

TOWN OF FAIRVIEW, TEXAS

ORDINANCE NO. 2024-10

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS GRANTING MAJOR WARRANTS FOR a 1.12-ACRE TRACT OF LAND LOCATED AT 350 HIGHWAY 5, IN THE JOHN A TAYLOR SURVEY, ABSTRACT 909, IN ORDER TO ALLOW MAJOR WARRANT EXEMPTIONS PERTAINING TO SITE CONFIGURATION STANDARDS AND BUFFERING, IN THE COMMERCIAL PLANNED DEVELOPMENT DISTRICT (CPDD) – URBAN TRANSITION SUB-DISTRICT; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, notice of a public hearing before the Town of Fairview Planning and Zoning Commission was sent to real property owners within 500 feet of the property herein described at least ten (10) days before such hearing; and

WHEREAS, notice of a public hearing before the Town of Fairview Town Council (“Town Council”) was published in a newspaper of general circulation in the Town of Fairview at least sixteen (16) days before such hearing; and

WHEREAS, public hearings to consider Major Warrants on the property herein described were held before both the Planning and Zoning Commission and the Town Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the Major Warrants; and

WHEREAS, the Town Council finds that the Major Warrants herein effectuated further the purpose of development regulation in the town and that it is in the public interest to approve said Major Warrants described herein.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS:

Section 1. That the Town Council of the Town of Fairview, Texas does hereby grant the following Major Warrants, attached hereto and incorporated herein, for a 1.12-acre tract of land located at 350 Highway 5 within the John A. Taylor Survey, Abstract 909 within the Town of Fairview, Texas, without waiving any other requirements imposed on the subject property by the Town’s CPDD Zoning Ordinance:

1. The subject development shall be exempt from the Section 3.5 Urban Transition Standards, in relation to site, buffering and street tree regulations of the Commercial Planned Development District (CPDD) solely as follows:
 - a. Site shall generally be developed in accordance with the attached concept plans Exhibits A & B.


- b. The wooded area north of the creek/drainage channel shall be designated as a “natural preservation easement” on the plat.
2. The meanings of the words and phrases in this Section 1 shall be as defined and/or referenced in the Town’s CPDD Zoning Ordinance.

Section 2. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a class C misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Fairview Code.

Section 3. That the sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this ordinance or application thereof to any person, firm or corporation, or to any circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the Town Council hereby declares that it would have adopted such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. That this ordinance shall take effect upon passage and publication, if required, and it is accordingly so ordained.

PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, THIS 7th DAY OF MAY, 2024.


Henry Lessner, Mayor
Town of Fairview

ATTEST:

Joshua Stevenson, Town Secretary

APPROVED AS TO FORM:

Clark McCoy, Town Attorney



VICINITY MAP
NTS



LEGEND

	Fictive
	Open Space

STUDIES

Address: 350 S. State Highway 5
Fairview, Texas 75069

Zoning: C1

Proposed Use: Medical Office

Lot Area: 1.129 Acres (49,179 sf)

Total Building Area: 5,100 sf

Lot Coverage: 10.35% (Total Bldg Area 5,100 sf)

Floor Area Ratio: 0.10 : 1

Building Height: 29'-6"

Required Open Space: 49,179 * 10% = 4,918 SF

Provided Open Space: = 4,926 SF

Required Parking: Prop. Max. Office (5,100/200) = 17 Spaces

Parking Required Total:	17 Parking Spaces
Parking Provided Total:	17 Parking Spaces (1 VC)

OWNER:
Jonathon Bentley
10760 Jonathon Bentley
Fairview, Texas 75069
Contact: Jonathon Bentley

ENGINEER:
Cross Engineering Consultants, Inc.
1720 W. Virginia Street
Fairview, Texas 75069
Phone (877) 582-4409
Contact: Jon David Cross, P.E.

ARCHITECT:

KH Architects, PLLC
11880 Younger Circle, Suite A
Fairview, Texas 75069
Phone (817) 905-6991
Contact: Karl Holcomb

