

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

▶ **FILE #:** 10-C-17-UR **AGENDA ITEM #:** 52

POSTPONEMENT(S): 10/12/2017 **AGENDA DATE:** 12/14/2017

▶ **APPLICANT:** GATEHOUSE PROPERTIES

OWNER(S): Brian Hann

TAX ID NUMBER: 109 K D 002, 002.01 [View map on KGIS](#)

JURISDICTION: City Council District 1

STREET ADDRESS: 0 Sevierville Pike

▶ **LOCATION:** South side Sevierville Pike, west side Sevier Heights Rd.

▶ **APPX. SIZE OF TRACT:** 0.4 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 a 20' pavement width within a 40' right-of-way. The property fronts on Sevierville Pike, a major collector with a 22' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Baker Creek

▶ **ZONING:** C-1 (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Mixed use building with 3 dwelling units and 2,200 square feet of retail
7.5 du/ac

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Residences / R-2 (General Residential)

South: Residences / R-1 (Low Density Residential)

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

West: Restaurant / C-1 (Neighborhood Commercial)

NEIGHBORHOOD CONTEXT: The site is located in a small neighborhood commercial node at the intersection of Sevierville Pike and Sevier Heights Rd. in a predominantly residential neighborhood that has developed under R-1 (Low Density Residential) and R-2 (General Residential) zoning. There is an adjacent restaurant developed in the C-1 (Neighborhood Commercial) zoning.

STAFF RECOMMENDATION:

▶ **APPROVE the request for up to 3 dwelling units on the second story of the proposed building, as shown on the development plan, subject to 10 conditions.**

1. Connection to sanitary sewer and meeting all other applicable requirements of the Knox County Health Department.

2. Obtaining all necessary zoning variances from the Knoxville Board of Zoning Appeals and/or right-of-way dedication variances from the Metropolitan Planning Commission.

3. Installation of sidewalks as identified on the development plan meeting all applicable requirements of the City of Knoxville Department of Engineering and the Americans with Disabilities Act (ADA). The sidewalks shall be installed prior to the issuance of an occupancy permit for the project.
4. Installation of landscaping as shown on the development plan within six months of the issuance of occupancy permit for this project.
5. Screening the dumpster on all sides with an enclosure constructed of opaque fencing or masonry wall, and opaque gates.
6. Installation of all fencing and screening prior to the issuance of an occupancy permit for the project.
7. Meeting all applicable requirements of the Knoxville Department of Engineering and Department of Plans Review and Inspections.
8. Obtaining approval and recording a final plat of the property prior to obtaining a building permit.
9. Meeting all applicable requirements of the Knoxville sign regulations, with the exception that detached signage is allowed along the Sevierville Pike frontage only. This is not to exclude any other signs that may be permitted along the Sevier Heights Road frontage.
10. Meeting all applicable requirements of the Knoxville Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval in the C-1 zone and the other criteria for approval of a Use on Review.

COMMENTS:

This proposal is for a mixed use development that includes approximately 2,155 square feet of commercial space on the ground floor and 3 dwelling units on the second floor. The parking lot is to the rear of the building with access from Sevier Heights Rd. and will connect to the adjacent parking lot to the west which has access to Lancaster Dr.

The C-1 zone district allows consideration of dwelling units as a use permitted on review when "in conjunction with another permitted use." This has been interpreted to mean that the persons living in the dwellings must work at a business on-site. If this interpretation were to change or the zoning regulations changed, the persons living in the dwelling may not be required to work at a business on-site. The use on the ground floor has not been specified but it is identified for retail use for the purpose of calculating the minimum parking requirement. The ground floor use could be any of the permitted uses in the C-1 district. A 6' tall privacy fence will be installed between the south side of the parking lot and the adjacent residential lot.

Staff has identified that right-of-way dedication variances will need to be approved by the Planning Commission when the lot is platted in order for the development to be constructed as proposed without zoning variances. It is unknown if setback variances will be required until the lot is platted, however, it is Staff's opinion that the site design meets the intent of the zoning ordinance by setting the building 25' from Sevierville Pike and the building and parking lot 50' from the centerline of Sevier Heights Rd., which is approximately the same setback of the houses on the same side of this street.

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

1. The proposed commercial development will have minimal impact on local services since utilities are in place to serve this development.
2. At this location, the proposed commercial development will be neighborhood serving in scale and the permitted business uses in the C-1 should not draw significant additional traffic into the area. Restaurants are a "use permitted on review" in the C-1 district and could cause more traffic in the area. If a restaurant is proposed a new Use on Review approval would be required and the impact that specific use would be evaluated at that time.
3. The proposal will have little impact on schools.

