

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 2-D-17-UR **Related File Number:**
Application Filed: 12/22/2016 **Date of Revision:**
Applicant: R2R STUDIO, LLC JESSALYN FRISKE

PROPERTY INFORMATION

General Location: Northeast of Valgro Rd, west of Sevierville Pike
Other Parcel Info.:
Tax ID Number: 138 274.06 OTHER: 138 272 **Jurisdiction:** County
Size of Tract: 5.39 acres
Accessibility: Access is via Valgro Rd., a local street with 18' of pavement width within 50' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant industrial
Surrounding Land Use:
Proposed Use: Indoor/Outdoor Paintball & Airsoft Ranges **Density:**
Sector Plan: South County **Sector Plan Designation:** AG (Agricultural)
Growth Policy Plan: Rural Area
Neighborhood Context: This site is located within an area at the east end of Valgro Rd., developed with industrial businesses under LI, A and CB zoning.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 8822 Valgro Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: The property was rezoned from EC to A in February 2017 (1-K-17-RZ).

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): APPROVE the request for a 5.39 acre outdoor and approx. 50,000 square foot indoor paintball/airsoft range in the Agricultural zone, as shown on the attached plans, subject to 8 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Health Department, Knox County Sheriff's Department, and the Tennessee Department of Transportation.
2. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
3. Meeting all applicable requirements of the Knox County Zoning Ordinance.
4. Installation of lighting for the outdoor range shall not have any fixtures pointing toward adjacent Agricultural zoned property and shall be operated during business hours only, with the exception of those needed for safety and security purposes. During nighttime use, the playing, staging, tune-up and spectator areas are required to be lighted.
5. No gaming structures or objects shall be located within 50 feet of the northwest property line, along Valgro Road. This shall include sheds, structures, cars, boats, bunkers and other permanent or temporary objects that a participant can hide behind.
6. Providing revised plans to MPC and Knox County Engineering and Public Works staff for approval of the parking the lot design in accordance with the requirements of the Knox County Zoning Ordinance and other applicable Knox County standards.
7. Providing mesh screening that does not allow projectiles to pass through from guns permitted on the outdoor range.
8. Operating the paintball/airsoft range in accordance with the attached "Operational Manual".

With the conditions noted, this plan meets the requirements for approval on an outdoor and indoor paintball/airsoft range in the A (Agricultural) district and the other general criteria for approval of a Use on Review.

Comments: The paintball range standards of the Knox County Zoning Ordinance were recently amended to specifically include airsoft ranges, allow indoor ranges when associated with an approved outdoor range, and authorizes the Planning Commission to reduce the minimum 10 acre lot size and the 200-foot buffer zone. When a reduction of the lot size and buffer zone is proposed, the Planning Commission can approve when in their opinion the buffer and screening will protect adjacent properties and public rights-of-way (ROW) from fired projectiles.

The proposed indoor and outdoor ranges are intended to be used for airsoft games but can also be used for paintball if desired. The outdoor range has an area of 5.39 acres with a proposed 20-foot tall mesh screen along the property lines and along the playing field side of the parking lot. The screening (netting) is made of a double stacked mesh and hung by a 3/8 inch galvanized steel cable between 24-foot tall posts. In forested areas where mesh screening and posts are to be installed, the stated objective is to layout the posts to avoid trees and not disturb any of the existing vegetation with the exception of some underbrush.

The proposed indoor and outdoor ranges are in an industrial area along Valgro Road and is zoned Agricultural like many of the other business in the area. Other surrounding zones include EC (Employment Center) and LI (Light Industrial). The proposed outdoor range sits in a low area at the base of a forested ridge to the northeast and a neighboring industrial uses to the southwest that are 14 feet above the playing field. The property narrows almost to a point to the east at the base of a ridge with no nearby uses. The west side of the field is at grade with Valgro Road and adjacent industrial uses, and is the primary concern from staff regarding the safety of individuals on the outside of the playing field.

Staff has recommended two conditions to address concerns regarding protection of adjacent property and ROW. Condition #7 states that the holes in the mesh screen shall not allow BB's to pass through because there was no definitive documentation provided that this is in fact the case. The applicant

documented to staff that the mesh screen meets the ASTM standard for paintballs, but it does not specify if this is also true for airsoft BB's. Condition #5 states that no gaming structures or objects that a player can hide behind can be located within 50 feet of the northwest property line, which is along Valgro Road. The concern is that the road is immediately adjacent to the playing field and there is a neighboring building that is as close as 75' to the playing field. The average distance that an airsoft BB can travel is 50-75 feet in a straight line before turning down and hitting the ground. Being that the proposed mesh screen is no taller than normally required with a 200-foot buffer, staff's recommendation will effectively move the playing area away from Valgro Road without having to move or alter the mesh screening that has already been installed.

The attached Operational Manual provides details of when and how the facility will operate, including business hours, guns & BB's allowed, spectator rules and safety equipment. As proposed, the business will operate on Saturday and Sunday only between 12pm and 6pm. To address staff concerns regarding the accumulation of plastic BB's in the outdoor field, only biodegradable BB's will be allowed. Regular plastic BB's will be allowed in the indoor field and collected after games and recycled into Sand Bags for props.

The owner proposes to install outdoor lighting and permanent announcement speakers in the future. Being that the property located within an area with industrial uses and is surrounded by ridges on the other sides, staff does not have any concern with the use of lights and speakers for announcements during operating hours. Staff is recommending that the lighting be directed away from adjacent Agricultural zoned property out of precaution because residential uses could be constructed nearby.

EFFECT OF PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

1. The proposal will have no impact on schools.
2. Public water and sewer utilities are available to serve the development.
3. A 20-foot tall mesh screen will be installed around the perimeter of the outdoor range and existing vegetation will remain to provide additional protection to adjacent properties.
4. The indoor and outdoor range is located in an area that historically had and continues to have industrial uses. The facility will operate on Saturday and Sunday afternoons which are times when the other nearby businesses are less likely to be open.
5. With the recommended conditions, the proposed indoor and outdoor paintball/airsoft range is appropriate for this location.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. The proposed indoor and outdoor paintball/airsoft range, with the recommended conditions, is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.
2. With the recommended conditions, the proposal meets all relevant requirements of the A zoning district and Article 4, Section 4.97 (Standards for the approval of indoor and outdoor paintball/airsoft ranges), as well as other criteria for approval of a use-on-review.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The use is in conformity with the South County Sector Plan which proposes AG (Agricultural) and LI (Light Industrial) uses.
2. The site is located within the Rural Area of the Knoxville-Knox County Farragut Growth Policy Plan.

Action:

Approved

Meeting Date: 9/14/2017

Details of Action:

1. Meeting all applicable requirements of the Knox County Health Department, Knox County Sheriff's Department, and the Tennessee Department of Transportation.
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outdoor range.

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Summary of Action:

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Date of Approval:

9/14/2017

Date of Denial:

Postponements:

2/9/2017-8/10/2017

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knox County Board of Zoning Appeals

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: