



# City of Farmers Branch

City Hall  
13000 Wm. Dodson Pkwy  
Farmers Branch, TX 75234

## Electronic Agenda Packet Planning and Zoning Commission

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Monday, July 25, 2016

7:00 PM

City Hall

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### Study Session Meeting to be held at 6:00 PM in Study Session Room

Hard copies of the full Planning and Zoning Commission agenda packet are accessible the Friday prior to every regularly scheduled meeting at the following locations:

- 1) Manske Library
- 2) City Hall

Additionally, the agenda packet is available for download from the City's web site at [www.farmersbranchtx.gov](http://www.farmersbranchtx.gov). This download may be accessed from any computer with Internet access, including computers at the Manske Library and in the lobby of City Hall.

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#### **A. STUDY SESSION**

- A.1 [TMP-1842](#) Report on Ricker Cunningham Presentation.
- A.2 [TMP-1826](#) Discuss regular agenda items.

#### **B. REGULAR AGENDA ITEMS**

- B.1 [TMP-1825](#) Consider approval of the Attendance Matrix for the Planning and Zoning Commission as presented and take appropriate action.
- B.2 [TMP-1829](#) Consider approval of the June 27, 2016 Planning and Zoning Commission minutes and take appropriate action.
- B.3 [TMP-1824](#) Consider approval of the July 11, 2016 Planning and Zoning Commission minutes and take appropriate action.
- B.4 [16-SP-01](#) Consider a request from JPI Real Estate Acquisitions LLC for a Detailed Site Plan approval for a multifamily apartment complex located at 14650 Landmark Boulevard and take appropriate action.

#### **C. PUBLIC HEARING**





# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: TMP-1842

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**Agenda Date:** 7/25/2016

**Version:** 1

**Status:** Study Session

**In Control:** Planning and Zoning Commission

**File Type:** Report

**Agenda Number:** A.1

**Report on Ricker Cunningham Presentation.**



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: TMP-1826

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**Agenda Date:** 7/25/2016

**Version:** 1

**Status:** Study Session

**In Control:** Planning and Zoning Commission

**File Type:** Report

**Agenda Number:** A.2

**Discuss regular agenda items.**



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: TMP-1825

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**Agenda Date:** 7/25/2016

**Version:** 1

**Status:** Regular Agenda

**In Control:** Planning and Zoning Commission

**File Type:** Report

**Agenda Number:** B.1

### **Consider approval of the Attendance Matrix for the Planning and Zoning Commission as presented and take appropriate action.**

#### BACKGROUND:

As stated in the City of Farmers Branch Ethics Handbook for Elected Officials & Advisory Board Members, all appointed members should make every effort to attend all regularly scheduled meetings. Any member failing to attend three (3) consecutive meetings without being excused for good cause may be removed by City Council. By excusing an absence the Commissioner is not penalized with using one of the three unexcused absences allowed in the Charter.

#### DISCUSSION:

A Comprehensive Attendance Matrix has been developed to keep record of these excused and unexcused absences.

Planning and Zoning Commission  
2016 Attendance Record

|         | Blackson | Brewer | De Los Santos | Hardie | Honnoll  | Moore | O'Quinn | Plunk | Yarbrough |
|---------|----------|--------|---------------|--------|----------|-------|---------|-------|-----------|
| Jan 11  | ♦        | ♦      | ♦             | ♦      | ♦        |       | ♦       |       |           |
| Jan 25  | ♦        | ♦      | ♦             | ♦      | ♦        |       | ♦       |       |           |
| Feb 8   | ♦        | ♦      | ♦             | ♦      | ✓        |       | ♦       |       |           |
| Feb 22  | ♦        | ♦      | ♦             | ♦      | ♦        |       | ♦       |       |           |
| Mar 14  | ✓        | ♦      | ✓             | ♦      | ✓        |       | ♦       |       |           |
| Apr 11  | ✓        | ♦      | ♦             | ♦      | ✓        |       | ♦       |       | ♦         |
| Apr 25  | ♦        | ♦      | ♦             | ♦      | ✓        |       | ✓       |       | ♦         |
| May 9   | ♦        | ♦      | ♦             | ♦      | ✓        |       | ♦       |       | ♦         |
| May 23  |          |        |               |        |          |       |         |       |           |
| Jun 13  | ♦        | ♦      | ♦             | ♦      | ✓        |       | ♦       |       | ✓         |
| Jun 27  | ♦        | ♦      | ♦             | ♦      | ✓        |       | ✓       |       | ♦         |
| Jul 11  | ♦        | ♦      | ✓             | ♦      | resigned | ♦     | ♦       | ♦     | ♦         |
| Jul 25  |          |        |               |        |          |       |         |       |           |
| Aug 8   |          |        |               |        |          |       |         |       |           |
| Aug 22  |          |        |               |        |          |       |         |       |           |
| Sep 12  |          |        |               |        |          |       |         |       |           |
| Sep 26  |          |        |               |        |          |       |         |       |           |
| Oct 10  |          |        |               |        |          |       |         |       |           |
| Oct 24  |          |        |               |        |          |       |         |       |           |
| Nov 14  |          |        |               |        |          |       |         |       |           |
| Nov 28* |          |        |               |        |          |       |         |       |           |
| Dec 12  |          |        |               |        |          |       |         |       |           |
| Dec 27* |          |        |               |        |          |       |         |       |           |

♦ Present    ✓ Excused    ✗ Unexcused



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: TMP-1829

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**Agenda Date:** 7/25/2016

**Version:** 1

**Status:** Regular Agenda

**In Control:** Planning and Zoning Commission

**File Type:** Minutes

**Agenda Number:** B.2

**Consider approval of the June 27, 2016 Planning and Zoning Commission minutes and take appropriate action.**



# City of Farmers Branch

City Hall  
13000 Wm. Dodson Pkwy  
Farmers Branch, TX 75234

## Meeting Minutes

### Planning and Zoning Commission

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Monday, June 27, 2016

7:00 PM

City Hall

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#### Study Session Meeting to be held at 6:00 PM in Study Session Room

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#### **A. STUDY SESSION**

**Absent** 2 - Commissioner David Honnoll, and Commissioner Jason O'Quinn

**Present** 7 - Commissioner Jamie Reed, Commissioner Sergio De Los Santos, Vice Chairman Charles Beck, Commissioner Bronson Blackson, Chairman Nancy Hardie, Commissioner Chris Brewer, and Commissioner Tim Yarbrough

**Staff** 4 - Andy Gillies Director of Community Services, Alexis Jackson Senior Planner, Andreea D. Udrea Planner II, and Kenecia Brown Administrative Assistant I

**A.1** [TMP-1742](#) **Presentation of Westside Development.**

**A.2** [TMP-1786](#) **Discuss regular agenda items.**

**A.3** [TMP-1790](#) **Acknowledgment and award to commissioners Charles Beck and Jamie Reed for service in the Planning and Zoning Commission**

#### **B. REGULAR AGENDA ITEMS**

Chairperson Hardie calls the meeting to order at 7:00 pm.

**B.1 [TMP-1785](#) Consider approval of the Attendance Matrix for the Planning and Zoning Commission as presented and take appropriate action.**

**A motion was made by Commissioner Blackson, seconded by Commissioner Brewer, that this Attendance Matrix be approved. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Jamie Reed, Commissioner Sergio De Los Santos, Vice Chairman Charles Beck, Commissioner Bronson Blackson, Chairman Hardie, Commissioner Chris Brewer and Commissioner Tim Yarbrough

**B.2 [TMP-1787](#) Consider approval of the June 13, 2016 Planning and Zoning Commission minutes and take appropriate action.**

**A motion was made by Commissioner Brewer, seconded by Commissioner Blackson, that the Minutes be approved. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Jamie Reed, Commissioner Sergio De Los Santos, Vice Chairman Charles Beck, Commissioner Bronson Blackson, Chairman Hardie, Commissioner Chris Brewer and Commissioner Tim Yarbrough

**C. PUBLIC HEARING**

**C.1 [16-SU-11](#) Consider a request from Gysat ventures LLC (Escape This) for a Specific Use Permit for a commercial indoor amusement facility located at 4372 Spring Valley and take appropriate action.**

Alexis Jackson, Planning Manager, gave a brief presentation stating that the property is located in the office complex located at 4300 Spring Valley Rd, approximately 1,300 ft. east of Midway Rd. Located within the Light Industrial zoning district which requires a specific use permit for any commercial amusement indoor facility. The site is bound by a mix of retail, commercial, and light industrial uses. The office complex includes a business center, which is composed of 3 existing 1-story masonry buildings that are divided into 14 suites. The applicant is proposing to operate an indoor gaming facility within Suite 4372 (approximately 3,000 sq. ft.). The applicant is requesting the use of 6 parking spaces reserved in front of the location. The business center contains 177 parking spaces that adequately meet the parking requirements. No additional parking is required. The applicant has no plans to install additional landscaping, but is proposing to install signage. 10 zoning notification letters were mailed to the surrounding properties; no letters of opposition were received.

The concept of the gaming facility is designed to build a participant’s detective skills by completing a series of puzzles. Once the series is complete the participants are moved from Room A into Room B to complete the final series of puzzles. The proposed site plan includes 7 rooms (4 games rooms that are approximately .275 sq. ft. to 500 sq. ft. each), a reception area, control room, waiting area, and break room. The facility will be staffed by 12 employees that will manage the facility in shifts. The facility will operate by appointment only on Monday - Thursday to accommodate corporate partners for team building activities and on Friday -

Sunday for public use.

Mr. Johnathon Heath (1912 Longhorn Trail, Grapevine, TX 76051) approached the podium and gave a brief presentation on the business concept, creative details, and operations.

Commissioner Yarbrough asked if the business was currently in operation. Mr. Heath stated that the business was currently operating at 4300 Spring Valley Rd. Suite 4372, noting that he was previously unaware of City zoning requirements and is requesting a permit to continue operating his facility.

Commissioner De Los Santos asked if the doorways were the only modifications being made to the existing floor plan. Mr. Heath stated that only 55 in. x 35 in. doorways have been made between the walls of adjacent rooms to create the expanded puzzle game areas. Mr. Heath stated that each doorway has been cleaned and painted, and would be separated by an armoire.

Chairperson Hardie asked if staff recommended that the applicant suspend operations until the specific use permit request was approved. Mrs. Jackson stated that Mr. Gillies, Community Services Director advised that the applicant could continue business operations throughout the permit approval process.

Chairperson Hardie asked if anyone from the public audience had questions or comments regarding this case; there being none, Chairperson Hardie closed the public hearing and asked the Commissioner to make a motion.

**A motion was made by Commissioner Blackson, seconded by Commissioner Yarbrough, that this Specific Use Permit be recommended for approval. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Jamie Reed, Commissioner Sergio De Los Santos, Vice Chairman Charles Beck, Commissioner Bronson Blackson, Chairman Hardie, Commissioner Chris Brewer and Commissioner Tim Yarbrough

**C.2**    [16-SU-13](#)

**Consider a request from Parish Episcopal School for a Specific Use Permit (SUP) for an addition of a Multipurpose Activity Center, Performance Hall/Center and Soccer Field at their existing private school located at 4101 Sigma Road and take appropriate action.**

Andreea Udrea, Planner II, gave a brief presentation stating that the existing 4.5 acre site is located west of Midway Rd. and south of Spring Valley Rd. The site is located in PD-64, which requires a specific use permit for any school related uses, and is surrounded by residential and commercial uses. In March 2001 a specific use permit and an associated site plan were approved for Parish School to begin building renovations. In 2003 and 2006 the City Council approved two specific use permits with amendments to allow modifications to the athletic facility. In 2005, 2009, 2010, and 2016 proposed site plan modifications, of which most recently included a development area for a future gymnasium, were also approved. Parish School opened in August 2002 and teaches students in grades 3-12, as of August 2006. The school currently accommodates 900 students and 193 faculty and staff.

The campus includes a main building (409,000 sq. ft.) with classrooms, offices, a cafeteria (322 sq. ft.), an outdoor chapel, exterior sport complex with a locker room, football field, baseball field, softball field, and outdoor playground areas. The building coverage will remain within the limits as defined by PD-64.

The current proposed site plan includes an indoor multipurpose activity center, a 20,000 sq. ft. gymnasium, a 41,000 sq. ft. indoor performance center, and temporary outdoor practice soccer fields located between Sigma and Midway Rd. With these additions minor modifications will be made to include the redesign of the fire lane near the semi-open interior courtyard, landscape improvements on the east side of the building, and a new pedestrian crosswalk with a flashing light that connects the temporary soccer fields and main school building via Sigma Rd.

The proposed 1-story gymnasium (34 ft. in height) will be accessible from the main building on three sides and opens to a semi-open courtyard area on the south side of the building. The proposed floor plan includes restrooms and other support spaces and bleachers that accommodates a maximum of 800 seats. The 4-story performance hall (30 - 65 ft. in height) will have a dedicated main lobby and will connect through a hallway to the main lobby of the existing building. The conceptual floor plan includes a main theater that spans over 3 levels and accommodates a maximum of 612 seats, a smaller 1-story theater on the first floor, and a film screening room on the second floor. The maximum occupancy of the performance center will be 870 seats and will include dressing rooms, offices, restrooms, rehearsal studios, and storage rooms. The proposed site plan for the temporary outdoor soccer fields was approved administratively in early 2016. The soccer fields (355 ft. x 170 ft.) will be enclosed by 8 ft. high chain-link fencing, 16 ft. high soccer nets, and two lines of dense landscaping. The existing building is an articulation of masonry walls with concrete tilt walls on the gymnasium that will be painted to match the existing building. Proposed accent materials include wood panels, glazing stripes, and metal canopies along the eastern, and most visible, elevation. The proposed landscape plan includes the addition of 14 new trees, shrubbery, and ground covers as improvements on the eastern side of the building near the performance hall.

The applicant is proposing to install three wall signs on the building. The southern side of the building will contain two wall signs: a 16 ft. x 41 ft. recess letter sign and a 30 ft. x 18 ft. sports logo to be painted on the building. The eastern side of the building near the performance hall will include the school logo (18 ft. x 15 ft.). In 2006, along with the specific use permit that was approved by the City Council, Parish School submitted a parking study that proposed a parking ratio that was specifically adjusted to the needs of the school. The parking study stated that the minimum total number of parking spaces to be based on the maximum football stadium seating capacity, this being the largest place of assembly. The proposed parking ratio was 1 space per 3.5 seats. Currently the school has installed 743 parking spaces which are distributed among 4 parking lots around the school. The school has also designated a future parking lot for an addition of 188 parking spaces. Considering the current operations and parking needs of the school, Staff supports the proposed parking ratio.

The City is currently updating the East Side Comprehensive Plan which is designed with intent to enable the transformation of certain portions of the existing Industrial areas within the East Side of the City. The plan also hopes to infuse a more urban character and a better mix of uses along Midway and into the more Industrial area. Parish School is located at the border of this area. Staff supports this transition and fit for the future vision of the East Side of the City.

All of the new proposed additions to the school campus will support the existing programs that have outgrown their current spaces. With these additions there will be no increase in the number of students or faculty as they are designed to service the existing current need. The multipurpose activity center, indoor gymnasium, and performance center will be used Monday - Friday from 6 am - 9 pm, Saturday from 8 am - 6 pm, and Sunday from 12 pm - 6 pm. The soccer fields will be used from Monday - Friday from 8 am to sunset. There is no additional lighting installed at the soccer fields. 80 notification letters were mailed to surrounding properties within 200 ft. of the site; no letters of opposition were received.

Chairperson Hardie asked if the applicant desired to make a presentation. The applicant declined, noting that they would answer any questions from the Commissioners.

Commissioner Yarbrough asked for the total number of employees and students that reside in the Farmers Branch city limits. Mr. Mark Kirkpatrick (1806 Southcrest, Carrollton, TX) Chief Financial Officer of Parish School stated that the school organized the information by zip code; however it was not on-hand and would be submitted to the Commission as soon as possible following the meeting.

Commissioner Blackson stated that the proposed facility is well designed, noting that the school would be considered as a best use of the proposed site. Mr. Kirkpatrick agreed, stating that the school intends to preserve the spirit of the existing main building with the addition of the proposed facility.

Vice Chairman Beck stated that the existing Parish campus is well developed and the proposed facility will be an enhancement to the school. Mr. Kirkpatrick stated that the school seeks to be a positive corporate citizen with the City staff and Police Department.

Commissioner Blackson asked about the current budget and construction schedule for the project. Mr. Kirkpatrick stated that the gymnasium has been fully funded and will be constructed in Phase I. Mr. Kirkpatrick stated that Phase II will include the theater venue, however the Board requires that 100% of the cost to be raised through contributions and at least 50% of those pledges must be collected before construction can begin.

Commissioner Reed asked about the building materials. Mr. Ed Copeland (921 N. Riverfront, Dallas, TX), school representative, stated that several materials were considered for the building, noting that a masonry wall unit was selected.

Commissioner De Los Santos asked if the proposed modifications will remain in compliance with the parking requirements specified in the 2006 parking study. Mr. Copeland stated that the school will remain in compliance, noting that the school is not currently adding students or faculty at this time. Commissioner De Los Santos asked about the size of the storage area and its uses. Mr. Copeland stated that the storage area is being considered for use as a band room as it will also support other uses for the gym.

Commissioner Brewer asked for details about the parking ratio. Mrs. Udrea stated that in 2006 when the parking study was approved the specific use permit required 864 parking spaces based on the parking study. The school installed 743 parking spaces with a future parking lot for 188 which totals 931 parking spaces on the campus. From 2006 until 2016 the school operated with 743 parking spaces.

Chairperson Hardie asked if anyone from the public audience had questions or comments regarding this case; there being none, Chairperson Hardie closed the public hearing and asked the Commissioner to make a motion.

**A motion was made by Commissioner De Los Santos, seconded by Commissioner Blackson, that this Specific Use Permit be recommended for approval. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Jamie Reed, Commissioner Sergio De Los Santos, Vice Chairman Charles Beck, Commissioner Bronson Blackson, Chairman Hardie, Commissioner Chris Brewer and Commissioner Tim Yarbrough

## **D. ADJOURNMENT**

Chairperson Hardie announces the departure of Vice Chairman Beck and Commissioner Reed and acknowledges their dedication and service as members of the Planning & Zoning Commission.

**A motion was made by Vice Chairman Beck, seconded by Commissioner De Los Santos, that this meeting be adjourned at 7:45 pm. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Jamie Reed, Commissioner Sergio De Los Santos, Vice Chairman Charles Beck, Commissioner Bronson Blackson, Chairman Hardie, Commissioner Chris Brewer and Commissioner Tim Yarbrough

Farmers Branch City Hall is wheelchair accessible. Access to the building and special parking are available at the main entrance facing William Dodson Parkway. Persons with disabilities planning to attend this meeting who are deaf, hearing impaired or who may need auxiliary aids such as sign interpreters or large print, are requested to contact the City Secretary at (972) 919-2503 at least 72 hours prior to the meeting.

## **Certification**

I certify that the above notice of this meeting was posted at least 72 hours prior to the scheduled meeting time, in accordance with the Open Meetings Act, on the bulletin board at City Hall.

Approved to Post: \_\_\_\_\_  
City Secretary

Stamp:

Posted By: Kenecia Brown

Date Posted: \_\_\_\_\_



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: TMP-1824

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**Agenda Date:** 7/25/2016

**Version:** 1

**Status:** Regular Agenda

**In Control:** Planning and Zoning Commission

**File Type:** Minutes

**Agenda Number:** B.3

**Consider approval of the July 11, 2016 Planning and Zoning Commission minutes and take appropriate action.**



# City of Farmers Branch

City Hall  
13000 Wm. Dodson Pkwy  
Farmers Branch, TX 75234

## Meeting Minutes

### Planning and Zoning Commission

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Monday, July 11, 2016

7:00 PM

City Hall

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#### Study Session Meeting to be held at 6:00 PM in Study Session Room

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#### A. STUDY SESSION

**Absent** 1 - Commissioner Sergio De Los Santos

**Present** 7 - Commissioner Cory Plunk, Commissioner Bronson Blackson, Commissioner Jason O'Quinn, Chairman Nancy Hardie, Commissioner Tim Yarbrough, Commissioner David Moore, and Commissioner Chris Brewer

**Staff** 3 - Alexis Jackson Senior Planner, Andreea D. Udrea Planner II, and Kenecia Brown Administrative Assistant I

A.1 [TMP-1818](#) **Discuss and appoint future leadership of the Planning & Zoning Commission.**

A.2 [TMP-1817](#) **Discuss iPad upgrades.**

A.3 [TMP-1814](#) **Discuss regular agenda items.**

#### B. REGULAR AGENDA ITEMS

Chairperson Hardie called the meeting to order at 7:00 pm.