STOPI
CALL BEFORE YOU DIG



(66) least 72 hours prior to digging

350 SOUTH STATE HIGHWAY 5
FAIRVIEW, TEXAS 75069
ABS A0909 JOHN A TAYLOR SURVEY,
TRACT 19, 1.129 ACRES

Sheet No.	CP
Project No.	JONATHAN BENTLEY
Project Name	FAIRVIEW, TEXAS

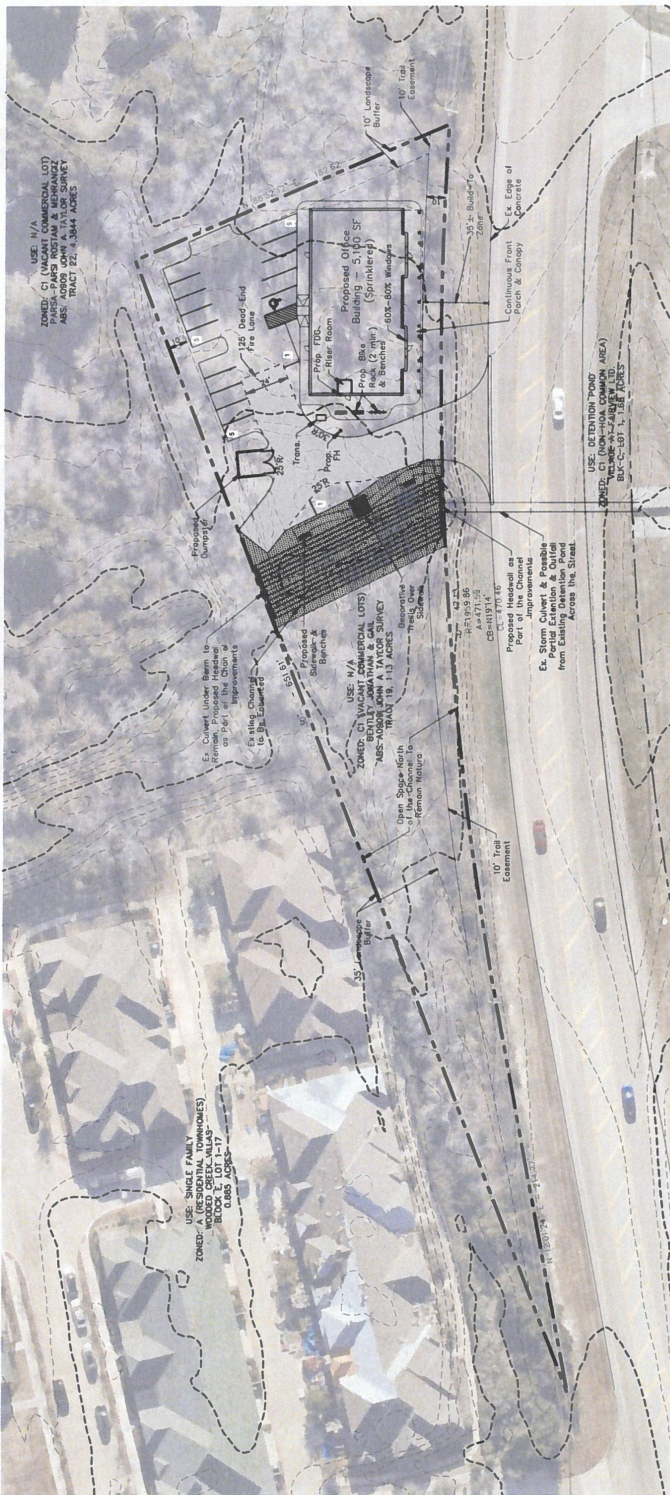


Exhibit A

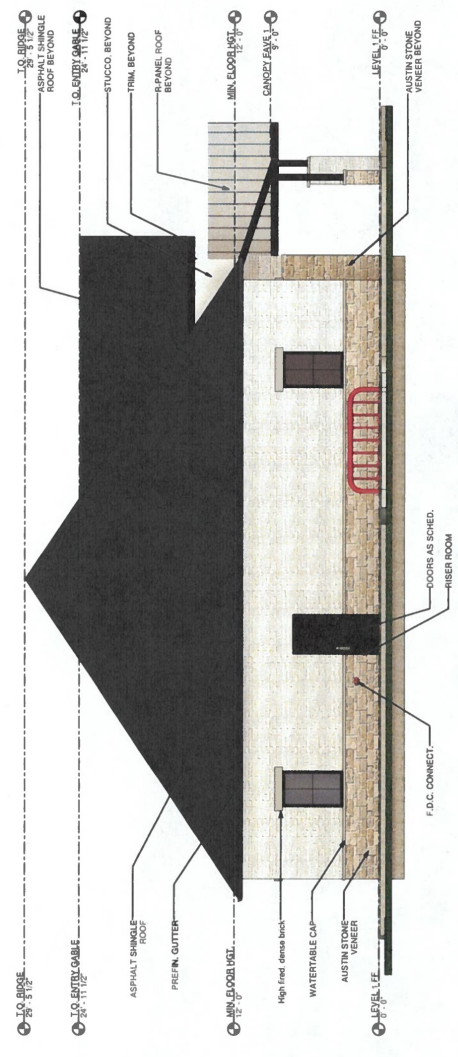
NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY.

Track/Drawn	Revision & Date
1	
2	
3	
4	
5	
6	

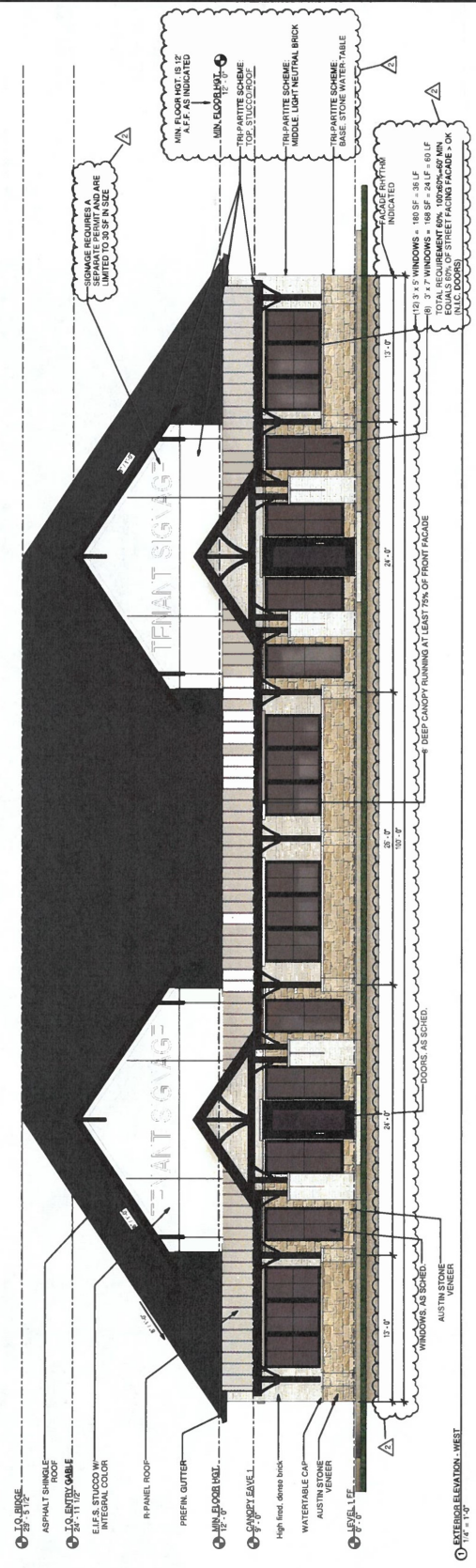
CROSS ENGINEERING CONSULTANTS
1238 W. Virginia Street
Fairview, Texas 75069
Phone (877) 582-4409
Drawn By: Checked By: Scale: 1"=30'

- MAJOR REVISIONS:**
- The additional setbacks buffer adjacent to residential in the NE corner, existing.
 - Buffer-rear-replacement cannot be met due to building condition.
 - Street trees are part of the buffer-rear-replacement and cannot be met - this report would be used to allow the count of the existing trees instead.
- MAJOR REVISIONS:**
- 2' street trees are proposed in the buffer-rear-replacement, but the site owner prefers to use 10' trees for better screening - replace the count of 4 existing trees.
 - Open space requirement reduced from 10% to 10% gross lot area.

Exhibit B



① EXTERIOR ELEVATION - NORTH
 1/4" = 1'-0"



① EXTERIOR ELEVATION - WEST
 1/4" = 1'-0"



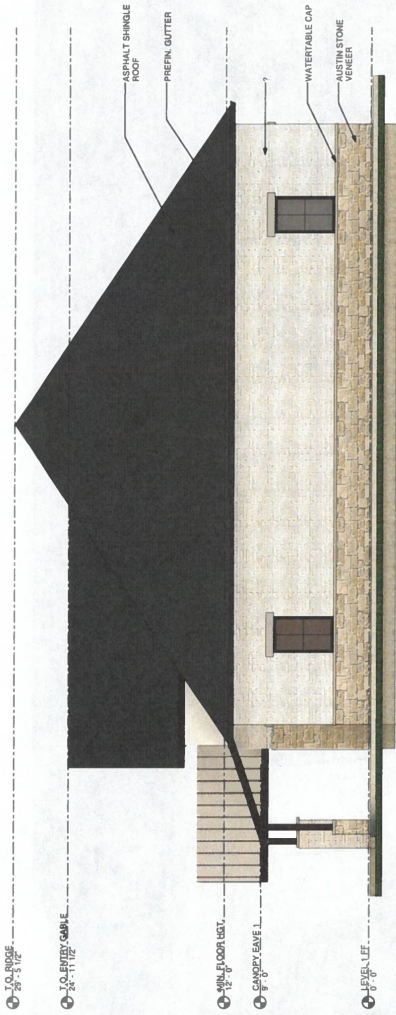
11800 Younger Ct., Ste. A
 Allen, Texas 75009
 972.366.0271



Revision Schedule

BENTLEY MEDICAL OFFICE SHELL
 350 TX-S, McKINNEY, TX 75069
 OWNER/CIVIL REVIEW

A3.2
 SCHEMATIC DESIGN
 EXTERIOR ELEVATIONS



1.0. EXTERIOR ELEVATION - SOUTH
 1/8" = 1'-0"



1.0. EXTERIOR ELEVATION - EAST
 1/8" = 1'-0"



11880 Younger Ct., No. A
Austin, TX 78758
312.266.0970

