



INFORMATION MEMORANDUM

TO: Mayor and City Council
FROM: Charles Cox
City Manager
DATE: August 11, 2016
SUBJECT: Proposed Ordinance No. 3387 to approve a Specific Use Permit for an indoor gun range at 14400 Midway Road

Existing Conditions:

The site is approximately 1.388 acres and is located on the east side of Midway Road, approximately 480 feet north of Proton Road, and along the city limit line between City of Farmers Branch and Town of Addison. (See Aerial Map)

The property is surrounded by retail and commercial uses on all sides. To the south the property is bordered by an approximately 120 feet wide ONCOR easement. The closest school is approximately 700 feet south of the site. The closest church is approximately 700 feet south of the site. The site is located in the Light Industrial zoning district (LI). (See Location Map)

There is an existing 16,124 square feet one-story building located on the site. Currently, the building is being used as an office facility.

Site Design:

The applicant, Eagle Gun Range, is currently located in Lewisville and is looking to expand with a second location in Farmers Branch. The applicant is proposing to completely redesign the existing building into an indoor firearms training facility that will include 2 twelve-lane gun ranges, 2 training rooms / classrooms, offices and a retail sales area.

The overall improvement plan for the entire site will include the resurfacing and restriping of the entire parking lot, additional parking spaces and landscape improvements along Midway Road. A masonry dumpster enclosure will be located in the northeast corner of the lot. (See Site Plan)

Gun Range and Training Center:

The proposed firearms facility will operate within the existing precast concrete tilt wall building and will be designed to comply with all applicable state and federal regulations governing indoor gun ranges. These regulations include interior ventilation and exhaust air quality, and safe handling and appropriate management of lead projectile waste as required by the Occupational Safety and Health Administration (OSHA), Texas Commission of Environmental Quality (TCEQ), American National Standards Institute (ANSI), Environmental Protection Agency (EPA), National Institute for Occupational Safety and Health (NIOSH), National Fire Protection Agency (NFPA), National Rifle Association (NRA) range development standards.

The proposed facility will contain two shooting areas (approximately 25-yard long), two large classrooms, offices and control / monitor room for staff and a retail area. The shooting ranges will have observation areas with bullet-proof glass on the observation wall and a bullet trap equipment areas at the end of the fire lanes. The firing lanes are oriented southward. (See Floor Plan)

Most of the building improvements for increased safety to this firearms facility will be within the interior of the building. The exterior of the building will not be significantly modified, although the existing façade will be improved to meet the safety requirements necessary for a gun range facility. For example, the main access in the building will be from 2 courtyards on the western side. These access areas will be secured with a security fence and an entry gate. The building currently has two semi-open courtyards that will be secured as follows: the existing glazing to the south will be removed and filled with new CMU to match existing, the glazing on the northern side will be sealed with security bars and the door will serve as a secured secondary exit, all existing windows will be secured with commercial grade steel bars. The two existing semi-open courtyards will not be accessible to the public.

The proposed hours of operation for this facility is 10:00 AM to 9:00 PM, Monday through Friday, 9:00 AM to 9:00 PM on Saturday and 1:00 PM to 8:00 PM on Sunday. A total of 17 employees are estimated to work at this location.

The safety aspects of the operation of this facility will be addressed as follows:

- The two shooting ranges will be provided with clean, constant flow input air while properly filtering combustion by-products such as smoke, Co and CO₂, NO₂ and lead particles from exhaust air. A unique filtration system will be installed in the shooting areas and will be separated from the regular HVAC system installed in the common areas (office, retails, and classrooms). The air filtration system will comply with EPA standards and will be a High-Efficiency Particulate Air (HEPA) type of air filtering system.
- The gun range will comply with all OSHA regulations providing a safe environment for employees. (See Safety Measures Information)

- The shooting ranges will consist of 8" concrete blocks, steel reinforced filled with additional concrete and safety ceiling with metal panels / baffles. All fired projectiles will be contained within the interior of the range firing area itself, and will terminate in a max 8-foot tall rubber berm trap installed at the end of the firing lanes, on the southern side of the building. The shooting stalls and ceiling baffles will be made of AR500 steel, a high standard ballistic material. (See Shooting Area Construction Details)
- Lead and other heavy metal projectile waste such as copper and nickel will be handled appropriately according to EPA requirements. All debris will be turned over to a lead recycler, as required by provisions of Resource Conservation and Recovery Act (RCRA).
- Fire protection with a sprinkler system will be installed in the entire building and supplementary, the ballistic rubber berm in the bullet trap area will be sprayed with flame retardant solution periodically.

The applicant has submitted a Sound Study and a Sound Mapping Summary (SMS) designed to assess possible sound level relative to the audibility of a gun fire. The SMS was based on a "worst case scenario" assuming twenty four 0.38 caliber revolvers being discharged at the same time and considered only the sound generated by the site and not taking into consideration the existing ambient sound levels (street, surrounding businesses, etc.). The SMS created a 3D a computer generated sound model / sound map showing only the sound generated by the peak gun sound. The SMS sound map shows a projected sound level of 60-65 decibels at the property line. Based on this study and the observation of the existing Lewisville facility, city staff has determined this sound level will not be a nuisance within or at the boundary of the site considering the ambient sound in the area and along Midway Road. (See Sound Study)

Based on this study, the sound generated by gunfire will be controlled in such a manner that it will not be a nuisance to the neighbors and will pose no threat to the health and safety of range patrons, staff and surrounding neighboring businesses and persons. The gun ranges area will be insulated with a sound absorbing wall treatment over the new CMU block walls that will enclose the range area. The entire building will be supplementary insulated.

The specific safety measures to be installed at this location are as follows:

- All employees are trained under the Alcohol, Tobacco and Firearms (ATF) federal instruction programs and are NRA certified range safety officers
- At least two employees will be on site for opening and closing hours. All access in the building, except the main front door, will have security measures to prevent entry from outside.
- The building will be secured with commercial grade steel bars covering all openings of the building.
- A 24-hour monitoring system will be installed throughout the site. The security system will include laser beams, commercial grade fencing, glass breaking sensors, motion sensors and door penetration wiring. Approximately 35 security cameras will be installed inside and around the site. These cameras will cover the inside of the shooting bays, the training rooms, the store room and loading dock, the retail and office areas, as well as all sides of the exterior of the building and parking lot. A minimum of two cameras will be

installed on each side of the building and one camera on each of the front entry areas. All cameras will have 60 degree view. The security cameras will be monitored from the interior server room to make sure all the gun range users are complying with the range's rules and all activity within the property is safe. A NRA certified safety officer will monitor the security cameras during the hours the range is open to the public. Outside working hours, the cameras will be monitored by a private security company.

- All customers will be required to bring their firearms to the facility contained within a holster or a gun case. The facility will allow only firearms under 0.50 caliber to be used within the shooting range. (See Safety Measures Information)

Parking:

The applicant submitted a parking ratio comparison between several gun ranges in the Dallas area. The proposed development will provide 62 standard parking spaces and 3 ADA parking spaces. Staff believes this parking ratio requirement to be adequate for this combination of uses. (See Site Plan)

Landscaping:

The existing landscape island in front of the building along Midway Road will be improved with a combination of new trees and shrubs. The landscape island will have 9 trees (a combination of Red Shumard Oak, Japanese Pine Tree and Crape Myrtle) and tall evergreen shrubs (a combination of Red Yucca and Lorapetalus). This area has a fully operable irrigation system that will continue to be used. (See Landscape Plan)

Signage:

An individual monument sign will be placed in the front landscape island setback 13 feet from the property line. The monument sign will not exceed 75 square feet in area and 6 feet in height. A wall sign will be placed on the eastern façade, facing Midway Road. The wall sign will not project more than 12 inches from the building structure wall and will not exceed 75% of the length of the front elevation. All signage will comply with City's Sign Ordinance. (See Proposed Signage)

Comprehensive Plan:

The Comprehensive Plan, designates this area as a General Commercial District and is zoned for Light Industrial uses. Therefore, this request is consistent with the City's Comprehensive Plan.

Thoroughfare Plan:

Midway Road is not identified for further expansion on the 2013 Thoroughfare Plan. Improvements to the existing lanes of Midway Road are planned for 2017 by the Town of Addison.

Public Response:

Six (6) zoning notification letters were mailed to the surrounding property owners on July 14th, 2016. Two (2) zoning notification signs were also placed on the site on the same day. A public notice ad was published in Dallas Morning News on July 28th. As of August 12, three letters of opposition have been received by the City. One of these opposition letters is from the property owner to the north side of the site. This opposing property owner represents more than 20% of the notified property area within Farmers Branch, therefore a super majority of City Council (4 affirmative votes) must be obtained to approve the proposed SUP. (See Mailed Notices Summary and Opposition Letters). In addition, 33 letters of support to the proposed gun range have been received by the City (available upon request).

Possible Council Action:

1. I move to adopt Ordinance No. 3387.
2. I move to adopt Ordinance No. 3387 with the following modification(s)...
3. I move to table the item or take no action.