

- Locator
- Exhibits
 - Concept Site Plan
 - Concept Landscape Plan
 - Concept Elevations
 - Concept Renderings
 - Concept Signage





GRAPHIC PLANT LEGEND

- LIVE OAK
- LACINIAE PALM
- BALD CYPRESS
- CEDAR ELM
- CHERRY LAUREL
- DWARF ABELIA
- RED YUCCA
- NEEDLEPOINT HOLLY
- WINTER KEEPER
- LAWN BERMUDAGRASS
- EARLESTON HOLLY

SOLID SOD NOTES

- Five grade areas to achieve final contours indicated. Leave areas to receive approx. 3" below first desired grade in planting areas and 1" below first grade in lot areas.
- 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 pond.
- All lawn areas to receive sod and shall be left in a maximum of 1" below first finish grade. Contractor to coordinate operations with on-site Construction Manager.
- Contractor to coordinate with on-site Construction Manager for availability of existing sod.
- Plant and use by hand to cover indicated areas completely. Leave edges of sod are bucking. Top dress points by hand with topsoil to fill voids.
- Roll grass areas to achieve a smooth, even surface, free from undulations.
- Water sod thoroughly as sod operation progresses.
- Contractor shall maintain all lawn areas until final acceptance. This shall include, but not be limited to: mowing, watering, weeding, cultivating, clearing and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
- Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.

LANDSCAPE NOTES

- Contractor shall verify all existing and proposed site elements and verify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
- Contractor shall locate all existing underground utilities and verify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
- Contractor is responsible for obtaining all required landscape and irrigation permits.
- Contractor to provide a minimum 25' slope away from all structures.
- All planting beds and lawn areas to be separated by V-TRENCH.
- All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
- All lawn areas to be Solid Sod Bermudagrass, unless otherwise noted on the drawings.

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, pruning, 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 the 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

QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
21	BC	Bald Cypress	Taxodium distichum	7'ok	consider grow, 12' ht., 5' spread min.
11	CE	Cedar Elm	Ulmus crinitus	7'ok	consider grow, 12' ht., 5' spread min.
9	LE	Live Oak	Ulmus parvifolia	7'ok	consider grow, 12' ht., 5' spread min.
7	LO	Live Oak	Quercus agrifolia	7'ok	consider grow, 12' ht., 5' spread min.
9	EGH	English Holly	Ilex americana 'Engelstori'	10' ht.	consider grow, tree form, matching

SHRUBS

QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
23	CHL	Cherry Laurel 'Tight Bright'	Prunus caroliniana 'Tight Bright'	9'ht.	consider grow, full plant specimen
48	DA	David's Holly 'Star Gold'	Ilex cornuta 'Star Gold'	5'glt.	consider grow, full plant specimen
311	NPH	Needlepoint Holly	Ilex cornuta 'Needlepoint'	5'glt.	consider grow, full plant specimen
22	RY	Red Yucca 'Sculptural'	Hesperaloe parviflora	5'glt.	consider grow, full plant specimen

DWYMEBERS

QTY.	TYPE	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
2508	WVC	Common Bermudagrass	Echinochloa crus-galli	4" pos	consider, (3) 12" runners min. 12" x 6"
		Common Bermudagrass	Cynodon dactylon	4" pos	solid soil, refer to notes

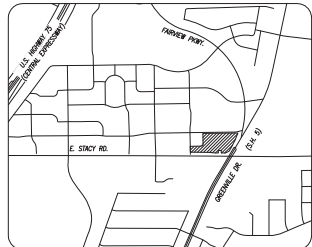
NOTE: Plant list is an estimate only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed standards as indicated. All trees to have straight trunks and be matching within varieties.

SITE DATA

Proposed Use	Lot Area	Building Area	Canopy Height	Canopy Building Area	Lot Coverage	Floor Area Ratio	Open Space Required (10%)	Open Space Provided
CPDD (Commercial Planned Development District)	4.411 Ac. (192,155 Sq. Ft.)	5,411 Sq. Ft. Total	1 Story, 27' Max.	8,774 Sq. Ft. Total	14,185 Sq. Ft. Total	0.071	19,218 Sq. Ft.	36,690 Sq. Ft.

LOT 3C, BLOCK A

Proposed Use	Lot Area	Building Area	Canopy Height	Canopy Building Area	Lot Coverage	Floor Area Ratio	Open Space Required (10%)	Open Space Provided
CPDD (Commercial Planned Development District)	4.411 Ac. (192,155 Sq. Ft.)	5,411 Sq. Ft. Total	1 Story, 27' Max.	8,774 Sq. Ft. Total	14,185 Sq. Ft. Total	0.071	19,218 Sq. Ft.	36,690 Sq. Ft.



LOCATION MAP
1" = 100'



01 LANDSCAPE PLAN

SCALE: 1" = 30'-0"



SITE PLAN VILLAGE AT FAIRVIEW ADDITION LOT 3C, BLOCK A - 4.411 Acres J. TAYLOR SURVEY - ABST. 909 IN THE CITY OF FAIRVIEW, COLLIN COUNTY, TEXAS

smr
landscape architects, inc.
1714 L. 6th Street
Dallas, Texas 75202
Tel: 214.271.0268
Fax: 214.271.0266
Email: j.taylor@smr.com

OWNER
Fairview P.V. Ltd.
2000 McKinney Ave, Suite 1000
Dallas, TX 75201

APPLICANT
RaceTrac Petroleum, Inc.
3225 Cumberland Blvd. Suite 100
Atlanta, GA 30339
Telephone: (770) 431-7900
Contact: Andrew Malzer

ENGINEER/SURVEYOR
Sparks Engineering, Inc.
1800 E. 11th Street
P.O. Box 12121
Plano, TX 75075
Telephone: (972) 422-0077
Contact: David Bond

December 20, 2018 December 5, 2018
Scale: 1"=30' October 9, 2018 SEI Job No. 17-136

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DESIGN PROFESSIONALS



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ISSUE/REVISION RECORD

DATE	DESCRIPTION
12/04/18	PRELIMINARY SUBMITTAL
07/07/19	PRELIMINARY SUBMITTAL

RaceTrac.
RACETRAC PETROLEUM, INC.
200 GALLERIA PARKWAY SOUTHEAST
SUITE 500
ATLANTA, GEORGIA 30338
(770) 421-7600

PROJECT NAME

FAIRVIEW

FAIRVIEW, TX
NWC STACY RD @
GREENVILLE DR.
FAIRVIEW, TX

RACETRAC STORE NUMBER

#1346

PROTOTYPE SERIES 5.5K 2.0

2018 RH MO 0310

PLAN MODIFICATION NOTICE

SPB NO. 0310 DATE 11/09/18

STANDARD PLAN BULLETIN (SPB) HOLDS THE
PROTOTYPE SERIES SET NOTED ABOVE. THE
LISTED SPB REPRESENTS THE LATEST
MODIFICATION INCORPORATED TO THIS
PROTOTYPE SERIES SET AT ORIGINAL RELEASE.
THE ISSUE/REVISION RECORD COLUMN ABOVE
LISTS ANY REVISIONS OR SPB INCORPORATED IN
THIS SET AFTER THE ORIGINAL RELEASE.
CONTACT RACETRAC ENGINEERING AND
CONSTRUCTION FOR ANY SUBSEQUENT
BULLETIN NOT INCORPORATED HEREIN.

