

**ZONING AMENDMENT &  
PLANNING APPROVAL STAFF REPORT**    **Date: September 16, 2004**

**NAME**

Van Antwerp Realty Corp., Inc. (Steve Quinnelly, Agent)

**LOCATION**

South side of Bear Fork Road, 400'± West of the South terminus of Goodman Avenue, extending to the North side of Eight Mile Creek.

**CITY COUNCIL  
DISTRICT**

District 1

**PRESENT ZONING**

R-1, Single-Family Residential

**PROPOSED ZONING**

I-1, Light Industry

**AREA OF PROPERTY**

16± Acres

**CONTEMPLATED USE**

Outdoor shooting range

**It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning were changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.**

**TIME SCHEDULE  
FOR DEVELOPMENT**

None given

**ENGINEERING  
COMMENTS**

Engineering requests dedication of Flood Plain easement along Eight-Mile Creek. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.

**TRAFFIC ENGINEERING  
COMMENTS**

Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

**URBAN FORESTRY****COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

**REMARKS**

The applicant is requesting rezoning from R-1, Single-Family Residential to I-1, Light Industry and Planning Approval to construct an outdoor shooting range. Outdoor shooting ranges are allowed with Planning Approval in I-1 districts.

The site is illustrated as residential on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use component allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification requested, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification.

The site is adjacent to existing industrial zoning and development to the West, and the adjacent property has been zoned industrially since the adoption of the current Zoning Ordinance in 1967.

As illustrated on the vicinity map an application for B-5, for a large property to the West of the site was heard by the Commission on September 2<sup>nd</sup>. Both the staff and the Commission recommended denial of that rezoning.

While this application is for I-1, Light Industry, there are factors that distinguish this application from the B-5 request. While the property to the East is zoned residentially, it is undeveloped; in contrast, the B-5 request adjoined residential development, and access to those residences would have been via the proposed commercial site.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

There are concerns associated with the applications. First, the proposed shooting range would be an outdoor range and there are concerns regarding safety and noise. Additionally, while the site is large—16 acres, half of it consists of wetlands, floodplain and floodway, thus it is an environmentally sensitive area, and there is debris associated with a shooting range.

At this point, additional information regarding noise abatement, safety features and containment of debris, etc. is needed to adequately evaluate the applications.

**RECOMMENDATION**

**Rezoning and Planning Approval** Based upon the preceding, these applications are recommended for holdover to allow the applicant to submit additional information regarding noise abatement, safety features and containment of debris.

*These applications were heldover from the Commission's October 7<sup>th</sup> meeting to allow the applicant an opportunity to submit additional information regarding noise abatement, safety features and methods of debris containment. At the time of mailout, no additional information had been submitted.*

*Whereas the applicant failed to submit any of the information as outlined above, and as Planning Approval is site plan specific and there are concerns regarding safety, noise and environmental impacts; both the Rezoning and Planning Approval applications are recommended for denial.*

*Revised for November 4<sup>th</sup> Meeting:*

*This application was heldover from the Commission's October 21<sup>st</sup> meeting at the applicant's request. Since then, the applicant has submitted information to address the above concerns. The applicant states that a "No Blue Sky Baffle System" will be installed, which essentially means that the shooter will see a baffle before he sees blue sky (see drawing C-9) in order to block projectiles.*

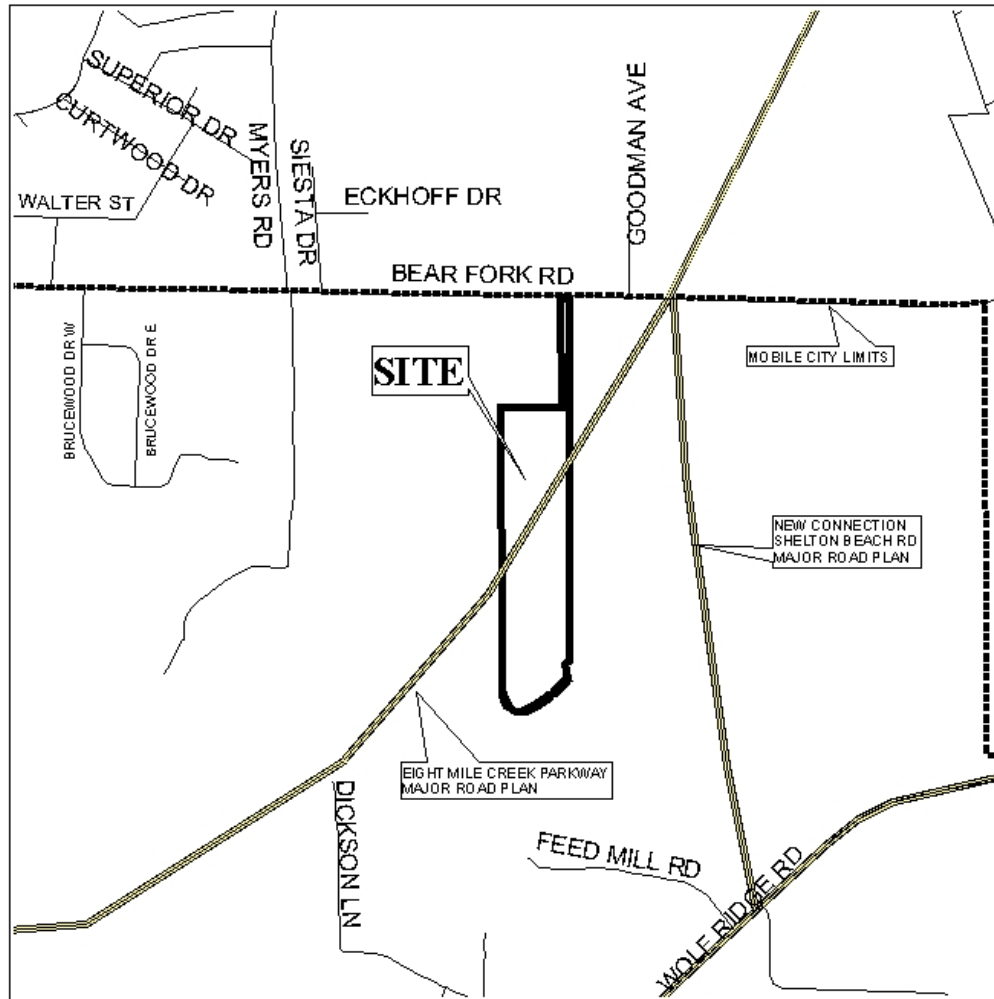
*The applicant also states that each firing line will have a shooting house with sound proof walls, to reduce the level of noise to the North, East and West. Moreover, an additional drawing illustrates 10-foot wide berms along the East and West sides of the shooting range to help contain both noise and debris. The target area to the South will terminate at an 18-foot tall berm (see drawing C-4 C-3), which will be cleaned of debris by an outside company.*

*As with any rezoning, full compliance with all municipal codes and ordinances, including landscaping and tree planting requirements, and the provision of buffering will be required.*

**RECOMMENDATION:** **Rezoning** *Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) full compliance with the landscaping and tree planting requirements of the Ordinance; 2) provision of buffering in compliance with Section IV.D.1. where the site adjoins residential zoning; 3) limited to the accompanying Planning Approval; 4) full compliance with the City Engineering Comments (dedication of Flood Plain easement along Eight-Mile Creek, must comply with all stormwater and flood control ordinances, any work performed in the right of way will require a right of way permit); and 5) full compliance with all municipal codes and ordinances.*

**Planning Approval:** *Based upon the preceding, this application is recommended for approval subject to the following conditions: 1) full compliance with the landscaping and tree planting requirements of the Ordinance; 2) provision of buffering, in compliance with Section IV.D.1. where the site adjoins residential zoning; 3) the provision of a No Blue Sky Baffle System; 4) provision of 10-foot wide berms along the East and West sides of the firing lanes; 5) provision of a minimum 18-foot tall berm along the southern end of the firing lanes to be periodically cleaned of debris; 6) that all shooting take place within sound proof shooting houses; 7) full compliance with the City Engineering Comments (dedication of Flood Plain easement along Eight-Mile Creek, must comply with all stormwater and flood control ordinances, any work performed in the right of way will require a right of way permit. Must comply with all stormwater and flood control ordinances); and 5) full compliance with all municipal codes and ordinances.*

