

**Planning and Zoning Commission Meeting Minutes of March 26, 2013:**

**13-045SUP 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**

Mr. Alex Glushko, Planner II for the City of McKinney, explained the specific use permit request. He stated that Staff recommends approval of the requested specific use permit with the special ordinance provision listed in the staff report.

Commission Member Gilmore asked for the distance between the proposed indoor gun range and surrounding residential properties. Mr. Glushko stated that, measured from the existing structure to the nearest residential structure, it is approximately 375' and it is approximately 400' from the existing structure to the nearest multi-family structure.

Commission Member Gilmore asked if this was the reason why the residential properties in the general area did not receive a notice. Mr. Glushko stated that notices were sent to surrounding property owners within 200' of the proposed request.

Chairman Clark asked if the provision regarding the maximum sound pressure level of 25 decibels would be measured at the property line. Mr. Glushko said yes.

Chairman Clark asked Staff if they knew how many decibels it might be at the nearest residential property. Mr. Glushko was not able to answer that question.

Commission Member Thompson asked what decibel level would be required by ordinance. Mr. Glushko stated that it varies between 53 – 86 decibels depending on the octave band.

Commission Member Gilmore asked what the decibels were at the Bullet Trap, located in Plano, TX. Mr. Glushko stated that Staff did not measure the sound levels while visiting the other facility; however, it was audible from the exterior.

Vice-Chairman Franklin asked if Staff could hear the sound of discharging guns while standing at the property line of the Bullet Trap facility in Plano, TX. Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that Staff could hear the sound of the firearms; however, Staff was not aware of the construction measures put into place when the facility was constructed. He stated that the sound outside of the Bullet Trap facility was louder than 25 decibels, and suggested that the applicant discuss how they intend to address the issue.

Mr. Frank Richardson, Pross Design Group, Inc., 11297 Covey Point Lane, Frisco, TX, stated that they are the architect and applicant on this project. He stated that they are also the architect for the Frisco Gun Club that is being built in Frisco, TX. Mr. Richardson stated that the Bullet Trap was built 20-30 years ago, and that no sound control measures were required at that time. He stated that the Bullet Trap is a safe and clean facility. Mr. Richardson stated that the 25 decibels requirement for the McKinney location was onerous; however, he felt confident that they could meet the requirement.

Chairman Clark wanted to make sure that the applicant realized that if they are not able to meet the maximum sound pressure level of 25 decibels at all bounding property lines, then they would not be allowed to operate. Mr. Richardson acknowledged that he was aware of the requirement.

Commission Member Bush asked what the sound level at the property line of the Plano facility was. Mr. Richardson did not have that information.

Commission Member Hilton asked what type of sound pressure restrictions were required at the Frisco facility. Mr. Richardson stated that the City of Frisco did not impose any type of sound isolation requirement.

Commission Member Gilmore stated that some surrounding homeowners had voiced concerns regarding sound issues that might arise from having a gun range located near their properties. Mr. Richardson mentioned that there is a mini-warehouse located between the proposed gun range and those residential homes. Commission Member Gilmore stated that those homeowner's properties sit higher than the proposed property. Mr. Richardson stated that the firing lanes were proposed to be located on the southern side of the building. Mr. Richardson also believed that the distance between the proposed building and those residents would help with any sound issues.

Commission Member Kochalka had questions regarding the safety measures of the proposed project. Mr. Richardson stated that they require members of the gun club to show identification, firearm registration, and that they have completed safety guidelines. He stated that the building would be retrofitted with steel plating for stray bullets and there would be traps at the end of the building to catch the bullet materials.

Chairperson Clark opened the public hearing and called for comments.

Mr. Chris Lanciani, 805 San Marcos Dr., McKinney, TX, stated that he lives in the Estates of Verona, located north of the proposed property. He stated that he did not have an issue with having a gun range in McKinney. Mr. Lanciani liked the requirement for having the maximum sound pressure level at all bounding property

lines set at a maximum of 25 decibels. He expressed concerns about locating a gun range near a neighborhood because it might affect property values and sales and resale of property. Mr. Lanciani also expressed general safety concerns.

Commission Member Gilmore expressed concerns about whether or not the applicant could meet the requirement for the 25 decibels maximum sound pressure level at all bounding property lines. Mr. Richardson stated that he had not been asked to prepare an engineering analysis to ensure that the requirement could be met; however, he felt confident that they could meet the requirement. Chairman Clark stated that if the sound level was above the 25 decibels at the property line that the gun range would be shut down.

Vice-Chairman Franklin asked about the typical clientele for the gun range. Mr. Richardson stated that he does not operate the facilities. He felt the clientele would be residents of the city and typically blue and white collar workers. Mr. Richardson felt that such clientele would be concerned with safety and would be responsible individuals.

Vice-Chairman Franklin asked if they required the individuals be trained before being allowed to shoot firearms at the facility. Mr. Richardson stated that was correct.

Chairman Clark asked if they do background checks on the individuals allowed to shoot firearms at the facility. Mr. Richardson said no. He believed that there would have been a background check when any firearms were purchased.

Commission Member Bush had questions regarding how Staff would enforce the sound level requirement. Mr. Glushko stated that Code Enforcement Staff would respond to citizen complaints and could check the sound level at that time. He stated that if they do not comply, then Staff would either work to ensure

compliance or issue citations as the situation necessitated. Commission Member Bush asked if Staff had a machine to measure sound levels. Mr. Glushko said yes. Commission Member Thompson felt the owner of the gun range would not spend this amount of money on the project if he did not believe that it could achieve compliance with City requirements.

The Commission unanimously approved the motion with a vote of 7-0-0, by Commission Member Thompson, seconded by Commission Member Bush, to close the public hearing and recommend approval of the specific use permit for an indoor gun range (McKinney Gun Club).

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on April 16, 2013.