PROFESSIONAL SEAL



PROJECT NUMBER
18,725.00

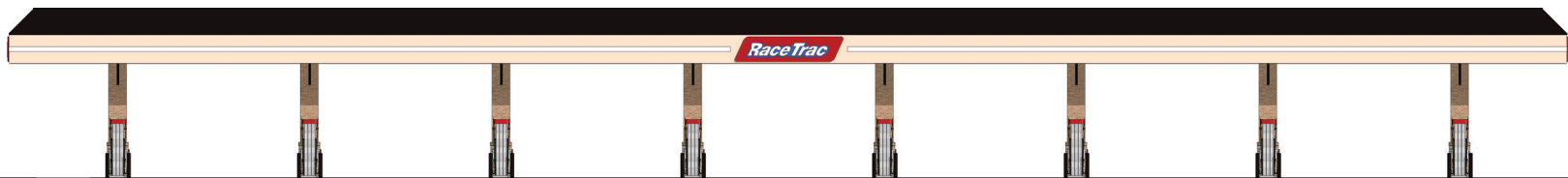
SHEET TITLE

**FUEL CANOPY
ELEVATIONS**

SHEET NUMBER

C100

PRELIMINARY SUBMITTAL



2 CANOPY FRONT ELEVATION
1/8" = 1'-0"



1 CANOPY ELEVATION
1/8" = 1'-0"



FUEL CANOPY FINISH SCHEDULE			
ID	MANUF.	MATERIAL	COMMENTS
FASCIA			
RED			REFER TO SPECIFICATION CHART ON SHEET C100
WHITE			8" WHITE STRIPE
PAINT			
EXT	SHERWIN WILLIAMS	EXTERIOR PAINT TO SW #7020 BLACK FOX	
STANDARD CANOPY FASCIA COLOR SPECIFICATION CHART			
COLOR CALLOUT	CANOPY MANUFACTURER	STANDARD COLOR SPECIFICATION	
"TAN"	LANE CANOPIES	ETT TAN FASCIA	
	MCGEE CANOPIES	ETT TAN FASCIA	
	MADISON CANOPIES	PUEBLO TAN FASCIA	
"RED"	LANE CANOPIES	TRD RED FASCIA	
	MCGEE CANOPIES	TRD RED FASCIA - PROGRAM RED	
	MADISON CANOPIES	PROGRAM RED FASCIA	



FAIRVIEW

RACETRAC #1346
NWC STACY RD. @ GREENVILLE DR.
FAIRVIEW, TEXAS





FAIRVIEW

RACETRAC #1346
NWC STACY RD. @ GREENVILLE DR.
FAIRVIEW, TEXAS





FAIRVIEW

RACETRAC #1346
NWC STACY RD. @ GREENVILLE DR.
FAIRVIEW, TEXAS





FAIRVIEW

RACETRAC #1346
NWC STACY RD. @ GREENVILLE DR.
FAIRVIEW, TEXAS



V96 SqFt Price Sign - 36" & 20" LED - N-Variance Required

*All sign components to be UL listed. All wiring to conform to UL specifications. Installation to be per NEC requirements. All signs to bear UL labels