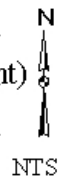
## LOCATOR MAP



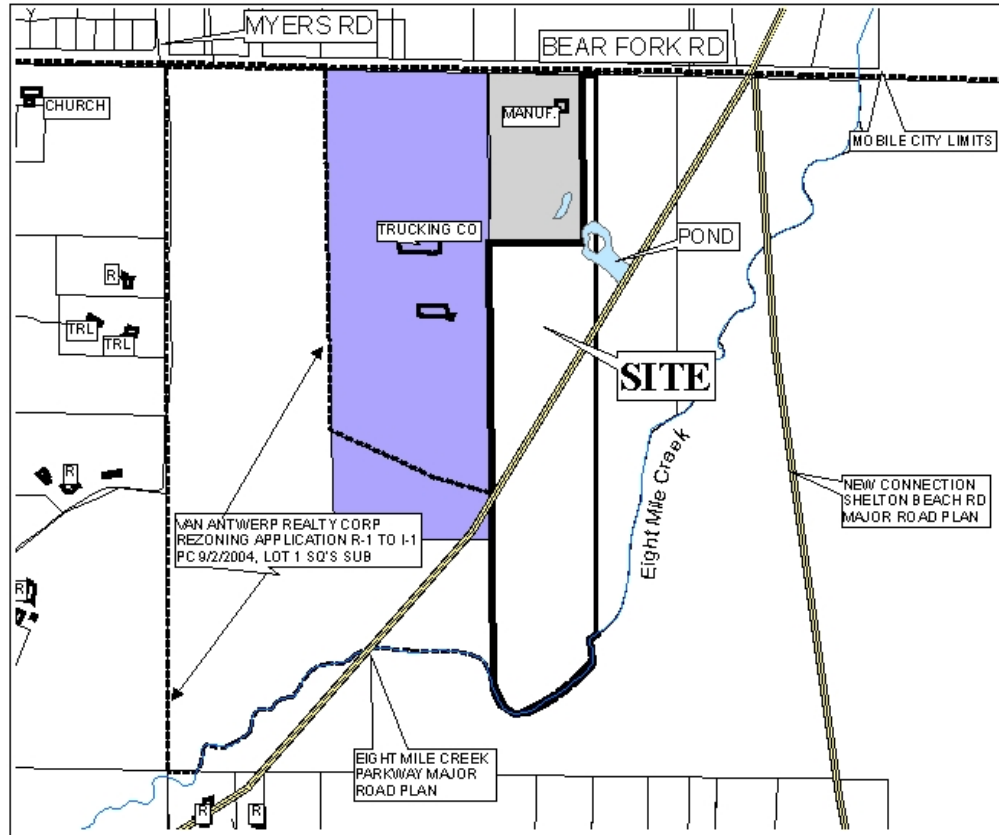
APPLICATION NUMBER Holdover DATE October 21, 2004

APPLICANT Van Antwerp Realty Corp., Inc. (Steve Quinelly, Agent)

REQUEST Rezoning from R-1 to I-1, Planning Approval



# **PLANNING COMMISSION VICINITY MAP - EXISTING ZONING**



Single-family residential dwellings and a church are located to the west of the site. Trucking and manufacturing companies are located to the east of the site.

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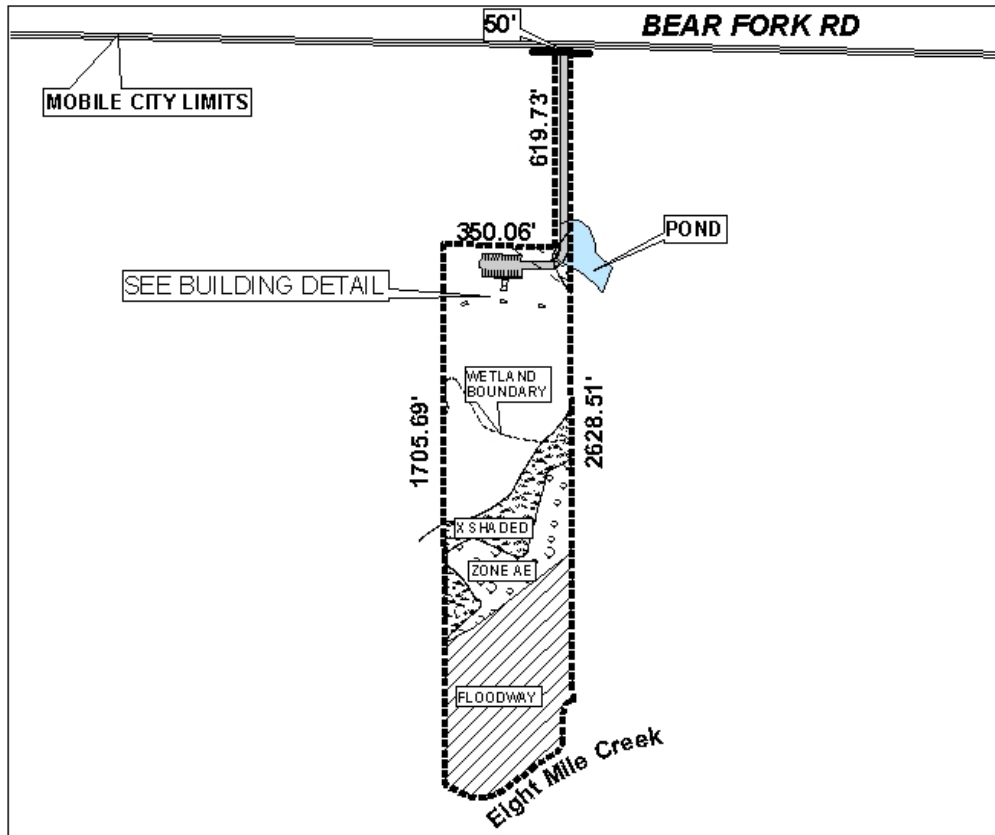
REQUEST Rezoning from R-1 to i-1, Planning Approval

