

**TOWN OF FAIRVIEW, TEXAS**

**ORDINANCE NO. 2006-007**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, ADOPTING A CONDITIONAL USE PERMIT DISTRICT (CU) FOR A PROPOSED ACTIVITY/EDUCATION BUILDING WITHIN THE EXISTING FRIENDSHIP BAPTIST CHURCH SITE, COMPRISING 6.515 ACRES, GENERALLY LOCATED BETWEEN OLD STACY ROAD AND STACY ROAD (FM 2786) AND EAST OF AND ADJACENT TO COUNTRY CLUB ROAD (FM 1378), AND CURRENTLY ZONED ONE-ACRE RANCH ESTATE ZONE (RE-1); PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, notice of a public hearing before the 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 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 adopt zoning 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 zoning; and

**WHEREAS**, the Town Council finds that the zoning herein effectuated furthers the purpose of zoning in the town and that it is in the public interest to approve said zoning described herein; now, therefore,

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

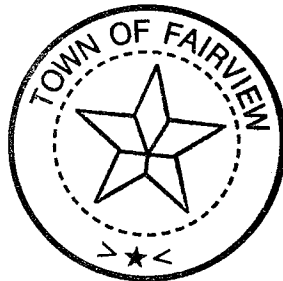
**Section 1.** That the Comprehensive Zoning Ordinance and the zoning map of the Town of Fairview are hereby amended by adopting Conditional Use Permit District (CU) zoning for the 6.515 acres and generally located between Old Stacy Road and Stacy Road (FM2786) and east of and adjacent to Country Club Road (FM 1378), and currently zoned One-Acre Ranch Estate Zone (RE-1), and further shown on Exhibit "A"; and described on the legal description (Exhibit "B") and illustrated on the site plan (Exhibit "C"), which are attached hereto and fully incorporated herein.

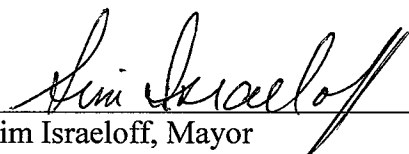
**Section 2.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Fairview Code of Ordinances.

**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, and it is accordingly so ordained.

PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, this 7th day of March, 2006.



  
\_\_\_\_\_  
Sim Israeloff, Mayor  
Town of Fairview

ATTEST:

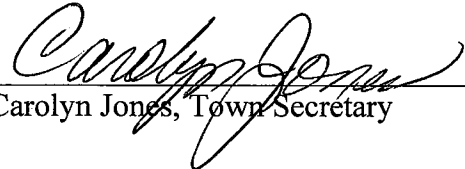
  
\_\_\_\_\_  
Carolyn Jones, Town Secretary



Exhibit A

# Exhibit "B"

## OWNER'S DEDICATION AND ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF COLLIN

I (we), the undersigned, owner(s) and lienholder(s) of the land shown on this plat within the area described by metes and bounds as follows:

### FIELD NOTES

WHEREAS FRIENDSHIP BAPTIST CHURCH, ARE THE OWNERS OF A 6.515 ACRE TRACT OF LAND SITUATED IN THE GEORGE FITZHUGH SURVEY, ABSTRACT NUMBER 320 AND THE GABRIEL FITZHUGH SURVEY, ABSTRACT NUMBER 318 AND BEING ALL OF LOTS 1B, 1D AND 1E OF THE FINAL PLAT OF SUMMER HILL FARM ADDITION AS RECORDED IN CABINET H, SLIDE 180 OF THE PLAT RECORDS, COLLIN COUNTY, TEXAS AND BEING ALL OF LOT 1G OF THE AMENDING PLAT OF SUMMER HILL FARM ADDITION AS RECORDED IN SLIDE 3424-1-1 OF THE PLAT RECORDS, COLLIN COUNTY, TEXAS. THE SUBJECT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod found in the east right-of-way line of FM 1378 (Variable Width R.O.W.), at the northwest corner of said Lot 1B, the southwest corner of Lot 1C of said Summer Hill Farm Addition, same being the southwest corner of a 2.99 acre tract of land conveyed to Elliot F. Wolder, recorded in County Clerks No. 95-0070874 of the Deed Records, Collin County, Texas,

THENCE North 87° 25' 04" East, along the north line of said Lot 1B and the south line of said Lot 1C, a distance of 399.03 feet, to a ½ inch iron rod found, being the northeast corner of said Lot 1B, the southeast corner of said Lot 1C, the most northerly corner of Lots 1D and 1E of said Summer Hill Farm Addition and being the most westerly southwest corner of Lot 1A of said Amending Plat, from which a ½ inch iron rod found bears North 00° 01' 03" East, a distance of 496.25 feet; being the most easterly northeast corner of said Lot 1C;

THENCE South 61° 15' 24" East, along the north line of said Lot 1E and the southwestern line of said Lot 1A, a distance of 78.80 feet, to a ½ inch capped iron rod set, stamped Isbell Engr. For an angle point hereof;

THENCE South 88° 32' 05" East, along the northwestern line of said Lot 1G and the most southerly line of Lot 1A, a distance of 55.10 feet, to a ½ inch capped iron rod set, stamped Isbell Engr. For an angle point hereof;

THENCE North 46° 24' 55" East, along the northernmost line of said Lot 1G and the most easterly south line of said Lot 1A, a distance of 130.88 feet, to a ½ inch capped iron rod set, stamped Isbell Engr. For the northeast corner hereof and the northwest corner of Lot 1F of said Amending Plat, from which a ½ inch capped iron rod found, stamped Collis bears North 46° 13' 40" East, a distance of 132.51 feet, being the most northerly northwest corner of said Lot 1F;

THENCE South 53° 05' 31" East (Basis of Bearing), along the east line of said Lot 1G and the west line of said Lot 1F, a distance of 333.77 feet, to a capped iron rod found, stamped Nelson, being the southeast corner of said Lot 1G, the southern most corner of said Lot 1F, lying in the north right-of-way line of the Future Extension of Stacy Road (120' R.O.W.) and being the beginning of a non-tangent curve to the right, having a radius of 1097.23 feet, a delta angle of 39° 45' 50", a chord bearing of South 70° 01' 27" West and a chord length of 746.30 feet;

THENCE along said non-tangent curve to the right an arc length of 761.49 feet, to a ½ inch capped iron rod set, stamped Isbell Engr. For an angle point hereof and lying in the north line of said Future Extension of Stacy Road;

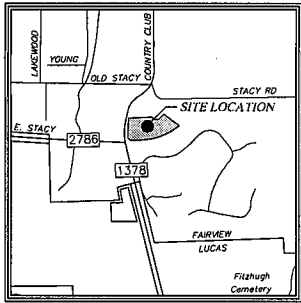
THENCE South 89° 54' 20" West, along the south line of said Lot 1B and the north line of said Future Extension of Stacy Road, passing at a distance of 142.68 feet, a 5/8 inch capped iron rod found, continuing in all a total distance of 157.23 feet, to a ½ inch capped iron rod set, stamped Isbell Engr. for the most southerly southwest corner hereof, the most southerly southwest corner of said Lot 1B, and lying at the intersection of the north line of said Future Extension of Stacey Rd and the west line of said FM 1378;

THENCE North 45° 46' 12" West, along the southwest line of said Lot 1B, passing at a distance of 39.74 feet, a ½ inch capped iron rod set, stamped Isbell Engr., continuing in all a total distance of 50.45 feet, to a ½ inch capped iron rod set, stamped Isbell Engr., being the most westerly southwest corner of said Lot 1B and lying in the east line of said FM 1378, also being the beginning of a non-tangent curve to the right, having a radius of 2804.79 feet, a delta angle of 4° 06' 18", a chord bearing of North 00° 47' 51" East and a chord length of 200.91 feet;

