



Memorandum

July 8, 2021

TO: Planning and Zoning Commission
Julie Couch, Town Manager

FROM: Israel Roberts, AICP
Planning Manager

SUBJECT: **REGULATING PLAN WITH MAJOR WARRANTS FOR A DRIV-THRU RESTAURANT**

BACKGROUND: This is a request for approval of a regulating plan (concept plan) with major warrants for the proposed development of a restaurant with a drive-thru. The 1.3-acre site is generally located on the north side of Stacy Road, west of Highway 5 and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village Sub-district. Applicant: Karis Smith with Jones & Carter, representing Village FV LTD.

The purpose of this application is to request approval of Major Warrants pertaining to use, various site design and architectural standards to accommodate the development of a drive-thru restaurant facility for Salad and Go. The proposal reflects the development of a one-story (Minor Warrant) drive-thru fast-food facility. As proposed, this is a drive-thru facility only with no public entry into an indoor seating area, therefore no public main entry is provided, however, walk-up service is accommodated. The site design includes a main drive-thru lane on the west side with 20 stacking spaces, and a pre-order to-go pick-up lane on the east.

Both Stacy Road and Southwind Drive landscaped with the required number for street trees and parking lot screening shrubs as recommended by the code. The site exceeds the minimum number of parking spaces for this proposed development. The building design features a masonry and stucco façade, while providing for the tri-partite architecture and façade rhythm recommendations of the CPDD.

Due to the functional nature of this use and existing conditions, the applicants are requesting major warrants for various site, frontage, landscape and building design standards. Those warrant requests are summarized in the table below.

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	Comments
	Use: Restaurant with a drive-thru	Major Warrant	Drive-thru	The CPDD requires that any restaurant with a drive-thru only be permitted upon the approval of a Major Warrant. In this case, the applicant is requesting the warrant in order to permit the development of a drive-thru soft drink facility.
	Main entry accessibility	Main entry adjacent to street	No public entrance	The structure has no interior customer space, and consists on only kitchen and staff areas, thus there is no public entrance.
	Site, Street, Block Face and Landscape standards	BTZ 18-26' with 80% frontage Street and street-scape design	77' setback from Stacy Road/185' from Southwind; 0% frontage As exists	Within the CPDD, typical standards would require that 80+% of a building façade be located within a build-to-zone, have dedicated streets with on-street parking and landscape islands. As with other new developments around the mall area, there are a number for existing site constraints that were previously constructed with the development of the mall area, that make it impossible to meet those criteria. In this case, Southwind Drive, is not a dedicated ROW. It is privately maintained access easement with existing utilities and infrastructure with no parallel parking. Along Stacy Road, a number of existing easements, utilities and design features approved with the original development of the mall, prevent the building from being able to meet the Build-to-Zone and frontage requirements, in addition to providing the necessary looped drive for the drive-thru use.

	Window Percentage	60% - 80%	East - 1% West - 4% North - 0% South - 9%	The current requirement dictates windows should account for 60-80% of the façade on each side of the building. However, a warrant is being requested due to the type of development being proposed and the building use. As the business type is a drive-thru, the windows would not create an additional draw to the business or provide a more inviting atmosphere as the customer would merely see the inside of a food preparation area. The additional windows would also create difficulty for placement of the equipment required for operations.
	Canopy	Min. 75%	East - 67% West - 32% North - 36%	A warrant is being requested due to the type of development being proposed and the building use. Any of the sidewalk areas adjacent to the building that employees or customers would use are covered by proposed canopies.

Public Input

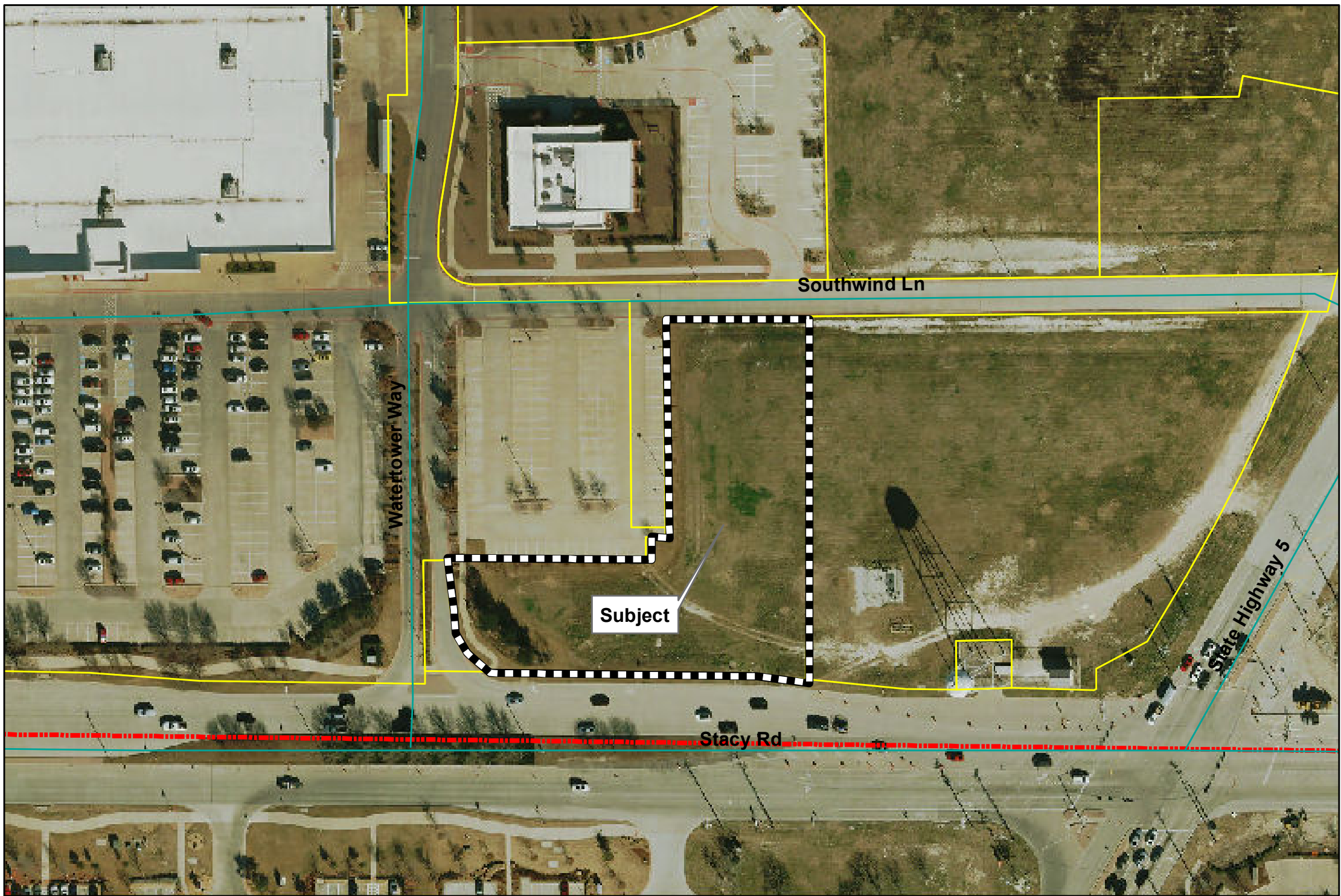
Staff notified 19 adjacent property owners within 500' of the subject properties in accordance with town and state requirements and, thus far, have not received any written feedback.

