

SPECIAL USE PERMIT

Case Coordinator: Christopher Barton

GENERAL PROJECT INFORMATION**SITE ZONING:** (LI) Light Industrial District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	(LI) Light Industrial District with SUP 421 for used auto sales	Used auto sales
SOUTH	(LI) Light Industrial District with SUP 412 for parking on a lot separate from the main use	Auto repair
EAST	Town of Addison	Addison airport (across Midway Road)
WEST	(LI) Light Industrial District with SUP 421 for used auto sales and SUP 291 for a child day care center (not operating)	Church

REQUEST: A new Special Use Permit allowing for an indoor gun shooting range**PROPOSED USE:** Indoor gun shooting range**ACRES/LOTS:** Approximately 1.7 acres/1 lot**LOCATION:** West side of Midway Road, just north of Keller Springs Road

HISTORY: The current zoning on the property was established in 1973.

The property was originally platted into a lot of legal record in 1978, and replatted most recently on April 6, 2015.

The existing building was constructed in 1980.

COMPREHENSIVE PLAN: Industrial Uses**TRANSPORTATION PLAN:** Midway Road is designated as an (A6D) Six-Lane Divided Arterial.**OWNER:** Midway Properties, Inc.**REPRESENTED BY:** Greg Taggart/Texas Legends, LLC

STAFF ANALYSIS

PROPOSAL AND BACKGROUND

This is a request for approval of a new Special Use Permit to allow an indoor gun range.

Texas Legend Gun Range plans to occupy an existing approximately 23,178-square-foot building. The facility will include several gun firing lanes, offices, waiting areas, etc.

The proposed site is currently vacant, but was used as a Toni & Guy hairdressing training center, warehouse and retail outlet for many years.

ORDINANCE REQUIREMENTS

Indoor Gun Ranges are included in NAICS Code 71399 All Other Amusement & Recreational Industries. This use category is allowed in the (LI) Light Industrial District upon approval of a Special Use Permit.

As an existing building and site, all aspects of the facility which do not meet current zoning requirements (primarily landscaping) are generally considered to be legally non-conforming (colloquially “grandfathered”).

ELEMENTS TO CONSIDER

1. The proposed gun range is located in an industrial area, away from residential areas and schools.
2. Access will be provided from an existing driveway on Midway Road.
3. Parking on the site consists of two lots: one, adjacent to the building, is in good condition and will be left substantially “as is.” The second, further north, is in poor condition. The applicant plans to essentially reconstruct it. As part of that reconstruction this parking lot will be brought into compliance with current standards, including the installation of parking lot landscape islands and a landscape buffer along Midway Road with trees and shrubs in accordance with Article XXV Landscaping of the zoning ordinance.
4. Other landscaping on the site appears to be in good condition.
5. The existing building will be remodeled on the interior and “freshened up” on the exterior, which currently appears to be in good condition.

SAFETY REGULATIONS

The business will have to maintain compliance with various state and national regulatory agencies, including:

1. National Institute for Occupational Safety and Health (NIOSH)
Federal agency responsible for conducting research and recommendations for the prevention of injuries and illness such as for indoor gun ranges. NIOSH focuses on topics such as lead, related to effects of firing guns; noise and hearing loss, and ventilation control.
2. Environmental Protection Agency (EPA)
The federal agency is responsible for enforcing federal regulations regarding the lead discharge from fire arms.
3. Bureau of Alcohol, Tobacco, Firearms, & Explosives (ATF)
The federal agency is responsible for enforcing federal firearms regulations. To curb the illegal use of firearms and enforce the federal law the ATF issues firearm licenses and conducts weapon licensee qualification and compliance inspections. All gun agencies are stringently checked before a license is issued by the ATF.
4. Resource Conservation and Recovery Act (RCRA)
The federal act regulating the safe recovery and handling of potentially hazardous materials, including lead dust from bullets.
5. Texas Commission on Environmental Quality (TCEQ)
The state agency is responsible for enforcing state regulations regarding air filtration and discharge.

CONCLUSION

The proposed Special Use Permit for an indoor gun range appears appropriate.