



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, NOVEMBER 21, 2017 – 7:00 P.M.
CITY COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY
ALLEN, TEXAS 75013**

Call to Order and Announce a Quorum is Present

Pledge of Allegiance

Directors Report

1. Action taken on the Planning & Zoning Commission items by City Council at the November 14, 2017, regular meeting.

Consent Agenda (*Routine P&Z business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Commission member or member of staff.*)

2. Approve minutes from the November 7, 2017, regular meeting.
3. Capital Improvement Program (CIP) Status Report.

Regular Agenda

4. Preliminary Plat – Consider a request for a Preliminary Plat for the Village at Twin Creeks Phase Four, being 33.542± acres located in the Catharine Parsons Survey, Abstract No.711; generally located at the southwest corner of the intersection of Exchange Parkway and Watters Road. (PL-Pre-082117-0006) [The Village at Twin Creeks Phase Four]
5. Public Hearing – Conduct a Public Hearing and consider a request for a Replat for Lot 1-R-1, Block A, Kids R Kids Addition, being 5.50± acres; generally located at the northwest corner of the intersection of Exchange Parkway and Alma Drive. (PL-101317-0019) [Alma and Exchange Grocer]
6. Public Hearing – Conduct a Public Hearing and consider a request to amend the Development Regulations of Planned Development PD No. 40 Corridor Commercial “CC” and to adopt a Concept Plan, Special Event/Temporary Use Exhibit, Sign Plan, and Building Elevations for 11.944± acres out of the Seaborn and Clements Survey, Abstract No. 879, and including a portion of Lot 1, Block A, Cottonwood Creek Baptist Church Addition; generally located south of State Highway 121 and west of Watters Road. (ZN-080717-0007) [Allen Harley Davidson]

Executive Session (As Needed)

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Adjournment

This notice was posted at Allen City Hall, 305 Century Parkway, Allen, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, November 17, 2017, at 5:00 pm.

Shelley B. George, City Secretary

Allen City Hall is wheelchair accessible. Access to the building and special parking are available at the entrance facing Century Parkway. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 214-509-4105.

Director's Report from 11/14/2017 City Council Meeting

- The request to conduct a Public Hearing and adopt an Ordinance for Specific Use Permit No. 157 for a Medical Office use for an approximately 1,500± square foot square foot portion of a building generally located north of Exchange Parkway and east of Twin Creeks Drive (1420 W Exchange Parkway, Building A, Suite 120), for the Vitals Family Medicine, was approved.
- The request to conduct a Public Hearing and adopt an Ordinance for Specific Use Permit No. 158 for a Dental Office use for an approximately 1,947± square foot square foot portion of a building generally located north of Exchange Parkway and east of Twin Creeks Drive (1420 W Exchange Parkway, Building 2, Suite 170), for the Allen Smile Design, was approved.



PLANNING AND ZONING COMMISSION

Regular Meeting

November 7, 2017

ATTENDANCE:

Commissioners Present:

Ben Trahan, Chair
Stephen Platt, Jr., 1st Vice-Chair
Michael Orr, 2nd Vice-Chair
Gene Autrey
Luke Hollingsworth
Dan Metevier
John Ogrizovich

Absent:

None

City Staff Present:

Marc Kurbansade, AICP, Director of Community Development
Joseph Cotton, PE, Assistant Director of Engineering
Brian Bristow, RLA, Assistant Director of Parks and Recreation
Hayley Angel, Planner
Kevin Laughlin, City Attorney

Call to Order and Announce a Quorum is Present:

With a quorum of the Commissioners present, Chairman Trahan called the meeting to order at 7:00 p.m. in the City Hall Council Chambers Room at Allen City Hall, 305 Century Parkway.

Directors Report

1. Action taken on the Planning & Zoning Commission items by City Council at the October 24, 2017, regular meeting, attached.

Consent Agenda (*Routine P&Z business: Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Commission member or member of staff.*)

2. Approve minutes from the October 17, 2017, regular meeting.

Motion: **Upon a motion by Commissioner Autrey, and a second by Commissioner Metevier, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda.**

The motion carried.

Regular Agenda

3. Public Hearing – Conduct a Public Hearing and consider a Replat for Lot 1R, Block 1, Cyrus One Allen; generally located east of Chelsea Boulevard and north of Allen Commerce Parkway. (PL-102417-0020) [Cyrus One Allen]

Ms. Hayley Angel, Planner, presented the item to the Commission. She stated that the item is a Replat for Cyrus One Allen. The property is generally located east of Chelsea Boulevard and north of Allen Commerce Parkway. The properties to the north (across Ridgeview Drive) are zoned Agriculture Open Space AO and Planned Development PD No. 24 Office O and Light Industrial LI. The properties to the west (across Chelsea Boulevard) are zoned Agriculture Open Space AO, Planned Development PD No. 130 Single-Family Residential R-5 and R-6, Planned Development PD No. 92 Single-Family Residential R-7, and Planned Development PD No. 36 Industrial Technology IT. To the south (across Allen Commerce Parkway), the property is zoned Planned Development PD No. 102 Corridor Commercial CC. The properties to the east are zoned Community Facilities CF and Planned Development PD No. 124 Corridor Commercial CC.

Ms. Angel stated that the property is zoned Planned Development PD No. 128 Corridor Commercial CC. She noted that a Site Plan for Phase 1 of the Cyrus One Data Center was approved on September 2017 and that a Site Plan for Phase 2 of the Cyrus One Data Center is currently under review. Platting the site is the last step in the development process.

Ms. Angel stated that a Combination Plat for the property was approved in July 2017. She noted that a replat is submitted to primarily establish various easements for the first phase of the development and to dedicate right-of-way. She stated that the Replat shows one lot at approximately 65.599± acres, and includes two access points into the development; one on Allen Commerce Parkway and one on Chelsea Boulevard.

The Replat has been reviewed by the Technical Review Committee and meets the standards of the Allen Land Development Code.

Chairman Trahan opened the public hearing.

Chairman Trahan closed the public hearing.

Commissioner Autrey asked where the right-of-way was being dedicated.

Ms. Angel pointed out that right-of-way was being dedicated along Allen Commerce Parkway, Chelsea Boulevard, and Ridgeview Drive. She noted that there is a table on the first page of the Replat that outlines the amount of right-of-way being dedicated along each road.

Motion: **Upon a motion by 2nd Vice-Chair Orr, and a second by Commissioner Hollingsworth, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve a Replat for Lot 1R, Block 1, Cyrus One Allen; generally located east of Chelsea Boulevard and north of Allen Commerce Parkway.**

The motion carried.

4. Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit SUP for a Gymnastics and Sports Training Facility use for an approximately 5,300± square foot portion of a building located on Lot 2, Block A, Greenwood Valley Commercial Addition; generally

located south of Main Street and west of Allen Heights Drive (and commonly known as 1210 E. Main Street). (SUP-092017-0005) [CrossFit Ammo]

Ms. Hayley Angel, Planner, presented the item to the Commission. Ms. Angel stated the item is a Specific Use Permit for CrossFit Ammo. The property is generally located south of Main Street and west of Allen Heights Drive (and commonly known as 1210 E. Main Street). The properties to the north are zoned Planned Development PD No. 33 Shopping Center SC. The properties to the east (across Allen Heights Drive) are zoned Planned Development PD No. 2 Single-Family Residential R-5. The properties to the south and west are zoned Planned Development PD No. 33 Single-Family Residential R-1.

Ms. Angel stated that the applicant is proposing to tenant a 5,300± square foot portion in an existing building for a Gymnastics and Sports Training Facility use. She noted that the applicant currently tenants a space across the street and is looking to move to a suite on the opposite side of Main Street.

Ms. Angel stated that the property is zoned Planned Development PD No. 33 Shopping Center SC. The Allen Land Development Code requires a Specific Use Permit (SUP) for a Gymnastics and Sports Training Facility use within the SC zoning district.

Ms. Angel stated that the applicant submitted a business summary in conjunction with SUP application. The following is a general summary of the proposed business operations:

- Business Hours:
 - 5:00-10:00 a.m. and 4:30-7:30 p.m., Monday through Friday
 - 8:00-10:00 a.m., Saturday

Ms. Angel noted that parking on site complies with the Allen Land Development Code standards.

Ms. Angel stated that there are no proposed changes to the exterior of the building.

The Specific Use Permit request has been reviewed and meets the standards of the *ALDC*.

Chairman Trahan opened the public hearing.

Chairman Trahan noted that there was one letter received:

- Jiaxiang Zeng 1210 E. Main Parkway, Allen, TX, SUPPORT

Chairman Trahan closed the public hearing.

1st Vice-Chair Platt clarified that the business is just relocating.

Ms. Angel confirmed that the business is relocating.

Commissioner Ogrizovich asked what the “Ammo” portion of the business name “CrossFit Ammo” meant.

Santee Hathaway, the Applicant, 801 E. Campbell Road Suite 470, Richardson, TX, stated that he was one of the owners of the business and that they created the slogan “Arming you for life.” He stated that the goal of the business is to make individuals more functional in their daily lives.

Motion: **Upon a motion by Commissioner Ogrizovich, and a second by 1st Vice-Chair Platt, the Commission voted 7 IN FAVOR, and 0 OPPOSED to recommend approval of a Specific Use Permit SUP request for a Gymnastics and Sports Training Facility use for CrossFit Ammo, generally located south of Main**

Street and west of Allen Heights Drive (and commonly known as 1210 E. Main Street).

The motion carried.

5. Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit SUP for a Medical or Dental Office use for an approximately 1,947± square foot portion of a building located on Lot 1R, Block A, The Reading Ranch Addition; generally located north of Exchange Parkway and east of Twin Creeks Drive (and commonly known as 1420 W. Exchange Parkway, Building 2, Suite 170). (SUP-102517-0006) [Allen Smile Design]

Ms. Hayley Angel, Planner, presented the item to the Commission. Ms. Angel stated that the item is a Specific Use Permit for Allen Smile Design. The property is generally located north of Exchange Parkway and east of Twin Creeks Drive (and commonly known as 1420 W. Exchange Parkway, Building 2, Suite 170). The properties to the north are zoned Planned Development PD No. 53 Single-Family Residential SF. The property to the east is zoned Planned Development PD No. 53 Community Facilities CF. The properties to the south (across Exchange Parkway) are zoned Planned Development PD No. 54 Single-Family Residential SF. The property to the west (across Twin Creeks Drive) is zoned Community Facilities CF.

Ms. Angel stated that the applicant is proposing to tenant a 1,947± square foot portion in an existing building for a Medical or Dental Office use. She noted that the property is currently zoned Planned Development PD No. 53 Community Facilities CF. The Allen Land Development Code requires a Specific Use Permit (SUP) for a Medical or Dental Office use within the CF zoning district.

Ms. Angel stated that the applicant submitted a business summary in conjunction with the SUP application. Business operation hours will generally be: Monday through Friday, 8:00 a.m. – 5:00 p.m.

Ms. Angel stated that parking on site complies with the Allen Land Development Code standards.

Ms. Angel noted that there are no proposed changes to the exterior of the building.

The Specific Use Permit request meets the standards of the Allen Land Development Code.

Chairman Trahan opened the public hearing.

Chairman Trahan noted that there was one letter received:

- Tonie Lewis, DDS, 1420 W. Exchange Parkway #170, Allen, TX, SUPPORT

Chairman Trahan also noted that the Commission received one comment card for a citizen who did not wish to speak:

- Tonie Lewis, DDS, 1420 W. Exchange Parkway #170, Allen, TX, SUPPORT

Chairman Trahan closed the public hearing.

Commissioner Hollingsworth asked if there was a dentist office that was currently in the suite.

Ms. Angel stated that there is currently a dentist office in the location and that it received a Certificate of Occupancy prior to 2010. She noted that when this original dentist office applied for the Certificate of Occupancy in 2008, the property was zoned to allow Office uses by right and that the Medical or Dental Office use was considered an Office use. She stated that since that time, Medical or Dental Office became

a separate land use category. She noted that the Medical or Dental Office use requires a Specific Use Permit in this zoning district.

Commissioner Ogrizovich asked if this would be a second dental office at this location.

Ms. Angel stated that there is an existing dental office in this suite and that the applicant is requesting to tenant that existing suite under a new owner and new name.

1st Vice-Chair Platt noted that he had been to the site and did not believe that the use would create any issues with parking. He stated that he felt like it would be a good location.

Motion: Upon a motion by Commissioner Hollingsworth, and a second by Commissioner Autrey, the Commission voted 7 IN FAVOR, and 0 OPPOSED to recommend approval of a Specific Use Permit SUP for a Medical or Dental Office use for an approximately 1,947± square foot portion of a building; generally located north of Exchange Parkway and east of Twin Creeks Drive, for Allen Smile Design.

The motion carried.

6. Tabled/Public Hearing – Conduct a Public Hearing and consider a request to establish a Planned Development zoning district with a base zoning of Corridor Commercial “CC”, and to adopt Development Regulations, a Concept Plan, and Building Elevations relating to the use and development of 1.610± acres out of the L.K. Pegues Survey, Abstract No. 702; generally located at the southwest corner of the intersection of Curtis Lane and US Highway 75. (ZN-062617-0005) [Texas Legends Gun Range]

Mr. Marc Kurbansade, Director of Community Development, presented the item to the Commission. He stated that the item is a PD Zoning for Texas Legends Gun Range and that this item is continued from the last meeting. He stated that the property is generally located at the southwest corner of the intersection of Curtis Lane and US Highway 75.

Mr. Kurbansade stated that there are two access points along Curtis Lane and that the Engineering Department has reviewed these access points. He noted that the building is just under 100 feet from the western property line and that the setback to the south (the Tru by Hilton property) is three feet.

Mr. Kurbansade presented the elevations and rendering of the proposed building.

Mr. Kurbansade noted that the applicant provided an acoustic study, and that while staff reviewed it, they did not have a professional on staff that was able to review it in depth. He noted that the City reviews sound from a code compliance perspective.

Mr. Kurbansade stated that the landscape buffer is being shortened due to the right-of-way but that the landscaping will be redistributed throughout the site.

Mr. Kurbansade stated that the request is before the Commission for two reasons. He stated that the use requires a zoning action in Corridor Commercial and that the setbacks deviate from the base zoning of Corridor Commercial.

Mr. Kurbansade stated that staff is recommending approval but that he encouraged the Commission to consider setbacks and proximity to neighboring commercial as these deviations are a drastically different from what is required by the Allen Land Development Code.

Greg Taggart, the Applicant, 1905 Pirate's Cove Drive, Plano, TX, stated that they have expanded the presentation to answer questions from the previous meeting. He stated that they would like to bring a modern gun range to Allen, not pollute the air, be a hotbed of criminal activity, or be noisy. He noted the shape of the site and the 100' ONCOR easement. He stated that they specifically selected this site because it would not be easily developed for any other use and that this recommendation was given to him by someone who is no longer at the City. He stated that customers will drive from across DFW to be at this location.

Mr. Taggart noted that he is joined by the architectural project manager who would be able to answer questions about the acoustic design of the building. He stated the 7 1/4" thick concrete walls and acoustic treatment to prevent leaking noise. He noted that other gun ranges aren't comparable. He stated that the business will be required and wants to meet the local noise ordinance. He stated that he can demonstrate that the air the facility emits will be cleaner than what comes in off of US Highway 75.

Mr. Taggart stated that the safety and education that is provided is important to the community. He stated that estimated sales tax and property tax would offset the cost of a police officer. He noted that they will comply with federal, state law, and the Allen Land Development Code.

Mr. Taggart noted that they specifically designed this facility in ways that others have not, including the addition of tactical firearm training and league competitions. He reiterated that they will comply with the ordinance. He noted a bullet will not penetrate out of the wall.

Mr. Taggart noted that they will not be a large traffic generator, as their use will generate about 40% of other allowed uses.

Mr. Taggart stated that a properly run facility will not attract criminals. He stated that in four years, Frisco Police got eight calls of service that generated a report at the gun range. He stated that Lewisville Police got eight complaint calls at their gun range. He stated that accidental discharges in the parking lot or retail area will not occur because it is prohibited and firearms shall be concealed or in a case. He noted that these areas will be monitored by camera.

Mr. Taggart stated that gun ranges with crumb rubber backstops do burn, but this facility will not utilize crumb rubber backstops and will use armored steel with concrete and a sprinkler system.

Mr. Taggart noted that he could not find research that supported the conclusion that a properly run indoor gun range which is not noisy creates a damaging impact on property values.

Commissioner Ogrizovich asked staff to show the aerial of the property. He asked if PD-54 to the south was where the hotel was approved to be developed.

Mr. Kurbansade confirmed.

Commissioner Ogrizovich asked if staff or the applicant was able to meet with the hotel owner and if they have altered their opposition to the project.

Mr. Kurbansade stated that he has spoken with the owner and that the owner is not open to changing his view point.

Commissioner Ogrizovich noted that the properties that were notified of the proposal included the property to the north, across Curtis Lane, and asked if staff had heard a stance from that property.

Mr. Kurbansade stated that he did not remember a response from them but would check to confirm.

Commissioner Ogrizovich asked if the individual to the south of the subject property owned the land to the north of the subject project.

Stan Itzcowkitz, Dallas, TX, stated that he is the broker of the subject property and that the subject property and the property to the north, across Curtis Lane, are owned by the same individual. He stated that the owner to the north, who is selling the subject property, is in favor of the property.

Commissioner Metevier summarized the conversation, stating that the owner of the land zoned Corridor Commercial to the north of the subject property is selling the subject property to the Applicant. He noted that there is a different owner for the property to the south zoned PD-54 Corridor Commercial.

Chairman Trahan opened the public hearing.

Chairman Trahan noted that three letters were received:

- Rita Barnard, 1316 Gardenia Drive, Allen, TX, SUPPORT
- Jeff Cocking, 24 Buckingham Lane, Allen, TX, SUPPORT
- Michael Partridge, Allen, TX, OPPOSED

Chairman Trahan noted that the Commission received comment cards from citizens who did not wish to speak:

- E. Amy Travis, 7609 Spring Valley Road, Dallas, TX, SUPPORT
- David Meredith, 803 Bedell Lane, Allen, TX, SUPPORT
- Dean Boyers, 1312 Bethany Creek Boulevard, Allen, TX, SUPPORT
- Kelly Cunningham, 705 Bray Central Drive #720, Allen, TX, SUPPORT
- Sekar Shanmugam, 827 Birdie Drive, Allen, TX, OPPOSED
- Nivi Sekar, 827 Birdie Drive, Allen, TX, OPPOSED
- Bobby Patel, 1408 Luckenbach Drive, Allen, TX, OPPOSED
- Amey Deshpande, 1444 Pebble Way, Allen, TX, OPPOSED
- Amarjet Singh, 1448 Pebble Way, Allen, TX, OPPOSED
- Gita Mani, 823 Birdie Drive, Allen, TX, OPPOSED
- Aditya Sharma, 823 Birdie Drive, Allen, TX, OPPOSED
- Surendran Nagaraj, 719 Hawk Drive, Allen, TX, OPPOSED
- Priya Sivaraj, 719 Hawk Drive, Allen, TX, OPPOSED
- Fahad Makhdoomi, 824 Birdie Drive, Allen, TX, OPPOSED
- Prasad Gaikwad, 705 Callaway Drive, Allen, TX, OPPOSED
- Chong Zhou, 707 Callaway Drive, Allen, TX, OPPOSED
- Stephanie Peterson, 614 Ansley Way, Allen, TX, OPPOSED
- Jennifer Partridge, 1420 Guthrie Lane, Allen, TX, OPPOSED

John Travis, 605 Windsor Drive, Allen, TX, stated that he looks forward to having a range to teach his kids how to shoot in a safe environment. He noted that exposing people to firearms and ensuring they understand safety and training is important. He stated that he likes the different types of classes to be offered at this proposed facility.

Mr. Travis noted that he doesn't want the property to be used as any other commercial use because it is so oddly shaped. He stated that he thought property values could only increase and bring tax revenue. He stated that he supports this item.

Daniel Kern-Ekins, 757 Pulitzer Lane, Allen, TX, stated that he and his son went to Bullet Trap in Plano. He stated that in Texas, people will be exposed to guns and it can be a safety issue. He noted that he felt it would be important to learn about firearms. He stated that he and his son started at the rifle range and moved to the handgun range. He noted that they always had staff watching to ensure guns were handled properly and packaged correctly on and off the range. He stated that his wife noted that when he and his son came home, they were bouncy and excited. He stated that he looks forward to having fun and meeting other people there. He stated that he supports this item.

Stacy Travis, 605 Windsor Drive, Allen, TX, stated that there are over 1,200 signatures on an online petition in favor of the agenda item. She then showed a video of a gentleman outside a gun range in Frisco at 4:30pm on a Saturday. The man in the video stated that he was thirty yards away from building to demonstrate the noise. The man in the video noted it was noisy from cars.

Ms. Travis stated that the petition includes comments about a need for a safe, educational environment to handle firearms. She noted that people outside the City are excited about being able to come to Allen for not just shooting, but also shopping and dining. She noted that one comment expressed excitement at the prospect of having a gun range walking distance from their front door.

Anamika Das, 715 Callaway Drive, Allen, TX, stated that she is an Ansley Meadows resident. She stated that she wanted to reiterate that nothing has changed since the last meeting and that this facility would be one of the closest to residential districts in the region. She reiterated that the Commission would still be taking the word of the business and that she was still unsure of any proactive oversight of the business. She noted that a gun range in this proximity to a residential district would impact families with lead and noise.

Ms. Das stated that she tried to find out how the owners would be held liable for any regulation violations, but it is only once something is reported to OSHA that the agency would become involved. She stated that it is only self-evaluation and that this is the time to be proactive.

Heera Khan, 1414 Guthrie Lane, Allen, TX, stated that she is within the 200 foot radius of the property. She stated that she is opposed to a gun range in this location. She noted that it is important to teach firearm safety and that it is needed in the community. However, she stated that she did not want it in her backyard. She noted that on evening walks, she is within 100 feet of the proposed range. She noted that she and other residents feel like the plan is coming after they committed to homes in a safe neighborhood with children and that the proposal does not feel right with the proximity to a residential district.

Yasar Awan, 1414 Guthrie Lane, Allen, TX, stated that he is against the range. He noted that his research has revealed that gun ranges more than 200 feet away negatively affected housing prices. He stated that his research found realtors saying people did not want to buy in proximity to a gun range. He noted that he can see the property from his bedroom. He reminded the Commission that it is only the applicant's word that there will be no sound and that there has been no scientific proof that he will not hear it.

John Dewey, 1208 E. Northgate Drive #205, Irving, TX, stated that he has known the applicant for a while and that they are straightforward, advanced people. He noted that he is a professor of business education and that we live in world in which one balances risk and return. He stated that fear clouds that judgement. He stated that he felt education is the foundation of making clear, long-range, and sensible decisions. He noted that when fear guides those decisions, we do not make the best decisions. He noted that he is not a

gun owner but looks forward to becoming educated on firearm safety. He stated that he is in support of the agenda item for benefit of the City.

Alan Peterson, 614 Ansley Way, Allen, TX, stated that he is a resident of Ansley Meadows and had presented several examples from new construction indoor ranges at the last meeting. He stated that he has a new example that summarizes his main concerns. He showed a video of a gun range in Trussville, Alabama, in which residents voiced concerns about noise to their local City Council. He noted that the gun range in the video was built last year. He noted that the Council was assured by the gun range developers that it would not produce noise. He stated that the range in Alabama was 600 feet away from the neighborhood, much further away than the one proposed in Allen. He noted that all facilities he has presented were said to be state of the art. He stated that residents should not be subjected to listening to gun shots in their homes. He is in opposition.

Heather Hale, 814 Soapberry Drive, Allen, TX, stated that she understood the concerns, but that citizens in opposition have not presented current research about the specific technology proposed at the facility. She stated that the technology of other businesses is unknown and that one cannot compare them. She noted that she hears feelings and fears, but not facts. She stated that she loves Allen and that she wants to patron businesses in Allen. She stated that she and her husband go on date nights to gun ranges. She noted that safety is her biggest concern, so the classes at the proposed facility appeal to her.

Gary Stocker, 1305 Cassandra Lane, Allen, TX, stated as he was reviewing the agenda for the meeting, he realized that he did not necessarily support gymnastic and training facilities because he would not visit that kind of business. He stated that he did not oppose this item. He also noted that he hates going to the dentist but that he did not oppose that item. He noted that he looked at the next item on the agenda, the gun range. He noted that it was a zoning change due to the fact that the use requires a SUP and there are setback changes. He noted that the Commission can view it as a zoning issue. He also stated that the soundproofing at the high school works very well and that soundproofing is possible. He stated that he supports this zoning change.

Li Jiang, 707 Callaway Drive, Allen, TX, stated she is an Ansley Meadows resident. She stated that she is aware of the petition online in favor of the item and that she is aware that after the last meeting, some of those people changed their minds.

Ms. Jiang showed a picture of the sound study submitted by the applicant and stated that the red numbers represent the highway noises. She stated the noise drops about ten decibels in 500 feet. She compared this to the acoustic schematic. She pointed out that Point B, outside of building, is at 85 decibels. She stated that in three feet, it is at 55 decibels. She questioned how that drop in decibel readings was possible. She stated that she used the method cited in the plan to determine the change in decibel readings over three feet and got 81 decibels. She noted that the reading of 81 decibels is more consistent with the readings along the highway. She reminded the Commission that this is a higher decibel level than allowed by the Code.

Ms. Jian then showed the schematic and highlighted the calculation of decibel loss through the building materials. She noted that her research shows that STC ratings cannot be added. With this information, she stated that she did not believe that the proposed noise reduction from the building material is accurate. She noted the data source does not reference the correct wall material and that the hyperlink is not active.

Louise Lynn, 1851 Holford Road, Garland, TX, stated that she is an instructor at a college and is a real estate broker. She stated that any tool used incorrectly will be dangerous. She noted that with training, any tool can become useful and safe. She stated that this facility would be educating families through various courses. She noted that safe handling of firearms is hard for families to practice due to time and distance to travel to a facility. She stated that this facility would be more convenient for families in Allen.

Ms. Lynn stated that after reading the material provided by Texas Legends Gun Range, there would be no issue of air pollution. She stated that she shoots at ranges in Frisco and Garland and does not hear shots in the parking lot. She noted that soundproofing is achievable.

Ms. Lynn noted that her real estate clients would love to be close to a gun range. She reiterated the importance of education on firearm safety. She noted that folks who come to use the range will want to shop and eat afterwards and the City will benefit from taxes. She stated that access to US Highway 75 allows for advertisement and that people driving by may utilize the facility.

James Zerban, 13423 Shahan Drive, Farmers Branch, TX, stated that he has been looking for a good place to shoot. He stated that he has been a firearms instructor for 44 years and is a police shotgun and pistol instructor among other qualifications. He noted that he has built police academies and ranges in three countries, specifically South Sudan, Iraq, and Afghanistan. He stated that he grew up on a farm and that he was a hunter. He noted that firearm safety is what good shooters see as their primary focus and that friendly fire is never a good thing. He stated that he has known the Applicants for a while and that they have a very good plan. He stressed that he has seen good and bad ranges and that he has worked with Army Corps of Engineers on gun ranges. He is in support.

Jim Longley, 209 Exchange Place, Allen, TX, stated that he discovered tonight that the Applicant is building a tactical range in this facility. He noted that he is excited about this as he is certified in training tactical shooting, among other certifications, and having a facility close by will be nice.

Mr. Longley stated that he took sound readings on the property of about 64 decibels while facing away from traffic and 74 decibels when facing traffic. He stated that he then went to the hospital to take sound measurements and it read at about 75 decibels. He noted that he went to the pool at a hotel and it read at about 78 decibels. He noted that he assumes that a PE drew up the sound plans and that if it is even close to accurate, the noise would be okay.

Mr. Longley stated that he was speaking to his friend Ken, who noted that the Exide battery facility in Frisco was built in the 1960s. Mr. Longley also noted that the lead pollution was admittedly huge at this facility. He stated that there are 21 pounds of lead in car battery and that it would take 1,250 shots to generate the same amount of lead as a single car battery.

Mr. Longley stated the video of the gun range in Alabama, Sheepdog, was interesting and that he wondered where they took the sound readings. He noted that when people spoke, he heard no shots and that when parked in front of building, there were no shots.

Craig Carroll, 804 Heritage Court, Allen, TX, stated that he has lived in Allen since 2001. He noted that he is a licensed carry and tactical defense instructor among other certifications. He made note of what happened Sunday in Texas when there was a church shooting. He noted that the gunman stopped because of a good guy with a gun. Mr. Carroll stated that the neighbor tactically shot the gunman by aiming around armor. He noted that proper training is critical.

Mr. Carroll stated that he currently drives to Lewisville every weekend and that it would be great to have a gun range here. He stated that it would be nice not just to prevent the long drive, but also because of the confidence inspired in people after they learn proper firearm handling skills. He noted that because of scheduling, it is hard to give the proper amount of training time to safely own a firearm and having a range in the area will make this easier.

Scott Codie, 710 Rockcrossing Lane, Allen, TX stated that he has lived in the area for 20 years and that he spoke at the last meeting. He noted that he was originally in support of the range but after the meeting, he stated that he was against the proposed facility because of the close distance to homes. He noted that Allen used to have a gun range near Bethany Lakes and that it was a massive lead clean up effort. He stated that he worked for Texas Instruments and they got rid of their gun range because ranges went out of style. He stated that Allen has learned lots of lessons in the past.

Mr. Codie reiterated that only being 90 feet away from the homes is too close. He stated that wanting a range is not a fair reason if it is at the expense of other citizens. He added that he has never seen property values rise from being next to a gun range.

Lance Gayle, 303 Tonkawa Trail, Corsicana, TX, stated that he plans to move to Allen. He stated that he is one of the owners of the gun range and that he is the equipment manufacturer and is responsible for dust collection, ventilation equipment, and lead recovery equipment. He stated that this will be the most sophisticated gun range in the country. He stated that the bullets are shredded and fall into an auger above the ground. He stated that all the lead particulates and dust are removed and that the larger particulates, namely the bullets, are moved through the auger under negative pressure into a sealed, 55 gallon EPA and OSHA approved barrel. He noted that these barrels are not in the ground.

Mr. Gayle stated that the ventilation equipment is a 0.5-micron filtration system that should last about five years. He stated that after this filtration system, there is a secondary HEPA filter that takes the particulates down to submicron particulates. He stated that both filters are monitored for breakage and that if the secondary filter breaks, it would shut down.

Mr. Gayle stated that the entire system is interlocked, meaning that one cannot shut down the filtration system because everything must be on to be functional. He stated that the ventilation system is closed loop and only exhausting up to 20% of air out of the range. He noted that if the business fails at any of these things, they will get reprimanded. He noted that the EPA monitors air quality, not OSHA, and that the business needs a permit from the state to operate the dust collection units. He noted that the state spot monitors these readings as well.

Mr. Gayle stated that to help with noise reduction, the equipment sits in between two 7 ¼" walls so there would not be a hum from fans. He noted that there will be slight noise from air conditioning units on the roof. He stated that as an owner and manufacturer of the equipment, if there is an issue with noise, it will be addressed. He noted that the noise measurements have been done scientifically, but if it does make noise, they will address the issue.

Chairman Trahan closed the public hearing.

Commissioner Ogrizovich stated that the Commission has listened to this case twice and that it is somehow being positioned as yes or no to a gun range in Allen and that is not the case. He stated that he is in favor of a gun range in Allen but that he has not changed his position from two weeks ago because it is not a good location. He stated that he understands why the Applicant would like the location but that if you look at the map, the US Highway 75 corridor still looks like it is open space. He noted that this is not the last piece of land where the gun range could be built. He stated that he remains opposed because of the proposed location.

Commissioner Metevier stated that he agrees with Commissioner Ogrizovich. He stated that a lot of time was spent on talking about Stacy Green and the US Highway 75 corridor. He stated that the corridor has restaurants, hospitality, and shopping and that he does not think that this location makes sense. He stated that the close proximity to the homeowners and the three-foot setback to the south would drastically prohibit use by the property owner to the south. He stated that he is in opposition for these three reasons.

2nd Vice-Chair Orr stated that the presentation was great, that building is beautiful, and that the technology is state of the art. He noted that the location is the problem and the lack of setback to the south presents a problem as he considers approval.

Commissioner Hollingsworth stated that he had a question for the architect.

Darko Mijic, the Applicant, 715 Bethany Lake Boulevard, Allen, TX, stated that he is responsible for project management and that Mr. Taggart used to be a Civil Engineer and worked on the sound calculations.

Commissioner Hollingsworth asked Mr. Mijic if he has worked on other gun ranges in the metroplex.

Mr. Mijic stated that he has not.

Commissioner Hollingsworth asked if any of the individuals working on the facility have worked on other gun ranges in the metroplex

Mr. Taggart stated that the project is not at the final acoustic design stage and the information provided to date are the result of standard architectural techniques. He stated that later in the process, they would add more detail to the acoustic treatment necessary to reduce noise.

Mr. Mijic stated standard design criteria for gun ranges only recommend 6" thick concrete walls for acoustics and that this project uses more than that. He also noted that the structural and civil engineers on staff have been involved in other gun ranges.

Commissioner Hollingsworth stated he went to several different gun ranges. He stated that he went inside businesses to talk to people. He noted that at the new gun range in Addison, he walked around the building and even called to make sure people were shooting but did not hear anything. He stated that he also went to the Bullet Trap in Plano. He noted that it is an older facility and that he could hear the shots. He noted that the businesses nearby did not have issues. He stated that in Plano, he went to speak with neighbors in an apartment complex that is about 100 feet away. He noted that none of the residents had complaints. He stated that apartments are not built as sturdy as homes.

Mr. Mijic stated that the Bullet Trap in Plano only accounted for the transmission of sound and not the vibration of sound through their structure. He stated that this allows sound to penetrate through the building.

Commissioner Autrey stated that the Commission has heard the same information from two weeks ago. He noted that as a gun owner, he would have enjoyed a range in Allen but that as a homeowner, he can understand the homeowners' point of view. He stated that he was hoping to hear that the Applicant found a location along State Highway 121, as this would resolve his concerns. He stated that he could not recommend approval of this proposal.

1st Vice-Chair Platt stated that he did not believe there were safety issues concerning a firearm being discharged. He stated that noise can heard next to the Bullet Trap in Plano but that the building was retrofitted into a gun range and not built from the ground up. He stated that he has confidence that noise produced by the facility will be less than the noise generated by traffic. He stated that the air exhaust, lead, and potential for contamination has been his primary concern. However, he noted that hearing from the manufacture of the systems made him feel better that there is little potential for contamination. He stated that he does not think that this is a bad location for a gun range.

Chairman Trahan asked staff if there was a zoning protest in place.

Mr. Kurbansade stated that staff has not tabulated the formal request but has simply looked at people who have expressed opposition. He stated that property owners would need to file a formal request with the City Secretary. He noted that staff has assumed, based on the available information, that over twenty percent of the land area is in opposition, but that the City Secretary would need to confirm that.

Chairman Trahan asked if there was a process to determine noise levels during the construction process and inspection.

Mr. Kurbansade stated that the City would not be able to monitor potential noise from a functioning facility during the construction process and that the City relies on the applicant to provide material complied by a licensed professional.

Chairman Trahan stated that if City Council approves the request and the facility is built, citizens can call the City to report a noise complaint.

Motion: **Upon a motion by Commissioner Hollingsworth, and a second by 1st Vice-Chair Platt, the Commission voted 3 IN FAVOR, and 4 OPPOSED to recommend approval of the request to establish a Planned Development zoning district with a base zoning of Corridor Commercial “CC”, and to adopt Development Regulations, a Concept Plan, and Building Elevations relating to the use and development of 1.610± acres; generally located at the southwest corner of the intersection of Curtis Lane and US Highway 75, for the Texas Legends Gun Range.**

The motion failed to carry.