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

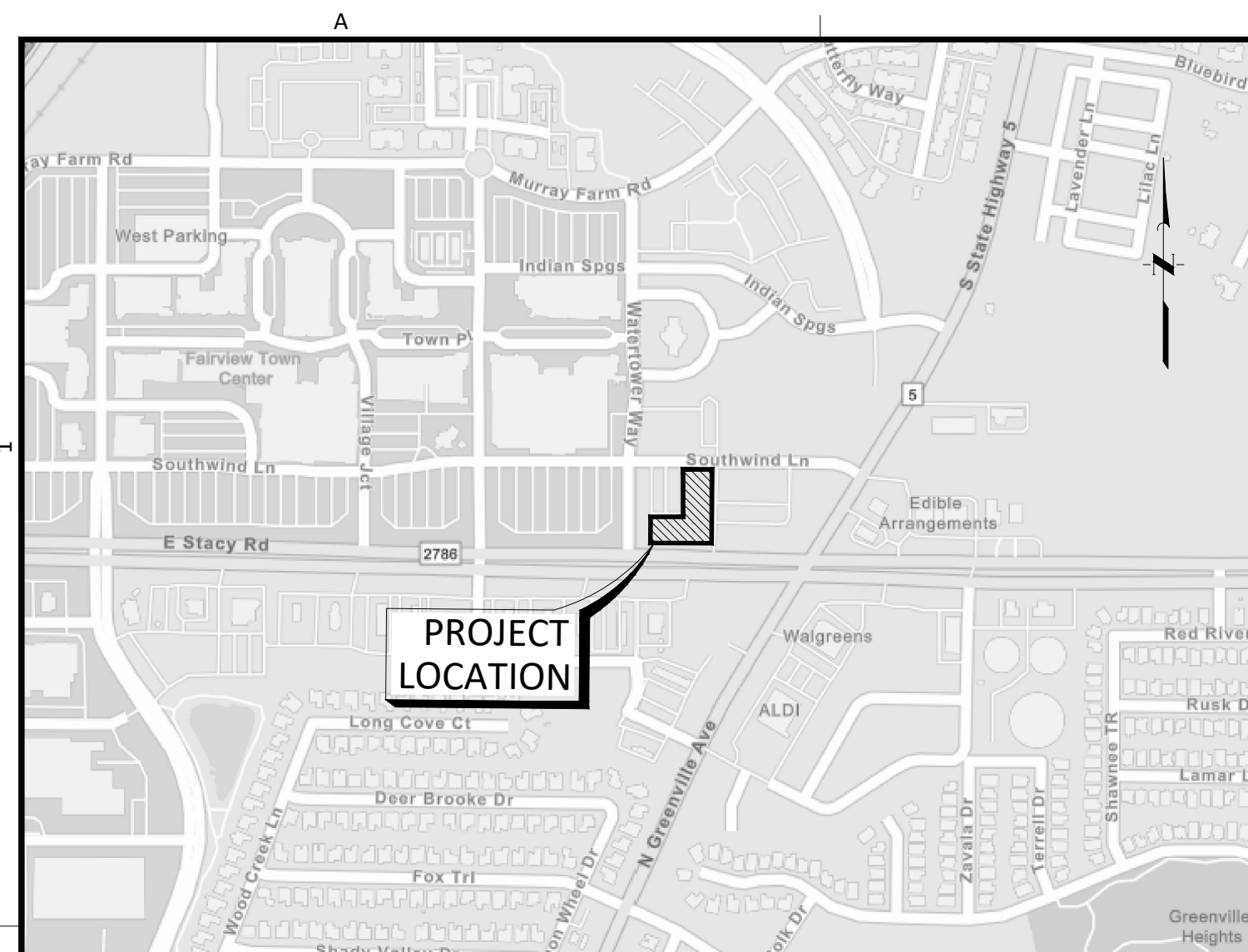
1. Site shall be development generally in accordance with the attached regulating plan exhibits

ATTACHMENTS:

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



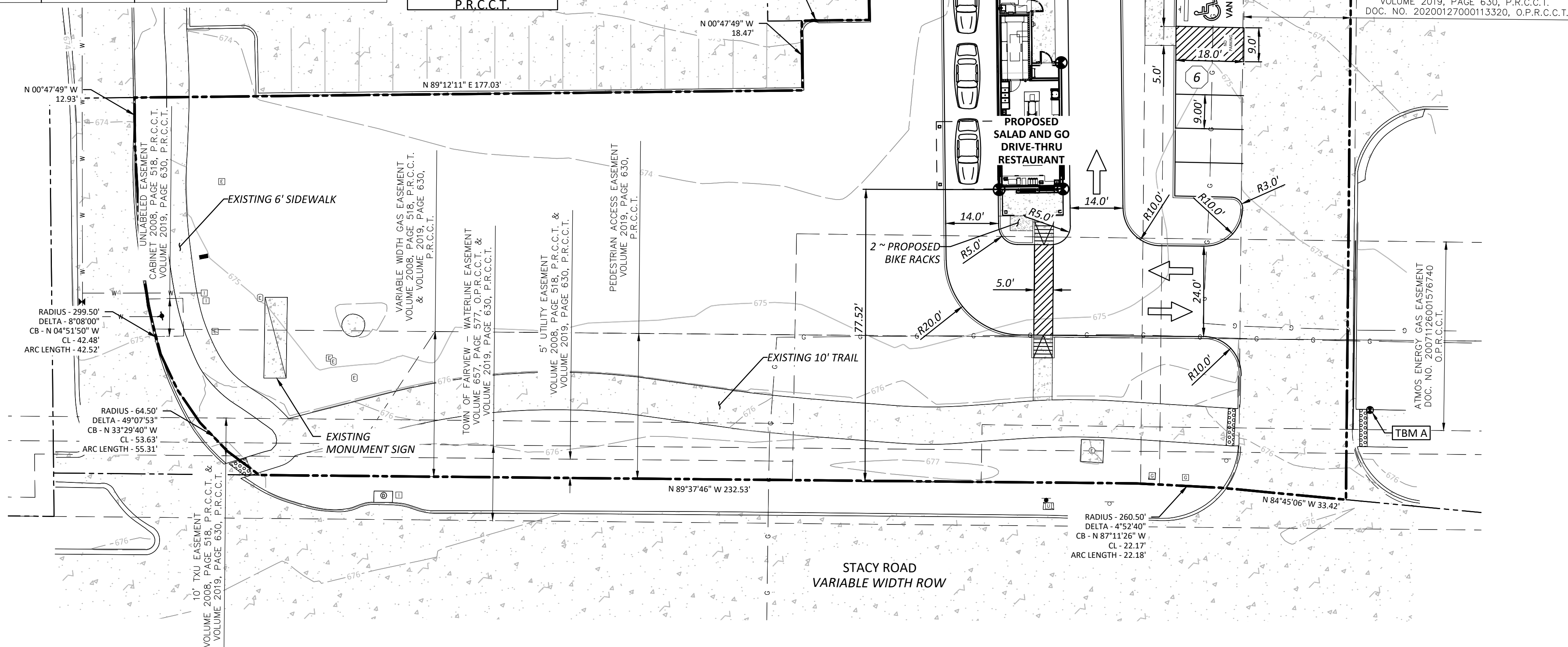
Salad and Go



ZIP CODE: 75069

VICINITY MAP
N.T.S.

MAJOR AND MINOR WARRANT REQUESTS				
	ITEM	REQUIREMENTS	PROPOSED	APPLICANT JUSTIFICATION
1	SITE, BLOCK AND BUILDING TYPE STANDARDS (SEC. 3.6 & 3.7)	BTZ 18'-26' WITH 60% FRONTAGE (ACCESS STREET)	AS SHOWN - NO FRONTAGE	THIS MAJOR WARRANT IS BEING REQUESTED DUE TO THE TYPE OF DEVELOPMENT BEING PROPOSED AND GEOMETRY OF THE LOT. PROVIDING THE DRIVE THRU AND ACCESS LANES AROUND THE BUILDING IS ESSENTIAL FOR THE OPERATIONS OF THE DEVELOPMENT AND CREATES ADDITIONAL DISTANCE BETWEEN THE BUILDING AND THE EXISTING STREET. THE GEOMETRY OF THE LOT ALSO CREATES A DIFFICULTY IN ORIENTING THE BUILDING TO MEET THIS REQUIREMENT WHILE MAINTAINING OPERATIONS.
2	SITE, BLOCK AND BUILDING TYPE STANDARDS (SEC. 3.6 & 3.7)	BTZ 18'-26' WITH 80% FRONTAGE (SOUTHWIND)	AS SHOWN - NO FRONTAGE	
3	LAND USE (SEC. 3.2.2)	MIXED-USE	RESTAURANT WITH DRIVE-THRU	THIS MAJOR WARRANT IS BEING REQUESTED DUE TO THE SIZE AND GEOMETRY OF THE LOT. THE LOT GEOMETRY AND SIZE CREATES DIFFICULTY FOR DEVELOPMENT. THE PROPOSED DEVELOPMENT FITS WITHIN THE LOT AND COMPLIES WITH THE INTENT OF THE CPDD.
4	ARCHITECTURAL STANDARDS (SEC. 3.7.6)	FACADE CANOPY: 75%	RESTAURANT WITH DRIVE-THRU	THIS WARRANT IS BEING REQUESTED AS THE BUSINESS TYPE AND BUILDING USE MAKE IT DIFFICULT TO MEET THE CANOPY REQUIREMENT. 75% HAS NOT BEEN MET ON THE WEST AND NORTH ELEVATIONS. TO HELP ALLEVIATE THE LACK OF CANOPY PROVIDED, A GREEN SCREEN HAS BEEN PROVIDED ON THE WEST ELEVATION.
5	ARCHITECTURAL STANDARDS (SEC. 3.7.6)	FACADE WINDOW: 60% - 80%	RESTAURANT WITH DRIVE-THRU	THIS WARRANT IS BEING REQUESTED AS THE BUSINESS TYPE AND BUILDING USE MAKE IT DIFFICULT TO MEET THE WINDOW REQUIREMENT.