THENCE along said non-tangent curve to the right an arc length of 200.96 feet, to a ½ inch capped iron rod set, stamped Isbell Engr., lying in the west line of said Lot 1B and the east line of said FM 1378;

THENCE North 02° 50' 50" East, along the west line of said Lot 1B and the east line of said FM 1378, a distance of 150.84 feet, to the POINT OF BEGINNING and containing 6.515 acres of land more or less.

and designated herein as the Lot 1R, Block 1, Summer Hill Farm Addition, an addition to the Town of Fairview, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements, rights-of-way and public places thereon shown for the purposes therein stated.



VICINITY MAP  
1" = 1,000'

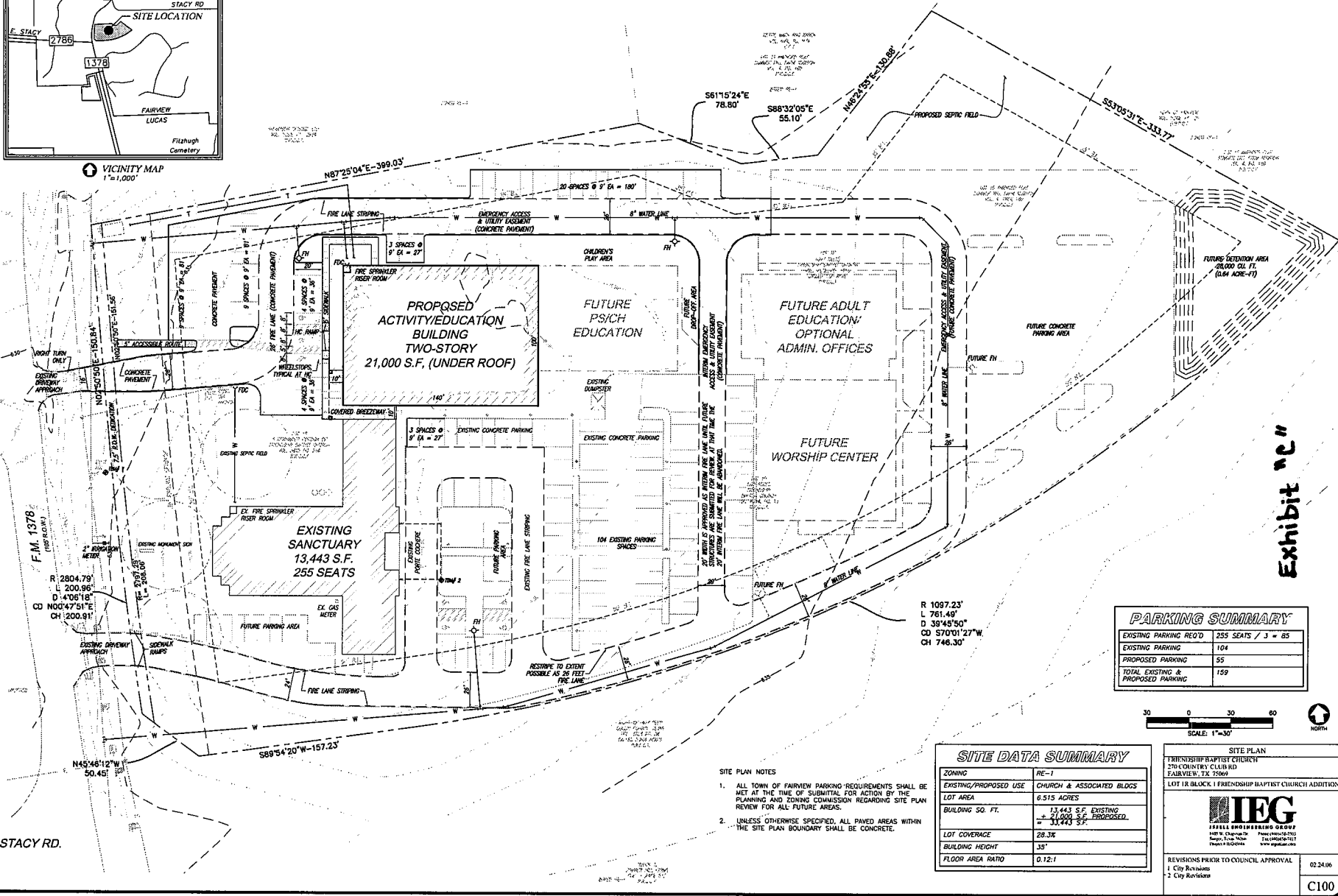
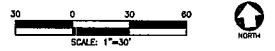


