

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Alex Glushko, AICP, Planner II

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Pross Design Group, Inc., on Behalf of Virginia Custer Holdings, L.L.C., for Approval of a Specific Use Permit for an Indoor Gun Range (McKinney Gun Club), Being Fewer than 4 Acres, Located on the East Side of Custer Road and Approximately 950 Feet North of Virginia Parkway

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the April 16, 2013 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the proposed specific use permit for an indoor gun range with the following special ordinance provision:

- (a) The maximum sound pressure level at all bounding property lines shall be 25 decibels.

APPLICATION SUBMITTAL DATE: February 25, 2013 (Original Application)
March 11, 2013 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting approval of a specific use permit (SUP) for an approximately 3.30 acre tract located on the east side of Custer Road and approximately 950 feet north of Virginia Parkway to allow for an indoor gun range (McKinney Gun Club). There is currently an existing approximately 25,675 square foot building on the subject property that was formerly used for indoor commercial amusement uses (The Zone and Run Amok); however, the applicant is proposing to retrofit the existing building for use as an indoor gun range, including shooting lanes, instructional classrooms, and retail sales. The owner of the proposed McKinney Gun Club also owns The Bullet Trap, Inc. which is located in Plano, Texas, as well as Frisco Gun Club, L.L.C. scheduled to open in Frisco, Texas later this year. The applicant has also requested a special ordinance provision that would restrict the decibel level allowed at a shared property line further than what is currently allowed by the City of McKinney's Code of Ordinances.

In January 2011, City Council approved Resolution No. 2011-01-004 (R), in order to determine the appropriate classification of a new and unlisted form of land use (indoor gun range), as specified in Section 146-43 of the Zoning Ordinance. The resolution allowed for indoor gun ranges in the “ML” - Light Manufacturing District and the “MH” - Heavy Manufacturing District, subject to approval of a specific use permit. The subject property is zoned “PD” – Planned Development District Ordinance No. 1741 with a base zoning designation of “ML” - Light Manufacturing District, and is therefore eligible for SUP consideration. Indoor gun ranges are subject to the regulations specified in Chapter 54 of the Code of Ordinances.

ZONING NOTIFICATION SIGNS: Section 146-164 of the City of McKinney Zoning Ordinance states that all zoning changes or amendments, including zoning, rezoning, amendments to Planned Developments, meritorious exceptions to the architectural standards, specific use permits, and the like, shall be required to have an official sign posted prior to planning and zoning commission consideration. The applicant has posted zoning notification signs on the subject property, as specified within Section 146-164 of the City of McKinney Zoning Ordinance.

SURROUNDING ZONING AND LAND USES:

Subject Property: “PD” – Planned Development District Ordinance No. 1741 (Light Manufacturing Uses)

North	“PD” – Planned Development District, Ordinance No. 1741 (Mini Warehouse Uses)	Republic Self Storage
South	“PD” – Planned Development District, Ordinance No. 2009-07-050 (Commercial Uses)	Home Depot
East	“PD” – Planned Development District, Ordinance No. 1741 (Mini Warehouse Uses)	Republic Self Storage
West	“PD” – Planned Development District, Ordinance No. 1741 and “PD” – Planned Development District, Ordinance No. 2006-04-039 (Commercial Uses)	The Shops at Custer, Sonic Drive-In, and O’Reilly’s Auto Parts

Discussion: The subject property has a base zoning designation of “ML” – Light Manufacturing in accordance with “PD” – Planned Development District Ordinance No. 1741. The proposed use of an indoor gun range is not an allowed use by right; however, indoor gun ranges are allowed in the “ML” - Light Manufacturing District and the “MH” - Heavy Manufacturing District, subject to approval of a specific use permit, per Resolution No. 2001-01-004 (R).

CONDITIONS OF THE REQUESTED SPECIFIC USE PERMIT: The proposed indoor gun range will be subject to the regulations for shooting ranges found in Chapter 54 of the Code of Ordinances; however, the applicant has requested a special ordinance provision be added to the specific use permit (SUP) request, which requires a maximum sound pressure level at all bounding property lines of 25 decibels. Currently, shooting ranges in “ML” - Light Manufacturing Districts are not permitted to exceed 75 decibels during operating hours at the bounding property line. Because this requirement is more stringent than that currently required by ordinance, Staff is comfortable with the special ordinance provision. (For reference, Staff has included a decibel level chart exhibit, obtained from the internet, in addition to the decibel level chart found in the applicant’s Letter of Intent.)

IMPACT ON EXISTING ADJACENT DEVELOPMENT: The subject property is directly adjacent to mini-warehouse uses (Republic Self Storage) to the east and north, to the west a retail center (The Shops at Custer) and drive-in restaurant (Sonic), and to the south a big-box retail building (Home Depot). A multi-family development (Greenhaven Apartments) located east of the Home Depot and south of the mini-warehouses is located approximately 200 feet (measured lot to lot) and approximately 400 feet (measured building to building) east/southeast of the subject property/structure. Also, the Estates of Verona subdivision is located to the north of the adjacent mini-warehouse use, and is approximately 250 feet (measured lot to lot) and approximately 375 feet (measured building to building) north of the subject property/structure.

The subject property, as well as each of the adjacent properties, is located within either industrially or commercially zoned property and used for either industrial or commercial uses. Additionally, as referenced above, use of the subject property will be subject to all required safety and inspection measures specified in Chapter 54 of the Code of Ordinances, with the added provision that the maximum allowed sound pressure level at the bounding property line shall be 25 decibels to help minimize any negative impacts on adjacent properties. As such, Staff is not opposed to the specific use permit (SUP) request or the requested special ordinance provision.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments in support of or opposition to this request.