Motion: **Upon a motion by Commissioner Ogrizovich, and a second by Commissioner Metevier, the Commission voted 4 IN FAVOR, and 3 OPPOSED to recommend denial of the request to establish a Planned Development zoning district with a base zoning of Corridor Commercial “CC”, and to adopt Development Regulations, a Concept Plan, and Building Elevations relating to the use and development of 1.610± acres; generally located at the southwest corner of the intersection of Curtis Lane and US Highway 75, for the Texas Legends Gun Range.**

The motion carried.

Executive Session *(As Needed)*

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Adjournment

The meeting adjourned at 8:56 p.m.

These minutes approved this _____ day of _____ 2017.

Ben Trahan, Chairman

Hayley Angel, Planner

Director's Report from 10/24/2017 City Council Meeting

- The request to conduct a Public Hearing and adopt an Ordinance amending the Planned Development No. 45 zoning district to a base zoning of Shopping Center and to adopt Development Regulations, a Concept Plan, Open Space Plan, Sub-Area Plan, Phasing Plan, Sign Plan, Fire Lane Plan, and Building Elevations for a 79± acre tract of land generally located at the southwest corner of Stacy Road and US Highway 75, for Stacy Green, was approved.
- The request to conduct a Public Hearing and adopt an Ordinance amending the Development Regulations of a portion of District D-1 of Planned Development No. 108 for all of The Village at Twin Creeks Phase Two and a 23.067± acre tract of land generally located south of Exchange Parkway and east of Bray Central Drive, for The Village at Twin Creeks Ph. 2 & 3, was approved.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:	November 21, 2017
SUBJECT:	Capital Improvement Program (CIP) Status Report
STAFF RESOURCE:	Chris Flanigan, PE Director of Engineering
PREVIOUS COMMISSION/COUNCIL ACTION:	None.
LEGAL NOTICES:	None.
ANTICIPATED COUNCIL DATE:	None.

BACKGROUND

Every month the Engineering Department will provide a status update of the City's Capital Improvement projects.

STAFF RECOMMENDATION

N/A

MOTION

N/A

ATTACHMENTS

CIP Progress Report through October, 2017
CIP Map through November, 2017

ENGINEERING CIP REPORT - THROUGH OCTOBER 2017

PROJECT			STATUS / COMMENTS		CONST. DATES	
ROADS	CITY	1	2015 Intersection Improvements	ST1504	All right-of-way has been acquired. Project will go out for bids in Winter 2017.	Begin Spring 2018
		2	2017 Median Improvement Project (Select Medians)	ST1705	In design. We will be using a LED light option to closely match the current shoebox style light.	TBD
		3	2017 Street and Alley Rehabilitation Project (Various Locations)	ST1704	Project is under construction.	Complete Spring 2018
		4	Allen Drive / US75 Interchange Improvements	ST1710	Project is in design phase and will be reviewed by TxDOT. Project has been presented to the Public Arts Committee.	TBD
		5	Alma Drive Improvements (Hedgcoxe-SH121)	ST1503	Design engineer is currently working the remaining phases of the plans.	TBD
		6	Bethany Intersection Improvements (Watters and Watters Creek)	ST1711	Project is in design phase.	TBD
		7	CBD Asphalt Rehabilitation Project	ST1709	Atmos replacing shallow service lines. Project delayed as a result.	TBD
		8	Ridgeview Drive (Watters - Chelsea) PH 2	ST1701	Project began construction October 2, 2017.	Complete August 2018
		9	Signal Improvements	ST1713	New controllers are being purchased for all 63 signals. New signal design for 2 locations is underway.	TBD
OTHERS		10	FM 2551 (Main St - Parker Rd)	ST0316	Design of widening to 6-lanes. Managed by Collin County. Resolution of support passed by City on 5/24/16. Project delayed due to NTMWD/TxDOT conflicts.	2020
		11	Ridgeview / US 75 Overpass	TXDOT	TxDOT has hired HDR to design the reconstruction of the overpass. Preliminary Engineering and Environmental Process is underway. TxDOT is coordinating with the FHWA.	TBD
		12	Stacy Road, Ph 2 (Greenville - FM 1378)	TXDOT ST0704	Phase 2, which includes constructing the southern half of the road, is underway.	Complete Spring 2018
OTHER		13	Central Fire Remodel & Expansion	PR1707	PGAL finalizing design concepts and cost estimates. Anticipate submittal to Technical Review Committee (TRC) November 3rd.	Complete Fall 2019
		14	Hillside Water & Sanitary Sewer Rehabilitation, PH 1	WA1605	Public Meeting held October 26, 2017. Construction to begin November 27, 2017	Complete January 2019
		15	Library Parking Lot Expansion	LB1701	Project is under construction.	Complete November 2017
		16	Olson & Beverly Elementary Sidewalk Improvements	ST1501	Olson sidewalk has been placed and Beverly Elementary work has begun.	Complete December 2017
		17	Rowlett Creek Sewer Extension	NTWMD	Project is in design phase.	Begin May 2018

ENGINEERING CIP MONTHLY REPORT

NOVEMBER
2017

CONSTRUCTION

DESIGN

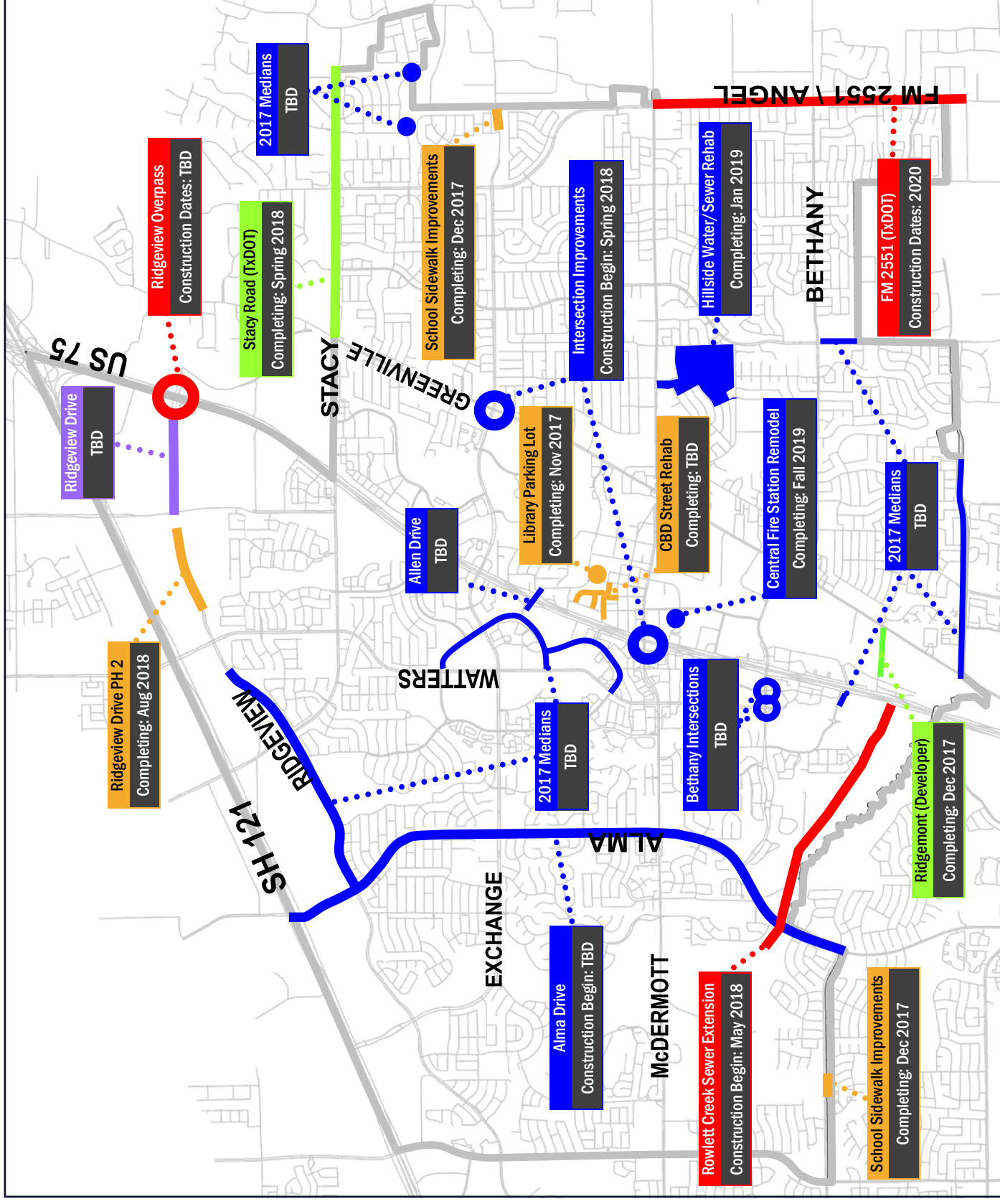
CONSTRUCTION
(By Others)

DESIGN
(By Others)

FUTURE

ENGINEERING
DEPARTMENT
214.509.4576

DIRECTOR:
CHRIS
FLANIGAN



PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:	November 21, 2017
SUBJECT:	Consider a request for a Preliminary Plat for the Village at Twin Creeks Phase Four, being 33.542± acres located in the Catharine Parsons Survey, Abstract No.711; generally located at the southwest corner of the intersection of Exchange Parkway and Watters Road. (PL-Pre-082117-0006) [The Village at Twin Creeks Phase Four]
STAFF RESOURCE:	Hayley Angel Planner
PREVIOUS COMMISSION/ COUNCIL ACTION:	Planned Development No. 108 – Approved October, 2011 Planned Development No. 108 – Amended July, 2017
LEGAL NOTICES:	None.
ANTICIPATED COUNCIL DATE:	None.

BACKGROUND

The property is generally located at the southwest corner of the intersection of Exchange Parkway and Watters Road. The property to the north (across Exchange Parkway) is zoned Planed Development PD No. 108 Mixed-Use MIX. The properties to the west and south (across Kennedy Drive) are zoned Planned Development PD No. 108 Single-Family Residential SF. To the east (across Watters Road), the properties are zoned Planed Development PD No. 54 Industrial Technology IT.

A Planned Development amendment was approved by City Council in July 2017 to establish design standards for a new residential community with both attached and detached products. Preliminary platting is the next step in the development process.

The subject Preliminary Plat is for 33.542± acres of land subdivided into 104 townhome lots, 135 detached residential lots, and 14 Open Space/HOA lots. There are a total of three (3) access points into the development; two (2) access points on Kennedy Drive and one (1) access point on Watters Road. The plat also shows various easements required and right-of-way to be dedicated for development of the property.

The Preliminary Plat has been reviewed by the Technical Review Committee, is generally consistent with the Concept Plan, and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

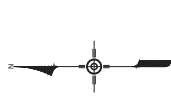
Staff recommends approval.

MOTION

I make a motion to approve the Preliminary Plat for The Village at Twin Creeks Phase 4; generally located at the southwest corner of the intersection of Exchange Parkway and Watters Road.

ATTACHMENTS

Preliminary Plat



30 60 90 120
SCALE: 1" = 60'

[illegible]

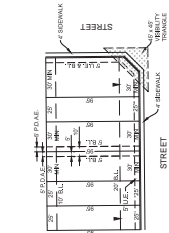
9. NO ON-STREET PARKING ON ROADS ADJACENT TO ALL TOWNHOME LOTS.
10. APPLICANT SHALL COMPLY WITH ALL IRRIGATION REGULATIONS IN V.T.C.A., ADMINISTRATIVE CODE TITLE 300, CHAPTER 344, RULES ESTABLISHED BY THE STATE OF TEXAS, AND THE TEXAS WATER DEVELOPMENT CODE SECTION 720.04, AND THE CITY OF ALLEN WATER CONSERVATION AND DROUGHT CONTINGENCY AND EMERGENCY RESPONSE PLAN.
11. THE 8' PRIVATE TRAIL IS TO BE MAINTAINED BY THE HOA.

14 OPEN SPACE/HOA LOTS - 5.0387 ACRES
TOTAL RIGHT-OF-WAY - 7.465 ACRES
TOTAL AREA - 33,542 ACRES

OWNER:
JGEL EXCHANGE LLC
2805 NORTH DALLAS PKWY, SUITE 400
PLANO, TEXAS 75093
PH: (469) 450-5585
CONTACT: JED DOLSON

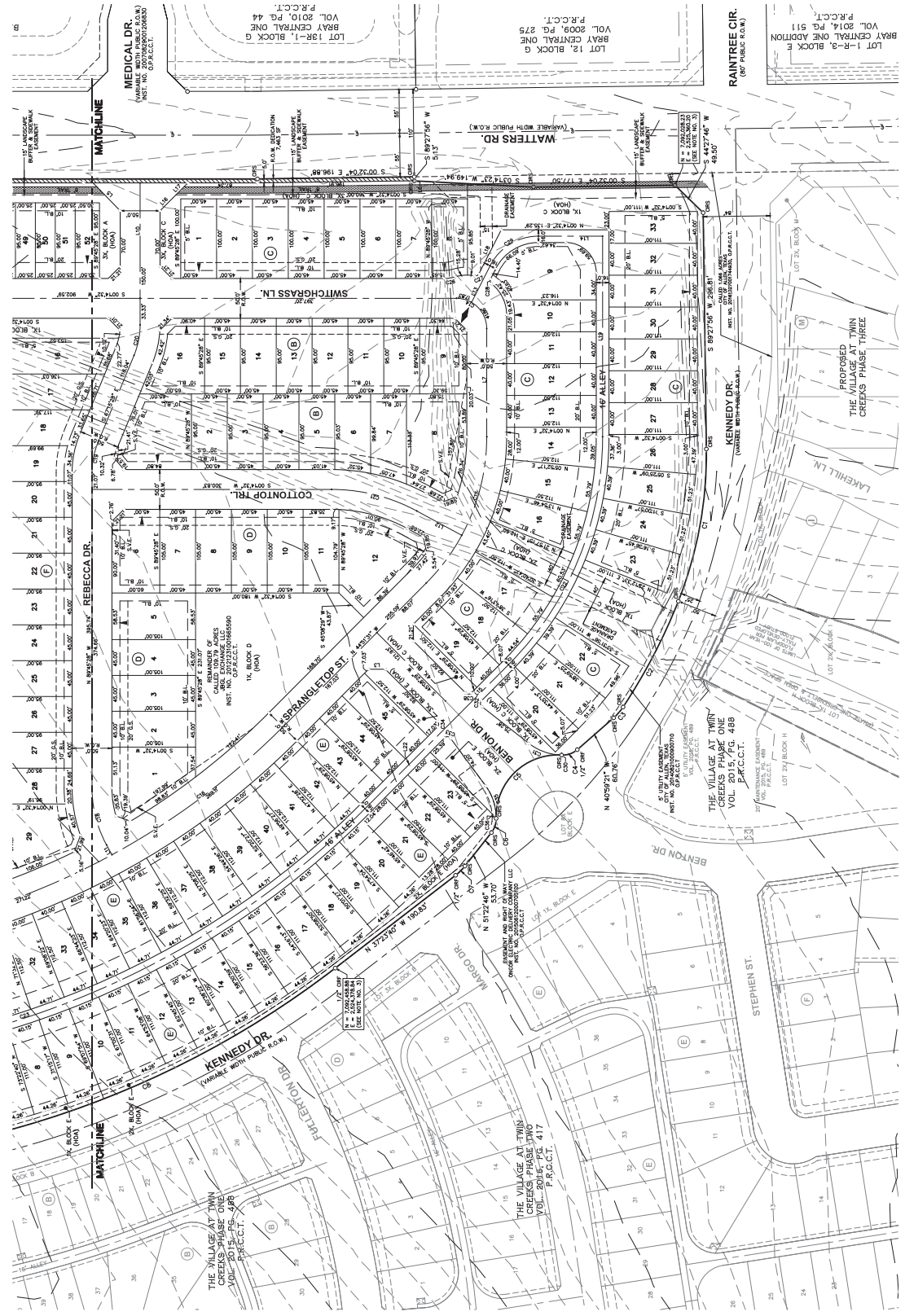
SURVEYOR:
STANTEC CONSULTING SERVICES INC.
31222 S. HENDERSON PKWY, SUITE 400
DALLAS, TEXAS 75231-2268
PH: (972) 991-0011
CONTACT: MICHAEL MURPHY, R.P.L.S.

SHEET 1 OF 4



TYPICAL TOWNHOME LOT DETAIL
MINIMUM UNITS PER CLUSTER: 3

STANTEC PROJECT NO. 222210579



AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY TEXAS
LOCATED IN THE CATAPINE PARSONS SURVEY, ABSTRACT NO. 711
104 TOWNHOME LOTS
135 RESIDENTIAL LOTS
14 OPEN SPACE/HOA LOTS - 5.0387 ACRES
TOTAL RIGHT-OF-WAY - 7.465 ACRES
TOTAL AREA - 33.542 ACRES
November 16, 2017

OWNER:
JEC EXCHANGE LLC
2905 NORTH DALLAS PKWY, SUITE 400
PLANO, TEXAS 75093
PH: (469) 450-5585
CONTACT: JED DOLSON

Preliminary
This document shall not be
recorded for any purpose.
For Review Purposes Only
Michael J. Murphy, R.P.L.S.
Registration No. 5724
November 16, 2017

SHEET 2 OF 4

STANTEC PROJECT NO. 222210579

22:22:active:2.22.21.05798.unway/50579_pp_phase_4.dwg modified by galley on Nov 16, 17 4:01 PM

PLANNING & ZONING COMMISSION	AGENDA COMMUNICATION
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AGENDA DATE: November 21, 2017

SUBJECT: Conduct a Public Hearing and consider a request for a Replat for Lot 1-R-1, Block A, Kids R Kids Addition, being 5.50± acres; generally located at the northwest corner of the intersection of Exchange Parkway and Alma Drive. (PL-101317-0019) [Alma and Exchange Grocer]

STAFF RESOURCE: Hayley Angel
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Planned Development No. 53 – Approved February, 2008
General Development Plan – Approved February, 2008
Final Plat – Approved July, 2008
General Development Plan – Approved February, 2008
Replat – Approved February, 2013

LEGAL NOTICES: None.

BACKGROUND

The property is generally located north of Exchange Parkway and west of Alma Drive. The properties to the north are zoned Planned Development PD No. 53 Single-Family Residential R-6. The properties to the west are zoned Planned Development PD No. 53 Shopping Center SC. The properties to the south (across Exchange Parkway) are zoned Planned Development PD No. 54 Single-Family SF. To the east (across Alma Drive), the properties are zoned Shopping Center SC.

The property is currently zoned Planned Development PD No. 53 Shopping Center SC. A PD Amendment for the property was approved by City Council in September 2017 for a grocer. A Site Plan for the property is in the process of being reviewed. Platting is the last step in the development process.

The Replat shows one lot at approximately 5.50± acres. There are two (2) access points into the development; one (1) on Exchange Parkway and one (1) on Alma Drive. The plat also shows easements required for development.

The Replat has been reviewed by the Technical Review Committee and meets the standards of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I make a motion to approve a Replat for Lot 1-R-1, Block A, Kids R Kids Addition; generally located at the northwest corner of the intersection of Exchange Parkway and Alma Drive.

ATTACHMENTS

Replat

PLANNING & ZONING COMMISSION	AGENDA COMMUNICATION
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AGENDA DATE:	November 21, 2017
SUBJECT:	Conduct a Public Hearing and consider a request to amend the Development Regulations of Planned Development PD No. 40 Corridor Commercial “CC” and to adopt a Concept Plan, Special Event/Temporary Use Exhibit, Sign Plan, and Building Elevations for 11.944± acres out of the Seaborn and Clements Survey, Abstract No. 879, and including a portion of Lot 1, Block A, Cottonwood Creek Baptist Church Addition; generally located south of State Highway 121 and west of Watters Road. (ZN-080717-0007) [Allen Harley Davidson]
STAFF RESOURCE:	Marc Kurbansade, AICP Director of Community Development
PREVIOUS COMMISSION/COUNCIL ACTION:	SUP No. 88 – Approved September, 2001 Preliminary Plat – Approved December, 2001 Final Plat – Approved March, 2002 Planned Development No. 40 – Approved July, 2004
LEGAL NOTICES:	Public Hearing Sign – November 10, 2017 Public Hearing Notices – November 10, 2017
ANTICIPATED COUNCIL DATE:	December 12, 2017

BACKGROUND

The property is generally located south of State Highway 121 and west of Watters Road. The property to the north (across SH 121) is the City of McKinney. The properties to the west, south, and east are zoned Planned Development PD No. 40 Corridor Commercial CC.

The property is currently zoned Planned Development PD No. 40 Corridor Commercial CC. The applicant is requesting to amend the Development Regulations and adopt a Concept Plan, Special Event/Temporary Use Exhibit, Sign Plan, and Building Elevations, for the relocation of the Allen Harley Davidson (Motor Cycle Sales and Service use).

The property is approximately 11.944± acres. The attached Concept Plan shows a 43,508± square foot building. An Outdoor Sales and Display Area is included on the northern and western sides of the building. Display of motorcycles in this area will be limited to an hour prior and an hour after the sales area of the business is open and closed to the public. There are also two loading areas on the eastern side of the building.

Parking and open space requirements exceed ALDC standards. A 5’ sidewalk is proposed along SH 121. To accommodate the building on the site, the parking setback is reduced to 40’ (from 50’) along SH 121. The required 25’ landscape buffer is provided. The buffer is encumbered with various easements, but 15’ of the buffer will be a clear space for planting the required trees and other landscaping per the ALDC requirements.

There are two (2) points of access into the property; both on SH 121. A deceleration lane on SH 121 is also proposed to facilitate access into the site. Both the location of the access points and the deceleration lane must be approved by the Texas Department of Transportation (TxDOT).

The Special Event/Temporary Use Exhibit includes three areas designated for various events. The attached development regulations specify various conditions, including a regulation that the minimum parking requirement must be met during the special events.

A sign is also proposed along SH 121. The Sign Exhibit shows a 55' tall pole sign with a sign area of approximately 300 square feet. Staff does not support the proposed sign as it is not permitted along SH 121 per the ALDC. The ALDC only allows monument freestanding signs. For this site, the ALDC would allow an 8' tall monument sign with a 60 sq. ft. copy area and a 90 sq. ft. structure area.

The building will be one (1) story with a maximum height of 38'. Primary building materials include concrete, stucco, glass, and some metal elements.

The attached development regulations include design standards to establish the Planned Development, including the additional permitted use, setbacks, signage, traffic and street improvements, tree mitigation, outdoor display, and temporary use/special events.

The request has been reviewed by the Technical Review Committee.

STAFF RECOMMENDATION

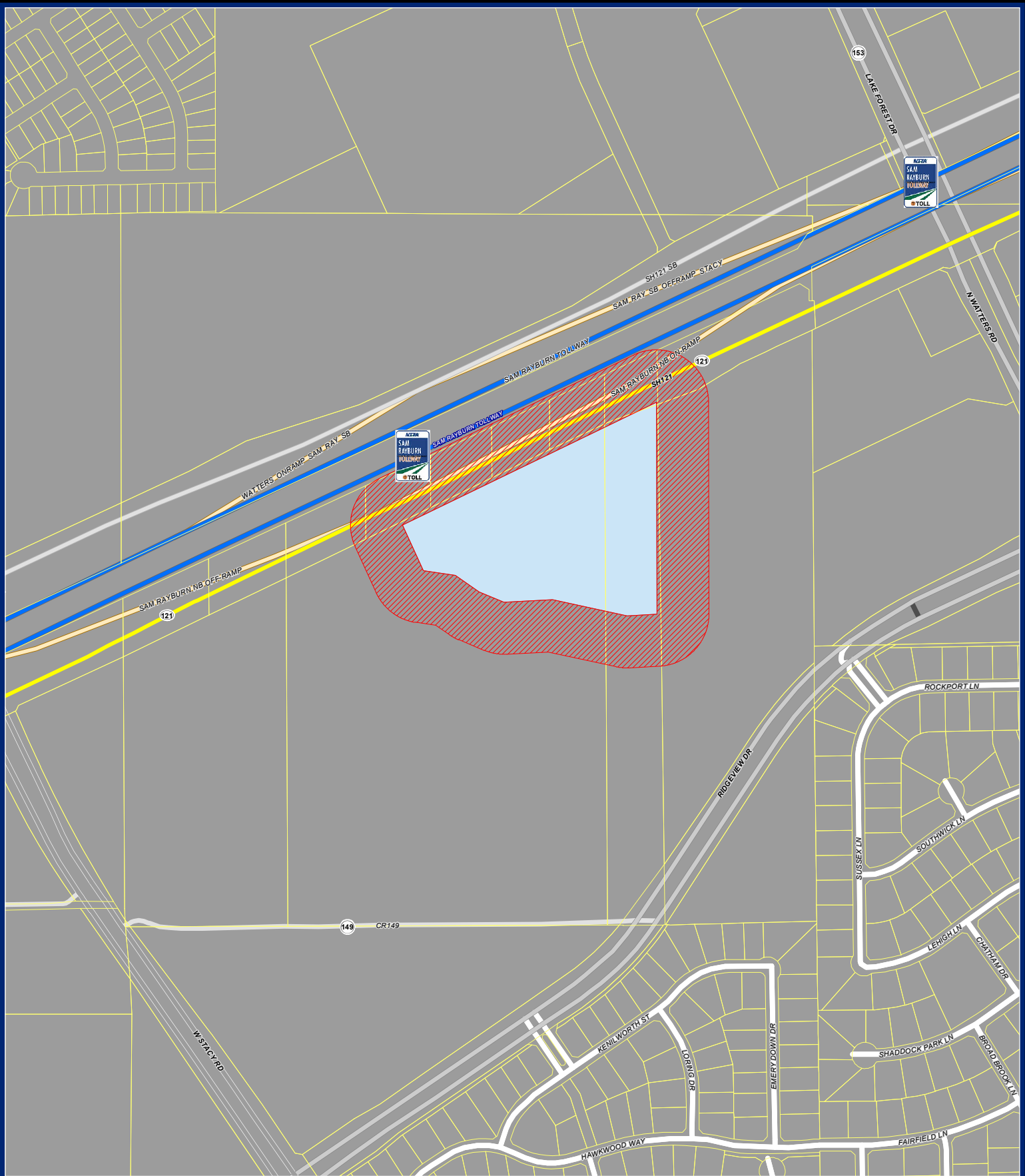
Staff recommends approval of the request but does not recommend approval of the proposed sign.

MOTION

I make a motion to recommend approval of the request to amend the Development Regulations of Planned Development PD No. 40 Corridor Commercial "CC" and to adopt a Concept Plan, Special Event/Temporary Use Exhibit, Sign Plan, and Building Elevations for 11.944± acres; generally located south of State Highway 121 and west of Watters Road, for Allen Harley Davidson.

ATTACHMENTS





Property Notification Map
Development Regulations
Concept Plan
Special Event/Temporary Use Exhibit
Sign Plan
Building Elevations

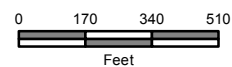


Property Ownership Notification

Allen Harley Davidson

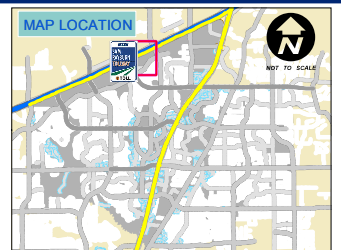
Map Legend

-  200' Notification Buffer
-  Railroad
-  CollinCAD Parcels
-  Public Rezone



Planning & Development - GIS
Date: 11/8/2017

NOTE: This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.



DRAFT OF PROPOSED DEVELOPMENT REGULATIONS FOR
ALLEN HARLEY DAVIDSON

The Property shall be developed and used in accordance with the provisions of the Allen Land Development Code, as amended, (“ALDC”) except to the extent modified by the Development Regulations set forth below:

- A. BASE ZONING DISTRICT:** The Property shall be developed and used in accordance with Corridor Commercial “CC” zoning regulations except as provided herein.
- B. ADDITIONAL PERMITTED USES:** In addition to the uses permitted within the Corridor Commercial “CC” zoning district, the Property may be used and developed for a Motor Cycle Sales and Service use.
- C. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit “A” and incorporated herein by reference (“Concept Plan”). Minor modifications to streets/driveways that do not alter the general alignment shown on the Concept Plan may be made at the time of site planning.
- D. BUILDING ELEVATIONS:** The Property shall be developed in general conformance with the Building Elevations attached hereto as Exhibit “B”, and incorporated herein by reference.
- E. SETBACKS:**
 - (1) Storage and similar uses may be allowed in the front yard, provided, however, that no storage or similar uses are allowed within the parking setback portion of the front yard.
 - (2) The parking setback shall be forty (40) feet.
- F. SIGNAGE:** The signage for the Property shall be in general conformance with the Concept Plan and the Sign Plan attached hereto as Exhibit “C”.
- G. TRAFFIC AND STREET IMPROVEMENTS:** Prior to issuance of a Certificate of Occupancy, construction of the following improvements shown on the Concept Plan shall be completed and accepted by the City:
 - (1) Deceleration lane on State Highway SH 121 based on permits issued by the Texas Department of Transportation (TxDOT) upon application made by the owner and/or developer of the Property through the City’s Department of Engineering.
 - (2) The location of driveways shown on the Concept Plan providing ingress and egress to and from the Property to and from SH 121 may be adjusted without requiring an amendment to the Concept Plan based on driveway permits issued by the Texas Department of Transportation (TxDOT) upon application made by the owner and/or developer of the Property through the City’s Department of Engineering.
- H. TREE MITIGATION:** The caliper inches of trees that must be replaced as the result of removal of trees during the course of development shall be reduced by 25% with respect to Hackberry trees that are removed.
- I. OUTDOOR DISPLAY:** Outdoor display of motorcycles shall be permitted only during one hour (1) prior to when the sales area of the motorcycle sales business is open to the public and one (1) hour after the sales area is closed to the public and shall be limited to the area shown on the Concept Plan.

J. TEMPORARY USE/SPECIAL EVENTS: The Property shall be developed in general conformance with the Special Event/Temporary Use Exhibit attached hereto as Exhibit “D”, and incorporated herein by reference, in addition to the following:

A. Generally: In accordance with Allen Land Development Code §6.04, Temporary Uses and Special Events shall be permitted on the Property subject to the following:

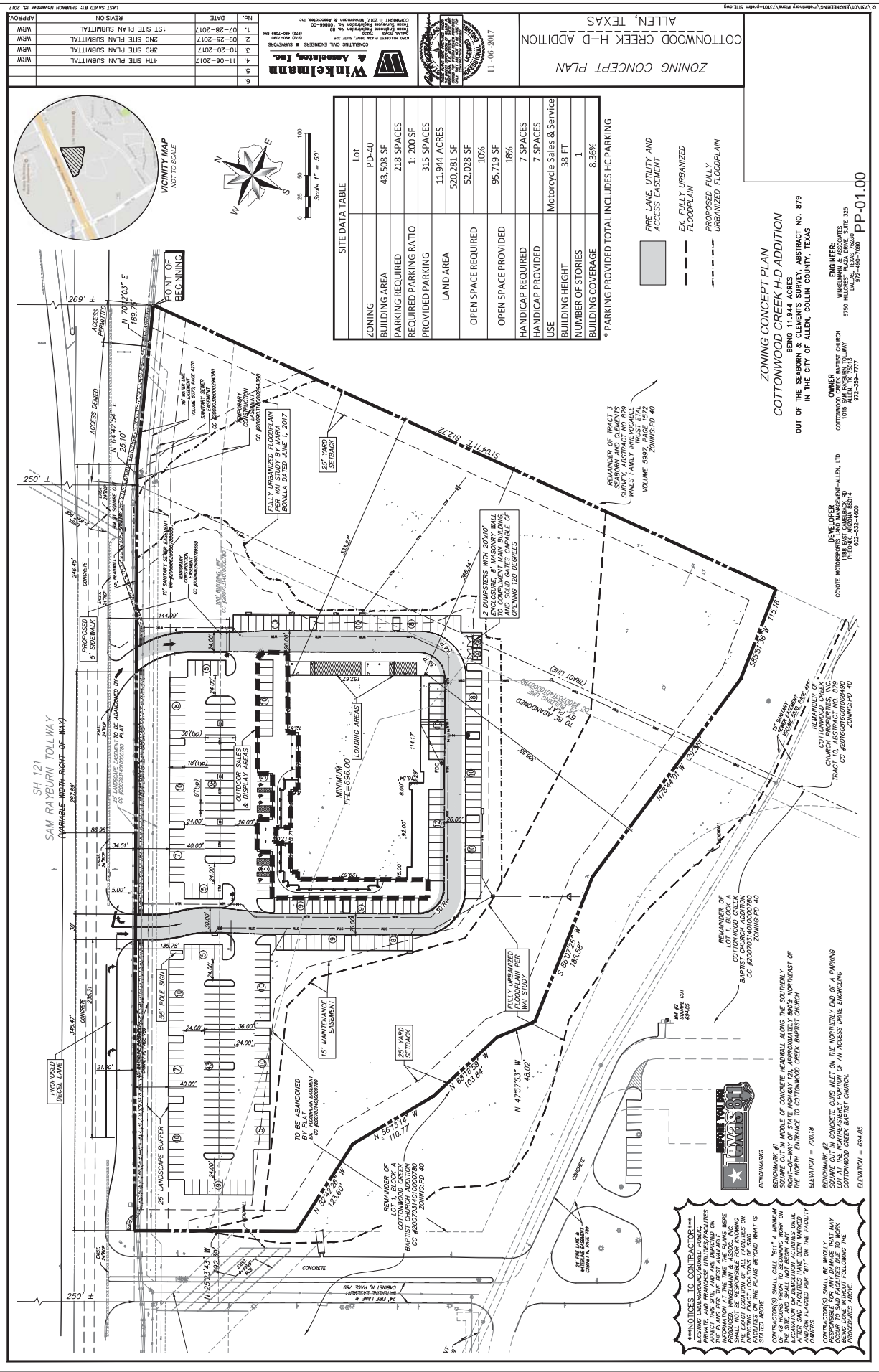
- (1) Notwithstanding Allen Land Development Code §6.04.1.1, Temporary Uses and Special Events held on the Property shall not be limited by number in a calendar year. A separate permit shall be required for each event.
- (2) Temporary Uses and Special Events shall be conducted only in the locations shown on the Special Event/Temporary Use Exhibit.
- (3) The areas indicated on the Temporary Use and Special Event Location Map shall be used only for the purposes as indicated on said map.
- (4) Temporary Use and Special Event locations may not obstruct fire lanes and/or emergency access points.

B. Parking: Parking on the Property during Temporary Use and Special Events shall be subject to the following:

- (1) Minimum off-street parking shall remain available at all times for uses located on the Property in accordance with the off-street parking regulations per ALDC §7.04 relating to the Property;
- (2) If the estimated number of vehicles expected to be parked by those attending the Temporary Use and/or Special Event combined with the minimum off-street parking requirements for the Property exceeds the available number of off-street parking spaces located on the Property, parking for the Temporary Use or Special Event may be located on adjacent properties provided such parking is (i) authorized by written parking agreements in a form acceptable to the Director of Community Development signed by the owners of the Property and the adjacent property and (ii) the use of off-street parking spaces on the adjacent property shall be limited to spaces in excess of those needed to maintain the number of minimum off-street parking spaces on the adjacent property;
- (3) Notwithstanding Paragraph 2, above, the Director of Community Development shall have the authority to require a written parking agreement as set forth in Paragraph 2, above, be entered into and a copy provided to the City prior to issuance of a Temporary Use and/or Special Event permit relating to the Property without regard to the number of people estimated to participate or attend the Temporary Use or Special Event if the Director determines that vehicles operated by people participating or attending one or more prior Temporary Uses or Special Events have parked vehicles on adjacent property during such prior Temporary Use or Special Event without the written consent of the owner and/or other person authorized to consent to parking on such adjacent property.; and
- (4) No parking shall be permitted on grass areas located on the Property.

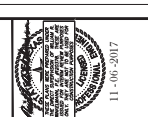
C. Cooking Events: Any Temporary Use and/or Special Event involving outdoor cooking must comply with all Allen Fire Code regulations relating to outdoor cooking events and obtain all required food service permits from the Allen Health Department.

- D. Signs: Temporary signs promoting the Temporary Use and/or Special Event or providing directional assistance during the Temporary Use and/or Special Event must at all times conform to sign regulations set forth in the ALDC to the extent such regulations apply to the Property.
- E. Fire Marshal Permit: No fireworks or other pyrotechnics, erection of large staging, lighting, and/or sound equipment and/or structures, or the erection of tents shall occur prior to obtaining a permit from the City Fire Marshal or other City office.
- F. On-Site Storage of Event Equipment: No staging, lighting equipment, large event tents, or similar equipment shall be stored on the Property more than forty-eight (48) hours prior to the time scheduled for commencement for the Temporary Use or Special Event or later than thirty-six (36) hours after the time scheduled for the end of the Temporary Use or Special Event as indicated on the Temporary Use/Special Event permit approved by the Director of Community Developer for said Temporary Use/Special Event.
- G. Permit Required: An application for a Temporary Use and/or Special Event occurring on the Property must be submitted to and approved by the Director of Community Development in accordance with Allen Land Development Code §6.04.1.2 prior to the commencement of Temporary Uses or Special Events held on the Property.
- H. Unspecified Temporary Uses and Special Events: Temporary Uses and Special Events which are not otherwise specified on the Special Event/Temporary Use Exhibit may be approved by the Director of Community Development following submission of an application containing such information as may be required by the Director of Community Development.
- I. Conflicts with ALDC §6.04: To the extent of any conflicts between this Ordinance and Allen Land Development Code §6.04, this Ordinance shall control; provided, however, this Ordinance does not authorize, and shall not be construed as authorizing, any temporary buildings on the Property described in Allen Land Development Code §6.04.2, which temporary uses may be authorized only in accordance with Allen Land Development Code §6.04.2.



NO.	DATE	REVISION	APPROVAL
1.	07-28-2017	1ST SITE PLAN SUBMITTAL	WFW
2.	09-25-2017	2ND SITE PLAN SUBMITTAL	WFW
3.	10-20-2017	3RD SITE PLAN SUBMITTAL	WFW
4.	11-06-2017	4TH SITE PLAN SUBMITTAL	WFW
5.			
6.			

Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS & ARCHITECTS
10000 N. DALLAS STREET, SUITE 100
DALLAS, TEXAS 75243
PHONE: 972-462-0000
FAX: 972-462-0001
WWW.WINKELMANN-ASSOCIATES.COM



ZONING CONCEPT PLAN
COTTONWOOD CREEK H-D ADDITION
ALLEN, TEXAS

SITE DATA TABLE	
ZONING	Lot
BUILDING AREA	PD-40
PARKING REQUIRED	43,508 SF
REQUIRED PARKING RATIO	218 SPACES
PROVIDED PARKING	1: 200 SF
LAND AREA	315 SPACES
OPEN SPACE REQUIRED	11,944 ACRES
OPEN SPACE PROVIDED	520,281 SF
HANDICAP REQUIRED	10%
HANDICAP PROVIDED	18%
USE	7 SPACES
BUILDING HEIGHT	Motorcycle Sales & Service
NUMBER OF STORIES	38 FT
BUILDING COVERAGE	1
* PARKING PROVIDED TOTAL INCLUDES HC PARKING	

- FIRE LANE, UTILITY AND ACCESS EASEMENT
- EX. FULLY URBANIZED FLOODPLAIN
- PROPOSED FULLY URBANIZED FLOODPLAIN

ZONING CONCEPT PLAN
COTTONWOOD CREEK H-D ADDITION
BEING 11,944 ACRES
OUT OF THE SEABORN & CLEMENTS SURVEY, ABSTRACT NO. 879
IN THE CITY OF ALLEN, COLLIN COUNTY, TEXAS

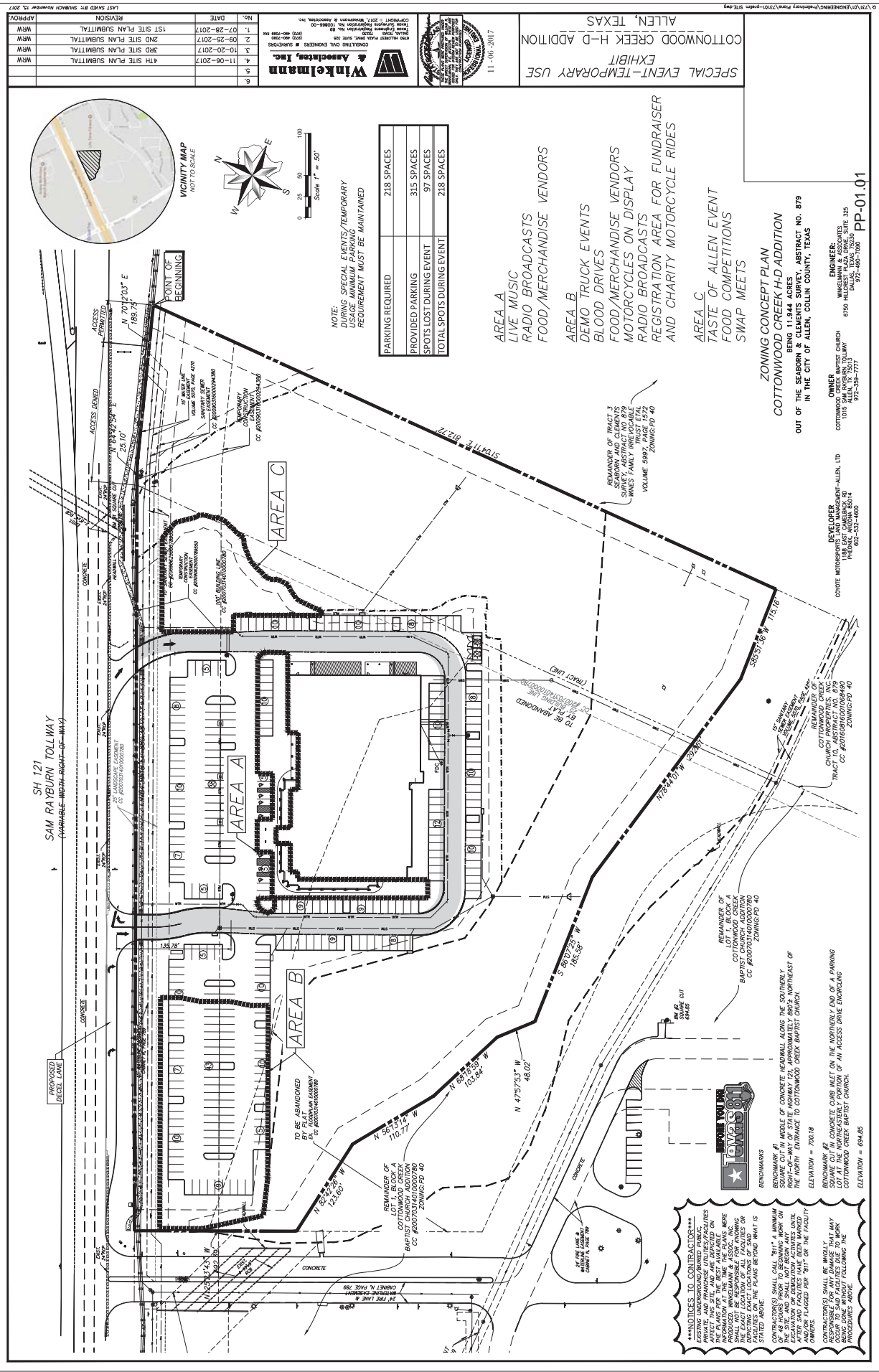
ENGINEER:
WINKELMANN & ASSOCIATES
10000 N. DALLAS STREET, SUITE 100
DALLAS, TEXAS 75243
972-462-0000
972-462-0001

OWNER:
COTTONWOOD CREEK BAPTIST CHURCH
1015 S. JULESSA STREET, SUITE 100
ALLEN, TEXAS 75015
972-338-7777
972-338-7777

DEVELOPER:
COVOTE MOTORSPORTS AND MANAGEMENT-ALLEN, LTD
1015 S. JULESSA STREET, SUITE 100
ALLEN, TEXAS 75015
972-338-7777
972-338-7777

REMARKS:
BENCHMARK #1: CONCRETE CURB RAIL ON THE SOUTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 121, APPROXIMATELY 800'± NORTHEAST OF THE NORTH ENTRANCE TO COTTONWOOD CREEK BAPTIST CHURCH.
ELEVATION = 720.18
BENCHMARK #2: CONCRETE CURB RAIL ON THE SOUTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 121, APPROXIMATELY 800'± NORTHEAST OF THE NORTH ENTRANCE TO COTTONWOOD CREEK BAPTIST CHURCH.
ELEVATION = 694.85

NOTICES TO CONTRACTORS:
EXISTING UNDERGROUND/BIASED PUBLIC UTILITIES HAVE BEEN LOCATED BY THE ENGINEER. THE PLANS FOR THE BEST AVAILABLE UTILITIES HAVE BEEN SHOWN. THE ENGINEER HAS NOT BEEN REQUIRED TO VERIFY THE EXACT LOCATION OF ALL UTILITIES OR THE DEPTHS OF ANY UTILITIES. THE PLANS ARE BASED ON THE PLANS BEYOND WHAT IS STATED ABOVE.
CONTRACTORS SHALL CALL "811" A MINIMUM OF 48 HOURS PRIOR TO BEGINNING WORK ON THE SITE. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF ALLEN. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF ALLEN. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CITY OF ALLEN.



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Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS & SURVEYORS
10000 N. DALLAS STREET, SUITE 100
DALLAS, TEXAS 75243
PHONE: 972-442-2200
FAX: 972-442-2201
WWW.WINKELMANN-ASSOCIATES.COM

11-06-2017

SPECIAL EVENT-TEMPORARY USE
EXHIBIT
COTTONWOOD CREEK H-D ADDITION
ALLEN, TEXAS

NOTE:
DURING SPECIAL EVENTS/TEMPORARY
USAGE MINIMUM PARKING
REQUIREMENT MUST BE MAINTAINED

PARKING REQUIRED	218 SPACES
PROVIDED PARKING	315 SPACES
SPOTS LOST DURING EVENT	97 SPACES
TOTAL SPOTS DURING EVENT	218 SPACES

- AREA A
LIVE MUSIC
RADIO BROADCASTS
FOOD/MERCHANDISE VENDORS
- AREA B
DEMO TRUCK EVENTS
BLOOD DRIVES
FOOD/MERCHANDISE VENDORS
MOTORCYCLES ON DISPLAY
RADIO BROADCASTS
REGISTRATION AREA FOR FUNDRAISER
AND CHARITY MOTORCYCLE RIDES
- AREA C
TASTE OF ALLEN EVENT
FOOD COMPETITIONS
SWAP MEETS

ZONING CONCEPT PLAN
COTTONWOOD CREEK H-D ADDITION
BEING 11.944 ACRES
OUT OF THE SEABORN & CLEMENTS SURVEY, ABSTRACT NO. 879
IN THE CITY OF ALLEN, COLLIN COUNTY, TEXAS