Exhibit "C"

PARKING SUMMARY	
EXISTING PARKING REQ'D	255 SEATS / 3 = 85
EXISTING PARKING	104
PROPOSED PARKING	55
TOTAL EXISTING & PROPOSED PARKING	159



SITE DATA SUMMARY	
ZONING	RE-1
EXISTING/PROPOSED USE	CHURCH & ASSOCIATED BLDGS
LOT AREA	6.515 ACRES
BUILDING SQ. FT.	13,443 S.F. EXISTING + 21,000 S.F. PROPOSED = 34,443 S.F.
LOT COVERAGE	28.3%
BUILDING HEIGHT	35'
FLOOR AREA RATIO	0.12:1

- SITE PLAN NOTES**
- ALL TOWN OF FAIRVIEW PARKING REQUIREMENTS SHALL BE MET AT THE TIME OF SUBMITTAL FOR ACTION BY THE PLANNING AND ZONING COMMISSION REGARDING SITE PLAN REVIEW FOR ALL FUTURE AREAS.
  - UNLESS OTHERWISE SPECIFIED, ALL PAVED AREAS WITHIN THE SITE PLAN BOUNDARY SHALL BE CONCRETE.

**SITE PLAN**  
 FRIENDSHIP BAPTIST CHURCH  
 270 COUNTRY CLUB RD  
 FAIRVIEW, TX 75840  
 LOT 1R BLOCK 1 FRIENDSHIP BAPTIST CHURCH ADDITION

**IEG**  
 IFFRALL ENGINEERING GROUP  
 1801 E. CHURCH ST. FARMERSVILLE, TX 77834  
 817-336-7600 FAX 817-336-7601  
 www.ieg.com

REVISIONS PRIOR TO COUNCIL APPROVAL: 02/24/06  
 1 City Revision  
 1 City Revision

