

**Draft Planning and Zoning Commission Meeting Minutes of June 23, 2020:**

**20-0002SUP2** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to Allow for an Indoor Gun Range, Located on the Northeast Corner of Industrial Boulevard and Millwood Road. Ms. Kaitlin Gibbon, Planner I for the City of McKinney, explained the proposed specific use permit (SUP) request and location of the subject property. She explained that the zoning for the subject property, “ML” – Light Manufacturing district, requires that a specific use permit be granted in order for an indoor gun range to be operated in the building. Ms. Gibbon stated that the proposed use could fit well in this area given the surrounding warehouse and industrial uses. She stated that this proposed request would introduce an approximate 24,000 square foot indoor gun range in an existing building that is located approximately 59 ½’ from the “RS-60” – Single Family Residence district boundary line to the north. Ms. Gibbon stated that although not tied down in this specific use permit (SUP), the applicant is proposing to install a cinder block wall with approximately 4” of spray foam installation in between the cinder block and the existing building structure. She stated that both firing ranges will have 4’ – 6’ thick concrete roof over the top of both proposed ranges. Ms. Gibbon stated that there would also be rubber berms at the end of each firing range to catch bullets and mitigate sound. She stated that Staff has concerns that sporadic and noticeable sounds may still project from the building, thus disrupting the adjacent single-family residences. Ms. Gibbon stated that Staff went to two indoor gun ranges in the Metroplex to observe the sounds

coming from the buildings. She stated that you could really hear the shooting sounds coming from the older building; however, could not hear the sounds coming from the newer building. Ms. Gibbon stated that the applicant would be required to maintain the noise level in the performance section of the ordinance. She stated that while there are other ambient noises such as street traffic and airplane noise that may already exist in this area today, the consistent and ambient nature of these noises make them far less noticeable than the potentially sporadic and repetitive sounds that could accompany an indoor gun range. Ms. Gibbon stated that with the concerns of proximity to the residents and noise, Staff recommends denial of the proposed specific use permit (SUP) and offered to answer questions. She stated that a packet of information with some revisions was provided by the applicant and distributed to the Commission prior to the meeting. Commission Member Haeckler asked if Staff spoke with the older gun range about the proposed gun range to find out the differences between the two. Ms. Gibbon stated that Staff does not have the exact plans in hand of what is existing in the other developments. She stated that it is hard for Staff to distinguish what the applicant is proposing with the sound mitigations verses what they heard with the other two gun ranges that they visited and if the applicant would be able to maintain those performance standard noise levels. Commission Member Kuykendall asked which two existing gun ranges Staff visited. Ms. Gibbon stated that Staff visited the Texas Legends in Allen and the Bullet Trap in Plano. She stated that the Texas Legends has close proximity to the residences that abuts the property line. Ms. Gibbon stated that the Bullet Trap is in an industrial area; however, there is a multi-family residential development to

the east. Commission Member Kuykendall asked if there was a sound issue at the Texas Legends. Ms. Gibbon stated that Staff stood at the property line and just outside of the build to listen; however, could not hear anything coming from inside the gun range. Mr. Thom Buyer, 3526 Lakeview Pkwy., Rowlett, TX, explained the proposed specific use permit (SUP). He stated that he has spent years working and learning about every aspect of the business. Mr. Buyer stated that they plan to have 18 live fire shooting lanes at 25 yards each, state of the art video simulation training system, two classrooms, retail space, warehouse, and a waiting area. He stated that this would be designed for families or groups in mind. Mr. Buyer stated that the hours of operation were planned to be from 10:00 a.m. – 8:00 p.m. on Monday – Saturday and 11:00 a.m. – 6:00 p.m. on Sundays. He stated that they choice this location after a long search and found it to have the attributes they require. Mr. Buyer stated that they want to be part of the McKinney community, which would benefit from the business. He stated that the firearms business has boomed over the past 15 years and gave details of the number of people being licensed in McKinney and Texas. Mr. Buyer stated that there is no gun range currently located in McKinney's city limits. He stated that in addition to their regular cliental, they will host events that will feature nationally known shooting groups and other contests. Mr. Buyer stated that Staff primary expressed concern is the potential of a sporadic noise that could leak from the building. He stated that while they agree with Staff wanting what is best for the surrounding area, they disagree that sound will be an issue because of use of proper engineering methods. Mr. Buyer stated that a good example was the updated engineering methods at the range in Allen. He

