

11-B-10-OB_cor_Seymour

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October 5, 2010

Mike Brousseau
Knoxville/Knox County Metropolitan Planning Commission
Suite 403, City/County Building
400 Main Street
Knoxville, TN 37902

Re: Applicant: Fairway Market Place, LLC
File No.: 11-B-10-OB

Dear Mr Brousseau:

Fairway Market Place, LLC has filed with the MPC a Similar Use Determination for a recreational use at its Marketplace Shopping Center on Kingston Pike in West Knoxville. The property is zoned SC-3 under the Knoxville Zoning Ordinance. The request is for approval of a recreational use in a SC zone.

I have submitted with the application a business plan of Battlefield Knoxville showing a description of the project. It seeks to locate in a vacant CompUSA building at the shopping center.

The SC-3 zone allows uses permitted in the SC-1 and SC-2 zones and in addition to that theaters and department stores.

The proposed use will sell snack foods, soft drinks and clothing, including tee shirts and caps, in addition to having video games and the gaming experience described in the prospectus for the building.

It would appear that, although not expressly permitted in the SC zone, this use is similar to many other recreational uses that have been approved by the City and are located in SC zones.

We have examined other properties in Knoxville and find the following recreational uses are permitted:

1. Exclusive Fitness is located in the Rocky Hill Shopping Center which is zoned SC- 1;
2. Studio Arts for Dancers is located in the Rocky Hill Shopping Center which is zoned SC-1;

- 3 Taekwondo Karate Studio is located in the Clinton Plaza Shopping Center which is zoned SC-2;
4. Rush Fitness Center is located in East Town Mall which is zoned SC-3;
5. In the Regal complex at West Town Mall which is zoned SC-3 there is a gaming arcade with 55 video machines and a party room;
6. In the Regal complex at East Town Mall which is zoned SC-3 there is an arcade with numerous video machines;
7. There is a play area with rides at West Town Mall which is zone SC-3;
8. Build-A-Bear Workshop sells parties which take place at West Town Mall which is zoned SC-3;
9. There is a Curves fitness center located at Knox Plaza Shopping Center which is zoned SC-1;
10. There is already in the Marketplace Shopping Center which is zoned SC-3 a Crossfit Knoxville fitness center; and
11. There is a Snap Fitness Center located in Chapman Plaza which is zoned SC-2.

There are undoubtedly numerous other recreational uses that have been approved in various shopping centers which are zoned SC.

We submit that the proposed use for the Marketplace Shopping Center is similar to uses that have already been approved and that it is compliant with the shopping center designation.

As more information is developed we will present it to you prior to the November MPC meeting

Very truly yours,



Arthur G. Seymour, Jr.
FRANTZ, McCONNELL & SEYMOUR, LLP

AGSJ:bhr

cc: Mr. Ben Kenney