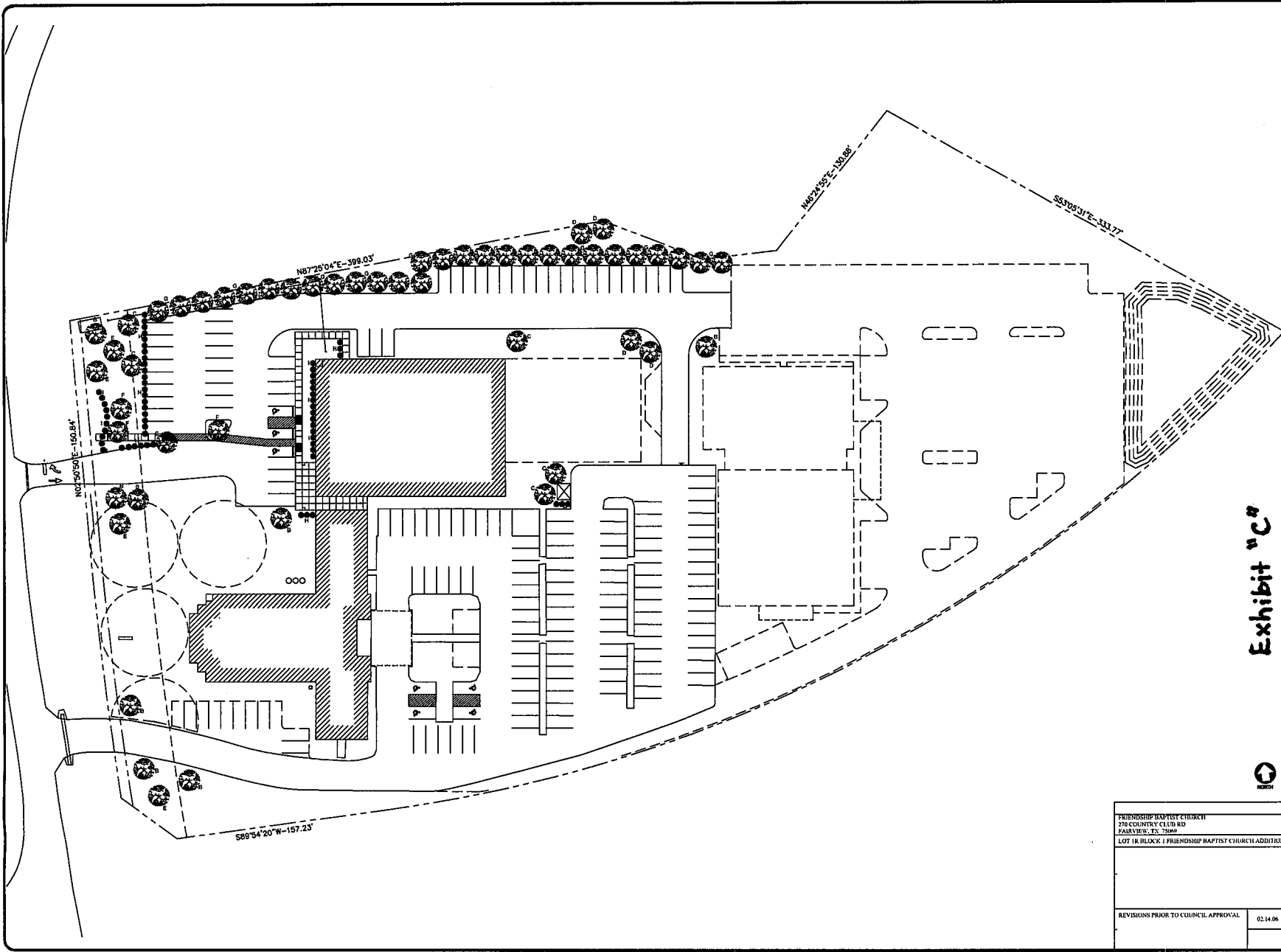


SHEET TITLE: SITE PLAN  
 REVISIONS:

FRIENDSHIP BAPTIST CHURCH  
 FAIRVIEW, TEXAS

2240 E. LUCAS RD.  
 ALLEN, TX 75002  
 GLENN & ASSOCIATES PH. 972-442-3601

DATE: 01.16.06  
 DRAWN BY: SLM  
 PROJ. NO: 1205  
 SHEET:



FRIENDSHIP BAPTIST CHURCH  
 270 COUNTRY CLUB RD  
 FAIRVIEW, TX 75002  
 LOT 1K BLOCK 1 FRIENDSHIP BAPTIST CHURCH ADDITION