stated that when that location was proposed the neighbors behind the gun range expressed concerns about the potential of noise. Mr. Buyer stated that the only noise you can hear comes from the nearby highway and that no gunfire can be heard outside the building. He gave examples of gun ranges they visited while designing the proposed gun range. Mr. Buyer stated that the Plano gun range, built in the late 1980s, that Staff visited does not have the proper sound mitigation; therefore, it is unable to block sound from escaping. He stated that another example of poor mitigation was the Frisco gun range and gunfire can be heard in its parking lot. Mr. Buyer stated that the proposed design would be far superior and would be able to block the sound out, so the neighborhood behind them might not even know that they are there. He asked the Commission to base their vote on the information provided by the applicant instead of an experience at another range in another city that was built over 30 years ago. Mr. Buyer requested approval of the proposed specific use permit (SUP) request and offered to answer questions. Commission Member McCall asked about the proposed gun lanes. Mr. Buyer stated that they were placed in the back, facing east and west, due to the way rectangular building construction. Commission Member Haeckler asked how the other gun ranges that the applicant visited compare with the design he proposed. Mr. Buyer stated that only one range, in Elgin, IL, has their design in it. He stated that they were building a structure inside of the building, so that it is fully contained, and nothing can escape. Mr. Buyer reiterated that most new gun ranges were very quiet. Vice-Chairman Mantzey asked if the proposed specific use permit (SUP) tied down this design as far as the sound proofing. Ms. Jennifer Arnold, Director of Planning for the City of

McKinney, stated that the proposed specific use permit (SUP) does not currently tie down the sound proofing mitigation. Chairman Cox opened the public hearing and called for public comments. Mr. Bill Rudd, 800 Central Pkwy., Plano, TX, stated that he was here representing the ownership of the property. He stated that they initially had a concern about the sound. Mr. Rudd stated that it was not until he fully understood the proposed construction, of a building within a building, that he felt it was a good fit for the property. He stated that due to Mr. Buyer's expertise and the proposed construction of the gun range, he strongly recommended approval of the proposed specific use permit (SUP). On a motion by Commission Member McCall, seconded by Commission Member Doak, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Commission Member McCall stated that he wondered why McKinney did not have a gun range. Commission Member Doak stated that he liked the applicant is proposing sound mitigation. He asked for clarification on the proposed structure around the firing lanes. Mr. Buyer stated that it would basically be like an airlock for these ranges due to the air cleaning system. He stated that these walls surround that area completely. Vice-Chairman Mantzey asked if State of Texas licenses were required. Mr. Buyer stated that he had a Federal firearms license for many years and that is the only license required. Vice-Chairman Mantzey asked if there would be any inspections of the property. Mr. Buyer stated that it would be inspected by The U.S. Department of Labor Occupational Safety and Health Administration (OSHA) and The U.S. Environmental Protection Agency (EPA). Commission Member Doak asked if they propose to have a retail area. Mr. Buyer that they would have memberships, retail store,

and two classrooms. Commission Member Kuykendall stated that there is a lot that goes into ensuring the protections of sound and that there had been a lot of thought into the proposed gun range. She stated that she was in support of the request. On a motion by Commission Member Kuykendall, seconded by Commission Member McCall, the Commission unanimously voted to recommend approval of the proposed specific use permit (SUP) as requested by the applicant and include the requirement of sound mitigation that has been submitted to Staff, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on July 21, 2020.