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

1. With the recommended conditions, the proposed mixed use development with 3 one bedroom dwelling units meets all of the requirements of the C-1 (Neighborhood 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 which includes a mix of residential and business uses. The use will not significantly injure the value of adjacent property. The use will not draw substantial additional traffic through residential areas since the development is located off of a major

collector street. 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 for NC (Neighborhood Commercial) use. The C-1 zoning is consistent with the NC land use and allows consideration of dwelling units 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.

ESTIMATED TRAFFIC IMPACT: 128 (average daily vehicle trips)

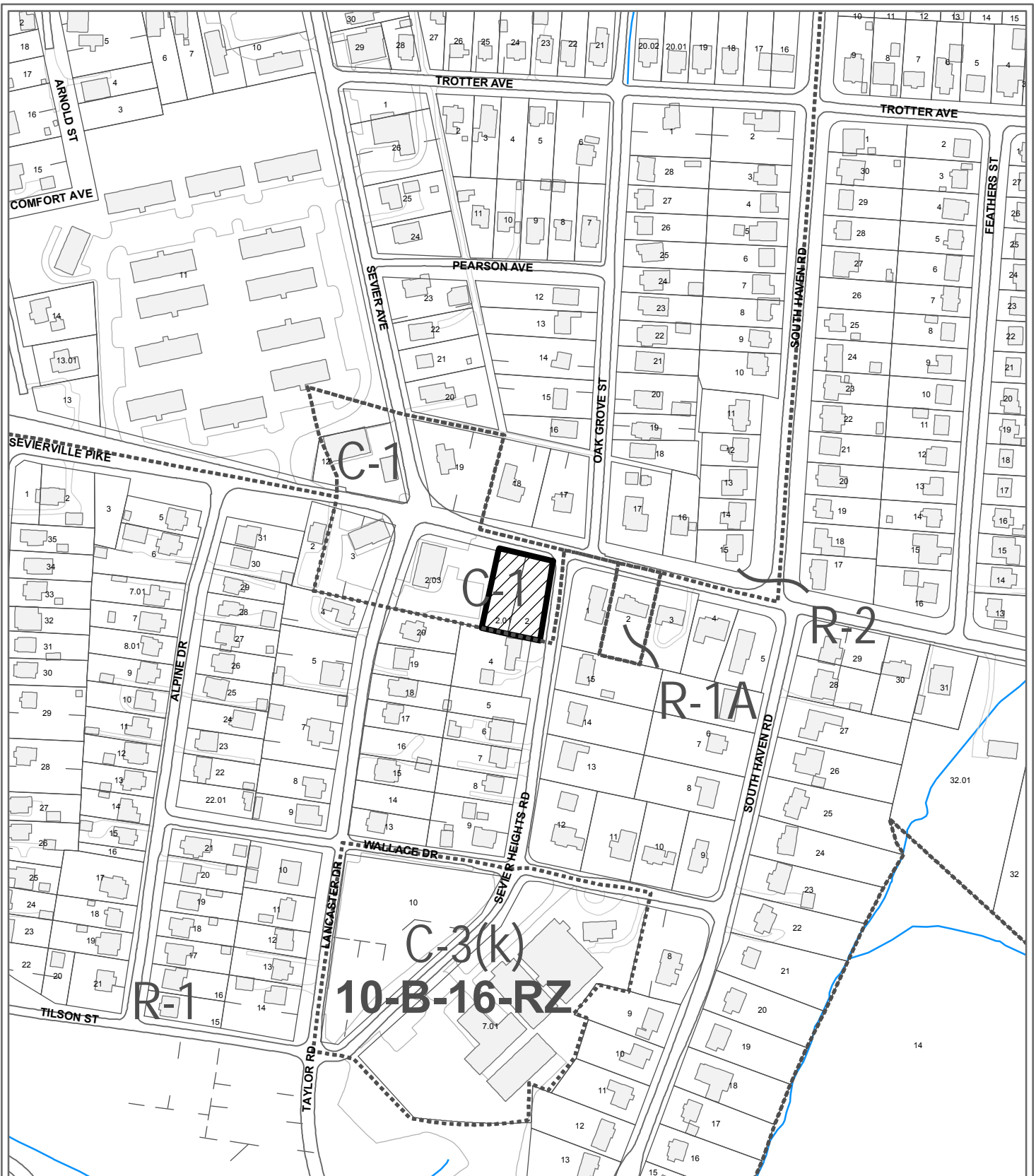
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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)

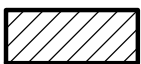
Schools affected by this proposal: Dogwood Elementary, South Doyle Middle, and South Doyle High.

- 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.



**10-C-17-UR
USE ON REVIEW**

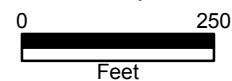


Mixed use building with 3 dwelling units and 2,200 square feet of retail in C-1 (Neighborhood Commercial)

Petitioner: Gatehouse Properties

Map No: 109

Jurisdiction: City



Original Print Date: 9/20/2017

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

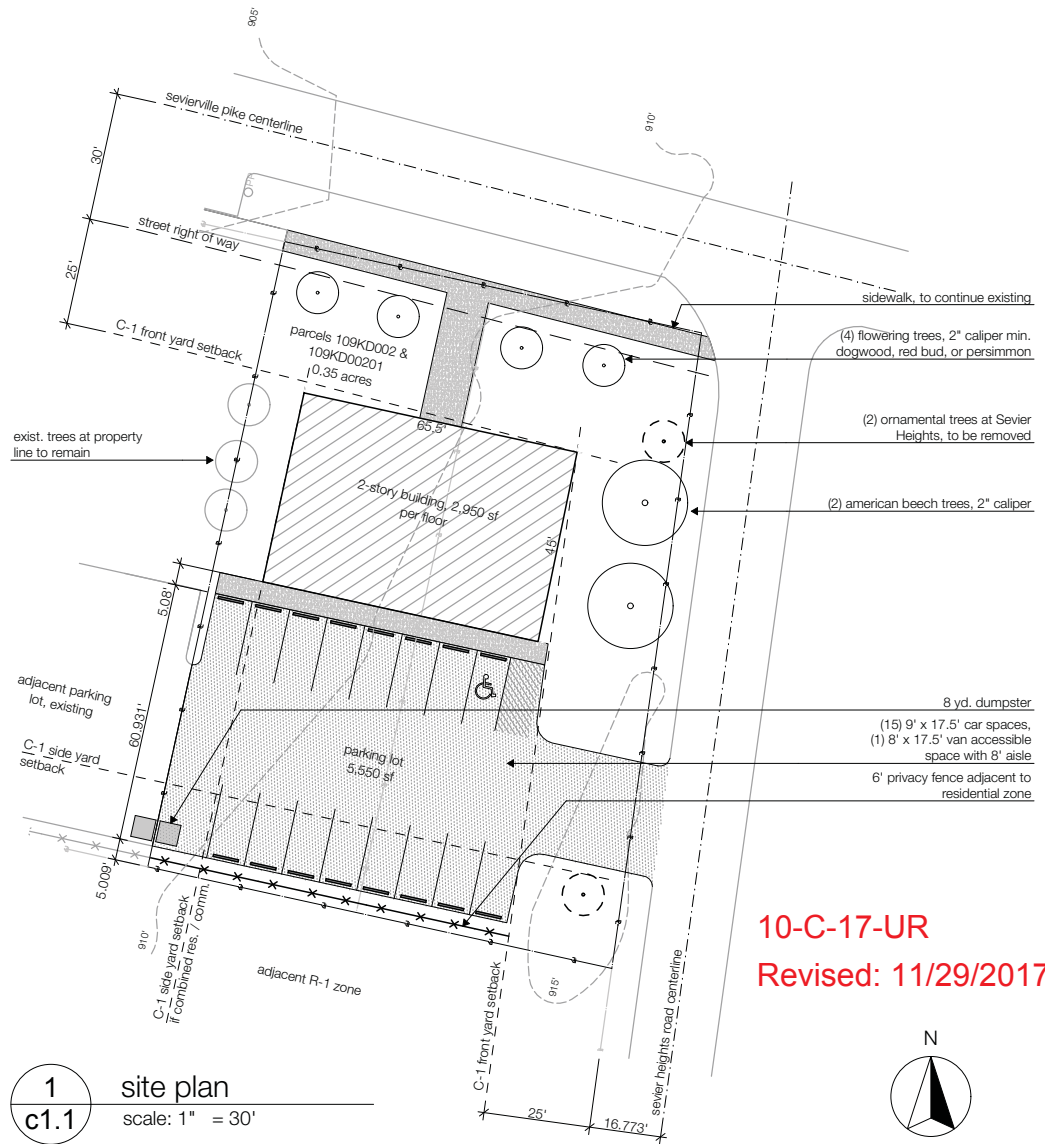
0 Sevierville Pike
 Parcels 109KD002 & 109KD00201
 C-1 Zone
 note: to be platted as one lot after Use on Review approval

- Permitted uses, proposed for ground floor:
 Business Use
- Uses permitted on review, requested for upper floor:
 Dwelling units in conjunction with another permitted use.
- Parking Spaces Required:
 Efficiency and one-bedroom dwelling units within multi-dwelling structures or developments: One and one-half (1½) spaces per dwelling unit for the first twenty (20) units.
 Retail sales establishment: Five (5) spaces per one thousand (1,000) square feet of G.L.A.

Qty.	Use	Area provided	Spaces
1	Retail	2,155 sf GLA	10.8
3	1 br apartment	800 sf each	4.5
Total Required			16
Provided			16

- Trees required per Section 14-36 Planting of trees:
 Eight (8) trees per acre, with at least one-half of the required number being species capable of attaining a height of fifty (50) feet or more at maturity.

Required: 2.8
 Removed: 2
 Provided: 6 (4 ornamental, 2 large)



1 site plan
 c1.1 scale: 1" = 30'

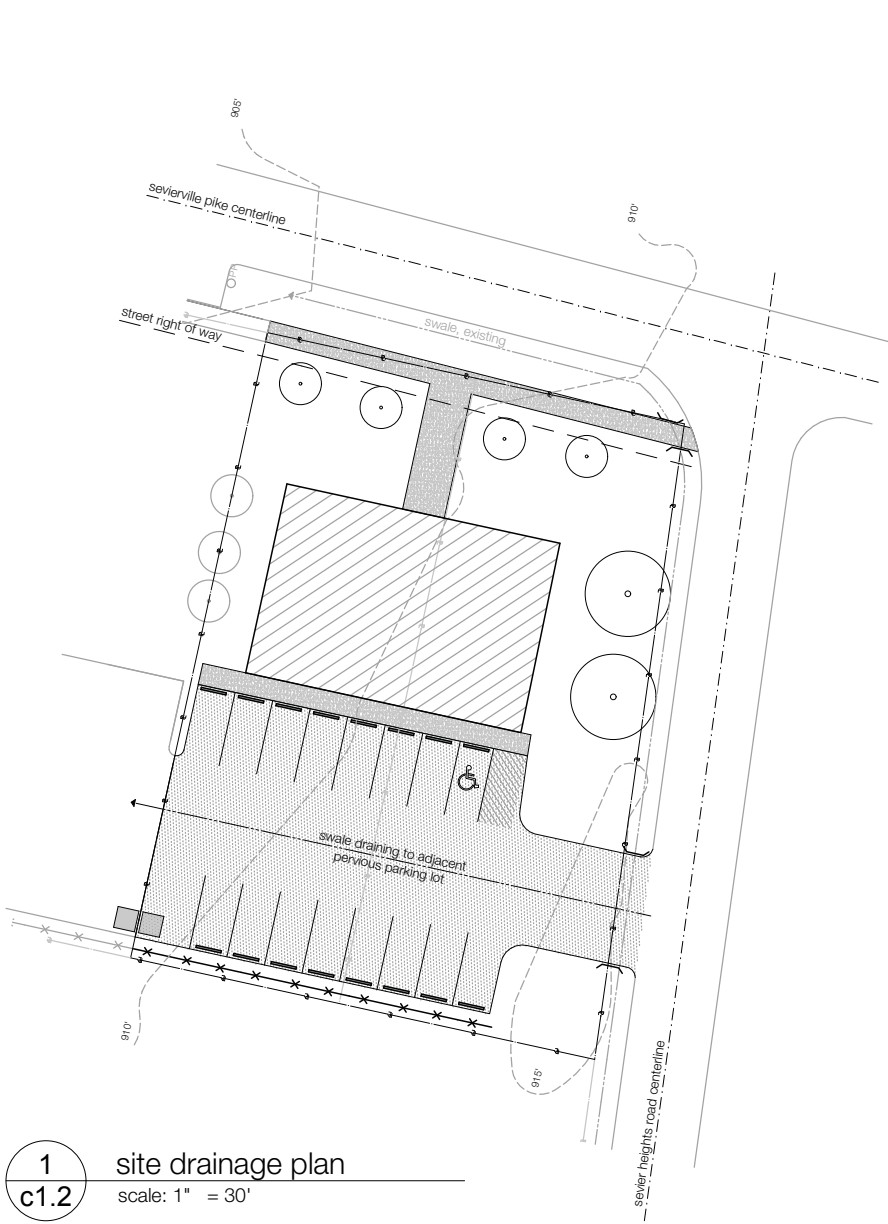
10-C-17-UR
 Revised: 11/29/2017

c1.1
 site plan

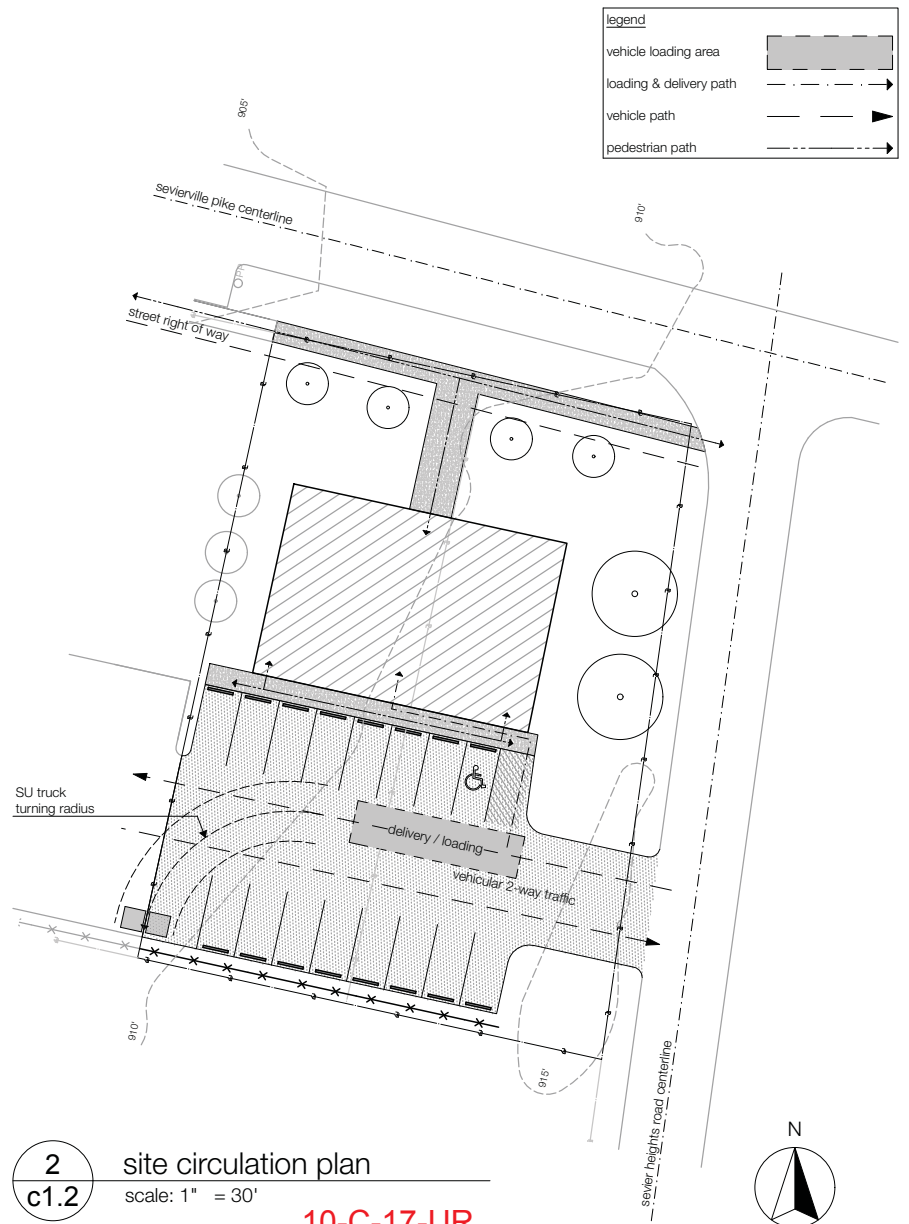
Use on Review 2017.11.29
 Use on Review 2017.08.28
 Site Plan 2017.04.11
 issue date

Gatehouse Properties
 Site Preparation
 0 Sevierville Pike, Knoxville
 TN 37920
 project number : 1706

524 williams street
 knoxville, tn 37917
 +1 865 603 4297
 create@forkdesign.us
 design
 #Project Status



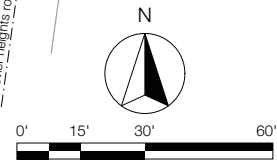
1 site drainage plan
c1.2 scale: 1" = 30'



2 site circulation plan
c1.2 scale: 1" = 30'

legend	
vehicle loading area	
loading & delivery path	
vehicle path	
pedestrian path	

10-C-17-UR
Revised: 11/29/2017



c1.2	site plans
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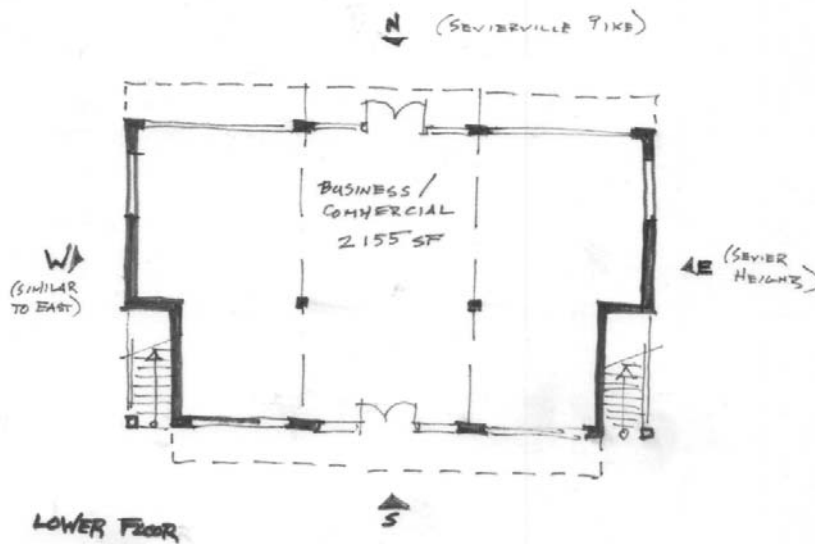
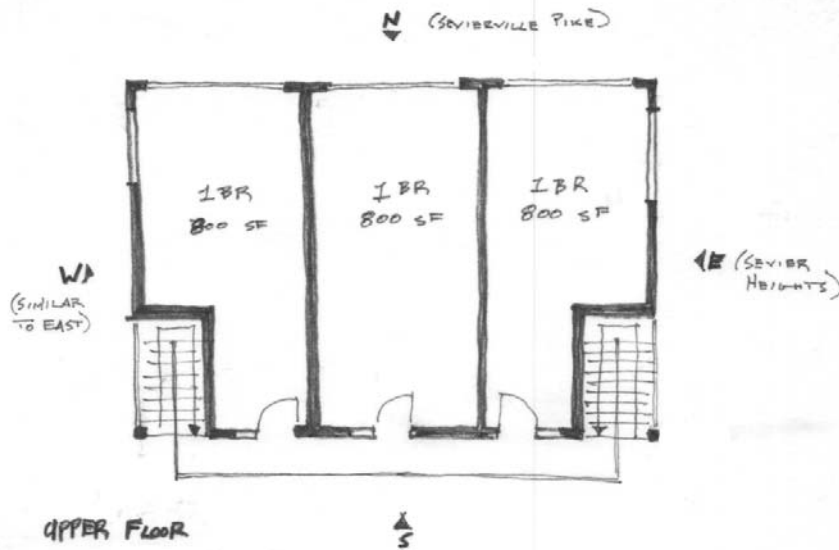
Use on Review	2017.11.29	date
Use on Review	2017.08.28	issue
Site Plan	2017.04.11	

Gatehouse Properties Site Preparation 0 Sevierville Pike, Knoxville TN 37920	project number : 1706
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knoxville, tn 37917
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fork design

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10-C-17-UR
 Revised: 11/29/2017

c1.3	floor plan
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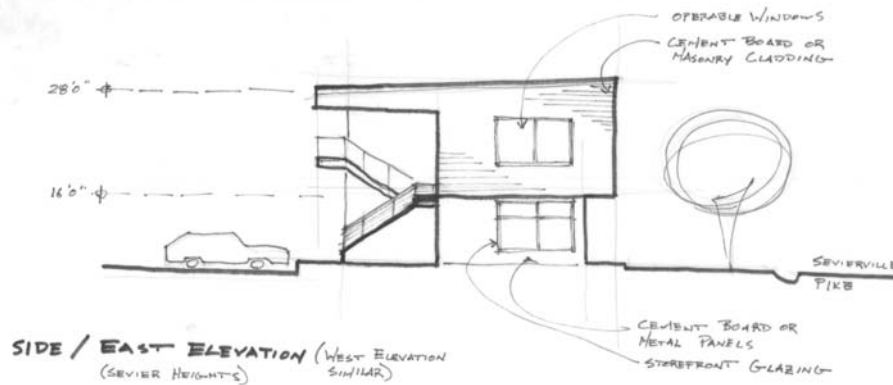
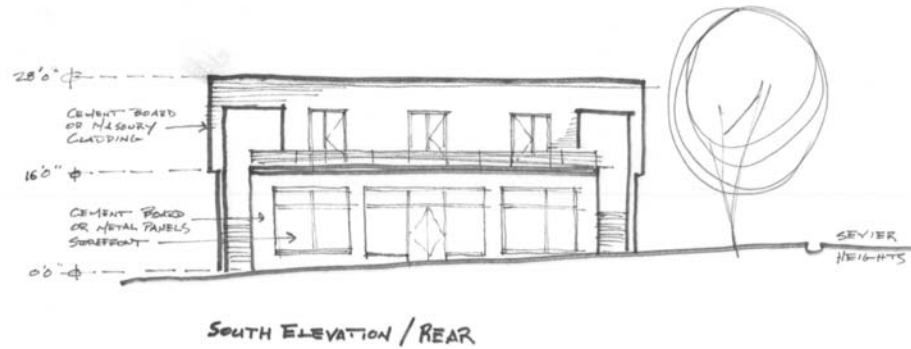
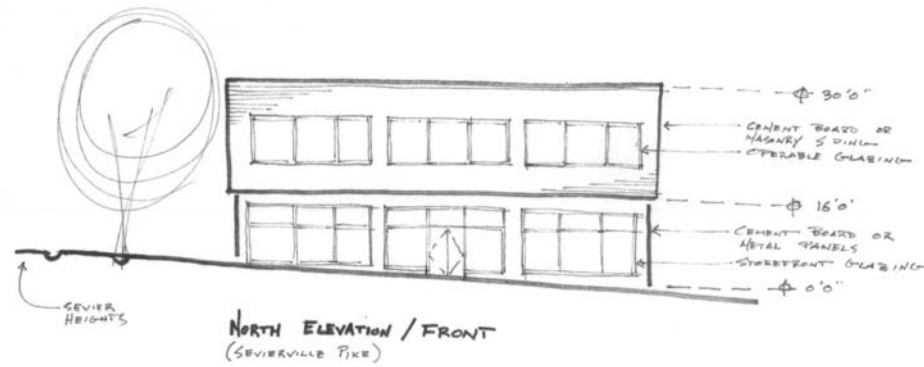
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issue		

Gatehouse Properties Site Preparation 0 Sevierville Pike, Knoxville TN 37920	project number : 1706
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 knoxville, tn 37917
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10-C-17-UR
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c1.4	elevations
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Use on Review	2017.11.29	date
Use on Review	2017.08.28	date
Site Plan	2017.04.11	date
issue		

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524 Williams Street
 Knoxville, TN 37917
 +1 865 603 4297
 create@forkdesign.us

fork design

#Project Status





Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Fwd: Use On Review (10-C-17-UR)

1 message

Mike Reynolds <mike.reynolds@knoxmpc.org>
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Oct 5, 2017 at 10:26 AM

----- Forwarded message -----

From: Andrew MacDonald <dancewithandrew@gmail.com>
Date: Sun, Sep 24, 2017 at 8:38 PM
Subject: Re: Use On Review (10-C-17-UR)
To: Mike Reynolds <mike.reynolds@knoxmpc.org>

Mike,

Thank you for sending these plans. We agree with your suggestion that a buffer is needed on the south side of the lot between the parking lot and the white house. We also request that large shade trees be planted on the eastern side of the lot to replace the two existing walnut trees. This will also create a buffer between the commercial space and the brick residence across the street. These are our concerns/suggestions regarding this lot. That being said, there is another larger issue concerning this lot. This larger issue is parking.

I understand that this new development will have three more spaces than are required, but we need to look at how this lot is currently being used. This lot is currently being used as overflow parking for the SoKnoTaco restaurant, which was built by the same developers who are proposing this new development. The SoKnoTaco parking lot is frequently full, and there are typically 10-15 cars parked in this lot. During the dinner hours, and especially on Thurs-Sat, there can be as many as 25-30 cars parked in this lot. At the same time, there can be as many as an additional 15 cars in the Roundup Restaurant parking lot, which is on the other side of SoKnoTaco, as well as 10-15 cars parked in the parking lot at the church at the bottom of the hill. This illustrates the magnitude of the parking issue on this block. The easy answer for this new development is to say that all of these cars current parked in this "overflow lot" under consideration for development is that they can park at the church parking lot at the bottom of the hill, but that is only a short term solution. Soon the church, and church parking lot, will be undergoing development, and parking will become an even greater issue. We request that the developers of this lot come up with a long term solution for the cars that are currently using this lot as an overflow parking lot for SoKnoTaco before the parking disappears when construction on the new development begins. We feel that this is a reasonable request since the development will displace the vehicles currently parked in this lot.

These are our requests regarding this lot. We hope you will take the time to thoughtfully consider them.

Respectfully,

Andrew and Jacqui
Residents of the brick house across the street from the east side of this lot

On Fri, Sep 15, 2017 at 2:30 PM, Mike Reynolds <mike.reynolds@knoxmpc.org> wrote:

Andrew,

The development plan is attached for the property near your house. Feel free to contact me if you have any questions.

Mike

Michael Reynolds, AICP
Senior Planner

Suite 403, City County Building
[400 Main Street](#)
[Knoxville, TN 37902](#)

p [865-215-3827](tel:865-215-3827)
f [865-215-2068](tel:865-215-2068)



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f 865-215-2068

10-C-17-UR_PP_10-12-17

KNOXVILLE-KNOX COUNTY

MPC
METROPOLITAN
PLANNING
COMMISSION
TENNESSEE

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

Request to Postpone • Table • Withdraw

Name of Applicant: Brian Hann Gatehouse Properties

AS IT APPEARS ON THE CURRENT MPC AGENDA

Original File Number(s): 10-C-17-UR

Date Scheduled for MPC Review: 10-12-2017

Date Request Filed: 9-26-17

Request Accepted by: Mike Reynolds



<p>REQUEST</p> <p><input checked="" type="checkbox"/> Postpone Please postpone the above application(s) until: <u>12/14/2017 60 days</u> <small>DATE OF FUTURE MPC PUBLIC MEETING</small></p> <p><input type="checkbox"/> Table Please table the above application(s).</p> <p><input type="checkbox"/> Withdraw Please withdraw the above application(s).</p>	<p>PLEASE NOTE</p> <p>Consistent with the guidelines set forth in MPC's <i>Administrative Rules and Procedures</i>:</p> <p>POSTPONEMENTS Any first time (new) MPC application is eligible for one automatic postponement. This request is for 30 days only and does not require MPC approval if received by MPC no later than 3:30 p.m. on the Monday prior to the MPC meeting. All other postponement requests must be acted upon by MPC before they can be officially postponed to a future MPC public meeting.</p> <p>TABLINGS Any item requested for tabling must be acted upon by MPC before it can be officially tabled.</p> <p>WITHDRAWALS Any MPC item is eligible for automatic withdrawal. A request for withdrawal must be received by MPC no later than 3:30 p.m. on the Monday prior to the MPC meeting. Withdrawal requests that do not meet these guidelines must be acted upon by MPC before they can be officially withdrawn.</p> <p>Any new item withdrawn may be eligible for a fee refund according to the following: Application withdrawal with fee refund will be permitted only if a written request is received by MPC prior to public notice. This request must be approved by either the Executive Director, or the Development Services Manager. Applications may be withdrawn after this time, but without fee refund.</p>
<p>State reason for request: <u>Additional time needed to address comments from staff.</u></p>	
<p>Eligible for Fee Refund? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Amount: _____ Approved by: _____ Date: _____</p>	
<p>APPLICATION AUTHORIZATION</p> <p>I hereby certify that I am the property owner, applicant, or applicant's authorized representative.</p> <p>Signature: <u>[Signature]</u></p> <p>PLEASE PRINT Name: <u>Brian Hann</u> Address: <u>654 Helix Lane</u> City: <u>Knox</u> State: <u>TN</u> Zip: <u>37920</u> Telephone: <u>865-382-6061</u> Fax: _____ E-mail: <u>brian@denhirstproperties.com</u></p>	

Use on Review **Development Plan**

Name of Applicant: Gatehouse Properties

Date Filed: 8-28-17 Meeting Date: 10-12-17

Application Accepted by: Sherry Wojcikienzi

Fee Amount: _____ File Number: Development Plan _____

Fee Amount: 1500⁰⁰ File Number: Use on Review 10-C-17-HR



PROPERTY INFORMATION

Address: O Sevierville PK

General Location: Next to 3701 Sevierville Pike at Sevier Hts

Tract Size: 0.4 acre No. of Units: 4

Zoning District: C-1

Existing Land Use: Vacant

Planning Sector: NC South City

Sector Plan Proposed Land Use Classification: _____

Growth Policy Plan Designation: _____

Census Tract: 23

Traffic Zone: 105

Parcel ID Number(s): 109KD002 + 109KD00201

Jurisdiction: City Council 1 District

County Commission 9 District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT Name: Gatehouse Properties

Company: _____

Address: 654 Helix Lane

City: Knox State: TN Zip: 37920

Telephone: 865-382-6061

Fax: _____

E-mail: brian@denwhirstproperties.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: Brian Hann

Company: Gatehouse Properties

Address: 654 Helix Lane

City: Knox State: TN Zip: 37920

Telephone: 865-382-6061

Fax: _____

E-mail: brian@denwhirstproperties.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation) _____

Other (Be Specific)

Mix Use Res/Retail

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT Name: Brian Hann

Company: Gatehouse Prop

Address: 654 Helix Ln

City: Kn State: TN Zip: 37920

Telephone: 865-382-6061

E-mail: brian@denwhirstproperties.com

SIGNATURES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

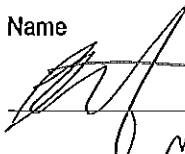
Please Sign in Black Ink:

(If more space is required attach additional sheet.)

Name

Address • City • State • Zip

Owner / Option


Managing Member

654 Helix Ln Knox TN 37920

/