**B.1 [TMP-1815](#) Consider approval of the Attendance Matrix for the Planning and Zoning Commission as presented and take appropriate action.**

**A motion was made by Commissioner Blackson, seconded by Commissioner Brewer, that the Attendance Matrix be approved as presented. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Cory Plunk, Commissioner Bronson Blackson, Commissioner Jason O'Quinn, Chairman Hardie, Commissioner Tim Yarbrough, Commissioner Commissioner David Moore and Commissioner Chris Brewer

**B.2 [TMP-1816](#) Consider approval of the June 27, 2016 Planning and Zoning Commission minutes and take appropriate action.**

**A motion was made by Commissioner O'Quinn, seconded by Commissioner Blackson, that the Minutes be continued to the next meeting. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Cory Plunk, Commissioner Bronson Blackson, Commissioner Jason O'Quinn, Chairman Hardie, Commissioner Tim Yarbrough, Commissioner Commissioner David Moore and Commissioner Chris Brewer

**C. PUBLIC HEARING**

**C.1 [16-ZA-06](#) Consider a request from the City of Farmers Branch to amend the Regulating Plan - Street Types of the Planned Development District No 86 (PD-86) / Station Area Code and take appropriate action.**

Alexis Jackson, Planning Manager, gave a brief presentation requesting a revision to the Station Area Code (PD-86), noting a specific amendment to the area along Vintage St. between Bee St. and Goodland St. The proposed revision is specific to the current regulating plan street types and does not contain any text amendments. The Station Area Code currently states that the street type specifications illustrate typical configurations for street spaces within the station area and the City may adjust these if necessary for specific conditions. The Station Area Code was adopted in 2005 and amended in 2009 and 2012. This code is intended to be responsive to development and redevelopment. Staff is proposing to amend the current code for "Street 66" to "Street 58."

Currently within PD-86 Vintage St., between Bee St. and Goodland St., has a 20 ft. right of way, a 10 ft. sidewalk area which is comprised of a 6 ft. tree planter space and 4 ft. sidewalks, and two each of the following: an 11 ft. wide travel way and 7 ft. wide on-street parking spaces. While both the current Street 66 and the proposed "Street 58" total 56 ft., "Street 66" measures from building front to building front. Additionally, the configurations for "Street 58" will include a 6 ft. sidewalk, alternating tree area within the parking space area, and a 5 ft. setback on the left-hand side; making the total right-of-way 42 ft.

Chairperson Hardie asked if anyone from the public audience had questions or comments regarding this case; there being none, Chairperson Hardie closed the public hearing and asked if the Commissioners had any questions regarding the agenda item.

Commissioner O'Quinn asked if the tree placement on Street 66 will become a part of the sidewalk and if it will become a part of the on-street parking on Street 58 to accommodate the trees along the streetscape. Mrs. Jackson confirmed.

Commissioner O'Quinn asked if pedestrian traffic would be impeded. Mrs. Jackson stated that it would not.

Chairperson Hardie asked the Commissioners to make a motion.

**A motion was made by Commissioner Blackson, seconded by Commissioner O'Quinn, that this Zoning Amendment be recommended for approval. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Cory Plunk, Commissioner Bronson Blackson, Commissioner Jason O'Quinn, Chairman Hardie, Commissioner Tim Yarbrough, Commissioner Commissioner David Moore and Commissioner Chris Brewer

**C.2** [16-SP-07](#)

**Consider a request from Mark Winnette for a Detailed Site Plan for a townhome development located at the northern portion of the block between Bee, Vintage and Goodland Streets, within Planned Development District Number 86 (PD-86) and take appropriate action. This Site Plan request includes several Special Exceptions.**

Andreea Udrea, Planner II, gave a brief presentation stating that the 1.668 acre site is located approximately 200 ft. north of Valley View Ln and 300 ft. west of the DART Railway within the Station Area Code (PD-86). The proposed site is composed of 5 existing lots and is surrounded by Commercial and Light Industrial uses on the southern and western sides and by Residential uses on the northern and eastern sides.

Currently, the 5 existing lots are occupied by one and two-story buildings. The 2 lots located along Bee St. are used as a day care center, a single family residence is located on corner of Vintage and Goodland St., and the remaining 2 properties along Goodland St. are currently undeveloped. The proposed site plan totals approx. 93,537 sq. ft. which is composed of 5 buildings that house a total of 41 3-bedroom townhome units that are distributed as follows:

- Building A (approx. 18,000 sq. ft.) is located along Bee St. and will house 8 units,
- Building B (approx. 20,000 sq. ft.) is located along Vintage St. and will house 9 units,
- Building C (approx. 25,000 sq. ft.) is located along Goodland St. and will house 11 units,
- Building D (approx. 8,000 sq. ft.) is located on the southwest corner of the site and will house 4 units, and

- Building E (approx. 20,000 sq. ft.) is located within the interior portion of the site and will house 9 units.

With the proposal for a townhome development, the site will be designed to comply with PD-86 Regulating Plan requirements, therefore all the surrounding streets will be reconfigured to meet the Code's requirements. The "Regulating Plan - Street Types" designated Bee and Vintage Streets for "Street 66" configuration and Goodland Street for "Street 58" configuration. The proposed "Street 66" and "Street 58" configurations (2 lanes, on-street parking, planting areas along the curb and sidewalks) are different than the existing street cross sections and propose a wider street right-of-way. Due to the particularity of this site and the needs of the proposed development, the City initiated a zoning amendment to change the Regulating Plan, Street Types within PD-86 to allow for a proposed "Street 58" configuration for the section of Vintage Street between Bee and Goodland Streets. In order to meet PD-86's Street Type requirements, the applicant is proposing right-of-way dedication for the new street configuration on three sides of the site. The proposed 0.153-acre right-of-way dedication along the streets will be as follows: approximately 8 ft. strip along Bee St., approximately 19 ft. along the western portion of Vintage St. and approximately 9 ft. along the eastern portion of Vintage St., and approximately 4 ft. along Goodland Street.

Within the proposed site plan, Building A, B, and C will be setback 2.5 ft. from the required Building Line. Building D and E will be accessible from an interior driveway that connects from Vintage Street in two access points. The applicant is proposing to install sidewalks and landscape islands along Bee, Goodland, and Vintage Streets, remove existing power lines along Bee and Goodland St., and install new power lines underground. All existing light poles along Goodland St. will be relocated in the proposed landscape islands. A visitor's parking lot with 10 spaces will be installed along the southern side of the property along with 16 on-street parking spaces along all three streets. All facades will be a combination of brick and stucco and will comply with the minimum 75% masonry requirement. The proposed fenestration of the elevations will total approx. 33%. All units will have inset entry areas, balconies at the upper levels, and rear garage entries. The applicant is currently not requesting to install signage.

The proposed landscape plan includes approximately 9% of the site as open space, high and dense shrubs, ground covers, vegetation that will be distributed along the three streets and the southern property line for use a privacy wall, and the addition of 33 new trees in a combination of Oak, Elm, Pistachio and Crape Myrtle trees that will compensate for the removal of 26 mature trees on site. Large trees (Oak, Elm, and Pistachio) will be distributed along the three streets within the landscape islands according to PD-86 street cross section requirements. Staff supports the tree replacement proposal, considering the landscape plan places the new trees along public streets offering a better curb appeal and better street view. The tree wells along Bee Street will be covered with ADA compliant tree grates to enhance the sidewalk width.

Due to the unique challenges of this particular location: the existing street

configuration that requires the dedication of large portions of the property, this proposed Site Plan requires a series of Special Exceptions. Considering the particularities of this site, the development needs and the guiding principles of PD-86 / Station Area Code: buildings shall be aligned and designed closer to the streets, pedestrian supportive qualities, the coherence of the street space and the high architectural standards, City staff is supporting all proposed Special Exceptions associated with this Detailed Site Plan.

Nick Thorn (718 N. Buckner Blvd, Suite 400, Dallas, TX), Project Architect, approached the podium and gave a brief presentation on the design concept and special exceptions for the townhome development.

Commissioner O'Quinn asked for the length of the unbroken wall along Goodland St. and along Vintage St. Mr. Thorn stated that Building C that faces Goodland St. houses 11x 20 ft. townhome units making the wall along Goodland St. 220 ft. Mrs. Udrea stated that the streetscape along Goodland is different from the Regulating Plan, but is supported within PD-86 because it is a local vs. general site. Commissioner O'Quinn asked if the fenestration that was placed closer to the entry way of the townhome development would be purposed to increase privacy for the residence. Mr. Thorn confirmed. Commissioner O'Quinn asked if the minimum 40% fenestration requirement within PD-86 was intended for potential retail use on the first floor of the townhome units along Bee St. Mrs. Udrea stated that the retail portion will apply to general sites which are located on the southern portions of Bee and Goodland Streets. The northern portions are local sites.

Commissioner Yarbrough asked if the townhome community will be gated. Mr. Thorn stated that it will not be. Commissioner Yarbrough asked if there will be a Home Owners Association (HOA). Mr. Thorn stated that an HOA will likely be established; however, the applicant will be able to provide more information. Commissioner Yarbrough asked if the townhomes are designed to allow the installation of an elevator in each unit. The applicant, Mr. Mark Winnette (5821 Portsmouth, Dallas, TX), stated that given the constraints of the site and the community's target home buyers are young families and professionals, the townhome design is not geared toward a demographic that would need an elevator installed. Mr. Winnette stated that the price point for the townhomes is approximately \$300,000 and the addition of an elevator will significantly increase that amount. Commissioner Yarbrough asked if soil testing would be conducted on the site. Mr. Winnette stated that soil testing would be conducted

Commissioner Blackson asked where the air-condition units will be located on the property and if they will be screened in. Mr. Thorn stated that the air conditioning units will be located on the common drive area in the spaces between each driveway; however the screens have not been specified at this stage in the townhome design. Commissioner Blackson asked if the applicant has purchased the land or signed a lease. Mr. Thorn stated that the property is under contract. Commissioner Blackson asked if fireplaces will be included in all of the units. Mr. Thorn stated that fireplaces are currently only within the corner units; however, at a later date the amenity may be in all of the townhome units.

Commissioner Plunk asked about drainage on the property. Mr. Thorn stated that drainage had not been addressed at the current design phase, though creating a pleasing aesthetic is a focus and will be considered once drainage is installed. Mr. Mike Barry (13231 Bee St.), local business owner, approached the podium and asked how many parking spaces would be on-site. Mr. Thorn stated that there will be 16 on-street parking spaces and 10 on-site parking spaces. Mr. Barry stated that he has concerns that guests of the townhome residents may take advantage of the small parking lots that are near his business.

Chairperson Hardie asked if anyone from the public audience had questions or comments regarding this case; there being none, Chairperson Hardie closed the public hearing and asked the Commissioners to make a motion.

**A motion was made by Commissioner O'Quinn, seconded by Commissioner Blackson, that this Detailed Site Plan be recommended for approval. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Cory Plunk, Commissioner Bronson Blackson, Commissioner Jason O'Quinn, Chairman Hardie, Commissioner Tim Yarbrough, Commissioner Commissioner David Moore and Commissioner Chris Brewer

#### **D. ADJOURNMENT**

Chairperson Hardie welcomes new members Cory Plunk and David Moore to the Planning and Zoning Commission.

**A motion was made by Commissioner Brewer, seconded by Commissioner Moore, that this meeting be adjourned at 7:54 pm. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Cory Plunk, Commissioner Bronson Blackson, Commissioner Jason O'Quinn, Chairman Hardie, Commissioner Tim Yarbrough, Commissioner Commissioner David Moore and Commissioner Chris Brewer

Farmers Branch City Hall is wheelchair accessible. Access to the building and special parking are available at the main entrance facing William Dodson Parkway. Persons with disabilities planning to attend this meeting who are deaf, hearing impaired or who may need auxiliary aids such as sign interpreters or large print, are requested to contact the City Secretary at (972) 919-2503 at least 72 hours prior to the meeting.

#### **Certification**

I certify that the above notice of this meeting was posted at least 72 hours prior to the scheduled meeting time, in accordance with the Open Meetings Act, on the bulletin board at City Hall.

Approved to Post: \_\_\_\_\_  
City Secretary

Stamp:

Posted By: Alexis Jackson

Date Posted: \_\_\_\_\_



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-SP-01

Agenda Date: 7/25/2016

Version: 1

Status: Regular Agenda

In Control: Planning and Zoning Commission

File Type: Site Plan

Agenda Number: B.4

**Consider a request from JPI Real Estate Acquisitions LLC for a Detailed Site Plan approval for a multifamily apartment complex located at 14650 Landmark Boulevard and take appropriate action.**

### BACKGROUND:

The applicant has proposed a five-story multifamily apartment building that will contain 324 apartment units and a multi-level parking structure. This site is located at the northeastern city limit line between City of Farmers Branch and Town of Addison. The site is currently zoned Planned Development District No. 98 (PD-98).

### RECOMMENDATION:

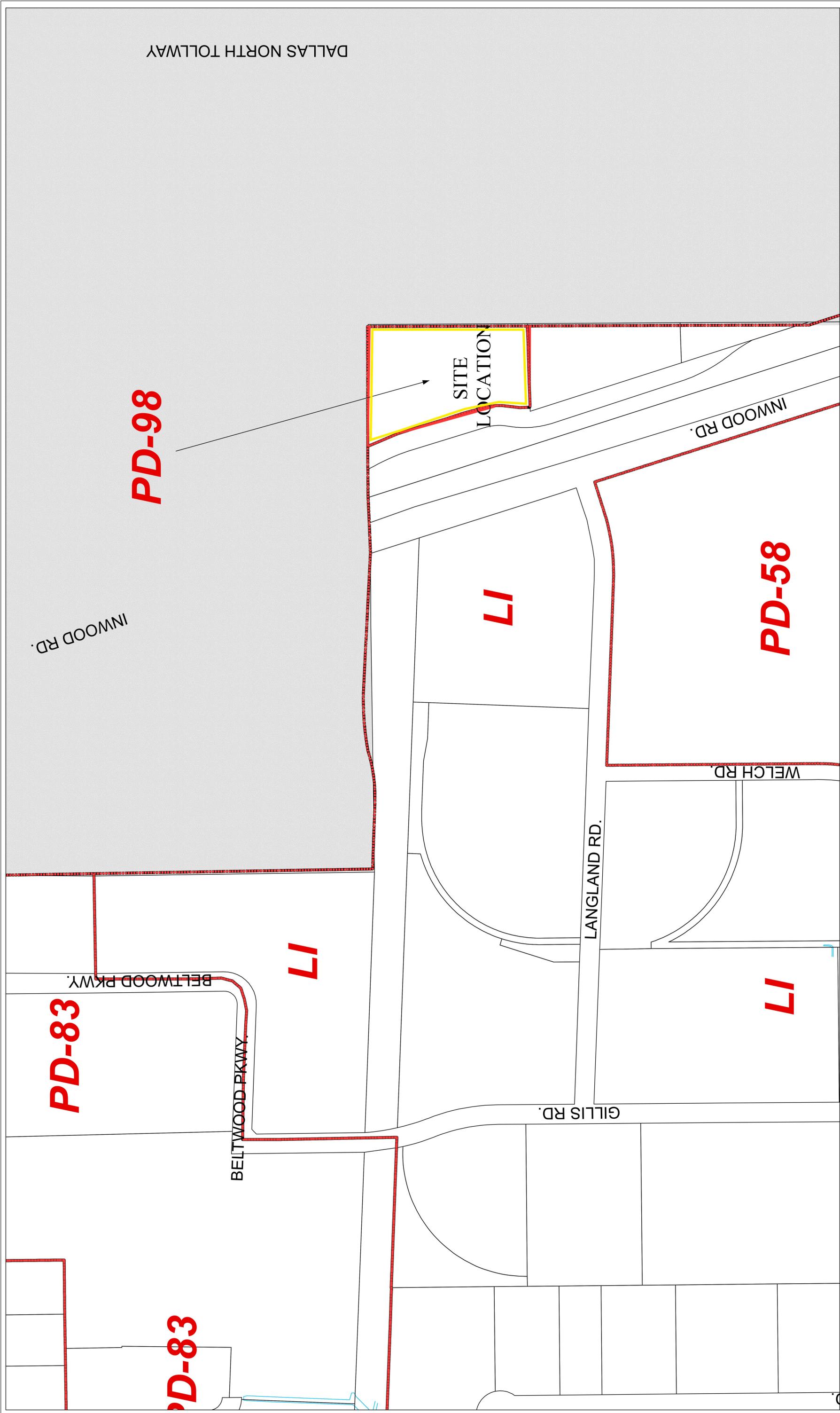
Staff recommends approval of the Detailed Site Plan.

### ACTIONS:

1. Motion to recommend Approval of the Detailed Site Plan as presented at this meeting.
2. Motion to recommend Denial of the Detailed Site Plan as presented at this meeting.
3. Motion to recommend Approval with modifications of the Detailed Site Plan.
4. Motion to continue discussion of this case at the next meeting.

### ATTACHMENTS:

1. Location Map
2. Aerial Map
3. Staff Report
4. Site Plan
5. Landscape Plan
6. Elevations
7. Rendering
8. Proposed Signage
9. Site Photographs



DALLAS NORTH TOLLWAY

**PD-98**

SITE  
LOCATION

INWOOD RD.

**PD-58**

**LI**

WELCH RD.

**LI**

LANGLAND RD.

GILLIS RD.

**LI**

BELTWOOD PKWY.

**PD-83**

BELTWOOD PKWY.

**PD-83**



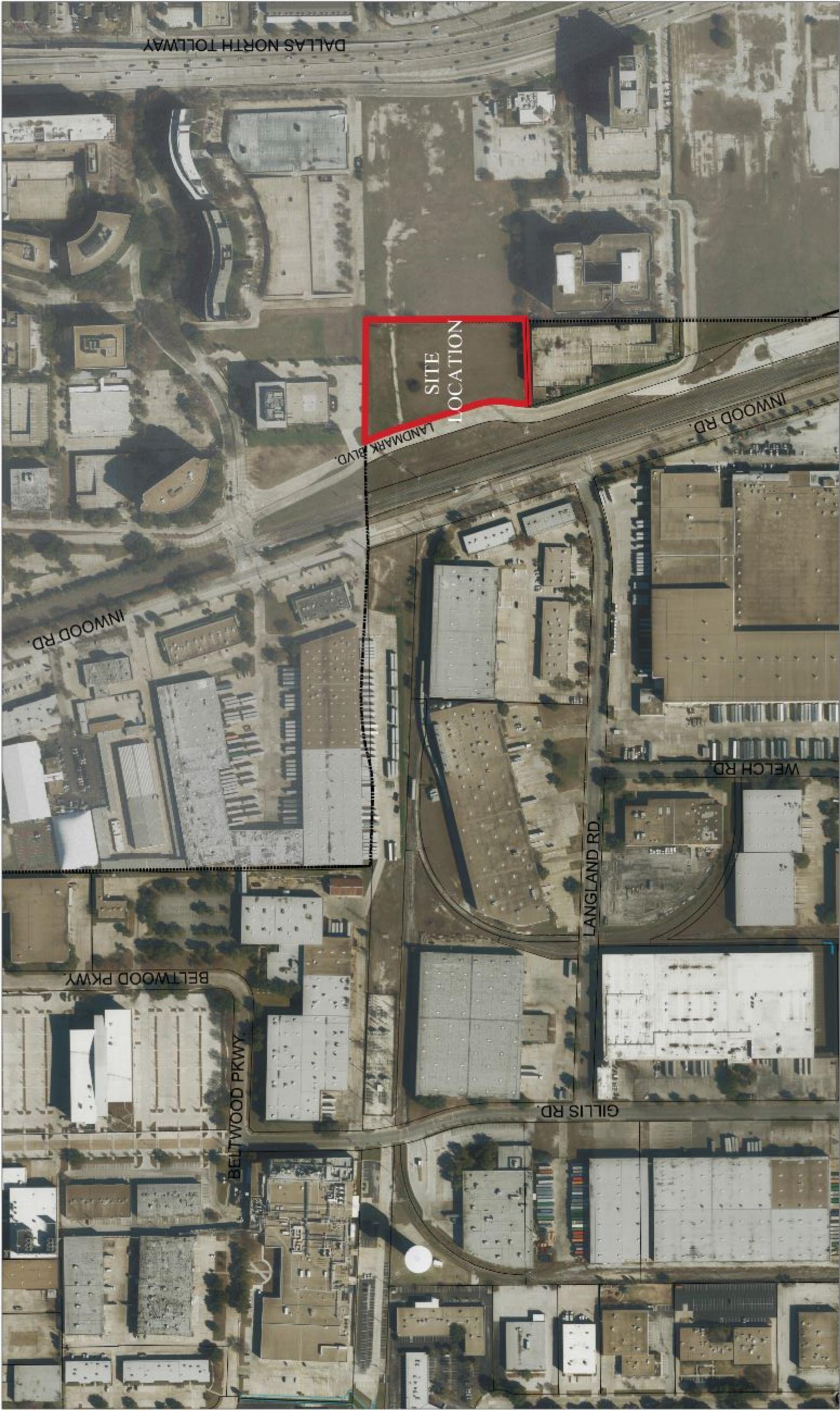
# 16-SP-01 - Location Map

## 14400 Landmark Boulevard

-  Zoning District Boundary
-  Parcel Property Boundaries
-  City Limit

Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data. For pictorial reference only.





DALLAS NORTH TOLLWAY

**SITE  
LOCATION**

LANDMARK BLVD

INWOOD RD

INWOOD RD

WELCH RD

LANGLAND RD

BELTWOOD PKWY

BELTWOOD PKWY

GILLIS RD



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# 16-SP-01 - Aerial Map 14400 Landmark Boulevard

Parcel Property Boundaries

City Limit

0 300 600

Feet

NORTH

## STAFF REPORT

**Case Number:** 16-SP-01  
**Request:** Detailed Site Plan for a multi-family community  
**Address:** 14650 Landmark Boulevard  
**Lot Size:** Approximately 4.10 acres  
**Petitioner:** JPI Real Estate Acquisition

---

### Existing Conditions

This 4.110 acre site is located approximately 2,000 feet north of the intersection of Spring Valley Road and Inwood Road and 700 feet west of Dallas North Tollway. The site is located on the northeastern city limit line between the City of Farmers Branch and the Town of Addison. Approximately 3.26 acres of this site are located within Farmers Branch, with the remaining 0.84 acres located in Addison.

In November 2015 the City approved the creation of a new Planned Development District No. 98 (PD-98) that allows for multi-family residential at this location. (See Location Map)

The site is bordered to the west by an approximate 185 foot wide linear open space formed by the ONCOR easement and a railroad line between Landmark Boulevard and Inwood Road. The site is surrounded by office uses on all sides, including the properties located in Farmers Branch as well as the Town of Addison. (See Aerial Map)

### Site Design

JPI is proposing to develop a multi-family residential community with a 5-story apartment building that will be approximately 379,948 square feet and will include a club house, two interior courtyards, a pool, and an internal multi-level parking structure. The overall density for this development will be within a Floor to Area Ratio of 2:1.

Considering the specific location of this property at the city border, the proximity of the ONCOR easement and the potential trail, the applicant is proposing a minimal setback along Landmark Boulevard (approximately 2 feet wide). The site will be accessible through an internal driveway from Landmark Boulevard that will enclose the north and west sides of the building. An additional driveway is proposed along a portion of the southern side of the building to serve as secondary access from Landmark Boulevard for the proposed garage.

This 5-story apartment building will contain 324 apartment units of one bedroom (65%) and two bedroom floorplans (35%). As a special feature of this apartment building, the applicant is proposing that the upper level of the building will contain only loft units with a mezzanine level. The apartment unit area varies between 684 square feet and 1,639 square feet, with an average of 900 square feet. All above ground floor units will have balconies. Almost all of the ground floor units will have additional access with stoops from the sidewalks. Six of the units along

Landmark Boulevard will not have the additional access from the sidewalk due to the existing slope of the sidewalk and the minimal setback of the building.

The office and clubhouse are proposed at the northwest corner of the building and will serve as the main entry into the building from both Landmark Boulevard and the northern interior driveway. Two other access staircases are located to the east, along the interior driveway, and one to the west, along Landmark Boulevard. (See Site Plan)

### **Elevations**

The proposed building will be 5 stories high with an extended upper level corresponding to the mezzanine loft units. The maximum height of the building will be 65 feet. All exterior façades of the building will be at least 75% masonry (smooth and cut face stone). Metal siding accents will mark the articulation of the building along Landmark Boulevard. All units will contain an outdoor patio or balcony. The balconies and patios will be inset and will have metal fence parapet. The applicant is proposing the use of a flat roof design. The office/amenity center corner will have special architectural treatment. (See Elevations and Renderings)

### **Parking**

The applicant is proposing a parking ratio of 1 parking space per bedroom. The building will be served by an internal multi-level parking structure containing approximately 429 parking spaces, 90% required parking spaces. This parking structure will be hidden from public view. The parking structure will have 2 access points, both from interior driveways, one from east and another one from the south. Approximately 75 surface parking spaces are proposed along the interior driveway at the north and west sides of the building. A loading area is proposed along the south interior driveway, hidden from public view. (See Site Plan)

### **Landscaping**

The Landscape Plan proposes 20% of the site to be landscaped open space. The proposed landscape is a combination of trees, shrubs, ornamental grasses and vines and flower beds. 77 new trees will be planted on the entire site, 17 trees will be along Landmark Boulevard. The trees will be a combination of Oak, Elm, Vitex, Magnolia and Crape Myrtle. (See Landscape Plan)

Two interior courtyards and a roof garden are proposed within the building. One courtyard is more active in design and includes a pool area and an active outdoor entertainment area. The roof garden is proposed to overlook this courtyard. The second courtyard is more passive in design. Approximately 10% of the site has been dedicated for courtyard use. (See Courtyard Landscape Plan)

The applicant will rework and improve the sidewalk along Landmark Boulevard and will add landscaped islands designed to meet ADA standards. (See Sidewalk Cross Section) Existing light poles will be removed and will be relocated on the other side of Landmark Boulevard to also benefit the trail area. Additional street lighting will be installed on the building façade.

## **Signage**

The applicant is proposing to install wall signs on the facades of the leasing center at the north-west corner of the building. Other directional signs are proposed on other facades. The signage for this property shall comply with the City's Sign Ordinance. (See Proposed Signage)

## **Landmark Boulevard**

On March 29<sup>th</sup>, 2000, the City of Farmers Branch and the Town of Addison entered into an agreement whereby Addison would construct certain roadway improvements in Farmers Branch known as Landmark Boulevard. Upon completion of construction and acceptance of the roadway improvements by Farmers Branch, the Agreement required Addison to convey certain property rights for Landmark Boulevard to Farmers Branch. In October 2015 the City of Farmers Branch recorded the dedication of Landmark Boulevard that is now a Farmers Branch city street.

## **Comprehensive Plan**

The City of Farmers Branch is currently in the process of updating its 1989 Comprehensive Plan. The Eastside Plan hopes to create a new vision for this area of the city that will include a variety of land uses including residential. With this development, the applicant is proposing to create a better mix of uses in the area adjacent to the Dallas North Tollway and introduce residential land uses into an area of the region that is primarily dedicated to office uses. This proposal is striving for a live-work-play environment that may activate the East Side of Farmers Branch.

## **Trails Masterplan**

Additionally, JPI is in the process of executing an agreement with the City of Farmers Branch for the development of a public trail within the ONCOR easement to the west of their site. Together with the City of Farmers Branch, the applicant is proposing to design and develop a public trail, approximately 1300 feet in length, in the ONCOR easement, between Landmark Place and Spring Valley Road. This trail will be conveyed to the City of Farmers Branch after completion. City Staff is working closely with the applicant to execute this agreement.

# Site Plan

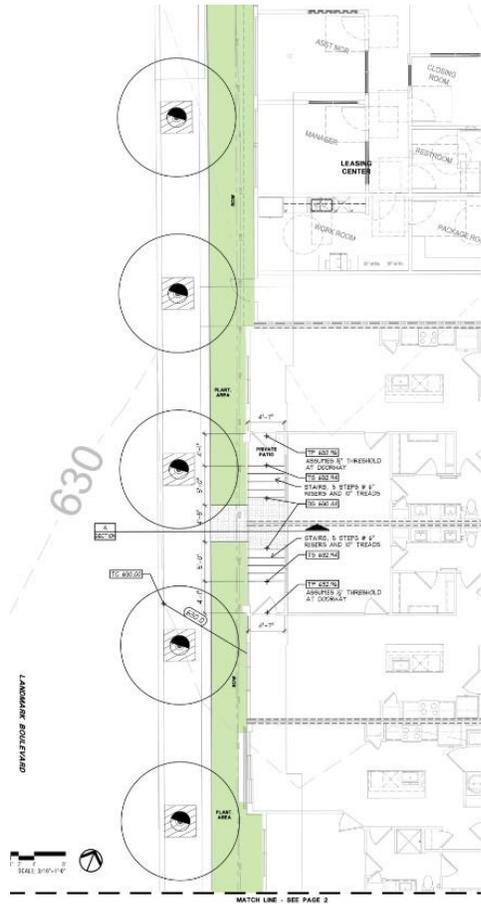


# Landscape Plan





# Sidewalk Cross Section





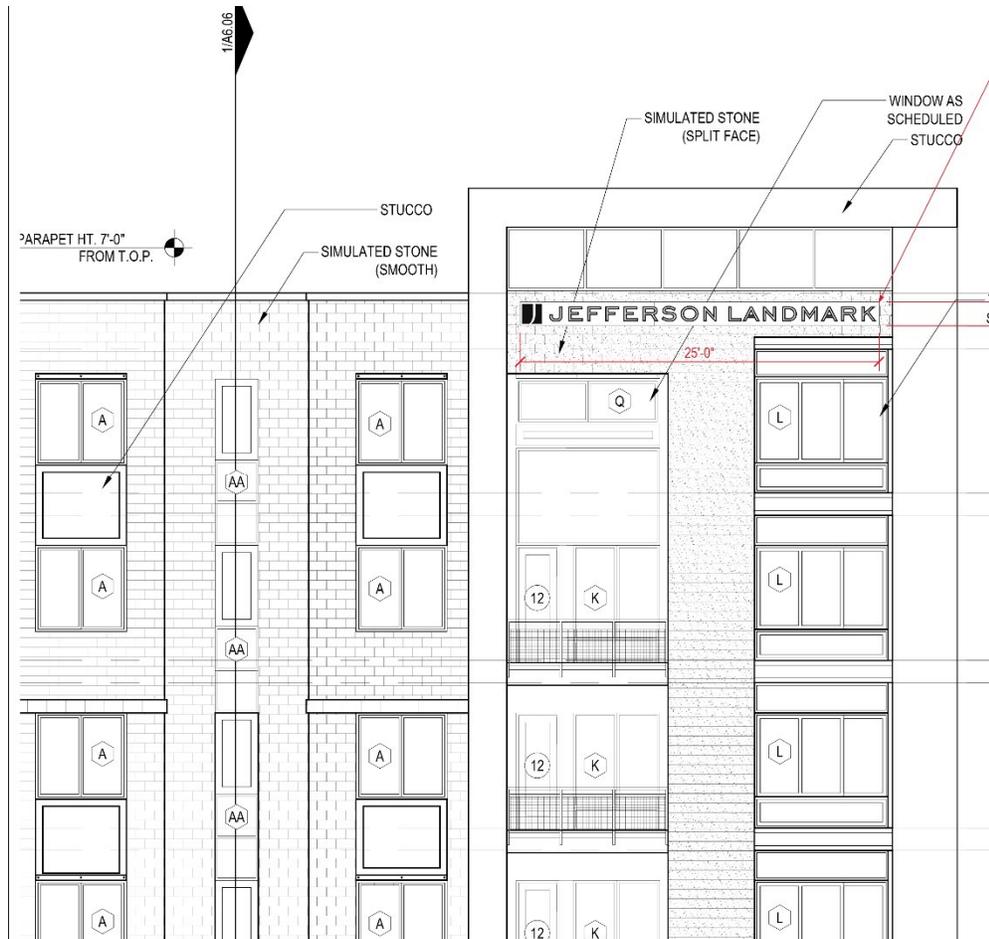
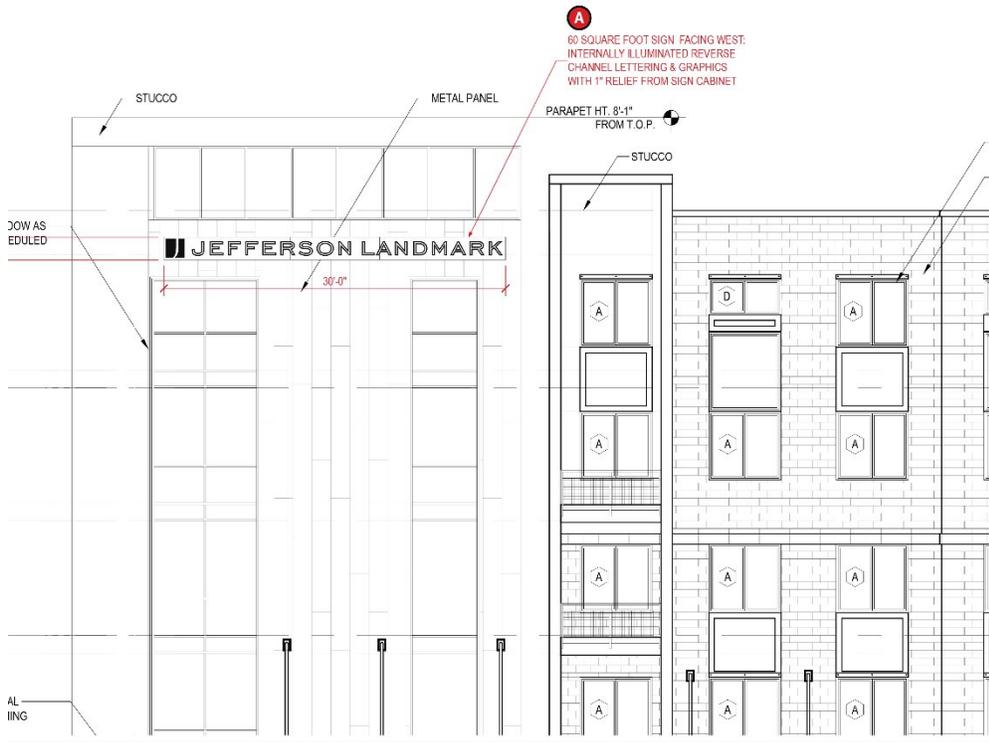




Rendering



# Proposed Signage



**Site Photographs:**





# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-SU-07

Agenda Date: 7/25/2016

Version: 1

Status: Public Hearing

In Control: Planning and Zoning Commission

File Type: Specific Use Permit

Agenda Number: C.1

**Consider a request from J's Deli for a Specific Use Permit to allow the sale of alcoholic beverages in a qualified restaurant at 11482 Luna Road, Suite 150 and take appropriate action.**

### BACKGROUND:

The applicant, J's Deli, is requesting a Specific Use permit to allow the sale of alcohol in their current / existing location on Luna Road. The site is located within the Planned Development District No 22 (PD-22).

### RECOMMENDATION:

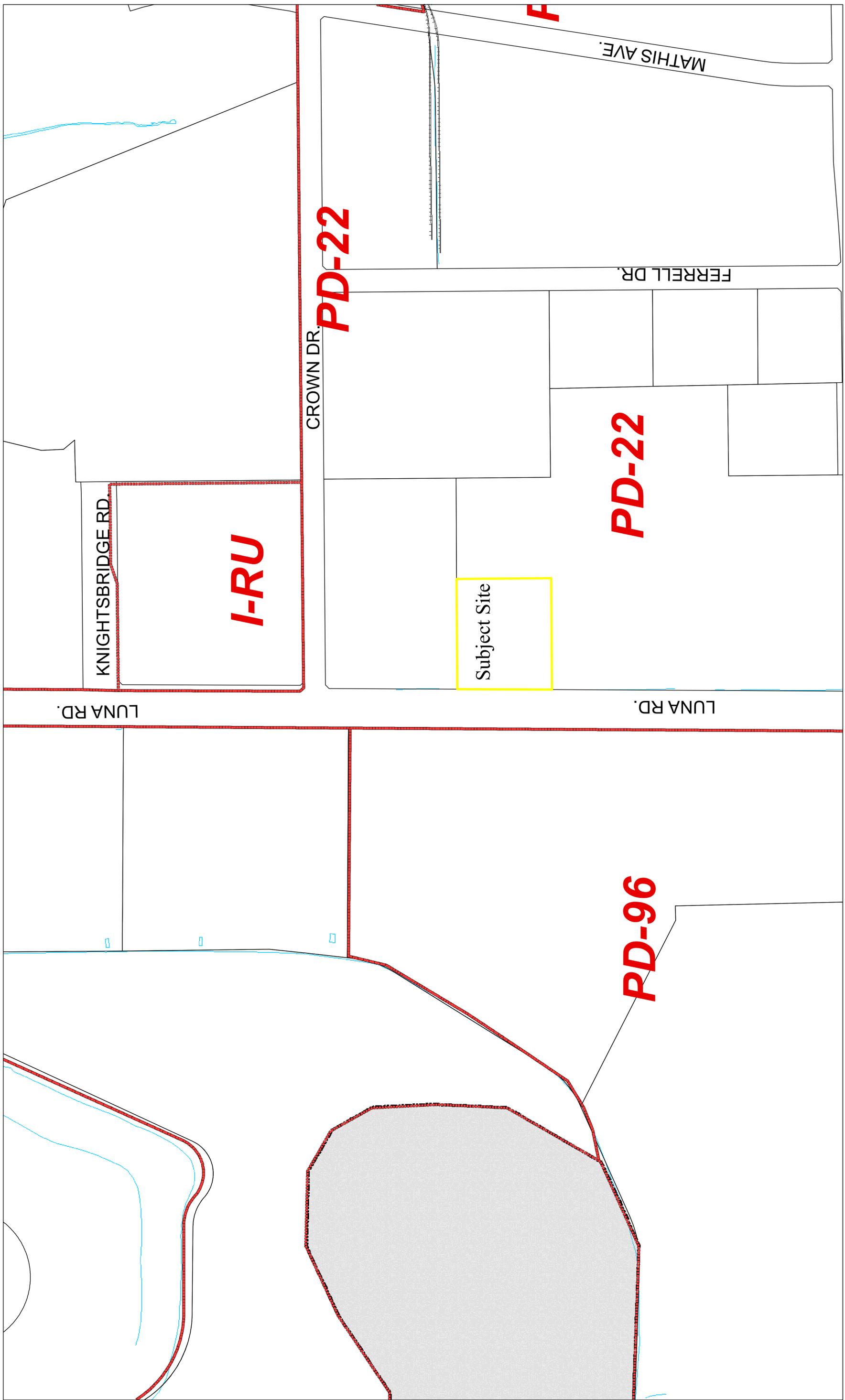
Staff recommends approval of the Specific Use Permit.

### ACTIONS:

1. Motion to recommend Approval of the Specific Use Permit as presented at this meeting.
2. Motion to recommend Denial of the Specific Use Permit as presented at this meeting.
3. Motion to recommend Approval of the Specific Use Permit with the following modifications...
4. Motion to continue discussion of this case at the next meeting.

### ATTACHMENTS:

1. Location Map
2. Aerial Map
3. Staff Report
4. Alcohol Awareness Program
5. Site Photographs
6. Notification Map
7. Summary of Mailed Notices



-  Zoning District Boundary
-  Parcel Property Boundaries
-  City Limit

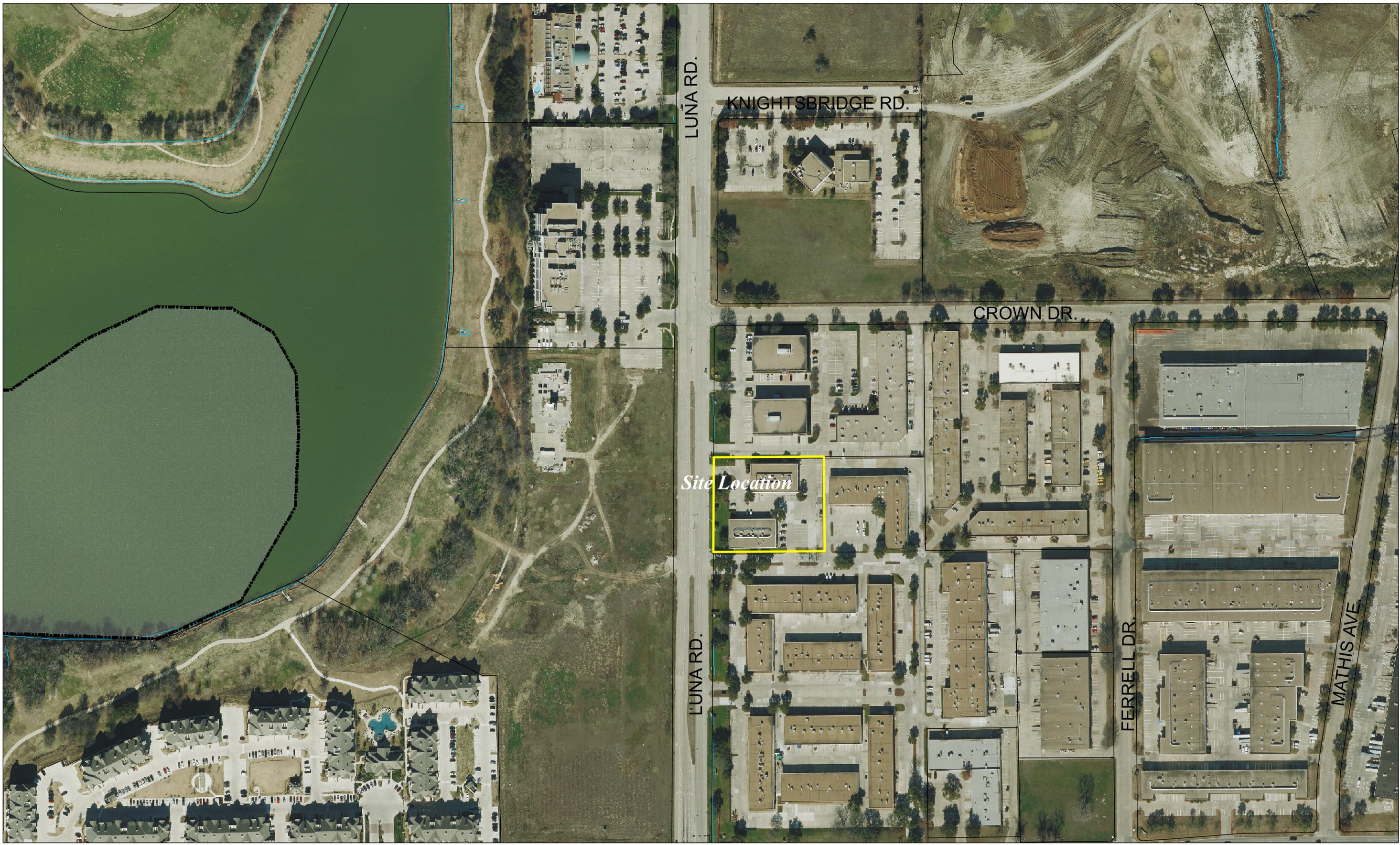
# 16-SU-07 - Location Map

## 11482 Luna Rd.



Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data. For pictorial reference only.





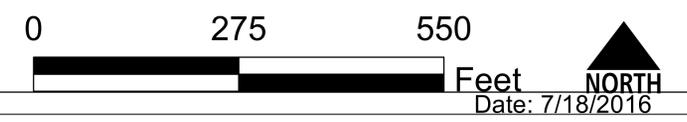
# 16-SU-07 - Aerial Map

## 11482 Luna Rd.

-  Parcel Property Boundaries
-  City Limit



Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data. For pictorial reference only.



## STAFF REPORT

**Case Number:** 16-SU-07  
**Request:** Specific Use Permit for Alcohol Sales within Qualified Restaurant  
**Address:** 11482 Luna Road, Suite 150  
**Restaurant Size:** 2,246 square feet/1.88 acres  
**Petitioner:** Jae and Daniel Kim/J's Deli

---

### Existing Conditions:

J's Deli restaurant is located in one of the two properties that form the outparcel of the Westwood Business Park which is located east of Luna Road and north of Royal Lane. It is located within the Planned Development No. 22 (PD-22) zoning district. The zoning district allows for a variety of commercial and light industrial land uses. The site is bounded on the south and east by the Westwood Business Park. To the north is the Crown Plaza office building. To the west of the site is the Waters Edge Phase 2 multifamily development. The restaurant is requesting permission to sell alcohol (beer and wine) to its restaurant customers with their meals.

The subject site contains two existing one-story masonry buildings. J's Deli is located in the southern building, closest to Luna Road. (See Aerial Map). Both of the buildings were constructed in 1981 and contain about 11,000 square feet. The building J's Deli is currently located in, is divided into four suites. J's Deli is located in one of the southern suites. The additional suites are currently vacant, but allow a variety of commercial and office uses.

### Proposal/Site Design:

The suite occupied by J's Deli is approximately 2,246 square feet (see Floor Plan). The restaurant contains 40 seats and has operated at this existing location since 2006. This restaurant is a deli/counter style restaurant with a serving line. The customer orders at the counter and then selects a table. Beer and wine would be an option at the counter when the customer orders. Therefore, there is no bar area in this restaurant. There is also no drive-in capability or walkup windows.

The applicant also is proposing to add an outdoor patio dining area, along the southern end of the building (see Site Plan). The proposed outdoor area would be approximately 649 square feet with a concrete floor, wooden deck and a sloped metal roof. This dining area would allow for 20 additional seats, expanding the entire restaurant area to approximately 2,895 square feet and allow for a total of 60 seats.

**Parking:**

Approximately 108 parking spaces serve the two existing buildings located on the site. The city parking requirements dictates the restaurant utilize 20 of those parking spaces. There is adequate parking on the site to serve the restaurant and its customers (see Site Plan).

**Landscaping:**

The applicant plans to install additional landscaping along the perimeter of the proposed patio. The landscaping is a combination of shrubs and trees including; Purple Diamond Loropetalum, Gray Leaf Cotoneaster and Holly Savannah. (See Planting Plan.)

**Signs:**

Signs for the restaurant consist of one existing sign on the door of the entrance to the restaurant and one proposed wall sign approximately 33 square feet (see Proposed Signage). Per the City's requirements, the restaurant will not be allowed to advertise on any signage that they sell alcoholic beverages.

**Operation:**

The restaurant's hours of operation are Monday through Friday 7:00 am to 5:00 pm and Saturday from 8:00 am to 3:00 pm. They are closed on Sundays.

The applicant has submitted an Alcohol Awareness Program, which establishes a comprehensive alcohol policy for the restaurant. They agree to abide by the City's requirements for alcohol sales, as well as the Texas Alcoholic Beverage Commission. (See Alcohol Awareness Plan).

Under Ordinance 2768 the following requirements must be met in order for a restaurant to serve alcoholic beverages:

- (a) the bar/holding area does not exceed 20% of a restaurant;
- (b) at least 60% of the total gross sales must be attributable to food and non-alcoholic beverage sales;
- (c) there are no exterior signs or signs visible from the restaurant's exterior advertising the sale of alcoholic beverages;
- (d) there is no drive-in curb service; and
- (e) an alcohol awareness program is submitted with the application.

The applicant has met all of these above requirements.

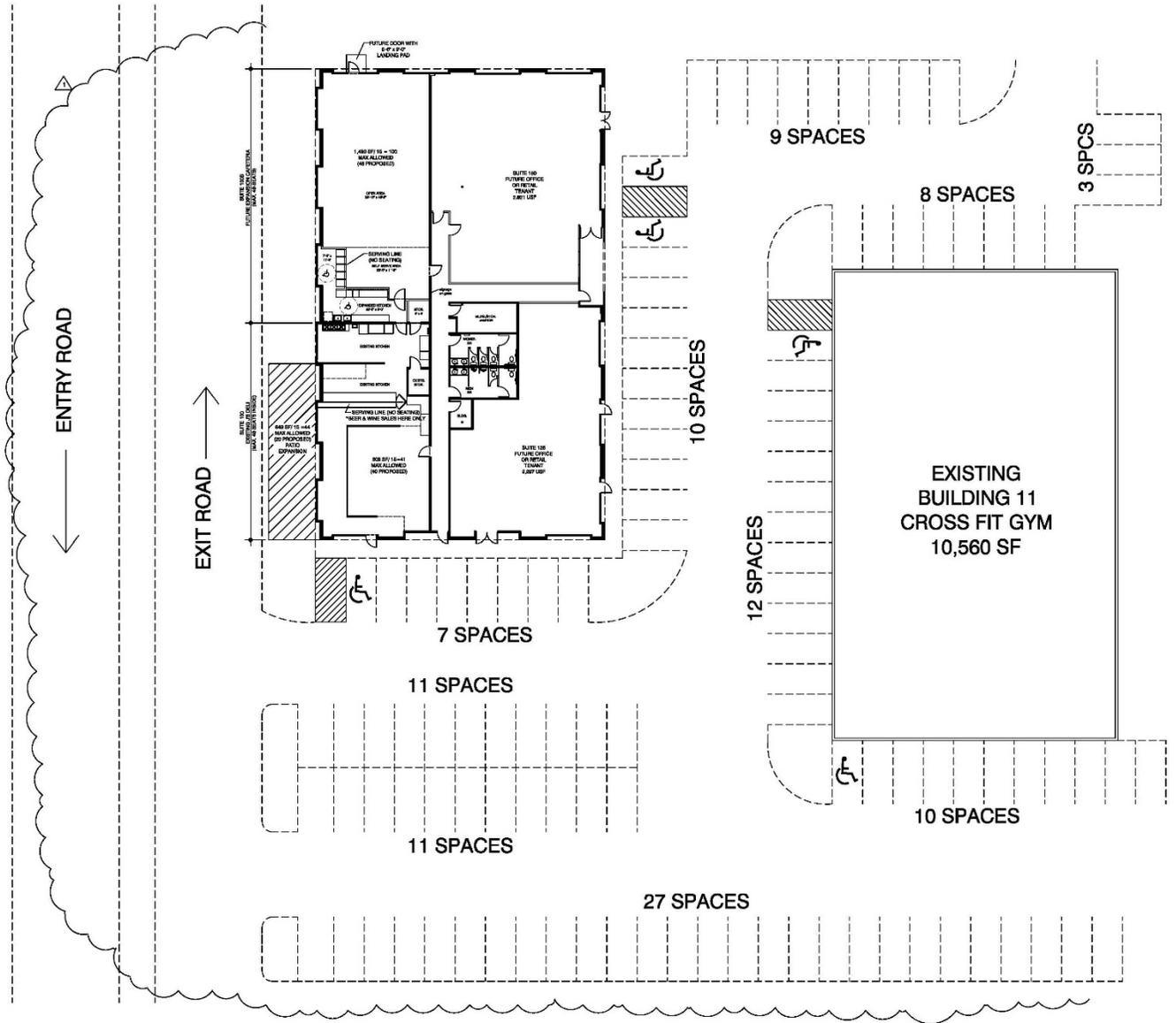
**Comprehensive Plan:**

The West Side Plan identified the recommended use of the subject property and surrounding area as Light Industrial and Office. The Plan states the restaurant is located within the Industrial Districts regional centers which is desirable for retail and restaurant business. Also given the concentration of multi-family developments in this area, restaurant use is desirable.

**Public Response:**

Four public notification letters were mailed on July 14, 2016. Two zoning notification signs were also posted on the site that same day. As of July 22, no letters of opposition to this Specific Use Permit request have been received by the City.

# SITE PLAN

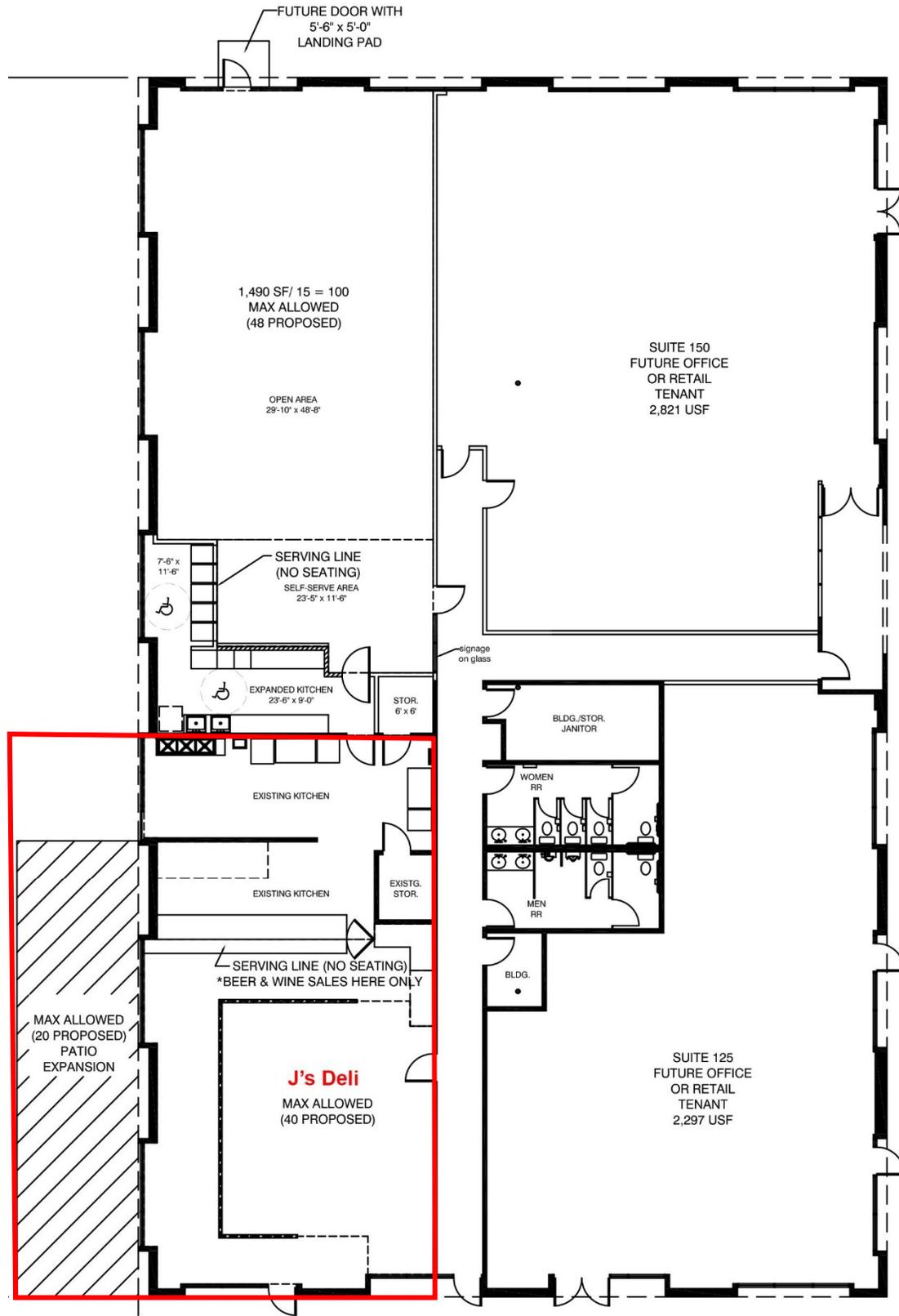


01 PARKING ANALYSIS - PARTIAL SITE PLAN

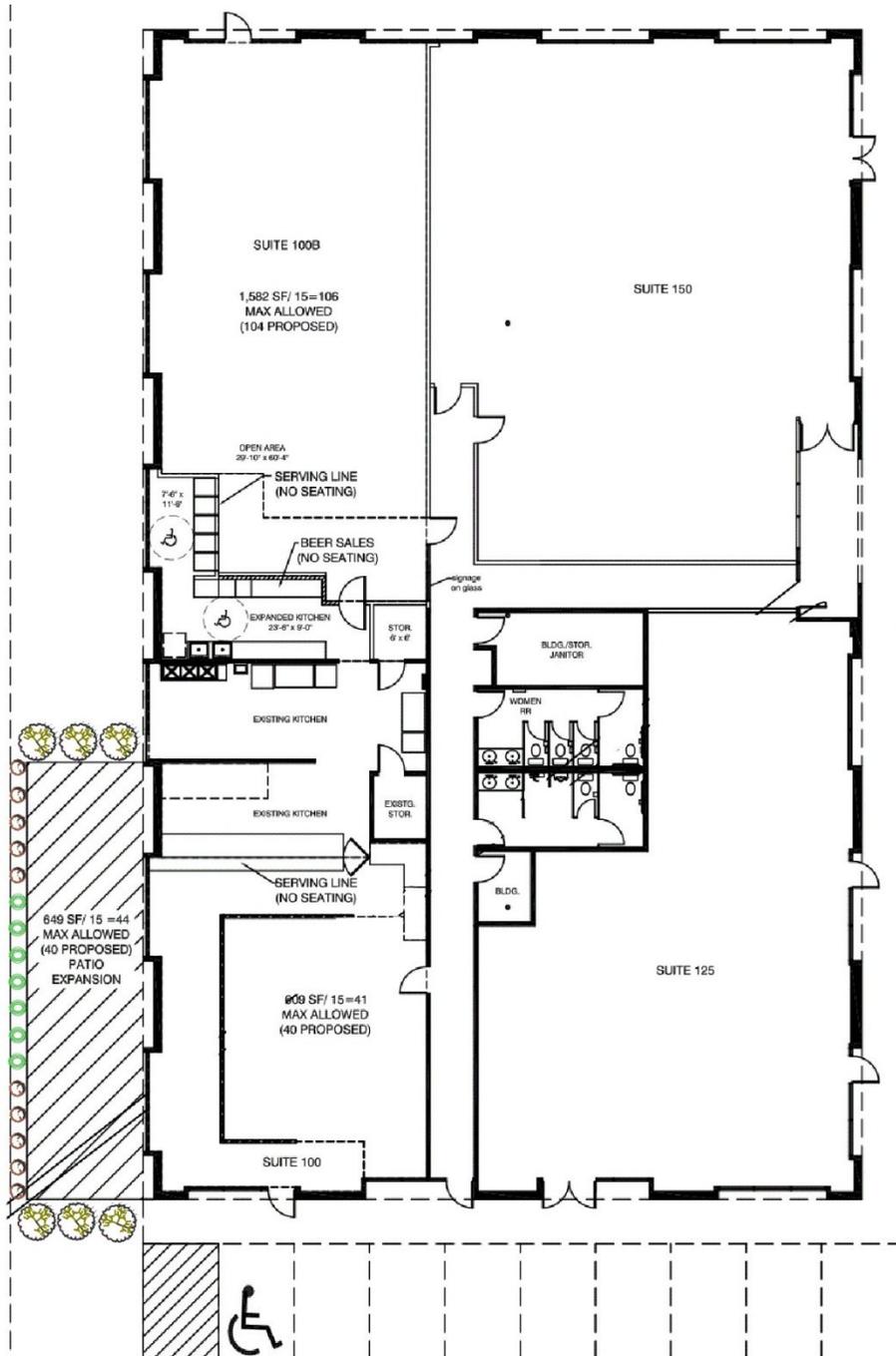
SCALE: 1/16" = 1'-0"



# FLOOR PLAN



# PLANTING PLAN



# PROPOSED SIGNAGE



 EAST (FRONT) ELEVATION  
N.T.S. (PROPORTION & POSITIONING IS APPROXIMATED - MAY VARY)

$2'-6" \times 13'-4" = 33.3 \text{ SQ. FT.}$

## **J's Deli**

### **Alcohol Awareness Program**

#### J's Deli requirements for the sale of Alcoholic Beverages

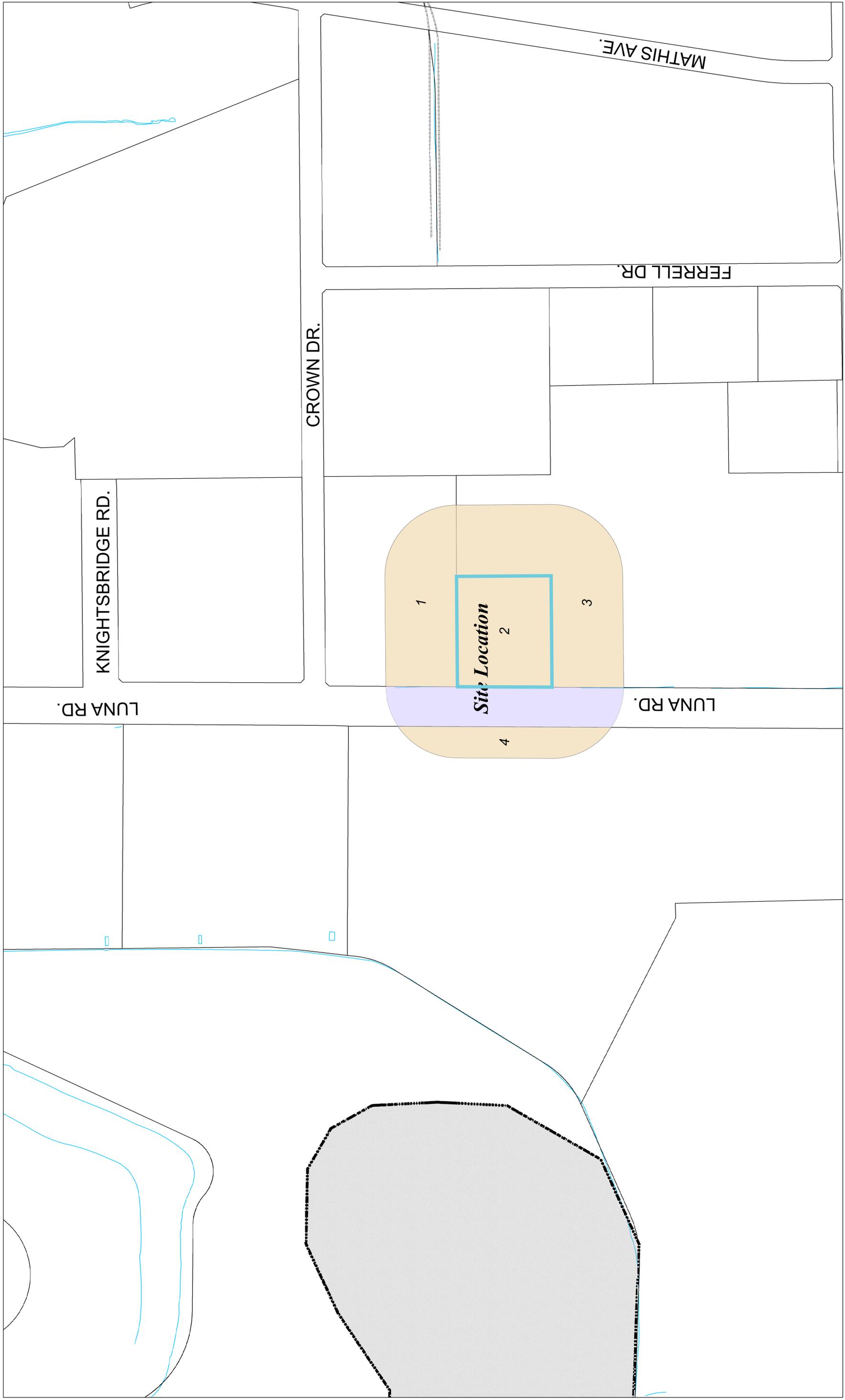
1. J's Deli will abide by the Texas Alcoholic Beverage Code.
2. J's Deli will abide by the Texas Penal Code.
3. Any unlawful acts related to the sale or consumption of alcoholic beverages will be reported to the police.
4. Customers requesting to purchase alcoholic beverages will provide a legal picture ID, of one of the following: Current Drivers License, Military ID, State ID or Passport.
5. All customers purchasing alcohol beverages must be at least 21 years of age.
6. All J's Deli staff that directly or indirectly handles alcoholic beverages will be at least 21 years of age.
7. Servers will be required to take the TABC Seller Training Program.
8. Alcoholic beverages will only be served inside the restaurant premises, and must remain inside the restaurant premises.
9. Anyone that is, or is believed to be intoxicated will not be served alcohol.
10. Alcohol will not be served to anyone that is or is believed to be intoxicated.
11. Anyone that is, or is believed to be intoxicated will not be permitted to remain on the premises.
12. J's Deli will make every effort to call for a cab for anyone who is intoxicated.
13. No alcoholic beverages will be sold before opening of J's Deli.
14. No alcoholic beverages will be sold after closing J's Deli.

J's Deli  
11482 Luna Road, Suite 150,  
Farmers Branch, Texas 75234

15. No fire arms will be permitted on the premises.
16. J's Deli will not hang exterior signs advertising the sale of alcohol.
17. J's Deli's gross sale of food shall be at least 60% of the gross sales for each quarterly reporting period.
18. J'S Deli shall maintain and keep records necessary to demonstrate compliance with the minimum 60% food and non-alcoholic beverage sales of the restaurant's total gross sales.
19. J's Deli will not allow alcoholic beverages to be taken or consumed anywhere other than the J's Deli premises.

Site Photographs





KNIGHTSBRIDGE RD.

LUNA RD.

CROWN DR.

FERRELL DR.

MATHIS AVE.

1

2

3

4

Site Location

LUNA RD.



# 16-SU-07 - Notification Map

## 11482 Luna Rd.

Parcel Property Boundaries

City Limit

Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data. For pictorial reference only.



Feet  
Date: 4/7/2016

**Summary of Mailed Notices  
Property Owner List  
16-SU-07**

**11482 Luna Road, Suite 150**

| Map | First Name                              | Address                              | City     | State | Zip        | Written Response |
|-----|---|--------------------------------------|----------|-------|------------|------------------|
| 1   | CROWN ROAD HOLDING LP                   | PO BOX 631191                        | Irving   | TX    | 75063-0014 | No response      |
| 2   | PAR CAPITAL WESTWOOD<br>LLC             | 6012 W Campus Circle Dr Suite<br>210 | Irving   | TX    | 75063-2670 | No response      |
| 3   | PAR CAPITAL WESTWOOD<br>LLC             | 6013 W Campus Circle Dr Suite<br>210 | Irving   | TX    | 75063-2670 | No response      |
| 4   | WATERS EDGE APARTMENTS<br>PHASE III LLC | 101 Metro Drive Suite 325            | San Jose | CA    | 95110-1376 | No response      |



# City of Farmers Branch

Farmers Branch City Hall  
13000 Wm Dodson Pkwy  
Farmers Branch, Texas  
75234

## Staff Report

File Number: 16-SU-14

Agenda Date: 7/25/2016

Version: 1

Status: Public Hearing

In Control: Planning and Zoning Commission

File Type: Specific Use Permit

Agenda Number: C.2

**Consider a request from Eagle Gun Range for a Specific Use Permit allowing an indoor firearms range training facility to be located at 14400 Midway Road and take appropriate action.**

### BACKGROUND:

The applicant, Eagle Gun Range, is proposing to redesign the existing building located at 14400 Midway Road into an indoor firearms facility. The facility will include two indoor gun ranges, training center, offices and a retail sales area. The site is located within the Light Industrial (LI) zoning district.

### RECOMMENDATION:

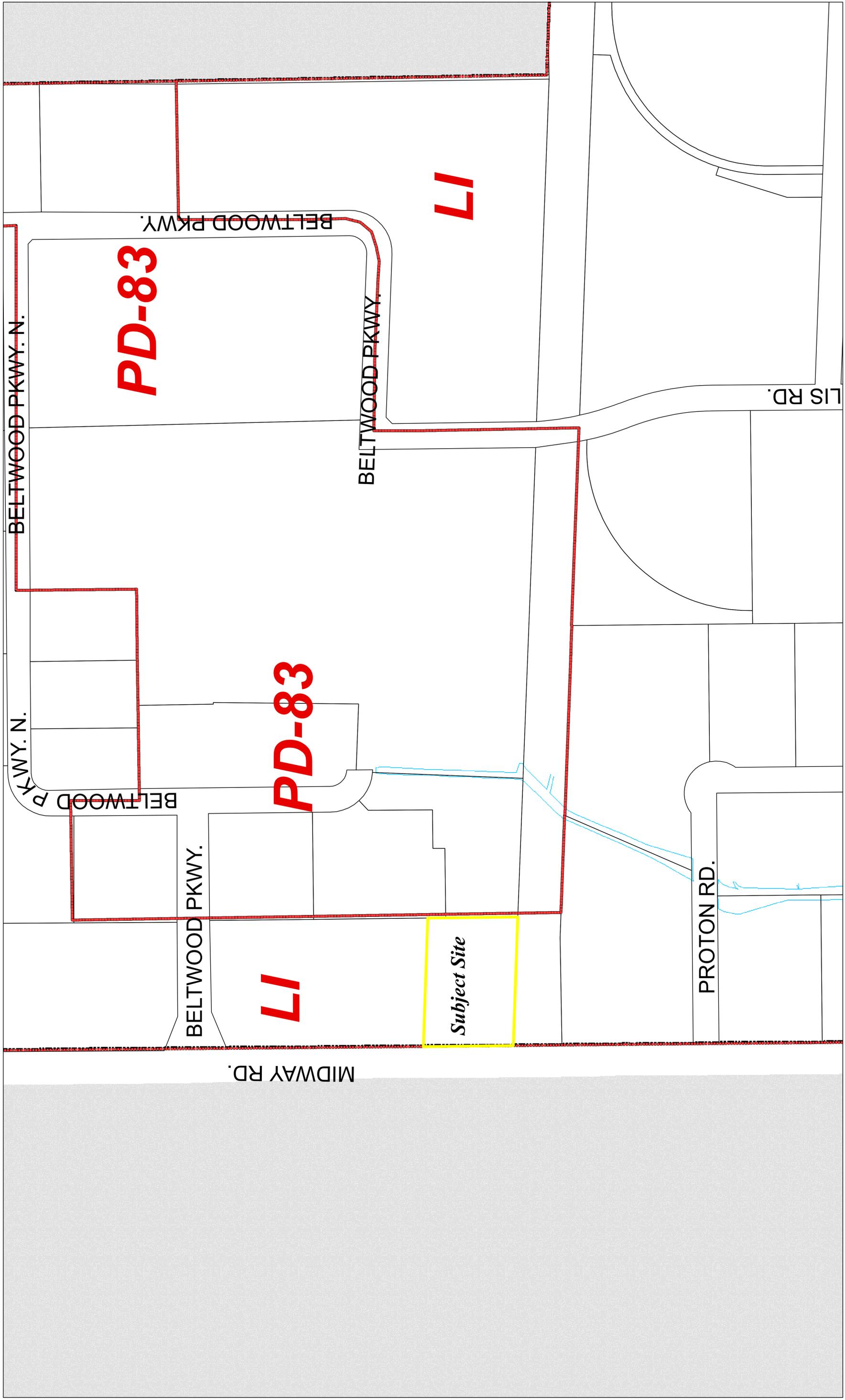
Staff recommend approval of the Specific Use Permit.

### ACTIONS:

1. Motion to recommend Approval of the Specific Use Permit as presented at this meeting.
2. Motion to recommend Denial of the Specific Use Permit as presented at this meeting.
3. Motion to recommend Approval of the Specific Use Permit with the following modifications
4. Motion to continue discussion of this case at the next meeting.

### ATTACHMENTS:

1. Location Map
2. Aerial Map
3. Staff Report
4. Safety Measures Information
5. Shooting Area Construction Details
6. Sound Study Report
7. Site Photographs
8. Notification Map
9. Summary of Mailed Notices
10. Letters of Opposition



-  Zoning District Boundary
-  Parcel Property Boundaries
-  City Limit

# 16-SU-14 - Location Map

## 14400 Midway Road



Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data. For pictorial reference only.



NORTH  
Date: 6/29/2016



*Subject Site*

# 16-SU-14 - Aerial Map

## 14400 Midway Road

- Parcel Property Boundaries
- City Limit



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## STAFF REPORT

**Case Number:** 16-SU-14  
**Request:** Specific Use Permit for an indoor gun range  
**Address:** 14400 Midway Road  
**Lot Size:** 1.388 Acres  
**Petitioner:** Eagle Gun Range

---

### **Existing Conditions:**

The site is approximately 1.388 acres and is located on the east side of Midway Road, approximately 480 feet north of Proton Road, and along the city limit line between City of Farmers Branch and Town of Addison. (See Aerial Map)

The property is surrounded by retail and commercial uses on all sides. To the south the property is bordered by an approximately 120 feet wide ONCOR easement. The closest school is approximately 630 feet south of the site. The closest church is approximately 700 feet south of the site. The site is located in the Light Industrial zoning district (LI). (See Location Map)

There is an existing 16,124 square feet one-story building located on the site. Currently, the building is being used as an office facility.

### **Site Design:**

The applicant, Eagle Gun Range, is currently located in Lewisville and is looking to expand with a second location in Farmers Branch. The applicant is proposing to completely redesign the existing building into an indoor firearms training facility that will include 2 twelve-lane gun ranges, 2 training rooms / classrooms, offices and a retail sales area.

The overall improvement plan for the entire site will include the resurfacing and restriping of the entire parking lot, additional parking spaces and landscape improvements along Midway Road. A masonry dumpster enclosure will be located in the northeast corner of the lot. (See Site Plan)

### **Gun Range and Training Center:**

The proposed firearms facility will operate within the existing precast concrete tilt wall building and will be designed to comply with all applicable state and federal regulations governing indoor gun ranges. These regulations include interior ventilation and exhaust air quality, and safe handling and appropriate management of lead projectile waste as required by the Occupational Safety and Health Administration (OSHA), Texas Commission of Environmental Quality (TCEQ), American National Standards Institute (ANSI), Environmental Protection Agency (EPA), National Institute for Occupational Safety and Health (NIOSH), National Fire Protection Agency (NFPA), National Rifle Association (NRA) range development standards.

The proposed facility will contain two shooting areas (approximately 25-yard long), two large classrooms, offices and control / monitor room for staff and a retail area. The shooting ranges will have observation areas with bullet-proof glass on the observation wall and a bullet trap equipment areas at the end of the fire lanes. The firing lanes are oriented southward. (See Floor Plan)

Most of the building improvements for increased safety to this firearms facility will be within the interior of the building. The exterior of the building will not be significantly modified, although the existing façade will be improved to meet the safety requirements necessary for a gun range facility. For example, the main access in the building will be from 2 courtyards on the western side. These access areas will be secured with a security fence and an entry gate. The building currently has two semi-open courtyards that will be secured as follows: the existing glazing to the south will be removed and filled with new CMU to match existing, the glazing on the northern side will be sealed with security bars and the door will serve as a secured secondary exit, all existing windows will be secured with commercial grade steel bars. The two existing semi-open courtyards will not be accessible to the public.

The proposed hours of operation for this facility is 10:00 AM to 9:00 PM, Monday through Friday, 9:00 AM to 9:00 PM on Saturday and 1:00 PM to 8:00 PM on Sunday. A total of 17 employees are estimated to work at this location.

The safety aspects of the operation of this facility will be addressed as follows:

- The two shooting ranges will be provided with clean, constant flow input air while properly filtering combustion by-products such as smoke, Co and CO<sub>2</sub>, NO<sub>2</sub> and lead particles from exhaust air. A unique filtration system will be installed in the shooting areas and will be separated from the regular HVAC system installed in the common areas (office, retails, and classrooms). The air filtration system will comply with EPA standards and will be a High-Efficiency Particulate Air (HEPA) type of air filtering system.
- The gun range will comply with all OSHA regulations providing a safe environment for employees. (See Safety Measures Information)
- The shooting ranges will consist of 8" concrete blocks, steel reinforced filled with additional concrete and safety ceiling with metal panels / baffles. All fired projectiles will be contained within the interior of the range firing area itself, and will terminate in a max 8-foot tall rubber berm trap installed at the end of the firing lanes, on the southern side of the building. The shooting stalls and ceiling baffles will be made of AR500 steel, a high standard ballistic material. (See Shooting Area Construction Details)
- Lead and other heavy metal projectile waste such as copper and nickel will be handled appropriately according to EPA requirements. All debris will be turned over to a lead recycler, as required by provisions of Resource Conservation and Recovery Act (RCRA).
- Fire protection with a sprinkler system will be installed in the entire building and supplementary, the ballistic rubber berm in the bullet trap area will be sprayed with flame retardant solution periodically.

The applicant has submitted a Sound Study and a Sound Mapping Summary (SMS) designed to assess possible sound level relative to the audibility of a gun fire. The SMS was based on a “worst case scenario” assuming twenty four 0.38 caliber revolvers being discharged at the same time and considered only the sound generated by the site and not taking into consideration the existing ambient sound levels (street, surrounding businesses, etc.). The SMS created a 3D a computer generated sound model / sound map showing only the sound generated by the peak gun sound. The SMS sound map shows a projected sound level of 60-65 decibels at the property line. Based on this study and the observation of the existing Lewisville facility, city staff has determined this sound level will not be a nuisance within or at the boundary of the site considering the ambient sound in the area and along Midway Road. (See Sound Study)

Based on this study, the sound generated by gunfire will be controlled in such a manner that it will not be a nuisance to the neighbors and will pose no threat to the health and safety of range patrons, staff and surrounding neighboring businesses and persons. The gun ranges area will be insulated with a sound absorbing wall treatment over the new CMU block walls that will enclose the range area. The entire building will be supplementary insulated.

The specific safety measures to be installed at this location are as follows:

- All employees are trained under the Alcohol, Tobacco and Firearms (ATF) federal instruction programs and are NRA certified range safety officers
- At least two employees will be on site for opening and closing hours. All access in the building, except the main front door, will have security measures to prevent entry from outside.
- The building will be secured with commercial grade steel bars covering all openings of the building.
- A 24-hour monitoring system will be installed throughout the site. The security system will include laser beams, commercial grade fencing, glass breaking sensors, motion sensors and door penetration wiring. Approximately 35 security cameras will be installed inside and around the site. These cameras will cover the inside of the shooting bays, the training rooms, the store room and loading dock, the retail and office areas, as well as all sides of the exterior of the building and parking lot. A minimum of two cameras will be installed on each side of the building and one camera on each of the front entry areas. All cameras will have 60 degree view. The security cameras will be monitored from the interior server room to make sure all the gun range users are complying with the range’s rules and all activity within the property is safe. A NRA certified safety officer will monitor the security cameras during the hours the range is open to the public. Outside working hours, the cameras will be monitored by a private security company.
- All customers will be required to bring their firearms to the facility contained within a holster or a gun case. The facility will allow only firearms under 0.50 caliber to be used within the shooting range. (See Safety Measures Information)

**Parking:**

The applicant submitted a parking ratio comparison between several gun ranges in the Dallas area. The proposed development will provide 62 standard parking spaces and 3 ADA parking spaces. Staff believes this parking ratio requirement to be adequate for this combination of uses. (See Site Plan)

**Landscaping:**

The existing landscape island in front of the building along Midway Road will be improved with a combination of new trees and shrubs. The landscape island will have 9 trees (a combination of Red Shumard Oak, Japanese Pine Tree and Crape Myrtle) and tall evergreen shrubs (a combination of Red Yucca and Lorapetalus). This area has a fully operable irrigation system that will continue to be used. (See Landscape Plan)

**Signage:**

An individual monument sign will be placed in the front landscape island setback 13 feet from the property line. The monument sign will not exceed 75 square feet in area and 6 feet in height. A wall sign will be placed on the eastern façade, facing Midway Road. The wall sign will not project more than 12 inches from the building structure wall and will not exceed 75% of the length of the front elevation. All signage will comply with City's Sign Ordinance. (See Proposed Signage)

**Comprehensive Plan:**

The Comprehensive Plan, designates this area as a General Commercial District and is zoned for Light Industrial uses. Therefore, this request is consistent with the City's Comprehensive Plan.

**Thoroughfare Plan:**

Midway Road is not identified for further expansion on the 2013 Thoroughfare Plan. Improvements to the existing lanes of Midway Road are planned for 2017 by the Town of Addison.

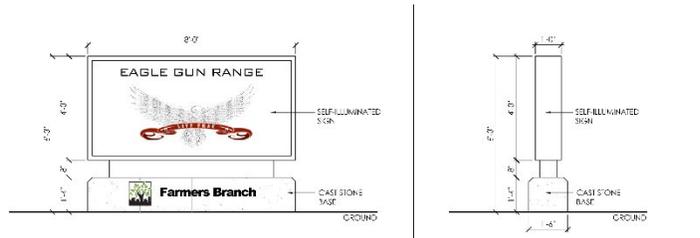
**Public Response:**

Six (6) zoning notification letters were mailed to the surrounding property owners on July 14<sup>th</sup>, 2016. Two (2) zoning notification signs were also placed on the site on the same day. As of July 22<sup>nd</sup>, three letters of opposition have been received by the City. One of these opposition letters is from the property owner to the north side of the site. This opposing property owner represents more than 20% of the notified property area within Farmers Branch, therefore a super majority of City Council (4 affirmative votes) must be obtained to approve the proposed SUP. (See Mailed Notices Summary and Opposition Letters). In addition, 33 letters of support to the proposed gun range have been received by the City (available upon request).



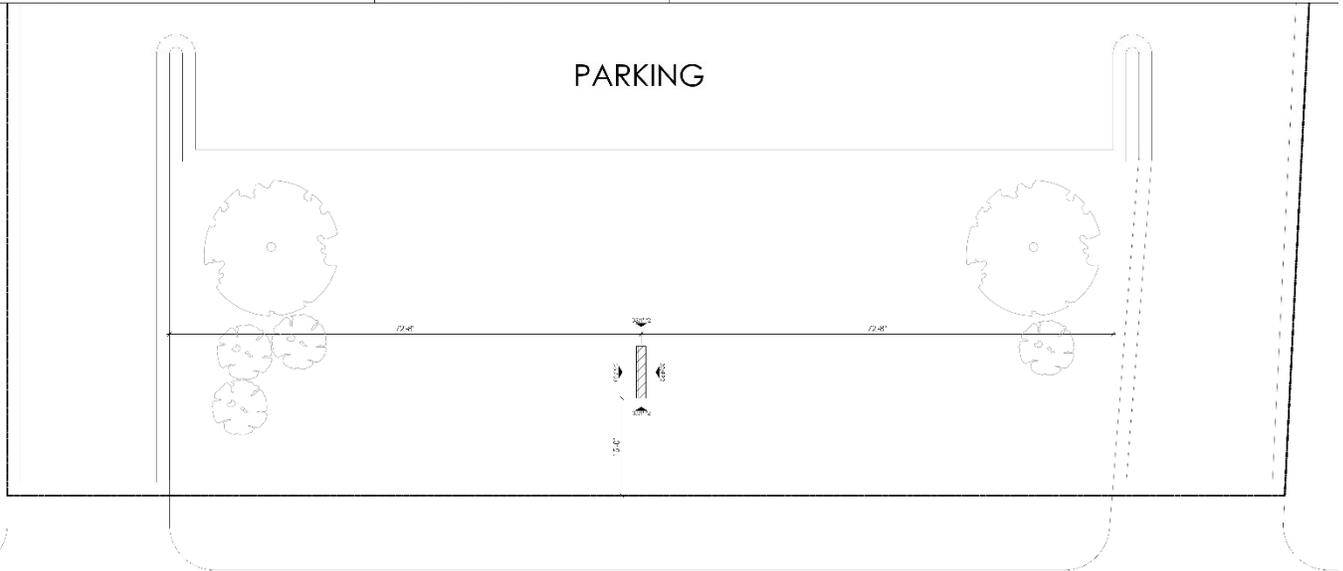


# Proposed Signage



**02** Elevation - Sign  
Scale: 1/2" = 1'-0"

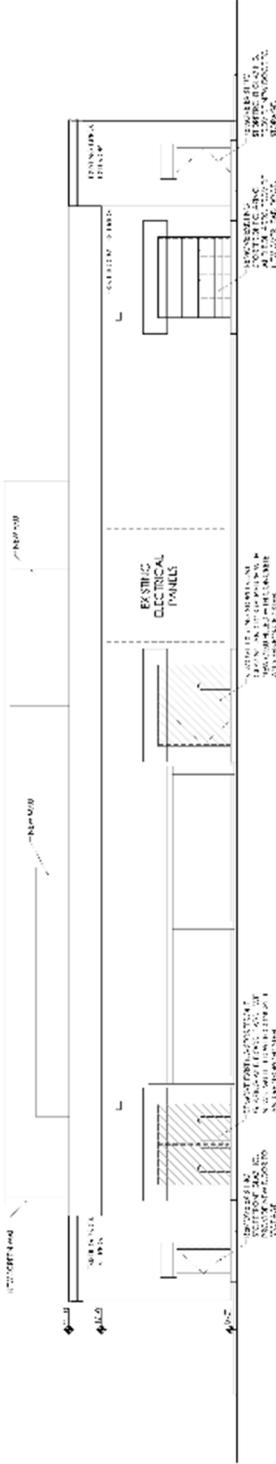
**03** Elevation - Sign  
Scale: 1/2" = 1'-0"



