



**AGENDA  
CITY OF ALLEN  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
TUESDAY, OCTOBER 17, 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 September 26, 2017, regular meeting and the October 10, 2017, regular meeting.

**Election of Officers**

2. Elect a Chair, First Vice-Chair and Second Vice-Chair.

**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.*)

3. Approve minutes from the September 19, 2017, regular meeting.
4. Capital Improvement Program (CIP) Status Report.

**Regular Agenda**

5. Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit SUP for a Medical Office use for an approximately 1,500± 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 A, Suite 120). (SUP-092017-0004) [Vitals Family Medicine]
6. Public Hearing – Conduct a Public Hearing and consider a request to amend the Development Regulations of a portion of District D-1 of Planned Development “PD” No. 108 being all of The Village at Twin Creeks Phase Two and 23.067± acres out of the Catharine Parsons Survey, Abstract No. 711; generally located south of Exchange Parkway and east of Bray Central Drive. (ZN-092917-0010) [The Village at Twin Creeks Ph. 2 & 3]

7. 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]

### **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, October 13, 2017, at 5:00 pm.

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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 9/26/2017 City Council Meeting**

- The request to conduct a Public Hearing and adopt an ordinance to establish Planned Development No. 131 for Shopping Center SC, and adopt Development Regulations, a Concept Plan, and Building Elevations for an 8.472± acre tract of land; generally located at the southwest corner of the intersection of Bethany Drive and Greenville Avenue, for Bethany Greenville Retail Center, was approved.
- The request to conduct a Public Hearing and adopt an Ordinance amending the Development Regulations for Planned Development No. 45 for Shopping Center SC, and adopting a Concept Plan, Open Space Plan, Sub-Area Plan, Phasing Plan, Sign Plan, Fire Lane Plan, and Building, for an approximately 79± acre tract of land; generally located at the southwest corner of the intersection of Stacy Road and US Highway 75, for Stacy Green, was continued to the October 10, 2017 City Council meeting.

### **Director's Report from 10/10/2017 City Council Meeting**

- The request to conduct a Public Hearing and adopt an Ordinance amending the Development Regulations for Planned Development No. 45 for Shopping Center SC, and adopting a Concept Plan, Open Space Plan, Sub-Area Plan, Phasing Plan, Sign Plan, Fire Lane Plan, and Building, for a 79± acre tract of land; generally located at the southwest corner of the intersection of Stacy Road and US Highway 75, for Stacy Green, was continued to the October 24, 2017 City Council meeting.
- The request to conduct a Public Hearing and adopt an Ordinance for Specific Use Permit No. 156 for a Minor Automotive Repair use for an approximately 4,744± square foot portion of a building; generally located south of Allen Drive and east of US Highway 75 (and commonly known as 600 N. Central Expressway), for Allen Car Care Center, was approved.

<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
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**AGENDA DATE:** October 17, 2017

**SUBJECT:** Election of Officers – Elect a Chair, First Vice-Chair, and Second Vice-Chair.

**STAFF RESOURCE:** Marc Kurbansade, AICP  
Director of Community Development

**PREVIOUS COMMISSION/COUNCIL ACTION:** None.

**BACKGROUND**

The Commission should elect a Chair, First Vice-Chair, and Second Vice-Chair.

**STAFF RECOMMENDATION**

Elect officers





**PLANNING AND ZONING COMMISSION**

**Regular Meeting  
September 19, 2017**

**ATTENDANCE:**

**Commissioners Present:**

Ben Trahan, 1<sup>st</sup> Vice-Chair  
Stephen Platt, Jr., 2<sup>nd</sup> Vice-Chair  
Dan Metevier  
Gene Autrey  
Luke Hollingsworth  
Michael Orr

**Absent:**

John Ogrizovich

**City Staff Present:**

Marc Kurbansade, AICP, Director of Community Development  
Lee Battle, AICP, LEED AP, Assistant Director of Community Development  
Joseph Cotton, PE, Assistant Director of Engineering  
Madhuri Mohan, AICP, Senior Planner  
Hayley Angel, Planner  
Julie Doshier, City Attorney

**Call to Order and Announce a Quorum is Present:**

With a quorum of the Commissioners present, 1<sup>st</sup> Vice-Chair 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 September 12, 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 September 5, 2017, regular meeting.
3. Capital Improvement Program (CIP) Status Report.

**Motion:** Upon a motion by 2<sup>nd</sup> Vice-Chair Platt, and a second by Commissioner Hollingsworth, the Commission voted 6 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda.

**The motion carried.**

**Regular Agenda**

4. Public Hearing – Conduct a Public Hearing and consider a Replat for Lots 1R & 2, Block A, The Learning Experience; generally located south of Bethany Drive and west of Allen Heights Drive. (PL-090617-17) [The Learning Experience]

Ms. Hayley Angel, Planner, presented the item to the Commission. She stated that the item is a Replat for The Learning Experience. She stated that the property is generally located south of Bethany Drive and west of Allen Heights Drive. The property to the north is zoned Planned Development PD No. 22 Shopping Center SC. The property to the west is zoned Planned Development PD No. 22 Community Facilities CF. The properties to the south are zoned Planned Development PD No. 22 Community Facilities CF and Planned Development PD No. 22 Single-Family Residential R-6. To the east (across Allen Heights Drive), the property is zoned Shopping Center SC.

Ms. Angel stated that the property is currently zoned Planned Development PD No. 22 Shopping Center SC. She noted that a Revised Site Plan for the property was approved in August 2017. Platting is the last step in the development process.

Ms. Angel stated that replat shows two lots at approximately 3.482± acres. She stated that there is one access point into the development on Allen Heights 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.

Commissioner Autrey asked if this request included ingress from Allen Heights Drive. He was concerned with congestion and access to the property from northbound Allen Heights Drive.

Ms. Angel stated that a Traffic Impact Analysis is only required if a project is expected to have over 1,000 trips a day and that traffic improvements are usually a result of this analysis. She noted that this project is not expected to have over 1,000 trips a day and is not providing any traffic improvements.

Commissioner Metevier asked if site plans are approved by staff.

Ms. Angel confirmed that site plan approval is administratively approved by staff and required to be approved by the Planning and Zoning Commission.

Commissioner Metevier asked if the southern lot would be able to accommodate the parking necessary for a daycare of the size shown.

Ms. Angel stated that each lot provides enough parking. She noted that the original site was for the daycare accommodated the amount of parking necessary. She stated that the recently approved revised site plan added a retail building to the north and includes the necessary parking for that building.

1<sup>st</sup> Vice-Chair Trahan opened the public hearing.

1<sup>st</sup> Vice-Chair Trahan closed the public hearing.

**Motion:**           **Upon a motion by Commissioner Hollingsworth, and a second by Commissioner Metevier, the Commission voted 6 IN FAVOR, and 0 OPPOSED to approve a Replat for Lots 1R and 2, Block A, The Learning**

**Experience; generally located south of Bethany Drive and west of Allen Heights Drive.**

**The motion carried.**

5. Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit SUP for a Minor Automotive Repair use for an approximately 4,744± square foot portion of a building located on Lot 3, William F. Chester Addition; generally located south of Allen Drive and east of US Highway 75 (and commonly known as 600 N. Central Expressway.) (SUP-022317-18) [Allen Car Care Center]

Ms. Hayley Angel, Planner, presented the item to the Commission. Ms. Angel stated the item is Specific Use Permit for Allen Car Care Center. She stated that the property is generally located south of Allen Drive and east of US Highway 75. The properties to the north, east, and south are zoned Shopping Center SC. The property to the west (across US Highway 75) is zoned Planned Development PD No. 108 Mixed Use MIX.

Ms. Angel stated that the applicant currently tenants a suite in an existing building for Allen Car Care Center, which is categorized as a Minor Automotive Repair use. She stated that the applicant is proposing to expand their current suite and tenant a total of approximately 4,744± square foot building. The property is currently zoned Shopping Center SC. The Allen Land Development Code requires a Specific Use Permit (SUP) for a Minor Automotive Repair use within the SC zoning district.

The SUP Site Plan shows two existing service bay doors on the northern portion of the building.

Ms. Angel stated that there are two existing access points into the site on the US Highway 75 Service Road, both through a 24' Fire Lane, Access, and Utility Easement. She noted that parking on site complies with the Allen Land Development Code standards.

Ms. Angel showed that the applicant is adding landscaping including trees and shrubs on the western side of the building.

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

Ms. Angel stated that the Specific Use Permit request has been reviewed by the Technical Review Committee and meets the standards of the *ALDC*.

1<sup>st</sup> Vice-Chair Trahan opened the public hearing.

1<sup>st</sup> Vice-Chair Trahan closed the public hearing.

1<sup>st</sup> Vice-Chair noted that the Commission received one letter:

- Gerald Chester, 600, 602, 604, and 606 N. Central Expressway, Allen, TX, SUPPORT

Commissioner Orr asked if the applicant had proposed any changes to the exterior of the building and if the existing bay doors would be able to accomodate the expansion of the building.

Ms. Angel stated that the existing bay doors will remain and that the landscaping is the only proposed exterior change.

Commissioner Autrey asked if the existing glass would be changed.

Ms. Angel stated the previous tenant of the suite, a glass contractor, was no longer a tenant of the building, which is what is allowing the proposed tenant to expand.

Commissioner Autrey clarified his statement, stating that he was referring to the glass that is currently a part of the building.

Robert Ellis, the Applicant, 4127 FM 1569, Greenville, TX stated that he intended to keep the building the same and simply needed the floor space.

Commissioner Autrey stated that there are two suites on the western portion of the building that have glass doors.

Mr. Ellis stated that it was all one room.

Commissioner Autrey stated that he understood that. He clarified that his question was concerned with the glass façade. He stated that he wanted to know if that façade would be taken out, used for office space, or if the fire department had any concerns with the façade.

Ms. Angel stated that a representative from the Fire Department is included in the Technical Review Committee process and that if there had been concerns, they would have been addressed. She noted that that concern did not come up.

1<sup>st</sup> Vice-Chair Trahan stated that the applicant will be doing the same business but expanding and that he was happy to see that happen.

**Motion:**                    **Upon a motion by Commissioner Orr, and a second by Commissioner Autrey, the Commission voted 6 IN FAVOR, and 0 OPPOSED to recommend approval of a Specific Use Permit SUP for a Minor Automotive Repair use, generally located south of Allen Drive and east of US Highway 75.**

**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 7:15 p.m.

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

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Ben Trahan, 1<sup>st</sup> Vice-Chair

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Hayley Angel, Planner

**Director's Report from 9/12/2017 City Council Meeting**

September 19, 2017

- There were no items taken to the September 12, 2017 City Council Meeting.

<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	October 17, 2017
<b>SUBJECT:</b>	Capital Improvement Program (CIP) Status Report
<b>STAFF RESOURCE:</b>	Chris Flanigan, PE Director of Engineering
<b>PREVIOUS COMMISSION/COUNCIL ACTION:</b>	None.
<b>LEGAL NOTICES:</b>	None.
<b>ANTICIPATED COUNCIL DATE:</b>	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 September, 2017  
CIP Map through October, 2017

# ENGINEERING CIP REPORT - THROUGH SEPTEMBER 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 Sireet 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. PAC will be presented the project.	TBD
		5	Alma Drive Improvements (Hedgcocxe-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.	Complete October 2017
		8	Ridgeview Drive (Watters - Chelsea) PH 2	ST1701	Project begins construction week of 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	Staff working with PGAL on design criteria. Anticipate design concepts to be presented to City Council by Thanksgiving 2017.	Complete Fall 2019
		14	Hillside Water & Sanitary Sewer Rehabilitation, PH 1	WA1605	Bids open September 6, 2017. Anticipate contract award on October 10.	Complete Fall 2018
		15	Library Parking Lot Expansion	LB1701	Project is under construction.	Complete November 2017
		16	Olson & Beverly Elementary Sidewalk Improvements	ST1501	Project is under construction beginning with Olson Elementary site followed by Beverly Elementary.	Complete Early 2018

 CONSTRUCTION
  DESIGN
  DESIGN (BY OTHERS)
  CONSTRUCTION (BY OTHERS)
  FUTURE

# ENGINEERING CIP MONTHLY REPORT

OCTOBER  
2017

CONSTRUCTION

DESIGN

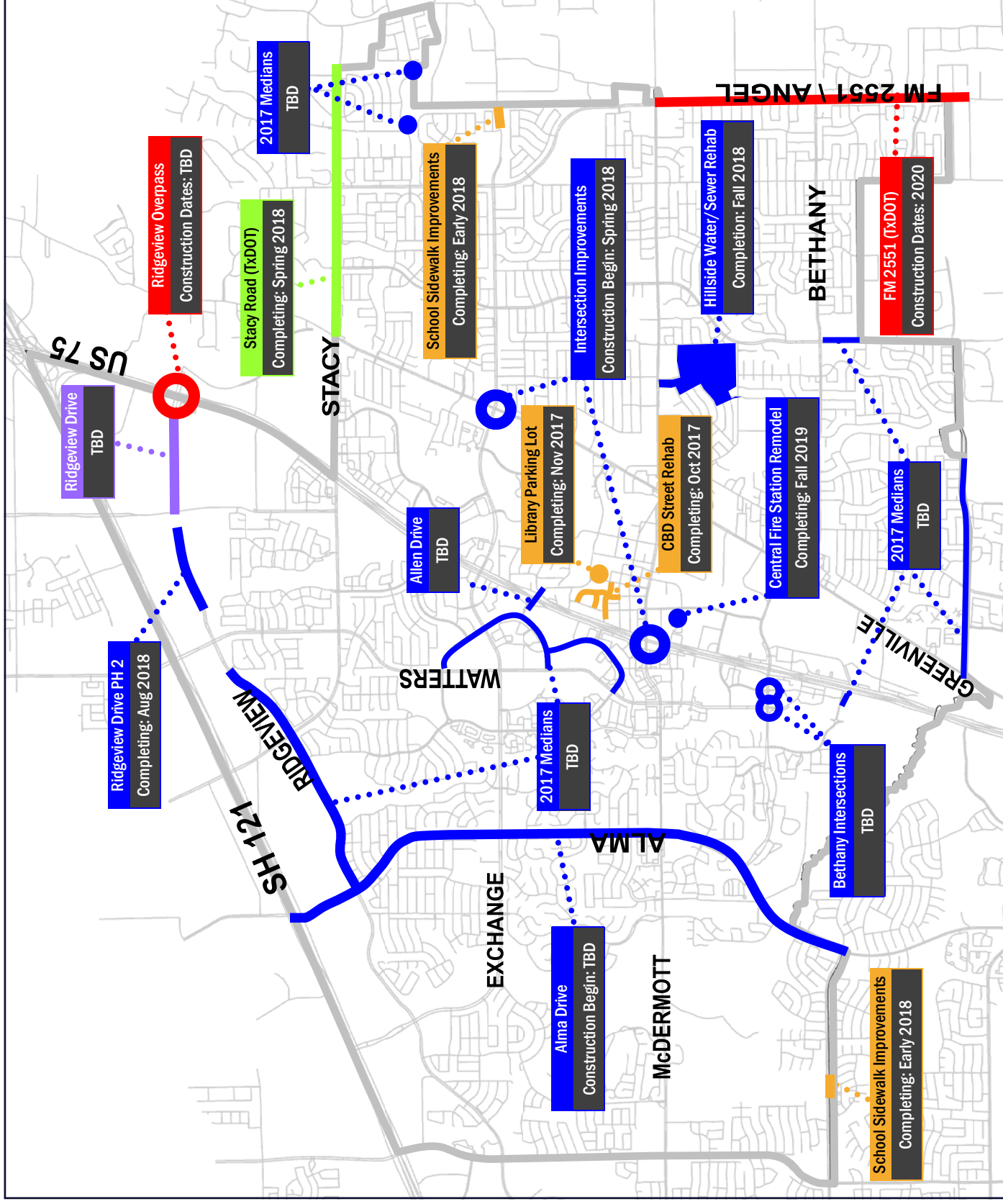
CONSTRUCTION  
(By Others)

DESIGN  
(By Others)

FUTURE

ENGINEERING  
DEPARTMENT  
214.509.4576

DIRECTOR:  
CHRIS  
FLANIGAN





<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
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**AGENDA DATE:**

October 17, 2017

Election of Officers – Elect a Chair, First Vice-Chair, and Second Vice-Chair.

**STAFF RESOURCE:**

Marc Kurbansade, AICP  
Director of Community Development

**PREVIOUS COMMISSION/COUNCIL  
ACTION:**

None

**BACKGROUND**

The Commission should elect a Chair, First Vice-Chair, and Second Vice-Chair.

**STAFF RECOMMENDATION**

Elect officers.

## PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

<b>AGENDA DATE:</b>	October 17, 2017
<b>SUBJECT:</b>	Conduct a Public Hearing and consider a request for a Specific Use Permit SUP for a Medical Office use for an approximately 1,500± 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 A, Suite 120). (SUP-092017-0004) [Vitals Family Medicine]
<b>STAFF RESOURCE:</b>	Hayley Angel Planner
<b>PREVIOUS COMMISSION/COUNCIL ACTION:</b>	Planned Development No. 53 – Approved May, 1993 Planned Development No. 53 – Approved December, 1997 Planned Development No. 53 – Approved January, 2007 Preliminary Plat – Approved April, 2007 Final Plat – Approved May, 2007 Planned Development No. 53 – Approved May, 2008
<b>PUBLIC NOTICE:</b>	Public Hearing Sign – Installed October 6, 2017 Public Hearing Letters – Mailed October 6, 2017
<b>ANTICIPATED COUNCIL DATE:</b>	November 14, 2017

### **BACKGROUND**

The property is generally located north of Exchange Parkway and east of Twin Creeks Drive (and commonly known as 1420 W. Exchange Parkway, Building A, Suite 120). 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.

The applicant is proposing to tenant a 1,500 ± square foot portion in an existing building for a Medical Office use. 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 Office use within the SC zoning district.

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

- Business Hours:
  - Monday through Friday, 8am – 5pm
  - Saturday, 8am – 12pm

Parking on site complies with the Allen Land Development Code standards.

There are no proposed changes to the exterior of the building.

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

**STAFF RECOMMENDATION**

Staff recommends approval.

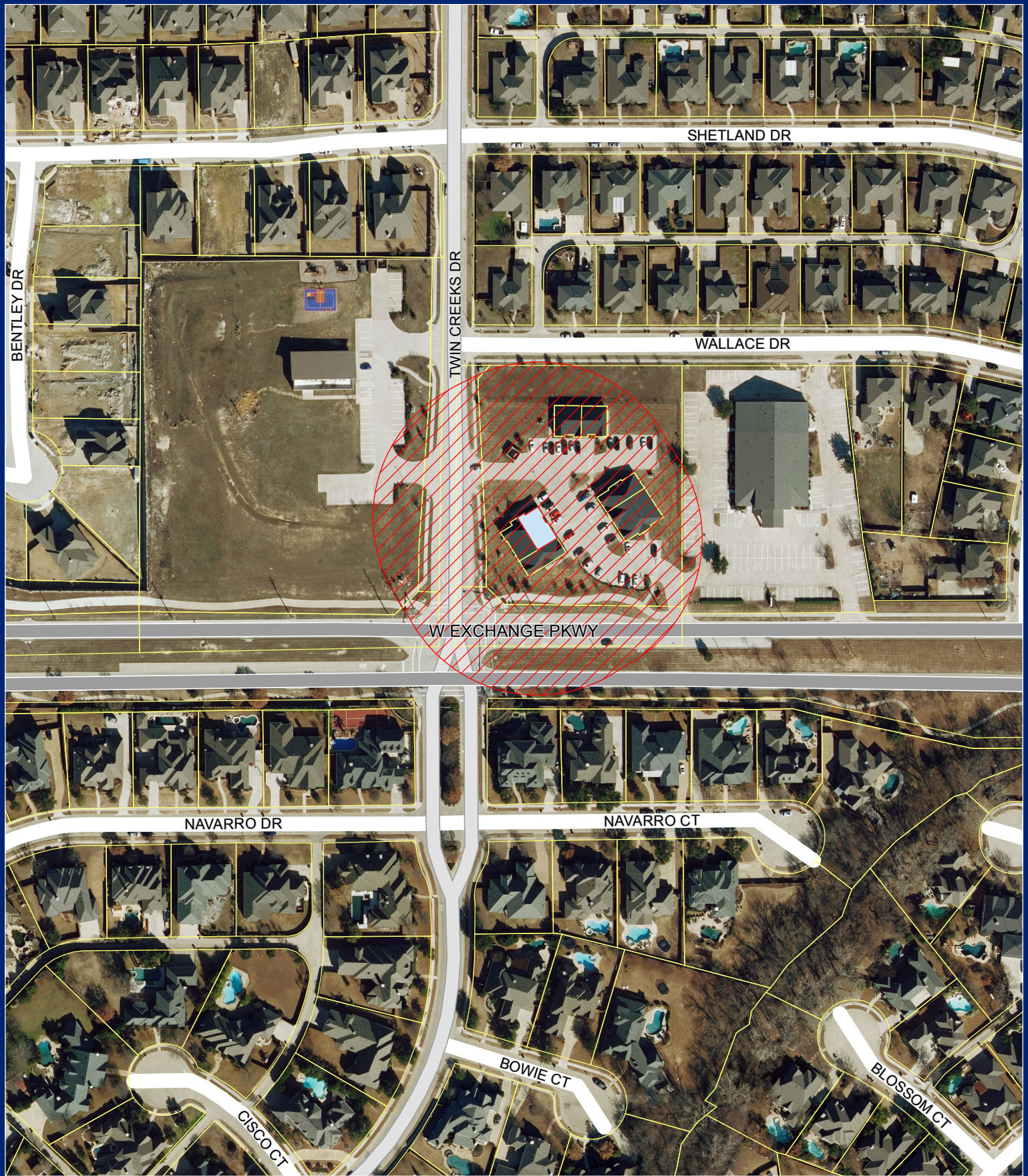
**MOTION**

*I make a motion to recommend approval of a Specific Use Permit SUP for a Medical Office use for an approximately 1,500± 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 A, Suite 120).*

**ATTACHMENTS**

Property Notification Map  
SUP Site Plan





Property Ownership Notification

**Vital Family Medicine**  
**1420 W. Exchange Pkwy**  
**Bldg A #120**

## Map Legend

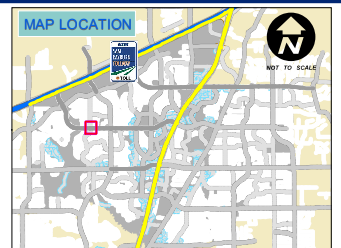
- Public Rezone
- 200' Notification Buffer
- Railroad
- CollinCAD Parcels



0 60 120 180  
 Feet

Planning & Development - GIS  
 Date: 10/4/2017

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







VICINITY MAP



LEGEND

POWER POLE	CONCRETE
WATER MAIN	TRANS.
WATER VALVE	24" FIRE LINE
FIRE HYDRANT	CONCRETE PAVEMENT
CLEAN OUT	PROPERTY LINE
MANHOLE	1/2" POWER LINES
SEWER	1/2" GAS LINES
1/2" WATER LINES	CONTROLLING MONUMENT
1/2" GAS LINES	

DESCRIPTION OF PROPERTY SURVEYED

THIS is a 2.0652 acre tract of land situated in the Mary Standifer Survey, Abstract No. 812, Collin County, Texas, and is more particularly described as follows: The Reading Ranch Addition, as shown on the plat of said addition, recorded in Volume 2008, Page 603 of the Public Records of Collin County, Texas.

SURVEYOR'S CERTIFICATE

The plat of survey herein is a representation of the property as delineated from an actual field-surveying survey conducted by the undersigned on or about the 14th day of June, 2008. The survey was conducted in accordance with the rules and regulations of the State of Texas, and the survey was performed without the benefit of a current title insurance policy.



NOTES

- Reading Ranch Addition is based on a bearing of South 89 degrees, 03 minutes, 00 seconds East for the south line of the Reading Ranch Addition, as shown on the plat of said addition, recorded in Volume 2008, Page 603 of the Public Records of Collin County, Texas.
- This survey is based on the plat of the Reading Ranch Addition, as shown on the plat of said addition, recorded in Volume 2008, Page 603 of the Public Records of Collin County, Texas.
- Shoreline topography for the site and adjacent streets were taken from building plans as provided by the architect and client.

ALL IMPROVEMENTS SHOWN MUST BE BUILT

SUP SITE PLAN  
GLENDOVER PROFESSIONAL CENTER  
LOT 1R, BLOCK A  
THE READING RANCH ADDITION  
AN ADDITION TO THE CITY OF ALLEN, TEXAS  
AND BEING OUT OF THE  
MARY STANDIFER SURVEY, ABSTRACT No. 812  
COLLIN COUNTY, TEXAS

PREPARED FOR:

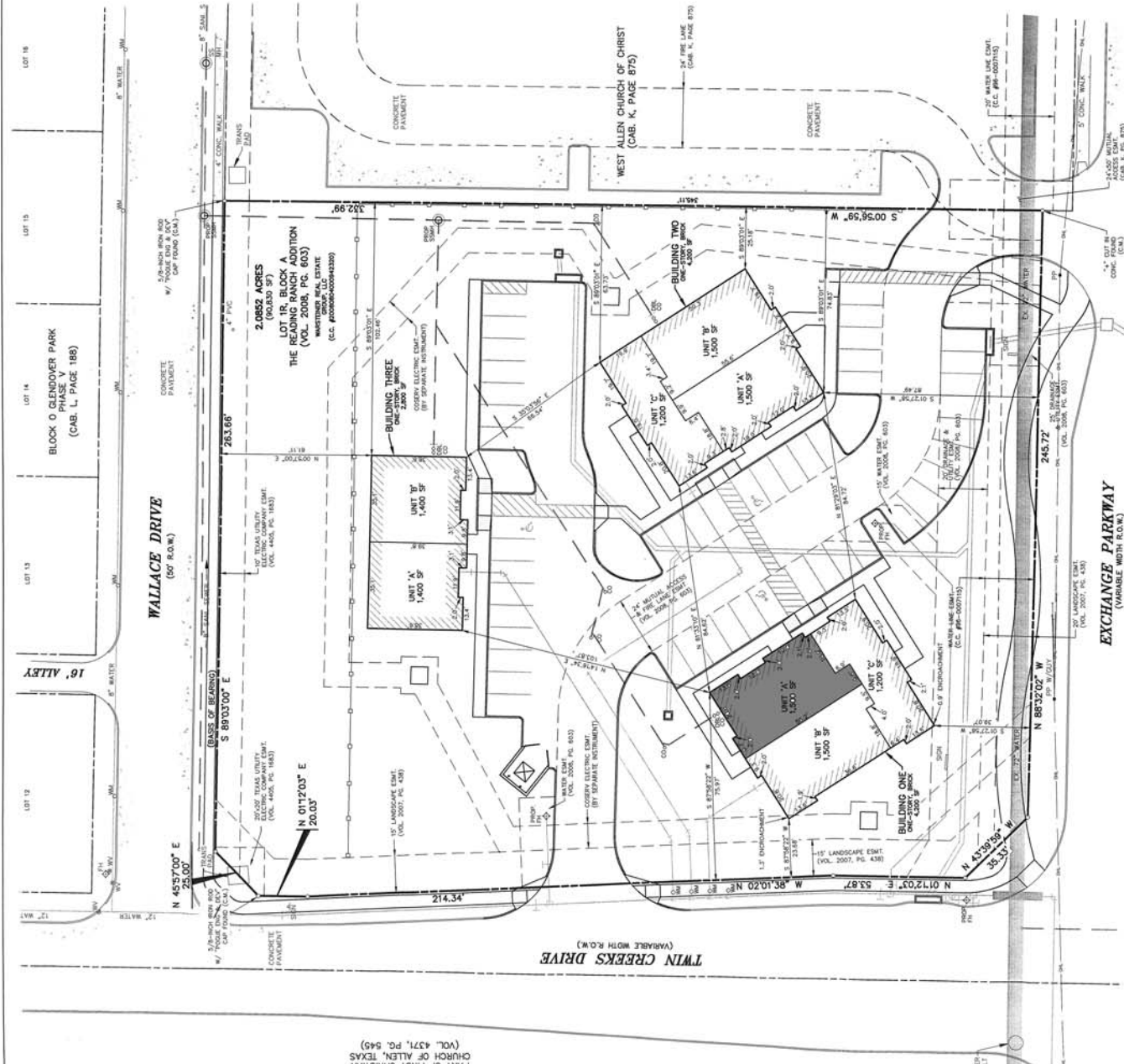
MASTENBERG REAL ESTATE GROUP, LLC  
2142 CHASE LANE, SUITE 200  
DALLAS, TEXAS 75203  
MR. TOSTEN W. HOLMES  
(972) 743-7560 (PHONE)  
(972) 743-7560 (FAX)

ENGINEERING & DEVELOPMENT COMPANY, INC.  
10000 DALLAS AVENUE, SUITE 100  
DALLAS, TEXAS 75243  
WWW.DALLASENGINEERING.COM

DATE: 06-09-09  
SCALE: 1" = 20'  
DRAWN BY: RLK  
CHECKED BY: RLK  
DATE: 06-09-09

PL 002 1318-06-049

PL 002 1318-06-049



CHURCH OF FIRST CHRISTIAN  
CHURCH OF ALLEN, TEXAS  
(VOL. 4371, PG. 545)

<b>PLANNING &amp; ZONING COMMISSION</b>	<b>AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	October 17, 2017
<b>SUBJECT:</b>	Conduct a Public Hearing and consider a request to amend the Development Regulations of a portion of District D-1 of Planned Development “PD” No. 108 being all of The Village at Twin Creeks Phase Two and 23.067± acres out of the Catharine Parsons Survey, Abstract No. 711; generally located south of Exchange Parkway and east of Bray Central Drive. (ZN-092917-0010) [The Village at Twin Creeks Ph. 2 & 3]
<b>STAFF RESOURCE:</b>	Madhuri Mohan, AICP Senior Planner
<b>PREVIOUS COMMISSION/COUNCIL ACTION:</b>	Planned Development No. 108 – Adopted October, 2011 Planned Development No. 108 – Amended January, 2014 Preliminary Plat – Approved April, 2014 Final Plat (Phase 2) – Approved May, 2016 Final Plat (Phase 3) – Approved September, 2017
<b>LEGAL NOTICES:</b>	Public Hearing Sign – October 6, 2017 Public Hearing Notices – October 6, 2017
<b>ANTICIPATED COUNCIL DATE:</b>	October 24, 2017

**BACKGROUND**

The property is generally located south of Exchange Parkway and east of Bray Central Drive. The property to the north is zoned Planned Development PD No. 108 Single Family Residential SF. To the west (across Bray Central Drive), the properties are zoned Planned Development PD No. 54 Multi-Family MF and Planned Development PD No. 54 Single Family Residential R-7. To the south, the properties are zoned Planned Development PD No. 54 Multi-Family MF-18. To the east (across Watters Road), the properties are zoned Planned Development PD No. 54 Industrial Technology IT.

A Planned Development for PD-108 encompassing seven districts and mixed-uses was originally adopted by City Council in October 2011. A subsequent PD Amendment was approved for one of the districts in January 2014 and created The Village at Twin Creeks, which includes a variety of single-family product types. The applicant is now requesting to amend and add to the existing development regulations to provide greater flexibility for the single-family products.

A summary of the proposed changes are as follows:

1. Change the Side Yard setback for Product Types B and C to 5’ and 5’ (currently required at 3’ and 7’).
2. Add an option for driveways to be “salt finished concrete” (in addition to the currently required “stamped concrete”).
3. Allow AC Units to be placed within the 5’ side yard setback and encroach into the 3’ drainage easement provided that the AC units are placed on an approved cantilever pad, approved by the Building and Code Department.
4. Allow curb inlets to be placed within 5’ of a proposed residential driveway (currently required at 10’) for two lots.

**STAFF RECOMMENDATION**

Staff recommends approval.

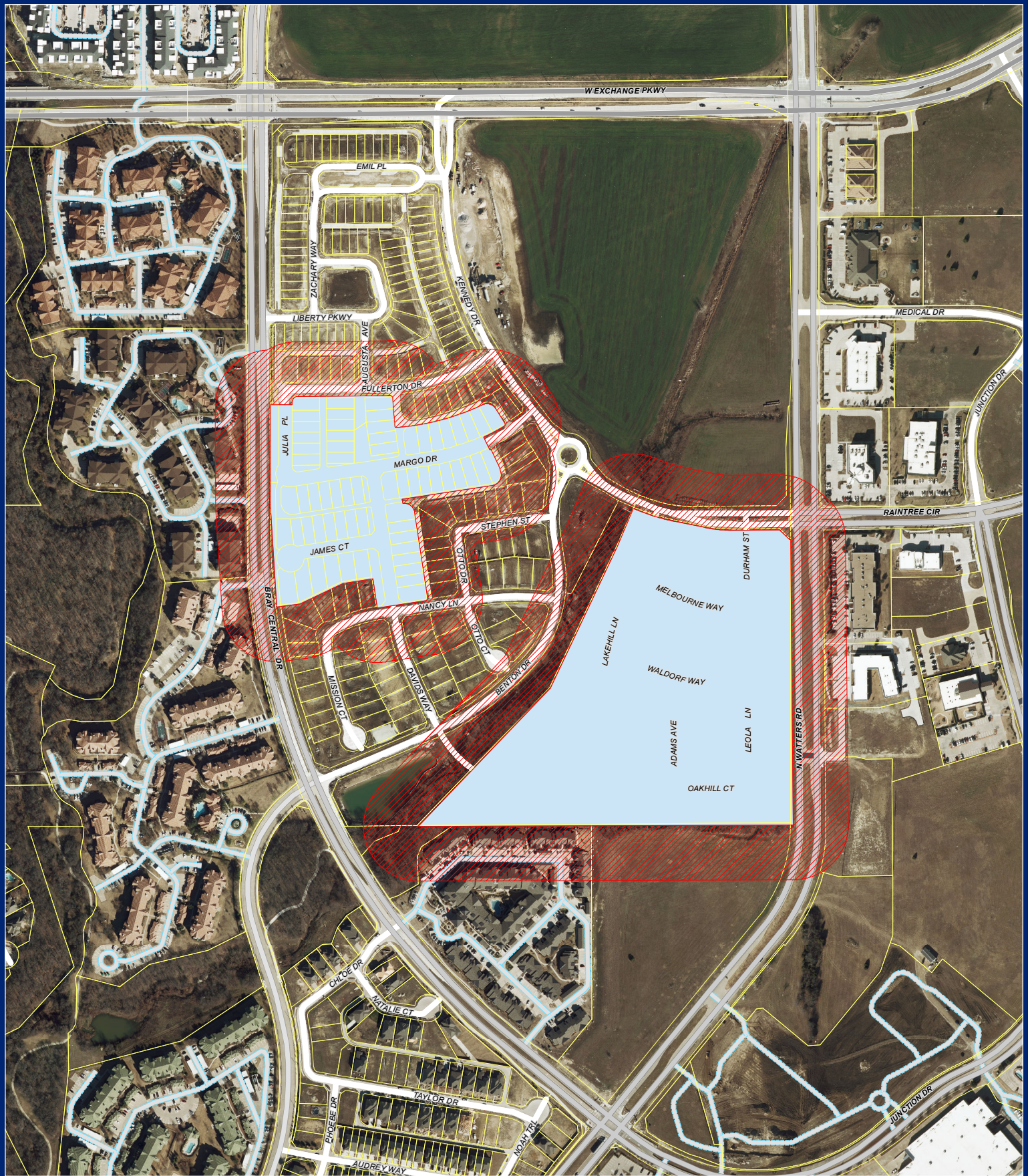
**MOTION**

*I make a motion to recommend approval of the request to amend the development regulations of a portion District D-1 of Planned Development “PD” No. 108; generally located south of Exchange Parkway and east of Bray Central Drive, for The Village at Twin Creeks Ph. 2 & 3.*

**ATTACHMENTS**





Property Notification Map  
Draft Ordinance

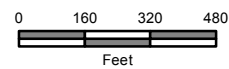




Property Ownership Notification  
Village of Twincreeks PH 2 & 3

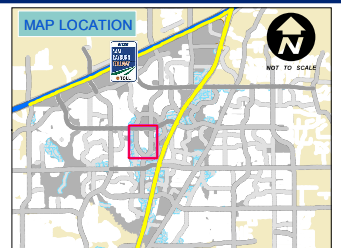
## Map Legend

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



Planning & Development - GIS  
Date: 10/6/2017

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





**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP BY AMENDING THE DEVELOPMENT REGULATIONS OF A PORTION OF DISTRICT D-1 OF PLANNED DEVELOPMENT “PD” NO. 108 AS ADOPTED IN ORDINANCE NO. 3044-10-11 AND AMENDED BY ORDINANCE NO. 3200-1-14; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:**

**SECTION 1.** The Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, as previously amended, be further amended by amending the development regulations relating to the use and development of a portion of District D-1 of Planned Development No. 108 (“PD-108”), said portion being described in Attachment 1, attached hereto and incorporated herein by reference (“the Property”), as follows:

- A.** The table in Section 1.H(1) of Ordinance No. 3200-1-14 is amended to provide that the Minimum Side Setback for Product Types B and C is “5’/5’/15’.”
- B.** Section 1.H(2) of Ordinance 3200-1-14, is amended in its entirety to read “All front entry lots shall be constructed with driveways composed of stamped concrete or salt-finished concrete.”
- C.** Section 1.H. of Ordinance No. 3200-1-4 is amended by adding a new subparagraph (7) to read as follows:
  - (7) Air conditioning and heat pump condenser units may be placed within the five-foot side yard setback in a manner not to impede any drainage easements and subject to approval by the City Building Official or authorized designee but shall in any case comply with the located and screening requirements shown in Exhibit “J,” attached hereto and incorporated herein by reference.
- D.** Section 1.H. of Ordinance No. 3200-1-4 is amended by adding a new subparagraph (8) to read as follows:
  - (8) Notwithstanding ALDC Section 8.05.1.7.g. to the contrary, storm curb inlets may be placed less than ten feet (10.0’) but not less than five feet (5.0’) from the end of the driveway radii of the driveways to be constructed on proposed Lots 11 and 12, Block

L, The Villages at Twin Creeks Phase Three as depicted in Exhibit K, attached hereto and incorporated herein by reference.

- E. Ordinance No. 3200-1-4 is amended by adding a new Exhibit “J” title “Sideyard AC Unit Requirements” and a new Exhibit “K” titled “Curb Inlet Exception” as set forth in Attachment 2 and Attachment 3, respectively, attached hereto and incorporated herein by reference.

**SECTION 2.** To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Allen governing the use and development of the Property within PD-108 as described in Ordinance No. 3200-1-14 and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

**SECTION 4.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 6.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 24<sup>th</sup> DAY OF OCTOBER, 2017.**

**APPROVED:**

---

**Stephen Terrell, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

---

**Peter G. Smith, CITY ATTORNEY**  
(kbl:10/12/17:92067)

---

**Shelley B. George, TRMC, CITY SECRETARY**

**Attachment 1**  
**Description of Property**

Being all of the property located within the subdivision known as The Village at Twin Creeks Phase Two, an addition to the City of Allen, Collin County, Texas, according to the map or plat thereof recorded in Volume 2016, Page 417, Plat Records, Collin County, Texas, and the following property, being the proposed subdivision to be known as The Village at Twin Creeks Phase Three, and described as follows"

**BEING** A 23.067 ACRE TRACT OF LAND SITUATED IN THE CATHARINE PARSONS SURVEY, ABSTRACT NO. 711, CITY OF ALLEN, COLLIN COUNTY, TEXAS, AND BEING A PORTION OF THE REMAINDER OF A CALLED 109.79 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO JBGL EXCHANGE, LLC, RECORDED IN INSTRUMENT NUMBER 20121231001665590, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS (O.P.R.C.C.T.); SAID 23.067 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE MOST EASTERLY NORTHEAST CORNER OF LOT 1X, BLOCK H OF THE VILLAGE AT TWIN CREEKS PHASE 1, AN ADDITION TO THE CITY OF ALLEN ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2015, PAGE 488, PLAT RECORDS OF COLLIN COUNTY, TEXAS (P.R.C.C.T.), SAME BEING THE MOST WESTERLY CORNER OF A CALLED 1.066 ACRE TRACT OF LAND DESCRIBED IN A RIGHT OF WAY DEED TO THE CITY OF ALLEN, TEXAS, RECORDED IN INSTRUMENT NUMBER 20161227001744930, O.P.R.C.C.T., BEING IN THE SOUTHERLY RIGHT-OF-WAY LINE OF KENNEDY DRIVE (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY), AND ALSO BEING THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS POINT WHICH BEARS NORTH 23°12'07" EAST, A DISTANCE OF 775.00 FEET;

**THENCE** ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KENNEDY DRIVE THE FOLLOWING CALLS:

SOUTHEASTERLY WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 11°50'36" FOR AN ARC LENGTH OF 160.20 FEET, A CHORD BEARING OF SOUTH 72°43'11" EAST AND A CHORD DISTANCE OF 159.91 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE POINT OF TANGENCY;

SOUTH 78°38'29" EAST A DISTANCE OF 111.13 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE POINT OF CURVATURE OF CURVE TO THE LEFT HAVING A RADIUS OF 500.00 FEET;

SOUTHEASTERLY WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 11°53'34" FOR AN ARC LENGTH OF 103.78 FEET, A CHORD BEARING OF SOUTH 84°35'16" EAST AND A CHORD DISTANCE OF 103.60 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

NORTH 89°27'57" EAST A DISTANCE OF 168.93 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

SOUTH 45°32'03" EAST A DISTANCE OF 49.50 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

NORTH 89°27'57" EAST A DISTANCE OF 5.00 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID 1.066 ACRE TRACT OF LAND, BEING IN THE WEST RIGHT-OF-WAY LINE OF WATTERS ROAD (VARIABLE WIDTH RIGHT-OF-WAY);

**Attachment 1**  
**Description of Property (cont.)**

**THENCE** SOUTH 00°32'04" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WATTERS ROAD, A DISTANCE OF 1,043.25 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE SOUTHEAST CORNER OF SAID 109.79 ACRE TRACT OF LAND, SAME BEING THE NORTHEAST CORNER OF LOT 1R, BLOCK C OF BRAY CENTRAL ONE, AN ADDITION TO THE CITY OF ALLEN ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2011, PAGE 156, P.R.C.C.T.;

**THENCE** SOUTH 89°50'18" WEST, ALONG THE COMMON LINE OF SAID 109.79 ACRE TRACT OF LAND AND SAID LOT 1R, BLOCK C, AT A DISTANCE OF 732.00 FEET PASSING THE NORTHWEST CORNER OF SAID LOT 1R, BLOCK C, SAME BEING THE NORTHEAST CORNER OF LOT 2, BLOCK C OF SAID BRAY CENTRAL ONE ADDITION, CONTINUING ALONG THE COMMON LINE OF SAID 109.79 ACRE TRACT OF LAND AND SAID LOT 2, BLOCK A, AT A DISTANCE OF 1,232.50 FEET PASSING THE NORTHWEST CORNER OF SAID LOT 2, BLOCK C, SAME BEING THE NORTHEAST CORNER OF LOT 3X, BLOCK C OF SAID BRAY CENTRAL ONE ADDITION, CONTINUING ALONG THE COMMON LINE OF SAID 109.79 ACRE TRACT OF LAND AND SAID LOT 3X, BLOCK C, IN ALL FOR A TOTAL DISTANCE OF 1,369.79 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF LOT 1X, BLOCK H OF THE VILLAGE AT TWIN CREEKS PHASE 1, AN ADDITION TO THE CITY OF ALLEN ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2015, PAGE 489 P.R.C.C.T.;

**THENCE** ALONG THE EASTERLY LINE OF SAID LOT 1X, BLOCK H THE FOLLOWING CALLS:

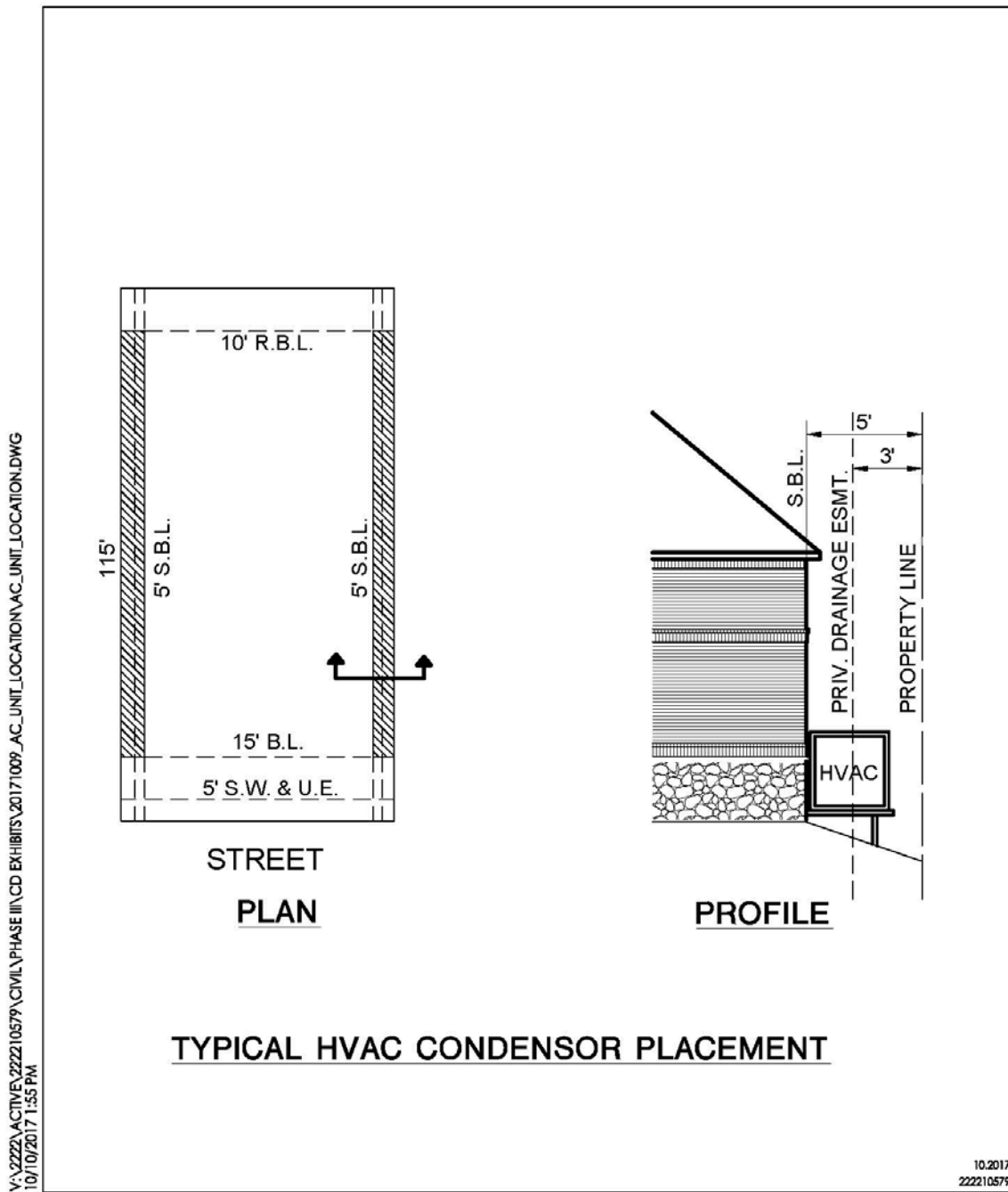
NORTH 43°46'22" EAST A DISTANCE OF 697.46 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

NORTH 25°16'58" EAST A DISTANCE OF 568.96 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR CORNER;

NORTH 23°12'12" EAST A DISTANCE OF 153.62 FEET TO THE **POINT OF BEGINNING** CONTAINING A COMPUTED AREA OF 1,004,779 SQUARE FEET OR 23.067 ACRES OF LAND, MORE OR LESS.

Attachment 2

EXHIBIT "J"  
Sidyard AC Unit Requirements



12222 Merit Dr. Suite 400  
Dallas, Texas 75251  
www.stantec.com

 POTENTIAL HVAC CONDENSOR  
LOCATIONS

Client/Project  
GREENBRICK PARTNERS  
VILLAGE AT TWIN CREEKS  
PHASES 2 AND 3

Figure No.

1.0

Title

TYPICAL HVAC CONDENSOR  
PLACEMENT

**EXHIBIT “K”**  
**Curb Inlet Exception**

[illegible]

<b>PLANNING &amp; ZONING COMMISSION</b>	<b>AGENDA COMMUNICATION</b>
---	-----------------------------

<b>AGENDA DATE:</b>	October 17, 2017
<b>SUBJECT:</b>	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]
<b>STAFF RESOURCE:</b>	Marc Kurbansade, AICP Director of Community Development
<b>PREVIOUS COMMISSION/COUNCIL ACTION:</b>	Preliminary Plat – Approved February, 2015
<b>LEGAL NOTICES:</b>	Public Hearing Sign – October 6, 2017 Public Hearing Notices – October 6, 2017
<b>ANTICIPATED COUNCIL DATE:</b>	November 14, 2017

**BACKGROUND**

The property is generally located at the southwest corner of the intersection of Curtis Lane and US Highway 75. The property to the north (across Curtis Lane) is zoned Corridor Commercial CC. The properties to the west are zoned Planned Development PD No. 118 Single Family Residential R-7. To the south, the properties are zoned Planned Development PD No. 54 Corridor Commercial CC. To the east (across US Highway 75), the property is zoned Community Facilities CF.

The property is currently zoned Corridor Commercial CC. The applicant is requesting to change the zoning by creating a Planned Development with a base zoning of Corridor Commercial CC for a Target Range use, and adopting Development Regulations, a Concept Plan, and Building Elevations for the property.

The property is approximately 1.610± acres. The attached Concept Plan shows a 21,232± square foot Target Range facility. The facility will include a total of 30 range lanes (at 50 yards, 25 yards, and 15 yards), an office/administrative area, two classrooms, and a retail component.

To accommodate the building on the site, the northern (front) and southern (rear) setbacks will be modified as shown on the Concept Plan. A 10’ landscape buffer is required along Curtis Lane. Four feet of the buffer will be on the property and the remaining six feet of the buffer will be within the right-of-way. As the entire 10’ buffer requirement is not on the site, the six feet within the right-of-way will be accounted for on the property with enhanced landscaping, subject to the Parks and Recreation Department.

Parking and Landscaping meet ALDC standards. A 5’ sidewalk exists along US Highway 75 and is proposed along Curtis Lane.

There are two (2) points of access into the property; both on Curtis Lane. Driveway throat depths will be modified as indicated on the Concept Plan.

The building will be one (1) story with a maximum height of 35'. Primary building materials include concrete and stone.

The attached development regulations include design standards to establish the Planned Development, including the additional permitted use, setbacks, landscape buffer, driveway throat depths, and detention requirements.

The applicant has conducted two meetings with residents in the neighboring Ansley Meadows HOA. Attached is the applicant's response to the concerns raised at these meetings. Building section cuts and an acoustic study are also attached to supplement the response to these concerns.

The request has been reviewed by the Technical Review Committee.

### **STAFF RECOMMENDATION**

Staff recommends approval.

### **MOTION**

*I make a motion 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.*

### **ATTACHMENTS**

Property Notification Map  
Development Regulations  
Concept Plan  
Rendering  
Color Elevations  
Memo – Summary of Concerns







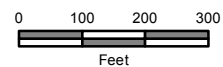


Property Ownership Notification

Texas Legend

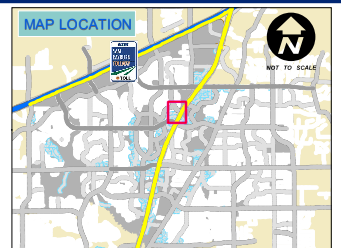
## Map Legend

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



Planning & Development - GIS  
Date: 10/4/2017

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





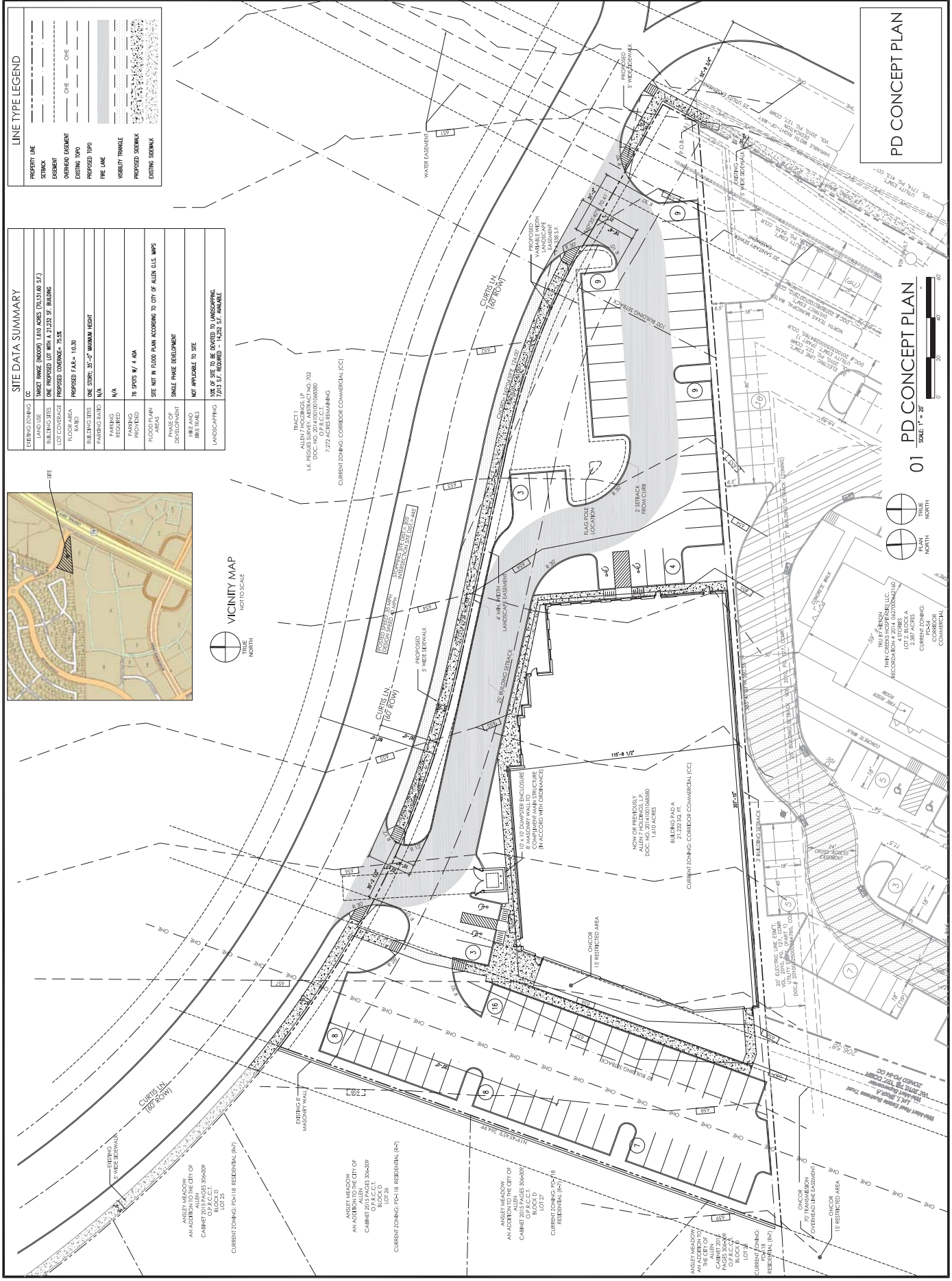
**DRAFT OF PROPOSED DEVELOPMENT REGULATIONS FOR**  
**TEXAS LEGENDS GUN RANGE**

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 Target Range.
- 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. **BUILDING SETBACKS:**
  - (1) Rear Yard Setback (south side of Property): Three feet (3.0')
  - (2) Front Yard Setback (north side of Property): Twenty-five feet (25.0').
- F. **LANDSCAPE BUFFER:**
  - (1) Notwithstanding anything to the contrary in ALDC Section 7.05.3.4.d., the ten foot (10.0') landscape buffer adjacent to Curtis Lane may be located on the Concept Plan with not greater than six foot (6.0') of the buffer being located in the right of way. The owner of the Property shall at all times be responsible for maintaining all plant materials planted within said landscape buffer. Trees to be planted within the landscape shall be shown on the landscape plan required by paragraph F(2), below, and planted in a manner approved by the Director of Engineering or designee to reasonably protect any City existing improvements located within the Curtis Lane right-of-way from damages for the tree root systems.
  - (2) A landscape plan shall be submitted concurrently with the application for the site plan relating to development of the Property, which landscape plan shall provide for an area of approximately 2,500 square feet of the Property to be landscaped with plant materials. The landscaping required by this Paragraph F(2) shall be in addition to the minimum landscaping requirements set forth in ALDC Section 7.05.
- G. **DRIVEWAY THROAT DEPTHS:** The minimum driveway throat depth on the western driveway shall be as indicated on the Concept Plan.
- H. **DETENTION:** Detention shall be provided in accordance with the requirements of the City Design Standards; actual location shall be determined at the time of civil site design and plan review, to be determined and accepted by the Director Engineering or authorized designee.

SITE DATA SUMMARY	
EXISTING ZONING	QC
LAND USE	TRAIL (PARK) (00000) 1.60 ACRES (21.110 AC S.F.)
LAND USE	ONE PROPOSED LOT WITH A 71,232 SQ. FT. BUILDING
LOT COVERAGE	PROPOSED COVERAGE: 75.5%
STREET ADDRESS	PROPOSED FAS# = 10.30
FLOOD HAZARD	ONE STRIP, 35'-47" WARMAN EIGHT
BUILDING TYPE	N/A
PARKING RATIO	N/A
PARKING REQUIRED	N/A
PARKING PROVIDED	78 SPOTS 8' X 40A
FLOODPLAIN	SITE NOT IN FLOOD PLAIN ACCORDING TO CITY OF ALLEN G.L.S. MAPS
ASBESTOS	
ENVIRONMENTAL DEVELOPMENT	SINGLE PHASE DEVELOPMENT
HEAVY AND BULK TRAILS	NOT APPLICABLE TO SITE
LANDSCAPING	10% OF SITE TO BE DEDICATED TO LANDSCAPING 10% OF SITE REQUIRED - 14,250 SQ. FT. AVAILABLE

LINE TYPE LEGEND	
PROPERTY LINE	---
SETBACK	---
EASEMENT	---
OVERHEAD EXHAUST	---
ONE	ONE
ONE	---
EXISTING TPO	---
PROPOSED TPO	---
FIRE LINE	---
VISIBILITY TRIANGLE	---
PROPOSED SIDEWALK	---
EXISTING SIDEWALK	---







**OWNER**  
 ALLIANT HOLDINGS, LP  
 5005 Keller Springs, Suite 500  
 Dallas, Texas 75244  
 214.478.1777

**DESIGNER**  
 TEXAS LEGENDS REALTY, LLC  
 1801 N. WORTHEN RD. SUITE 100  
 ALLEN, TEXAS 75009  
 972.279.8972

**CONSULTANTS**  
 STRUCTURAL ENGINEERING  
 1801 N. WORTHEN RD. SUITE 100  
 ALLEN, TEXAS 75009  
 972.255.1774

**ARCHITECT**  
 MCCALLA DESIGN GROUP  
 ARCHITECTURE, P.L.L.C.  
 7801 N. WORTHEN RD. SUITE 100  
 ALLEN, TEXAS 75009  
 972.243.3337 (Ext)

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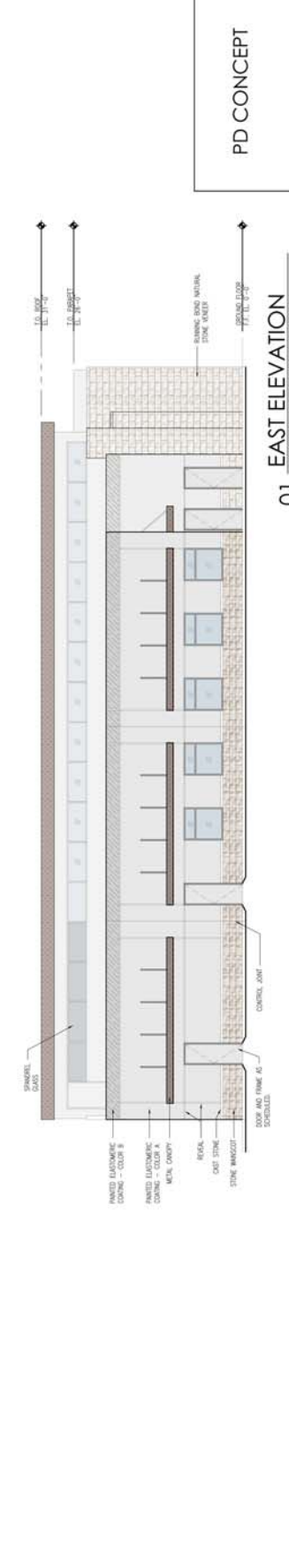
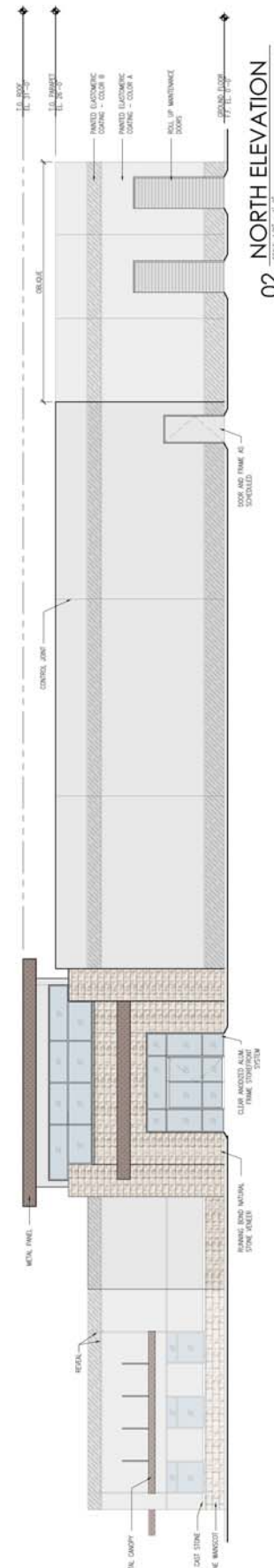
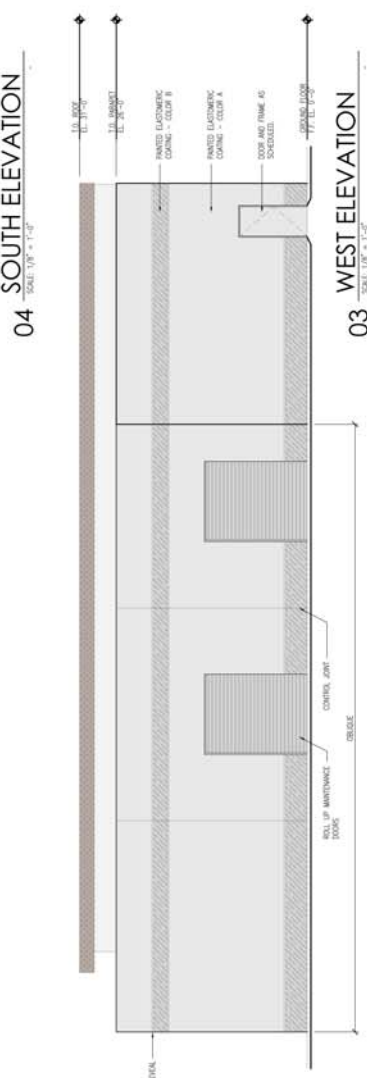
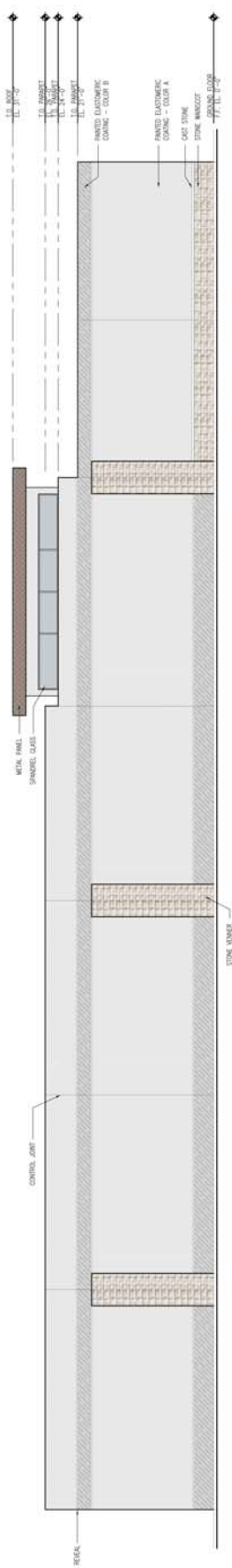
**INTERIM REVIEW DOCUMENT**  
 This document is for review only and is not to be used for construction. It is subject to change without notice. It is the responsibility of the user to verify the accuracy of the information contained herein. No warranty is made by the designer for the use of this document for any purpose other than that intended.

**TEXAS LEGENDS**  
 TRAINING CENTER AND RANGE  
 ALLEN, TEXAS

**REMARKS:**  
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**Issue Date:**  
 04 OCTOBER 2017  
**Project No:**  
 17038A  
**Sheet Title:**  
 PD CONCEPT  
 ELEVATION

**Sheet No:**  
 A4.01



**PD CONCEPT**

# MEMO

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**TO:** Madhuri Mohan, AICP, Senior Planner, City of Allen

**FROM:** Greg Taggart, RPLS, Applicant for Texas Legends Gun Range

**DATE:** October 12, 2017

**SUBJECT:** *Response to Expressed Concerns*

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During the application review process for Texas Legends Gun Range, I met with homeowners of the Ansley Meadows neighborhood to understand their concerns about the zoning change I am proposing. They expressed nine major concerns. I intend to address both through exhibits provided to you and through the direct response below.

## **1. Noise Levels**

The range facility is designed with modern methods and proper insulation applied to 7-1/4" thick reinforced concrete. Range filter machinery and dust collectors have been located by design inside the building to reduce noise. A sound study was conducted of existing range facilities. Built with "old school" methods, the study shows they produce noise levels at a measured 75 feet from the facility of 75 decibels (dB). How is this helpful? In Texas Legends case, the closest approach of any residential structure is substantially more than 100 feet from the building. Sound reduces by the "inverse square law"; noise levels will be significantly lower at 100 feet. Considering the careful modern acoustic design of our range, we will be much quieter than the comparable older facilities. A new study at this site finds existing North Central Expressway rush hour noise readings of 78.3 dB; the proposed Texas Legends building, by functioning as a physical sound block, will potentially even reduce noise levels in the residential areas immediately behind our facility. See the attached acoustic report and sound study.

## **2. Projectile Leakage-Bullets Leaving the Building**

The range areas where firing takes place are essentially a 7-1/4" thick reinforced concrete walled box divided into a series of smaller concrete boxes, the firing bays. At the end of each firing lane is an armor steel AR-400 (or equivalent) bullet trap; it cannot be penetrated by small arms ammunition. Behind the bullet traps at the west side of the building is a 7-1/4" thick reinforced concrete exterior wall. Range side walls on the north and south are constructed of the same material. The range area rear observation wall is constructed of 7-1/4" thick reinforced concrete as well; observation windows are constructed of Underwriters Laboratories (UL) -Level 8 bullet resistant glass. Armor plate steel baffles deflect errant shots down and into the concrete range floor or bullet

trap; in the unlikely event that any slip by the baffles, the range area roof cannot be penetrated. It too, is constructed of reinforced concrete panels. No firing or handling of loaded firearms is permitted outside of the range firing areas.

### **3. Lead Contamination of Surroundings**

Firing ranges are not allowed to contaminate their surroundings with lead particulate emissions. That is a civil and criminal violation of the Clean Air Act of 1970 as well as the Clean Water Act. Texas Legends will filter lead particulates out of all range exhaust air through a two- stage filtration system engineered and constructed by a contractor that has provided clean air filtration systems to various government entities as well as NASA. Air will be filtered to 0.3 microns – by comparison, a human hair is 50 microns in diameter. Air exhausted from the range will be cleaner than intake air. Filter system technical specifications are available for review.

### **4. Traffic Volumes Generated**

According to a traffic engineering analysis performed by Dynamic Traffic Engineers, the proposed range facility will generate traffic volumes on Curtis Lane at a substantially lower rate when compared to “by-right” uses specifically allowed in CC Zone; less than 42% percent according to the report. Weekday trip generation is expected to be 457/day, with a peak of 630/day on Saturday. This compares with a use of a similar size “Shopping Center” generating a traffic count of 2480 trips/3481trips, or a “Discount Store” of 1215 trips/1509 trips respectively. City staff has been supplied with a copy of the engineering report.

### **5. Criminal Attraction or Activity**

A properly run gun range does not attract criminal activity. Shooters as a group are very law-abiding; felons and domestic violence misdemeanants cannot even legally touch a firearm or ammunition without committing a Federal felony offense. Every range visitor is required to provide valid government issued identification and a permanent record of entry is kept. Firearms retail operations and record-keeping are meticulously inspected on an annual basis by the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) and they may also conduct surprise inspections at any time as well. Among our expected patrons will be police officers from several local, state and federal agencies, both on and off duty- criminals would prefer to be elsewhere. This is borne out by local experience- Call/Incident Logs from Frisco PD (Frisco Gun Club) and Lewisville PD (Eagle Gun Range) confirm that “criminal activity” is not rampant in the vicinity of a properly functioning gun range facility; a gun range is not a “crime magnet”. In a 4 year period from 8/01/2013 to 8/01/2017, Frisco PD reports 8 calls for service involving the range facility during operating hours and producing an Offense Report. These calls included one “gunshot” and 4 thefts; there were also three auto burglaries on-site. The burglaries were all reported on one day; these obviously did not involve the range. Not generating a report, there were also three unsubstantiated “gunshot” complaints, two “harassment” complaints, and 13 “suspicious person or vehicle” complaints. In the same 4 year period, during operating hours Lewisville PD answered 8 complaint calls to Eagle Gun Range regarding “suspicious persons”, with no report filed. There was 1 theft



complaint, no report filed; and an intentional self-inflicted gunshot wound. Two officers reported taking their lunch break at the gun range. Criminals and criminal acts simply do not propagate around gun ranges.

#### **6. Accidental Discharges by Visitors in Parking Areas**

All parking areas will have signage prohibiting handling of uncased or un-holstered firearms and requiring that all firearms brought into the building be encased or holstered; the prohibition will be reiterated in the published range rules. The parking areas will be camera monitored to enforce this rule.

#### **7. Fire Hazards**

Texas Legends has been designed to be fire safe. The 7-1/4" thick walled reinforced concrete building is fully equipped with a fire sprinkler system in accord with the Allen Fire Code and industry best practices. A common source of fuel for range fires, namely crumb rubber bullet back stops, has been completely eliminated from our range by the use of armor steel bullet traps. The range firing area is constructed entirely of concrete and steel. There is little to burn, except for targets, soft goods retail stocks and sporting ammunition packaged for retail sale. About sporting ammunition packed for retail sale – according to the video “Sporting Ammunition and the Fire Fighter” prepared by the US Sporting Arms and Ammunition Manufacturers Institute (SAAMI) with the assistance of the International Association of Fire Chiefs, sporting ammunition packed for retail sale does not “... explode, or propagate, and does not pose a hazard substantially different from other common commodities...”.

#### **8. Real Estate Values - Damaged by Proximity to Gun Range?**

There has been a concern expressed that the mere presence of a modern, environmentally friendly and clean indoor shooting range in an attractive building constructed in a commercial zone and facing North Central Expressway – the busiest freeway in north Texas, will perhaps devalue homes in proximity and make them harder to sell. Is such a fear reasonable? It is suggested that simply driving by the concrete building on Curtis Lane will frighten potential buyers; these same potential buyers will not notice the 135,000 Volt Oncor Electric transmission lines or the massive 100' tall steel towers which support them. An article at [homeguides.sfgate.com](http://homeguides.sfgate.com) reports research that found that homes next to power lines lost an average of 6.3% of their value. If the view of the power line is open- “...unobstructed, the price of homes as far away as one-quarter of a mile away can be affected.” According to a 2013 article in Realtor.Com, real home value detractors include proximity to a school (except for families with small children), being next to a busy street, lack of downstairs bedroom, a swimming pool, a small backyard and tile flooring. A similar article in May 2016 by real estate researcher Yuqing Pan found that hospitals depressed home prices in their immediate area by 3.2%. Outdoor shooting ranges, as illustrated in the article, were credited with 3.7% negative effect; but no conclusions were provided for indoor ranges. Since properly designed and operated



indoor ranges are completely contained and do not affect the surrounding environment at all, it is likely that their negative impact is negligible, if any at all. A funeral home, a use permitted by right in CC zone, was reported to depress home prices 6.5%. Examining another modern indoor firing range, the Plano police indoor range is less than 450 feet from a residential subdivision- there is no evidence that the range has damaged home values or sales. Frisco has a new high end mixed residential development featuring luxury town homes and single- family residences on Eldorado Parkway less than 1200 feet from an indoor gun range-Frisco Gun Club. The presence of the range does not seem to deter development.

#### **9. Guns – Morbid Fear of Inanimate Objects.**

A large percentage of Texans own guns; according to study by the University of Texas, that number was perhaps as high as 61% in 2013. Even that number may be low; for obvious reasons many people are reluctant to admit to a researcher on the phone that they own a firearm. The current ownership indoor number may be still higher, having likely increased in the past several years as more citizens have made first-time purchases of firearms for recreation; personal security or simply to celebrate a civil right. The Texas DPS reports that new License To Carry a handgun (LTC) applications in Allen totaled **1676** in 2016 ALONE. Expand the circle to a 3 -mile radius of the Texas Legends site and the figure rises to more than 2300 new LTC applications in one year. In that same 3 mile radius, DPS records indicate that there are more than **9900** active LTC 's. It is abundantly clear- Texans own and carry guns. Allen's citizens own, and many carry, guns. They need a place to safely practice, have fun and receive proper firearms operation and safety instruction. Texas Legends is the place. Sadly, some residents find the prospect of a safe, clean, modern, environmentally conscious indoor firearms training facility a threat to their sense of well-being. Their fears prompt them to raise objections about noise, about traffic, about pollution, about crime. They fear that friends will refuse to visit if it requires driving by an indoor range. They even express the fear that visitors to the range will shoot at passing cars or neighborhood houses; ultimately they are simply afraid of guns and must also fear their neighbors who have guns. All of the reports and studies and traffic analyses and statistics and information about the safety, security and operation of the facility are meaningless because some people simply cannot get that far; their fear stumbles on the concept of "GUNS". We at Texas Legends can and will teach, we can and will educate, we can and will inform, but we cannot overcome bald, un- reasoning fear. Believing that the cure for fear is knowledge, we extend an open invitation to anyone who would like to safely learn about firearms and shooting to contact us.

Sincerely,  
Greg Taggart, RPLS



## Sound Survey Site Report @ Curtis & Central Expressway Allen, TX - Commercial

Survey Type	Current Sound Level Study on Empty Lot	Date: Sunday Oct 1st, 2017
Location	Allen, TX 75013	ATTN: Greg Taggart

Address	SW corner of Curtis Lane & I-75 Service Road	Phone	979.255.1774
Company	Texas Legends	Email	gtaggart@texaslegendsguns.com
Weather	Warm, slightly humid	Date	Testing: Weds Sept 27th, 2017
	82.0 F 58 % Relative Humidity Wind N 11 mph	Time	4:45 PM - 6 PM CST

Noise Sources	Primary noise sources were traffic from I-75 (Central Expressway) and the service road, with the traffic noise of Curtis Lane becoming more predominant with intermittent passing traffic. (4 - 6 X a minute) Average Max levels tended to remain because the average speed of traffic increased the further West you moved from the intersection. Traffic noise maximums varied according to type of vehicle, speed and exhaust system. (motorcycle 83.4 dBA)
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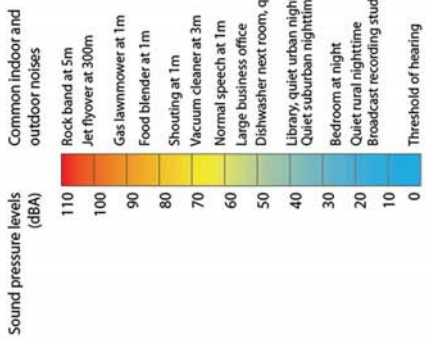
Testing:	Sound level readings taken along Curtis Lane to determine current noise levels from present ambient sources Average Max sound levels reflect the general average of sound level peaks - usually as traffic is passing by.
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Area of Test		Avg. Level	Avg Max Sound Level
By Freeway	at Curtis & Service Road	73.1 dBA	78.3 dBA
Along Curtis	100' from I-75	71.5 dBA	73.9 dBA
Along Curtis	200' from I-75	69.9 dBA	72.0 dBA
Along Curtis	300' from I-75	68.6 dBA	71.8 dBA
Brick Wall *	400' from I-75	66.9 dBA	67.6 - 69.6 dBA

**\*Secondary noises near the entrance to the Ansley Meadows community included the sound of nailguns, construction and the flag ropes hitting the metal poles. (two flagpoles)**

Sound pressure levels (dBA)	Common indoor and outdoor noises	
110	Rock band at 5m	
100	Jet flyover at 300m	
90	Gas lawnmower at 1m	
80	Food blender at 1m	
70	Shouting at 1m	
60	Vacuum cleaner at 3m	
50	Normal speech at 1m	
40	Large business office	
30	Dishwasher next room, quiet urban daytime	
20	Library, quiet urban nighttime	
10	Quiet suburban nighttime	
0	Bedroom at night	
	Quiet rural nighttime	
	Broadcast recording studio	
	Threshold of hearing	

Overview	These are outdoor levels and do not reflect what occupants in homes will hear. There are three main attenuating (noise reduction) factors to consider: increasing distance from the property in question, the muffling of noise due to structures such as the bordering 8' high brick wall, other homes, etc. and the construction of the home itself. In addition, exterior noise is masked by interior sounds such as HVAC, conversation, A/V equipment, etc. *NOTE - Sound levels are measured along a logarithmic scale - not a linear one. Adding two identically loud sound sources will reflect a 3 dB increase. For example 60 dBA + 60 dBA = 63 dBA. See online for noise source calculator.
Consultant	Joel-Anthony Gray B.S.E.E. Signed JAG



**Secondary Noises -  
Construction Nailguns &  
Flagpole Ropes Hitting Pole**

**Predominant Noise -  
Curtis Lane Traffic  
Max 74.8 - 83.4 dBA  
4 - 6 X per minute**

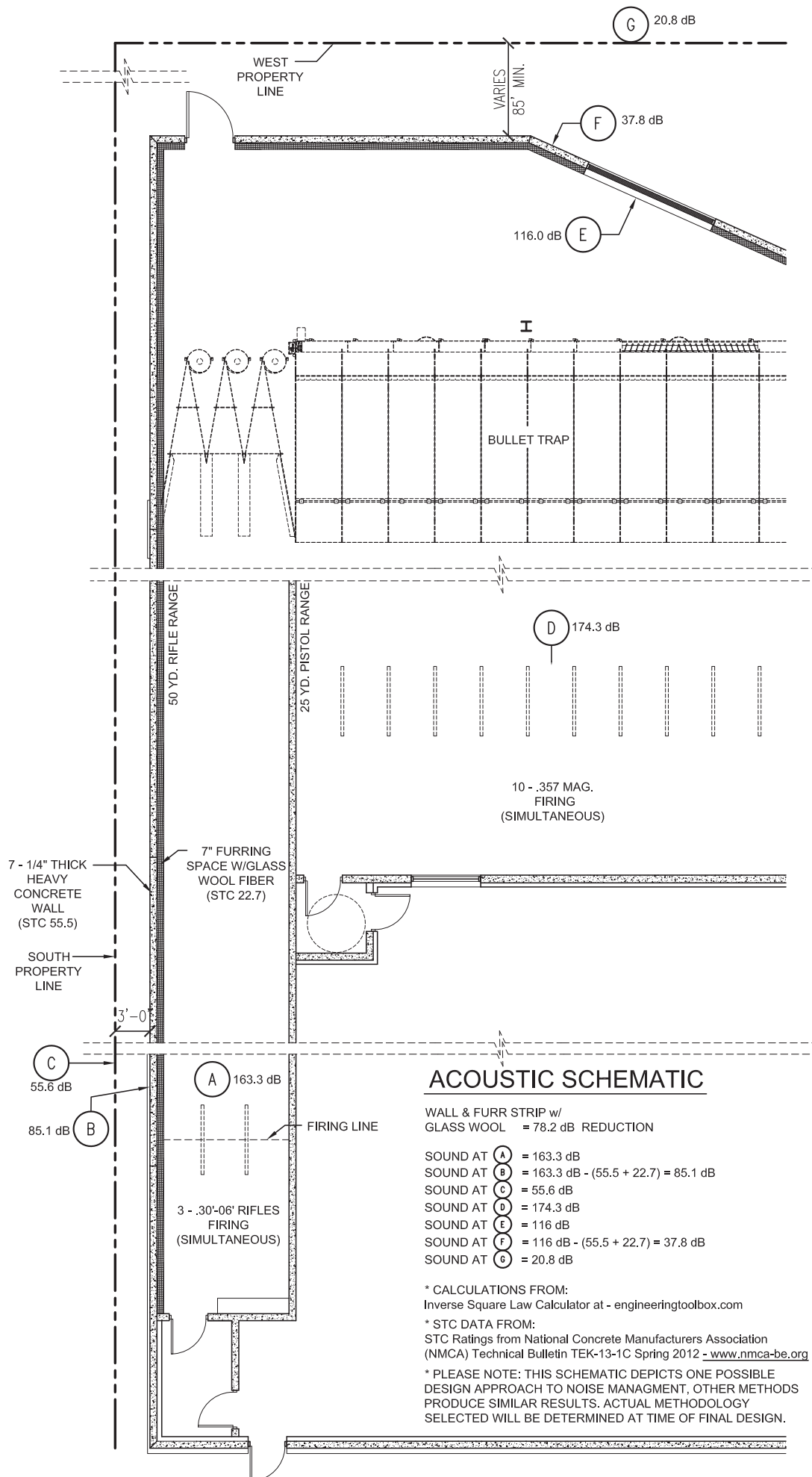
**Predominant Noise -  
Freeway & Service Road Traffic**

**Brick Wall 8' +  
Running SSW  
Nearest House 100' +**

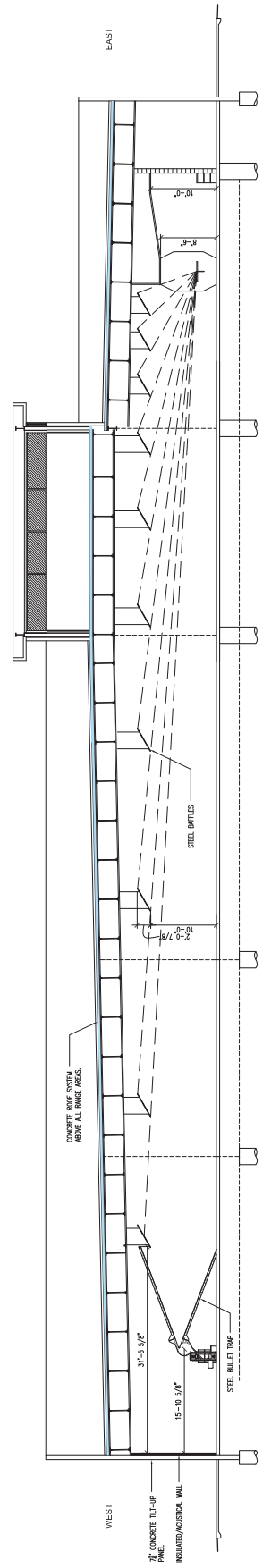
**Average Maximum sound level readings in decibels. (dBA)**

**Readings taken Weds Sept 27th 2017 @ 5 PM  
ScanTech Technical Consulting  
SW Corner Curtis & I-75 Service Road Allen, TX 75013**

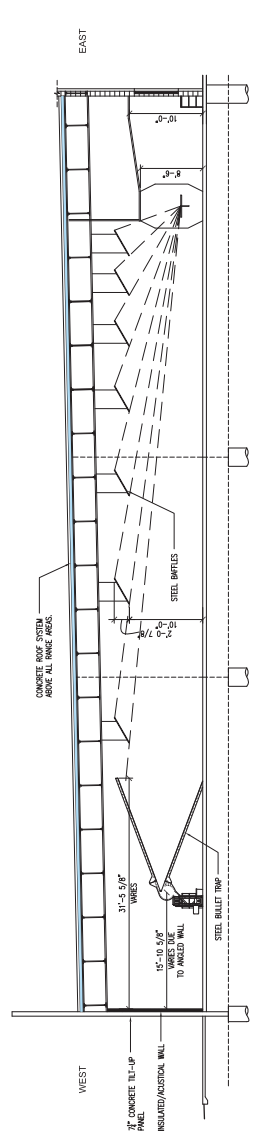
**PD CONCEPT PLAN**  
SUBMITTED JUNE 23, 2017



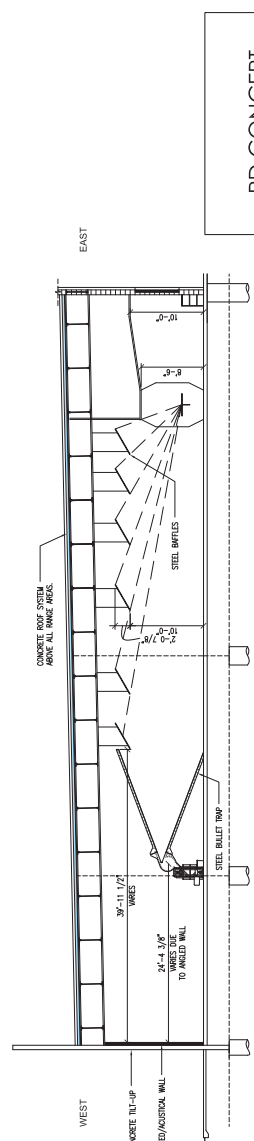




03 RIFLE RANGE WALL SECTION-TYP.  
SCALE: 1/8" = 1'-0"



02 TACTICAL 'B' RANGE WALL SECTION-TYP.  
SCALE: 1/8" = 1'-0"



01 DOWN RANGE WALL SECTION-TYP.  
SCALE: 1/8" = 1'-0"

PD CONCEPT