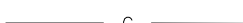
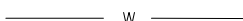


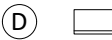







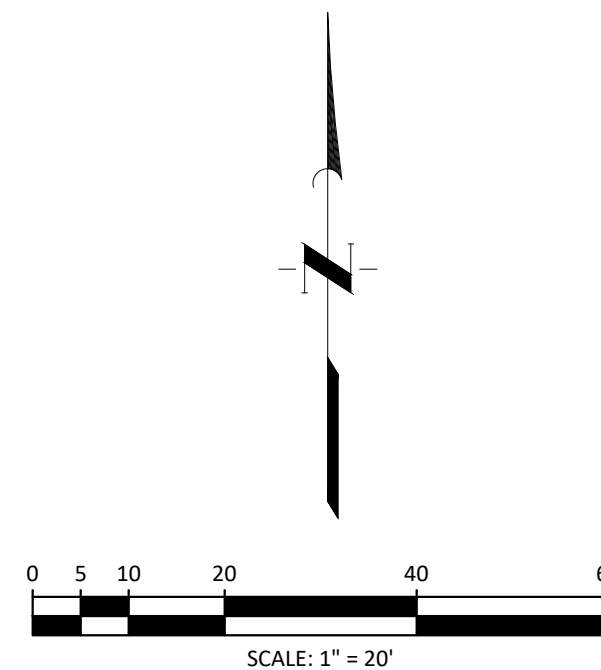
BENCHMARK
ALL ELEVATIONS AND BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS UTILIZING THE ALLTERA RTK NETWORK. NAVD (88) DATUM, (GEOID 12A)

TBM A
BEING A "X" CUT IN THE EXISTING CONCRETE SIDEWALK APPROXIMATELY 24' NORTH AND 6' EAST
OF THE SOUTHEAST CORNER OF LOT 3C2, BLOCK A, VILLAGE AT FAIRVIEW, RECORDED IN VOLUME
2019, PAGE 630 OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS.
ELEVATION 675.70 FEET, NAVD 88 (2011 ADJUSTMENT).

100-YEAR FLOOD PLAIN
ACCORDING TO MAP NO. 48085C0270K OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR COMMUNITY NUMBER 481069 DATED JUNE 7, 2017, THE SUBJECT TRACT IS SITUATED WITHIN: UNSHADED ZONE "X"; DEFINED AS AREA OF MINIMAL FLOOD HAZARD.

LEGEND

	PROPERTY LINE
	EXIST FIRELANE
	PARKING COUNT
	EXIST MAJOR CONTOUR
	EXIST MINOR CONTOUR
	EXIST GAS LINE TO REMAIN
	EXIST WATER LINE
	EXISTING FIRE HYDRANT
	EXIST STORM SEWER LINE
	EXIST STORM SEWER DRAIN AND GRATE INLET
	EXIST SANITARY MANHOLE
	BUILDING CORNERS
	PROPOSED MENU BOARD
	PROPOSED 5" SIDEWALK
	EXIST TREE TO REMAIN



NOTES

1. ALL DIMENSIONS ARE SHOWN PERPENDICULAR AND TO THE FRONT OF THE CURB UNLESS OTHERWISE NOTED.
2. ALL CURB IS PERMANENT UNLESS NOTED OTHERWISE.
3. SEE ARCH. PLANS FOR EXACT BUILDING FOOTPRINT AND DIMENSIONS. CONTRACTOR TO NOTIFY ENGINEER OF ANY DISCREPANCIES.
4. CONTRACTOR TO USE CARE NOT TO DISTURB EXISTING LANDSCAPING OUTSIDE DISTURBED AREA. IF DISTURBED, CONTRACTOR TO RESTORE TO ORIGINAL CONDITIONS OR BETTER.
5. OUTDOOR LIGHTING MUST BE ORIENTED SO THAT LIGHTING LEVELS AT ALL PROPERTY LINES ARE, AT MINIMUM, 1 FOOT-CANDLE AND, AT MAXIMUM, 5 FOOT-CANDLES.
6. CONTRACTOR TO VERIFY THE LOCATION OF EXISTING UTILITIES.

SITE DATA BASED ON SALAD AND GO PROPOSED DEVELOPMENT VILLAGE AT FAIRVIEW, LOT 3C2, BLOCK A	
GENERAL	
PROPOSED USE: EXISTING USE:	SALAD AND GO - DRIVE THRU RESTAURANT VACANT
ZONING: SUB DISTRICT:	COMMERCIAL PLANNED DEVELOPMENT DISTRICT (CPDD) URBAN VILLAGE
GROSS SITE AREA:	60,795 SQUARE FEET (1.396 AC)
LOT COVERAGE:	1.20%
PROPOSED FAR:	1.20%
BUILDING AREA:	DRIVE THRU RESTAURANT - 730 SQUARE FEET (0.017 AC)
PROPOSED BUILDING HEIGHT:	1 STORY - 20 FT
PARKING RATIO:	1 SPACE / 300 SF OF FLOOR AREA
PARKING REQUIRED:	3 SPACES
PARKING PROVIDED:	6 SPACES
QUEUING PROVIDED:	20 SPACES
ADA PARKING PROVIDED:	1 SPACE
LANDSCAPE AREA:	32,543 SQUARE FEET (0.747 AC)
LANDSCAPE AREA PERCENTAGE:	53.5%
FLOOR AREA RATIO:	0.01 : 1
USEABLE GREEN SPACE AREA:	8,646 SF/14.2%
BIKE PARKING:	2 - 6'x2' RACKS

OWNER

VILLAGE FV, LTD.
2000 MCKINNEY AVE, SUITE 1000
DALLAS, TEXAS 75201
TEL (214) 740-3300
EMAIL: WDAVIS@LPC.COM

DEVELOPER

SALAD AND GO CONCEPTS LLC
743 NORTH GILBERT ROAD
GILBERT, ARIZONA 85234
TEL (410) 371-1563
CONTACT: MATTHEW COPENHAVER

APPLICANT/ENGINEER

JONES | CARTER, INC.
4500 MERCANTILE PLAZA DRIVE, SUITE 210
FORT WORTH, TEXAS 76137
TEL (972) 265-7190
CONTACT: RYAN ALCALA, PE

CONTRACTOR TO VERIFY ELEVATION AND LOCATION
OF ALL EXISTING UTILITIES PRIOR TO
COMMENCEMENT OF ANY NEW CONSTRUCTION

TEXAS811 NOTIFICATION SYSTEM
CALL BEFORE YOU DIG
www.texas811.org
Texas811 or 1-800-545-6005

No.	Date	REVISIONS	App.
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REVISIONS

JONES CARTER
Texas Board of Professional Engineers Registration No. F-439
4500 Mercantile Plaza Drive, Suite 210 • Fort Worth, Texas 76137 • 682-268-2200

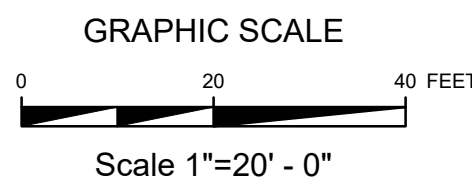
SALAD AND GO - FAIRVIEW - STACY AND GREENVILLE
COLLIN COUNTY, TX

EXHIBIT A - REGULATING PLAN

LOT 3C2, BLOCK A
LLAGE AT FAIRVIEW
AIRVIEW, TX 75069

SHEET NO.

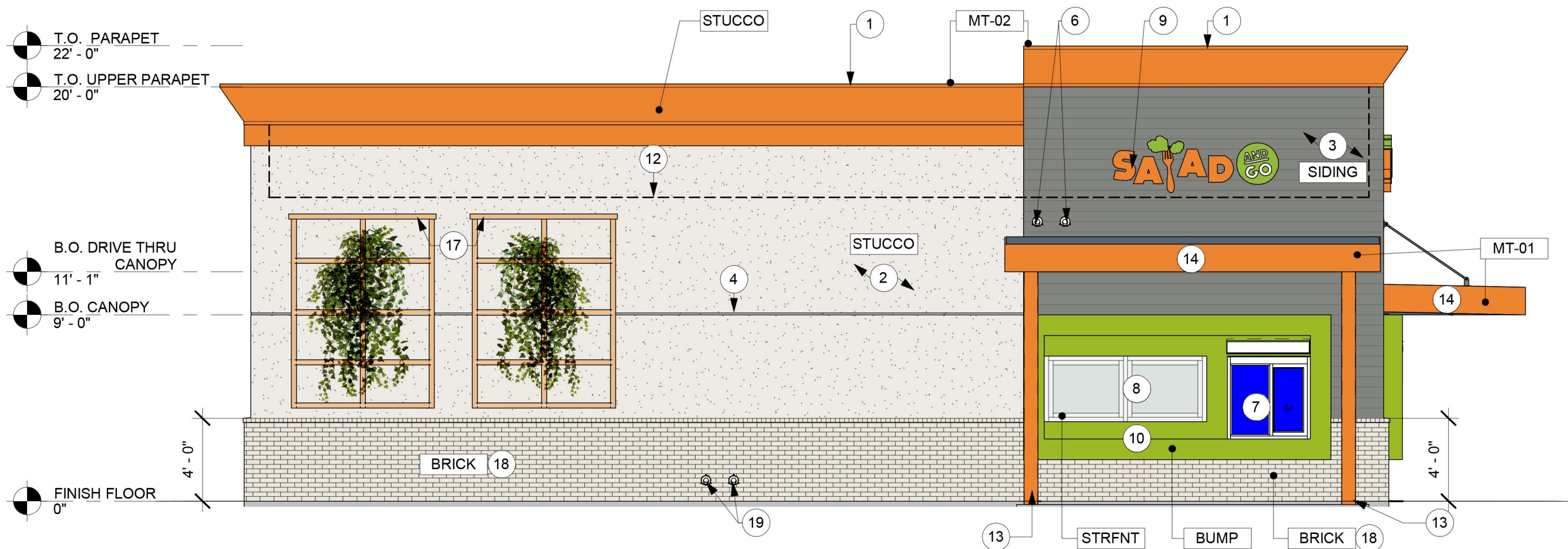
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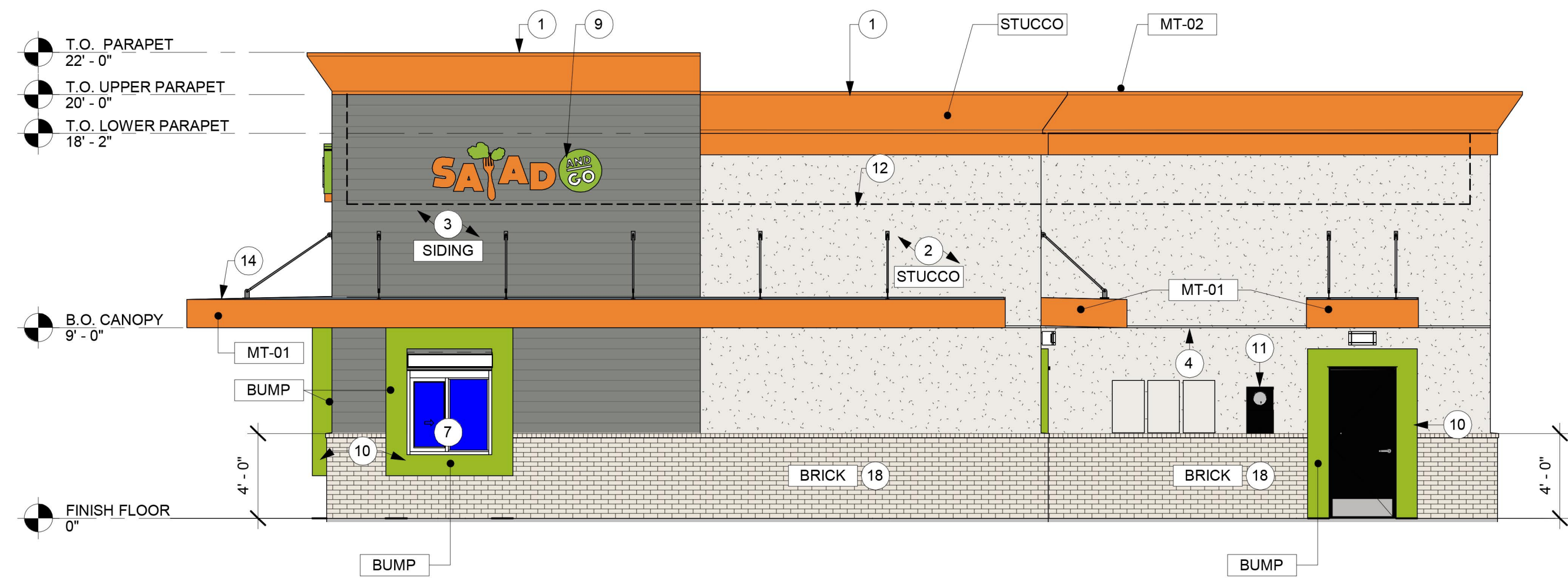
www.texas811.org
Texas811 or 1-800-545-6005

SHEET NO. L1.02

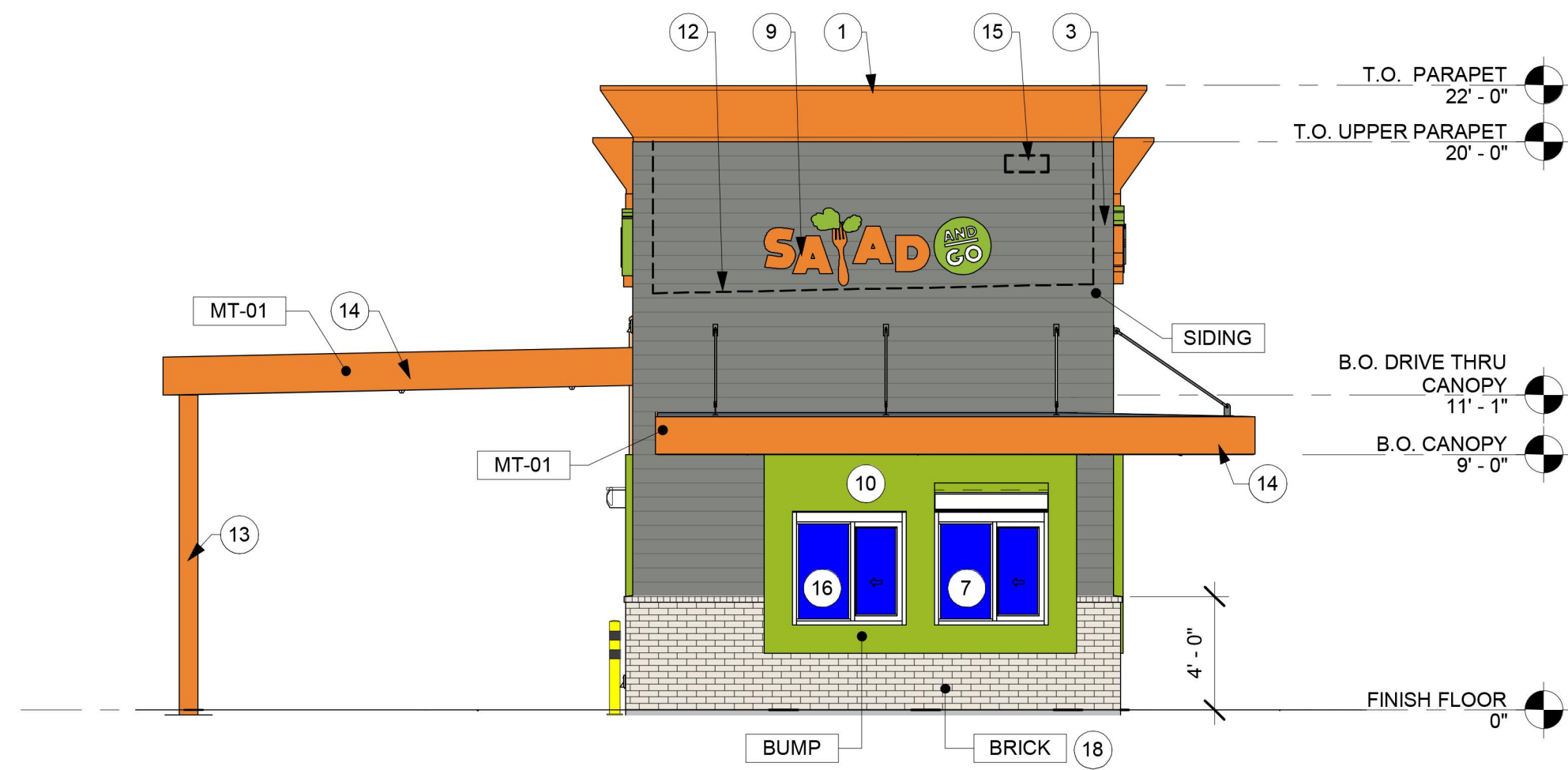
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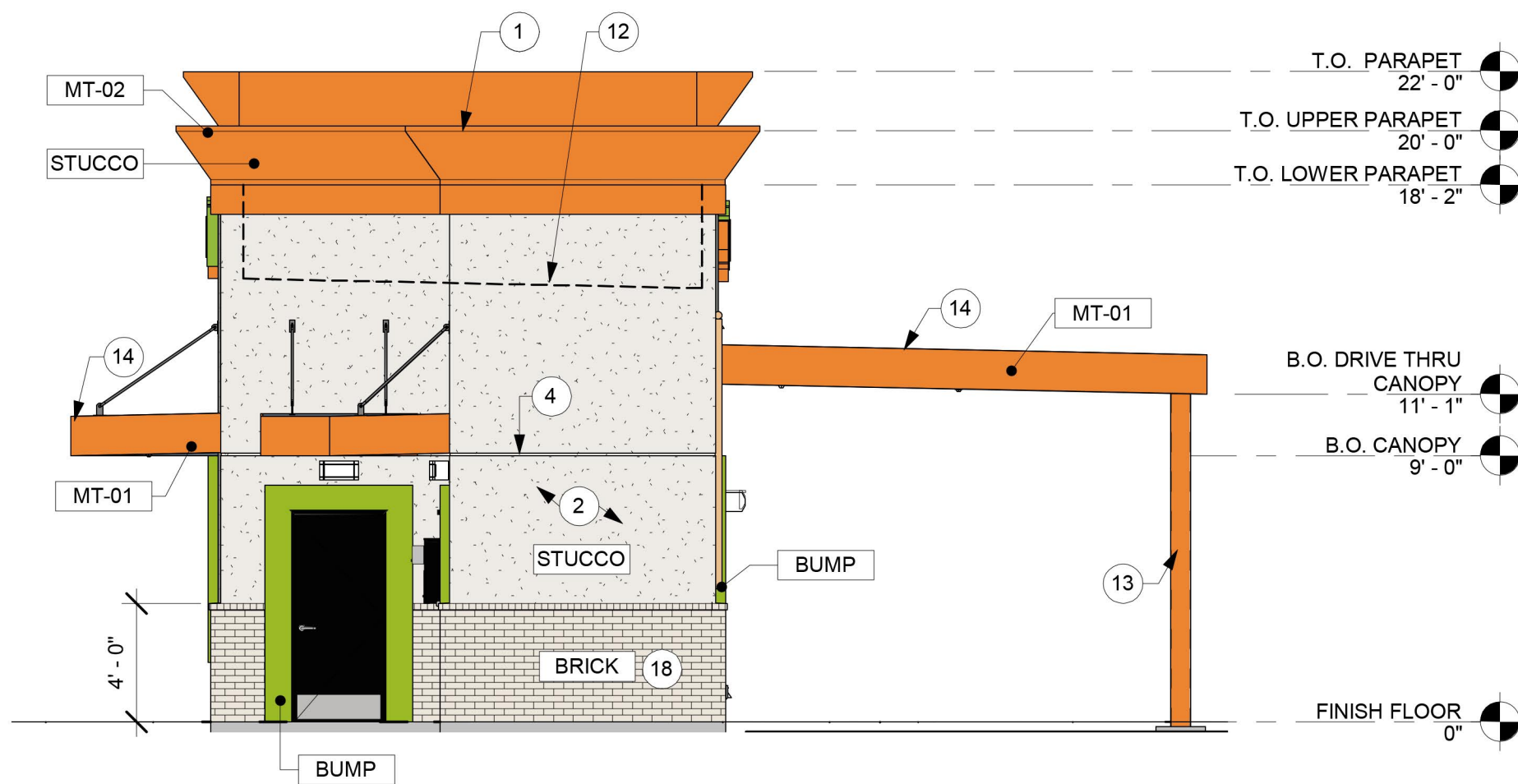
1 WEST ELEVATION
Scale: 3/16" = 1'-0"



2 EAST ELEVATION
Scale: 3/16" = 1'-0"



3 SOUTH ELEVATION
Scale: 3/16" = 1'-0"



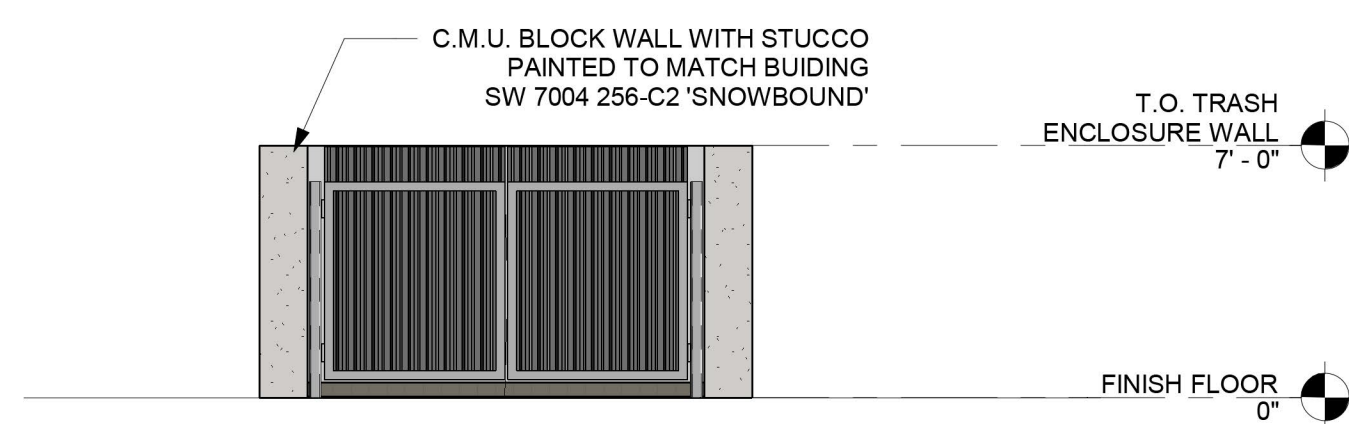
4 NORTH ELEVATION
Scale: 3/16" = 1'-0"

MATERIALS CALCULATION TABLE

DESCRIPTION	EAST		SOUTH		WEST		NORTH		GRAND TOTAL	
	(S.F.)	%	(S.F.)	%	(S.F.)	%	(S.F.)	%	(S.F.)	%
TOTAL ELEVATION AREA	1081	100	343	100	1034	100	309	100	2767	100
NON-GLAZED DOORS AND WINDOWS	23	2.1	0	0	0	0	23	7.4	46	1.7
GLAZED DOORS AND WINDOWS	16	1.5	32	9.3	41	4	0	0	89	3.2
SIDING - GRAY SLATE	285	26.4	217	63.3	204	19.7	0	0	706	25.5
STUCCO - SNOWBOUND PAINTED	470	44.5	0	0	491	47.5	200	64.7	1161	42
STUCCO - ELECTRIC LIME PAINTED	42	3.9	46	13.4	59	5.7	18	5.8	165	6
STUCCO - NAVAL PAINTED	44	4.1	0	0	44	4.3	18	5.8	106	3.8
BRICK - ACME - MARBLE GREY	201	18.6	48	14	195	18.9	50	16.2	494	17.9
TOTAL PRIMARY MATERIAL	556	51.4	46	13	594	57	236	76.3	1432	51.7
TOTAL (NON-GLAZED DOORS AND WINDOWS)	39	3.8	32	9.3	41	4	23	7.4	135	4.9

EXTERIOR ELEVATION KEYNOTES

- METAL PARAPET CAP SW 6887 116-C5 'NAVAL'. AT METAL SIDING LOCATION, MATCH THE PARAPET CAP WITH METAL SIDING.
- WESTERN ONEKOTE PAITED SAND FINISH SYSTEM
- METAL SIDING. MBCI CF ARCH. PANEL, SLATE GRAY.
- STUCCO CONTROL JOINTS
- FIRE DEPARTMENT KNOX BOX
- ROOF DRAIN
- SLIDER WINDOW WITH DOUBLE INSULATED GLASS
- FIXED WINDOW WITH DOUBLE INSULATED GLASS
- BUILDING SIGNAGE.
- POP-OUT
- ELECTRICAL EQUIPMENT. UTILITY BOXES AND CONDUIT TO BE PAINTED TO MATCH BUILDING COLOR. REF: ELECTRICAL
- ROOF LINE, BEHIND
- PAINTED STEEL COLUMN
- PAINTED C-CHANNEL CANOPY
- BUILDING ADDRESS
- DISPLAY KIOSK WITH SLIDING GLASS DOORS
- GREEN SCREEN
- BRICK AS SCHEDULED



TRASH ENCLOSURE

EXTERIOR FINISH SCHEDULE				
	DESCRIPTION	PRODUCT	FINISH	COLOR
STUCCO	STUCCO	TBD	PAINTED	SW 7004 256-C2 'SNOWBOUND'
BRICK	BRICK	BELDAN	N/A	ALASKA WHITE DART-TEX
SIDING	METAL SIDING	TAYLOR METAL PRODUCTS "SMOOTHWALL", FLAT PAN	POWDER COATED	SLATE GRAY
BUMP	STUCCO	TBD	PAINTED	SW 6921 146-C3 'ELECTRIC LIME'
MT-01	METAL FASCIA	TBD	PAINTED	SW 6887 116-C5 'NAVEL'
MT-02	METAL COPING	TBD	PAINTED	SW 6887 116-C5 'NAVEL'
STRFNT	STOREFRONT	KAWNEER	CLEAR ANODIZED	

FINISH SAMPLES	
STUCCO	SW 7004 256-C2 'SNOWBOUND'
BRICK	ALASKA WHITE DART-TEX
SIDING	SLATE GRAY
BUMP	SW 6921 146-C3 'ELECTRIC LIME'
MT-01	SW 6887 116-C5 'NAVEL'
MT-02	SW 6887 116-C5 'NAVEL'
STRFNT	CLEAR ANODIZED

OWNER

SALAD AND GO CONCEPTS, LLC
743 N. GILBERT RD
GILBERT, AZ 85234

MATTHEW COPENHAVER
(410) 371-1563

ARCHITECT

ROGUE ARCHITECTS
513 MAIN STREET, SUITE 300
FORT WORTH, TEXAS 76102

DONNY RORSCHACH
(817) 820-0433 PHONE
(682) 244-8917 FAX
CONTACT: ASHLEY MORELAND

ARCHITECT OF RECORD



513 MAIN STREET, SUITE 300
FORT WORTH, TEXAS 76102
(817) 820-0433

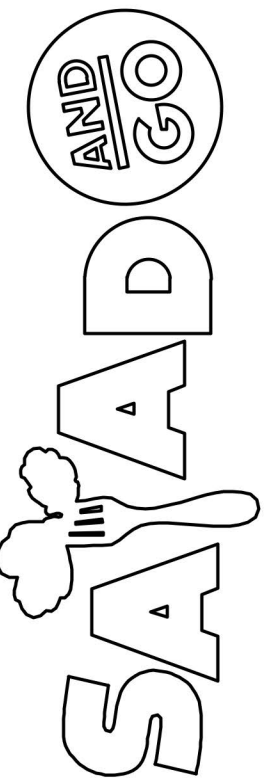
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FACADE PLAN: 6/25/21

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK. DO NOT SCALE DRAWINGS.

REVISION SCHEDULE

REV	DATE	BY	DESCRIPTIONS



STACY & GREENVILLE - FAIRVIEW

TBD STACY ROAD
FAIRVIEW, TX 75069