*FLEX FUEL PRODUCT PANEL: JUNE 1 TO SEPTEMBER 15TH, WE ARE REQUIRED TO DISPLAYED FLEX FUEL ON THE PRICE SIGNS

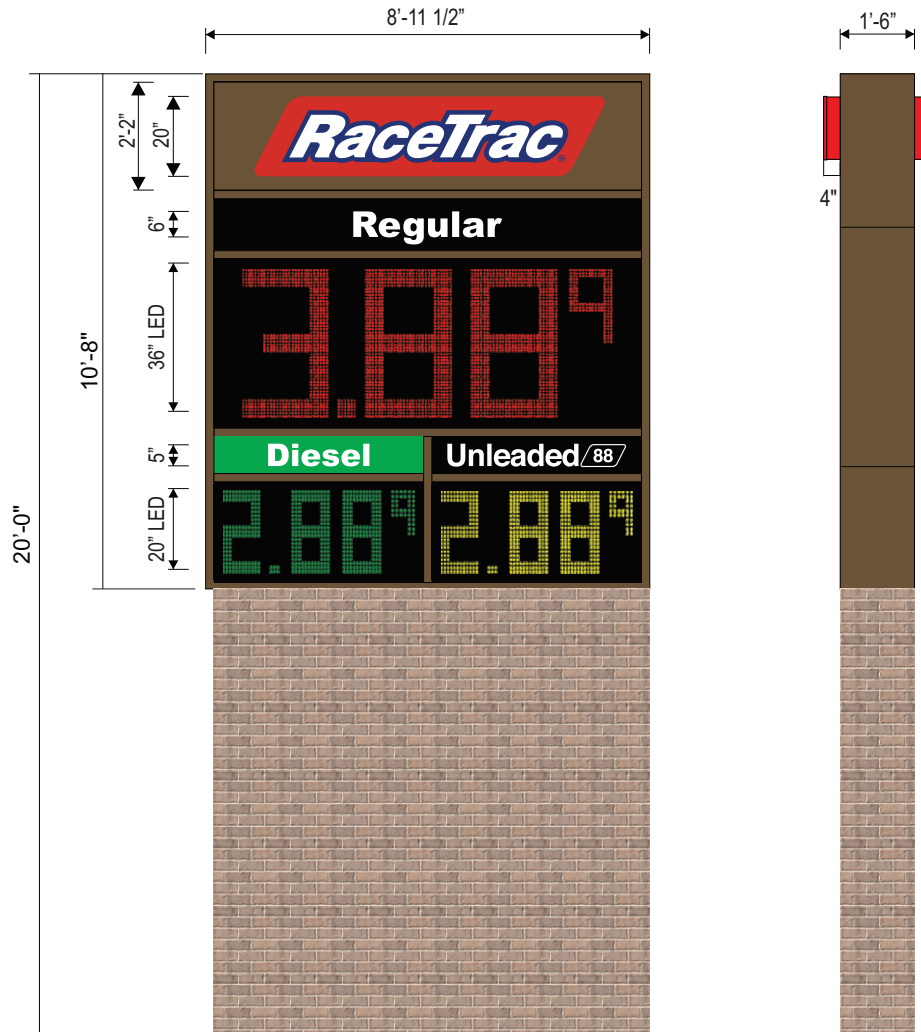
*PLEASE CONFIRM GRADES WITH SPM AND CPM BASED OFF OPENING DATES.

STAMPED, SEALED ENGINEERING REQUIRED

FOUNDATION INFORMATION PROVIDED BY RACETRAC. MANUFACTURER RESPONSIBLE FOR HAVING A LICENSED ENGINEER VALIDATE FOUNDATION DESIGN PRIOR TO INSTALL

DOUBLE FACED

QUANTITY 1



**Sloan Sign Box II
LED Interior Illumination**

Specifications:

Sign Faces:

- Logo panel: Aluminum panel painted Bronze C3 with parallelogram mounted to the surface. Parallelogram to be channel letter-type construction with .177" thick Polycarbonate face panels with 2nd surface applied translucent vinyl graphics. Parallelogram copy to be digital print provided by Miratec Systems with red background stripes and white border with blue area of logo graphic also printed. Cabinet and trim cap to be painted Red C1.
- Regular Unleaded Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied opaque vinyl Black C6; "Regular" to be show-through white.
- Diesel Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied translucent vinyl Green C7; "Diesel" to be show-through white.
- Unleaded 88 Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied opaque vinyl Black C6; "Unleaded 88" to be show-through white.

Interior Illumination: Sloan Sign Box II LED Interior Illumination powered by low voltage power supplies. This is behind fuel grade panels, only.

Sign Frame: 2" x 2" x .25" steel tube with .063 aluminum cladding painted Bronze C3.

Extruded aluminum 1-1/2" wide Divider Bars installed to retain sign panels. Face dividers and retainer to be painted painted Bronze C3.

Sign Support: Internal steel pipe support to be welded to steel saddle bracket at top and bottom of sign frame.

External steel sign support to meet building and local sign codes. Size of steel and footing as required per site requirements.

See Color Schedule on Page 2