OWNER:
COTTONWOOD CREEK BAPTIST CHURCH
1015 HILLCREST PLAZA, SUITE 325
DALLAS, TEXAS 75219
972-358-7777

ENGINEER:
WINKELMANN & ASSOCIATES
10000 N. DALLAS STREET, SUITE 100
DALLAS, TEXAS 75243
972-442-2200

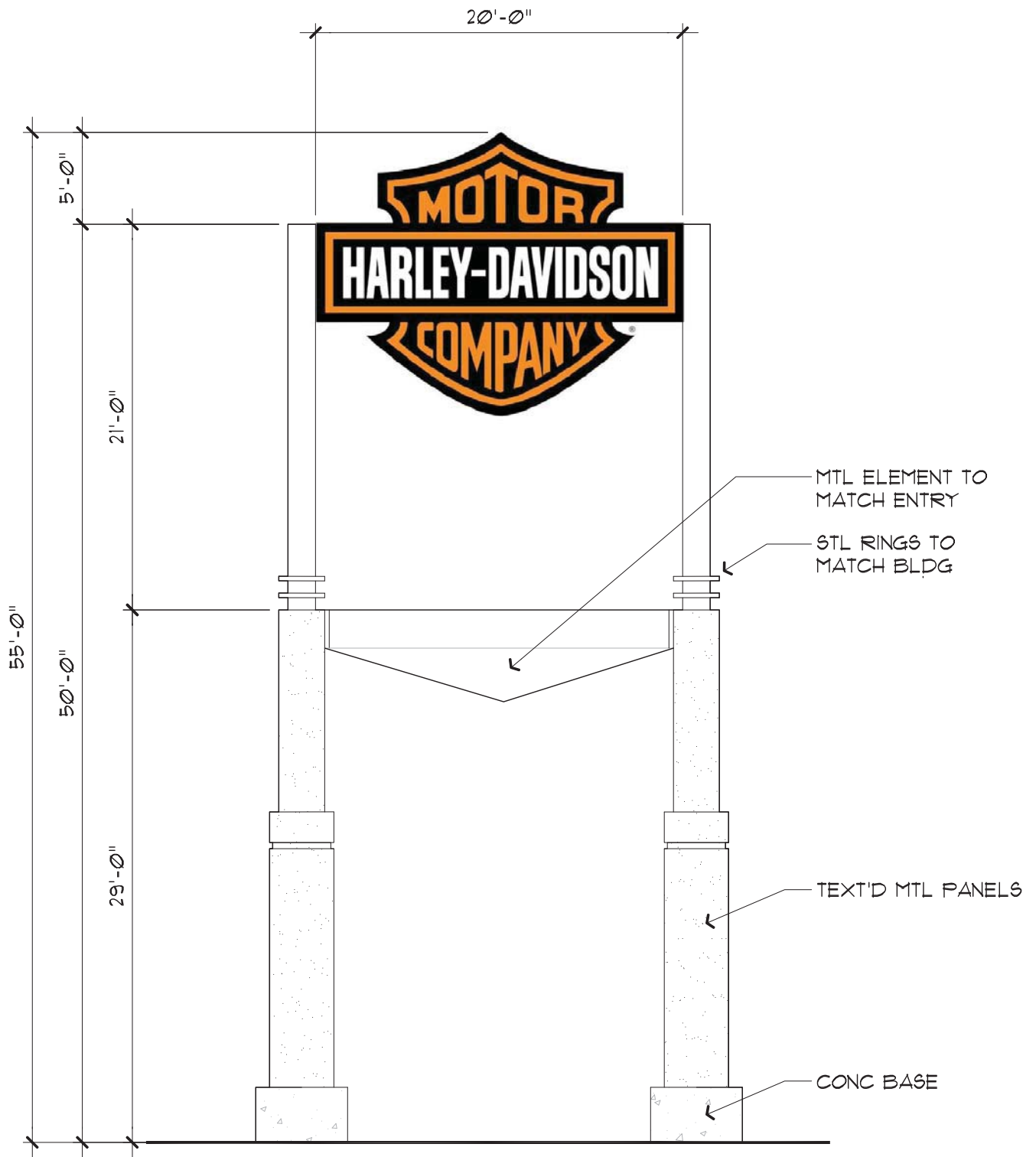
DEVELOPER:
COVOTE MOTORSPORTS AND MANAGEMENT-ALLEN, LTD
11000 N. DALLAS STREET, SUITE 100
DALLAS, TEXAS 75243
602-532-4800

NOTICES TO CONTRACTOR
EXISTING UNDERGROUND/BIASED PUBLIC
UTILITIES ARE SHOWN ON THE PLANS. THE
PLANS ARE THE BEST AVAILABLE INFORMATION
AND THE CONTRACTOR SHALL BE RESPONSIBLE
FOR VERIFYING THE LOCATION AND DEPTH OF
ALL UTILITIES PRIOR TO CONSTRUCTION.
THE EXACT LOCATION OF ALL UTILITIES OR
FACILITIES ON THE PLANS BEYOND WHAT IS
STATED ABOVE:
CONTRACTOR SHALL CALL "811" A MINIMUM
OF 48 HOURS PRIOR TO BEGINNING WORK ON
THE PLANS. CONTRACTOR SHALL BE RESPONSIBLE
FOR VERIFYING THE LOCATION AND DEPTH OF
ALL UTILITIES PRIOR TO CONSTRUCTION.
WATER AND FACILITIES HAVE BEEN MARKED
ON THE PLANS. CONTRACTOR SHALL BE
RESPONSIBLE FOR VERIFYING THE LOCATION
AND DEPTH OF ALL UTILITIES PRIOR TO
CONSTRUCTION.
CONTRACTOR SHALL BE RESPONSIBLE FOR
OBTAINING ALL NECESSARY PERMITS AND
FOLLOWING THE RULES AND REGULATIONS
OF THE CITY OF ALLEN, TEXAS.

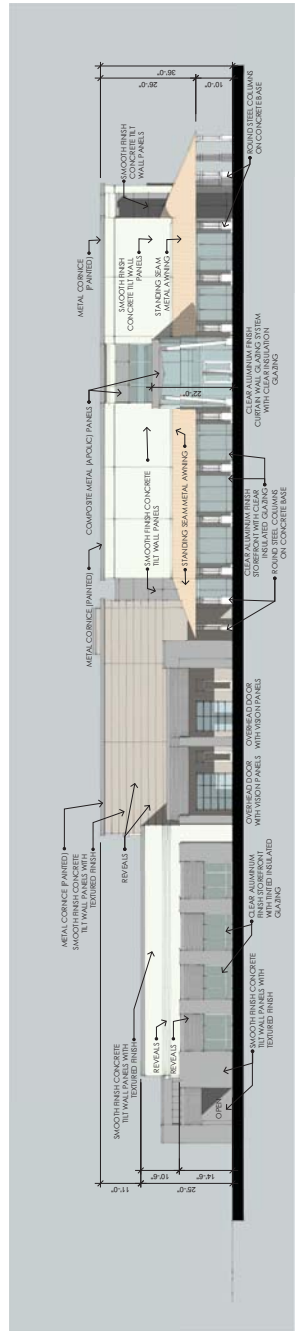


BENCHMARK #1
CONCRETE CURB MARK ON THE SOUTHERLY
RIGHT-OF-WAY OF STATE HIGHWAY 121, APPROXIMATELY 800'± NORTHEAST OF
THE NORTH ENTRANCE TO COTTONWOOD CREEK BAPTIST CHURCH.
ELEVATION = 720.18

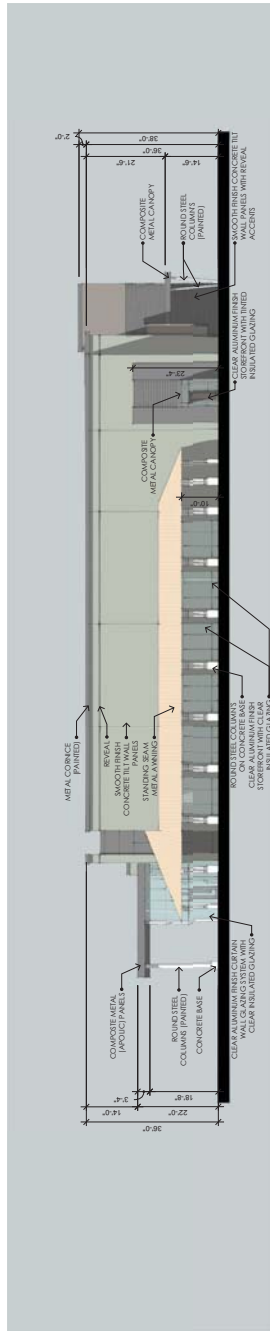
BENCHMARK #2
CONCRETE CURB MARK ON THE NORTHERLY END OF A PARKING
LOT AT THE INTERSECTION OF AN ADJACENT DRIVE SURROUNDING
COTTONWOOD CREEK BAPTIST CHURCH.
ELEVATION = 694.85



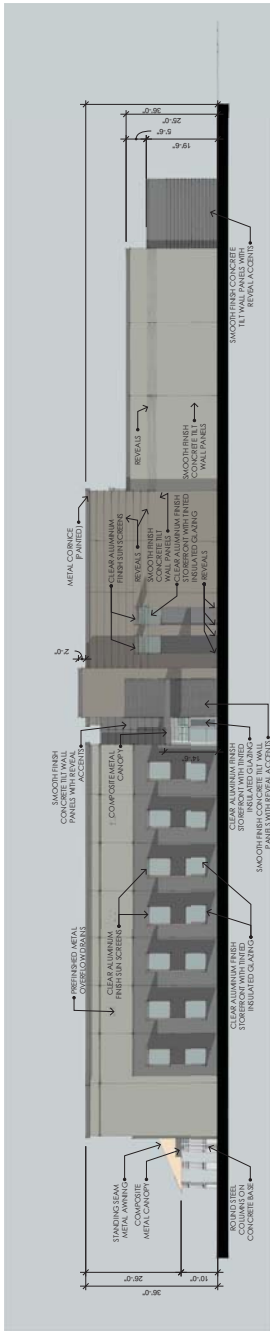
scale: 1/16"=1'-0"



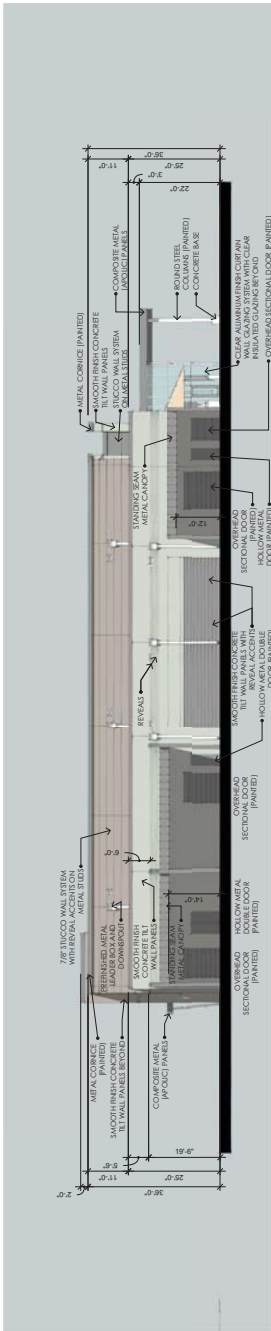
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

NORTH ELEVATION AREAS	
GLASS	1,114 S.F. 1.4%
SMOOTH FINISH CONCRETE TILT WALL PANELS	1,170 S.F. 1.5%
SMOOTH FINISH CONCRETE TILT WALL PANELS AND STUCCO	5,587 S.F. 7.1%
TOTAL ELEVATION AREA	
7,861 S.F.	100%

WEST ELEVATION AREAS	
GLASS	1,017 S.F. 1.7%
SMOOTH FINISH CONCRETE TILT WALL PANELS	4,071 S.F. 7.0%
SMOOTH FINISH CONCRETE TILT WALL PANELS AND STUCCO	0 S.F. 0
TOTAL ELEVATION AREA	
5,887 S.F.	100%

SOUTH ELEVATION AREAS	
GLASS	448 S.F. 5%
SMOOTH FINISH CONCRETE TILT WALL PANELS	7,666 S.F. 94%
TOTAL ELEVATION AREA	
8,114 S.F.	100%

EAST ELEVATION AREAS	
GLASS	306 S.F. 5%
SMOOTH FINISH CONCRETE TILT WALL PANELS	379 S.F. 6%
SMOOTH FINISH CONCRETE TILT WALL PANELS AND STUCCO	4,971 S.F. 85%
TOTAL ELEVATION AREA	
5,656 S.F.	100%