

▶ **FILE #:** 5-J-10-UR

AGENDA ITEM # 57

AGENDA DATE: 5/13/2010

▶ **APPLICANT:** TOM WEISS

OWNER(S): TOM WEISS

TAX ID NUMBER: 106 D A 00811

JURISDICTION: City Council District 3

▶ **LOCATION:** Northwest side of Middlebrook Pk., southwest of Old Weisgarber Rd.

▶ **APPX. SIZE OF TRACT:** 1.64 acres

SECTOR PLAN: Northwest City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Middlebrook Pk., a divided four lane arterial street.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek

▶ **ZONING:** PC-1 (Retail and Office Park) & H-1 (Historic Overlay)

▶ **EXISTING LAND USE:** Vacant dwelling

▶ **PROPOSED USE:** Office

HISTORY OF ZONING: The property was zoned PC-1 in 2000 the H-1 overlay was approved in 2001

SURROUNDING LAND USE AND ZONING: North: Developing business park / PC-1 commercial & O-3 office

South: Open space / stable / A-1 agricultural

East: Developing business park / O-1 and O-3 office

West: Developing business park / PC-1 commercial & O-3 office

NEIGHBORHOOD CONTEXT: Development in the area consists of professional offices, the main post office and a stable. Zoning in the area is PC-1 commercial and O-1 and O-3 office.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a driveway and parking lot at the location shown on the development plan subject to 6 conditions**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance
2. The slope of the driveway not exceeding a grade of 15% with an appropriate vertical curve at the entrance to prevent vehicles from bottoming out
3. Widening the driveway to a minimum width of 20' and provision of an adequate curb radius as may be required by the Knoxville Engineering Dept.
4. Meeting all other applicable requirements of the City of Knoxville Engineering Dept.
5. Limiting access to this site to the one driveway at the location shown on the plan. Access from any other location to this site will require consideration of another use on review.

6. A revised site plan reflecting the conditions of approval must be submitted to MPC staff for certification prior to issuance of a land development permit.

COMMENTS:

In the past this applicant has renovated the existing historic structure on this site. At this time he is proposing to construct a driveway and parking lot that will permit the commercial occupancy of this structure. Historically, this site has been occupied as a dwelling. The current driveway was constructed to meet the needs of a dwelling. Now that the wish is to convert to an office/commercial use the driveway will have to be upgraded and a parking lot will have to be constructed. The existing driveway will need to be widened and regraded and a parking lot with a sealed surface will be required.

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

1. Public water and sewer utilities are in place to serve the site.
2. The proposed driveway and parking lot are needed in order to convert the use of this structure from a dwelling to office/ commercial occupancy. The development of the driveway and parking area will have minimal impact on surrounding property because the driveway is located in the same location as the existing driveway and the parking area will be constructed to the side and rear of the structure.

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

1. The proposed driveway and parking lot development is consistent with all relevant requirements of the PC-1 zoning district, as well as all other criteria for approval of a use on review.
2. The proposed development 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.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

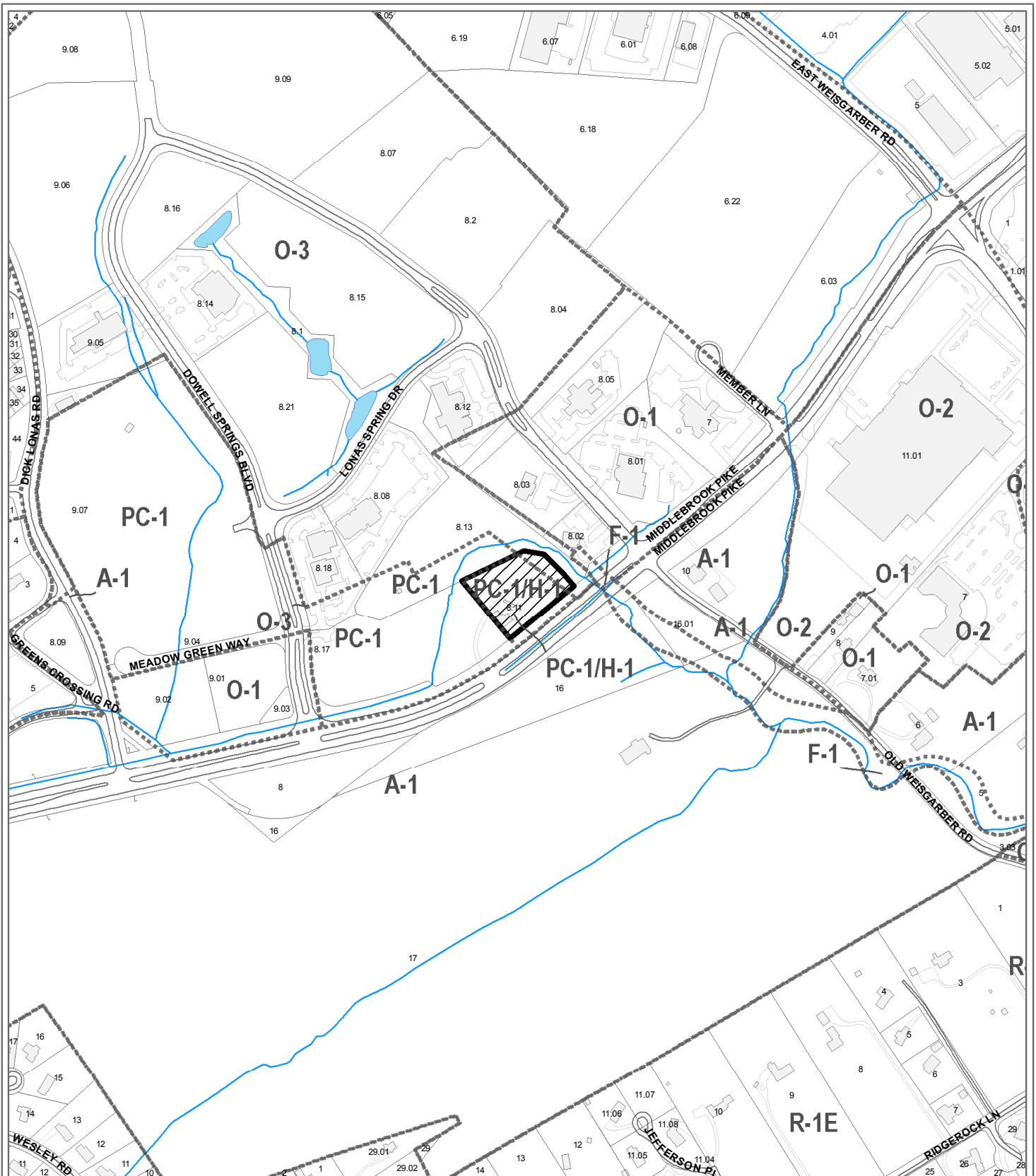
1. The Northwest City Sector Plan proposes commercial uses for the site, which is consistent with the proposed density of 7.06 du/ac.
2. The City of Knoxville One Year Plan proposes general commercial uses.

ESTIMATED TRAFFIC IMPACT 83 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

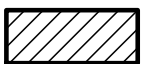
ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



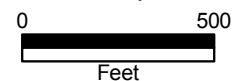
**5-J-10-UR
USE ON REVIEW**

Petitioner: Weiss, Tom



Office in PC-1 (Retail and Office Park) & H-1 (Historic Overlay)

Map No: 106
Jurisdiction: City



Original Print Date: 4/15/2010 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

