

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

KNOXVILLE-KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N
T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

File Number: 4-K-06-UR **Related File Number:**
Application Filed: 3/10/2006 **Date of Revision:**
Applicant: RIPTIDE PAINTBALL, INC.
Owner:

PROPERTY INFORMATION

General Location: Southeast side of Middlebrook Pike, northwest of Millard Beets Rd
Other Parcel Info.:
Tax ID Number: 93 N A 005.07 **Jurisdiction:** City
Size of Tract: 3 acres
Accessibility: Access is via Middlebrook Pike, a major arterial street with a four lane divided median section within a required right-of-way of 112'.

GENERAL LAND USE INFORMATION

Existing Land Use: Mixed businesses
Surrounding Land Use:
Proposed Use: Indoor and outdoor paintball fields **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LI & LDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located in an area along Middlebrook Pike that has developed with a mix of industrial uses under the I-2 and I-3 zoning districts. This industrial area borders a residential subdivision to the south.

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

Street: 4432 Middlebrook Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: I-3 (General Industrial) & R-1 (Single Family Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the request for a paintball business with indoor and outdoor paintball fields in the I-3 zoning district subject to the following 8 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Engineering Division.
3. Adhering to the safety rules and procedures as outlined in the letter from the applicant.
4. Modifying the fenced enclosure for the outdoor fields so that the operation does not occur within the R-1 Zoning District.
5. Adding a 20' high nylon mesh screen around the modified fenced enclosure for the outdoor play fields. The screen shall be anchored at the bottom and secured by a non-stretchable cable at the top and bottom. Two such screens shall be installed a minimum of five feet apart to separate any spectator area from the playing area.
6. Any outdoor lighting shall be installed so that direct light and glare is shaded and directed away from all adjoining property.
7. There shall be no amplified sound system used for the outdoor play fields.
8. Hours of operation of the outdoor fields shall cease at 9:00 pm.

With the conditions noted above, the request meets all requirements for approval within the I-3 zoning district, as well as other criteria for approval of a use on review.

Comments:

The applicant is presently using an existing 20,000 square foot building at 4432 Middlebrook Pike for a paintball business including indoor play fields. A paintball business requires a use-on-review approval within the I-3 (General Industrial) zoning district. The applicant is requesting approval for the existing business and the addition of outdoor paintball play fields.

The only access to the site is from Middlebrook Pike. When the I-3 zoning was applied to this property, a buffer of approximately 100' was included along the southern and eastern property lines which adjoin Middlebrook Heights Subdivision. This buffer area remained as R-1 (Single Family Residential) zoning which is the same zoning district as the residential neighborhood.

The area proposed for the outdoor paintball play fields is a fenced enclosure (approximately 28,000 square feet) near the southeast corner of the site. A portion of the enclosure is located within a powerline easement. In comparing the aerial photography for the site with the zoning maps it was discovered that approximately a quarter of the fenced enclosure is within the R-1 zoning district (see attachment). If approval is granted for the outdoor play fields, the enclosure will have to be modified to exclude the area zoned R-1.

The applicant has submitted a letter (copy attached) addressing safety issues for operation of a paintball facility and anticipated noise generated by outdoor play. When conducting an on-site visit, the applicant demonstrated to Staff the limited firing range of the paintball guns. Staff feels that with the limited firing range, the requirement of providing a 20' high nylon mesh screen around the fenced enclosure, and the existing site conditions which include the R-1 buffer and site topography, the outdoor fields are a safe use at the proposed location.

The days and hours of operation for the business are Tuesday - Thursday, 4:00 - 9:00 pm; Friday, 4:00 - 11:00 pm; Saturday, 11:00 am - 11:00 pm; and Sunday, 1:00 - 9:00 pm. They are closed on Monday. As stated by the applicant, there will be no amplified sound system used for the outdoor play fields. However, since the site does adjoin a residential neighborhood, Staff recommends that outdoor play not continue past 9:00 pm.

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

1. The proposed development will have minimal impact on local services since all utilities are in place to serve this site.
2. With access only from Middlebrook Pike, the proposed facility will not impact traffic patterns of the adjoining residential neighborhood.
3. With the proposed conditions, the paintball facility should have minimal impact on adjoining uses including the residential neighborhood to the south and east.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed paintball facility is consistent with the requirements of the I-3 zoning, as well as other criteria for approval of a use on review.
2. The development is consistent with the following general standards for uses permitted on review: The proposal 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 proposed use is permitted by the I-3 district and will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The City of Knoxville One Year Plan proposes light industrial uses for this property for the area that is zoned I-3. The I-3 zoning of the property permits consideration of public, private and commercial athletic facilities as a use on review. The proposed use is consistent with the One Year Plan and zoning designation as regulated through the use-on-review process.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

MPC Action:

Approved

MPC Meeting Date: 4/13/2006

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Engineering Division.
3. Adhering to the safety rules and procedures as outlined in the letter from the applicant.
4. Modifying the fenced enclosure for the outdoor fields so that the operation does not occur within the R-1 Zoning District.
5. Adding a 20' high nylon mesh screen around the modified fenced enclosure for the outdoor play fields. The screen shall be anchored at the bottom and secured by a non-stretchable cable at the top and bottom. Two such screens shall be installed a minimum of five feet apart to separate any spectator area from the playing area.
6. Any outdoor lighting shall be installed so that direct light and glare is shaded and directed away from all adjoining property.
7. There shall be no amplified sound system used for the outdoor play fields.
8. Hours of operation of the outdoor fields shall cease at 9:00 pm.

With the conditions noted above, the request meets all requirements for approval within the I-3 zoning district, as well as other criteria for approval of a use on review.

Summary of MPC action:

APPROVE the request for a paintball business with indoor and outdoor paintball fields in the I-3 zoning district subject to the following 8 conditions:

Date of MPC Approval:

4/13/2006

Date of Denial:

Postponements:

Date of Withdrawal:

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

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Knoxville City Council

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: