City of Farmers Branch

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

Meeting Minutes

Planning and Zoning Commission

Monday, July 25, 2016 | **7:00 PM** | **City Hall**

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. This download may be accessed from any computer with Internet access, including computers at the Manske Library and in the lobby of City Hall.

Any individual who wishes to speak on an agenda item should fill out a Registration Form for Appearance before the Planning and Zoning Commission (white card located in the back of the Council Chambers) and submit the completed card to City Administraion member prior to the start of the meeting.

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 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-1842 **Report on Ricker Cunningham Presentation.**

A.2 TMP-1826 **Discuss regular agenda items.**

B. REGULAR AGENDA ITEMS

Chairperson Hardie called the meeting to order at 7:03 pm.

B.1 TMP-1825 **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 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 David Moore and Commissioner Chris Brewer

B.2 TMP-1829

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

A motion was made by Commissioner Blackson, seconded by Commissioner Moore, that the Minutes be approved. 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 David Moore and Commissioner Chris Brewer

B.3 TMP-1824

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

A motion was made by Commissioner O'Quinn, seconded by Commissioner Brewer, that the Minutes be approved. 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 David Moore and Commissioner Chris Brewer

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.

Andreea Udrea, Planner II, gave a brief presentation stating that the 4.110 acre site is located on the northeastern city limit line between the City of Farmers Branch (3.26 acres) and the Town of Addison (0.84 acres). The site is located approximately 2000 ft. north of the intersection of Inwood Rd and Spring Valley Rd and is bordered to the west by an approximately 180 ft. wide linear open space that is formed by an ONCOR easement and a railroad between Landmark Blvd and Inwood Blvd. The site is surrounded by office uses on all sides. In November 2015 the City approved the creation of PD-98 which allows for multi-family residential uses.

The applicant is proposing to develop a multi-family residential community that will include a 5-story apartment building (approximately 380,000 sq. ft.), a club house, 2 interior courtyards, a pool, and an internal multi-level parking structure. The 5-story, 65 ft. apartment building will house 324 apartment units of one (65%) and two (35%) bedroom floorplans. 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 will vary between 684 sq. ft. - approximately 1,600 sq. ft. and all above ground floor units will have balconies,

with most having additional access with stoops from the sidewalks. Considering the large ONCOR easement across from the proposed property, the sidewalk cross-section will have a minimum setback of 6 ft. and will include tree wells with ADA compliant tree grades, a decorative landscape strip in front of the apartment units, and a 200 ft. setback that varies based on the particularity of the site. The applicant will rework and improve the sidewalk along Landmark Blvd, will remove and relocate existing light poles to benefit the trail area, and will install additional street lighting on the building façade. City staff is in favor of connecting the fire lane to the fire lane to the south of the property. The originally approved site plan included an enclosed driveway accessible from Landmark Blvd. An additional driveway is proposed along a portion of the southern side of the building to serve as secondary access from Landmark Blvd for the proposed garage.

The proposed conceptual site elevations will include at least 75% masonry materials, metal siding accents, and all units will contain an outdoor patio or an inset balcony. The apartment building will have a maximum height of 65 ft. with an extended upper level corresponding to the mezzanine loft units. The applicant is proposing the use of an internal multi-level parking structure that will contain 429 parking spaces, 75 surface parking spaces along the interior driveway at the north and west sides of the building, a loading area along the south interior driveway that will be hidden from view. The proposed landscape plan is composed of 20% of the site, to include natural open space, 77 new trees that will be a combination of Oak, Elm, Magnolia, and Crape Myrtle, a roof-top garden, 2 interior courtyards, a pool, and an outdoor entertainment area. The applicant is proposing to install wall signs and other directional signs; both are in compliance with the City's Sign Ordinance.

The proposed development hopes to create a better mix of uses in the East Side by introducing residential land uses into an area of the region that is primarily dedicated to office uses. 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.

Mr. Miller Sylvan (600 E. Las Colinas Blvd, Irving, TX 75039), JPI representative, approached the podium and gave a brief presentation on the design concept, amenities, and construction schedule for the apartment complex development.

Commissioner Brewer asked to identify where the elevators will be located within the apartment building. Mr. Sylvan stated that there are 3 elevators included in the proposed site plan.

Commission Yarbrough asked who the target demographic audience will be. Mr. Sylvan stated that young professionals and Millennials are the target market though residence will likely be between 20-35 years of age.

Commissioner Blackson asked for the selling price of the apartment units. Mr.

Sylvan stated that the units will range from approximately $1,200 per month to $2,8oo depending on sq. footage and amenities.

Commissioner Moore asked for details of the construction schedule. Mr. Sylvan stated that the project will take about 2 years to complete and an additional 6 months to begin leasing the apartment units.

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 David Moore and Commissioner Chris Brewer

C. PUBLIC HEARING

C.1 16-SU-07 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.

Alexis Jackson, Planner II, gave a brief presentation stating that the subject site is located on Luna Rd., north of Royal Ln, within the Westwood Business Park. Located in PD-22, which requires a specific use permit for the sale of beer and wine, the site is surrounded by commercial, office, and multifamily residential uses. The applicant is requesting a specific use permit to sell alcohol (beer and wine) to restaurant customers.

Westwood Business Park is comprised of two existing 1-story masonry buildings totaling approx. 11,000 sq. ft. J's Deli is located in Suite 150 (approx. 2,200 sq. ft.) within the southern-most building, closest to Luna Rd. Currently, the surrounding suites are vacant. In operation since 2006, the location is a deli/counter style restaurant with a serving line where customers place orders. The restaurant currently contains 40 seats. The applicant is proposing to install a 649 sq. ft. outdoor patio dining area to allow for 20 additional seats. The addition will bring the restaurant seating to a total of 60 seats.

There are approx. 108 parking spaces onsite, allowing the applicant to adequately meet City parking requirements for the current operations and proposed expansion. The location will operate Monday through Friday from 7am - 5pm and Saturday from 8am - 3pm. The proposed landscape plan will include a combination of shrubs and trees along the perimeter of the outdoor patio. In addition to existing signage on the restaurant entrance door, the applicant is proposing to install a 33 sq. ft. wall sign. The applicant will participate in an Alcohol Awareness Program and agrees to abide by the City's requirements for alcohol sales, as well as the Texas Alcohol Beverage Commission.

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 Blackson, seconded by Commissioner Brewer, that this Specific Use Permit 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 David Moore and Commissioner Chris Brewer

C.2 16-SU-14 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.

Andy Gillies, Community Services Director, gave a brief presentation stating that the 1.388 acre site is located on the northeastern city limit line between the Town of Addison (0.84 acres) and the City of Farmers Branch (3.26 acres) within the Light Industrial zoning district. The site is located approximately 2000 ft. north of the intersection of Inwood Rd and Spring Valley Rd and is bordered to the west by an approximately 180 ft. wide linear open space that is formed by an ONCOR easement and a railroad between Landmark Blvd and Inwood Blvd. The site is surrounded by retail and commercial uses on all sides. In November 2015 the City approved the creation of PD-98 which allows for multi-family residential uses. The closest school is approx. 630 ft. south of the site. The closest church is approx. 700 ft. south of the site.

The applicant, Eagle Gun Range, is currently located in Lewisville, TX and is proposing to operate a second location in Farmers Branch. The proposed site includes an existing 16,000 sq. ft. 1-story building that is currently being used as an office facility. The applicant is proposing to completely redesign the existing building into a firearms training facility that will include 2 twelve-lane gun ranges (approx. 25 yd. long), 2 training rooms / classrooms, offices, a control room for the staff, and retail sales area. Additionally, the site plan will include the resurfacing and restriping of the parking lot, additional parking spaces, landscaping improvements along Midway Rd, and a masonry dumpster enclosure located on the northeast corner of the lot.

The proposed firearms facility will operate within the existing precast concrete tile wall building and will be designed to comply with all applicable state and federal regulations governing indoor gun ranges which include but are not limited to fire protection, an interior ventilation and exhaust air quality, safe handling, and appropriate management of lead projectile waste. 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, which will be oriented southward.

The facility will operate from 10am - 9pm Monday through Friday, from 9am - 9pm on Saturday, and from 1pm - 8pm on Sunday. The facility will be staffed with approx. 17 employees, with a minimum of 2 employees onsite during business hours. All employees will be trained in accordance with state and federal regulations. For increased safety and security a 24-hour monitoring system will be installed throughout the site to include glass break sensors, commercial grade fencing, motion sensors, door penetration wiring, and laser beams. The 2

semi-open courtyards on the western side of the facility will be used as the main access areas and will be secured by an entry gate and a security fence. Existing windows will be secured with commercial grade steel bars and the existing façade will be improved to meet the safety requirements necessary for a gun range facility.

The applicant has submitted a Sound Study and a Sound Mapping Summary (SMS) designed to access possible sound level relative to the audibility of a gun fire. The SMS sound map shows a projected sound level of 60-65 decibels at the property line. In accordance with 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. 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.

The applicant proposed to develop 62 parking spaces and 3 ADA parking which will be compliant with the requirements of the Light Industrial zoning district. The proposed landscape plan will include 9 new trees and tall shrubs, both of various breeds and a fully operable irrigation system. The applicant is proposing to install one 75 sq. ft. monument sign in front of the landscape island along Midway Rd and a wall sign on the eastern façade facing Midway Rd.

Mr. David Prince (9579 Crown Meadow, Frisco, TX), owner of Eagle Gun Range, approached the podium and gave a brief presentation on the history, design concept, and operations.

Ms. Donna Schmidt (3131 Glengold Dr.) gave a brief presentation in opposition of the proposed gun range facility and expressed concern for patron safety, noting violent crimes or building fires that occurred near similar businesses, possibly due to negligence.

Mr. Peter Abene (14340 Proton Rd & 14240 Midway Rd), representative of Westwood School, gave a brief presentation in opposition of the proposed gun range facility and expressed concerns for student safety as they walk back and forth to school. Mr. Abene stated that the school is in opposition, however, will not stand in massive opposition to the facility.

Mr. Tony Felter (6843 Main St., Frisco, TX 75034), President and CEO of Frisco Chamber of Commerce, gave a brief presentation in favor of the proposed gun range facility and discussed Mr. Prince' professionalism and experience.

Mr. Gary Carley (4415 Siena, Frisco, TX 75033), gave a brief presentation in favor of the gun range facility and discussed Mr. Prince' background and community involvement.

Mr. John Marlowe (306 Fall Creek, Richardson, TX), representative of Kington Properties, gave a brief presentation in opposition of the gun range facility and expressed increased traffic and safety concerns for the children that attend Machado Jiu-Jitsu training facility in Midway Center.

Mr. Mike Delvalle (3161 Whitemarsh), Friends of the Branch member, gave a brief presentation in favor of the gun range facility and stated that the business will be an asset to the community.

Mr. Carlos Machado (1750 FM 423, Apt 952, Frisco, TX 75033), gave a brief presentation in favor of the gun range facility and stated that the business will help to promote gun safety in the community.

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. Chairperson Hardie asked if any Commissioners had any questions regarding the agenda item.

Commissioner O'Quinn asked Mr. Gillies to identify the barrier that exists between the southernmost wall of the retail property and the subject site. Mr. Gillies stated that the area is primarily open parking spaces, noting that there is a 24 ft. travel way between the southern façade of the northern building and the beginning of the parking spaces on in the retail shopping center. Mr. Gillies stated that there is a change in curb height but no change in elevation. Mr. Gillies stated that staff concluded that a masonry wall would create traffic circulation issues rather than to help deflect noise from the proposed facility.