REVISIONS PRIOR TO COUNCIL APPROVAL 02.14.06

DATE: 02.27.06  
 DRAWN BY: ADAM G.  
 PROJ. NO: 1205  
 SHEET: **L100**

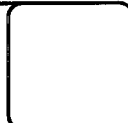


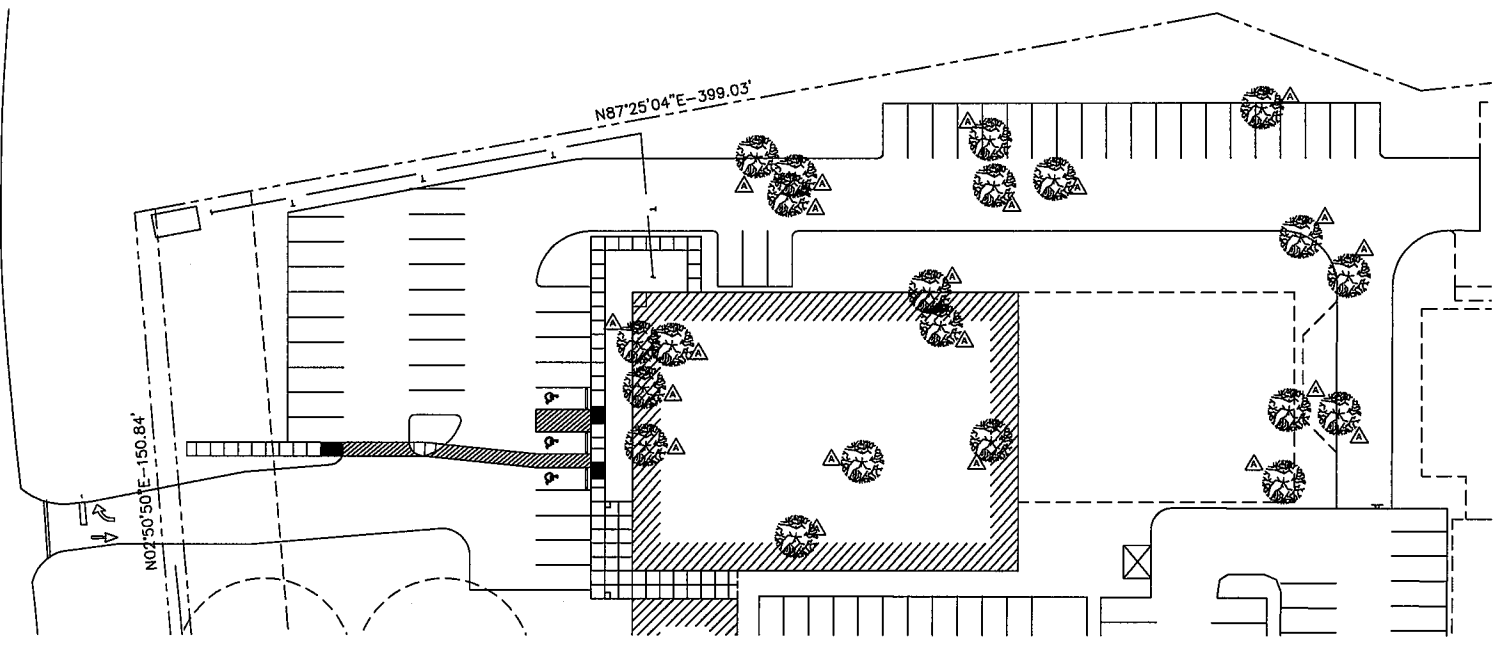
**Exhibit "C"**

**GA**  
**GLENN & ASSOCIATES**  
 2240 E. LUCAS RD.  
 ALLEN, TX 75002  
 PH. 972-442-3601

FRIENDSHIP BAPTIST CHURCH  
 FAIRVIEW, TEXAS

SHEET TITLE: LANDSCAPE PLAN  
 REVISIONS:





**PLANT LIST & LEGEND**

MARK	QUANTITY	TYPE	SIZE	REMARKS
A	21	REMOVE EXIST. TREE	-	EXISTING TREE IS CERTIFIED AS DISEASED AND /OR HAZARDOUS BY LISCENSE TREE ARBORIST. SEE: "Tree Evaluation Report, dated Nov. 30, 2005 has been submitted to Town of Fairview."
B	8	LIVE OAK	3" DIA.	8' H., B&B, QUERCUS VIRGINIANA
C	6	RED OAK	3" DIA.	8' H., B&B, QUERCUS SHUMARDII
D	4	NATIVE PECAN	3" DIA.	8' H., B&B, CONTAINER GROWN - CARYA ILLINOINENSIS
E	4	ARISTOCRATE PEAR		
F	3	YAPON HOLLY	8' H.	LLEX VEMITORIA
G	47	EASTERN RED CEDAR	3" DIA.	8' H. 8" O.C. - B & B, JUNIPERUS VIRGINIANA
H	52	BURFORD HOLLY	5 GALLON	36" O.C., LLEX CORNUTA BUFORDI NANA
I	40	NELLIE R. STEVENS	5 GALLON	36" O.C., LLEX CORNUTA BUFORDI NANA
J				
K				
L				
M	9,300 SQ.FT.	BERMUDA	SOD	NATIVE GRASS

**PLAN NOTES**  
 PRIOR TO PLANTING TREES, LOCATE ALL UTILITIES. PLANT TREES MIN. OF 5'-0" FROM ALL UTILITIES.

**TREE PRESERVATION / TREESCAPES PLAN**  
 THERE ARE NO EXISTING PROTECTED TREES LOCATED IN PROPOSED AREA. ALL EXISTING TREES IN PROPOSED WORK AREA ARE CERTIFIED BY LISCENCED TREE ARBORIST AS DISEASED AND DEEMED HAZARDOUS.

- IRRIGATION NOTES**
- IRRIGATION LINES SHALL NOT BE LESS THAN 3' FROM CURB.
  - NO IRRIGATION HEAD OR VALVE SHALL BE WITHIN 3' OF A WATER UTILITY.
  - SYSTEMS MUST BE FROST PROTECTED AND A DOUBLE-CHECK BACKFLOW DEVICE SHALL BE INSTALLED AND TESTED IN ACCORDANCE WITH THE INTERNATIONAL PLUMBING CODE (IPC).
  - INSTALL AN AUTOMATIC UNDERGROUND SYSTEM (CONVENTIONAL SPRAY, BUBBLER, ETC). IRRIGATION DRAWINGS SHALL BE INDICATE THE NATURE AND LOCATION OF EACH IRRIGATION COMPONENT FOR A COMPLETE AUTOMATIC SYSTEM ADEQUATE TO MAINTAIN LAWN AND LANDSCAPE AREAS, INCLUDING RIGHT-OF-WAY EASEMENTS.
  - THE IRRIGATION SYSTEM SHALL BE IN PLACE AND OPERATIONAL AT TIME OF THE LANDSCAPE INSPECTION FOR CERTIFICATE OF OCCUPANCE AND BE MAINTAINED AND KEPT OPERATIONAL AT ALL TIMES.
  - CONTRACTOR TO SUBMIT IRRIGATION PLANS TO CITY FOR APPROVAL PRIOR TO INSTALLATION. IRRIGATION PLANS SHALL BE DESIGNED BY AN IRRIGATION DESIGNER OR ARCHITECT LICENSED BY THE STATE OF TEXAS.

Exhibit "C"

SHEET TITLE: LANDSCAPE DEMO / LANDSCAPE NOTES

REVISIONS:

FRIENDSHIP BAPTIST CHURCH  
 FAIRVIEW, TEXAS

2240 E. LUCAS RD.  
 ALLEN, TX 75002  
**GLENN & ASSOCIATES** PH: 972-442-3801

FRIENDSHIP BAPTIST CHURCH  
 370 COUNTRY CLUB RD  
 FAIRVIEW, TX 75069  
 LOT 1R, BLOCK 1 FRIENDSHIP BAPTIST CHURCH ADDITION

DATE: 02.27.06  
 DRAWN BY: ADAM G.  
 PROJ. NO: 1285  
 SHEET: **L101**

REVISIONS PRIOR TO COUNCIL APPROVAL 02.14.06