Legislation Text

File #: 20-0002SUP3, **Version:** 1

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, and Accompanying Ordinance

COUNCIL GOAL: Direction for Strategic and Economic Growth
(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential, and open space)

MEETING DATE: July 21, 2020

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Kaitlin Gibbon, Planner I

APPLICATION SUBMITTAL DATE: February 25, 2020 (Original Application)
April 1, 2020 (Revised Submittal)
May 15, 2020 (Revised Submittal)

RECOMMENDED CITY COUNCIL ACTION: Staff recommends denial of the proposed Specific Use Permit request due to concerns regarding the adjacent residents and the noise level from the proposed indoor gun range.

However, if the applicant's request is approved, the following special ordinance provisions shall apply:

1. The property shall generally develop in accordance with the associated site layout, attached as Exhibit "C".

2. A double cinder block wall with a minimum of a 4-inch spray foam in between the cinder blocks shall be provided around the proposed firing ranges.

3. A 4-to-6-inch thick concrete roof shall be provided over the top of the proposed firing ranges.

4. Rubber berms shall be provided at the end of each firing range.

ITEM SUMMARY: The applicant is proposing a specific use permit to allow an indoor gun range in an existing building, located on the northeast corner of Industrial Boulevard and Millwood Road.

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 on the subject property.

EXISTING ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"ML" - Light Manufacturing District (Light Manufacturing Uses)	McKinney Industrial
North	"RS-60" - Single Family Residence District (Residential Uses)	Westmoreland Heights #1 Addition
South	"ML" - Light Manufacturing District (Light Manufacturing Uses)	Tomes Ford, Medro Systems
East	"ML" - Light Manufacturing District (Light Manufacturing Uses)	McKinney Industrial
West	"ML" - Light Manufacturing District (Light Manufacturing Uses)	Tacos Los Chanos, Anchondo Appliances, and Alex Auto Care

SPECIFIC USE PERMITS: When acting on a request for a specific use permit, the following factors should be considered:

- Compatibility with adjacent and neighboring land uses in the immediate area
- Adaptability of building structures to the proposed use
- Infrastructure requirements: roads, sidewalks, access to public streets, parking, and drainage
- Elements such as screening, open space, building heights, and compatibility of existing buildings to the proposed use

Staff has evaluated the request based on the above-mentioned parameters and believes that the site is not an appropriate location for the proposed use.

While, the proposed use could fit well in this area given the surrounding warehouse and industrial uses, this particular site has direct adjacency to an existing single-family neighborhood to the north, which is concerning to staff. The proposed request would introduce an indoor gun range in an existing building that is approximately 59.5 feet from the "RS 60" - Single Family Residence district boundary line.

To mitigate the increased noise levels and the projected sounds that accompany this type of use, the applicant is proposing to install a double cinder block wall with approximately 4 inches of spray foam installation in between the cinder blocks. The applicant has also proposed to provide a 4-to-6-inch thick concrete roof over the top of both firing ranges. There will also be rubber berms at the end of each firing range to catch bullets, which also serves to mitigate sound. The applicant has indicated

that they plan to use Rushing Air Treated Air Systems for their air ventilation system.

However, Staff still has concerns that sporadic and noticeable sounds may still project from the building, thus disrupting the adjacent single-family residences. Per Section 146-134 (Performance Standards) of the Zoning Ordinance, all uses in all zoning districts bounded by residential property are to conform their operation such that noise is to stay below the sound pressure level of 65dB(A) from the hours of 6 a.m. to 9 p.m. and is to stay below the sound pressure level of 58 dB(A) the remaining hours of the day at the adjoining property line.

Based on the information received, it is possible that the projected sounds from the proposed use could range between 65-70 decibels outside the facility, with some possibility of reaching up to 80 decibels. Although existing sounds such as street traffic and airplane noise 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.

As such, Staff feels that the site is not appropriate for an indoor gun range, and is unable to support the proposed specific use permit.

IMPACT ON EXISTING DEVELOPMENT: While there are an abundance of warehouse and industrial uses in the surrounding area, Staff is concerned that the existing single family development to the north will be directly impacted due to the anticipated noise levels and projected sporadic sounds that are associated with an indoor gun range.

CONFORMANCE TO ONE MCKINNEY 2040: A key aspect of the ONE McKinney 2040 Comprehensive Plan is to provide direction related to the desired development patterns and to inform decisions related to the timing and phasing for future infrastructure investments in the City. To assist in guiding these decisions, the Preferred Scenario and series of Land Use Diagrams establish distinctive districts, each with a clear intent, market focus, and desired development patterns that are reinforced through character-defining placetypes.

Per the Preferred Scenario, the subject property is located in the Business & Aviation District and is designated as the Manufacturing & Warehousing placetype. Other general placetypes included in this district are Aviation, Employment Mix, Commercial Center, and Professional Campus.

While the proposed specific use permit request is not in conflict with the Preferred Scenario, new development and new uses should demonstrate compatibility with existing built conditions.

ACCESS/CIRCULATION:

Adjacent Streets: Industrial Boulevard, 100’ Right-of-Way, Minor Arterial
Millwood Road, 80’ Right-of-Way, Collector

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

BOARD OR COMMISSION RECOMMENDATION: On June 23, 2020, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed specific use permit request, with

the additional provision that sound mitigation be required.