Commissioner O'Quinn asked if there was any exposed soil for potential vegetation. Mr. Gillies stated that the open area was fully paved. Commissioner O'Quinn addressed the possibility of utilizing vegetation to create a more aesthetically pleasing delineation between the subject site and the retail property. Mr. Gillies stated that staff was not able to identify a more appropriate way to define the property line between the two sites.

Commissioner Blackson asked if the varying curb height between the two sites will prevent vehicles from passing between properties. Mr. Gillies stated that it is possible for most trucks to drive over the 4 in. curb and into the neighboring property. Commissioner Blackson asked if a barrier would suitable in the area between the two properties. Mr. Gillies stated that a barrier would not be suitable there and will impede the open fire lane.

Commissioner Blackson asked Mr. Marlowe to explain is comment about how the proposed gun range facility could negatively impact his business. Mr. Marlowe stated that there is a trophy shop that sells antique guns and the gun range will attract a different quality of customers for a different type of gun use. Mr. Marlowe stated that the gun range will likely increase traffic in the retail center. Commissioner Blackson stated that the traffic may bring increased patrons to the

business and may help to dispel negative ideas about guns and the gun range facility.

Commissioner Plunk asked for the screening requirements for the equipment that will be on the roof. Mr. Gillies stated that there will be an additional façade along the top of the building to block the equipment from public view. Commissioner Plunk asked if the equipment will be visible from the sides of the building. Mr. Gillies stated that the equipment will be screened on three sides.

Commissioner Plunk asked if there have been any incidents of violence at the Lewisville gun range facility. Mr. Prince stated that there have not been any violent incidents at the facility.

Commissioner Yarbrough asked Mr. Prince if he would like to address any of the comments or questions that were expressed by the public speakers. Mr. Prince stated that the building fire that occurred at DFW gun range was due to a bullet round that was able to fall behind the rubber blocks that were used in their ballistics system, fester overnight, and develop into a fire. Mr. Prince stated that his facility will use granulated rubber tire, a sprinkler system, ballistics wall of granulated rubber tire, and bullet detection as fire protection. Mr. Prince stated that background checks are not completed on patrons that are renting guns for use inside the facility, however all patrons must complete a background check to purchase a gun. Mr. Prince stated that will abide by City requirements and hopes to bring gun safety training to the community.

Commissioner Yarbrough asked if Mr. Prince will be able to maintain the culture and operations for both gun range locations. Mr. Prince stated that facility managers and staff will continue to provide professional service at both locations.

Mr. Gillies stated that the gun range facility meets all fire prevention requirements and has been reviewed by Fire department staff, all guns must be concealed in a case, and noted that the Elite Gun Academy is a classroom not an actual shooting range.

Commissioner Brewer asked how the culture, safety, and business operations will be sustained in 20 years once the gun range is no longer in operations. Mr. Gillies stated that the Fire Department completes annual fire inspections, the Police Department will use the facility for training practice, and Code Enforcement will regularly inspect the facility as needed. Mr. Gillies stated that the specific use permit will remain with the property and will potentially be transferred to the next property owner. Mr. Gillies stated that in some cases an interim SUP has been used; however, with the amount of investment required from the applicant, a specific use permit was more appropriate.

Commissioner Blackson asked if there is a way to tie the ownership group to the specific use permit. Mr. Gillies stated that doing so is possible but will need thorough review and advisement by City legal counsel.

Mr. Prince stated that approx. 6-8 gun ranges have been in business in the area for over 30 years, each being safe and regulation compliant. Mr. Prince stated that he will maintain his investment and uphold all safety requirements.

Chairperson Hardie asked if any Commissioner had any questions or comments regarding this agenda item; there being none, Chairperson Hardie asked the Commissioners to make a motion.

A motion was made by Commissioner Moore, seconded by Commissioner Blackson, that this Specific Use Permit 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 David Moore and Commissioner Chris Brewer

D. ADJOURNMENT

A motion was made by Commissioner O'Quinn, seconded by Commissioner Blackson, that the meeting be adjourned at 8:50 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 David Moore and Commissioner Chris Brewer

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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: _____

Chairperson

KBBrown
City Administration