

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
 USE ON REVIEW REPORT**

▶ **FILE #:** 11-F-16-UR **AGENDA ITEM #:** 37

POSTPONEMENT(S): 11/10/2016 **AGENDA DATE:** 12/8/2016

▶ **APPLICANT:** **BAKER CREEK BOTTOMS, LLC**

OWNER(S): Baker Creek Bottoms, LLC

TAX ID NUMBER: 109 K F 005, 006, 007, & 109KD010 [View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 3706 Sevier Heights Rd

▶ **LOCATION:** **Southeast and northwest sides Sevier Heights Rd, and south side Wallace Dr.**

▶ **APPX. SIZE OF TRACT:** **4.6 acres**

SECTOR PLAN: South City

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

ACCESSIBILITY: Access is via Sevier Heights Rd., a local street with 15' of pavement width within 30' of right-of-way, Lancaster Dr., a minor collector street with 20' of pavement width within 50' of right-of-way, or Wallace Dr., a local street with 16' of pavement width within 40' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Baker Creek

▶ **ZONING:** **C-3 (General Commercial) pending**

▶ **EXISTING LAND USE:** **Vacant church**

▶ **PROPOSED USE:** **Use on Review for mixed commercial development (restaurant, craft brewery, office) and Special Exception for residential uses**

HISTORY OF ZONING: Rezoning request to C-3 is pending.

SURROUNDING LAND USE AND ZONING: North: Wallace Dr., houses / R-1 (Low Density Residential)

South: Recreational area / R-1 (Low Density Residential) & RP-1 (Planned Residential)

East: Houses / R-1 (Low Density Residential)

West: Lancaster Dr., houses / R-1 (Low Density Residential)

NEIGHBORHOOD CONTEXT: A now closed church is located on the subject property, which is surrounded by a detached residential neighborhood, zoned R-1.

**STAFF RECOMMENDATION:**

▶ **APPROVE the request of a mixed use development as shown on the development plan, including 12 residential units as a special exception in the C-3 zone, subject to 11 conditions.**

1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Installation of sidewalks as identified on the development plan meeting the applicable requirements of the ADA Accessibility Guidelines (ADAAG) and the requirements of the Knoxville Department of Engineering.
5. Approval by City Council of the pending rezoning to C-3 with the condition as recommended by the Metropolitan Planning Commission.
6. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permits for the facility.
7. Obtaining all necessary zoning variances, including but not limited to parking.
8. Installing a sidewalk along Sevier Height Rd., from Lancaster Dr. to Wallace Dr., on at least one side of the street in accordance with the requirements of and approval by the Knoxville Department of Engineering.
9. Installation of an ADA accessible route from the off-site parking lot to the internal driveway and/or sidewalk system of the site with the primary uses.
10. Removal of 2 of the 4 driveways along Wallace Drive, east of Sevier Heights Road, unless otherwise approved by the Knoxville Department of Engineering.
11. Meeting all applicable requirements of the Knoxville Urban Forester.

With the conditions noted, this plan meets the requirements for approval within a C-3 (General Commercial) district and the criteria for approval of a use on review.

**COMMENTS:**

The applicant proposes to reuse the existing church buildings for a mix of uses, including retail, office, restaurant, residential, hotel, warehouse, and brewery uses. In November, MPC recommended approval of C-3 zoning for the property with a condition requiring use on review approval of a development plan before any occupancy permits are issued. The rezoning will be heard on first reading by City Council on December 6, 2016, so the rezoning will not be finalized before the MPC consideration of the development plan unless City Council approves the rezoning on emergency. Staff has recommended a condition of this use on review that the rezoning must approved by City Council with the condition or this use on review will not be valid.

The large sanctuary (building 02) is proposed to be a theatre venue (playhouse venue) with a capacity of 500 seats. The smaller sanctuary (building 01) is proposed to have a 3,150 sqft restaurant, 2,000 sqft of retail, and 500 sqft of office space. Building 04 is an existing house on the site that is to be converted to a hotel use with 2 rooms.

There is a 9,800 square foot brewery proposed in building number 03, which is a use permitted on review in the C-3 district. Breweries that are larger than 10,000 sqft must be separated from residential and office uses by no less than 200 feet from property line to property line. The subject site is adjacent to residential uses and zoning to the east so the proposed brewery can only expand 200 sqft. The building where the brewery is located is two stories, one of which is a basement level. The brewery will be on the main (upper) floor, which is at grade with the driveway on the front of the building. Deliveries are proposed to be through the front of the building and not the rear, which is adjacent to the residential uses. The brewery will also have a 2,000 square foot tasting room located at the main entrance to the facility, as shown on the development plan. The basement level of this building is proposed to be warehouse space and will have deliveries to the rear of the building. A landscape buffer is proposed along the shared property boundary with the residential uses.

The 12 proposed residential units require a special exception approval by the planning commission and are being reviewed as part of this use on review. Residential uses on this site at an LDR density (less than 6 du per acre) is compatible with the surrounding residential uses. There are 12 dwelling units proposed on the 4.4 acre site, which is approximately 2.7 du/acre. The residential units are proposed in building 05, which will also contain approximately 11 hotel rooms.

The proposed development also includes site improvements such as parking lot striping, adding trees in the parking lots and on the site in general, closure of one driveway to Sevier Heights Rd. and one driveway to Wallace Dr., and a landscape buffer on the east side of the property, adjacent to the residential properties.

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

1. The proposal will have little impact on schools in regard to the number of school age children that will live at this development. South-Doyle Middle School is a short distance away but the proposed development is not anticipated to adversely impact the function or safety of the school.
2. Public water and sewer utilities are available to serve the development.
3. Deterioration of the existing structures will be halted and the renovated structures and site will result in

improved neighborhood appearance.

4. The development will cater to people interested in the taking advantage of the adjacent and nearby recreational opportunities.

5. The proposed mix of uses does not require a traffic impact study to be submitted as part of this use on review. The site is, however, in a neighborhood setting and will generate additional traffic on the areas neighborhood streets. The former church use also generated traffic but during much more concentrated time frames when other traffic is usually lighter.

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

1. The proposed mixed use 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, One Year Plan and Sector Plan, if amended as recommended. 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 draw additional traffic through residential areas, however, the impact is not anticipated to much different than the former use of a church, though at different times.

2. The proposal meets all relevant requirements of the C-3 zoning district, as well as other criteria for approval of a use-on-review, if the C-3 zoning is approved as recommended.

#### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

1. The use is in conformity with the Sector Plan and One Year plan for the area which proposes GC (General Commercial), if approved as recommended.

ESTIMATED TRAFFIC IMPACT: Not required.

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.