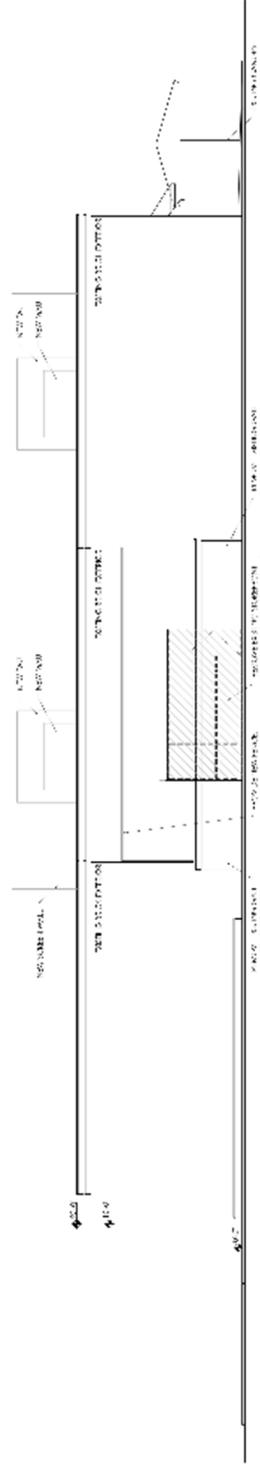
MIDWAY ROAD

# Elevations

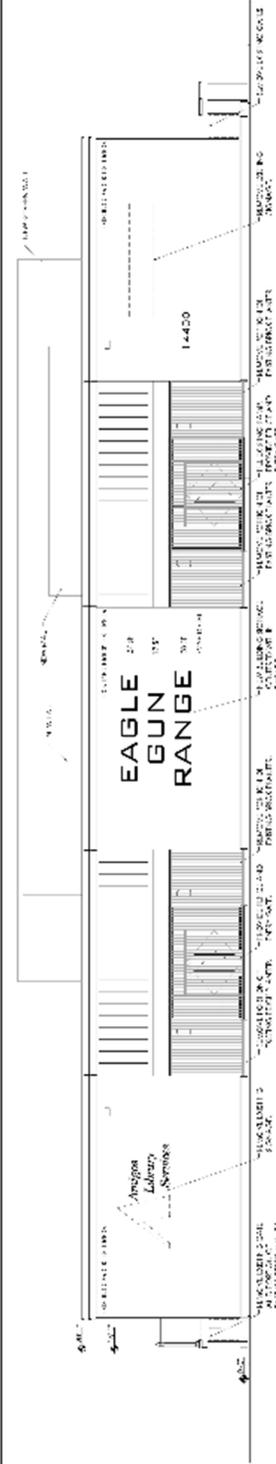
GAZPAC - HERBELL COUNTY, TEXAS



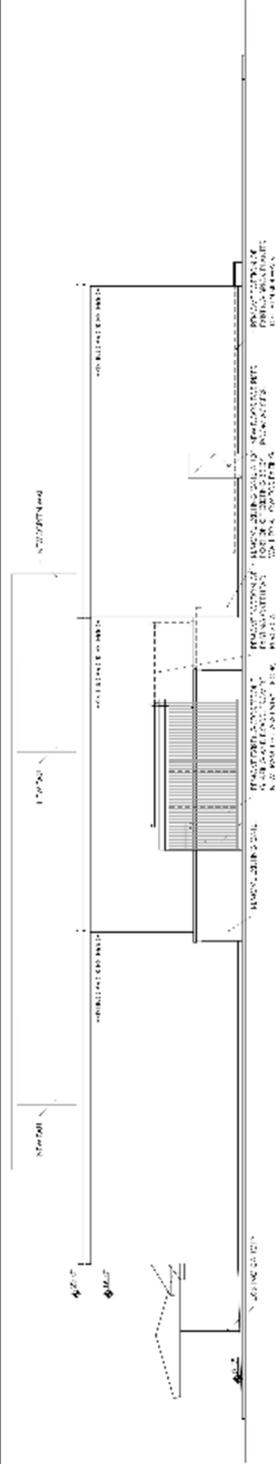
**04 East Elevation**  
Scale: 1/8" = 1'-0"



**03 South Elevation**  
Scale: 1/8" = 1'-0"



**02 West Elevation - Faces Midway**  
Scale: 1/8" = 1'-0"



**01 North Elevation**  
Scale: 1/8" = 1'-0"

## **Eagle Gun Range, Inc**

### **Specific Safety Measures in Place**

Eagle takes its responsibilities very serious when it comes to firearms and ammunitions. Before we opened we voluntarily requested that the ATF agents attend a training session we set up for all employees. These Alcohol, Tobacco, Firearms (ATF) federal agents provided our new employees with very detail instructions on to whom firearms and ammunition may be sold; how to properly complete a FBI background check; how to properly safe guard our inventory; and many more valuable instructions.

Our current building has commercial grade steel bars covering all openings to the building. We have 24 hours security monitoring that includes laser beams, commercial grade fencing, glass breakage sensors, motion sensors and door penetration wiring. We also have 32 security cameras that cover the inside of the shooting bays, our training rooms, our store room and loading dock, our retail and office areas, and all sides of our building and parking areas.

None of our employees are allowed to arrive or depart the premises by themselves; there should always be at least two when opening/closing the facilities.

Our entire building is our vault. In addition to the building all our firearms are kept in locked sales cabinets, at night, and not accessible to the general public during operating hours. There is only one entrance into our building during operating hours - enabling us to monitor entry/exit of our customers.

We monitor our cameras and entrance to make certain that customers are not moving firearms into the area unless the firearms are in some kind of case. If the customer does not have a case we will loan them one. Our safety procedures do not allow customers to remove firearms from the bags until they are at the safe and secure firing lane. All our employees are NRA certified trained range safety officers (RSO). Because of our unique filtration system we are able to have a RSO on the shooting bay at all times (because they will not get lead poisoning like other ranges). This enables Eagle to provide a second-to-none safe environment for our customers and employees. We also have a RSO watching our security monitors at all times. All our employees wear two-way radios that allow communication between all areas of the facility, but especially for the range. Our control room RSO watches the camera on each lane and radios into the RSO on the range to inform them of safety violations. This allows the RSO to address these safety concerns in a swift and courteous manner. No other range has this level of safety protocol in place.

As you will see in other material our shooting stalls are made of AR500 steel. This is a extremely high standard in ballistic material. This provides our customers a very safe environment to practice and train their firearm skills and increase their sense of well-being (two of the goals of the FB Comp Plan).

Our entire facility has fire suppression in place. The building has a sprinkler system throughout, including the shooting bays. We also have hand held fire extinguishers throughout the building. Our ballistic rubber berm has been sprayed with flame retardant, as well. We proactively reached out to the closest fire station and invited them to bring in all three shifts and tour the facility and become familiar with all aspects of our building. We also have reached out to the police chief and captains to make sure they are aware of our facilities and safety procedures. Many of them shoot with us.

All shooting participants are checked into our computer system on each visit and are required to present a valid government issued ID during this process. This check-in process allows us to evaluate who is in our facility at all times and have record of any and all visits.

Eagle will have these same safety procedures in place at the Farmers Branch range and training center.

## **Eagle Gun Range, Inc EPA and OSHA Issues**

Concerning the potential EPA issues:

The EPA's concern begins when chemicals enter the environment; chemicals such as lead and powders that result from bullets being fired. At Eagle those types of chemicals/elements do not enter the environment. All these are captured inside our facility and do not enter the environment. We capture them in our ballistic rubber trap and in our unique air filtration system.

We all know that lead can be a hazardous material. However, it is hazardous only when it comes into contact with outside air or earth. With the safety systems we have in place, the lead neither enters outside air, nor does it touch the earth.

Our safety procedures require that the lead that is shot into, and trapped in, our ballistic rubber berm is "mined" and put into special recycle bags. These bags are then transported to a lead smelter and are recycled into other products. The EPA does not consider lead that is being recycled as a hazardous material. Our procedures require the "mining" of lead every four to five months depending on the number of shooters during those periods. "Mining" is a special process of pulling the rubber berm and lead down onto our shooting bay concrete flooring and separating the rubber, trash and lead. The lead goes into the recycle bags, the rubber goes back into the berm, and the trash (which is not recycled, and therefore, hazardous material) goes into hazardous material bags. These hazardous material bags are then transported (immediately after mining is completed), by special carriers, to a EPA certified hazardous waste site, for proper disposal. The bay floors, and area, are vacuumed regularly to capture powders and trash that accumulate during the mining process and during our regular normal operations. We use a special vacuum cleaner for this process; one that has a HEPA filter inside and special parts designed to eliminate static electric discharge (so that collected chemicals will not accidentally ignite). The vacuum bag is then collected and placed inside our hazardous waste bags and properly disposed of. We use an outside professional contractor to "mine" the lead. His crew wear protective gear and place this gear into the hazardous waste boxes, as well.

The lead powder and other chemicals (that are hazardous waste because they are not recycled) remaining in the air are drawn into our unique filtration system. This unique system (for our shooting bay) is separate from the regular HVAC system that is typically used to control air temperatures within our sales area and offices, etc. This unique system has three stages of filtration trapping the particulates (that are hazardous) and allows the air to circulate back into the air handler to be returned to the shooting bay. Our safety procedures require these filters (which contain hazardous material like lead powder and chemicals) periodically be removed and placed in special containers for shipping to EPA certified disposal sites.

Our current range has not received a visit from the EPA, however, we have proactively attended training on EPA/environmental issues/laws/regulations/procedures. We have also reached out to our workers' comp and casualty insurers and they have reviewed of our facility, and procedures, and found them to be exemplary (see attached).

Concerning the potential OSHA issues:

OSHA regulations only cover issues with employees (not the environment or the public). These regulations cover the safety of the work environment surrounding the employees. Eagle's safety procedures focus on air quality. Our unique filtration system removes all hazardous material/chemical/elements from the shooting bay area. Our standard roof top units filter the air in our sales and office areas. Our unique filtration HVAC system exceeds all OSHA air quality standards. Eagle provides its employees with hearing/eye protection that exceed OSHA requirements. We also provide our employees with necessary PPE to ensure they are not being exposed to contaminants above the permissible exposure level. In addition to these precautionary measures, our employees are sent every 6 months to a lab to have their blood lead levels tested and once a year an audiogram is performed to ensure they are not suffering hearing loss. We compare the new results with the baseline numbers we obtained from the pre-employment testing.

Our current range has not received a visit from OSHA, however, we have proactively attended training on OSHA/EPA/environmental issues/laws/regulations/procedures. We have also reached out to our workers' comp and casualty insurers and they have reviewed of our facility, and procedures, and found them to be exemplary (see attached).





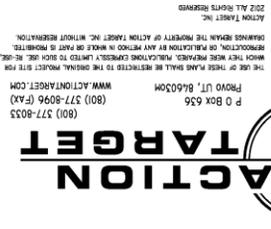
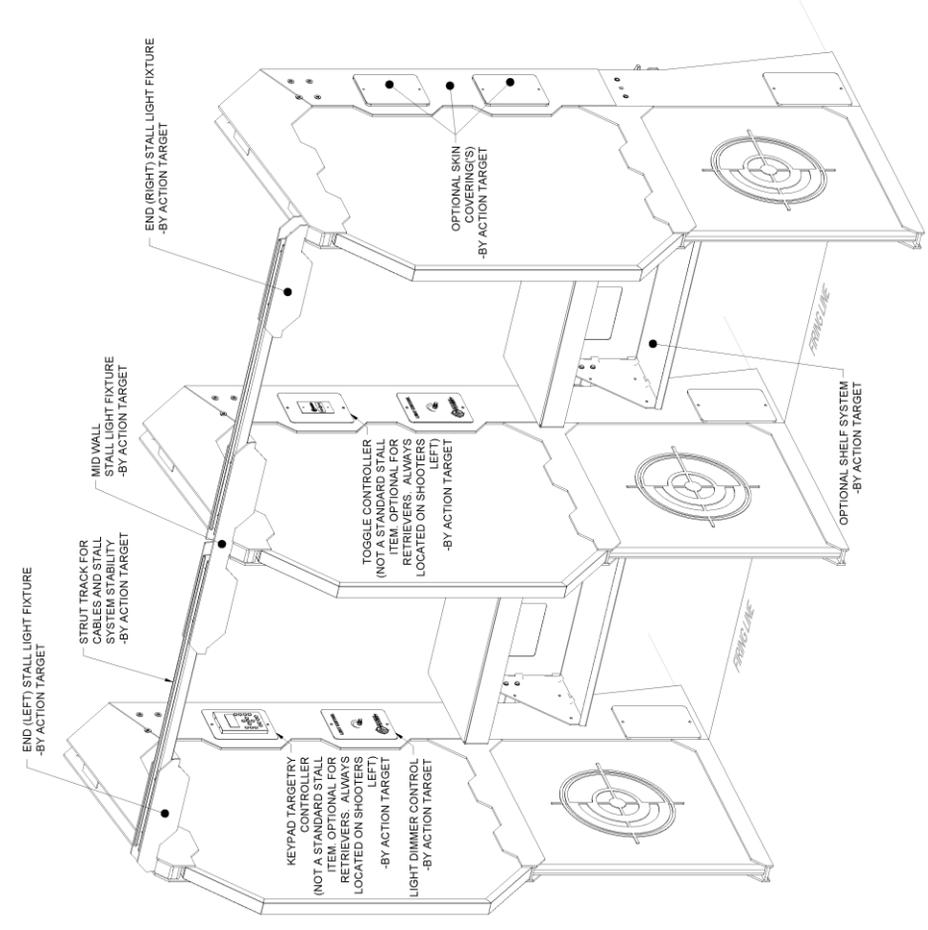
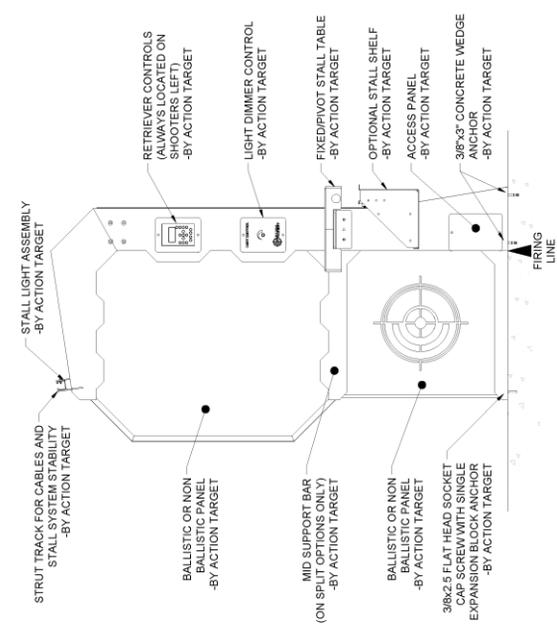
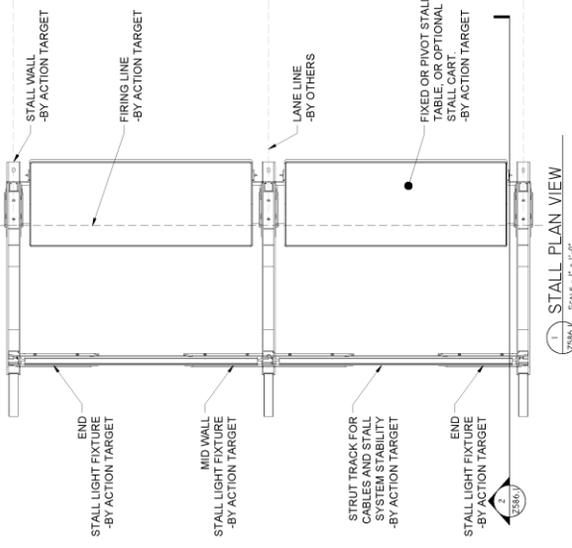






# NOT FOR CONSTRUCTION

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**BID SET**

**NOT FOR CONSTRUCTION**

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NOTES / KEY:

DATE: 7-7-2014  
DRAWN BY: KEVIN HILL  
CHECKED BY: JERRY HAERLE  
PROJECT NUMBER: 1205\_YA0

| DATE | REVISION | NO | BY |
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FIXED-SRET-8RBT

DRAWING TITLE

**STALL DETAILS**

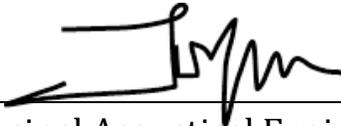
SCALE FOR DIMENSIONS: 1/16" = 1'-0"

DRAWING NUMBER

**Z586.1**



|                      |                                     |
|----------------------|-------------------------------------|
| <b>Project Title</b> | Eagle Gun Range, Farmers Branch, TX |
| <b>Client</b>        | Eagle Gun Range Inc.                |
| <b>Report Title</b>  | Sound Mapping Summary               |
| <b>Report Number</b> | DAS-10015-01 Rev B                  |
| <b>Report Date</b>   | 1 <sup>st</sup> July 2016           |

|             |   |
|-------------|---|
| Prepared by | <br>Principal Acoustical Engineer |
| Approved by | <br>President                     |

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## 1. Introduction

This report pertains to the proposed renovation of 14400 Midway Road, Farmers Branch, Texas, into a new state-of-the-art gun range, by Eagle Gun Range Inc.

It is specifically targeted at assessing the noise levels generated in the local area due to gun fire. This will be used to assess whether the gun fire will be audible, and compliance with the Farmers Branch zoning ordinance noise limits.

To this end, a 3D computer generated noise model has been created using SoundPlan v7.4, which aims to assess the peak noise levels generated in the areas surround the proposed Eagle Gun Range.

## 2. Brief Description of Modelled Conditions

The 3D model was generated in SoundPlan v7.4. Both the interior and exterior sound fields were modelled. Only the noise from gun fire specifically has been assessed in the model, all other noise sources have been excluded.

Two different models of the gun fire as a noise source were created.

The first model (henceforth referred to as “Impulse”), is specifically for assessment of absolute audibility using peak noise level ( a 0.001 second measurement period).

The second model (henceforth referred to as “Community”), is specifically for assessment of compliance with local noise ordinance, *Farmers Branch Zoning Ordinances Article 8-601*, which defines limits for this type of zone.

The peak (or impulse) sound level data used when modelling the noise level of each gun being fired in the “Impulse” model, was based on a 0.38 calibre revolver (measurements taken by the National Research Council Canada<sup>(1)</sup>).

The “Community” model requires assumptions for how often firing events occur. It is assumed that a firing event occurs once ever second, and the duration of the firing event lasts 0.125 seconds. The noise source level for this firing event is taken from “Impulse” model, but the 0.001 second level is kept constant throughout.

All models assume worse-case conditions;

All 24 lanes are in use and all shooters fire simultaneously. This will give the worse-case source peak sound level generated in the proposed Eagle Gun Range

All shooters fire once every second, without stoppage, for the full daytime period (sunrise to sunset), this will give the worse-case frequency of firing events and subsequently the worse-case noise level for assessment against the local noise ordinances.

The ground topography is modelled as perfectly flat. This will give the worse-case noise propagation model for the proposed Eagle Gun Range.

Where assumptions have had to be made, the most pessimistic assumption has been used.

The boundary noise measurement positions are approximately equally spaced along the property line, and can be seen on the sound maps denoted as white asterisks. These measurements are taken 5ft above ground level. The numbering system 1-18 starts relative to the northwest corner measurement position, and then continues clockwise around the perimeter (such that; the northeast corner is position 6, southeast corner is 10 etc.).

### 3. Technical Conclusions

#### 3.1 Impulse Model

The areas of key interest for absolute audibility are The Westwood School situated to the south, and the commercial area directly to the north of the proposed Eagle Gun Range.

In a typical urban area the ambient (or background) noise level is typically 50-55dBA. After reviewing the resultant sound maps given in section 5, it can be seen that the levels in the vicinity of the Westwood School are 40-50dBA, and in the commercial area to the north approximately 50-55dBA.

When it is considered that to the north there are pre-existing light industry applications, such as an auto-repair shop, and these applications typically have an ambient noise level of 60-65dBA associated with them, the existing background noise level to the north is probably greater than the typical 50-55dBA of an urban area.

This means that the noise from gun fire alone will be barely audible above the ambient noise, if at all. Diagram 2 from EPA guidance is based on community studies conducted regarding noise intrusion from outdoor noise sources and the number of complaints received. It is based on an 8hr averaged noise level instead of peak/impulse level. However it can be seen that if the noise level is kept below 55dBA then the community's reaction is "No overt reaction" even if the noise is noticeable.

It can be seen that the "Impulse" sound level at the property boundary is at or below 65dB with one exception. The reason the north side levels are elevated is due to reflections from the parallel building to the north.

#### 3.2 Community Model

The limitations set forth by Article 8-601 of the zoning noise ordinances are given in Table 1. Along with these limits, additional provisos are given.

Firstly that "A scale levels are provided for monitoring purposes only and are not applicable to detailed sound analysis". Hence the data will be reviewed in octave-band levels, in addition to the A-weighted total review. Secondly, "when Noise contains strong pure-tone components or is impulsive" subtract 7dB from the given limits. Gun fire by its nature is impulsive, hence this correction must be applied; these new limits are given in Table 1.

| Limit           | Octave Band Centre Frequency (Hz) |     |     |      |      |      |      | dBA |
|-----------------|-----------------------------------|-----|-----|------|------|------|------|-----|
|                 | 125                               | 250 | 500 | 1000 | 2000 | 4000 | 8000 |     |
| As Given        | 76                                | 70  | 65  | 63   | 58   | 55   | 53   | 65  |
| With Correction | 69                                | 63  | 58  | 56   | 51   | 48   | 46   | 58* |

Table 1 – Boundary noise limits from zoning noise ordinances

\* - Ordinance expressly states "corrections shall be made to the table of octave band-decibel limits", but makes no provision for correcting "A Scale", however if new limits were summed this would be the result

After comparison of every measurement position in Table 4 to the corrected limits in Table 1, at each octave band, it can be seen that almost every measurement position complies in every octave band. The only exception is the 250Hz octave band of measurement position 4 which is 1dB over. This is well within the tolerance of measurement error, and this difference would be imperceivable. It should also be remembered that this is under a worse-case scenario which is almost unachievable in the real world.

It is concluded that, with these items held in mind, the proposed gun range will be in compliance with the limits as laid out in Farmers Branch noise related zoning ordinance.

## 4. Boundary Measurement Results

### 4.1 "Impulse" Model Results

| Measurement Position | Octave Band Centre Frequency (Hz) |     |     |      |      |      |      | dBA |
|----------------------|-----------------------------------|-----|-----|------|------|------|------|-----|
|                      | 125                               | 250 | 500 | 1000 | 2000 | 4000 | 8000 |     |
| 1                    | 76                                | 71  | 57  | 52   | 41   | 44   | 29   | 59  |
| 2                    | 79                                | 75  | 61  | 55   | 43   | 47   | 36   | 62  |
| 3                    | 81                                | 77  | 63  | 56   | 45   | 49   | 44   | 64  |
| 4                    | 82                                | 79  | 66  | 58   | 47   | 52   | 50   | 66  |
| 5                    | 82                                | 77  | 64  | 57   | 46   | 49   | 44   | 65  |
| 6                    | 81                                | 75  | 61  | 55   | 46   | 47   | 40   | 63  |
| 7                    | 81                                | 75  | 62  | 56   | 46   | 48   | 40   | 63  |
| 8                    | 81                                | 75  | 62  | 56   | 45   | 48   | 37   | 63  |
| 9                    | 80                                | 75  | 61  | 55   | 45   | 47   | 37   | 62  |
| 10                   | 72                                | 67  | 53  | 47   | 37   | 39   | 29   | 61  |
| 11                   | 74                                | 68  | 54  | 47   | 39   | 40   | 36   | 62  |
| 12                   | 75                                | 70  | 55  | 48   | 37   | 40   | 35   | 64  |
| 13                   | 74                                | 68  | 53  | 45   | 34   | 37   | 24   | 62  |
| 14                   | 72                                | 67  | 53  | 46   | 35   | 38   | 22   | 61  |
| 15                   | 70                                | 65  | 52  | 46   | 35   | 38   | 21   | 59  |
| 16                   | 70                                | 66  | 52  | 46   | 36   | 39   | 23   | 59  |
| 17                   | 70                                | 66  | 52  | 46   | 36   | 39   | 23   | 60  |
| 18                   | 70                                | 65  | 52  | 46   | 35   | 38   | 21   | 59  |

Table 3 – Sound level at measurement positions along the property boundary line, using "Impulse" model.

### 4.2 "Community" Model Results

| Measurement Position | Octave Band Centre Frequency (Hz) |     |     |      |      |      |      | dBA |
|----------------------|-----------------------------------|-----|-----|------|------|------|------|-----|
|                      | 125                               | 250 | 500 | 1000 | 2000 | 4000 | 8000 |     |
| 1                    | 61                                | 56  | 42  | 37   | 36   | 29   | 14   | 50  |
| 2                    | 63                                | 60  | 46  | 39   | 38   | 31   | 21   | 53  |
| 3                    | 65                                | 62  | 48  | 41   | 40   | 33   | 29   | 55  |
| 4                    | 67                                | 64  | 50  | 43   | 41   | 37   | 35   | 58  |
| 5                    | 66                                | 62  | 48  | 41   | 40   | 34   | 28   | 56  |
| 6                    | 65                                | 60  | 46  | 40   | 40   | 32   | 25   | 54  |
| 7                    | 66                                | 60  | 47  | 40   | 41   | 33   | 24   | 55  |
| 8                    | 65                                | 60  | 46  | 40   | 40   | 32   | 21   | 54  |
| 9                    | 65                                | 59  | 46  | 39   | 39   | 32   | 22   | 54  |
| 10                   | 63                                | 58  | 44  | 38   | 38   | 30   | 20   | 52  |
| 11                   | 65                                | 59  | 45  | 38   | 40   | 31   | 27   | 53  |
| 12                   | 66                                | 61  | 46  | 39   | 38   | 31   | 26   | 55  |
| 13                   | 65                                | 59  | 44  | 36   | 35   | 28   | 15   | 53  |
| 14                   | 63                                | 58  | 44  | 37   | 36   | 29   | 13   | 52  |
| 15                   | 61                                | 56  | 42  | 36   | 36   | 29   | 10   | 50  |
| 16                   | 61                                | 57  | 43  | 37   | 36   | 29   | 12   | 51  |

|    |    |    |    |    |    |    |    |    |
|----|----|----|----|----|----|----|----|----|
| 17 | 61 | 57 | 43 | 37 | 37 | 30 | 14 | 51 |
| 18 | 61 | 56 | 43 | 37 | 36 | 29 | 12 | 51 |

Table 4 – Sound level at measurement positions along the property boundary line, using “Community” model.

### 5. Sound Level Comparison Chart & Sound Maps

Informational charts reproduced from United States Environmental Protection Agency’s, “Condensed Version of EPA Levels Document” , EPA 550/9-79-100, November 1978

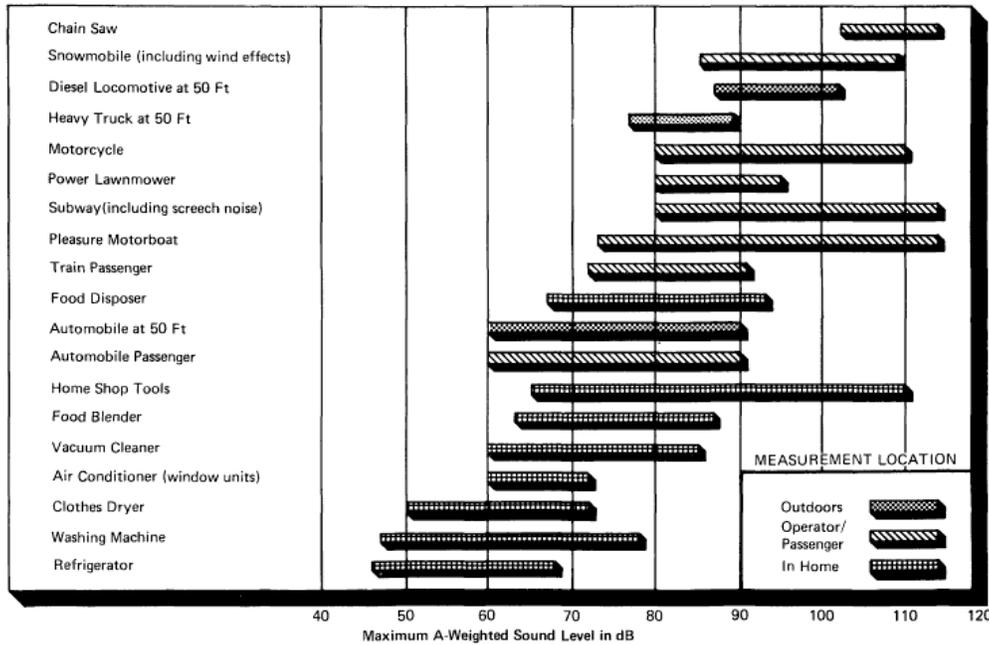


Diagram 1 – EPA’s “Figure 1. Typical Range of Common Sounds”

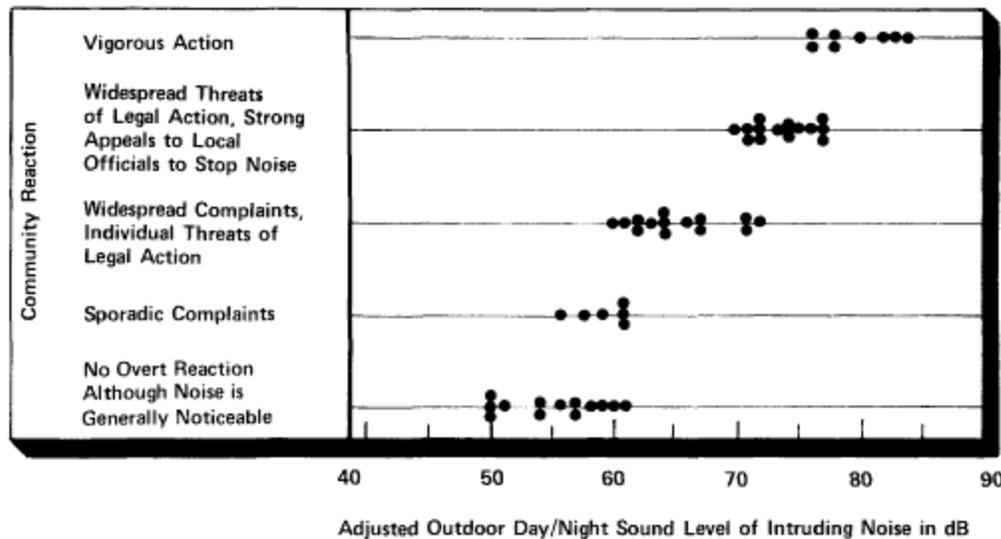
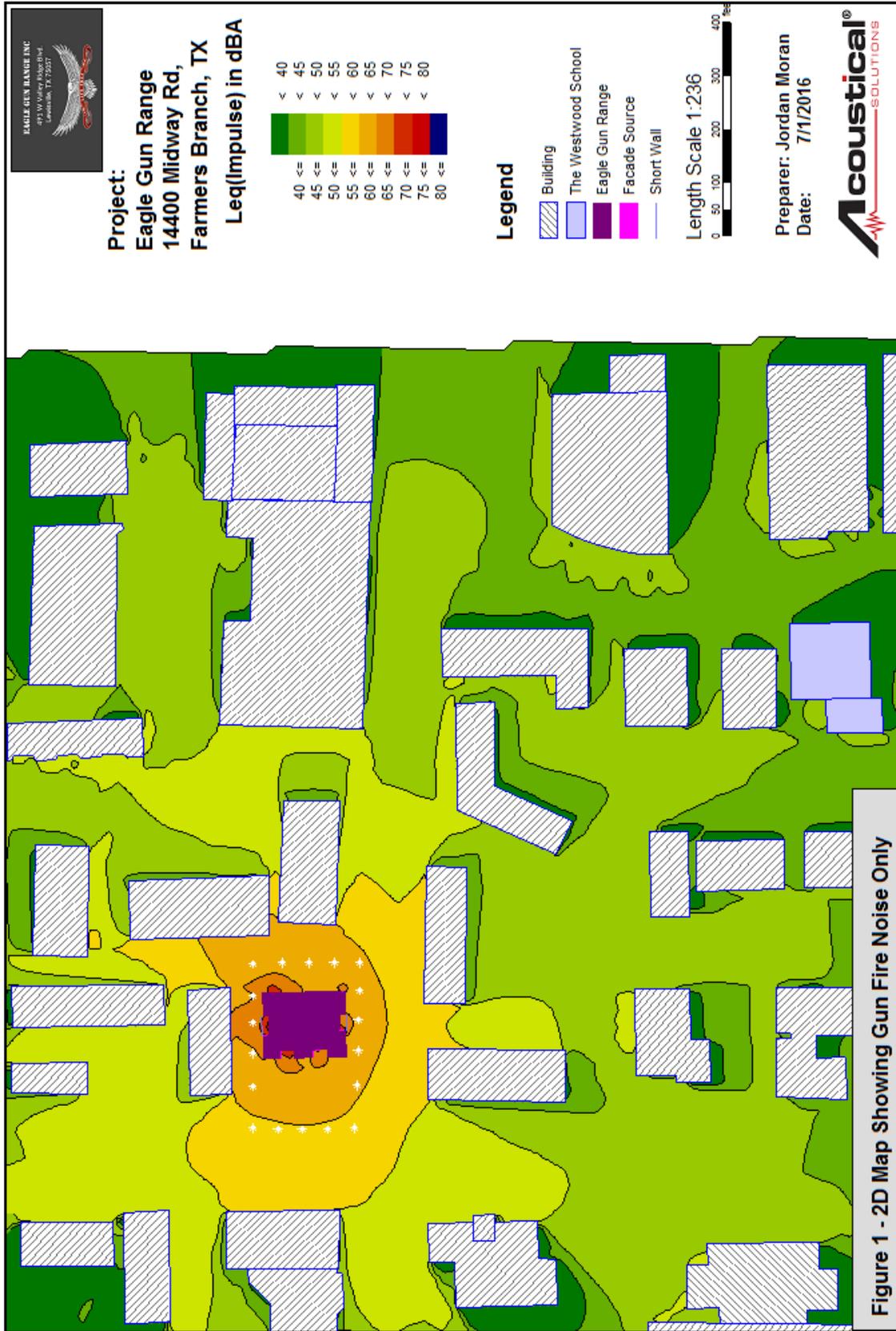
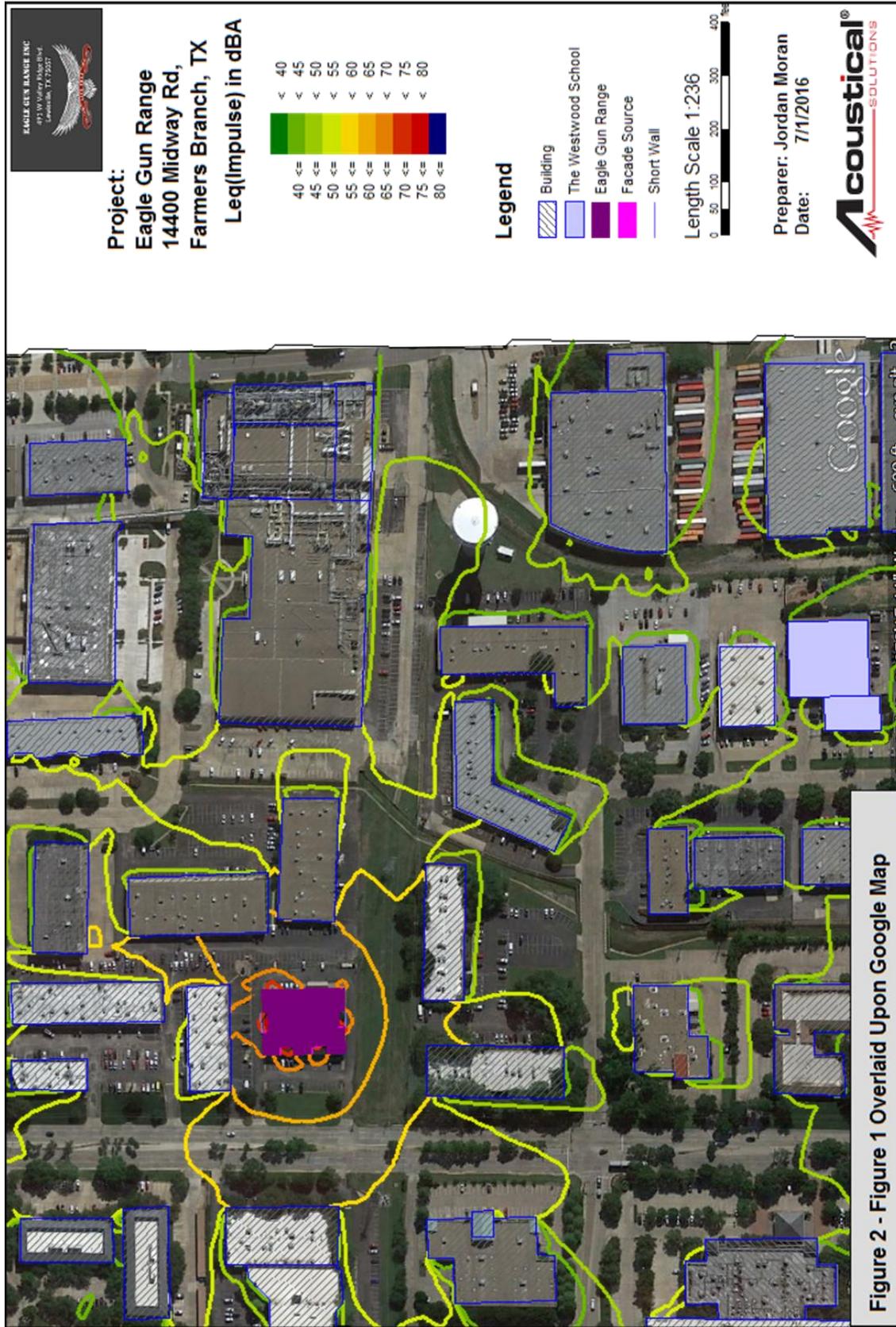


Diagram 2 – EPA “Figure 11. Combined Data from Community Case Studies Adjusted for Conditions of Exposure”

[1] - "Acoustical Characteristics of Guns as Impulse Sources", M.J.R. Lamothe and J.S. Bradley, National Research Council Canada, *Journal of the Canadian Acoustical Association Vol 13 - No. 2*, April 1985





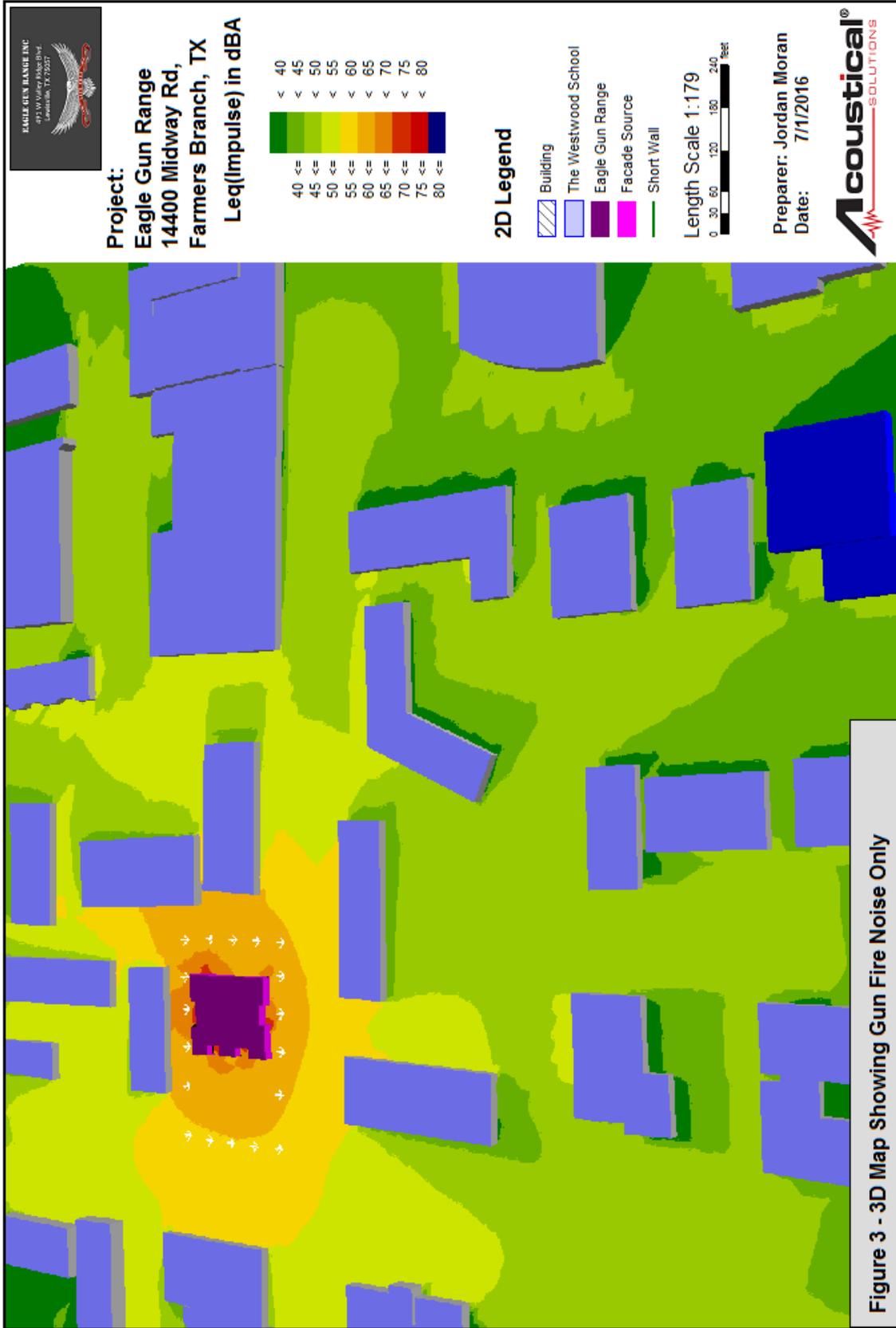
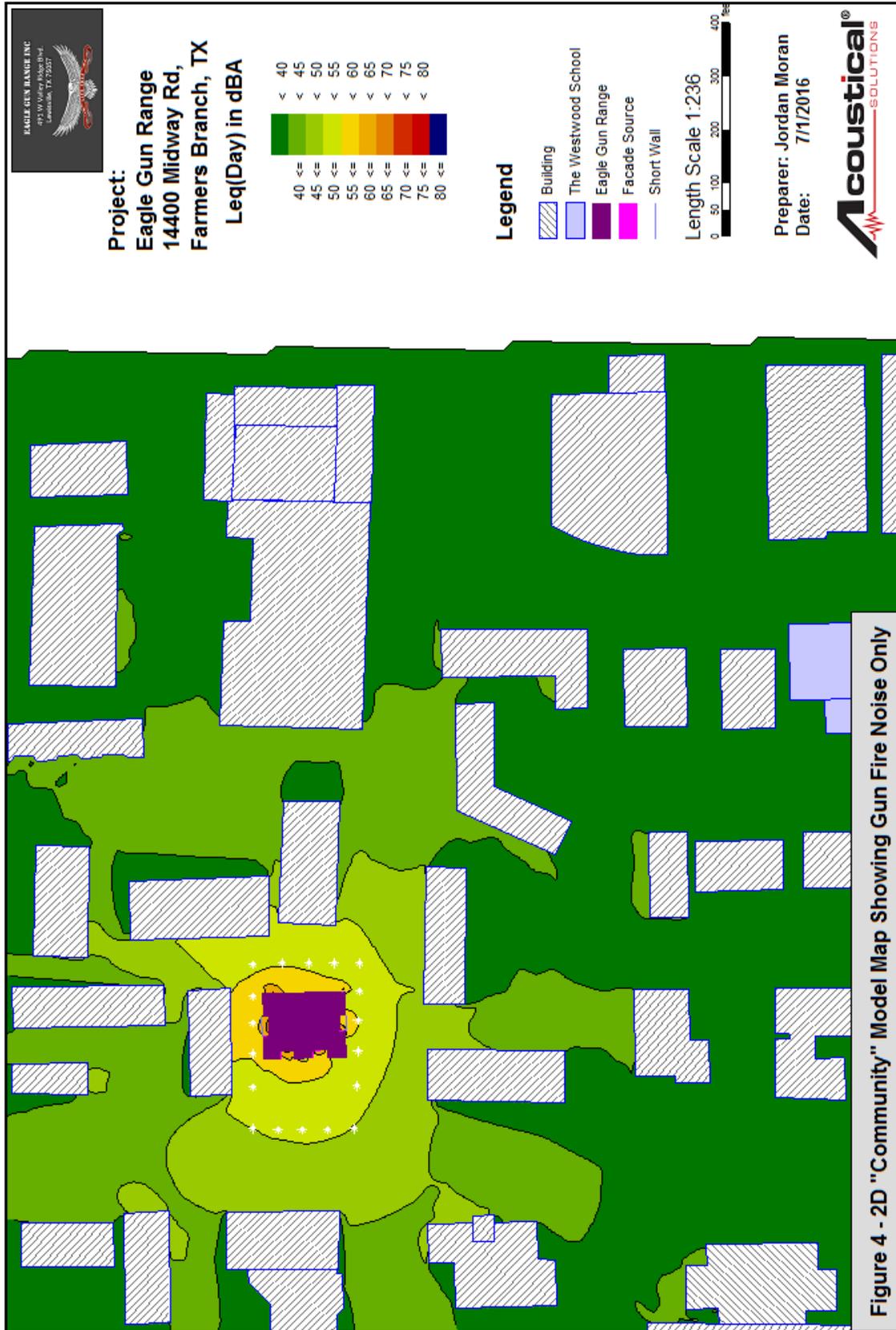
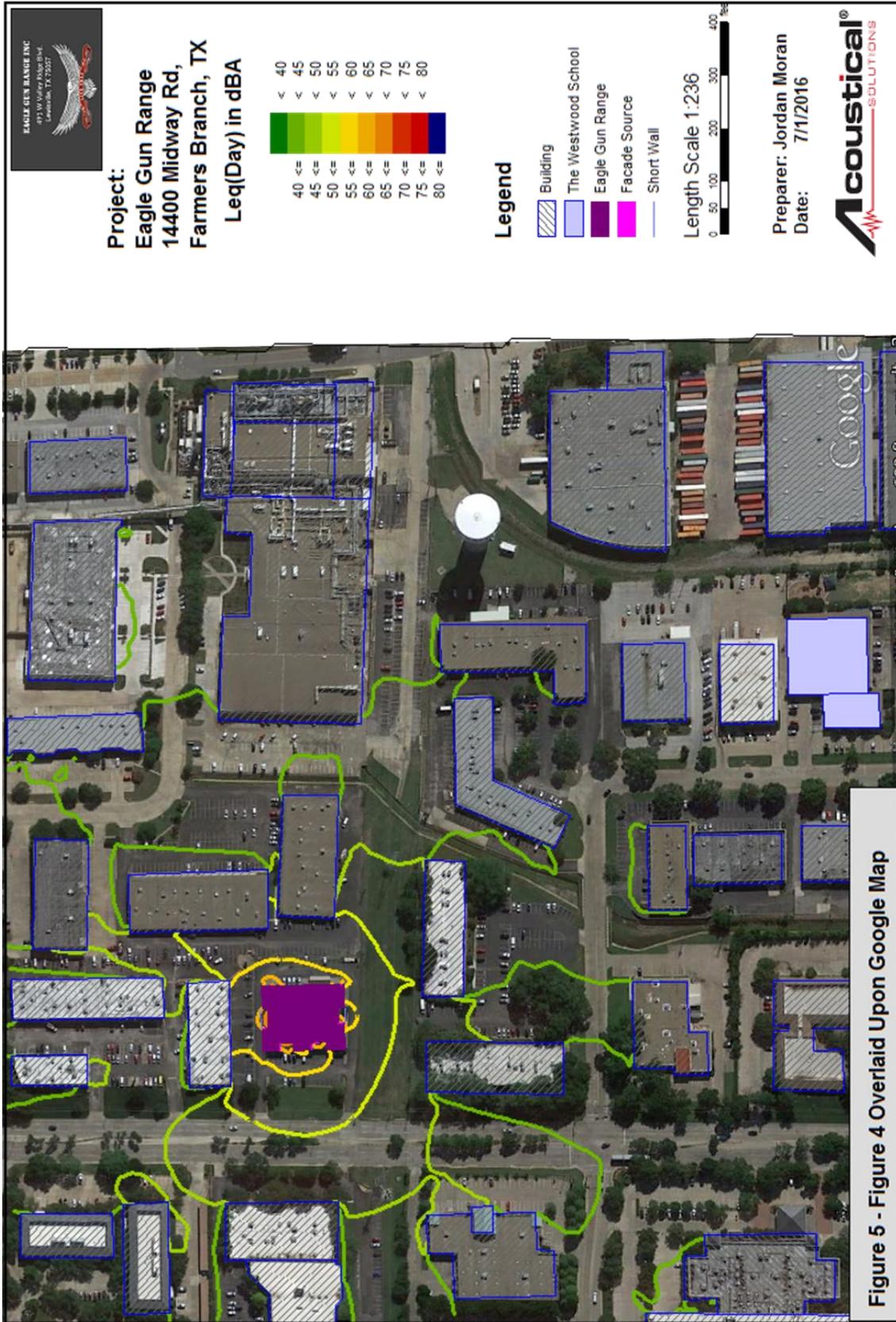
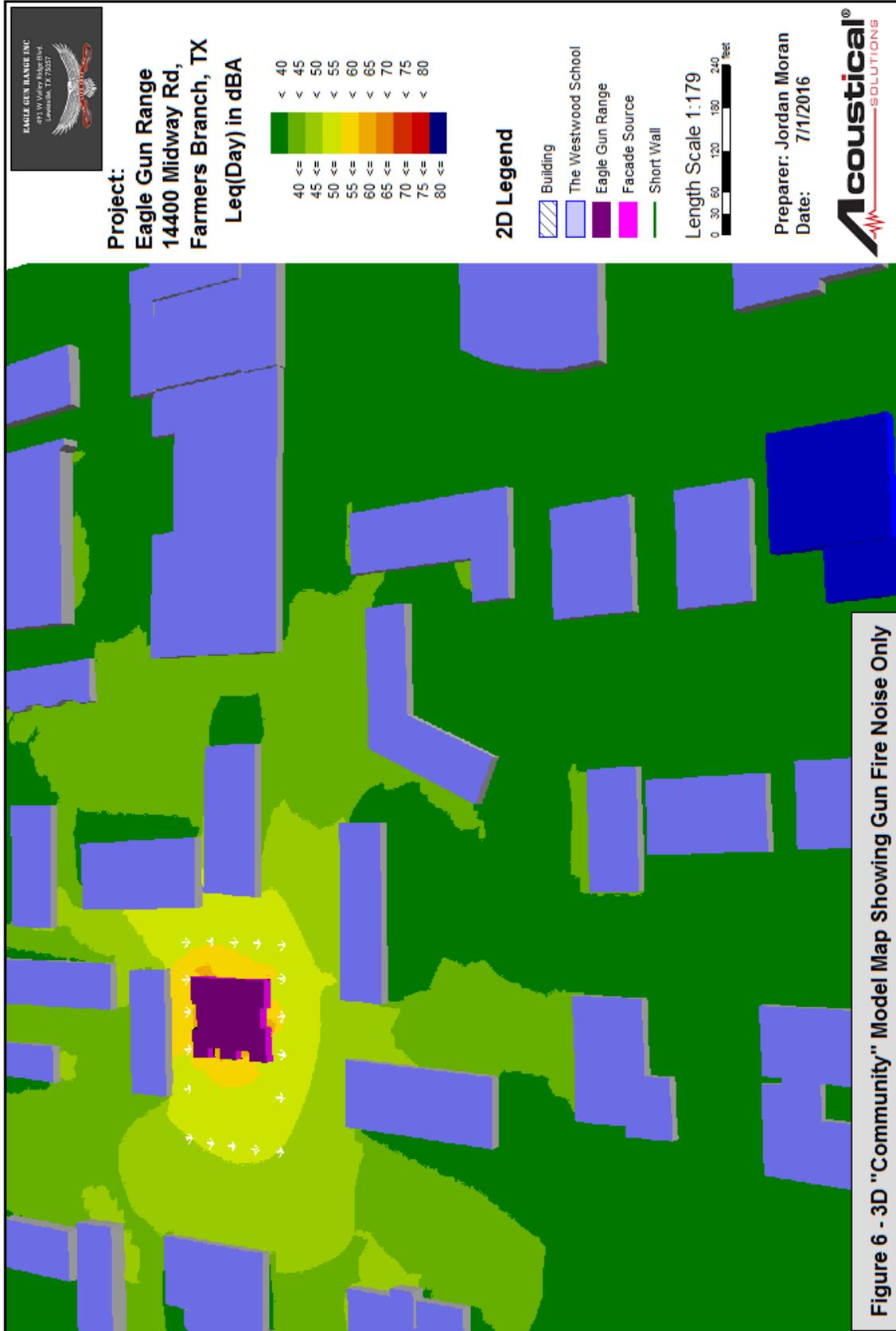


Figure 3 - 3D Map Showing Gun Fire Noise Only

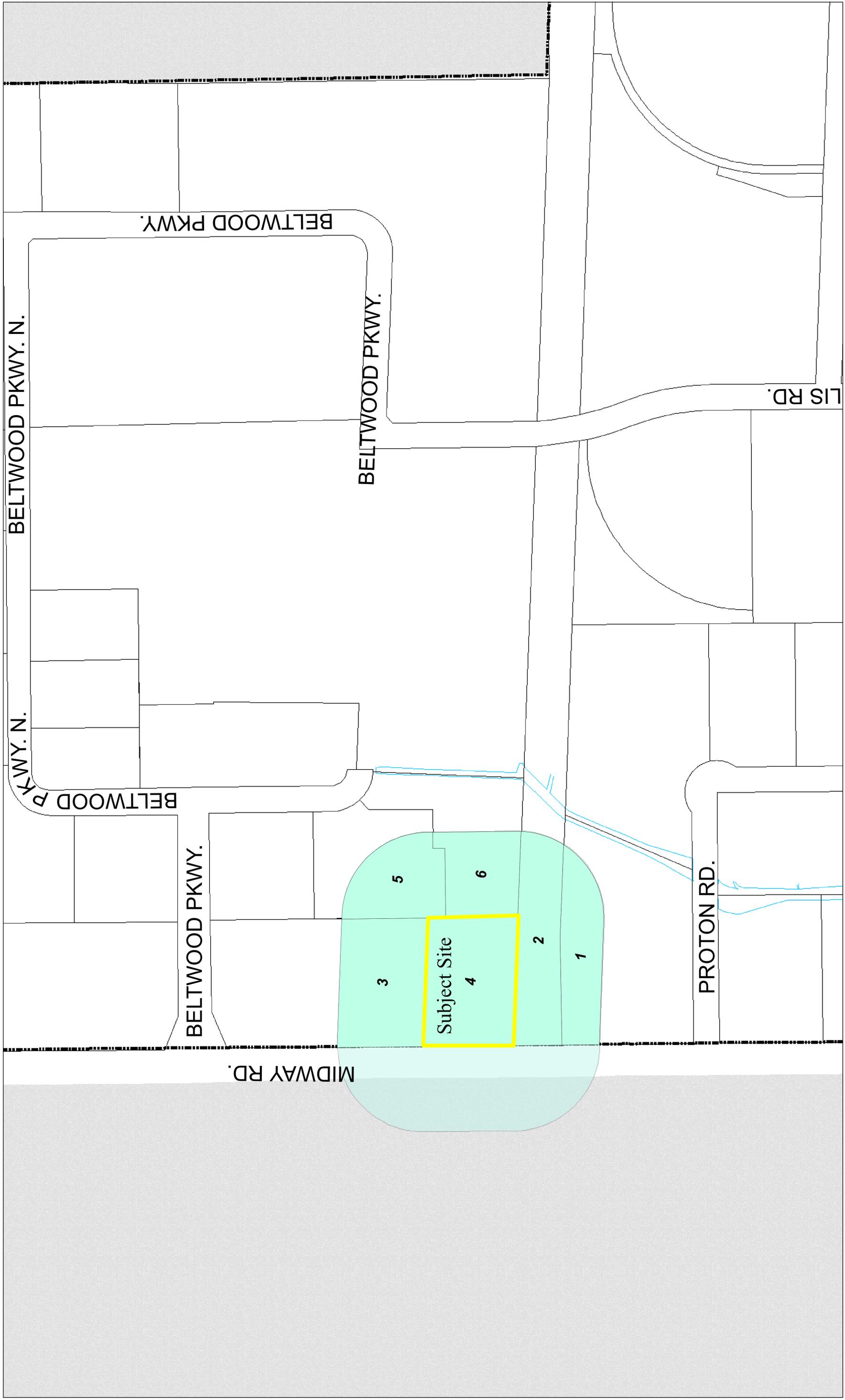






Site Photographs





# 16-SU-14 - Notification Map

## 14400 Midway Road

-  Parcel Property Boundaries
-  City Limit

Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data. For pictorial reference only.



**Summary of Mailed Notices  
Property Owner List  
16-SU-14  
14400 Midway Road**

| <b>Map</b> | <b>First Name</b>                 | <b>Address</b>                                | <b>City</b>    | <b>State</b> | <b>Zip</b> | <b>Written Response</b> |
|------------|-----------------------------------|---|----------------|--------------|------------|-------------------------|
| 1          | PROTON PARTNERS LP                | 14330 MIDWAY RD Bldg S2<br>Suite 220          | Farmers Branch | TX           | 75244-3510 | No response             |
| 2          | TEXAS UTILITIES ELEC CO           | PO BOX 219071 ATTN: State &<br>Local Tax Dept | Dallas         | TX           | 75221-9071 | No response             |
| 3          | KENNINGTON MIDWAY<br>CENTER       | PO BOX 192269                                 | Dallas         | TX           | 75219-8516 | Opposition              |
| 4          | 14400 MIDWAY LLC                  | 14400 Midway Rd                               | Dallas         | TX           | 75244-3509 | No response             |
| 5          | RESTORX OF TEXAS LLC              | 13717 Beta Rd                                 | Farmers Branch | TX           | 75244-4513 | No response             |
| 6          | HARD SIX HOLDINGS<br>BELTWOOD LLC | 4851 LBJ FWY 10th FLR                         | Dallas         | TX           | 75244-6004 | No response             |

July 17, 2016

City of Farmers Branch Planning Department

Attn: Alexis Jackson

13000 William Dodson Parkway

Farmers Branch, TX 75234



RE: Opposition to Special Use Permit at 14400 Midway Road for Eagle Gun Range Inc.

Dear Alexis:

Please let this letter serve as our formal complaint to the Special Use Permit at 14400 Midway Road for Eagle Gun Range Inc. Kennington owns the recently renovated Midway Center directly north of the proposed gun range site. We believe the approval of this Special Use Permit will be detrimental to Midway Center for the following reasons:

1. Proximity to school age children concerns

Kennington recently signed a lease with a jiu jitsu studio named Machado Jiu Jitsu (<http://www.carlosmachado.net>). This tenant offers a number of after-school programs and summer camps for children. The site of this studio abuts the 14400 Midway property. Having small children myself, I am deeply concerned about the proximity of a gun range around so many school-age children.

2. Parking concerns

Based on the information packet provided by Mr. David Prince, the President of Eagle Gun Range Inc., there is an anticipated 90,000 customer visits per year. Given the current use of the site, I have concerns that these customers will overload the parking and attempt to park in my parking lot. I am not equipped to manage the towing efforts that will be required to manage my expectation of overparking at Midway Center.

3. Eastside Comprehensive Plan concerns

Finally, having educated myself on the city initiatives for the Eastside Comprehensive Plan, the use of this site as a gun range does not mirror the initiatives of this plan. While I am sure there are other areas that would accommodate a use such as this, the Eastside area does not, and it is a concern of mine that there might be a deviation from this plan. Kennington has invested over \$1 million in renovations to the Midway Centerfaçade that will mirror this Eastside Plan.

Mr. John Marlowe or myself are more than available to discuss further this planning concern of Kennington. We can be reached at 214-599-9996.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Clayton Kennington', is written over the typed name.

Clayton Kennington

P.O. Box 192269  
DALLAS, TEXAS 75219

214.599.9996  
214.599.9139 FAX

WWW.KENNINGTONPROPERTIES.COM

Dear Westwood Friend,

As you are aware, last year Westwood fought the Special Use Permit for Legends Gun Range to build an indoor gun range one building away from our Lower School campus on Proton Road. We learned many lessons from that experience. One of which was to increase the school's presence in the City of Farmers Branch.

As a direct result, last week, eleven days prior to official notices being mailed, I received an email for a Farmers Branch city official that a Special Use Permit request for a separate gun range has been submitted to the city. The proposed Eagle Gun Range has selected a site at 14400 Midway Road. This site is north of our Upper School location separated by two buildings, Proton Road and an easement.

While the school administration still holds the position that any gun range should be properly zoned away from any school, office/retail and or residential area, this experience could not be more different from our previous experience. Not only have we already been notified by the City of Farmers Branch, I have also met with the Gun Range owners, David and Nanci Prince. The couple currently owns and operates Eagle Gun Range at 491 W Valley Ridge Blvd. in Lewisville. Mr. Prince has invited anyone to come visit his current operation unannounced or call to make an appointment for a behind the scenes tour.

Given the distance and lack of visibility from our Upper School Campus and this proposed site, Westwood school administration does not feel as though Eagle Gun Range poses any safety or adverse financial detriment to our school. The Planning and Zoning meeting is currently scheduled for Monday, July 25th. If the P & Z passes this proposal, the City Council meeting will be scheduled for August 16th. Our Director of Operations, Pete Abene, will be speaking at the Planning and Zoning meeting on behalf of The Westwood School administration.

I have attached the information packet, detailing Mr. Prince's plans with this email. The purpose of this email is to notify all interested parties who so graciously supported our school during last year's incident including area real estate owners, The Greenhill School, The Town of Addison and any other concerned citizens of this new development.

I will be at school for the remainder of this week and then will be unavailable at the end of July. Mr. Abene can answer any questions you may have. Please feel free to pass this information along to anyone whom you think would be interested. I do not have a full list of all the people who assisted us and/or spoke on our behalf.

My top priority at all times is the safety of our Westwood students. We will be notifying our school community next week of these new developments and will keep everyone interested informed during the process. Again, many thanks for your support of Westwood.

Sincerely,  
Heather Lourcey  
Head of School

## Andreea D. Udrea

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**From:** Bill Edwards <bill@cruiseescapes.com>  
**Sent:** Wednesday, June 22, 2016 3:13 PM  
**To:** Andreea D. Udrea  
**Subject:** Eagle Gun Range Special Use Permit at 14400 Midway Rd.

**Categories:** Red category

To Whom It May Concern:

I am writing to voice my extreme opposition to the proposed Eagle Gun Range at 14400 Midway Road. Philosophically I am opposed to gun ownership by the public and it is not the kind of business we want on Midway Road with so many schools nearby. Please put me on record as against this proposed zoning change request.

Thank you.

*Bill Edwards*

Personal Cruise Planner

CRUISE ESCAPES • 14464 Midway Rd • Dallas TX 75244 • 972-404-0505

[Bill@CruiseEscapes.com](mailto:Bill@CruiseEscapes.com)