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	NTS
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## SITE PLAN



The site plan illustrates the proposed buildings, parking, drives, and existing wetland boundaries.

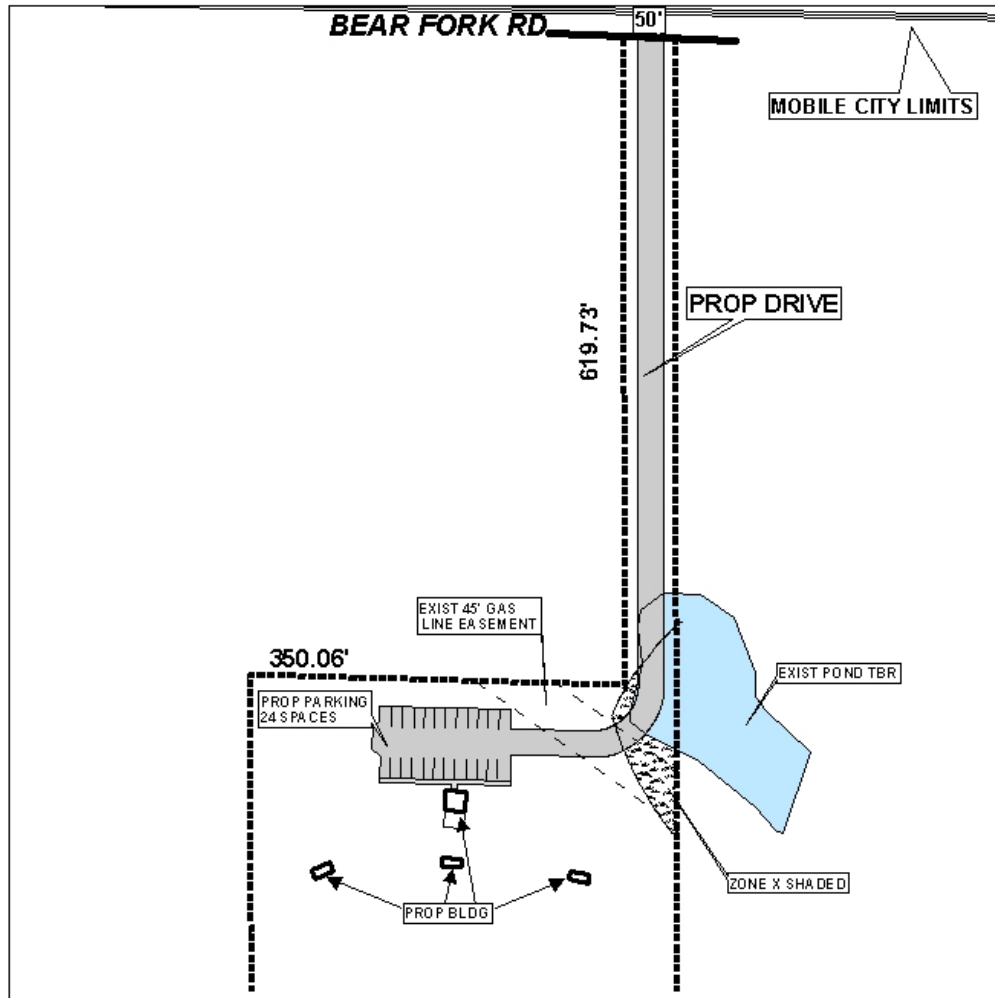
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N  
NTS

## DETAIL SITE PLAN



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REQUEST Rezoning from R-1 to I-1, Planning Approval



NTS