

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

▶ **FILE #:** 12-F-17-UR

AGENDA ITEM #: 57

AGENDA DATE: 12/14/2017

▶ **APPLICANT:** AARON PENNINGTON

OWNER(S): CCAHT

TAX ID NUMBER: 109 P L 014, 015, 016, 017

[View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 3839 W Martin Mill Pike

▶ **LOCATION:** North side W. Martin Mill Pike, east of W. Blount Ave.

▶ **APPX. SIZE OF TRACT:** 0.676

SECTOR PLAN: South City

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

ACCESSIBILITY: Access is via W. Martin Mill Pike, a minor arterial street with 28' pavement width within 50' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Goose Creek

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

▶ **EXISTING LAND USE:** Office, vacant land

▶ **PROPOSED USE:** Multi-dwelling residential building with 3 dwelling units.

4.4 du/ac

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Houses, business / C-3 (General Commercial) & R-1A (Low Density Residential)

South: Office, retail / C-3 (General Commercial)

East: Houses, business / C-3 (General Commercial)

West: Houses / R-1A (Low Density Residential)

NEIGHBORHOOD CONTEXT: This site is located the along Martin Mill Pike in the Vestal community, developed with a mix of detached houses, office, retail, and business uses in the C-3 and R-1A zones.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a multi-dwelling structure with 3 dwelling units, as shown on the development plan, subject to 4 conditions.**

1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.
2. Meeting all requirements of the City of Knoxville Department of Engineering, including by not limited to obtaining the necessary sight distance at the proposed driveway, design of the sidewalk, and mitigation of the stream buffer encroachment.
3. Meeting all requirements of the Off-street Parking, Access, Driveway, & Landscaping Requirements (Article

5, Section 7), including but not limited to the location of bicycle parking in subsection I (Bicycle Parking Provisions).

4. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a multi-dwelling structure in the C-3 zone and the other criteria for approval of a Use on Review.

COMMENTS:

This proposal is for a multi-dwelling structure with three dwelling units. The ground and second story units will have 5 bedrooms each and in the basement there will be a 1 bedroom unit. The parking area will be on the north side of the new building and will have access to Martin Mill Pike. The applicant has submitted a site distance study that shows the proposed location of the driveway can obtain the minimum site distance in both directions. The driveway will need to be reviewed and approved by TDOT and the City of Knoxville Department of Engineering.

The building must meet the recently adopted supplementary regulations for "Multi-Dwelling Structures as Use on Review" in the C-3 district. The design of the structure meets the minimum standards but in a non-traditional way. The ground floor is relatively uninviting with a closed off feel because of the tall brick wall and high horizontal windows. The reasoning for this is for privacy because the developer is the Community Coalition Against Human Trafficking (CCAHT) and the residents have special needs. If this project is approved, CCAHT will also be purchasing the adjacent two story brick building to the south for their offices.

The applicant has also applied for zoning variances to allow the new residential building and parking to be located closer to the road than what MPC is reviewing for use on review approval (see Exhibit A for this alternative site plan). The intent is to more closely align the new building with the front of the existing two story brick building to the south. By moving the building forward, they will also be able to have less impact on the existing vegetation and creek to the rear of the property. This alternative plan (Exhibit A) is not to be approved by MPC, but is to show how they would like to develop the property if the Board of Zoning Appeals (BZA) approves the variances. If the variances are approved, then MPC staff will be able to approve modifications to the development plan based on those new setbacks. Staff does not have any concerns with moving the building and parking forward as proposed since they will be matching an established setback and reducing the impact to the stream to rear of the property.

EFFECT OF 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 utilities are in place to serve this development.
2. The proposal will have little impact on surrounding properties since it is on a commercial street and there is a creek that separates it from the residential properties to the rear.
3. The proposal will have no impact on schools.

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

1. With the recommended conditions, the proposed multi-family residential structure meets all of the requirements of the C-3 (General Commercial) district of the Knoxville Zoning Ordinance.
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 scale of the development 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 substantial additional traffic through residential. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The South City Sector Plan and Knoxville One Year Plan identify the property as a Mixed Use Special District (MU-SC4) and recommends higher intensity development that is compatible with the South Waterfront design standards. The proposal complies with the recently adopted design standards for multi-dwelling development in the C-3 district, which is compatible with the South Waterfront development standards.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 41 (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: 0 (public school children, ages 5-18 years)

Schools affected by this proposal: South Knoxville Elementary, South Doyle Middle, and South Doyle High.

- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

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.